

WHITEHALL COUNCIL COMMITTEES

MINUTES – June 27, 2023

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Council President Potter called the June 27, 2023 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 Thomas Potter  
Mayor Kim Maggard  
City Administrator Zach Woodruff  
City Auditor Steve Quinzel  
P&R Director Shannon Sorrell

Council Members

Gerald Dixon  
Wes Kantor  
Amy Smith  
Jo Anna Heck  
Karen Conison

COMMITTEE OF THE WHOLE

ORDINANCE NO. 043-2023 DRAFT # 1

PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF THE CITY OF WHITEHALL AN AMENDMENT TO THE CHARTER OF THE CITY OF WHITEHALL, OHIO PROPOSING TO AMEND SECTION 3(A) OF THE CHARTER, TO PROVIDE A PLAN FOR THE ELECTION AND QUALIFICATIONS OF THE COUNCIL RELATED TO RESIDENCY IN THE CITY AND DECLARING AN EMERGENCY.

There was no discussion on Draft # 1.

*(Comm. Of the Whole. – 3rd reading - ADOPT 08/01/2023- / )*

ORDINANCE NO. 044-2023 DRAFT # 2

PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF THE CITY OF WHITEHALL AN AMENDMENT TO THE CHARTER OF THE CITY OF WHITEHALL, OHIO PROPOSING TO AMEND SECTION 41(A) OF THE CHARTER, TO PROVIDE A PLAN FOR THE ELECTION AND QUALIFICATIONS OF THE AUDITOR TO POSSESS ADDITIONAL QUALIFICATIONS AND DECLARING AN EMERGENCY.

There was no discussion on Draft # 2.

*(Comm. Of the Whole. – 3rd reading - ADOPT 08/01/2023- / )*

ORDINANCE NO. 045-2023 DRAFT # 3

PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF THE CITY OF WHITEHALL AN AMENDMENT TO THE CHARTER OF THE CITY OF WHITEHALL, OHIO PROPOSING TO AMEND SECTION 44 OF THE CHARTER, TO PROVIDE A PLAN OF SUCCESSION TO THE AUDITOR TO POSSESS THE QUALIFICATIONS OF CHAPTER 41(A) AND DECLARING AN EMERGENCY.

There was no discussion on Draft # 3.

*(Comm. Of the Whole. – 3rd reading - ADOPT 08/01/2023- / )*

ORDINANCE NO. 046-2023 DRAFT # 4

PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF THE CITY OF WHITEHALL AN AMENDMENT TO THE CHARTER OF THE CITY OF WHITEHALL, OHIO PROPOSING TO AMEND SECTION 51(A)(B)(C) OF THE CHARTER, TO PROVIDE A PLAN xxxxxxxxxxxxxxxxxxxx AND DECLARING AN EMERGENCY.

City Administrator Zach Woodruff has met with City Attorney Bivens and if this legislation were to be enacted, it will require the abolishment of the sections in the Charter that deal with BZBA and the Planning Commission and then the creation of a new board that would incorporate both of those groups' powers and of authorities. It is Councils desire to move forward with the legislation. He will work with the City Attorney for language that Council can reflect on.

*(Comm. Of the Whole. – 3rd reading - ADOPT 08/01/2023- / )*

ORDINANCE NO. 047-2023 DRAFT # 5

PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF THE CITY OF WHITEHALL AN AMENDMENT TO THE CHARTER OF THE CITY OF WHITEHALL, OHIO PROPOSING TO AMEND SECTION 60(A) OF THE CHARTER, TO PROVIDE A PLAN REGARDING CHANGES RELATED TO THE APPOINTMENT AND ORGANIZATION OF THE PARKS AND RECREATION DEPARTMENT AND DECLARING AN EMERGENCY.

Mayor Maggard explained the history as to why the Whitehall Board of Education recommends two members to the Mayor to serve on the Park and Recreation Commission. She was looking at recommending a change in the number of appointments that Council has as well. This would give the Mayor four appointments and Council three appointments. She would like to come back to Council with some revisions on this legislation.

*(Comm. Of the Whole. – 3rd reading - ADOPT 08/01/2023- / )*

ORDINANCE NO. 048-2023 DRAFT # 6

PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF THE CITY OF WHITEHALL AN AMENDMENT TO THE CHARTER OF THE CITY OF WHITEHALL, OHIO PROPOSING TO AMEND SECTION 62(B) OF THE CHARTER, TO PROVIDE AN INCREASE IN THE AMOUNT OF EXPENDITURES, CONTRACT, OR ORDERS INVOLVING AN EXPENDITURE BROUGHT BEFORE THE BOARD OF CONTROL AND DECLARING AN EMERGENCY.

Mayor Maggard sent an email to Council members not too long ago explaining what their average numbers were over the last three months for the Board of Control. Board of Control should be for exceptional purchases. There was a recommendation that the five thousand dollars be changed to thirty six thousand dollars. It will be the same for Draft # 7 Ordinance 049-2023.

*(Comm. Of the Whole. – 3rd reading - ADOPT 08/01/2023- / )*

ORDINANCE NO. 049-2023 DRAFT # 7

PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF THE CITY OF WHITEHALL AN AMENDMENT TO THE CHARTER OF THE CITY OF WHITEHALL, OHIO PROPOSING TO AMEND SECTION 63(A) OF THE CHARTER, TO PROVIDE THE POWER OF THE MAYOR ON SMALL PURCHASES TO AUTHORIZE EXPENDITURE, CONTRACT, OR ORDER NOT IN EXCESS OF FIVE THOUSAND DOLLARS WITHOUT THE APPROVAL OF THE BOARD OF CONTROL AND DECLARING AN EMERGENCY.

There was no further discussion on Ordinance 049-2023

*(Comm. Of the Whole. – 3rd reading - ADOPT 08/01/2023- / )*

ORDINANCE NO. 050-2023 DRAFT # 8

AUTHORIZING AND APPROVING AN AMENDMENT TO THE TABLE OF AUTHORIZED PERSONNEL 161.37(f) OF THE CODIFIED ORDINANCES TITLED PARKS AND RECREATION, AND AUTHORIZING AND DELCARING AN EMERGENCY.

Director Sorrell explained the reason for Ordinance 050-2023. It is her desire to change the title of Program and Marketing Specialist to Program Supervisor and to add one employee bringing the total number to two and the title of Active Living Coordinator to Adult Resource and Engagement Specialist.

Director Sorrell answered questions from Councilmembers at this time.

*(Comm. Of the Whole. – 1st reading - ADOPT 07/05/2023-Heck/Kantor)*

ORDINANCE NO. 051-2023 DRAFT # 9

AUTHORIZING AND APPROVING AN AMENDMENT TO 161.38 SALARY SCHEDULE AND DECLARING AN EMERGENCY.

Director Sorrell explained that this housekeeping and was an oversite during the budget process during the first of the year. She would like it updated now.

Director Sorrell answered questions from Councilmembers at this time.

*(Comm. Of the Whole. – 1st reading - ADOPT 07/05/2023-Heck/Kantor)*

RESOLUTION NO. 025-2023 DRAFT # 10

AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE CONTRACT FOR 488 SOUTH YEARLING ROAD, PARCEL NUMBER 090-004347-00, LOCATED WITHIN THE CITY OF WHITEHALL.

City Administrator Woodruff said the City is ready to move forward with acquiring this piece of property on Yearling Road. Per code, this will need three reading non-emergency and then at such time the Mayor will be able to enter into contract.

*(Comm. Of the Whole. – 3rd reading - ADOPT 08/01/2023- / )*

**THIRD READING:**

RESOLUTION NO. 020-2023 *(Comm. Of the Whole – 3<sup>rd</sup> Reading – ADOPT 07/05/2023–Kantor/Conison)*

LEVYING SPECIAL ASSESSMENTS FOR PROPERTY MAINTENANCE AT SEVERAL LOCATIONS IN THE CITY OF WHITEHALL, OHIO (ADDRESSES AND PARCEL NUMBERS AS PROVIDED WITHIN THE TEXT OF THIS RESOLUTION), CERTIFYING SUCH COSTS TO THE FRANKLIN COUNTY AUDITOR TO BE ASSESSED AGAINST SUCH PROPERTY AND DECLARING AN EMERGENCY.

ADMINISTRATION AND FINANCIAL MANAGEMENT

Councilperson Conison opened at 7:08 p.m. and addressed the legislation in her committee, as follows:

ORDINANCE NO. 052-2023 DRAFT # 11

AUTHORIZING AND APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF TWENTY FIVE THOUSAND AND TWO HUNDRED FIFTY DOLLARS (\$25,250.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND 101 TO THE 101.700.51200 PROGRAM COORDINATOR/SUPERVISOR EXPENSE ACCOUNT AND DECLARING AN EMERGENCY.

Mayor Maggard explained that if Council chose to add the Supervisor position, it would need a supplemental appropriation for one-half a year. The account number is where salaries are expended.

*(Adm. & Fin Mgmt. – 1st reading - ADOPT 07/05/2023-Bailey/Heck)*

ORDINANCE NO. 053-2023 DRAFT # 12

AUTHORIZING AND APPROVING A FUND TRANSFER IN THE AMOUNT OF ONE HUNDRED SIXTY THOUSAND AND NO/DOLLARS (\$160,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND TO THE 505 ACCRUED BENEFIT RESERVE FUND; AUTHORIZING AND APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF ONE HUNDRED SIXTY THOUSAND AND NO/DOLLARS (\$160,000.00) FROM THE 505 ACCRUED BENEFIT RESERVE FUND TO THE 505.000.51000 ACCRUED BENEFIT RESERVE EXPENSE ACCOUNT AND DECLARING AN EMERGENCY.

Auditor Quincel explained that there are several retirements of some long-term employees coming up this year and they need compensated for the hours they have banked.

*(Adm. & Fin Mgmt. – 1st reading - ADOPT 07/05/2023-Bailey/Conison)*

ORDINANCE NO. 054-2023 DRAFT # 13

AUTHORIZING AND APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF TWENTY TWO THOUSAND AND NO/DOLLARS (\$22,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND 101 TO THE 101.960.51500 RECORDS CLERK SALARY ACCOUNT AND DECLARING AN EMERGENCY.

Mayor Maggard explained the need for the supplemental appropriation. The clerks are short staffed and there has been overtime because of this. Record amounts of citations written is a factor as well.

*(Adm. & Fin Mgmt. – 1st reading - ADOPT 07/05/2023-Bailey/Elmore)*

ORDINANCE NO. 055-2023 DRAFT # 14

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF FOUR HUNDRED SIXTY-FIVE THOUSAND THREE HUNDRED SEVENTY AND 00/100 DOLLARS (\$465,370.00) FROM PREVIOUSLY UNAPPROPRIATED MONIES IN THE WMPITIE FUND (279) TO THE 90-339 HAMILTON/BROAD INCENTIVE ACCOUNT (279.000.50009) AND DECLARING AN EMERGENCY.

Auditor Quincel explained this is for the Norton Crossing area. The county named the account the Hamilton Broad account. The city already has an account with that name. When the check came, it went in the Hamilton Broad account. The county used the numbers 90-339 so they are using the number 90-339 Hamilton Broad Incentive account. The money needs to be moved to the 90-339 account so they can move forward with this incentive payment.

Auditor Quincel gave each member Council a copy of the audit communication letter from Julian & Grube. The audit was good and clean.

*(Adm. & Fin Mgmt. – 1st reading - ADOPT 07/05/2023-Bailey/Smith)*

Having nothing further, Councilperson Conison closed at 7:16 p.m.

COMMUNITY AND ELDER ADVOCACY

Chairperson Dixon opened at 7:16 p.m. and said there are no drafts or pending legislation on the agenda.

There was no discussion in Community and Elder Advocacy.

Having nothing further, Chairperson Dixon closed at 7:17 p.m.

COMMUNITY STANDARDS AND ENFORCEMENT

Chairperson Smith opened at 7:40 p.m. and addressed the legislation in her committee, as follows:

ORDINANCE NO. 056-2023 DRAFT # 15

AUTHORIZING, APPROVING, ADOPTING AN ORDINANCE REQUIRING FOOD, WATER AND SHELTER BE PROVIDED TO HARBORED ANIMALS. ADOPTING AN ORDINANCE PROHIBITING LEAVING AN ANIMAL UNATTENDED IN A VEHICLE IN CERTAIN CONDITIONS.

City Administrator Woodruff has been working with the Code Enforcement department and the Animal Control officer and current code requires shelter and water but makes no mention of food. Food has been added to the cruelty section as well as specifying that in the event that an animal is left in a vehicle, that any law enforcement officer or animal control officer may take action to rescue the animal.

City Administrator Woodruff answered questions in reference to “any animal” in need of medical care from Councilperson Dixon.

*(Comm. Stand & Enf. – 3rd reading - ADOPT 08/01/2023- Smith/Dixon)*

Having nothing further, Chairperson Smith closed at 7:21 p.m.

ECONOMIC DEVELOPMENT

Chairperson Kantor opened at 7:21 p.m. and addressed the legislation in his committee, as follows:

**SECOND READING:**

RESOLUTION NO. 024-2023 (*Economic Dev. – 3<sup>rd</sup> Reading – ADOPT 07/18/2023–Kantor/Conison*)

AUTHORIZING THE MAYOR TO ENTER INTO A MUNICIPAL INCOME TAX REIMBURSEMENT AGREEMENT WITH COMPANY ETHIOPIAN TEWAHEDO SOCIAL SERVICES TO LOCATE AT 4300 EAST BROAD STREET.

Having nothing further, Chairperson Kantor closed at 7:22 p.m.

INFRASTRUCTURE, MAINTENANCE AND SERVICE

Chairperson Conison opened at 7:22 p.m. and addressed the legislation in her committee, as follows:

**SECOND READING:**

ORDINANCE NO. 041-2023 (*Infra. Maint. & Svcs. – 3rd reading-ADOPT 07/18/2023-Conison/Kantor*)

AN ORDINANCE GRANTING [FRANCHISE] TO OHIO POWER COMPANY , ITS SUCCESSORS AND ASSIGNS, THE RIGHT TO ACQUIRE, CONSTRUCT, MAINTAIN, AND OPERATE IN THE STREETS, THOROUGHFARES, ALLEYS, BRIDGES, AND PUBLIC PLACES OF THE CITY OF WHITEHALL, STATE OF OHIO, AND ITS SUCCESSORS, LINES FOR THE [TRANSMISSION

AND] DISTRIBUTION OF ELECTRIC ENERGY TO THE CITY OF WHITEHALL, AND THE INHABITANTS THEREOF FOR LIGHT, HEAT, POWER, AND OTHER PURPOSES, AND FOR THE TRANSMISSION [AND DISTRIBUTION] OF THE SAME WITHIN, THROUGH, OR ACROSS SAID CITY OF WHITEHALL, STATE OF OHIO.

RESOLUTION NO. 023-2023 (*Infra. Maint. & Srvs. – 3rd reading-ADOPT 07/18/2023-Conison/Dixon*)  
AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH AMERICAN STRUCTUREPOINT, INC. FOR PLAN REVIEW AND INSPECTION SERVICES.

Having nothing further, Chairperson Conison closed at 7:23 p.m.

#### PUBLIC SAFETY

Chairperson Heck opened at 7:24 p.m. and said there are no drafts or pending legislation on the agenda.

Several residents have asked Councilperson Dixon about the new sound detection devices so he contacted Chief Crispen. He was very helpful and he wanted to thank him for that.

Having nothing further, Chairperson Heck closed at 7:425p.m.

#### PARKS AND RECREATION

Chairperson Heck opened at 7:25 p.m. and said there are no drafts or pending legislation on the agenda.

There was no discussion in Parks and Recreation.

Having nothing further, Chairperson Heck closed at 7:25 p.m.

City Administrator Zach Woodruff had a meeting with one of the outside legal counsel today. He gave each Councilmember a copy of the draft legislation and said he would have the final piece to them the next day. This is a final ordinance that is necessary for the appropriation for the right of way taking for the Speedway property. It will be required for the total take. This needs to be on emergency and passed next week. This will go under Committee of the Whole.

City Administrator Woodruff answered questions from Councilperson Dixon.

Chairperson Conison thanked the Whitehall City Schools but especially George and Larry for their help over the weekend with the Whitehall Ambassadors and Baby Pageants. It was a wonderful event.

The meeting adjourned at 7:31 p.m.

Submitted by:

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Julie A. Ogg, Clerk of Council

APPROVED: July 5, 2023.

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Thomas M. Potter, Council President