

Council Chambers
Regular Meeting
December 14, 2015
7:30 p.m.

Council met in regular session with all nine members present: Ames, Corcoran, Fleurima, Gray, Neal, Patrick, Proehl, Tatman and Trutschel. There were two media representatives and fourteen other visitors present, in addition to Mayor Everson, City Law Director Rutherford and City Auditor Feeney.

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

Mr. Fleurima moved and Ms. Gray seconded that the minutes for the regular meeting of November 23, 2015, be accepted and approved, as submitted by the Clerk. All members present voted “yea” and Pres. Eallonardo declared the motion adopted.

Ms. Gray moved and Mrs. Ames seconded that Council go into executive session pursuant to Council Rule 24(a)(4) to review negotiations or bargaining sessions with employees concerning their compensation or other terms and conditions of their employment. All members present voted “yea” and Pres. Eallonardo declared the motion adopted. Pres. Eallonardo announced that the newly elected members of Council and the newly elected President of Council were welcome to sit in on the executive session. Council then removed to the large conference room down the hallway for the executive session, also attended by Brian Butcher, the city’s chief labor negotiator, beginning at 7:33 p.m.

At 7:50 p.m., Council returned to Council Chambers, whereupon Ms. Gray moved and Mr. Trutschel seconded that Council go out of the executive session and resume the regular meeting. All members present voted “yea” and Pres. Eallonardo declared the motion adopted.

COMMITTEE REPORTS

Human Resources Committee:

Ms. Gray reported on Item #6 to establish the pay and benefit structure for City Police and Fire Chiefs, Police Captains, and Assistant Fire Chiefs, on tonight’s agenda for its first reading. She said that this matter has been pending since the beginning of the year, and that by its terms the ordinance is retroactive to January 1, 2015. Ms. Gray indicated that she will seek to pass this item tonight.

Development Committee:

Mrs. Ames reported on Item #3 to authorize the Mayor to authorize the Ohio Regional Development Corporation to file an application on behalf of the City of Chillicothe for a 2015 CDBG Community Development Target of Opportunity Grant, on tonight’s agenda for its first reading. She said that the application must be filed tomorrow, and that if the city is successful in getting this grant it will provide \$200,000.00 toward the planned renovation of the Nipgen Building located at the northeast corner of North Paint Street and East Second Streets. She indicated that this is where the Chillicothe Paints had its storefront, and that work has already started on the restoration of the corner. She said that the owners are prepared to match the \$200,000.00 and that there is no cost to the city. Mrs. Ames said that the city was unsuccessful in getting another downtown revitalization CDBG grant this year, but that this Target of Opportunity Grant would provide an injection of funds toward the continuation of restoration work in downtown Chillicothe. She said that she will seek to pass this Resolution tonight because a copy needs to be filed with the application tomorrow.

Parks and Recreation Committee:

Mrs. Corcoran reported on Item #2 to transfer \$14,556.82 from Parks & Recreation Capital Lands & Buildings to Parks & Recreation Capital Equipment and to purchase snow removal and salt application and equipment, on tonight's agenda for its first reading. She said that this was discussed by the Parks and Recreation Committee during its meeting on the 1st of December, and that all of the money to be transferred will be used toward snow removal activities. Mrs. Corcoran stated that this does not involve the appropriation of any new money, and that there was a line item of \$20,000.00 in this year's budget for security cameras and equipment that has not been used. She said that she will seek to pass this item tonight so that the purchases can be made before we have any snow accumulations.

Safety Services Committee:

Mr. Proehl reported on Item #4 to appropriate \$13,500.00 for the cost of vehicle repairs for the Chillicothe Police Department, on tonight's agenda for its first reading. He said that hopefully in the future, after new cruisers are acquired, the vehicle repairs will not be needed as much, but that there are unpaid invoices that need to be paid. He said that he will seek to pass this item tonight.

Utilities/Transit Committee:

Mrs. Patrick announced that the Utilities Committee will meet tomorrow at 4:00 p.m., in the first floor conference room of the Administration Building, to discuss an assignment requesting that the city grant a right of way easement to Ohio Power Company.

Finance Committee:

Mr. Trutschel reported on Item #1 to amend Chapter 163, City of Chillicothe Income Tax, of the Codified Ordinances, on tonight's agenda for its second reading. Mr. Trutschel reported on Item #7 to temporarily suspend the maximum hours established for one part-time Security Officer for the Chillicothe Municipal Court, on tonight's agenda for its first reading. He said that this is needed right away and that he will seek to pass this item tonight. Mr. Trutschel reported on Item #8 to appropriate \$696,279.83 for the end-of-year 2015 operations of the city, on tonight's agenda for its first reading. Mr. Trutschel moved and Mrs. Patrick seconded that Item #8 be amended by replacing the original version distributed with Friday's legislation packet with the new version, copies of which were distributed tonight. All members present voted "yea" and Pres. Eallonardo declared the motion adopted. Mr. Trutschel explained the changes made in the new version, and indicated that he will seek to pass this item tonight. Mr. Trutschel reported on Item #9 to make appropriations for current expenses and other expenditures of the City of Chillicothe, Ohio, during the fiscal year beginning January 1, 2016, and ending December 31, 2016, on tonight's agenda for its first reading. Mr. Trutschel moved and Mrs. Ames seconded that Item #9 be amended by replacing the original version distributed with Friday's legislation packet with the new version, copies of which were distributed tonight. All members present voted "yea" and Pres. Eallonardo declared the motion adopted. Mr. Trutschel indicated that he will let this item get its first reading tonight, but he said that he does plan to seek to pass it at the next regular meeting on the 28th of December because the first payroll of 2016 is on New Year's Day.

City Services Committee:

Mrs. Neal reported on Item #5 to accept \$5,189.65 in insurance funds for building repairs and for replacement of equipment and money stolen from the Service Building on July 16, 2015, and to appropriate \$6,189.65 to completely repair the building and to replace the stolen equipment and money, as necessary, on tonight's agenda for its first reading. She said that she will seek to pass this item tonight.

REPORTS OF OFFICIALS**Report of Mayor Everson:**

Mayor Everson said that unfortunately this has been a bad week for the Chillicothe Police Department. He reported that Officer Andy Newman is seriously ill, and that it is requested that we all pray for his recovery. Mayor Everson reported that another officer, Brandon Mather, has been called up for duty in the Middle East. Then, last night, Mayor Everson reported that Officer Max Shipley suffered a broken leg as a result of a foot pursuit of a suspect taken into custody. Turning to the legislation appearing on tonight's Council Agenda, Mayor Everson urged passage

of Item #3 tonight, noting that this will provide a grant of \$200,000.00 toward reconstruction of the Nipgen Building, with the owner providing another \$200,000.00 in matching funds. He also urged passage of Item #5 tonight, saying that the guilty culprits were caught and have been sentenced for this burglary and theft, but that the vendors need to be paid for the repairs made and the replacement of the equipment. Mayor Everson concluded his report by commenting on Item #6, stating that this should also be passed tonight to make the needed adjustments to the pay and benefit structure for the Police Chief, the Fire Chief, and the Police Captains and the Assistant Fire Chiefs.

Report of Auditor Feeney:

City Auditor Feeney commented on Item #1, stating that the changes to the City's Income Tax Code are something that relates to the passage by the Ohio General Assembly of H.B. 5. He said that this item must be passed before the end of the year in order to get our tax code in compliance with state law. He recommended that it be passed tonight because we are obliged to have these amendments in place at the beginning of the year, and this will also implement the new city income tax rates with new forms. Mr. Feeney said that he also urges passage of Item #5 tonight so that these expenses can be taken care of while this year's books are being closed. Similarly, he urged passage of Item #8 tonight, stating that these additional appropriations are also needed to get through the rest of the year. He said that it is possible that we might not need all of these funds, but that anything that is not used will come back in the carryover balance. Mr. Feeney concluded his report by confirming that Item #9 will need to be passed on the 28th, as indicated by Mr. Trutschel, due to the fact that all city employees will be wanting to get paid with the first paychecks scheduled for New Year's Day. He said that there will no doubt be some additional amendments to Item #9 before it is passed, including the attachment of the capital list.

AUDIENCE PARTICIPATION

Alan Davis of 370 Braewood spoke to Council about the proposed 2016 budget, stating that he passed out to each of them tonight his notes and comments that he prepared on the subject. He said that he acknowledges that this is not an easy job, and that it is very complex. He urged the members of Council to seriously consider his comments, if not for the current budget, then for next year's budget discussions, and especially with respect to the four guidelines that he has previously mentioned. Mr. Davis stated that it should also be understood that the fiscal caution status of the City of Chillicothe was not just due to the failure to do reconciliations of the City's bank statements and deposits. He said that it is also due to the very low and inadequate carryover balances over each of the past several years. He indicated that he has updated the City's financial health indicators as best as he could, looking at the proposed 2016 budget and other financial information made available to him. In addition, he said that on context he has gone through comparative numbers from the past several years in order to show how much the various figures have changed. Mr. Davis concluded his remarks by saying that his analysis shows that although the Police Department and the Fire Department are now on the verge of being in fairly good shape, all of the other departments in the city are still in need of greater attention.

OLD BUSINESS

Mr. Trutschel noted that in the past, when there is a new term of Council, the passage of the annual appropriations ordinance is usually done during the first organizational meeting of the new Council. However, he stated that this year the first day of the new year also happens to be a city payday, and that if the budget is not passed before the end of this year, then paychecks cannot be issued. Mr. Trutschel indicated that the Clerk of Council checked into the Council Rules, city ordinances, and state laws, and could find nothing to prohibit Council from passing the budget at the time of the final regular meeting on the 28th of December. He thanked the Clerk for looking into this matter.

PETITIONS AND CORRESPONDENCE

The Clerk indicated that he had no new petitions or correspondence to report on tonight, but that on behalf of Council, he wished to welcome and recognize Miss McKenzie Jones, a senior from Logan Elm High School, who is here tonight as part of a project for her government class.

READING AND PASSAGE OF LEGISLATION

Ord. No. 124-15 amending Chapter 163, City of Chillicothe Income Tax, of the Codified Ordinances of the City of Chillicothe, Ohio, and declaring an emergency was read for the second time by title only. Mr. Trutschel 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. Eallonardo declared the rule suspended. All members present then voted “yea” on the item itself, and Pres. Eallonardo declared Ordinance No. 124-15 adopted.

Ord. No. 125-15 transferring the sum of \$14,556.82 from Parks & Recreation Capital Lands and Buildings to Parks & Recreation Capital Equipment and for the purchase of snow removal and salt application equipment, and declaring an emergency was read for the first time by title only. Mrs. Corcoran moved and Mrs. Patrick seconded that the three reading rule be suspended, placing this item on final passage. All members present voted “yea” and Pres. Eallonardo declared the rule suspended. All members present then voted “yea” on the item itself, and Pres. Eallonardo declared Ordinance No. 125-15 adopted.

Res. No. 16-15 authorizing the Mayor to authorize the Ohio Regional Development Corporation to file an application on behalf of the City for a 2015 CDBG Community Development Target of Opportunity Grant, and declaring an emergency 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. Eallonardo declared the rule suspended. All members present then voted “yea” on the item itself, and Pres. Eallonardo declared Resolution No. 16-15 adopted.

Ord. No. 126-15 appropriating \$13,500.00 for the cost of vehicle repairs for the Chillicothe Police Department, and declaring an emergency was read for the first time by title only. Mr. Proehl moved and Mr. Fleurima seconded that the three reading rule be suspended, placing this item on final passage. All members present voted “yea” and Pres. Eallonardo declared the rule suspended. All members present then voted “yea” on the item itself, and Pres. Eallonardo declared Ordinance No. 126-15 adopted.

Ord. No. 127-15 accepting \$5,189.65 in insurance funds received for building repairs and replacement of equipment and money stolen from the Service Building on July 10, 2015, and appropriating \$6,189.65 to completely repair and replace as necessary, and declaring an emergency was read for the first time by title only. Mrs. Neal 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. Eallonardo declared the rule suspended. All members present then voted “yea” on the item itself, and Pres. Eallonardo declared Ordinance No. 127-15 adopted.

Ord. No. 128-15 establishing the pay and benefit structure for City Police and Fire Chiefs, Police Captains, and Assistant Fire Chiefs, 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. Eallonardo declared the rule suspended. All members present then voted “yea” on the item itself, and Pres. Eallonardo declared Ordinance No. 128-15 adopted.

Ord. No. 129-15 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 was read for the first time by title only. Mr. Trutschel 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. Eallonardo declared the rule suspended. All members present then voted “yea” on the item itself, and Pres. Eallonardo declared Ordinance No. 129-15 adopted.

Ord. No. 130-15 appropriating \$706,279.83 for the end-of-year 2015 operations, and declaring an emergency was read for the first time by title only. Mr. Trutschel 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. Eallonardo declared the rule suspended. All members present then voted “yea” on the item itself, and Pres. Eallonardo declared Ordinance No. 130-15 adopted.

An ordinance to make appropriation for the current expenses and other expenditures of the City of Chillicothe, State of Ohio, during the fiscal year beginning January 1, 2016 and ending December 21, 2016, and declaring an emergency was read for the first time by title only.

Ms. Gray moved and Mr. Fleurima seconded that the regular meeting be adjourned. All members present voted "yea" and Pres. Eallonardo declared the motion adopted. Adjourned at 8:25 p.m.

Clerk of Council

President of Council