

Council Chambers
Regular Meeting
September 14, 2015
7:30 p.m.

Council met in regular session, chaired by Pres. Pro Tem Trutschel, with the all nine members present: Ames, Corcoran, Fleurima, Gray, Neal, Patrick, Proehl, Tatman and Trutschel. There were two media representatives and fourteen other visitors present, in addition to Acting Mayor Eallonardo, City Law Director Rutherford and City Auditor Feeney.

Pres. Pro Tem Trutschel led in the Pledge of Allegiance to the Flag.

Ms. Gray moved and Mr. Fleurima seconded that the minutes for the regular meeting of August 24, 2015; the minutes for the special meeting of August 27, 2015; and the minutes for the special meeting of August 31, 2015, be accepted and approved, as submitted by the Clerk. All members present voted “yea”, and Pres. Pro Tem Trutschel declared the motion adopted.

COMMITTEE REPORTS

Utilities/Transit Committee:

Mrs. Patrick reported on Item #6 to reallocate and appropriate funds from the Floodwall Capital Lands & Buildings Fund to the Floodwall Equipment Maintenance & Repair Account, on tonight’s agenda for its first reading. She said that this does not involve the appropriation of any new money, and that she will seek to pass this item tonight. Mrs. Patrick reported on Item #7 to amend Sections 359.02, 359.03, 359.06, 359.07, and 359.99 of the Codified Ordinances in order to update the enforcement of junk and abandoned vehicles and to clarify the definition of collector vehicle, on tonight’s agenda for its first reading. She said that she has passed out copies of additional materials on this, and she thanked all of those who helped in the effort to get this legislation drafted.

Human Resources Committee:

Ms. Gray said that the Human Resources Committee has nothing on tonight’s agenda, but that she wished to report on the status of a couple of committee assignments. She said that assignment #15-105, dealing with additional funds for seasonal workers in the Parks and Recreation Department and in the Service Department, will be approved. She stated that assignment #15-106, appropriating an additional \$20,000.00 to the Chillicothe Civil Service Commission, has been approved and was submitted to the City Law Director’s Office for the drafting of legislation.

Parks and Recreation Committee:

Mrs. Corcoran reported on Item #2 to appropriate and transfer \$15,000.00 to pay the balance due for the 2015 Fourth of July fireworks display, on tonight’s agenda for its second reading. She said that the invoice for this is past due, and that she will seek to pass this item tonight in order to get this paid.

Engineering Committee:

Mr. Tatman moved and Mrs. Ames seconded that the three day receipt rule be suspended, and that there be placed on tonight’s agenda an ordinance authorizing the Mayor of the City of Chillicothe, Ohio, to execute any and all documents in connection with granting a renewable 10-year easement to the Chillicothe Civic Theatre, Inc. for use at 83 South Walnut Street, and declaring an emergency. All members present voted “yea”, and Pres. Pro Tem Trutschel declared the rule suspended, designating this particular item as Item #8 on tonight’s agenda for its first reading.

Finance Committee:

Mr. Trutschel reported on Item #4 to authorize the tax levies for the City of Chillicothe for the fiscal year beginning January 1, 2016, as determined by the Budget Commission, and to certify the same to the Ross County Auditor, on tonight's agenda for its first reading. Mr. Trutschel reported on Item #5 to allow the City Auditor to transfer appropriated dollars between line items for salaries and fringes within funds only if needed on an emergency basis for the remainder of the year 2015, on tonight's agenda for its first reading.

City Services Committee:

Mrs. Neal said that the City Services Committee has nothing on tonight's agenda, but that she wished to report on the status of assignment #15-115, requesting \$180,000.00 for fuel purchases. She said that this does not involve any new money because the funds were previously included in the budgets of the various departments. Mrs. Neal indicated that this has now been approved and that it has been submitted to the Law Director's Office for the drafting of an ordinance.

REPORTS OF OFFICIALS

Report of Acting Mayor Eallonardo:

Acting Mayor Eallonardo reminded everyone that there will be a presentation titled "JEDD 101" tomorrow evening at the PACCAR medical facility, as announced by Chris Mangold during the last regular meeting of Council. She also stated that during the meeting of the Design Review Board this coming Thursday, at 4:30 p.m., there will be a discussion of the regulation of signs, lighting, banners and sidewalk areas.

Report of Auditor Feeney:

City Auditor Feeney commented on Item #2, stating that he asked Mrs. Corcoran to attempt to get this passed tonight in order to get the past due billing for the 4th of July fireworks display paid. He said that the vendor used by the city for the past couple of years did a very good job once again this year, at a very reasonable cost. Mr. Feeney also commented on Item #4 and Item #5, stating that these are annual bookkeeping ordinances. He said that Item #5 is designed to avoid the need for additional ordinances by Council in order to authorize the transfer of funds to cover salaries and fringes. On the subject of the 2016 budget, Mr. Feeney indicated that Mayor Everson has been working at home on the various requests from the department heads. He said that once this task is completed, the information will be posted online. Mr. Feeney concluded his report by confirming that, as reported by Mrs. Neal, the cost of fuel has previously been included in departmental budgets. He said that his office created a new citywide fuel fund this year, and that legislation is now needed to transfer the previously budgeted fuel funds to this separate account.

Report of Law Director Rutherford:

City Law Director Rutherford said that she was recently consulted with regard to the City's meth lab legislation as a result of a couple of recent cases. She said that in each case, she is pleased to report that the property owner was eager to cooperate in the remediation process.

AUDIENCE PARTICIPATION

Josh Cartee of 547 Plyley's Lane stated that he is here tonight on behalf of the Chillicothe Civic Theatre. He provided to Council an overview of their proposed construction project, displaying poster charts and drawings that show the lobby area that will be created for their patrons. He said that once completed, their building will have a 100 seat theater, with available parking through agreements with nearby churches. He said that the building will be two stories, and that they are hoping that this will be a catalyst to invigorate the area. He said that the anticipated completion date for the construction is the fall of 2016, and that they will be leaving a sidewalk area at least 5 feet wide in front of the extension for the lobby. Mr. Cartee concluded by expressing his appreciation to the City for its consideration of the granting of the proposed easement needed to make the lobby area possible.

Mrs. Patrick stated that she has no objection to the waiver of the three reading rule so that Item #2 can be voted on tonight, but she said that she cannot vote in favor of this proposed ordinance to pay the \$15,000.00 owed by the City for this year's 4th of July fireworks display. She said that we all agreed last year, during the 2015 budget discussions with Mayor Everson, that no city money would be authorized for this. Contrary to this agreement, she said that Mayor Everson signed the contract with the vendor before any effort was made to solicit donations. Mrs. Ames responded, stating that it is correct that the intent was to fund the fireworks entirely through donations this year, but that unfortunately the donations were not solicited until just prior to the event, with most of the small amount donated coming from the event at the pool that evening. Nonetheless, she stated that the contract itself had to be entered into earlier this year in order to schedule the vendor, and that it was entered into in good faith. Mrs. Ames said that what is owed should be paid, and that she agrees that earlier efforts to collect donations must be made in the future.

NEW BUSINESS

Mrs. Ames announced that donations are now being accepted by the Chillicothe Jaycees for the 2015 Annual Halloween Parade.

Mr. Trutschel expressed his thanks to the City for the commencement of the repaving project in the Hesswood Hills area. He said that the residents of Hesswood Hills were overjoyed to finally see their streets getting attention.

COUNCIL COMMITTEE ASSIGNMENTS

Pres. Pro Tem Trutschel said that there have been an additional 17 new committee assignments made since the last regular meeting. He said that each member of Council has received a listing of these new assignments.

READING AND PASSAGE OF LEGISLATION

Ord. No. 86-15 accepting a donation of material from Lowe's for use during the "Day of Caring" event in Yoctangee Park, and declaring an emergency, was read for the third time by title only. On final passage, all members present voted "yea" and Pres. Pro Tem Trutschel declared Ordinance No. 86-15 adopted.

Ord. No. 87-15 appropriating and transferring the sum of \$15,000.00 to pay the balance due for the 2015 Fourth of July fireworks display, and declaring an emergency was read for the second time by title only. Mrs. Corcoran moved and Mrs. Neal seconded that the three reading rule be suspended, placing this item on final passage. All members present voted "yea" and Pres. Pro Tem Trutschel declared the rule suspended. Upon the call of the roll on final passage, the following members voted "yea": Ames, Corcoran, Fleurima, Gray, Neal and Trutschel. The following members voted "nay": Patrick, Proehl and Tatman. Pres. Pro Tem Trutschel declared Ordinance No. 87-15 adopted by a vote of 6-3, sufficient to make the emergency language effective.

An ordinance providing for the placement of a "No Parking This Side of Street" sign on the north side and west end of Akron Street within the City of Chillicothe, Ohio, and declaring an emergency was read for the second time by title only.

Res. No. 10-15 authorizing the tax levies for the City of Chillicothe, Ohio for the fiscal year beginning January 1, 2016, as determined by the Budget Commission, certifying said levies to the County Auditor, 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. Pro Tem Trutschel declared the rule suspended. All members present then voted "yea" on the item itself, and Pres. Pro Tem Trutschel declared Resolution No. 10-15 adopted.

Ord. No. 88-15 allowing the City Auditor to transfer appropriated dollars between line items for salaries and fringes within funds only if needed on an emergency basis for the remainder of the year 2015, 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. Pro Tem Trutschel declared the rule

suspended. All members present then voted “yea” on the item itself, and Pres. Pro Tem Trutschel declared Ordinance No. 88-15 adopted.

Ord. No. 89-15 reallocating and appropriating funds from the Floodwall Capital Lands & Buildings Fund to the Floodwall Equipment Maintenance & Repair account, and declaring an emergency was read for the first time by title only. Mrs. Patrick 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. Pro Tem Trutschel declared the rule suspended. All members present then voted “yea” on the item itself, and Pres. Pro Tem Trutschel declared Ordinance No. 89-15 adopted.

An ordinance amending sections 359.02, 359.03, 359.06, 359.07 and 359.99 of the Codified Ordinances of the City of Chillicothe, Ohio was read for the first time by title only.

An ordinance authorizing the Mayor of the City of Chillicothe, Ohio, to execute any and all documents in connection with granting a renewable 10-year easement to The Chillicothe Civic Theatre, Inc. for use at 83 South Walnut Street, and declaring an emergency was read for the first time by title only.

Ms. Gray moved and Mrs. Ames seconded that the regular meeting be adjourned. All members present voted “yea” and Pres. Pro Tem Trutschel declared the motion adopted. Adjourned at 7:57 p.m.

Clerk of Council

President of Council