

Council Chambers  
Regular Meeting  
January 25, 2016  
7:30 p.m.

Council met in regular session with all nine members present: Cartee, Clay, Corcoran, Fleurima, Gray, Neal, Patrick, Proehl and Tatman. There were two media representatives and seven other visitors present, in addition to Mayor Feeney and City Auditor Barrington.

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

Mr. Cartee moved and Ms. Gray seconded that the minutes for the regular meeting of January 11, 2016, be accepted and approved, as submitted by the Clerk. All members present voted “yea” and Pres. Arnold declared the motion adopted.

Mrs. Patrick moved and Mr. Proehl seconded that Council go into an executive session pursuant to Council Rule 24(a)(3) to confer with the Director of Law concerning disputes involving the public body that are the subject of pending or imminent court action. All members present voted “yea” and Pres. Arnold declared the motion adopted. Council then removed to the large conference room down the hallway for the executive session at 7:32 p.m. Council returned to Council Chambers at 7:35 p.m.

Mrs. Patrick moved and Mr. Clay seconded that Council go out of the executive session. All members present voted “yea” and Pres. Arnold declared the motion adopted.

Mr. Fleurima moved and Ms. Gray seconded that Council go into an executive session pursuant to Council Rule 24(a)(1) to consider the appointment, employment, dismissal, discipline and/or demotion of public employee(s) or the investigation of charges or complaints against public employee(s). All members present voted “yea” and Pres. Arnold declared the motion adopted. Council again removed to the large conference room down the hallway for the executive session at 7:56 p.m.

At 8:02 p.m., Council returned to Council Chambers and Mrs. Patrick moved and Ms. Gray seconded that Council go out of the executive session. All members present voted “yea” and Pres. Arnold declared the motion adopted.

## **COMMITTEE REPORTS**

### **Utilities/Transit Committee:**

Mrs. Patrick reported on Item #1 to amend Chapters 1105, 1173 and 1141 of the Codified Ordinances pertaining to the definition of “Homeless Shelter”, and providing for the zoning thereof, on tonight’s agenda for its third reading. Mrs. Patrick moved and Mr. Cartee seconded that Item #1 not be read tonight. All members present voted “yea” and Pres. Arnold declared the motion adopted. Mrs. Patrick stated that the Utilities Committee will meet Thursday evening, immediately after a special committee to be called for that night, to discuss this item.

### **Human Resources Committee:**

Ms. Gray moved and Mr. Fleurima seconded that the three day receipt rule be suspended and that there be placed on tonight’s agenda an ordinance establishing rates of pay and other economic benefits for classified, non-classified, and management level employees of the City of Chillicothe, Ohio and declaring an emergency. All members present voted “yea” and Pres. Arnold declared the rule suspended, designating this particular item as Item #2 on tonight’s agenda for its first reading. Mayor Feeney discussed the proposed ordinance, stating that the most notable change is that there are no longer just five steps but that now there will be eight steps, due to the entry level pay being set at a lower rate than previously. Secondly, he said that the range of pay for department heads is no longer fixed, but instead sets a range that gives him some flexibility. Also, he said that there will no longer be any pension pickup for the department heads. Mayor Feeney announced that he does intend to call a special meeting of Council for Thursday evening so that

this ordinance can be read for a second time. Mr. Clay said that he does have some questions about the annual costs of the proposed increases in the rates of pay and other benefits. Ms. Gray stated that this ordinance will only get its first reading tonight.

**Finance/Technology Committee:**

Mr. Proehl moved and Mrs. Patrick seconded that Council suspend the three day receipt rule and place on tonight's agenda an ordinance appropriating \$1,418,523.57 for the purpose of continuing the handling of brought forward purchase orders from the year 2015 and other brought forward amounts to be put on the books of the City of Chillicothe, Ohio for the year ending December 31, 2016, and declaring an emergency. All members present voted "yea" and Pres. Arnold declared the rule suspended, designating this particular item as Item #3 on tonight's agenda for its first reading. Mr. Proehl indicated that he will seek to pass this item tonight.

**REPORTS OF OFFICIALS:**

**Report of Mayor Feeney:**

Mayor Feeney said that he had the opportunity to go on a ride along with one of the female officers of the Chillicothe Police Department, who is here tonight. He expressed his thanks to her, and also to the Service Department for its excellent storm removal efforts over the weekend, and for also giving him the opportunity to ride along with one of their drivers, Mr. Joe Kingery. He noted that Mr. Kingery was also interviewed on Channel 6 TV out of Columbus, and that he represented the City of Chillicothe very well. Mayor Feeney noted that Street Superintendent Ted Nelson did a good job staying on top of everything as the storm moved in. Mayor Feeney also expressed his thanks to City Council for authorizing the purchase last year of the three used ODOT trucks, stating that two of these were put to good use this weekend in the snow removal around town. He said that on a related subject, he will be asking Council to appropriate \$25,000.00 for potential future purchase of other items or equipment that might become available through the state's auction. Mayor Feeney commented on Item #3, stating that this brought forward ordinance is an annual housekeeping item that simply permits the city to go ahead with purchases and other transactions that were authorized last year but could not be completed in 2015. He expressed his thanks to the Law Director's office for its swift action that permitted this legislation to be brought in tonight. Mayor Feeney commented on a project for the Majestic Theatre that Mrs. Neal is involved in, where she has requested that the State of Ohio award capital funding in the amount of \$1,500,000.00 for substantial repairs and improvements. He said that he is hopeful that the project will receive some funding. Mayor Feeney concluded his report by indicating that he has obtained new email addresses for all the members of Council, the clerk, and Pres. Arnold. He passed out envelopes containing the information on setting these accounts up.

**Report of Auditor Barrington:**

City Auditor Barrington said that everything has been running very professionally in the Auditor's Office, and that he has noticed that they have lots of space dedicated to their operations in the basement of the Administration Building across the street. He said that he is mentioning this because he feels that it might not fit in this building as suggested by the drawing passed out at the last regular meeting. Mr. Barrington said that he joins with Mr. Proehl in asking that Item #3 be passed tonight because this is the final piece in the puzzle in closing out the books on the year 2015. He concluded his report by saying that his office sent out the W-2s to city employees today for 2015 earnings.

**Report of Law Director Rutherford:**

City Law Director Rutherford commented on Item #2, saying that she understands the desire for flexibility. She said that in her office, she has Assistant Law Directors who have Juris Doctorate degrees, but that she cannot compete with the private sector on salaries. She stated that she does have some questions on the effect of the proposed raises provided in the ordinance, such as how this might effect morale and the fiscal impact to the city. She said that she urges Council not to waive the three reading rule in order to pass this tonight because an opportunity should be given to the public to weigh in on this. Mrs. Rutherford said that she herself just heard about the proposal for the first time in the newspaper yesterday. Mayor Feeney responded, stating that the proposal is for all of the employees covered by this ordinance to get raises. With respect to the department heads, he said that the decision to grant an

increase in pay over and above the minimum amounts specified for the positions is at his discretion. He said that this permits him to consider factors such as experience, training and education, and merit in getting the job done. Ms. Gray requested that Mrs. Rutherford send her an email setting out her issues and concerns about the legislation.

**Report of Pres. Arnold:**

Pres. Arnold said that he has passed out copies of a calendar that he prepared with pertinent meetings noted throughout the year. He said that he shows scheduled dates based on available information, but that it is always wise to check ahead to assure that the meeting will take place as scheduled. Also, he said that if there are any errors to notify him. Pres. Arnold stated that he has passed out information on the scheduling of seminars relating to Ohio's Sunshine Law too. He said that the marquee downstairs has now been updated with the correct names. He concluded his report by saying that he considers us all as a group, and that he encourages everyone to participate in the group. He said that he feels that Council is not just a number of committees acting separately, but that it is a body acting as a whole.

**AUDIENCE PARTICIPATION**

Terry Williams of 371 Plyley's Lane expressed his thanks to Mrs. Patrick for delaying the final reading of Item #1 pertaining to the definition of homeless shelters and the zoning of them. He then said that he is concerned about Pres. Arnold's suggestion, in Council Committee Assignment #16-007, that the regular meetings of Chillicothe City Council start at 7:00 p.m., instead of 7:30 p.m. He said that Council's meeting is already in conflict with that of the Chillicothe City School District's Board meeting. He contended that the City's Human Resources Director, as well as department heads, wish to attend Council's meetings. He said that "your human resources head is a member of the school board". Mr. Williams said that if Council is going to move the start time of its meetings up by one-half an hour, then Council should change its meeting from the fourth Monday of each month because that is when the city school board meets.

**OLD BUSINESS**

Mrs. Neal said that the City Services Committee had assignment #15-104 still pending at the end of last year, a request that the city explore methods of controlling pigeons, particularly in the downtown area. She said that she personally did extensive research on the subject from sources around the country, but that unfortunately this revealed that nothing is very effective. She said that Mr. Cam Shipley, the owner of downtown property, met with them and that he also conceded that he has tried everything but that nothing works. Accordingly, Mrs. Neal said that she is requesting Council's authority to report this out of committee. Mrs. Neal moved and Mr. Clay seconded that assignment #15-104 be removed from the City Services Committee, with no further action to be taken by Council. All members present voted "yea" and Pres. Arnold declared the motion adopted.

**NEW BUSINESS**

Mr. Cartee said that there will be a meeting of the special committee on the land bank tomorrow at 11:00 a.m., with speakers on how to set this up locally in an effort to get rid of properties that are eyesores. Mayor Feeney said that it is possible that this meeting will take place in the Administration Building across the street due to the heating problems in this building.

Mrs. Patrick inquired as to what is being done to fix the heating system in this building. Pres. Arnold indicated that this may be related to the water line leak that was discovered, since there might be a boiler involved. He said that he hopes to get this resolved soon.

**COUNCIL ASSIGNMENTS AND CALENDAR**

Pres. Arnold mentioned several upcoming meetings including that of the Board of Zoning Appeals, the First Capital District, and the Chillicothe Civil Service Commission.

**READING AND PASSAGE OF LEGISLATION**

An ordinance establishing rates of pay and other economic benefits for classified, non-classified, and management level employees of the City of Chillicothe, Ohio and declaring an emergency was read for the first time by title only.

**Ord. No. 1-16** appropriating \$1,418,523.57 for the purpose of continuing the handling of brought forward purchase orders from the year 2015 and other brought forward amounts to be put on the books of the City of Chillicothe, Ohio for the year ending December 31, 2016, and declaring an emergency was read for the first time by title only. Mr. Proehl moved and Mr. Clay seconded that the three reading rule be suspended, placing this item on final passage. All members present voted “yea” and Pres. Arnold declared the rule suspended. All members present then voted “yea” on passage of the item, and Pres. Arnold declared Ordinance No. 1-16 adopted by a vote of 9-0.

Mr. Fleurima moved and Mrs. Neal seconded that the regular meeting be adjourned. All members present voted “yea” and Pres. Arnold declared the motion adopted. Adjourned at 8:40 p.m.

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Clerk of Council

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President of Council

Council Chambers  
Special Meeting  
January 28, 2016  
7:00 p.m.

Council met in special session at the call of Mayor Feeney pursuant to written notice dated and delivered January 27, 2016, for the stated purpose of considering Item #2 from the January 25, 2016 Council Agenda. All nine members of Council were present: Cartee, Clay, Corcoran, Fleurima, Gray, Neal, Patrick, Proehl and Tatman. There were 1 media representative and 8 other visitors present, in addition to Mayor Feeney and City Auditor Barrington.

Ms. Gray moved and Mrs. Patrick seconded that Council go into an executive session pursuant to Council Rule 24(a)(1) to consider the employment, dismissal, or discipline of public employee(s) or the investigation of charges or complaints against public employee(s). All members present voted “yea” and Pres. Arnold declared the motion adopted. Council then removed to the large conference room down the hallway for the executive session at 7:05 p.m.

At 7:40 p.m., Council returned to Council Chambers and Ms. Gray moved and Mr. Fleurima seconded that Council go out of executive session and resume the special meeting. All members present voted “yea” and Pres. Arnold declared the motion adopted.

Pres. Arnold called upon Ms. Gray to give a report on the sole item on the special meeting agenda. Ms. Gray stated that this proposed ordinance is a result of assignment #16-020, and that this is typical of similar ordinances passed in previous years after the conclusion of the negotiation of the collective bargaining units. She said that this will get its second reading tonight.

An ordinance establishing the rates of pay and other economic benefits for classified, non-classified, and management level employees of the City of Chillicothe , Ohio, and declaring an emergency was read for the second time by title only.

Mrs. Neal said that the Chillicothe Ross Convention and Visitors Bureau has a “Best of the Best” in hospitality program underway, and that they are seeking nominees for this recognition. She said that if anyone has somebody in mind to please let them know.

Mr. Clay announced a meeting of the City Services Committee to discuss assignment #16-020 to appropriate \$20,000.00 for capital items, to take place on the 1<sup>st</sup> of February at 7:00 p.m., here in Council Chambers.

Pres. Arnold mentioned the meetings of the Nuisance Abatement Board and the Zoning Board of Appeals, as well as the Safety Services Committee in the coming week.

Mr. Clay moved and Mr. Fleurima seconded that the special meeting be adjourned. All members present voted “yea” and Pres. Arnold declared the motion adopted. Adjourned at 7:48 p.m.

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Clerk of Council

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President of Council

