

WHITEHALL CITY COUNCIL  
AGENDA MEETING MINUTES

February 5, 2019

---

President Graham called the February 5, 2019 agenda meeting to order at 6:32 p.m. All members were present with the exception of Ms. Conison.

President Graham reviewed the agenda and confirmed who would handle the various required motions this evening.

Ms. Elmore shared that her husband had a heart attack and that Whitehall Fire Department took very good care of him.

The executive session and meeting adjourned at 6:42 p.m.

Respectfully submitted,

---

Julie A. Ogg, Clerk of Council

APPROVED: \_\_\_\_\_, 2019.

---

Jim Graham, Council President

## WHITEHALL CITY COUNCIL MEETING

MINUTES – February 5, 2019

---

President Graham called the regular meeting of Whitehall City Council to order at 7:00 p.m. on Tuesday, February 5, 2019.

At President Graham's request, everyone rose for a moment of silence. Those assembled then recited the Pledge of Allegiance.

On roll call by the clerk, the following members of council were present:

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

### EXCUSE ABSENT MEMBERS

Ms. Elmore moved to excuse the absent member and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members responded in the affirmative and Ms. Conison was excused.

### APPROVAL OF MINUTES

Mr. Kantor moved to approve the Minutes of the January 15, 2019, agenda and regular meeting minutes. Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members responded in the affirmative and the minutes were approved as submitted.

### POLL PUBLIC

Todd Wilson, 900 Fairway Boulevard. He has been a resident of Whitehall for 23 years. He explained that he was at Wal-Mart on Superbowl Sunday and when he came out there were police officers and pedestrians surrounded his car. He noticed a police officer was closing his car door. The officer explained to him that they had a report of a drunk driver in the area matching his vehicle. He was here tonight to let council know what happened to him so it does not happen to anyone else in the future.

### STANDING COMMITTEE REPORTS

President Graham said the Committees have not met since the last council meeting.

### OFFICIALS' REPORTS

Mayor Kim Maggard – she had no official report.

City Attorney Michael Bivens – he thanked everyone for coming. He reported for the month of January 2019 Mayor’s Court, consisted of 297 cases with 39 cases being of a criminal nature being committed by Whitehall residents. Whitehall prosecuted 376 cases in both mayor’s court and municipal court with 57 cases being committed by Whitehall residents. He acknowledged Mr. Elmore and wished him well.

City Auditor Dan Miller –he had no official report.

Director of Public Service and Development Zach Woodruff – was not present.

Director of Public Safety Van Gregg – was not present.

Treasurer Steve Quincel – was not present.

President Graham – advised that the following Officials’ Reports have been filed in the Council Office since the last meeting: The Treasurer’s Investment Report for December 2018, the Treasurer’s Activity by Fund Report for December 2018 and the Treasurer’s Fund Reconciliation Report for December 2018.

COMMUNICATIONS, PETITIONS AND CLAIMS:

1. Notice from the Ohio Division of Liquor Control for a new D51 liquor permit for PIER 11 BOILING SEAFOOD LLC., 3920 E. BROAD ST., WHITEHALL, OHIO 43213.
2. Notice from the Ohio Division of Liquor Control for a transfer of ownership of the C2 C2X D6 liquor permit for RANG AVADHOOT LLC. DBA PREMIUM BEVERAGE, 4352 E. BROAD ST., WHITEHALL, OHIO 43213 to the 4352 E BROAD ST LLC, 4352 E. BROAD ST, WHITEHALL, OH 43213.
3. Agenda for the February 7, 2019 meeting of the Planning Commission.

VERIFICATION OF COPIES

President Graham requested a roll call on whether each member of council received a copy of each item of legislation listed on the agenda prior to the meeting, including any add-on legislation. On a roll call vote, all members responded in the affirmative.

THIRD READING:

THERE IS NO LEGISLATION FOR THIRD READING.

SECOND READING:

ORDINANCE NO. 003-2019 was read by title only by President Graham:

MAKING AND APPROVING A FUND TRANSFER IN THE AMOUNT OF TWENTY-NINE THOUSAND FIVE HUNDRED FORTY-NINE AND 11/100 DOLLARS (\$29,549.11) FROM THE GENERAL FUND (101) TO THE DEBT SERVICE FUND (401); MAKING A SUPPLEMENTAL APPROPRIATION OF TWENTY-NINE THOUSAND FIVE HUNDRED FORTY-NINE AND 11/100 DOLLARS FROM THE DEBT SERVICE FUND TO THE DEBT SERVICE EXPENSE ACCOUNT (401.000.50000) AND DECLARING AN EMERGENCY.

ORDINANCE NO. 004-2019 was read by title only by President Graham:

APPROVING AND MAKING AN APPROPRIATION IN THE AMOUNT OF THIRTY THOUSAND AND NO/100 DOLLARS (\$30,000.00) FROM THE LAW ENFORCEMENT TRUST FUND (241) TO THE LAW ENFORCEMENT TRUST K-9 EXPENSE ACCOUNT (241.000.52000) AND DECLARING AN EMERGENCY.

FIRST READING:

ORDINANCE NO. 011-2019 was read by title only by President Graham:

UNAPPROPRIATING ELEVEN THOUSAND SEVENTY-THREE AND 94/100 DOLLARS (\$11,073.94) FROM THE SAFE PARKS GRANT EXPENSE ACCOUNT (273.000.50000).

ORDINANCE NO. 012-2019 was read by title only by President Graham:

MAKING AND APPROVING A FUND TRANSFER IN THE AMOUNT OF TWO THOUSAND SEVEN HUNDRED SIXTY-ONE AND 06/100 DOLLARS (\$2,761.06) FROM THE SAFE PARKS GRANT FUND (273) TO THE GENERAL FUND (101).

ORDINANCE NO. 013-2019 was read by title only by President Graham:

UNAPPROPRIATING FOUR HUNDRED THIRTY-SEVEN THOUSAND FIVE HUNDRED FORTY AND NO/100 DOLLARS (\$437,540.00) FROM THE PARKS REVITALIZATION GRANT EXPENSE ACCOUNT (274.000.50000).

ORDINANCE NO. 014-2019 was read by title only by President Graham:

AUTHORIZING THE CREATION OF THE MUNICIPAL FIBER PROJECT FUND (320); APPROPRIATING SEVEN HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$750,000.00) FROM UNAPPROPRIATED MONIES IN THE MUNICIPAL FIBER PROJECT FUND (320) TO THE MUNICIPAL FIBER PROJECT EXPENSE ACCOUNT (320.000.50000) AND DECLARING AN EMERGENCY.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 014-2019 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 014-2019 was suspended.

Mr. Bailey then moved to adopt Ordinance No. 014-2019 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 014-2019 was adopted.

ORDINANCE NO. 015-2019 was read by title only by President Graham:

AUTHORIZING THE CREATION OF THE REC UNIFORMS ACCOUNT (101.700.52100); MAKING AN APPROPRIATION TRANSFER OF THREE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$3,500.00) FROM THE REC MISC ACCOUNT (101.700.55000) TO THE REC UNIFORMS EXPENSE ACCOUNT (101.700.52100) AND DECLARING AN EMERGENCY.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 015-2019 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 015-2019 was suspended.

Mr. Bailey then moved to adopt Ordinance No. 015-2019 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 015-2019 was adopted.

ORDINANCE NO. 016-2019 was read by title only by President Graham:

AUTHORIZING THE CREATION OF THE UNIFORMS EXPENSE ACCOUNT (101.600.52100); MAKING AN APPROPRIATION TRANSFER OF TWO THOUSAND AND NO/100 DOLLARS (\$2,000.00) FROM THE DIRECTOR OF PUBLIC SERVICE (101.600.51000) TO THE SERVICE UNIFORMS EXPENSE ACCOUNT (101.600.52100) AND DECLARING AN EMERGENCY.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 016-2019 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 016-2019 was suspended.

Mr. Bailey then moved to adopt Ordinance No. 016-2019 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 016-2019 was adopted.

ORDINANCE NO. 017-2019 was read by title only by President Graham:

AUTHORIZING AND APPROVING AN APPROPRIATION TRANSFER IN THE AMOUNT OF EIGHT THOUSAND FIVE HUNDRED AND NO/DOLLARS (\$8,500.00) FROM THE SENIOR ADMINISTRATIVE ASSISTANT EXPENSE ACCOUNT 101-960-51550 TO THE GRANT ADMINISTRATOR SALARY EXPENSE ACCOUNT 101-960-51250.

ORDINANCE NO. 018-2019 was read by title only by President Graham:

APPROVING AND MAKING AN APPROPRIATION IN THE AMOUNT OF TWO HUNDRED FIVE THOUSAND AND NO/100 DOLLARS (\$205,000.00) FROM THE FLEXIBLE SPENDING FUND (820) TO VARIOUS EXPENSE ACCOUNTS IN THE FLEXIBLE SPENDING FUND AND DECLARING AN EMERGENCY.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 018-2019 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 018-2019 was suspended.

Mr. Bailey then moved to adopt Ordinance No. 018-2019 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 018-2019 was adopted.

ORDINANCE NO. 019-2019 was read by title only by President Graham:

APPROVING A CHANGE OF PURPOSE FOR ACCOUNT 101.100.52000 FROM COUNCIL OFFICE SUPPLIES TO COUNCIL MISCELLANEOUS AND DECLARING AN EMERGENCY.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 019-2019 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 019-2019 was suspended.

Mr. Bailey then moved to adopt Ordinance No. 019-2019 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 019-2019 was adopted.

ORDINANCE NO. 020-2019 was read by title only by President Graham:

AUTHORIZING THE MAYOR TO GRANT A ONE-TIME EXCEPTION TO 161.14(d) FOR A SPECIFIC EMPLOYEE AND DECLARING AN EMERGENCY.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 020-2019 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 020-2019 was suspended.

Mr. Bailey then moved to adopt Ordinance No. 020-2019 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 020-2019 was adopted.

RESOLUTION NO. 005-2019 was read by title only by President Graham:

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

Mr. Bailey introduced and moved to suspend the rules on RESOLUTION No. 005-2019 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and RESOLUTION NO. 005-2019 was suspended.

Mr. Bailey then moved to adopt RESOLUTION No. 005-2019 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and RESOLUTION No. 005-2019 was adopted.

#### POLL PUBLIC

No comments at this time.

#### COMMUNITY DATE BOARD

Mr. Kantor said February 13, 2019, is a Parks & Recreation Commission meeting at 7:00 p.m. Following the meeting there will be a Public Dog Park Planning & Focus group meeting.

Saturday, February 16, is the Hall of Fame induction ceremony at W.Y.H.S. during halftime at the varsity basketball game.

President Graham reminded everyone not to forget Valentine’s Day on February 14.

#### POLL COUNCIL

Mr. Bailey thanked everyone for coming especially Mr. Elmore.

Mr. Rodriguez thanked everyone for coming especially Mr. Elmore.

Ms. Elmore thanked everyone for attending, especially the gentleman who spoke during poll public. She stated that it is Black History Month and she will be following up with additional information. She said she was thankful that her husband was in the audience and she thanked everyone for their concerns and prayers.

Mr. Kantor explained that it was American Heart Association month and he was glad Mr. Elmore was in the audience. He thanked Attorney Bivens for the court statistics. He also thanked the school board member and his wife for attending the meeting.

Ms. Heck thanked everyone for coming and for everyone that is watching on Facebook. She gave Mr. Elmore well wishes.

Mr. Morrison thanked everyone for coming especially Mr. Elmore. He acknowledged the effort of some young men who were picking up trash along the way home from school.

President Graham thanked everyone for being at the meeting this evening; especially Mr. Elmore. He hopes to see everyone at the next meeting.

Having nothing further, Mr. Bailey moved to adjourn and Ms. Elmore seconded the motion. On a roll call vote, all members responded in the affirmative and the meeting adjourned at 7:28 p.m.

Respectfully submitted,

---

Julie A. Ogg, Clerk of Council

APPROVED: \_\_\_\_\_, 2019.

---

Jim Graham, Council President