

Council met in regular session with 7 of the 8 members present: G. Phillips, Nickerson, Payne, Fairrow, Henderson, A. Phillips, and Preston. In addition to Mayor Feeney and Law Director Villarreal, the audience included many members of the public and media representation.

President Gieringer asked for a motion to excuse Mr. Proehl from the September 26th meeting. Ms. Nickerson made the motion and Mr. Fairrow seconded. All members in attendance voted "yea" and President Gieringer declared Mr. Proehl excused.

President Gieringer led the Pledge of Allegiance to the Flag.

Pres. Gieringer asked there were any additions or corrections to the minutes of the previous meeting. Not seeing any, he asked for a motion to accept the minutes as they are. Ms. Henderson made a motion, Mr. Greg Phillips seconded. All members in attendance voted "yea" and President Gieringer declared the minutes accepted.

COMMITTEE REPORTS:

Finance: Mr. Anthony Phillips shared that this committee has one item on the agenda. Item number 9 is a first reading of an ordinance appropriating \$4000.00 for the use toward the purchase of a credit card machine and monthly credit card service charges for the remainder of the year 2022.

Community Affairs: Mr. Greg Phillips stated that this committee had no items on the agenda and nothing new to report.

Development: Ms. Nickerson stated that this committee has no items on the agenda and nothing to report.

Human Resources: Ms. Payne stated that this committee has three items on the agenda. Items 4, 5 and 6. Item 4 is at a third read (22-088) appropriating funds to cover an increase in city-wide property and casualty insurance policies and declaring an emergency. Item 5 is a second reading of a resolution approving 2023 health insurance benefits proposal for city employees. Item 6 is a resolution conforming the appointments of Dr. Brandy Spaulding and Richard Villarreal to the Health District Board.

Parks and Recreation: Ms. Henderson stated that this committee has no items on the agenda, but she has a few announcements. Earlier this month Mr. Walter Smith from the Chillicothe Tree Commission and MR. Todd Farrence from Pixelle met with and taught 75 students from some of the county schools as part of Careers in Agriculture & Natural resources. Ms. Henderson shared that we should be on the lookout for spotted lantern flies in the area. The Tales of Undead at Sugarloaf Mountain Amphitheater will begin this coming Saturday and there is new gateway signage for Chillicothe coming soon.

City Services/Transit: Mr. Fairrow stated that this committee has nothing on the agenda and nothing to report.

Safety Services: Ms. Preston stated that this committee had a committee meeting the previous Monday and 4 different items were discussed. One was livestock within city limits which is number 7 on the agenda at a second reading. Assistant Law Director Miller advised to go ahead with the legislation the way it was written. The next item discussed was appropriation of funds for Fire Dept. exams which was approved and will be on the next agenda. Also discussed was body camera lease for the police department which is a rotating lease. Another item discussed was the Criminal Trespass legislation. Law Director Villarreal suggested that the exemptions be removed, and the item will remain committed on the agenda for now. Item 8 is an ordinance appropriating \$9,962.80 for the purchase of ten new computers for the Chillicothe Police Department and declaring an emergency.

Engineering: Mr. Fairrow stated that this committee has one item on the agenda. Item 10 is an ordinance approving placement of a Greater Chillicothe and Ross County Development Corporation sign on a city right-of-way at Gateway Drive and declaring an emergency. At the appropriate time Mr. Fairrow will ask to waive the three-read rule so the sign can be installed before the weather changes. Earlier in the evening this committee had a meeting concerning an application for grant funds. It is a yearly application through the OPWC and at the appropriate time Mr. Fairrow will ask to amend tonight's agenda to add that item and waive the three-day receipt rule.

Utilities: In the absence of Mr. Proehl there was no report given for this committee.

REPORTS OF OFFICIALS:

Mayor Luke Feeney: Mayor Feeney stated that he wanted to thank Mr. Fairrow and the Law director's office for moving quickly on the OPWC application, that deadline is before the next regularly scheduled meeting. It will allow the city to apply for \$300,000 in grant funds. There will be a legislation request coming from the city for appropriation of other funds. He shares that It has been an interesting paving season. To fill folks in on High Street, it has had quite a bit of work done on gas line repairs and updates and that portion of High Street is shared responsibility between the city and ODOT. It was not on the paving schedule for 2022 but after conversations with ODOT it was decided to get the whole street paved in the next couple of weeks. He wants to thank the public for their patience. He wanted to comment on another roadway, Belleview. That project is a large one with updates to water lines, sewer lines, storm sewer lines and paving and it is broken into two sections. The major work cannot be done this fall but it will be a spring or summer 2023 project. Temporary repairs are being discussed.

Finally, Mayor Feeney mentioned a fogging treatment that will be used to seal the new pavement and extend its life.

In reference to roadways and sewer lines: the roadways at the intersection of Watt & Water St, is reopened. It was a major disruption to that neighborhood and sewer lines.

Auditor Kristal Spetnagel: In the absence of Auditor Spetnagel, there was no report given.

Law Director Anna Villarreal: Law Director: Ms. Villarreal shared that her office is working very hard to get all legislation corrected, completely and where it needs to be.

Council President Joe Gieringer: There was no report from the Council President.

AUDIENCE PARTICIPATION:

Derek Myers, 557 E. 5th St: Mr. Myers expressed that he wanted to address the committed legislation (criminal trespass). He thinks that the best approach has not been taken. He shares that both Councilwoman Preston & Rev. Terry Williams both have a vision for this concern. Mr. Meyers says it is taking a lot of time, resources and participation, but pushing the homeless into the highways isn't the way to go. He shares that his office is near the homeless shelter, and he sees that the homeless have nowhere to go during the day. Mr. Meyers asked gentleman he met at the meeting who is homeless what action he thinks should be taken. This gentleman said, "we need a network of things to do during the day". Mr. Meyers shares that the amount of energy and effort that has been put into this legislation would be better if we could just take the time and put together a coalition it would be helpful. There isn't one central coalition or leader to bring everyone together and work toward a solution. "There are so many cooks in the kitchen, but nothing is getting done". Mr. Meyers shares that when he was 5 years old, he and his mother were homeless. He said he remembers walking up the step on Easter 1996 and he only got an Easter basket because that community came together. Mr. Meyers is asking that the community comes together to make this network happen. One final question: if someone is charged with this crime, how will the Law Director's office handle that?

Ms. Villarreal: "right now, the question you are asking is moot."

Jason Link, 17 Mead Drive, Mr. Link shares his interest on the livestock legislation. He mentions that he would like committee meetings to be announced greater than 48 hours in advance so that all can be involved. The legislation is coming back at a second read, there was one committee meeting and Mr. Links shares that no changes were made to the legislation. He has continued concerns with the legislation and he states that there is confusing language & conflicting language, along with alphabetical and numerical ordering issues. Mr. Link shares he has spent a significant amount of time with this ordinance, and he explains some of the information included along with his concerns and questions. Mr. Link goes on to ask if the committee that this is assigned to looked at how many parcels in the city are 5 acres or how many parcels are 5-10 acres or above 10 acres. His concern is that the legislation is discriminatory against 4H and FFA members who want to have livestock on their property within city limits. He is concerned with the overall process and he & others have reached out to different members of the governing body with no response. Mr. Link shares how well taken care of 4H animals are and that

smells most likely wouldn't be an issue. He implored council to not vote yes and send it back to committee to be further discussed.

***Ms. Villarreal commented on Mr. Link's communication with the Law Director's office and that the office isn't trying to ignore him, but it is improper for them to respond- it could be misconstrued as legal advice to a lay person and her office is not permitted to do that.

***Mr. Link informed Ms. Villarreal that he has two emails from Teresa at the Law Director's office. He shares that he hasn't been "invited to the table" to discuss this legislation with other interested parties. He thinks it would be valuable to bring others in on the conversation.

***Ms. Preston interjected that she has responded to Mr. Link's emails and shared her position on it. She mentions that this committee assignment was inherited, and it has been ongoing since 2019. In reference to the other people in the 4H and Fair communities (Ms. Wells & Mr. Cosenza), they were involved and were a part of the re-drafting process of the legislation. She apologizes that it may not be what he (Mr. Link) wants to hear but council cannot make everyone happy. Ms. Preston stated that Ms. Wells was instrumental in the updates made to the legislation. Ms. Preston wanted to reiterate what Assistant Law Director Jason Miller said previously that council cannot make everyone happy. There have been multiple meetings even before Mr. Link was involved. "We must think about all citizens, not just one."

***Mr. Link shares that he is trying to bring solutions to the table. He states that the concerns and questions that he has asked have not been answered.

Janet Griffith, 603 Commanche Ms. Griffith asked where Mr. Link was able to get a copy of the legislation and she also states that this situation has been going on for too long. She has been suffering with chickens for far too long. She states that her fence should not be a border for the chickens. She shared that the chickens stink and are bringing flies. "We need something done!". She states that it is not someone's right to have pigs, goats, cows and chickens in the city because those are rural farm animals. "Our city is a city, not a dump. Please vote to get rid of the farm animals in the city."

Stephen Ruth, Mr. Ruth shares an idea for a solution. He states that if council will just coordinate it could help. He mentions assisted living for the mentally ill. He shares that due to being a medical marijuana patient, he is unable to be permitted in the homeless shelter- if the legislation passes, he would be one of the people going to jail. His solution idea of putting the mentally ill in assisted living and helping recovering addicts with rides to find a job or housing. If funds are needed, he offers the funds (estimated 187 mil/year) from his book.

Bill Showman, 32 S. Hickory St., Mr. Showman shares that he is very disappointed and hopes that Council will vote against the legislation. Homeless do not have private property of their own and cannot use another's private property without consent, meaning the only place left for them to go is public spaces and "now we want to criminalize the utilization of public spaces". He shares that he doesn't think anyone is clear on what specifically law enforcement has requested or needs in this situation. He wants to understand where the homeless folks are supposed to go. There are issues where some people cannot and will not use the shelters. "We know that homelessness has increased by 300% in the most recent couple of years, this is well documented. We know that there are not enough beds to meet the need, and something needs to be done about it. Criminalizing homelessness is not it". He asks what space is available for homeless folks. "This is question should be the priority". Mr. Showman mentions increasing sanitation services and law enforcement presence to allow for increased safety of public spaces. He asks how many City Council members attended the Continuum of Care meeting or reached out. Mr. Showman shares that even through the removal of the word "homeless" the intent is clear, no matter how vague.

Nancy McNeely, 14 Applewood Drive, Ms. McNeely mentioned that a comment from Mr. Showman raised a red flag for her. "Homelessness has gone up 300% in the past two years" she wonders where these people are coming from? "Are we getting people from different counties, do you have the data to support that? I'm wondering if they are bringing them in from other counties. Why is there such an increase?" She says that she trusts Ms. Preston's knowledge on the subject as she has served in law enforcement for many years and has done a lot for the community. She shares that our police officers have to face so much today, and laws should apply equally to everybody.

***At this point in time, the time limit for Criminal Trespass discussion has been reached.

George Stepp, 310 Clay Street, Mr. Stepp shared that he is a homeowner on Clay Street. Many people walk right past his house every day. He was fortunate enough to rent a house. In the last year he has seen rent jump from \$500 to \$900. He shares that some people just can't afford to rent a house. He shared about how easy it is to stereo type folks as he has been guilty of it. He shares that he doesn't think the legislation will help anyone.

***Ms. Nickerson made a motion to extend the time for that specific topic. There was no second on the motion.

Terry Williams, 471/2 E. Main Street, Mr. Williams shares his concerns about the livestock legislation. He reiterated what Mr. Link shared earlier about some confusion within the livestock legislation language. He shares that legislation like this should be thoroughly vetted ahead of time with community participation. Mr. Williams mentions that the community has been receiving committee meeting notice from the President of Council, not from the individual committee members. He says that it's important that committee notices go out ahead of time so there can be community involvement. He encourages Council to lead the effort in bringing people together on all issues.

John Thacker, 997 Columbus Street, Mr. Thacker congratulated President Gieringer on his win in the Chilifest event recently.

OLD BUSINESS:

There was no old business brought up for discussion.

NEW BUSINESS:

At this time, Mr. Fairrow interjected and asked to amend the agenda to add a resolution authorizing the appropriate city officials to apply for and enter into an agreement with the Ohio Public Works Commission grant funds program for the year 2023, accepting grant funds if awarded and declaring an emergency.

Mr. Fairrow made a motion to amend the agenda to add the resolution. Seconded by Ms. Henderson. All members in attendance voted "yea" and President Gieringer declare the motion passed.

Mr. Fairrow made a motion to waive the three-day receipt rule. Ms. Payne seconded. All members in attendance voted "yea". Pres Gieringer declared the motion passed.

PETITIONS AND CORRESPONDANCE:

Ms. Moss informed Council of two liquor licenses request that have been received.

-5D Investments LLC DBA Southern Ohio Axe Throwing 35 N. Paint Street Chillicothe, OH

-Par Mar Oil Company 228 N. Bridge Street Chillicothe OH

There was no objection to either request.

READING AND PASSAGE OF LEGISLATION:

Third reading of an Ordinance accepting and appropriating \$492.31 received from the Chillicothe Country Club as payment for having a City Fire Inspector and fire truck in attendance at their members

only fireworks display. All members in attendance voted "yea" and President Gieringer declared Ord. #65-22 adopted.

Third reading of an Ordinance accepting and appropriating a reimbursement check from the State of Ohio Attorney General's office in the amount of \$420.00. All members in attendance voted "yea" concerning the legislation and President Gieringer declared Ord. # 66-22 adopted.

Third reading of an Ordinance accepting and appropriating a reimbursement check from Dana Transport, Inc. in the amount of \$954.32. All members in attendance voted "yea" concerning the legislation and Pres. Gieringer declared Ord. #67-22 adopted.

Third Reading of an Ordinance appropriating funds to cover an increase in costs of city-wide property and casualty insurance policies and declaring an emergency. All members in attendance voted "yea" concerning the legislation and Pres. Gieringer declared Ord. #68-22 adopted.

Second reading of a Resolution approving the 2023 health insurance benefits proposal for city employees. President Gieringer declared this item would move to the next agenda.

Second reading of a Resolution confirming the appointments of Dr. Richard Villarreal and Dr. Brandy Spaulding to the Ross County Health District Board. President Gieringer declared this item would move to the next agenda.

Second reading of an Ordinance amending Section 505.14 of the Codified Ordinances of the City of Chillicothe as it pertains to livestock being kept or harbored within the corporation limits of the City of Chillicothe, OH. President Gieringer declared this item would move to the next agenda.

First reading of an Ordinance appropriating \$9,962.80 for the purchase of ten new computers for the Chillicothe Police Department and declaring an emergency. Ms. Preston made a motion to waive the three-read rule, Ms. Henderson seconded. All members in attendance voted "yea" and Pres. Gieringer declared the motion passed. All members in attendance voted "yea" concerning the legislation and Pres. Gieringer declared Ord. #69-22 adopted.

First reading of an Ordinance appropriating \$4,000.00 for the use toward the purchase of a credit card machine and monthly credit card machine service charges for the remainder of 2022. Pres. Gieringer declared this item would move to the next agenda.

First reading of an Ordinance approving placement of a Greater Chillicothe & Ross County Development (GCRC) Corporation sign on the city right-of-way at Gateway Drive and declaring an emergency. Mr. Fairrow made a motion to waive the three-read rule on this item, Ms. Nickerson seconded the motion. All members in attendance voted "yea" and Pres. Gieringer declared the motion passed. All members in attendance voted "yea" concerning the legislation and Pres. Gieringer declared Ord. #70-22 adopted.

***Mr. Fairrow made a motion to waive the three-day receipt rule on the resolution read earlier, Ms. Henderson seconded. All members in attendance voted "yea" and President Gieringer declared the motion passed.

Mr. Fairrow made a motion to amend the agenda and add the resolution to the agenda. Seconded by Ms. Payne. All members in attendance voted "yea" and President Gieringer declared the motion passed. ***

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 2023, accepting grant funds if awarded, and declaring an emergency. Mr. Fairrow made a motion to waive the three-read rule. Mr. Greg Phillips seconded. All members in attendance voted "yea" and Pres. Gieringer declared the motion passed. All members in attendance voted "yea" concerning the legislation and Pres. Gieringer declared Res. #25-22 adopted.

Ms. Preston made a motion to lay on the table, the committed legislation (Ordinance amending section 541.05: Criminal Trespass of the Codified Ordinances of the City of Chillicothe, OH), Ms. Payne seconded. All members in attendance voted “yea” and Pres. Gieringer declared the motion passed.

President Gieringer asked for a motion to adjourn, Mr. Fairrow made the motion, Ms. Nickerson seconded. All members in attendance voted “yea” and the meeting was adjourned at 8:12pm.