

WHITEHALL CITY COUNCIL COMMITTEE MEETINGS

AGENDA

TUESDAY, SEPTEMBER 14, 2021

---

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

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

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

**DRAFT # 1**

**ORDINANCE NO. 080-2021** (*Comm. Of the Whole – 1st reading – ADOPT 09/21/2021– / )*

AMENDING SECTION 509.01 OF THE CODIFIED ORDINANCES TITLED “MAYOR MAY PROCLAIM REGULATIONS” AND DECLARING AN EMERGENCY.

---

WHEREAS, The City of Whitehall is desiring to update Section 509.01; and

WHEREAS, The Charter of the City of Whitehall provides its Council the power to amend and/or modify its ordinances pursuant to Section 2(g) and Section 10(b); NOW, THEREFORE,

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

SECTION 1: That section 509.01 is amended as follows:

509.01 MAYOR MAY PROCLAIM REGULATIONS.

Whenever, in his judgment, the Mayor determines that an emergency exists as a result of any ~~natural~~ disaster or man-made calamity, or clear and present danger thereof, or riot, insurrection, mob action or other civil disturbance causing danger or injury to or damages to persons or property, or Global Pandemic, he shall have power to impose by proclamation any or all of the following regulations necessary to restore the peace and order of the City:

- (a) Prohibit or limit the number of persons who may gather or congregate upon the public highways or public sidewalks or any outdoor place, or in any theater, restaurant, place of public assembly or commercial establishment to which the public has access;
- (b) Restrict or prohibit movement within, above or beneath the area or areas which in his judgment are imperiled by the public danger or emergency;
- (c) Establish a curfew during such hours of the day or night as he deems advisable and prohibit persons from being out of doors during such curfew;
- (d) Prohibit or restrict the retail sale, distribution or giving away of gasoline or other liquid flammable or combustible products in any container other than the gasoline tank properly affixed to a motor vehicle;

- (e) Order the closing of gasoline stations and other establishments engaged in the retail sale, distribution or dispensing or giving away of liquid, flammable or combustible products;
- (f) Prohibit or restrict the sale, distribution, dispensing or giving away of all firearms or ammunition of any character whatsoever;
- (g) Order the closing of any and all establishments or portions thereof engaged in the sale, distribution, dispensing or giving away of firearms and/or ammunition;
- (h) Prohibit or restrict the carrying or possession on the public streets or public sidewalks or in any public park or square or any other public place a weapon or any object intended to be used as a weapon, including, but not limited to, firearms, bows and arrows, air rifles, sling shots, knives, razors, broken bottles, fire bombs, missiles of any kind, clubs, blackjacks, billies, chains or similar items;
- (i) Prohibit or restrict the retail sale, distribution, dispensing or giving away of acids, caustics or any chemicals or other substances capable of being used singly or in combination to cause injury or damage to persons or property;
- (j) Call upon regular and auxiliary law enforcement agencies and organizations within or without the City to assist in preserving and keeping the peace within the City. (Ord. 129-73. Passed 12-27-73.)
- (k) Establish such other conditions as may be necessary to maintain peace, order, and to protect persons from any declared emergency.

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 of the community, and for further reason to update the Codified Ordinances; WHEREFORE, the Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

**DRAFT # 2**

**ORDINANCE NO. 081-2021** (*Comm. Of the Whole – 1st reading – ADOPT 09/21/2021– / )*

AMENDING SECTION 509.03 OF THE CODIFIED ORDINANCES TITLED “PROCLAMATION TERMINATION” AND DECLARING AN EMERGENCY.

---

WHEREAS, The City of Whitehall is desiring to update Section 509.03; and

WHEREAS, The Charter of the City of Whitehall provides its Council the power to amend and/or modify its ordinances pursuant to Section 2(g) and Section 10(b); NOW, THEREFORE,

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

SECTION 1: That section 509.03 is amended as follows:

**509.03 PROCLAMATION TERMINATION.**

Any emergency proclaimed in accordance with the provisions of this chapter shall terminate after ~~seventy-two hours~~ Fourteen (14) Days of the issuance thereof or upon the issuance of a proclamation determining an emergency no longer exists, whichever occurs first. However, such emergency may be extended for such additional periods of time as determined necessary by the Mayor.

(Ord. 129-73. Passed 12-27-73.)

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 of the community, and for further reason to update the Codified Ordinances; WHEREFORE, the Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

Requested and prepared by: Michael T. Bivens, City Attorney  
Approved as to form: Michael T. Bivens, City Attorney MTB 9/13/2021

**SECOND READING:**

**ORDINANCE NO. 076-2021** (*Comm. Of the Whole – 2nd reading – ADOPT 09/21/2021–(Morrison/Heck)*)

**AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE PUBLIC ENTITIES POOL OF OHIO (PEP) AND DECLARING AN EMERGENCY.**

**ORDINANCE NO. 078-2021** (*Comm. Of the Whole – 2nd reading – ADOPT 09/21/2021–(Heck/Conison)*)

**AUTHORIZING AND APPROVING THE AMENDMENT OF 161.13 SPECIAL LEAVE WITH PAY AND APPROVING SECTION 161.13(d) “PAID PARENTAL LEAVE” AND DECLARING AN EMERGENCY.**

**STANDING COMMITTEES**

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

**Members: Rodriguez, Morrison & Conison**

**DRAFT # 3**

**ORDINANCE NO. 082-2021** (*Adm/Fin. Mgmt. – 3rd reading – ADOPT 10/19/2021–Bailey/*)

MAKING A FUND TRANSFER IN THE AMOUNT OF TWO HUNDRED EIGHTY-THREE THOUSAND EIGHTY-FOUR AND 00/100 DOLLARS (\$283,084.00) 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 eighty-three thousand eighty-four and 00/100 dollars (\$283,084.00) 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 # 4**

**ORDINANCE NO. 083-2021** (*Adm/Fin. Mgmt. – 3rd reading – ADOPT 10/19/2021–Bailey/*)

MAKING A FUND TRANSFER IN THE AMOUNT OF FORTY-SIX THOUSAND TWO HUNDRED FORTY-ONE AND 64/100 DOLLARS (\$46,241.64) FROM THE BOND RETIREMENT ACCOUNT (101-950-57500) TO THE DEBT SERVICE FUND (401) AND DECLARING AN EMERGENCY.

---

WHEREAS, Ordinance 115-2020 appropriated monies for the purpose of repayment of the OPWC loans; 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 forty-six thousand two hundred forty-one and 64/100 dollars (\$46,241.64) 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 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 to pay the City debt; WHEREFORE, this ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

**DRAFT # 5**

**ORDINANCE NO. 084-2021** (*Adm/Fin. Mgmt. – 3rd reading – ADOPT 10/19/2021–Bailey/*)

APPROVING AND MAKING A FUND TRANSFER IN THE AMOUNT OF ONE HUNDRED FORTY-NINE THOUSAND FOUR HUNDRED TWENTY-SIX AND 25/100 DOLLARS (\$149,426.25) 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>
\$ 99,109.75	279.000.50001 Main Yearling Incentive	(401) Debt Service
\$ 12,738.00	279.000.50002 Main Hamilton Incentive	(401) Debt Service
\$ 3,821.40	279.000.50003 Town & Country Incentive	(401) Debt Service
\$ 29,298.80	279.000.50004 Hamilton Broad Incentive	(401) Debt Service
<u>\$ 4,458.30</u>	279.000.50005 Poth Road Incentive	(401) Debt Service
\$149,426.25		

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 # 6**

**RESOLUTION NO. 025-2021 (Adm/Fin. Mgmt. – 1st reading – ADOPT 09/21/2021–Bailey/ )**

ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION, AUTHORIZING NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY.

---

The Council of the City of Whitehall, Franklin County Ohio met in regular session on the 21st day of September 2021, at City Hall with the following members present:

- Tom Potter, President of Council
- Robert Bailey
- Lori Elmore
- Karen Conison
- Jo Anna Heck
- Larry Morrison
- Wes Kantor
- Chris Rodriguez

And moved the adoption of the following Resolution:

WHEREAS, this Council, in accordance with the provisions of law, has previously adopted a Tax Budget for the next succeeding fiscal year commencing on January, 2022; and

WHEREAS, the Budget Commission of Franklin County, Ohio, has certified its action thereon to this Council together with an estimate by the County Auditor of the rate or each tax necessary to be levied by this Council, and what part thereof is without, and what part within the ten mill tax limitation; NOW, THEREFORE,

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

**SECTION 1:** That the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby approved.

**SECTION 2:** That there be and is hereby levied on the tax duplicate of the City of Whitehall, the rate of each tax necessary to be levied within and without the ten mill limitation for tax year 2021 (collection year 2022) as follows:

---

**SCHEDULE A**

**Summary of Amount Required from General Property Tax Approved by Budget Commission and County Auditor’s Estimated Tax Rates.**

---

Amount to be Derived From Levies Outside 10 mill Limitation	Amount Approved by Budget Commission Inside 10 mill Limitation	County Auditor’s Estimate of <u>Tax</u> <u>Rate to be Levied</u>	
<hr/>	<hr/>	Inside 10 mill Limit	Outside 10 mill Limit
0.00	\$436,315.34	1.5	

**SECTION 3:** That the Clerk of this Council be and is hereby directed to certify a copy of this Resolution to the Franklin County Auditor of said County.

**SECTION 4:** That this Resolution 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 that it is immediately necessary to certify said amounts and rates to the County Auditor by October 1, 2021; WHEREFORE, this Resolution shall go into full force and effect immediately upon its passage by Council and approval by the Mayor.

Requested and Prepared by: Dan A. Miller, City Auditor  
Approved as to form: Michael T. Bivens, City Attorney MTB 9/9/21

**DRAFT # 7**  
**RESOLUTION NO. 026-2021 (Adm/Fin. Mgmt. – 1st reading – ADOPT 09/21/2021–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—00287-A	Great Lakes Petroleum	\$ 6,374.66	8/25/2021	Vehicle Gas

**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 9/9/21



**COMMUNITY STANDARDS AND ENFORCEMENT – Chairperson Rodriguez**

**Members: Kantor, Morrison & Elmore**

No drafts or pending legislation.

**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:**

**RESOLUTION NO. 021-2021** (*Economic. Dev. – 3rd reading – ADOPT 10/05/2021–(Morrison/Rodriguez)*)  
APPROVING THE RECOMMENDATIONS OF THE CITY OF WHITEHALL TAX INCENTIVE REVIEW  
COUNCIL FOR TAX YEAR 2020.

**INFRASTRUCTURE, MAINTENANCE AND SERVICES – Chairperson Jo Anna Heck**

**Members: Bailey, Morrison & Kantor**

**SECOND READING:**

**RESOLUTION NO. 023-2021** (*Infra. Maint. & Serv. – 2nd reading – ADOPT 09/21/2021–(Heck/ ? )*)  
TO AGREE TO AN ADJUSTMENT TO THE CITY’S BOUNDARIES BY CONSENTING TO TRANSFER  
APPROXIMATELY 3.34+/- ACRES FROM THE CITY OF COLUMBUS TO THE CITY OF WHITEHALL.

**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.