

WHITEHALL CITY COUNCIL COMMITTEE MEETINGS

AGENDA

TUESDAY, October 13, 2020

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

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

COMMITTEE OF THE WHOLE LEGISLATION/ISSUES:

DRAFT # 1

ORDINANCE NO. 081-2020 (*Comm of the Whole – 1st reading – ADOPT 10/20/2020–?/ ?*)

AUTHORIZING ADOPTION OF THE NOVEMBER 2020 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 November 2020 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 November 2020 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 10/8/2020

STANDING COMMITTEES

ADMINISTRATION AND FINANCIAL MANAGEMENT - Chairperson Bob Bailey

Members: Rodriguez, Morrison & Conison

DRAFT # 2

ORDINANCE NO. 082-2020 (Admin/Fin. Mgmt. – 1st reading – ADOPT 10/20/2020–Bailey/)

MAKING A SUPPLEMENTAL APPROPRIATION OF FORTY THOUSAND EIGHT HUNDRED FORTY-TWO AND 33/100 DOLLARS (\$40,842.33) 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 FORTY THOUSAND, EIGHT HUNDRED FORTY-TWO AND 33/100 DOLLARS (\$40,842.33) AND DECLARING AN EMERGENCY.

WHEREAS, in September 2020, 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:

<u>Account #</u>	<u>TIF District</u>	<u>Sept-2020</u>
279.000.41000	Main Yearling Incentive	\$ 95,815.57
279.000.42000	Main Hamilton Incentive	\$116,639.46
279.000.43000	Town & County Incentive	\$ 83,654.81
279.000.44000	Hamilton Broad Incentive	\$ 43,246.82
279.000.45000	Poth Road Incentive	\$97,553.08
279.000.46000	Air South 1 Incentive	\$ 43,146.80
279.000.47000	Creative Palette Incentive	\$ 14,990.73
279.000.48000	Etna Road Incentive	<u>\$ 17,662.22</u>
TIF Fund Total		\$521,709.49

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 forty thousand, eight hundred forty-two and 33/100 dollars (\$40,842.33) 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>Sept-2020</u>
279.000.50001	Main Yearling Incentive	\$ 7,978.80
279.000.50002	Main Hamilton Incentive	\$ 9,699.40
279.000.50003	Town & Country Incentive	\$ 7,037.10
279.000.50004	Hamilton Broad Incentive	\$ 3,598.28
279.000.50005	Poth Road Incentive	\$ 8,140.56
279.000.50006	Air South 1 Incentive	\$ 3,586.27
279.000.50007	Creative Palette Incentive	\$ 368.16
279.000.50008	Etna Road Incentive	<u>\$ 433.76</u>
TIF Fund Total		<u>\$40,842.33</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 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.

DRAFT # 3

ORDINANCE NO. 083-2020 (*Admin/Fin. Mgmt. – 1st reading – ADOPT 10/20/2020–Bailey/*)

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF ONE HUNDRED THIRTY-SIX THOUSAND AND NO/100 DOLLARS (**\$136,000.00**) FROM UNAPPROPRIATED MONIES IN THE INSPECTION DEPOSIT FUND (804) TO THE INSPECTION DEPOSIT ACCOUNT (804-000-50000) AND DECLARING AN EMERGENCY.

WHEREAS, the City of Whitehall collects fees for inspections, permits and plan reviews; and

WHEREAS, the City of Whitehall has to pay these fees to various vendors; and

WHEREAS, the City of Whitehall underestimated the amount of work to be done in 2020; and

WHEREAS, there is a need to increase the appropriation to keep up with the work being done in the City; and

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

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

SECTION 1: Approving and making a supplemental appropriation of one hundred thirty-six thousand and no/100 dollars (\$136,000.00) from unappropriated monies in the Inspection Deposit Fund (804) to the Inspection Deposit Account (804-000-50000).

SECTION 2: That the City Auditor is hereby authorized to draw his warrant upon the Treasurer of the City for the purposes 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 it is necessary to have the monies available to pay these expenses; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

DRAFT # 4

ORDINANCE NO. 084-2020 (*Admin/Fin. Mgmt. – 1st reading – ADOPT 10/20/2020–Bailey/*)

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF SEVENTY THOUSAND AND NO/100 DOLLARS (\$70,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND 101 TO THE INCOME TAX REFUNDS EXPENSE ACCOUNT (101.350.57000) AND DECLARING AN EMERGENCY.

WHEREAS, the year-to-date amount of income tax refunds to be issued is more than anticipated; and

WHEREAS, the income tax refunds expense account requires a supplemental appropriation in order to meet anticipated refunds until the end of the 2020 fiscal year; 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 a supplemental appropriation in the amount of seventy thousand and no/100 dollars (\$70,000.00) from unappropriated monies in the General Fund 101 to the Income Tax Refunds Expense Account (101-350-57000).

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 it is necessary to comply with City of Whitehall Codified Ordinances regulating income tax collection and refunds; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

DRAFT # 5

ORDINANCE NO. 085-2020 (*Admin/Fin. Mgmt. – 1st reading – ADOPT 10/20/2020–Bailey/*)

MAKING A SUPPLEMENTAL APPROPRIATION OF ONE MILLION SIX HUNDRED SEVENTY-NINE THOUSAND TWO HUNDRED FOURTEEN AND 89/100 DOLLARS (\$1,679,214.89) FROM UNAPPROPRIATED MONIES IN THE CARES ACT GRANT FUND (205) TO THE CARES ACT GRANT EXPENSE ACCOUNT (205.000.50000) AND DECLARING AN EMERGENCY.

WHEREAS, the City has received a grant from the Ohio office of Budget Management to help cities purchase PPE; and

WHEREAS, the City will work with the Office of Budget Management and adhere to all guidelines; and

WHEREAS, the City needs to hold these funds to pay for allowable expenses; and

WHEREAS, certain that this account will have deposits received directly or by transfer during the calendar year 2020 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 a supplemental appropriation is hereby made from unappropriated monies in the CARES Act Grant Fund (205) to the CARES Act Grant Expense Account (205-000-50000) in the amount of one million six hundred seventy-nine thousand two hundred fourteen and 89/100 dollars (\$1,679,214.89).

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 4: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety, and welfare and for further reason that the city is required to hold these monies in a dedicated fund for tracking purposes; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

DRAFT # 6

ORDINANCE NO. 086-2020 (*Admin/Fin. Mgmt. – 1st reading – ADOPT 10/20/2020–Bailey/*)

AUTHORIZING THE CREATION OF THE CARES ACT FOOD PANTRY DONATIONS ACCOUNT (205.000.52000), APPROPRIATING TWENTY-FIVE THOUSAND AND NO/100 DOLLARS (\$25,000.00) FROM UNAPPROPRIATED MONIES IN THE CARES ACT GRANT FUND (205) TO THE CARES ACT GRANT FOOD PANTRY DONATIONS ACCOUNT (205.000.52000) AND DECLARING AN EMERGENCY.

WHEREAS, the City has received a grant from the Ohio office of Budget Management to help cities purchase PPE; and

WHEREAS, the City will work with the Office of Budget Management and adhere to all guidelines; and

WHEREAS, the City needs to hold these funds to pay for allowable expenses; and

WHEREAS, certain that this account will have deposits received directly or by transfer during the calendar year 2020 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 the creation of the CARES Act Grant Food Pantry Donations Account (205.000.52000).

SECTION 2: That an appropriation is hereby made from unappropriated monies in the CARES Act Grant Fund (205) to the CARES Act Grant Food Pantry Donation Account (205-000-52000) in the amount of twenty-five thousand and no/100 dollars (\$25,000.00).

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

SECTION 4: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety, and welfare and for further reason that the city is required to hold these monies in a dedicated fund for tracking purposes; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

DRAFT # 7

ORDINANCE NO. 087-2020 (*Admin/Fin. Mgmt. – 1st reading – ADOPT 10/20/2020–Bailey/*)

AUTHORIZING THE CREATION OF THE CARES ACT SMALL BUSINESS GRANTS ACCOUNT (205.000.53000), APPROPRIATING ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00) FROM UNAPPROPRIATED MONIES IN THE CARES ACT GRANT FUND (205) TO THE CARES ACT GRANT SMALL BUSINESS GRANTS ACCOUNT (205.000.53000) AND DECLARING AN EMERGENCY.

WHEREAS, the City has received a grant from the Ohio office of Budget Management to help cities purchase PPE; and

WHEREAS, the City will work with the Office of Budget Management and adhere to all guidelines; and

WHEREAS, the City needs to hold these funds to pay for allowable expenses; and

WHEREAS, certain that this account will have deposits received directly or by transfer during the calendar year 2020 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 the creation of the CARES Act Grant Small Business grants Account (205.000.53000).

SECTION 2: That an appropriation is hereby made from unappropriated monies in the CARES Act Grant Fund (205) to the CARES Act Grant Small Business Grants Account (205-000-53000) in the amount of one hundred thousand and no/100 dollars (\$100,000.00).

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

SECTION 4: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety, and welfare and for further reason that the city is required to hold these monies in a dedicated fund for tracking purposes; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

Requested By: Kim Maggard, Mayor

Prepared by: Dan Miller, City Auditor 10/12/2020

Approved as to form: Michael T. Bivens, City Attorney MTB 10/12/2020

DRAFT # 8

ORDINANCE NO. 088-2020 (*Admin/Fin. Mgmt. – 1st reading – ADOPT 10/20/2020–Bailey/*)

ESTABLISHING THE CITY OF WHITEHALL COVID-19 BUSINESS GRANT PROGRAM, APPROPRIATING **\$100,000.00** FROM THE CARES ACT - FRANKLIN COUNTY FUND, AND DECLARING AN EMERGENCY.

WHEREAS, the Coronavirus Aid, Relief, and Economic Security Act, 116 Public Law 136 (the CARES Act) was signed into law by the President of the United States on March 27, 2020;

WHEREAS, the Ohio General Assembly established a process for distributing funds provided by the CARES Act in House Bill 481 (“HB 481”) of the 133rd General Assembly; and

WHEREAS, the City of Whitehall has received \$100,000.00 in distributions from the State of Ohio and, pursuant to Ordinance Number 087-2020, the Council of the City created Special Revenue Funds to account for the funds received under these distributions; and

WHEREAS, the 133rd Ohio General Assembly passed Senate Bill 310 (“SB 310”), which permits a political subdivision to utilize all or a portion of the funding received under HB 481 for the purposes of establishing a small business grant program; and

WHEREAS, SB 310 requires the Council of the City of Whitehall to adopt an ordinance or resolution to create the small business grant program, which sets forth the form and manner by which qualifying businesses may apply for and receive grants, the standards for evaluating and prioritizing grant applications, the reporting requirements for qualifying businesses that are awarded grants, and the manner in which unspent and/or improperly spent proceeds are to be repaid by a grant recipient; and

WHEREAS, Council has elected to create the City of Whitehall COVID-19 Business Grant Program.
NOW, THEREFORE,

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

SECTION 1: That Council hereby authorizes the issuance of grants from the proceeds received by the City from CARES Act Funds to be issued to local businesses directly impacted by COVID-19.

SECTION 2: That the Director of Economic Development and Public Service shall establish the City of Whitehall COVID-19 Business Grant Program, utilizing the application attached to this Ordinance, and engage in efforts to inform the business community of the City of the application process.

SECTION 3: That grant funding from the City of Whitehall COVID-19 Business Grant Program shall only be available for eligible expenses incurred between the period of March 1, 2020 until August 31, 2020.

SECTION 4: That any grants approved for small businesses directly impacted by COVID-19 shall be used only for permitted purposes as set forth in the CARES Act and SB 310 and shall be subject to audit and oversight by the Director of Development, City Auditor as well as the Ohio Office of Budget and Management.

SECTION 5: That the amount of \$100,000.00 shall be appropriated to account number 205.000.53000, Miscellaneous distributions from the CARES Act- Franklin County Fund (203), to finance the City of Whitehall COVID-19 Business Grant Program.

SECTION 6: 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 it is necessary to assist local businesses as soon as possible and meet State and federal deadlines; 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 Economic Development and Public Service
Prepared by: Jenna Goehring, Economic Development Manager
Approved as to form: Michael T. Bivens, City Attorney *MTB* 10/12/2020

DRAFT # 9

ORDINANCE NO. 089-2020 (*Admin/Fin. Mgmt. – 1st reading – ADOPT 10/20/2020–Bailey/*)

AUTHORIZING THE CREATION OF THE BACKFLOW PREVENTION PROGRAM REFUND ACCOUNT (550.000.58000); MAKING AN APPROPRIATION OF TEN THOUSAND AND NO/100 DOLLARS (\$10,000.00) FROM THE COMMUNITY DEVELOPMENT TRUST FUND (550) AND DECLARING AN EMERGENCY.

WHEREAS, the central Ohio region has experienced record breaking amounts of rainfall in short periods of time which causes excess storm water to enter the sanitary sewer system within the City of Columbus and surrounding communities, including the City of Whitehall; and,

WHEREAS, homeowners in the City of Whitehall have experienced unprecedented basement flooding due to the increasing amounts of rainfall affecting the water and sewer system; and

WHEREAS, an account titled “Citizen Share of Backflow Prevention Program” expense account has been created to support a program that will assist homeowners in mitigating future basement flooding events

WHEREAS, certain that this account will have deposits received directly or by transfer during the calendar year 2020, 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 the creation of the Citizen Share of Backflow Prevention Program expense account (550.000.58000).

SECTION 2: That an appropriation from the Community Development Trust Fund (550) to the Citizen Share of Backflow Prevention Program expense account (550-000-58000) in the amount of ten thousand and no/100 dollars (\$10,000.00) is approved.

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

SECTION 4: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety, and welfare and for further reason is good and necessary to assist homeowners with basement flooding relief due to continuing unprecedented rainfall patterns; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

Requested by Kim Maggard, Mayor

Prepared by: Dan Miller, City Auditor 9/17/2020

Approved as to form: Michael T. Bivens, City Attorney *MTB* 10/13/2020

DRAFT # 10

ORDINANCE NO. 090-2020 (*Admin/Fin. Mgmt. – 1st reading – ADOPT 10/20/2020–Bailey/*)

AUTHORIZING THE CREATION OF THE CITIZEN SHARE OF BACKFLOW PREVENTION PROGRAM EXPENSE ACCOUNT (550.000.57000); MAKING AN APPROPRIATION OF FIFTY-TWO THOUSAND NINE HUNDRED THIRTEEN AND 60/100 DOLLARS (\$52,913.60) FROM THE COMMUNITY DEVELOPMENT TRUST FUND (550) AND DECLARING AN EMERGENCY.

WHEREAS, the central Ohio region has experienced record breaking amounts of rainfall in short periods of time which causes excess storm water to enter the sanitary sewer system within the City of Columbus and surrounding communities, including the City of Whitehall; and,

WHEREAS, homeowners in the City of Whitehall have experienced unprecedented basement flooding due to the increasing amounts of rainfall affecting the water and sewer system; and

WHEREAS, an account titled “Citizen Share of Backflow Prevention Program” expense account has been created to support a program that will assist homeowners in mitigating future basement flooding events

WHEREAS, certain that this account will have deposits received directly or by transfer during the calendar year 2020, 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 the creation of the Citizen Share of Backflow Prevention Program expense account (550.000.57000).

SECTION 2: That an appropriation from the Community Development Trust Fund (550) to the Citizen Share of Backflow Prevention Program expense account (550-000-57000) in the amount of fifty-two thousand nine hundred thirteen and 60/100 dollars (\$52,913.60) is approved.

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

SECTION 4: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety, and welfare and for further reason is good and necessary to assist homeowners with basement flooding relief due to continuing unprecedented rainfall patterns; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

Requested by Kim Maggard, Mayor

Prepared by: Dan Miller, City Auditor 9/17/2020

Approved as to form: Michael T. Bivens, City Attorney MTB 10/13/2020

DRAFT # 11

RESOLUTION NO. 038-2020 (*Admin/Fin. Mgmt. – 1st reading – ADOPT 10/20/2020–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>
#2020-Service-00315-A	Verizon Wireless	\$11,481.73	9/23/2020	Phone service
#2020-Service-00291-A	EMh&T	\$36,382.39	9/16/2020	Engineering Services

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.

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

THIRD READING:

RESOLUTION NO. 033-2020 (Econ. Dev. – 3rd reading – ADOPT 10/20/20–Morrison/Kantor)

APPROVING THE RECOMMENDATIONS OF THE CITY OF WHITEHALL TAX INCENTIVE REVIEW COUNCIL FOR TAX YEAR 2019.

INFRASTRUCTURE, MAINTENANCE AND SERVICES – Chairperson Jo Anna Heck

Members: Bailey, Morrison & Kantor

DRAFT # 12

ORDINANCE NO. 091-2020 (Inf Maint & Serv. – 2nd reading – ADOPT 11/03/2020–Heck/)

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH RUMPKE OF OHIO, INC. TO PROVIDE FOR THE PROVISION OF RECYCLING SERVICES INCLUDING THE ACCEPTANCE OF DELIVERY AND PROCESSING OF RECYCLABLE MATERIALS GENERATED IN AND COLLECTED FROM RESIDENTIAL UNITS, MUNICIPAL FACILITIES AND DURING SPECIAL EVENTS.

WHEREAS, pursuant to Section 715.43 and Section 3707.43 or Section 505.27 of the Ohio Revised Code, the City may establish such collection systems and Solid Waste facilities as may be necessary or appropriate to provide for the safe and sanitary management of Solid Waste, including Recyclable Materials, generated within the City; and

WHEREAS, the City has determined that it is in the best interests of the City and its Residents that the City arrange for the guaranteed acceptance and processing of all Recyclable Materials generated at Residential Units and Municipal Facilities and during Special Events located within the City from a single Contractor on an exclusive basis (“Recycling Services”); and

WHEREAS, on January 30, 2020 and on February 6, 2020, the City, as part of a Joint Bidding Process with communities located within the jurisdiction of the Solid Waste Authority of Central Ohio (“2020 Solid Waste Consortium”), invited through advertisement in the Daily Reporter qualified providers of the Recycling Services to submit bids to provide Recycling Services on the terms and conditions contained herein; and

WHEREAS, the Contractor owns, operates or has reserved capacity available at a properly licensed and permitted material recovery facility or Legitimate Recycling Facility for the processing of Recyclable Materials, known as Rumpke’s Columbus MRF, and located at 1191 Fields Avenue, Columbus, Ohio (“Identified Facility”); and

WHEREAS, the Contractor submitted a Bid to become the sole provider of Recycling Services for Recyclable Materials generated at Residential Units and Municipal Facilities and during Special Events located within the City; and

WHEREAS, the City has accepted and awarded a separate contract to a Collection Contractor, for the collection, transportation and delivery of all Recyclable Materials generated at Residential Units and Municipal Facilities and during Special Events located within the City; and

WHEREAS, in reliance upon the Contractor’s Bid, the City requires that the Collection Contractor deliver all Recyclable Materials to the Contractor’s Identified Facility for processing by the Contractor; and

WHEREAS, the City desires to accept the Contractor’s Recycling Services Bid and engage the Contractor to be the sole provider of Recycling Services; and

WHEREAS, pursuant to the Collection Agreement, the Collection Contractor shall pay all tipping fees on behalf of the City to the Contractor for the acceptance and processing of Recyclable Materials in such amounts as provided in the Bid Form attached hereto as Exhibit C and incorporated herein by reference; and

WHEREAS, the City and the Contractor each represents that it has the authority to execute this Agreement for the Recycling Services.

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

SECTION 1: That the Mayor is hereby authorized to execute the Agreement between the City and Rumpke of Ohio, Inc., which shall be in substantially the same form as Attachment A.

SECTION 2: That this Council further hereby authorizes the Mayor, the Director of Development and Public Service and other appropriate officers of the City to take any other actions as may be necessary and appropriate to execute and carry out Section 1 herein.

WHEREFORE, this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

DRAFT # 13

ORDINANCE NO. 092-2020 (Inf Maint & Serv. – 2nd reading – ADOPT 11/03/2020–Heck/)

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT TO APPLY FOR, ACCEPT A GRANT FROM, AND PARTICIPATE IN THE SOLID WASTE AUTHORITY OF CENTRAL OHIO'S RECYCLING CART GRANT PROGRAM FOR THE PURCHASE OF RECYCLING CARTS.

WHEREAS, the City is entering into and implementing a new residential solid waste collection services contract under which the City may transition to the use of a solid waste and recycling cart collection system; and

WHEREAS, a solid waste and recycling cart collection system provides benefits over the current collection methods utilized by the City by effectively containing solid waste and recyclable materials to improve the sanitation and public health within the City, increasing the recycling volume, allowing for automated collection to improve safety and efficiency, and reducing litter; and

WHEREAS, the City has determined that purchasing solid waste and recycling collection carts, to be owned by the City, is the method of cart collection system implementation that is most beneficial to the City as it will promote future competitive bids for recycling and waste-hauling services and financial savings for the residents; and

WHEREAS, it is in the best interest of the City to purchase the recycling carts through the Solid Waste Authority of Central Ohio's (SWACO) Recycling Cart Grant Program, which offers a \$22.50 per recycling cart grant to Franklin County communities, amounting to approximately a fifty-percent savings; and

WHEREAS, on behalf of the City, SWACO applied for and was awarded a grant from The Recycling Partnership for Fifteen Dollars (\$15.00) per Recycling Cart, which shall serve to pay a portion of the City's share for the purchase of the Recycling Carts and will be paid to SWACO as reimbursement for the advance funds; and

WHEREAS, funding is available and appropriated for the purchase of the recycling collection containers.

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

SECTION 1: That the Mayor is hereby authorized to execute an agreement, in a form substantially similar to Attachment A, to apply for and accept a grant of \$22.50 per recycling cart from SWACO, to authorize SWACO to accept a cart grant from The Recycling Partnership on behalf of the City for \$15.00 per recycling cart, and to reimburse SWACO for the purchase of recycling carts for a price of \$5.00 per unit, a total of \$26,500 from the Contingency Expense Account (#10195059900).

SECTION 2: That this Council further hereby authorizes the Mayor, the Director of Development and Public Service and other appropriate officers of the City to take any other actions as may be necessary and appropriate to execute and carry out Section 1 herein.

WHEREFORE, this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

DRAFT # 14

ORDINANCE NO. 093-2020 (Inf Maint & Serv. – 2nd reading – ADOPT 11/03/2020–Heck/)

AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT TO APPLY FOR, ACCEPT A GRANT FROM, AND PARTICIPATE IN THE SOLID WASTE AUTHORITY OF CENTRAL OHIO'S WASTE REDUCTION PILOT PROGRAM FOR THE PURCHASE OF GARBAGE CARTS.

WHEREAS, the City is entering into and implementing a new residential solid waste collection services contract under which the City may transition to the use of a solid waste and recycling cart collection system; and

WHEREAS, a solid waste and recycling cart collection system provides benefits over the current collection methods utilized by the City by effectively containing solid waste and recyclable materials to improve the sanitation and public health within the City, increasing the recycling volume, allowing for automated collection to improve safety and efficiency, and reducing litter; and

WHEREAS, the City has determined that purchasing solid waste and recycling collection carts, to be owned by the City, is the method of cart collection system implementation that is most beneficial to the City as it will promote future competitive bids for recycling and waste-hauling services and financial savings for the residents; and

WHEREAS, it is in the best interest of the City to purchase the garbage carts with the help of the Solid Waste Authority of Central Ohio's (SWACO) Recycling Cart Grant Program, which offers up to \$50,000 for the purchase of garbage carts to be used in a volume-based collection progra, amounting to approximately a twenty-percent savings; and

WHEREAS, funding is available and appropriated for the purchase of the garbage collection containers.

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

SECTION 1: That the Mayor is hereby authorized to execute an agreement, in a form substantially similar to Attachment A, to apply for and accept a grant of up to \$50,000 from SWACO.

SECTION 2: That this Council further hereby authorizes the Mayor, the Director of Development and Public Service and other appropriate officers of the City to take any other actions as may be necessary and appropriate to execute and carry out Section 1 herein.

WHEREFORE, this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

DRAFT # 15

ORDINANCE NO. 094-2020 (*Inf Maint & Serv. – 2nd reading – ADOPT 11/03/2020–Heck/*)

AUTHORIZING THE MAYOR TO EXECUTE A FINANCE AGREEMENT WITH REHRIG FINANCIAL SERVICES FOR THE PURCHASE OF GARBAGE COLLECTION CONTAINERS AND DELIVERY SERVICES FROM REHRIG PACIFIC COMPANY.

WHEREAS, the City is entering into and implementing a new residential solid waste collection services contract under which the City may transition to the use of a solid waste and recycling cart collection system; and

WHEREAS, a solid waste and recycling cart collection system provides benefits over the current collection methods utilized by the City by effectively containing solid waste and recyclable materials to improve the sanitation and public health within the City, increasing the recycling volume, allowing for automated collection to improve safety and efficiency, and reducing litter; and

WHEREAS, the City has determined that purchasing solid waste and recycling collection carts, to be owned by the City, is the method of cart collection system implementation that is most beneficial to the City as it will promote future competitive bids for recycling and waste-hauling services and financial savings for the residents; and

WHEREAS, as part of a process with the Solid Waste Agency of Central Ohio, qualified manufacturers of solid waste containers were invited to submit quotes to provide Garbage Collection Container Manufacturing and Delivery Services;

WHEREAS, in 2016, a contract for Waste Carts, Recycling Carts, Cart Parts, Bins and Related Products and Services (Contract 254) was publicly awarded to Rehrig Pacific Company with a Miami-Dade County, Florida following a competitive solicitation process in which advertisement was appropriately placed online and in publications of common circulation; and

WHEREAS, Miami-Dade County, Florida is a Lead Agency of the National Intergovernmental Purchasing Alliance Company, a Delaware corporation d/b/a OMNIA Partners, Public Sector and/or Communities Program Management, LLC, a California limited liability company d/b/a U.S. Communities (collectively, "OMNIA Partners"), a provider of public sector cooperative purchasing programs with no annual fee for government-entity members, which provides access to competitively solicited and publicly-awarded contacts

WHEREAS, upon reviewing the cart manufacturing and delivery bid from Rehrig Pacific Company among others available through joint purchasing cooperatives, the City determined that Rehrig Pacific Company is qualified and submitted the best quote to provide Garbage Collection Container Manufacturing and Delivery Services to the City; and

WHEREAS, to finance the purchase of 5,600 carts in an amount not to exceed \$262,620, the City has selected Rehrig Financial Services to provide Financial Services to the City of Whitehall. As part of this finance agreement, semi-annual installments of no more than \$29,292.98 will be made in arrears over a 60-month term; and

WHEREAS, it is in the best interest of the City to purchase the garbage carts with the help of the Solid Waste Authority of Central Ohio's (SWACO) Recycling Cart Grant Program, which offers up to \$50,000 for the purchase of garbage carts to be used in a volume-based collection program, amounting to approximately a twenty-percent savings; and

WHEREAS, funding is available and will be appropriated in future fiscal years for the purchase of the garbage collection containers.

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

SECTION 1: That the Mayor is hereby authorized to execute an agreement, in a form to be prepared based on the terms and payments detailed in Attachment A, to enter into a finance agreement with Rehrig Financial Services.

SECTION 2: That this Council further hereby authorizes the Mayor, the Director of Development and Public Service and other appropriate officers of the City to take any other actions as may be necessary and appropriate to execute and carry out Section 1 herein.

WHEREFORE, this Ordinance shall take effect and be in force from and after the earliest period allowed by law.

DRAFT # 16

RESOLUTION NO. 039-2020 (Inf Maint & Serv. – 2nd reading – ADOPT 11/03/2020–Heck/)

AUTHORIZING THE MAYOR TO JOIN NATIONAL INTERGOVERNMENTAL PURCHASING ALLIANCE COMPANY, D/B/A OMNIA PARTNERS, A PUBLIC SECTOR COOPERATIVE PURCHASING PROGRAM ADMINISTRATOR AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Section 715.43 and Section 3707.43 or Section 505.27 of the Ohio Revised Code, the City may establish such collection systems and Solid Waste facilities as may be necessary or appropriate to provide for the safe and sanitary management of Solid Waste, including Recyclable Materials, generated within the City; and

WHEREAS, National Intergovernmental Purchasing Alliance Company, a Delaware corporation d/b/a OMNIA Partners, Public Sector and/or Communities Program Management, LLC, a California limited liability company d/b/a U.S. Communities (collectively, "OMNIA Partners") is a provider of public sector cooperative purchasing programs with no annual fee for government-entity members, which provides access to competitively solicited and publicly-awarded contacts with best-in-class national suppliers of goods and services; and

WHEREAS, Revised Code 9.48 permits municipalities to participate in joint purchasing programs and exempts the municipality from competitive selection requirement if equipment, materials, and supplies are purchased through participation in a joint purchasing program; NOW, THEREFORE,

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

SECTION 1: That the Mayor is hereby authorized to join National Intergovernmental Purchasing Alliance Company, which shall be in substantially the same form as Attachment A.

SECTION 2: That this Council further hereby authorizes the Mayor, the Director of Development and Public Service and other appropriate officers of the City to take any other actions as may be necessary and appropriate to execute and carry out Section 1 herein.

SECTION 3: That this Resolution 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 additional requests for payment; WHEREFORE, this Resolution shall go into full force and effect immediately upon its passage and approval by the Mayor.

WHEREFORE, this Resolution shall take effect and be in force from and after the earliest period allowed by law.

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.