

WHITEHALL CITY COUNCIL  
AGENDA MEETING MINUTES

President Potter called the June 15, 2021 agenda meeting to order at 6:30 p.m. All members were present with the exception of Mr. Bailey.

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

The meeting adjourned at 6:37 p.m.

Respectfully submitted,

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Julie A. Ogg, Clerk of Council

APPROVED: \_\_\_\_\_, 2021.

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Thomas M. Potter, Council President

## WHITEHALL CITY COUNCIL MEETING

### MINUTES – June 15, 2021

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President Potter called the regular meeting of Whitehall City Council to order at 7:01 p.m. on Tuesday, June 15, 2021.

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:

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

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

### APPROVAL OF MINUTES:

Ms. Conison moved to approve the June 01, 2021, 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:

#### Water Utility Surcharge Presentation

Ryan Andrews, EMH&T presented to Council and the Administration a review of the Ohio EPA Director's Final Findings and Orders (DFFO)

#### Introduction and History

- Ohio Environmental Protection Agency (OEPA) Director's Final Findings and Orders (DFFOs) placed on City of Columbus Satellite Communities on February 11, 2009
- The Orders require the City of Whitehall to properly manage, operate, and maintain all parts of its sanitary system to provide adequate capacity, take feasible steps to eliminate sewer overflows, and minimize inflow and infiltration (I/I).

#### Findings

- Whitehall operates a sewer system that discharges to Columbus
- Columbus is under a consent order (Aug. 2002)
  - Implement System Evaluation & Capacity Assurance Plan (SECAP)
  - Columbus cannot comply unless satellite communities mitigate I/I

- SSOs impact human health and are prohibited by law

#### Overview of Orders

- Order #1 – Goals
- Order #2 – Schedule for SSES
- Order #3 – Priority Area of Concern (PAC)
- Order #4 – SSES Details
- Order #5 – 5-year Submittal Overview
- Order #6 – 15-year Submittal Overview
- Order #7 – CMOM Program
- Order #8 – Quick Response Reporting of SSO's
- Order #9 – Annual Report of SSO's and WIBs
- Order #10 – Maintain SSO and WIB Records
- Order #11 – Public Notification Program
- Order #12 – Submit SSO Emergency Response Plan
- Order #13 – Implement SSO Emergency Response Plan

#### Submittals and Deadlines

1. Whitehall signed Orders – 2/11/2009
2. SSES Schedule submitted to OEPA – 08/10/2009
3. SSO ERP & PNP submitted to OEPA – 10/06/2009
4. CMOM Program submitted to OEPA – 02/07/2012
5. Final OEPA Report and Implementation Schedule – 02/2014
  - Already complete and ready to submit
  - System-wide flow monitoring
  - Detailed SSES – Republican Run
  - Hydraulic Modeling – Republican Run
  - Implementation Schedule

#### SSES Strategy

- Step-by-step approach to identify deficiencies
- Started with least costly activities – flow monitoring and smoke testing
- Conducted more detailed investigations in areas where smoke testing indicated problems
- CCTV was limited to areas where problems were highly suspected based on smoke testing results
  - The City's entire sewer system was NOT televised as part of this study
- This strategy was consistent with the SSES work performed by other satellite communities

#### SSES Findings

- Flow Monitoring – Excessive Inflow/Infiltration following rain events
  - Percent captures in the range of 15% - 20%
  - Observed wet-weather flows exceeded expected flows
- Manhole Inspections – Approximately 30% of manholes require rehabilitation
- CCTV (39,000 feet) – Common defects included cracks, fractures, holes, deposits, roots, defective sewer taps

#### SSES Recommendations

- Sewer rehabilitation to structurally renew the sewer and seal cracks - \$2.7M (2013 \$)
- Implementation Plan – A 15 year plan (2014 – 2028) to complete these projects was sent to OEPA
- Capacity, Management, Operation, and Maintenance Program – Annual inspection and cleaning
  - Creates a new stream of rehabilitation projects as more sewers are cleaned and televised
- Overall goal of DFFOs was to continually identify and repair sewer problems

Mr. Andrews answered questions from Council at this time.

Megan Meyer – City of Whitehall Deputy for Public Affairs presented to Council a presentation of Water/Sewer Utility Surcharge and Infrastructure Improvement Analysis: Common Questions

Analysis Overview

- Current State of Water/Sewer Infrastructure
- Current Capital Improvement Plan (CIP)
  - Five-Year Lookback: 2017-2021 CIP Investments
  - Current CIP Funding Sources
- Potential Water/Sewer Utility Surcharge
  - Potential Funding and Surcharge Basis Options
  - Resident / Commercial User Impact
- Potential Financing Options
- Proposed Five-Year 2022-2026 CIP
- Next Steps

Potential Water/Sewer Utility Surcharge

- **What is it?**
  - A surcharge (aka an added fee) paid by residential and commercial water/sewer customers directly to City of Columbus, with fees remitted back to the City
- **Why establish one?**
  - To create a dedicated funding source for future water main and sewer system replacements
- **How much would it raise?**
  - Designed to fund a 5-Year CIP for water main and sewer replacements
    - Water: \$750,000 annually
    - Sewer: \$350,000 annually

Potential Water/Sewer Utility Charge *(Based on a 5/8 Meter Size – Residential)*

Funding Option	Water Surcharge		Sewer Surcharge
	Pay as you Go	Financing	Pay as you Go
Surcharge Basis	Flat	Flat	Flat
Average Monthly/Quarterly Cost	\$5.15 month	\$5.15 Month	\$2.37 month
New Average Monthly Bill	\$38.15	\$38.15	\$33.94
Total Annual Surcharge Revenue	\$750,000.00	\$750,000.00	\$375,000.00

- 43% of all connections are 5/8 meter, representing most single-family homes
- 5/8 meter size is known as a “Equivalent Residential Unit”
- Meter sizes above this pay the surcharge as a ratio to the 5/8 meter size

Bonded Approach: Funding Options

Program & Terms	Ohio EPA SRF	OWDA Freshwater		Bonds-General Obligation	
Loan Term	20 YR	20 YR	30 YR	20 YR	30 YR
Current Rate	0.60%	2.02%	2.12%	2.00%	2.50%
Annual Bond Payment	\$500,000.00	\$500,000.00	\$500,000.00	\$500,000.00	\$500,000.00
Estimated					
Borrowing Amount	\$9,396,791	\$8,159,959	\$11,015,638	\$8,175,717	\$10,465,146

Proposed 5-Yr CIP: All Categories

Category	Total 5 YR CIP	2022	2023	2024	2025	2026
Street	\$39,331,066	\$13,847,549	\$8,908,517	\$4,125,000	\$7,375,000	\$5,075,000
Sanitary Sewer	\$3,200,000	\$300,000	\$875,000	\$675,000	\$675,000	\$675,000
Water Main	\$10,067,000	\$637,000	\$8,480,000	\$450,000	\$50,000	\$450,000
Total	\$52,598,066	\$14,784,549	\$18,263,517	\$5,250,000	\$8,100,000	\$6,200,000

Proposing \$52,598,066 5-Year CIP compared to \$14,934,759 in spending over last five years (Not including parks)

Megan Meyer answered questions from Council at this time.

POLL PUBLIC:

Gerald Dixon, 3877 Doney Street, Whitehall, OH wanted to share a couple of information points. He wanted to point out that the public hearings always seems to be held on the same night that the legislation is slated for a vote; yet the community is invited to come forth to voice their feeling, yea or nay, on that legislation just minutes before the vote. How are we expected to make the informed vote and fully considerate decisions that vote begs when we have scant minutes to mull over what may sometimes be rafts of information and feelings designed to sway you one way or another. By the construct in place here, it seems that your process is tilted in favor of developers and the administration who have been bombarded you with information now for weeks. You have had plentiful time to mull over the developers and economic development teams information blitz, but the citizens get a last minute, last up opportunity to sway you from weeks of sell jobs just before you vote on it. Clearly, a wrong the citizens demand be righted. As well, a week or two ago Director of Public Service and Economic Development Mr. Woodruff reminded you that it was you who approved the OHM Whitehall Blueprint in regards to 46-21. In reminding you, he is suggesting that when he brings you things like this, he is merely doing his job in alignment with that blueprint and because you approved it, it is really your obligation to approve things like this that he brings forth. Otherwise, you are just going against your own decision. He wanted the record to show that the OHM Blueprint actually showed future land use for that corner as high density mixed use. Nowhere did he see apartments only, high density or otherwise. As such then, when Mr. Woodruff plays that OHM Blueprint obligation card with Council, it is in fact, not what the Whitehall Works Blueprint recommended. Therefore, any argument that you should be compelled to this legislation because you voted for the OHM Plan is erroneous. Finally, he would like to say that the OHM Plan recommends many things for our community of extraordinary change and development, while terrific in theory, what happens if there is strong citizen resistance? Are you, the elected representative of those citizens going to forfeit your obligations to the citizens you are supposed to be representing to be indebted to a planning (?) who does not live, sleep, eat or breath here? He reminds them that their investment in the OHM Plan may strip them of their individual and independent voices but that does not absolve them of their primary obligations to the citizens. Thank you.

Tara Ganon, 703 Maplewood Avenue, Whitehall, OH said good evening to the members of Council. Her home is the second house just north of the proposed rezoning. After selling her home in Bexley, she chose Whitehall for several reasons. Mostly because of the community of neighbors, land and overall aesthetics. We as a community do not want this. Rezoning for this grossly oversized complex will only serve to excessive traffic, strain on the already antiquated sewage system, large amounts of parking overflow onto their streets, rise in crime, noise and more trash strewn in their yards and streets. She is deeply concerned as there is nothing proposed in the way of a retention wall or a fence. There is nothing protecting the separation of their properties. There is nowhere safe for the children to play. Most of them have dogs and pools on their properties. Even with proper signage posted they are not protected in the event of any unfortunate mishaps should they occur due to trespassers. When she moved here, the City informed her that Maplewood Avenue was an emergency access road. It concerns her that with the heavy overflow of street parking and congestion this will seriously hinder emergency call times to get to someone in need. So, what is next? The proposal levy to build new schools and ask them to pass and to pay. All the while, their properties are going to be devalued. She is positive they can come up with a much better solution not only to accommodate the very constituents that voted them into office. As neighbors and a community, graciously ask you, their Council, to reconsider the zoning. Please do not break these relationships and bonds they have formed. She fears that many of them will be displaced and forced from the very homes and properties that they love. We implore you, please reconsider this decision and to hear them on this street especially. They do not want this. Thank you for your time.

Pam Dolby, 431 Maplewood Avenue, Whitehall, OH said she has lived there for forty years. Her husband has lived there for forty-seven years. When they built the Kroger's at the end of Maplewood traffic was horrendous. Cars speed down their road like there is no tomorrow. There is tons of crime at Kroger's and she is afraid to go to that Kroger's and to Walmart. If you go down to Main and Maplewood, down right past the railroad tracks there is tons of prostitution and they can be seen every day. To build an apartment complex, where there will be children, is unheard of in her mind. There is a lot of crime down there. Family living is not suitable for that corner. Not to mention, three doors down from her house, is a well-known drug house. She knows the schedule of the people that come and go from that house. She has had them go through her garbage and has had to stop them. If this complex goes up, her fear is that the problems will get stronger and stronger. At one point there was supposed to be a retaining wall built between Napoleon and Maplewood along the back separation of their properties. It never happened. She cannot tell the countless time they have had bullet holes in the back of their houses. The Police have the slugs and that is her daughter's bedroom upstairs. How much more crime does Maplewood have to endure at the City's pocketbook? It is about dollars and cents right now. It is not about their safety on Maplewood. If no one believes her, just come and sit on her front porch one evening. Hear the gunshots that go off on her street every night. If they think this is a good idea for Whitehall, it may benefit their pockets but not theirs. She not only speaks for herself but all the folks in attendance, before their property values start going down, you will see for sale signs and they get letters, calls, texts and emails from people wanting to pay cash for their homes. Those people are going to turn around and rent them to low income section eight welfare homes. Maplewood will go downhill and be nothing but trash property. If that is what the City wants, if that is the way your dollars are to be spent then more power to you. She has seen a lot. This is not a good idea. Thank you for your time.

Director Woodruff said for the record, if there are people, who want to come up that is fine, but typically speaking, if their comments are related to the public hearing, you have asked them to wait until then so that they do not have to adhere to the three-minute rule. If there were people who want to talk to things outside of the public hearing the opportunity would be now.

Russell Robinson, 397 Collingwood Avenue, Whitehall, OH said he has lived in Whitehall for several years. Some of the comments and perceptions of some of the citizen's, he has actually been in the crossfire of the perceptions of crime and things that are going on in the neighborhood. He knows that change can be a great thing if you are accepting of it. He also knows that being accepting of community oriented, having a situation where people come into the community feel as if they are part of it. He thinks that is important. The numbers that were reflected of the budget, he noticed for fire and police opposed to like parks; he would think that things could be adjusted in a way that people in the community would feel more involved maybe. He knows that crime and things that you see on the news and the perception of feeling safe and being part of a community and like mindedness, he thinks that the way you go about your relationship with your neighbors and the people around you, your community stores, saying hi, waving to people, being kind and just being involved with people. He comes from a small town and this is something he tries to do. Even doing that he has ran into situations where he has felt like a criminal. He has been in his own yard at gunpoint while doing yardwork. They said he appeared to be fleeing and put in handcuffs by a Whitehall Police Office while his child was present. He is a teacher and a volunteer coach. Somehow, him being who he is, the way he looks, somehow he has encountered these instances several time here in Whitehall. He loves Whitehall. There are fabulous things happening in Whitehall. He took his whole family to the Police Department to try to introduce himself and he still had an encounter the next week to where he was at gunpoint. He knows these things happen and there are police shootings. He knows there are horrible people in this world. He wonders what could be done differently here in Whitehall so our citizen's do not feel like there is crime all around them. He knows one of his neighbors well but not the other. All we need is to be a little more accepting. Thank you.

Elizabeth Spears, her husband is James Robinson; they bought a property at 697 Maplewood Avenue, Whitehall, OH about four years ago. This is their first home, never wanted to own a home so this is a completely new experience. She bought the house and was completely embraced by her neighbors and she is grateful for that as they have a special needs child in the house so she felt safe and welcome. She thanked them for that. A couple of concerns she has about the apartments are decreased property values. She has been doing some research and it shows. Traffic is already heavy. She loves Halloween and is excited about it. She could not believe how fast cars drive with the babies going trick or treating. Now an apartment complex will be added and is going to add to the traffic. Where is everyone going to park? There is nothing on that side of town for families and children. She is a nurse at Children's Hospital and she sees what inner city things do. She sees what is not there for these families. The other day she went down the street and there was a group of preteen adolescence that threw rocks at my car because they were jaywalking. It was in the middle of the day and there is nothing for them to do and now we are going to add another area for kids to not have anything to do. She lives three houses from this development. If you lived in this area, would you want this by your property? Whitehall schools are already overcrowded and underfunded, where are you going to send these kids? Are they going to be sitting in trailers? Where are these buses going to go? Is there enough emergency help such as ambulances, police, and city workers? Her father was possibly having a heart attack. She called 911. 911 had to go through the City of Columbus, she was put on hold to get to Whitehall, so imagine that fear and now you are going to add another element. Two other places have already been built on Broad Street they are going to have to compete with and now she will have to compete three house down from her for the safety of her family. Not fair. She is sure there is a need for affordable housing and families need a safe place to live. She is sure when they built Napoleon and Weyant apartments the idea was for those to be safe homes. It is not safe. Every night she hears gunfire and Uhaul's alarm is going off. So now, she has to compete with three houses down with more apartments that may or may not, no, not everybody in there are going to be criminals. There will be families in there that want to be safe but we all know those elements are access and easy to get into especially with people being stressed with Covid, not getting jobs, so what do people do, they take the easy way out. It is not right but it is what it is. She works nights and evenings and takes care of her family; she does not want to be at work and worrying what is going on in her home. She has earned that right. She bought that property and she does not want this affecting her neighbors or her loved ones for something that in the end will not benefit those families and children sitting in that building. There is nothing to do. Whitehall Walmart is known as ghetto mart. She will end with this, if you lived three houses down from this apartment complex, would you want this near you. She guarantee's they would not. Thank you for your time.

President Potter reminded the audience they would have the chance to speak at the Public Hearing but you are welcome to talk now.

Kathleen Holmes, 689 Maplewood Avenue, Whitehall, OH said they were all at the Planning Commission meeting and they were not heard then. They all voted yes even though all the people who talked were opposed to this. No one stood for them. No one stands for the citizens. The Woda Cooper Company has mislead. Mr. Cooper came before the board and he mislead about his company with the offenders and their apartment complexes. He said they did background checks and they cannot keep them out. It is against the law. He tried to skim over it. He knew it is against the law to discriminate against those people. The biggest thing she sees is the property management. She has looked up their company. They cannot keep managers in the apartment complexes they already have. They have problems and they are not fixing them. They will get people in there and then there will not be a manager. They say they are going to be gauged on how much they can afford type thing. There will be some higher income people that pay a little more for their apartment. Who is going to pay more for an apartment looking over a junk yard, watching prostitutes or watching drug deals going down in front of their building? There is no place for the children to play. They never brought up a playground and how bored do the kids get after five minutes and then they are off looking for something else. There is nothing for teenagers other than the drugs and prostitution going on at Main Street. Then they have to deal with Columbus, Barnett and Napoleon. They already have problems

there, why bring those families and children into that? Whitehall owns the property over at Woodcliff that is right next to the park. Why not put it there. Whitehall would get the money for letting them put it there. It is a beautiful complex. There is a park there. The kids would be safe. We are going to overcrowd the schools with all of these kids. You are already wanting us to raise taxes again or raise money because right after those schools were built, they were not big enough to handle what we have already. Now you want to bring a one hundred and two-unit property there. Think about it. Is not that crazy. Then she saw where the Mayor told someone that they were only going to be putting a little more water into the system. It is already overflowing. She has a friend whose water came all the way to their top step and ended up coming into their first floor. That is how bad our water system is, fix that. You are into beautifying Main Street and what happens to these lots. She watched people across the street. She is thankful her property does not flood. She saw the neighbors bringing out tons of things. Memorabilia, pictures, everything. The flooding continues and more will be added. We already have overflowing. We do not need more of that.

Mr. Cooper brought up about the parking. There is enough parking at the complex for 1.3 vehicles. If you look at the statistics, most people have at least two cars. There is 139 parking spaces and there would be at least 60 more cars parked along the street. Then there would be fights or shootings over the parking spaces. They do not want this in their neighborhood and they hope Council will listen to them. Thank you.

President Potter advised Ms. Holmes she had gone over her 3 minutes and she needed to wrap it up.

Kirby Holmes, 689 Maplewood Avenue, Whitehall, OH said last time he was here he believes no one paid much attention to what they had to say. He wanted to know when they build the apartments, who was going to be brave enough to buy his house and live right there. He wanted to know if they wanted to live next to it. He pulls into his driveway at night, he looks at the two story by the laundromat and he looks at the building on the corner that is there now and all he can see is oozy alley all over again shooting right past him. There is a lot of dope around there. He is a recovering alcoholic and has been sober for 23 years and he thanks God for it. He just wants to move. He does not want any part of it. He thinks it is the dumbest thing ever. When he bought the house he thought man I love it and he still loves it. This house will outlast him. No worries. The Mayor has even set in his lazy boy. He loves his house and he thought he would live and die there but all he wants to do is move. That is how he feels about this project. He thought they done went back crazy when the flowers and trees down the middle of Main Street. This is really the icing on the cake. This is nuts. He is totally against it and he just wanted everyone to know it. Thank you very much.

#### STANDING COMMITTEE REPORTS:

Administration and Financial Management – Chairperson Rodriguez 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 will meet again 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 reminded everyone that there is a party at Lamby Lane on June 16 from 5-7 p.m. She asked for favorable consideration on Ordinances 043-2021, 046-2021, 048-2021 and Resolution 016-2021.

City Attorney Michael Bivens – before he begins with what is going on in the City Attorney's Office, two things kind of a habit was formed with him during the pandemic which is one, appreciation and secondarily gratitude. He wanted to say since it has been a long time since he has been in a room like this with people from the community, how appreciative and how grateful he is to see and every one of their faces. He loves this city and feels privileged and honored to be their City Attorney. He is grateful that they are here tonight and he invited them back on a number of City Council meetings that are coming up in the future because they do many great things here in City Council and they deserve to be there present and live as they are right now. Please come back at some future time. He wanted to undated Mr. President and members of Council as well as to the public, that they are still reviewing applications for their paralegal as Kristen Lippert is going to law school. The City Attorney's office inspired her to be an attorney so she is going off to pursue her dream of becoming a lawyer. They have received over fifty applications so far. That lets him know that they are doing something right in the City of Whitehall and that people really want to come work in the City and want to come work for him as the City Attorney. He has been selected to represent the City of Whitehall from the African American Male Wellness Agency to be its Ambassador for Health and Fitness. It had all to do with the Diversion Program that was initiated in the City Attorney's Office. So the public is aware, the City Attorney's Office initiated a diversion program that is more organic, more outreach oriented. They actually have diversion specialists in the Mayors Court every Tuesday and they get to meet defendants in real time. So far, that program has been so successful that they have had a zero-percent recidivism rate of all the individuals who have gone through that program. He was recognized as a result of this agency for being a health hero as it relates to that. He will say it is because he can run a twenty-two minute – thirty minute, three miles and he will be fifty years old but that is not the reason. He is proud he can do that and being almost fifty years old. This Saturday, June 19 it is known by many names, such as Jubilee Day or Freedom Day but it is celebrated in the United States as Juneteenth. It was initiated in 1865 and all are welcome to celebrate the Juneteenth celebration, which is the actual Independence Day for the United States of America, which commemorates the end of slavery in the United States. It is this Saturday and there are many programs throughout the City of Columbus to celebrate it. There is a young man sitting in the back corner who is a son of Whitehall that he would be remiss if he did not recognize him. He is a product of Whitehall City Schools, he is an Otterbein College graduate and this young man has just recently moved back to the City of Whitehall. He loves this City so much that he moved back and he passed the CPA exam on the very first try as a product of Whitehall City Schools. He is so happy to see his friend Shaquille Alexander and he knows he will see great things coming from him in the future.

City Auditor Dan Miller – was not present.

Director of Public Service and Development Zach Woodruff – he had no report this evening.

Public Safety Director Van Gregg – was not present.

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 Auditor’s Expense Report for May 2021, The Auditor’s Bank Report for May 2021, The Auditor’s Statement of Cash Position Report for May 2021 and The Auditor’s Revenue Report for May 2021.

COMMUNICATIONS, PETITIONS AND CLAIMS:

1. Minutes for the June 3, 2021 Planning Commission Meeting.

PUBLIC HEARING:

President Potter opened the public hearing on Ordinance No. 046-2021 at 8:32 p.m.

ORDINANCE NO.046-2021

AMENDING THE ZONING MAP ATTACHED TO CHAPTER 1122 OF THE 1970 CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, OHIO AND AS SUBSEQUENTLY AMENDED, CHANGING THE ZONING ON PROPERTY LOCATED ON 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.

Frank Fugate, 500 S. Front Street, 10<sup>th</sup> Floor, Columbus, OH thanked Council for having them. With him tonight is Clay Cooper of the same address. They appreciate this and the audience tonight. They work for a developer who builds apartment buildings. They are a national company and they take pride in what they do. Their headquarters are based in Columbus and it is very important that they have a safe development. He and Clay work in the development department. There is also a construction and management department. Their company will be a company that will take care of its property. They have been in business over thirty years. He has been with the company over seventeen years and they have never sold a property.

Mr. Cooper began with a visual presentation. The property is called the Enclave on Main. He shared a video on their residents. He presented an overview of the site plan. They are really using that blueprint as their guideline. They are keeping the thirty-five foot setback on the front (Main Street) with a twenty-foot setback on Maplewood. There is one entrance off Maplewood. There is 134 parking spaces. There is a curving sidewalk and a terrace plaza area on Main. There are green scapes that act as a bio basin. They have created new on street parking as well. They have incorporated a mix of materials. They added first floor entrances. It consists of 102 units. There are 16 – 1 bedroom units, 63 – 2 bedrooms and 23- 3 bedroom units. They have added landscaping, as they know that buffering to different properties is a big concern. They believe in a more walkable or bikeable community. He explained where he thought people would be coming from when the property is completed.

Mr. Cooper answered question from Council at this time in reference to security, fencing, playground, maintenance, entrances to the building, lighting, income based rent, workforce housing and street parking. Councilmembers expressed that they wished they had updated site plans.

Director Woodruff to his point, if City Council wants to see either a consistent row of arborvitae planted every two or three feet so that it creates a hedgerow as is show on the plan, City Council can certainly make that a condition of the approval. If City Council wants to see a fence between those two

properties, they can certainly make that as a condition. If City Council wants to make sure the current conceptual plan shows the six trees between the properties and wants those to be evergreen trees on top of a four-foot berm, they can make that as a condition then it becomes enforceable. This has been done with other projects with similar things on fences and landscaping where it has been a condition similar to what Planning Commission has done with their recommendations with conditions.

Mr. Cooper said they want to engage Council at this conceptual phase whether it is trees, landscaping or the playground so that when they go for permits that it has everything Council wants to see.

Economic Development Manager Jenna Goehring present the staff report that she present to the Planning Commission.

President Potter asked if there were any opponents to Ordinance 046-2021 and if so please come forward, state your name, and address for the record.

Susan Robbins, 677 Maplewood Avenue, Whitehall, OH thanked President Potter for responding to her email. She is against this. It can be called affordable housing but it is still low income. If you have to lower it so someone can afford it, it is still low income. It may not be section 8 but it has been proven that anything like this does bring down property values. She had lived here almost 38 years. 23 years on Maplewood. Along with lower property values comes crime. It may not matter to anyone else but they already have more than their share of crime. They have prostitutes and drugs going around, National Road Apartments have sexual offenders, Why does that matter to her, she does not usually tell anyone this but she thinks it is important in this case as she has been raped twice. Her neighbors are her friends. The crime may not bother anyone but it involves them. When you live in another end of town and you are not seeing as much as they do then it does not affect you as much. We walks in her neighborhood and she is not afraid. She does not agree with it. They have been making improvements in their homes but if the building is approved, there is really no reason to continue to do it. Thank you.

Jackie Plank, 771 Robinwood Avenue, Whitehall, OH said she moved to Whitehall eight years ago. She is a real estate agent and she oversees about thirty rental properties. She appreciates what has been done in Whitehall to get the City cleaned up. Whitehall is very affordable. Her problem with this project is that the people, who live in the area where it is going to be built, have a problem with it. To say there is a wait list of seventy-five percent is because no one can buy a house or rent anything right now. There is a housing shortage. Who is going to want to come here and look out their window at a salvage yard? Traffic is bad on Main Street and then to add this many places and congest all of that right back up. Who wants to be there? Where are they going to go? Everything is on Broad Street. She has seen many developments going up Livingston, Main and Broad and all the tree's die. Therefore, now they are going to look at dead trees. Just her thoughts and thank you for your time.

James Black, 491 Robinwood Avenue, Whitehall, OH said the complex on Broad Street is going to be adding to the traffic and some of the other issues that people have discussed. The complex proposed tonight is going to cause more trouble than people want. He already has a problem with trespassers. There are shortcuts kids take. If this complex is put on the corner how much more is he going to get. How much privacy will he lose because of this project? Adding this complex or any other complex would be irresponsible for so many reasons already stated. No matter how much security they say they have, which did not sound like much. We need affordable housing in Whitehall. Affordable housing can go in at Broad and Hamilton but leave the Woods alone. They do not need it or want it. He googled Woda Cooper and they have a two star review on google. They have a 1.14 star review on the BBB. That does not sound like someone he wants down the street. It does not make any sense and he hopes Council sees that.

Crissy Gwinn, 749 Collingwood Avenue, Whitehall, OH said she has lived in Whitehall most of her life. She has seen so much change in Whitehall and most of it has been very positive. The couple of things that have been negative have been severely negative, they have large bad decisions instead of small ones. This is a large bad decision. Her house is right behind the shopping center across from Walmart. She moved here because she wanted to be in a place where she could raise her son safely. They are a mixed

race family. She wanted a place that had lots of difference, lots of culture, and many things to experience. When she first moved here, she had change taken from her console but the last couple of months she was in the house and her husband came in the door. She heard this loud noise and it was the police pulling into her neighbor's driveway. The kids are the only ones home next door. She sees the police officer run down the driveway, he jumps her fence and another police officer arrives. They are going into the man cave with a k-9 dog. She yells for her husband. The k-9 dog is pulling someone out of her garage. They had to narcan this man while her 5-year-old watches. That is not safe. If this complex is built, you are bridging that gap to invite more crime into her home. It is not okay. She hopes they understand that it is just a bad decision to build the apartment. They will start coming onto their properties whether you intend them to or not. You are inviting more people into this community, which is not going to be a good thing. She questions whether or not she wants to stay here which is hard because this is home. She had three letter from people who could not attend. She gave them to Ms. Ogg. They clean up trash all the time. She hopes they make a (?) decision. Thank you for your time.

At 9:33 pm, President Potter advised that Council would be taking a break at this time.

The meeting reconvened at 9:42 pm.

Teresa Plank, owner of 645 Maplewood Avenue, Whitehall, OH said all she could say was talk is very cheap. She thinks there is a much better use for that piece of property. She knows there are many people who invest in this community, that do not live here or give a crap about anything that goes on as long as they get their money. That is what this situation is and she does not appreciate it. Thank you.

Marriann Williams, Robinwood Avenue, Whitehall, OH said they have already built one big complex at one end of her street under the radar because of covid. The streets are not safe as it is. It took the police 45 minutes to get across the street from her house after a break-in because of the crime that is already happening. She does not feel safe to let her daughter walk to their best friends. She highly suggests not having another big building apartment complex in their area.

Brian Tippet, Robinwood Avenue, Whitehall, OH 43213 said he makes \$35,000.00 a year and owns two vehicles and pay over a thousand dollars a month in rent. They talk about 1.3 spaces for parking. Bull crap. The parking lot fills up and the overflow is nine cars to the street, what happens if twenty of those people who live there decides to have a house party and have two or three guests. Where are they going to park? Who is responsible for the trash on the street? He is not responsible. Speed. They said they did a study that the average speed was 27 mph. If a person is flying down the freeway and all you see is brake lights. They see a cop. If they know they are going to be caught, they slow down. Their security cameras. Who has not seen world's dumbest criminals? Security cameras and alarm systems do not deter anything. They are not safe. You are adding to the problem instead of fixing it.

Kathleen Holmes, 689 Maplewood Avenue, Whitehall, OH said she did not get to all her concerns. They do not want this rezoning. Whitehall already owns the property where they will be tearing down the condominiums on Woodcliff/Midcliff and Hamilton Road. There is plenty of room there. There would be a park nearby and it would have the kids off the streets. They did not have a playground in the plans until you asked about it. She thanked Council for doing that. There have so many things not right, with what they have said. Sewer systems are already set up on that property. She was concerned about a fire with only three exits. Property values will not go down because there are no residents over there. It is also close to public transportation. It has two accesses. They only have Main Street. It is close to stores since you are trying to build up the area. Whitehall could make money leasing the property. If you care about your citizens and you care about your people do not do it. There would be no rezoning at Woodcliff. It is already rezoned for building. Help the kids, help the neighborhoods and help the residents. Thank you.

Karly Robinson, 397 Robinwood Avenue, Whitehall, Oh said she did not come here to oppose anything as far as the income. She believes in what is being done, as a City and she loves what the Mayor has done and the development. What she will say is life is timing and we are not there yet. In hearing the proposal, she feels it is compacted and so the question is, why not look at revamping that endcap. Why

does there have to be 102 units and 134 spaces. She can tell you if they are going to have affordable housing, then you have people coming in whether they are making \$35,000.00 a year and paying the rent, there is still income level whoa' s. They are still going to have an overflow of people on Maplewood, there is going to be inadequate parking from what she is seeing and what are they marketing. Are you marketing young professionals or are you marketing families? If we are marketing families, it is inadequate. As she has watched the proposal she thinks it needs revamped. Go back to the drawing board. She asked City Council what they wanted there. Do you want young professionals or do you want families. That particular corner is a drug haven and they cannot get the City of Columbus on the backside to deal with it. She lives on Collingwood. She does not feel the same way these people do. Setting it up the current way it is, like the timing, it needs to be revamped and smaller. Thank you for your time.

Dan Robbins, 677 Maplewood Avenue, Whitehall, OH said he had three questions. First, he would like each one of them to look at him and answer; do you have an open mind? He got three nods and that is what he thought. You already have a big complex on Robinwood, where the Old Bag of Nails it at, that is a new one and he wanted to know how much have they increase the fire department and the police department to take care of those additional residents? He asked has anyone been hired.

Mayor Maggard said yes, we have. She just swore in two new firefighters yesterday and will be swearing in another one next week. We have hired new police officers and upped the strength. Thank you.

Mr. Robbins said thank you because we do not have enough. His third question was who is going to service that corner? He knows it is in Whitehall. He sees it coming that when you call for an ambulance to come, he lives five houses up from this project, if he calls 911 they are going to tell him to call Columbus. Columbus will tell him that they do not service that area and he needs to call Whitehall. Then Whitehall will put you on hold. What is going to happen when one of these little kids get hurt? How long are we going to have to wait to be serviced?

Mayor Maggard said that their response times are very quick. The Police Department will usually get there within three minutes. Fire would be the next on the scene usually within four to five depending on where the location is. There are no backup stations in Whitehall because of the size but the response times are one of the best in the state.

Mr. Robbins said he can agree with that but his question is.

Councilperson Rodriguez said Maplewood is not serviced by Columbus. It is serviced by Whitehall unless they need Columbus' mutual aid. Whitehall services Columbus more than Columbus services Whitehall. There are over six thousand mutual aid runs a year.

Mr. Robbins said it is going to come up. Since the laundromat has gone in there is trash all up and down Maplewood in front of the laundromat. He has called the police and reported it, his neighbors have, it is cleaned up and then a weeks or so later it is right back. If they think parking on the street is going to work, that is crazy, there is no way that is going to work. There is a specific left turn lane on Maplewood onto Main. The curb lane goes straight or turns right onto Main. That is all the road there is. They are saying that there is going to be room to park nine cars there. No, there is no way. Thank you.

Gerald Dixon, 3877 Doney Street, Whitehall, OH said there were a couple of thoughts that came to mind after the presentation because he did not get a chance to go to the Planning Commission meeting. He too has noticed the prostitution on Main Street near Whitehall. There is a very old walnut tree on the property of the first house, which will be torn down and it is just about, where the parking lot is. That walnut tree has to be about one hundred years old or so. He would mourn its loss. The driveway which comes out on Maplewood is directly across from the last house on Maplewood on the east side of the street. The residents are going to be sitting on their porch watching the headlights go in and out, day after day. Don't you think that is going to affect their property values? He is opposed to Ordinances 046-2021 and 048-2021. He hope that Council, as the citizen's representatives take into thoughtful consideration before making a final decision. His concern is the overcrowding of the neighborhood and intersection. The

projects four acres will roughly contain the same amount of people as eighty-five acres in that neighborhood. It is the density of the Broadwood project on the other end of Robinwood, in his opinion, will overburden, abuse and ill affect the quality of life in this 100-year-old neighborhood. What he suspects will be the addition of 102 more cars to the neighborhood will further burden the already busy and abused streets. The addition of these cars from this project that will be going to Target and Kroger's through the woods via Elbern, Doney and Washburn. Residents can swear to the growing safety concerns of the awful noise the increased traffic already here such as loud cars, motorcycles and kids on minibikes. This project will only increase this burden in their neighborhood. Maplewood and Barnett is already a traffic nightmare. If this project is built, it will certainly burden that half block and the people coming from the project will certainly avoid that traffic by going north on Maplewood and east on Washburn to find alternate routes around. He feels the project is inappropriate for that spot. There is a concern for the children would do who will live there. There is a rec center at Barnett and Livingston but it would be dangerous for them to get there. The nearest parks are Lamby Lane and Robinwood or John Bishop, which is two miles away. Where might their idle hands take them? On Napoleon where there are nightly gunshots or down around the Woods to entertain themselves, good or bad. The citizens who are already her have planted their roots in a neighborhood they like. Changing the zoning allows would bring further harm, damage and heartache to this neighborhood and community at large. These same issues would be equally shared if this project were to be built at Fairway Blvd and Country Club Road. It is very easy to be a proponent of something that will not affect one's own neighborhood. He is strongly opposed in the change in zoning for that corner for all the reasons he has stated. It is not apartments he is against so much as it is where they go and how it will affect its immediate surroundings, certainly in terms of quality of life. He has no issues with it remaining commercial and putting in a business, warehouses or offices or even a small manufacturing business like a brewery. Something that actually produces jobs. Densely housing people at that spot is a recipe for greater issue he does not believe Whitehall will or can deal with in the future. He sees it as this, while the city collects the revenue, developers and owners make their money by abutting the neighborhood, it is the residents of the neighborhood, like him who will have to deal, live with and pay for what they leave behind in the wake of poor city planning schemes, as he has seen with the Target on one end of their neighborhood and a Walmart on the other. Huge trucks go wherever they want which City Hall has done nothing to curtail or change. Litter has worsened and stealers and scofflaws run unabated through their neighborhood, despite speeding monitor devices and what he characterizes as insufficient police presence. To say that any additional nuisances this project will bring to the neighborhood will be swiftly dealt with, knowing the reality of the current administrations insufficient proactivity is laughable, as the residents themselves know all too well. He employs them to reject the submission for zoning change as the independent agency that they are, elected as, and consider the implications not for the administration and the developers themselves nor the OHM Whitehall Works Blueprint but rather the citizens. The people of the community themselves. Thank you for your consideration.

Ricci Cropper, 671 Maplewood Avenue, Whitehall, OH said she has been here about eight years. Originally, they were going to buy the house and flip it but they fell in love with their neighbors. She is not opposed to helping low income or building new apartments but this proposal is more like an invasion. The developers will not be here, there is a lot to still be done and there is so much they still have to figure out. She knows what she wants and what she does not want. She feels this will bring more crime and traffic, all the same things everyone else said. They will have to be the ones living through it. This project is asking for more crime. She likes that fact that they are trying to build Whitehall up. The developers are not Whitehall. They are Whitehall. She is completely opposed to it. Love the people who helped make Whitehall. Please care about your community and care about your residents. Thank you.

Kerby Holmes, 689 Maplewood Avenue, Whitehall, OH said he wants to explain his anger with Whitehall. He has been in his home for eleven years, he wanted to build a garage, and was told he could not build it because he already had one. He is done.

President Potter asked if there were any proponents to Ordinance 046-2021 and if so please come forward, state your name, and address for the record.

Eddie Carmine (?), 3540 E Main Street, Whitehall, OH introduced Brian Savage who is a realtor. Mr. Carmine said they have had multiple offers for the property. They had Uhaul come to them with an offer and they did not think the residents wanted that type of a business with storage facilities and trucks. Turkey Hill came to them and wanted a gas station there. They did not want to sell it to just anyone. However, when they got an offer to bring apartments to the property they thought it would beautify the corner itself. They are looking at an old brickyard and they do not have that type of money to put into the property as of now because of covid things have changed for their company. By selling it to Woda, they are going to beautify that area by adding apartments and maybe it is something for Council to upgrade the whole street like from Main Street all the way down.

Mr. Savage said he is a realtor and is a member of the Community Improvement Corporation. Eddie's family approached him about nine years ago to try to do something with this property. It has been a challenge. Turkey Hill has wanted to put a gas station there for four years. Uhaul wants to expand their truck parking. With the proposal from the Woda Corporation, you are now starting to redevelop Main Street. This is the entryway into Whitehall. Think about the possibility of the salvage yard (the audience began asking questions at this time) so the idea is this is the catalyst, sort of like what is happening on Broad Street. Things will start progressing. Sonic is under a lease right now. They are looking at possibly getting rid of the car lot across the street and the laundromat. Many things will start happening with this type of development. They asked that Council let this zoning go forward with the hopes that over the next few years (a citizen who was upset and was leaving the Council meeting interrupted him).

Mr. Savage answered questions from Council at this time.

Mark Pollster, 489 Collingwood Avenue, Whitehall, OH said he moved to Whitehall fifteen months ago because of the half-acre plots. He remembers when nobody wanted to live in Whitehall the development started happening. He found something he referred to as urban planning artwork. He is excited about Whitehall's development and future. He has not heard anything so big that would cause him to be against this project as a community member. He looks at that corner and sees an eyesore. By putting the apartments there, it will be a catalyst for the area. Thank you.

Amy Smith, 1080 Ross Road, Whitehall, OH she is a resident first but she is on the Planning Commission as well. The biggest thing she wants to stress is what she has heard a lot of, it's either or, it's yes or no, we can't do the apartment because of these issues she does not deny. They can approve these apartments and they can address the residents' concerns of crime, speed and amenities. They can do both. It is not us homeowners, single-family vs them apartments, renters and people. She has heard a lot about I love my neighbor, I moved in and was embraced by my neighbor. Why can't that continue? Why can't we embrace people who move into this building? They are your neighbors too. You live in Whitehall and you get a voice whether you are a homeowner or renter. She heard a lot about protection. Are we talking about privacy? She was not around for some of these bigger developments or as involved as she is now but she would question Council, did we ask about security cameras at Norton Crossing. Did we ask about six foot high fencing for security at these other developments that have already been approved? Whether these types of things are on the west side of town or the east side of town, we need to look at them all the same way, no matter if a unit is \$500.00 or \$1000.00. There is no malicious intent. It feels sometimes as if people think we told them exactly where to build. That is not how this works. Its land size or is it available for sale. There are things that cannot be controlled. With new developments, we ask them to retain massive amounts of storm water on the property that currently does not exist. That is helping with the storm water flooding. Developers and architects are asked to come to the Planning Commission and to Council very early on in the process. It is not an either or. Thank you for your time.

Chris Webb, 1026 Westphal Avenue, Whitehall, OH said he appreciates the citizens coming and having their voices heard. Safety is a concern even though he does not live in that Ward. Crime affects all of us in Whitehall. He has reached out to many about the crime and what can be done about it. What he has found is that high-density apartment complexes have actually been found to deter crime. What stays with him is that Whitehall is the City of Pride. He knows opportunity is here but if you grew up here, it is the

city of Pride. There is pride in your neighbor and in the preconceived notion of who you are. Thank you for your time and have a great evening.

Director Woodruff said the Administration is a proponent of this project. As someone who grew up here he can certainly understand residents' concerns as it relates to traffic, as it relates to crime but as they try to evaluate these projects objectively, they look at the current condition. Most of the comments tonight were about the current state of crime. He thinks Mr. Webb hit the nail on the head that the best way to deter crime is to have redevelopment occur, to improve properties, to have eyes on the streets. Criminals do not want to do criminal activity where they feel like they are being watched. It is the same reason they had the discussion about businesses putting bars on their windows. He heard about traffic and how much traffic this will add. There is a lot of information on the Institute of Traffic Engineering. The average trips this development will generate is four to five times less than if a gas station or convenience store were to be built there. At the Planning Commission meeting, a couple of weeks ago and Dollar General was there. Someone asked why a Dollar General could not be built there. A Dollar General would generate significantly much more traffic. If the owners wanted to sell it to Dollar General there would be no stopping it as it is already zoned for that use. (At this time, Megan Myers passed out to Council the traffic survey that was done by the Division of Police) They were in the 250 block and the 550 block of Maplewood. Talking to the Division of Police today they told him that it does not matter which type of radar used, it has no bearing on the numbers. As you can see, the average speed in the 250 block was 26.37 mph over a three-week period with 65,000 vehicles over that period of time. In the 550 block, the average speed is 27.37 mph. He does not doubt there are speeders and people pass cars. The key to addressing the speeding is through education, enforcement and engineering. It is not through rezoning a property on the corner of Maplewood and Main. The other thing he heard was crime. He heard a lot of fears of the people who are going to be living there. He understands there is crime that occurs just outside of Whitehall's border to the left. The way to reduce crime is not only additional enforcement from the police but it is by redeveloping areas. That is a real thing. Redevelopment lowers crime. It just does. People are concerned their property values are going to go down. He finds it hard to believe that a vacant industrial site for the last twenty years that is an eyesore is somehow keeping property values on Maplewood afloat. He shared a study from the University of Utah on property values. He understands there is a lot of concern over what this could be. There is a 54,000-unit gap in affordable housing in central Ohio. There are 220 jobs available today on Main, Hamilton and Broad that pay an average of \$11.00 an hour. The average of the person who would like at this new development is going to be making between \$16.00 to \$17.00 an hour. Saying we are not going to approve projects like this when they have been approved in the past with similar density, heights and parking, Broadwood and Etna Flats, those were all approved with similar standards. Parking variances were approved last evening. The Planning Commission approved the project with the current parking. If we want things to get better, we have to do redevelopment. They are talking about a \$25,000,000.00 investment. Council can certainly put whatever kind of conditions that they would want. The ordinances can be passed with the provision that the applicant come back and get the landscaping approved by City Council as well. There are ways to do it if that is a concern to approve the zoning and require the landscaping plan, fencing, trees, berms and whatnot to have to come back before this body.

After confirming that there were no additional proponents or opponents on Ordinance 046-2021, President Potter closed the public hearing at 10:50 p.m.

President Potter opened the public hearing on Ordinance No. 048-2021 at 10:51 p.m.

#### ORDINANCE NO.048-2021

AMENDING THE ZONING MAP ATTACHED TO CHAPTER 1122 OF THE 1970 CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, OHIO AND AS SUBSEQUENTLY AMENDED, ALLOWING A SPECIAL PERMIT UNDER 1123.06(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.



Director Woodruff said he thinks the Applicants presentation would be the same as Ordinance 046-2021 and he thought it would be okay to go right into proponents and opponents.

President Potter asked the Applicant if he agreed.

The Applicant said he would like to say a few things.

Clay Cooper said alot of interesting things have been said on both sides tonight. One of the big concerns was who wants to live there with crime. They are building on this corner because they believe in Whitehall. They believe in its revitalization and the 2019 blueprint is why they want to be there. They truly are committed to maintaining their properties. He shared a 2019 study out of Georgetown University. If Council truly believe in the residents of Whitehall, believe in upper mobility and believe in the hard working citizens here they greatly request that Council approve this tonight. He thanked everyone for his or her time.

President Potter asked if there were any opponents to Ordinance 048-2021 and if so please come forward, state your name, and address for the record.

Kathleen Holmes, 689 Maplewood Avenue, Whitehall, OH said the thing is if you put the apartment complex there, that is Columbus on the other side. You have no control with what they do with their property. She hopes Council has listened to those that do not want this. She said when she would see the speed limit thing she would slow down. She asked how high it was set.

Chairperson Rodriguez said they are to be set where they are supposed to go off. It actually goes off before it flashes. It may not show you the speed but it does record it.

There was additional conversation on the speed limit tracking device and how it works.

President Potter asked if there were any proponents to Ordinance 048-2021 and if so please come forward, state your name, and address for the record.

There were no proponents on Ordinance 048-2021

After confirming that there were no additional proponents or opponents, President Potter closed the public hearing at 10:57 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. 043-2021 was read by title only by President Potter:

MAKING A FUND TRANSFER IN THE AMOUNT OF FORTY-SIX THOUSAND TWO HUNDRED FORTY-ONE AND 64/100 DOLLARS (\$46,241.64) ~~TWENTY FIVE THOUSAND EIGHT HUNDRED EIGHTY AND 36/100 DOLLARS (\$25,880.36)~~ FROM THE BOND RETIREMENT ACCOUNT (101-950-57500) TO THE DEBT SERVICE FUND (401) AND DECLARING AN EMERGENCY.

Mr. Rodriguez introduced and moved to adopt Ordinance No. 043-2021 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 043-2021 was adopted.

ORDINANCE NO.046-2021 *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, 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.

Mr. Rodriguez introduced and moved to adopt Ordinance No. 046-2021 and Ms. Elmore seconded the motion.

Chairperson Kantor said Ms. Smith made a statement that was very accurate about things that have been approved in the past. He reached out to Mr. Morrison and they came up with Norton Crossing and Kelly Green. They do have a six-foot privacy fence on the back for the protection of the residents. He would like to have that added to this legislation. He would also like to add the elimination of the first three parking spaces closest to Main Street on Maplewood Avenue. He would like the developer to come back with a landscaping and playground design to Council for approval as they had many questions in reference to that.

Director Woodruff asked Mr. Rodriguez to amend his motion to include those conditions.

Mr. Rodriguez re-introduced and moved to adopt Ordinance No. 046-2021 with the conditions that a six-foot privacy fence be installed on the north side of the property, the three parking spaces closest to East Main Street on Maplewood Avenue are removed and that the developer submit to Council for approval a landscaping design to include the playground area and Ms. Elmore seconded the motion.

Mr. Rodriguez said it seems that there is a lot of energy in the room this evening both for and against this legislation. He heard a lot of negativity from the opponents as far as crime. He lived on Robinwood Avenue for thirty years and he would love to get back to the woods if he could but right now housing is crazy. It seems as there were wonderful things brought up tonight but it seems almost like we are trying to rubber stamp the people that we know they are going to be bad, be criminals, run through our yards, there will be more prostitution and there are many positive things as well. They have worked so hard to change Whitehall for the better and he feels they just need to keep moving forward with this and give it a chance. If they can get this going, there is the opportunity across the street, down the street to have buildings right up against the road. This is the beginning of that Jerry. He thinks that they have to start somewhere and this is the western gateway and this is a good start. It may not be perfect but it beats some of the stuff suggested tonight. Who would want a gas station there with all the traffic, people and theft? Who wants more uhauls? At least this is something. Let us give it a go and see what happens.

Ms. Conison thanked everyone for coming out and she sees many friends out there tonight. They are all open-minded as someone asked that question earlier. Change is hard. She remembers when Children's Services was going to be coming to the City of Whitehall. She sat with her fellow Council members that were in full agreement and it was her neighborhood. It was her neighbors. They were worried about the same exact things that they are worried about this. Is it going to increase the traffic, increase crime in the area, who were the people who would be moving in there and it has turned out to be wonderful for the City of Whitehall. She believes this will be also. One of the things she said when she got elected

was that they would have workforce housing and this is workforce housing. That means that the people who are moving in here are essential workers. These people are not making one hundred thousand dollars a year. When she hears them versus us, everyone was a new neighbor at one time and we need to be a welcoming city. We need to embrace the new people who are coming in here and make them a part of our community. That is what deters crime and makes sure the traffic slows down. We need to make sure the entire community is embracing them. She hopes that they too will keep an open mind if this passes and if these people do move in. She hopes that everyone would be welcoming to them.

On a roll call vote, Rodriguez, yes; Elmore, yes; Conison, yes; Kantor, yes; Heck, no; Morrison, yes and Ordinance No. 046-2021 was adopted.

ORDINANCE NO.048-2021 *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 1123.06(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.

Mr. Rodriguez introduced and moved to adopt Ordinance No. 048-2021 with the same conditions as Ordinance 046-2021 and Ms. Elmore seconded the motion.

On a roll call vote, Rodriguez, yes; Elmore, yes; Conison, yes; Kantor, yes; Heck, no; Morrison, yes and Ordinance No. 048-2021 was adopted.

#### SECOND READING:

RESOLUTION NO. 014-2021 *was read by title only by President Potter:*

ADOPTING THE TAX BUDGET FOR THE CITY OF WHITEHALL, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2022 AND SUBMITTING SAME TO THE COUNTY AUDITOR.

#### FIRST READING:

ORDINANCE NO. 054-2021 *was read by title only by President Potter:*

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF THIRTY-SIX THOUSAND SIX HUNDRED SEVENTEEN AND 05/100 DOLLARS (\$36,617.05) FROM PREVIOUSLY UNAPPROPRIATED MONIES IN THE WMPITIE FUND (279) TO THE AIR SOUTH 1 INCENTIVE ACCOUNT (279.000.50006) AND DECLARING AN EMERGENCY.

Mr. Rodriguez introduced and moved to suspend the rules on Ordinance No. 054-2021 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 054-2021 was suspended.

Mr. Rodriguez moved to adopt Ordinance No. 054-2021 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 054-2021 was adopted.

ORDINANCE NO. 055-2021 was read by title only by President Potter:

AN ORDINANCE ESTABLISHING CERTAIN CODE VIOLATIONS AS PAYABLE CITATIONS NOT REQUIRING A PERSONAL APPEARANCE AT COURT.

ORDINANCE NO.056-2021 was read by title only by President Potter:

AMENDING ORDINANCE NO. 049-2011 TO UPDATE THE TAX EXEMPTIONS AVAILABLE WITHIN THE EAST BROAD STREET DISTRICT COMMUNITY REINVESTMENT AREA.

ORDINANCE NO.057-2021 was read by title only by President Potter:

AMENDING ORDINANCE NO. 051-2011 TO UPDATE THE TAX EXEMPTIONS AVAILABLE WITHIN THE MAIN STREET EAST COMMUNITY REINVESTMENT AREA.

ORDINANCE NO.058-2021 was read by title only by President Potter:

AMENDING ORDINANCE NO. 048-2011 TO UPDATE THE TAX EXEMPTIONS AVAILABLE WITHIN THE TOWNE SQUARE DISTRICT COMMUNITY REINVESTMENT AREA.

RESOLUTION NO. 016-2021 was read by title only by President Potter:

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

Mr. Rodriguez introduced and moved to suspend the rules on Resolution No. 016-2021 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 016-2021 was suspended.

Mr. Rodriguez moved to adopt Resolution No. 016-2021 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 016-2021 was adopted

#### POLL PUBLIC:

Gerald Dixon, 3877 Doney Street, Whitehall, OH 43213 passed out a photograph of himself to all Council members. As a gay man who was born and raised in Whitehall, he wanted to acknowledge and praise the Administration’s efforts with Pride signs and crosswalks painted in the Pride colors. While that kind of acknowledgement in a smaller town, in his hometown does the spirit of this now older fighters heart proud. Beneath this newfound broader acceptance with corporate sponsorship and civic involvement, we must not forget that the inclusion and happiness, which go along with it, were forged and made possible by the many lives of pain, shattered and lost, who fought and struggled for days like these. Wrongs and trespasses, beatings, killings and death for murder or aids that remain always within us. Those who stood up and spoke out when it was dangerous to do so and demanded to be treated as human beings with the fairness and kindness that everyone deserves. He says this as one who survived being gay in America. He was one who marched in the first gay Pride parade in Columbus nearly forty years ago, when bomb threats were called in to the rally’s location, So too, where they marched through gauntlets of Christians who’s arms were raised up on both sides of the Broad Street bridge as they passed through them, in their attempts to heal the sick perverts from their sin. He marched in massive Pride parades in New York City during the height of the aids crisis in the late 80’s and early 90’s, have seen friend succumb to aids and remember well the silence equals death campaign of Larry Kramer. He has paid in his own blood as seen in the photo he

provided to Council. Drawn on the streets of New York City, being chased down like a dog, where they kicked him in the face, the spit the word faggot from between their clenched teeth, breaking his nose and blackening his eyes in the process. He was lucky to get away from them, as he knew they wanted him dead, this only blocks from where Julio Rivera had his head bashed in with a claw hammer and knifed to death because he was gay. This was less than two years prior to his own experience. While these efforts are tangible evidence of the progression and acceptance LGBTQ+ people have fought and died for to gain and while we all bask in the lovely and warm glow of acceptance and inclusion, he holds close to himself his own traumas, wanting only to remind everyone of the cost of brothers and sisters, mothers and fathers and aunts and uncles. Real human beings who paid a price of pain so grievous that he does not view these efforts so much as the show of solidarity among humans that they are but rather as worthy tributes to those comrades who struggled and died wrapped up in vibrant colors on our city streets for all to see. Thank you.

#### COMMUNITY DATE BOARD:

Chairperson Elmore said that July 2 from 8-10 pm is the Fireworks Viewing Picnic. July 3 at 10:00 am will be the Fourth of July Parade. June 16 is Lamby Lane Picnic. June 23 from 2-3 pm is Speak Up and Speak Out conversation about race. The online reading challenge is May 29 – July 31. Summer Sports Camps are 1-3 pm Monday through Thursday and registration is required.

Chairperson Heck said registration is online for Summer Sports Camp at the website or you can call the Parks Department. There is free lunch at Beechwood and Rosemore Schools, Monday through Friday 11:00 am to 12:30 pm and at Etna 11:30 am to 12:30 pm.

#### POLL COUNCIL:

Mr. Rodriguez said it was nice to have a good crowd this evening. It was a very passionate evening and without a doubt the longest meeting ever. It is good to be back in the venue. He thanked Mr. Dixon for his remarks. Many of them know his story and it is a shame they still are having these conversations today and a shame there is so much prejudice against someone's sexual orientation, race, creed or color. He shared that Clara Boyd passed away Saturday. She was 36 years old and had two children. Today at the Sunoco, they had a collection for her family. Vicky said she would still accept donations for the family. They are great Whitehall ambassadors.

Ms. Elmore thanked everyone for viewing on Facebook. She thanked everyone for his or her comments tonight. It did help them to revise the legislation and their comments and concerns did not go unheard. She said that Whitehall has improved tremendously since she moved here from what she saw growing up. She was a proponent of affordable housing, she grew up in affordable housing and she used affordable housing. It is for people to use. When you put a label on what you think people are going to do, it is false evidence appearing real. That is what fear is and we have to move outside of that to look at what is possible. Opportunity is one thing that Whitehall is. She appreciates the fact that they have drawn out a blueprint that gives them a step-by-step look at what is going to happen in the future and they are following it. She is a proud homeowner in Whitehall and she will say again that she moved here on purpose. Juneteenth celebration is a holiday commemorating the day that the Emancipation Proclamation happened. This weekend there will be several events planned for this weekend.

Ms. Conison said the one thing that she loves about Whitehall is that the all can disagree but then they all come back together again. Whitehall is a large community of 19,000 people but it has that small town feel to it. She knew so many in attendance and it was hard to listen to their stories. She knew they are worried and until they see the good that is just human nature. She travels every day from Whitehall to Delaware. She could have moved closer a long time ago to be closer to where she works but she loves

Whitehall and she believes in the people and the community and she thanked everyone for coming and voicing their opinions.

Mr. Kantor thanked everyone who came and who viewed online. They sit up there and it is tough sometimes. He has had many phone calls over the last few weeks and they try to do what is best for this community. They love this community. A couple of weeks ago his family drove down Yearling Road and this community showed the love back to him and his family. He thanked everyone. They try to do everything that is right but they do not hit a homerun every time. He told Mr. Dixon that he is sorry that he experienced what he did. It is horrible and he cannot see why it is happening currently. He hopes it never happens again. He said the members of the Planning Commission has a tough job to do themselves and it is not always pretty.

Ms. Heck thanked everyone that came in and it was nice to see so many people. She thanked those that watched from home. She thanked Mr. Dixon for getting up and speaking. Happy Pride month and Juneteenth to everyone. She hopes to see everyone at the Lamby Lane Picnic tomorrow.

Mr. Morrison thanked everyone for the comments tonight and he does appreciate everyone's input both pro and con. He thanked everyone for coming and hopes to see everyone next week. He thanked everyone for watching tonight. He hopes everyone has a safe week.

President Potter said it was nice that they have been able to open Council Chambers back up as you all know they have been closed for over a year. It is great to have public participation and it does help with the process. This was obviously a very passionate discussion tonight but conversation is good and he feels that is part of a healthy process. He thanked everyone for taking the time to come out and making his or her opinions known. He thanked Mr. Dixon for sharing his story. It was terrible that it happened.

Having nothing further, Mr. Kantor 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 11:29 p.m.

Respectfully submitted,

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Julie A. Ogg, Clerk of Council

APPROVED: \_\_\_\_\_, 2021.

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Thomas M. Potter, Council President