

WHITEHALL CITY COUNCIL  
AGENDA MEETING MINUTES

July 16, 2019

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President Graham called the July 16, 2019 agenda meeting to order at 6:30 p.m. All members were present.

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

The meeting adjourned at 6:38 p.m.

Respectfully submitted,

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Julie A. Ogg, Clerk of Council

APPROVED: \_\_\_\_\_, 2019.

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Jim Graham, Council President

## WHITEHALL CITY COUNCIL MEETING

MINUTES – July 16, 2019

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President Graham called the regular meeting of Whitehall City Council to order at 7:00 p.m. on Tuesday, July 16, 2019.

At President Graham'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:

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

### APPROVAL OF MINUTES

Ms. Conison moved to approve the Minutes of the June 18, 2019, 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.

### SPECIAL PRESENTATION:

Police Chief Mike Crispen thanked council for allowing him to give recognition to the students who completed the Youth Police Academy. He said a couple of years ago, School Resource Officer Mark Showalter worked with the school board and the police department to create a program for our youth to work with law enforcement. The goal was to gain leadership skills, knowledge about government and the laws of the nation. The six students who volunteered for the program gave up two weeks of their summer vacation to participate in this program. All the students passed the test at the end of the two weeks.

School Resource Officer Mark Showalter recognized the six student by giving them certificates of completion. He share with council the t-shirt design the students worked on. The students have inquired about an advanced program that for next year.

At this time, the student received a standing ovation.

### POLL PUBLIC

No comments at this time.

## 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 have no pending legislation and they will meet 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 have no drafts or pending legislation on the agenda tonight. 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.

## OFFICIALS' REPORTS

Mayor Kim Maggard – was not present.

City Attorney Michael Bivens – he thanked everyone for coming out this evening. He said the official report from the City Attorney's office is that during the month of June 2019, Whitehall Mayors Court prosecuted 263 cases with only 28 of those cases committed by Whitehall residents. That is only 10 percent. Year to date, the City Attorney's office has handled 2,200 cases. These are combined cases from Whitehall Mayors Court and Franklin County Municipal Court. Of those combined cases, Whitehall residents committed 288 of those cases. That is an average of about 13 percent.

He reported that he attended the National Association of Counties conference in Las Vegas. He said they discussed the blueprint in the war against poverty in Franklin County. Whitehall Mayors Court was discussed as being a best practice in the war against poverty as it relates to our plea agreement, pre-adjudication program, drug abuse dependency and work force development.

City Auditor Dan Miller – he had no official report. He asked for favorable consideration on Ordinance 084-2019.

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

Public Safety Director Van Gregg – was not present

Treasurer Steve Quincel – he had no official report.

President Graham – advised that the following Officials’ Reports have been filed in the Council Office since the last meeting: The Treasurer’s Investment Report for May and June 2019, The Treasurer’s Activity by Fund Report for May and June 2019 and The Treasurer’s Fund Reconciliation Report for May and June 2019, The Auditors Expense Report for June 2019, the Auditors Bank Report for June 2019, the Auditors Statement of Cash Position Report for June 2019 and the Auditors Revenue Report for June 2019.

#### COMMUNICATIONS, PETITIONS AND CLAIMS:

1. Notice from the Ohio Division of Liquor Control for the transfer of fifty percent stock ownership from YASER AKILEH, RHINO BEVERAGE CARRYOUT INC., D.B.A. DEVOES, 4736 EAST MAIN STREET, WHITEHALL, OHIO 43213 to GEORGE FARRAJ.
2. Agenda for the July 11, 2019 Planning Commission Meeting.
3. Agenda for the July 10, 2019 Park & Recreation Commission Meeting.
4. Minutes for the June 12, 2019 Park & Recreation Commission Meeting.

#### PUBLIC HEARING:

ORDINANCE NO. 064-2019 was read by title only by President Graham:

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 ROBINWOOD AVE, PARCEL NUMBERS 090-000446, 090-000645, 090-005472, 090-002169, 090-002178, FROM OFFICE DISTRICT (OD) AND RESIDENTIAL (R-3) TO PLANNED APARTMENT DISTRICT (PAD), PROPERTY OWNED BY SAGI REALTY INC.

President Graham opened the public hearing on Ordinance No. 064-2019 at 7:19 p.m.

Michael T. Shannon, 5166 Etna Road, Whitehall, OH stated he was very pleased to be there on behalf of the Robert Weiler Company. He spoke on the legacy of the Robert Weiler Company. He said the development he will discuss is the old Robinwood/Safe Auto property. The development will include ninety-six market rate apartments. There will be fifty-two two-bedroom and forty-four one-bedroom apartments built. The buildings will have a brick veneer and will have a total investment for the multi-family alone will be in excess of ten million dollars. It will have clubhouse and swimming pool.

Mr. Shannon answered questions from council members at this time.

After confirming there were no other proponents or opponents, President Graham closed the public hearing at 7:30 p.m.

ORDINANCE NO. 065-2019 was read by title only by President Graham:

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 ROBERT WEILER COMPANY TO OPERATE A DRIVE-IN WINDOW AND DRIVE-THROUGH FACILITIES ON THE PROPERTY LOCATED AT 3861 E. BROAD ST. PARCEL #090-008384, PROPERTY OWNED BY SAGI REALTY LTD.

President Graham opened the public hearing on Ordinance No. 065-2019 at 7:31 p.m.

Michael T. Shannon, 5166 Etna Road, Whitehall, OH stated there would be access at Robinwood Ave and will be using the existing curb cut. There is no named specific tenant at this time. There will be ample parking for customers and employee's.

Mr. Shannon answered questions from council members at this time.

After confirming there were no other proponents or opponents, President Graham closed the public hearing at 7:46 p.m.

ORDINANCE NO. 076-2019 was read by title only by President Graham:

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 836 S. HAMILTON RD., PARCEL NUMBER 090-000138, FROM OFFICE DISTRICT (OD) TO GENERAL COMMERCE DISTRICT (GCD) PROPERTY OWNED DEZALOVSKY INVESTMENTS, LLC.

President Graham opened the public hearing on Ordinance No. 076-2019 at 7:47 p.m.

Kim Mikanik, 1116 W. 2<sup>nd</sup> Avenue, Grandview Heights, Oh 43212 stated she is the architect for this project. This will be a mixed-use type building. There will be retail on the first floor and apartments on the second floor. The finish will be stucco and stone. Access will be from the outside. Parking is to the side and rear of the building. There was discussion on handicapped parking spaces.

Ms. Mikanik answered questions from council members at this time.

Mr. Dan Reneker, 1276 Erickson Avenue, owner of 845/847 Valerie Lane, Whitehall, OH expressed concerns in regards to parking behind the building and the road going through to Valerie Lane.

Director Woodruff stated he does not believe the site plan as you see it today, does not encroach onto the property of 845/847 Valerie Lane.

After confirming there were no other proponents or opponents, President Graham closed the public hearing at 8:04 p.m.

VERIFICATION OF COPIES:

President Graham 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. 064-2019 was read by title only by President Graham:

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 ROBINWOOD AVE, PARCEL NUMBERS 090-000446, 090-000645, 090-005472, 090-002169, 090-002178, FROM OFFICE DISTRICT (OD) AND RESIDENTIAL (R-3) TO PLANNED APARTMENT DISTRICT (PAD), PROPERTY OWNED BY SAGI REALTY INC.

Mr. Rodriguez introduced and moved to adopt Ordinance No. 064-2019 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 064-2019 was adopted.

ORDINANCE NO. 065-2019 was read by title only by President Graham:

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 ROBERT WEILER COMPANY TO OPERATE A DRIVE-IN WINDOW AND DRIVE-THROUGH FACILITIES ON THE PROPERTY LOCATED AT 3861 E. BROAD ST. PARCEL #090-008384, PROPERTY OWNED BY SAGI REALTY LTD.

Mr. Rodriguez introduced and moved to adopt Ordinance No. 065-2019 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 065-2019 was adopted.

ORDINANCE NO. 076-2019 was read by title only by President Graham:

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 836 S. HAMILTON RD., PARCEL NUMBER 090-000138, FROM OFFICE DISTRICT (OD) TO GENERAL COMMERCE DISTRICT (GCD) PROPERTY OWNED DEZALOVSKY INVESTMENTS, LLC.

Mr. Rodriguez introduced and moved to adopt Ordinance No. 076-2019 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 076-2019 was adopted.

ORDINANCE NO. 077-2019 was read by title only by President Graham:

AUTHORIZING THE EXECUTION AND DELIVERY OF A COMMUNITY REINVESTMENT AREA AGREEMENT BETWEEN THE CITY AND THE ROBERT WEILER COMPANY OR ITS DESIGNEE.

Mr. Rodriguez introduced and moved to adopt Ordinance No. 077-2019 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 077-2019 was adopted.

RESOLUTION NO. 030-2019 *was read by title only by President Graham:*

AUTHORIZING THE MAYOR TO ENTER INTO A PURCHASE AGREEMENT AND ACCEPT TITLE TO PARCEL NUMBERS 090-001794 & 090-005410, 4775 E. BROAD STREET, FROM SUN PLAZA, LTD. LOCATED WITHIN THE CITY OF WHITEHALL AND PAY ALL FEES ASSOCIATED WITH THE TRANSFER OF PROPERTY.

Director Woodruff clarified that this piece of legislation authorizes the city to purchase the real-estate pursuant to an ODOT safety grant that the city received as part of the Broad and Hamilton intersection improvement project.

Mr. Bailey introduced and moved to adopt Resolution No. 030-2019 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 030-2019 was adopted.

#### SECOND READING:

RESOLUTION NO. 033-2019 *was read by title only by President Graham:*

ADOPTING THE WHITEHALL WORKS DEVELOPMENT BLUEPRINT AS A GUIDE FOR FUTURE IMPROVEMENTS, INVESTMENTS AND ACTIONS WITHIN WHITEHALL'S PRIMARY COMMERCIAL AND INDUSTRIAL CORRIDORS BOUNDED BY PROPERTIES ADJACENT TO BROAD AND MAIN STREETS, HAMILTON, YEARLING AND POTH ROADS OF THE CITY OF WHITEHALL.

Mr. Morrison introduced and moved to suspend the rules on Resolution No. 033-2019 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 033-2019 was suspended.

Mr. Morrison then moved to adopt Resolution No. 033-2019 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 033-2019 was adopted.

#### FIRST READING:

ORDINANCE NO. 084-2019 *was read by title only by President Graham:*

APPROVING AND MAKING AN APPROPRIATION IN THE AMOUNT OF ONE HUNDRED SEVENTY-FIVE THOUSAND FIVE HUNDRED AND NO/100 DOLLARS (\$175,500.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE FUND ADVANCE EXPENSE ACCOUNT (101.950.59990) AND DECLARING AN EMERGENCY.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 084-2019 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 084-2019 was suspended.

Mr. Bailey then moved to adopt Ordinance No. 084-2019 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 084-2019 was adopted.

ORDINANCE NO. 085-2019 was read by title only by President Graham:

**PUBLIC HEARING 8/20/19**

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 A PORTION OF PROPERTY LOCATED ON 402 N. HAMILTON RD., PARCEL NUMBERS 090-003998, 090-003999, FROM EXCEPTIONAL USE DISTRICT (EU) TO GENERAL COMMERCE DISTRICT (GCD) PROPERTY OWNED BY CITY OF WHITEHALL.

RESOLUTION NO. 036-2019 was read by title only by President Graham:

AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER A PURCHASE AND SALE AGREEMENT AND OTHER APPROPRIATE DOCUMENTS ON BEHALF OF THE CITY TO SELL APPROXIMATELY ONE ACRE OF PROPERTY IN THE WHITEHALL COMMUNITY PARK TO THE WHITEHALL COMMUNITY IMPROVEMENT CORPORATION.

POLL PUBLIC

No comments at this time.

COMMUNITY DATE BOARD

Chairperson Kantor said that National Night Out is August 6, 2019 and is being held at John Bishop Park. The City Council Meeting will be at 7:00 p.m. at the Senior Citizens Building on Etna Road. Parks and Recreation will be hosting Movies in the Moonlight beginning July 26, 2019.

Chairperson Bailey said that the attendance at Down on the Farm was great. It was at Lamby Lane Park on July 10, 2019.

Chairperson Conison said there are only two more Music in the Parks events. Food truck Festival is on Saturday, July 27, 2019.

POLL COUNCIL

Mr. Kantor thanked everyone for watching and those in attendance tonight. He said he wanted to congratulate those that completed the Youth Police Academy.

Ms. Heck thanked everyone for the comments tonight and those watching on Facebook. She said the information shared tonight was great.

Mr. Morrison thanked everyone for watching and those in attendance tonight. The new projects presented tonight will help the city continue to move forward.



Mr. Bailey thanked everyone for watching and those in attendance tonight.

Mr. Rodriguez thanked everyone who is watching tonight. He felt there was a lot of positive in this meeting. He said he wanted to congratulate those that completed the Youth Police Academy. He wished someone special a happy 96<sup>th</sup> birthday.

Ms. Elmore thanked everyone in attendance and those for viewing tonight. She said she wanted to congratulate those that completed the Youth Police Academy. She thanked Attorney Bivens for his update tonight. She said that many people attended the Community Wellness and Safety Fair at Lowes on July 13, 2019 and she thanked Felice Thomas of the Faith Thomas Foundation for their help in organizing the event and raising awareness of sickle cell research.

Ms. Conison thanked everyone for coming tonight.

President Graham thanked everyone for being there tonight and for tuning in on Facebook.

Having nothing further, Ms. Elmore moved to adjourn and Mr. Kantor seconded the motion. On a roll call vote, all members responded in the affirmative and the meeting adjourned at 8:27 p.m.

Respectfully submitted,

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Julie A. Ogg, Clerk of Council

APPROVED: \_\_\_\_\_, 2019.

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Jim Graham, Council President