

WHITEHALL COUNCIL COMMITTEES

MINUTES – July 12, 2022

President Pro Tempore Bailey called the July 12, 2022 Council Committees' meeting to order at 6:30 p.m.

The following members of council and the administration were present:

Members of the Administration

President Pro Tempore Bailey
Mayor Kim Maggard
City Administrator Zack Woodruff
City Attorney Michael Bivens
City Auditor Steve Quincel
Deputy Dir. of Public Affairs Megan Meyer

Council Members

Gerald Dixon
Amy Smith
Karen Conison
Lori Elmore

COMMITTEE OF THE WHOLE

There was no discussion in Committee of the Whole.

ADMINISTRATION AND FINANCIAL MANAGEMENT

Councilperson Bailey opened at 6:31 p.m. and addressed the legislation in his committee, as follows:

ORDINANCE NO. 037-2022 DRAFT # 1

AUTHORIZING AND APPROVING A FUND TRANSFER IN THE AMOUNT OF ONE HUNDRED TWENTY FIVE THOUSAND AND NO/DOLLARS (\$125,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND 101 TO THE ACCRUED BENEFIT RESERVE FUND 505; AUTHORIZING AND APPROVING A SUPPLEMENTAL APPROPRIATION FROM THE ACCRUED BENEFIT RESERVE FUND 505 TO THE ACCRUED BENEFIT RESERVE EXPENSE ACCOUNT 505.000.51000 IN THE AMOUNT OF ONE HUNDRED AND TWENTY FIVE THOUSAND DOLLARS AND NO/100 (\$125,000.00) AND DECLARING AN EMERGENCY.

Mayor Maggard said the accrued benefit fund is a fund setaside so when people leave their employment with the City of Whitehall or retire, the city can pay certain things that are due to them. This could be vacation leave, sick leave or other types of leaves they have accrued. These leaves are paid within thirty days of them leaving their employment with the city. Currently there is one-quarter percent of the general fund money every month going into this fund. There have been retirement and employees moving around this year, that fund can be depleted fast. She is asking for one hundred twenty five thousand dollars to go to the fund. She shared with Council that Auditor Quincel would like to up that amount to one percent next year. Legislation will be presented later for Councils consideration.

Councilperson Dixon asked if by upping the percentage, this would prevent this from happening again.

Auditor Quincel said he looked back over the last five years and they have had to come to Council twice a year, every year to increase that fund. The quarter of a percent is just not enough.

(Adm. & Fin. Mgmt. – 1st reading – ADOPT 07/19/2022- Bailey/Conison)

ORDINANCE NO. 038-2022 DRAFT # 2

AUTHORIZING AND APPROVING THE FOLLOWING FUND TRANSFERS AND SUPPLEMENTAL APPROPRIATIONS IN THE TOTAL AMOUNT OF ONE HUNDRED SIXTY THREE THOUSAND AND NO/DOLLARS (\$163,000.00) TO ENSURE EFFECTIVE OPERATIONS FOR THE REMAINDER OF THE 2022 FISCAL YEAR AND DECLARING AN EMERGENCY.

Mayor Maggard spoke on Draft 1 and Draft 2. She said the fleet, technology and lifecycle replacements are three more funds that a percentage of the general fun goes into each month. There is a need to put more money in those funds in order to pay the bills and obligations for the future. Draft 3, she has asked for a fund advance transfers which means you are basically borrowing money from the general fund that will be paid back to the general fund by the end of the year. There is a debt service that had been projected in the budget last year has a shortfall and that needs to made up as well. She is asking these passed on first reading. She and Steve will look at percentages again; they know they are going to up the accrued benefit reserve fund. She said the technology, with 314 and 315, much of that is due to the technology failure that occurred at the end of May and into June. The city's insurance will be reimbursing the city up to a certain amount but the city must pay for it first. She has met with the IT Director and there may be some additional expenditures. They are hoping to prepare adequately for 2023.

(Adm. & Fin. Mgmt. – 1st reading – ADOPT 07/19/2022- Bailey/Smith)

ORDINANCE NO. 039-2022 DRAFT # 3

AUTHORIZING AND APPROVING THE FOLLOWING FUND ADVANCES IN THE TOTAL AMOUNT OF NINETY EIGHT THOUSAND, EIGHT HUNDRED TWENTY EIGHT DOLLARS AND .64/100 (\$98,828.64) AND DECLARING AN EMERGENCY.

(Adm. & Fin. Mgmt. – 1st reading – ADOPT 07/19/2022- Bailey/Conison)

ORDINANCE NO. 040-2022 DRAFT # 4

AUTHORIZING AND APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF ONE THOUSAND FIVE HUNDRED 00/100 DOLLARS (\$1,500.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE SALES TAX EXPENSE ACCOUNT (856.000.50000) AND DECLARING AN EMERGENCY.

Auditor Quincel said Whitehall was not expecting to run a baseball league this year. When you run a concession stand, when food is consumed on the premises, it is taxable. The tax has been collected and the revenue is already in the fund. The expenditure of one thousand five hundred dollars needs approved so that the taxes can be paid to the State of Ohio.

(Adm. & Fin. Mgmt. – 1st reading – ADOPT 07/19/2022- Bailey/Heck)

Having nothing further, Councilperson Bailey closed at 6:41 p.m.

COMMUNITY STANDARDS AND ENFORCEMENT

Chairperson Smith opened at 6:42 p.m. and addressed the legislation in her committee, as follows:

ORDINANCE NO. 041-2022 DRAFT # 5

AMENDING ORDINANCE NO. 040-2011 TO UPDATE THE TAX EXEMPTIONS AVAILABLE WITHIN THE MAIN STREET RE/DEVELOPMENT DISTRCT COMMUNITY REINVESTMENT AREA.

Deputy Director of Public Affairs Megan Meyer said there were having technology issues. This legislation before Council because the city has six community reinvestment areas, known as CRA's. They

are in the process of updating those to reflect current state law. In 1998, when CRA's were first developed, it was mostly to focus on the development of commercial property to bring in jobs instead of tax revenue. Now it includes residential properties as well. They have gone over the guidelines to update the city's codes to reflect state law. They started with three CRA's in 2021. In 1998, there were two CRA's for Main Street. They call them Main Street East and Main Street Redevelopment. When the ordinance was updated in 2021, the wrong CRA was written in and we need to update it. What that process looks like is it starts with Council and the ordinance that is up for consideration in August and with that they can take the information and the application forward to the Department of Development so they may complete a housing study. A housing study was done for the right side of Main Street so now they must do the left side of Main Street. They are here tonight to move forward with the process to start this portion and to remind Council what the areas are for and to also to let them know they will be coming forward with legislation for the fifth of the six CRA's. They are not doing a CRA update for the Poth Road since it is zoned commercial and not residential.

(Comm. Stand. & Enf. – 3rd reading – ADOPT 08/16/2022- Smith/Conison)

ORDINANCE NO. 042-2022 DRAFT # 6

AMENDING THE ZONING MAP ATTACHED TO CHAPTER 1122 OF THE 1970 CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, OHIO AND AS SUBSEQUENTLY AMENDED, AMENDING THE PLANNED UNIT DEVELOPMENT (PUD) APPROVED ON NOVEMBER 2, 2021 FOR THE PROPERTY LOCATED ON EAST BROAD ST, HAMILTON RD, AND POTH RD, PARCEL NUMBERS LISTED IN APPENDIX A, PROPERTY OWNED BY CITY OF WHITEHALL AND DECLARING AN EMERGENCY.

City Administrator Zach Woodruff apologized about the technology issue they are having. Megan is making copies of the changes so that they can be presented to Council. Last year Council approved the PUD for the Woodcliff Redevelopment project in part. It specified a phase one of that development. The PUD required for phase one, what are major changes to the plan, they had to come back through the process. The developer, given the increases in interest rates and construction costs, has made a minor modification to phase one, but it does increase the density by about twelve units. Because of that increase in density the code requires them to come back through the process for phase one. They have eliminated one two story building and added a fifth floor to the building that is to front Hamilton Road. The PUD has been replaced with the corridor concepts that were approved last year but because this project was approved last year under the old zoning. The PUD zoning says just any increase in density. What Council provided last year was any phase beyond phase one, then just has to meet the general design guidelines because Council and the administration understood that eight years from now no one really knows what phase three is going to look like. The Planning Commission viewed the preliminary site plan on Thursday. They will hear the final development plan in August and this would obviously they would ask Council to consider this the third week of August but it is only a net increase of twelve to sixteen units.

(Comm. Stand. & Enf. – 3rd reading – ADOPT 08/16/2022- Smith/Elmore)

Having nothing further, Chairperson Smith closed at 6:51 p.m.

COMMUNITY AND ELDER ADVOCACY

Chairperson Dixon opened at 6:51 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 6:52 p.m.

ECONOMIC DEVELOPMENT

Chairperson Conison opened at 6:55 p.m. and addressed the legislation in her committee, as follows:

ORDINANCE NO. 043-2022 DRAFT # 7

APPROVING COMMUNITY REINVESTMENT AREA REAL PROPERTY TAX EXEMPTION APPLICATIONS FOR YEARLING RICKENBACKER DEVELOPMENT GROUP LLC, WHITEHALL COMMUNITY IMPROVEMENT CORPORATION, YEARLING GREEN 1, LLC, OR THEIR RESPECTIVE DESIGNEES AND DECLARING AN EMERGENCY.

City Administrator Zach Woodruff said that last year Council approved zoning for this portion of Yearling Green project. This was for twenty townhomes, walk-up, brownstone townhomes along Yearling Road. He calls that phase one. They have been working with the developer on a phase two and this phase is the eastside of Yearling Road. The properties that are currently Jumbos, the Whitehall Community Improvements building that is next to Jumbos and 559 Rickenbacker, which is the house on Rickenbacker and Elaine. What phase two show is twelve townhomes on the east side of Yearling and then a four story mixed use building. This would bring the building up to the corner with the white color being their own private patio. The green is where they currently have the benches and the bollards, which will all become open patio space. This creates about seventy five hundred square feet of ground floor retail, commercial and about twenty-four one and two bedrooms units above. Part of the agreement is that the City Attorney's office, the city would lease the twenty four to twenty five hundred square feet at a dollar a year for the length of this agreement. The 559 Elaine address would be demolished and public parking would be put in its place. This is the type of development they have been pushing for, which will increase the amount of sit-down or fast casual places to eat. As they have been talking to the developer, they are working towards whether it is a sandwich place, a café or a coffee shop, those kinds of things to activate that corner. By pulling the buildings up to the sidewalk really increases that pedestrian orientation, makes Yearling Road more walkable, and increases the amount of parking that they have along Yearling Road.

City Administrator Zach Woodruff answered questions from Council at this time.

(Economic Dev. – 3rd reading – ADOPT 08/16/2022- Kantor/Conison)

ORDINANCE NO. 044-2022 DRAFT # 8

APPROVING A COMMUNITY REINVESTMENT AREA REAL PROPERTY TAX EXEMPTION APPLICATION FOR BUCKEYE APARTMENTS LLC OR ITS DESIGNEE AND AUTHORIZING THE EXECUTION OF A MASTER COMMUNITY REINVESTMENT AREA AGREEMENT FOR THE PROVISION OF A REAL PROPERTY TAX ABATEMENTS WITHIN THE EAST BROAD STREET DISTRICT COMMUNITY REINVESTMENT AREA IN ACCORDANCE WITH A DEVELOPMENT AGREEMENT AND FOR THE PURPOSE OF ENCOURAGING THE CREATION OF NEW JOBS WITHIN THE CITY; AND DECLARING AN EMERGENCY.

City Administrator Zach Woodruff said that building G would be going away but will reappear in another phase. That building will be gone in phase 1A. Building C along Hamilton Road goes from four stories to five stories. The parking ratios stay the same we are only adding density. The building on Hamilton Road will be fifty-five feet tall and will really make an impact. The piece of legislation in the Economic Development committee is for the incentives. They have sent the required notices to the affected school districts. This will go three readings and again, these incentives are necessary. The reasons are spelled out in the emergency clause and are consistent with state law and their guidance from legal counsel.

City Administrator Zach Woodruff answered questions from Council at this time.

(Economic Dev. – 3rd reading – ADOPT 08/16/2022- Kantor/Elmore)

Having nothing further, Chairperson Conison closed at 7:33 p.m.

INFRASTRUCTURE, MAINTENANCE AND SERVICE

Chairperson Conison opened at 6:52 p.m. and said there are no drafts or pending legislation on the agenda.

There was no discussion in Infrastructure, Maintenance and Services.

Having nothing further, Chairperson Conison closed at 6:52 p.m.

PUBLIC SAFETY

Chairperson Elmore opened at 6:53 p.m. and said there are no drafts or pending legislation on the agenda.

Chairperson Elmore thanked those that supported her during her absence and she appreciates them. National Night Out will be held on August 2 at John Bishop Park.

City Administrator Zach Wood said he and the Mayor wanted to thank their safety forces and service department for the extra work that they put in during July 4 and the fireworks viewing party.

Having nothing further, Chairperson Elmore closed at 6:54 p.m.

PARKS AND RECREATION

Chairperson Bailey opened at 6:54 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 Bailey closed at 6:55 p.m.

Meeting adjourned at 7:33 p.m.

Respectfully submitted,

Julie A. Ogg, Clerk of Council