

WHITEHALL CITY COUNCIL
AGENDA MEETING MINUTES

May 21, 2019

President Graham called the May 21, 2019 agenda meeting to order at 6:33 p.m. All members were present with the exception of Mr. Morrison and Ms. Elmore.

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

President Graham advised that he would like a motion to adjourn to executive session pursuant to Ohio Revised Code Section 121.22 (g)(3) conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action. Mr. Bailey so moved and Mr. Rodriguez seconded the motion. A roll call was taken and all members voted in the affirmative and the meeting adjourned to executive session at 6:37 p.m.

President Graham advised the council members of an additional executive session pursuant to Ohio Revised Code Section 121.22 (g)(2) and the meeting adjourned to executive session at 6:52 p.m.

The meeting adjourned at 7:01 p.m.

Respectfully submitted,

Julie A. Ogg, Clerk of Council

APPROVED: _____, 2019.

Jim Graham, Council President

WHITEHALL CITY COUNCIL MEETING

MINUTES – May 21, 2019

President Graham called the regular meeting of Whitehall City Council to order at 7:02 p.m. on Tuesday, May 21, 2019.

At President Graham'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:

Bob Bailey
Chris Rodriguez
Karen Conison
Wes Kantor
Jo Anna Heck

Mr. Bailey moved to excuse the absent members and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all members responded in the affirmative and Mr. Morrison and Ms. Elmore were excused.

APPROVAL OF MINUTES

Ms. Conison moved to approve the Minutes of the May 07, 2019, agenda and regular meetings. 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.

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 – President Graham 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 – President Graham 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 those in the audience. She asked for special consideration on Ordinances 066-2019, 067-2019 and 068-2019.

City Attorney Michael Bivens – he thanked the audience for their attendance. He gave an update on his son who has discovered his love for shot put. The official report from the City Attorney's office is that during the month of April 2019, Whitehall Mayors Court prosecuted 294 cases with only 32 of those cases committed by Whitehall residents. On Thursday, May 23, 2019 at 6:00 p.m., the Legal Rams will be having their Mock Trial in the city hall courtroom.

City Auditor Dan Miller – he had no official report.

Director of Public Service and Development Zach Woodruff – he gave an update on the street program. The Yearling Road project is ahead of schedule. The street program came in not only under bid but also under contract. Work beginning on Fairway Blvd. should start in the next month. This project will be completed using the permissive tax fund. This represents about 3.8 million dollars spent this year on infrastructure.

Director of Public Safety Van Gregg – he had no official report. He did want to share that the Whitehall Division of Fire will receive the EMS Star Life Award for EMS Agency of the Year from the Department of Public Transportation on May 22, 2019.

Treasurer Steve Quincel – was not present.

President Graham – advised that the following Officials' Reports have been filed in the Council Office since the last meeting: The Mayors Report to Council for April 2019.

COMMUNICATIONS, PETITIONS AND CLAIMS:

1. Minutes from the March 06, 2019 meeting of the Parks and Recreation Commission.
2. Agenda for the May 08, 2019 meeting of the Parks and Recreation Commission.

VERIFICATION OF COPIES:

President Graham 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:

THERE WERE NO LEGISLATION FOR THIRD READING.

SECOND READING:

THERE WERE NO LEGISLATION FOR SECOND READING.

FIRST READING:

ORDINANCE NO. 060-2019 *was read by title only by President Graham:*

MAKING AND APPROVING AN APPROPRIATION OF FIFTY-THREE THOUSAND SEVEN HUNDRED FIFTEEN AND 68/100 DOLLARS (\$53,715.68) FROM THE RECREATION BOND FUND (303) TO THE PARK IMPROVEMENTS EXPENSE ACCOUNT (303-000-54000) AND DECLARING AN EMERGENCY.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 060-2019 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 060-2019 was suspended.

Mr. Bailey then moved to adopt Ordinance No. 060-2019 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 060-2019 was adopted.

ORDINANCE NO. 061-2019 *was read by title only by President Graham:*

TRANSFERRING ONE HUNDRED THIRTY-TWO THOUSAND EIGHT HUNDRED FORTY-FIVE AND 78/100 DOLLARS (\$132,845.78) FROM PREVIOUSLY UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE TAX INCENTIVE PROGRAM FUND (280); MAKING A SUPPLEMENTAL APPROPRIATION OF ONE HUNDRED TWENTY-TWO THOUSAND EIGHT HUNDRED FIFTY-FIVE AND 78/100 DOLLARS (\$122,855.78) FROM THE TAX INCENTIVE PROGRAM FUND (280) TO THE TAX INCENTIVE EXPENSE ACCOUNT (280-000-50000) AND AUTHORIZING AN INCOME TAX REVENUE SHARING PAYMENT TO THE AFFECTED SCHOOL DISTRICTS FROM THE TAX INCENTIVE EXPENSE ACCOUNT (280-000-50000) IN THE AMOUNT OF ONE HUNDRED THIRTY-TWO THOUSAND EIGHT HUNDRED FIFTY-FIVE AND 78/100 DOLLARS (\$132,855.78) AND DECLARING AN EMERGENCY.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 061-2019 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 061-2019 was suspended.

Mr. Bailey then moved to adopt Ordinance No. 061-2019 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 061-2019 was adopted.

ORDINANCE NO. 062-2019 was read by title only by President Graham:

AUTHORIZING THE CREATION OF THE (FEEEG) FIREFIGHTER EXPOSURE TO ENVIRONMENTAL ELEMENTS GRANT FUND (276); MAKING A FUND TRANSFER IN THE AMOUNT OF ONE THOUSAND FOUR HUNDRED FORTY-FOUR AND 16/100 DOLLARS (\$1,444.16) FROM UNAPPROPRIATED MONIES IN THE FIRE DEPARTMENT NEW EQUIPMENT FUND (301) TO THE FEEEG GRANT FUND (276); MAKING AN APPROPRIATION OF EIGHT THOUSAND SIX HUNDRED SIXTY-FIVE AND NO/100 DOLLARS (\$8,665.00) FROM UNAPPROPRIATED MONIES THE FEEEG GRANT FUND (276) TO THE FEEEG GRANT EXPENSE ACCOUNT (276-000-50000) AND DECLARING AN EMERGENCY.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 062-2019 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 062-2019 was suspended.

Mr. Bailey then moved to adopt Ordinance No. 062-2019 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 062-2019 was adopted.

ORDINANCE NO. 063-2019 was read by title only by President Graham:

PUBLIC HEARING JUNE 18, 2019

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 CAPTAIN D'S LLC TO OPERATE A DRIVE-IN WINDOW AND DRIVE-THROUGH FACILITIES ON THE PROPERTY LOCATED AT 3646 E. MAIN ST., PROPERTY OWNED BY WHITEHALL RETAIL VENTURES LTD.

ORDINANCE NO. 064-2019 was read by title only by President Graham:

PUBLIC HEARING JUNE 18, 2019

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 ROBINWOOD AVE, PARCEL NUMBERS 090-000446, 090-000645, 090-005472, 090-002169, 090-002178, FROM OFFICE DISTRICT (OD) AND RESIDENTIAL (R-3) TO PLANNED APARTMENT DISTRICT (PAD), PROPERTY OWNED BY SAGI REALTY INC.

ORDINANCE NO. 065-2019 was read by title only by President Graham:

PUBLIC HEARING JUNE 18, 2019

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 ROBERT WEILER COMPANY TO OPERATE A DRIVE-IN WINDOW AND DRIVE-THROUGH FACILITIES ON THE PROPERTY LOCATED AT 3861 E. BROAD ST. PARCEL #090-008384, PROPERTY OWNED BY SAGI REALTY LTD.

Director of Public Service and Development Zach Woodruff stated that the Planning Commission meeting is Thursday, June 6, 2019.

ORDINANCE NO. 066-2019 was read by title only by President Graham:

AUTHORIZING THE MAYOR TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO PERFORM WORK IN THE CITY OF WHITEHALL TO REPLACE SIGNAL INTERCONNECT EQUIPMENT AND INSTALL FIBER OPTIC CONNECTIONS BETWEEN TRAFFIC SIGNALS, AND BE DECLARED AN EMERGENCY.

Ms. Heck introduced and moved to suspend the rules on Ordinance No. 066-2019 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 066-2019 was suspended.

Ms. Heck then moved to adopt Ordinance No. 066-2019 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 066-2019 was adopted.

ORDINANCE NO. 067-2019 was read by title only by President Graham:

PROVIDING FOR THE ISSUANCE AND SALE OF NOTES IN THE MAXIMUM PRINCIPAL AMOUNT OF \$1,050,000, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PROVIDING FUNDS TO PAY THE COSTS OF A COURT-APPROVED FINAL SETTLEMENT OF CLAIMS MADE BY THE CITY IN THE CASE OF THE CITY OF WHITEHALL OHIO ET AL VS OLANDER, THOMAS J ET AL, CASE NO. 2007 EVH 060217 IN FRANKLIN COUNTY MUNICIPAL COURT; AND DECLARING AN EMERGENCY.

Mr. Kantor introduced and moved to suspend the rules on Ordinance No. 067-2019 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 067-2019 was suspended.

Mr. Kantor then moved to adopt Ordinance No. 067-2019 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 067-2019 was adopted.

ORDINANCE NO. 068-2019 was read by title only by President Graham:

AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF ONE MILLION FIFTY THOUSAND AND NO/DOLLARS (\$1,050,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE CONTINGENCY EXPENSE ACCOUNT (101.950.59900) AND DECLARING AN EMERGENCY.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 068-2019 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 068-2019 was suspended.

Mr. Bailey then moved to adopt Ordinance No. 068-2019 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 068-2019 was adopted.

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RESOLUTION NO. 024-2019 *was read by title only by President Graham:*

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

Mr. Bailey introduced and moved to suspend the rules on Resolution No. 024-2019 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 024-2019 was suspended.

Mr. Bailey then moved to adopt Resolution No. 024-2019 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 024-2019 was adopted.

RESOLUTION NO. 025-2019 *(Public Safety – 1st reading – ADOPT 5-21-19–Conison/Heck)*
AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT A FIREFIGHTER EXPOSURE TO ENVIRONMENTAL ELEMENTS GRANT (FEEEG) THROUGH THE OHIO BUREAU OF WORKER’S COMPENSATION AND DECLARING AN EMERGENCY.

Ms. Conison introduced and moved to suspend the rules on Resolution No. 025-2019 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 025-2019 was suspended.

Ms. Conison then moved to adopt Resolution No. 025-2019 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 025-2019 was adopted.

POLL PUBLIC

No comments at this time.

COMMUNITY DATE BOARD

President Graham reminded everyone of the Legal Rams Mock Trial being held on Thursday, May 23 at 6:00 p.m.

Chairperson Bailey said the Whitehall Education Foundation Golf Outing is July 8, 2019.

Chairperson Heck said the John Bishop Park Party is June 2, 2019 at 6:30 p.m. followed by Music in the Park. The Splash Pad opens at John Bishop Park opens on May 24, 2019.

POLL COUNCIL

Mr. Bailey thanked everyone for coming.

Mr. Rodriguez thanked everyone for coming. He congratulated the 2019 graduating class of Whitehall Yearling High School and wished everyone a happy Memorial Day weekend.

Ms. Conison thanked everyone for coming and for viewing tonight.

Mr. Kantor thanked everyone for coming. He congratulated the 2019 graduating class of Whitehall Yearling High School and congratulated City Attorney Bivens son on his successful shot put record.

Ms. Heck thanked everyone for coming and for everyone that is watching on Facebook. She congratulated the 2019 graduating class of Whitehall Yearling High School and wished everyone a happy and safe Memorial Day.

President Graham thanked everyone for coming to the meeting and for watching.

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 7:34 p.m.

Respectfully submitted,

Julie A. Ogg, Clerk of Council

APPROVED: _____, 2019.

Jim Graham, Council President