

WHITEHALL COUNCIL COMMITTEES

MINUTES – October 26, 2021

Council President Potter called the October 26, 2021 Council Committees' meeting to order at 6:30 p.m.

The following members of council and the administration were present:

Members of the Administration

Council President Thomas Potter
Auditor Dan Miller
City Attorney Michael Bivens

Council Members

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

COMMITTEE OF THE WHOLE

ORDINANCE NO. 105-2021 DRAFT # 1

ACCEPTING CERTAIN STORM AND SANITARY EASEMENTS FROM NORTON CROSSING APARTMENTS, LLC ON PARCEL NUMBERS 090-008413, 090-008415, 090-008417, 090-008422, AND 090-008423.

President Potter said this was being called for on a first reading however, the City Administrator is not present to discuss this with Council. He suggested that in the meantime, everyone should have a conversation with the City Administrator.

Chairperson Rodriguez said this has been in the process for about one year now. This needs passed so the developer can get their financing over. There is no emergency clause on it. It just needs passed so they can move on with their financing.

Chairperson Morrison said he thinks it should go on second reading.

There was discussion as to why this legislation should be passed now and why it should not.

City Attorney Bivens said as a point of order Council, under the charter, because this is a special privilege, it cannot have an emergency clause attached to it. Technically, it cannot be passed; at least the rules cannot be suspended on an emergency as it relates to this piece of legislation because it is acquiring property. Technically, it should be done in three readings just because it is a piece of property and it is a special privilege. If you look at the charter under the charter rules 12, it is the second or third sentence; he is just going off memory, because it is a special privilege, there is an exception to the emergency clause on this. It is one of those situations because it is property.

President Potter said this legislation would not be acted upon next week.

City Attorney Bivens said to Councilman Rodriguez's point, if it is an issue of timing, there is nothing accepting council from calling a special meeting and include it in the sequence of three readings. Three reading does not necessarily mean a six-week process.

President Potter moved Draft # 1 Ordinance 105-2021 to Infrastructure, Maintenance & Services.

SECOND READING:

ORDINANCE NO. 099-2021 (*Comm. Of the Whole – 2nd reading – ADOPT 11/02/2021–(Rodriguez/Conison)*)
AUTHORIZING ADOPTION OF THE NOVEMBER 2021 REPLACEMENT PAGES TO THE
CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, AND DECLARING AN
EMERGENCY.

ADMINISTRATION AND FINANCIAL MANAGEMENT

Councilperson Bailey opened at 6:37 p.m. and addressed the legislation in his committee, as follows:

ORDINANCE NO. 106-2021 DRAFT # 2
APPROVING AND MAKING A FUND TRANSFER OF TWENTY-FOUR THOUSAND EIGHT
HUNDRED EIGHTEEN AND 75/100 DOLLARS (\$24,818.75) FROM UNAPPROPRIATED MONIES
IN THE GENERAL FUND (101) TO THE DEBT SERVICE FUND (401); APPROVING AND
MAKING A SUPPLEMENTAL APPROPRIATION OF TWENTY-FOUR THOUSAND EIGHT
HUNDRED EIGHTEEN AND 75/100 DOLLARS (\$24,818.75) FROM THE DEBT SERVICE FUND
(401) TO THE DEBT SERVICE ACCOUNT (401.000.50000) AND DECLARING AN EMERGENCY.

Chairperson Bailey said this piece of legislation would allow the city to pay the interest on the bonds at this time.

Auditor Miller said this piece of legislation and the next piece would allow the city to pay the interest on the notes they have.

(Adm/Fin. Mgmt. – 1st reading – ADOPT 11//02/2021–Bailey/Rodriguez)

ORDINANCE NO. 107-2021 DRAFT # 3
APPROVING AND MAKING A FUND TRANSFER OF NINETY-EIGHT THOUSAND FOUR
HUNDRED AND 00/100 DOLLARS (\$98,400.00) FROM UNAPPROPRIATED MONIES IN THE
GENERAL FUND (101) TO THE DEBT SERVICE FUND (401); APPROVING AND MAKING A
SUPPLEMENTAL APPROPRIATION OF NINTY-EIGHT THOUSAND FOUR HUNDRED 00/100
DOLLARS (\$98,400.00) FROM THE DEBT SERVICE FUND (401) TO THE DEBT SERVICE
ACCOUNT (401.000.50000) AND DECLARING AN EMERGENCY.

(Adm/Fin. Mgmt. – 1st reading – ADOPT 11//02/2021–Bailey/Morrison)

ORDINANCE NO. 108-2021 DRAFT # 4
APPROVING AND MAKING AN APPROPRIATION TRANSFER IN THE AMOUNT OF
FOURTEEN THOUSAND AND NO/100 DOLLARS (\$14,000.00) FROM VARIOUS EXPENSE
ACCOUNTS IN THE PARKS BUDGET TO THE REC/PARK FUND EXPENSE ACCOUNT (101-700-
59000) AND DECLARING AN EMERGENCY.

Auditor Miller said Director Sorrell would like to put up fencing on the northeast corner of John Bishop Park going down to what used to be the basketball court. They are turning that into a pickle ball court.

(Adm/Fin. Mgmt. – 1st reading – ADOPT 11//02/2021–Bailey/Kantor)

ORDINANCE NO. 110-2021 DRAFT # 5
AUTHORIZING AND APPROVING AN APPROPRIATION TRANSFER IN THE AMOUNT OF
EIGHT THOUSAND AND NO/DOLLARS (\$8,000.00) FROM THE CONTINGENCY EXPENSE
ACCOUNT 101.950.59900 TO THE CIVIL TESTING EXPENSE ACCOUNT 101.800.53000 AND
DECLARING AN EMERGENCY.

Councilperson Bailey said there have been a high number of fire department retirements in 2021 thus creating the additional need for civil service testing and assessment.

(Adm/Fin. Mgmt. – 1st reading – ADOPT 11/02/2021–Bailey/Conison)

**RESOLUTION NO. 030-2021 DRAFT # 6
RESOLVING TO APPROVE “THEN AND NOW” CERTIFICATES AND DECLARING AN EMERGENCY.**

(Admin/Fin. Mgmt. – 1st reading – ADOPT 11/02/2021–Bailey/Rodriguez)

Having no further business, Councilperson Bailey closed at 6:42 p.m.

COMMUNITY STANDARDS AND ENFORCEMENT

Chairperson Rodriguez opened at 6:42 p.m. and said there are no drafts or pending legislation on the agenda.

There was no discussion in Community Standards and Enforcement.

Having nothing further, Chairperson Rodriguez closed at 6:42 p.m.

COMMUNITY AND ELDER ADVOCACY

Chairperson Elmore opened at 6:43 p.m. and addressed the legislation in her committee, as follows:

**RESOLUTION NO. 031-2021 DRAFT # 7
RECOGNIZING AND HONORING ROSCOE CROZIER ON HIS 100TH BIRTHDAY, NOVEMBER 4, 2021 AND DECLARING AN EMERGENCY.**

Chairperson Elmore said Mr. Crozier’s family is in the audience tonight. She feels it is an honor-to-honor Roscoe Crozier for his one-hundredth birthday and it is a pleasure to have the family present and to know he will be recognized by the City of Whitehall. She thanked them for coming. The resolution will be read in its entirety and she has asked that it be adopted on the first reading.

Chairperson Elmore said Sherry from the Whitehall Library would be coming to Council with an update on programs and service that have changed post covid. Last but not least, do not forget to vote.

(Comm. & Elder Advocacy – 1st reading – ADOPT 11/02/2021–Elmore/Rodriguez)

Having no further business, Chairperson Elmore closed at 6:47 p.m.

ECONOMIC DEVELOPMENT

Chairperson Morrison opened at 6:47 p.m. and addressed the legislation in his committee, as follows:

THIRD READING:

ORDINANCE NO. 095-2021 *(Econ. Dev. – 3rd reading – ADOPT 11/02/2021–(Morrison/Heck)*
Public Hearing 11/02/2021

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 1123.10(c)(29) TO ALLOW EXPRESS WASH

CONCEPTS LLC TO OPERATE A CAR WASH ESTABLISHMENT ON THE PROPERTY LOCATED AT 3657 E. MAIN STREET PARCEL #090-008371, OWNED BY 3657 E MAIN LLC.

ORDINANCE NO. 098-2021 (*Econ. Dev. – 3rd reading – ADOPT 11/02/2021–(Morrison/Rodriguez)*)
Public Hearing 11/02/2021

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 EAST BROAD ST, HAMILTON RD, WOODCLIFF DR, MIDCLIFF DR, AND POTH RD, PARCEL NUMBERS LISTED IN APPENDIX A, FROM APARTMENT DISTRICT (A-2), EXCEPTIONAL USE (EU) AND FLOOD PLAIN DISTRICT (FP) TO PLANNED UNIT DEVELOPMENT (PUD), PROPERTY OWNED BY CITY OF WHITEHALL AND DECLARING AN EMERGENCY.

Chairperson Bailey said he would call Mr. Woodruff to ask if it is changed to planned unit development, is it not now in the flood plain. What is a flood plain district? He will make a phone call and let Council know what he found out.

Having nothing further, Chairperson Morrison closed at 6:51 p.m.

INFRASTRUCTURE, MAINTENANCE AND SERVICE

Chairperson Heck opened at 6:51 p.m. and addressed the legislation in her committee, as follows:

President Potter moved Draft # 1 Ordinance 105-2021 to Infrastructure, Maintenance & Services.

ORDINANCE NO. 105-2021 DRAFT # 1

ACCEPTING CERTAIN STORM AND SANITARY EASEMENTS FROM NORTON CROSSING APARTMENTS, LLC ON PARCEL NUMBERS 090-008413, 090-008415, 090-008417, 090-008422, AND 090-008423.

(Comm. Of the Whole – 1st reading – ADOPT 11/02/2021–(Heck/Kantor)

ORDINANCE NO. 109-2021 DRAFT # 8

AUTHORIZING AND APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF NINE THOUSAND FIVE HUNDRED AND NO/DOLLARS (\$9,500.00) FROM UNAPPROPRIATED MONIES IN THE STREET MAINTENANCE AND REPAIR FUND (201) TO THE STREET NEW EQUIPMENT EXPENSE ACCOUNT 201-000-53000 AND DECLARING AN EMERGENCY.

Chairperson Heck said the service department has sold aged service trucks and have received the funds from the sale. They wish to purchase a snow blower that will efficiently clear snow from the sidewalk on Yearling Road and shared use paths throughout the city.

(Infra. Maint. & Srvs. – 1st reading – ADOPT 11//02/2021–Heck/Morrison)

Having nothing further, Chairperson Heck closed at 6:53 p.m.

PUBLIC SAFETY

Chairperson Conison opened at 6:53 p.m. and said there are no drafts or pending legislation on the agenda.

There was no discussion in Public Safety.

Having nothing further, Chairperson Conison closed at 6:53 p.m.

PARKS AND RECREATION

Chairperson Kantor opened at 6:53 p.m. and said there are no drafts or pending legislation on the agenda.

Chairperson Kantor closed at 6:53 p.m.

Kelsey Miller, Economic Development Manager said they are in conversations with Norton Crossing for easement legislation has been brought to their attention to ensure that long-term, the city can maintain the sanitary sewer as well as the storm water. The City Engineer has looked over the legislation and the staff recommends that we move forward with it. They are looking at a first reading passage without a non-emergency clause.

President Potter said they had already talked about this legislation in Committee of the Whole and it was the consensus of Council that they wanted it to go three readings. They have conferred with the City Attorney and it was suggested that is appropriate action going forward. So at this point, we are going with that action.

Chairperson Kantor opened at 6:55 p.m. and said there are no drafts or pending legislation on the agenda.

Chairperson Kantor said Director Sorrell had some meeting with the youth sports to discuss some issues. Tomorrow is the Parks & Recreation meeting. She invited Bob Straits to discuss some of the uses and what they plan to do. The person who runs the softball tournaments does not want to come back and utilize the facilities at the park.

Chairperson Heck said the family event on Saturday was very fun. They serve pizza and popcorn at the event. It was fun.

Having nothing further, Chairperson Kantor closed at 6:56 p.m.

Meeting adjourned at 6:56 p.m.

Respectfully submitted,

Julie A. Ogg, Clerk of Council