

Council Chambers
Regular Meeting
February 24, 2020
7:00 p.m.

Council met in regular session with all nine members present: Corcoran, Gillum, Lewis, Nickerson, Payne, Phillips, Proehl, Shoemaker and Tatman. There were two media representatives and present, in addition to Mayor Feeney, City Law Director Villarreal, City Auditor Spetnagel and Safety-Service Director Carman. The meeting was broadcast live by Spectrum and by Horizonview.

Pres. Arnold led in the Pledge of Allegiance to the Flag.

Pres. Arnold noted that Clerk Fosson failed to comply with Council Rule No. 8. requiring that copies of any new Ordinance or Resolution to be voted upon at any meeting of City Council be delivered to each Member of City Council at least three days before such meeting. He said that he had taken it upon himself to consult with legal counsel as to how to remedy the situation, and that he was advised that it is necessary to suspend Council Rule 8 prior to consideration of the legislation on tonight's agenda. Pres. Arnold requested a motion to suspend Council Rule 8. Ms. Nickerson moved and Mr. Shoemaker seconded that Council suspend Council Rule 8. All nine members present voted "yea" and Pres. Arnold declared the motion adopted.

Mr. Proehl moved and Mr. Phillips seconded that Council suspend Rule 8 as to Item #1 on tonight's agenda. All nine members present voted "yea" and Pres. Arnold declared the motion adopted.

Mrs. Corcoran moved and Mr. Proehl seconded that Council suspend Rule 8 as to Item #2 on tonight's agenda. All nine members present voted "yea" and Pres. Arnold declared the motion adopted.

Mr. Shoemaker moved and Ms. Payne seconded that Council suspend Rule 8 as to Item #3 on tonight's agenda. All nine members present voted "yea" and Pres. Arnold declared the motion adopted.

Ms. Lewis moved and Ms. Payne seconded that Council suspend Rule 8 as to Item #4 on tonight's agenda. All nine members present voted "yea" and Pres. Arnold declared the motion adopted.

Mr. Proehl moved and Ms. Payne seconded that Council suspend Rule 8 as to Item #5 on tonight's agenda. All nine members present voted "yea" and Pres. Arnold declared the motion adopted.

Mr. Proehl moved and Mr. Phillips seconded that Council suspend Rule 8 as to Item #6 on tonight's agenda. All nine members present voted "yea" and Pres. Arnold declared the motion adopted.

Mr. Shoemaker moved and Mr. Proehl seconded that Council suspend Rule 8 as to Item #7 on tonight's agenda. All nine members present voted "yea" and Pres. Arnold declared the motion adopted.

Ms. Nickerson moved and Mr. Proehl seconded that Council suspend Rule 8 as to Item #8 on tonight's agenda. All nine members present voted "yea" and Pres. Arnold declared the motion adopted.

Ms. Nickerson moved and Ms. Payne seconded that Council suspend Rule 8 as to Item #9 on tonight's agenda. All nine members present voted "yea" and Pres. Arnold declared the motion adopted.

Ms. Nickerson moved and Mr. Proehl seconded that Council approve the minutes of the February 10, 2020, regular meeting of Council, as submitted by the clerk. All nine members present voted "yea" and Pres. Arnold declared the motion adopted.

Finance Committee:

Mr. Proehl reported on Item #1 accepting and appropriating insurance claim funds in the amount of \$7,838.00 for the repair of damage to an elevator located at the Municipal Court Building. Mr. Proehl reported on Item #2 transferring funds to the general fund as reimbursement of property taxes paid for 400 East Seventh Street. Mr. Proehl reported on Item #3 transferring funds to the general fund as reimbursement of property taxes paid for Borland Crossing. Mr. Proehl reported on Item #5 appropriating funds for expenses omitted from the 2020 budget. Mr. Proehl reported on Item #6 reappropriating funds in the amount of twenty-five thousand dollars for payment of an invoice for the Chillicothe Municipal Court. Mr. Proehl moved and Mrs. Corcoran seconded that Item #6 be amended by substituting the new version distributed tonight for the original version. All nine members present voted “yea” and Pres. Arnold declared the motion adopted. Mr. Proehl reported on Item #7 appropriating 2019 grant funds that were not expended in 2019. Mr. Proehl reported on Item #8 appropriating \$15,399.95 in insurance funds received as security as the result of a structure fire at 137 Park Street, Chillicothe, Ohio. He said that he will seek to pass each of these items tonight.

City Services/Transit:

Ms. Lewis reported on Item #4 authorizing and directing the Safety-Service Director to advertise for bids and enter into contracts for annual supplies and maintenance and repair of the equipment required by the City of Chillicothe, Ohio for fiscal year 2020. She said that she will seek to pass this item tonight.

Development Committee:

Ms. Nickerson reported on Item #9 amending Section 529.07 of the Codified Ordinances of the City to limit open containers in the Designated Outdoor Refreshment Area (DORA) to locations as authorized by the permit holder during outdoor dining activities.

REPORTS OF OFFICIALS

Report of Mayor Feeney:

Mayor Feeney commented on Item #9, stating that the original ordinance that was passed by Council had the intent reflected in Item #9 to allow the serving of alcohol in front of the business with no barrier. He urged passage of this item tonight.

Report of City Auditor Spetnagel:

City Auditor Spetnagel commented on Item Nos. 2, 3, 5, and 7 on tonight’s agenda, giving her explanation as to the reason for each of these ordinances.

Report of Pres. Arnold:

Pres. Arnold said that he was very impressed by Mayor Feeney’s State of the City. He noted that Mr. Wenner Botkin will turn 100 years old on the 29th of February. He stated that he and his office assistant, Stacy, cleaned up Council Chambers prior to tonight’s meeting.

COUNCIL ASSIGNMENTS AND CALENDAR

Pres. Arnold announced the following committee assignments:

Finance: Request for emergency legislation to accept and appropriate \$7,838.00 received for damages to elevator at Municipal Court;

Finance: Request for legislation to appropriate \$1,300.00 to upgrade a computer in the Auditor’s Office;

Transit: Request for legislation to re-appropriate \$10,238.37 to Transit Capital Equipment for new phone system; and

Transit: Request for legislation to advance funds to the Transit Funds on an as needed basis.

Pres. Arnold said that he will renew the facilities study for Council at 7:00 p.m. on the 16th of March.

READING AND PASSAGE OF LEGISLATION

Ord. No. 7-20 accepting and appropriating insurance claim funds in the amount of \$7,838.00 for the repair of damage to an elevator located at the Municipal Court Building and declaring an emergency was read for the first time by title only. Mr. Proehl moved and Ms. Nickerson seconded that the three reading rule be suspended, placing this item on final passage. All nine members present voted “yea” and Pres. Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself and Pres. Arnold declared Ordinance No. 7-20 adopted.

Ord. No. 8-20 transferring funds to the general fund as reimbursement of property taxes paid for 400 East Seventh Street and declaring an emergency was read for the first time by title only. Mr. Proehl moved and Ms. Gillum seconded that the three reading rule be suspended, placing this item on final passage. All nine members present voted “yea” and Pres. Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself and Pres. Arnold declared Ordinance No. 8-20 adopted.

Ord. No. 9-20 transferring funds to the general fund as reimbursement of property taxes paid for Borland Crossing 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 nine members present voted “yea” and Pres. Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself and Pres. Arnold declared Ordinance No. 9-20 adopted.

Ord. No. 10-20 authorizing and directing the Safety-Service Director to advertise for bids and enter into contracts for annual supplies and maintenance and repair of the equipment required by the City of Chillicothe, Ohio for fiscal year 2020, 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 Pres. Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself and Pres. Arnold declared Ordinance No. 10-20 adopted.

Ord. No. 11-20 appropriating funds for expenses omitted from the 2020 budget and declaring an emergency was read for the first time by title only. Mr. Proehl moved and Ms. Nickerson seconded that the three reading rule be suspended, placing this item on final passage. All nine members present voted “yea” and Pres. Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself and Pres. Arnold declared Ordinance No. 11-20 adopted.

Ord. No. 12-20 reappropriating funds in the amount of twenty-five thousand dollars for payment of an invoice for the Chillicothe Municipal Court and declaring an emergency was read for the first time by title only. Mr. Proehl moved and Mrs. Corcoran seconded that the three reading rule be suspended, placing this item on final passage. All nine members present voted “yea” and Pres. Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself and Pres. Arnold declared Ordinance No. 12-20 adopted.

Ord. No. 13-20 appropriating 2019 grant funds that were not expended in 2019 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 nine members present voted “yea” and Pres. Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself and Pres. Arnold declared Ordinance No. 13-20 adopted.

Ord. No. 14-20 appropriating \$15,399.95 in insurance funds received as security as the result of a structure fire at 137 Park Street, Chillicothe, 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 nine members present voted “yea” and Pres. Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself and Pres. Arnold declared Ordinance No. 14-20 adopted.

Ord. No. 15-20 amending Section 529.07 of the Codified Ordinances of the City to limit open containers in the Designated Outdoor Refreshment Area (DORA) to locations as authorized by the permit holder during outdoor dining activities 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 nine members present voted “yea” and Pres.

Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself and Pres. Arnold declared Ordinance No. 15-20 adopted.

Ms. Lewis moved and Ms. Nickerson seconded that the regular meeting be adjourned. All nine members present voted “yea” and Pres. Arnold declared the motion adopted. Adjourned at 7:36 p.m.

Clerk of Council

President of Council