

WHITEHALL CITY COUNCIL

AGENDA

December 6, 2022

CALL TO ORDER: 7:00 p.m., Council Chamber at City Hall
by President Potter.

MOMENT OF SILENCE:

PLEDGE OF ALLEGIANCE:

ROLL CALL:

Gerald Dixon
Lori Elmore
Karen Conison
Wes Kantor
Jo Anna Heck
Amy Smith
Robert Bailey

APPROVAL OF MINUTES: November 15, 2022 Agenda and Regular Meeting Minutes
November 22, 2022 Special Meeting Agenda and Minutes
November 30, 2022 Special Meeting Agenda and Minutes

POLL PUBLIC:

STANDING COMMITTEE REPORTS:

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

OFFICIALS' REPORTS:

1. Mayor Kim Maggard
2. City Administrator Zach Woodruff
3. City Attorney Michael T. Bivens
4. City Auditor Steve Quincel
5. Director of Public Safety Van Gregg
6. Treasurer Shaquille Alexander
7. President Potter

COMMUNICATIONS, PETITIONS AND CLAIMS:

1. Notice from the Ohio Division of Liquor Control for transfer of STOCK in B & Z INVESTMENTS LLC, DBA TAILGATERS SPORTS BAR & GRILL, 4680 EAST MAIN STREET & PATIO, WHITEHALL, OH 43213.
2. Agenda for the December 1, 2022 Planning Commission Meeting.

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. 078-2022

GRANTING AN EASEMENT TO AEP OHIO ON PARCEL 090-008428-00 AS DESCRIBED IN ATTACHMENT A.

RESOLUTION NO. 035-2022

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR MUNICIPAL BRIDGE INSPECTIONS FOR 2023 AND DECLARING AN EMERGENCY.

SECOND READING:

ORDINANCE NO. 080-2022

MAKING APPROPRIATIONS FOR GENERAL FUND (101) EXPENSES, STREET (201) EXPENSES AND STATE HIGHWAY MATERIALS (211) EXPENSES DURING THE PERIOD OF JANUARY 1, 2023 TO DECEMBER 31, 2023 IN THE TOTAL SUM OF FORTY SIX MILLION, SEVEN HUNDRED FOUR THOUSAND, NINE HUNDRED EIGHTY NINE AND NO/DOLLARS (\$46,704,989.00) AND DECLARING AN EMERGENCY.

ORDINANCE NO. 081-2022

AN ORDINANCE AMENDING THE WATER SURCHARGES IN SECTION 913.30 SANITARY REGULATIONS IN AND FOR THE CITY OF WHITEHALL, OHIO.

ORDINANCE NO. 082-2022

AUTHORIZING AN APPROPRIATION FOR SPECIAL REVENUE, INTERNAL SERVICE AND FIDUCIARY EXPENSE ACCOUNTS FOR THE CALENDAR YEAR 2023 IN THE TOTAL SUM OF FORTY THREE MILLION, THREE HUNDRED SIXTY TWO THOUSAND, FOUR HUNDRED EIGHTY DOLLARS AND FIFTY-SIX CENTS (\$43,362,480.56) AND DECLARING AN EMERGENCY.

ORDINANCE NO. 083-2022

AUTHORIZING AND APPROVING THE FOLLOWING CHANGES TO 161.38 AND DECLARING AN EMERGENCY.

ORDINANCE NO. 084-2022

AUTHORIZING AND APPROVING AMENDMENT OF 161.39 (a) OF THE CODIFIED ORDINANCES OF THE CITY OF WHITEHALL AND DECLARING AN EMERGENCY.

ORDINANCE NO. 085-2022

AUTHORIZING AND APPROVING AN AMENDMENT TO THE CODIFIED ORDINANCES OF THE CITY OF WHITEHALL 161 TABLE OF AUTHORIZED PERSONNEL FOR THE FISCAL YEAR 2023 AND DECLARING AN EMERGENCY.

ORDINANCE NO. 087-2022

ENACTING GENERAL OFFENSE(S) 517.45 DISTRIBUTION OF TOBACCO PRODUCTS WITHOUT A LICENSE AND 517.46 ILLEGAL DISTRIBUTION OF TOBACCO PRODUCTS OF THE WHITEHALL CITY CODIFIED ORDINANCES.

ORDINANCE NO. 088-2022

AN ORDINANCE ADOPTING CHAPTER 741 OF THE WHITEHALL CODIFIED ORDINANCES TO ESTABLISH THE TOBACCO PRODUCTS SALES LICENSING PROGRAM, AND DECLARING AN EMERGENCY.

FIRST READING:

ORDINANCE NO. 092-2022

AMENDING ORDINANCE NO. 52-2011 TO UPDATE THE TAX EXEMPTIONS AVAILABLE WITHIN THE HAMILTON ROAD COMMUNITY REINVESTMENT AREA.

ORDINANCE NO. 095-2022

MAKING A FUND TRANSFER IN THE AMOUNT OF SEVENTY-ONE THOUSAND TWO HUNDRED FORTY-ONE AND 64/100 DOLLARS (\$71,241.64) FROM THE BOND RETIREMENT ACCOUNT (101-950-57500) TO THE DEBT SERVICE FUND (401) AND DECLARING AN EMERGENCY.

ORDINANCE NO. 096-2022

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF ONE HUNDRED EIGHTY-NINE THOUSAND SIX HUNDRED FIFTY-NINE AND 73/100 DOLLARS (\$189,659.73) FROM UNAPPROPRIATED MONIES IN THE DEBT SERVICE FUND (401) TO THE DEBT SERVICE ACCOUNT (401.000.50000) AND DECLARING AN EMERGENCY.

ORDINANCE NO. 097-2022

APPROVING AND MAKING AN APPROPRIATION TRANSFER IN THE AMOUNT OF TWENTY THOUSAND AND NO/100 DOLLARS (\$20,000.00) FROM THE IT SECURITY SPECIALIST ACCOUNT (101-200-51655) TO THE DIRECTOR OF IT EXPENSE (101.200.51600) AND THE IT TECH SALARY EXPENSE (101.200.51650) AND DECLARING AN EMERGENCY.

ORDINANCE NO. 098-2022

AUTHORIZING AND APPROVING SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF SIXTY EIGHT THOUSAND FOUR HUNDRED EIGHTY SIX AND NO/100 (\$68,486.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND TO THE 101.900.51013 OHIO WORKERS' COMPENSATION EXPENSE ACCOUNT AND DECLARING AN EMERGENCY.

POLL PUBLIC:

COMMUNITY DATE BOARD:

POLL COUNCIL: DIXON; ELMORE; CONISON;
 KANTOR; HECK; SMITH; BAILEY

ADJOURN:

ORDINANCE NO. 096 -2022

DRAFT

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF ONE HUNDRED EIGHTY-NINE THOUSAND SIX HUNDRED FIFTY-NINE AND 73/100 DOLLARS (\$189,659.73) FROM UNAPPROPRIATED MONIES IN THE DEBT SERVICE FUND (401) TO THE DEBT SERVICE ACCOUNT (401.000.50000) AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance 59-2022 authorized the City to renew a one year note to pay the debt service on an outstanding 2020 note and Ordinance 119-2021 appropriated monies for the purpose of repayment of long term debt from the Recreation Bond and OPWC loans; and

WHEREAS, the Auditor of State requires that bonds, notes and other long term debt be paid from the Debt Service Fund; NOW, THEREFORE,

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

SECTION 1: That this Council approves a supplemental appropriation of one hundred eighty-nine thousand six hundred fifty-nine and 73/100 dollars (\$189,659.73) from the Debt Service Fund to the Debt Service Account.

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 of debt retirement.

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 monies need to be available to pay the City debt; WHEREFORE, this ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

PASSED this ____ day of _____, 2022.

ATTEST:

Clerk of Council

President of Council

APPROVED this ____ day of _____, 2022.

Mayor

DRAFT

ORDINANCE NO. 097-2022

APPROVING AND MAKING AN APPROPRIATION TRANSFER IN THE AMOUNT OF TWENTY THOUSAND AND NO/100 DOLLARS (\$20,000.00) FROM THE IT SECURITY SPECIALIST ACCOUNT (101-200-51655) TO THE DIRECTOR OF IT EXPENSE (101.200.51600) AND THE IT TECH SALARY EXPENSE (101.200.51650) AND DECLARING AN EMERGENCY.

WHEREAS, additional monies are required for the IT Director Salary expense account and the IT Tech Salary expense account

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

SECTION 1: Authorizing the following appropriation transfer in the amount of twenty thousand and no/100 from the IT Security Specialist account 101.200.51655 to:

101.200.51600 Director of IT Salary Expense- \$7,883.20
101.200.51650 IT Tech Salary Expense- \$12,116.80

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 of debt retirement.

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 monies need to be available to pay the City debt; WHEREFORE, this ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

PASSED this ____ day of _____, 2022.

ATTEST:

Clerk of Council

President of Council

APPROVED this ____ day of _____, 2022.

Mayor

ORDINANCE NO. 098-2022 DRAFT

AUTHORIZING AND APPROVING SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF SIXTY EIGHT THOUSAND FOUR HUNDRED EIGHTY SIX AND NO/100 (\$68,486.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND TO THE 101.900.51013 OHIO WORKERS' COMPENSATION EXPENSE ACCOUNT AND DECLARING AN EMERGENCY.

WHEREAS, additional monies are required for the Ohio Bureau Workers' Compensation expense account; NOW, THEREFORE,

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

SECTION 1: The Council of the City of Whitehall, Ohio approves the 101 expense account supplemental appropriation in the amount of sixty eight thousand four hundred eighty six dollars and no/100 from the General Fund (101) to Ohio Workers' Compensation expense account (101.900.51013).

SECTION 2: 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 this legislation requires passage before the end of the month to ensure there is not a negative account balance; WHEREFORE, this ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

PASSED this ____ day of _____, 2022.

ATTEST:

Clerk of Council

President of Council

APPROVED this ____ day of _____, 2022.

Mayor