

Council Chambers  
Regular Meeting  
August 23, 2021  
7:00 p.m.

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

President Arnold introduced and welcomed the newly appointed Council-at-Large Council member, Terrell Fairrow, who will be taking Devon Shoemaker's place on City Council.

President Arnold led the Pledge of Allegiance to the Flag.

Ms. Lewis moved and Ms. Nickerson seconded that Mr. Proehl be excused from this Council meeting. All members present voted "yea", and President Arnold declared the motion adopted.

Mr. Phillips moved and Ms. Nickerson seconded that the minutes of the regular meeting of August 9, 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 Item #3, which is the first reading of a Resolution proclaiming the support of the City of Chillicothe in recognizing the month of September a Prostate Awareness Month and declaring an emergency. He said that since September is just around the corner at the appropriate time he would be asking that they waive the three-read rule.

### **Human Resources Committee:**

Ms. Payne stated that the Human Resources Committee had Item #4, which is the first reading of an Ordinance amending Ordinance #100-18 to update the Non-Bargaining Pay Ordinance and pay rate for the position of the Development Director for the City of Chillicothe. She added that this is not a new position.

### **Development Committee:**

Ms. Nickerson stated that the Development Committee had two items on the agenda, Item #1, which is the second reading of an Ordinance authorizing the issuance of not to exceed \$300,000 land acquisition bonds for the purpose of acquiring land for municipal purposes and declaring an emergency. She added that this is the Tiffin property on South Bridge Street. This committee also had Item #9, which is the first reading of an Ordinance authorizing the appropriate City officials to execute a real estate purchase contract for the purchase of the former Tiffin School property and an adjacent parcel and declaring an emergency. She stated that at the appropriate time she will ask to waive the three-read rule on both of those items.

### **Parks & Recreation Committee:**

Ms. Corcoran stated that the Parks & Recreation Committee did not have any items on the agenda and that there were no new items to discuss at this time.

### **Engineering Committee:**

Mr. Fairrow stated that the Engineering Committee did not have any items on the agenda tonight.

### **Safety Service Committee:**

Ms. Gillum stated that the Safety Service Committee did not have anything on the agenda but that she had a conversation with Fire Chief Knotts recently about assignment #20-022, which is the committed legislation regarding \$149,833.33 for the new fire station on the West side. Chief

Knotts has asked if City Council could uncommit this legislation, because there are some different projects that he would like to work on with some of the current fire stations, and that would free up some funds so that they would be able to do those things. Ms. Gillum stated that she would like to propose that to her committee tonight to see if they are in favor of doing that.

Ms. Gillum moved and Ms. Nickerson seconded that Council uncommit the legislation for the new fire station that has been committed since June of last year. All members present voted “yea”, and President Arnold declared the motion adopted.

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

Ms. Lewis stated that the City Services Committee had three items on the agenda, Item #5, which is the first reading of an Ordinance accepting and appropriating 2021 AARP Community Challenge Grant funds awarded to the Transit Department and declaring an emergency. She added that the City of Chillicothe received a grant to be used to installing bus stop structures including benches, shelters, and some swings as well as marketing and advertising for it. She said thanks to Director Powell for getting this grant. He said that at the appropriate time she will ask to waive the three-read rule. She stated that she also had Item #6, which is the first reading of an Ordinance accepting and appropriating a donation from the First Capital District, Inc. to purchase new trash receptacles for the Downtown District and declaring an emergency. She said thanks to Linda Brown and that group for donating money for the City to do that, and that she will also ask to waive the three-read rule for that. Item #8, which is the first reading of an Ordinance appropriating \$140,000.00 for the installation of two electric vehicle charging stations on the municipal lot located at 32 East Water Street and declaring an emergency. She stated that the City received a grant through AEP that covers up to \$125,500.00 for the purchase and assembling of all of those. She said that at the appropriate time she will ask to waive the three-read rule on that as well.

Ms. Lewis also stated that she had attended the Transportation Advisory Board, and Director Powell gave some updates on the passenger numbers which they are trying to get back to those of 2019. They are seeing a slow increase. They also discussed a couple of grants they have received, and they also gave a Share Mobility update which is an on demand share program for people, much like Uber. She said it is very exciting with all of the stuff they are doing there and that she is very impressed with Director Powell and wanted to recognize that they are doing a really good job at Transit.

### **Utilities Committee:**

Mr. Tatman stated that the Utilities Committee did not have anything on the agenda but said that he had attended the meeting at the Phoenix Fire Company. He said that there were two guest speakers there from ODOT and one of the things they talked about was how much the State of Ohio pays to pick up litter, which was \$4 million. He said another thing they talked about was speeding and the amount of accidents all over the state. They also discussed that they are working on the timing of the lights on Bridge Street. He said that the Phoenix is having their annual fundraiser on October 1<sup>st</sup> and he inquired if 2nd Street will be completed by then.

Mayor Feeney stated that the project plan is to have it completed by October 1<sup>st</sup>.

President Arnold stated that there were two additional items on the agenda for the Finance / Technology Committee, Item #2, which is the second reading of an Ordinance consolidating two bond issues of the City of Chillicothe, Ohio and declaring an emergency, and Item #7, which is the first reading of an Ordinance accepting and appropriating funds from the American Rescue Plan Act (ARPA) authorizing the City Auditor to create a new fund to track ARPA expenditures and declaring an emergency. Ms. Lewis stated that at the appropriate time she will ask to waive the three-read rule on Mr. Proehl's behalf.

## **REPORTS OF OFFICIALS**

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

Mayor Feeney stated that he would start with comments on tonight's legislative agenda. He said that Item #1 was discussed the possibility of passing last week but then paused on that, and that he thought that was in part to submit Item #9 which is the actual purchase contract that accompanies Item #1. He said that Item #2 is also accompanying legislation. He said he thinks this is a unique opportunity for the City. He said the feedback he has gotten has been positive and that there have

been good questions all around; he said he would support waiver of that rule tonight and passage of items 1, 2 and 9. He stated that all of the other items that had a request for passage tonight he would also support. He said the AARP grant funds is just another example of going out to find unusual or uncommon funding sources for opportunities for the City. He added Item #6 is similar but through a contribution, and Item #8 is a similar item and he said he would respectfully request Council's support of those items.

Mayor Feeney also said he had a few updates on the City's side. He said the City Administration building has gone back to mandatory masks for employees and visitors unfortunately. He said he appreciates the community's cooperation and participation in that rule. He said he realizes it is frustrating and unfortunate, but he thinks everybody is tracking the news. He said good news today is that on the FDA front and he thinks that could give reassurance to those who may have been hesitant on vaccinations. He said we will continue to work closely with the Health District in ways that we can promote vaccination community-wide. He said he encourages everyone to get vaccinated if you have not already done so as we commit to a healthy and safe community.

He also said he wanted to welcome Ross county students back to class. He said he does not envy the jobs of school boards right now and the decisions that the school boards and administrations are having to make. He said he wanted to thank all of the teachers and administrators and school folks across the county for what they are doing for the children. He said the decisions they have to make are challenging and often times it seems like the right answers are hard to come by and there are challenges, and he feels pretty strongly that we have really great and committed school boards across our county. He said that he wishes them the best as they make those decisions.

Mayor Feeney said that Councilman Tatman mentioned 2<sup>nd</sup> Street and said we are getting close to finishing our paving program. He said that 2<sup>nd</sup> Street was put into the bid documents that it would be considered separately and that we are working closely with the paving company on making sure that plan rolls out well. He said that tomorrow the City will start interviews with the reduced list of firms that submitted applications for the Master Plan. He said they hope to reduce that number down and have a targeted date for mid-September for selection and to get moving on that process.

He said he last thing he wanted to conclude with is that the City is hiring almost everywhere including the Police Department, Utilities, and Transit. They are posting lots of jobs on the City website and Facebook. He said it is a great place to work with great benefits, and so if you are looking for employment or a change of pace please do not hesitate to consider the City of Chillicothe as your future employer.

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

Auditor Spetnagel stated that she had two items on the agenda, Item #2, which is tied to Item #1, and that is the consolidating of two bonds. One portion was passed at the last meeting to get financing for equipment that was already included in the permanent budget that was passed. He said that this just consolidates the bonds in one form of borrowing so that way we save money on fees, and it also commits us to a really good rate. She said the second item she had on the agenda was Item #7 to accept and appropriate the American Rescue Plan Act funds. She said we have received half of those funds and the second half will not be received until next year. She said the creation of the new fund will help track those expenditures. She added that this is not something that has to be passed as an emergency tonight and that they could let it go on for one more reading if desired.

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

Law Director Villarreal stated that she did not have anything to report other than they obviously got a lot of legislation going on and it is keeping them very busy.

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

President Arnold said that he did not have anything to add other than he would like to echo that people should get vaccinated by all means so that we can stomp this thing out. He said he feels that is really important that everybody do that.

### **AUDIENCE PARTICIPATION**

Jeff Lehner of 34 E. 5<sup>th</sup> Street of Chillicothe. He stated that he was there to ask some questions about the electric vehicle charging station. He said that he had and he thinks a lot of people had

some confusion about exactly what is going on. He said that Friday, due to some incomplete reporting the first thing he saw was that the City is preparing to spend \$140,000.00 to install two new charging stations for EVs on Water Street, which he said he understands is going to take up four more spaces in that lot. He said then he found out that there is a grant. He said what he saw was the cost was fully covered by the grant, but then he saw that was actually not the case according to comments made by President Arnold to Litter Media. He said the last he saw was \$144,000.00, \$125,000.00 of which is covered by grants from AEP, which he believes leaves taxpayers on the hook for around \$19,000.00-\$20,000.00 and wanted to know if that was right.

Ms. Lewis offered an answer to Mr. Lehner by saying that according to the ordinance that Council has on the legislation tonight, and she apologized if the numbers were wrong in the media, the City is “appropriating \$140,000.00 for the installation of two electric vehicle stations. The City has been approved for \$125,500.00 through the AEP Ohio EV Charging Station Incentive” so that leaves \$14,500.00 that the City will be covering. She said that is taxpayer money, but she looks at it as an economic amenity that we are adding to our community. She said we could question how many electric vehicles we have around here, but the nice thing about these is they have data so we can track how often they are used. She said that the ones that we have now are level 2 charging, which is basically the same as what would be used on a dryer volt electric-wise. She said in regards to people visiting, it is really an amenity outside of our City that people look for, especially when you have the car. She said when you don’t have one you don’t think about it, but when you do it is an incentive to visit here, especially with businesses coming to look. They see that we are on the frontend of development here. She said she understands Mr. Lehner’s concern and that she can appreciate it. She asked Mayor Feeney if he had anything he would like to add in regards to the details of what the grant is for.

Mayor Feeney stated that he will be the first to admit that he has learned a lot through this process. He said that what the City currently has level 2 chargers that take something like eight hours to charge a car. He added that the chargers that we currently have were obtained through the same process but a different grant. He said we submitted a preapproval application for ~\$22,000, which should have covered the cost of the acquisition of the chargers and the installation. The only thing they don’t reimburse for is we have a city electrician we pay. He said the final cost for that project was something like \$28,000-\$30,000. He said that when they submitted that full cost to AEP, even though they were preapproved for \$22,000, they covered the whole thing. He said we have a pretty good relationship with AEP and what we submitted for was the level 3 chargers which are faster charging. He said when he can put together is the fast chargers are the ones that will attract the people from out of town. He said they put in a preapplication for this one for \$125,500, and we put in the ordinance request for up to \$140,000 in the event that the cost of installation exceeds the \$125,500. He said the machines themselves are around \$18,000, so then you have a gap of \$7,000 we have to fill. He said the electric infrastructure that is needed for the level 3 is greater than the infrastructure needed for the level 2, so there is an upgrade that we will have to pay for, along with other items like signage and other materials we may need. He said that will without a doubt exceed the \$125,500, but he does not think it will hit \$140,000. He said when we are done we will ask nicely for them to pay for the whole thing, but the \$15,000 difference is for in case it doesn’t happen. He said the reality is that we think we are probably somewhere in the low \$130,000’s for the whole project cost. He said the interesting thing to him is that these chargers are slow, but we still have had over 100 unique visitors use them. He said what he is really curious to see is how many unique visitors there are when it is a 30-minute charge and pointed out that people plan their stops on where there are chargers when traveling. The feedback from some business owners downtown has been that they are appreciative that we are attracting people downtown. He said he has been enlightened on that front because he thought it would be just a residential thing.

Mr. Lehner stated that the ones we have do not necessarily accomplish the goal of bringing in new people downtown if the wait time is eight hours to become fully charged. He stated that his point is that the ones we have are not the good ones, so we are bringing in the good ones, and we think it is going to bring people to our town.

Mayor Feeney equated it to when you stop by a gas station and not fill your tank or where you fill up when you are not totally empty. He said you still get a benefit if you park there and charge for two hours, but it is just slow. Ms. Lewis added like charging your phone when you plug it in all the time and not just when the battery is fully drained.

Ms. Lewis stated that she just did a quick search and the City of Columbus has 657 public charging stations right now. She said that there are several grants to assist in building around 500 more across the state of Ohio. She said she has had several people say that they are so excited because they can drive their car now knowing that there are places to charge it just in case downtown. She

added there is a potential of charging a fee for charging your car, stating that right now it is free, and it is something they will potentially look at and explore.

Mr. Lehner asked who owns these charging stations, the City of AEP, and was answered the City. He then asked what maintenance is involved, mentioning the commitment involved with that. He also asked if it would be city employees, AEP or contractors doing the installation. Mayor Feeney answered that it will be at least city employees that will work in conjunction with AEP or a contractor and is anticipated with that \$15,000.00 difference.

Mr. Lehner brought up the ongoing future cost of insurance related to these and wanted to know the City's increase in insurance cost. Mayor Feeney answered we will find out at renewal. Mr. Lehner said the cost of insurance would not be a deal breaker, but it would be something to consider, and it is a commitment going forward. He said that over the weekend out of curiosity he wanted to see for himself how widely used these charging stations are used and checked them various times throughout the day and evening on Saturday and all day he saw one car from New Jersey. He said he went again on Sunday and all day long saw only one car and it was from Ross county. He then watched it again today and there was one car parked there all day at one of the spots, and it was another Ross county vehicle. He said that is just a small sample size, but it is a weekend. He said we have these four spots that are electric vehicles only that over the course of a long weekend essentially no more than one was used at any given time and now we are talking about doubling that. He said that part of the consideration has to be that we do have a parking problem downtown, to what degree that is debatable. He said his view is that is something to consider because if we are going to expand this, we are necessarily reducing parking options.

Mayor Feeney said we are actually replacing some of the level 2 for level 3 and moving the level 2 to other locations. Mr. Lehner asked where they are going to go. Mayor Feeney said that is still be considered but possibly one at Transit and maybe one by the public parking at the Elks but that is still being discussed as an option.

President Arnold stated that we were way past five minutes and asked Mr. Lehner to try to summarize in the next minute. He said he realizes that it was over because of having an open discussion but the portion of talking has exceeded the allowed timeframe for public participation.

Mr. Lehner said his last question would be why would it be incumbent upon taxpayers to make sure that people who have electric vehicles have a place to charge up. He said if these are as viable and beneficial as they say they are why don't we see more private investment on private property. He said that the 600 plus spots in Columbus are primarily public spaces. He said it seems to him that if these things are as beneficial as they are said to be, somebody who wants to make money is going to invest that money to do it. He said it seems weird to him that it is taxpayers putting up for this.

Ms. Lewis answered that we can always say that there is a very specific thing, like transportation that we provide in the city, that just because we have it doesn't mean you have to use it, but that it is just another amenity that we have for this area. She said you could look at anything we have and just because not everyone uses it in the majority does not mean that it is not beneficial to our city.

Mr. Lehner said that brings him back to why is it the responsibility of the taxpayer. He said the last thing he would say is if he would look at our city, we have a lot going for us and he gives the Mayor and City Council a lot of credit. He said however, we have a pretty serious drug problem here and a pretty serious crime problem, and we have a growing homelessness problem here. He said he guesses his problem is that when it is all said and done, he is happy that we are not about to spend \$140,000 of taxpayers' money on EV charging stations, but it sounds like we might be spending \$15,000-\$20,000. He said when he thinks about these other problems he just mentioned, he doesn't know if that is really the right thing to do.

## **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 Location of an Existing Business from ALDI Inc Ohio DBA: ALDI, located at 1853 N. Bridge Street, transferring to ALDI Inc Ohio DBA: ALDI, located at 1075 N. Bridge Street.

There were no objections by Council to this permit application.

## COUNCIL ASSIGNMENTS AND CALENDAR

President Arnold announced that the next Council meeting will be Monday, September 13<sup>th</sup> at 7:00 p.m. in Council Chambers, and Auditor Spetnagel will have a Budget Review prior to this meeting at 6:30 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:

**Parks & Recreation:** Request for legislation to permit the Chillicothe Jaycees to use Yoctangee Park and the surrounding downtown streets for the Jaycees and Evening Lions Halloween Parade, which will be Saturday, October 30<sup>th</sup>.

**Community Affairs:** Request for legislation to proclaim September as Prostate Cancer Awareness Month

## READING AND PASSAGE OF LEGISLATION

Ord. No. 53-21 authorizing the issuance of not to exceed \$300,000 land acquisition bonds for the purpose of acquiring land for municipal purposes and declaring an emergency was read for the second time by title only. Ms. Nickerson moved and Ms. Corcoran seconded that the three-reading rule be suspended, placing this item on final passage. All eight members present voted "yea" and President Arnold declared the rule suspended. All eight members present then voted "yea" on the item itself, and President Arnold declared Ordinance No. 53-21 adopted.

Ord. No. 54-21 consolidating two bond issues of the City of Chillicothe, Ohio, 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 eight members present voted "yea" and President Arnold declared the rule suspended. All eight members present then voted "yea" on the item itself, and President Arnold declared Ordinance No. 54-21 adopted.

Res. No. 16-21 proclaiming the support of the City of Chillicothe in recognizing the month of September as Prostate Cancer Awareness Month and declaring an emergency was read for the first time by title only. Mr. Phillips moved and Ms. Gillum seconded that the three-reading rule be suspended, placing this item on final passage. All eight members present voted "yea" and President Arnold declared the rule suspended. All eight members present then voted "yea" on the item itself, and President Arnold declared Resolution No. 16-21 adopted.

An Ordinance amending Ordinance #100-18 to update the Non-Bargaining Pay Ordinance and pay rate for the position of Development Director for the City of Chillicothe and declaring an emergency was read for the first time by title only.

Ord. No. 55-21 accepting and appropriating 2021 AARP Community Challenge Grant funds awarded to the Transit Department 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 eight members present voted "yea" and President Arnold declared the rule suspended. All eight members present then voted "yea" on the item itself, and President Arnold declared Ordinance No. 55-21 adopted.

Ord. No. 56-21 accepting and appropriating a donation from the First Capital District, Inc. to purchase new trash receptacles for the Downtown District and declaring an emergency was read for the first time by title only. Ms. Lewis moved and Ms. Gillum seconded that the three-reading rule be suspended, placing this item on final passage. All eight members present voted "yea" and President Arnold declared the rule suspended. All eight members present then voted "yea" on the item itself, and President Arnold declared Ordinance No. 56-21 adopted.

Ord. No. 57-21 accepting and appropriating funds from the American Rescue Plan Act (ARPA), authorizing the City Auditor to create a new fund to track ARPA expenditures, and declaring an emergency was read for the first time by title only. Mr. Lewis moved and Ms. Nickerson seconded that the three-reading rule be suspended, placing this item on final passage. All eight members present voted "yea" and President Arnold declared the rule suspended. All eight members present then voted "yea" on the item itself, and President Arnold declared Ordinance No. 57-21 adopted.

Ord. No. 58-21 appropriating \$140,000.00 for the installation of two electric vehicle charging stations on the municipal lot located at 32 East Water Street and declaring an emergency was read for the first time by title only. Mr. Lewis moved and Ms. Nickerson seconded that the three-reading rule be suspended, placing this item on final passage. All eight members present voted “yea” and President Arnold declared the rule suspended. All eight members present then voted “yea” on the item itself, and President Arnold declared Ordinance No. 58-21 adopted.

Ord. No. 59-21 authorizing the appropriate City Officials to execute a real estate purchase contract for the purchase of the former Tiffin School property and an adjacent parcel and declaring an emergency was read for the first time by title only. Ms. Nickerson moved and Ms. Gillum seconded that the three-reading rule be suspended, placing this item on final passage. All eight members present voted “yea” and President Arnold declared the rule suspended. All eight members present then voted “yea” on the item itself, and President Arnold declared Ordinance No. 59-21 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 eight members present voted “yea” and President Arnold declared the motion adopted. Adjourned at 7:55 p.m.

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Clerk of Council

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President of Council