

WHITEHALL CITY COUNCIL
AGENDA MEETING MINUTES

President Potter called the July 21, 2020 agenda meeting to order at 6:30 p.m. All members were present.

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

Chairperson Morrison asked Mayor Maggard if the only change in Ordinance 058-2020 was from forty hours to thirty hours?

Mayor Maggard replied yes and they need to comply with the ACA Act and any employee who works actually thirty hours or more on a regular basis is entitled to health insurance benefits.

Chairperson Kantor asked if it was thirty hours at twelve consecutive weeks?

Mayor Maggard replied no, if you do plan to work twelve consecutive weeks it would have to be thirty or more hours.

The meeting adjourned at 6:35 p.m.

Respectfully submitted,

Julie A. Ogg, Clerk of Council

APPROVED: _____, 2020.

Thomas M. Potter, Council President

WHITEHALL CITY COUNCIL MEETING

MINUTES – July 21, 2020

President Potter called the regular meeting of Whitehall City Council to order at 7:00 p.m. on Tuesday, July 21, 2020.

At President Potter's request, everyone rose for a moment of silence. He asked that everyone keep Sylvia Knoblauch's family in your thoughts and prayers. 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
Lori Elmore
Karen Conison
Wes Kantor
Jo Anna Heck
Larry Morrison

APPROVAL OF MINUTES:

Ms. Conison moved to approve the Minutes of the July 07, 2020, agenda and regular meeting. Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members responded in the affirmative and the minutes were approved as submitted.

SPECIAL PRESENTATION:

Police Chief Mike Crispen
Ordinance 049-2020 (Racism is a Public Health Crisis)
The Progress of Whitehall PD to 21st Century Policing

Chief Crispen thanked the President, Council and the Mayor for the opportunity to come in and talk to them about something that is very important. He hardly ever gets the chance other than town hall meetings and individual conversations with the Mayor and each one of them, a chance to, number one, to fill you on what is going on in law enforcement, the department and the city. Also, from an advisor's perspective because he often says to his folks and he knows that he said it today to Councilperson Elmore, is when you think about what they do and he talks this all the time and the Mayor says she hears it all the time, the job of law-enforcement is to do one thing, and that is to protect people's life, liberty and property. That's their job. right? All the rest of the stuff they do is how they do that. They do that through a constitutional system. That constitutional system does not state police officers anywhere in it. That you folks. You folks are the ones who are totally responsible for life, liberty and property protection in the city of Whitehall, any other elected officials and their jurisdictions. They take their guidance on how you want that done. He knows they are supposed to be the experts of how it is done by best practices standards and they do that as best as they can. He wanted to emphasize that because they want to work with Council and when he looked at Ordinance 49, and this is the reason he wants to jump right into that is because when he looked at that and some of you saw and he knows the mayor has, about the Whereas' s that were listed in that. His first thoughts were you could have taken a committee of his police officers and they would have helped in the writing of it. There is nothing in there that they didn't already know, right, that they weren't supportive of or recognized as an issue. Social economic problems that we have in the city, the country in general. Some of the problems with housing and jobs and things of that nature, those things played right in. Social economics and crime reduction go hand-in-hand. Those things are extremely important and they are

very glad that Council taking it very serious but he wants to talk to them because 2020 has been the craziest year. He wants to tell them something about their police department. He wants to tell them for a reason. If you go back to February or March, these officers had thought, and quite frankly he did too, that he was going to lose some officers. At least seriously ill if not killed due to this pandemic. He had to speak to a couple of the officers and ask them to make a decision. They were either going to have to not work right now or they were going to have to not go home. They were going to take this back to their family and whether you know it or not several of them were living in city buildings at the end of their shifts rather than going home to their kids. There are a couple stories that are always in his head, where some of the officers were even out working in the community and they were going out and using their own money, which is not abnormal for them, putting people up in hotel rooms, paying for bills and in one case rather than arrest someone for shoplifting, because she was again trespassing for having shoplifted At Walgreens, the officer decided it would be much easier if he just went in and bought the ibuprofen for her and he gave her his card and said call me if you need something later. He was tired of arresting her and he knows she needs stuff. This is what your police department does. This is what he knows about them. The sacrifices they make. Are they perfect? No one's perfect but they are very dedicated to the citizens of Whitehall. So, as he began looking at some of the stuff they were doing, he needs Council to understand that in the last three years these officers have been pushed in ways they have probably never been pushed. They have push them to work hours for three years that wore them out. There were grievances at times because they were pushing hard and trying to keep the funding down in order to accomplish it. The results of that work, he believes, citizens believe, jurisdiction surround them believe, that they have reduced some serious crimes to levels that are unprecedented. That is what has been going on in the last three years with these officers. Part of the stuff that had to be done, he thinks because this is what he and the Mayor talked about when he was hired, was that he needed to come in and look at the crime rate but also change the culture. One of the things he did, in talking about culture, was he started driving a message of inalienable rights and constitutional liberties and stuffed them into the officer's heads. In what they call rule 14 and rule 13, which is do the right thing and take charge when you are in charge. As they begin to look at that, one of the very first things that they did was to take a look at racial bias reporting and things of that nature that were not in place. We are the only city in the area using a model that we are using for racial bias reporting. If we use it to check officers, not necessarily for what he refers to over-racism, because he would fire them for that, but for what some people referred to as implicit bias. This is where things happen and they don't realize they are happening and things begin to look bad when you start to look over a period of time. They track those numbers to keep people in check and to make sure they are not doing that. They check that quarterly. If you look at the 21st, if you are familiar with that, in 2015, President Barack Obama's task force on 21st century policing, there were 47 specific recommendations that would actually impact a city of this size. Of those 47, we have implemented 45 of them in the City of Whitehall. The 46th one was just sort of implemented by you, which is a civilian review board. They have never been concerned about that. The 48th one, as long as he is here will never be implemented. That is a choice Council will have to make which is not allowing officers to wear military style equipment in large mass gatherings because they are getting hit with rocks and bottles. Our officers have had frozen bottles thrown at them and rocks. He is not supportive of that. They have to have something to protect themselves. Other than that he understands the whole concept of not looking like military and they do their best to make sure that is not what they are representing. But not having those types of resources would be a serious mistake and he would never be supportive of that. When he looked at Ordinance 49, he looked at that thing at the top and thought to himself that you could have looked at their strategic plan and he knows that some of them have read it, and looked at their mission statement and you could have found a phrase in there that said "we are committed to enforce laws in a fair and reasonable manner." That is their mission statement. We measure that with two things, constitutional culture and technological accountability, which are the mechanisms they use to track people. As he was going through that he looked at Ordinance 49 and he had a couple things that he wanted to bring up. One was, and he knows that he and the Mayor are working on this, looking at their policies and processes and what is referred to as a racial equity lids. He is glad to see in section two of that it talks about they are going to wait for some terms and definitions to come from Franklin County Health. He does not have that definition for racial equity lids unless they mean the same as he means which is they protect people's rights, life, liberty and property and he can promise then that every single policy that goes through his department that he personally approves, it goes through multitudes of fraternity's first then gets to him and if he has questions on it and how it might impact Whitehall it goes through Mr. Bivens. Every one of them in his mind meets the constitutional standard of protecting people's civil liberties and best practices in policing. The stuff that is relevant to this has been measured, however, they withhold an opportunity that

when those definitions come in, maybe there are things they are not thinking of, they are not the know it all, and you are the decision makers for what you want your policing to look like. Until they see what that definition looks like he has to say it is going to be very difficult for him, other than to just say, he thinks it does. He never would have put his name on it if he thought it had a racial problem. However, again there are things we are all learning as society begins changing a little bit as it approaches policing. He reserves the opportunity to adjust in case there is something that they are not aware of but he thinks from that standpoint he does not know that he can technically meet that to answer that until section two in Ordinance 49 is accomplished. As far as the community relationship piece to this with the police department, he thinks he has said this a couple of times, but the number one concern that the community has always had is crime in Whitehall. The police have done a good job of reducing crime to levels that have done a lot of good for the department but mostly for the city, Housing market is going up and jobs are coming in. He keeps saying to the media people that Whitehall is a train and they better get on soon or they are going to miss it. It is the best kept secret. That has a lot to do with the support you give the department with resources and stuff, with safety and fire and everyone but it also has to do with the efforts of these folks who are going out and hitting the roads and reducing the crimes. To know that and to also know that we have close to 55 percent minority's in Whitehall, to know that is where we are as a community and to know this community still rated the police department the last time the highest rated department in the city says a lot to him about community relations. He knows that his department has a great relationship. They get tons of people stopping in all the time and they see them on the streets. They are confident of that but does everyone love them. They are like mom and dad. That is their job to tell you that you cannot do something and they are going to have to do something about it when you do. They are never going to make everyone happy no more than you make your family or your children happy but there are times when they have to do something that upsets people. They try to do that in a fair and reasonable manner and they try to make sure their guys are doing it. He wanted to say this. The effects of Ordinance 49 are very, very real in the police department. It is real for a reason. It is not that there is not an agreement with the issue, right. The question that is asked often is "Was Ordinance 49 as it relates to changing and addressing policing in Whitehall or was it in relationship towards and in solidarity towards what was going on nationally, Franklin County and so on when it comes to policing processes?" The oversight that needs to happen. The things we are not concerned about but it was questioned. Why has this all of a sudden popped up that Whitehall Police now have to have all these things because of something that never happened in Whitehall. They don't like it, they didn't like it and we talked about putting a press release out almost the day that it happened, that it would never be tolerated in Whitehall but things got a little too ugly in Columbus and we did not want to bring unnecessary attention after that. He is telling them that the department was as upset and hurt by seeing that type of behavior in a law enforcement professional as anyone else. When Ordinance 49 came in and they are reading it and they are saying that is right and they agreed with that and they needed to do something, they have been needing to do something on that for years in Whitehall to help this community much of which we have no power as Police Officers to do. But they can reduce the crime and give you folks and development the opportunity to do it. We need someone else to look at what they are doing use of force wise and again he has always been okay with that and he has told them that. It is the timing. If it had been 2019 and we wanted a civilian review board, he would have said that is all and fine. They are probably going to be easier on them than he ever was. He is still going to hold them accountable more than they ever will. Now is the timing of it. The reason he is bringing it up is proactive policing in Whitehall is darn near halt. Officers, as much as we push them will do their job. We are not going outside the city to get the people bringing the drugs in here for a couple of reasons because we don't need to take that problem, we kick in doors and something happens, into Mayor Ginthers area or into Chief Quinlans area or other Chiefs areas. Everything has died down. People are not moving and doing things they would have normally done proactively. He did a survey of the officers because he wanted to know, he made it anonymous because he knew he would get the truth, and when he read this he saw that 93 percent of his officers responded that they are worried about their career. Eighty-eight percent of them are now worried about them and their family's safety. Some of you don't know this but there is a thing going around right now where traffic cones are showing up on the door steps and front doors of police officer's homes as a sign that they know where you live. This has happened to multiple officers in Franklin County. None of theirs but these are the things they spread. It is a network. Families are taking the stickers off their cars from where they were supporting officers. These are things that are going on in their world. He wanted them to be aware of these things. He has asked the how much confidence they have though, if something was to happen with them doing their job with the city leadership, himself included. Only twenty-one percent of them had any confidence that you would support them. That is a concern for him. That is a concern for the

morale. Every six to eight months he does a survey and he asks about morale. Again it has to be anonymous. Since he has been here on a one to ten scale he has never wanted to drop as a whole below 8. If he is in the 8 range, he is usually pretty good. He has never dropped below an 8 since he has been here. He has been in the high 9's and second shift supervision was at 9.8 last time. Right now he is at 5. He is not blaming anyone for that. He is saying as much as they want to address this other issue, it is important to remember that these are our employee's. They work for us. They are human beings. They have to have some confidence. This is a phrase that was said to him. "I am more than willing to run or have you send me to bullets and die for this city. I am not willing to go to prison for it." That sat with him really hard. If you start to look at what is going on around the nation, he understands there is a need to fix something and there is no doubt about it. He meets routinely with Chiefs of Police. He meets with the General Assembly people and he has been telling them that there are some needs. Make some changes because every profession has some bad actors. We need to deal with it and we need the power to deal with it swiftly. We know who they are. We just need the power to do it, right. He is not talking about here but talking in general. These officers are good folks who are putting their lives on the line and watching just like everyone else to the national events, they talked about the social media stuff, and they are watching officers get arrested for and go to jail for what even they were trained to do. So they are nervous, they are concerned and they are worried about what is going to happen if they are just doing their job. We said of one, you have a two-year old kid, how important is it for you to get that heroin you know is under that bed knowing that something could go south and you do not see that kid again until you are twelve because you got a ten-year sentence. So they are backing off. That is not good for our safety. We have spent many years creating a perception in Whitehall that you do not want to come here to commit a crime. If you come here we are going to come find you. That has been a major, major staple in what we do to keep this city safe. Now that is backing off and if the word starts spreading enough the criminals will begin to believe they can get by with stuff because police officers in general they are on their heels. They are not being the officers that he is used to seeing and he is not as comfortable to push them to do it because he is every bit as concerned for them as they are. They are making some changes. They are meeting next week to go over their strategic plan again. Some of it is really good and he likes some of the ideas about getting out on foot more. They have been doing that but this is, they are going to switch some theft initiatives with foot patrol initiatives and community relations. Hopefully that will do some good for relationships but when his folks hear these kind of things, the thing that stands out to him is when he hears someone very, very dear to him, without saying names, say to him that he has a plan for him to reconcile Whitehall Police Departments relationship with the citizens of Whitehall, well intended he knows, but he will tell you that it hurts to this department to hear that kind of relationship that they have built over these years with a ninety percent satisfaction rating, this department had nothing to do with what happened in Minneapolis. They despise it like everybody else does so he thinks it is important that he asked that they do a couple of things. He would ask that members of Council spend time over at the Police Department. He will open up the doors to them and they can look at anything they want to look at. They are welcome to see how they operate. He would encourage them to ride with a police officer, spend some time in roll call and talk to them. He would ask them to do that and to help him take a look at the departments operations and let him know whether there is a problem. He would assure them in his mind and he has been fighting an issue similar to this for many years of his career, if there is anybody to hold the accountable it would be him way before any of them. If he is missing something he needs to know. When Council passes this, without us having a lot of conversations on this, or us having conversations with it and it has them addressed in it, it feels like at the department, is there a concern with the police department from Whitehall's Councilmembers, or is it something that is not related to them and they just don't know it and they don't have the answer either way so the fault has to be with them and they think we are part of the problem too. Because of that he would ask them to spend some time with them. The Mayor knows that he will do his best to always to do the right thing for this department and for the city to keep it safe. He has left it on the table as long as necessary. He is here for Whitehall as long as it needs him and when you don't need him he will leave the second they don't need him. That is really simple, but he need for the to tell him what they want the police department to do because Council is the ones running the show. Just a couple of little blurbs did not work for them so they need just a little bit more to help them. One of the other ways that Council could do that for him if they have identified a couple problem areas and hopefully they can have some discussions later about it. The Whitehall Police Department absolutely has a diversity problem. They do not have enough minorities working in the Police Department and that absolutely has nothing to do with the efforts of the officers to recruit. The money you gave them to spend to recruit we mentor them through their process as interns. The minorities just cannot get sent to them from the civil service list. He has no power over that. They lost a tremendous officer

because he could not get the list from civil service until it had his name on it. He went somewhere else and he had him working for him for a year as an intern. There are things that can be fixed. It isn't because they don't want to hire the people and you don't want us lowering our standards or do anything of that nature. Civil service tells us who we can get anyway. He would ask that Council fix that problem or at least think about fixing that problem. Lastly, he thinks all of you support police officers. That is what he gets from every single person he speaks with. He has spent the last few weeks having to keep saying that to his folks. This is what he hears from them when they talk to him. This is a great department. This is a great group of people. There are no issues with Whitehall Police Department. He believes that is what he gets from Council. The work they have done he knows they support. He would ask in line with what was just passed, Ordinance 49, the Police Department is one hundred percent supportive of. Taking care of those issues but he would also say that this body needs to reassure those officers in one form or another, he would ask for an ordinance, recognizing the hard work and efforts that they have done over the last three years and the appreciation from this City and this City Council for the work they have done for the three years, the sacrifices that they just put in because of covid-19. Some of the literally thought they would not survive. Some of the today are home sick. They have some issues for sure, behavioral things here and there. They will hold them accountable and there will be grievances and they will deal with them These are all the little things. These are not the things that require us to get rid of people for. These are good, hard working Police officers and he needs them, the City needs them. To know that their Council and the City's leadership has their back if they need to kick in a door to get a drug dealer and he pulls a gun up at one of our auxiliary officers again and they have to pull the trigger, to save a Police Officers life that they are not going to go to jail afterwards for it. That is what they need to know. They need to know that they will have your support. They will get rid of the bad cops. He does not know of any bad cops in the Whitehall Police Department. He is asking them to think about that and he requests if they have any questions on statistics and numbers, if does take some time to go through all of those, but he assures them if they have racial issues in the Whitehall Police Department he has utterly failed and should not be here. If they have implicit bias, welcome to the human race. Those are his thought and he hopes that they could help him with that and he would greatly appreciate that. He will take any questions now.

Chairperson Kantor apologized for leaving as he has a family emergency with his daughter. He thoroughly supports the Police Department. When he sees things that say "kill a cop" like I did downtown, that is horrible. He made the statement on June 2nd that he does not know a bad cop and he know quite a few Whitehall Police Officers. Because one cop did something really bad and he will pay for it the rest of his life. He is a bad officer. He is a bad man. We have good people across the street and he thanks them, and he appreciates it and they know how he feels. He was over there Friday and address a couple of them, cleared up a couple of issues. He is proud of the Police Department. He is very proud of them. He goes out of his way to say hi to them and to say thank you. He wants to thank Chief Crispin for the job that he does.

Chairperson Heck asked when was roll call.

Chief Crispin replied at the start of each shift. 7:00 am 3:00 pm and 11:00 pm

President Potter said he had an opportunity to go over to roll call on Thursday and he gets where the Chief is coming from because the morale is struggling and he thinks it is not because they want it to be. It is because of everything that is going on. He not only addressed them as the City Council President but as a citizen. He does support everything that is going on over there with the officers and the Chief. As a citizen because he unfortunately had to have some interaction with the Chief because of things around him and every time that has happened the force has been out there, professional, courteous and it has just been terrific. He does think that in times like that with everything ramped up so much it really does intensify and it makes guys feel like they are an (?). That is what he was getting and that is the last thing he wanted anyone in the department to feel that way. That is just not the case what so ever. Who is the first person you call when something bad is going on? It is the Police and they always show up and to have to hold all their emotions in because it is ramped up as well, with what we have going on with covid-19 and Minneapolis. They have to departmentalize so much more and still do their job. The stress on them is very significant. He gets it and he does appreciate everything that they are doing.

Chairperson Heck wanted to give kudos to one of the Police Officers. He stopped by my neighbors and brought my son and the neighbor kids popsicles. He talked with our neighbors and it made their day. She believes he does not know how big of an impact he made doing it. It was like two weeks ago.

Chairperson Elmore thanked Chief Crispen and she appreciates his leadership. She believes Chief Crispen is a stand up person and she has had several conversations with him from the time she moved here. She believes in his leadership and she believes that he is very genuine in what he says. She knows he will honor everything that he says. They have had several conversations. She wants to talk about Ordinance 49 from the perspective of kind of answering his question and she believes it was a response from the county, state and national response to what happened. It was not specifically Whitehall Officers. She has had interactions with Whitehall Officers and they have all been good interactions. She has had several conversations with them. She thinks in order to get more of an idea, she thinks an eye opening experience for her was when she attended the awards dinner. She saw things that she didn't know existed, okay, because was not a part of that until she went to the dinner and she really appreciates the hard work that the officers do and continue to do. Never does she want anyone to lower their standards. Never at all. She believes they have a very difficult job, like a lot of other people have difficult jobs as well. She believes with his leadership they will maneuver through that. She is confident in what he does and she knows based upon the type of department that he runs, it trickles down. They have confidence. She believes there is confidence there. The other thing she wanted to address was foot patrols and building relationships. She thinks that is essential to community policing. She remembers one of the officer's names from Saturday but not the other. The relationship he had with those children and she can tell it was a relationship because of how they greeted each other. How they joked around with each other. That it was just not stopping I am stopping by to check it out and then I am leaving. They had genuine relationships with those kids. That made her heart happy when she saw that. Kudos to Officer (?) and the other Officer. Once she goes to roll call she will be able to point him out and she will say something to him herself. She believes we are in difficult times and in her humble belief and prayer it will pass and she believes as a community they can work together because that is one of the things she stated with the Officers that she had a conversation with. This is an example of community policing. That is what she said to them. She was very happy to see how they reacted to even her presence and coming up and having conversations. She would just say that it is a sign of the times and it is not based on a particular Officer or anything. There are things happening in this nation that have never happened before in this country and cities. We will weather the storm and she believes that. By working together that will happen. The Chief has her support and she will continue to keep their relationship open. She thanked the Chief for all he does.

Chairperson Bailey said a while back they were pushing for initiatives that create a proactive policing and he will use Officer McDowell as an example. The reason he used that is because he was very successful in what he did. Today we see that more and more on our streets out here and Lori is right, he interacts with them and sometime they do not even know who he is. They are always like President Potter said, they are very professional and caring and understanding. The thing he wanted to tell the Chief is that it breaks his heart to see communities and their leadership looking at defunding and taking equipment away from the people who protect and serve. That is crazy. That is careless thought out of leadership that are supposed to protect the community. He does not think you will ever see that here and they have never discussed anything close to it. He just wanted to say that they are proud of him. These are scary times and it is not a good time to be in the industry he is in and like Lori said, hopefully we will move through it quickly but you have their support. There is no way you can defund the people that protect and serve a community because then you have lawlessness which is obviously what happens. Diversity and inclusion. He doesn't think anybody on Council has ever been involved in hiring a Police Officer. We may fund it but we are not part of that process of hiring so his statement would be that if you are involved in that or the Mayor is involved in that, then fix it. It will take time but fix it.

Chairperson Conison said at the beginning of the year she had the opportunity to go ahead and change from Chairperson of Community Engagement to Chairperson of Public Safety and she was really excited to be able to do that. She and the Chief talked and they started the block watch many years ago and we have continued that. The one thing that she absolutely loved since the Chief has taken over is his heart. He wears his heart on his sleeve. Tonight, it made her sad because it sounded to her that he felt like they went ahead and wrote this against the Police Officers. She didn't feel that it had anything to do with that whatsoever. She felt it was really about just bringing more diversity into our City and to celebrate all of the

wonderful ethnicities, traditions and people that are here in Whitehall. She would love to be able to help more, she just needs to know how. When she forwards to him a letter from a citizen, she does not do it to be mean but because she wants you to be aware of what is going on in the City. She hopes he knows in her sentences to him she always says that she appreciates everything that he does. She totally does. At the beginning of the year they had a very sensitive conversation about some things and he was so sincere and so honest with her. It could have been a very bad situation. By listening to him she felt so much better so she knows that their City is getting the best from him and his department and she really appreciated all that he does.

Chairperson Rodriguez said he has said for years that Whitehall Police are second to none in central Ohio and across the nation and he will fight anyone on that. He has a son who is a Police Officer, a brother who is a retired Police Officer and a cousin who is a retired Sherriff. They are the finest and will always have his support.

Chief Crispen said he would like to end this by saying he really did not want it to totally sound like they felt like they were victimized. He wanted to make that perfectly clear. He says to these guys often that Police cannot be victims. It is not possible unless you kill one of them. We cannot be victims because if we are victims there is no one left. He gets that. He will say that the concerns mostly they think, and this is repeated often, is that they realize somewhere some grandmother is on her knees praying every single day because she has already lost her daughter to an overdose or a gang shooting and she doesn't want to lose her grandkids, one is already caught up in stuff and the other one is in human trafficking and she is praying every day. These are the ones they look for and we still want to have the ability to get in there and to get those bad apples away from her and her family and get them out of those situations. What you are doing in Ordinance 49 to help the community with economics and jobs and health and all those other things is only going to add steroids to what they are trying to do. They are totally supportive of that but like he said before, they just probably need to hear. He knew when he talked to them. They need to hear, not just in passing, but the same way they heard the other one. He thinks through another ordinance recognizing what they just said to him. He would ask for that.

At this time, all of City Council thanked Chief Crispen for coming in and talking to them.

POLL PUBLIC:

City Council Clerk Julie Ogg read the following emails:

Deana Hutchison
4635 Louise Avenue
Whitehall, OH 43213

I would like to present my concerns regarding the children selling water on multiple street corners within the City of Whitehall.

This has been going on for 4 years now and is rapidly turning into an unsafe venture for our youth in Whitehall.

The situation has been presented to several Council Members as well as the Mayor and the Director of Economic Development and Public Service.

Not only are they running into the street to deliver the water to customers. It is also, at times, causing traffic to back up. Some drivers do not have the patience to wait and proceed to drive around the stopped cars to run the stop sign to resume their travel down our streets. This is possibly going to result in a child getting hit by a car or create an automobile accident.

It has been stated that no legislation or city code will protect our children at this point.

Chapter 737 Street Vendors of Food should cover most of the regulations that are being violated with the sale of water and/or other drinks on our street corners.

Chapter 517.29 Covers the littering.

Chapter 745.09 (06) At no time shall any solicitor or peddler obstruct any street, alley, public right-of-

way, sidewalk, or driveway.

Chapter 766.01 SHOPPING CART REGULATIONS; IMPOUNDING; REMOVAL PROHIBITED

These are just a few examples of current legislation that could be enforced.

In the Committee meeting held on July 14th, it was made clear that the city administration does not believe there is anything unsafe or any reason to address this situation.

Please consider enforcing current legislation or update the current legislation so these children can continue to sell their water and other drinks to citizens in a safe manner for all.

Lisa Vanderbilt
602 Collingwood Avenue
Whitehall, OH 43213

I want to share with you how our new recycle bin has changed our lives for many reasons.

In the beginning of 2020, we chose to use the 64 gal. red recycle bin on wheels to improve our recycling efforts and reduce the amount of trash we dispose of each week. I should preface, we have been using a 64 gal. trash bin supplied by the trash company for several years now. We like that the bins have wheels, it is very easy to move them to the street and the lid ensures wildlife can't get into it.

After doing our homework to learn what items could be recycled, I will admit it took a couple of weeks for everyone in our household to master separating trash from recycle items however once everyone developed the habit, our routine of recycling has become very easy.

We were shocked to see just how much of our trash was recyclable. Our recycling bin has helped to reduce our trash output by 50-70%. We have also become more conscientious about collapsing/consolidating our trash and recyclables which has provided increased space.

While every household is different, our family has been successful adapting to the program and we look forward to helping the environment while reducing the amount of trash which ends up in the landfill.

In addition, I thought I'd share many grocery stores (Kroger, Giant Eagle, etc.) have developed a recycling drop off program for bubble wrap, plastic overwrap (around paper towels, toilet paper, water bottles, etc.), cereal box liners, bread bags, produce bags, newspaper sleeves, plastic shipping envelopes and clean sandwich bags.

<https://www.kroger.com/home-tips/cleaning/be-a-zero-hero>

We are very supportive of the recycling program and look forward to the City of Whitehall implementing the standardized trash/recycling program so every resident can become a part of this effort.

Gerald Dixon
3877 Doney Street
Whitehall, OH 43213

Last week Councilperson Elmore shared her feeling about the roles of Council and Administration, that which is her right if deemed meritorious. In that, she said that Council's job was to "legislate and appropriate money" and that the citizens voted her in to "oversee the budget, the finances and appropriate money based upon the administration and how they determine what funds are needed for what areas." I'm afraid Councilor Elmore's list actually lies somewhere below that of the *fuller* list Council's duties entail. For instance, there was *no* mention of Council acting as the citizen's oversight in regard to budgets or finances or, Council's power to use their votes to stand up for the rights and interests of the citizens, all VERY important aspects of the job. That your roles here are far greater than merely acting as rubber-stamps for whatever the Administration wants.

Also not mentioned were the many pieces of legislation Council has passed that had *nothing* to do with appropriating money: like the legislation banning portable basketball hoops or the resolution declaring racism a public health crisis. Creating and passing legislation based on community needs or necessities is *not* administering, therefore, issues brought by constituents to their legislative representatives to address community concerns *is* entirely within your purview. So, just to clarify for everyone, including the citizens watching, here is a partial list of other responsibilities Council *does* have as legislators:

Review current laws and statutes to determine where stated concerns fall within existing legislation and research and write new legislation to address concerns if nothing is in place.

Develop bills—drafts of laws that they want their fellow legislators to approve
Draft or approve policies, regulations, budgets, and programs
Debate and analyze the impact of proposed laws
Vote on bills and on motions to enact them into law
Serve on committees, panels, and study groups for special policy issues
Listen to and address the concerns of people they represent
Invite and listen to testimony from people who are concerned about an issue or likely to be affected by a law if it is passed. Thank you.

STANDING COMMITTEE REPORTS:

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

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

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

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

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

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

Parks and Recreation – Chairperson Kantor reported that they met last Tuesday and their minutes are on file. They will meet next week, sometime after 6:30 p.m. He said that last week Councilperson Elmore brought up a situation last week when she went by John Bishop Park about the safety of masking and social distancing. He did tell Council that he would be making a phone call, which he did and he spoke with the President of the League very early the next morning. He told him that he didn't realize they had an issue last Tuesday but things would be better. They announced it the next day. As he walked through the park, he noticed that social distancing was being maintained. He is glad that he listened to him. He spoke with the Mayor and she told him that she had heard that he made a special announcement over the loud speaker prior to the ball game to all the coaches. He just wanted to report that back to Council.

OFFICIALS' REPORTS

Mayor Kim Maggard – she said per Chief Crispen's address to Council and she knew he had specifically mentioned Civil Service testing, basically not living up to the needs of the City of Whitehall. She believes he brought that up to Council because it may require legislation after research, if they move forward with this. That is one of the reasons he brought that up. The research will tell us what is holding us back and what we can do outside the parameters of Civil Service. She is not saying that Civil Service is a bad thing. She is saying that it is very hard. They do not have any insight as to what is on those tests. They cannot tell if they are racially biased or not. They are not allowed to look at the test and the individual test taker is not allowed to go over the test after being graded on it. In fact, when we have mentioned it to the test taking company they have told them that their own internal department tells them if it is racially biased or not. She has a problem with that because there is no outside entity to determine that. Unfortunately, they

had a great candidate, they have had a few great candidates that have not been able to get one of the highest scores on the test and she believes in test taking but she also knows that testing is not the only thing that makes a good officer or civil servant. That will be studied. She thinks it is important, that Deana Hutchison did bring up some good questions concerning the code and she will be looking at those, certainly to see if they apply to the subject that she has brought forward. She has also talked with Attorney Bivens, he and his wife Joy are working on a program to work with these very industrious young people to get them into a different type of job situation. They are working very diligently on this. When she went down Robinwood on Saturday she noticed they were wearing orange safety vests. She really appreciated that. They had on face masks and plastic gloves. She does believe some of them are taking those jobs very seriously. They will be a great employee for someone. She will take a look at those codes that were mentioned and see if they do or don't apply in this situation. She does appreciate all the comments. Thank you.

City Attorney Michael Bivens – was not present.

City Auditor Dan Miller – was not present.

Director of Public Service and Development Zach Woodruff – was not present.

Public Safety Director Van Gregg – had no official report. He said he was here to listen to the Chief and to the responses from Council.

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: Auditor's Expense Report for June 2020, the Auditor's Bank Report for June 2020, the Auditor's Statement of Cash Position Report for June 2020 and the Auditor's Revenue Report for June 2020, the Treasurers Investment Report for June 2020, the Treasurers Activity by Fund Report for June 2020, the Treasurers Fund Reconciliation Report for June 2020 and the Mayor's Report to Council for June 2020.

COMMUNICATIONS, PETITIONS AND CLAIMS:

1. Minutes for the July 02, 2020 meeting of the Planning Commission.

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:

There was no legislation for third reading.

SECOND READING:

There was no legislation for second reading.

FIRST READING:

ORDINANCE NO. 055-2020 was read by title only by President Potter:

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF TWENTY-ONE THOUSAND THREE HUNDRED AND 00/100 DOLLARS (\$21,300.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE SELF-FUNDED HEALTH INSURANCE ADMINISTRATIVE EXPENSE ACCOUNT (101.900.51016) AND DECLARING AN EMERGENCY.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 055-2020 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 055-2020 was suspended.

Mr. Bailey moved to adopt Ordinance No. 055-2020 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 055-2020 was adopted.

ORDINANCE NO. 056-2020 was read by title only by President Potter:

APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF ONE HUNDRED THOUSAND AND 00/100 DOLLARS (\$100,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE UNEMPLOYMENT COMPENSATION ACCOUNT (101-900-51011) AND DECLARING AN EMERGENCY.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 056-2020 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 056-2020 was suspended.

Mr. Bailey moved to adopt Ordinance No. 056-2020 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 056-2020 was adopted.

ORDINANCE NO. 057-2020 was read by title only by President Potter:

AUTHORIZING THE MAYOR TO EXECUTE THE AGREEMENT FOR THE COLLECTION, TRANSPORTATION AND DELIVERY FOR DISPOSAL OR PROCESSING OF RESIDENTIAL SOLID WASTE, RECYCLABLE MATERIALS AND YARD WASTE GENERATED WITHIN THE CITY OF WHITEHALL, FRANKLIN COUNTY, OHIO BETWEEN THE CITY OF WHITEHALL AND LOCAL WASTE SERVICES, LTD. AND AMENDING THE CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, OHIO TO ENACT SECTION 933.15 SOLID WASTE AND RECYCLING COLLECTION SYSTEM ADMINISTRATIVE AND OPERATIONAL FEE FIXED RATE.

ORDINANCE NO. 058-2020 was read by title only by President Potter:

APPROVING THE AMENDMENT OF 161.07(d)(2) OF GROUP HOSPITALIZATION, MEDICAL CARE INSURANCE, AND FLEXIBLE SPENDING PLAN BENEFITS AND DECLARING AN EMERGENCY.

Ms. Heck introduced and moved to suspend the rules on Ordinance No. 058-2020 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 058-2020 was suspended.

Ms. Heck moved to adopt Ordinance No. 058-2020 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 058-2020 was adopted.

RESOLUTION NO. 021-2020

AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT THE FEDERAL FY 2020 COPS COMMUNITY POLICING DEVELOPMENT GRANT AND DECLARING AN EMERGENCY.

Ms. Conison introduced and moved to suspend the rules on Resolution No. 021-2020 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 021-2020 was suspended.

Ms. Conison moved to adopt Resolution No. 021-2020 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 021-2020 was adopted.

POLL PUBLIC:

Gerald Dixon
3877 Doney Street
Whitehall, OH 43213

Last week, Attorney Michael Bivens said, “All it takes is looking at this from a lens of trying to make a difference...instead of trying to penalize them for trying to make extra money”.

I want to clear this misnomer up. It is not, I repeat NOT, the intent or the spirit of the complaints to somehow penalize them for the selling of the water itself or *stop* the kids from selling water. The intent is merely to get them to behave in a responsible manner towards the community they’re doing the selling in. This is a very important distinction which Attorney Bivens and others have confused; therefore, its truth must be clarified, for the record.

As well, I wanted to simply say that it’s my hope the proposal I sent everyone with common sense guidelines to help the teens selling water on street corners safely and responsibly and keep our community and neighborhoods in Whitehall safe and clean, will be given the rightful consideration they are due. The eyewitness accounts of the safety issues, the abhorrent behavior and the trashing of mine and others neighborhoods are real and true, that which are made, to my knowledge, without the taint of racism charges as made by Mr. Woodruff and Councilor Elmore. The teens, through their actions and behavior, have themselves shown the need for the City to step in and step up in making certain, not that the kids don’t have the ability to sell water, but that they do so following responsible safety and behavioral guidelines which hold them accountable and make the experience for everyone, kids and community, a more positive and happy one. Thank you.

COMMUNITY DATE BOARD:

Chairperson Kantor said the splash pad is open so you will need to get your reservations in. Football and cheerleader sign-ups are taking place at the ballpark on Etna Road. Get your kids signed up. Sign-ups are going very well and while you are there stop by the concession stand to get a drink and a bag of popcorn. Watch a ballgame as well.

Chairperson Conison said she will be giving out some awards this week over at John Bishop amphitheater for all the lovely animals that were put on the WCCA page. Come on out Thursday and Friday evenings at 7:00 pm. They will be walking across the stage, take some pictures and have some fun.

POLL COUNCIL:

Mr. Bailey said he wanted to thank all the people who sent in their comments for poll public. He thinks everyone is hearing those comments. A lot of them have already been discussed and he appreciates their input.

Mr. Rodriguez thanked everyone for watching this evening and for the comments that came in. He really appreciated Chief Crispin's presentation.

Ms. Elmore said first she wanted to welcome Councilperson Jo Anna Heck back. She is glad she is back with them and hopes her family is healthy and that they all stay safe. She thanked all those that are watching and to those that sent poll public through email. She would like the opportunity to address comments in poll public. As she understands that their powers are within Section 2, although she did not read the exhaustive list of that, she is very aware of their role on Council and why she was elected. She thanked Chief Crispin for the information. She thought it was well prepared, a great presentation and she spoke with him early in the day and they had great conversation and will continue to work together to ensure that community policing and community relationships are strengthened. She would like to address two other issues. Chief Crispin spoke to one of them and that was implicit biases, that we all have, although maybe we do not think we do but we all do. It is also known as implicit social biases which refer to attitudes and stereotypes that affect our understandings, actions and decisions in an unconscious manner which studies show we learn from past experiences. We have then whether we recognize it consciously or unconsciously. She will just leave that there. The other issue she would like to address is the kids selling water at Doney and Robinwood. Although she has driven down Broad Street passing Robinwood on Broad Street she has never seen any kids out there. She has not seen people. There are twenty-four hours in a day. It is not to say that we don't all see people at certain times. She also drove down Fairway Blvd. all the way straight down Main Street and she didn't see any kids during that time. This was on Saturday. When her and her husband went down Robinwood, she did see kids at Doney and Robinwood. They drove right on past and turned around and came back. That is when they stopped. She will go back to something Attorney Bivens stated when asked by Councilman Rodriguez regarding outreach what does it entail. Attorney Bivens basically stated it entails just having a heart to help the kids and that is all it is. Last Saturday, they stopped by and had a conversation with the kids for a couple of hours. During that time there were Officers who came by and she saw the interactions and she knows they have a good relationship. She discussed community complaints and how possibly to alleviate those such as making sure the area stays clean, safety concerns like kids going out into the street and what she witnessed while being out there were cars not stopping at all. She almost got hit. It was her right of way but she did not go because the car just kept going. It was a rolling, keep going. Safety is an issue out there. Especially with cars not stopping at the four way. Nevertheless, they had great conversation with the young men, Isaiah, Carlos, Desjuan and D. They were very respectful. Two of the young men attend Whitehall Yearling High School, one attends Rosemore and the other attends Etna. As she shared the community concerns, they were very forthcoming with some of the issues that have been happening to them. They have been shot with paintball guns and called expletives and racial slurs. She is sure kids will be kids as we were all kids before. She is going to remain childlike until she is no longer there. She believes that allows you to ask questions and to seek understand to learn from each other. Her husband had ordered vests even before all of this and they happened to come in on Saturday. She had gone to Target because she understood there was trash there, she bought trash bags, paper towels and gave them gloves. We are in the middle of a pandemic. Everybody needs to be safe. The kids, the cars they approached, she spoke with them regarding running out into the street, that only one person should be approaching the car and not all of them because we are social distancing. One thing she did witness was that they did have masks on when they got there. Sales are difficult and that is what they are actually doing. They are operating in a sales arena. She thought they were doing very well. There were cars that she witnessed that didn't want water but handed the handfuls of ones and money just because they were kids doing their best and part of that is staying out of trouble and working. At the end of the day, all

kids need direction and they are here to help them because we have a heart for kids. She would say that all of them should go out and spend time with them. As a community, we need to spend time and give our kids direction if they don't have that direction because it does take a village to raise a child. Thank you.

Ms. Conison thanked all those that have sent in their emails and their letters and phone calls. She has tried her best to try and talk with many of the people and return emails. She still has some to do. She has talked with the Councilmembers and she does believe they need to address this a little bit more next week in their committee. Now is definitely not the time she wants to do that. What she has noticed is that everyone has said the same things. We all want the best for our children, we want them to be safe, we all want them to learn, we all want them to achieve, we all want success for them so we just need to find a way to go ahead and allow them to do that while making sure they are safe. It is one of those times, 2020, that is crazy and it is nice to see these students get out and to be trying their best. Hopefully they can go ahead and find a way to allow them to do more of that. She wanted to thank everyone for watching and wants everyone to stay safe. She wants the Police to know that she sees them and appreciates them. Keep doing the great job that you do and that is all she has.

Mr. Kantor wanted to say thank you to everyone who is watching and his colleagues for their comments. They now realize that this is a safety issue with these young adults. Some brought race into it and that is farthest from the truth. It is a major safety issue. He is glad that they have the orange vests. He noticed them the other day. This morning he noticed that they did not have them on and about forty-five minutes later they did have them on. If you have a young adult who is running alongside of a car, trying to sell water and he does mean running eastbound on Robinwood, that is a problem. Ms. Hutchison calling in with that 757, 517, 745.096, 766.01, hopefully we can enforce this. He is glad people are going out and looking to see. He wants to thank everyone who has called him. He has gotten back with all but two of them. He agrees with Councilperson Conison; they do need to discuss this more. It is not just going to go away. It may take a drive, on numerous days, to just go out and look at the City to see what is going on. At 5:15 pm there was a very, very young lady, trash all over on the northwest corner of Doney, no vest, no youth around, no male kids around. She might have been seven years of age. She eventually left on her bicycle trying to pull a cooler across Robinwood. Councilperson Elmore is correct. They do not stop at that stop sign. Let us pray to God that no kid gets hurt or gets killed. That is the last thing they want to see. He hopes they come up with a solution. He wants to commend Councilperson Rodriguez for bringing up the cart issue last week. Some think they can use their own carts. They don't use their own carts. They are still in English Village. He saw them again twice today. They are using the carts. Every member of Council received an email from Mr. Dixon about the shopping cart legislation 766.01. Go out and look. There is one store in this City that has complied and that is Kroger at Great Eastern. If they can eliminate that problem, you eliminate some of the junk. We eliminate them taking the carts, which is theft. Whitehall Police, he said it back on June 2nd, which was the first public meeting after the horrible murder of Mr. Floyd in Minneapolis, that we do have the best Police Department in Franklin County. He gives them his support one-hundred percent. When he saw some of the artwork on High Street that said "kill the pigs", "kill the police", is a horrible thing to wish death on anybody. He knows we are going through a very tough society in this day and age with a lot of hatred but to wish death, is bad. He hopes everyone can do better on this and he hopes this country comes together. He asked for prayers for his daughter tonight.

Ms. Heck said it is great to be back and she thanked all those watching from home. She appreciates that Chief Crispin has taken the time to come in and speak to the more and from a different perspective. She feels that most of them did not see his perspective when they passed Ordinance 49. She thanked everyone who wrote in. Lisa in particular, she was not here for the whole trash thing but she did watch from home and the presentation. She has a huge family for those that do not know and she was very skeptical about the one trash can because they make a lot of trash. She was surprised at how much they recycled. She completely filled the bin up every time. She has tried to recycle before but the small bins are not conducive to recycling. It was really a surprise to see how much they recycled vs threw away. She thanked Lisa for writing in about that. She hopes everyone stays safe.

Mr. Morrison welcomed back Ms. Heck and thanked all those who sent in comments and those watching from home and a special thanks to Chief Crispen for his presentation. He laid out things very well and some things some of us had not even thought of. He really does support the City Police, they are great.

President Potter thanked everyone for tuning in and those that wrote in for poll public. It is always good to get comments back and obviously we got some very constructive things out of that. He thought it was very timely that Chief Crispen came in to share with them the items he did. He fully supports the Police Department and all of the safety forces and he hates to think that any of them feel anything different than that because they all collectively share that but at this point it does not get said often enough. It was very eye opening, he and Wes went over for roll call and he thinks it was appreciated and to hear it firsthand. He encouraged everyone on Council to go over and do that as well, as time allows.

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 8:27 p.m.

Respectfully submitted,

Julie A. Ogg, Clerk of Council

APPROVED: _____, 2020.

Thomas M. Potter, Council President