

WHITEHALL CITY COUNCIL
AGENDA MEETING MINUTES

President Potter called the May 04, 2021 agenda meeting to order at 6:30 p.m. All members were present with the exception of Mr. Rodriguez and Mr. Bailey.

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

The meeting adjourned at 6:43 p.m.

Respectfully submitted,

Julie A. Ogg, Clerk of Council

APPROVED: _____, 2021.

Thomas M. Potter, Council President

WHITEHALL CITY COUNCIL MEETING

MINUTES – May 04, 2021

President Potter called the regular meeting of Whitehall City Council to order at 7:00 p.m. on Tuesday, May 04, 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:

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

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

APPROVAL OF MINUTES:

Ms. Conison moved to approve the April 20, 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:

Ms. Ogg read the following:

Gerald Dixon
3877 Doney Street
Whitehall, OH 43213

To all gathered,

I simply wanted to give public thanks to whomever is responsible for the trashcan at the corner of Robinwood and Doney. I have noticed the boys on the corner using it and on Monday, I saw it was full. So, again, thanks for that measure for the community.

STANDING COMMITTEE REPORTS:

Administration and Financial Management – Chairperson Morrison 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. He said the new park at Norton Crossing opened this past weekend. It is a beautiful park. It was well attended and he thanked them for coming out.

OFFICIALS' REPORTS

Mayor Kim Maggard – she welcomed everyone there tonight. She is looking forward to the public hearings that will be coming up very soon. There will be a ribbon cutting for the dog park on the corner of Beechwood Road and Washburn on May 12 at 6:30 p.m. On May 15, in the morning at Whitehall Community Park, they will be having a ribbon cutting for the new canoe launch and at 11:30 am, they will be having a dedication of a park bench to commemorate the fine work that was done by Rockwell employees for our country.

City Attorney Michael Bivens – he had been thinking about coming to this meeting all day. He expressed sincere gratitude as it relates to being able to serve the City of Whitehall, gratitude to be in Councils presence, gratitude for what he saw this past Saturday with respect to the opening of Kelly Green. He thanked the Mayor and Director Woodruff for what they did there. One thing the pandemic has taught him over this past year is to be grateful. He was extremely grateful to see Chris Rodriguez on Saturday. He thanked the Mayor for giving him the opportunity to go to the Voinovich Academy tomorrow and he thanked Franklin County, especially the office of Justice and Policy Program for featuring the Mayors Court Diversion Program on Re-entry Week. He believes this program has what it takes to go national. The official report from the City Attorney's Office, in the month of April they prosecuted 298 cases. Unfortunately, that is a fifty percent increase from March to April. The fifty percent increase is attributed predominantly to non-resident criminal and traffic cases but out of the 298 cases, on 43 of those cases of a criminal nature were committed by Whitehall residents. That is about fourteen percent. To date the City Attorney's Office has prosecuted 754 cases so they are above trend from last year. Everyone has throughout the news that it is trending that way in every community so it is not just exclusive to Whitehall. They are committed to do the right thing, they are committed to justice and social justice and they are committed to doing the right thing for the citizens of Whitehall.

City Auditor Dan Miller – (remotely) had no official report.

Director of Public Service and Development Zach Woodruff – had no official report.

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 Treasurers Investment Report for March 2021, the Treasurers Activity by Fund Report for March 2021 and the Treasurers Fund Reconciliation Report for March 2021.

COMMUNICATIONS, PETITIONS AND CLAIMS:

1. Notice from the Ohio Division of Liquor Control for a transfer of ownership of the D5, D6 liquor permit for TRIPP GLOBAL CHANCE LLC., DBA PLAYERS, 4380 E. MAIN STREET AND PATIO, WHITEHALL, OH 43213 to the 8 BALL PLAYERS LLC., 4380 E. MAIN STREET AND PATIO, WHITEHALL, OH 43213.
2. Agenda for the May 06, 2021 Planning Commission Meeting.

PUBLIC HEARING:

President Potter opened the public hearing on Ordinance No. 020-2021 at 7:11 p.m.

ORDINANCE NO. 020-2021

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.

Mike Shannon, 5166 Etna Road is appearing on behalf of the applicant. He stated it is a pleasure to be here this evening to talk to them about an exciting new market place housing project in the City of Whitehall. He is sure everyone is familiar with Yearling Green. What is there now is about one hundred forty units built in 1963. You have before you a proposal to add twenty newly constructed four bedroom units. The ones on Yearling Road, which will be brownstones. He thinks it is a very significant development for the City of Whitehall for a number of reasons. Number one is it is unprecedented to have this type of development in the Yearling Road corridor. This development is approximately three million dollars that the applicant is making what he considers the urban core of Whitehall, the street that houses all of the government agencies, fire department and police department and city hall. It is thrilling to see this type of investment in the Yearling Road Corridor. This type of product with a zero setback on Yearling were envisioned as far back as 2000, 2001, and 2002. Those plans going forward will provide market rate housing for a segment that cannot currently find that type of housing in Whitehall. The mere investment stands alone on its merits but also has a very positive effect on the existing buildings. The existing buildings obviously are around sixty years old; they are tired and they have been utilized over the years. His client Mr. Nasar is in attendance as well as his property management staff can talk about the significant improvements they have made recently in the existing units. The market rate rents that they will get from these twenty new units will generate a lot of revenue that can be put back into future capital improvements in the existing housing stock. His client is in it for the long haul, he not a flipper, he does not buy property and flip it. He has been on this site for fifteen years. When he looks at this type of development, he tries to put himself in their shoes, having for a period served on Council and he thinks they would want to look at the basic city services and how they are impacted as it relates to storm water. He shared an exhibit he would like to enter into the record and he has given the Clerk a copy. It was a letter from his Civil Engineer that confirms the storm water generated by this development will be maintained onsite and handled with onsite retention in the parking lots that will be released as prescribed by state and federal law. This ensures there will be no additional storm water run-off that will adversely affect adjoining properties because of this development. Then he looked at basic city services such as trash and with the benefit of the unanimous

approval of the Planning and Zoning Commission, they agreed to several conditions. One of them was to increase the number of dumpsters that are available onsite. They also made sure those dumpsters in addition to the heavy gates used by trash trucks there will also be side door access to these dumpsters so the resident can simply put their trash in the dumpster through the side gate. Based on concerns from neighbors that were present at the Planning and Zoning meeting, his client has agreed to install fencing along the entire northern perimeter on the site between his property and those of his neighbors on Etna Street. The fencing will be of high quality and will not be a chain link fence but will be made from materials, which can stand up to the weather in a color that will match the development. They also need to look at the effects this development will have on the Police Department. He has personal knowledge of the history of Yearling Green. He was on Council for eight years and was the City Attorney for eight years. He was able to see Mr. Nasar come into the city and before he accepted the case he spent some time going over to Yearling Green, double-checking some public records and he was very impressed with the level of improvement of code enforcement at the site. If you check with Code Enforcement Officer TJ Sural, he will tell you that best practices managing system that Mr. Nasar's property management team is one of the best we have in Whitehall. The crime rate based on statistics provided by the administration on this particular site has gone down 32.8 percent since 2017. They keep a meticulous log of police runs, they use special duty police officers and those runs vary in the number. If you look at the sheer volume of calls over a four-year period, it might be a staggering number it might be but if you do a deeper dive into those numbers you will find out that seventy five percent of those are response for service that lasted four to six minutes. Noise complaints, someone loitering and even traffic stops when they are pulled over in the parking lot. It is amazing that the drop in crime parallels the City of Whitehall across the board for that same period since 2017. This project is going to provide housing for the nuclear family. They are seeing more and more, especially with the pandemic, parents are going to live with their children, children are going back to live with their parents, all of the above. There is just not this type of product available unless you want to buy a residence. To the extent they can open up that market in Whitehall, it increases the market rate for apartments in Whitehall. When you put a three million dollar investment right next to the 1963 apartments, you as a property owner are taking a risk and that risk will only be beneficial to you if that three million dollar investment has a cash flow that allows you to enhance the older units so that the market rates will continue to increase. He believes this is the scenario here. When you look at this landlord, there should be an acknowledgement that no one else as a landlord of this scale has been willing to put a three million dollar investment right in the center and heart of our town on Yearling Road. For those reasons, he respectfully asks for Councils approval this evening. To the extent, you have questions he cannot answer; Mr. Nasar can speak to Council.

President Potter said to those who are watching on Facebook, if you have questions, please comment and your questions will be read into the record.

Chairperson Conison asked what the difference between A1 and A2 is.

Mr. Shannon said it has to do with the number of units. If he can pull up the code. When you have the density they have on this acreage the A2 is all inclusive of the A1 and it was the best category to go into with the Yearling Road frontage based on setbacks and wanting to do the zero set back, that is permissible under the A2.

Chairperson Kantor said he went back even further than four years for the police runs and he sees where it has decreased each year. He asked Mr. Nasar if he had private security on the property as well and would he be using them during school hours when the kids are going home on the Yearling Road side.

Katrina Webb, 2009 Sugarmill, said they do have special duty and they are set for twelve hours a month. They do not give them specific hours. They allow them to choose which hour they want and it is four three-hour shifts.

Chairperson Kantor asked if they are thinking of increasing it with the addition of twenty more units.

Mr. Shannon said he thinks that is decision they would make as it goes but they are definitely making a difference by being there.

Chairperson Morrison asked what the improvements are and what year were they made on the existing units.

Isaac Nasar, address inaudible, asked Mr. Morrison to repeat his question. Mr. Morrison did. Mr. Nasar said he has owned the property since 2006 and over the years there have been cosmetic improvements made, replaced tile, refinished wood floors, updated kitchens and bathrooms. That type of stuff. Whatever was needed over the years as they have strived for higher and higher rent, which they have been able to do. In the last four to five years, rent has gone up about fifty percent and part of that is due to the cosmetic improvements to the units themselves. In the last two to three years, they have replaced all the roofs on the buildings, general maintenance to the parking lots and landscaping. This year there will be installing new gutters and downspouts because the old ones are leaking water. They will be making additional improvements as needed.

Chairperson Morrison asked what the existing rent was at this time.

Ms. Webb stated that the two-bedroom townhome, which have not been renovated in the kitchen area, are renting for \$800.00 and if they have been renovated then the rent is \$850.00. The one-bedroom is at \$675.00 unless the kitchen has been renovated then they are \$700.00.

Mr. Nasar said the new four-bedroom units will be between \$1250.00 to \$1400.00 and there is a waiting list already. He feels comfortable with \$1350.00.

Chairperson Morrison said on the fencing, are you talking about six-foot vinyl privacy fencing in either a white or a brown color.

Mr. Nasar said right now there is a chain-link fence there and some of the neighbors mentioned they would like to see a privacy fence there and he agreed to that.

Chairperson Morrison said he sees they have added one dumpster to each section on the new plan Mr. Woodruff provided. It says new dumpster enclosure, does that include both dumpster enclosures or just the one that is indicated on the site plan.

Mr. Nasar said it included both enclosures. Right now, the enclosures are a combination privacy fencing and chain-link doors. In order to widen then we will have to rip out the old enclosures and extend them.

Chairperson Kantor asked if he was going to continue to have the garbage picked up twice a week.

Mr. Nasar replied yes. He has upgraded the dumpsters to eight yard and has a nice door on the side.

There was discussion on the layout of each apartment as far as where the bedrooms and bathrooms are located. There was also discussion on the amount of handicapped parking spaces to be provided.

Chairperson Heck asked if there would be back doors or patios.

Mr. Nasar said there is only a front entrance.

Chairperson Heck asked if there was going to be a fence installed between there and the dairy Queen.

Chairperson Kantor said by the dumpster and going out towards Yearling Road. Are you going to put a fence there Mr. Nasar?

Chairperson Heck expressed her concern that children would be playing there and that is very close to the Dairy Queen drive through.

Mr. Shannon said that the fence is a reasonable request especially with the driveway being there. He agreed to the privacy fence.

Director Woodruff asked that since he was taking notes he wanted to be clear that Council is asking that a fence in this area (he pointed to the area on the site plan) below units 14 and 15 because there is already an existing fence here on Dairy Queen that they are required to have to separate commercial from residential use. He just wanted to make sure everyone is clear.

Chairperson Kantor said this would protect the children running to the side door of the Dairy Queen through the parking lot.

Chairperson Conison said all of them are worried about safety. Some of them have been up there longer than others and they have received many phone calls on Yearling Green in the past. This is the first time she is actually hearing that there is any type of surveillance on the apartments. She would like to see a little bit more of that on the apartments. Is that something that could be done?

Mr. Shannon said they are open to that. He gets a weekly log from Mr. Nasar that shows him the police runs from the previous week so there is constant communication back and forth. Any blip on that radar will tell us we need additional special duty.

Mr. Nasar said it has to do with how hands on they are with unruly tenants and such.

Ms. Webb said anytime they get those reports they are reviewed and then a sit down meeting with the tenant will occur. She tells them they are not allowing it. There have been multiple tenants asked to leave. They are doing their part to make they are addressing anything that comes across their desk from the city. They do have it set up so every week they get a report so they can monitor every single activity and this is something they just started in the last two to three years.

Mr. Kantor said his concern is on Yearling Road by the trees, when you have apartments fifteen through twenty, you have high school and junior high kids coming down through there and we want to protect the residents as well. The fence will help that.

Mr. Nasar said someone is normally on-site 9:00 am until 5:00 pm. They used to have issues when the high school let out either with trash or fighting. The last couple of years it has subsided tremendously.

There was discussion on how close all the Yearling Green apartments sit in proximity to the road, addressing problems, solutions, timing of maintenance, improvements to existing units and the water retention on the property.

Mr. Shannon said if Council approves this project, he believes all twenty units will be leased before they are built. He anticipates after all the permits are obtained the units will be completed in about twelve months.

President Potter asked Director Woodruff if there are any proponents have comments on Facebook Live.

Director Woodruff replied there are no comments at all.

President Potter asked are there were any opponents who would like to speak in opposition of this ordinance.

Director Woodruff said he knows staff prepared a Staff Report for this project.

Economic Development Director Jenna Goehring gave a staff report stating this area is of medium density in the economic development blueprint and it will go along with their plan quite nicely so they recommend approval.

Director Woodruff explained the difference between A1 and A2. In their economic development blueprint, pulling buildings up to the right of way, creating that streetscape is something that was approved with part of that development plan. There is a tremendous amount of data that shows when you put buildings up closer to the pedestrian walkway and sidewalks you will see crime decrease. The storm water will be collected in underground chambers or parking lots. Either way those would function very similar in that the collection would occur below ground level so you would not see it. It certainly does not call for any rain gardens or retention basins. He wanted to point out when they get to the legislation on the agenda an additional requirement would be that there would be a fence added on the south side of the site abutting the Dairy Queen.

Chairperson Morrison said he would like to see a floor plan of the building once one is available.

After confirming with Ms. Ogg that there were no additional proponents and no opponents, President Potter closed the public hearing at 7:58 p.m.

President Potter opened the public hearing on Ordinance No. 021-2021 at 7:59 p.m.

ORDINANCE NO. 021-2021

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.

Director Woodruff appeared on behalf of the applicant to answer any questions Council may have. He did not receive any questions or concerns on this project from Council. The first one is for a rezoning of this entire site north of the new Opportunity Way that will be built. The rezoning is from an A2, where previously 29, 31 and 35 South Hamilton Road were to this GCD to allow general commerce to be built on this site. What this will call for, and he will get to the special permit in the next portion of the public hearing, is for a single tenant financial institution on the south side of the property (Site A) and then for a multi-tenant building fronting Broad Street (Site B). He is sure they have read the Planning Commission minutes where they talked about this building having the same look and feel as the clubhouse and Old Bag of Nails in the Norton Crossing Development and they provided a rendering of what the financial institution would be on Site A. Ordinance 022-2021, the special permit for this is only for Site A. It does not go to Site B. If in the future, Site B, although it shows where a drive through could be possible, if in the future it needs a drive through the applicant will be required to come back to get a special permit for that. The special permit is only for Site A and only for that address but the rezoning is for the whole parcel. This parcel will have three addresses. He asked for questions from Council and there were not any.

President Potter asked Jenna if there were any proponents or opponents on Facebook. She replied there were no comments.

After confirming with Ms. Ogg that there were no additional proponents and no opponents, President Potter closed the public hearing at 8:02 p.m.

President Potter opened the public hearing on Ordinance No. 022-2021 at 8:03 p.m.

ORDINANCE NO. 022-2021

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.

Director Woodruff said he went over this in the last public hearing. This is for a special permit for Site A. The Planning Commission thoroughly vetted it and went through all the necessary items. Staff feels comfortable in recommending this project be approved.

President Potter asked for comments from Council and there were none. He asked Jenna if there have been any proponents or opponents on Facebook. She replied no.

After confirming with Ms. Ogg that there were no additional proponents and no opponents, President Potter closed the public hearing at 8:04 p.m.

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. 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).

Mr. Morrison introduced and moved to adopt Ordinance No. 018-2021 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 018-2021 was adopted.

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).

Mr. Morrison introduced and moved to adopt Ordinance No. 019-2021 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 019-2021 was adopted.

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

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.

Mr. Kantor introduced and moved to adopt Ordinance No. 020-2021 in conjunction with the planning committee for a six-foot privacy fence abutting the Dairy Queen out to Yearling Road and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 020-2021 was adopted.

ORDINANCE NO. 021-2021 was read by title only by President Potter:

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.

Mr. Kantor introduced and moved to adopt Ordinance No. 021-2021 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 021-2021 was adopted.

ORDINANCE NO. 022-2021 was read by title only by President Potter:

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.

Mr. Kantor introduced and moved to adopt Ordinance No. 022-2021 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 022-2021 was adopted.

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).

Ms. Heck introduced and moved to adopt Ordinance No. 023-2021 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 023-2021 was adopted.

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

AMENDING 139.01 TITLED PETTY CASH FUNDS FOR POLICE AND FIRE.

Ms. Conison introduced and moved to adopt Ordinance No. 025-2021 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 025-2021 was adopted.

SECOND READING:

THERE WAS NO LEGISLATION FOR SECOND READING.

FIRST READING:

ORDINANCE NO. 033-2021 was read by title only by President Potter:

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

Mr. Kantor introduced and moved to suspend the rules on Ordinance No. 033-2021 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 033-2021 was suspended.

Mr. Kantor moved to adopt Ordinance No. 033-2021 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 033-2021 was adopted.

ORDINANCE NO. 034-2021 was read by title only by President Potter:

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.

Mr. Morrison introduced and moved to suspend the rules on Ordinance No. 034-2021 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 034-2021 was suspended.

Mr. Morrison moved to adopt Ordinance No. 034-2021 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 034-2021 was adopted.

ORDINANCE NO. 035-2021 was read by title only by President Potter:

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.

Mr. Morrison introduced and moved to suspend the rules on Ordinance No. 035-2021 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 035-2021 was suspended.

Mr. Morrison moved to adopt Ordinance No. 035-2021 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 035-2021 was adopted.

ORDINANCE NO. 036-2021 was read by title only by President Potter:

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.

Mr. Morrison introduced and moved to suspend the rules on Ordinance No. 036-2021 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 036-2021 was suspended.

Mr. Morrison moved to adopt Ordinance No. 036-2021 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 036-2021 was adopted.

ORDINANCE NO. 037-2021 was read by title only by President Potter:

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.

ORDINANCE NO. 038-2021 was read by title only by President Potter:

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.

Mr. Kantor introduced and moved to suspend the rules on Ordinance No. 038-2021 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 038-2021 was suspended.

Mr. Kantor moved to adopt Ordinance No. 038-2021 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 038-2021 was adopted.

ORDINANCE NO.039-2021 was read by title only by President Potter:

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.

ORDINANCE NO.040-2021 was read by title only by President Potter:

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.

ORDINANCE NO. 041-2021 was read by title only by President Potter:

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.

Ms. Conison introduced and moved to suspend the rules on Ordinance No. 041-2021 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 041-2021 was suspended.

Ms. Conison moved to adopt Ordinance No. 041-2021 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 041-2021 was adopted.

ORDINANCE NO. 042-2021 was read by title only by President Potter:

AUTHORIZING AND APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF SIXTEEN THOUSAND AND NO/DOLLARS (\$16,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE HR OFFICE SUPPLIES EXPENSE ACCOUNT 101.450.52000 AND DECLARING AN EMERGENCY.

Mr. Morrison introduced and moved to suspend the rules on Ordinance No. 042-2021 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 042-2021 was suspended.

Mr. Morrison moved to adopt Ordinance No. 042-2021 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 042-2021 was adopted.

RESOLUTION NO. 010-2021 was read by title only by President Potter:

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.

RESOLUTION NO. 011-2021 was read by title only by President Potter:

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

Mr. Morrison introduced and moved to suspend the rules on Resolution No. 011-2021 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 011-2021 was suspended.

Mr. Morrison moved to adopt Resolution No. 011-2021 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 011-2021 was adopted

RESOLUTION NO. 012-2021 was read by title only by President Potter:

A RESOLUTION APPROVING AN APPLICATION FOR A “DESIGNATED OUTDOOR REFRESHMENT AREA” AND ESTABLISHING A DESIGNATED OUTDOOR REFRESHMENT AREA IN THE CITY OF WHITEHALL, OHIO AND DECLARING AN EMERGENCY.

Chairperson Conison asked for days and times the DORA would be operating.

Jenna Goehring said Thursdays and Fridays from 4-10 p.m., Saturdays, and Sundays from 4-10 p.m.

Mr. Kantor introduced and moved to suspend the rules on Resolution No. 012-2021 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 012-2021 was suspended.

Mr. Kantor moved to adopt Resolution No. 012-2021 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 012-2021 was adopted

POLL PUBLIC:

No comments at this time.

COMMUNITY DATE BOARD:

Chairperson Elmore said Wednesday is unlimited collection day so put out all of your trash.

Chairperson Heck said Friday is Whitehall’s Prom and it is being held at the High School so keep that in mind. Taxes are due by May 17.

Chairperson Kantor said not to forget but June is coming up so mark your calendars for Market on the Green every Tuesday from June 1 to August 31. As the Mayor said, May 12 at 6:30 pm, they have the dog park groundbreaking and on May 15 they Kayak ribbon cutting ceremony from 11:20 to 11:30 am.

POLL COUNCIL:

Ms. Heck thanked everyone for tuning in and for everyone who came out Saturday. It was nice to see so many people out there. She hopes that many people attend the event on May 15. She will be there and at the dog park as well.

Mr. Morrison thanked everyone for watching and having patience with this evening. Be safe.

Ms. Elmore said thank you for the comments regarding Poll Public and during the Public Hearings. Happy Teachers Appreciation Day to all the teachers out there. Her sister is one. The significance of May 4 is in 1970 the shooting at Kent State University, which was designed to bring an end the Vietnam War. There were four killed and nine wounded. Another significance of May 4 is the Scramble for Africa, also known as the Partition of Africa which is known for the invasion, occupation, division and colonization of most of Africa by seven European powers during a short period known to historians as the New Imperialism between 1881 and 1914. Lastly, May 4 is National Star Wars Day so may the fourth be with you.

Ms. Conison thanked everyone for viewing and for watching.

Mr. Kantor thanked everyone for watching. Special congratulations to Director Sorrell and the Parks for receiving the Governor's Award from the Ohio Parks. It is a very nice award and much deserved. Kelley Green at Norton Crossing is a beautiful park the City of Whitehall just opened up. Go check it out. A new park has not been opened up since the 1970's. On May 15, there will be a dedication to Rockwell employees of the North American Bench over at the park that day. A special congratulation to his son for graduating from Otterbein University on Saturday and he wished his brother a happy birthday.

President Potter said he would like to take this moment, and he knows he speaks for this entire Council, to recognize Ms. Ogg during Municipal Clerks Week, which is May 2-8. She works tirelessly in the office, her work is much appreciated, and he would like to thank her publically. Saturday was wonderful, the weather cooperated and there was a nice turnout. Kelley Green is beautiful and he looks forward to the events of this summer. He hopes everyone comes out and enjoys it multiple times.

Having nothing further, Mr. Kantor moved to adjourn and Ms. Heck seconded the motion. On a roll call vote, all members responded in the affirmative and the meeting adjourned at 8:30 p.m.

Respectfully submitted,

Julie A. Ogg, Clerk of Council

APPROVED: _____, 2021.

Thomas M. Potter, Council President