

Council Chambers
Regular Meeting
November 24, 2014
7:30 p.m.

Council met in regular session with all nine members present: Ames, Bonner, Gray, Neal, Patrick, Proehl, Showman, Tatman and Trutschel. Pres. Pro Tem Trutschel presided, in the absence of Pres. Rinehart. There were 2 media representatives and 6 other visitors present, in addition to Mayor Everson and City Auditor Feeney.

Pres. Pro Tem Trutschel led in the Pledge of Allegiance to the Flag.

Mr. Bonner moved and Mrs. Patrick seconded that the Minutes of the first Public Hearing of November 10, 2014; the Minutes of the second Public Hearing of November 10, 2014; and the Minutes of the regular meeting of November 10, 2014 be accepted and approved, as submitted by the Clerk. All members present voted "yea" and Pres Pro Tem Trutschel declared the motion adopted.

COMMITTEE REPORTS

Human Resources Committee:

Ms. Gray moved and Mrs. Ames seconded that the three day receipt rule be suspended, and that there be added to tonight's Agenda an ordinance to temporarily suspend the maximum hours established for one part-time security officer for the Chillicothe Municipal Court as established by Section 151.02 of the Codified Ordinances of Chillicothe, Ohio, and declaring an emergency. All members present voted "yea" and Pres. Pro Tem Trutschel declared the rule suspended, designating this particular item as Item #9 on tonight's Agenda for its first reading. Ms. Gray reported on Item #4 to amend Ord. No. 60-14, extending the hiring period of two part-time seasonal employees from "until October 31, 2014" to "until December 31, 2014", on tonight's agenda for its first reading. Ms. Gray inquired of Mayor Everson and City Auditor Feeney if these employees are still on the city's payroll. Both indicated that they did not know. Ms. Gray said that she will not seek to pass this item tonight. Ms. Gray reported on Item #5 to appropriate \$7,968.00 for the city's Wellness Program through United Healthcare, on tonight's Agenda for its first reading. She said that she will seek to pass this item tonight because she understands that it is very time sensitive for the city to expend these funds. However, she said that the Human Resources Committee received the request for this legislation through a committee assignment at the very, very last minute. She said that the expenditure of these funds was authorized by Council in May of this year. She said that she would appreciate if the Mayor would have his staff to get any request for legislation to appropriate such authorized funds to Council on a much sooner basis in the future. Ms. Gray reported on Item #6 to transfer funds from Civil Service Salaries and Fringes to Civil Service Outside Contracts for the purpose of adequately funding the Civil Service Commission for the remainder of calendar year 2014, on tonight's Agenda for its first reading. She inquired of Auditor Feeney as to the nature of the expenditures that this is designed to cover. Mr. Feeney responded, stating that if this ordinance is passed tonight, there will need to be an emergency request for funds to cover unemployment. Mayor Everson stated that these funds are intended for Civil Service Testing at the beginning of next year. Ms. Gray said that the Civil Service Commission has indicated that it will be meeting in the future on the first Thursday of each month at the Chillicothe Transit System Conference Room at 4:30 p.m.

Safety Services Committee:

Mr. Proehl reported on Item #1 to appropriate \$14,889.00 to cover Fire Department vehicle repair, fuel, and insurance costs for the remainder of calendar year 2014. Mr. Proehl moved and Mrs. Neal seconded that Item #1 not be read tonight. All members present voted "yea" and

Pres. Pro Tem Trutschel declared the motion adopted, directing the Clerk to not read Item #1 during the reading of legislation later tonight.

Utilities/Transit Committee:

Mrs. Patrick moved and Ms. Gray seconded that the three day receipt rule be suspended, and that there be added to tonight's Agenda an ordinance authorizing the Mayor to execute a contract between the city and the Ohio Department of Transportation (ODOT) accepting \$14,727.00 in grant funds from ODOT, and declaring an emergency. All members present voted "yea" and Pres. Pro Tem Trutschel declared the rule suspended, designating this particular item as Item #10 on tonight's Agenda for its first reading. Mrs. Patrick said that she will seek to pass this item tonight. Mrs. Patrick moved and Mr. Bonner seconded that the three day receipt rule be suspended, and that there be added to tonight's Agenda an ordinance authorizing the transfer of funds in the amount of \$15,000.00 from bus salaries to vehicle repair within the Transit Department, and declaring an emergency. All members present voted "yea" and Pres. Pro Tem Trutschel declared the rule suspended, designating this particular item as Item #11 on tonight's Agenda for its first reading. Mrs. Patrick said that she will also seek to pass this item tonight. Mrs. Patrick said that she wishes to commend the Law Director's Office for their efforts in getting this legislation prepared so that it could be brought in tonight and put on tonight's Agenda. She stated that both of these items are time sensitive. However, she said that she is also requesting that the Administration make a better effort to more timely submit the requests for such legislation to Council.

Parks & Recreation Committee:

Mr. Bonner reported on Item #2 to authorize the transfer of Parks & Recreation Capital Funds for costs related to the replacement of a damaged desk and computer, on tonight's Agenda for its second reading.

Development Committee:

Mrs. Ames reported on Item #3 to accept and appropriate the sum of \$3,127.27 received as payment of a depreciated CHIP grant lien held by the City of Chillicothe, on tonight's Agenda for its first reading. Mrs. Ames said that she will seek to pass this item tonight.

Finance Committee:

Mr. Trutschel reported on Item #7 to amend Section 118.01 of the Codified Ordinances, providing for the creation of the position of Deputy Treasurer within the Treasurer's Office, on tonight's Agenda for its first reading. Mr. Trutschel reported on Item #8 to appropriate funds for the purpose of making payroll, fringe, pension and bond payments for the remainder of 2014, on tonight's Agenda for its first reading.

REPORTS OF OFFICIALS

Report of Mayor Everson:

Mayor Everson thanked all of the donors and participants in the "Light The Park" event. He said that this was done at no expense to the city, with the donors consisting of a number of service groups and local businesses. Mayor Everson announced that the open enrollment period for city employees' health plans is December 3rd, and that this involves the PPA Plans. He said that insurance representatives will be available to discuss these matters. Mayor Everson commented on the Civil Service Commission, stating that they met last week and that all three new members received training today. He said that he is in the process of discussing the matters of manpower and equipment with his staff. He said that the objective is to avoid underutilization of both the manpower available to the city and the equipment, stating that the city has a number of aging vehicles. He said that an attempt will be made to try to use these in multiple departments. He said that he spoke with City Auditor Feeney about replenishing the city's fleet of vehicles without putting the city "under". He said that for one thing, the city plans

to buy used vehicles, much like we have already done for the Water Department with a used pickup truck. He said that City police vehicles will be traded down to other departments. He said that he anticipates having several meetings about these matters.

Report of Auditor Feeney:

City Auditor Feeney commented on Item #5, stating that this was an emergency request for the appropriation of these funds that need to be expended in order to get credit under this year's Wellness Program. He said that he also wishes to thank City Law Director Rutherford and her office staff for pushing this through so that it could appear on tonight's City Council Agenda. Mr. Feeney said that this appropriates the remaining balance in this year's program, and that the appropriation itself must be authorized by Council tonight. He said that he therefore urges passage of Item #5 tonight. Mr. Feeney also said that 100% of the City Auditor's office staff is participating in all of the wellness programs. Mr. Feeney urged passage of Item #6 tonight, stating that he thinks that the questions on this have been resolved. He commented on Item #8, stating that he held off on requesting this ordinance as long as possible but that it is necessary to appropriate these funds to cover expenses through the remainder of 2014. He said that, unfortunately, he may need to make yet another request similar to this before the end of the year. Mr. Feeney commented on Item #2, stating that he has a question on this and that if it is not passed tonight, this will give him time to look into the matter. Mr. Feeney stated that prior to tonight's regular meeting, he distributed a sheet concerning the CTA collections of delinquent income taxes. He stated that letters will be going out on this.

AUDIENCE PARTICIPATION

Barney Goodwin of 91 Foreman Lane, Waverly, Ohio, said that he is a retired former city employee with a total of 30 years of employment. He said that he is here tonight to speak in good faith and from the heart. He stated that for the past 19 years, Ms. Tamra Lowe has served as the EEO officer for the City of Chillicothe. He indicated that she succeeded Mr. Lawrence Brown, who served until 1986. Mr. Goodwin said that one week ago, during a council committee meeting, Mr. Everson proposed to lay off Ms. Lowe as the EEO officer, and to instead combine her duties with those of Tammy Bochar, the Human Resources Director. Mr. Goodwin said that Mayor Everson did not tell the members of Council that prior to that committee meeting, he had already issued his letter to Tamra Lowe that gave her notice of a layoff effective December 31, 2014. Mr. Goodwin said that he is "not saying that this is a racial issue", but that he "thinks that there is an agenda here". He then urged each member of Council to personally meet with Ms. Lowe and to become familiar with her duties and with her daily activities. He claimed that he is not "playing the race card", but he urged reconsideration of this decision. Mr. Goodwin said that she has been an ambassador for the city, and that she has been very successful in these past years. He then proceeded to make references to the situation in Ferguson, Missouri, claiming that it is a town having almost the same population as Chillicothe, and that the similarity to Chillicothe even extends to the fact that Ferguson, Missouri has two railroad cabooses at the head of its park. He said that the difference is that Ferguson, Missouri does not have an EEO officer, and Chillicothe does. He then claimed that Mayor Clark Alexander came to the decision to appoint the first EEO officer, Lawrence Brown, during a time of unrest in Chillicothe's south end, when bottles were being thrown at police officers and there were charges of police brutality. Mr. Goodwin made additional comparisons of Chillicothe to Ferguson, Missouri, concluding his comments by stating "do not let this happen here".

Terry Williams of 371 Plyley's Lane said that he is the pastor of the Orchard Hill Church of Christ, and that he recently spoke on "Genocide and Racism" as a topic. Mr. Williams said that we promote equal opportunity in our community. He said that he recognizes that the city is currently having budget problems, but he said that he urges the administration and City Council to keep this particular position of EEO officer. He said that this is "not just a race issue". He said that the individual in this position looks out for persons of all races and persons of other disabilities or challenges. Mr. Williams said that if this position is cut then this will say that Chillicothe is only interesting in surviving.

OLD BUSINESS

Ms. Gray thanked Mrs. Ames for the recent events in the City Parks. She said that her own son came home and that he was astounded by these events and the appearance of the park.

Mr. Bonner said that during the last meeting of Council Mr. William Barnhart spoke to Council about the problem of garbage trucks running their routes as early as 6:00 a.m. Mr. Bonner urged that there be a policy adopted that would preclude having the city's garbage trucks out prior to sunrise. He asked Mayor Everson to comment on this. Mayor Everson said that in the summer, the earliest time that they are out is 6:00 a.m. He said that this changes to 7:00 a.m. during the winter. Mr. Bonner said that he believes that there needs to be a specific policy that precludes the garbage trucks from being out on their routes before sunrise.

NEW BUSINESS

Mrs. Ames said that the Parks & Recreation Department is sponsoring the annual Home Decorating Contest. She said that there is no business division of the contest this year. She provided details on this contest. Mrs. Ames also said that the Chillicothe Transit System is conducting its annual holiday light bus tour. She said that it will go through the lighted City Park, and she provided details on this as well.

COUNCIL ASSIGNMENTS AND CALENDAR

Pres. Pro Tem Trutschel announced the following additional Council Committee Assignments for inclusion in the Journal of Council:

- #14-149-Finance-Request for legislation making various appropriations for the purpose of making payroll, fringes, pension and bond payments for the remainder of 2014;
- #14-150-Human Resources-Request for legislation to suspend the maximum hours for one part-time security officer in the Municipal Court for the remainder of 2014;
- #14-151-Finance-Request for Council to look into imposing a motor vehicle license fee for all vehicles licensed inside the city limits;
- #14-152-Engineering-Request for legislation to approve ODOT project to inspect all bridges within the city limits;
- #14-153-Engineering-Request for legislation to change general fund line item titled "Electrician Salary" to "Parking Enforcement Salary";
- #14-154-Engineering-Request for legislation to change 2nd Street from one way to 2 way from Mulberry to Walnut Street;
- #14-155-Engineering-Request for legislation to change existing ordinance concerning parking meter placement on 2nd Street to reflect meter placement recommendations made by Downtown Development Commission Phase I Parking Proposal;
- #14-156-Utilities/Transit-Request for resolution authorizing the city to enter into a contract with ODOT and accept \$14,727.00 from ODOT Elderly and Disabled Transit Fare Assistant Program;
- #14-158-Human Resources-Request for legislation to appropriate \$7,968.00 from unappropriated general fund to misc. employees rewards; and
- #14-159-Human Resources-Request for legislation to eliminate an Assistant Fire Chief and a Police Captain position.

READING AND PASSAGE OF LEGISLATION

An Ordinance authorizing the transfer of Parks & Recreation Capital Funds for costs related to the replacement of a damaged Parks & Recreation desk and computer, and declaring an emergency was read for the second time by title only.

Ord. No. 100-14 accepting and appropriating the sum of \$3,127.27 received as payment of a depreciated CHIP grant lien held by the City of Chillicothe was read for the first time by title only. Mrs. Ames moved and Ms. Gray seconded that the three reading rule be suspended, placing this item on final passage. All members present voted “yea” and Pres. Pro Tem Trutschel declared the rule suspended. All members present then voted “yea” on the item itself, and Pres Pro Tem Trutschel declared Ord. No. 100-14 adopted.

An Ordinance amending Ord. No. 60-14 extending the hiring period of two part-time seasonal employees from “until October 31, 2014” to “until December 31, 2014” and declaring an emergency was read for the first time by title only.

Ord. No. 101-14 appropriating \$7,968.00 for the city’s Wellness Program through United Healthcare, and declaring an emergency was read for the first time by title only. Ms. Gray moved and Mrs. Ames seconded that the three reading rule be suspended, placing this item on final passage. All members present voted “yea” and Pres. Pro Tem Trutschel declared the rule suspended. All members present then voted “yea” on the item itself, and Pres. Pro Tem Trutschel declared Ord. No. 101-14 adopted.

An Ordinance transferring funds from Civil Service Salaries and Fringes to Civil Service Outside Contracts for the purpose of adequately funding the Civil Service Commission for the remainder of calendar year 2014, and declaring an emergency was read for the first time by title only.

An Ordinance amending Section 118.01 of the Codified Ordinances of the City of Chillicothe, providing for the creation of the position of Deputy Treasurer within the Treasurer’s Office was read for the first time by title only.

Ord. No. 102-14 appropriating funds for the purpose of making payroll, fringe, pension and bond payments for the remainder of 2014, and declaring an emergency was read for the first time by title only. Mr. Trutschel moved and Mr. Bonner seconded that the three reading rule be suspended, placing this item on final passage. All members present voted “yea” and Pres. Pro Tem Trutschel declared the rule suspended. All members present then voted “yea” on the item itself, and Pres. Pro Tem Trutschel declared Ord. No. 102-14 adopted.

Ord. No. 103-14 to temporarily suspend the maximum hours established for one part-time security officer for the Chillicothe Municipal Court as established by Section 151.02 of the Codified Ordinances of the Chillicothe, Ohio, and declaring an emergency was read for the first time by title only. Ms. Gray moved and Mrs. Ames seconded that the three reading rule be suspended, placing this item on final passage. All members present voted “yea” and Pres. Pro Tem Trutschel declared the rule suspended. All members present then voted “yea” on the item itself, and Pres. Pro Tem Trutschel declared Ord. No. 103-14 adopted.

Ord. No. 104-14 authorizing the Mayor to execute a contract between the city and the Ohio Department of Transportation (ODOT), accepting \$14,727.00 in grant funds from ODOT, and declaring an emergency was read for the first time by title only. Mrs. Patrick moved and Mr. Bonner seconded that the three reading rule be suspended, placing this item on final passage. All members present voted “yea” and Pres. Pro Tem Trutschel declared the rule suspended. All members present then voted “yea” on the item itself, and Pres. Pro Tem Trutschel declared Ord. No. 104-14 adopted.

Ord. No. 105-14 authorizing the transfer the transfer of funds in the amount of \$15,000.00 from bus salaries to vehicle repair within the Transit Department, and declaring an emergency, was read for the first time by title only. Mrs. Patrick moved and Mr. Proehl seconded that the three reading rule be suspended, placing this item on final passage. All members present voted “yea” and Pres. Pro Tem Trutschel declared the rule suspended. All members present then voted “yea” on the item itself, and Pres. Pro Tem Trutschel declared Ord. No. 105-14 adopted.

Ms. Gray moved and Mrs. Ames seconded that the regular meeting be adjourned. All members present voted "yea" and Pres. Pro Tem Trutschel declared the motion adopted. Adjourned at 8:28 p.m.

Clerk of Council

President of Council