

**WHITEHALL CITY COUNCIL COMMITTEE MEETINGS**

**AGENDA**

**TUESDAY, SEPTEMBER 28, 2021**

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

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

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

**DRAFT # 1**

**RESOLUTION NO. 028-2021 (*Comm. Of the Whole – 1st reading – ADOPT 10/05/2021– /*)**

AUTHORIZING THE MAYOR TO PLACE A PROSPECTIVE APPLICANT FOR THE POSITION OF DISPATCHER AT A STEP E IN COMPLIANCE WITH SECTION 17.2 OF THE CURRENT LABOR AGREEMENT BY AND BETWEEN THE CITY OF WHITEHALL AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC., AND DECLARING AN EMERGENCY.

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WHEREAS, The City of Whitehall Division of Police, strives to provide quality emergency dispatch services; and,

WHEREAS, the Division of Police Dispatch Center needs to fill a full-time position within the Dispatch Center; and,

WHEREAS, the City of Whitehall will hire a highly qualified and experienced full-time dispatcher position; and,

WHEREAS, this applicant has five (5) years of full-time dispatching experience with another municipality in central Ohio; and

WHEREAS, in order to attract an experienced dispatcher, it is proper to apply this applicant's previous years of experience in order for the City of Whitehall Police Dispatch Center to present a position offer to this highly recommended employee and place her in the Step E salary per the union contract; NOW, THEREFORE,

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

**SECTION 1:** That the Council of the City of Whitehall authorizes the Mayor to place this highly qualified and experienced applicant to Police Dispatcher Step E based on previous experience.

**SECTION 2:** 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 for the effectiveness and efficient operation of the city's police dispatching center; WHEREFORE, This Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

**STANDING COMMITTEES**

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

**Members: Rodriguez, Morrison & Conison**

**DRAFT # 2**

**ORDINANCE NO. 088-2021 (Adm/Fin. Mgmt. – 1st reading – ADOPT 10/05/2021–Bailey/ )**

AUTHORIZING THE CREATION OF THE WOODCLIFF DRIVE REALIGNMENT EXPENSE ACCOUNT (319.000.52000) AND APPROPRIATING TWO MILLION THREE HUNDRED EIGHTY-ONE THOUSAND FOUR HUNDRED TWENTY-EIGHT AND NO/100 DOLLARS (\$2,381,428.00) FROM UNAPPROPRIATED MONIES IN THE OPWC IMPROVEMENTS FUND (319) AND DECLARING AN EMERGENCY.

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WHEREAS, the City has received a grant from the Ohio Public Works Commission in the amount of \$2,381,428.00 to realign Woodcliff Drive and;

WHEREAS, the City intends to facilitate economic development on the former Woodcliff Condominium site and;

WHEREAS, certain that this account will have deposits received directly or by transfer during the calendar year 2021, thereby requiring an appropriation before disbursement for the intended purpose and requiring that monies be appropriated at this time; 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 an appropriation from the OPWC Improvements Fund (319) to the Woodcliff Drive Alignment Account (319-000-52000) in the amount of two million three hundred eighty-one thousand four hundred twenty-eight and no/100 dollars (\$2,381,428.00).

**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.

**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 the city is ready to move forward with this project; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

Requested and Prepared by: Dan Miller, City Auditor

Approved as to form: Michael T. Bivens, City Attorney MTB 9/22/2021

**DRAFT # 3**

**ORDINANCE NO. 089-2021 (Adm/Fin. Mgmt. – 1st reading – ADOPT 10/05/2021–Bailey/ )**

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF FIFTY-TWO THOUSAND, ONE HUNDRED FIFTY-FOUR AND 85/100 DOLLARS (\$52,154.85) 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-TWO THOUSAND, ONE HUNDRED FIFTY-FOUR AND 85/100 DOLLARS (\$52,154.85) AND DECLARING AN EMERGENCY.

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WHEREAS, in August 2021, the City of Whitehall received the 2020 second 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:

<i>Total Distributions by date of tax receipts</i>		
<u>Account #</u>	<u>TIF District</u>	<u>March-2020</u>
279.000.41000	Main Yearling Incentive	\$ 120,366.85
279.000.42000	Main Hamilton Incentive	\$ 134,104.50
279.000.43000	Town & County Incentive	\$ 120,057.73
279.000.44000	Hamilton Broad Incentive	\$ 45,896.06
279.000.45000	Poth Road Incentive	\$ 138,122.31
279.000.46000	Air South 1 Incentive	<u>\$ 33,043.14</u>
TIF Fund Total		\$591,590.59

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-two thousand one hundred fifty-four and 85/100 dollars (\$52,154.85) 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>Aug-2019</u>
279.000.50001	Main Yearling Incentive	\$ 10,585.40
279.000.50002	Main Hamilton Incentive	\$ 1,755.32
279.000.50003	Town & Country Incentive	\$10,759.83
279.000.50004	Hamilton Broad Incentive	\$ 4,025.31
279.000.50005	Poth Road Incentive	\$ 12,124.53
279.000.50006	Air South 1 Incentive	<u>\$ 2,904.46</u>

TIF Fund Total \$52,154.85

**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 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 these monies are needed by the vocational school district to pay operating expenses; 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 9/22/2021

**DRAFT # 4**  
**ORDINANCE NO. 090-2021** (*Adm/Fin. Mgmt. – 1st reading – ADOPT 10/05/2021–Bailey/* )

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF FOUR THOUSAND SIXTY AND 92/100 DOLLARS (\$4,060.92) FROM UNAPPROPRIATED MONIES IN THE WMPITIE FUND (279) TO VARIOUS ACCOUNTS IN THE WMPITIE FUND (279) AND DECLARING AN EMERGENCY.

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WHEREAS, the City of Whitehall has received the second half TIF taxes for 2020; and

WHEREAS, the City must pay the revenue sharing from these proceeds; 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 approves and makes the following supplemental appropriations.

<u>Amount</u>	<u>From</u>	<u>To</u>	
\$ 811.07	WMPITIE Fund (279)	279.000.50001	Main Yearling Incentive
\$ 1,240.84	WMPITIE Fund (279)	279.000.50002	Main Hamilton Incentive
\$ 1,083.93	WMPITIE Fund (279)	279.000.50003	Town & Country Incentive
\$ 295.78	WMPITIE Fund (279)	279-000.50004	Hamilton Broad Incentive
<u>\$ 629.30</u>	WMPITIE Fund (279)	279.000.50005	Poth Road Incentive
\$ 4,060.92			

**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, peace, safety and welfare; and for the further reason that funds are needed to pay these fees; WHEREFORE; this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

Requested and Prepared by: Dan Miller, City Auditor  
Approved as to form: Michael T. Bivens, City Attorney MTB 9/22/2021

**DRAFT # 5**

**ORDINANCE NO. 091-2021** (*Adm/Fin. Mgmt. – 1st reading – ADOPT 10/05/2021–Bailey/* )

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF SEVEN THOUSAND FOUR HUNDRED EIGHTY AND 74/100 DOLLARS (7,480.74) FROM THE TAX INCREMENT FINANCING FUND (279) TO VARIOUS EXPENSE ACCOUNTS IN THE 279 FUND AND AUTHORIZING THE DISTRIBUTION OF THE PORTION OF THE FEE PAYMENTS ATTRIBUTED TO EACH TIF IN THE TOTAL AMOUNT OF SEVEN THOUSAND FOUR HUNDRED EIGHTY AND 74/100 DOLLARS (\$7,480.74) TO THE TIF FEES ACCOUNT (279.000.59600) AND DECLARING AN EMERGENCY.

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WHEREAS, the city received second half TIF tax settlement in August; and

WHEREAS, the County deducts certain fees from these funds; and

WHEREAS, these fees must be booked into the system as expenses; 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 approves and makes the following supplemental appropriations:

<u>Amount</u>	<u>From</u>	<u>To</u>
\$1,650.47	279.000.50001 Main Yearling Incentive	279.000.59600 TIF Fees
\$1,578.91	279.000.50002 Main Hamilton Incentive	279.000.59600 TIF Fees
\$ 1,408.10	279.000.50003 Town & Country Incentive	279.000.59600 TIF Fees
\$ 522.21	279.000.50004 Hamilton Broad Incentive	279.000.59600 TIF Fees
\$1,562.88	279.000.50005 Poth Road Incentive	279.000.59600 TIF Fees
\$ 373.79	279.000.50006 Air South Incentive	279.000.59600 TIF Fees
\$ 192.20	279.000.50007 Creative Palette Incentive	279.000.59600 TIF Fees
<u>\$ 192.18</u>	279.000.50008 Etna Road Incentive	279.000.59600 TIF Fees
\$7,480.74		

**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, peace, safety and welfare of the community, and for the further reason the City has to pay these fees; WHEREFORE, the Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

**DRAFT # 6**

**ORDINANCE NO. 092-2021** (*Adm/Fin. Mgmt. – 1st reading – ADOPT 10/05/2021–Bailey/* )

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF TWELVE THOUSAND FIVE HUNDRED NINETY-SEVEN AND 67/100 DOLLARS (\$12,597.67) FROM PREVIOUSLY UNAPPROPRIATED MONIES IN THE WMPITIE FUND (279) TO THE ETNA ROAD INCENTIVE ACCOUNT (279.000.50008) AND DECLARING AN EMERGENCY.

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WHEREAS, Ordinance No. 105-2019 authorized the City to create the Etna Road Incentive TIF to pay for infrastructure improvements within the TIF district; and

WHEREAS, THE City entered into an agreement with Whitehall City Schools to compensate the district for the loss of property tax; and

WHEREAS, there is now a need to make and approve a supplemental appropriation in order to use these funds; NOW, THEREFORE,

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

SECTION 1: That there be and is hereby made a supplemental appropriation in the amount of twelve thousand five hundred ninety-seven and 67/100 dollars (12,597.67) from unappropriated monies in the WMPITIE Fund (279) to the Etna Road Incentive Account (279-000-50008).

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, peace, safety and welfare and for further reason that the City of Whitehall is ready to move forward with this incentive; WHEREFORE, this ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

**DRAFT # 7**

**ORDINANCE NO. 093-2021** (*Adm/Fin. Mgmt. – 1st reading – ADOPT 10/05/2021–Bailey/* )

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF SIXTY-EIGHT THOUSAND FOUR HUNDRED EIGHTY-THREE AND 21/100 DOLLARS (\$68,483.21) FROM PREVIOUSLY UNAPPROPRIATED MONIES IN THE WMPITIE FUND (279) TO THE AIR SOUTH URBAN RENEWAL INCENTIVE ACCOUNT (279.000.50006); MAKING A FUND TRANSFER IN THE AMOUNT OF SIXTY-EIGHT THOUSAND FOUR HUNDRED EIGHTY-THREE AND 21/100 DOLLARS (\$68,483.21) FROM THE AIR SOUTH URBAN RENEWAL INCENTIVE ACCOUNT (279.000.50006) TO THE ECONOMIC DEVELOPMENT INCENTIVES/PLANNING FUND (316); MAKING A SUPPLEMENTAL APPROPRIATION OF SIXTY-EIGHT THOUSAND FOUR HUNDRED EIGHTY-THREE AND 21/100 DOLLARS (\$68,483.21) FROM THE ECONOMIC DEVELOPMENT INCENTIVES FUND (316) TO THE ECONOMIC DEVELOPMENT INCENTIVE ACCOUNT (316.000.50000) AND DECLARING AN EMERGENCY.

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WHEREAS, Ordinance No. 029-2019 authorized the City to create the Air South Urban Redevelopment Incentive account to repay a portion of the costs of the redevelopment of property within the City for the creation of jobs at the redeveloped property; and

WHEREAS, there is now a need to make and approve an appropriation in order to use these funds; NOW, THEREFORE,

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

SECTION 1: That there be and is hereby made a supplemental appropriation in the amount of sixty-eight thousand four hundred eighty three and 21/100 dollars (\$68,483.21) from unappropriated monies in the WMPITIE Fund (279) to the Air South Urban Renewal Incentive Account (279-000-50006).

SECTION 2: That the Council of the City of Whitehall approves a fund transfer of sixty-eight thousand four hundred eighty three and 21/100 dollars (\$68,483.21) from the Air South Urban Renewal Incentive Account (279.000.50006) to the Economic Development Incentives Fund (316)

SECTION 3: That this Council approves a supplemental appropriation of sixty-eight thousand four hundred eighty three and 21/100 dollars (\$68,483.21) from unappropriated monies in the Economic Development Incentives Fund (316) to the Economic Development Incentive Account (316.000.50000)

SECTION 4: 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 5: 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 the City of Whitehall is ready to move forward with this incentive; WHEREFORE, this ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

**DRAFT # 8**

**ORDINANCE NO. 094-2021** (*Adm/Fin. Mgmt. – 1st reading – ADOPT 10/05/2021–Bailey/* )

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF EIGHTY-EIGHT THOUSAND SIX HUNDRED FORTY-SEVEN AND 58/100 DOLLARS (\$88,647.58) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE BOARD OF HEALTH EXPENSE ACCOUNT (101.950.58500) AND DECLARING AN EMERGENCY.

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WHEREAS, the City received the second half TIF monies in August 2021, and

WHEREAS, the City has to give a portion of the TIF money to the Franklin County Board of Health, 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: That the Council of the City of Whitehall approves a supplemental appropriation from the General Fund (101) to the Board of Health Expense Account (101-950-58500) in the amount of eighty-eight thousand six hundred forty-seven and 58/100 dollars (\$88,647.58).

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, peace, safety and welfare and for further reason that the City has to pay these fees; WHEREFORE, this ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.



**DRAFT # 9**

**ORDINANCE NO. 097-2021** (*Adm/Fin. Mgmt. – 1st reading – ADOPT 10/05/2021–Bailey/* )

AUTHORIZING AND APPROVING AN APPROPRIATION IN THE AMOUNT OF ONE HUNDRED SEVENTY-FIVE THOUSAND AND NO/DOLLARS (\$175,000.00) FROM UNAPPROPRIATED MONIES IN THE AMERICAN RESCUE PLAN GRANT FUND (209) TO THE AMERICAN RESCUE PLAN GRANT FUND EXPENSE ACCOUNT 209.000.50000 AND DECLARING AN EMERGENCY.

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WHEREAS, the City of Whitehall received the American Rescue Plan grant and a portion and accordingly these funds may be used to financially assist non-profits in their efforts to uplift the lives of community members who have experienced negative economic impacts due to the COVID-19 pandemic and; NOW, THEREFORE,

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

**SECTION 1:** The Council of the City of Whitehall, Ohio approves this appropriation in the amount of one hundred seventy-five thousand and no/dollars from the American Rescue Grant Fund (209) to the American Rescue Plan Grant Fund expense account (209.000.50000) in order to help community agencies with educational and social programming and food assistance.

**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 social service services and food assistance agencies have been burdened with the increasing costs of providing essential needs to the citizens of Whitehall and our surrounding communities; 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 9/28/21

**SECOND READING:**

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

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).

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

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.

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

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).

**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**

**DRAFT #10**

**ORDINANCE NO. 095-2021 (*Adm/Fin. Mgmt. – 3rd reading – ADOPT 11/02/2021–Morrison/*)**

**(REFER TO PLANNING COMMISSION FOR OCTOBER 7, 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)(29) TO ALLOW EXPRESS WASH CONCEPTS LLC TO OPERATE A CAR WASH ESTABLISHMENT ON THE PROPERTY LOCATED AT 3657 E. MAIN STREET PARCEL #090-008371, OWNED BY 3657 EMAIN LLC.

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WHEREAS, Council has received an application from Express Wash Concepts LLC seeking a special permit under Section 1123.10(c)(29) of the Codified Ordinance of the City of Whitehall to operate a car wash establishment on a property located at 3657 E. Main Street parcel #090-008371; and

WHEREAS, by this ordinance, it is the desire of Council to allow Express Wash Concepts LLC a special permit under Section 1123.10(c)(29) of the Codified Ordinances of the City of Whitehall, Ohio to operate a car wash facility on a property located at 3657 E. Main Street parcel #090-008371; and

WHEREAS, this Ordinance was referred to the Planning Commission (Case No. 827), 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 Codified Ordinances of the City of Whitehall, Ohio and was subsequently amended, be the same is hereby amended by allowing a special permit under Section 1123.10(c)(29) to allow Express Wash Concepts LLC to operate a car wash establishment on a property located at 3657 E. Main Street parcel #090-008371.

**SECTION 2:** That the City Administrator be and is hereby authorized and directed to proceed with the prescribed proposal of the special permit to allow a car wash establishment on a property located at 3657 E. Main Street parcel #090-008371.

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

Requested by: Applicant  
Prepared by: Kelsey Miller, Economic Development Manager  
Approved as to form: Michael T. Bivens, City Attorney MTB 9/28/21

**DRAFT #11**

**ORDINANCE NO. 096-2021 (Adm/Fin. Mgmt. – 3rd reading – ADOPT 11/02/2021–Morrison/ )  
(REFER TO PLANNING COMMISSION FOR OCTOBER 7, 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 MS CONSULTANTS, INC. TO OPERATE A RESTAURANT ESTABLISHMENT WITH A DRIVE-THROUGH ON THE PROPERTY LOCATED AT 3646 E. BROAD STREET parcel #090-00000193-00, OWNED BY GILLIGAN COMPANY, LLC.

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WHEREAS, Council has received an application from MS Consultants, Inc. seeking a special permit under Section 1123.10(c)(1) of the Codified Ordinance of the City of Whitehall to operate a restaurant establishment with a drive-through on a property located at 3646 E. Broad Street parcel #090-00000193-00; and

WHEREAS, by this ordinance, it is the desire of Council to allow MS Consultants, Inc. a special permit under Section 1123.10(c)(1) of the Codified Ordinances of the City of Whitehall, Ohio to operate a restaurant establishment with a drive-through on a property located at 3646 E. Broad Street parcel #090-00000193-00; and

WHEREAS, this Ordinance was referred to the Planning Commission (Case No. 828), 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 Codified Ordinances of the City of Whitehall, Ohio and was subsequently amended, be the same is hereby amended by allowing a special permit under Section 1123.10(c)(29) to allow MS Consultants, Inc. to operate a restaurant establishment with a drive-through on a property located at 3646 E. Broad Street parcel #090-00000193-00.

**SECTION 2:** That the City Administrator be and is hereby authorized and directed to proceed with the prescribed proposal of the special permit to allow a restaurant establishment with a drive-through on a property located at 3646 E. Broad Street parcel #090-00000193-00

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

Requested by: Applicant

Prepared by: Kelsey Miller, Economic Development Manager  
Approved as to form: Michael T. Bivens, City Attorney MTB 9/28/21

**DRAFT #12**

**ORDINANCE NO. 0978-2021 (Adm/Fin. Mgmt. – 3rd reading – ADOPT 11/02/2021–Morrison/ )  
(REFER TO PLANNING COMMISSION FOR OCTOBER 7, 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, CHANGING THE ZONING ON PROPERTY LOCATED ON EAST BROAD ST, HAMILTON RD, AND POTH RD, PARCEL NUMBERS 090-002930-00, 090-002931-00, 090-002932-00, 090-002933-00, 090-002934-00, 090-002935-00, 090-002936-00, 090-002937-00, 090-002938-00, 090-002939-00, 090-002940-00, 090-002941-00, 090-002942-00, 090-002943-00, 090-002944-00, 090-002945-00, 090-002946-00, 090-002947-00, 090-002948-00, 090-002949-00, 090-002950-00, 090-002951-00, 090-002952-00, 090-002953-00, 090-002954-00, 090-002955-00, 090-002956-00, 090-002957-00, 090-002958-00, 090-002959-00, 090-002960-00, 090-002961-00, 090-002962-00, 090-002963-00, 090-002964-00, 090-002965-00, 090-002966-00, 090-002967-00, 090-002968-00, 090-002969-00, 090-002970-00, 090-002971-00, 090-002972-00, 090-002973-00, 090-002974-00, 090-002975-00, 090-002976-00, 090-002977-00, 090-002978-00, 090-002979-00, 090-002980-00, 090-002981-00, 090-002982-00, 090-002983-00, 090-002984-00, 090-002985-00, 090-002986-00, 090-002987-00, 090-002988-00, 090-002989-00, 090-002990-00, 090-002991-00, 090-002992-00, 090-002993-00, 090-002994-00, 090-002995-00, 090-002996-00, 090-002997-00, 090-002998-00, 090-002999-00, 090-003000-00, 090-003001-00, 090-003002-00, 090-003003-00, 090-003004-00, 090-003005-00, 090-003006-00, 090-003007-00, 090-003008-00, 090-003009-00, 090-003010-00, 090-003011-00, 090-003012-00, 090-003013-00, 090-003014-00, 090-003015-00, 090-003016-00, 090-003017-00, 090-003018-00, 090-003019-00, 090-003020-00, 090-003021-00, 090-003022-00, 090-003023-00, 090-003024-00, 090-003025-00, 090-003026-00, 090-003027-00, 090-003028-00, 090-003029-00, 090-003030-00, 090-003031-00, 090-003032-00, 090-003033-00, 090-003034-00, 090-003035-00, 090-003036-00, 090-003037-00, 090-003038-00, 090-003039-00, 090-003040-00, 090-003041-00, 090-003042-00, 090-003043-00, 090-003044-00, 090-003045-00, 090-003046-00, 090-003047-00, 090-003048-00, 090-003049-00, 090-003050-00, 090-003051-00, 090-003052-00, 090-003053-00, 090-003054-00, 090-003055-00, 090-003056-00, 090-003057-00, 090-003058-00, 090-003059-00, 090-003060-00, 090-003061-00, 090-003062-00, 090-003063-00, 090-003064-00, 090-003065-00, 090-003066-00, 090-003067-00, 090-003068-00, 090-003069-00, 090-003070-00, 090-003071-00, 090-003072-00, 090-003073-00, 090-003074-00, 090-003075-00, 090-003076-00, 090-003077-00, 090-003078-00, 090-003079-00, 090-003080-00, 090-003081-00, 090-003082-00, 090-003083-00, 090-003084-00, 090-003085-00, 090-003086-00, 090-003087-00, 090-003088-00, 090-003089-00, 090-003090-00, 090-003091-00, 090-003092-00, 090-003093-00, 090-003094-00, 090-003095-00, 090-003096-00, 090-003097-00, 090-003098-00, 090-003099-00, 090-003100-00, 090-003101-00, 090-003102-00, 090-003103-00, 090-003104-00, 090-003105-00, 090-003106-00, 090-003107-00, 090-003108-00, 090-003109-00, 090-003110-00, 090-003111-00, 090-003112-00, 090-003113-00, 090-003114-00, 090-003115-00, 090-003116-00, 090-003117-00, 090-003118-00, 090-003119-00, 090-003120-00, 090-003121-00, 090-003122-00, 090-003123-00, 090-003124-00, 090-003125-00, 090-003126-00, 090-003127-00, 090-003128-00, 090-003129-00, 090-003130-00, 090-003131-00, 090-003132-00, 090-003133-00, 090-003134-00, 090-003135-00, 090-003136-00, 090-003137-00, 090-003138-00, 090-003139-00, 090-003140-00, 090-003141-00, 090-003142-00, 090-003143-00, 090-003144-00, 090-003145-00, 090-003146-00, 090-003147-00, 090-003148-00, 090-003149-00, 090-003150-00, 090-003150-00, 090-003152-00, 090-003153-00, 090-003154-00, 090-003155-00, 090-003156-00, 090-003157-00, 090-003158-00, 090-003159-00, 090-003160-00, 090-003161-00, 090-003162-00, 090-003163-00, 090-003164-00, 090-003165-00, 090-003166-00, 090-003167-00, 090-003168-00, 090-003169-00, 090-003170-00, 090-003171-00, 090-003172-00, 090-003173-00, 090-003174-00, 090-003175-00, 090-003176-00, 090-003177-00, 090-003178-00, 090-003179-00, 090-003180-00, 090-003181-00, 090-003182-00, 090-003183-00, 090-003184-00, 090-003185-00, 090-003186-00, 090-003187-00, 090-003188-00, 090-003189-00, 090-003190-00, 090-003191-00, 090-003192-00, 090-003193-00, 090-003194-00, 090-003195-00, 090-003196-00, 090-003197-00, 090-003198-00, 090-

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WHEREAS, Council has received an application from City of Whitehall to rezone the property located on the north side of Broad St. east of Hamilton Rd., and south of Poth Rd., property that was previously the Woodcliff Condominium Complex and the former driving range and indoor golf complex from A-2, EU and FP to PUD; and

WHEREAS, City of Whitehall desires to develop the site into a mixed use development that integrates Whitehall Community Park throughout the development; 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 changing (A-2), (LCD), and (GCD) to (PUD) for the sole purpose of being a mixed use residential development.

SECTION 2: Notwithstanding Section 1123.16(v) of the Whitehall City Code, phase 1A of the final Development plan is hereby approved, Attached Exhibit A, and all subsequent phases are hereby approved as long as they are in general conformance with the Urban Design Guidelines, attached Exhibit B, and the Master Development Agreement between the City of Whitehall and Buckeye Apartments, LLC, attached Exhibit C.

SECTION 3: 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 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 this development will increase the usable acreage of Whitehall Community Park, that publicly owned greenspace is integrated and intertwined throughout the development, that the City has received multiple millions of grants for the removal of blighted structures, construction of publicly owned community amenities and infrastructure that were awarded based on this redevelopment, that this development will include the installation of shared use paths that are necessary to connect Whitehall to the Central Ohio Greenways Trail and the Eastmoor Greenline, that this development will result in a substantial economic benefit to City revenue through construction, temporary and permanent jobs on the site and for the eradication of a public nuisance and blight as declared by the Franklin County Environmental Court and the Whitehall City Council; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

**THIRD 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**

No drafts or pending legislation.

**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.