

WHITEHALL CITY COUNCIL MEETING
MINUTES – JANUARY 19, 2016

Council President Jim Graham called the regular meeting of Whitehall City Council to order at 7:00 p.m. on Tuesday, January 19, 2016.

At President Graham's request, everyone rose for a moment of silence which was followed by recitation of the Pledge of Allegiance by those assembled.

On roll call by the clerk, the following members of council were present:

Wes Kantor
Lee Stahley
Larry Morrison
Bob Bailey
Van Gregg
Karen Conison

EXCUSE ABSENT MEMBER

Mr. Bailey moved to excuse the absent member. Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, the six present members responded in the affirmative and Mr. Rodriguez was excused.

APPROVAL OF MINUTES

Ms. Conison moved to approve the Minutes of the January 5, 2016, Agenda and Regular Meetings. Mr. Stahley seconded the motion. There was no discussion. On a roll call vote, the six present members voted in the affirmative and the Minutes were approved as submitted.

ADOPTION OF COUNCIL RULES OF PROCEDURE 2016-2017:

Ms. Conison moved to adopt the Council Rules of Procedure for the 2016-2017 Term. Mr. Gregg seconded the motion. There was no discussion. On a roll call vote, the six present members voted in the affirmative and the rules were adopted.

ACCEPTANCE OF COMMITTEE ASSIGNMENTS:

Mr. Stahley moved to accept the Committee Assignments as presented. Ms. Conison seconded the motion. There was no discussion. On a roll call vote, the six present members voted in the affirmative and the committee assignments were accepted as submitted.

ELECTION OF PRESIDENT PRO TEMPORE:

Mr. Kantor moved to elect Mr. Bailey as President Pro Tempore and Mr. Gregg seconded the motion. There was no discussion. A roll call vote was taken and resulted, as follows: Kantor, yes; Stahley, yes; Morrison, yes; Bailey, Abstain; Gregg, yes; Conison, yes. Mr. Bailey was elected President Pro Tempore.

MOTION TO APPOINT TWO COUNCIL MEMBERS TO THE VFFDFB:

Mr. Gregg moved to appoint Mr. Stahley and Ms. Conison to the Volunteer Fire Fighters Dependents' Fund Board. Mr. Morrison seconded the motion. On a roll call vote, the six present members all responded in the affirmative and the motion carried.

POLL PUBLIC

Gerald Dixon, 3877 Doney Street, reported that there had been an unfortunate incident in Country Club Village where several residents had their tires slashed. He said he is taking donations to help them. He said he would be happy to accept anything anyone would be willing to donate and he will pass it along to an employee in the Police Department who has agreed to make sure it gets to the right people who need the assistance.

Jeffrey Peck, 809 Erickson Avenue, apologized to the officials who just took office for the comments he was about to make. First of all, he said "Shame on you all. You should all be ashamed." He said that ten years ago he could sit in his house with the doors unlocked, etc. Today, he said he sits at home with locked doors and his .45 sitting on the table next to him. "For that, you should all be ashamed." He said that a couple of years ago the citizens gave them an increase in taxes. He said that while he can understand they want to beautify the city. He asked however how many police officers they hired as opposed to putting that thing on Main Street. He asked that the city give them more police officers. He said that the police did not show up on the incidents in Country Club Village. He said that after he talked to the Mayor and the Police Chief in September he was visited by a sergeant and a patrolman asking how to earn the trust of the people. He said that what happened in Country Club Village lost that trust. For all of that, he said they should be ashamed.

There were no comments.

STANDING COMMITTEE REPORTS

Administration and Financial Management – Chairperson Bailey advised that they met. Their minutes are on file and they will meet again next week, sometime after 6:30 p.m.

Community Engagement – Chairperson Conison advised that they also met and their minutes are on file. She said she is the new president of WCCA and she is very proud to have been chosen for that. She is looking forward to great events. They are planning an International Festival, inviting schools, choirs, dancing, businesses and restaurants to participate. Anyone interested in being a part of the committee working on that should see her to get signed up. Their committee will meet next week, sometime after 6:30 p.m.

Community Standards and Enforcement – President Graham advised that they met as well and their minutes are on file. They have one piece of legislation and a public hearing on the agenda this evening. They too will meet next week, sometime after 6:30 p.m.

Economic Development – Chairperson Morrison announced that they too met. Their minutes are on file. They will meet sometime after 6:30 p.m. next week.

Infrastructure, Maintenance and Services – Chairperson Gregg said that they met and their minutes are on file. They will meet next week, sometime after 6:30 p.m., with everyone else.

Public Safety – Chairperson Stahley advised that they met also. Their minutes are on file and they will meet next week, sometime after 6:30 p.m.

Parks and Recreation – Chairperson Kantor said that they met and their minutes are on file. The Parks and Recreation Commission had their first summit on the 7th and there is another one scheduled for this Thursday, the 21st, from 6:00 to 8:00 p.m. at Whitehall Community Park. He thanked Mr. Thurman who was in the audience tonight. He said his committee also discussed the Armory and that it should be going down in March or April. They too will meet next week, sometime after 6:30 p.m.

OFFICIALS' REPORTS

Mayor Kim Maggard – welcomed everyone. She requested favorable action on Ordinance Nos. 113-2015, 006-2016, 007-2016 and 008-2016. She congratulated Mr. Bailey on being selected as President Pro Tempore for the next two years. Mayor Maggard said she would like to address the incidents that happened at Country Club Village two nights ago. She said there has already been an arrest. It was not a gang, it was one juvenile and he has been arrested. Mayor Maggard then explained that the project on Main Street was not financed by income tax it was TIF money that can only be used on certain projects and it could not have been spent on hiring or benefits or anything of that nature. The income tax was increased six years ago, and one and a half years later the state dropped a million dollars a year in local government funding. She thanked Mr. Peck for being an engaged citizen and expressed appreciation for his work and his eyes on the street. She said the city is looking to get a block watch in that area and would appreciate his help.

City Attorney Mike Bivens – had no official report at this time, however he had several things he wanted to touch on. He commended the Mayor on the Leadership Program implemented for all city departments. He said it is one of the best, most efficient he has ever been involved in. As a result of going through this program citizens will see a marked difference in a lot of leadership styles. He said he is currently in the process of gathering all crime data on the city. He said he has noticed a marked trend with respect to Mayor's Court prosecutions. He said that 80% of the cases are due to non-Whitehall residents. He said that by the time he makes his official report he will have all that data. He said he would like council to know what is going on with respect to felony arrests. He said he had a wonderful staff meeting with members of the city attorney's staff. He said he has hired Charles Ellis who has two years of criminal litigation and he absolutely loves the city of Whitehall. He is a top notch representative for the city downtown. He said he would like for his office to be a vehicle for social change. I will be taking a heavy handed approach to prosecutions. He said he wants to see community service instituted to provide some kind of opportunity to do something that benefits the city. He said he also plans to bring back moot court. He said he would like to get interested students in civics who maybe want to be attorneys and have them do a trial right here in city council. He said he would like city representatives to volunteer to be judges.

Director of Development and Public Service Zach Woodruff – was not present

City Auditor Dan Miller – said they are gearing up for tax season, which is upon us. He advised that April 15th is Emancipation Day so tax filing cutoff will be April 18th.

Director of Public Safety Chuck Underwood – had no official report.

Treasurer Steve Quinzel – had no official report tonight.

Council President Jim Graham - advised that the following Officials' Reports have been filed in the Council Office: Division of Fire Overtime Report for December 2015; Auditor's Expense Report for December 2015; Auditor's Statement of Cash Position for December 2015; Auditor's Bank Report for December 2015; Auditor's Revenue Report for December 2015; and, the Mayor's Report to Council for December 2015.

COMMUNICATIONS, PETITIONS AND CLAIMS

1. Written Favorable Recommendation from the Whitehall Planning Commission on Ordinance No. 108-2015.

PUBLIC HEARING

ORDINANCE NO. 108-2015

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)(2) TO ALLOW SCOTT GODDARD TO OPERATE A PROJECTILE MANUFACTURING FACILITY AT PROPERTY LOCATED AT 127 NORTH HAMILTON ROAD (PARCEL NUMBER 090-000290-00), OWNED BY HGI-MIDWEST II LLC.

President Graham opened the public hearing on Ordinance No. 108-2015 at 7:22 p.m. and invited the applicant to come forward and present his case.

Scott Goddard advised that he moved here from Chicago and would like to continue the same business he had there. Mr. Kantor asked that he explain the process, which he did. He confirmed that there is no melting or smelting and that he uses a small hydraulic press. Mr. Bailey confirmed that they only manufacture the projectile, no casing and that no ammunition is loaded. There is no gun powder or explosives on the site.

Joe Ryan, the City's Development Specialist appeared on behalf of the Development Department and stated that the development staff is in support of this application and that it is also in step with the Planning Commission, which supported it as well.

After confirming there were no other proponents and no opponents wishing to speak, President Graham closed the public hearing at 7:25 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 the four pieces of add-on legislation. The six present members all responded in the affirmative.

THIRD READING

ORDINANCE NO. 108-2015 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 1123.12(c)(2) TO ALLOW SCOTT GODDARD TO OPERATE A PROJECTILE MANUFACTURING FACILITY AT PROPERTY LOCATED AT 127 NORTH HAMILTON ROAD (PARCEL NUMBER 090-000290-00), OWNED BY HGI-MIDWEST II LLC.”

Mr. Kantor moved to adopt Ordinance No. 108-2015. Ms. Conison seconded the motion. There was no discussion. On a roll call vote, the six present members voted in the affirmative and ORDINANCE NO. 108-2015 was adopted.

ORDINANCE NO. 113-2015 was read by title only by President Graham:

“AUTHORIZING AND APPROVING THE POSITION OF CRIME ANALYST; AMENDING CODIFIED ORDINANCE SECTIONS 161.37(e)(2) TABLE OF AUTHORIZED PERSONNEL AND 161.38(a) SALARY SCHEDULE AND CHAPTER 141 POLICE DEPARTMENT.”

Mr. Morrison moved to adopt Ordinance No. 113-2015. Mr. Stahley seconded the motion. There was no discussion. On a roll call vote, the six present members voted in the affirmative and ORDINANCE NO. 113-2015 was adopted.

SECOND READING

There was no legislation for second reading.

FIRST READING

ORDINANCE NO. 006-2016 was read by title only by President Graham:

“AMENDING SECTION 161.37(g) OF THE CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, TABLE OF AUTHORIZED PERSONNEL, AND DECLARING AN EMERGENCY.”

Mr. Morrison introduced Ordinance No. 006-2016 and moved to suspend the rules, Mr. Gregg seconded the motion. There was no discussion. On a roll call vote, the six present members responded in the affirmative and the rules were suspended.

Mr. Morrison then moved to adopt Ordinance No. 006-2016 and Mr. Gregg seconded the motion. There was no discussion. On a roll call vote, the six present members voted in the affirmative and ORDINANCE NO. 006-2016 was adopted.

ORDINANCE NO. 007-2016 was read by title only by President Graham:

“AUTHORIZING THE MAYOR TO ENTER INTO A MUNICIPAL SHARED SERVICE AGREEMENT WITH THE CITY OF GAHANNA FOR TECHNOLOGY MANAGEMENT SERVICES AND DECLARING AN EMERGENCY.”

Mr. Morrison introduced Ordinance No. 007-2016 and moved to suspend the rules, Ms. Conison seconded the motion. There was no discussion. On a roll call vote, the six present members responded in the affirmative and the rules were suspended.

Mr. Morrison then moved to adopt Ordinance No. 007-2016 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, the six present members voted in the affirmative and ORDINANCE NO. 007-2016 was adopted.

ORDINANCE NO. 008-2016 was read by title only by President Graham:

“AMENDING 161.37 ‘TABLE OF AUTHORIZED PERSONNEL’ AND 161.41 ‘COMPENSATION FOR PART-TIME, SEASONAL, AND CASUAL EMPLOYEES IN THE DEPARTMENT OF PUBLIC SERVICE’ AND DECLARING AN EMERGENCY.”

CITY COUNCIL MEETING - January 19, 2016

Mr. Gregg introduced Ordinance No. 008-2016 and moved to suspend the rules, Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, the six present members responded in the affirmative and the rules were suspended.

Mr. Gregg then moved to adopt Ordinance No. 008-2016 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, the six present members voted in the affirmative and ORDINANCE NO. 008-2016 was adopted.

POLL PUBLIC

Gerald Dixon, 3877 Doney Street, said the City Attorney did a good job and he liked the ideas and things he put forth this evening. He continued that he wanted to talk about candidates running for office without opposition. It degrades and erodes and endangers the country itself. He said Auditor Miller, City Attorney Bivens and President Graham occupy seats simply because they showed up. He said it should be looked on as wrong and it is disconcerting that they attain positions simply by turning in paperwork. He pointed to a lack of citizen interest and a lack of citizens willing to serve. He urged the elected officials to do the right thing and be an example for citizens and for the youth of Whitehall. He said they have a bully pulpit to instruct and inspire and they need to rightfully condemn this and decry the situation to the public, to educate citizens on their duty and inspire them to take up that mantle.

Barbara Blake, 698 Maplewood Avenue, said that while she agrees with the comments of Mr. Dixon, Mr. Miller did not run unopposed.

Regina Caldwell, 682 Westphal, appeared on behalf of Whitehall Youth Basketball. She said they met on Saturday and are looking at scheduling through March. She said they are in dire need of a gymnasium. They have gone from 12 teams last year to 21 teams this year. She said this is her first time ever running something this big. She said she just doesn't have enough gym space to accommodate all the youth who want to play basketball this winter. She said it is a frustrating situation. She said they are trying to keep kids off the streets and playing basketball inside is doing something healthy and positive. She said she is paying \$225 a week for gym space and they are at the mercy of the school for gym space and Parks and Recreations takes some of that space. She said she is a firm believer that the city needs a basketball center/recreation center. Also, she said she is eager to see any progress or information about improving roads without sidewalks. She said it is dangerous for children walking Rickenbacker and Westphal from Yearling to Hamilton, especially when it is dark or getting dark.

There were no further comments.

COMMUNITY DATE BOARD

Events are listed on the City's Website.

POLL COUNCIL

Mr. Kantor thanked everyone for coming and asked Ms. Caldwell if he could meet with her at the close of the meeting.

Mr. Stahley thanked everybody for coming and urged them to stay warm. He thanked the participants for their input.

Mr. Morrison thanked everyone for coming and for their input, which he said is always appreciated. He urged everyone to have a good week and stay warm.

Mr. Bailey advised Mr. Peck that his head is not in the sand but sometime in February it will be when he goes on vacation. Mr. Bailey said that he is ashamed of how folks in society behave, but he is encouraged by some of the initiatives that the Mayor is bringing more to the

CITY COUNCIL MEETING - January 19, 2016

forefront. He said they have talked about safety in the community and the neighborhoods for years and are now taking a more proactive posture. He said he is also encouraged by Mr. Bivens, noting that the city has been lax for quite some time. He said he believes the educational approach is wonderful. He said that 80% of the people committing crimes in Whitehall are not from Whitehall. He reiterated that he does not think his head is in the sand, noting that for a number of years they have been pushing for more enforcement and even over the last several weeks they have had some very good arrests, particularly with regard to drugs. A key component is for the citizens to be the eyes and ears for law enforcement. The number of incidents documented is very important. He said he is definitely seeing a proactive posture being taken to circumvent crime before it happens. He thanked everyone for their comments. In closing, he thanked Mr. Dixon for his efforts to raise funds to assist those vandalized in Country Club Village.

Mr. Gregg thanked everyone for coming and said he too appreciates the comments made by citizens. He said he was also excited about the programs being pursued by the city attorney, especially the student court. He wished everyone a good evening.

Ms. Conison thanked everyone for coming. She thanked Mr. Peck for speaking up. She told Ms. Caldwell that she hopes they are hearing what we are saying. She applauded Mr. Dixon for his great idea to go ahead and help out financially. She advised Mr. Bivens that she is ecstatic for both programs. She again thanked everyone for coming and said she hopes to see everyone come back again.

President Graham thanked everyone for their comments. He said council did hear from the mayor a week or so ago about some programs coming out dealing with policing and once those programs are initiated there will be some changes, but they will never eliminate all the crime. He said that our Police Department is very busy and they do the best job they can. He said that council and the administration have done everything they can as far as keeping the department staffed as fully as possible. He said it takes from six to twelve months to replace someone when they retire. It is an ongoing battle to keep them at full force. They cannot be everywhere all the time. They are out there and trying to do the job to the best of their ability. The arrests in the city would speak to how well they are doing their jobs out there. As far as people running unopposed, he said he is never in favor of that. He said he does not believe in people getting elected just because there is no one in opposition to them. However, he said some people stepped up to the plate and were willing to serve. We simply do not have enough people willing in Whitehall to step up. Maybe only 30% to 40% of eligible people actually vote. There is a lack of commitment from people to anyone but themselves. Hopefully someday that will change.

Having nothing further, Mr. Bailey moved to adjourn and Mr. Kantor seconded the motion. On a roll call vote, the six present members responded in the affirmative and the meeting adjourned at 7:53 p.m.

Respectfully submitted,

Carol J. Churchman, Clerk of Council

APPROVED: _____, 2015.

Jim Graham, Council President