

WHITEHALL CITY COUNCIL COMMITTEE MEETINGS

AGENDA

TUESDAY, OCTOBER 26, 2021

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

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

COMMITTEE OF THE WHOLE LEGISLATION/ISSUES:

DRAFT # 1

ORDINANCE NO. 105-2021 (*Comm. Of the Whole – 1st reading – ADOPT 11/02/2021–(/)*)

ACCEPTING CERTAIN STORM AND SANITARY EASEMENTS FROM NORTON CROSSING APARTMENTS, LLC ON PARCEL NUMBERS 090-008413, 090-008415, 090-008417, 090-008422, AND 090-008423.

WHEREAS, the Norton Crossing Apartments, LLC has completed the construction of the Lofts at Norton Crossing and storm and sanitary sewer easements, as attached, are required to ensure proper function and maintenance of City storm and sewers, NOW, THEREFORE,

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

SECTION 1: That the Mayor, or her designee, is hereby authorized to accept all necessary easements, as attached, and execute all necessary documents related to accepting such easements on portion of parcels 090-008413, 090-008415, 090-008417, 090-008422, and 090-008423.

SECTION 2: That this Ordinance shall go into full force and effect at the earliest period allowed by law.

Requested by and prepared by: Zach Woodruff, City Administrator
Approved as to form: Michael T. Bivens, City Attorney MTB 10/26/2021.

SECOND READING:

ORDINANCE NO. 099-2021 (*Comm. Of the Whole – 2nd reading – ADOPT 11/02/2021–(Rodriguez/Conison)*)

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

STANDING COMMITTEES

ADMINISTRATION AND FINANCIAL MANAGEMENT - Chairperson Bob Bailey

Members: Rodriguez, Morrison & Conison

DRAFT # 2

ORDINANCE NO. 106-2021 (Adm/Fin. Mgmt. – 1st reading – ADOPT 11//02/2021–Bailey/)

APPROVING AND MAKING A FUND TRANSFER OF TWENTY-FOUR THOUSAND EIGHT HUNDRED EIGHTEEN AND 75/100 DOLLARS (\$24,818.75) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE DEBT SERVICE FUND (401); APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF TWENTY-FOUR THOUSAND EIGHT HUNDRED EIGHTEEN AND 75/100 DOLLARS (\$24,818.75) FROM THE DEBT SERVICE FUND (401) TO THE DEBT SERVICE ACCOUNT (401.000.50000) AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance 72-2020 provided for the issuance and sale of notes in the maximum principle amount of \$1,805.000; and

WHEREAS, the City must pay the interest on these bonds at this time; and

WHEREAS, the Auditor of State requires that bonds, notes 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 twenty-four thousand eight hundred eighteen and 75/100 dollars (\$24,818.75) from unappropriated monies in the General Fund (101) to the Debt Service Fund (401).

SECTION 2: That this Council approves a supplemental appropriation of twenty-four thousand eight hundred eighteen and 75/100 dollars (\$24,818.75) from the Debt Service Fund to the Debt Service Account.

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 of debt retirement.

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 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.

Requested and prepared by: Dan A. Miller, City Auditor

Approved as to form: Michael T. Bivens, City Attorney MTB 10/21/2021

DRAFT # 3

ORDINANCE NO. 107-2021 (*Adm/Fin. Mgmt. – 1st reading – ADOPT 11//02/2021–Bailey/*)

APPROVING AND MAKING A FUND TRANSFER OF NINETY-EIGHT THOUSAND FOUR HUNDRED AND 00/100 DOLLARS (\$98,400.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE DEBT SERVICE FUND (401); APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF NINETY-EIGHT THOUSAND FOUR HUNDRED 00/100 DOLLARS (\$98,400.00) FROM THE DEBT SERVICE FUND (401) TO THE DEBT SERVICE ACCOUNT (401.000.50000) AND DECLARING AN EMERGENCY.

WHEREAS, Ordinance 73-2020 provided for the issuance and sale of notes in the maximum principle amount of \$98,400.00; and;

WHEREAS, the City must pay the interest on these bonds at this time; and

WHEREAS, the Auditor of State requires that bonds, notes 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 ninety-eight thousand four hundred and 00/100 dollars (\$98,400.00) from unappropriated monies in the General Fund (101) to the Debt Service Fund (401).

SECTION 2: That this Council approves a supplemental appropriation of ninety-eight thousand four hundred and 00/100 dollars (\$98,400.00) from the Debt Service Fund (401) to the Debt Service Account (401.000.50000).

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 of debt retirement.

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 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 # 4

ORDINANCE NO. 108-2021 (*Adm/Fin. Mgmt. – 1st reading – ADOPT 11//02/2021–Bailey/*)

APPROVING AND MAKING AN APPROPRIATION TRANSFER IN THE AMOUNT OF FOURTEEN THOUSAND AND NO/100 DOLLARS (\$14,000.00) FROM VARIOUS EXPENSE ACCOUNTS IN THE PARKS BUDGET TO THE REC/PARK FUND EXPENSE ACCOUNT (101-700-59000) AND DECLARING AN EMERGENCY.

WHEREAS, THE City has identified more projects for the beautification of the parks; and

WHEREAS, the Rec/Park Fund expense account does not have sufficient funds to pay for these projects; and

WHEREAS, it is recommended to move monies from expense accounts where a surplus is forecasted in order to meet the obligations of the City; and

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 appropriation transfers in the amount of fourteen thousand (\$14,000):

\$11,00.00 From Staff PT expense account (101.700.51500) to Rec/Park Fund expense account (101-700-59000).
\$1,500.00 From Rec Maint Salary expense (101.700.51100) to Rec/Park Fund expense account (101-700-59000).
\$1,500.00 From SR Admin Assistant expense (101.700.51550) to Rec/Park Fund expense account (101-700-59000).

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 would like to move forward with these projects; WHEREFORE, this ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

DRAFT # 5

ORDINANCE NO. 110-2021 (*Adm/Fin. Mgmt. – 1st reading – ADOPT 11//02/2021–Bailey/*)

AUTHORIZING AND APPROVING AN APPROPRIATION TRANSFER IN THE AMOUNT OF EIGHT THOUSAND AND NO/DOLLARS (\$8,000.00) FROM THE CONTINGENCY EXPENSE ACCOUNT 101.950.59900 TO THE CIVIL TESTING EXPENSE ACCOUNT 101.800.53000 AND DECLARING AN EMERGENCY.

WHEREAS, there has been a high number of fire department retirements in 2021 thus creating the additional requirements for civil service testing and assessment centers, and

WHEREAS, there is not enough funds to covers the last round of required testing and assessments and now, additional funding is required to pay the assessment center fees and invoices; NOW, THEREFORE,

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

SECTION 1: The Council of the City of Whitehall authorizes and approves an appropriation transfer in the amount of eight thousand and no/dollars (\$8,000.00) from the Contingency Expense account 101.950.59900 to the Civil Service Testing Expense account 101.800.53000.

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 the City has experienced many retirements in the Fire Department, thus requiring additional hiring which requires testing and assessments; WHEREFORE, This Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

DRAFT # 6

RESOLUTION NO. 030-2021 (*Admin/Fin. Mgmt. – 1st reading – ADOPT 11/02/2021–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-Mayor-00046-A	MORPC	\$5,000.00	9/30/2021	Central Ohio Defense Group
#2021-Mayor-00048-A	MORPC	\$5,000.00	9/30/2021	Central Ohio Defense Group
#2021-Service-00313-A	AEP	\$7,497.44	9/29/2021	Electric Service

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 10/25/2021

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

DRAFT # 7

RESOLUTION NO. 031-2021 (*Comm. & Elder Advocacy. – 1st reading – ADOPT 11/02/2021–Elmore/*)

RECOGNIZING AND HONORING ROSCOE CROZIER ON HIS 100TH BIRTHDAY, NOVEMBER 4, 2021 AND DECLARING AN EMERGENCY.

WHEREAS, ROSCOE CROZIER was born in Charleston, WV on November 4, 1921, to proud parents, Britt and Barbara Crozier; and

WHEREAS, Roscoe was called by the draft board for his physical examination and upon being examined, the doctor told Roscoe he had a defect in his back and was not qualified to be drafted; and

WHEREAS, Roscoe had the desire and determination to serve his country in one capacity or another, he went to work in an ammunition factory in Nitro, WV making explosives; and

WHEREAS, Roscoe has four adult children, one son and three daughter, numerous grandchildren, and great grandchildren. He may even have great-great grandchildren but he is no longer counting; and

WHEREAS, Roscoe has persevered even having lived through segregation, Jim Crow, and other forms of discrimination, and

WHEREAS, Roscoe expresses great admiration for his siblings because each sibling pitched in to help the others get through college after graduating themselves. Roscoe realized after the tragic death of his father, that his mother needed help with providing care for the other children so he did not attend college; and

WHEREAS, Roscoe is known to be a kind man, he has a sense of humor, and he has tried to be a good person to others along his journey; NOW, THEREFORE,

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

SECTION 1: That this Council and Administration, on behalf of the citizens of the City of Whitehall, proudly recognize and honor ROSCO CROZIER for his ONE HUNDRED YEARS of longevity and wish him the Happiest of Birthdays.

SECTION 2: That the Clerk of Council be and is hereby directed to forward a certified copy of this Resolution to Roscoe Crozier.

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 Roscoe Crozier's one hundredth birthday is November 4, 2021; 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.

ECONOMIC DEVELOPMENT – Chairperson Larry Morrison
Members: Conison, Rodriguez & Elmore

THIRD READING:

ORDINANCE NO. 095-2021 (*Econ. Dev. – 3rd reading – ADOPT 11/02/2021–(Morrison/Heck)*)
Public Hearing 11/02/2021

AMENDING THE ZONING MAP ATTACHED TO CHAPTER 1122 OF THE 1970 CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, OHIO AND AS SUBSEQUENTLY AMENDED, ALLOWING A SPECIAL PERMIT UNDER 1123.10(c)(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.

ORDINANCE NO. 098-2021 (*Econ. Dev. – 3rd reading – ADOPT 11/02/2021–(Morrison/Rodriguez)*)
Public Hearing 11/02/2021

AMENDING THE ZONING MAP ATTACHED TO CHAPTER 1122 OF THE 1970 CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, OHIO AND AS SUBSEQUENTLY AMENDED, CHANGING THE ZONING ON PROPERTY LOCATED ON EAST BROAD ST, HAMILTON RD, WOODCLIFF DR, MIDCLIFF DR, AND POTH RD, PARCEL NUMBERS LISTED IN APPENDIX A, FROM APARTMENT DISTRICT (A-2), EXCEPTIONAL USE (EU) AND FLOOD PLAIN DISTRICT (FP) TO PLANNED UNIT DEVELOPMENT (PUD), PROPERTY OWNED BY CITY OF WHITEHALL AND DECLARING AN EMERGENCY.

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

DRAFT # 8

ORDINANCE NO. 109-2021 (*Infra. Maint. & Svcs. – 1st reading – ADOPT 11//02/2021–Heck/*)

AUTHORIZING AND APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF NINE THOUSAND FIVE HUNDRED AND NO/DOLLARS (\$9,500.00) FROM UNAPPROPRIATED MONIES IN THE STREET MAINTENANCE AND REPAIR FUND (201) TO THE STREET NEW EQUIPMENT EXPENSE ACCOUNT 201-000-53000 AND DECLARING AN EMERGENCY.

WHEREAS, the Service Department has sold aged service trucks and received the funds from the sale, and

WHEREAS, the Service Department wished to purchase a new Honda Industrial snow blower that will allow street department personnel to efficiently clear snow from the sidewalk on Yearling Road and the shared use paths throughout the city; NOW, THEREFORE,

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

SECTION 1: The Council of the City of Whitehall authorizes and approved a supplemental appropriation in the amount of nine thousand five hundred dollars (\$9,500.00) from unappropriated monies in the Street maintenance and Repair fund (201) to the Street Department new equipment expense account 201.000.53000 for the purpose of clearing snow.

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 funds have are available due to the sale of equipment and purchasing this snow blower now will enable shipment to occur before the winter weather sets in; 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 10/21/2021

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.