

WHITEHALL COUNCIL COMMITTEES

MINUTES – April 27, 2021

Council President Potter called the April 27, 2021 Council Committees' meeting to order at 6:30 p.m.

The following members of council and the administration were present:

Members of the Administration

Council President Potter
Mayor Kim Maggard
Service Director Zach Woodruff
Deputy Dir. for Public Affairs Megan Meyer
Chief of Fire Preston Moore
Asst. Chief of Fire K. J. Watts

Council Members

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

COMMITTEE OF THE WHOLE

ORDINANCE NO. 033-2021- DRAFT # 1

AUTHORIZING ADOPTION OF THE MAY 2021 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, AND DECLARING AN EMERGENCY.

(Comm. Of the Whole – 1st reading – ADOPT 05/04/2021–Kantor/Morrison)

ORDINANCE NO. 034-2021- DRAFT # 2

APPROVING A RESOLUTION OF AND BY THE CITY OF WHITEHALL CONDEMNING INTIMIDATION AND VIOLENCE, REAFFIRMING EQUALITY UNDER THE LAW, AND COMMITTING TO REVIVING CIVILITY BETWEEN ALL PEOPLE.

Mayor Maggard said in the recent past month we hear and see violence against different racial groups and violence against racial groups on a daily basis. She thinks that it is important as a government entity, public body and leaders in the community stand up and say they condemn that sort of intimidation and violence; reaffirming that it is important they reaffirm equality under law, under what the Constitution says and also what the Declaration of Independence gives to all of us. We commit to revive civility against all people. It seems like there have been many acts of violence lately against Asians and different racial groups and she thinks it is important that as a community and as leaders they need to stand up and affirm they believe in equality under the law. She asked that there be three full readings so that they can get the message out for at least six weeks regarding this piece of legislation. Whitehall is a very diverse community and that is why she loves living here.

Mayor Maggard answered questions from Councilmembers about Ord. 034-2021.

(Comm. Of the Whole – 3rd reading – ADOPT 06/01/2021–Elmore/Heck)

ADMINISTRATION AND FINANCIAL MANAGEMENT

Councilperson Bailey opened at 6:35 p.m. and addressed the legislation in his committee, as follows:

ORDINANCE NO. 034-2021- DRAFT # 3

AUTHORIZING AND APPROVING A FUND TRANSFER IN THE AMOUNT OF FORTY THOUSAND AND NO/100 DOLLARS (\$40,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND 101 TO THE LIFE CYCLE REPLACEMENT FUND (315): MAKING A SUPPLEMENTAL APPROPRIATION OF FORTY THOUSAND AND NO/100 DOLLARS (\$40,000.00) FROM THE LIFE CYCLE REPLACEMENT FUND (315) TO THE COMPUTER LIFE CYCLE REPLACEMENT EXPENSE ACCOUNT (315.000.50000) AND DECLARING AN EMERGENCY.

Chairperson Bailey this has to do with keeping up with technology. Computers today in the business world, they are lucky if the last three years.

Mayor Maggard said the Life Cycle Fund is funded on a monthly basis with a small percentage from the General Fund at the end of each month. However, they had a high rate of replacement that they need to use so they are dropping in some extra money. She asked that this be passed on the first reading.

(Admin/Fin. Mgmt. – 1st reading – ADOPT 05/04/2021–Bailey/Conison)

ORDINANCE NO. 035-2021- DRAFT # 4

MAKING AN APPROPRIATION OF THREE THOUSAND FOUR HUNDRED NINETY-NINE AND 60/100 DOLLARS (\$3,499.60) FROM THE TAX INCREMENT FINANCING FUND (279) TO THE AIR SOUTH 1 INCENTIVE EXPENSE ACCOUNT IN THE 279 FUND AND AUTHORIZING THE DISTRIBUTION OF THE PORTION OF THE TOTAL SERVICE PAYMENTS ATTRIBUTABLE TO THE TIF TO THE AFFECTED VOCATIONAL SCHOOL DISTRICT FROM THE TAX INCREMENT FINANCING FUND (279) IN THE AMOUNT EQUAL TO 100% OF THE PROPERTY TAX PAYMENT THE VOCATIONAL SCHOOL DISTRICT WOULD HAVE RECEIVED OF THREE THOUSAND, FOUR HUNDRED NINETY-NINE AND 60/100 DOLLARS (\$3,499.60) AND DECLARING AN EMERGENCY.

Chairperson Bailey said this is for the first half of tax year 2020 and the breakdown for each district is listed in the legislation.

(Admin/Fin. Mgmt. – 1st reading – ADOPT 05/04/2021–Bailey/Morrison)

ORDINANCE NO. 036-2021- DRAFT # 5

MAKING A SUPPLEMENTAL APPROPRIATION OF FIFTY-FIVE THOUSAND, FIVE HUNDRED FORTY AND 68/100 DOLLARS (\$55,540.68) FROM THE TAX INCREMENT FINANCING FUND (279) TO VARIOUS EXPENSE ACCOUNTS IN THE 279 FUND AND AUTHORIZING THE DISTRIBUTION OF THE PORTION OF THE TOTAL SERVICE PAYMENTS ATTRIBUTABLE TO EACH TIF TO THE AFFECTED VOCATIONAL SCHOOL DISTRICT FROM THE TAX INCREMENT FINANCING FUND (279) IN THE AMOUNT EQUAL TO 100% OF THE PROPERTY TAX PAYMENT THE VOCATIONAL SCHOOL DISTRICT WOULD HAVE RECEIVED OF FIFTY-FIVE THOUSAND, FIVE HUNDRED FORTY AND 68/100 DOLLARS (\$55,540.68) AND DECLARING AN EMERGENCY.

Chairperson Bailey said this was like the one they just did.

(Admin/Fin. Mgmt. – 1st reading – ADOPT 05/04/2021–Bailey/Morrison)

ORDINANCE NO. 037-2021 - DRAFT # 6

AUTHORIZING AND APPROVING GENERAL FUND EXPENSE ACCOUNT NUMBER 100.200.51351 TITLED “SEASONAL INTERN” AND MAKING AN APPROPRIATION IN THE AMOUNT OF SEVEN THOUSAND EIGHT HUNDRED FORTY AND NO/DOLLARS (\$7,840.00)

FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND 101 TO THE 100.200.51351
“SEASONAL INTERN” AND DECLARING AN EMERGENCY.

Chairperson Bailey said the City of Whitehall has an opportunity for a summer internship in the Mayor’s office.

Mayor Maggard said if Council approves this legislation, our actual cost will be fifty percent less than the amount shown as they have to pay for it upfront and then be reimbursed. This is collaborated with MORPC, the Ohio State Knowlton School and Easton Community Foundation. They have asked for someone who can help in Economic Development because that is the issue being looked at right now and she agreed. This is the City’s busiest season regarding things going on with Economic Development and will have other duties as assigned. She thinks this is an excellent opportunity to show and to integrate an intern to show them boots on the ground, what goes on in small communities Economic Development office.

(Admin/Fin. Mgmt. – 2nd reading – ADOPT 05/18/2021–Bailey/Conison)

RESOLUTION NO. 011-2021 - DRAFT # 7

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

(Admin/Fin. Mgmt. – 1st reading – ADOPT 05/04/2021–Bailey/Heck)

THIRD READING:

ORDINANCE NO. 018-2021 *(Admin/Fin. Mgmt. – 3rd reading – ADOPT 05/04/2021–Bailey/Morrison)*

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 *(Admin/Fin. Mgmt. – 3rd reading – ADOPT 05/04/2021–Bailey/Morrison)*

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).

Having no further business, Councilperson Bailey closed at 6:44 p.m.

COMMUNITY STANDARDS AND ENFORCEMENT

Chairperson Kantor opened at 6:44 p.m. and addressed the legislation in his committee, as follows:

ORDINANCE NO.038-2021- DRAFT # 8

AUTHORIZING AND APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF SIXTY-THREE THOUSAND AND NO/DOLLARS (\$63,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE COMMUNITY AFFAIRS EXPENSE ACCOUNT 101-200-56100 AND DECLARING AN EMERGENCY.

Chairperson Kantor said a ground layer will be purchased and is required for placement upon the Whitehall City Schools football athletic field for protection against fireworks and debris.

Mayor Maggard said she has been working with the school district for some time and they have come up with a solution to protect the athletic field so they can do a safe fireworks show for the community. This covering can be used repeatedly. Tables cannot be set up on the ground cover but it can we walked on.

Director Woodruff said the cover is made of a woven mesh that is fire resistant. Jeff Hart has researched this. They were looking at this last year but with the Covid, the fireworks were cancelled.

Director Woodruff answered questions from Council members regarding the ground covering and storage.

(Comm. Standard & Enf. – 1st reading – ADOPT 05/04/2021– Kantor/Elmore)

THIRD READING:

ORDINANCE NO. 020-2021 *(Comm. Standard & Enf. – 3rd reading – ADOPT 05/04/2021– Kantor/Morrison)*

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.

Councilperson Morrison said he was looking over the Planning Commission meeting minutes and he saw where there were several questions and concerns about the trash there and it said in the minutes that they were going to add additional dumpsters.

Director Woodruff stated he has an update site plan that he failed to send Council. He will get it to them.

There was ongoing discussion on Ord. 020-2021, the site plan, water retention and drainage and trash receptacles between Council members and Director Woodruff.

ORDINANCE NO. 021-2021 *(Comm. Standard & Enf. – 3rd reading – ADOPT 05/04/2021– Kantor/Elmore)*

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.

There was no discussion on Ord. 021-2021.

ORDINANCE NO. 022-2021 *(Comm. Standard & Enf. – 3rd reading – ADOPT 05/04/2021– Kantor/Morrison)*

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.

There was no discussion on Ord. 022-2021.

Having nothing further, Chairperson Kantor closed at 7:01 p.m.

COMMUNITY AND ELDER ADVOCACY

Chairperson Elmore opened at 7:01 p.m. and said there are no drafts or pending legislation on the agenda.

Chairperson Elmore reminded people to continue signing up for their vaccination. If there is a need, Victory Ministries Center of Hope has a food pantry, free medical care information and counseling and the phone number is 614-252-2500. If people are still struggling with food, non-perishable items are available at the food pantry.

Having no further business, Chairperson Elmore closed at 7:02 p.m.

ECONOMIC DEVELOPMENT

Chairperson Morrison opened at 7:02 p.m. and addressed the legislation in her committee, as follows:

ORDINANCE NO.039-2021- DRAFT # 9

REFER TO PLANNING COMMISSION FOR THE MAY 6, 2021 MEETING

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 3596-3648 EAST MAIN STREET, PARCEL 090-000548, PROPERTY OWNED BY WHITEHALL RETAIL VENTURES LTD.

Director Woodruff said this drive through window is for Captain D's. If Council recalled, Captain D's came in a number of years ago and they did not start the process so their special permit expired. They have come back with a different project and he believes that Council members have their packet of information.

(Economic Dev – 3rd reading – ADOPT 06/01/2021– Morrison/Kantor)

ORDINANCE NO.040-2021- DRAFT #10

REFER TO PLANNING COMMISSION FOR THE MAY 6, 2021 MEETING

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 890 SOUTH HAMILTON ROAD, PARCEL 090-000052, PROPERTY OWNED BY GREAT EASTERN OWNER LTD.

Director Woodruff said Kemba Financial Credit Union is proposing a standalone ATM that requires a special permit and zoning. He believes that Council members have their packet of information.

(Economic Dev – 3rd reading – ADOPT 06/01/2021– Morrison/Elmore)

Director Woodruff stated that he and Mayor Maggard respectfully request an Executive Session at the end of the meeting.

Chairperson Morrison said Economic Development would not close until after the Executive Session ended.

Having nothing further, Chairperson Morrison closed at 8:32 p.m.

INFRASTRUCTURE, MAINTENANCE AND SERVICE

Chairperson Heck opened at 7:07 p.m. and addressed the legislation in her committee, as follows:

THIRD READING:

ORDINANCE NO. 023-2021 (*Infra. Maint. & Svcs. – 3rd reading – ADOPT 05/04/2021–Heck/Kantor*)

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).

Deputy Director for Public Affairs Megan Meyer gave an update on Project Prevent Backflow and answered questions from Councilmembers. She will have legislation to Council in a couple weeks asking for additional funds to complete this project. As a reminder, they are having their first ever-recycling drop off event on May 1, 2021 at the new park with Norton Crossing. Information is online at Whitehall-oh.us/openthegreen along with a list of acceptable items and times.

There was discussion on the May 5, 2021 unlimited trash collection day. Deputy Director for Public Affairs Megan Meyer added that they are asking that things go in plastic bags and not cardboard boxes in case it rains. Do not stack things and this is for the safety of the driver, pedestrians and motorists.

There was additional discussion on trash collection, lids not shut, and the inconsistency of Local Waste drivers, phone calls to the Service department and the percentage of picked up and not picked up trash by Local Waste.

Director Woodruff said working with the City Attorney's office, they have figured it out legally by the notice of violation, they have figured out the cost to the city to pick up the trash, which is one hundred eight dollars (\$180.00) per house. There are residents who do not want to comply or property owners who have not provided the resources or have not been keeping up with it who are going to find it to be unacceptable here shortly. If someone calls with an issue, give him or her his cell number that is 614-204-9811.

Having nothing further, Chairperson Heck closed at 7:57 p.m.

PUBLIC SAFETY

Chairperson Conison opened at 7:57 p.m. and addressed the legislation in her committee, as follows:

SPECIAL PRESENTATION:

Fire Chief Moore & Assistant Fire Chief Watts

Increase in the number of Lieutenants for the Department.

Chief of Fire Preston Moore gave a presentation on the proposed changes needed to the organizational model at the Fire Department. He stated Assistant Chief of Fire K. J. Watts presented the model to him.

Mayor Maggard said this legislation is needed and what jumped out at her was accountability, efficiency and making sure, they have enough supervisors that can give attention to firefighters when they need it. Sometimes as employees, we feel like we can do it all but when you have two supervisors for every shift, lieutenants that work hand in hand with firefighters they are going to find out what they need and find ways to support them and she feels it makes for a better work force for our citizens. She asked that this legislation pass on the first reading in order to get in the civil service process under the timeline.

ORDINANCE NO. 041-2021- DRAFT # 11

AUTHORIZING AND AMENDING 161.37(a) AND (e)(1) OF THE TABLE OF AUTHORIZED PERSONNEL OF THE CODIFIED ORDINANCES OF THE CITY OF WHITEHALL AND DECLARING AN EMERGENCY.

(Public Safety – 1st reading – ADOPT 05/04/2021–Conison/Kantor)

THIRD READING:

ORDINANCE NO. 025-2021 *(Public Safety – 3rd reading – ADOPT 05/04/2021–Conison/Heck)*

AMENDING 139.01 TITLED PETTY CASH FUNDS FOR POLICE AND FIRE.

Chairperson Bailey shared that on May 10, 2021 on ABC6 there will be special regarding the usage of body cameras.

Chairperson Elmore said the Safer Whitehall Town Hall Meeting was very good along with the presentation and questions. She is looking forward to the next one.

Having nothing further, Chairperson Conison closed at 8:12 p.m.

PARKS AND RECREATION

Chairperson Kantor opened at 8:12 p.m. and said there are no drafts or pending legislation on the agenda.

Chairperson Kantor said he spoke with Director Sorrell today. This Saturday is Opening of the Green and you can register for the Cornhole cup. He looks forward to seeing everyone there. May 15, 2021 is the beautification plant your trees businesses. For more information go to the Parks website and to sign up. We hope within a week to have some information about the dog park groundbreaking.

Deputy Director for Public Affairs Megan Meyer gave an update on all the happenings for May 1, 2021 at Norton Crossing.

Having nothing further, Chairperson Kantor closed at 8:14 p.m.

President Potter advised that he would like a motion to adjourn to executive session pursuant to Ohio Revised Code Section 121.22 (g)(2) to consider the purchase of property for public purposes, or for sale of property at competitive bidding, if premature disclosure of information would give unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest. Mr. Kantor so moved and Ms. Elmore seconded the motion. A roll call was taken and all members voted in the affirmative and the meeting adjourned to executive session at 8:15 p.m. The meeting reconvened at 8:34 p.m.

Meeting adjourned at 8:34 p.m.

Respectfully submitted,

Julie A. Ogg, Clerk of Council