

WHITEHALL CITY COUNCIL  
AGENDA MEETING MINUTES

President Potter called the April 20, 2021 agenda meeting to order at 6:30 p.m. All members were present with the exception of Mr. Rodriguez.

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

The meeting adjourned at 6:39 p.m.

Respectfully submitted,

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Julie A. Ogg, Clerk of Council

APPROVED: \_\_\_\_\_, 2021.

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Thomas M. Potter, Council President

## WHITEHALL CITY COUNCIL MEETING

### MINUTES – April 20, 2021

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President Potter called the regular meeting of Whitehall City Council to order at 7:00 p.m. on Tuesday, April 20, 2021.

At President Potter'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:

Karen Conison  
Wes Kantor  
Jo Anna Heck  
Larry Morrison  
Bob Bailey  
Lori Elmore

Mr. Bailey 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 Chairperson Rodriguez was excused.

#### APPROVAL OF MINUTES:

Ms. Conison moved to approve the April 06, 2021, agenda and regular meeting. 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 Bailey 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 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.

Community Standards and Enforcement – 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.

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

Public Safety – 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.

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

### OFFICIALS' REPORTS

Mayor Kim Maggard – had no official report.

City Attorney Michael Bivens – joined remotely. He informed all members of Council that they should have received an email with information regarding Central Ohio Re-entry Week. The Whitehall Mayors Court and the Diversion Program along with the City Attorney's Office will be a featured component of the Re-entry Week that will occur on April 27, 2021 at 9:00 am. If Council or the public is interested in registration, you can register at [centralohioreentryweek.com](http://centralohioreentryweek.com). He does not want anyone to lose sight of the fact that this diversion program is significant in the fact that it is not re-entry but preventive and that Whitehall will be featured as a significant step in restoring social justice. He hopes members of Council and the public will be interested in registering and join the City Attorney's Office in this effort.

City Auditor Dan Miller – was not present.

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

Public Safety Director Van Gregg – was not present.

Treasurer Steve Quincel – was not present.

President Potter – advised that the following Officials' Reports have been filed in the Council Office since the last meeting: The City Attorneys Resident Report for March 2021, the Mayors Report to Council for March 2021, The Auditor's Expense Report for March 2021, the Auditor's Bank Report for March 2021, the Auditor's Statement of Cash Position Report for March 2021 and the Auditor's Revenue Report for March 2021.

### COMMUNICATIONS, PETITIONS AND CLAIMS:

1. Notice from the Ohio Division of Liquor Control for a new D1 liquor permit for BOB EVANS RESTAURANT LLC, DBA BOB EVANS RESTAURANT 436, 3988 EAST BROAD STREET, WHITEHALL, OH 43213.
2. Notice from the Ohio Division of Liquor Control for a new C2 liquor permit for DISCOUNT SUNSHINE G MART INC., 4345 EAST BROAD STREET UNIT B, WHITEHALL, OH 43213.
3. Minutes for the March 10, 2021 meeting of the Parks and Recreation Commission
4. Agenda for the April 14, 2021 meeting of the Parks and Recreation Commission.

VERIFICATION OF COPIES:

President Potter 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. 016-2021 was read by title only by President Potter:

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

Mr. Bailey introduced and moved to adopt Ordinance No. 016-2021 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 016-2021 was adopted.

SECOND READING:

ORDINANCE NO. 018-2021 was read by title only by President Potter:

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 was read by title only by President Potter:

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).

ORDINANCE NO. 020-2021 was read by title only by President Potter:

**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 was read by title only by President Potter:

**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 was read by title only by President Potter:

**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.

ORDINANCE NO. 023-2021 was read by title only by President Potter:

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).

ORDINANCE NO. 025-2021 was read by title only by President Potter:

AMENDING 139.01 TITLED PETTY CASH FUNDS FOR POLICE AND FIRE.

FIRST READING:

ORDINANCE NO. 027-2021 was read by title only by President Potter:

APPROVING AND MAKING AN APPROPRIATION OF ONE THOUSAND FIVE HUNDRED NINETY-FIVE AND 12/100 DOLLARS (\$1,595.12) 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 ONE THOUSAND FIVE HUNDRED NINETY-FIVE AND 12/100 DOLLARS (\$1,595.12) TO THE TIF FEES ACCOUNT (279.000.59600) AND DECLARING AN EMERGENCY.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 027-2021 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 027-2021 was suspended.

Mr. Bailey moved to adopt Ordinance No. 027-2021 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 027-2021 was adopted.

ORDINANCE NO. 028-2021 was read by title only by President Potter:

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.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 028-2021 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 028-2021 was suspended.

Mr. Bailey moved to adopt Ordinance No. 028-2021 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 028-2021 was adopted.

ORDINANCE NO. 029-2021 *was read by title only by President Potter:*

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.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 029-2021 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 029-2021 was suspended.

Mr. Bailey moved to adopt Ordinance No. 029-2021 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 029-2021 was adopted.

ORDINANCE NO. 030-2021 *was read by title only by President Potter:*

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.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 030-2021 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 030-2021 was suspended.

Mr. Bailey moved to adopt Ordinance No. 030-2021 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 030-2021 was adopted.

ORDINANCE NO. 031-2021 *was read by title only by President Potter:*

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.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 031-2021 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 031-2021 was suspended.

Mr. Bailey moved to adopt Ordinance No. 031-2021 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 031-2021 was adopted.

ORDINANCE NO. 032-2021 was read by title only by President Potter:

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.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 032-2021 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 032-2021 was suspended.

Mr. Bailey moved to adopt Ordinance No. 032-2021 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 032-2021 was adopted.

RESOLUTION NO. 009-2021 was read by title only by President Potter:

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

Mr. Bailey introduced and moved to suspend the rules on Resolution No. 009-2021 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 009-2021 was suspended.

Mr. Bailey moved to adopt Resolution No. 009-2021 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 009-2021 was adopted.

POLL PUBLIC:

No comments at this time.

COMMUNITY DATE BOARD:

Chairperson Conison said the Safer Whitehall Virtual Town Hall Meeting is this Friday, April 23 at 1:00 pm. You can register for this virtual meeting on Facebook. She is looking forward to it.

Chairperson Kantor said the opening for Norton Crossing Park is May 1, 2021. Market on the Green! This dynamic market will feature live music, adult beverage vendors and more! Starting on Tuesday, June 1 through August 31, 4-6 pm at Norton Crossing. Get details and submit your vendor application online here: <https://whitehall-oh.us/582/Market-on-the-Green>.

Chairperson Heck said the Recycling drop off at Norton Crossing is May 1 from 1-4 pm. with planting at 1:00 pm. There are additional details on the website.

Chairperson Elmore said there is also a Cornhole tournament at 10:00 am that morning.

## POLL COUNCIL:

Mr. Kantor thanked everyone for watching. He thanked Council and the Mayor for the thoughts and prayers from last week. He said he does not normally comment on national affairs. He just does not do it. He is a firm supporter of Whitehall's Police Department. Whitehall has the best Police Department in the State. Today, in Minneapolis, a murderer was convicted and justice served. He hopes it is a step in the right direction because one bad officers does not make all officers bad. He hopes the person spends the rest of his life in jail for the murder of George Floyd, who would be alive today if not for the last nine minutes of his life.

Ms. Heck said she agrees with Mr. Kantor's words and she thanked everyone for tuning in. She hopes to see many people at the May 1 event. She hopes to see many faces as it has been awhile and she hopes for nice weather.

Mr. Morrison thanked everyone for watching and he thanked Mr. Kantor for his comments. He hopes everyone says safe.

Bob Bailey said he agrees with everything that shared tonight. However, he wanted to offer a thought. The case that was decided and an officer was found guilty of all charges was really tried on an issue of training procedures and policies. The thing he is encouraged about is never was it a racial issue either by the defense or the prosecution. What he wishes this would address is there appears to be times officers do use excessive force and he knows Whitehall's Police Department is cognizant of that across the nation of those kinds of behaviors, as they serve the public they will be more conscious of things that are maybe abusive authority.

Ms. Elmore thanked everyone for viewing and for the comments made also. One of the things she remembers about what the prosecution said, that some things are policing but what happened was murder. She believes it was a just verdict but there is also due process and she realizes everyone has due process no matter who comments or says what. The one things she is happy about is Council in the City of Whitehall adopted Ordinance 049-2020, when this event happened which affirmed that the Franklin County public health declaration asserting that racism is a public health crisis and the City of Whitehall recognizes and affirms that black, brown and other people of color live everyday under the unjust burdens of systematic cultural and individual racism and to set forth appropriate and measurable actions to combat racism in the City of Whitehall. Specifically affirming a declaration by Franklin County Public Health that racism is a public health crisis and training all Whitehall staff in implicit biases including racism and how to mitigate them, reviewing community paramedic and police response policies including use of force with racial equity lens and to make changes needed to promote racial equity and encouraging affordable housing. She thanked the Mayor for stating in her State of the City and for us having the foresight to put something forth that addressed the inequities that exist. It has been her hope that the City of Whitehall and the Police Department because she just believes that their Police Department under the leadership of Chief Crispen will do what is talked about in this ordinance and that they will continue to promote safety in Whitehall and ensure that Officers in Whitehall get the best training and act accordingly. She is happy about the things that have been happening and she is proud of the things that have been said. She continues to be optimistic and hopeful that Whitehall will continue to be the city they all want to live in.

Ms. Conison thanked her fellow Councilmembers for expressing the same things that she would have expressed. She wanted to say Happy Ramadan to those who are celebrating.

President Potter thanked everyone for watching, he echoed Mr. Kantor and Ms. Elmore's comments, and he thinks they are spot on. He thinks they are definitely going in the right direction.

Having nothing further, Mr. Bailey moved to adjourn and Mr. Kantor 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,

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Julie A. Ogg, Clerk of Council

APPROVED: \_\_\_\_\_, 2021.

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Thomas M. Potter, Council President