

WHITEHALL CITY COUNCIL
AGENDA MEETING MINUTES

President Potter called the May 18, 2021 agenda meeting to order at 6:30 p.m. All members were present with the exception of Mr. Kantor.

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,

Julie A. Ogg, Clerk of Council

APPROVED: _____, 2021.

Thomas M. Potter, Council President

WHITEHALL CITY COUNCIL MEETING

MINUTES – May 18, 2021

President Potter called the regular meeting of Whitehall City Council to order at 7:00 p.m. on Tuesday, May 18, 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:

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

Mr. Bailey 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 Mr. Kantor was excused.

APPROVAL OF MINUTES:

Ms. Conison moved to approve the May 04, 2021, agenda and regular meeting. Mr. Rodriguez 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:

Carolyn McIntosh
140 Rita Court
Whitehall, OH 43213

Resident of Whitehall since 1995

Council Members and Residents:

I am writing to object to any additional fines, taxes, or levies on the residents of Whitehall for the purpose of repairing/updating waste and water infrastructure. Those have been major issues since I moved to Whitehall until the EPA cited Whitehall with violations in 2008 for the severe issue of Sanitary Sewer Overflow, meaning fecal matter was overflowing on the streets and ground where the residents live, work, play and attend school.

When I have raised this issue in the past, The Director of Development and Public Service often becomes upset and adds extraneous commentary regarding all the grants he's gotten for Whitehall. I want to state now, this is decidedly and categorically about income tax levied for infrastructure repairs, not grants.

In 2010 Whitehall urged us to pass an additional ½ % income tax for a broader fix across the city to address sewage and water overflow rather than let the City of Columbus add a fee to our water bills to address the fecal overflow and flooding issues. We passed the income tax hike and started paying an addition ½ percent in 2011. From an editorial in the Columbus Dispatch (March 2020), Kim Maggard states the city has received about 7 Million Dollars from 2011 - 2019 (approximately 9 million through

2021) from the tax increase saying, "...what is clear is that income-tax revenue is playing a vital role in Whitehall's comeback story," and nothing about its original purpose to repair the infrastructure. As I read through updates from the city, I see 700K for water and 500K for sewer, but I can't find the other 8 million you told us we were paying for water and sewer upgrades.

Now you want us to pay again through a fee assessed on our water bills. The very assessment you told us we could avoid by agreeing to raise our own income tax. We have paid enough and continue to pay. I would happily pay the fee to Columbus in exchange for an income tax reduction. I am sure many residents would agree. In fact, I think we should ask them.

Mayor Maggard responded by saying when that income tax was passed in 2010, on the ballot language it gave a variety of things that the income tax would pay for. She believes it was general fund purposes for the operation of the city as well as water and sewer improvement and recreation facilities. She was one who went to many people and explained what the income tax would pay for. They thought at that time they might be able to have a recreation facility and splash pad at the old armory. However, due to asbestos they could not safely put it there. The income tax went for general operations, water and sewer improvements for which the city has paid 2.5 million of that income tax collected and it went for recreational purposes as well. They have kept their promise to the citizens. She would encourage everyone to go back and read the language voted on. Thank you.

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 Rodriguez 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 Conison 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 – she said with the Governors health orders being rescinded as of yesterday, the city will have new procedures ready to go out tomorrow regarding City Hall safety measures as well as what people can expect from the rescinding of those health orders. They will have that information out to the public and out to the staff tomorrow.

City Attorney Michael Bivens – he wanted to make an announcement especially piggy backing on what the Mayor said related to the CDC guidelines. The City Attorney’s office as you know is now located down the street at the old Wellness Center. What they are anticipating doing sometime in July and they want to invite everyone and let the public know they would like to do an open house. A real formal one. Invite everyone out to see what it looks like. They could have it outside in the parking lot since it is going to be in the summer months. He will provide more details as they come along. Secondly, everyone knows how much he loves being the City Attorney, being an Attorney and how much he loves inspiring his staff and the public, inspiring his office to be a force of social change. One of the main things he loves doing is and he loves seeing is when he is able to influence his staff. That being said, one of his staff members, Kristen Lippert, has applied and has been accepted into two prestigious law schools, one of which is Capital Law School and the other is Dayton Law School. Unfortunately, they will lose her in the City Attorney’s Office. If you talk to Kristen, congratulate her. He is so proud of her and what she is going to become as well as what she is going to do as far as trailblazing in the legal field. They will be posting the paralegal position and it should go up by the end of the week. They are going to be taking their time and hopefully, bring someone in to be trained by Kristen and by Julie so there will be no loss of service to the citizens of Whitehall.

City Auditor Dan Miller – he had no official report other than what is before Council.

Director of Public Service and Development Zach Woodruff – he had no official report. He did want to piggyback on what the Mayor said to set a couple of things straight. They Mayor is correct when they asked voters to increase the income tax nearly over a decade ago. One of the things they talked about at that time was a percentage of that increase would go towards funding compliance with an Ohio EPA mandates and that has materialized as a fifteen year, 3.5 million dollar project that they are in the middle of. The purpose of that fifteen-year project is to reduce the amount of infiltration and inflow (INI) into our sanitary system, so reducing the amount of rainwater and storm water that goes into that system. At no time did they talk to residents about the income tax being used to replace gaining water distribution lines or replacing sanitary lines. What he and Megan presented last week is a completely different topic and we are asking for that surcharge to fund those necessary repairs. Again, he thinks there is some misconceptions as to what the surcharge would be used for, what legally it can be used for and what the increase they asked residents for in 2010 what they said that would be used for. At no time, did they say it would be used for replacing water lines that are fifty to seventy years old. He wanted to make sure those misconceptions were cleared up because he does not want people to continue to think this is them coming back for an additional bite the apple or to fix a problem we already said we would. The water line replacement, replacing water mains in Whitehall will have no impact on sanitary or storm sewer. Those are three different systems. One is an out and one is an in. Therefore, they are talking about replacing water mains throughout the city so that residents can continue to have safe, clean drinking water.

Public Safety Director Van Gregg – was not present.

Treasurer Steve Quinzel – was not present.

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

COMMUNICATIONS, PETITIONS AND CLAIMS:

1. Minutes for the April 8, 2021 Planning Commission Meeting.

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:

THERE WAS NO LEGISLATION FOR THIRD READING.

SECOND READING:

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.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 037-2021 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 037-2021 was suspended.

Mr. Bailey moved to adopt Ordinance No. 037-2021 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 037-2021 was adopted.

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

PUBLIC HEARING 06-01-2021

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 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:

PUBLIC HEARING 06-01-2021

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

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.

FIRST READING:

ORDINANCE NO. 043-2021 was read by title only by President Potter:

MAKING A FUND TRANSFER IN THE AMOUNT OF TWENTY-FIVE THOUSAND EIGHT HUNDRED EIGHTY AND 36/100 DOLLARS (\$25,880.36) FROM THE BOND RETIREMENT ACCOUNT (101-950-57500) TO THE DEBT SERVICE FUND (401) AND DECLARING AN EMERGENCY.

ORDINANCE NO. 044-2021 was read by title only by President Potter:

MAKING AND APPROVING A SUPPLEMENTAL APPROPRIATION OF SEVEN THOUSAND FIVE HUNDRED DOLLARS AND NO/100 DOLLARS (\$7,500.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE FARMERS MARKET EXPENSE ACCOUNT (101.700.58500).

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 044-2021 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 044-2021 was suspended.

Mr. Bailey moved to adopt Ordinance No. 044-2021 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 044-2021 was adopted.

ORDINANCE NO. 045-2021 was read by title only by President Potter:

APPROVING AND MAKING A FUND TRANSFER FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) IN THE AMOUNT OF TWENTY-THREE THOUSAND AND NO/100 DOLLARS (\$23,000.00) TO THE ACCRUED BENEFIT RESERVE EXPENSE ACCOUNT (505.000.51000); APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF TWENTY-THREE THOUSAND AND NO/100 DOLLARS (\$23,000.00) FROM THE ACCRUED BENEFIT RESERVE FUND (505) TO THE ACCRUED BENEFIT RESERVE EXPENSE ACCOUNT (505.000.51000) AND DECLARING AN EMERGENCY.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 045-2021 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 045-2021 was suspended.

Mr. Bailey moved to adopt Ordinance No. 045-2021 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 045-2021 was adopted.

ORDINANCE NO.046-2021 was read by title only by President Potter:

REFER TO PLANNING COMMISSION MEETING FOR JUNE 03, 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 3540 E. MAIN STREET, AND 739 & 721 MAPLEWOOD AVENUE, PARCEL NUMBERS 090-002122, 090-001890, 090-003640, 090-001900, 090-002485, 090-003638, 090-008240 FROM R-3 RESIDENTIAL DISTRICT AND GENERAL COMMERCE DISTRICT (GCD) TO A-2 APARTMENT DISTRICT, PROPERTY OWNED BY MAMA COMPANY INC.

ORDINANCE NO. 047-2021 was read by title only by President Potter:

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF SIX HUNDRED NINETY-NINE AND NO 12/100 DOLLARS (\$699.12) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE CREDIT CARD FEES EXPENSE ACCOUNT (101.950.59620) AND DECLARING AN EMERGENCY.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 047-2021 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 047-2021 was suspended.

Mr. Bailey moved to adopt Ordinance No. 047-2021 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 047-2021 was adopted.

ORDINANCE NO.048-2021 was read by title only by President Potter:

REFER TO PLANNING COMMISSION MEETING FOR JUNE 03, 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 1123.06(c)(7) TO ALLOW AN APARTMENT DWELLING STRUCTURE CONTAINING MORE THAN TWELVE DWELLING UNITS ON THE PROPERTY LOCATED AT ON 3540 E. MAIN STREET, AND 739 & 721 MAPLEWOOD AVENUE, PARCEL NUMBERS 090-002122, 090-001890, 090-003640, 090-001900, 090-002485, 090-003638, 090-008240, PROPERTY OWNED BY MAMA COMPANY INC.

RESOLUTION NO. 013-2021 (Admin/Fin. Mgmt. – 1st reading – ADOPT 05/18/2021–Bailey/Conison)

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

Mr. Bailey introduced and moved to suspend the rules on Resolution No. 013-2021 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 013-2021 was suspended.

Mr. Bailey moved to adopt Resolution No. 013-2021 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 013-2021 was adopted

POLL PUBLIC:

No comments at this time.

COMMUNITY DATE BOARD:

Chairperson Elmore said join LinkUs Wednesday, May 19, 2021 at one of two virtual public meetings for the East-West Corridor Plan at Noon and 6 p.m., to discuss the future of transit and mobility in Columbus. Register here: <https://linkuscolumbus.com/east-west/> that would be great if people could do that. The link to sign up is on the City of Whitehall's Facebook page as well.

Director Woodruff said that Poth Road would be one-way going west beginning Monday, May 24.

Chairperson Heck said that Whitehall Yearling High School would be having their graduation this weekend.

Chairperson Conison said that WCCA is having their Independence Day parade on Saturday, July 3 at 10:00 am. This year's theme is Looking Forward because we are all looking forward to something.

POLL COUNCIL:

Mr. Morrison thanked everyone for watching and be safe through the week.

Bob Bailey thanked everyone for watching and thanked everyone for coming. It is good to see them and he is excited for things to start getting back to normal. He is actually looking forward to it.

Chris Rodriguez said a happy belated birthday to Jo Anna. He asked for everyone to bear with him for about two minutes. Maybe his mind and body will become weak, but God is his source of strength. Palms 73:26 Mayor, Attorney Bivens, Director Woodruff, Auditor Miller, Mr. President, Members of Council, Julie, and citizens of Whitehall, he would like to take a moment to thank you for your prayers and support during his illness. Since testing positive and being admitted to Mt Carmel East on January 22, he was in the hospital, a physical rehab facility, back in the hospital then in a progressive rehabilitation facility for a total of 84 days before getting home on April 15. He was intubated and in an induced coma after taking a turn for the worse, and was told they almost lost him at one point. After that, he exhibited signs of stroke on three occasions, was unable to speak for several days, lost about 70 pounds and was so weak he could not even raise my limbs off the bed. As he lay there, gaining mental and physical strength he knew the only reason he was alive was because of the outpouring of love and prayers by so many of you. In the Alice Walker novel and subsequent movie, The Color Purple, one of his favorite lines is when Miss Celie shows her courage and resilience with the line "I'm poor, I'm black, I might even be ugly, but dear God, I'm here. I'm here." That line kept him going. He is not sure yet as to why he lived while so many others died during intubation but dear God, I'm here. A special thank you to the Mayor, Tom, Karen, Lori, Joanna, Larry, Wes, Bob and Julie for your messages and encouragement. Wes, although you are not here, thank you for the window visit and jelly beans! To everyone, thank you again, a heartfelt thank you.

Ms. Elmore said she wanted to thank everyone for their participation and to congratulate Kristen for her acceptance to Dayton and Capital Law School. Last week, on May 12, Whitehall Bexley Rotary attended the Whitehall Yearling High School Awards Ceremony to recognize this year's recipient of the clubs two thousand dollar scholarship and congratulations to Ephesson Bekele on her achievement. She said to Chris that she is glad he is here. God has a purpose for his life and she is so glad to be a colleague of his. She said he is strong, he is needed for a town such as this and she thanked everyone for participating.

Ms. Conison said to Chris that there are so many things he does for others that people are unaware of, that she has seen. She is so thankful that God decided and has chosen him to be around to continue to do all the wonderful things that people do not see and that people do see.

Ms. Heck thanked everyone for tuning in and she thanked Carolyn for writing in. Congratulations to Kristen on her acceptance into law school. She said to Chris that she is so glad that he is here and that he

is back. If you did not get the opportunity guide, you can stop by City Hall and pick one up. It is full of resources along with information on the city.

President Potter thanked everyone for tuning in. He said to Chris that his words were very inspirational and he has been sorely missed. It is a wonderful vision to see him back up there with all of Council. He looks forward to seeing him many Tuesdays in a row.

Having nothing further, Mr. Bailey moved to adjourn and Mr. Rodriguez seconded the motion. On a roll call vote, all members responded in the affirmative and the meeting adjourned at 7:35 p.m.

Respectfully submitted,

Julie A. Ogg, Clerk of Council

APPROVED: _____, 2021.

Thomas M. Potter, Council President