

WHITEHALL CITY COUNCIL COMMITTEE MEETINGS

AGENDA

TUESDAY, NOVEMBER 23, 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

RESOLUTION NO. 033-2021 (*Comm. Of the Whole – 3rd reading – ADOPT 12//21/2021– /*)

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

WHEREAS, The City of Whitehall, Ohio (the “City”) and Jefferson Township, Franklin County, Ohio (the “Township”) have approved, executed and delivered a Joint Economic Development District Contract (the “JEDD Contract”) creating the Jefferson Township-Whitehall Joint Economic Development District (the “JEDD”); and

WHEREAS, pursuant to the provisions of the JEDD Contract, City Council is to appoint one member to the Board of Directors of the JEDD (the “JEDD Board”) to represent the City; NOW, THEREFORE,

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

SECTION 1: The City Administrator is hereby appointed to the JEDD Board to represent the City for a term commencing the first day of the month in which the JEDD Board holds its first meeting and terminating two years thereafter. The City Administrator may send a designee in his/her place.

SECTION 2: All formal actions of this Board and any of its committees concerning and relating to the adoption of this Resolution, and all deliberations of this Board and any of its committees that resulted in those formal actions, occurred in meetings open to the public in compliance with the law.

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

DRAFT # 2**RESOLUTION NO. 034-2021** *(Comm. Of the Whole – 1st reading – ADOPT 12/7/2021– /)*

LEVYING SPECIAL ASSESSMENTS FOR PROPERTY MAINTENANCE AT SEVERAL LOCATIONS IN THE CITY OF WHITEHALL, OHIO (ADDRESSES AND PARCEL NUMBERS AS PROVIDED WITHIN THE TEXT OF THIS RESOLUTION), CERTIFYING SUCH COSTS TO THE FRANKLIN COUNTY AUDITOR TO BE ASSESSED AGAINST SUCH PROPERTY AND DECLARING AN EMERGENCY.

WHEREAS, the owners of property located at the addresses and parcel numbers specified in Section 2 of this Resolution have not taken the responsibility of property maintenance and/or demolition; and

WHEREAS, Sections 517.24 and 916.07 of the Codified Ordinances of the City of Whitehall, Ohio and Section PM 106.3 of the Property Maintenance Code, as adopted by the City of Whitehall, authorize the City to perform such maintenance work upon failure of the property owner to do required work and to assess the costs of such work upon the real estate tax duplicate of Franklin County, Ohio for said parcel; and

WHEREAS, The City Administrator reported that the City of Whitehall has performed required property maintenance and house demolitions and the costs are as specified in Section 2 of this Resolution; NOW, THEREFORE,

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

SECTION 1: That the Council of the City of Whitehall does hereby approve the report presented by the City Administrator, in reference to the assessment of the costs for performing required property maintenance at the addresses and parcel numbers listed under Section 2 of this Resolution.

SECTION 2: That the Council of the City of Whitehall hereby instructs the Clerk of Council to make a return, in writing, to the Franklin County Auditor of charges in the total amount for each address and parcel number listed in this section, said addresses and parcel numbers located in the City of Whitehall, Ohio, County of Franklin, State of Ohio, for the placement of such charges upon the real estate tax duplicate of Franklin County, Ohio for said parcel.

PARCEL	SITE ADDRESS	ASSESSMENT	WORK PERFORMED	FEE DATE
090-007946	544 CUMBERLAND DR	\$ 160.00	GRASS/WEEDS/TRASH	5/12/2021
090-000378	944 ELAINE RD	\$ 210.00	GRASS/WEEDS/TRASH	5/13/2021
090-001550	465 COUNTRY CLUB RD	\$ 220.00	GRASS/WEEDS/TRASH	5/19/2021
090-003353	865 COLGATE RD	\$ 145.00	GRASS/WEEDS/TRASH	5/19/2021
090-003479	854 ANTWERP RD	\$ 150.00	GRASS/WEEDS/TRASH	5/19/2021
090-003847	714 WESTPHAL AV	\$ 205.00	GRASS/WEEDS/TRASH	5/19/2021
090-004165	829 ERICKSON AV	\$ 150.00	GRASS/WEEDS/TRASH	5/19/2021
090-005397	1087 IRONGATE LN -105	\$ 175.00	GRASS/WEEDS/TRASH	5/19/2021
090-000527	3855 MAIN ST E	\$ 170.00	GRASS/WEEDS/TRASH	6/17/2021
090-001261	281 ST CHRISTOPHER LN	\$ 125.00	GRASS/WEEDS/TRASH	6/17/2021
090-001973	579 MAPLEWOOD AV	\$ 150.00	GRASS/WEEDS/TRASH	6/17/2021
090-005455	4194 BROAD ST E	\$ 150.00	GRASS/WEEDS/TRASH	6/17/2021
090-007398	3750 MAIN ST E	\$ 150.00	GRASS/WEEDS/TRASH	6/17/2021
090-003231	4891 DIMSON DR SOUTH	\$ 140.00	GRASS/WEEDS/TRASH	6/24/2021
090-006080	403 BEAVER AV	\$ 140.00	GRASS/WEEDS/TRASH	6/24/2021
090-000498	3949 MAIN ST E	\$ 150.00	GRASS/WEEDS/TRASH	7/22/2021

090-000688	4123	MAIN ST E -125	\$ 125.00	GRASS/WEEDS/TRASH	7/22/2021
090-001999	4121	MAIN ST E	\$ 125.00	GRASS/WEEDS/TRASH	7/22/2021
090-003231	4891	DIMSON DR SOUTH	\$ 140.00	GRASS/WEEDS/TRASH	7/22/2021
090-003474	894	ANTWERP RD	\$ 125.00	GRASS/WEEDS/TRASH	7/22/2021
090-004002	519	PIERCE AV	\$ 125.00	GRASS/WEEDS/TRASH	7/22/2021
090-005397	1087	IRONGATE LN -105	\$ 200.00	GRASS/WEEDS/TRASH	7/22/2021
090-000615	3622	WASHBURN ST	\$ 150.00	GRASS/WEEDS/TRASH	7/30/2021
090-000646	1055	ELAINE RD	\$ 145.00	GRASS/WEEDS/TRASH	7/30/2021
090-005455	4194	BROAD ST E	\$ 150.00	GRASS/WEEDS/TRASH	7/30/2021
090-000130	251	HAMILTON RD S	\$ 125.00	GRASS/WEEDS/TRASH	8/6/2021
090-001147	4575	ST MARGARET LN	\$ 145.00	GRASS/WEEDS/TRASH	8/6/2021
090-002038	3593	ETNA ST	\$ 130.00	GRASS/WEEDS/TRASH	8/6/2021
090-005152	176	ROBINWOOD AV	\$ 145.00	GRASS/WEEDS/TRASH	8/6/2021
090-005217	39	YEARLING RD S	\$ 130.00	GRASS/WEEDS/TRASH	8/6/2021
090-008372	3661	MAIN ST E	\$ 135.00	GRASS/WEEDS/TRASH	8/6/2021
090-002422	4648	FAITH AV	\$ 130.00	GRASS/WEEDS/TRASH	8/20/2021
090-003847	714	WESTPHAL AV	\$ 135.00	GRASS/WEEDS/TRASH	8/20/2021
090-005456	526	HAMILTON RD S	\$ 165.00	GRASS/WEEDS/TRASH	8/20/2021
090-006213	433	HAMILTON RD S	\$ 140.00	GRASS/WEEDS/TRASH	8/20/2021
090-007398	3750	MAIN ST E	\$ 140.00	GRASS/WEEDS/TRASH	8/20/2021
090-008423	4771	BROAD ST E - 4775	\$ 955.00	GRASS/WEEDS/TRASH	8/20/2021
090-000646	1055	ELAINE RD	\$ 125.00	GRASS/WEEDS/TRASH	8/25/2021
090-004364	1008	ELAINE RD	\$ 130.00	GRASS/WEEDS/TRASH	8/25/2021
090-004513	4409	MAIN ST E	\$ 125.00	GRASS/WEEDS/TRASH	8/25/2021
090-006327	4145	VIRGINIA CR EAST	\$ 125.00	GRASS/WEEDS/TRASH	8/25/2021
090-000498	3949	MAIN ST E	\$ 145.00	GRASS/WEEDS/TRASH	9/17/2021
090-003884	533	WESTPHAL AV	\$ 130.00	GRASS/WEEDS/TRASH	9/17/2021
090-003990	530	PIERCE AV	\$ 135.00	GRASS/WEEDS/TRASH	9/17/2021
090-005152	176	ROBINWOOD AV	\$ 140.00	GRASS/WEEDS/TRASH	9/17/2021
090-002183	155	ROBINWOOD AV	\$ 175.00	GRASS/WEEDS/TRASH	9/23/2021
090-003578	4978	WINSLOW DR	\$ 135.00	GRASS/WEEDS/TRASH	10/4/2021
090-000195	3650	WASHBURN ST	\$ 135.00	GRASS/WEEDS/TRASH	10/7/2021
090-002130	3729	DONEY ST	\$ 130.00	GRASS/WEEDS/TRASH	10/7/2021
090-003325	961	DUKE RD	\$ 125.00	GRASS/WEEDS/TRASH	10/7/2021
090-003455	991	ANTWERP RD	\$ 135.00	GRASS/WEEDS/TRASH	10/7/2021
090-006327	4145	VIRGINIA CR EAST	\$ 125.00	GRASS/WEEDS/TRASH	10/7/2021
090-006330	4125	VIRGINIA CR EAST	\$ 135.00	GRASS/WEEDS/TRASH	10/7/2021
090-000195	3650	WASHBURN ST	\$ 135.00	GRASS/WEEDS/TRASH	10/28/2021
090-000310	4257	MAIN ST E	\$ 125.00	GRASS/WEEDS/TRASH	10/28/2021
090-000615	3622	WASHBURN ST	\$ 130.00	GRASS/WEEDS/TRASH	10/28/2021
090-000621	1011	ELAINE RD	\$ 130.00	GRASS/WEEDS/TRASH	10/28/2021
090-000646	1055	ELAINE RD	\$ 125.00	GRASS/WEEDS/TRASH	10/28/2021
090-003578	4978	WINSLOW DR	\$ 125.00	GRASS/WEEDS/TRASH	10/28/2021

090-003595	5056	DIMSON DR NORTH	\$ 140.00	GRASS/WEEDS/TRASH	10/28/2021
090-005397	1087	IRONGATE LN -105	\$ 175.00	GRASS/WEEDS/TRASH	10/28/2021
090-001261	281	ST CHRISTOPHER LN	\$ 130.00	GRASS/WEEDS/TRASH	11/18/2021
090-003826	860	WESTPHAL AV	\$ 145.00	GRASS/WEEDS/TRASH	11/18/2021
090-004504	965	BERNHARD RD	\$ 125.00	GRASS/WEEDS/TRASH	11/18/2021
				<p>Dear Owner/Occupant, You have been identified as the owner/occupant of the above-referenced property. Conditions at the property are in violation of the 2012 International Property Maintenance Code (IPMC) as adopted by the City of Whitehall Codified Ordinance Chapter 1337.</p> <p>Occupancy of all structures and entry onto the premises prohibited. UNSAFE STRUCTURES AND EQUIPMENT 108.1.3 Structure unfit for human occupancy. A structure is unfit for human occupancy whenever the code official finds that such structure is unsafe, unlawful or, because of the degree to which the structure is in disrepair or lacks maintenance, is insanitary, vermin or rat infested, contains filth and contamination, or lacks ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code, or</p>	
090-005603	473	MAPLEWOOD AV	\$31,109.00		11/16/2021

				<p>because the location of the structure constitutes a hazard to the occupants of the structure or to the public. 108.5 Prohibited occupancy. Any occupied structure condemned and placarded by the code official shall be vacated as ordered by the code official. Any person who shall occupy placarded premises or shall operate placarded equipment, and any owner or any person responsible for the premises who shall let anyone occupy a let anyone occupy a placarded premises or operate placarded equipment shall be liable for the penalties provided by this code. 108.1.5 Dangerous structure or premises. For the purpose of this code, any structure or premises that has any or all of the conditions or defects described below shall be considered dangerous:</p> <p>7. The building or structure is neglected, damaged, dilapidated, unsecured or abandoned so as to become an attractive nuisance to children who might play in the building or structure to their danger, becomes a harbor for vagrants, criminals or</p>	
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immoral persons, or enables persons to resort to the building or structure for committing a nuisance or an unlawful act.

109.2 Temporary safeguards.

Notwithstanding other provisions of this code, whenever, in the opinion of the code official, there is imminent danger due to an unsafe condition, the code official shall order the necessary work to be done, including the boarding up of openings, to render such structure temporarily safe whether or not the legal procedure herein described has been instituted; and shall cause such other action to be taken as the code official deems necessary to meet such emergency.

Notice:

These premises and all structures have become a nuisance due to criminal activity and unlawful acts. This structure lacks electric utility service; therefore, the occupants are unable to supply illumination or operation of other mechanicals as required by this code.

Occupancy of all structures and entry

onto the premises prohibited by the City of Whitehall Code Official pending further legal action.

In accordance to IPMC Section 106.4, as amended by the City of Whitehall Codified Ordinance section 1337.02, any person who shall violate a provision of this code, or fail to comply therewith, or with any of the requirements thereof, shall, upon conviction thereof, be subject to a fine of not less than fifty dollars (\$50.00) nor more than five hundred dollars (\$500.00) or imprisonment for a term not to exceed thirty (30) days, or both, at the discretion of the court. Each day that a violation continues after due notice has been served, in accordance with the terms and provisions hereof, shall be deemed a separate offense.

In accordance to IPMC Section 106.3, any person failing to comply with this notice shall be deemed guilty of a misdemeanor or civil infraction, and the violation shall be deemed a strict liability offense. If this notice is not complied with, the City of

Whitehall shall institute the appropriate proceeding at law, or in equity to restrain, correct or abate such violation. Any action taken on the premises listed above shall be charged against the real estate upon which the structure is located and shall be a lien upon such real estate.

Pursuant to IMPC Section 111.1, as amended by the City of Whitehall Codified Ordinance Section 1337.02, any person directly affected by a decision of the code official or a notice or order issued under the IPMC shall have the right to appeal to the Board of Zoning and Building Appeals, provided that a written application for appeal is filed within 20 days after the date the decision, notice or order was served. An application for appeal shall be based on a claim that the true intent of the code or the rules legally adopted there under have been incorrectly interpreted, the provisions of the code does not fully apply, or the requirements of the code are adequately satisfied by other means, or that the strict application of any

				<p>requirement of the code would cause an undue hardship.Should you have questions regarding this notice, please contact me at 614-237-8612.</p> <p>Sincerely,</p> <p>WALT SURAL STEVEN BROWN Code Enforcement Officer Code Enforcement Officer</p>	
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SECTION 3: That this Resolution is hereby declared to be an emergency measure, immediately necessary for the preservation of the public health, peace, safety and welfare; and for the further reason that these properties need to be assessed in a timely manner; WHEREFORE, this Resolution shall go into full force and effect immediately upon its passage and approval by the Mayor.

Requested by: Zach Woodruff, City Administrator
Approved as to form: Michael T. Bivens, City Attorney MTB 11/22/2021

SECOND READING:

ORDINANCE NO 113-2021 *(Comm. Of the Whole – 3rd reading – ADOPT 12/21/2021–(Elmore/Conison)*
AMENDING CHAPTER 541 OF THE CITY OF WHITEHALL CODIFIED ORDINANCES, ENTITLED “OFFENSE AGAINST PERSONS”, ADDING “SOURCE OF INCOME” TO PROVIDE FAIR HOUSING OPPORTUNITIES FOR INDIVIDUALS AND THEIR FAMILIES REGARDLESS OF THE SOURCE OF INCOME TO PAY FOR SUCH ACCOMODATIONS.

ORDINANCE NO. 114-2021 *(Comm. Of the Whole – 3rd reading – ADOPT 12/21/2021–Bailey/Kantor)*
MAKING APPROPRIATION FOR CURRENT GENERAL FUND (101) EXPENSES, STREET (201) EXPENSES AND STATE HIGHWAY MATERIALS (211) EXPENSES DURING THE PERIOD FROM JANUARY 1, 2022 TO DECEMBER 31, 2022 IN THE TOTAL SUM OF THIRTY-SEVEN MILLION, NINE HUNDRED NINETEEN THOUSAND, SIX HUNDRED AND TWENTY-EIGHT DOLLARS **(\$37,919,628.00)** AND DECLARING AN EMERGENCY.

ORDINANCE NO. 115-2021 *(Comm. Of the Whole – 3rd reading – ADOPT 12/21/2021–Kantor/Conison)*
AUTHORIZING AND APPROVING THE FOLLOWING CHANGES TO 161.38 AND DECLARING AN EMERGENCY.

STANDING COMMITTEES

ADMINISTRATION AND FINANCIAL MANAGEMENT - Chairperson Bob Bailey

Members: Rodriguez, Morrison & Conison

DRAFT # 3

RESOLUTION NO. 035-2021 (Adm/Fin. Mgmt. – 1st reading – ADOPT 12/7/2021–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-Auditor-00244-A	Zions Bancorporation	\$1,829,818.75	11/3/2021	Repayment of Note

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.

SECOND READING:

ORDINANCE NO. 119-2021 (*Adm/Fin. Mgmt. – 3rd reading – ADOPT 12/21/2021–Bailey/Morrison*)

MAKING AN APPROPRIATION FOR CERTAIN SPECIAL REVENUE, INTERNAL SERVICE AND FIDUCIARY ACCOUNTS FOR THE CALENDAR YEAR 2022 IN THE TOTAL SUM OF FIFTEEN MILLION SEVEN HUNDRED FORTY-SIX THOUSAND TWO HUNDRED EIGHTY-SEVEN AND 28/100 DOLLARS (\$15,746,287.28) AND DECLARING AN EMERGENCY.

COMMUNITY STANDARDS AND ENFORCEMENT – Chairperson Rodriguez

Members: Kantor, Morrison & Elmore

DRAFT # 4

ORDINANCE NO. 127-2021 (*Comm. Stand. & Enf. – 3rd reading – ADOPT 01/07/2022–Rodriguez/*)

Planning Commission Meeting December 9, 2021 with Public Hearing January 7, 2022

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 3540 E. MAIN STREET, AND 739 & 721 MAPLEWOOD AVENUE, PARCEL NUMBERS 090-002122, 090-001890, 090-003640, 090-001900, 090-002485, 090-003638, 090-008240 FROM R-3 RESIDENTIAL DISTRICT AND GENERAL COMMERCE DISTRICT (GCD) TO A-2 APARTMENT DISTRICT, PROPERTY OWNED BY MAMA COMPANY INC. AND DECLARING AN EMERGENCY

WHEREAS, Council has received an application from the Woda Cooper Companies to rezone the property located on the north west corner of Main Street and Maplewood Avenue, parcel numbers 090-002122, 090-001890, 090-003640, 090-001900, 090-002485, 090-003638, 090-008240; and

WHEREAS, in working with City staff, the Woda Cooper Companies has expressed a desire to redevelop this property consistent with the adopted City-wide development master plan; and

WHEREAS, this Ordinance was referred to the Planning Commission (Case No. 835), which reported a _____ recommendation

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 the zoning on parcels 090-002122, 090-001890, 090-003640, 090-001900, 090-002485, 090-003638, 090-008240 from GCD and R-3 to A-2 for the redevelopment of the site as presented in the attached exhibits.

SECTION 2: That the City Administrator 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 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 the project is supported

by and is in line with the goals of the Whitehall Works Comprehensive Development Blueprint adopted by City Council on July 16, 2019, that the Woda Cooper Companies will make additional improvements to the public infrastructure, such as new sidewalks and curbs as part of this redevelopment, that the creation of affordable and workforce housing units address the housing crisis that currently exists in Whitehall, that the Woda Cooper Companies will construct a new shared use path along the western portion of the property that will connect to the City of Columbus' proposed Eastmoor Green line park and that once constructed, the Woda Cooper Companies will transfer the path and the land necessary for maintenance and access (approximately 30 feet in width) to the City to be designated City right-of-way and used for public purposes and enjoyment, that additional investments in public infrastructure as proposed in the 2022 Capital Improvement Projects (CIP) Budget are contingent on this redevelopment occurring; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

Requested by: Applicant
Prepared by: Zach Woodruff, City Administrator
Approved as to form: Michael T. Bivens, City Attorney MTB 11/24/2021

DRAFT # 5

**ORDINANCE NO. 128-2021 (Comm. Stand. & Enf. – 3rd reading – ADOPT 01/07/2022–Rodriguez/)
Planning Commission Meeting December 9, 2021 with Public Hearing January 7, 2022**

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 1123.06(c)(7) TO ALLOW AN APARTMENT DWELLING STRUCTURE CONTAINING MORE THAN TWELVE DWELLING UNITS ON THE PROPERTY LOCATED AT ON 3540 E. MAIN STREET, AND 739 & 721 MAPLEWOOD AVENUE, PARCEL NUMBERS 090-002122, 090-001890, 090-003640, 090-001900, 090-002485, 090-003638, 090-008240, PROPERTY OWNED BY MAMA COMPANY INC. AND DECLARING AN EMERGENCY.

WHEREAS, Council has received a new application from the Woda Cooper Companies, Inc. for a special permit to permit an apartment dwelling structure containing more than twelve dwelling units on land located at 3540 East Main Street, and 739 & 721 Maplewood Avenue; and

WHEREAS, Said request for a special permit was referred to the Planning Commission (Case No. 834), which reported _____ 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 allowing a special permit pursuant to Section 1123.06(C)(7).

SECTION 2: If development of the special permit use does not commence within a period of one year, the approval shall be voided unless an application for a specified time extension of six months is submitted to and granted by Council.

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 the project is supported by and is in line with the goals of the Whitehall Works Comprehensive Development Blueprint adopted by City Council on July 16, 2019, that the Woda Cooper Companies will make additional improvements to the public infrastructure, such as new sidewalks and curbs as part of this redevelopment, that the creation of affordable and workforce housing units address the housing crisis that currently exists in Whitehall, that the Woda Cooper Companies will construct a new shared use path along the western portion of the property that will connect to the City of Columbus' proposed Eastmoor Green line park and that once constructed, the Woda Cooper Companies will transfer the path and the land necessary for maintenance and access (approximately 30 feet in width) to the City to be designated City right-of-way and used for public purposes and enjoyment, that additional investments in public infrastructure as proposed in the 2022 Capital Improvement Projects (CIP) Budget are contingent on this redevelopment occurring; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

Requested by: Applicant
Prepared by: Zach Woodruff, City Administrator
Approved as to form: Michael T. Bivens MTB 11/24/2021

SECOND READING:

ORDINANCE NO. 121-2021 (*Comm. Stand. & Enf. – 3rd reading – ADOPT 12/21/2021–Rodriguez/Morrison*)

Planning Commission Meeting December 16, 2021 with Public Hearing December 21, 2021

AMENDING SECTION 1122.02 TITLED ZONING MAP AND DISTRICTS AND CREATING 1123.11
TITLED COMMERCIAL CORRIDOR ZONING DISTRICTS AND DECLARING AN EMERGENCY.

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 # 6

ORDINANCE NO. 129 -2021 (*Comm. Stand. & Enf. – 3rd reading – ADOPT 01/07/2022–Morrison/*)
Planning Commission Meeting December 9, 2021 with Public Hearing January 7, 2022

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 OLIO DEVELOPMENT GROUP TO OPERATE A RESTAURANT ESTABLISHMENT WITH A DRIVE-THROUGH ON THE PROPERTY LOCATED AT 3661 EAST MAIN STREET parcel #090-008372-00, OWNED BY SRI REAL ESTATE PROPERTIES LLC.

WHEREAS, Council has received an application from OLIO Development Group, 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 3661 E. Main Street parcel #090-008372-00; and

WHEREAS, by this ordinance, it is the desire of Council to allow OLIO Development Group 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 3661 E. Main Street parcel #090-008372-00; and

WHEREAS, this Ordinance was referred to the Planning Commission (Case No. 833), 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 OLIO Development Group to operate a restaurant establishment with a drive-through on a property located at 3661 E. Main Street parcel #090-008372-00.

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 3661 E. Main Street parcel #090-008372-00.

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 MTB 11/24/2021

DRAFT # 7

**ORDINANCE NO. 130-2021 (Comm. Stand. & Enf. – 3rd reading – ADOPT 01/07/2022–Morrison/)
Planning Commission Meeting December 9, 2021 with Public Hearing January 7, 2022**

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 #090-000193-00, OWNED BY GILLIGAN COMPANY, LLC.

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 #090-000193-00; 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 #090-000193-00; 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 #090-000193-00.

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 #090-000193-00.

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

SECOND READING:

ORDINANCE NO. 122-2021 (*Econ. Dev. – 3rd reading – ADOPT 12/21/2021–Morrison/Kantor*)

Planning Commission Meeting December 9, 2021

ACCEPTING THE ADDITION OF PARCEL #090-005410 AND PARCEL #090-001974 TO LOT 7;
ACCEPTING THE SUBDIVISION OF LOT 7 TO THE OFFICE AT NORTON CROSSING.

**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**

DRAFT # 8

ORDINANCE NO. 131-2021 (Parks & Rec – 1st reading – ADOPT 12/7/2021–Kantor/)

APPROVING AND MAKING AN APPROPRIATION TRANSFER IN THE AMOUNT OF ELEVEN THOUSAND AND NO/100 DOLLARS (\$11,000.00) FROM VARIOUS EXPENSE ACCOUNTS TO THE REC NEW EQUIPMENT EXPENSE ACCOUNT (101-700-56000) AND DECLARING AN EMERGENCY.

WHEREAS, the Parks Dept. would like to purchase a new gator for a new gator in 2022, and

WHEREAS, it would be beneficial to the City to lock in the 2021 price to save money, 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; NOW THEREFORE,

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

SECTION 1: Authorizing the following appropriation transfers in the total amount of eleven thousand and no/100 dollars (\$11,000.00) from the following expense accounts.

From:	Amount:	to:
101.700.51100 Rec Maintenance Salary	\$5,000.00	101.700.56000 Rec New Equipment
101.950.51500 Staff PT	\$4,000.00	101.700.56000 Rec New Equipment
101.700.51550 SR Admin Assistant	\$1,000.00	101.700.56000 Rec New Equipment
101.700.51200 Program Coordinator	\$ 400.00	101.700.56000 Rec New Equipment
101.700.51600 Pers Serv/Non-Employee	\$ 600.00	101.700.56000 Rec New Equipment

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 additional funding is needed to make this purchase; WHEREFORE, this ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.