

Council Chambers
Regular Meeting
July 26, 2021
7:00 p.m.

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

President Arnold led the Pledge of Allegiance to the Flag.

President Arnold had a special presentation honoring John Fosson for his 29 years of dedicated service to the City of Chillicothe as the Clerk of City Council and provided him with a plaque commemorating his service.

Mr. Phillips moved and Ms. Payne seconded that Ms. Lewis and Mr. Proehl be excused from the evening's City Council meeting. All members present voted "yea", and President Arnold declared the motion adopted.

Ms. Nickerson moved and Ms. Payne seconded that the minutes of the regular meeting of July 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 did not have any items on the agenda and no new information to present.

Human Resources Committee:

Ms. Payne stated that the Human Resources Committee did not have any items on the agenda and had nothing new to report on.

Development Committee:

Ms. Nickerson stated that the Development Committee had nothing on the agenda tonight; however, a new legislation request was received this afternoon for her committee that pertains to the acquisition of the former Tiffin School property on South Bridge Street. She said that she will be calling a committee meeting and that Auditor Spetnagel would have further information that she could mention later during the meeting.

Parks & Recreation Committee:

Ms. Corcoran stated that the Parks & Recreation Committee had nothing on the agenda this evening, but she mentioned that Parks & Recreation had a Tree Commission meeting last week. She said they won't start their planting until the fall. She said that Parks & Recreation also met last week, and they are busy with the pool and things going on in the park as well as the maintaining of it. Ms. Corcoran also said that she serves on the Convention & Visitors Bureau as a representative of City Council and said that there were a few things that were very interesting and positive. She said everyone from Tecumseh to Hopewell Culture and the Paints are seeing an uptick even comparing two years ago. She said they are also doing movie nights at Tecumseh this year. She also stated that they finally got the signage for the Historic Downtown.

Engineering Committee:

Mr. Shoemaker stated that the Engineering Committee did not have anything on the agenda and that there were not any new items to report.

Safety Service Committee:

Ms. Gillum stated that the Safety Service Committee had several items on the agenda, Item #2 which is an Ordinance appropriating funds in the amount of \$15,000.00 for Fire Department repair bills and planning improvements and declaring an emergency. She said that at the appropriate time she will ask that Council waive the three-read rule; Item #3, which is an Ordinance appropriating \$53,460.00 for the Chillicothe Police Department's 2021 AXON bill and declaring an emergency and at the appropriate time she will ask to waive the three-read rule; Item #4, which is an Ordinance appropriating funds in the amount of \$900.00 for the replacement of a refrigerator at Fire Station 4 and declaring an emergency and at the appropriate time she will request to waive the three-read rule; Item #5, which is an Ordinance appropriating \$25,000.00 for Law Director's Office Outside Contracts and declaring an emergency and at the appropriate time she will ask to waive the three-read rule; and Item #9, which is an Ordinance amending Section 116.02 of the Codified Ordinances of the City of Chillicothe titled "Personnel in the City Law Director's Office" and declaring an emergency and at the appropriate time she said she will ask to waive the three-read rule.

City Services / Transit Committee:

Mr. Phillips stated, on behalf of Ms. Lewis, that the City Services Committee had four agenda items on the agenda, Item #1, which is an Ordinance authorizing, accepting and appropriating 2020 CARES Act awards for the Transit Department and declaring an emergency; Item #6, which is an Ordinance appropriating \$16,000.00 for use toward the purchase of a new refuse truck and declaring an emergency; Item #7, which is an Ordinance appropriating \$61,500.00 for the purchase of road salt and declaring an emergency; and Item #8, which is an Ordinance appropriating \$120,899.20 for the City's share of the costs for improvements to the Law Enforcement Center and declaring an emergency. He said that at the appropriate time he will ask Council to waive the three-read rule for all four items.

Utilities Committee:

Mr. Tatman stated that the Utilities Committee did not have anything on the agenda, but said that he did have some City officials on a tour on part of the eastside of town to point out some desperate nuisance issues. He said he is hopeful that other Council members will have some issues to report as well, because Council has got to get on top of nuisance issues for the City.

REPORTS OF OFFICIALS

Report of Mayor Feeney:

Mayor Feeney stated that he would start by commenting on some of the 11 items, just adding a little more context for some of them. Item #1 is an award that is in addition to an original award the City received. He said that all we are asking out of that award is to appropriate an additional \$139,000 from the original annual budget which passed this past spring. The CARES Act had significant dollars appropriated specifically for Transit across the nation and our system has benefited from that greatly. He said while we are accepting an additional \$1.72 million, we are just appropriating \$139,000 off of the original budget. Item #3 is essentially the subscription cost on the body cams and cloud storage, which is of course urgent and important. Item #5 is really coupled with Item #9. He said he is in support both of those. He said that he thinks in the time he has been with the City that we have gone to Council several times and asked Council to modify the Codified Ordinances to basically reflect more modern needs, and he said that he thinks with the Law Director's office it is taking some older language and had brought it more current to match the current needs. Item #5 is making sure that the Law Director's office can cover its duties and obligations to the City. Item #6 is of course an additional \$16,000.00 to use towards the purchase of a refuse truck. In the original budget the price has gone up over the past 12 months. Item #8 is something the City committed to a year or two ago, which is the City's share of repairs at the Law Enforcement Complex. Item #11, of course he wholeheartedly supports. He said he would respectfully request that all items on tonight's agenda be passed with the waiver of the three-read rule.

Mayor Feeney said that he would like to follow-up on Councilman Tatman's report. He said that he, along with Captain Short, our Nuisance Officer, our Code Enforcement Officer, and our Safety Service Director, hoped in gators and picked up Councilman Tatman in the Fourth Ward and drove very slowly through his ward, and they noticed things you don't always see in a regular vehicle going at regular speed. He said he wanted to thank Councilman Tatman for that offer. He said

that they have an intern and a former intern this summer, and one of the things that he has committed their time to is reviewing some of our processes. He said much of nuisance and code enforcement, many of our issues and our struggles, are often process related. He said they have committed to do a couple of things. One is to closely watch the process as it works now and make sure they are working as they should and are responsive to neighborhood needs. By taking a closer look we are going to make sure that they are modernized. He said it is important for the public to know and Council to know that once the point that grass is high is the point that the letter goes out. There is then due process from the time that the letter goes out for somebody to respond. He said it is not like as soon as we see high grass we go and mow it. He said maybe that is a problem with the law or maybe that is how it should be, but just a reminder that just because you or your constituents have called or reported it, because of the process that we have established in our Codified Ordinances, there is a delay from the time you see that tall grass to when we have the legal right to mow it. He said code enforcement is a little bit different beast. It comes from the Building Department in a different Code Section but it is also something that needs quite a bit of attention. He said he thinks that the investment of that attention could really result in some positive improvements for the community. He thanked Councilman Tatman for that invitation and said he wanted to extend that offer for either himself or other members of the Administration and Police Department, because they really learned a lot on that trip. He said if any other Councilperson would like to give them a tour, please feel free to extend that invitation. He said he will also be resuming his Mayor's Neighborhood Office Hours again soon and he said he thinks those tours might go well with his office hours.

Mayor Feeney said that Councilwoman had mentioned the purchase of the Tiffin School property, and he would like to commend Goodwill for their diligence in the process. He said he feels that it would be something positive for the City, but that there is plenty of time for community input and conversations around that. He said that Auditor Spetnagel will talk a little more on the financing aspect of it.

Mayor Feeney said he wanted to mention the Chillicothe Transit Downtown Trolley trial that occurred last Thursday and Friday. He said it was a prototype, along with an "uber" type service, of a 9-month project that was to try to find new ways to maximize utilization of the Chillicothe Transit System. He said he wanted to thank everyone who participated from the team that worked on it to the citizens who took a ride.

Report of City Auditor Spetnagel:

Auditor Spetnagel stated that she supported all of the 11 items on the agenda. She said that she wanted to talk about a committee assignment that went out last week regarding the financing of items that are going to be listed in the budget. She said that she does have that financing completed and ready to go, and Bond Counsel has the Resolution ready to go, but that she is holding off while trying to determine if we will be adding the Tiffin property purchase onto the financing. She said that if we would go ahead and do that, we would have to pay twice to get the financing completed.

Auditor Spetnagel also stated that another thing in addition to the original committee assignment that she sent out was an additional purchase of a lawn mower for the Parks & Recreation Department that was not originally included in the budget, but she did include that in this legislation with the request to purchase the lawn mower. She said Parks and Rec had this lawn mower in their budget in 2020, but it was one of those items the City did not purchase due to COVID, so they held off to make sure they had the funding to do that. She said that they do have most of these items financed for five years at a very low rate of 1.8%. She restated that they are just holding off to see if they want to add the Tiffin purchase to that round of borrowing. She said that hopefully they can meet and have a Finance Committee meeting before the next Council meeting and have the Resolutions ready to go if everything goes as planned.

Report of Assistant Law Director Miller:

Assistant Law Director Miller stated that he did not have a whole lot to report but that he did want to make a comment on the nuisance issue. He said having represented a lot of different municipalities in the state, he would be pleased to serve on any committee that might consider the shortening of the process problem that he knows these nuisance issues take into account. He said that sometimes it is hard to get them effectively enforced, because it takes so darn long from start to finish. He said he has worked on a number of pieces of legislation which have helped shorten that process. He added that if this Council develops any sort of a committee to re-examine that, he would be happy to serve on that and maybe make an issue of it for people who are suffering from this style of violation. He said what people don't understand about these nuisance issues is

that it is not just a one-person property issue; it affects the values of the surrounding properties as well. One nuisance can effectively affect and negatively impact a number of different properties, and he said he knows that is what this Council is trying to solve the problem for. He said he would be happy to help with that if it becomes an issue.

Assistant Law Director Miller stated that he just wanted to thank the Mayor and especially the Auditor, not to mention Council, for paying particular attention to items #5 and #9 on the agenda for the Law Director's office. He said it is refreshing to serve a Council and Administration that is not looking at legislation for the very first time at a Council meeting. He said he has represented some municipalities where he knows for fact that is the case, and that it is not the case in the City of Chillicothe. He said your public should be very pleased that its Council and its Administration are paying particular attention to legislation in advance of the meetings. He said the value of that cannot be overstated. He said he is happy to be here and to answer any questions Council might have and that he hopes to come back and visit with them soon.

Report of President Arnold:

President Arnold said he was downtown Thursday, Friday and Saturday and that it was definitely hopping and that the trolley was a nice touch. He said it looked good and people were busy. He said that he thinks it all worked out to be a great success. He said as in any community, the downtown becomes the heart, and he thinks our City and whole community has a pretty big heart.

NEW BUSINESS

Mr. Shoemaker asked President Arnold if he may address Council after the reading of legislation, and President Arnold approved his request.

COUNCIL ASSIGNMENTS AND CALENDAR

President Arnold announced that the next Council meeting will be Monday, August 9th 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:

City Service: Request for legislation to appropriate \$144,000.00 to install two vehicle electric charging stations in the municipal lot at 37 East Water Street.

City Service: Request for legislation to accept and appropriate \$5,000.00 received from First Capital District to purchase new trash can receptacles in the downtown area

All of Council: Request for legislation to honor John Fosson

Finance: Request for legislation for financing several various capital items

Finance: Request for legislation to appropriate funds for the purchase of the former Tiffin School property

Safety Service: Request for legislation to appropriate \$4,886.00 to purchase 14 replacement chairs for the Police Dept.

READING AND PASSAGE OF LEGISLATION

Ord. No. 40-21 authorizing, accepting and appropriating 2020 CARES Act awards for the Transit Department and declaring an emergency was read for the first time by title only. Mr. Phillips 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. 40-21 adopted.

Ord. No. 41-21 appropriating funds in the amount of \$15,000.00 for Fire Department repair bills and planning improvements and declaring an emergency was read for the first time by title only. Ms. Gillum moved and Ms. Corcoran 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. 41-21 adopted.

Ord. No. 42-21 appropriating \$53,460.00 for the Chillicothe Police Department's 2021 AXON bill and declaring an emergency was read for the first time by title only. Ms. Gillum 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. 42-21 adopted.

Ord. No. 43-21 appropriating funds in the amount of \$900.00 for the replacement of a refrigerator at Fire Station 4 and declaring an emergency was read for the first time by title only. Ms. Gillum moved and Ms. Corcoran 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. 43-21 adopted.

Ord. No. 44-21 appropriating \$25,000.00 for Law Director’s Office Outside Contracts and declaring an emergency was read for the first time by title only. Ms. Gillum moved and Mr. Shoemaker 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. 44-21 adopted.

Ord. No. 45-21 appropriating \$16,000.00 for use toward the purchase of a new refuse truck 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 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. 45-21 adopted.

Ord. No. 46-21 appropriating \$61,500.00 for the purchase of road salt 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 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. 46-21 adopted.

An Ordinance appropriating \$120,899.20 for the City’s share of the costs for improvements to the Law Enforcement Center and declaring an emergency was read for the first time by title only. Mr. Phillips moved and Ms. Nickerson seconded that the three-reading rule be suspended, placing this item on final passage. Six of the seven members present voted “yea”, one member abstained from voting, and President Arnold declared the rule suspended. Six of the seven members present then voted “yea” on the item itself, one member abstained, and President Arnold declared the Ordinance adopted.

***Note: This was later determined to have not passed according to the Rules of Council of the City of Chillicothe, Ohio and will be on the next meeting’s agenda for a second reading.

Ord. No. 47-21 amending Section 116.02 of the Codified Ordinances of the City of Chillicothe titled “Personnel in the City Law Director’s Office” and declaring an emergency was read for the first time by title only. Ms. Gillum moved and Ms. Corcoran 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. 47-21 adopted.

Ord. No. 48-21 to approve current replacement pages to the Chillicothe Codified Ordinances and declaring an emergency was read for the first time by title only. Ms. Payne 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. 48-21 adopted.

Res. No. 14-21 recognizing John Fosson’s 29 years of dedicated service to the City of Chillicothe as Clerk of City Council and declaring an emergency was read for the first time by title only. Ms. Corcoran moved and Ms. Gillim 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. 14-21 adopted.

Mr. Shoemaker stated that it is not easy for him and that it is truly unfortunate that he must announce his resignation from City Council effective at the adjournment of this meeting. He said he has taken a new job that is not compatible with his service on Council, and his new job will

require all of his attention. He said it is the right thing to do. He said this City is a great place to live, work, and play and we are moving forward. He said he believes that his replacement, whoever that may be, will help keep Chillicothe moving forward. His advice is to lead with clear intent. He said he would like to thank all of his colleagues on Council; they have been great to work with, and he truly appreciates it. He said it has been an honor to serve on Council with each and every one of them. He said most of all he would like to thank the people and that without them he would not be here. He added that he wished that he could fulfill his term, but this is the right thing to do. He said God bless you, God bless the City, and God bless the State and Country; it is a place full of opportunities.

President Arnold said he is sorry to hear that he would be leaving. He said he has been a great representative who did exceedingly well. He was a new member with new Council with quite a few members this term and he did fantastic. He said that Mr. Shoemaker is going to be missed and that he has big shoes to fill.

Ms. Corcoran said that she had worked with Mr. Shoemaker in the Engineering committee and that she appreciates his due diligence to all of the projects he has had and also the behind the scenes work in his area of expertise. She said she would just like to thank him for his contributions.

Mr. Phillips said that they didn't know each other that well. He said that Chillicothe is losing a heck of a Councilman, but that he has gained a friend. He said he does not say that lightly; the older he gets the fewer friends he has. He said that Mr. Shoemaker has served well and has been a joy to work with. He said he is going to miss him, but maybe he will have more time to fish (or less time).

Mayor Feeney said that he enjoyed working with Mr. Shoemaker, and he enjoyed particularly the level of professionalism he brought to Council in his professional area of planning. He said that he thinks particularly the Master Plan process that the City is about to embark on will reflect his commitment to Council over the past couple of years. He said he is hopeful that whatever his next role may be that he might be able to help out in that process as we go forth.

President Arnold inquired if there was a motion to adjourn.

Mr. Phillips 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 7:54 p.m.

Clerk of Council

President of Council