

WHITEHALL CITY COUNCIL MEETING
MINUTES – JULY 19, 2016

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

At President Graham's request, everyone rose for a moment of silence in remembrance of all those who have lost their lives in the last few weeks. The Pledge of Allegiance was then recited by those assembled.

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

Van Gregg
Karen Conison
Wes Kantor
Larry Morrison
Bob Bailey
Chris Rodriguez

EXCUSE ABSENT MEMBER

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

APPROVAL OF MINUTES

Ms. Conison moved to approve the Minutes of the July 5, 2016 agenda and regular meetings. Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, the six present members responded in the affirmative and the Minutes were approved as submitted.

POLL PUBLIC

Jeffrey Jones, 142 Beechbank, read a letter that was in the Dispatch regarding the selling of 6.5 acres in Whitehall Community Park to the Heartland Bank. The letter opposed selling the said property. Mr. Jones said it is a beautiful place and he doesn't like what is going to happen there.

President Graham explained that by doing what they propose we are creating a million dollar fund for parks development and adding another 15 to 16 acres to the park. So, actually, we are increasing not decreasing the size of the park. This will allow for many improvements, especially for Whitehall Community Park, such as new trails, a prairie, fishing, disk golf and many other possible improvements. While we all appreciate the park lands we have, President Graham concluded that they are doing this to make things even better.

Mr. Jones asked about drainage and sewage from the new building. Mr. Bailey raised a point of order, that being that a discussion at this time is out of order. He said he would, however, be pleased to talk with Mr. Jones following the meeting. President Graham agreed and said he too would like to speak with him after the meeting.

There were no further comments.

STANDING COMMITTEE REPORTS

Administration and Financial Management – Chairperson Bailey reported that they met last week and their minutes are on file. He said they discussed a number of ordinances that will be introduced tonight. They will meet again next week, sometime after 6:30 p.m.

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Community Engagement – Chairperson Conison reported that they met last week and their minutes are on file. The committee will meet next week, sometime after 6:30 p.m.

Community Standards and Enforcement – Chairperson Rodriguez said that they met last week and their minutes are on file. They discussed Ord. No. 064-2016 and Ord. Nos. 073 and 074-2016 regarding parking codes. They too will meet next week, sometime after 6:30 p.m.

Economic Development – Chairperson Morrison reported that they met last week and 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 last week and their minutes are on file. They will meet next week, sometime after 6:30 p.m.

Public Safety – President Graham said that they met last week and their minutes are on file. He said that Chairperson Stahley wanted him to acknowledge that the city sent two officers from Whitehall to Dallas for the funerals of the fallen officers down there. He also said he wanted to thank all the citizens who have gone to our station in the last week or so showing support for our officers. The Safety Committee will meet next week, sometime after 6:30 p.m.

Parks and Recreation – Chairperson Kantor said that they met last week and their minutes are on file. He said the Commission would be meeting on August 4 and August 25. They will be talking about a full court basketball court and two half courts for John Bishop Park. They too will meet next week, sometime after 6:30 p.m.

OFFICIALS' REPORTS

Mayor Kim Maggard – said she had no official business but wanted to respond to Mr. Jones comments. The location of the Heartland Bank will be on Hamilton Road, where the service facility is now located. The bank will be using about 1.5 acres of our right of way and it will not affect any of the natural features down by the creek. There will be a rain garden and many upgrades to that park. They are proposing to turn it back to a natural place like it once was, a prairie land and more trails, etc. One point three million dollars will be put right back into Whitehall Community Park. They are trying to recreate the look of what it was 200 years ago. She said they want people to see what was going on there 200 years ago. We want to have a lot of people there to enjoy the natural programs they hope to have there.

City Attorney Michael Bivens – advised that last Tuesday they had two bench trials in Mayor's Court. He said the Mayor's Court Docket is running smoothly. He announced that on August 4th from 5:30 to 7:30 there will be a free community partnership with a Fight Back workshop. The panel includes Judge Beatty and a representative from Ron O'Brien's office, our Domestic Violence Advocate, a police officer and a prosecutor from his office. He said they are doing this in partnership with the school. Hopefully they will get some young people out to learn about the prevention of stalking. It is being held at the high school in their auditorium. He said they are seeing a trend in individuals driving under suspension and theft cases – many of them are not employed. He said he is meeting with the President of the Central Ohio Urban League which has a workforce development program to get people into sustainable jobs. He said the trend seems to be that they are having about 20 of these cases per month. He said that if anyone knows of any other workforce agencies that would be willing to come to Whitehall to let him know. He said they are putting together a flyer regarding scammers and it will be coming out this fall.

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

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City Auditor Dan Miller – had no official report other than those on file in the council office. He requested favorable consideration of Ordinance No. 062-2016 and Resolution No. 044-2016.

Safety Director Chuck Underwood – had no official report. He did inform council about some accolades the police department recently received for their services.

Treasurer Steve Quincel – was not present.

Council President Jim Graham – advised of officials reports that have been filed in the Council Office since the last meeting.

COMMUNICATIONS, PETITIONS AND CLAIMS:

1. Written Favorable Recommendation the Whitehall Planning Commission on Ordinance No. 064-2016, with the following conditions:
 - 1) Clearing of brush on North property line excluding large trees.
 - 2) Clearing of brush on East property line.
 - 3) Provide more detailed plan of outdoor play space.
 - 4) Construct white vinyl fence around play area.
 - 5) Restripe asphalt in parking lot.
 - 6) Construct monument sign that meets city standards & remove existing pole sign.
 - 7) Fence installed on the north property line; and
 - 8) Final landscaping plans before May 17 meeting.
2. Written favorable recommendation from the Whitehall Planning Commission on Ordinance No. 074-2016 as submitted.
3. Minutes of the July 7, 2016, meeting of the Whitehall Planning Commission.

PUBLIC HEARING

ORDINANCE NO. 064-2016

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 1123.08(c)(29) TO ALLOW A CHILD'S JOURNEY, LLC TO OPERATE A DAY CARE ON THE PROPERTY LOCATED AT 846 S. YEARLING RD., OWNED BY DEERE ENTERPRISES LLC.

President Graham opened the public hearing on Ordinance No. 064-2016 at 7:22 p.m. President Graham continued the public hearing to August 2, 2016.

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. The six present members responded in the affirmative.

THIRD READING

ORDINANCE NO. 061-2016 was read by title only by President Graham:

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“APPROVING APPROPRIATION TRANSFERS IN THE TOTAL AMOUNT OF ~~SIXTY FIVE~~ FIFTY THOUSAND TWO HUNDRED SEVENTY EIGHT AND NO/DOLLARS (\$~~65,278.00~~ 50,278.00) FROM THE FOLLOWING ACCOUNTS TO THE POLICE AND FIRE PENSION EXPENSE ACCOUNT 101.900.51600.”

Mr. Bailey introduced and moved to amend Ordinance No. 061-2016 as shown in the copy before Council this evening. Mr. Gregg seconded the motion. On a roll call vote, the six present members responded in the affirmative and Ordinance No. 061-2016 was amended.

Mr. Bailey then moved to adopt Ordinance No. 061-2016 (Amended 7/19/2016), 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. 061-2016 (Amended 7/19/2016) was adopted.

ORDINANCE NO. 062-2016 was read by title only by President Graham:

“RECLASSIFYING A PORTION OF THE FOLLOWING FUND ADVANCE AS A FUND TRANSFER.”

Mr. Bailey introduced and moved to adopt Ordinance No. 062-2016, 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. 062-2016 was adopted.

ORDINANCE NO. 063-2016 was read by title only by President Graham:

“MAKING AND APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF THIRTY FIVE THOUSAND AND NO/DOLLARS FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE POLICE AND FIRE PENSION EXPENSE ACCOUNT 101.900.51600.”

Mr. Bailey introduced and moved to adopt Ordinance No. 063-2016, 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. 063-2016 was adopted.

ORDINANCE NO. 064-2016 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 1123.08(c)(29) TO ALLOW A CHILD’S JOURNEY, LLC TO OPERATE A DAY CARE ON THE PROPERTY LOCATED AT 846 S. YEARLING RD., OWNED BY DEERE ENTERPRISES LLC.”

Mr. Rodriguez introduced and moved to table Ordinance No. 064-2016, 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. 064-2016 was tabled.

SECOND READING:

ORDINANCE NO. 068-2016 was read by title only by President Graham:

“APPROVING AND MAKING A FUND TRANSFER OF EIGHTY-FIVE THOUSAND FIVE HUNDRED SIXTY-SEVEN AND 00/100 DOLLARS (\$85,567.00) FROM THE MAIN ST. STREETSCAPE ACCOUNT (307-000-51000) TO THE DEBT SERVICE FUND (401) AND DECLARING AN EMERGENCY.”

ORDINANCE NO. 069-2016 was read by title only by President Graham:

“AUTHORIZING THE CITY AUDITOR, UPON REQUEST AND APPROVAL BY THE RELEVANT DEPARTMENT HEAD, TO MAKE TRANSFERS UP TO FIVE THOUSAND AND NO/100 DOLLARS (\$5,000.00) BETWEEN APPROPRIATION LINE ITEMS WITHIN THE SAME DEPARTMENT AND/OR FUND.”

ORDINANCE NO. 073-2016 was read by title only by President Graham:

“AMENDING SECTION 903.32 PARKING OF MOTOR VEHICLES ON LAWNS PROHIBITED TO INCLUDE REAR YARDS.”

ORDINANCE NO. 074-2016 was read by title only by President Graham:

“AMENDING SECTIONS 1123.00, 1123.01, 1123.02, 1123.03, 1123.04 TO ADD A LOT MAXIMUM FOR IMPERVIOUS PARKING AREA.”

President Graham previously referred Ordinance No. 074-2016 to the Whitehall Planning Commission and set a public hearing before Council for August 2, 2016.

FIRST READING

ORDINANCE NO. 075-2016 was read by title only by President Graham:

“TRANSFERRING THREE HUNDRED SEVEN THOUSAND SEVEN HUNDRED THIRTY-TWO AND 99/100 DOLLARS (\$307,732.99) FROM PREVIOUSLY UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE ECONOMIC DEVELOPMENT INCENTIVES/PLANNING FUND (316); MAKING A SUPPLEMENTAL APPROPRIATION OF THREE HUNDRED SEVEN THOUSAND SEVEN HUNDRED THIRTY-TWO AND 99/100 DOLLARS (\$307,732.99) FROM THE ECONOMIC DEVELOPMENT INCENTIVES/PLANNING FUND (316) TO ECONOMIC DEVELOPMENT INCENTIVES EXPENSE ACCOUNT (316-000-50000) AND DECLARING AN EMERGENCY.”

Mr. Bailey said these are exciting times and he was pleased to introduce and move to suspend the rules on Ordinance No. 075-2016 and Mr. Rodriguez 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. Bailey then moved to adopt Ordinance No. 075-2016 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, the six present members voted in the affirmative and ORDINANCE NO. 075-2016 was adopted.

ORDINANCE NO. 076-2016 was read by title only by President Graham:

“APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF FOUR MILLION ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$4,100,000.00) FROM PREVIOUSLY UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE PROPERTY ACQUISITION EXPENSE ACCOUNT (101-950-59850) AND DECLARING AN EMERGENCY.”

Mr. Morrison introduced and moved to suspend the rules on Ordinance No. 076-2016 and Mr. Bailey 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. 076-2016 and Mr. Bailey seconded the motion. There was no discussion. On a roll call vote, the six present members voted in the affirmative and ORDINANCE NO. 076-2016 was adopted.

RESOLUTION NO. 044-2016 was read by title only by President Graham:

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

Mr. Bailey introduced Resolution No. 044-2016 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. Bailey then moved to adopt Resolution No. 044-2016 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, the six present members voted in the affirmative and RESOLUTION NO. 044-2016 was adopted.

POLL PUBLIC

There were no comments at this time.

COMMUNITY DATE BOARD

Events are listed on the City’s Website.

POLL COUNCIL

Mr. Gregg thanked everyone for coming. He wished everyone a good week and urged them to stay cool.

Ms. Conison thanked everyone for coming and thanked Ms. Martineau and the administration for all the work on food truck event.

Mr. Kantor thanked everyone for coming. He also thanked the Mayor for her comments regarding the park. He congratulated Mr. Bivens on his first term as City Attorney and thanked him for reaching out to solve problems and being proactive. He wished Ms. Martineau good luck with the food truck event.

Mr. Morrison thanked everyone for coming and for their input.

Mr. Bailey thanked everyone for coming and thanked Mr. Jones for sharing his thoughts. He told Mayor Maggard that he appreciates her initiative on neighborhood policing and said that

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folks are noticing the policy changes. Visibility makes a difference. To Mr. Bivens he said it is encouraging to see our court system holding people accountable and thanked him for taking a proactive posture to get these people some help. Mr. Bailey noted that Barb Blake, who sits on the Planning Commission, was in the audience and he acknowledged the commission for the work they are doing and for such a thorough job. He said they could talk about the ordinance on impervious parking areas. He said it solves problems that a lot of people are complaining about. He said it wasn't really a council initiative, but they will look forward to studying it. He said it is a tough subject and they will definitely look into it.

Mr. Rodriguez thanked everyone for coming and wished a belated Happy Birthday to Mr. Bivens.

President Graham thanked everyone for coming out.

Having nothing further, Mr. Bailey 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 7:40 p.m.

Respectfully submitted,

Carol J. Churchman, Senior Clerk of Council

APPROVED: _____, 2016.

Jim Graham, Council President