

WHITEHALL CITY COUNCIL  
AGENDA MEETING MINUTES

September 03, 2019

---

President Graham called the September 03, 2019 agenda meeting to order at 6:33 p.m. All members were present with the exception of Chairperson Bailey and Chairperson Elmore.

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

The meeting adjourned at 6:41 p.m.

Respectfully submitted,

---

Julie A. Ogg, Clerk of Council

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

---

Jim Graham, Council President

## WHITEHALL CITY COUNCIL MEETING

MINUTES – September 03, 2019

---

President Graham called the regular meeting of Whitehall City Council to order at 7:00 p.m. on Tuesday, September 03, 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:

Chris Rodriguez  
Karen Conison  
Wes Kantor  
Jo Anna Heck  
Larry Morrison

Mr. Kantor moved to excuse the absent members and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members responded in the affirmative and Mr. Bailey and Ms. Elmore was excused.

### APPROVAL OF MINUTES

Ms. Conison moved to approve the Minutes of the August 20, 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:

Mayor Kim Maggard, presentment James with a Proclamation for Childhood Cancer month. James introduced his family.

Doris Calloway, Committee 4 Children Community Outreach Coordinator, Franklin County Children Services, 855 W. Mound Street, Columbus, OH 43223. She said Franklin County Children Services helps more than 30,000 abused, neglected and dependent children each year. About 67 percent of their operations are funded by two, 10-year property tax levies. One of those, a 3.1 mill levy, approved by county voters in 2009, will expire at the end of 2019. She did a presentation and shared some literature with council members. She asked Whitehall City Council for their endorsement of this levy.

She answered questions from Mayor Maggard and Mr. Kantor.

### POLL PUBLIC

No comments at this time.

## STANDING COMMITTEE REPORTS

Administration and Financial Management – President Graham 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 – President Graham 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 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 – she asked for favorable consideration on Ordinance 101-2019, 102-2019, 103-2019, 106-2019 and 107-2019.

City Attorney Michael Bivens – he thanked the audience for their attendance. He said the official report from the City Attorney's office is that during the month of August 2019, Whitehall Mayors Court prosecuted 231 cases with 29 of those cases committed by Whitehall residents. That is about 12%. The combined total for Mayors Court and Municipal Court year to date is 2,835 cases with a large majority being traffic citations. He feels that some of the development that has changed the landscape and he will delve into the documentation to see what the factors may be for the increase in traffic citations for the Mayors Court cases. October the fifth, in partnership with ReStore Whitehall, will be doing the community give away again in recognition of Domestic Violence month. It is an open invitation to all residents. Donations will be accepted up until the morning of the event to the City Attorney's office. He asked for favorable consideration for Resolution 040-2019.

City Auditor Dan Miller – he had no official report. He asked for favorable consideration on Ordinances 105-2019 and Resolution 043-2019.

Director of Public Service and Development Zach Woodruff – he had no official report. He asked for favorable consideration on Ordinances 106-2019.

Public Safety Director Van Gregg – was not present

Treasurer Steve Quincel – he had no official report.

President Graham – advised there were no official’s reports filed in the council office since the last meeting.

COMMUNICATIONS, PETITIONS AND CLAIMS:

There were no items listed on the agenda this evening.

PUBLIC HEARING:

RESOLUTION NO. 042-2019

A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED AND DELCARING AN EMERGENCY.

President Graham opened the public hearing on Resolution No. 042-2019 at 7:17 p.m.

Development Director and Director of Public Service Zach Woodruff, 360 S. Yearling Road, Whitehall, OH 43213 said he and Ryan Andrews, EMH&T, 5500 New Albany Road, Columbus, OH 43054 were here to discuss their proposal for the next round of the Ohio Public Works Commission grant program. Director Woodruff said they are proposing this year’s Ohio Public Works grant application to be for Poth Road. This would widen Poth Road to three lanes between Yearling Road and Hamilton Road. It will alleviate some of the congestion as you get to the intersection as well. It will also include new lights, curb and gutter and a multi-use trail down one side. As we have talked about the parks department connecting the Central Ohio’s Greenways Trail down from Gahanna and Columbus, there is no good feasible way at this moment, to get over, under or around the railroad at Hamilton Road. The sidewalk under the railroad is not wide enough to put it there. It is difficult, if not impossible to do an at grade crossing cause they stack railroad cars there from time to time and obviously we are not doing some type of bridge over. It will probably cause the Greenways Trail to come down Hamilton Road, go west on Fifth Avenue to Yearling Road, use the on grade crossing the come down the south side of Poth Road to Poth and Hamilton Roads. If awarded, what we are applying for is a 75% grant and 25% loan. The 25% loan will be converted to an interest free thru OPWC for the useful life of the project, usually 18 to 22 years. This project is roughly a \$4,000,000.00 project.

A sign in sheet and comment forms were available for all those in attendance to fill out.

Director Woodruff and Ryan Andrews answered questions from President Graham and Chairperson Rodriguez.

After confirming there were no additional proponents or opponents, President Graham closed the public hearing at 7:27 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. 088-2019 was read by title only by President Graham:

PERMITTING AN ADDITIONAL EXCEPTION FROM THE MINIMUM DRIVEWAY SETBACK IN RESIDENTIAL DISTRICTS WHERE AN EXISTING DRIVEWAY PREVIOUSLY ENCROACHED ON THE REQUIRED SETBACK AND WHERE THE PROPERTY OWNER IS MERELY REPLACING THE EXISTING DRIVEWAY.

Director Woodruff thanked the Chief Building Inspector, Mike Hulsey and Permit Specialist, Teresa Netotian for working and looking at this issue, and working with our residents to ensure that they can make improvements to their homes and trying to reduce the red tape as they looked to make improvements.

Mr. Rodriguez moved to adopt Ordinance No. 088-2019 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 088-2019 was adopted.

SECOND READING:

ORDINANCE NO. 093-2019 was read by title only by President Graham:

MAKING AND APPROVING A FUND TRANSFER IN THE AMOUNT OF TWO HUNDRED TWO THOUSAND EIGHTY-FOUR AND ~~03~~ 06/100 DOLLARS (\$202,084.06 ~~03~~) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE DEBT SERVICE FUND (401); MAKING A SUPPLEMENTAL APPROPRIATION OF TWO HUNDRED TWO THOUSAND EIGHTY-FOUR AND ~~03~~ 06/100 DOLLARS (\$202,084.06 ~~03~~) FROM THE DEBT SERVICE FUND TO THE DEBT SERVICE EXPENSE ACCOUNT (401.000.50000) AND DECLARING AN EMERGENCY.

Mr. Rodriguez introduced and moved to amend Ordinance No. 093-2019 as read and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 093-2019 was amended as read.

ORDINANCE NO. 094-2019 was read by title only by President Graham:

APPROVING AND MAKING A FUND TRANSFER IN THE AMOUNT OF THREE HUNDRED TWENTY-ONE THOUSAND SEVEN HUNDRED THIRTY-FIVE AND 56/100 DOLLARS (\$321,735.56) FROM UNAPPROPRIATED MONIES IN THE WMPITIE FUND (279) TO THE DEBT SERVICE FUND (401) AND ATTRIBUTING IT TO VARIOUS ACCOUNTS IN THE WMPITIE FUND (279); MAKING A SUPPLEMENTAL APPROPRIATION OF THREE HUNDRED TWENTY-ONE THOUSAND SEVEN HUNDRED THIRTY-FIVE AND 56/100 DOLLARS (\$321,735.56) FROM THE DEBT SERVICE FUND (401) TO THE DEBT SERVICE EXPENSE ACCOUNT (401.000.50000) AND DECLARING AN EMERGENCY.

FIRST READING:

ORDINANCE NO. 101-2019 was read by title only by President Graham:

AMENDING 161.15(a) VACATION LEAVE OF THE CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.

Mr. Rodriguez introduced and moved to suspend the rules on Ordinance No. 101-2019 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 101-2019 was suspended.

Mr. Rodriguez then moved to adopt Ordinance No. 101-2019 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 101-2019 was adopted.

ORDINANCE NO. 102-2019 was read by title only by President Graham:

AMENDING 161.11(c)(1) OF THE CODIFIED ORDINANCES TITLED LEGAL HOLIDAYS AND DECLARING AN EMERGENCY.

Mr. Rodriguez introduced and moved to suspend the rules on Ordinance No. 102-2019 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 102-2019 was suspended.

Mr. Rodriguez then moved to adopt Ordinance No. 102-2019 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 102-2019 was adopted.

ORDINANCE NO. 103-2019 was read by title only by President Graham:

AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF EIGHT THOUSAND EIGHT HUNDRED SEVENTY-ONE AND 08/DOLLARS (\$8,871.08) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE FIRE HYDRANTS EXPENSE ACCOUNT (101.950.53600) AND DECLARING AN EMERGENCY.

Mr. Rodriguez introduced and moved to suspend the rules on Ordinance No. 103-2019 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 103-2019 was suspended.

Mr. Rodriguez then moved to adopt Ordinance No. 103-2019 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 103-2019 was adopted.

ORDINANCE NO. 104-2019 was read by title only by President Graham:

MAKING A FUND TRANSFER OF FOUR HUNDRED FORTY-TWO THOUSAND NINETY-THREE AND 53/100 DOLLARS (\$442,093.53) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE DEBT SERVICE FUND (401); MAKING A SUPPLEMENTAL APPROPRIATION OF FIFTY-FIVE THOUSAND THREE HUNDRED TWENTY-SIX AND 11/100 DOLLARS (\$55,326.11) FROM THE DEBT SERVICE FUND (401) TO THE DEBT SERVICE ACCOUNT (401.000.50000) AND DECLARING AN EMERGENCY.

ORDINANCE NO. 105-2019 was read by title only by President Graham:

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF TWENTY-EIGHT THOUSAND SEVEN HUNDRED NINETY AND 50/100 DOLLARS (\$28,790.50) FROM THE FLEET RESERVE AND MAINTENANCE FUND (313) TO THE FLEET RESERVE AND MAINTENANCE ACCOUNT (313.000.50000) AND DECLARING AN EMERGENCY.

Mr. Rodriguez introduced and moved to suspend the rules on Ordinance No. 105-2019 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 105-2019 was suspended.

Mr. Rodriguez then moved to adopt Ordinance No. 105-2019 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 105-2019 was adopted.

ORDINANCE NO. 106-2019 was read by title only by President Graham:

AUTHORIZING AND APPROVING A ONE TIME EXCEPTION TO 161.09(B) VACATION AND SICK LEAVE CARRYOVER FOR THE PURPOSE OF HIRING A HIGHLY QUALIFIED EMPLOYEE TO THE CITY OF WHITEHALL AND DECLARING AN EMERGENCY.

Mr. Rodriguez introduced and moved to suspend the rules on Ordinance No. 106-2019 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 106-2019 was suspended.

Mr. Rodriguez then moved to adopt Ordinance No. 106-2019 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 106-2019 was adopted.

ORDINANCE NO. 107-2019 was read by title only by President Graham:

AUTHORIZING AND APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF SIX HUNDRED EIGHTY FOUR THOUSAND, SIX HUNDRED FIFTY DOLLARS (\$684,650.00) AND NO/DOLLARS FROM THE GENERAL FUND 101 TO THE PROPERTY ACQUISITION AND MAINTENANCE EXPENSE ACCOUNT 101.950.59850 AND DECLARING AN EMERGENCY.

Mr. Rodriguez introduced and moved to suspend the rules on Ordinance No. 107-2019 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 107-2019 was suspended.

Director Woodruff stated for the record that this is the acquisition by the city of the property at the southwest corner of Broad Street and Hamilton Road, which is currently occupied by the cash checking business. The city was awarded a safety grant thru the Ohio Department of Transportation for that acquisition and as a right of way acquisition, in preparation of the Broad and Hamilton intersection improvement. Once the funds have been allocated to the tenant, the city will ask for reimbursement. It is a 100 % reimbursement grant so the city will be getting these funds back.

Mr. Rodriguez then moved to adopt Ordinance No. 107-2019 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 107-2019 was adopted.

RESOLUTION NO. 040-2019 was read by title only by *President Graham*:

WHITEHALL CITY COUNCIL'S OBJECTION TO THE TRANSFER OF LIQUOR PERMIT NUMBER 3548227 FROM THAT NUMBER TO LIQUOR PERMIT NUMBER 2848466 HELD BY HAMILTON & MAIN SUNOCO INC. DOING BUSINESS AS HAMILTON & MAIN SUNOCO INC., LOCATED AT 4600 E. MAIN STREET, WHITEHALL, OHIO 43213 AND DECLARING AN EMERGENCY.

Mr. Morrison introduced and moved to suspend the rules on Resolution No. 040-2019 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 040-2019 was suspended.

Mr. Morrison then moved to adopt Resolution No. 040-2019 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 040-2019 was adopted.

RESOLUTION NO. 041-2019 was read by title only by *President Graham*:

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH NAI OHIO EQUITIES, LLC TO LIST AND MARKET THE PROPERTY AT 5000 EAST BROAD STREET AND DELCARING AN EMERGENCY.

Mr. Morrison introduced and moved to suspend the rules on Resolution No. 041-2019 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 041-2019 was suspended.

Mr. Morrison then moved to adopt Resolution No. 041-2019 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 041-2019 was adopted.

RESOLUTION NO. 042-2019 was read by title only by *President Graham*:

A RESOLUTION AUTHORIZING THE MAYOR TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED AND DELCARING AN EMERGENCY.

Ms. Heck introduced and moved to suspend the rules on Resolution No. 042-2019 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 042-2019 was suspended.

Ms. Heck then moved to adopt Resolution No. 042-2019 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 042-2019 was adopted.



RESOLUTION NO. 043-2019 was read by title only by President Graham:

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

Mr. Rodriguez introduced and moved to suspend the rules on Resolution No. 043-2019 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 043-2019 was suspended.

Mr. Rodriguez then moved to adopt Resolution No. 043-2019 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 043-2019 was adopted.

#### POLL PUBLIC

No comments at this time.

#### COMMUNITY DATE BOARD

President Graham said not to put your garbage out yet. The garbage trucks will not run until Thursday morning because of Monday being a holiday.

Chairperson Heck said Friday, September 13 is Whitehall Rams first home game and the dedication of the new football field is at 6:40 p.m.

#### POLL COUNCIL

Mr. Rodriguez thanked everyone who is coming tonight.

Ms. Conison thanked everyone for coming and viewing tonight. She said it is always nice to see when young people believe in something and it was nice to see a proclamation honoring something like that.

Mr. Kantor thanked everyone for coming tonight.

Ms. Heck thanked everyone for the coming tonight and those watching on Facebook.

Mr. Morrison thanked everyone for coming tonight and to those watching at home.

President Graham thanked everyone for coming tonight and those watching at home.

Having nothing further, Mr. Rodriguez 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 7:51 p.m.

Respectfully submitted,

---

Julie A. Ogg, Clerk of Council

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

---

Jim Graham, Council President

