

Council Chambers
Regular Meeting
September 27, 2021
7:00 p.m.

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

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

President Arnold led the Pledge of Allegiance to the Flag.

Mr. Phillips moved and Ms. Lewis seconded that the minutes of the regular meeting of September 13, 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 did not have anything on the agenda this evening; however, it is in receipt of two legislation requests, #21-085 which is the review for community funding requests. He said Mayor Feeney had briefly discussed that at the last regular Council meeting. He said there is also #21-088, which is partial funding of the Reentry Coalition. Mr. Phillips said he would like to call a committee meeting for next Monday, October 3 at 6:30 p.m. for both of those assignments.

Human Resources Committee:

Ms. Payne stated that the Human Resources Committee had Item #1, which is a third reading for assignment #21-074, 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.

Engineering Committee:

Mr. Fairrow stated that he is no longer the Chair for the Engineering Committee but that he did not have anything to report otherwise as well.

Safety Service Committee:

Ms. Gillum stated that the Safety Service Committee had Item #2, authorizing the Chillicothe Municipal Court to apply for the Justice Reinvestment and Incentive Grant (“JRIG”) and accepting said grant funds; establishing a separate line item for the grant monies received and disbursed; amending Section 151.02 of the Codified Ordinances of the City of Chillicothe, Ohio titled “Court Personnel” to increase the number of full-time Probation Officers to three; and declaring an emergency. She said at the appropriate time she will request to waive the three-read rule on this item.

City Services / Transit Committee:

Ms. Lewis stated that the City Services Committee had nothing on the agenda and nothing to report, but that she would like to report on the Finance Committee since Councilman Proehl could not be there.

Finance / Technology Committee:

Ms. Lewis stated on behalf of Mr. Proehl that the Finance / Technology Committee had four items on the agenda tonight, Item #3, which is the first reading of an Ordinance designating public depositories and awarding monies under the provisions of Chapter 135 of the Revised Code of Ohio and declaring an emergency. She said this is a requirement by Law every five years that needs to

be done, so at the appropriate time she will ask to waive the three-read rule. Item #4, which is the first reading of an Ordinance approving the increase of hours for one Assistant Law Director and appropriating \$7,280.76 to fund the Assistant Law Director's salary for the remainder of 2021 and declaring an emergency. She said they met about this in a committee meeting last week and that she just wanted to thank Assistant Law Director, Mr. Miller, for coming, as well as Auditor Spetnagel, to go over the numbers to make sure this is something appropriate. She said they went back and forth with what needed to be done, and of course they wanted to make sure the Law Department was appropriately funded and employed, so this will cover the cost of salary for the rest of 2021. She said due to the fact that they are low on employees right now, she will ask to waive the three-read rule at the appropriate time. Item #5, which is a first reading of an Ordinance appropriating \$40,000.00 for City Income Tax refunds, transferring funds back to the General Fund to support the proportionate share of Income Tax refunds, and declaring an emergency. She said that at the appropriate time she will ask to waive the three-read rule so that citizens can get their income tax money back. And Item #6, which is the first reading of a Resolution authorizing the tax levies for the City of Chillicothe, Ohio for the fiscal year beginning January 1, 2022, as determined by the Ross County Budget Commission, certifying said levies to the County Auditor, and declaring an emergency. She said this is also something required by law that has to be done with a deadline of October 1, so at the appropriate time again she will ask to waive the three-read rule.

Ms. Lewis said she did have one other thing to mention regarding what she had discussed at the last regular Council meeting where she requested that a committee explore the idea of a Public Arts Committee. She said President Arnold put together a committee involving Councilman Phillips as well as Councilwoman Nickerson. She said she would like to call a public meeting for #21-089 next Monday, October 3, after the Community Affairs committee meeting to start the discussion of that.

Utilities Committee:

Mr. Tatman stated that the Utilities Committee did not have anything on the agenda tonight.

Engineering Committee:

Mr. Tatman stated that the Engineering Committee had Item #7, which is the first reading of a Resolution 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 2022, accepting grant funds if awarded, and declaring an emergency. He said that this would need to pass tonight so that we can do work on the sidewalks and roads as needed. He said this is something that comes around yearly and because of a time sensitive situation this will need to be passed tonight. He said at the appropriate time he will ask to waive the three-read rule. Mr. Tatman also asked if President Arnold was in receipt of the request from people on 2nd Street downtown working on the buildings. They said they were approved by the board but also needed Council's permission. He said he told them to send President Arnold and the Mayor a request so that Council can move forward with it.

President Arnold said he did receive that and the part that Council will get involved in is that it is encroaching into the easement of the right-of-way on the sidewalk and the moving of a sign and light. He said he has forwarded that on to get an assignment and has not heard anything as of yet, but he did get the information on their work.

REPORTS OF OFFICIALS

Report of Mayor Feeney:

Mayor Feeney stated that he would comment on tonight's agenda items. Item #1 he would request Council's favorable vote on. He said it was an item they had brought up midsummer that he thinks will be an exciting development for the City; something that he thinks has had a recognizable need for quite some time and will help them continue to advance the position of the City. He said he talked to Judge Eddy on Friday about Item #2. He said there are two things happening; one is to apply for and accept the grant funds and the second item is changing the staffing level within the Codified Ordinances. He said in terms of staffing a position that is grant funded for the short term is easy, and then the decision for Council later may be to determine it if is something that the General Fund can afford. He said he certainly supports amending the Codified Ordinances to be able to fill that position. He said Item #4 is also something that have been talking about for a long time, and he support the passage of Item #4 as well. He said he thinks that what the Law Director's office has done here is a creative solution to a problem that has been pestering them for a while and will create extra availability within the office in a manner that is probably the most cost-efficient way to do it. He said he knows it was not the original goal, but he does think that they have worked

within the budget and with City Council to come up with a solution that works well. Item #5 is something that seems to become an annual thing where we try to project what our annual income tax refunds will be, and he supports that item. He said the same thing to Item #6. Item #7 is an annual regional allocation, and we just need to have legislation that approves the filing of that application, and that deadline is this Friday, October 1. He said he supports passage of that item.

Mayor Feeney said a few other items he would like to report on are related to Item #1 and a lot of good work that the Engineering Department has been doing, and he thinks is a testament to our continued good relationship with ODOT District 9. The City found out that it has qualified as 1 of about 40 cities in Ohio for what is called a Small Cities Grant. He said that to his knowledge this year was the first year that we had ever applied. He said we found out today that the City was awarded \$1 million in the Small Cities Grant funding to support the ODOT and City of Chillicothe Major Bridge Street Project, which will rollout in ODOT's FY 2024/2025. He said he and Tom Barnitz from District 9 gave a virtual presentation to the Small Cities Committee and had help from Transit Director Powell and the City Engineer, Dean Carroll on putting the application together, not to mention support from the engineers and staff at District 9.

Mayor Feeney said he knows that there have been a lot of questions about the Pepsi Building. He said the design work is done and now they are putting together the bid packet. He said from there it will go out to bid and construction can get started.

Mayor Feeney said the next topic is Trick-or-Treat. He said he talked to the Health District and has confirmed that it is possible to go forward with Trick-or-Treat this year. He said he will ask children and families to observe responsible social distancing, and if your costume has a mask that is a good thing. He said it will be Thursday, October 28th from 6:00 p.m. to 7:30 p.m. and a back-up date and time, if necessary, will be Saturday, October 30th from 2:00 p.m. to 3:30 p.m.

Mayor Feeney said at this time in the absence of another Council member arriving, he wanted to go ahead and call a special meeting for Wednesday night at 6:30 p.m. He said if he understands Council rules correctly, they will need one more Council member present to pass some of these items that need passage tonight.

President Arnold said that we do need seven people in order to waive the three-read rule, and he had contacted two of the Council members who might possibly be able to make it, but he had not heard anything back yet. He said a special meeting would be in order to pass this legislation in time under the circumstances.

Report of Assistant Law Director Miller:

Assistant Law Director Miller stated he had nothing to report. He said he was of course here tonight for passage of certain legislation that is of interest to the Law Director's office and was prepared to thank Council for passing that. He said he will hold that thought and said he can't wait to thank all of them for that. He said he is not sure if he will be able to come Wednesday or not, but that he will try very hard to do that for that special meeting.

Report of President Arnold:

President Arnold said that Council is one person short to waive three three-read rule, and pretty much all of this legislation this evening is time sensitive with some of it needed by the first of the month and some of it is just to take care of business matters. He said he has not been able to hear back from anybody as far as whether they are coming; Mr. Proehl was questionable as far as how soon he could be here, and he has not heard from Ms. Corcoran. He said he really does not have anything to report but that he would like to bring up that this Friday, October 1 from 11:00 a.m. to 6:00 p.m., the firefighters are having their annual fish and tenderloin fry on 2nd Street at the Phoenix Fire Station. He said they have been doing this 1934, and he said he usually participates every year and mentioned they are both excellent.

AUDIENCE PARTICIPATION

Melody Lapczynski of 355 Brennan Road stated that she was at the meeting for the Purple Heart and wanted to give everyone an update. She said the committee they put together regarding this has been moving forward with great leaps and bounds. She said they have the monument and have it half paid for at this point. She said in addition to that they are doing their capital campaign and it looks like they are on target to meet their goal for that, although if anyone would like to contribute to please feel free to send something into the Veterans Council at the Visitors Bureau. She said one

of the things she wanted to update on is that there was some fluctuation on the date. She said that they are going to have the ceremony on Veterans Day, November 11th at 1:00 p.m. She said they are still getting the agenda together, but there will be some speakers including hopefully the Mayor, along with Veterans and Veterans Council that will be speaking as well, and it looks like it is going to be a very nice event. She said all City Council members will be getting invitations in the mail, and they hope they will have a really good crowd. She said please be there; they are going to have an Honor Guard, light refreshments, and a crowd because this is a great thing for Chillicothe to be able to recognize our Veterans this way.

Mayor Feeney added that he thought of something else he had forgotten to mention. He said this Saturday, October 2, at the Ohio University Chillicothe they will be celebrating their 75th Anniversary. He said there is an event that is open to the public from 10:00 a.m. to 2:00 p.m. He said he believes there is going to be refreshments and entertainment. He said he also wanted to repeat that the 2nd Street construction converting it to a two-way street will be happening in approximately three to four weeks. With weather and other construction projects permitting, they are looking at the week of the 18th, and just a reminder that will result in obviously a two-way street. But she said one of the most noticeable differences for the public will be at the intersection of Paint and 2nd Street will go from having traffic lights to no traffic lights; it will be a four-way stop. He said in conjunction with ODOT who has really given them some great guidance on a bigger change like this, you will start to see signage going up this week and flashing banners going up to alert public to traffic changes. He said safety will increase, but it is important to recognize that in the short term, extra caution will be necessary. He said a little bit of construction has already started at the crosswalks there at Paint and 2nd Street. He said the brick aesthetic is pretty nice to cross the street, but the design allows for the erosion at the joints of the brick and the street. He said they took the opportunity at the four crosswalks at Paint and 2nd Street. The City has consulted with ODOT and they recommended that according to safety conferences they go to brick crosswalks are actually not necessarily recommended anymore. The brick has been removed and you will see high-visibility crosswalks going in. There will also be the addition of handicap and curb ramp areas and new signage, along with new striping.

Mr. Proehl arrived at the Council meeting at 7:33 p.m.

NEW BUSINESS

Mr. Fairrow stated that there will be a public meeting in October regarding the Bridge Street Project. It will be Thursday, October 21st from 4:00 p.m. to 7:00 p.m. at the Christopher Conference Center at 20 North Plaza Blvd; ODOT will be holding a public in-person meeting to discuss the plans for Bridge Street.

COUNCIL ASSIGNMENTS AND CALENDAR

President Arnold announced that there would be a Community Affairs Committee meeting on Monday, October 3rd at 6:30 p.m., which will be followed by the Special Committee immediately afterwards.

President Arnold announced that the next Council meeting will be Monday, October 11th at 7:00 p.m. in Council Chambers.

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 apply for and accept \$140,000 in Justice Reinvestment and Incentive Grant monies for FY 2022 and 2023 creating a separate line item for tracking and amending Section 151.02 of the Codified Ordinances to increase the number of full-time probation officers.

Engineering: Request for legislation to authorize the City to apply and enter into an agreement with the Ohio Public Works Commission Grant funds for FY 2022 and to accept funds if awarded.

Community Affairs: Request for legislation to appropriate \$7,500 for the Ross County Reentry Coalition.

Special Committee: Request for review and possible legislation to form a Public Arts Committee

Safety Service: Request for legislation to accept and appropriate \$750 to the Fire Department from the Elks Club.

Finance: Request for legislation to release \$4,000 fire security to owner for fire at 249 Park Street for completion of repairs.

Finance: Request for legislation to authorize the Auditor to move appropriated dollars between line items for salaries and fringes for the remainder of the year.

READING AND PASSAGE OF LEGISLATION

Ord. No. 63-21 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 third time by title only. All seven members present then voted “yea” on the item, and President Arnold declared Ordinance No. 63-21 adopted.

Ord. No. 64-21 authorizing the Chillicothe Municipal Court to apply for the Justice Reinvestment and Incentive Grant (“JRIG”) and accepting said grant funds; establishing a separate line item for the grant monies received and disbursed; amending Section 151.02 of the Codified Ordinances of the City of Chillicothe, Ohio titled “Court Personnel” to increase the number of full-time Probation Officers to three; 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 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. 64-21 adopted.

Ord. No. 65-21 designating public depositories and awarding monies under the provisions of Chapter 135 of the Revised Code of Ohio and declaring an emergency was read for the first time by title only. Mr. Proehl moved and Ms. Lewis 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. 65-21 adopted.

Ord. No. 66-21 approving the increase of hours for one Assistant Law Director and appropriating \$7,280.76 to fund the Assistant Law Director’s salary for the remainder of 2021 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 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. 66-21 adopted.

Ord. No. 67-21 appropriating \$40,000.00 for City Income Tax refunds, transferring funds back to the General Fund to support the proportionate share of Income Tax refunds, and declaring an emergency was read for the first time by title only. Mr. Proehl moved and Ms. Payne 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. 67-21 adopted.

Res. No. 18-21 authorizing the tax levies for the City of Chillicothe, Ohio for the fiscal year beginning January 1, 2022, as determined by the Ross County Budget Commission, certifying said levies to the County Auditor, and declaring an emergency was read for the first time by title only. Mr. Proehl moved and Ms. Lewis 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 Resolution No. 18-21 adopted.

Res. No. 19-21 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 2022, accepting grant funds if awarded, 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 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 Resolution No. 19-21 adopted.

President Arnold inquired if there was a motion to adjourn.

Ms. Lewis moved and Ms. Payne seconded that the regular meeting be adjourned. All seven members present voted “yea” and President Arnold declared the motion adopted. Adjourned at 7:46 p.m.