

Council Chambers
Regular Meeting
September 22, 2014
7:30 p.m.

Council met in regular session with all nine members present: Ames, Bonner, Gray, Neal, Patrick, Proehl, Showman, Tatman and Trutschel. There were 2 media representatives and 6 other visitors present, in addition to Mayor Everson, City Law Director Rutherford, and City Auditor Feeney.

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

Mrs. Patrick noted that the Minutes need to be corrected, on page 818, under “New Business”, by changing the name “Keith Allen” to the correct name, “Steve Allen”. Mrs. Patrick moved and Ms. Gray seconded that the Minutes of the Legislative Review Session of September 8, 2014, and the Minutes of the regular meeting of September 8, 2014, be accepted and approved, subject to this correction, and as otherwise submitted by the Clerk. All members present voted “yea”, and Pres. Rinehart declared the motion adopted.

COMMITTEE REPORTS

Human Resources Committee:

Ms. Gray reported on Item #7 to ratify the agreement negotiated between the city and AFSCME, Local 1562, and to authorize the appropriate city officials to execute the agreement, on tonight’s Agenda for its first reading. She said that she will seek to pass this item tonight.

Utilities/Transit Committee:

Mrs. Patrick reported on Item #1 to amend Sections 138.03 and 138.06 of the Codified Ordinances of the City of Chillicothe, titled “Nuisance Abatement”, on tonight’s Agenda for its third reading. Mrs. Patrick reported on Item #6 to repeal current Chapters 911 and 912 of the Chillicothe Codified Ordinances and to replace them with amended Chapter 911 to update sewer regulations, on tonight’s Agenda for its second reading.

Finance Committee:

Mr. Trutschel reported on Item #4 to transfer \$500.00 to fund the salary of a Treasurer’s Clerk to act as a back-up for the City Treasurer for the remainder of 2014, on tonight’s Agenda for its second reading. Mr. Trutschel said that he sent a letter to City Law Director Rutherford suggesting that, as Chairman of the Finance Committee, he could serve as the back-up to the City Treasurer and sign checks in his absence, at no additional cost to the city. Mr. Trutschel moved and Mr. Bonner seconded that Item #4 be tabled. All members present voted “yea” and Pres. Rinehart declared the motion adopted. Mr. Trutschel requested that the issue of having the Chairman of the Finance Committee serve as the back-up for the City Treasurer be assigned to an appropriate committee of Council. Mr. Trutschel reported on Item #5 to adjust the appropriations to reflect the 2014 Maximus Consulting Group cost allocations plan and to divide the cost of the plan among 3 funds, on tonight’s Agenda for its second reading. Mr. Trutschel reported on Item #10 to authorize the tax levies for the City of Chillicothe, Ohio, for the fiscal year beginning January 1, 2015, and to certify said levies to the Ross County Auditor, on tonight’s Agenda for its first reading. Mr. Trutschel said that there is a deadline of October 1, 2014, for the certification of this resolution to the County Auditor’s Office. He said that he will therefore seek to pass this item tonight.

Development Committee:

Mrs. Ames reported on Item #2 to amend Sections 1151.02 and 1151.03 of the Codified Ordinances to allow “residential” as a permitted use on other than the street level in the Historic District, on tonight’s Agenda for its second reading. She said that the Planning Commission approved this change to the Zoning Code at its meeting on September 10, 2014. She said that the Clerk of Council will schedule this for the necessary Public Hearing before City Council. Mrs. Ames moved and Mr. Bonner seconded that Item #2 not be read tonight. All members present voted “yea” and Pres. Rinehart declared the motion adopted, directing the Clerk to not read Item #2 tonight. Mrs. Ames reported on Item #3 to approve the action of the Planning Commission in rezoning the property located at 280-282 N. High Street from Residential Office to General Commercial, on tonight’s Agenda for its second reading. Mrs. Ames said that this has been scheduled for a Public Hearing before Council on October 27, 2014, at 7:30 p.m., just prior to the regular meeting that night. Mrs. Ames moved and Mr. Bonner seconded that Item #3 not be read tonight. All members present voted “yea” and Pres. Rinehart declared the motion adopted, directing the Clerk to not read Item #3 tonight. Mrs. Ames reported on Item #9 to designate a Revitalization District within the City of Chillicothe, Ohio, pursuant to Ohio Revised Code Section 4301.81, on tonight’s Agenda for its first reading. Mrs. Ames said that the Development Committee met to discuss this application on the 3rd of September, and voted to place this on Council’s Agenda. She said that there needs to be a Public Hearing on this item as well, and that the Clerk of Council will schedule this. She said that this is to benefit restaurants within the downtown district, and that it has no effect on bars.

Engineering Committee:

Mr. Tatman reported on Item #8 to appropriate \$5,000.00 to pay State of Ohio Building Permit Assessment Fees for the remainder of the 2014 calendar year, on tonight’s Agenda for its first reading.

REPORTS OF OFFICIALS

Report of Mayor Everson:

Mayor Everson said that this Saturday will be the final scheduled large item drop off on Renick Avenue. He also said that the budget requests for the year 2015 are now complete, and that these are being “tweaked”. He said that the Administration will be submitting to Council two budgets, one assuming that the tax levy will pass, and another without those additional funds. He said that meetings are currently taking place in the wards and that with the cooperation of the Chillicothe City School District, these are ongoing. He said that School Superintendent Saxton is helping with the scheduling of the meetings. Mayor Everson stated that during the Human Resources Committee meeting last week, additional information was requested concerning the funding for the Chillicothe Civil Service Commission. He said that he is in the process of putting together the documents relating to the cost of Civil Service testing. Mayor Everson concluded his report by urging the passage of Item #7 tonight.

Report of Auditor Feeney:

City Auditor Feeney commented on the meeting of the Finance Committee that took place a couple of weeks ago, stating that they delved into some questions concerning the Maximus Consulting Group Cost Allocation Plan. He commented on Item #8, stating that building permit fees are higher this year, and that although the \$5,000.00 to pay the State of Ohio will come out of the general fund, the revenues from this source have surpassed the revenue projections for this year. Mr. Feeney commented on Item #10, stating that he urges passage of this resolution tonight so that it can be timely certified to the County Auditor under state law.

Report of Pres. Rinehart:

Pres. Rinehart noted the positive improvement to N. Bridge Street at the U.S. 35 ramps. He also expressed kudos to ODOT on the S. Bridge Street and Eastern Avenue project, thanking the contractor and the city's crews as well as ODOT. He noted that the house on Allen Avenue has finally been taken down by Gillums, stating that this is well received by the neighbors.

AUDIENCE PARTICIPATION

Joe Herlihy of 314 Fairway stated that he is here tonight to question the city's decision making process that went into the change that has been made in the area of the intersection going into the Wal-Mart area. He proceeded to display to the members of City Council approximately 50 photographs that he took of the "trailer" that has been put in this area. He stated that this is a failure of city leadership and a failure of the planning process. He stated that the entrance to our community has been blighted by this eyesore. Ms. Gray responded, stating that the appearance of this structure is not what City Council anticipated would happen out there. Mr. Herlihy said that the city needs to get this fixed.

Mary Newman of 73 Timberlane Drive said that she has requested a copy of the proposed streets to be repaired, stating that the streets in her neighborhood are in terrible condition. Mrs. Patrick responded, stating that it is in the process of being prepared. Mrs. Neal said that she will get a copy to Mrs. Newman and that she will send it to her. Mrs. Newman continued, stating that the open meeting of last week concerning the proposed city income tax increase was not properly advertised. Mrs. Patrick responded, stating that there will be another meeting on Thursday, at 6:30 p.m., at the Mt. Logan School.

Mrs. Patrick said that in response to Mr. Herlihy, the property where this trailer is located is in the county. Ms. Gray said that, in fact, it is in the city limits. She said that this has been discussed, and that as she stated to Mr. Herlihy, the city never anticipated that they would put a trailer in there. A discussion ensued concerning the location of this trailer unit there, apparently having been removed to that location from Renick Avenue. Mayor Everson said that this should have gone through the Planning Commission, and he stated that he will meet with Dick Nourse to discuss the matter.

OLD BUSINESS

Mrs. Ames expressed her thanks to City Law Director Rutherford and her staff for the quick turn around of legislation requests. Mrs. Ames said that she received an email concerning the large item drop-off, which she read aloud, where the citizen stated that she "likes this better than the mess of residential pickup". She said that the citizen also commented on the city's employees at the drop-off location, stating that they were courteous, friendly and helpful. Mrs. Ames continued, stating that she wishes to commend the people who cleaned up the area of Delano and Arch Street after some people were evicted. She said that the clean-up crew was from the city's Service Department. Mrs. Ames said that Crew Excavating, from Londonderry, was the company that took down the house on Allen Avenue, not Gillums.

Ms. Gray said that she also wishes to thank City Law Director Rutherford and her office staff for their speedy responses to legislation requests.

PETITIONS AND CORRESPONDENCE

The Clerk reported on receipt of a Notice from the Ohio Division of Liquor Control of the transfer of permits from Aldi, Inc. Ohio of 5487 W. Broad Street, Columbus, Ohio to Aldi Ohio, Inc. dab Aldi of 1853 N. Bridge Street, Chillicothe.

NEW BUSINESS

Mrs. Neal said that the City Services Committee will meet on Thursday, at 4:30 p.m., in the Chillicothe Transit System Conference Room to discuss two items.

COUNCIL ASSIGNMENTS AND CALENDAR

Pres. Rinehart announced the following additional Council Committee Assignments for inclusion in the Journal of Council:

- #14-121-Finance-Request for legislation authorizing the City Auditor to move appropriated dollars between line items for salary and fringes within the same funds for the remainder of 2014;
- #14-122-Finance-Request for legislation authorizing the tax levies for the city for the fiscal year beginning January 1, 2015;
- #14-123-City Services-Request for legislation to appropriate \$20,420.00 to purchase a replacement bed for a city dump truck at \$16,325.00 and a salt spreader at a cost of \$4,095.00;
- #14-124-City Services-Request for legislation to appropriate \$4,800.00 to the refuse refund account to cover the cost of refunds for the remainder of 2014;
- #14-125-Finance-Request for legislation to appropriate \$4,200.00 for the city's share to install 2 street lights;
- #14-126-Human Resources-Request for legislation to appropriate \$33,750.00 in additional funds to supplement the Civil Service Commission for the remainder of fiscal year 2014;
- #14-127-Human Resources-Request for legislation to amend Ord. No. 58-14 to list Utilities Billing Clerk as a full-time classified bargaining unit position;
- #14-128-Safety Services-Request for legislation to accept the second installment of the 2013 Edward Bryne JAG Grant in the amount of \$10,444.00;
- #14-129-Utilities/Transit-Request for legislation to appropriate \$472,000.00 to the transit budget;
- #14-130-Finance-Request for legislation to appropriate \$25,000.00 to repair sunken sections of Water Street; and
- #14-131-Human Resources-Request for legislation to approve the AFSCME contract.

READING AND PASSAGE OF LEGISLATION

Ord. No. 81-14 amending Sections 138.03 and 138.06 of the Codified Ordinances of the City of Chillicothe, titled "Nuisance Abatement." was read for the third time by title only. On final passage, all members present voted "yea" and Pres. Rinehart declared Ord. No. 81-14 adopted.

An Ordinance adjusting appropriations to reflect the 2014 Maximus Consulting Group Cost Allocation Plan, dividing the cost of the plan among three funds, and declaring an emergency was read for the second time by title only.

An Ordinance repealing current Chapters 911 and 912 of the Codified Ordinances of the City of Chillicothe, Ohio, replacing them with amended Chapter 911, was read for the second time by title only.

Ord. No. 82-14 ratifying the agreement negotiated between the City of Chillicothe and the American Federation of State, County, and Municipal Employees, Local 1562, authorizing the appropriate city officials to execute the agreement, and declaring an emergency was read for the first time by title only. Ms. Gray 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. Rinehart declared the rule suspended. All members present then voted "yea" on the item itself, and Pres. Rinehart declared Ord. No. 82-14 adopted.

An Ordinance appropriating \$5,000.00 to pay State of Ohio Building Permit Assessment Fees for the remainder of the 2014 calendar year, and declaring an emergency was read for the first time by title only.

An Ordinance designating a Revitalization District within the City of Chillicothe, Ohio pursuant to Ohio Revised Code Section 4301.81, and declaring an emergency was read for the first time by title only.

Res. No. 14-14 authorizing the tax levies for the City of Chillicothe, Ohio for the fiscal year beginning January 1, 2015, as determined by the Budget Commission and certifying said levies to the County Auditor, and declaring an emergency was read for the first time by title only. Mr. Trutschel moved and Mrs. Ames seconded that the three reading rule be suspended, placing this item on final passage. All members present voted “yea” and Pres. Rinehart declared the rule suspended. All members present then voted “yea” on the item itself, and Pres. Rinehart declared Res. No. 14-14 adopted.

Ms. Gray moved and Mr. Bonner seconded that the regular meeting be adjourned. All members present voted “yea” and Pres. Rinehart declared the motion adopted. Adjourned at 8:05 p.m.

Clerk of Council

President of Council