

Circleville City Council convened in City Council Chambers Tuesday, July 19, 2022, at 7:00 pm. Roll call, members present: Barry Keller, Council President; Tom Duvall, At Large; Michelle Blanton, At Large; Katie Logan Hedges, At Large; Jeff Hallinin, First Ward; Caryn Koch-Esterline, Second Ward Todd Brady, Third Ward and Linda Chancey, Clerk. Invited Guests: Mayor Don McIlroy; Law Director Gary Kenworthy and Auditor Mark Bidwell.

President Keller called the meeting to order at 7:00 pm. The Pledge of Allegiance was recited, and invocation was given by all. Hallinin motioned to accept the July 5, 2022, minutes and This seconded. Motion carried.

REPORTS FROM COUNCIL MEMBERS

Duvall read a letter that addressed the Charter ballot and the Mayor's letter and how the "Circleville Citizens Understanding The Whole Charter Process" that explained the Charter process. Circleville City Council has followed the requirement of the Ohio constitution as it applied to the approval of a city.

Koch-Esterline asked the Mayor to speak on his allegations of misappropriation of taxpayer's funds to our council body.

REPORT FROM CITY OFFICIALS

The Mayor introduced the appointment of Doug Debord as the new Safety Director for the city and read a brief bio of his background in law enforcement.

QUESTION AND ANSWERS

Koch-Esterline asked of the Mayor regarding the letter/email that stated that Council misappropriated funds and Council's alleged improprieties. The Mayor needs to elaborate on why he thinks Council was in the wrong according to the State Constitution, Council did nothing but follow the law. As to shutting down our Strategic Planning mtg to discuss Q&A on the Charter. This stated that the Mayor did not shut down the Strategic Planning mtg. that was per the Law Director's opinion.

The Mayor stated after meeting with President of Council and expressing his concerns and that he did send a letter to Council on July 2nd and to all elected officials and the Board of Elections was copied because Secretary Of State told me to contact the Board Of Elections. Mayor McIlroy stated he sent the letter/email on July 12. The Mayor continues to explain who he heard back from and a response from Koch-Esterline that was wrong and that the email was forwarded to two more individuals that was not copied the first time. The Mayor continued to explain the document that was sent to all elected officials.

Koch- Esterline read a statement that was supplied to The Herald that stated the Mayor said no one called him. The Mayor stated that he did answer the questions that was posed to him.

Keller stated for the record that he did meet with the Mayor and went over all the topics that he just spoke about tonight and I left the meeting agreeing to disagree. The booklet was processed according to the Ohio to get them in the hands of the voter's deadline, and it was accomplished.

Hedges asked the Law Director my question is does the presence of the logo and the first four pages of the Charter invalidate the Charter in anyway? Gary Kenworthy explained the question presented to me "charting the future was disturbing, but Council's position should be neutral and informational session only, but the whole session should be done-at outside of city property and that was concern I had as far as the other pages that is question up to Secretary Of State whether its proper.

Hedges concerns within the document is the actual document and with other pages could be misleading, but it is the whole Charter. The Mayor clarifies one thing regarding the proposal Charter does the ordinance that was passed by the ordinance included those first pages were not by ordinance. I asked by three members of Council not express my opinion only if someone asked me my opinion, I have not talked to people about this.

Keller stated that he did tell the Mayor not to speak against the Charter publicly in name of consensus and credibility of elected officials and not everyone got their way in the Charter, nor does everyone get their way in our city with ordinances we consider, once the vote is taken with sound mind and good decisions, we move forward with it.

The Mayor stated Council focus was not on the facts that I asked, the Charter to be pulled off the ballot. Keller stated its not Councils' decisions to take off the ballot.

Koch-Esterline stated I want to clarify what the Mayor is referring to the pages prior to the preamble in the Charter document, I support the Charter, but it is a conflict of interest. The Charter commission wanted to place a signed sheet in the front for all Council to sign it and I did not sign it.

Keller stated its not coming off the ballot and is voting on today. Per the Law Director, Council cannot take Q&A tonight on the Charter.

PUBLIC PARTICIPATION

Warren Searle, 568 Springhollow Rd. read a statement about we are in jeopardy of losing our treasurer of a city with the proposed Charter, which has sticking points with voters. Searle explained how the Charter is removing the Mayor that keeps the check and balances in the city and gives too much power at legislation level, etc. The Charter should be removed from the ballot at tonight's vote.

Ginger Wright, 502 Douglas Drive read a statement regarding being able to speak our minds because you work for the citizens of the city. This Council will not answer our questions or talk to us. The Charter is not good for our city.

Tom Kopec, Charter Commission, spoke about the Mayor position and requires no skills or has no requirements. A City Manager is hired with economic skills and training.

William Haddow 531 East Union St. spoke about the Charter booklet that was mailed out to citizens with no explanation as if it were legal document or from another group. He made phone calls and checked the website for answers, and the FB page was not up to date with information. He asked about transparency and if this booklet is real.

Karen Hallinin 525 Northfield Drive asked to speak about the value, professional, financial, knowledge and merits of having a City Manager with the Charter and the growth and changes in the city. Keeping things, the same cause stagnation.

Helen Maddow 416 South Court St. spoke on the proposed Charter and how it will potentially impact the position of the Mayor. The Mayor is an elected position and needs to be in touch and a liaison between the people and government.

Brandi King, 108 South Court Street spoke about handicap stickers and nowhere to park. Keller asked did you go to the Administration Building, King replied Yes, I did, and I did get the tickets dismissed but I keep getting them. The judge suggested to come to Council. The Mayor suggested talking to Doug Debord the new Safety Director.

Ginger Wright, 502 Douglas asked about health services that was on an agenda last week. Blanton stated that Board of Health ordinance was forwarded back to the Judicial Cmte for consideration. Is the BMV a county or city. Brady said that is a State operation.

COMMUNICATIONS

A request from David Hodges for a PUD for David Hodges for 1931 North Court Street. Blanton motioned to accept the correspondences and place on file. This seconded. Motion carried.

ORDINANCES FOR FIRST READING

An Ordinance To Approve The Circleville Zoning Code And The Circleville Zoning Map, And To Repeal Any Zoning Ordinance, Zoning Map Or Subdivision Regulations Or Part Thereof In Conflict There With. Hallinin stated this was reviewed in the Judicial Cmte. Hallinin motioned to hold for a third reading. Hedges seconded. Roll call. (7 Yeas- 0 Nays). Ordinance will be held until August 3rd for third reading.

An Ordinance Authorizing The Director Of Public Service To Enter Into An Agreement With ABM Facility Support Service LLC Through Far 552238-79 Use Of Federal Supply Schedule Contracts By Non-Federal Entities July (2016) For The Purpose Of Constructing A Project Based On An Investment Grade Audit Performed By ABM Performed Facility Support Service, LLC In Accordance With Other House Bill 420-127 Of The General Assembly Section 717.02 Of The Ohio Revised Code Or Other Ohio Legislation And Declaring An Emergency. Keller stated this was reviewed in the Cmte of Whole mtg and was recommended for passage. Jim Stanley, Service Director stated this will allow Administration to enter contract with ABM for projects for energy audit. Blanton asked about the equipment failure. Stanley stated two units has failed this past week and are up for replacement. Blanton motioned to suspend Council rules. Roll Call. (7 Yeas- 0 Nays). Rules Are Suspended. Brady motioned for passage. This seconded. Roll call. (7 Yeas – 0 Nays). Ordinance passes and assigned #07-43-2022.

An Ordinance Amending The Annual Appropriation Ordinance In The General Fund 101, Circleville Cable TV Fund 211, Safety forces .5% Tax Fund 212, Waterworks Operating Fund 808, Sanitary Sewer Operating Fund 909, Sewage Disposal Works Debt Fund 933, And The Sewage Replacement Fund 934 Of The City Of Circleville. Blanton stated this was reviewed in the Finance mtg and was recommended for passage. This is to amend our appropriation ordinances from fund to funds and a standard housekeeping ordinance. Brady motioned to suspend Council rules. Hedges seconded. Roll Call. (7 Yeas- 0 Nays) Rules Are Suspended. Brady motioned for passage. This seconded. Roll call. (7 Yeas – 0 Nays). Ordinance passes and assigned #07-44-2022.

An Ordinance Authorizing The ~~Director Of Public Service~~ (City Auditor) To Enter Into A Purchase Agreement To Finance The ABM Bundled Energy Solutions Project Abased On The Contract Resulting From The Investment Grade Audit Performed By ABM Facility Support Service, LLC And Declaring An Emergency. Blanton stated this was reviewed in the Finance mtg and was recommended for passage. This is the financing piece for ABM equipment recommendations from their audit in the amount of \$2,720,336.00. There is an exhibit “A” describing how the payment will paid thru different depts. Bidwell explained that First Security is the lender and the terms of the contracts. Stanley explained the grades on the summary sheet and the efficacy that off sets cost savings. Blanton stated that doing all the projects at once will save money instead of repairing them separately and to the grading questions ABM will supply all the grading system and exactly what they will replace. Blanton motioned to amend the title and in the body of the ordinance to say, “City Auditor” and Brady seconded. Roll call. (7 Yeas-0 Nays). Ordinance is amended. Brady motioned to suspend Council rules. Koch- Esterline 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 #07-45-2022.

An Ordinance Amending The Annual Appropriation Ordinance In The Park Improvement Debt Issuance Fund 252 And General Obligation Bond Retirement Fund 422 Of The City Of Circleville. Blanton stated this was reviewed in the Finance mtg and was recommended for passage. Bidwell stated the city has received two bonds and during the process some corrections needed to be made in the accounting and how the City received. Blanton motioned to suspend Council rules. Hallinin seconded. Roll Call. (7 Yeas- 0 Nays) Rules Are Suspended. Hedges motioned for passage. Hallinin seconded. Roll call. (7 Yeas – 0 Nays). Ordinance passes and assigned #07-46-2022.

An Ordinance Amending Exhibit A Article III, Paragraph I Of The Codified Ordinances Of The City Of Circleville Clarifying The Imposition And Collection Of Income Taxes Generated By Non-Resident Transient Businesses For Municipal Income Tax Purposes And Declaring An Emergency. Blanton stated this was reviewed in the Finance mtg and was recommended for passage. This is increasing the income taxes for transient business. Bidwell currently explained any transit instead of paying income tax at the end of the year, they can pay a charge of \$50.00. Blanton motioned to suspend the rules. Theis seconded. Roll Call. (7 Yeas- 0 Nays) Rules Are Suspended. Hedges motioned for passage. Blanton seconded. Roll call. (7 Yeas – 0 Nays). Ordinance passes and assigned #07-47-2022.

UNDER NEW BUSINESS

Hallinin motioned to appoint Connie Kelly to the Board Of Zoning Appeals. Koch-Esterline seconded. Roll call. (7 Yeas-0 Nays). Connie Kelly is appointed to the BZA.

Keller asked that each Council member get with Jeff Hallinin by the end of July on suggestions for the process on appointing people to the different boards that Council populates.

Brady asked for the same process on Council approving or disapproving funding for nonprofit or organizations that comes to Council. Keller stated Michelle Blanton is working on that process.

Koch-Esterline asked about the County Fair Grounds and traffic patterns thru those intersections. Stanley stated no we have not been in discussion with that but are reviewing a corridor study for a development in those areas of intersection. The county is wanting to install an intersection into their property off Nicholas Drive, but we need to engage a Planning and Zoning Commission with that project. I am studying that area for future development. Keller stated that he has been in conversation with the Pickaway County Commission about those intersections too.

Theis motioned to adjourn the meeting at 8:43 pm, and Brady seconded. Motion carried.

Respectfully submitted by

Linda Chancey, Clerk