

WHITEHALL CITY COUNCIL
AGENDA MEETING MINUTES

President Potter called the September 21, 2021 agenda meeting to order at 6:30 p.m. All members were present with the exception of Ms. Heck and Mr. Kantor.

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

President Potter read Ordinance 080-2021 by title only. He asked for a second on this.

Mr. Morrison said he would like to see it withdrawn. He wants to have further discussion on Ordinances 080-2021 and 081-2021 as well. He believes that they need to be withdrawn from consideration period. If that is not the wish of the individual who presented them, then we need a lot of discussion on this.

President Potter said if there was no one willing to second these pieces of legislation then it needs to go to title only and they can have further discussion next week.

Mr. Morrison said if Ordinances 085-2021 and 086-2021 have to do with the new position and the pay adjustments, he would like those to go title only. He would like to have some discussion on this.

Mr. Rodriguez said he thought it agreed upon that these would be moved on.

Mr. Morrison said at the time of the discussion, he did not participate in that and has not had ample time to read it and consider all the implications in it. He does not see where it will hurt for any of these to have discussions held on them.

Mr. Rodriguez said he would introduce Ordinances 085-2021 and 086-2021 and Ms. Elmore said she would second them.

President Potter said there are two pieces of add-on legislation that do not appear on the agenda tonight.

Mr. Rodriguez said he would introduce Ordinances 085-2021 and Resolution 027-2021 and Mr. Morrison said he would second them.

The meeting adjourned at 6:39 p.m.

Respectfully submitted,

Julie A. Ogg, Clerk of Council

APPROVED: _____, 2021.

Thomas M. Potter, Council President

WHITEHALL CITY COUNCIL MEETING

MINUTES – September 21, 2021

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

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

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

APPROVAL OF MINUTES:

Ms. Conison moved to approve the September 07, 2021, agenda and regular meeting minutes and the September 14, 2021 Emergency Special Meeting agenda and minutes. Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members responded in the affirmative and the minutes were approved as submitted.

POLL PUBLIC:

Van Sizemore, 983 Dimson Drive East, Whitehall, OH gave a couple photos to the Council Clerk. He said that as a resident he appreciates the work done to make this city look better. The work done at Fairport and Woodcliff especially are going a long way in doing that. They have a recurring problem in the neighborhood where he lives and that is graffiti on that apartment wall. This happens every few years; it is cleaned off only to happen again. Saturday morning he stepped outside and he saw that someone had spray painted it overnight. He and his wife have been residents since 1984 and homeowners since 1989. We like to sit on our front porch, we like visiting with people who walk by, looking at their flowers and their bird feeders out front. You cannot enjoy it when you are looking at graffiti all over the wall. It seems to him that there is an easy way to fix this. Adding some shrubbery or ivy along the wall that would cover it so they could not paint it. He knows everything costs money but if you want to beautify the city then this would go a long way in doing that too. Do not forget about the people who live over in the country club area.

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

OFFICIALS' REPORTS

Mayor Kim Maggard – she asked for favorable consideration on Ordinances 080 and 081 on first reading if it so pleases Council and requested Ordinances 084 and 085 on first reading as well.

City Attorney Michael Bivens – he wanted to go on record to congratulate the Langport Homeowners Association, who celebrated with its Celebration around the Pond. The individual who leads that association is Jason Thomas. It is appropriate to recognize him publically at this point, because he is a bona fide true American hero that lives in the City of Whitehall. If you do not know Sargent Thomas, he is a United States Marine that served during the 911 tragedy that occurred in 2001. He took it upon himself to go to ground zero, without any prodding, without any care of his own safety, having children at home and got in there and served. Served not only the people that needed him but also served his country, served himself and served God, made the Marine Corp proud. He is honored to know him and that he is serving right now in the City of Whitehall as the President of Langport Homeowners Association. He just wanted to congratulate that homeowners association as well as Jason Thomas for his continued service to our city and just for being an all-around great person. Semper Fidelis to his Marine Corp brother. He serves and he continues to serve without any impunity and he is thankful to have him here. Next, within the City Attorney's office, something happened today that he was going to call the Chief, but he thought it would be more appropriate to make this recognition on the record tonight then he will call Chief Crispin tomorrow. There was a different spirit today in our Mayor's Court. People were angry and disheveled; there was more belligerence than he has witnessed from the individuals in the court than he has seen in his past years of being City Attorney. One thing he saw that was commendable. He saw Officer Jeremy Brown, handle on at least three occasions, being treated with disrespect, being talked to in a degrading tone, being almost from one individual goading him into some type of confrontation. Officer Brown demonstrated the utmost professionalism. He demonstrated poise. He demonstrated class. He demonstrated what they are about in Whitehall. He was so proud to sit there and watch him do that because as you know, we serve and we serve because we love to serve. Officers serve in a completely different way and he says this often, he does not

know if he could serve in that capacity. The fact that he was able to witness a man serve in that capacity, with doing nothing at all but trying to service our Mayors Court and call cases. Be treated with that type of disrespect but not respond and respond with the spirit of service warms his heart that he is a part of the police force and the team. It makes him proud as not only a citizen of Whitehall but as the City Attorney, that serves in the Mayors Court to have an individual like that who is here and is able to deescalate a situation of no cause of his own. He just wanted to make an accommodation to him publically. He will make the phone call to Chief Crispen to let him know he did this publically on the record. He wanted to do this publically because he knows this is transcribed and out for the public. He was here training another Officer by the name of Matt Perez. Officer Art was out at the door. It was just a very different time but all three officers handled it with grace, integrity and with service. He is proud to have witnessed that.

City Auditor Dan Miller – had no official report other than what they have before them, which is available on the website under the Auditor’s page.

Director of Public Service and Development Zach Woodruff – had no official report. He introduced Kelsey Miller, the new Economic Development Manager to Council and the Administration.

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 August 2021, The Auditor’s Bank Report for August 2021, The Auditor’s Statement of Cash Position Report for August 2021; The Auditor’s Revenue Report for August 2021; The Treasurer’s Investment Report for August 2021, The Treasurer’s Activity by Fund Report for August 2021 and The Treasurer’s Fund Reconciliation Report for August 2021.

COMMUNICATIONS, PETITIONS AND CLAIMS:

There were no Communications, Petitions and Claims filed in the Council Office since last Council meeting.

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 IS NO LEGISLATION FOR THIRD READING.

SECOND READING:

ORDINANCE NO. 076-2021 was read by title only by President Potter:

AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH THE PUBLIC ENTITIES POOL OF OHIO (PEP) AND DECLARING AN EMERGENCY.

Mr. Morrison introduced and moved to suspend the rules on Ordinance No. 076-2021 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 076-2021 was suspended.

Mr. Morrison moved to adopt Ordinance No. 076-2021 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 076-2021 was adopted.

Mayor Maggard said she met with the insurance agent this morning and they have worked hard. They were anticipating possibly a fifteen percent increase in the liability insurance. However, they whittled it down to about six and one-half percent increase, which includes the city's property value increase. They are waiting on the cyber liability insurance quote and they do expect that to go up substantially. Last year it was nine thousand dollars and she has been told it could go up as much as one hundred percent. They are doing everything possible to make sure their data is safe and secure.

ORDINANCE NO. 078-2021 was read by title only by President Potter:

AUTHORIZING AND APPROVING THE AMENDMENT OF 161.13 SPECIAL LEAVE WITH PAY AND APPROVING SECTION 161.13(d) "PAID PARENTAL LEAVE" AND DECLARING AN EMERGENCY.

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 078-2021 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 078-2021 was suspended.

Mr. Bailey moved to adopt Ordinance No. 078-2021 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 078-2021 was adopted.

RESOLUTION NO. 021-2021 was read by title only by President Potter:

APPROVING THE RECOMMENDATIONS OF THE CITY OF WHITEHALL TAX INCENTIVE REVIEW COUNCIL FOR TAX YEAR 2020.

RESOLUTION NO. 023-2021 was read by title only by President Potter:

TO AGREE TO AN ADJUSTMENT TO THE CITY'S BOUNDARIES BY CONSENTING TO TRANSFER APPROXIMATELY 3.34+/- ACRES FROM THE CITY OF COLUMBUS TO THE CITY OF WHITEHALL.

Mr. Morrison introduced and moved to suspend the rules on Resolution No. 023-2021 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 023-2021 was suspended.

Mr. Morrison moved to adopt Resolution No. 023-2021 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 023-2021 was adopted.

FIRST READING:

ORDINANCE NO. 080-2021 was read by title only by President Potter:

AMENDING SECTION 509.01 OF THE CODIFIED ORDINANCES TITLED “MAYOR MAY PROCLAIM REGULATIONS” AND DECLARING AN EMERGENCY.

ORDINANCE NO. 081-2021 was read by title only by President Potter:

AMENDING SECTION 509.03 OF THE CODIFIED ORDINANCES TITLED “PROCLAMATION TERMINATION” AND DECLARING AN EMERGENCY.

ORDINANCE NO. 082-2021 was read by title only by President Potter:

MAKING A FUND TRANSFER IN THE AMOUNT OF TWO HUNDRED EIGHTY-THREE THOUSAND EIGHTY-FOUR AND 00/100 DOLLARS (\$283,084.00) FROM THE BOND RETIREMENT ACCOUNT (101-950-57500) TO THE DEBT SERVICE FUND (401).

ORDINANCE NO. 083-2021 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) FROM THE BOND RETIREMENT ACCOUNT (101-950-57500) TO THE DEBT SERVICE FUND (401) AND DECLARING AN EMERGENCY.

ORDINANCE NO. 084-2021 was read by title only by President Potter:

APPROVING AND MAKING A FUND TRANSFER IN THE AMOUNT OF ONE HUNDRED FORTY-NINE THOUSAND FOUR HUNDRED TWENTY-SIX AND 25/100 DOLLARS (\$149,426.25) FROM VARIOUS ACCOUNTS IN THE WMPITIE FUND (279) TO THE DEBT SERVICE FUND (401).

ORDINANCE NO. 085-2021 was read by title only by President Potter:

AUTHORIZING AND APPROVING THE AMENDMENT OF 161.37(a) AND DECLARING AN EMERGENCY.

Mr. Rodriguez introduced and moved to suspend the rules on Ordinance No. 085-2021 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 085-2021 was suspended.

Mr. Rodriguez moved to adopt Ordinance No. 085-2021 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 085-2021 was adopted.

ORDINANCE NO. 086-2021 was read by title only by President Potter:

AUTHORIZING AND APPROVING THE FOLLOWING CHANGE TO 161.38 and 161.41 SALARY SCHEDULE AND DECLARING AN EMERGENCY.

Mr. Rodriguez introduced and moved to suspend the rules on Ordinance No. 086-2021 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 086-2021 was suspended.

Mr. Rodriguez moved to adopt Ordinance No. 086-2021 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 086-2021 was adopted.

RESOLUTION NO. 025-2021 *was read by title only by President Potter:*

ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION, AUTHORIZING NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY.

Mr. Bailey introduced and moved to suspend the rules on Resolution No. 025-2021 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 025-2021 was suspended.

Mr. Bailey moved to adopt Resolution No. 025-2021 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 025-2021 was adopted.

RESOLUTION NO. 026-2021 *was read by title only by President Potter:*

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

Mr. Bailey introduced and moved to suspend the rules on Resolution No. 026-2021 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 026-2021 was suspended.

Mr. Bailey moved to adopt Resolution No. 026-2021 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 026-2021 was adopted.

ORDINANCE NO. 087-2021 *was read by title only by President Potter:*

REPEALING ORDINANCE 46-2021 AND DECLARING AN EMERGENCY.

Mr. Rodriguez introduced and moved to suspend the rules on Ordinance No. 087-2021 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 087-2021 was suspended.

Mr. Rodriguez moved to adopt Ordinance No. 087-2021 and Mr. Morrison seconded the motion.

Chairperson Rodriguez said they are directing the developer to start over on this project, by holding productive meetings with the neighbors and the neighborhood, to work towards a consensus and compromise and come back to this body with a better project for all parties.

On a roll call vote, all members voted in the affirmative and Ordinance No. 087-2021 was adopted.

RESOLUTION NO. 027-2021 *was read by title only by President Potter:*

WITHDRAWING THE SUBMISSION OF THE QUESTION OF APPROVING ORDINANCE NO. 46-2021 TO THE ELECTORS AT THE NOVEMBER 2, 2021 GENERAL ELECTION DUE TO CITY COUNCIL’S REPEAL OF THE ORDINANCE.

Mr. Rodriguez introduced and moved to suspend the rules on Resolution No. 027-2021 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 027-2021 was suspended.

Mr. Rodriguez moved to adopt Resolution No. 027-2021 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 027-2021 was adopted.

POLL PUBLIC:

No comments at this time.

COMMUNITY DATE BOARD:

No comments at this time.

POLL COUNCIL:

Mr. Bailey thanked everyone for coming and the folks at home listening in. He appreciates the things that Mr. Bivens shares with them almost every meeting. To back up what he said about our safety forces and EMS/fireman and all the folks that are here and take care of our city do a phenomenal job and it is nice when you can recognize them in an environment like your court today. They handled it with not only professionalism, they care, and they are good people. He said it was nice to meet Kelsey and he told Mr. Sizemore they would see what they could do for him and he should be contacted. He told Mr. Graham it was good to see him in the room again. He wished Mr. Rodriguez a happy birthday.

Mr. Rodriguez said it was good to see everyone here and in tv-land. He ran across some words in one of Sean Dietrich articles. He has had somewhat of rough last year but so have others. Everyone has been in this together. Everyone in this room has had some trials and tribulations this past year. He said he read this and it really sums it up. "Your good moments were like swatches of fabric, your painful moments were like little pin pricks from a sewing needle, stitching you together like a quilt. On your final day you will see this quilt and think to yourself, my God wasn't I beautiful."

Ms. Elmore thanked everyone who attended this meeting, those who are viewing on Facebook, social media and the guest who are in the audience. Welcome aboard Kelsey. You will love working for Whitehall. She believes they are top-notch administration. She thanked Mr. Sizemore for bringing awareness to issues that are happening and your concerns. She is sure they can work together to make sure they rectify that issue. She wanted to talk about Jason Thomas, a 911 hero, in Whitehall. Langport has a cookout gathering in that community every year. It is nice that everybody comes together. She was not fortunate to be able to attend as she had a family reunion. They have a neighborhood watch and she has participated in that. She thinks they are a close-knit community and she is happy they continue to build upon the relationships they have with one another. She said the way that Officer Jeremy Brown handled that situation reminds her of what she learned in her Co-cohort of Governing Essentials for Local Leaders, it is verbal judo. Not only did they learn that in the class but also she does some part-time work at the Schott. They used Whitehall as an example of verbal judo because that is what is used we they have to de-escalate situations. That was a proud moment to take that training and to see that Whitehall was used at one of the trainings. She is thankful that they have officers that will not immediately get on the defensive but will make every effort to de-escalate the situation. She said she was reflecting on the last two years and all the things that people have gone through, we have all seen family members or someone in the community

act different or out of sorts. That is where compassion comes in and she thinks that is where empathy and our better selves come in to help us realize we do not always know what people are going through. They have been separated for so long that now coming back together is reconnecting community again. We are relearning some things and the fact that we are wearing face coverings and we are still going through this pandemic, it still gives us a feeling of uneasiness. It is something we need to work together on as a community.

Ms. Conison said she agrees with everything said already. She told Kelsey that she believes they know alot of the same people. She thanked Mr. Sizemore for bringing the issue to their attention. She thanked everybody for watching.

Mr. Kantor thanked everyone for watching and coming tonight. It is so nice to see new faces in the audience. He agreed with Mr. Sizemore. He thanked Kelsey for coming. He thanked Mr. Bivens as well. He knows Jeremy Brown as well as he does the many Police Officers. They have an awesome Police Department run by Chief Crispin and the Mayor.

Mr. Morrison reflected the sentiments of everyone and thanked everyone for watching and those in attendance.

President Potter thanked President Pro Tem Bailey for covering his absences while he had several meetings and much appreciates it. He thanked Mr. Sizemore and he knows if you do not mention it, they do not know and cannot address it. He encourages others to do the same. He welcomed Kelsey. He is looking forward to meeting her again and spending some time. It is always a pleasure seeing Mr. Graham, welcome back and not having to watch them on the little tv.

Having nothing further, Mr. Bailey moved to adjourn and Mr. Rodriguez seconded the motion. On a roll call vote, all members responded in the affirmative and the meeting adjourned at 7:38 p.m.

Respectfully submitted,

Julie A. Ogg, Clerk of Council

APPROVED: _____, 2021.

Thomas M. Potter, Council President