

# WHITEHALL CITY COUNCIL

## AGENDA

August 20, 2019

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**CALL TO ORDER:**

7:00 p.m., Council Chamber at City Hall  
by President Pro Tem Bailey.

**MOMENT OF SILENCE:**

**PLEDGE OF ALLEGIANCE:**

**ROLL CALL:**

Larry Morrison  
Robert Bailey  
Chris Rodriguez  
Lori Elmore  
Karen Conison  
Wes Kantor  
Jo Anna Heck

**APPROVAL OF MINUTES:**

August 6, 2019 Agenda and Regular Meeting Minutes

**POLL PUBLIC:**

**STANDING COMMITTEE REPORTS:**

1. Administration and Financial Management – Chairperson Bailey
2. Community and Elder Advocacy – Chairperson Elmore
3. Community Standards and Enforcement – Chairperson Rodriguez
4. Economic Development – Chairperson Morrison
5. Infrastructure, Maintenance and Services – Chairperson Heck
6. Public Safety – Chairperson Conison
7. Parks and Recreation – Chairperson Kantor

**OFFICIALS' REPORTS:**

1. Mayor Kim Maggard
2. City Attorney Michael T. Bivens
3. City Auditor Dan Miller
4. Director of Development and Public Service Zach Woodruff
5. Director of Public Safety Van Gregg
6. Treasurer Steve Quincel
7. President Pro Tem Bailey

**COMMUNICATIONS, PETITIONS AND CLAIMS:**

1. Notice from the Ohio Division of Liquor Control for a new D1 liquor permit for PIER 11 BOILING SEAFOOD LLC, D.B.A. PIER 11 BOILING SEAFOOD, 3920 EAST BROAD STREET & PATIO, WHITEHALL, OHIO 43213.
2. Notice from the Ohio Division of Liquor Control for a transfer of 50% ownership of the C1 C2 liquor permit for HAMILTON & MAIN SUNOCO INC., D.B.A. HAMILTON & MAIN SUNOCO, 4600 EAST MAIN STREET, WHITEHALL, OHIO 43213 to the 4600 EAST MAIN STREET INC., 4600 EAST MAIN STREET, WHITEHALL, OH 43213.
3. Agenda for the August 1, 2019 Planning Commission Meeting.
4. Agenda for the August 14, 2019 Park & Recreation Commission Meeting.
5. Minutes for the July 10, 2019 Park & Recreation Commission Meeting.

**PUBLIC HEARING:**

**ORDINANCE NO. 085-2019**

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 A PORTION OF PROPERTY LOCATED ON 402 N. HAMILTON RD., PARCEL NUMBERS 090-003998, 090-003999, FROM EXCEPTIONAL USE DISTRICT (EU) TO GENERAL COMMERCE DISTRICT (GCD) PROPERTY OWNED BY CITY OF WHITEHALL.

**VERIFICATION OF COPIES:**

Roll call on whether each member of council was given a copy of each item of legislation listed on the agenda prior to the meeting and including any add-on legislation.

**THIRD READING:**

**ORDINANCE NO. 085-2019**

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 A PORTION OF PROPERTY LOCATED ON 402 N. HAMILTON RD., PARCEL NUMBERS 090-003998, 090-003999, FROM EXCEPTIONAL USE DISTRICT (EU) TO GENERAL COMMERCE DISTRICT (GCD) PROPERTY OWNED BY CITY OF WHITEHALL.

**RESOLUTION NO. 036-2019**

AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER A PURCHASE AND SALE AGREEMENT AND OTHER APPROPRIATE DOCUMENTS ON BEHALF OF THE CITY TO SELL APPROXIMATELY ONE ACRE OF PROPERTY IN THE WHITEHALL COMMUNITY PARK TO THE WHITEHALL COMMUNITY IMPROVEMENT CORPORATION.

**SECOND READING:**

**ORDINANCE NO. 088-2019**

PERMITTING AN ADDITIONAL EXCEPTION FROM THE MINIMUM DRIVEWAY SETBACK IN RESIDENTIAL DISTRICTS WHERE AN EXISTING DRIVEWAY PREVIOUSLY ENCROACHED ON THE REQUIRED SETBACK AND WHERE THE PROPERTY OWNER IS MERELY REPLACING THE EXISTING DRIVEWAY.

**FIRST READING:**

**ORDINANCE NO. 092-2019**

AUTHORIZING THE CREATION OF THE RECREATION CENTER FUND (321); MAKING A FUND TRANSFER OF FOUR MILLION ONE HUNDRED THOUSAND AND NO/100 DOLLARS (4,100,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND TO THE RECREATION CENTER FUND (321); APPROPRIATING FOUR MILLION ONE HUNDRED THOUSAND 00/100 DOLLARS (\$4,100,000.00) FROM UNAPPROPRIATED MONIES IN THE RECREATION CENTER FUND (321) TO THE RECREATION CENTER EXPENSE ACCOUNT (321.000.50000) AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 093-2019**

MAKING AND APPROVING A FUND TRANSFER IN THE AMOUNT OF TWO HUNDRED TWO THOUSAND EIGHTY-FOUR AND 03/100 DOLLARS (\$202,084.03) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE DEBT SERVICE FUND (401); MAKING A SUPPLEMENTAL APPROPRIATION OF TWO HUNDRED TWO THOUSAND EIGHTY-FOUR AND 03/100 DOLLARS (\$202,084.03) FROM THE DEBT SERVICE FUND TO THE DEBT SERVICE EXPENSE ACCOUNT (401.000.50000) AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 094-2019**

APPROVING AND MAKING A FUND TRANSFER IN THE AMOUNT OF THREE HUNDRED TWENTY-ONE THOUSAND SEVEN HUNDRED THIRTY-FIVE AND 56/100 DOLLARS (\$321,735.56) FROM UNAPPROPRIATED MONIES IN THE WMPITIE FUND (279) TO THE DEBT SERVICE FUND (401) AND ATTRIBUTING IT TO VARIOUS ACCOUNTS IN THE WMPITIE FUND (279); MAKING A SUPPLEMENTAL APPROPRIATION OF THREE HUNDRED TWENTY-ONE THOUSAND SEVEN HUNDRED THIRTY-FIVE AND 56/100 DOLLARS (\$321,735.56) FROM THE DEBT SERVICE FUND (401) TO THE DEBT SERVICE EXPENSE ACCOUNT (401.000.50000) AND DECLARING AN EMERGENCY.

**ORDINANCE NO. 095-2019**

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF SEVENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$75,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND 101 TO THE INCOME TAX REFUNDS EXPENSE ACCOUNT (101.350.57000) ) AND DECLARING AN EMERGENCY.

ORDINANCE NO. 096-2019

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF THIRTY THOUSAND AND 00/100 DOLLARS (\$30,000.00) FROM UNAPPROPRIATED MONIES IN THE LAW ENFORCEMENT TRUST FUND (241) TO THE LAW ENFORCEMENT TRUST SETASIDE ACCOUNT (241-000-51000) AND DECLARING AN EMERGENCY.

ORDINANCE NO. 097-2019

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF FIFTY THOUSAND AND NO/100 DOLLARS (\$50,000.00) FROM UNAPPROPRIATED MONIES IN THE PLUMBING PERMITS FUND (851) TO THE PLUMBING PERMITS ACCOUNT (851-000-50000) AND DECLARING AN EMERGENCY.

ORDINANCE NO. 098-2019

CREATING THE ETNA ROAD INCENTIVE EXPENSE ACCOUNT (279.000.50008); APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF SEVEN THOUSAND THREE HUNDRED FORTY AND 25/100 DOLLARS (\$7,340.25) 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 SEVEN THOUSAND THREE HUNDRED FORTY AND 25/100 DOLLARS (\$7,340.25) TO THE TIF FEES ACCOUNT (279.000.59600) AND DECLARING AN EMERGENCY.

ORDINANCE NO. 099-2019

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF THREE THOUSAND FIVE HUNDRED FIFTY-FOUR AND 48/100 DOLLARS (\$3,554.48) FROM UNAPPROPRIATED MONIES IN THE WMPITIE FUND (279) TO VARIOUS ACCOUNTS IN THE WMPITIE FUND (279) AND DECLARING AN EMERGENCY.

ORDINANCE NO. 100-2019

UNAPPROPRIATING SIX THOUSAND SEVEN HUNDRED SIXTEEN AND 01/100 DOLLARS (\$6,716.01) FROM THE TIF FEES EXPENSE ACCOUNT (279.000.59600) AND DECLARING AN EMERGENCY.

RESOLUTION NO. 039-2019

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

**POLL PUBLIC:**

**COMMUNITY DATE BOARD:**

**POLL COUNCIL:**

MORRISON; BAILEY; RODRIGUEZ;  
ELMORE; CONISON; KANTOR; HECK

**ADJOURN:**