

Council Chambers
Public Hearing
July 11, 2016
6:30 p.m.

Pres. Arnold called to order the Public Hearing on the 2017 Tax Budget, with the following members of Council present: Cartee, Clay, Fleurima, Gray, Neal, Patrick, Proehl and Tatman. (Mrs. Corcoran absent.) There were four visitors present in addition to Mayor Feeney and City Auditor Spetnagel.

Pres. Arnold called upon City Auditor Spetnagel to begin the Public Hearing. Mrs. Spetnagel said that the tax budget is a forecast of the next fiscal year that is used by the county to apportion property tax and local government fund shares. She stressed that it is not the city's operating budget, but that under Ohio law the city must adopt the tax budget by the 15th of July, or risk forfeiture of its local government funds. She referred to the packets that she distributed, including copies of the proposed budget. She then proceeded to discuss revenue items, stating that there is a slight decrease reflected in the EMS fees. Overall, she said that revenues are projected to increase by \$152,000.00. She then discussed the expense items in the budget, stating that she is projecting an increase of \$66,396.92 compared to the current year expenses. She said that the net revenue is projected to be \$1,300.90, creating a balanced tax budget for the year 2017. Specifically she said that the general fund will have an increase of 0.4% over expenses. She said that she is projecting a 2% increase in personal services. With respect to debt payments, she said that the total amount to be paid during 2017 is \$3,231,553.12.

Mrs. Neal asked if, in the future, the members of Council could receive copies of the proposed budget prior to the date of the Public Hearing. Mrs. Spetnagel said that she will do this. Mr. Cartee asked how it is that revenues are expected to exceed expenses. Mrs. Spetnagel responded, stating that she has used very conservative figures, and that as stated, the net revenues will be \$1,300.90. Ms. Gray reiterated that this is just the proposed tax budget, and it is not the city's operating budget.

Pres. Arnold inquired if any other member of Council or city official wished to be heard on the tax budget. There being no response, Pres. Arnold inquired if any member of the public wished to be heard. There again being no response, Pres. Arnold declared the Public Hearing closed at 6:48 p.m.

Clerk of Council

President of Council

Council Chambers
Regular Meeting
July 11, 2016
7:30 p.m.

Council met in regular session with all nine members present: Cartee, Clay, Corcoran, Fluerima, Gray, Neal, Patrick, Proehl and Tatman. There were 1 media representative and 8 other visitors present, in addition to Mayor Feeney, City Law Director Rutherford, and City Auditor Spetnagel. The meeting was broadcast live on Horizonview and Time Warner Cable.

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

Mr. Clay moved and Mr. Cartee seconded that the Minutes of the regular meeting of June 27, 2016, be accepted and approved, as submitted by the Clerk. All members present voted “yea” and Pres. Arnold declared the motion adopted.

COMMITTEE REPORTS

Utilities/Transit Committee:

Mrs. Patrick reported on Item #1 to appropriate \$11,141.00 to purchase and install accessories on three new buses, on tonight’s Agenda for its third reading. She said that this comes from money received from an auction of surplus equipment, and that therefore no general fund monies are involved. Mrs. Patrick reported on Item #9 to amend Section 138.04(a) pertaining to membership on the Nuisance Abatement Board, on tonight’s Agenda for its first reading. She said that the purpose of this amendment is to add a member from the Ross County Board of Health.

Human Resources Committee:

Ms. Gray reported on Item #7 to amend Section 116.02 of the Codified Ordinances pertaining to personnel in the Law Director’s Office, on tonight’s Agenda for its second reading. Ms. Gray moved and Mr. Proehl seconded that Item #7 be amended by substituting the new version distributed tonight for the original version. All members present voted “yea” and Pres. Arnold declared the motion adopted, ruling that the amendment does not constitute a substantial change and that Item #7 will therefore remain at its second reading status. Ms. Gray indicated that the purpose of the amendment is just to change the language in the emergency declaration of the ordinance. Ms. Gray reported on Item #8 to amend Section 2 of Ord. No. 2-16 pertaining to the elected officials’ personnel rates of pay and benefits, on tonight’s Agenda for its second reading. Ms. Gray moved and Mr. Clay seconded that the three day receipt rule be suspended, and that there be added to tonight’s Agenda an ordinance appropriating \$10,700.00 to fund Law Director’s office salaries and benefits for the remainder of 2016, and declaring an emergency. All members present voted “yea” and Pres. Arnold declared the rule suspended, designating this particular item as Item #12 on tonight’s Agenda for its first reading. Ms. Gray indicated that she will seek to pass all three of these items tonight.

Finance Committee:

Mr. Proehl reported on Item #6 to appropriate \$300.00 for Council office supplies, on tonight’s Agenda for its second reading. He said that he will seek to pass this item tonight.

Safety Services Committee:

Mr. Fluerima reported on Item #10 to appropriate funds for seven new police cruiser purchases, on tonight’s Agenda for its first reading. He said that this ordinance is just a formality, because Council previously passed the ordinance for the bond issue necessary to make this purchase. He said that he will seek to pass this item tonight.

Development Committee:

Mrs. Neal reported on Item #2 to authorize the appropriation of \$6,945.00 as participating local funds for the Ohio Valley Regional Development Commission for fiscal year 2017, on tonight’s Agenda for its third reading.

Engineering Committee:

Mr. Tatman reported on Item #3 to support an appropriation of funds for the estimated design fees for an extended sidewalk on the north side of Western Avenue, on tonight’s Agenda for its second reading. Mr. Tatman said that this resolution is necessary due to the increased cost of

constructing the sidewalk on the north edge of Western Avenue next to the Governor's Place Lake, as compared to the south side, which would have been fully funded by the state. Mr. Tatman reported on Item #4 to consent to the resurfacing of State Route 104 in fiscal year 2019, on tonight's Agenda for its second reading. Mr. Tatman reported on Item #5 to consent to the resurfacing of State Route 159, on tonight's Agenda for its second reading. He said that this will not be done until 2018 to 2020.

Finance Committee:

Mr. Proehl reported on Item #11 to adopt the 2017 tax budget and to certify it to the Ross County Auditor, on tonight's Agenda for its first reading. He said that this was discussed during the Public Hearing earlier tonight, and he will seek to pass it tonight because this resolution must be passed before the 15th of July and then certified to the Ross County Auditor.

Development Committee:

Mrs. Neal added that Item #2 is up for final reading tonight, and she urged a favorable vote on its passage.

REPORTS OF OFFICIALS

Report of Mayor Feeney:

Mayor Feeney urged passage of Item #11 tonight so that the city's local funding will not be at risk. He also urged passage of the other legislation for which the third reading will be suspended tonight. He commented on Item #2, stating that these funds for the OVRDC are for next year. He commented on Item #3, stating that Mr. Clay has asked how often Council authorizes money to be spent in the future. Mayor Feeney stated that this happens occasionally, providing examples such as the one for the upgrade of the hardware in the Auditor's Office, and the funding for the North Plaza Blvd. project being another example. He stated that he will check with the Auditor's Office on any others. Mayor Feeney said that we were a little shaky on the 4th of July fireworks display, but the rain stopped in time and it turned out to be very nice. He said that the city received about \$11,500.00 in contributions, and that the total cost was about \$15,000.00. He said that last year the city only received about \$3,000.00 in donations, but that we will try to get a head start on receiving donations for next year. He said that the Social Services Council is hosting a Fun Fest at the city pool, with a lot of sponsors and vendors. He indicated that this will be a fun event, and that additional information is posted on the city's web site. Mayor Feeney said that our thoughts and prayers go out because of the tragedies that occurred last week, and he expressed condolences to the families of Mr. Sterling and Mr. Castille. He also expressed condolences to the families of the five police officers killed in Dallas. Mayor Feeney said that we are fortunate to have an incredible police force here in Chillicothe, and that there is an incredible amount of caring from the top on down. However, he said that we still have a lot of room for growth, and that our city must be a leader and we all must do our best to become a better and stronger community.

Report of Auditor Spetnagel:

City Auditor Spetnagel commented on Item #10, reiterating that the money for the purchase of these seven new cruisers has already been funded through a bond issue. She also urged passage of Item #11 tonight, so that the city's tax budget can be timely filed with the Ross County Auditor.

Report of Law Director Rutherford:

City Law Director Rutherford said that the Chillicothe Municipal Drug Force has one candidate, and that we are looking for more. She also commented on the 4th of July fireworks display, expressing her thanks to all who participated in making this possible. Mrs. Rutherford

commented on Items #7, #8, and #12, stating that these pertain to personnel changes at her office. After providing an explanation of the changes, she said that Item #12 is necessary to provide the additional funding of \$10,700.00 to carry through the remainder of 2016.

Report of Pres. Arnold:

Pres. Arnold welcomed back Clerk of Council John Fosson. He commented on Item #6, stating that he urges passage of this item tonight to get some outstanding bills paid for office supplies needed by Council.

AUDIENCE PARTICIPATION

Tammy Eallonardo of 137 Church Street said that she is past President of City Council, and involved in other local government boards and small businesses in the Ross County area. She said that she is here tonight because she has many concerns about the proposed anti-discrimination ordinance. Mostly, she said that she is concerned about the newly formed Community Affairs Commission. She stated that the ordinance gives the city's executive branch very broad investigative and judicial powers and that she is also concerned about the provision to levy a \$500.00 per day fine for a violation, with the money to go back to this commission. She said that the city's businesses are already taxed significantly, and that the various provisions in this proposed ordinance do not create an environment that is friendly to small businesses. She stated that this would not have anything to do to prevent something such as the massacre in Orlando. She concluded by saying that this is just not right for Chillicothe, and that Chillicothe's government should be focusing on the increasingly dangerous drug epidemic in our city.

Randy Davies, President of the Chillicothe Ross Chamber of Commerce of 47 E. Main Street, said that he echoes the words of Mrs. Eallonardo. He said that he has received the most calls on the proposed anti-discrimination ordinance than on any other issue. He stated that although parts of the proposed ordinance are really good, there are other parts that are highly detrimental to local businesses, including especially the proposed Community Affairs Commission. In his opinion, he said that there needs to be a lot of work on this in order to improve it. He acknowledged that there will be opportunities in the future to discuss this, and said that he hopes that such discussions take place, particularly with respect to the Community Affairs Commission.

Terry Williams of 371 Plyley's Lane said that he is here tonight to echo a different opinion. He said that his church congregation has been looking for this legislation for a long time, and that although some of it may seem redundant, the problem is that there are some people in the Chillicothe community who have experienced discrimination. He then proceeded to provide examples, including a situation where a "gender choice person" was denied the use of the restroom of that person's choice by a local business. Mr. Williams said that his church is one of the local churches that originally established the Chillicothe Hospital, and that the Adena Health System recently reopened the Carlisle Building to bring physicians to Chillicothe from all over the country. He said that we want our town to be welcoming to a diverse group of people, but that discrimination continues to exist here.

Derek Jole, who refused to give his address, also spoke in favor of the proposed anti-discrimination ordinance.

Roy Truman of 364 Yoctangee Blvd. spoke to commend local law enforcement agencies.

PETITIONS AND CORRESPONDENCE

The Clerk reported on the receipt of three notices from the Ohio Division of Liquor Control, the first being a notice of the issuance of a new D5 permit to Dakotas Roadhouse, LLC, of 28 Stoneridge Drive; the next for the issuance of a new C2 permit to Englefield, Inc., dba High &

Orange Duchess, of 741 Safford Ave.; and the third being pertaining to the issuance of a new C2 permit to Harijot Ent. Inc., dba HD Mart of 129 Western Ave.

NEW BUSINESS

Mr. Cartee thanked those who spoke to Council tonight on the proposed anti-discrimination ordinance. He said that the Community Affairs Committee will have a meeting on this, here in Council Chambers, on Monday, the 1st of August, beginning at 7:00 p.m. He also stated that he wished to point out that the vast majority of the 16 Ohio cities that have passed such ordinances have created commissions similar to that contained in the proposed ordinance, and that our proposal is modeled after those ordinances.

Mr. Fleurima announced that there will be a meeting of the Safety Services Committee here in Council Chambers next Monday, July 18, 2016, at 7:00 p.m., to discuss Council Committee Assignment No. 16-43, pertaining to legislation to evaluate the restricted parking areas in the downtown; and to review metered parking areas and parking lots as well as any other parking issues.

Mr. Clay indicated that in response to the comments made tonight during audience participation, it is his belief that we as City Council have a duty to protect everyone. However, he said that he does not think that this can be done if it adversely affects the rights of others. He said that it seems to him that the question concerning the proposed anti-discrimination ordinance is whether this is right for Chillicothe. He stated that he does have concerns himself, and that he does not feel right about the proposal as drafted. He said that we do have a diverse community, and that only yesterday there was a rally downtown attended by about 1000 people. He indicated that he is looking forward to future discussions on this.

COUNCIL ASSIGNMENTS AND CALENDAR

Pres. Arnold announced three additional Council Committee Assignments for inclusion in the Journal of Council:

- #16-78-Finance-Request for legislation to appropriate funds received from Patrick Benefit Administrators into the city's insurance fund;
- #16-79-Community Affairs Committee-Request for legislation for non-discrimination ordinance; and
- #16-81-Human Resources Committee-Request for legislation to appropriate \$40,000.00 from general fund to Police Department salaries for salary and fringes for a new dispatcher for the remainder of the year.

Pres. Arnold reminded everyone that there will be a meeting of the Nuisance Abatement Board tomorrow at 2:30 p.m. in the first floor conference room of the Administration Building. He also reminded everyone that there will be a meeting of the Safety Services Committee here in Council Chambers next Monday, July 18, 2016, at 7:00 p.m., to discuss parking issues; and that there will be a meeting of the Community Affairs Committee on August 1, 2016, at 7:00 p.m., here in Council Chambers to discuss the proposed anti-discrimination ordinance.

READING AND PASSAGE OF LEGISLATION

Ord. No. 45-16 appropriating \$11,141.00 to purchase and install accessories for three new busses, and declaring an emergency was read for the third time by title only. On final passage, all members present voted "yea" and Pres. Arnold declared Ord. No. 45-16 adopted.

Res. No. 5-16 authorizing the appropriation of funds in the amount of \$6,945.00 as participating local funds for the Ohio Valley Regional Development Commission on behalf of the City of Chillicothe, Ohio, for fiscal year 2017 was read for the third time by title only. On final passage, all members present voted "yea" and Pres. Arnold declared Res. No. 5-16 adopted.

A Resolution supporting an appropriation for the estimated cost of design fees for a sidewalk extension project located on the northern side of Western Avenue from Plyley's Lane to University Drive, and declaring an emergency was read for the second time by title only.

A Resolution consenting to the proposal submitted by the Ohio Department of Transportation to resurface a portion of St. Rt. 104 in fiscal year 2019, and declaring an emergency was read for the second time by title only.

A Resolution consenting to the proposal submitted by the Ohio Department of Transportation to resurface a portion of St. Rt. 159, and declaring an emergency was read for the second time by title only.

Ord. No. 46-16 appropriating \$300.00 for City Council office supplies was read for the second time by title only. Mr. Proehl moved and Mrs. Patrick seconded that the three reading rule be suspended, placing this item on final passage. All members present voted "yea" and Pres. Arnold declared the rule suspended. All members present then voted "yea" on the item itself, and Pres. Arnold declared Ord. No. 46-16 adopted.

Ord. No. 47-16 amending Section 116.02 of the Codified Ordinances of the City of Chillicothe titled "Personnel in City Law Director's Office", 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" and Pres. Arnold declared the rule suspended. All members present then voted "yea" on the item itself, and Pres. Arnold declared Ord. No. 47-16 adopted.

Ord. No. 48-16 amending Section Two, Elected Official's Personnel, of Ord. No. 2-16 dealing with the rates of pay and other economic benefits for classified, non-classified, and management level employees of the City of Chillicothe, Ohio, and declaring an emergency was read for the second time by title only. Ms. Gray moved and Mr. Clay seconded that the three reading rule be suspended, placing this item on final passage. All members present voted "yea" and Pres. Arnold declared the rule suspended. All members present then voted "yea" on the item itself, and Pres. Arnold declared Ord. No. 48-16 adopted.

An Ordinance amending Section 138.04(a) of the Codified Ordinances of the City of Chillicothe was read for the first time by title only.

Ord. No. 49-16 appropriating funds for the purchase of seven new cruisers for use within the Chillicothe Police Department, and declaring an emergency was read for the first time by title only. Mr. Fleurima moved and Mr. Proehl seconded that the three reading rule be suspended, placing this item on final passage. All members present voted "yea" and Pres. Arnold declared the rule suspended. All members present then voted "yea" on the item itself, and Pres. Arnold declared Ord. No. 49-16 adopted.

Res. No. 6-16 adopting the tax budget for the City of Chillicothe, Ohio, for the calendar year beginning January 1, 2017, submitting the same to the County Auditor, and declaring an emergency was read for the first time by title only. Mr. Proehl moved and Mrs. Corcoran seconded that the three reading rule be suspended, placing this item on final passage. All members present voted "yea" and Pres. Arnold declared the rule suspended. All members present then voted "yea" on the item itself, and Pres. Arnold declared Res. No. 6-16 adopted.

Ord. No. 50-16 appropriating \$10,700.00 to fund Law Director's Office salaries and benefits for the remainder of 2016, and declaring an emergency was read for the first time by title only. Ms. Gray moved and Mr. Clay seconded that the three reading rule be suspended, placing this item on final passage. All members present voted "yea" and Pres. Arnold declared the rule suspended. All members present then voted "yea" on the item itself, and Pres. Arnold declared Ord. No. 50-16 adopted.

Mr. Fleurima moved and Mr. Clay seconded that the regular meeting be adjourned. All

members present voted “yea” and Pres. Arnold declared the motion adopted. Adjourned at 8:26 p.m.

Clerk of Council

President of Council