

Council met via video conference in regular session with all nine members present: Phillips, Payne, Nickerson, Tatman, Lewis, Gillum, Shoemaker, Corcoran and Proehl. Also, in attendance were Mayor Feeney, City Law Director Villarreal and City Auditor Spetnagel. This meeting was video conferenced due to the COVID-19 pandemic and followed the guidelines of the Ohio Attorney General, Dave Yost, allowing the public to listen to the meeting safely.

Ms. Nickerson moved and Ms. Lewis seconded that the minutes of the regular meeting of July 13, 2020 be accepted and approved, as submitted by the Clerk. All members present voted “yea”, and President Arnold declared the motion adopted.

COMMITTEE REPORTS

Safety Service Committee:

Ms. Gillum reported that the Safety Service Committee had two items on the agenda. The first was Item #1, which is the third reading of an Ordinance amending Chapter 301 - Definitions of the Codified Ordinances of the City of Chillicothe and enacting Chapter 343 – Underspeed Vehicles. Also, Item #10 which is accepting and appropriating grant funds in the amount of \$750.00 for the Fire Department’s Senior Home Inspection Program (SHIP) and declaring an emergency. Ms. Gillum stated that at the appropriate time she will request to waive the three-read rule, seeking to pass this item tonight.

Development Committee

Ms. Nickerson reported that the Development Committee had one item on the agenda, Item #9, which is accepting and appropriating \$5,762.25 received as payoff of a CHIP mortgage and declaring an emergency. Ms. Nickerson stated that at the appropriate time she will request to waive the three-read rule, seeking to pass these items tonight.

Engineering Committee

Mr. Shoemaker reported that the Engineering Committee had one item on the agenda tonight, Item #2, which is approving the action of the Planning Commission of the City of Chillicothe with regard to a lot split and zoning boundary adjustments for property located on Stoneridge Drive and Western Avenue, Chillicothe, Ohio. Mr. Shoemaker added that on August 10th there will be a public hearing with regard to the zoning amendment related to this legislation at 6:55 p.m., just prior to the Regular Council Meeting. Mr. Shoemaker said that his committee is working in legislation regarding an alley dedication, as well as the widening of Western Avenue in the Sunrush area. He added that ParkMobile will have he giving a presentation at the Committee Meeting on August 3rd regarding the parking meters.

Utilities Committee

Mr. Tatman reported that the Utilities Committee had several items on the agenda. Item #2, which is the second reading of approving the action of the Planning Commission of the City of Chillicothe with regard to a lot split and zoning boundary adjustments for property located on Stoneridge Drive and Western Avenue, Chillicothe, Ohio. Also, Item #7, which is appropriating \$25,000.00 for the purchase of Utilities Department water meters. Mr. Tatman stated that there were two additional items on the agenda, Items #4 and #5, that he would like to request that Council not read tonight in order to give Council members time to review the 40 pages of information and discuss the topic further in a committee meeting. Mr. Tatman moved and Ms. Nickerson seconded that Item #4 and Item #5 not be read at this meeting for further review. All nine members present voted “yea”, and President Arnold declared the motion adopted.

City Services / Transit Committee

Ms. Lewis reported that the City Services Committee had one item on the agenda, Item #8, which is authorizing, accepting and appropriating grant funds for the Transit Department and declaring an emergency. Ms. Lewis stated that at the appropriate time she will request to waive the three-read rule, seeking to pass this item tonight. Ms. Lewis said that her committee is also working on

legislation regarding regulating the disposal of items for nuisance and evictions and said that it should be on the next agenda.

Finance / Technology Committee

Mr. Proehl reported the Finance Committee had one item on the agenda, Item #11, which is accepting and appropriating \$1,000.00 in grant funds received from the Public Entities Pool of Ohio Insurance and declaring an emergency. Mr. Proehl stated that at the appropriate time he will request to waive the three-read rule, seeking to pass this item tonight. He also indicated that at some point tonight Council will need to go into Executive Session to discuss pending litigation.

Human Resources Committee

Ms. Payne reported that the Human Resources Committee had Item #6 which is amending Ordinance #29-20 to adjust the wages of seasonal staff working a second year and adding a seasonal employee for the Engineering office. Ms. Payne added that the funds have already been built into the budget; therefore, no additional appropriation is necessary for this. Ms. Payne stated that at the appropriate time she will request to waive the three-read rule, seeking to pass this item tonight, making sure that these seasonal employees are receiving the wages they are supposed to receive.

REPORTS OF OFFICIALS

Report of Mayor Feeney:

Mayor Feeney said that he would like to recap specifically Councilman Tatman's report and the comments regarding Items #4 and #5 as they relate to the changing of various water regulations. He said that Councilman Tatman suggested that this is being brought forward for conversation, and it was his intent to not put it in front of Council to read tonight. He said that Councilwoman Nickerson mentioned that she had read the regulations and the changes and added that she would like the opportunity to discuss more. Mayor Feeney also said that Councilman Tatman reported that Councilwoman Lewis called to discuss the same, and that a future committee meeting to spend some more time talking through this legislation, which was largely created before two-thirds of this Council was in office, will be next Monday. He stated that he believes there was heightened attendance for this meeting, which was good, but since Council had to switch rooms the accessibility of commenting through Zoom has become a challenge. He said that the main thing that attendees are to know is that Council is not to read that legislation tonight.

Mayor Feeney stated that he just wanted to report on one thing tonight and that is the CARES Act, which has a lot of parts and pieces. The component that is most relevant to this body is the first distribution from the Federal Government to the State and then allocated to various local governments across the State of Ohio. He said that Ross County received a chunk of money that is divided among the county, the city and the townships. The City's share of the CARES Act money is \$660,000. Mayor Feeney said the upside is that it is a large sum of money, but the downside is it cannot be used for revenue replacement, which is very limiting to the City to use it for our essential day-to-day business. It can be used for PPE, overtime related to COVID, equipment the City may need to operate in sort of new circumstances, which would include things like webcams. He said if people on City Council have costs incurred for participating in their governmental duties, they should be tracking those and reporting those. He said the point of this money is to essentially continue operations in a safe way, ramp up safe operations, and continue to provide good services. He further stated that we will not hit \$660,000 in overtime and personnel costs, and since we cannot use it for revenue replacement, we have to look at other corners of the Act for how it may be spent. He stated that some of those ways are direct grants for direct assistance within the community for things like eviction avoidance, foreclosure avoidance, and sometimes potentially utility shutoff avoidance. He said that here are ways that we can really help the community; however, the guidance on these regulations is out but it is complicated. He said that he and City Auditor Spetnagel are working through what the City can use the money for and how we can use it most effectively to help the community. He said there are ways we might be able to get creative and use it for COVID testing for example, which is not generally a City function but we may be able to grant money to an entity to increase the availability to COVID testing in the community. He stated that the Ross County Commissioners in a move that is really spectacular has committed \$250,000 of the County's share for utility shutoffs, so that money is going to go to help people keep water turned on during this hard time. He said that the EPA has lifted their own moratorium on the water shutoffs; but that we as a City have not lifted our moratorium, but said as you know it is impacting the bottom line.

Mayor Feeney said that he generally does not do this but said that this is a good example, that someone in the Facebook comments has said "\$660,000 chunk of money but still no large item pick

up...hmm, interesting.” Mayor Feeney said the whole point is you can’t use this money to replace previously budgeted money, it has to be for COVID-related activities. He said that if there were some sort of pick-up related to COVID it might be justifiable. He said he has been in consistent and persistent communication with our State and Federal legislators regarding increasing not only the availability of this money, but the discretion with which we use it. He said that we at the local level know what we need it for, and it is unfortunate that our hands are tied on what we can use it for. He stated that you can be assured that he would love to have large item pick-up this year, but as we work through this, one of the things the Federal Government does not say is how you actually execute the spending.

Mayor Feeney stated that early on this Council enacted emergency legislation that is still in effect that permits spending as necessary in emergent situations. He said that when the City had to run out and buy a bunch of plexiglass that we hadn’t budgeted for and set up across the City, Council preauthorized that spending. He and Auditor Spetnagel are still looking through the guidance and that it is fair to say that they are in agreement that that type of spending can continue at some level. But he added that if we were going to grant \$250,000 to some entity, that is something we would want the support of Council of to make sure that it has been vetted and is something good for the community as a whole. He said the main thing to keep in mind are two deadlines. The money must be committed by October 15th and it must be spent by December 31st. He said that they are working with community partners to figure out how we might best spend this money to have the broadest reach. He said that this is a situation the City doesn’t find itself in very frequently by thinking of doing things outside of our four walls, like thinking about how we might be able to help kids in school, or help with medical testing, or help with utilities and those sorts of things. He said we are working closely with Mayors across the State, and Auditor Spetnagel is working close with finance officials as well. He stated that he would encourage all of Council to reach out to other City Councils and ask what your peers are doing across the State. He said he is open to suggestions and wanted to thank the Ross County Commissioners for their commitment to the community and moving quickly to make sure that money is available.

Mayor Feeney said he just wanted to remind everybody that the Federal CARES Act unemployment additional money has now ended as of today. He said he expects a very quick impact locally, whether it is on evictions, water shutoffs or utilities, and that it is right at a time when kids are going back to school. He asked for Council to please feel free to reach out to him directly if they like and ask questions or give comments about the CARES Act money. He stated that we have a big opportunity here in the community. He also stated that if anyone knows anyone who is in township government, the dollars that they received weren’t as high in comparison as far as what the City received, but if the money isn’t committed by October 15th it will go back to the County and then after that it goes back to the State or the Feds. It is in our best interest as a county and a community that every one of our local governments spends every dime available to us all in this community to get that money back into the economy, to get people back on their feet, and to get people back into school and healthy.

Report of Auditor Spetnagel:

City Auditor Spetnagel stated that she didn’t have anything on the agenda tonight but wanted to talk a little bit about the CARES Act stating that they will continue to work through the process and continue to meet with people, and if anyone has any questions to contact her as well. She ended by saying that they will continue to keep Council updated as this process continues.

Report of Law Director Villarreal:

City Law Director Villarreal stated that her office is working with Mr. Shoemaker and Ms. Lewis on the parking legislation and updating the Codified Ordinances concerning the removal of the Court-supervised eviction set out. She stated that her office is also busy right now processing requests for legal opinions from the Law Enforcement officials.

Report of President Arnold:

President Arnold stated that he would like to send out his condolences to Representative Lewis’s family and people that knew him, and he added that he was an icon in legislature. He also wanted to say congratulations to Kathy Sims, the Executive Director of Chillicothe Metropolitan Housing Authority, who has been at CMHA for over 50 years and is going to be retiring. He stated that there was a nice article in Sunday’s Gazette about her, and he wishes her well. He ended with “Be cool, don’t be a fool and wear a mask.”

PUBLIC PARTICIPATION

President Arnold provided information during the public participation portion of the Council meeting to enable the public to communicate with City Council if desired. He added that contact information for any other time is on the website for each Council person if anyone needs to contact them. He also invited anyone who would like to be added to his mailing list to contact him directly.

A call was received by Marc Leeth of 2313 Baum Hill Road who is President of the Scioto Valley Real Estate Investors Association, which is a local group of landlords and investors. He stated that his organization loves the City and wants to work with the City on several of these ideas and ordinances that the City has proposed. He said he understands that the City is working on new eviction procedures and he indicated that they are willing to work with the City in that particular instance. He said he understands that the City doesn't have the money to pay for the set outs any longer, and they are willing to take that responsibility on. However, there are a few changes that they may want to talk to the Law Director about on that particular issue. Also, he indicated that they would like to have some input with the Council members on the water bill legislation, which he believed has been taken off of the agenda for tonight. They feel that it is going to be an extra hardship and burden on landlords and that the cost of affordable housing is going to significantly increase as a result. He stated that it would be easier and a lot more manageable to increase the amount of the deposit for obtaining water, and that that should cover the overage that the City is unable to collect. He stated that the average water bill is \$150.00 before it gets turned off, and he said that they feel by increasing the deposit it would satisfy the City's shortcomings on that. Mr. Leeth said that they have some other ideas too and that they would love to talk to the Mayor, City Council or anybody who will sit down and talk to them and added that maybe we could work together through this. He added that they are openminded and that they really want to work with the City, but they really feel that the legislation that was proposed last year really needs to find a better solution. He stated that tacking the cost onto the landlords is just not the proper way, and they want to make it conducive to landlords to have affordable rent for their tenants.

COUNCIL ASSIGNMENTS AND CALENDAR

President announced that next Monday, August 3rd, there will be a committee meeting at 6:30 p.m. to discuss Engineering and Utility items.

President Arnold also announced that before the City Council meeting on August 10th there will be a public hearing at 6:55 p.m. dealing with the zoning amendment with the lot lines at Sunrush.

President Arnold announced that there are several new committee assignments since the last meeting, some of which are on this meeting's agenda, for inclusion in the Journal of Council:

Engineering: Request for legislation to dedicate an alley to the Chillicothe City Schools from Allen to Metzger behind Ringwald.

Utilities: Request for legislation to for financing \$2,200,000 for the beginning phase of the Waste Water Treatment Plant remodeling and construction project.

Development: Request for legislation to accept and support the Citizen Participation Plan of the Community Development Block Grant Home Investment Partnership.

Safety Service: Request for legislation to accept and appropriate \$492.61 to the Fire Department from Chillicothe Country Club for inspecting fireworks display.

Technology: Request for legislation to appropriate \$46,062 for technology upgrades to the City Administration Building.

READING AND PASSAGE OF LEGISLATION

Ord. No 51-20 amending Chapter 301 – Definitions of the Codified Ordinances of the City of Chillicothe and enacting Chapter 343 – Underspeed Vehicles was read for the third time by title only. All nine members present voted “yea” on the item, and President Arnold declared Ordinance No. 51-20 adopted.

An Ordinance approving the action of the Planning Commission of the City of Chillicothe with regard to a lot split and zoning boundary adjustments for property located on Stoneridge Drive and Western Avenue, Chillicothe, Ohio was read for the second time by title only.

An Ordinance approving a contract between the City and Burgess & Niple for professional services for preparation of an Ohio EPA required Asset Management Plan and assistance with the implementation of said plan and appropriating \$50,000.00 for their services was read for the second time only by title only.

Item #4 on the agenda was not read before Council.

Item #5 on the agenda was not read before Council.

Ord. No. 52-20 amending Ordinance 29-20 to adjust wages of seasonal staff and adding a seasonal employee for the Engineering office was read for the first time by title only. Ms. Payne 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 President Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself, and President Arnold declared Ordinance No. 52-20 adopted.

An Ordinance appropriating \$25,000.00 for the purchase of Utilities Department water meters was read for the first time by title only.

Ord. No. 53-20 authorizing, accepting and appropriating grant funds for the Transit Department 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 President Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself, and President Arnold declared Ordinance No. 53-20 adopted.

Ord. No. 54-20 accepting and appropriating \$5,762.25 received as payoff of a CHIP mortgage and declaring an emergency was read for the first time by title only. Ms. Nickerson 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 President Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself, and President Arnold declared Ordinance No. 54-20 adopted.

Ord. No. 55-20 An Ordinance accepting and appropriating grant funds in the amount of \$750.00 for the Fire Department’s Senior Home Inspection Program (SHIP) and declaring an emergency was read for the first time by title only. Ms. Gillum 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 President Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself, and President Arnold declared Ordinance No. 55-20 adopted.

Ord. No. 56-20 accepting and appropriating \$1,000.00 in grant funds received from the Public Entities Pool of Ohio Insurance 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 President Arnold declared the rule suspended. All nine members present then voted “yea” on the item itself, and President Arnold declared Ordinance No. 56-20 adopted.

Mr. Proehl moved and Ms. Corcoran seconded that Council to enter into an executive session for the purpose of discussing pending litigation. All nine members present voted “yea”, and President Arnold declared the motion adopted. At 8:51 p.m. Council logged off of Facebook Live and the executive session was conducted for the stated purpose.

At 9:37 p.m. Council returned to Facebook Live. Mr. Phillips moved and Ms. Nickerson seconded that Council go out of the executive session and resume the regular meeting. All nine members present voted “yea”, and President Arnold declared the motion adopted.

President Arnold inquired if there was a motion to adjourn.

Ms. Lewis moved and Mr. Phillips seconded that the regular meeting be adjourned. All nine members present voted “yea” and President Arnold declared the motion adopted. Adjourned at 9:41 p.m.

Clerk of Council

President of Council

