

Council Chambers
Regular Meeting
March 9, 2015
7:30 p.m.

Council met in regular session with the following eight members present: Ames, Corcoran, Fleurima, Gray, Neal, Patrick, Tatman and Trutschel. (Mr. Proehl absent.) There were 2 media representatives and 19 other visitors present, in addition to Mayor Everson and City Law Director Rutherford.

Pres. Eallonardo led in the Pledge of Allegiance to the Flag.

Mrs. Neal moved and Ms. Gray seconded that the Minutes of the regular meeting of February 23, 2015 be accepted and approved, as submitted by the Clerk. All members present, voted "yea" and Pres. Eallonardo declared the motion adopted.

COMMITTEE REPORTS

Finance Committee:

Mr. Trutschel indicated that the Finance Committee has seven items on tonight's Agenda. He reported on Item #3 to appropriate \$20,000.00 from the Law Enforcement Trust Fund to be used by the Chillicothe Police Department, on tonight's Agenda for its first reading. He stated that this money comes from drug raids and an assortment of fund raisers, and that the monies are to be used for the D.A.R.E. Program, the Drug Task Force, and an assortment of other needs by the Police Department. He stated that this money has nothing to do with the city's general fund. Mr. Trutschel reported on Item #4 to accept and appropriate \$16,259.00 from the U.S. Department of Justice Edward Byrne Memorial JAG Program for body cameras for the Chillicothe Police Department, on tonight's Agenda for its first reading. He said that he will seek to pass this item tonight. Mr. Trutschel reported on Item #6 to accept and appropriate \$444.00 from the Ross County Seniors and Law Enforcement Together Council for the Assistance to Firefighters Grant, on tonight's Agenda for its first reading. He said that this ordinance to accept funding is a companion ordinance to legislation that has already been passed, as proposed by the Safety Services Committee. He indicated that smoke detectors have already been purchased and installed, and stated that he will seek to pass this item tonight.

Mr. Proehl arrived at 7:35 p.m., and was marked present for the meeting.

Mr. Trutschel continued, reporting on Item #7 to appropriate \$1,100.00 to cover fuel expenses for the city electrician for calendar year 2015, on tonight's Agenda for its first reading. Mr. Trutschel reported on Item #8 to appropriate \$1,800.00 to cover training and travel expenses for the new city electrician, on tonight's Agenda for its first reading. He stated that the purpose of this training is to get the city electrician certified for traffic control. He said that he was hoping that City Auditor Feeney would be here tonight to comment on the need for these two items. Mr. Trutschel reported on Item #9 to amend Ord. No. 115-14 relating to appropriations for current expenses and other expenditures of the city during fiscal year 2015, on tonight's Agenda for its first reading. He said that this will correctly identify the line item description for 010-740-7913, and that the amendment will take out "new roof at 35 S. Paint" and change this to "unanticipated property repairs".

Parks & Recreation Committee:

Mr. Trutschel, reporting on behalf of the Parks & Recreation Committee, stated that Item #2 to authorize the City Auditor to move the Municipal Swimming Pool Department from the general fund to the recreation fund is on tonight's Agenda for its second reading. He said that all funds that are now being earmarked for the city pool that go into the general fund will now go into the

recreation fund and remain earmarked for the city pool. Mr. Trutschel reported on Item #10 to grant use of the City Park and surrounding streets for preparation of and operation of the Annual Feast of the Flowering Moon from May 20, 2015 to May 25, 2015, on tonight's Agenda for its first reading. He said that this resolution is exactly the same as last year's resolution, except for the change of the dates. Mr. Trutschel said that also, with regard to Parks & Recreation, the Parks & Recreation Department is in the process of purchasing a tractor and lawn mower, approved in the 2015 budget. He said that there is a question as to whether the city can trade in used equipment toward the purchase of new equipment, or does the city have to auction off the used equipment. He stated that he has sent a request to City Law Director Rutherford for a written legal opinion on this.

Human Resources Committee:

Ms. Gray reported on Item #1 to appropriate \$48,000.00 to fund the EEO Administrator for the remainder of calendar year 2015, on tonight's Agenda for its second reading. She stated that she will again seek to pass this item tonight on suspension of the three reading rule, and noted that a sergeant in the Chillicothe Police Department has resigned since Council's last regular meeting. Ms. Gray reported on the status of Council Assignment #14-168, pertaining to changes to Ord. No. 80-12, the pay ordinance, stating that this has been sent to the Law Director's Office for preparation of the legislation. She reported on Council Assignment #15-04, dealing with part-time pay increases, stating that this has also been sent to the Law Director's Office for preparation of legislation. Ms. Gray stated that she does not understand why the city's Human Resources Director is delaying these two items, which were submitted to the City Law Director's Office in early February. Ms. Gray stated that the Human Resources Committee is requesting the following: (1) the status on the reposting of the position of Transit Clerk; (2) the status of the drafting of policies and procedures pertaining to city personnel; (3) an update on the Clemans Nelson contract; and (4) the status on the performance of job audits for the positions of Human Resources Director, EEO Administrator, and Civil Service Director.

Development Committee:

Mrs. Ames stated that the Development Committee has nothing on tonight's Agenda. However, she said that the committee is currently working on three Council Committee Assignments, but that she is not yet ready to provide a report on them.

REPORTS OF OFFICIALS

Report of Mayor Everson:

Mayor Everson stated that, in response to questions from Mr. Trutschel, the ordinance pertaining to the city electrician's fuel expenses is necessary because this was omitted from the 2015 budget. He said that Item #8 also deals with the new city electrician's IMSA certification. Mayor Everson welcomed to tonight's Council meeting two new members, Ceil Corcoran and Joel Fleurima. He stated that he received confirmation last Friday that the City of Chillicothe has once again been designated as a "Tree City USA", for the 18th consecutive year. Mayor Everson stated that tomorrow he will be attending a meeting at the Open Door Church to discuss the area's drug problem, and another meeting on Wednesday at St. Mary's Church. Turning to tonight's Agenda, he stated that he urges passage of Item #1 tonight, and that he is also urging passage of Item #4 so that the monies for the body cameras for the Chillicothe Police Department will be available in order to equip these at about the same time as is being done with respect to the Ross County Sheriff's Department. He indicated that the acquisition of these body cameras is consistent with talks that were held with the local chapter of the NAACP.

Report of Law Director Rutherford:

City Law Director Rutherford stated that her office recently provided training to local members of law enforcement agencies, including the Chillicothe Police Department, on a variety of issues. She stated that there was also a recent training session on an "active shooter", and that she participated in this. Mrs. Rutherford said that she has reviewed the school safety plan that has

been developed in cooperation with the Chillicothe City School District, and she said that she has the utmost confidence in this. Mrs. Rutherford stated that with respect to the concerns expressed by Ms. Gray about the delay in getting legislation before Council, the Law Director's Office is still waiting for information from the City Administration. However, she said that she does expect to have this legislation prepared by the time of the next regular meeting of Council.

AUDIENCE PARTICIPATION

Portia Boulger, who stated that she resides in the county, thanked City Law Director Rutherford for her cooperative spirit during a recent meeting that Ms. Boulger had with Mrs. Rutherford at the Law Director's Office. She said that she was very impressed with City Law Director Rutherford and her office staff.

Bruce Landis of 151 W. Fifth Street commented on some of the items on tonight's Agenda, stating that there needs to be a focus on paving of the city's streets. He said that he has concerns about those living in the downtown area, such as individuals living in group homes or Tiffin Towers, because of the obstacles confronting pedestrians. For example, he said that there are handicapped access points that do not really go anywhere. He stated that he recognizes that ADA ramps are required by federal law, but he said that he thinks that City Council and the City Administration should concentrate on making sure that the lowest level of transportation gets necessary improvements, such as repaired sidewalks and improved access. Mrs. Ames responded, stating that under federal regulations the city must sometimes put in ADA ramps, even if these do not go anywhere, when a street is repaired.

Alan Davis of 370 Braewood spoke to Council about street paving and street maintenance. He said that he recently read the article in the *Chillicothe Gazette* concerning the "Five to Thrive" program. He said that he was surprised that nothing was reported on the city's streets. He asked the question "Does the city have a plan for its streets?" He then stated that the answer is "no". He indicated that the city's existing plans are outdated, and he asked what consideration is being given to the cost to bring the city's streets back to today's standards. Mr. Davis said that the approximately \$1,400,000.00 that the proposed levy would generate is not enough to bring the city's streets back to standards. He referred the members of Council to the materials that he distributed to them, and he proceeded to go through a number of facts and statistics to illustrate what he was saying. Mr. Davis said that only 3% of the city's streets, for which the city is solely responsible, have been paved in over a decade. He said that there has been no crack sealing for many years, and essentially no repaving. He said that more than \$14,000,000.00 over the next ten years is necessary to bring the city's streets back to standards, and that it is significantly more than what the levy will bring in, if it is passed. Mayor Everson responded, stating that the points made by Mr. Davis are well taken. Mayor Everson said that the city did put together a two year street plan last summer, in preparation for the fall levy campaign. With respect to crack sealing, Mayor Everson said that ODOT repaved Paint Street about two years ago, and that the area from Second Street to Water Street already has a large number of cracks in it, which have become evident just during those two years. Mayor Everson suggested to Mr. Davis that he come in to Mayor Everson's office to discuss these matters with him.

Angie Trego, the secretary for the Feast of the Flowering Moon Committee, spoke briefly to Council and stated that she will be happy to answer any questions that the members of Council might have about this year's event.

Terry Williams of 371 Plyley's Lane stated that he echoes the comments made by Ms. Boulger concerning City Law Director Rutherford. He said that he also attended the two hour meeting with Mrs. Rutherford and her assistant, and that he agrees that Mrs. Rutherford has, in his opinion, the best run office in the city. Mr. Williams then turned to Mr. Trutschel, stating that he appreciated how Mr. Trutschel has been up front about his opposition to the funding of the position of the EEO Administrator in the 2016 budget. However, Mr. Williams said to Mr. Trutschel that he does not agree with Mr. Trutschel's position and that he intends to fight very hard to support the funding of the EEO Administrator in the future. Mr. Williams then began complaining about how he perceived that his organization, Stand Up for Chillicothe, has been treated by Chillicothe City Council. He turned to Mrs. Patrick, stating that he takes issue with her

position, as stated by her during the last meeting of Council. He then began talking about some email exchange that he had received information about, which he described as having been between Mrs. Patrick and another individual identified as Steve Reeves. Mr. Williams directly stated that Mrs. Patrick had attacked "Stand Up for Chillicothe" in this email exchange, and he described this as "chicanery". He said that Mrs. Patrick had concurred in Mr. Reeves' statements to the effect that Mr. Williams' group needed to be stopped, or it would be emboldened. He said that he has been unable to determine who Steve Reeves is, stating that this individual is apparently from outside Chillicothe and that he is not listed on the voter registration rolls for the city. Mr. Williams concluded by stating that he and his organization will continue with their advocacy, and that they are emboldened to stand for what is right.

OLD BUSINESS

Ms. Gray stated that for the third time this calendar year she is once again requesting that there be a special committee of City Council set up in order to put together a strategic plan for Council. She referred the members of Council to the copies of materials that she distributed concerning this, and proceeded to discuss what she perceives to be the benefits of doing this. She stated that she wants to see this strategic plan fully in place by June of this year.

Mrs. Patrick announced that there will be a meeting of the Nuisance Abatement Board tomorrow at 2:30 p.m.

PETITIONS AND CORRESPONDENCE

The Clerk reported on receipt of a letter from Chestnut Commons, of 230 Cherry Street, of the plan to put in a residential rental development with forty units at 425 Chestnut, here in Chillicothe.

NEW BUSINESS

Ms. Gray asked if there ever was a committee meeting on Item #4, Item #5, or Item #6 on tonight's Agenda. Mr. Trutschel responded, stating that he did not call a meeting on these three items because each of them is just to accept money.

Mr. Proehl stated that he has an issue concerning the body cameras for the police officers. Specifically, he asked if there are any hidden fees, once the cameras are acquired. He stated that he is assuming that the media will have to have storage, and that there will also be necessary updates. Mr. Trutschel responded, asking Mr. Proehl whether the Safety Services Committee has received anything on these matters. Mayor Everson suggested that Council go ahead with the acceptance of the monies that are available, and that the committees then meet at a later date to discuss the appropriation of the monies. After further discussion, during which time it was noted that the items on tonight's agenda include appropriations of the monies, Mr. Trutschel stated that he would like to proceed with a meeting of the Finance Committee as soon as possible, and he suggested Wednesday afternoon at 3:30 p.m., in the first floor conference room.

Mrs. Ames expressed her thanks to Detective Gannon of the Chillicothe Police Department for setting up the "active shooter" training. She described this, stating that she participated in this. She also thanked the city crews for all of their work in snow removal activities. Mrs. Ames commented on the Kiwanis Club's Statehood Day Celebration this past Saturday, and she also discussed the neutering program that was put on by Northfork Animal Clinic and Petland, at a charge of only \$20.00 per cat.

COUNCIL ASSIGNMENTS AND CALENDAR

Pres. Eallonardo reminded everyone that there will be a meeting of the Finance Committee this Wednesday, at 3:30 p.m., in the first floor conference room of the Administration Building to discuss the acceptance of monies. She also announced the following additional Council Committee Assignments for inclusion in the Journal of Council:

- #15-26-Finance-Appropriate \$2,000.00 to the unclaimed monies fund for the purpose of refunding dormant funds through the Chillicothe Municipal Court;
- #15-27-Development-Accept the 2015 replacement pages of the Codified Ordinances as printed by Walter H. Drane Co.;
- #15-28-Development-Appropriate \$22,000.00 for a new 8 inch water line to loop the system from Central Center to Woodbridge Avenue;
- #15-29-Finance-Appropriate \$1,000.00 from Chillicothe Municipal Court Probation Fund to Municipal Court Probation-Misc. Supplies for 12-panel drug screen kits;
- #15-30-City Services-Establish a new internal services fuel fund, also requesting a general fund advance of \$28,550.00 to the newly created fund for the purpose of the initial purchase of fuel;
- #15-31-Finance-Accept and appropriate a VOCA Grant of \$428.66 to cover approved expenses associated with the Victim Advocate's attendance at the annual May Conference in Columbus, Ohio;
- #15-32-Finance-Appropriate \$9,500.00 to the Municipal Court Building Fund for the purpose of file storage solutions;
- #15-33-Utilities/Transit-Appropriate necessary funds for the Transit Department to reimburse the Utilities Department for service performed in 2013 to fill a hole on the transit ground;
- #15-34-Parks & Recreation-Appropriate funding for part-time seasonal employees in the Parks & Recreation Department for the calendar year 2015;
- #15-35-Utilities-Transit-Appropriate \$100,000.00 for new water meters for the utilities Department;
- #15-36-Utilities/Transit-Appropriate \$50,000.00 to purchase two variable frequency drives and related equipment for pumps at the Water Treatment Plant;
- #15-37-Parks & Recreation-Request to accept a State Farm Insurance check in the amount of \$1,415.00 and appropriate this money for signage repair at the High Street Bike Path;
- #15-38-Development-Request for preliminary legislation regarding an ODOT project; and
- #15-39-Utilities/Transit-Appropriate \$18,500.00 for postage for the Utilities Department.

READING AND PASSAGE OF LEGISLATION

Ord. No. 18-15 appropriating the amount of \$48,000.00 to fund the EEO Administrator position for the remainder of calendar year 2015 and declaring an emergency was read for the second time by title only. Ms. Gray moved and Mr. Fleurima seconded that the three reading rule be suspended, placing this item on final passage. All members present voted "yea" except Mrs. Patrick, who voted "nay", and Pres. Eallonardo declared the rule suspended. All members present then voted "yea" on the item itself, and Pres. Eallonardo declared Ord. No. 18-15 adopted.

An Ordinance authorizing the City Auditor to move the Municipal Swimming Pool Department from the general fund to the recreation fund and directing that all amounts currently appropriated in said department be transferred to the new recreation fund-Municipal Pool Department was read for the second time by title only.

An Ordinance appropriating \$20,000.00 from the Law Enforcement Trust Fund to be used by the Chillicothe Police Department, and declaring an emergency was read for the first time by title only.

An Ordinance accepting and appropriating \$16,259.00 in funds received from the U.S. Department of Justice Edward Byrne Memorial Justice Assistance Grant (JAG) Program for the

purchase of body cameras for the Chillicothe Police Department, and declaring an emergency was read for the first time by title only.

An Ordinance accepting and appropriating \$6,550.00 received as reimbursement from Sprint for Chillicothe Police Department (CPD) radio upgrades, and declaring an emergency was read for the first time by title only.

Ord. No. 19-15 accepting and appropriating \$444.00 received from the Ross County Seniors & Law Enforcement Together (S.A.L.T.) Council as their cost share for the Assistance to Firefighters Grant (AFG) Program, and declaring an emergency was read for the first time by title only. Mr. Trutschel moved and Ms. Gray seconded that the three reading rule be suspended, placing this item on final passage. All members present voted “yea” and Pres. Eallonardo declared the rule suspended. All members present then voted “yea” on the item itself, and Pres. Eallonardo declared Ord. No. 19-15 adopted.

An Ordinance appropriating \$1,100.00 to cover fuel expenses for the city electrician for calendar year 2015, and declaring an emergency was read for the first time by title only.

An Ordinance appropriating \$1,800.00 to cover training and travel expenses for the new city electrician, and declaring an emergency was read for the first time by title only.

An Ordinance amending Ord. No. 115-14 relating to appropriations for current expenses and other expenditures of the city during fiscal year 2015, and declaring an emergency was read for the first time by title only.

A Resolution granting use of the City Park and surrounding streets from Wednesday, May 20, 2015 at 5:30 p.m. through Monday, May 25, 2015 at 12:00 p.m. for preparation and operation of the Annual Feast of the Flowering Moon and providing for coordination of its events with the City Parks & Recreation Department, and declaring an emergency was read for the first time by title only.

Ms. Gray moved and Mr. Fleurima seconded that the regular meeting be adjourned. All members present voted “yea” and Pres. Eallonardo declared the motion adopted. Adjourned at 8:23 p.m.

Clerk of Council

President of Council