

WHITEHALL CITY COUNCIL
AGENDA MEETING MINUTES

March 03, 2020

President Potter called the March 03, 2020 agenda meeting to order at 6:30 p.m. All members were present.

President Potter reviewed the agenda and confirmed who would handle the various required motions this evening.

The meeting adjourned at 6:35 p.m.

Respectfully submitted,

Julie A. Ogg, Clerk of Council

APPROVED: _____, 2020.

Thomas M. Potter, Council President

WHITEHALL CITY COUNCIL MEETING

MINUTES – March 03, 2020

President Potter called the regular meeting of Whitehall City Council to order at 7:00 p.m. on Tuesday, March 03, 2020.

At President Potter's request, everyone rose for a moment of silence. Those assembled then recited the Pledge of Allegiance.

On roll call by the clerk, the following members of council were present:

Jo Anna Heck
Larry Morrison
Bob Bailey
Chris Rodriguez
Lori Elmore
Karen Conison
Wes Kantor

APPROVAL OF MINUTES:

Ms. Conison moved to approve the Minutes of the February 18, 2020, agenda and regular meeting. Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members responded in the affirmative and the minutes were approved as submitted.

SPECIAL PRESENTATION:

Mr. Ron Smith gave a presentation on Neighborhood Bridges, which is a 501(c)(3) charitable organization that was launched in January of 2017. The model for neighborhood is to create a Gateway for Kindness utilizing technology and social media to advocate for children and families in need...and then engaging the community in filling those needs. Neighborhood Bridges is about kindness...speed...efficiency...and bridging all community resources to drive direct support in care to our neighbors.

POLL PUBLIC:

No comments at this time.

STANDING COMMITTEE REPORTS:

Administration and Financial Management – Chairperson Bailey reported that the committee met last Tuesday and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

Community and Elder Advocacy – Chairperson Elmore reported that they met last Tuesday and their minutes are on file. They have no pending legislation and they will meet next week, sometime after 6:30 p.m.

Community Standards and Enforcement – Chairperson Rodriguez reported that they met last Tuesday and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

Economic Development – Chairperson Morrison reported that they met last Tuesday and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

Infrastructure, Maintenance and Services – Chairperson Heck reported that they met last Tuesday and their minutes are on file. They will meet next week, sometime after 6:30 p.m.

Public Safety – Chairperson Conison reported that they met last Tuesday and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

Parks and Recreation – Chairperson Kantor reported that they met last Tuesday and their minutes are on file. They will meet next week, sometime after 6:30 p.m.

OFFICIALS' REPORTS

Mayor Kim Maggard – she welcomed everyone and said it was great to see all those in attendance. She said the presentation by Ron Smith was very insightful and moving and that she is going to be committed to Neighborhood Bridges. She will be reaching out to the school systems Superintendent and Assistant Superintendent to try to set up a meeting regarding this and she would love to be on the steering committee. She thinks everyone here tonight feels like this would be an incredible opportunity that will help so many with needs. She thanked Mr. Smith for coming and Lori for getting him here and Megan for being her conduit. She had a good meeting regarding the Census today. There were some stakeholders here and they discussed how important the Census is in 2020. We get our federal funding based on the Census numbers so it is really important to try and get as many people counted as possible. You will be hearing and seeing a lot coming out of Whitehall regarding the Census. She asked for favorable consideration on Ordinances 002-2020 as amended, 003-2020, 006-2020, 010-2020 and Resolutions 005-2020 and 006-2020.

City Attorney Michael Bivens – he thanked everyone for coming out this evening. He said the official report from the City Attorney's office is that during the month of February 2020, Whitehall Mayors Court prosecuted 251 cases with 23 of those cases committed by Whitehall residents. That is about 9%. When you look at that number from Municipal Court which means you now include domestic violence and OVI's that number jumps to 315 cases and out of those cases only 34 total cases were committed by Whitehall residents and that is 10%. Now you can share with all your friends and family that during the month of February 2020 only 10% of the cases committed in Whitehall were committed by Whitehall residents. With that being said, Ron Smith, I am a man of faith and I consider you to be one too. We all know that faith without works is dead. I love to see where you are putting your delight and passion and it could be heard in your voice and in your presentation. Whatever resource my office can be for you please count on that.

City Auditor Dan Miller – he reported that the City of Whitehall did receive the Government Finance Officers Association Award again for the sixth consecutive year. Other than that, he had no official report.

Director of Public Service and Development Zach Woodruff – said he wanted to make a point on the piece of legislation 002-2020 that is to be amended this evening. Just to give clarity to the public on what this piece of legislation does and what it doesn't do. The amendment that they are offering for this piece of legislation I believe addresses two of the issues that residents and Council people have brought forth which is, what they heard from residents, what they heard predominantly was I have one vehicle, trailer or recreational vehicle that I do park in my rear yard on the grass and the second one was I may not have the means in which to install an impervious surface, meaning a blacktop or asphalt or concrete surface. The amendment that they have offered would allow for folks to be able to have in their rear yard

not more than one vehicle, trailer or recreational vehicle parked on the grass or in the yard, while also allowing for any vehicles above that one would be required to be parked on an impervious surface or an approved surface as approved by the Service Department. What that allows for is a conversation to occur between residents and the Service Department to ensure that additional surfaces could be approved if they are meeting industry standards or manufacturers specifications. There was a gentleman here who talked about he had road pavers his wife had excavated down so many inches to be able to install them per manufacturers specifications. Those are the type of instances where common sense judgements would be made and as Council has said meeting the residents halfway. The other thing they will be doing is if a resident is still unsatisfied with the decision that they get from the Service Department, that resident will still have the right to appeal that decision to the Board of Zoning and Building Appeals. To work with residents in this case, for the remainder of 2020 the application fee will be waived for this particular code section to allow residents to apply with no fee. Typically, that fee would generally cover the cost of placing the ad in the newspaper for two weeks. The only thing the resident is out for coming to a BZBA meeting is just their time. If this were to be voted on tonight and passed, this piece of legislation would not go into effect until the end of March with the goal to then in April to begin to potentially start notifying any residents of this new code section and giving them six months to come up with alternatives or make other arrangements. Again that would be a minimum of six months. During that time the Code Enforcement Officers, both Walt Sural and Steve Brown, who are the best in the business, will be working with residents to help them understand exactly what their next steps are, to come up with solutions and to make sure they understand the process. I also want to say, so that it is crystal clear to everyone here and to the public that we are not using photos from Google Earth or the Franklin County Auditors website as the beginning of any investigation. As I have told Council, now a number of times in the past, again all investigations began either because we could see the infraction happening from the right of way or from a complaint from a neighbor that then allowed us to enter their property to visually see the infraction. Our point is that we were only using the Google Earth or the Franklin County Auditors website photos to demonstrate how bad some of these cases were. I have made a commitment and it is now policy for my office that for, particularly in this case, we will not utilize Google Earth or Franklin County. Again, if that was something that troubled people we will not be doing that. We have checked with the City Attorney's Office and we would certainly never be able to prosecute a case in Whitehall Mayors Court or Franklin County based on photos from the Auditors website or Google Earth, that in most cases are two to three years old. We cannot prosecute these cases based on old photos, that is just something we are unable to do. Again, we were just using it as a demonstration to show you just how bad some of these problems are. I believe this is a good step and I would ask for favorable consideration on Ordinance 002-2020. Thank you.

Public Safety Director Van Gregg – he had no official report.

Treasurer Steve Quincel – was not present.

President Potter – advised that the following Officials' Reports have been filed in the Council Office since the last meeting: The Auditors Expense Report for January 2020, the Auditors Bank Report for January 2020, the Auditors Statement of Cash Position Report for January 2020, the Auditors Revenue Report for January 2020, the Treasurers Investment Report for January 2020, the Treasurers Activity by Fund Report for January 2020 and the Treasurers Fund Reconciliation Report for January 2020.

COMMUNICATIONS, PETITIONS AND CLAIMS:

1. Notice from the Ohio Division of Liquor Control for a transfer of ownership of the C1 C2 D6 liquor permit for YEARLING UNITED INC. D.B.A. YEARLING MARKET, 508-516 SOUTH YEARLING ROAD, WHITEHALL, OHIO 43213 to the YEARLING UNITED INC., D.B.A. TIMES SQUARE BEVERAGE & SHOPPE, 578 SOUTH YEARLING ROAD, WHITEHALL, OH 43213.

2. Minutes for the February 06 2020 Planning Commission Meeting.
3. Agenda for the March 05, 2020 Planning Commission Meeting.
4. Minutes for the February 12, 2020 Park & Recreation Commission Meeting.
5. Agenda for the March 04, 2020 Park & Recreation Commission Meeting.

PUBLIC HEARING:

ORDINANCE NO. 006-2020

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 ROBINWOOD CENTER LTD.

President Potter opened the Public Hearing at 7:30 pm and asked that any proponents come forward at this time.

Quinn Bartlett stated he is the founder and owner of Buzzsaw Brewing Company and his partner Andrew is in attendance as well. He is opening a brewing, fermentation, warehouse distribution facility at 951 Robinwood Avenue. He will be contract brewing at another company downtown and have it trucked over to this facility so they will not have grain waste or dry grain handling, just the fermentation process and distribution at this facility for the moment. Right now they are in the process of getting their application in for their Federal TTB permit and their Ohio Liquor permit. Those are scheduled to be processed in about three to four weeks. They are planning on opening their doors on June first.

At this time, Mr. Bartlett answered questions from City Council members in regards to the number of employees, number of kegs distributed per month, delivery time, days open and number of parking spaces.

President Potter asked that any opponents come forward at this time.

There were no opponents.

President Potter closed the Public Hearing at 7:36 p.m.

VERIFICATION OF COPIES:

President Potter requested a roll call on whether each member of council received a copy of each item of legislation listed on the agenda prior to the meeting, including any add-on legislation. On a roll call vote, all members responded in the affirmative.

THIRD READING:

ORDINANCE NO. 002-2020 was read by title only by President Potter:

AMENDING SECTION 903.32 PARKING OF MOTOR VEHICLES ON LAWNS PROHIBITED TO INCLUDE REAR YARD RESTRICTIONS.

Mr. Rodriguez introduced and moved to amend as submitted and adopt Ordinance No. 002-2020 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, Kantor, no; Heck, yes; Morrison, yes; Bailey, yes; Rodriguez, yes; Elmore, yes; Conison, no; and Ordinance No. 002-2020 was adopted.

ORDINANCE NO. 003-2020 was read by title only by President Potter:

AMENDING SECTION 1126.13, LIMITATION OF PARKING IN RESIDENTIAL DISTRICTS TO ADD A LOT MAXIMUM FOR IMPERVIOUS PARKING AREA.

Mr. Rodriguez introduced and moved to adopt Ordinance No. 003-2020 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, Kantor, no; Heck, yes; Morrison, yes; Bailey, yes; Rodriguez, yes; Elmore, yes; Conison, no; and Ordinance No. 003-2020 was adopted.

ORDINANCE NO. 006-2020 was read by title only by President Potter:

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 ROBINWOOD CENTER LTD.

Mr. Morrison moved to adopt Ordinance No. 006-2020 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 006-2020 was adopted.

SECOND READING:

There was no legislation for second readings.

FIRST READING:

ORDINANCE NO. 010-2020 was read by title only by President Potter:

AUTHORIZING AND APPROVING THE MAYOR TO SIGN A CONTRACT WITH THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC. REPRESENTING FULL-TIME POLICE DISPATCHERS FOR THE CONTRACT TERM JANUARY 1, 2020 TO DECEMBER 31, 2022 AND DECLARING AN EMERGENCY.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 010-2020 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 010-2020 was suspended.

Mr. Bailey moved to adopt Ordinance No. 010-2020 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 010-2020 was adopted.

RESOLUTION NO. 005-2020 was read by title only by President Potter:

RESOLVING TO APPROVE "THEN AND NOW" CERTIFICATES AND DECLARING AN EMERGENCY.

Mr. Bailey introduced and moved to suspend the rules on Resolution No. 005-2020 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 005-2020 was suspended.

Mr. Bailey moved to adopt Resolution No. 005-2020 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 005-2020 was adopted.

RESOLUTION NO. 006-2020 was read by title only by President Potter:

AUTHORIZING THE MAYOR TO ENTER INTO A DEVELOPMENT AGREEMENT WITH SOUTHERN GLAZER'S WINE AND SPIRITS AND DECLARING AN EMERGENCY.

Mr. Morrison introduced and moved to suspend the rules on Resolution No. 006-2020 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 006-2020 was suspended.

Director Woodruff wanted to clarify for the public that Southern Glazer's Wine and Spirits has been an employer in Whitehall for nearly two decades on Poth Road, where they employ more than two-hundred people. This is a staple in the community and late last year the Development Department began engaging with Southern Glazer's Wine and Spirits as their lease was coming due ensuring that they would remain in Whitehall for a long time. Having worked with Southern Glazer's Wine and Spirits we were able to provide them with an incentive which helped them make a decision not only to extend their lease but to actually purchase the building they are in. They are currently in four hundred fifty thousand sq. ft. along Poth Road and again, employ more than two-hundred people. This move cements Southern Glazer's Wine and Spirits as one of our key employers in the City for a long time and allows them additional capacity inside that building to be able to grow and expand their operations. I wanted to make sure people understood exactly just how important an employer like Southern Glazer's Wine and Spirits is to our economy. Thank you.

Mr. Morrison moved to adopt Resolution No. 006-2020 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 006-2020 was adopted.

POLL PUBLIC:

No comments at this time.

COMMUNITY DATE BOARD:

Chairperson Kantor said the Whitehall Rams play Wednesday night in the second round of the basketball tournaments, Division 1 at Pickerington North for twenty-five minutes following the first game. Go Rams!

Chairperson Heck said on Thursday, March 5 they are having the Grand Opening of the Medical Center at W.Y.H.S. from 3-6 p.m. with the press conference being at 5:30 p.m.

Chairperson Conison said Wednesday, March 25 will be the Easter egg stuffing at the W.Y.H.S. cafeteria from 4-6 p.m. There are about six thousand eggs to stuff so hopefully there will be a lot of people who volunteer to help. Saturday, April 4 at 10:00 a.m. will be the Easter Egg Hunt on the football field at W.Y.H.S.

Mayor Maggard said the State of the City is Wednesday, March 11 at 6:30 p.m. at 4500 East Broad Street which is the Wasserstrom Building. The event is catered by Mad Greek. Doors open at 5:30 p.m. with the program starting at 6:30 p.m. There will be some great announcements and come on over to see what is planned for 2020.

POLL COUNCIL:

Ms. Heck thanked everyone who came out tonight and everyone who is viewing from home. She enjoyed the presentation on Neighborhood Bridges and she is excited to see how we can get this in the City and get it started and see how much it can help our community. She thanked Buzzsaw for coming out and speaking tonight.

Mr. Morrison thanked everyone for coming in and everyone watching. Excellent presentation from both gentleman and is excited to have them come to Council with such good presentations. He hopes everyone has a good week.

Mr. Bailey thanked everyone for attending tonight. He told Mr. Smith what you do is blessed and that he is in. He will be giving Mr. Smith a call. To Mr. Woodruff, his comments tonight are appreciated and there was some good information there and thank you for meeting us half-way, as you say. He congratulated Auditor Miller and said his office does great work and for it to be number six in a row is incredible. He thanked City Attorney Bivens for all the work his office does and the numbers were tremendous. He welcomed Buzzsaw Brewing and wished them the best of luck.

Mr. Rodriguez said it was good to see everyone. He said that Mr. Smith's program was wonderful and he looks forward to helping wherever he can. He welcomed Buzzsaw Brewing and thanked Director Woodruff, Auditor Miller and City Attorney Bivens for their fine work.

Ms. Elmore thanked everyone who came tonight and those viewing on Facebook Live. She welcomed Buzzsaw Brewing Company to the City of Whitehall and said she is glad they are here. Just a word about our Administration and our Council. She thinks they work to improve Whitehall to the best of their ability for everyone in the community and she thinks everyone wants to live in a community that is growing and she appreciates all the good work they are doing and what we are doing in regards to the legislation as presented. Also, just meeting a happy medium with the back yard situation and doing what is best for everyone involved in Whitehall. Southern Glazer's Wine and Spirits is more revenue that is coming into this City to help us do what we need to do to become a better City and she just wanted to thank everyone and to invite everybody to the State of the City. There is a lot of good information and you can find out what is happening in the City and the Mayor does a very good job explaining that and you get to meet many people that you probably do not know so it is just a great opportunity for everyone.

Ms. Conison thanked Mr. Smith for such great work. She wants to be on a committee and she feels she can be a great asset with her social media skills. She welcomed Buzzsaw Brewing to Whitehall. She said this is not an easy job. She feels they all work well together but they are not always going to agree with one another and that is what makes a good body up here. When people sometimes disagree it leads to conversations that help to reach solutions with as little compromise as possible. She thanked all the citizens who contacted her and if she can continue to talk with them she would like that. Her contact information can be found on the City's website and she is very visible in the community. She looks forward to talking with more people.

Mr. Kantor agreed with almost all of what people have already said up here. He told Mr. Smith thank you and that he gave a phenomenal presentation. He looks forward to seeing where this goes in Whitehall. He welcomed Buzzsaw Brewing and thanked them for choosing Whitehall. He congratulated Auditor Miller on his award. He thanked City Attorney Bivens for providing the statistic every month on the court system. He told Director Woodruff he did very well with retaining Southern Glazer's Wine and Spirits. This is a tough job. They don't always agree. These last two months they have put a lot of thought into what they have been doing. He personally thinks it has not been enough. This is a democracy and they

listen to the residents. He has had numerous phone calls and messages. He hopes this does help the residents and hopes to move forward with this.

President Potter thanked Mr. Smith for the presentation he gave tonight. The three things that resonated with him were the kindness, the speed and the efficiency and the story of someone needing a couch and they received it that very same day. He feels you are impacting people immediately and right out of the gate. He feels it is an outstanding program and looks forward to Neighborhood Bridges coming to Whitehall. He welcomed Buzzsaw Brewing and said he loved to see entrepreneurial folks start small businesses and work their way up which is what they are doing. He wished them every success moving forward. He thanked the Administration for their various remarks this evening as he will not restate them all.

Having nothing further, Mr. Bailey moved to adjourn and Mr. Rodriguez seconded the motion. On a roll call vote, all members responded in the affirmative and the meeting adjourned at 7:57 p.m.

Respectfully submitted,

Julie A. Ogg, Clerk of Council

APPROVED: _____, 2020.

Thomas M. Potter, Council President