

WHITEHALL CITY COUNCIL
AGENDA MEETING MINUTES

President Potter called the August 1, 2023 agenda meeting to order at 6:30 p.m. All members were present with the exception of Chairperson Elmore and Chairperson Smith.

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

There was discussion on the amendments submitted by Chairperson Heck on Ordinance 044-2023 and 047-2023, as well as the amendments submitted by Assistant City Attorney Brad Nicodemus on Ordinance 046-2023.

The meeting adjourned at 6:54 p.m.

Submitted by,

Julie A. Ogg, Clerk of Council

APPROVED: August 15, 2023

Robert Bailey, Council President Pro Tem

WHITEHALL CITY COUNCIL MEETING

MINUTES – August 1, 2023

President Potter called the regular meeting of Whitehall City Council to order at 7:00 p.m. on Tuesday, August 1, 2023.

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:

Karen Conison
Wes Kantor
Jo Anna Heck
Robert Bailey
Gerald Dixon

Mr. Bailey 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 Chairpersons Elmore and Chairperson Smith were excused.

APPROVAL OF MINUTES:

Ms. Conison moved to approve the July 18, 2023 agenda and regular meeting minutes, the July 25, 2023 agenda and special meeting minutes and the July 25, 2023 committee agenda and meeting minutes. 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:

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 Dixon 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 Standards and Enforcement – Chairperson Kantor 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.

Economic Development – Chairperson Kantor 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.

Infrastructure, Maintenance and Services – Chairperson Conison reported that the committee last Tuesday and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

Public Safety – 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.

Parks and Recreation – Chairperson Heck 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.

OFFICIALS' REPORTS

Mayor Kim Maggard – she thanked all the hard work the city did in bringing the 2023 Food Truck and Fun Festival to the City of Whitehall. It was a success and could not have been done without the safety forces, to ensure that safety was a priority and the Development Department for putting the fun in funfest. She walked through the National Night Out event this evening and it was a well-attended event. She gave a big shout-out to the Columbus Zoo for bringing their animals out. She grateful for all the work that the employees put in to make it a success. She asked for favorable consideration on Ordinance 060-2023.

City Administrator Zach Woodruff – he echoed the Mayor’s comments in thanking all of the city staff that helped with the Food Truck and Fun Festival and National Night Out. He thanked the Service and Street Department along with the Parks Department that did the heavy lifting of setting up and tearing down the event.

City Attorney Michael Bivens – in the month of July, the City Attorney’s office handled three hundred ninety Mayor and Municipal Court cases and Whitehall residents committed seventy-three of those cases of a criminal nature. That is about eighteen percent. He echoed what the Administration said about the Food Truck Festival. His office was able to volunteer and he volunteered at the ticket-taking counter. He congratulated the safety forces for a successful National Night Out.

City Auditor Steve Quincel – the Auditors office participated in the Food Truck and Fun Festival by volunteering their time. It was a smooth transition at the end of the night and all receipts are accounted for. He said Ordinances 044-2023 and 045-2023 are a step in the right direction. Whitehall is not the same city it was when the Charter was drafted and the job is not the same as it was in 1967. He asked for favorable consideration on Ordinances 048-2023, 049-2023 and 061-2023.

Public Safety Director Van Gregg – was not present.

Treasurer Shaquille Alexander – he had no official report. He asked for favorable consideration on Ordinance 044-2023.

President Potter – advised that the following reports have been filed in the Council office since the last meeting: The Mayor Report to Council for June 2023.

COMMUNICATIONS, PETITIONS AND CLAIMS:

1. Notice from the Ohio Division of Liquor Control for a new C1 license from FAMILY DOLLAR STORES OF OHIO LLC, DBA FAMILY DOLLAR # 27745, 5224 EAST MAIN STREET, WHITEHALL, OH 43213.

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. 043-2023 was read by title only by President Potter:

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.

Mr. Dixon introduced and moved to adopt Ordinance 043-2023 and Ms. Heck seconded the motion. On a roll call vote, Conison –No; Kantor – No; Heck- Yes; Bailey- No; Dixon- No and Ordinance No. 043-2023 was defeated.

ORDINANCE NO. 044-2023 was read by title only by President Potter:

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.

Ms. Conison introduced and moved to amend as presented Ordinance No. 044-2023 and Mr. Dixon seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 044-2023 was amended.

Ms. Conison moved to adopt Ordinance No. 044-2023 and Mr. Dixon seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 044-2023 was adopted.

ORDINANCE NO. 045-2023 was read by title only by President Potter:

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.

Ms. Conison introduced and moved to adopt Ordinance 045-2023 and Ms. Heck seconded the motion. On a roll call vote, all members voted in the affirmative and Ordinance 045-2023 was adopted.

ORDINANCE NO. 046-2023 was read by title only by President Potter:

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 SECTIONS ~~51(A)(B)(C)~~ 51, 52, 53, and 54 OF THE CHARTER, AND REPEALING SECTIONS 55 AND 56 OF THE CHARTER TO PROVIDE A PLAN TO CREATE A NEW PLANNING COMMISSION AND BOARD OF ZONING AND BUILDING COMMISSION APPEALS AND DECLARING AN EMERGENCY.

Ms. Heck introduced and moved to amend as presented Ordinance 046-2023 and Ms. Conison seconded the motion. On a roll call vote, Conison –No; Kantor – No; Heck- Yes; Bailey- No; Dixon- No and Ordinance No. 046-2023 was defeated.

Ms. Heck moved to adopt Ordinance 046-2023 as originally submitted. There was not a second on the adoption and Ordinance 046-2023 was defeated.

ORDINANCE NO. 047-2023 was read by title only by President Potter:

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.

Ms. Heck introduced and moved to amend as presented Ordinance 047-2023 and Mr. Kantor seconded the motion. On a roll call vote, all members voted in the affirmative and Ordinance 047-2023 was amended.

Ms. Heck moved to adopt Ordinance No. 047-2023 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 047-2023 was adopted.

ORDINANCE NO. 048-2023 was read by title only by President Potter:

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.

Ms. Conison introduced and moved to adopt Ordinance 048-2023 and Mr. Kantor seconded the motion. On a roll call vote, all members voted in the affirmative and Ordinance 048-2023 was adopted.

ORDINANCE NO. 049-2023 was read by title only by President Potter:

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~~ THIRTY SIX THOUSAND DOLLARS WITHOUT THE APPROVAL OF THE BOARD OF CONTROL AND DECLARING AN EMERGENCY.

Ms. Conison introduced and moved to adopt Ordinance 049-2023 and Mr. Kantor seconded the motion. On a roll call vote, all members voted in the affirmative and Ordinance 049-2023 was adopted.

ORDINANCE NO. 056-2023 was read by title only by President Potter:

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.

Ms. Heck introduced and moved to adopt Ordinance 056-2023 and Mr. Dixon seconded the motion. On a roll call vote, all members voted in the affirmative and Ordinance 056-2023 was adopted.

RESOLUTION NO. 025-2023 was read by title only by President Potter:

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.

Mr. Kantor introduced and moved to adopt Resolution 025-2023 and Ms. Heck seconded the motion. On a roll call vote, all members voted in the affirmative and Resolution 025-2023 was adopted.

SECOND READING:

NO LEGISLATION FOR SECOND READING.

FIRST READING:

ORDINANCE NO. 060-2023 was read by title only by President Potter:

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

Mr. Kantor introduced and moved to suspend the rules on Ordinance No. 060-2023 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 060-2023 was suspended.

Mr. Kantor moved to adopt Ordinance No. 060-2023 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 060-2023 was adopted.

ORDINANCE NO. 061-2023 was read by title only by President Potter:

AUTHORIZING AND APPROVING A FUND TRANSFER IN THE AMOUNT OF SIX THOUSAND FIVE HUNDRED NINETY FIVE DOLLARS AND 00/100 (\$6,595.00) FROM UNAPPROPRIATED MONIES IN THE EVIDENCE SETASIDE FUND (245) TO THE LAW ENFORCEMENT TRUST FUND (241) AND DECLARING AN EMERGENCY.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 061-2023 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 061-2023 was suspended.

Mr. Bailey moved to adopt Ordinance No. 061-2023 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 061-2023 was adopted.

ORDINANCE NO. 062-2023 was read by title only by President Potter:

AMENDING ORDINANCE NO. 041-2022 AND MAKING FINDINGS AND DETERMINATIONS AS PERMITTED IN SECTIONS 3735.65 TO 3735.70 OF THE OHIO REVISED CODE AND AMEND ORDINANCE 041-2022 TO MODIFY THE BOUNDARIES OF THE MAIN STREET EAST COMMUNITY REINVESTMENT AREA.

Mr. Kantor introduced and moved to suspend the rules on Ordinance No. 062-2023 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 062-2023 was suspended.

Mr. Kantor moved to adopt Ordinance No. 062-2023 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 062-2023 was adopted.

POLL PUBLIC:

No comments at this time.

COMMUNITY DATE BOARD:

At the Farmers Market on Tuesday, August 8, 2023, the band will be made up of three of Auditor Quincel's sons and it is Whitehall Employee Appreciation Day.

POLL COUNCIL:

Chairperson Conison thanked everyone for watching from home and Larry Morrison for attending.

Chairperson Kantor thanked everyone for watching and those in attendance. He attended National Night Out and he was amazed at the amount of people in attendance. His daughter said hi to the Mayor on Saturday.

Chairperson Heck thanked everyone for watching and those in attendance. While she was at National Night Out, there was a great turnout. She thanked everyone who made the Food Truck Festival a success.

Chairperson Bailey was in agreement with what everyone said; whether it is the Easter Egg Hunt, Breakfast with Santa, National Night Out, the Fourth of July or the Food Truck Fest, isn't it nice that you can take your family and go to these events and feel safe. Everyone should be proud of our Safety Forces, our Service Department, all of the event planners that do a marvelous job. They have the great fortune of watching things develop days ahead as they set up and execute the event. What a difference twenty years makes.

Chairperson Dixon thanked everyone watching from home and those in attendance. He apologized for not being able to attend the Food Truck Fest as he was out of town celebrating his birthday.

President Potter thanked the Administration and the Safety Forces as it truly does bring everyone in the city together. He enjoyed his time on Saturday at the Food Truck Festival.

City Administrator Woodruff thanked Assistant City Administrator Megan Meyer for all the time she spent planning the events and was unable to attend due to an injury and she is on the mend.

Having nothing further, Mr. Bailey 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 7:36 p.m.

Submitted by,

Julie A. Ogg, Clerk of Council

APPROVED: August 15, 2023

Robert Bailey, Council President Pro Tem