

WHITEHALL CITY COUNCIL
AGENDA MEETING MINUTES

President Pro-Tempore Bailey called the April 19, 2022 agenda meeting to order at 6:30 p.m. All members were present with the exception of President Potter.

President Pro-Tempore Bailey reviewed the agenda and confirmed who would handle the various required motions this evening.

The meeting adjourned at 6:33 p.m.

Respectfully submitted,

Julie A. Ogg, Clerk of Council

APPROVED: _____, 2022.

Thomas M. Potter, Council President

WHITEHALL CITY COUNCIL MEETING

MINUTES – April 19, 2022

President Pro-Tempore Bailey called the regular meeting of Whitehall City Council to order at 7:00 p.m. on Tuesday, April 19, 2022.

At President Pro-Tempore Bailey'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
Gerald Dixon
Lori Elmore
Karen Conison
Wes Kantor
Jo Anna Heck
Amy Smith

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

APPROVAL OF MINUTES:

Ms. Conison moved to approve the April 5, 2022, agenda and regular meeting minutes. Mr. Kantor 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:

No comments at this time.

STANDING COMMITTEE REPORTS:

Administration and Financial Management – Chairperson Conison reported that the committee met last Tuesday and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

Community and Elder Advocacy – Chairperson Dixon reported that they met last Tuesday and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

Community Standards and Enforcement – Chairperson Smith reported that they met last Tuesday and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

Economic Development – Chairperson Kantor reported that they met last Tuesday and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

Infrastructure, Maintenance and Services – Chairperson Conison reported that they met last Tuesday and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

Public Safety – Chairperson Elmore reported that they met last Tuesday and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

Parks and Recreation – Chairperson Heck reported that they met last Tuesday and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

OFFICIALS' REPORTS

Mayor Kim Maggard – she asked for favorable consideration on Ordinance 009-2022, Ordinance 012-2022 and Ordinance 016-2022.

City Administrator Zach Woodruff – was not present.

City Attorney Michael Bivens – was not present.

City Auditor Steve Quincel – he update Council on Senate Bill 15, which passed the House and the Senate unanimously. It is a revision to the Ohio Revised Code to change the circumstances in which certain fiscal officers may be held liable for a loss of public funds. It states that the Treasurer of a municipal corporation or a City Auditor or other officer of a municipal corporation, having the duties of the municipal Treasurer or a City Auditor shall not be held liable for a loss of public funds when the officer has performed all official duties required of the officer, with reasonable care, shall only be liable when a loss of public funds results in the officers negligence or other wrongful acts. He is thankful that this piece of protection was passed.

Public Safety Director Van Gregg – was not present.

Treasurer Shaquille Alexander– he had no official report but wanted to thank City Auditor Quincel and his staff for their support in showing him how things are done. He thanked Auditor Quincel for letting him know about Senate Bill 15.

President Pro-Tempore Bailey – advised there have been no Official's Reports filed in the Council Office since the last meeting:

COMMUNICATIONS, PETITIONS AND CLAIMS:

1. Agenda for the April 11, 2022 BZBA meeting.
2. Minutes for the April 11, 2022 BZBA meeting
3. Minutes for the April 7, 2022 Whitehall Planning Commission meeting.

VERIFICATION OF COPIES:

President Pro-Tempore Bailey 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:

ORDINANCE NO. 009-2022 *was read by title only by President Pro-Tempore Bailey:*

AMENDING SECTION 933.11 TITLED “STORAGE OF GARBAGE AND OTHER REFUSE”
OF THE STREETS AND PUBLIC SERVICES CODE OF THE CITY OF WHITEHALL.

Ms. Smith introduced and moved to adopt Ordinance No. 009-2022 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 009-2022 was adopted.

SECOND READING:

ORDINANCE NO. 011-2022 *was read by title only by President Pro-Tempore Bailey:*

AUTHORIZING THE ADOPTION OF THE MAY 2022 REPLACEMENT PAGES TO THE
CODIFIED ORDINANCES OF THE CITY OF WHITEHALL.

ORDINANCE NO. 012-2022 *was read by title only by President Pro-Tempore Bailey:*

AUTHORIZING AND APPROVING A FUND TRANSFER IN THE AMOUNT OF SIXTY
THOUSAND AND NO/DOLLARS (\$60,000.00) FROM THE GENERAL FUND 101 TO THE
CAPITAL IMPROVEMENT FUND 311; AUTHORIZING AND APPROVING A
SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF SIXTY THOUSAND AND
NO/DOLLARS (\$60,000.00) FROM THE CAPITAL IMPROVEMENT FUND 311 TO THE
CAPITAL IMPROVEMENT EXPENSE ACCOUNT 311.000.54000 AND DECLARING AN
EMERGENCY.

Ms. Conison introduced and moved to suspend the rules on Ordinance No. 012-2022 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 012-2022 was suspended.

Ms. Conison moved to adopt Ordinance No. 012-2022 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 012-2022 was adopted.

FIRST READING:

ORDINANCE NO. 013-2022 *was read by title only by President Pro-Tempore Bailey:*

AMENDING 161.11(a) AND (b) TITLED “LEGAL HOLIDAYS” OF THE CODIFIED
ORDINANCES OF THE CITY OF WHITEHALL, OHIO.

ORDINANCE NO. 016-2022 was read by title only by President Pro-Tempore Bailey:

AUTHORIZING AND APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF EIGHTEEN THOUSAND EIGHT HUNDRED FIFTY FOUR DOLLARS (\$18,854.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND 101 TO THE PROPERTY MAINTENANCE EXPENSE ACCOUNT 101.950.59400.

Ms. Conison introduced and moved to suspend the rules on Ordinance No. 016-2022 and Mr. Dixon seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 016-2022 was suspended.

Ms. Conison moved to adopt Ordinance No. 016-2022 and Mr. Dixon seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 016-2022 was adopted.

POLL PUBLIC:

No comments at this time.

COMMUNITY DATE BOARD:

Chairperson Elmore said there would be an in-person Safer Whitehall Town Hall on April 21, 2022 at 6:00 pm at the New Life Church.

Chairperson Heck said Family Earth Day Projects are on April 22 and 23, 2022 at Whitehall Community Park from 9:30 to 11:00 am. Sign-ups are online. Unlimited trash day is May 4, 2022. Recycling Drop-Off Day is April 23, 2022 from 11:00 am until 2:00 pm in the Whitehall Community Park parking lot. Check the City of Whitehall's website for more information.

POLL COUNCIL:

Chairperson Dixon thanked the individual who has come out to watch the proceedings in person and all those watching from home as well. He read the following statement. He was not going to say anything about the tax levy currently headed to the ballot, but seeing the large campaign pushing it, he felt the responsibility to speak up from another perspective. As some may have seen, he put out an official statement against Issue 10, which he felt, wrapped up his feelings on the matter succinctly. He stands by that statement still. He is opposed to normalizing paying for any staff outside the realm of the budget. It sets a precedent where instead of balancing the budget as is needed with what they have, (?) flipped those needs over into an additional side door tax, as they did when they freed up more money from the budget by getting rid of trash service while putting water and sewer needs into a utility surcharge. He feels the hiring of more officers should remain in the parameters of the budget and if they simply cannot afford cuts to make this happen or cannot afford it currently then they simple do without until they are better able to fund them. As well, positioning that need outside the budget alongside the need for expanding and upgrading the police station, puts the citizens into having to make an unfair choice for the department they so heartedly support. He does not believe there is anyone who does not believe that the police station is in need of expansion and upgrade, let alone on a levy, even despite the current economic climate, he believes would have found much larger support. However, coupled with the hiring of six new officers, that which has been

traditionally done via the budget, as well as making the tax levy permanent, is simply too much to ask. With inflation clobbering everyone and the utility surcharge beginning this year, the city topping all that off with a permanent side door tax is just too much. Finally, he wanted to say, as someone who supports and is pro-law enforcement, as stated in his campaign literature this past fall, to be against this tax levy does not mean that you are anti-police. He personally wants both things for the police but not wrapped up in the same package and certainly not as a permanent tax. Separate those into the budget for the officers and a tax levy for the expansion and upgrade and you will have a ringing endorsement from him. Kept as they are packaged now and he simply fiscally cannot endorse Issue 10. Given this, a no vote then does not mean you are against the police rather are concerned in a fiscal way. It is your job as citizens using critical thinking skills to wade through information out there, look at your own wallets, look at the stats and make that personal decision on whether this tax levy is feasible in its current form. Either way, he urges everyone to vote his or her own consciences by two weeks from today, May 3.

Chairperson Elmore thanked everyone for viewing on social media. She reiterated the Safer Whitehall Town Hall meeting on Thursday, April 21, 2022 would have a wide range of topics. If anyone has any concerns with Issue 10 and Safer Whitehall Levy, she urges them to sign-up for the Town Hall. She urges them show up and make their opinions heard and to receive the information from the horse's mouth, so to speak. The hiring of staff and officers has always been done through the budget and implying anything different other than that is incorrect and misleading. In order for all residents in this community to understand what exactly is going to happen with Issue 10, she supports them going to the meeting. She stated that they have a growing city and with a growing city comes a lot. They already know from the survey that was completed that safety was the number one concern for this community and they want to keep it like that. Therefore, she is a proponent for Issue 10. There are things that are going to happen through Issue 10 and she believes their input and their voices need to be heard. Everyone's voice, whether you are a proponent, an opponent, or just an interested party, you need to know what this really entails.

Chairperson Conison said this is Volunteer Appreciation Week and she appreciates all the volunteers here in Whitehall and the surrounding communities but especially the Whitehall Community Celebration Association that does wonderful things and she is proud to work beside them and to know them. She wished many of her friends a happy Passover and happy Ramadan.

Chairperson Kantor gave kudos to Councilperson Conison said. He thanked everyone for watching tonight and was good to see Michole Spicer in the audience as well. He wished Whitehall Shell on Hamilton and Broad, a happy belated forty-fifth birthday. They are a pillar of this community. With that said, there is an issue coming in the primary in May. Everyone knows he is pro police. He has had the endorsement of the FOP and he greatly appreciates that. One of the members said that it should come out of the budget. It actually is and will be budgeted next week. What the levy generates is not enough. There will be six hundred thirty five thousand dollars in the budget, which someone omitted to say, it is not all coming from the levy. Part of it will be coming from our tax base here. When this was introduced, someone introduce it and someone seconded it. There was a meeting and it was discussed prior to the vote. Mr. Bailey introduced and Mr. Dixon seconded it. Anyone could have voted no but it was voted on with unanimous passage. On January 11, 2022 at the Committee meeting, Mr. Dixon stated he spoke with Chief Crispin this week and told him that he agreed with what they need and they should get. What was said he tonight tips the scales one-way and he does not know where Mr. Dixon is coming from (not understandable.) When Council was polled on February 1, 2022, Mr. Dixon said he agreed with everybody up there, which means them. He is assuming that us is everybody sitting up there, and how much Mr. Dixon is for the police, Mr. Dixon knows the community is for the police and Mr. Dixon hopes the community continues to support the police. He does too and he supports Issue 10. He made these statements so people will know that there is six hundred thirty five thousand dollars in the budget for next year, which is when this would start. Mr. Dixon neglected to say that.

Chairperson Heck thanked the two people who are now in the audience and those that are watching from home. She agreed with Karen that WCCA does a fabulous job. Thank you to all the volunteers. She hope to see many residents if they have questions, coming out to the Town Hall Meeting or reach out to

Chief Crispen to get your questions answered. She hopes to see everyone on Thursday as she is planning on attending.

Chairperson Smith thanked everyone in attendance and those viewing online. There have been many viewpoints shared tonight and to second what Jo Anna said, there are options to get out in person to have your questions asked and there is one thing she has found in her years in Whitehall, is that people are willing to talk, answer questions and discuss. You just have to reach out. She encourages everyone to do that. She is looking forward to a warmer week and hopes everyone else is as well.

Mayor Maggard said since Councilman Dixon brought up the Issue 10 levy, she would like to remind everyone and Councilmember Kantor brought up that the city would still be paying for the police department as well; actually, they would be paying seven hundred fifty to eight hundred thousand per year with the levy paying for some of this as well. The whole levy is not paying for what they need and the city is paying for it as well. One of the components is that they have a unique opportunity to get a federal grant this year for police officers. The way this works is the first year is that the feds will pay seventy-five percent of the salary of the extra three police officers, the next year they will pay fifty percent and the year after that will be twenty-five percent. The city has to commit to keeping these police officers for a certain number of years after in order to not have to pay the grant back. If Issue 10 does not pass, the city will not be able to obtain this grant. It is a great opportunity to save taxpayers' dollars and to have more officers on the force. She hates to pass up this opportunity. She thinks it is important to remember that Whitehall is doing an incredible job, especially with the violence that surrounds us by another city. What we are doing in Whitehall is incredible and they have to keep pace in order to make sure that they keep on top of all the crime that is going on. Unfortunately, she feels that if they cannot get additional police officers that the citizen's will suffer. She thinks it is important that everyone, if they can, come to the Safer Whitehall meeting; ask your questions in person, just like Councilperson Elmore asked, Councilperson Heck and Smith asked, you can get your questions answered. She is sure that people have many questions about this. She will tell you that she has voted yes on issues before that she may have not fully agreed with, maybe she only agreed with part of it but she looked at the bigger picture of the good that it would do the community. She set those other things aside because she knew that there was good in there and that certain things were needed. Sometimes there are things that you do not like every part of something but that the greater good is most important.

President Pro-Tempore Bailey thanked everyone for his or her comments. That puts the numbers right there with the levy being somewhere around one point five million dollars. He heard numbers that make it a fifty/fifty split with tax dollars and city dollars coming together and doing something. He knows the Mayor will remember too him serving as a legislator and making those tough decisions she has talked about under Mayor Wolfe's time in office. What he tells people from history and himself thinking about it, when Mayor Wolfe took office as Mayor, which was a repeat as Mayor, he stabilized this city because it was in a tailspin. Anyone who has lived here his or her entire life would know this. In those four years, he stabilized everything and stopped that tailspin, started putting key people in key places, in fact he took the Auditor and talked her into running for Mayor. That would be Kim. They have worked hard to improve all these services even if it is the physical structure that is the police station, which he really did not like because the project was too small but it was cheap enough they could do it with city money. All these things have been done and Mayor Maggard has put good leadership in many different positions over at the Police Department, the Fire Department, Economic Development and even city services. Everything has improved and it has taken then ten to twelve years to get to this point. As a legislator, he looks at this levy no, nobody wants to pay more in taxes but what can be done today to avoid what they just looked at twelve to fifteen years ago. They need to be looking ten to fifteen years ahead. It is investing in everything that is happening well today, all this economic development. What is needed to support that is good police, fire and city services. There are many things happening that have not even come up out of the ground yet. If you look at nationally, several of them talked about safety figures, he knows the City Attorney did in their last public meeting. Yes, the crime rates have gone up in Whitehall but they are still under the national

average and there is a reason for that. This community supports this police department. He does not want to use the term defund police, as a legislator sitting there today, he is going to take a look at what it is going to take to take care of his grandkids should they chose, that his kids chose to have a house and raise a family here in Whitehall. What is going to help my grandchildren if they decide to stay here, which is ten, fifteen, twenty years out. The tough decision needs to be made today, even though it is uncomfortable, you might have three or four people in your ear saying they cannot afford for their taxes to go up. Can they afford for Whitehall to slip back into what it was? People are coming back to Whitehall. With the house prices the way they are, you cannot find a house that will stay on the market. This is the time to support for the future. This is the time to think about the tough decision and commit. He is proud to know that tax money will be utilized for what it was purposed for. It will definitely improve what this administration and this council and those before it have done in the last ten to fifteen years. He supports the levy. He appreciates everyone expressing their opinions on it.

Having nothing further, Mr. Kantor 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 7:33 p.m.

Respectfully submitted,

Julie A. Ogg, Clerk of Council

APPROVED: _____, 2022.

Thomas M. Potter, Council President