

WHITEHALL CITY COUNCIL COMMITTEE MEETINGS

AGENDA

TUESDAY, APRIL 27 , 2021

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

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

COMMITTEE OF THE WHOLE LEGISLATION/ISSUES:

DRAFT # 1

ORDINANCE NO. 033-2021 (*Comm. Of the Whole – 1st reading – ADOPT 05/04/2021– /*)

AUTHORIZING ADOPTION OF THE MAY 2021 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, AND DECLARING AN EMERGENCY.

WHEREAS, it is desirable and necessary that the City of Whitehall maintain an organized and published code of ordinances; and

WHEREAS, the codified ordinances for the City of Whitehall should be amended regularly to conform with current state law as required by the Ohio Constitution; and

WHEREAS, various ordinances of a general and permanent nature have been passed by council and should be included in the codified ordinances; and

WHEREAS, the Walter H. Drane Company of Cleveland, Ohio has entered into a contract with the City of Whitehall to prepare and publish such revisions twice a year and the May 2021 replacements are now before council; NOW, THEREFORE,

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

SECTION 1: That the ordinances of the City of Whitehall, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the May 2021 replacement pages to the codified ordinances are hereby approved and adopted.

SECTION 2: That the President of Council and Clerk of Council shall certify that the permanent and general ordinances of the City, as codified in the current replacement pages are correctly set forth therein.

SECTION 3: That the City Auditor is hereby authorized to draw his warrant upon the Treasurer of the City to pay the Walter H. Drane Company for said services and products from previously appropriated monies in the City Council Office Supplies Account (101-100-52000).

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 the further reasons that it is necessary that the City of Whitehall maintain an organized and published code of its ordinances and that it conform with current state law

provisions; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

Requested and prepared by: Clerk of Council, Julie A. Ogg,
Approved as to form: Michael T. Bivens, City Attorney MTB 4/20/21

DRAFT # 2

RESOLUTION NO. 010-2021 (*Comm. Of the Whole – 3rd reading – ADOPT 06/01/2021– /*)

APPROVING A RESOLUTION OF AND BY THE CITY OF WHITEHALL CONDEMNING INTIMIDATION AND VIOLENCE, REAFFIRMING EQUALITY UNDER THE LAW, AND COMMITTING TO REVIVING CIVILITY BETWEEN ALL PEOPLE.

WHEREAS, members of the City Council of the City of Whitehall serve as the representative body for all residents of the City of Whitehall; and,

WHEREAS, we believe that important functions of society are to share and create knowledge, explore ideas, and welcome diverse opinions in an atmosphere that is civil and safe for all Ohioans; and,

WHEREAS, we fully support diversity, equity, and inclusion of all people; affirming all ages, socioeconomic or employment status, ancestries, colors, disabilities, gender identities or expressions, genetics, viral status, military or veteran status, national origins, housing or immigration status, races, religions, sex, sexual orientations; and,

WHEREAS, the Preamble to the Constitution of the United States sets forth our commitment to forming an interconnected union that prioritizes justice, domestic tranquility, our common defense, the general welfare of all, and liberty; and,

WHEREAS, the Declaration of Independence, in creating a governmental Union, holds that all of us are created equal and endowed with inalienable rights to life, liberty, and the pursuit of happiness; and,

WHEREAS, we reiterate that our community is strong because of our steadfast commitment to strive to be inclusive and affirming for people and ideas from all corners of our society and all around the world; and,

WHEREAS, there are reports of mental, physical, and verbal assaults on people of all ages at institutions across the country, including in central Ohio and in Whitehall; and,

WHEREAS, we believe that the promises set forth in the founding documents of the United States of America cannot be fulfilled when some intimidate or instigate violence against others and if civil discourse becomes untenable; and,

WHEREAS, Revive Civility Ohio, a nonpartisan initiative spurred by The National Institute for Civil Discourse was launched in 2017 as part of a national effort to decrease polarization and strengthen communities through civil discourse; and,

WHEREAS, Revive Civility Ohio, chaired by Former Ohio Supreme Court Justice Yvette McGee Brown and Current Speaker of the Ohio House Bob Cupp, seeks to engage elected representatives to foster respectful and truthful dialogues, model civility and kindness, and courage community conversations that bring together people of diverse viewpoints on social and political issues.

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

SECTION 1: That, while supporting each person’s constitutionally protected rights, the City Council for the City of Whitehall condemns any acts of hate speech, violence, or intimidation of any kind expressed towards any member of our community.

SECTION 2: That we stand united, both in spite of and as a result of the differences among us, in our call to revive civility in discourse, to listen with compassion, to hold accountable those who fail to meet these standards, to welcome a range of perspectives and ideas, and to champion the rights of all people to equality under the law.

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

STANDING COMMITTEES

ADMINISTRATION AND FINANCIAL MANAGEMENT - Chairperson Bob Bailey

Members: Rodriguez, Morrison & Conison

DRAFT # 3

ORDINANCE NO. 034-2021 (*Admin/Fin. Mgmt. – 1st reading – ADOPT 05/04/2021–Bailey/*)

AUTHORIZING AND APPROVING A FUND TRANSFER IN THE AMOUNT OF FORTY THOUSAND AND NO/100 DOLLARS (\$40,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND 101 TO THE LIFE CYCLE REPLACEMENT FUND (315): MAKING A SUPPLEMENTAL APPROPRIATION OF FORTY THOUSAND AND NO/100 DOLLARS (\$40,000.00) FROM THE LIFE CYCLE REPLACEMENT FUND (315) TO THE COMPUTER LIFE CYCLE REPLACEMENT EXPENSE ACCOUNT (315.000.50000) AND DECLARING AN EMERGENCY.

WHEREAS, technology life-cycle is currently underfunded and additional funds are required for technology replacement; NOW, THEREFORE,

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

SECTION 1: The Council of the City of Whitehall, Ohio authorizes and approves a fund transfer in the amount of forty thousand and no/dollars (\$40,000.00) from unappropriated monies in the General Fund (101) to the Life Cycle Replacement Fund (315) for the purpose of replacing and updating technology for the 2021 year.

SECTION 2: That this Council approves a supplemental appropriation in the amount of forty thousand and no/100 dollars from the Life Cycle Replacement Fund (315) to the Computer Life Cycle Replacement Expense account (315.000.50000).

SECTION 3: 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 the further reason these monies will be used to replace technology that is at the end of useful functionality; WHEREFORE, This Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

DRAFT # 4

ORDINANCE NO. 035-2021 (*Admin/Fin. Mgmt. – 1st reading – ADOPT 05/04/2021–Bailey/*)

MAKING AN APPROPRIATION OF THREE THOUSAND FOUR HUNDRED NINETY-NINE AND 60/100 DOLLARS **(\$3,499.60)** FROM THE TAX INCREMENT FINANCING FUND (279) TO THE AIR SOUTH 1 INCENTIVE EXPENSE ACCOUNT IN THE 279 FUND AND AUTHORIZING THE DISTRIBUTION OF THE PORTION OF THE TOTAL SERVICE PAYMENTS ATTRIBUTABLE TO THE TIF TO THE AFFECTED VOCATIONAL SCHOOL DISTRICT FROM THE TAX INCREMENT FINANCING FUND (279) IN THE AMOUNT EQUAL TO 100% OF THE PROPERTY TAX PAYMENT THE VOCATIONAL SCHOOL DISTRICT WOULD HAVE RECEIVED OF THREE THOUSAND, FOUR HUNDRED NINETY-NINE AND 60/100 DOLLARS **(\$3,499.60)** AND DECLARING AN EMERGENCY.

WHEREAS, in March 2021, the City of Whitehall received the 2020 first half TIF tax year distribution; and

WHEREAS, the city received its share of TIF funds as well as TIF funds that shall be paid to the affected vocational district; and

WHEREAS, the total amounts received by the city for the TIF district is as follows, and:

<i>Total Distributions by date of tax receipts</i>		
<u>Account #</u>	<u>TIF District</u>	<u>Mar-2021</u>
279.000.46000	Air South 1 Incentive	<u>\$ 40,574.86</u>
TIF Fund Total		\$ 40,574.86

WHEREAS, it is the intention of the City to transfer certain portions of the distribution of service payments attributable to the TIF to the affected vocational school district in an amount equal to 100% of the property tax payments the affected vocational school district would have received; NOW, THEREFORE,

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

SECTION 1: This Council does hereby find and determine that it is in the best interest of the City of Whitehall to ensure that the vocational school system benefit of the distribution of service payments which can come from the use of tax increment financing incentive (TIF) districts.

SECTION 2: That an appropriation is made in the amount of three thousand, four hundred ninety-nine and 60/100 dollars to the following amount to the expense account.

<u>Account #</u>	<u>TIF District</u>	<u>Mar-2021</u>
279.000.50006	Air South 1 Incentive	<u>\$ 3,499.60</u>
TIF Fund Total		\$ 3,499.60

SECTION 3: That the Auditor is hereby authorized to draw his warrant upon the Treasurer of the City for the funds to make the payment from the Tax Increment Financing Fund 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, safety and welfare; and for the further reason that these monies are needed by the vocational school district to pay operating expenses; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage by the Council of the City of Whitehall and approval by the Mayor.

DRAFT # 5

ORDINANCE NO. 036-2021 (Admin/Fin. Mgmt. – 1st reading – ADOPT 05/04/2021–Bailey/)

MAKING A SUPPLEMENTAL APPROPRIATION OF FIFTY-FIVE THOUSAND, FIVE HUNDRED FORTY AND 68/100 DOLLARS (\$55,540.68) FROM THE TAX INCREMENT FINANCING FUND (279) TO VARIOUS EXPENSE ACCOUNTS IN THE 279 FUND AND AUTHORIZING THE DISTRIBUTION OF THE PORTION OF THE TOTAL SERVICE PAYMENTS ATTRIBUTABLE TO EACH TIF TO THE AFFECTED VOCATIONAL SCHOOL DISTRICT FROM THE TAX INCREMENT FINANCING FUND (279) IN THE AMOUNT EQUAL TO 100% OF THE PROPERTY TAX PAYMENT THE VOCATIONAL SCHOOL DISTRICT WOULD HAVE RECEIVED OF FIFTY-FIVE THOUSAND, FIVE HUNDRED FORTY AND 68/100 DOLLARS (\$55,540.68) AND DECLARING AN EMERGENCY.

WHEREAS, in March 2021, the City of Whitehall received the 2020 first half TIF tax year distribution; and

WHEREAS, the city received its share of TIF funds as well as TIF funds that shall be paid to the affected vocational district; and

WHEREAS, the total amounts received by the city for each TIF district are as follows, and:

Total Distributions by date of tax receipts

<u>Account #</u>	<u>TIF District</u>	<u>Mar-2021</u>
279.000.41000	Main Yearling Incentive	\$118,583.32
279.000.42000	Main Hamilton Incentive	\$133,288.64
279.000.43000	Town & County Incentive	\$162,456.44
279.000.44000	Hamilton Broad Incentive	\$ 77,645.99
279.000.45000	Poth Road Incentive	<u>\$140,221.50</u>
TIF Fund Total		<u>\$632,195.89</u>

WHEREAS, it is the intention of the City to transfer certain portions of the distribution of service payments attributable to each TIF to the affected vocational school district in an amount equal to 100% of the property tax payments the affected vocational school district would have received; NOW, THEREFORE,

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

SECTION 1: This Council does hereby find and determine that it is in the best interest of the City of Whitehall to ensure that the vocational school system benefit of the distribution of service payments which can come from the use of tax increment financing incentive (TIF) districts.

SECTION 2: That a supplemental appropriation is made in the amount of fifty-five thousand, five hundred forty and 68/100 dollars (\$55,540.68) from unappropriated monies in the Tax Increment Financing Fund (279) in the following amounts to these expense accounts.

<u>Account #</u>	<u>TIF District</u>	<u>Mar-2021</u>
279.000.50001	Main Yearling Incentive	\$ 10,421.52
279.000.50002	Main Hamilton Incentive	\$ 11,628.72
279.000.50003	Town & Country Incentive	\$ 14,453.88
279.000.50004	Hamilton Broad Incentive	\$ 6,734.41
279.000.50005	Poth Road Incentive	<u>\$ 12,302.15</u>
TIF Fund	Total	<u>\$55,540.68</u>

SECTION 3: That the Auditor is hereby authorized to draw his warrant upon the Treasurer of the City for the funds to make the payment from the Tax Increment Financing Fund 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, safety and welfare; and for the further reason that these monies are needed by the vocational school district to pay operating expenses; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage by the Council of the City of Whitehall and approval by the Mayor.

DRAFT # 6

ORDINANCE NO. 037-2021 (*Admin/Fin. Mgmt. – 2nd reading – ADOPT 05/18/2021–Bailey/*)

AUTHORIZING AND APPROVING GENERAL FUND EXPENSE ACCOUNT NUMBER 100.200.51351 TITLED “SEASONAL INTERN” AND MAKING AN APPROPRIATION IN THE AMOUNT OF SEVEN THOUSAND EIGHT HUNDRED FORTY AND NO/DOLLARS (\$7,840.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND 101 TO THE 100.200.51351 “SEASONAL INTERN” AND DECLARING AN EMERGENCY.

WHEREAS, the City of Whitehall has an opportunity for a summer internship in the Mayor’s office which will be dedicated to economic development and other duties as assigned, and

WHEREAS, the Ohio State Knowlton School and Easton Community Foundation are collaborating to fund interns in public service and will reimburse the city for fifty percent of the cost of this internship; NOW, THEREFORE,

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

SECTION 1: The Council of the City of Whitehall, Ohio authorizes and approves a General Fund expense account titled “Seasonal Intern” and numbered 100.200.51351.

SECTION 2: The Council of the City of Whitehall, Ohio authorizes and approves an appropriation in the amount of seven thousand eight hundred forty and no/dollars (\$7,840.00) from unappropriated monies in the General Fund 101 to the 100.200.51351 Seasonal Intern expense account.

SECTION 3: 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 the further reason the summer season will begin soon and the legalities and financing requires council approval before this employment position begins; WHEREFORE, This Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

Requested by: Kim Maggard, Mayor

Approved as to form: Michael T. Bivens, City Attorney MTB 4/26/2021

DRAFT # 7

RESOLUTION NO. 011-2021 (*Admin/Fin. Mgmt. – 1st reading – ADOPT 05/04/2021–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-00164-A	Rite Rug	\$3,668.81	3/29/2021	Building Maintenance
#2021-Pol-00042-A	Heritage Environmental	\$3,696.00	1/22/2021	Narcotics Disposal

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.

THIRD READING:

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

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).

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

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).

COMMUNITY STANDARDS AND ENFORCEMENT – Chairperson Rodriguez

Members: Kantor, Morrison & Elmore

DRAFT # 8

ORDINANCE NO. 038-2021 (*Comm. Standard & Enf. – 1st reading – ADOPT 05/04/2021– Kantor/*)

AUTHORIZING AND APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF SIXTY-THREE THOUSAND AND NO/DOLLARS (\$63,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE COMMUNITY AFFAIRS EXPENSE ACCOUNT 101-200-56100 AND DECLARING AN EMERGENCY.

WHEREAS, The City of Whitehall believes in the importance of providing safe and family friendly activities for the fourth of July and other celebrations, and

WHEREAS, in order to be a supportive and strong partner with Whitehall City Schools, it is imperative the City of Whitehall provide materials to keep the football athletic field safe during the annual July fireworks show, and

WHEREAS, a ground layer is required for placement upon the Whitehall City Schools football athletic field for protection against fireworks and debris and the City of Whitehall will purchase this protection at a one-time cost up to sixty-three thousand and no/dollars (\$63,000.00) in order to continue the tradition of providing a safe fireworks show for the Whitehall community; NOW, THEREFORE,

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

SECTION 1: The Council of the City of Whitehall, Ohio authorizes and supports a supplemental appropriation in the amount of sixty-three thousand and no/dollars (\$63,000.00) from unappropriated monies in the General Fund (101) to the Community Affairs expense account 101-200-56100 for the purchase of protective materials to cover the Whitehall City Schools football/athletic field for city sponsored community events.

SECTION 2: 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 the further reason athletic field protection is required to protect the field during the fireworks show; WHEREFORE, This Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

Requested and Prepared by: Kim Maggard, Mayor

Approved as to form: Michael T. Bivens, City Attorney MTB 4/26/2021

THIRD READING:

ORDINANCE NO. 020-2021 (*Comm. Standard & Enf. – 3rd reading – ADOPT 05/04/2021– Kantor/Morrison*)

PUBLIC HEARING 05/04/2021

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.

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

PUBLIC HEARING 05/04/2021

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.

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

PUBLIC HEARING 05/04/2021

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.

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

DRAFT # 9

ORDINANCE NO. 039-2021 (*Economic Dev – 3rd reading – ADOPT 06/01/2021– Morrison/*)

REFER TO PLANNING COMMISSION FOR THE MAY 6, 2021 MEETING

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 3596-3648 EAST MAIN STREET, PARCEL 090-000548, PROPERTY OWNED BY WHITEHALL RETAIL VENTURES LTD.

WHEREAS, Council has received an application from Whitehall Retail Ventures LTD for a special permit to permit a drive-in window and drive-through facilities on land located at 3596-3648 East Main Street; and

WHEREAS, Said request for a special permit was referred to the Planning Commission (Case No. 816), which reported _____ 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 pursuant to Section 1123.10(C)(1).

SECTION 2: If development of the special permit use does not commence within a period of one year, the approval shall be voided unless an application for a specified time extension of six months is submitted to and granted by Council.

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

DRAFT # 10

ORDINANCE NO. 040-2021 (Economic Dev – 3rd reading – ADOPT 06/01/2021– Morrison/)

REFER TO PLANNING COMMISSION FOR THE MAY 6, 2021 MEETING

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 890 SOUTH HAMILTION ROAD, PARCEL 090-000052, PROPERTY OWNED BY GREAT EASTERN OWNER LTD.

WHEREAS, Council has received an application from Great Eastern Owner LTD, for a special permit to permit drive-through facilities on land located at 890 South Hamilton Road; and

WHEREAS, Said request for a special permit was referred to the Planning Commission (Case No. 817), which reported _____ 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 pursuant to Section 1123.10(C)(1).

SECTION 2: If development of the special permit use does not commence within a period of one year, the approval shall be voided unless an application for a specified time extension of six months is submitted to and granted by Council.

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

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

THIRD READING:

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

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).

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

SPECIAL PRESENTATION:

Fire Chief Moore & Assistant Fire Chief Watts
 Increase in the amount of Lieutenants for the Department.

DRAFT # 11

ORDINANCE NO. 041-2021 (*Public Safety – 1st reading – ADOPT 05/04/2021–Conison/*)

AUTHORIZING AND AMENDING 161.37(a) AND (e)(1) OF THE TABLE OF AUTHORIZED PERSONNEL OF THE CODIFIED ORDINANCES OF THE CITY OF WHITEHALL AND DECLARING AN EMERGENCY.

WHEREAS, the City of Whitehall, in order to increase accountability, efficiency and safety in the Whitehall Fire Department, the Council of the City of Whitehall approves the amendment of the table of authorized personnel in the following below manner, and

WHEREAS, the City of Whitehall has an opportunity to partner with the Mid-Ohio Regional Planning Commission to hire a college intern to assist with economic development issues in the summer months with the costs being shared between the Mid-Ohio Regional Planning Commission and the City of Whitehall and therefore, the Council of the City of Whitehall approves the amendment of the table of authorized personnel in the following below manner; NOW, THEREFORE,

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

SECTION 1: The Council of the City of Whitehall, Ohio authorizes and approves the following amendments.

161.37 TABLE OF AUTHORIZED PERSONNEL.

(a) Office of Mayor

1	2	3	4	5
Administrative Assistant to the Mayor	SPR	USC	1	EFU
Clerk of Court	SPR	CCS	1	EFU
Deputy Clerk of Court	C-19	CCS	1	UBU

Director of Information Technology	SPR	USC	1	EFU
System Administrator	SPR	USC	1	EFU
Full-Time Information Technology Technician	SPR	USC	2	EFU
Seasonal Intern	SPR	USC	<u>1</u>	<u>EFU</u>

(e) Public Safety Department

(1) Fire Division

1	2	3	4	5
Chief	FF5	CCS	1	EFU
Assistant Fire Chief	FF4	CCS	1	EFU
Captain	FF3	CCS	4	UBU
Lieutenant	FF2	CCS	3 6	UBU
Firefighters	FF1	CCS	31 28	UBU
Administrative Assistant	C-19	CCS	1	UBU

SECTION 2: 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 the further reason it is the belief by the Mayor, Safety Director, Fire Chief and Assistant Fire Chief the changes to the Fire Department Table of Authorized personnel will enable increased efficiency, accountability and safety in serving the citizens of Whitehall; and, the addition of a seasonal intern position to the Mayor’s office will enable higher productivity during the city’s busiest months of the year; WHEREFORE, This Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

Requested and Prepared by: Kim Maggard, Mayor
 Approved as to form: Michael T. Bivens, City Attorney MTB 4/26/2021

THIRD READING:

ORDINANCE NO. 025-2021 (*Public Safety – 3rd reading – ADOPT 05/04/2021–Conison/Heck*)
 AMENDING 139.01 TITLED PETTY CASH FUNDS FOR POLICE AND FIRE.

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

No drafts or pending legislation.