

WHITEHALL CITY COUNCIL MEETING
MINUTES – FEBRUARY 16, 2016

Council President Pro Tempore Bob Bailey called the regular meeting of Whitehall City Council to order at 7:00 p.m. on Tuesday, February 16, 2016.

At Mr. Bailey'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:

Larry Morrison
Bob Bailey
Chris Rodriguez
Van Gregg
Wes Kantor
Lee Stahley

EXCUSE ABSENT MEMBER

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

APPROVAL OF MINUTES

Mr. Kantor moved to approve the Minutes of the February 2, 2016, Agenda and Regular Meetings. Mr. Gregg 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.

POLL PUBLIC

Ken Euman talked about Ordinance No. 017-2016, amending Section 121.03 of the Codified Ordinances regarding reporting requirements for organizations receiving city services or funds. He said it looks like they are trying to change the law. He said that Whitehall T-Ball always has filed the required report. The law was clear before and no clarification is needed. There is nothing to clarify. He said that Parks and Recreation sent a letter stating they will suspend services unless compliance is obtained. He said that if they are trying to do an audit neither Parks and Recreation nor the Auditor have authority to require an audit. He said they meet the IRS and state requirements and they are a private company. He said he is just asking why they want this and said it is not being fairly handled.

There were no further 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 – President Pro Tem Bailey advised that they also met and their minutes are on file. The committee will meet next week, sometime after 6:30 p.m.

Community Standards and Enforcement – Chairperson Rodriguez reported that they met last week and their minutes are on file. They too will meet next week, sometime after 6:30 p.m.

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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.

Public Safety – Chairperson Stahley advised that they met also. Their minutes are on file. The Safety Committee 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. He said they discussed Ordinance No. 017-2016 which is having its first reading tonight. They too will meet next week, sometime after 6:30 p.m.

OFFICIALS' REPORTS

Mayor Kim Maggard – reported that the city has been chosen as one of the healthiest employers for medium sized cities and will be awarded that designation in March. She requested favorable consideration for Ordinance Nos. 015-2016, 016-2016, 018-2016, 020-2016 and Resolution No. 007-2016.

City Attorney Mike Bivens – thanked everyone for coming. He said that he had no official report, but that he will be meeting with Rosemore kids and Whitehall Yearling High School students tomorrow. On Thursday morning they will be making their first field trip to the Court House for two to three hours and then heading to the North Market for lunch afterwards. He asked for everyone's support as he would be working with 25 students.

Director of Development and Public Service Zach Woodruff – had no official report, but acknowledged and thanked the snow warriors who were out last night and this morning. He said they did an exceptionally great job.

City Auditor Dan Miller – had no official report, but said that all of their reports are on line on the city's website.

Director of Public Safety Chuck Underwood – requested favorable action on Resolution No. 007-2016. Additionally, he read a letter that was sent over from the Police Department regarding a citizen's view of our Police Department. (Copy on file in meeting folder.) The letter thanked the officers for watching out for his wife and caring for her. He said they were excellent examples of kindness and sensitivity.

Treasurer Steve Quincel – had no official report tonight.

Council President Pro Tempore Bob Bailey - advised that the following Officials' Reports have been filed in the Council Office: Auditor's Expense Report for January 2016; Auditor's Statement of Cash Position for January 2016; Auditor's Bank Report for January 2016; and, the Auditor's Revenue Report for January 2016.

COMMUNICATIONS, PETITIONS AND CLAIMS

There were no items this evening.

VERIFICATION OF COPIES

President Pro Tem 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 the add-on legislation. The six present members all responded in the affirmative.

THIRD READING

There was no legislation for third reading.

SECOND READING

ORDINANCE NO. 009-2016 was read by title only by President Pro Tem Bailey:

“AMENDING 161.21 (b)(1) OVERTIME AND HOLIDAY PAY ELIGIBILITY.”

ORDINANCE NO. 011-2016 was read by title only by President Pro Tem Bailey:

“TRANSFERRING FOUR HUNDRED TWENTY-FOUR THOUSAND THREE HUNDRED NINETY-EIGHT AND 72/100 DOLLARS (\$424,398.72) FROM THE BOND RETIREMENT ACCOUNT (101-950-57500) TO THE DEBT SERVICE FUND (401).”

ORDINANCE NO. 012-2016 was read by title only by President Pro Tem Bailey:

“TRANSFERRING ONE HUNDRED TWENTY-EIGHT THOUSAND TWO HUNDRED TWENTY-FIVE AND 00/100 DOLLARS (\$128,225.00) FROM VARIOUS ACCOUNTS IN THE WMPITIE FUND (TIF) (279) TO THE DEBT SERVICE FUND (401).”

FIRST READING

ORDINANCE NO. 015-2016 was read by title only by President Pro Tem Bailey:

“AUTHORIZING THE CREATION OF THE BWC SAFETY GRANT FUND (234) AND BWC SAFETY GRANT ACCOUNT (234-000-50000); MAKING AN APPROPRIATION OF FORTY THOUSAND AND NO/100 DOLLARS FROM THE BWC SAFETY GRANT FUND (234) TO THE BWC SAFETY GRANT ACCOUNT (234-000-50000) AND DECLARING AN EMERGENCY.”

Mr. Rodriguez introduced Ordinance No. 015-2016 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. Rodriguez then moved to adopt Ordinance No. 015-2016 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. 015-2016 was adopted.

ORDINANCE NO. 016-2016 was read by title only by President Pro Tem Bailey:

“APPROVING AND MAKING AN APPROPRIATION TRANSFER IN THE AMOUNT OF SIXTY THOUSAND AND NO/100 DOLLARS (\$60,000.00) FROM THE DIRECTOR OF IT SALARY ACCOUNT (101-200-51600) TO THE IT CONTRACT ACCOUNT (101-200-52500) AND DECLARING AN EMERGENCY.”

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Mr. Rodriguez introduced Ordinance No. 016-2016 and moved to suspend the rules, Mr. Stahley 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. Rodriguez then moved to adopt Ordinance No. 016-2016 and 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. 016-2016 was adopted.

ORDINANCE NO. 017-2016 was read by title only by President Pro Tem Bailey:

“AMENDING SECTION 121.03 TITLED ANNUAL FINANCIAL STATEMENT OF ORGANIZATIONS RECEIVING CITY ASSISTANCE OF THE ADMINISTRATIVE CODE OF THE CITY OF WHITEHALL.”

ORDINANCE NO. 018-2016 was read by title only by President Pro Tem Bailey:

“APPROVING A SUPPLEMENTAL APPROPRIATION OF SEVENTY THOUSAND AND NO/100 DOLLARS (\$70,000.00) FROM THE ACCRUED BENEFIT RESERVE FUND (505) TO THE ACCRUED BENEFIT RESERVE EXPENSE ACCOUNT (505-000-51000) AND DECLARING AN EMERGENCY.”

Mr. Rodriguez introduced Ordinance No. 018-2016 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. Rodriguez then moved to adopt Ordinance No. 018-2016 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. 018-2016 was adopted.

ORDINANCE NO. 019-2016 was read by title only by President Pro Tem 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 RALSTON JOHNSON, DBA DOLLAR JOHNSON TO OPERATE A SPECIAL PERMIT UNDER SECTION 1123.10©(19) TO ALLOW LEASING OF TRUCKS AND VANS ON LAND LOCATED AT 4114 EAST MAIN STREET, OWNED BY FAY GRINBLATT.”

President Pro Tempore Bailey referred Ordinance No. 019-2016 to the Planning Commission and set a public hearing before Council for March 15, 2016.

ORDINANCE NO. 020-2016 was read by title only by President Pro Tem Bailey:

“AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT TO ASSUME PURCHASE AND SALE AGREEMENT AND DECLARING AN EMERGENCY.”

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Mr. Stahley introduced Ordinance No. 020-2016 and moved to suspend the rules, Mr. Morrison 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. Stahley then moved to adopt Ordinance No. 020-2016 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, the six present members voted in the affirmative and ORDINANCE NO. 020-2016 was adopted.

RESOLUTION NO. 007-2016 was read by title only by President Pro Tem Bailey:

“AUTHORIZING THE MAYOR TO HIRE AN EXPERIENCED DISPATCHER AT STEP E IN COMPLIANCE WITH SECTION 17.2 OF THE CURRENT LABOR AGREEMENT BY AND BETWEEN THE CITY OF WHITEHALL AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC. AND DECLARING AN EMERGENCY.”

Mr. Stahley introduced Resolution No. 007-2016 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. Stahley then moved to adopt Resolution No. 007-2016 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, the six present members voted in the affirmative and RESOLUTION NO. 007-2016 was adopted.

RESOLUTION NO. 008-2016 was read by title only by President Pro Tem Bailey:

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

Mr. Rodriguez introduced Resolution No. 008-2016 and moved to suspend the rules, Mr. Morrison 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. Rodriguez then moved to adopt Resolution No. 008-2016 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, the six present members voted in the affirmative and RESOLUTION NO. 008-2016 was adopted.

POLL PUBLIC

Ken Euman, Broadhurst Drive, reiterated his position on Ordinance No. 017-2016. He said they are asking for more information than required. He said that changing the law doesn't change the reporting. He urged council to take a deep look and see why they want to change it and where they are heading.

There were no further comments.

COMMUNITY DATE BOARD

Events are listed on the City's Website.

POLL COUNCIL

Mr. Morrison thanked everyone for coming. He noted they had a good crowd tonight and he appreciated everyone showing up on such a bad day.

Mr. Rodriguez said it was nice to see everyone this evening. He thanked Director Underwood for reading the letter. He wished good luck to Mr. Bivens with the youth. In closing he wished a belated Happy Birthday to Mr. Bailey.

Mr. Gregg thanked everyone for coming and urged that they all have a good evening.

Mr. Kantor thanked everybody for coming and said it was nice to see the Parks and Recreation Commission members and youth sports members in the audience this evening. He too thanked Mr. Underwood. He too wished a Happy Belated Birthday to Auditor Miller as well.

Mr. Stahley thanked Mr. Underwood for reading the letter. He noted the passing of Supreme Court Justice Antonin Scalia.

Mr. Bailey thanked everyone for coming.

Having nothing further, Mr. Kantor moved to adjourn and Mr. Rodriguez seconded the motion. On a roll call vote, the six present members responded in the affirmative and the meeting adjourned at 7:34 p.m.

Respectfully submitted,

Carol J. Churchman, Clerk of Council

APPROVED: _____, 2016.

Jim Graham, Council President