

# WHITEHALL CITY COUNCIL COMMITTEE MEETINGS

## AGENDA

TUESDAY, JUNE 09, 2020

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

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

### **COMMITTEE OF THE WHOLE LEGISLATION/ISSUES:**

#### **DRAFT # 1**

#### **ORDINANCE NO. 049-2020 (*Comm. Of the Whole – ? reading – ADOPT / /2020– /*)**

TO AFFIRM THE FRANKLIN COUNTY PUBLIC HEALTH DECLARATION ASSERTING THAT RACISM IS A PUBLIC HEALTH CRISIS AND THE CITY OF WHITEHALL RECOGNIZES AND AFFIRMS THAT BLACK, BROWN AND OTHER PEOPLE OF COLOR LIVE EVERYDAY UNDER THE UNJUST BURDENS OF SYSTEMATIC CULTURAL AND INDIVIDUAL RACISM AND TO SET FORTH APPROPRIATE AND MEASURABLE ACTIONS TO COMBAT RACISM IN THE CITY OF WHITEHALL SO THAT THE COMMUNITY MIGHT BETTER SERVE AS A MODEL OF INCLUSIVENESS AND EQUITY AND DECLARING AN EMERGENCY.

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**WHEREAS**, on May 12, 2020 the Franklin County Board of Health, the governing body of Franklin County Public Health (FCPH), joined a growing number of cities and counties across the United States in declaring racism a public health crisis in our communities; and

**WHEREAS**, the Franklin County Health Commissioners have called all levels of government to action to address injustices caused by racism to ensure equal opportunity for all; and

**WHEREAS**, the City of Whitehall is a partner in promoting public health insofar as the City provides emergency medical and community paramedic services, public health education, substance abuse assistance, sanitation and other related public health services and therefore has a commitment to the community to combat racism; and

**WHEREAS**, FCPH declared that “communities of color, those of low social economic status and those that suffer from disabilities, are more likely to experience poor health outcomes as a consequence of their social determinants of health — health inequities stemming from economic stability, education, physical environment, food and access to health care systems;” and

**WHEREAS**, on a state-wide basis, the Health Policy Institute of Ohio reports that racism and related segregation have created a health divide with Black Ohioans having lower life expectancies than White Ohioans; being far more likely than other races to die prematurely (before the age of 75); and to die of heart disease or stroke; and that Black Ohioans also have higher levels of infant mortality, lower birth weights, are more likely to be overweight or obese, have adult diabetes, and have long-term complications from diabetes; and

**WHEREAS**, the Health Policy Institute of Ohio and Policy Matters Ohio report that preliminary data supports that Black Ohioans are dying from coronavirus at a disproportionately high rate; and

**WHEREAS**, the City of Whitehall recognizes that racism causes discrimination in multiple other areas of life including financial stability, housing, education, employment and criminal justice; and

**WHEREAS**, as highlighted in *Franklin County’s Rise Together - A Blueprint for Reducing Poverty*: the Ohio School District Report Card Website – Kerwin Analysis reported that Black Franklin County residents experience dramatically higher unemployment rates; face a higher poverty rate as a community; experience disproportionately higher incarcerations rates; have lower home ownership rates and are more likely to live in neighborhoods with low performing schools;

**WHEREAS**, the City of Whitehall’s mission is to “being an innovative, diverse and vibrant community of thriving neighborhoods that are home to exceptional recreational opportunities and flourishing businesses;” and that this mission statement holds the City accountable to bettering the lives of all residents, and especially community members including black, brown and other people of color; and

**WHEREAS**, the City of Whitehall’s responsibilities to address racism includes committing to measurable, meaningful actions to guide future community engagement, policy review and equitable practices.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Whitehall, Franklin County, Ohio, that the City of Whitehall commits to:

SECTION 1. Affirming the declaration made by FCPH asserting that racism is a public health crisis affecting the Franklin County community, including the City of Whitehall.

SECTION 2. Adopting a glossary of terms and definitions concerning racism and health equity once such a glossary is released by Franklin County Public Health.

SECTION 3. Training all City of Whitehall staff on implicit biases, including racism, and how to mitigate them.

SECTION 4. Fostering community conversations, listening intently, and working cooperatively with public safety and the Whitehall community and residents, including black, brown and other people of color.

SECTION 5: Reviewing community paramedic and police response policies, including use of force, with a racial equality lens and to make changes as needed to promote racial equity, specifically as it related to and including black, brown and other people of color and utilizing the Safer Whitehall Town meeting discussion and outcomes as a means to address racism in the City of Whitehall and ultimately creating a Civilian Review Board.

SECTION 6. Encouraging new housing developers in the City of Whitehall to integrate an affordable and/or workforce housing component to ensure that access to safe, affordable housing is attainable to current and prospective Whitehall residents, and especially people of color.

SECTION 7. Growing the efforts of the Whitehall Community Health Action Team (CHAT), which was established to promote collaboration between community organizations to make Whitehall a healthier community for all residents, and especially people of color.

SECTION 8. Committing to conduct all Human Resources, vendor selection and grant management activities with a racial equity lens including all internal policies and practices such a hiring, promotions, leadership appointments and funding and being an Equal Opportunity Employer, and recruiting and fostering a diverse workforce in the overall City of Whitehall organization, and especially in the Division of Police and Division of Fire.

SECTION 9. Establishing alliances and securing adequate resources to successfully accomplish the above activities including but not limited to cultural competency, implicit bias crisis intervention and de-escalation law

enforcement trainings and in the policies, strategies and tactics employed by our safety forces at every point in the justice spectrum.

**SECTION 10.** Building stronger alliances with organizations that have a legacy and track record of confronting racism, including with Franklin County Public Health.

**SECTION 11:** 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 imperative for the City of Whitehall to support Franklin County Public Health in declaring racism is a public health crisis, for only then can we move from a collection of isolated and disconnected diversity initiatives to regional inclusive, coordinated, purposeful, interdependent, and strategic actions to make progress; WHEREFORE, This Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

Requested by: City Councilmember Lori Elmore; City Council President Thomas Potter; City Attorney Michael T. Bivens; Mayor Kim Maggard

Prepared by: Kim Maggard, Mayor

Approved as to form: Michael T. Bivens, City Attorney MTB 6/9/2020

**THIRD READING:**

**ORDINANCE NO. 041-2020** *(Comm. Of the Whole – 3rd reading – ADOPT 06/16/2020– Elmore/Rodriguez)*

AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER A PURCHASE AND SALE AGREEMENT AND OTHER APPROPRIATE DOCUMENTS ON BEHALF OF THE CITY TO SELL APPROXIMATELY .2 ACRES OF PARCELS 090-005410 AND 090-001974 TO CONTINENTAL REAL ESTATE OR THEIR DESIGNEE.

**RESOLUTION NO. 014-2020** *(Comm. Of the Whole – 3rd reading – ADOPT 06/16/2020–Morrison/Heck)*

APPOINTING A MEMBER TO THE BOARD OF DIRECTORS OF THE JEFFERSON TOWNSHIP-WHITEHALL JOINT ECONOMIC DEVELOPMENT DISTRICT.

**STANDING COMMITTEES**

**ADMINISTRATION AND FINANCIAL MANAGEMENT - Chairperson Bob Bailey**

**Members: Rodriguez, Morrison & Conison**

**DRAFT # 2**

**ORDINANCE NO. 050-2020** *(Admin/Fin. Mgmt. – 1st reading – ADOPT 06/16/2020–Bailey / )*

MAKING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF ONE HUNDRED TWENTY THOUSAND THREE HUNDRED FIFTEEN AND NO/100 DOLLARS (\$120,315.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE BUILDING AND LOT MAINTENANCE ACCOUNT (101-950-53300) AND DECLARING AN EMERGENCY.

WHEREAS, the City experienced two flooding events that caused extensive damage to the basement of City Hall;  
and

WHEREAS, the City was insured for this type of damage; and

WHEREAS; the City received a check to cover the damages; and

WHEREAS; these funds require legislative approval for appropriation by the Council of the City of Whitehall;  
NOW THEREFORE,

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

**SECTION 1:** Authorizing a supplemental appropriation of one hundred twenty thousand three hundred fifteen and No/100 dollars (\$120,315.00) from unappropriated funds in the General Fund (101) to the Building and Lot Maintenance Account (101-950-53300).

**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 is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, welfare, peace and safety and for further reason these funds are needed to pay for the remaining repairs; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

Requested by Zach Woodruff, Director of Public Service  
Prepared by: Dan Miller, City Auditor 6/5/2020  
Approved as to form: Michael T. Bivens, City Attorney MTB 6/9/2020

**DRAFT # 3**  
**RESOLUTION NO. 016-2020** (*Admin/Fin. Mgmt. – 1st reading – ADOPT 06-16-2020–Bailey/*)

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

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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>
#2020-Auditor-00215-A	Julian & Grube	\$ 3,400.00	5/27/2202	Audit Services
#2020-HR-00024-A	CCI Investigations LLC	\$ 6,340.00	3/19/2020	Workers Comp Rating
#2020-Auditor-000231-A	RESTORE Whitehall	\$50,000.00	6/03/2020	Training
#2020-Service-00215-A	Verizon	\$ 7,136.50	5/23/2020	Phone Service
#2020-Service-00214-A	Squire Patton & Boggs	\$18,797.50	5/27/2020	Legal Council
#2020-Auditor--00229-A	Julian & Grube	\$ 3,400.00	5/27/2020	Audit Services

#2020-Service-00215-A	Futurecom Technologies INC	\$ 2,445.00	5/01/2020
#2020-Service-00215-A	Futurecom Technologies INC	\$ 2,445.00	6/01/2020

**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 6/4/2020  
Approved as to form: Michael T. Bivens, City Attorney MTB 6/8/2020

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

**THIRD READING:**

**(This Ordinance will need to be continued to 07/07/2020 because the 21 day filing deadline in the Whitehall News could not be met for a 06/16/2020 Public Hearing.**

**ORDINANCE NO. 043-2020 (Comm. Stand. & Enf.-3<sup>rd</sup> reading-ADOPT 07/07/2020- Rodriguez/Kantor)**  
**PUBLIC HEARING 07/07/2020**

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 EAST BROAD STREET, PARCEL NUMBER 090-008249, FROM EXCEPTIONAL USE DISTRICT (EU) TO GENERAL COMMERCE DISTRICT (GCD), PROPERTY OWNED BY OFFICE CITY INC.

**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**

**SECOND READING:**

**ORDINANCE NO. 047-2020 (Econ. Dev. -3<sup>rd</sup> reading-ADOPT 07/07/2020- Morrison/Bailey)**

**PUBLIC HEARING 07/07/2020**

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 ARMSTRONG DEVELOPMENT TO OPERATE A DRIVE-IN WINDOW AND DRIVE-THROUGH FACILITIES ON THE PROPERTY LOCATED AT 4720 E. MAIN STREET, PROPERTY OWNED BY SUGAR PROPERTIES LLC.

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

SWACO PRESENTATION

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

No drafts or pending legislation.

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

No drafts or pending legislation.