

WHITEHALL CITY COUNCIL
AGENDA MEETING MINUTES

President Pro Tempore Bailey called the October 4, 2022 agenda meeting to order at 6:30 p.m. All members were present with the exception of President Potter and Chairperson Conison.

President Pro Tempore Bailey reviewed the agenda and confirmed who would handle the various required motions this evening.

The meeting adjourned at 6:38 p.m.

Respectfully submitted,

Julie A. Ogg, Clerk of Council

APPROVED: _____, 2022.

Thomas M. Potter, Council President

WHITEHALL CITY COUNCIL MEETING

MINUTES – October 4, 2022

President Pro Tempore Bailey called the regular meeting of Whitehall City Council to order at 7:00 p.m. on Tuesday, October 4, 2022.

At President Pro Tempore Bailey'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
Amy Smith
Robert Bailey
Gerald Dixon
Lori Elmore

Mr. Kantor moved to excuse the absent members and Mr. Dixon seconded the motion. There was no discussion. On a roll call vote, all members responded in the affirmative and President Potter and Chairperson Conison were excused.

APPROVAL OF MINUTES:

Mr. Kantor moved to approve the September 20, 2022, agenda and regular meeting minutes. Ms. Heck 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 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 they 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 Smith 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 Kantor 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 Bailey reported that they met last Tuesday and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

Public Safety – Chairperson Elmore 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 Heck reported that they 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 asked for Councils consideration on Ordinances 054-2022, 055-2022, 062-2022, 065-2022 and Resolutions 033-2022 and 034-2022.

City Administrator Zach Woodruff – was not present.

City Attorney Michael Bivens – in the month of September, the City Attorney's Office prosecuted three hundred and one cases through Mayors Court and Franklin County Municipal Court. Out of those cases, Whitehall residents committed forty-nine of those. That is about sixteen percent overall. He thanked the Service Department for putting up the flags along Yearling Road. The flags represent Domestic Violence Awareness Month. The color purple symbolizes courage, peace, honor and dedication to ending domestic violence. If anyone is suffering from domestic violence, the Whitehall City Attorney's Office has a phenomenal Victim Advocate that will be of assistance through every phase you are going through. You do not have to have a case pending in the court system. If someone is presently going through this in their life, they can contact his office at 614-237-9802. If you cannot reach the Victim Advocate, you may contact him directly and they will get you the services you need so that you can get on a pathway of survival. He knows Council is aware of his offices passion for preventing domestic violence and they stand ready to assist anyone who needs their help.

City Auditor Steve Quincel – had not official report. He asked for Councils consideration on Ordinances 063-2022, 064-2022 and 065-2022.

Public Safety Director Van Gregg – was not present.

Treasurer Shaquille Alexander– was not present.

President Pro Tempore Bailey – advised there were no Official's Reports filed in the Council office since the last meeting.

COMMUNICATIONS, PETITIONS AND CLAIMS:

1. Notice from the Ohio Division of Liquor Control for purchase of STOCK in LEOS MEXICAN RESTAURANT LLC, DBA LA MICHOACANA MEXICAN MARKET 3, 166 SOUTH HAMILTON ROAD, WHITEHALL, OH 43213.
2. Agenda for the October 10, 2022 BZBA Meeting.

PUBLIC HEARING:

President Pro Tempore Bailey opened the public hearing on Ordinance No. 054-2022 at 7:09 p.m.

ORDINANCE NO. 054-2022

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 1123.12(c)(5) TO ALLOW MAGIC REAL ESTATE HOLDINGS, LLC TO OPERATE A PAINLESS DENT REMOVAL FACILITY ON THE PROPERTY LOCATED AT 4629, 4645 AND 4651 POTH ROAD and 181A, 181B, 181C, 181D, 181J, 181N and 181P NORTH HAMILTON ROAD PROPERTY OWNED BY HGI-MIDWEST LLC.

President Pro Tempore Bailey asked if there were any proponents to Ordinance 054-2022.

Thad Boggs, Attorney at Law, Frost Brown Todd Law, 10 West Broad Street, Columbus, OH said he is there representing the applicant for this project. The applicant, Dave Miller, President of Magic Enterprises Incorporated that has operated this business at this location for many years. He brought this rezoning application forward because the entire properties subject of this application needed the zoning updated to put them in compliance with the city's code. He stated he would answer any questions Council may have for him.

Dave Miller, President of Magic Enterprises Incorporated, 4621 Poth Road, Whitehall, OH answered questions from Chairperson Kantor at this time.

President Pro Tempore Bailey asked if there were any opponents to Ordinance 054-2022.

There were no opponents.

President Pro Tempore Bailey closed the public hearing at 7:17 p.m.

VERIFICATION OF COPIES:

President Pro Tempore Bailey 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. 054-2022 was read by title only by President Pro Tempore Bailey:

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 1123.12(c)(5) TO ALLOW MAGIC REAL ESTATE HOLDINGS, LLC TO OPERATE A PAINLESS DENT REMOVAL FACILITY ON THE PROPERTY LOCATED AT 4629, 4645 AND 4651 POTH ROAD and 181A, 181B, 181C, 181D, 181J, 181N and 181P NORTH HAMILTON ROAD PROPERTY OWNED BY HGI-MIDWEST LLC.

Ms. Smith introduced and moved to adopt Ordinance No. 054-2022 and Mr. Dixon seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 054-2022 was adopted.

ORDINANCE NO. 055-2022 *was read by title only by President Pro Tempore Bailey:*

AUTHORIZING AND APPROVING AN AMENDMENT TO THE AUTHORIZED TABLE OF PERSONNEL 161.37(E)(2) TITLED "POLICE DIVISION".

Ms. Elmore introduced and moved to adopt Ordinance No. 055-2022 and Mr. Dixon seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 055-2022 was adopted.

SECOND READING:

There was no legislation for second reading.

FIRST READING:

ORDINANCE NO. 062-2022 *was read by title only by President Pro Tempore Bailey:*

AUTHORIZING AND APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF THIRTEEN THOUSAND AND NO/DOLLARS (\$13,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND 101 TO THE PRE EMPLOYMENT MISC. EXPENSE ACCOUNT 101.450.52500 AND DECLARING AN EMERGENCY.

Ms. Elmore introduced and moved to suspend the rules on Ordinance No. 062-2022 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 062-2022 was suspended.

Ms. Elmore moved to adopt Ordinance No. 062-2022 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 062-2022 was adopted.

ORDINANCE NO. 063-2022 *was read by title only by President Pro Tempore Bailey:*

MAKING A FUND TRANSFER IN THE AMOUNT OF SIXTY-FIVE THOUSAND EIGHT HUNDRED FORTY-FIVE AND 09/100 DOLLARS (\$65,845.09) FROM THE BOND RETIREMENT ACCOUNT (101-950-57500) TO THE DEBT SERVICE FUND (401) AND DECLARING AN EMERGENCY.

Ms. Heck introduced and moved to suspend the rules on Ordinance No. 063-2022 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 063-2022 was suspended.

Ms. Heck moved to adopt Ordinance No. 063-2022 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 063-2022 was adopted.

ORDINANCE NO. 064-2022 *was read by title only by President Pro Tempore Bailey:*

MAKING A FUND TRANSFER IN THE AMOUNT OF THIRTY-THREE THOUSAND EIGHTY-TWO AND 06/100 DOLLARS (\$33,082.06) FROM THE BOND RETIREMENT ACCOUNT (101-950-57500) TO THE DEBT SERVICE FUND (401) AND DECLARING AN EMERGENCY.

Ms. Smith introduced and moved to suspend the rules on Ordinance No. 064-2022 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 064-2022 was suspended.

Ms. Smith moved to adopt Ordinance No. 064-2022 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 064-2022 was adopted.

ORDINANCE NO. 065-2022 *was read by title only by President Pro Tempore Bailey:*

AUTHORIZING AND APPROVING AMENDMENTS TO 161.30 TITLED “SURETY BONDS” AND DECLARING AN EMERGENCY.

Mr. Dixon introduced and moved to suspend the rules on Ordinance No. 065-2022 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 065-2022 was suspended.

Mr. Dixon moved to adopt Ordinance No. 065-2022 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 065-2022 was adopted.

ORDINANCE NO. 066-2022 *was read by title only by President Pro Tempore Bailey:*

AUTHORIZING THE EXECUTION AND DELIVERY OF A COMMUNITY REINVESTMENT AREA AGREEMENT BETWEEN THE CITY AND MAMA COMPANY, INC., WODA COOPER DEVELOPMENT, INC. OR A DESIGNEE AND DECLARING AN EMERGENCY.

ORDINANCE NO. 067-2022 *was read by title only by President Pro Tempore Bailey:*

AUTHORIZING A TRANSFER IN THE AMOUNT OF SEVENTY FIVE THOUSAND AND NO/DOLLARS (\$75,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND 101 TO THE ACCRUED BENEFIT RESERVE FUND 505; AUTHORIZING AND APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF SEVENTY FIVE THOUSAND AND NO/DOLLARS (\$75,000.00) FROM THE 505 ACCRUED BENEFIT RESERVE FUND TO THE 505.000.51000 ACCRUED BENEFIT RESERVE EXPENSE ACCOUNT AND DECLARING AN EMERGENCY.

RESOLUTION NO. 033-2022 was read by title only by President Pro Tempore Bailey:

AUTHORIZING THE MAYOR AND THE COUNCIL OF THE CITY OF WHITEHALL TO ADOPT BY RESOLUTION THE USE OF AN EMPLOYEE DISHONESTY AND FAITHFUL PERFORMANCE OF DUTY COVERAGE IN LIEU OF BONDS TO COVER LOSS BY FRAUDULENT OR DISHONEST ACTIONS OF EMPLOYEES AND DECLARING AN EMERGENCY.

Mr. Kantor introduced and moved to suspend the rules on Resolution No. 033-2022 and Mr. Dixon seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 033-2022 was suspended.

Mr. Kantor moved to adopt Resolution No. 033-2022 and Mr. Dixon seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 033-2022 was adopted.

RESOLUTION NO. 034-2022 was read by title only by President Pro Tempore Bailey:

RESOLUTION SUPPORTING ISSUE 10 PROPOSED TAX LEVY (RENEWAL) FOR SUPPORT OF SENIOR CITIZEN SERVICES IN FRANKLIN COUNTY, OHIO AND DECLARING AN EMERGENCY.

Mr. Dixon introduced and moved to suspend the rules on Resolution No. 034-2022 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 034-2022 was suspended.

Mr. Dixon moved to adopt Resolution No. 034-2022 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 034-2022 was adopted.

POLL PUBLIC:

Joy Bivens, 4985 Doral Avenue, Whitehall, Ohio along with Chanda Wingo, The Franklin County Office on Aging, 280 East Broad Street, Columbus, Ohio came to thank Council and the Administration for their support and endorsement of Senior Options, Issue 10 on the November ballot. Issue 10 is a 1.75 mill senior services levy. It is a no tax increase. It is what citizens are already paying. Seniors receive Meals on Wheels program, home improvement program as well as supportive services that seniors receive in their homes. Whitehall is the first suburb to pass legislation in support of Issue 10.

COMMUNITY DATE BOARD:

Chairperson Heck said Friday at 7:30 pm; the YMCA will be having Movie Night. They are showing Hocus Pocus 2. Popcorn and light refreshments are being served. On October 12 from 5:30 to 6:30 pm at Central Bark, they are holding Barktober Fest. Bring your dog!

Chairperson Dixon said that tomorrow is unlimited trash collection day.

Chairperson Kantor said Trick or Treat is being held on October 31 from 6:00 to 8:00 pm and Truck or Treat is from 5:00 to 8:00 pm here in the parking lot of the Municipal building.

POLL COUNCIL:

Chairperson Kantor said that it is October and it is Breast Cancer Awareness Month. It has touched his life and Karen's life also. Around forty-two thousand people die a year due to breast cancer. He thanked everyone in attendance for coming tonight.

Chairperson Heck thanked everyone watching from home and those who came in tonight. She thanked Attorney Bivens for shedding a light this month and every month on Domestic Violence and making it a prominent awareness for the community and offering such great resources. She thanked Joy and Shonda for coming and speaking on Issue 10 and she proudly supports Issue 10.

Chairperson Smith thanked everyone for viewing and those in attendance. She seconded what Chairperson Heck said. Having a victim advocate and being able to get in touch with her she suspects is rare in other cities. She thanked those that came in and spoke on Issue 10. It is vital to keep those services available for a growing senior population. Get out and enjoy all the fun things Whitehall has to offer.

Chairperson Dixon thanked everyone in attendance and listening from home. He thanked Ms. Bivens and Ms. Wingo for their comments on Issue 10. He whole-heartedly supports Issue 10. He will help get the word out if needed. As far as Domestic Violence Awareness Month, it is a very sensitive subject for him. He has had his own personal experience. He appreciates all efforts extended to raise awareness towards and to help put an end to it if possible.

Chairperson Elmore thanked those that are viewing from home. She said to Mr. Bivens that he always speech with such passion. Awareness of domestic violence is something his office started and continues to champion the cause. Lorena Lacey is a lion when it comes to this issue. She thanked Ms. Bivens and Ms. Wingo for coming out in support of Issue 10, as it is very important for the seniors. She supports Issue 10. She thanked those that came out for the public hearing and she is pleased they want to have their business in Whitehall. This is the place of opportunity.

President Pro Tempore Bailey said he wanted to touch on something City Attorney Bivens said and that is the promise he made that his office provides for the victims of domestic violence having actually witnessed that service and the support given victims of domestic violence. He appreciates it.

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 7:40 p.m.

Respectfully submitted,

Julie A. Ogg, Clerk of Council

APPROVED: _____, 2022.

Thomas M. Potter, Council President