

WHITEHALL COUNCIL COMMITTEES

MINUTES – January 28, 2020

Council President Pro-Tempore Bailey called the January 28, 2020 Council Committees' meeting to order at 6:30 p.m. He said President Potter is out of town on business and cannot attend tonight. He thanked Mayor Maggard for the great information she passed along to Councilmembers and he appreciated Chief Crispin response.

The following members of council and the administration were present:

Members of the Administration

Council President Pro-Tempore Bailey
Mayor Kim Maggard
City Attorney Michael Bivens
Auditor Dan Miller
Treasurer Steve Quincel
Jenna Goehring, Econ. Dev. Manager
Megan Myer, Comm. Affairs Manager

Council Members

Chris Rodriguez
Wes Kantor
Larry Morrison
JoAnna Heck
Karen Conison
Lori Elmore

COMMITTEE OF THE WHOLE

Council President Pro-Tempore Bailey said there are no drafts or pending legislation on the agenda for Committee of the Whole.

ADMINISTRATION AND FINANCIAL MANAGEMENT

Council President Pro-Tempore Bailey opened at 6:31 p.m. and addressed the legislation in his committee, as follows:

ORDINANCE NO. 007-2020 – Draft # 1

APPROVING AND MAKING AN APPROPRIATION OF FIVE HUNDRED THOUSAND AND NO/100 DOLLARS (\$500,000.00) FROM UNAPPROPRIATED MONIES IN THE OPWC-ISSUE 2 FUND (309) TO THE NORTH YEARLING RD IMPROVEMENT LOAN EXPENSE ACCOUNT (309.000.54500) AND DECLARING AN EMERGENCY.

Auditor Miller said this legislation is for accounting purposes and there is no money actually involved. It is a way of tracking expenses of the project.

(Admin/Fin. Mgmt. – 1st reading – ADOPT 02/04/2020– Bailey/Morrison)

RESOLUTION NO. 002-2020 – Draft # 2

RESOLVING TO APPROVE “THEN AND NOW” CERTIFICATES AND DECLARING AN EMERGENCY.

Auditor Miller said these are just a couple then and now that came in before we could get the books up and running.

(Admin/Fin. Mgmt. – 1st reading – ADOPT 02/04/2020– Bailey/Rodriguez)

Having no further business, Council President Pro-Tempore Bailey closed at 6:33 p.m.

COMMUNITY STANDARDS AND ENFORCEMENT

Chairperson Rodriguez opened at 6:33 p.m. and addressed the legislation in his committee, as follows:

SECOND READING:

ORDINANCE NO. 002-2020 (*Comm. Stand & Enf. – 3rd reading – ADOPT 02-18-2020–Rodriguez/Kantor*)
 AMENDING SECTION 903.32 PARKING OF MOTOR VEHICLES ON LAWNS PROHIBITED TO
 INCLUDE REAR YARDS.

Chairperson Kantor asked if anyone had gotten any feedback on this ordinance.

Chairperson Heck said she received one call and the person talked about how Reynoldsburg had recently done that and she said she reached out to people in Reynoldsburg and they approved of it. Then she reached out to some people and received mixed reviews.

Chairperson Kantor said that most communities do have this with the exception of Worthington and New Albany. He feels they should really think about this. It was discussed heavily a couple years ago and nothing has really changed. He knows they have a few problem areas. The Woods being one of them. He does not think it is right to go after his friends, his constituents, his neighbors because we have less than 2 percent, less than one and one half that are not conforming. Our code enforcement officers do a good job and they have a lot on their plates. He just does not think it is right that this is being done to everybody. There are codes on the books that need to be enforced.

Mayor Maggard asked Chairperson Kantor if he was referring to parking on the grass. He said in the back. She said so if they are parking in the back, in the yard, you want everyone to be able to park on the grass in the backyard.

Chairperson Kantor said he has no problem with what goes on in somebody's backyard. Somebody made the statement to him that he does not know what it is like. He liked that statement because that person can come into his backyard and look, so it is simple for him. No, he does not think it is right that they tell someone they cannot park on the grass in their own backyard. This is his personal opinion.

Chairperson Conison said she feels the same as she did before. She feels torn on this because part of her feels that if somebody came in her backyard she would be upset about it. She does not like it when the gas and electric go in there. They need to go knock on her door and tell her who they are. Part of her feels like it is an invasion of her privacy but then the other part of her feels like if she had a neighbor that is trashing their backyard, she would not want to be looking at it. She has a neighbor who works on cars and has been warned by the property owner not to do this. The property owner has asked her to advise him if she sees the neighbor working on cars. She told the property owner she would not call him. Again, she feels it to be such an invasion.

Chairperson Kantor said he liked Chairperson Conison's second part. We have code issues in this city. Someone else said people use our streets to go from Main St. to Broad St., one area to another. He asked that they go out and look at these streets. We have a new building going up on Hamilton Road by Kroger's. If you go between Kroger's and Etna Road, along the apartments, you are going to see some issues. This is a main street used by people to go through our city. We have other issues that we need to take care of. He is not trying to pick on certain parts of the city but you can go five to eight houses from where you live and you will find issues with the exception of where Chairperson Rodriguez lives. He was shocked. This is just his opinion and he knows there will be further discussions in a couple weeks.

Chairperson Elmore stated that one of the jobs they have is very difficult and that is speaking up and saying things for the betterment of the community. It is not about one person or two people. It is as you have said this is a two-year-old issue and apparently, there has been no improvement. Therefore, it warrants that there needs to be some type of regulation put in place because at the end of the day we represent all 18 thousand plus people, not just the people that are the perpetrators or the hundred people that have been found to have these issues with this. Now in looking at all of the data and facts that were presented, first of all let me say this. Their neighbors call code enforcement, so do we then neglect the neighbors that are calling or dismiss what they are saying to rectify an issue that is happening with somebody else. No, we do not. We address that as well and if they are out of enforcement then our

responsibility as council members is to deal with that issue. It may not be easy. We do have to do some hard stuff sometimes but at the end of the day we have to do what is right for everybody not just the one or two or three or one hundred people. Now if my neighbors, and I have had people stop me, and say that there was a complaint somewhere. I have to deal with that issue whether I speak to those neighbor every day or not. I still have to address the issue that, I am sorry your trees are over the sign and nobody can see it. So you are going to need to cut them or otherwise code enforcement is going to come because they are going to call, because they have and they are going to make you do that. If you do not do it, they will access a fee to you. Personally, if I am out of compliance, I am going to self-monitor myself because I know there are neighbors who are going to say something. As far as somebody walking in my yard or my backyard, perusing around to see what they can find wrong, they better not do that. That is out of line. That is not what we are discussing here. It is a matter of are you in compliance or are you not in compliance and does that affect the neighbors around you. If it affects the neighbors around you then rectify your stuff otherwise the city will do it for you. It is not easy but unfortunately it is one of the jobs we have and if it makes enemies out of your neighbors then are they your friends and your neighbors after all. We look out after everybody not just a few. Just to think about people working in their yard and their car shops, what about the environment and the waste? What happens with all that stuff they are putting into the ground? That is another issue. That is an EPA issue. So I think the neighbors have a right to raise concerns. It causes rodents and causes other issues as well. In my opinion, you know what, I am sure your neighbors said something to you about it. Not you particularly but I am talking about the person but I am sure your neighbor has said something to you about it, even jokingly or whatever. But they have said something to you. Now enforcement has said something to you but you are dismissing what enforcement is saying. So now we have to come back with the law. The law is not for those that are in agreement with the law. Laws are for those that break the laws, unfortunately. We have to represent everybody not just the few people that we like or our families or our friends. That is where the hard part of our job comes in so I agree that there does need to be something done because as far as it attracting people or attracting unwelcomed rodents that is going to be an issue with us. It just is.

Chairperson Kantor said there are laws on the books right now so take advantage of them and enforce them. Do what you have to do.

Chairperson Elmore said here is the thing. Somebody is complaining. So do we negate the fact that somebody is complaining and say oh well take care of yourself. No.

Chairperson Kantor said no you enforce it.

Mayor Maggard asked Chairperson Kantor, so Wes, what I am hearing from you is that you want code enforcement, when they get complaints, about cars parked on the grass in the backyard, you want them to then go and cite those neighbors? To not have any type of parking on their grass at all or any type of parking in the backyard cause right now we are saying should there be parking or should there not be parking and if there is parking it should not be on grass. Right now we are saying you cannot park on the grass.

Chairperson Kantor said in 2002 they amended it to say you cannot park on the front or the side in the grass. To be honest, if they would have not used front or side and just put no parking on grass we would not be sitting here discussing it right now. It is quite obvious I don't want (speaking over each other).

Council President Pro-Tempore Bailey said here is part of the problem. You have to define parking. That is really not a question. The point is if somebody is parking a fully operable, licensed, tagged, insured vehicle for short periods of time in their back yards, that is one thing. But if people are storing dozens of vehicles, boats, campers, and this is happening all over the country and this is why this is an issue. That is the big difference. So if someone is responsible and creates an environment to park their fully operable vehicle on something that is impermeable, they will do that. The reason I like the legislation that is being proposed is that it does not go into minutia and rules to where you are down to the number of vehicles, you have to drain all the batteries and remove all the fluids. It is crazy some of the ordinances I have found. Restrictions on the length of a camper. I think one of the loopholes Director Woodruff described a couple weeks ago is we always have the avenue of BZBA where you can apply for a variance. Everything

is not a cookie cutter. You cannot solve every issue with one piece of legislation. This, at least, is a beginning.

Chairperson Kantor asked President Pro Tem Bailey if he agreed there was legislation on the books to cover this.

Council President Pro-Tempore Bailey said you cannot really enforce it.

Chairperson Kantor replied they sure can.

Council President Pro-Tempore Bailey said that is what they told us and I have to rely on their professional opinions to be true. However, I did read in some of this stuff and I have some of it right here. The police department can go into your backyard if they have probable cause. But that is different. Some municipalities break down who has authority and that makes a difference. We are not going to that extreme. We are trying to keep it simple and solve a problem. I have empathy for guys who legitimately may collect cars or may have a couple of parts cars that they are working on to build one good one. I side with those guys and will try to figure out solutions for that. What I do not like are guys that are running a perpetual back yard that is a junk yard and also against the law is a repair business out of a neighborhood garage. Because the neighbors do complain as Councilperson Elmore described. Most of the complaints or the issues I should say when I rode with code enforcement, and we have all done it, most of the issues that they address are stuff they happen upon. There is a call that triggers a response and you know what our guys do not do, they do not tell the folks they are addressing the issue with, hey your neighbor called. They do not do that. They are very respectful. To your point Lori, I agree with you 100 percent, it is a tough, tough decision but just like back when we had to protect personal property rights in another forum. These are vehicles or owned machinery when we protected a person's personal property rights in the form of a canine. That was a tough decision. But we did it. I do not like the government telling the people what they can do. A simple thing like telling a guy who owns a restaurant that you can no longer let people smoke in your restaurant. I do not think the government has any right to do that. If he wants to do that then people that do not agree with going in there and being in the smoke, they just don't go there anymore. Lori is right. It is a fine line, a tough decision and it is uncomfortable. But the number one thing I heard from someone who actually stopped me out in front of my driveway was we have to be good stewards to the earth. That is a much bigger picture than I was looking at. Then I saw pictures that were brought in as exhibits by code enforcement and you see twelve cars lined up along a tributary, a creek.

Chairperson Kantor said you are not allowed to do that in the city of Whitehall. Section Code 304 says it is not (talking over each other)

Council President Pro-Tempore Bailey said it was there, it was there.

Chairperson Kantor said they should be cited and pulled into Mayors Court.

Council President Pro-Tempore Bailey asked how are you going to do that?

Mayor Maggard asked how are you going to cite them if there is not an ordinance?

Chairperson Kantor said we have ordinances that says you cannot store junk in the back.

Mayor Maggard said ok, what is considered junk?

Chairperson Kantor said first off if you have more than six vehicles that are titled and licensed to you then you can't have that because in the State of Ohio you are considered a dealer.

Council President Pro-Tempore Bailey said no, that is not true, it is sale of.

Mayor Maggard said so that is different. You also have to remember that our code enforcement officers, when they get a tip, if they cannot see it, they cannot do anything about it. So, if the neighbors see it, that

doesn't matter. Now, if the neighbors give them physical evidence, such as pictures or something, that is a start. But if they don't physically see it they cannot do anything about it. Now, if they can get photographs, if the neighbors give photographs that is definitely something. But the point is, if it is not against code they can't do it. I mean that's the point. Then you have those who are subject to these trailers parked in the backyard, you know, ten trailers really, really. I mean and some of them are just rotting out. Some of them you know have been there for fifteen years and it is just rotting out. The cars are rusting, literally rusting out in the backyard. Why do the neighbors have to deal with that?

Chairperson Kantor said the neighbors shouldn't have to.

Mayor Maggard said exactly.

Chairperson Kantor said but if we pass this legislation then you are going after other people that, it's just not right. That is my personal feeling and that is some of the feedback I have received so far.

(Chairpersons Kantor, Morrison, and Council President Pro-Tempore Bailey talking over each other)

Council President Pro-Tempore Bailey said the legislation is not saying you can't park that stuff there; you have to park it on an impervious surface. So if you want to put fifty cars in your backyard they have to be parked on concrete or blacktop. However, if you are over 7500 square feet there are restrictions but if you are under that then fifty percent of your property can be blacktop.

Chairperson Conison said let me ask this. The pictures that we saw this past week, the exhibits, where did those pictures come from? Did those come from code enforcement?

Several people answered that they came from Google Earth. Chairperson Morrison said some of the came from neighbors. Mayor Maggard said some of the were from the Franklin County Auditors website.

Council President Pro-Tempore Bailey said some of the pictures go back to 2016 and they are the same property and the same vehicles. I have looked at some of my old files and there were some of the same pictures with a different date.

Chairperson Morrison said the hard thing for him is he knows people in this city that do park things in their backyards on grass and are responsible. They keep it clean; they keep it neat but they are functional. They are boats or campers that they actually utilize during the time of year that is available. Then you have people that are so irresponsible and could care less about their neighbors or anyone else and have fifteen or twenty vehicles that have been sitting there for years along with the environmental issues and critters coming and going. I have people call me saying they are getting possums and raccoons in their backyard, their weeds are above what they should be. They just do not maintain and you have oil and antifreeze leaking. It is a shame that you cannot have people who are respectful to the community and to their neighbors. They refuse to be. It is proven they haven't been for years. A couple years ago when this went over, there was just too many minute details in the ordinance that just really made it rough on everybody. This is plain and simple. It is my opinion that it is a shame that it even has to be done.

Chairperson Conison said the problem is like you were saying, there are the two different kind of people. There are the ones who are parking their vehicles maybe on grass but are maintaining then there are the other ones. If we go ahead and pass this, we have to be consistent so the ones that are not really doing anything wrong, those are the ones who are getting punished for this. This is why I am having such a hard time.

Chairperson Kantor said when you have a truck, a trailer and a camper in the backyard and your front, back and side yard is immaculate and you take care of it, these are the people who are going to get penalized when you have a guy four doors down that has six, eight whatever in the backyard.

Chairperson Elmore asked if they are in compliance, how are they penalized?

Chairperson Kantor said because they have to pave their backyard. Why would I tell someone to pave their backyard because they take care of their yard, they cut underneath during the season and the guy down the street doesn't. So you can't cite this guy and not cite this guy even though this guy, his wife and family are taking really good care of their property but during the season they are going to put their camper, truck, boat and trailer in their backyard. I have a huge problem with this, I am sorry.

Council President Pro-Tempore Bailey said so this is why all these municipalities have come to this conclusion. To your point, what I would like to see is a proper grace period to get into compliance. I would also like to see because we have other programs where we help where you redo your roof, there is financial assistance. I would like to explore (talking over each other) I would like to explore the notion to also assist folks who come into compliance under this because it's like a patio or some type of landscape feature. We could also help pay for that.

Chairperson Kantor said he talked to a resident and they said they would just put in two by two concrete stepping stones. Unfortunately, I brought that up and you are not allowed to.

Council President Pro-Tempore Bailey replied it is not impervious.

Chairperson Kantor said there are people, there are communities that do it but I am not going to compare our community to others.

Council President Pro-Tempore said there are a bunch but they have changed them already. Even down to a gravel pad, some have done that.

Chairperson Conison said she has not had any people come to her to speak on either side except those that have come to council. It would be nice, I am hoping with two more readings I am hoping more people will come forward for and against so I can kind of hear and then maybe it would be nice next so maybe we can sit down and discuss and see if there is a way we can go ahead and improve upon this. Something seems to be lacking to me right now and I am just, I am unsure.

Chairperson Kantor said he is not going to tell Mr. and Mrs. neighbor that takes really good care of their yard and they do, they have a boat, a trailer and a camper in their backyard, I am going to have to say sorry you are going to have to pave that.

Council President Pro-Tempore Bailey said that situation you just described, those vehicles, those machines are probably licensed, registered, they have insurance on them.

Chairperson Kantor said but they fall under the same thing Bob.

Council President Pro-Tempore Bailey said and they use them. But I am saying that is not the biggest problem. They will comply and it is those folks I would like to see us contribute.

Chairperson Conison asked how are they going to comply?

(talking over each other).

Council President Pro-Tempore Bailey said by putting in a pad to park on.

Chairperson Morrison said there is no good way to fix it.

Council President Pro-Tempore Bailey stated there was no perfect way. It can't be perfect.

Chairperson Morrison said he did not know about the rest of them but he does receive multiple calls on this issue, people complaining with the animals, the smell, the vehicles that have been sitting there five, six, seven, eight years, never moving them, rusting away. It is people who are absolutely irresponsible. Like he said.

Council President Pro-Tempore Bailey said the support for this is outweighing (talking over each other)

Chairperson Conison said she has been on council for eight years and has never had one person ever say anything to her.

Chairperson Morrison and Mayor Maggard said they both have.

Chairperson Heck asked if Director Woodruff and Code Enforcement could come back next meeting to hear more on this and to ask more questions. Like how they plan to enforce it or are there any exceptions.

Council President Pro-Tempore Bailey said sure and to just let President Potter or he would tell him for her.

(talking over each other)

Chairperson Elmore said if council had any ideas on what to do to improve the legislation that is already here that is kind of in between, present that information as well.

Council President Pro-Tempore Bailey said he asked the couple of gentlemen last Tuesday to do that. If you have your view points on this at least demonstrate it with other legislation or put something in writing, something that is tangible we can actually use to review not just a verbal opinion.

Chairperson Morrison said he was asked, well I had a conversation with Zach last Friday because I had someone ask me, in Ward 3 there are several areas that do not have paved driveways. They have gravel driveways, well, code covers that. If you have a gravel driveway, you can replace it or refresh it with gravel but you cannot have asphalt or concrete and go to gravel. I asked how will that affect backyard? Are these people going to have to pave their driveway or if they park in just (did not finish sentence)

Council President Pro-Tempore Bailey said they will not.

Chairperson Morrison replied that's the answer but I wanted that clarified because.

(talking over each other)

Council President Pro-Tempore Bailey said he had a person call him and he asked that question and of course I told him exactly what we are discussing and his response was so right now if I was to put a pad out there of gravel and parked my car on it, will it be grandfathered. It is brilliant thinking because it is before it is happening.

Chairperson Morrison said everyone has a different point of view and issues on this. I agree, the last time this was brought up and presented it was just too detailed and too difficult. This is simple, the longer we let it go the worse it is going to get because people are going to be aware of what's going on here, this legislation, and if it is not passed the responsible people are going to continue to be responsible but the irresponsible people are just going to expand. That is just human nature.

Chairperson Rodriguez said they are not beholdng to it, if we need more time and we speak next time and we still need more time we will just take it.

Chairperson Kantor said maybe there is a better way we can come up with.

All were in agreement they did not have to rush on this legislation.

(talking over each other)

Mayor Maggard said well there has got to be a reason why almost every other community has things in place because they have gone through the same problem and unfortunately we have not been able to move forward on this issue.

Council President Pro-Tempore Bailey said some of the legislation is so lengthy you cannot even read it and figure out what it is trying to say.

Mayor Maggard said it needs to not be lengthy and simple. I did like this because it because of its simplicity and the fact that you could still be able to park vehicles in your backyard. I liked it for those reasons. You know you can get a lot of vehicle on the concrete/asphalt surface. Now, you cannot do your whole yard that way but you can still get a lot of vehicles.

Council President Pro-Tempore Bailey said he thinks fifty percent of a yard seventy five hundred square feet is a lot. It is extremely generous.

Mayor Maggard said it is. Her issue, more or less, is junk vehicles. Will people, if they do this, will they let go of those junk vehicles, of the junk rv's that have been sitting there for ten years or are they just going to pull them up on the pad. I would say probably not. But, you know junk vehicles will still be an issue, probably not as much, but still be an issue. Neighbors will still probably call about junk vehicles even if they are on an impervious surface. What's considered a junk vehicle? I think we have some of that in the code. But, anyway I did like the fact that it was not super specific or hard to read. It is easy to understand. She had a gentleman call her last week and he said he parked a car in his backyard on the grass so what does that mean, I can't park? She said no you can park but here is what you will need to do. He replied well alright. Ok. I understand.

Chairperson Kantor said some people just do not have the money when you get right down to it.

(talking over each other)

Mayor Maggard said she does not understand how a person can maintain those vehicles.

Chairperson Kantor said he is not going to ask someone how they live.

Council President Pro-Tempore Bailey said he did not have the money when he was told he had to replace the approach when the city marked it but it had to be done.

Chairperson Kantor said he is not going to ask somebody how they live or how they can afford this and this but cannot afford to put this in there, so ok.

Chairperson Morrison said this is no different than asking them to maintain the front of their house. It affects the neighbors and their own property values.

Chairperson Kantor said he would not want anybody going into his backyard.

Mayor Maggard said nobody is going to go into anybody's backyard.

(talking over each other)

Mayor Maggard does not know why he is saying that because nobody has done that.

Chairperson Kantor said right because I have given them no reason to.

(talking over each other)

Mayor Maggard said the point is nobody has gone in anybody's backyard.

Chairperson Kantor said right, ok.

Chairperson Morrison said that is not the purpose of the legislation

Chairperson Kantor said maybe we can tweak the legislation, get rid of three. Let them put it on gravel or stone.

Chairperson Morrison said you are going to have the same issue.

Chairperson Kantor said ok. We are going to penalize these people, our constituents, our friends and our neighbors that have junk, which I agree should be taken care of but my neighbor who has a boat, a trailer and whatever and they take really good care of their yard.

Mayor Maggard asked Chairperson Kantor when somebody has a home and it needs to be painted or their gutters are falling off, they get cited and they do not do anything so we cite them, do you think that is penalizing them?

Chairperson Kantor replied that he believes you have to have code enforcement; he is a firm believer in that. He knows people who have been cited for having trees growing out of their gutters, which surprised him a few years ago. He walked on Sunday to Target and he had two people approach him saying they were against the legislation, and another person he spoke with had no idea about this legislation but she told him she had received a letter because she had a tree branch out on the curb. I do not know. I just think there is a better way to do it Mayor and he does not know how.

Chairperson Elmore said in two years it has not improved. So, at the end of the day, I mean, we have to do something otherwise she does not think they are being fair to all the other constituents they represent because we represent all of them.

Chairperson Rodriguez said it looks like they have gone about as far as they can on that for the moment.

ORDINANCE NO. 003-2020 (*Comm. Stand & Enf. – 3rd reading – ADOPT 02-18-2020–Rodriguez/Morrison*)
AMENDING SECTION 1126.13, LIMITATION OF PARKING IN RESIDENTIAL DISTRICTS TO ADD A LOT MAXIMUM FOR IMPERVIOUS PARKING AREA.

Chairperson Rodriguez said Ordinance 003-2020 goes along with Ordinance 002-2020 but asked if anyone had anything to say or add.

There was no discussion on Ordinance 003-2020.

ORDINANCE NO. 004-2020 (*Comm. Stand & Enf. – 3rd reading – ADOPT 02-18-2020–Rodriguez/Elmore*)
AMENDING SECTION 1123.10 (C) TITLED GENERAL COMMERCE DISTRICT SPECIAL PERMIT USES IN THE CODIFIED ORDINANCES OF THE CITY OF WHITEHALL TO ADD BREWERY AND DISTILLERY FACILITIES.

There was no discussion on Ordinance 004-2020.

ORDINANCE NO. 005-2020 (*Comm. Stand & Enf. – 3rd reading – ADOPT 02-18-2020–Rodriguez/Kantor*)
AMENDING 1125.17 (d) STORAGE OF GARBAGE AT NONRESIDENTIAL STRUCTURES OF THE CODIFIED ORDINANCES OF THE CITY OF WHITEHALL.

Chairperson Kantor asked if this included churches as well.

Council President Pro-Tempore Bailey said no, only non-residential.

Chairperson Rodriguez said a church would fall under commercial.

Chairperson Elmore said at the end of the day, we want to attract people to come and make Whitehall their home. We do not want to distract them or not be a city where they want to come because of everything that is happening because of the overgrown trash.

Chairperson Morrison said the same goes for not wanting to overburden people but wanting your businesses to be as responsible as you do your residents.

Council President Pro-Tempore Bailey said again, this is another issue that is many years old that code enforcement has asked us to address and we have just never come up with a solution. This one again is simple.

Chairperson Kantor said many letters have been sent out multiple times. He believes it actually started with Town & Country Shopping Center.

There was ongoing discussion about where and when it began being an issue.

Having nothing further, Chairperson Rodriguez closed at 7:11 p.m.

COMMUNITY AND ELDER ADVOCACY

Chairperson Elmore opened at 7:11 p.m. and said there are no drafts or pending legislation on the agenda.

Chairperson Elmore said the Whitehall Bexley Rotary had their meet and greet again. They discussed visiting other councils around the city to get ideas on what their cities are doing. She felt that was a very good idea. She reminded everyone that the Whitehall Education Foundation's 6th Annual Honors Celebration is being held at Jefferson Golf & Country Club on Friday, January 31st, at 6:00 PM. Tickets are on sale now at our administration building (625 S. Yearling Rd.) and tickets are limited.

Having no further business, Chairperson Elmore closed at 7:12 p.m.

ECONOMIC DEVELOPMENT

Chairperson Morrison opened at 7:12 p.m. and addressed the legislation in his committee, as follows:

ORDINANCE NO. 006-2020- DRAFT #3

Refer to Planning Commission 02/06/2020 & Public Hearing on 03/03/2020

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)(37) TO ALLOW BUZZSAW BREWING COMPANY TO OPERATE A BREWERY FACILITY ON THE PROPERTY LOCATED AT 951 A & B ROBINWOOD AVENUE, PARCEL 090-000311-00, PROPERTY OWNED BY CHARTER PROPERTIES.

Chairperson Morrison said this will go to the Planning Commission on February 06, 2020 and it will have three readings.

Chairperson Kantor asked if Charter Properties owns that whole area back there and Jenna Goehring answered yes and she believes it is four buildings.

Council President Pro-Tempore Bailey asked Jenna Goehring to describe brewing facility. He wanted to know what steps would be taken to ensure no nuisance odors or excess traffic.

Jenna Goehring said she has been working with a startup company named Buzzsaw and they will be manufacturing. Right now, they are only doing kegs. They are selling to local restaurants but there will not be a taproom. It is my understanding you will be able to buy kegs there. They will be manufacturing and distribution only facility.

Council President Pro-Tempore Bailey asked if it would be fair in thinking, when Two Tones first came to us, our concerns with their operations were addressed and there were no obnoxious or nuisance odors from the brewing process that effected the neighborhood or business district.

Jenna Goehring replied with yes, they will be held to the same standards.

Chairperson Kantor asked with the creek in front of A and B, where will there be parking.

Jenna Goehring replied this question could be asked at the planning commission meeting on the sixth.

Chairperson Heck asked how many restaurants they are working with.

Jenna Goehring said they are working with two at this time but she did not have any further details on this. With the two buildings combined, it will be a total of 4800 square feet. The number of employee's is not known at this time.

(Econ. Dev.– 3rd read – ADOPT 03-03-2020 –Morrison/Heck)

Having nothing further, Chairperson Morrison closed at 7:16 p.m.

INFRASTRUCTURE, MAINTENANCE AND SERVICE

Chairperson Heck opened at 7:16 p.m. and said there are no drafts or pending legislation on the agenda.

There was no discussion in Infrastructure, Maintenance and Services.

Having nothing further, Chairperson Heck closed at 7:16 p.m.

PUBLIC SAFETY

Chairperson Conison opened at 7:16 p.m. and said there are no drafts or pending legislation on the agenda.

Chairperson Conison thanked Mayor Maggard for the information she brought forth to public safety. She said she did reach out to them, only because she had phone calls on the towing services. She believes she received the phone calls because they know her from the car shows. She does not see anything they are doing wrong as far as with the towing service. There is a lot of competition out there. The towing companies that have contracts with us have to abide by the guidelines and rules that are in place. She asked for some numbers on towing because Broad and James stated their numbers of tows have gone down so much. Unfortunately, it will probably continue to go down. They have a rotation that they follow. There are five towing companies in use right now and they have two additional ones that want onboard. Each one of those companies have the same number of tows.

Mayor Maggard said they have a rotating list at the Police department. The price for a tow is in the codified ordinances and in 2015 it was updated. She believes it is 304.09. There is not a stipulation that the company be within three miles. It stated they must arrive within 20 minutes and their lot must be in Franklin County.

Chairperson Conison said she would be getting back with Cal's and Broad and James to let them know what she has learned.

Chairperson Morrison inquired if anyone has had complaints about parking on both sides of a street. He had talked with a man again today about the parking issue on St Rita.

Mayor Maggard said she would specifically ask the Chief's again in reference to parking on St. Rita.

There was discussion on parking cars on Virginia Circle East. Code Enforcement is aware of the issue.

Having nothing further, Chairperson Conison closed at 7:26 p.m.

PARKS AND RECREATION

Chairperson Kantor opened at 7:26 p.m. and said there are no drafts or pending legislation on the agenda.

Chairperson Kantor has spoken with Director Sorrell and she said they have had their mock interviews today. They had 43 students come out. They are hiring six for seasonal employment. They are hoping to hire 20 – 30 for the TEAM program, which stands for Teen Employment Awareness Movement. There was a good turnout for the Dogs and Bones last weekend. There is a movie on February 8, 2020. They also spoke about the game truck that will be at Rosemore Jr. High School on the first Thursday in February. It will be at the Whitehall Community Park the other Thursdays in February. The new poles are in at John Bishop Park and the nets will be installed shortly. This will cut down on fly ball accidents.

Having nothing further, Chairperson Kantor closed at 7:29 p.m.

Council President Pro-Tempore Bailey said when President Potter returns they will go over the Rules of Procedure for City Council. If you do not have a copy or need to review them, please do so.

Chairperson Elmore received an email from one of the Whitehall constituents regarding the rules of procedure and public participation. She has the information but because President Potter is not here, she did not want to have this discussion until he was here. She is hoping to pick this up next time.

Meeting adjourned at 7:30 p.m.

Respectfully submitted,

Julie A. Ogg, Clerk of Council