

WHITEHALL CITY COUNCIL COMMITTEE MEETINGS

AGENDA

TUESDAY, APRIL 13, 2021

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**6:30 P.M. – ADMINISTRATION/COUNCIL OF THE WHOLE MATTERS:**

THERE ARE SEVEN PIECES OF DRAFT LEGISLATION APPEARING IN THE APPROPRIATE COMMITTEES BELOW.

**COMMITTEE OF THE WHOLE LEGISLATION/ISSUES:**

**STANDING COMMITTEES**

**ADMINISTRATION AND FINANCIAL MANAGEMENT - Chairperson Bob Bailey**

**Members: Rodriguez, Morrison & Conison**

**DRAFT # 1**

**ORDINANCE NO. 027-2021** (*Admin/Fin. Mgmt. – 1<sup>st</sup> reading – ADOPT 04/20/2021–Bailey/*)

APPROVING AND MAKING AN APPROPRIATION OF FIFTEEN HUNDRED NINETY-FIVE AND 12/100 DOLLARS (\$1595.12) FROM THE TAX INCREMENT FINANCING FUND (279) TO VARIOUS EXPENSE ACCOUNTS IN THE 279 FUND AND AUTHORIZING THE DISTRIBUTION OF THE PORTION OF THE FEE PAYMENTS ATTRIBUTED TO EACH TIF IN THE TOTAL AMOUNT OF FIFTEEN HUNDRED NINETY-FIVE AND 12/100 DOLLARS (\$1595.12) TO THE TIF FEES ACCOUNT (279.000.59600) AND DECLARING AN EMERGENCY.

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WHEREAS, the city received first half TIF tax settlement in March; and

WHEREAS, the County deducts certain fees from these funds; and

WHEREAS, these fees must be booked into the system as expenses; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

**SECTION 1:** That the Council of the City of Whitehall, Ohio approves and makes the following appropriations:

<u>Amount</u>	<u>From</u>	<u>To</u>
\$ 1211.39	279.000.50006 Air South Incentive	279.000.59600 TIF Fees
\$ 191.87	279.000.50007 Creative Palette Incentive	279.000.59600 TIF Fees
<u>\$ 191.86</u>	279.000.50008 Etna Road Incentive	279.000.59600 TIF Fees
\$ 1595.12		

**SECTION 2:** That the City Auditor is hereby authorized to draw his warrant upon the Treasurer of the City for these funds for the purpose stated in this Ordinance.

**SECTION 3:** That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety and welfare of the community, and for the further reason the City has to pay these fees; WHEREFORE, the Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

Requested and prepared by: Dan A. Miller, City Auditor  
Approved as to form Michael T. Bivens, City Attorney MTB 4/7/21

**DRAFT # 2**  
**ORDINANCE NO. 028-2021** (*Admin/Fin. Mgmt. – 1<sup>st</sup> reading – ADOPT 04/20/2021–Bailey/*)

APPROVING AND MAKING AN APPROPRIATION OF THREE MILLION NINE HUNDRED FIFTY-SEVEN THOUSAND THIRTY-THREE AND NO/100 DOLLARS (\$3,957,033.00) FROM UNAPPROPRIATED MONIES IN THE OPWC IMPROVEMENT FUND (322) TO THE POTH ROAD EXPENSE ACCOUNT (322.000.50000) AND DECLARING AN EMERGENCY.

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WHEREAS, the City received funding through the Ohio Public Works Commission and;

WHEREAS, these funds require legislative approval for appropriation by the Council of the City of Whitehall, Ohio; and

WHEREAS, certain that this fund will have deposits received directly or by transfer during the calendar year 2021, thereby requiring an appropriation before disbursement for the intended purpose and requiring that monies be appropriated at this time; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

**SECTION 1:** That this Council approves an appropriation from the OPWC Improvement Fund (322) to the Poth Road expense account (322-000-50000) in the amount of three million nine hundred fifty-seven thousand thirty-three and no/100 dollars (\$3,957,033.00).

**SECTION 2:** That the City Auditor is hereby authorized to draw his warrant upon the Treasurer of the City for these funds for the purpose stated.

**SECTION 3:** That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety, and welfare and for further reason that the City is ready to move forward with this project; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

Requested and Prepared by: Dan Miller, City Auditor  
Approved as to form: Michael T. Bivens, City Attorney MTB 4/7/21

**DRAFT # 3**

**ORDINANCE NO. 029-2021** (*Admin/Fin. Mgmt. – 1<sup>st</sup> reading – ADOPT 04/20/2021–Bailey/* )

AUTHORIZING THE CREATION OF THE CLEAN OHIO PROJECTS FUND (323); APPROPRIATING ONE HUNDRED FIFTY-SEVEN THOUSAND SIX HUNDRED EIGHTY-ONE AND NO/100 DOLLARS **(\$157,681.00)** FROM UNAPPROPRIATED MONIES IN THE CLEAN OHIO PROJECTS FUND (323) TO THE CLEAN OHIO PROJECTS EXPENSE ACCOUNT (323.000.50000) AND DECLARING AN EMERGENCY.

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WHEREAS, the City received funding through the Ohio Public Works Commission and;

WHEREAS, these funds require legislative approval for appropriation by the Council of the City of Whitehall, Ohio; and

WHEREAS, certain that this fund will have deposits received directly or by transfer during the calendar year 2021, thereby requiring an appropriation before disbursement for the intended purpose and requiring that monies be appropriated at this time; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1: That the Council of the City of Whitehall approves the creation of the Clean Ohio Project Fund (323).

SECTION 2: That this Council approves an appropriation from the Clean Ohio Project Fund (323) to the Clean Ohio Project expense account (323-000-50000) in the amount of one hundred fifty-seven thousand six hundred eighty-one and no/100 dollars (\$157,681.00).

SECTION 3: That the City Auditor is hereby authorized to draw his warrant upon the Treasurer of the City for these funds for the purpose stated.

SECTION 4: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety, and welfare and for further reason that the City is ready to move forward with this project; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

**DRAFT # 4**

**ORDINANCE NO. 030-2021** (*Admin/Fin. Mgmt. – 1<sup>st</sup> reading – ADOPT 04/20/2021–Bailey/* )

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF NINE THOUSAND FIVE HUNDRED FIFTY AND FIFTY-FIVE/100 DOLLARS (\$9,550.55) FROM THE TAX INCREMENT FINANCING FUND (279) TO VARIOUS EXPENSE ACCOUNTS IN THE 279 FUND AND AUTHORIZING THE DISTRIBUTION OF THE PORTION OF THE FEE PAYMENTS ATTRIBUTED TO EACH TIF IN THE TOTAL AMOUNT OF NINE THOUSAND FIVE HUNDRED FIFTY AND 55/100 DOLLARS (\$9,550.55) TO THE TIF FEES ACCOUNT (279.000.59600) AND DECLARING AN EMERGENCY.

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WHEREAS, the city received the first half TIF tax settlement in March; and

WHEREAS, the County deducts certain fees from these funds; and

WHEREAS, these fees must be booked into the system as expenses; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

**SECTION 1:** That the Council of the City of Whitehall, Ohio approves and makes the following supplemental appropriations:

<u>Amount</u>	<u>From</u>	<u>To</u>
\$ 1,603.60	279.000.50001 Main Yearling Incentive	279.000.59600 TIF Fees
\$ 2,176.30	279.000.50002 Main Hamilton Incentive	279.000.59600 TIF Fees
\$ 2,242.33	279.000.50003 Town & Country Incentive	279.000.59600 TIF Fees
\$ 1,832.90	279.000.50004 Hamilton Broad Incentive	279.000.59600 TIF Fees
<u>\$ 1,695.42</u>	279.000.50005 Poth Road Incentive	279.000.59600 TIF Fees
\$ 9,550.55		

**SECTION 2:** That the City Auditor is hereby authorized to draw his warrant upon the Treasurer of the City for these funds for the purpose stated in this Ordinance.

**SECTION 3:** That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety and welfare of the community, and for the further reason the City has to pay these fees; WHEREFORE, the Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

**DRAFT # 5**

**ORDINANCE NO. 031-2021** (*Admin/Fin. Mgmt. – 1<sup>st</sup> reading – ADOPT 04/20/2021–Bailey/*)

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF FOUR THOUSAND SIX HUNDRED FIFTY-ONE AND 11/100 DOLLARS (\$4,651.11) FROM UNAPPROPRIATED MONIES IN THE WMPITIE FUND (279) TO VARIOUS ACCOUNTS IN THE WMPITIE FUND (279) AND DECLARING AN EMERGENCY.

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WHEREAS, the City of Whitehall has received the first half TIF taxes in March; and

WHEREAS, the City must pay the revenue sharing from these proceeds; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1: That the Council of the City of Whitehall, Ohio approves and makes the following supplemental appropriations.

<u>Amount</u>	<u>From</u>	<u>To</u>
\$ 1,083.45	WMPITIE Fund (279)	279.000.50001 Main Yearling Incentive
\$ 1,330.43	WMPITIE Fund (279)	279.000.50002 Main Hamilton Incentive
\$ 1,226.96	WMPITIE Fund (279)	279.000.50003 Town & Country Incentive
\$ 373.54	WMPITIE Fund (279)	279-000.50004 Hamilton Broad Incentive
<u>\$ 636.73</u>	WMPITIE Fund (279)	279.000.50005 Poth Road Incentive
\$ 4,651.11		

SECTION 2: That the City Auditor is hereby authorized to draw his warrant upon the Treasurer of the City for these funds for the purpose stated in this Ordinance.

SECTION 3: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety and welfare; and for the further reason that funds are needed to pay these fees; WHEREFORE; this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

**DRAFT # 6**

**RESOLUTION NO. 009-2021** (*Admin/Fin. Mgmt. – 1st reading – ADOPT 04/20/2021–Bailey/* )

**RESOLVING TO APPROVE “THEN AND NOW” CERTIFICATES AND DECLARING AN EMERGENCY.**

WHEREAS, O.R.C. 5705.41(D)(1) states that “then and now” certificates of three thousand dollars and no/100 (\$3,000.00) and more must be approved by resolution or ordinance within thirty days of receipt of the “then and now” certificate, and

WHEREAS, the City has processed the following “then and now” certificate over the sum of three thousand dollars and now this certificate requires approval by City Council; and

WHEREAS, the Auditor of the City of Whitehall, Ohio has determined that, at the time of the making and execution of the certificate, a sufficient sum was appropriated by Council for the purpose of the requisition, and is currently deposited in the treasury and allocated to the appropriate account and free from any previous encumbrances; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

**SECTION 1:** That the City Council does hereby approve the following “then and now” certificate:

<u>Requisition</u>	<u>Vendor</u>	<u>Amount</u>	<u>Order Date</u>	<u>Purchase Purpose</u>
#2021-Service-00155-A	Servpro	\$ 5,758.56	3/23/2021	Water Damage Mitigation
#2021-Auditor-00180-A	Huntington Public Capital	\$65,418.94	3/15/2021	Energy Financing Payment
#2021-Auditor-00179-A	Columbus City Treasurer	\$ 6,414.00	3/22,2021	City Portion of Muni Costs
#2021-Service-00049-A	Dick Masheter Ford	\$35,000.00	3/2/2021	2021 Ford F-250

**SECTION 2:** That the City Council of the City of Whitehall, Ohio, lawfully appropriated this expenditure which the expense originated.

**SECTION 3:** That this Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare; and for the further reason that O.R.C. 5705.41(D)(1) requires that “then and now” certificates of three thousand dollars and more be approved by the legislative body by resolution or ordinance within thirty days of receipt of the “then and now” certificate; WHEREFORE, this Resolution shall go into full force and effect immediately upon its passage by the Council of the City of Whitehall and approval by the Mayor.

**SECOND READING**

ORDINANCE NO. 018-2021 (*Admin/Fin. Mgmt. – 3rd reading – ADOPT 05/04/2021–Bailey/Morrison*)

MAKING A FUND TRANSFER IN THE AMOUNT OF TWO HUNDRED SEVENTY-FIVE THOUSAND TWO HUNDRED THIRTY-SIX AND 00/100 DOLLARS (\$275,236.00) FROM THE BOND RETIREMENT ACCOUNT (101-950-57500) TO THE DEBT SERVICE FUND (401).

ORDINANCE NO. 019-2021 (*Admin/Fin. Mgmt. – 3rd reading – ADOPT 05/04/2021–Bailey/Morrison*)

APPROVING AND MAKING A FUND TRANSFER IN THE AMOUNT OF TWO HUNDRED NINETY-SEVEN THOUSAND ONE HUNDRED SEVENTY-SIX AND 25/100 DOLLARS (\$297,176.25) FROM VARIOUS ACCOUNTS IN THE WMPITIE FUND (279) TO THE DEBT SERVICE FUND (401).

**THIRD READING:**

ORDINANCE NO. 016-2021 (*Admin/Fin. Mgmt. – 3rd reading – ADOPT 04/20/2021–Bailey/Conison*)

RECLASSIFYING A PORTION OF A FUND ADVANCE AS A FUND TRANSFER.

**COMMUNITY STANDARDS AND ENFORCEMENT – Chairperson Rodriguez**

**Members: Kantor, Morrison & Elmore**

**SECOND READING:**

ORDINANCE NO. 020-2021 (*Comm. Standard & Enf. – 3rd reading – ADOPT 05/04/2021– Kantor/Morrison*)

**PUBLIC HEARING 05/04/2021**

AMENDING THE ZONING MAP ATTACHED TO CHAPTER 1122 OF THE 1970 CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, OHIO AND AS SUBSEQUENTLY AMENDED, CHANGING THE ZONING ON PROPERTY LOCATED ON 4218-4238 RICKENBACKER AVENUE, PARCEL NUMBER 090-008215, FROM A-1 APARTMENT DISTRICT AND LIMITED COMMERCIAL DISTRICT (LCD) TO A-2 APARTMENT DISTRICT, PROPERTY OWNED BY YEARLING GREEN 1 LLC.

ORDINANCE NO. 021-2021 (*Comm. Standard & Enf. – 3rd reading – ADOPT 05/04/2021– Kantor/Elmore*)

**PUBLIC HEARING 05/04/2021**

AMENDING THE ZONING MAP ATTACHED TO CHAPTER 1122 OF THE 1970 CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, OHIO AND AS SUBSEQUENTLY AMENDED, CHANGING THE ZONING ON PROPERTY LOCATED ON NORTON CROSSING PLAT, PARCEL NUMBER 090-008423, FROM A-2 APARTMENT DISTRICT TO GENERAL COMMERCIAL DISTRICT (GCD), PROPERTY OWNED BY CONTINENTAL REAL ESTATE COMPANIES.

ORDINANCE NO. 022-2021 (*Comm. Standard & Enf. – 3rd reading – ADOPT 05/04/2021– Kantor/Morrison*)

**PUBLIC HEARING 05/04/2021**

AMENDING THE ZONING MAP ATTACHED TO CHAPTER 1122 OF THE 1970 CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, OHIO AND AS SUBSEQUENTLY AMENDED, ALLOWING A SPECIAL PERMIT UNDER 1123.10(c)(1) TO ALLOW A DRIVE THROUGH WINDOW AND/OR DRIVE THROUGH FACILITY ON THE PROPERTY LOCATED AT 51 SOUTH HAMILTON ROAD, PARCEL 090-008423, PROPERTY OWNED BY CONTINENTAL REAL ESTATE COMPANIES.

**COMMUNITY AND ELDER ADVOCACY – Chairperson Lori Elmore**

**Members: Bailey, Rodriguez & Heck**

No drafts or pending legislation.

**ECONOMIC DEVELOPMENT – Chairperson Larry Morrison**

**Members: Conison, Rodriguez & Elmore**

**SPECIAL PRESENTATION:**

Economic Development Director Jenna Goehring  
D.O.R.A. - Designated Outdoor Refreshment Area

**INFRASTRUCTURE, MAINTENANCE AND SERVICES – Chairperson Jo Anna Heck**

**Members: Bailey, Morrison & Kantor**

**SECOND READING:**

ORDINANCE NO. 023-2021 (*Infra. Maint. & Svcs. – 3rd reading – ADOPT 05/04/2021– Heck/Kantor*)

MAKING AND APPROVING A FUND TRANSFER IN THE AMOUNT OF TWENTY-SEVEN THOUSAND EIGHT HUNDRED THIRTY-THREE AND 76/100 DOLLARS (\$27,833.76) FROM THE WIMPITIE FUND (279) ATTRIBUTED TO THE 279.000.58000 ACCOUNT TO THE DEBT SERVICE FUND (401).



**PUBLIC SAFETY** – **Chairperson Karen Conison**  
**Members: Kantor, Bailey & Heck**

**DRAFT # 7**

**ORDINANCE NO. 032-2021** (*Public Safety – 1st reading – ADOPT 04/20/2021–Conison/* )

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF ONE THOUSAND ONE HUNDRED NINETY-FIVE AND NO/100 DOLLARS (\$1,195.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE 101.960.54000 NEW EQUIPMENT EXPENSE ACCOUNT AND DECLARING AN EMERGENCY.

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WHEREAS, the City sold used equipment to an outside vendor at a better price than trade-in; and

WHEREAS, the revenue was posted to the Miscellaneous Police Dept. revenue account (101.000.49010); and

WHEREAS, the funds are needed to buy addition equipment from account 101.960.54000; and

WHEREAS, these funds require legislative approval for appropriation by the Council of the City of Whitehall, Ohio; NOW THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

**SECTION 1:** That there be and is hereby made a supplemental appropriation in the amount of one thousand one hundred ninety-five and no/100 dollars (\$1,195.00) from unappropriated monies in the General Fund (101) to the New Equipment expense account (101-960-54000).

**SECTION 2:** That the City Auditor is hereby authorized to draw his warrant upon the Treasurer of the City for these funds for the purpose stated in this ordinance.

**SECTION 3:** That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety and welfare and for further reason that these funds for this account must be available to purchase additional equipment; WHEREFORE; this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

Requested by: Mike Crispen, Chief of Police

Prepared by: Dan A. Miller, City Auditor

Approved as to form: Michael T. Bivens, City Attorney MTB 4/13/21

**SECOND READING:**

**ORDINANCE NO. 025-2021** (*Public Safety – 3rd reading – ADOPT 05/04/2021–Conison/Heck*)  
AMENDING 139.01 TITLED PETTY CASH FUNDS FOR POLICE AND FIRE.

**PARKS AND RECREATION** – **Chairperson Wes Kantor**  
**Members: Conison, Elmore & Heck**

No drafts or pending legislation.