

Video Conference  
Regular Meeting  
May 11, 2020  
7:00 p.m.

Council met via video conference in regular session with all nine members present: Phillips, Payne, Nickerson, Tatman, Lewis, Gillum, Shoemaker, Corcoran and Proehl. Also, in attendance were Mayor Feeney, City Law Director Villarreal, City Auditor Spetnagel, Transit Director, Donna Vernier, and City IT Specialist, Paul Gillum. This meeting was video conferenced as well as broadcast live by Spectrum and by Horizonview, 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.

Mr. Proehl moved and Ms. Nickerson seconded that the minutes of the regular meeting of April 27, 2020 be accepted and approved, as submitted by the Clerk. All nine members present voted “yea” and President Arnold declared the motion adopted.

## **COMMITTEE REPORTS**

### **Safety Service Committee:**

Ms. Gillum reported that the Safety Service Committee had three items on the agenda, Items #4 which is appropriating funds in the amount of \$149,833.33 for architectural, engineering, surveying and other costs for the planning and design of the new fire station at 40-50 Centennial Boulevard, and that also on the agenda were Items #1 and #5. Item #1 is accepting and appropriating \$428.00 received as reimbursement for expenses related to an emergency squad fuel injector failure, and Item #5 which is accepting and appropriating a Supreme Court grant in the amount of \$13,293.96. Ms. Gillum said that at the appropriate time she will request to waive the three-read rule on these last two items, seeking to pass these items tonight.

### **Human Resources Committee:**

Ms. Payne stated that she did not have a report but asked that after the legislation passes for the evening that she would like to request that Council go into executive session to discuss the employment and compensation of public employees.

President Arnold stated that Council will leave Facebook Live for the duration of the executive session and then return afterwards for the adjournment of the meeting.

### **Finance/Technology Committee:**

Mr. Proehl reported that the Finance Committee had item #2 on the agenda which is an Ordinance to approve the current replacement pages to the Chillicothe Codified Ordinances and declaring an emergency. He said that at the appropriate time he will request to waive the three-read rule, because this is simply a bookkeeping matter, seeking to pass this item tonight.

### **Utilities Committee:**

Mr. Tatman reported the Utilities Committee had Item #3 on the agenda which is an Ordinance appropriating \$26,021.48 for the Wastewater Treatment Plant SCADA system repairs. He stated that the repairs have already been made and that the bill is now due. He said that at the appropriate time he will request to waive the three-read rule, seeking to pass this item tonight. Mr. Tatman also mentioned additional legislation, not on tonight’s agenda, regarding a waterline on Cliffside Drive and asked that the Mayor make a comment on it regarding emergency legislation.

Mayor Feeney said that this was an area that was on last year’s paving program and this was waterline work that was scheduled to be done last year as well. The waterline work did not get done, and consequently the paving work did not get done either. He said that he believes that it is back on the paving schedule but the money maybe was not brought forward to do the waterline work. Mayor Feeney stated that he would confirm the information before the next meeting, but believes that it would be appropriate to proceed with it the sooner the better.

## **City Services/Transit Committee:**

Ms. Lewis reported that the Transit Committee had four items on the agenda and are as follows: Item #6 which is an Ordinance authorizing the City to participate in the Ohio Department of Transportation Cooperative Purchasing Program for road salt. She stated that this is an annual bid to ensure that City gets the best cost for its salt. There were also Items 7, 8 & 9 which are related to grants for the Transit Department. Item #7 is a Resolution authorizing the filing of applications with the Ohio Department of Transportation (ODOT) for grants through the U.S. DOT Federal Transit Administration (FTA) as authorized under Federal Transit Laws, as Codified, 49 USC Section 5311, Formula Grants for Rural Areas in Ohio's Rural Transportation Program, accepting such grants if awarded, executing a contract with ODOT upon project approval, and declaring an emergency. Item #8 is a Resolution with the same wording except it is regarding 49 USC Section 5339, Grants for Buses and Bus Facilities in Ohio's Bus and Bus Facilities Transportation Program. Ms. Lewis asked if she could make a motion to make a slight amendment to the summary by adding the phrase "accepting such grants if awarded" as it states in Section 6 of the Resolution just to keep it consistent. President Arnold stated that Ms. Lewis moved and Ms. Nickerson seconded the motion to amend the summary. All nine members present voted "yea" by raising their hands and President Arnold declared the motion adopted. Item #9 is a Resolution much like Items 7 and 8 authorizing the filing of applications with ODOT except for 49 USC Section 5501.07, Ohio Transit Partnership Program (OTP2). Ms. Lewis added that since all three of these applications have a deadline of midnight on May 26<sup>th</sup> that they need to be approved. Two of the three grants are annual grants that the Transit Department applies for each year, and the third one is a new one to purchase buses and other capital projects. Ms. Lewis stated that at the appropriate time she will request to waive the three-read rule, seeking to pass these items tonight.

## **REPORTS OF OFFICIALS**

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

Mayor Feeney said that there were a few items requesting to waive the three-read rule and that he would address those first. Item #3 pertains to repairs to the SCADA system at the Wastewater Treatment Plant, which he believes is a final payment that was not brought forward from 2019 into 2020, so he would ask for Council's support in getting that passed tonight. Items #5 is another one he would ask for Council's support as it is a bookkeeping item regarding the Supreme Court grant. He said the Items #7, #8 and #9 are all grant applications for the Transit Department, and he thanked Transit Director, Donna Vernier for making this happen so efficiently. The typical time for submitting applications for these grants is in August or September; however, this year the date was moved forward to May. These grants will help to continue running operations within the Transit facility as well as replacing four buses. Mayor Feeney asked for Council's support on these three operational grants, waiving of the three-read rule, and passage tonight.

Mayor Feeney said that he would like to thank Auditor Spetnagel for the work she has done to try to get the City's finances figured out to determine where we are going to land in terms of economic impact from this pandemic and economic downturn. The delay in income tax filing has an impact on the City's finances, but of course there are so many other things that have been impacted as well such as the public and job loss that has been incredibly difficult. He added that he just wanted Council and the public to know that there has been a lot of time and energy put into the situation to try and get us through this year and build us a path to next year.

Mayor Feeney stated that his office has been receiving a lot of questions about things anywhere from fireworks display to large item pick up and continuation of some very basic services; all of which cost money and have some sort of hidden cost that we don't always think about. He said we are trying to work through as quickly as we can on how and if we can continue those services this year. But at this point, he said he could not make a pledge that any of those things he had mentioned would happen but that they are all under consideration. He added that the questions and calls that come from the public do help the City officials be aware of what is on the public's mind and what their priorities are and that he is trying to balance those against public interest and need. He said he appreciated the Council members for continuing to represent their constituents and getting information to the City so they can respond in an appropriate manner.

Mayor Feeney stated that the City has made some responsive changes and will continue to do those as they go. Through the Codified Ordinances the Safety-Service Director has the ability to make

certain changes unilaterally through his authority. One thing that has been modified in response to some of the Governor's orders is regarding the parking situation. The City added about ten carryout food parking stations to different spots downtown. He said they are making use of existing loading zones and would like to thank Councilwoman Lewis for working with them on that situation and getting business owners' concerns to him. Mayor Feeney said that he expected that there will be more of those types of things that the City will do to try to modify its practices and sort of reconsider its regulations to help existing businesses learn to flourish in this new environment. He asked that the Council members and the general public not hesitate to bring concerns to his attention, as well as the Safety-Service Director, so that they might be better able to adapt to serve the public.

Mayor Feeney ended with he wanted to thank the public for their patience in Chillicothe and our community. He believes that we have thrived as much as possible in this time because we have such a great community. He said that he would ask on behalf of business owners and shop proprietors, as well as on behalf of the public, that we all exercise additional degrees of patience. He added the best of Chillicothe has been on display lately and that he really thinks we can count on that.

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

City Auditor Spetnagel reported that the Auditor's office had closed the books for the month of April, for which she wanted to thank her staff for. Even though they have been working from home and in different atmospheres, they were still able to close the books within a really quick timeframe. She stated that she really appreciated their efforts in making sure that it got done.

Auditor Spetnagel stated that in April the City really started seeing a decline in income tax revenue. In the month of April there was a decrease of ~\$502,000 compared to last year; this is an estimate of an 8% decrease. She stated that the General Fund portion of that amount was ~\$377,000 and that a portion of this decline was probably due to the fact that the income tax returns have been extended through July. As of last Friday, they were down about 1,600 in individual income taxes as compared to last year. Currently she is projecting a possible loss of ~11% decrease in income tax; however, that is just an estimate at this point in time. Auditor Spetnagel said that based upon what we know as of today, it is really too early to tell what the true loss will be. In the General Fund alone she is projecting about \$1.7 million loss of overall revenue, but again it is still really too early to tell. She stated that she and the Mayor are reviewing revenue on a daily basis and are currently working on expenses to determine where the City can save money. She added that right now they currently have over \$1 million of capital projects on hold, and they are continuing to review operating costs with the department heads to see where they can save even more.

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

City Law Director Villarreal stated that she did not have anything to report from her office at this time.

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

President Arnold asked for everyone to please use caution while bringing businesses back. He believed we should all use a lot of prudence in that fact that we are doing it. He stressed that we don't panic, use patience, and watch how and what we do and continue good policies and practices to keep everybody safe. He stated that he, himself, is going to extend his business closing for a little while longer and is waiting to see what happens.

### **PUBLIC PARTICIPATION**

President Arnold provided information during the public participation portion of the Council meeting to enable the public to communicate with City Council if desired. There were no participants.

### **COUNCIL ASSIGNMENTS AND CALENDAR**

President Arnold announced that there are several new committee assignments since the last meeting, some of which are on this meeting's agenda, for inclusion in the Journal of Council:

**Finance:** Request to accept the Walter Drane replacement pages of the Codified Ordinances.

**Finance:** Request to appropriate \$6,521.00 to cover costs associated with the City's participation in the Mid-Ohio Regional Planning Commission (MORPC) Intern Program. President Arnold stated that we will get an intern through this program and the City is then reimbursed.

**Finance:** Request to appropriate \$16,000.00 for election expenses.

**Utilities:** Request to appropriate \$26,021.48 for the Wastewater Treatment Plant SCADA system repairs.

**Utilities:** Request to appropriate \$115,000.00 for the purchase of materials and installation of a new waterline on Cliffside Drive.

**Transit:** Request for legislation for the Mayor to apply for transportation grants through ODOT. These are the three assignments that are on this meeting's agenda and are all for the application for working through our transportation grants.

**City Services:** Request to participate in the Ohio Department of Transportation Cooperative Purchasing Program for road salt.

**Engineering:** Request to appropriate \$23,000 to relocate and install parking meters on portions of Paint and Second Street.

President Arnold announced that the next meeting will be scheduled for Tuesday, May 26, 2020 due to Monday being Memorial Day.

## READING AND PASSAGE OF LEGISLATION

Ord. No. 30-20 accepting and appropriating \$428.00 received as reimbursement for expenses related to an emergency squad fuel injector failure and declaring an emergency was read for the first time by title only. Ms. Gillum 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. 30-20 adopted.

Ord. No. 31-20 approving current replacement pages to the Chillicothe Codified Ordinances 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 Ordinance No. 31-20 adopted.

Ord. No. 32-20 appropriating \$26,021.48 for the Wastewater Treatment Plant SCADA system repairs and declaring an emergency was read for the first time by title only. Mr. Tatman 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. 32-20 adopted.

An Ordinance appropriating funds in the amount of \$149,833.33 for architectural, engineering, surveying and other costs for the planning and design of the new fire station at 40-50 Centennial Boulevard as read for the first time by title only.

Ord. No. 33-20 accepting and appropriating a Supreme Court Grant in the amount of \$13,293.96 and declaring an emergency was read for the first time by title only. Ms. Gillum 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. 33-20 adopted.

An Ordinance authorizing the City to participate in the Ohio Department of Transportation Cooperative Purchasing Program for road salt was read for the first time by title only.

Res. No. 8-20 authorizing the filing of applications with the Ohio Department of Transportation (ODOT) for grants through the U.S. DOT Federal Transit Administration (FTA) as authorized under Federal Transit Laws, as Codified, 49 USC Section 5311, Formula Grants for Rural Areas in Ohio's Rural Transportation Program, accepting such grants if awarded, executing a contract with ODOT upon project approval, and declaring an emergency was read for the first time by title only. Ms. Lewis 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. 8-20 adopted.

Res. No. 9-20 authorizing the filing of applications with the Ohio Department of Transportation (ODOT) for grants through the U.S. DOT Federal Transit Administration (FTA) as authorized under Federal Transit Laws, as Codified, 49 USC Section 5339, Grants for Buses and Bus Facilities in Ohio's Bus and Bus Facilities Transportation Program and executing a contract with ODOT upon project approval, and declaring an emergency was read for the first time by title only. Ms. Lewis 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 Resolution No. 9-20 adopted.

Res. No. 10-20 authorizing the filing of applications with the Ohio Department of Transportation (ODOT) for grants through the U.S. DOT Federal Transit Administration (FTA) as authorized under Federal Transit Laws, as Codified, 49 USC Section 5501.07, Ohio Transit Partnership Program (OTP2), accepting such grant if awarded, executing a contract with ODOT upon project approval, and declaring an emergency was read for the first time by title only. Ms. Lewis moved and Mr. Shoemaker 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. 10-20 adopted.

Ms. Payne moved and Ms. Nickerson seconded that Council go into an executive session for the purpose of discussing employment and compensation of public employees. All nine members present voted "yea" and President Arnold declared the motion adopted. At 7:51 p.m. Council logged off of Facebook Live and muted the live broadcast for Spectrum and Horizonview, and the executive session was conducted for the stated purpose.

At 8:36 p.m., Council returned to Facebook Live and un-muted the live broadcast for Spectrum and Horizonview. Mr. Proehl moved and Ms. Nickerson seconded that Council go out of the executive session and resume the regular meeting. All nine members present voted "yea" and President Arnold declared the motion adopted.

President Arnold inquired if there was a motion to adjourn.

Ms. Lewis moved and Ms. Nickerson seconded that the regular meeting be adjourned. All nine members present voted "yea" and President Arnold declared the motion adopted. Adjourned at 8:39 p.m.

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Clerk of Council

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President of Council