

Video Conference  
Regular Meeting  
April 13, 2020  
7:00 p.m.

Council met via video conference in regular session with the following eight members present: Phillips, Payne, Nickerson, Lewis, Gillum, Shoemaker, Corcoran and Proehl. Also, in attendance were Mayor Feeney, City Law Director Villarreal, City Auditor Spetnagel, Safety-Service Director Carman, Human Resources Director Lowe and Information Technology Specialist Paul Gillum. This meeting was video conferenced due to the COVID-19 pandemic and followed the guidelines of the Ohio Attorney General, Dave Yost, allowing the public to listen to the meeting safely.

President Arnold asked for a vote to hold the meeting with the changes from normal protocol and to proceed by following the guidelines of Ohio Attorney General Dave Yost. Vote was unanimous with eight members voting “yea”.

President Arnold requested a motion to appoint Kathy Flechtner as Council Clerk Pro Tem. Mr. Shoemaker moved and Ms. Payne seconded the motion. All eight members present voted “yea” and President Arnold declared the motion adopted.

President Arnold requested a motion to excuse Mr. Tatman from the meeting if unable to join via video conference before the end of the meeting. Ms. Lewis moved and Ms. Nickerson seconded the motion. All eight members present voted “yea” and President Arnold declared the motion adopted.

Ms. Payne moved and Mr. Phillips seconded that the minutes of the regular meeting of March 9, 2020, and the minutes of the regular meeting of March 23, 2020, be accepted and approved, as submitted by the Clerk. All eight members present voted “yea” and President Arnold declared the motion adopted.

## **COMMITTEE REPORTS**

### **Finance Committee:**

Mr. Proehl reported on Item #1 strongly urging the Ohio Governor and members of the Ohio General Assembly to restore the local government fund to pre-recession levels. Mr. Proehl reported on Item #8 authorizing the mayor of the City of Chillicothe, Ohio to enter into an agreement with the Walter H. Drane company to update the Codified Ordinances of the City of Chillicothe, to prepare up to twenty (20) sets of the replacement pages, to update the code on the internet, and declaring an emergency. Mr. Proehl reported on Item #9 approving the extension of deadlines for income tax and income tax estimated payments for the first and second quarters to July 15, 2020, waiving all interest and penalties to July 15, 2020 and declaring an emergency. He said that at the appropriate time he will request to waive the three-read rule, seeking to pass these three items tonight.

### **City Service/Transit Committee:**

Ms. Lewis reported on Item #4 appropriating \$42,180.00 to pay for the final two years of Transit Department scheduling software and declaring an emergency. Ms. Lewis reported on Item #6 re-appropriating funds in the amount of \$10,550.00 for the purchase of a new transit department phone system and declaring an emergency. Ms. Lewis reported on Item #11 authorizing the Auditor to advance funds from the General Fund to the Transit Fund on an as-needed basis and declaring an emergency. She said that at the appropriate time she will request to waive the three-read rule, seeking to pass these three items tonight.

### **Engineering Committee:**

Mr. Shoemaker reported on Item #2 approving the dedication of right of way of Kiaan Street for public street purposes and accepting the improvements for public use and maintenance of said right of way. He said that at the appropriate time he will request to amend the legislation to incorporate emergency language. Mr. Shoemaker reported on Item #3 authorizing the Mayor of the City of Chillicothe, Ohio, to execute any and all documents in connection with granting an easement to Ohio Power Company, a unit of American Electric Power (AEP). Mr. Shoemaker reported on Item #10 authorizing the appropriate city officials to apply for and enter into an agreement with the Ohio Public Works Commission (OPWC) Grant Funds Program for the year 2020, accepting grant funds if awarded, and

declaring an emergency. He said that at the appropriate time he will request to waive the three-read rule, seeking to pass these three items tonight.

#### **Safety Services Committee:**

Ms. Gillum reported on Item #5 appropriating \$2,430.00 for Law Director's office computer file storage expenses and declaring an emergency. Ms. Gillum reported on Item #7 appropriating eligible 2019 grant funds and declaring an emergency. She said that at the appropriate time she will request to waive the three-read rule, seeking to pass these two items tonight.

#### **Committee of the Whole:**

President Arnold reported on Item #12 declaring a State of Emergency in the City of Chillicothe due to the COVID-19 pandemic, empowering the Mayor with extraordinary powers during the State of Emergency and declaring an emergency. He said that at the appropriate time he will request to waive the three-read rule, seeking to pass this item tonight.

Dave Tatman joined meeting at 7:17 p.m.

### **REPORTS OF OFFICIALS**

#### **Report of Mayor Feeney:**

Mayor Feeney said that he supports passage of each of the twelve items on tonight's agenda. He stated that several items are requesting to waive the three-read rule, and he find no issue with that. He stated that he believes that Council has done its due diligence in considering as the Ohio Attorney General has suggested going beyond the scope of normal practice and reviewing legislation in front of Council.

Of note, Item #4 and Item #6 may both seem like sizeable amounts to the public, however, these will be reimbursed 100% and are bills that need to be paid. The City is not making any new purchases and is trying to tighten up right now under these uncertain times.

Mayor Feeney commended Auditor Spetnagel for putting in front of Council the request to extend the income tax deadline, as well as waiving interest and penalties, as both Federal and State agencies have done.

Mayor Feeney stated that Item #12 is a unique situation for the City in asking for the declaration of a State of Emergency in the City of Chillicothe and asked for Council's support. It would put the City in a position to be a little more nimble and would allow for the modification of powers of the executive branch. It would also give Council the ability as the legislative branch to undo or retract any actions. It would give the City a little more flexibility in this time, but he certainly hopes that we do not have to use it. Mayor Feeney stated that the health and safety of the community is the ultimate priority for the good of the community.

Mayor Feeney said that a lot has happened since the last meeting, and he has made an effort to communicate to the community in various ways using Facebook Live.

Almost every day the Health District has reported a new diagnosis, but that this is to be expected since the availability of testing is becoming more fluid. We should fully expect for the number of cases to increase, and for there to be a peak and a surge. He has all of the confidence in our Health District, the Adena Health System, and our first responders, and that is a confidence the community can share.

Mayor Feeney stated that these are trying times for all of us, and he encouraged everyone to be kind to one another. 2-1-1 is an information system hosted by many agencies in the County that can connect you with everything from food resources to housing to mental health resources.

Mayor Feeney added that it is very clear that the social distancing efforts are making a difference and that Governor DeWine and Dr. Acton are reporting that the curve is flattening. He said to keep it up and how much he appreciated everyone and that we will get through this together.

### **Report of Auditor Spetnagel:**

City Auditor Spetnagel commented on Items #4 and #6 that they do seem like large amounts but reiterated that they will be fully reimbursed to the appropriate funds. Item #7 is similar, a Fire Department radio grant, in that it will too be reimbursed 100%.

City Auditor Spetnagel commented on Item #9 supporting the extension of income tax deadline and stated that there are three locations for dropping off returns: 1) 35 South Paint Street / Water Office Dropbox, 2) Ross County Courthouse Dropbox, and 3) Ross County Service Center Dropbox. She asked that you please clearly mark the envelope for City Income Tax. She also stressed to please not email your tax return because of confidential information; however, they can be mailed to PO Box 457. Also, if anyone would need assistance, he or she can send his or her return along with corresponding documentation to the above address, and the Income Tax Department can prepare it, contacting the individual if they need more information or if a dollar amount is due.

City Auditor Spetnagel also commented on Item #11 regarding the advance of funds from General Fund to Transit that it is something that will be done temporarily to ensure that the City's finances work out correctly. It is a timing issue for reimbursement from some of the City's larger grants. She urged that all of these items be passed tonight.

### **Report of Law Director Villarreal:**

City Law Director Villarreal commented that her staff is working on two different schedules and are alternating days in the office due to pandemic restrictions. Teresa is still checking emails every day. Law Director Villarreal also thanked Council for the prompt attention to the emergency nature of Item #5 for her office. They have to store cruiser and body cam videos so it is essential they increase that storage space.

### **Report of President Arnold:**

President Arnold stated that these are completely different times than any of us has ever experienced. Staying the course by direction and trying to keep the virus from circulating. If you eliminate the circulation, you eliminate it from going any further.

President Arnold also thanked Paul Gillum, the City's Information Technologist for helping to facilitate the Council meeting. Mr. Gillum had worked multiple days getting everything in place.

## **PUBLIC PARTICIPATION**

President Arnold provided a telephone number, meeting number, and password at the beginning of the meeting and again during the public participation portion of the Council meeting to allow anyone to communicate with City Council if desired. There were no participants.

## **COUNCIL ASSIGNMENTS AND CALENDAR**

President Arnold stated that he did not have a list of the assignments prepared but that he will email that information out to Council members, media and public. The committee meeting date will be Monday, April 20<sup>th</sup> at 7:00 p.m. and will follow the same procedure of video conferencing used for this Council meeting. The public can view this meeting on the City of Chillicothe's Facebook page or by going to the City of Chillicothe website at [www.chillicotheoh.gov](http://www.chillicotheoh.gov) under the Government tab on the City Council page.

## **READING AND PASSAGE OF LEGISLATION**

Res. No. 5-20 strongly urging the Ohio Governor and members of the Ohio General Assembly to restore the local government fund to pre-recession levels and was read for the third time by title only. On final passage, all nine members present voted "yea" and President Arnold declared Resolution No. 5-20 adopted.

Ord. No. 19-20 approving the dedication of right of way of Kiaan Street for public street purposes and accepting the improvements for public use and maintenance of said right of way and was read for the third time by title only. On final passage, all nine members present voted "yea" and

President Arnold declared Ordinance No. 19-20 adopted.

Ord. No. 20-20 authorizing the Mayor of the City of Chillicothe, Ohio, to execute any and all documents in connection with granting an easement to Ohio Power Company, a unit of American Electric Power (AEP) was read for the first time by title only. Mr. Shoemaker moved and Mr. Proehl seconded that an amendment be made to the legislation declaring an emergency. All nine members present voted “yea” and President Arnold declared the motion adopted. Mr. Shoemaker moved and Mr. Phillips seconded that the three-reading rule be suspended, placing this item on final passage. All nine members present voted “yea” and President Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself, and President Arnold declared Ordinance No. 20-20 adopted.

Ord. No. 21-20 appropriating \$42,180.00 to pay for the final two years of transit department scheduling software and declaring an emergency was read for the first time by title only. Ms. Lewis moved and Ms. Payne seconded that the three-reading rule be suspended, placing this item on final passage. All nine members present voted “yea” and President Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself, and President Arnold declared Ordinance No. 21-20 adopted.

Ord. No. 22-20 appropriating \$2,430.00 for Law Director’s office computer file storage expenses and declaring an emergency was read for the first time by title only. Ms. Gillum moved and Mr. Proehl seconded that the three-reading rule be suspended, placing this item on final passage. All nine members present voted “yea” and President Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself, and President Arnold declared Ordinance No. 22-20 adopted.

Ord. No. 23-20 re-appropriating funds in the amount of \$10,550.00 for the purchase of a new Transit Department phone system and declaring an emergency was read for the first time by title only. Ms. Lewis moved and Ms. Nickerson seconded that the three-reading rule be suspended, placing this item on final passage. All nine members present voted “yea” and President Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself, and President Arnold declared Ordinance No. 23-20 adopted.

Ord. No. 24-20 appropriating eligible 2019 grant funds and declaring an emergency was read for the first time by title only. Ms. Gillum moved and Mr. Proehl seconded that the three-reading rule be suspended, placing this item on final passage. All nine members present voted “yea” and President Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself, and President Arnold declared Ordinance No. 24-20 adopted.

Ord. No. 25-20 authorizing the Mayor of the City of Chillicothe, Ohio to enter into an agreement with the Walter H. Drane Company to update the Codified Ordinances of the City of Chillicothe, to prepare up to twenty (20) sets of the replacement pages, to update the code on the internet, and declaring an emergency was read for the first time by title only. Mr. Proehl moved and Ms. Nickerson seconded that the three-reading rule be suspended, placing this item on final passage. All nine members present voted “yea” and President Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself, and President Arnold declared Ordinance No. 25-20 adopted.

Res. No. 6-20 approving the extension of deadlines for income tax and income tax estimated payments for the first and second quarters to July 15, 2020, waiving all interest and penalties to July 15, 2020 and declaring an emergency was read for the first time by title only. Mr. Proehl moved and Mr. Phillips seconded that the three-reading rule be suspended, placing this item on final passage. All nine members present voted “yea” and President Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself, and President Arnold declared Resolution No. 6-20 adopted.

Res. No. 7-20 authorizing the appropriate city officials to apply for and enter into an agreement with the Ohio Public Works Commission (OPWC) Grant Funds program for the year 2020, accepting grant funds if awarded, and declaring an emergency was read for the first time by title only. Mr. Shoemaker moved and Ms. Nickerson seconded that the three-reading rule be suspended, placing this item on final passage. All nine members present voted “yea” and President Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself, and President Arnold declared Resolution No. 7-20 adopted.

Ord. No. 26-20 authorizing the auditor to advance funds from the General Fund to the Transit Fund on an as-needed basis and declaring an emergency was read for the first time by title only. Ms. Lewis moved and Ms. Payne seconded that the three-reading rule be suspended, placing this item on final passage. All nine members present voted “yea” and President Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself, and President Arnold declared Ordinance No. 26-20 adopted.

Ord. No. 27-20 declaring a State of Emergency in the City of Chillicothe due to the COVID-19 pandemic, empowering the Mayor with extraordinary powers during the State of Emergency and declaring an emergency was read for the first time by title only. President moved and Ms. Payne seconded that the three-reading rule be suspended, placing this item on final passage. All nine members present voted “yea” and President Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself, and President Arnold declared Ordinance No. 27-20 adopted.

President Arnold inquired if there was a motion to adjourn.

Ms. Payne moved and Ms. Nickerson seconded that the regular meeting be adjourned. All nine members present voted “yea” and Pres. Arnold declared the motion adopted. Adjourned at 8:05 p.m.

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Clerk of Council

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President of Council



