

WHITEHALL CITY COUNCIL COMMITTEE MEETINGS

AGENDA

TUESDAY, MARCH 23 , 2021

6:30 P.M. – ADMINISTRATION/COUNCIL OF THE WHOLE MATTERS:

THERE ARE NINE PIECES OF DRAFT LEGISLATION APPEARING IN THE APPROPRIATE COMMITTEES BELOW.

COMMITTEE OF THE WHOLE LEGISLATION/ISSUES:

STANDING COMMITTEES

ADMINISTRATION AND FINANCIAL MANAGEMENT - Chairperson Bob Bailey

Members: Rodriguez, Morrison & Conison

DRAFT # 1

ORDINANCE NO. 018-2021 (*Admin/Fin. Mgmt. – 3rd reading – ADOPT 05/04/2021–Bailey/*)

MAKING A FUND TRANSFER IN THE AMOUNT OF TWO HUNDRED SEVENTY-FIVE THOUSAND TWO HUNDRED THIRTY-SIX AND 00/100 DOLLARS (\$275,236.00) FROM THE BOND RETIREMENT ACCOUNT (101-950-57500) TO THE DEBT SERVICE FUND (401).

WHEREAS, Ordinance 98-2020 appropriated monies for the purpose of repayment of the Recreation Bond and the YMCA Bond; and

WHEREAS, the Auditor of State requires bond retirement payments and other long term debt be paid from the Debt Service Fund; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1: That there be and is hereby transferred the sum of two hundred seventy-five thousand two hundred thirty-six and 00/100 dollars (\$275,236.00) from the Bond Retirement Account (101-950-57500) to the Debt Service Fund (401).

SECTION 2: That the City Auditor is hereby authorized to draw his warrant upon the Treasurer of the City for these funds for the purpose of debt retirement.

SECTION 3: That this Ordinance shall go into full force and effect at the earliest time allowed by law.

DRAFT # 2

ORDINANCE NO. 019-2021 (*Admin/Fin. Mgmt. – 3rd reading – ADOPT 05/04/2021–Bailey/*)

APPROVING AND MAKING A FUND TRANSFER IN THE AMOUNT OF TWO HUNDRED NINETY-SEVEN THOUSAND ONE HUNDRED SEVENTY-SIX AND 25/100 DOLLARS (**\$297,176.25**) FROM VARIOUS ACCOUNTS IN THE WMPITIE FUND (279) TO THE DEBT SERVICE FUND (401).

WHEREAS, bonds were issued on June 22, 2016 to purchase the Commons at Royal Landing, Streetscape Improvements and land acquisition; and

WHEREAS, bonds were issued on September 30, 2014 to make infrastructure improvements and purchase blighted property; and

WHEREAS, Ordinance 115-2020 appropriated monies for the purpose of repayment of these bonds; and

WHEREAS, the Auditor of State requires bond retirement payments and other long term debt be paid from the Debt Service Fund; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1: That the Council of the City of Whitehall approves the following fund transfers.

<u>Amount</u>	<u>From</u>	<u>To</u>
\$ 94,934.75	279.000.50001 Main Yearling Incentive	(401) Debt Service
\$113,838.00	279.000.50002 Main Hamilton Incentive	(401) Debt Service
\$ 34,151.40	279.000.50003 Town & Country Incentive	(401) Debt Service
\$ 14,408.80	279.000.50004 Hamilton Broad Incentive	(401) Debt Service
\$ 39,843.30	279.000.50005 Poth Road Incentive	(401) Debt Service
<u>\$297,176.25</u>		

SECTION 2: That the City Auditor is hereby authorized to draw his warrant upon the Treasurer of the City for these funds for the purpose stated in this Ordinance.

SECTION 3: That this Ordinance shall go into full force and effect at the earliest time provided by law.

DRAFT # 3

RESOLUTION NO. 008-2021 *(Admin/Fin. Mgmt. – 1st reading – ADOPT 04/06/2021–Bailey/)*

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

WHEREAS, O.R.C. 5705.41(D)(1) states that “then and now” certificates of three thousand dollars and no/100 (\$3,000.00) and more must be approved by resolution or ordinance within thirty days of receipt of the “then and now” certificate, and

WHEREAS, the City has processed the following “then and now” certificate over the sum of three thousand dollars and now this certificate requires approval by City Council; and

WHEREAS, the Auditor of the City of Whitehall, Ohio has determined that, at the time of the making and execution of the certificate, a sufficient sum was appropriated by Council for the purpose of the requisition, and is currently deposited in the treasury and allocated to the appropriate account and free from any previous encumbrances; NOW, THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1: That the City Council does hereby approve the following “then and now” certificate:

<u>Requisition</u>	<u>Vendor</u>	<u>Amount</u>	<u>Order Date</u>	<u>Purchase Purpose</u>
#2021-Service-00094-A	Fishel	\$308,421.54	2/17/2021	Fiber Project
#2021-Service-00103-A	Cargill	\$ 3,325.45	2/09/2021	Salt
#2021-Auditor-00175-A	Franklin Co Prosecutor	\$ 10,119.00	03/04/2021	Forfeiture Cases

SECTION 2: That the City Council of the City of Whitehall, Ohio, lawfully appropriated this expenditure which the expense originated.

SECTION 3: That this Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare; and for the further reason that O.R.C. 5705.41(D)(1) requires that “then and now” certificates of three thousand dollars and more be approved by the legislative body by resolution or ordinance within thirty days of receipt of the “then and now” certificate; WHEREFORE, this Resolution shall go into full force and effect immediately upon its passage by the Council of the City of Whitehall and approval by the Mayor.

Requested and Prepared by: Dan Miller, City Auditor
Approved as to form: Michael T. Bivens, City Attorney MTB 3/18/21

SECOND READING

ORDINANCE NO. 016-2021 *(Admin/Fin. Mgmt. – 3rd reading – ADOPT 04/20/2021–Bailey/Conison)*

RECLASSIFYING A PORTION OF A FUND ADVANCE AS A FUND TRANSFER.

THIRD READING:

ORDINANCE NO. 014-2021 (*Admin/Fin. Mgt. – 3rd reading – ADOPT 04/06/2021–Bailey/Conison*)
MAKING A FUND TRANSFER IN THE AMOUNT OF THIRTY-NINE THOUSAND SIX HUNDRED EIGHTY-TWO AND 88/100 DOLLARS (\$39,682.88) FROM THE BOND RETIREMENT ACCOUNT (101-950-57500) TO THE DEBT SERVICE FUND (401) AND DECLARING AN EMERGENCY.

COMMUNITY STANDARDS AND ENFORCEMENT – Chairperson Rodriguez
Members: Kantor, Morrison & Elmore

DRAFT # 4

ORDINANCE NO. 020-2021 (*Comm. Standard & Enf. – 3rd reading – ADOPT 05/04/2021– Kantor/*)
REFER TO PLANNING COMMISSION MEETING ON 04/08/2021

AMENDING THE ZONING MAP ATTACHED TO CHAPTER 1122 OF THE 1970 CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, OHIO AND AS SUBSEQUENTLY AMENDED, CHANGING THE ZONING ON PROPERTY LOCATED ON 4218-4238 RICKENBACKER AVENUE, PARCEL NUMBER 090-008215, FROM A-1 APARTMENT DISTRICT AND LIMITED COMMERCIAL DISTRICT (LCD) TO A-2 APARTMENT DISTRICT, PROPERTY OWNED BY YEARLING GREEN 1 LLC.

WHEREAS, Council has received an application from Yearling Green 1 LLC. to rezone the property located on the west side of Yearling Road and north of Rickenbacker Ave, parcel number 090-008215; and

WHEREAS, in working with City staff, Yearling Green 1 LLC has expressed a desire to develop previously underdeveloped portion of their property; and

WHEREAS, this Ordinance was referred to the Planning Commission (Case No.), which reported a _____ recommendation

WHEREAS, Council has held a Public Hearing after due notice according to law; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1: That the Zoning Map attached to Chapter 1122 of the 1970 Codified Ordinances of the City of Whitehall, Ohio and as subsequently amended, be and the same is hereby amended by changing the zoning on parcel 090-008215 from LCD and A-1 to A-2 for the development of the site as presented in exhibits 1, 2, 3.

SECTION 2: That the Director of Public Service be and is hereby authorized and directed to proceed with the prescribed ordinance directing the City Engineer to change the Official Zoning Map of the City of Whitehall.

SECTION 3: That this Ordinance shall go into full force and effect at the earliest date permitted by law.

DRAFT # 5

ORDINANCE NO. 021-2021 (*Comm. Standard & Enf. – 3rd reading – ADOPT 05/04/2021– Kantor/*)

REFER TO PLANNING COMMISSION MEETING ON 04/08/2021

AMENDING THE ZONING MAP ATTACHED TO CHAPTER 1122 OF THE 1970 CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, OHIO AND AS SUBSEQUENTLY AMENDED, CHANGING THE ZONING ON PROPERTY LOCATED ON NORTON CROSSING PLAT, PARCEL NUMBER 090-008423, FROM A-2 APARTMENT DISTRICT TO GENERAL COMMERCIAL DISTRICT (GCD), PROPERTY OWNED BY CONTINENTAL REAL ESTATE COMPANIES.

WHEREAS, Council has received an application from Continental Real Estate Companies to rezone the property located on parcel number 090-008423; and

WHEREAS, the applicant has expressed a desire to develop the southwest corner of Broad Street and Hamilton Road and the north of the proposed public road, Opportunity Way; and

WHEREAS, this Ordinance was referred to the Planning Commission (Case No.), which reported a _____ recommendation

WHEREAS, Council has held a Public Hearing after due notice according to law; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1: That the Zoning Map attached to Chapter 1122 of the 1970 Codified Ordinances of the City of Whitehall, Ohio and as subsequently amended, be and the same is hereby amended by changing the zoning on parcel 090-008423 from A-2 to GCD for the development of the site as presented in the attached site plan and renderings.

SECTION 2: That the Director of Public Service be and is hereby authorized and directed to proceed with the prescribed ordinance directing the City Engineer to change the Official Zoning Map of the City of Whitehall.

SECTION 3: That this Ordinance shall go into full force and effect at the earliest date permitted by law.

DRAFT # 6

ORDINANCE NO. 022-2021 (Comm. Standard & Enf. – 3rd reading – ADOPT 05/04/2021– Kantor/)

REFER TO PLANNING COMMISSION MEETING ON 04/08/2021

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 1123.10(c)(1) TO ALLOW A DRIVE THROUGH WINDOW AND/OR DRIVE THROUGH FACILITY ON THE PROPERTY LOCATED AT 51 SOUTH HAMILTON ROAD, PARCEL 090-008423, PROPERTY OWNED BY CONTINENTAL REAL ESTATE COMPANIES.

WHEREAS, Council has received an application from Continental Real Estate Companies seeking a special permit under Section 1123.10(c)(1) of the Codified Ordinances of the City of Whitehall to develop a branch on property located at 51 S. Hamilton Rd. , parcel number 090-008423; and

WHEREAS, this Ordinance was referred to the Planning Commission (Case No. _____), which reported a _____ recommendation on said request; and

WHEREAS, Council has held a Public Hearing after due notice according to law; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1: That the Zoning Map attached to Chapter 1122 of the 1970 Codified Ordinances of the City of Whitehall, Ohio and as subsequently amended, be and the same is hereby amended by allowing a special permit under Section 1123.10(c)(1) to allow for the development of a drive through window and drive through facility for a financial institution as shown in the attached site plan on property located at 51 S. Hamilton Rd. , parcel number 090-008423.

SECTION 2: That the Director of Public Service be and is hereby authorized and directed to proceed with the prescribed ordinance directing the City Engineer to change the Official Zoning Map of the City of Whitehall.

SECTION 3: That this Ordinance shall go into full force and effect at the earliest date permitted by law.

Requested and Prepared by: Zach Woodruff, Development Director
Approved as to form: Michael T. Bivens, City Attorney MTB 3/23/21

COMMUNITY AND ELDER ADVOCACY – Chairperson Lori Elmore
Members: Bailey, Rodriguez & Heck

No drafts or pending legislation.

ECONOMIC DEVELOPMENT – Chairperson Larry Morrison
Members: Conison, Rodriguez & Elmore

No drafts or pending legislation.

INFRASTRUCTURE, MAINTENANCE AND SERVICES – Chairperson Jo Anna Heck
Members: Bailey, Morrison & Kantor

DRAFT # 7

ORDINANCE NO. 023-2021 (*Infra. Maint. & Srvs. – 3rd reading – ADOPT 05/04/2021–Heck/*)

MAKING AND APPROVING A FUND TRANSFER IN THE AMOUNT OF TWENTY-SEVEN THOUSAND EIGHT HUNDRED THIRTY-THREE AND 76/100 DOLLARS (\$27,833.76) FROM THE WIMPITIE FUND (279) ATTRIBUTED TO THE 279.000.58000 ACCOUNT TO THE DEBT SERVICE FUND (401).

WHEREAS, Ordinance 105-2016 authorized a Tax Increment Financing Program on certain parcels along Etna Road; and

WHEREAS, Ordinance 105-2016 authorized the City to use the TIF funds to reimburse the costs of the Public Infrastructure Improvements; and

WHEREAS, the City financed the project through the Ohio Public Works Commission; and

WHEREAS, the TIF is now in place and the City would like to transfer the balance until such time as the loan is repaid; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1: That a fund transfer is hereby approved by the Council of the City of Whitehall in the amount of twenty-seven thousand eight hundred thirty-three and 76/100 (\$27,833.76) from the WMPITIE Fund (279) attributed to the 279.000.58000 account to the Debt Service Fund (401).

SECTION 2: That this Ordinance shall go into full force and effect at the earliest time allowed by law.

DRAFT # 8

ORDINANCE NO. 024-2021 (*Infra. Maint. & Srvs.. – 1st reading – ADOPT 04/06/2021–Heck/*)

MAKING AND APPROVING A FUND TRANSFER IN THE AMOUNT OF TWENTY-SEVEN THOUSAND TWO HUNDRED TWENTY AND NO/100 DOLLARS (\$27,220.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE CAPITAL IMPROVEMENT/PROJECT FUND (311); MAKING A SUPPLEMENTAL APPROPRIATION OF TWENTY-SEVEN THOUSAND TWO HUNDRED TWENTY AND NO/100 DOLLARS (\$27,220.00) FROM THE CAPITAL IMPROVEMENT/PROJECT FUND (311) TO THE CAPITAL IMPROVEMENT ACCOUNT 311.000.54000 AND DECLARING AN EMERGENCY.

WHEREAS, the City has received several reimbursements related to capital improvements; and

WHEREAS, the City would like to transfer these funds to the account which will pay the bill for repairs; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1: That a fund transfer is hereby approved by the Council of the City of Whitehall in the amount of twenty-seven thousand two hundred twenty and no/100 dollars (\$27,220.00) from unappropriated monies in the General Fund (101) to the Capital Improvement Fund (311).

SECTION 2: That a supplemental appropriation is hereby approved by the Council of the City of Whitehall in the amount of twenty-seven thousand two hundred twenty and no/100 dollars (\$27,220.00) from unappropriated monies in the Capital Improvement/project Fund (311) to the Capital Improvement Account 311.000.54000.

SECTION 3: That the City Auditor is hereby authorized to draw his warrant upon the Treasurer of the City for these funds for the purpose stated in this ordinance.

SECTION 4: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety and welfare and for further reason that these monies need to be available for additional projects; WHEREFORE, this ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

PUBLIC SAFETY – **Chairperson Karen Conison**
Members: Kantor, Bailey & Heck

DRAFT # 9

ORDINANCE NO. 025-2021 (*Public Safety – 3rd reading – ADOPT 05/04/2021–Conison/*)

AMENDING 139.01 TITLED PETTY CASH FUNDS FOR POLICE AND FIRE.

WHEREAS, an updated petty cash policy has been written and submitted to this Council, and

WHEREAS, an additional petty cash box has been assigned to the Duty Sargent office for after hours, and

WHEREAS, the policy changes the monthly reporting to a quarterly audit, and

WHEREAS, it is necessary to amend the codified ordinances to reflect these changes; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1: That the Council of the City of Whitehall, Ohio amends 139.01 of the PETTY CASH FUNDS FOR POLICE AND FIRE in the following manner:

139.01 PETTY CASH FUNDS FOR POLICE AND FIRE

The Auditor and Treasurer are hereby authorized to pay over to the Safety Department sufficient moneys from time to time to maintain a ~~four~~ five hundred dollar (~~\$400~~) (\$500) petty cash fund for the Police Department and a one hundred dollar (\$100) petty cash fund for the Fire Department which funds are hereby ~~created~~ increased. Such funds shall be administered and accounted for by the Chief of Police and the Chief of Fire who shall submit to ~~the Auditor a complete report of all moneys spent~~ a quarterly audit of said funds.

SECTION 2: That this Ordinance shall go into full force and effect at the earliest time allowed by law.

Requested and Prepared by: Dan Miller, City Auditor

Approved as to form: Michael T. Bivens, City Attorney MTB 3/18/21

PARKS AND RECREATION – **Chairperson Wes Kantor**
Members: Conison, Elmore & Heck

No drafts or pending legislation.