

Circleville City Council Meeting Minutes 3/19/2019

Circleville City Council convened in Council Chambers, City Hall, 127 South Court Street, Circleville, Ohio on Tuesday March 19, 2019 at 7:00 pm. The following members were present: David Crawford, President ; Michelle Blanton, At Large; Todd Brady, At Large; Tom Spring, At Large Julie Strawser, First Ward; Barry Keller, Second Ward; Katie Logan Hedges, Third Ward, Sheri Theis, Fourth Ward; Linda Chancey, Council Clerk. Guests in attendance were Mayor Don McIlroy and Law Director, Gary Kenworthy.

David Crawford, President called the meeting to order at 7:00 pm. The Pledge of Allegiance was recited and President David Crawford invited anyone who would wish to participate in the invocation with council members. Council meetings from 2/19/19 were approved by council members and filed.

REPORTS FROM COUNCIL MEMBERS AND COMMITTEE REPORTS

Strawser announced a Judicial Cmte mtg. April 23rd at 7:00 pm.

Crawford announced a Cmte of Whole prior to council meeting April 2nd at 6:00 pm for the purpose of updates regarding Everts buildings and RR crossings closures.

Brady announced a Service Cmte mtg. March 26th at 7:00 pm.

Spring updated council on the LRSP cmte mtg. on Monday, March 18th. The committee heard a presentation from Larry Logan concerning a new organization called the Friends of Ted Lewis Park and from Rev. Dan Coy of Crossroads Church concerning a proposal to start raising funds to implement the next phase of the park improvements that was identified in the master plan. In addition there was proposal for a later phase to consider amending the plan to allow for basketball courts and skate park with landscaping. There was also a discussion on the idea of having a master plan for parks and recreation to help secure funding for grants or possibly a voter levy to support parks and recreations. Also, a charter form of government process was reviewed again.

Mayor McIlroy asked Spring about the discussion concerning the 911 system in the safety committee meeting. The mayor stated that he has not met with nor heard any conversations on the 911 system.

Crawford stated prior to tonight's council meeting there was a Committee of Whole meeting to discuss the Lease Oversight responsibility of the city and county regarding the transition of the Berger Health and the lease to OhioHealth. There will be a motion under new business to make one amendment to that agreement.

Strawser asked the law director if there has been any contact with the commissioner's regarding helping with funding of the proposed assistant in the law director's office. Law Director Gary Kenworthy stated not yet, the courts are still working on the figures on what is the county versus the city.

NO REPORTS FROM ADMINISTRATION

NO ADDRESS TO CITY COUNCIL

NO COMMUNICATIONS

ORDINANCES FOR THE FIRST READING

An Ordinance Authorizing And Directing The Mayor To Enter Into And Executing A Membership Agreement On Behalf Of The City Of Circleville With The Ohio Plan Risk Management For The Purposed Of Property And Casualty Coverage Through The Ohio Plan Risk Management And Declaring An Emergency. Keller stated this was reviewed in the Finance Cmte with recommendation for passage. This allows the mayor to enter into the agreement for Ohio Risk Plan Management. The cost of the agreement is \$134,410.00 and is a \$20,000 increase from the previous agreement. This will cover general liability, public officials, law enforcement, additional liability, crime, crime coverage and blanket bond for all public property and employees. Keller motioned for suspend the rules. Spring seconded. Roll call. (7 Yeas – 0 Nays). Rules are suspended. Keller motioned for passage. Brady seconded. Roll call. (7 Yeas – 0 Nays). Ordinance passes and assigned # 03-09-2019.

An Ordinance Amending Section 741.51 Of The Codified Ordinances Of The City Of Circleville Relating To The Allocation Of Funds Deposited Into The Circleville Cable Television Special Revenue Fund #211, And Declaring An Emergency. Keller stated this was reviewed in the Finance Cmte with recommendation for passage. The next three ordinances are for budget reductions and cuts to bring all 2019 funds in the budget into black. This is the cable revenue fund. Keller explained how the

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funds will be distributed in the Cable Television. Brady motioned to suspend the rules. Spring seconded. Roll call. (7 Yeas – 0 Nays). Rules are suspended. Keller motioned for passage. Hedges seconded. Roll call. (7 Yeas – 0 Nays). Ordinance passes and assigned # 03-10-2019.

An Ordinance Authorizing And Directing The Director Of Public Utilities To Exempt All Parks Owned And Operated By The City Of Circleville From Water And Sewer Usage Fees And Declaring An Emergency. Keller stated this was reviewed in the Finance Cmte with recommendation for passage. This is the second of three ordinances. This allows the city to donate the water and sewer from the utility funds to the city parks, which is a cost savings to the general fund for a one- year period starting April 1, 2019 to March 31, 2020. Brady motioned to suspend the rules. Spring seconded. Roll call. (7 Yeas – 0 Nays). Rules are suspended. Keller motioned for passage. Brady seconded. Roll call. (7 Yeas – 0 Nays). Ordinance passes and assigned # 03-11-2019.

An Ordinance Amending Ordinance 01-01-2019 and Adopting The Annual Appropriation Measure Based on the Amended Certificate. Keller stated this was reviewed in the Finance Cmte with recommendation for passage. This is a housekeeping ordinance that shows the 2 plus million in reductions in the 2019 budget. Keller motioned to suspend the rules. Blanton seconded. Roll call. (7 Yeas – 0 Nays). Rules are suspended. Keller motioned for passage. Hedges seconded. Roll call. (7 Yeas – 0 Nays). Ordinance passes and assigned # 03-12-2019.

Resolution To Submit To The Electors At A Special Election To Be Held On August 6,2019, An Ordinance To Increase The City Income Tax Rates From The Current Rate Of Two Percent (2%) To Rate of two and one-half percent (2.5%) to Become Effective October 1, 2019 by Allocating the Entire One-Half (.5%) Increase For The Purpose Of Operating And Maintaining The Safety Forces For The City Of Circleville; To Direct The Pickaway County Board Of Elections To Submit The Tax Ordinance To The Electors Of The City, And Declaring An Emergency. Keller stated this was reviewed in the Finance Cmte without a recommendation. This resolution is a special request from an election to be held on August 6, 2019 and has to be submitted to the Board of Elections by May 8th. The cost of the election is between \$10,000 and \$12,000 and generates up to \$1.5 million dollars in additional revenue after a three years. The intent purposely will be directed to the safety forces. It will be held for three readings to receive public input to proposed tax income increase. Spring asked the law director to speak on this resolution. Kenworthy explained the reasons the city can place a tax levy on a ballot is specific reasons because they define safety forces as fire, police and EMS. Spring explained the auditor indicated that this would generate \$1.5 million dollars. I researched the housekeeping ordinance and added all the cuts for public safety and the total was \$590,000. If council asked the voters for 1.5 million and council is only cutting 600,000 where are the rest of the funds going too? The new fire chief should be consulted first on needed services and costs of those services, I also suggest council review a quarter mill levy and determine for a period of one year, but first discussed in a work session.

Keller stated that he is meeting with administration next week about the specifics around this levy proposal and how will it impact employees and unions.

Hedges asked how does the 2.5% compare to other cities around us? Spring explained that according to the OML for that information and municipality and county that surround us. Six cities have a 2.5% rate or a recreation levy. But if the city goes with the 2.5% it might affect people wanting to move here. This explained that according to R.I.T.A. there are three hundred ten (310) different municipalities all over the state of all sizes and the majority of them are in the 1.0 to 1.5% range and only 34% of R.I.T.A. pay 2.% or more which is where we are at now. The city would be the top third of highest income tax. If the voters raise this to 2.5% Circleville will be in the top 6% and only eighteen (18) of the three hundred and ten (310) cities pay the 2.5%.

Blandon asked Keller what is the immediate results of the tax levy and when will council see that and how will it impact the city current state of affairs? Keller stated the ordinance states that it will be collected in early October but it takes about three years to see a sizable balance.

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Keller motioned to hold for a second reading on April 2nd. This seconded. Roll call. (7 Yeas – 0 Nays). Resolution will be held until April 2nd for a second reading.

An Ordinance Amending Section 191.01, 191.03, 191.07, 191.16, 192.03 And 192.04 Of The Codified Ordinances Of The City Of Circleville So As To Increase The City Income Tax Rate From The Current Rate Of Two Percent (2.0%) To A Rate of Two And One-Half Percent (2.50%) To Become Effective October 1, 2019 with the Entire One Half Percent (.5%) Increase To Be Allocated For The Purpose Of Operating And Maintaining The Safety Forces In The City Of Circleville; To Direct The Pickaway County Board Of Elections To Submit This Ordinance To The Electors Of The City And Declaring An Emergency. Keller stated if council goes forward with this levy it will cause six different ordinances to be amended that are listed in the title. Brady motioned to hold for a second reading on April 2nd. Hedges seconded. Roll call. (7 Yeas – 0 Nays). Resolution will be held until April 2nd for a second reading.

An Ordinance Amending Section 1501.01 of the Codified Ordinances of the City of Circleville to Adopt the 2017 Ohio Fire Code (OFC), as Established by the Ohio Division of the State Fire Marshal, Department of Commerce, and Declaring an Emergency. Spring stated this was reviewed in the Safety Cmte with recommendation for passage. The State Fire Marshal has updated the Ohio Fire Codes. Hedges motioned for suspend the rules. Blanton seconded. Roll call. (7 Yeas – 0 Nays). Rules are suspended. Blanton motioned for passage. Spring seconded. Roll call. (7 Yeas – 0 Nays). Ordinance passes and assigned # 03-13-2019.

An Ordinance Amending Chapter 1335 of the Codified Ordinances of the City of Circleville to Adopt the 2018 Version of the International Property Maintenance Code to be Enforced within the City and Authorizing the Director of Public Safety to Enforce All Provisions of this Maintenance Code. Spring stated this was reviewed in the Safety Cmte with recommendation for passage. This is to adopt the International Property Maintenance Codes.

Spring motioned to amend the title by adding before the period and “declaring an emergency” and substitute Section IV with the language of Section III with...

“**SECTION IV.** that this ordinance is hereby declared to be an emergency measure, necessary for the protection of the public, peace, health and safety of the residents of the City of Circleville, such emergency arising out of the immediate need to ensure the enforceability of the current of the 2018 version of the International Property Maintenance Code, so that this ordinance shall take effect and be in force immediately from and after its passage and approval by the Mayor.” Blanton seconded. Roll call. (7 Yeas – 0 Nays). Amendment is approved. Spring motioned to suspend the rules. Hedges seconded. Roll call. (7 Yeas – 0 Nays). Rules are suspended. Blanton motioned for passage. This seconded. Roll call. (7 Yeas – 0 Nays). Ordinance passes and assigned # 03-14-2019.

UNDER NEW BUSINESS

Keller motioned to authorize the formation of Circleville - Pickaway Lease Oversight Board to serve as the lease oversight entity for the purposes of the City’s Lease with Ohio Health, so long as the Articles of Incorporation for that organization are acceptable to the City Law Director and cannot be amended without the approval of the city. Brady seconded. Roll call. (7 Yeas – 0 Nays).

Brady adjourned into executive session. Strawser seconded. Roll call. (7 Yeas -0 Nays). Motion carried.

Blanton motioned to go into executive session to consider the purchase of property for public purposes or the sale of property for a competitive bidding pursuant to ORC 121.22 (g) (2). Invited in the executive session is Ryan Scribner, Director P 3 and elected officials. This seconded. Roll call. (7 Yeas -0 Nays.)

Blanton motioned to adjourn executive session with no business conducted and Brady seconded. Motion carried.

Respectfully submitted by

Linda Chancey, Council Clerk