

Council Chambers
Regular Meeting
June 28, 2021
7:00 p.m.

Council met in regular session with seven of the nine members present: Phillips, Payne, Nickerson, Tatman, Lewis, Shoemaker and Proehl. Ms. Gillum and Ms. Corcoran were absent. Also, in attendance were a few visitors in the audience, in addition to Mayor Feeney, City Auditor Spetnagel and Law Director Villarreal.

The Military Order of the Purple Heart Honor Guard led the Pledge of Allegiance to the Flag. The members were: Randy Howson, Glen West, Charlie Tobe and John Looker.

Mayor Feeney read a proclamation recognizing the Military Order of the Purple Heart organization and the establishment of this medal of honor, which is the oldest military decoration in the world in present use. He proclaimed it “Purple Heart Day” in Chillicothe as a tribute to the service and sacrifices of our Veterans, and especially the valor of the extraordinary men and women who have earned the Purple Heart. He also proudly accepted Chillicothe’s official designation as a “Purple Heart City” and confirmed our commitment to honor those who serve and have served so faithfully in defense of our freedoms as Americans and gratefully acknowledged their sacrifice, bravery, and unwavering commitment as patriots.

Mayor Feeney was presented with a plaque for the City of Chillicothe designating it as a Purple Heart City and Purple Heart coins were distributed to each of the Council members and elected officials.

President Arnold thanked the Military Order of the Purple Heart for bestowing this honor onto the City of Chillicothe and for coming and being with the City Council this evening and presenting their Honor Guard and the Pledge of Allegiance for the meeting.

Ms. Payne moved and Mr. Phillips seconded that Ms. Gillum and Ms. Corcoran be excused from the evening’s City Council meeting. All members present voted “yea”, and President Arnold declared the motion adopted.

Mr. Proehl moved and Ms. Lewis seconded that the minutes of the regular meeting of June 12, 2021 be accepted and approved, as submitted by the Clerk. All members present voted “yea”, and President Arnold declared the motion adopted.

COMMITTEE REPORTS

Community Affairs Committee:

Mr. Phillips stated that the Community Affairs Committee had no agenda items and nothing new to report.

Human Resources Committee:

Ms. Payne stated that the Human Resources Committee had Item #1 on the agenda, which is the first reading of an Ordinance amending Ordinance #21-21 to adjust the first-year lifeguard pay rate to \$10.00 per hour retroactive to the beginning of 2021 hiring, increasing the pay rate for the head lifeguard position to \$12,00 per hour and declaring an emergency.

Development Committee:

Ms. Nickerson stated that the Development Committee did not have anything on the agenda and that there was nothing to report.

Finance / Technology Committee:

Mr. Proehl reported the Finance Committee did not have any items on the agenda and that that concluded his report.

Engineering Committee:

Mr. Shoemaker stated that the Engineering Committee did not have anything on the agenda, but he mentioned that he would like to schedule a committee meeting for assignment #21-053 regarding Sunrush Enterprises, LLC infrastructure expenses. He said it was a relatively simple project and that it will fulfill the City's obligation to pay for improvements on Western Avenue. The meeting was set for Wednesday, June 30th at 6:00 p.m.

City Services:

Ms. Lewis stated that the City Services Committee had Item #4 on the agenda, which is the first reading of a Resolution adopting the Ross County Active Transportation Plan (AT Plan) and declaring an emergency. Ms. Lewis said that at the appropriate time she will ask Council to waive the three-read rule. She also indicated that she would like to have a committee meeting after the Engineering meeting on June 30th to discuss the three new assignments she has recently received, assignments #21-052, #21-054 and #21-056.

Safety Service Committee:

Ms. Lewis, on behalf of Ms. Gillum, stated that the Safety Service Committee had two items on the agenda, Item #2, which is the first reading of an Ordinance appropriating \$14,532.04 from the General Fund to Police-Outside Contracts as reimbursement of Police funds used for the City's share of the Law Enforcement Complex construction project and declaring an emergency. She stated that at the appropriate time she will ask to waive the three-read rule. Also Item #3, which is the first reading of an Ordinance authorizing the Chillicothe Municipal Court to apply for the Ohio Attorney General's Victims of Crime Act Grant and the State Victim's Assistance Act Grant to extend the Chillicothe Municipal Court Victim Witness Assistance Program. Ms. Lewis said that at the appropriate time she will ask to waive the three-read rule on this item as well.

Utilities Committee:

Mr. Tatman reported that the Utilities Committee did not have anything on the agenda at this time. He did state that he has had a couple of phone calls and emails concerning parking and parking meters and the swimming pool. He said that he has also had some questions on the splash pad. The call regarding the parking downtown was from an owner/operator, and Mr. Tatman didn't know if there was anything that could be relayed to the public about it.

REPORTS OF OFFICIALS

Report of Mayor Feeney:

Mayor Feeney stated that he would like to offer his support for the passage of all four items tonight and that he believed the waiver of the three-read rule would be appropriate for each of those. The first one being a clerical oversight and the next two essentially involving programs that the City is committed to for bills that we have to pay. He said the last one was reflecting continued cooperation with the Health District and many of the grants and opportunities that they have going on there. He again said that he would ask for Council's respectful support on those four items tonight.

Mayor Feeney said he would address Councilman Tatman's issues, all three of which he thinks are good and valid. He said downtown parking, in particular, is a topic that has been discussed for a long time. He said it was something that was passed and approved during the pandemic, which he said communication on an item such as that was a challenge and continues to be somewhat of a challenge. He said as a primer for Council and for anybody watching from home, he would run through quickly how the downtown parking works now and update everyone because it is a work in progress. He stated that you have two pay options. The meters on the street are \$1.00 per hour in \$.25 increments. He said you can pay by either inserting coins in the meter or by logging onto an app called ParkMobile. If you log on and use the app, your parking meter itself does not have a location number, instead you are in a zone, which is a 5-digit zone number. When the parking enforcer comes by, instead of looking at the meter, which may be expired because you did not put coins in, they would check the app to see if you had paid and if your license plate matches somebody who had paid the app. He said just as of late last week there is more information on the meters than what was there before. He said decorative sleeves have been approved by Council to put over the meters; however, the heads themselves are the old heads, which allowed the City to save a significant amount of money by reusing them. He said they are going to be powder coated,

but they wanted to go ahead and put the stickers on just to try and convey more information. He stated that there are two paid parking lots in the City, one is at the corner of 4th Street and Paint Street, and the other is on 2nd Street next to the Elks. He said those are both currently both app only lots right now and are also a different rate of pay, essentially being able to make lot parking cheaper than on street parking. The closer you are to a desirable place to park the more expensive it will be, and the farther you have to walk the cheaper it is. He said that we kind of had it reversed for many years. He said a couple of things will continue. He said he just reviewed three sign options for better signage and communication. He added that it is really important to him that we communicate on how this system works. He said it is confusing and that the rollout has been slow, but that some of that slow rollout has been intentional because they did at least a month of warnings to sort of train people. He said really the thing he wants to encourage is the Chamber of Commerce supported this initiative, and at the end of the day the need for meters is driven by the desire to have people have the availability to park in front of shops, go in, spend money, and move on. He said without the meters they had no ability to enforce parking, which meant that anybody could park in front of any shop all day and restrict people from coming to our community and enjoying it by shopping, dining, and so on and so forth. He said that seems counterintuitive at times, because if you own a shop in town you might think I don't want for my customers to have to pay. When in fact in most communities that are bustling and growing like ours, you do have to pay for parking around the prime spots. He said that he will be the very first to admit that our communication and information on this rollout definitely could have been better, and he would like for it to continue to be better so that we are committed to have better communication there. He said there are also free parking options available very close to downtown and mentioned a free parking lot on Water Street, as well as parking spots on 4th Street, down South Paint Street, and 5th Street; and the walk is not one that is of any lengthy duration. He said we recognize that walking is not ideal or even possible for everybody, and so they are continuing to work on and listen to residents and shop owners that have other accessibility needs to make sure our downtown is welcoming and accommodating for all to visit. He said that hopefully that helps clear up some of the questions. He said he knows that it has been confusing, but he thinks that understanding the intent is probably the most important way we can help educate.

Mayor Feeney said that we have had some issues with the swimming pool, and they have been twofold. One is that Chillicothe actually got national press on Good Morning America last week when they showed a screenshot of our Facebook post that we were closing one day because of the lack of lifeguard availability. He said he doesn't think that it was good or bad, but that it just was and we were momentarily famous last week. He said so obviously there have been challenges around staffing and that he Ordinance in front of Council tonight will help with that. There are not a lot of lifeguards around and there are many pools that want to hire them, so paying them in accordance with this new Ordinance will help. He said the other thing is two summers ago, a new pump and motor were installed at the pool and Friday that system went down. He said that today the company that installed it came down and it has a one-year warranty, but since we were not open last year it is basically a new motor that has been operating about a month and we had issues with it. He said it is fixed as of today, and the pool will reopen tomorrow, and then this Friday is a free pool day for the community sponsored by our local area McDonald's. He said that then on Sunday, we will be open in the evening for the fireworks.

Mayor Feeney said that the splash pad was building steam before the pandemic. He said it is not a fundraising conversation that he has had recently, but it certainly has not been canceled or anything like that. He said that anybody who had committed to the splash pad finances or funding, that it is still sort of a work in progress. Although it has been momentarily paused, as we have had more pressing issues this past year.

Mayor Feeney stated that we have awarded the bid for the 2021 Paving Program and paving will start early to mid-July. He said that additionally a project on Watt Street had been proposed prior to this Council that would extend from Eastern Avenue to maybe the railroad that is a pretty significant project. It will be using local dollars, Ohio Public Works grant money, and Community Development Block Grant money all combined to do paving, stormwater, and sidewalk. He said that it is a project that we have received bids on but we have not sent out the letter of award yet, but it will be going out this week. He said in conjunction with that, we are going to do a public information session for Watt Street residents and anybody in the public who has questions and want to get information about that project. He said we are not going to be taking down any fences or anything, but we will be going into the right-of-way and the project will be disruptive for people in that area. As a part of the bid packet, they made sure that access to the businesses on that street will remain open.

Mayor Feeney said that this is the start of the last week of large item pick up, and if your garbage

day is Friday, this is your week for large item pick up. He said he appreciates everyone who has taken part and advantage of that.

He said we are still taking donations for fireworks and that the donations are up quite a bit from previous years and that he is very appreciative of those people who support that for the community. He said it is going to be a great event and it is a welcome back to festivities for the City.

Mayor Feeney said that there has been a lot of good collaboration over the past couple of years with the Health District and ODOT, and more recently with the Health District where we will have some access soon and are in a conversation now about how we apply for some design and potential infrastructure work around city streets and facilities, making them more active friendly. He said that might mean the funding for design of bike lanes, or a complete street design and potentially construction. He said that Councilman Shoemaker brought that up two years ago when we were talking about 2nd Street. He said complete streets are the way of the future and he will know more later this week. He said that way that community and different agencies are clicking together and collaborating right now, it is just a really positive thing for everybody. He said he will have more to report on that item hopefully at the next Council meeting.

Report of City Auditor Spetnagel:

Auditor Spetnagel announced that she will be conducting a public hearing on July 12th before the City Council meeting at 6:45 p.m. to present the 2022 Tax Budget.

Report of Law Director Villarreal:

Law Director Villarreal stated that she had three things to report. The first was regarding training goals for the office staff members related to file review, preparing files for the prosecutors in the Chillicothe Municipal Court including OVI's and domestic violence cases, as well as public records requests and Sunshine Law training. She said the second thing she needed to tell Council about was her office has requested a committee assignment with regard to an appropriation for special prosecutors in the Chillicothe Municipal Court. She said that they are required to appoint a special prosecutor when they become aware of a conflict involving one of their prosecutors. She said they there are currently six open cases being handled by specials as of the date of the meeting. She said those attorneys are going to be invoicing the Law Director's office upon the completion of the cases, and she would like to have the funds appropriated to get them paid promptly as well as for the cases yet to be assigned a special. She stated that one of the Assistant Law Directors has discussed this topic with Judge Street as far as the specials, and they anticipate updating the procedure for assigning specials in the near future with payment of invoices being handled by the Law Director's office. The third item is that they are going to be submitting a request for a committee assignment for her part-time clerk who is currently 40 hours per a two-week pay period to work additional hours in the event of a staffing shortage due to the absence of another staffer, which they have run into. She said that she does not expect it to occur frequently, but it is exceptionally important they stay on top of that heavy time sensitive workload. She said it really has become apparent recently when they have had staff members that were dealt with family emergencies, as well as COVID medical leave, and they appreciate Council's consideration for those items.

Report of President Arnold:

President Arnold stated that he would like to thank the Honor Guard for coming in and leading the Pledge of Allegiance and giving the Purple Heart dedication to the City. He added that with the Fourth of July coming up he would like to tell everybody to enjoy it but please be safe and have a good time on the Fourth of July.

AUDIENCE PARTICIPATION

Melody Lapczynski of 355 Brennan Road in Chillicothe, Ohio stated that she would like to thank Council for everything they have done related to getting Chillicothe designated as a Purple Heart City. She said her big goal for the night was not to start crying when all of this was going on, and so far she has pulled it off. She said she really, really appreciates everything they have done. She said that they have a dedication that will happen for the public once they get everything approved and passed through the Veterans Council and the Veterans Commission. She said right now she has a tentative date of September 12th at 2:00 p.m. that will hopefully be in the Veterans Park, but that is to be determined because that also has to be approved. She said that she has found a lovely black granite monument that she would like to put somewhere in the Veterans Park, but that is also

subject to change. She presented a list of names of all of those who had contributed to the Purple Heart City by writing a letter of support. A complete list of all contributors is on file and can be obtained upon request. She said she just wanted to make sure that everybody recognized that these people thought very strongly about this effort, too.

Robert Leach of 79 W. 5th Street in Chillicothe, Ohio stated that he was there as one of the Ross County Veterans Commissioners and also a member of the Ross County Veterans Honor Guard. He said he wanted to thank the City of Chillicothe for their support of the event of Ross County and the Nation's Wars that took place on May 8th. They had the Eyes of Freedom, which is an exhibit that honors the fallen from Lima Company, which lost 23 men in Operation Iraqi Freedom, including Aaron Reed. He said that he especially wanted to thank the Parks & Recreation Department for their work on that, not just having the Veterans Park ready to go but a lot of work on the Armory to have it presentable as the place where the murals for the Lima Company were exhibited. He said that many of the visitors, a lot of which were from out of town, commented on how glad they were to be able to go into the Armory; because many of them had not been there since the 1960's and they were happy to see the use of that. He stated that he is working on a manuscript of a publication called Ross County and the Nation's Wars that will tell a one-page story of the 321 names on all of our monuments. He said he wanted to highlight on the time that he has been working on this that it is very ironic that two individuals who were classified as Missing In Action have been accounted for by the Defense Prisoner of War Missing In Action Accounting Agency. One of those was named James Wilmer White, who was from the Pomeroy area but had moved here and had a job in the local area in the 1940's and entered the military from here. When his remains were accounted for at the cemetery in Hawaii, he was then with a Unit called Merrills Mauraunders and was ruled Missing In Action, but they were finally able to identify his remains with DNA testing and modern forensic analysis to be returned to his family and was buried in Pomeroy. Mayor Feeney provided a proclamation proclaiming that day as James Wilmer White Day her in Chillicothe, and Pomeroy did the same thing there, and he said he wanted to thank Mayor Feeney for his assistance on that. He said the other individual who was accounted for named Joseph Warren Hoffman who was on the USS Oklahoma at Pearl Harbor and Missing In Action because that ship capsized and they could not identify the remains. They identified his remains last September and right now it is pending what his final disposition is going to be. It could be Arlington Cemetery or the cemetery in Greenfield, Ohio that has his family plot and an open grave for him with a memorial on it. He said that in the hand of the Department of the Navy is a letter written by Mayor Feeney that explains what we would do to support the return of those remains to Southern Ohio. Joseph Warren Hoffman was born in Greenfield, but by the time he was 8 years old he lived here in Chillicothe on Park Street within sight of the World War II Monument that bears his name. He said he just wanted to go over all of that because he is sure that Council will be interested in it as we get more information on what might happen and if we are going to have a procession or something like that through the City, maybe on the way to Greenfield. He said he thanked Council for its time.

PETITIONS AND CORRESPONDENCE

The Clerk reported on the receipt of a notice from the Ohio Division of Liquor Control for the issuance of a permit and Transfer of Ownership for Fay A. Perry DBA: Owl Tavern, located at 289 E. Main Street, 1st Floor & Basement, transferring to Wobbly Ghost, LLC DBA: Wobbly Ghost Tavern located at 289 E. Main Street, 1st Floor & Basement.

There were no objections by Council to this permit application.

COUNCIL ASSIGNMENTS AND CALENDAR

President Arnold announced that there will be two committee meetings Wednesday, June 30th at 6:00 p.m. for Engineering and City Services.

President Arnold announced that the next Council meeting will be Monday, July 12th at 7:00 p.m. in Council Chambers, with a public hearing for the 2022 Tax Budget presentation at 6:45 p.m.

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

Safety Service: Request for legislation to appropriate \$25,000 for special prosecutor fees if there is a conflict in Counsel in Municipal Court

Human Resources: Request for legislation to adjust the hourly wage for the lifeguards

City Services: Request for legislation to appropriate \$120,899.20 for the City's share of costs for the improvements to the Law Enforcement Complex

Engineering: Request for legislation to appropriate \$44,000 for reimbursement committed to Sunrush Enterprises, LLC

City Services: Request for legislation to appropriate \$16,000 to go towards the purchase of a new refuse truck

Parks & Recreation: Request for legislation to accept donated property at the northeast corner of Pollard Park

City Services: Request for legislation to appropriate \$61,500 for the purchase of road salt

READING AND PASSAGE OF LEGISLATION

Ord. No. 35-21 amending Ordinance #21-21 to adjust the first-year lifeguard pay rate to \$10.00 per hour, retroactive to the beginning of 2021 hiring, increasing the pay rate for the head lifeguard position to \$12.00 per hour, and declaring an emergency was read for the first time by title only. Ms. Payne moved and Ms. Nickerson seconded that the three-reading rule be suspended, placing this item on final passage. All seven members present voted "yea" and President Arnold declared the rule suspended. All seven members present then voted "yea" on the item itself, and President Arnold declared Ordinance No. 35-21 adopted.

Ord. No. 36-21 appropriating \$14,532.04 from the General Fund to Police-Outside Contracts as reimbursement of Police funds used for the City's share of the Law Enforcement Complex construction project 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 seven members present voted "yea" and President Arnold declared the rule suspended. All seven members present then voted "yea" on the item itself, and President Arnold declared Ordinance No. 36-21 adopted.

Ord. No. 37-21 authorizing the Chillicothe Municipal Court to apply for the Ohio Attorney General's Victims of Crime Act (VOCA) Grant and the State Victim's Assistance Act (SVAA) Grant to extend the Chillicothe Municipal Court Victim Witness Assistance Program, accepting said grants if awarded, 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 seven members present voted "yea" and President Arnold declared the rule suspended. All seven members present then voted "yea" on the item itself, and President Arnold declared Ordinance No. 37-21 adopted.

Res. No. 12-21 adopting the Ross County Active Transportation Plan (AT Plan) 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 seven members present voted "yea" and President Arnold declared the rule suspended. Six of the seven members present then voted "yea" on the item itself while one member abstained from voting, and President Arnold declared Resolution No. 12-21 adopted.

Ms. Nickerson moved and Ms. Lewis seconded that Council enter into an executive session to discuss a possible real estate purchase for the City. All seven members present voted "yea", and President Arnold declared the motion adopted. At 8:02 p.m. the executive session was conducted for the stated purpose.

At 8:11 p.m. Council returned to the Council meeting. Mr. Shoemaker moved and Ms. Nickerson seconded that Council go out of executive session and resume the regular meeting. All seven 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 seven members present voted "yea" and President Arnold declared the motion adopted. Adjourned at 8:13 p.m.