

**WHITEHALL CITY COUNCIL COMMITTEE MEETINGS**

**AGENDA**

**TUESDAY, MAY 12, 2020**

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**6:30 P.M. – ADMINISTRATION/COUNCIL OF THE WHOLE MATTERS:**

**THERE ARE EIGHT PIECES OF DRAFT LEGISLATION APPEARING IN THE APPROPRIATE COMMITTEES BELOW.**

**COMMITTEE OF THE WHOLE LEGISLATION/ISSUES:**

**DRAFT # 1**

**ORDINANCE NO. 035-2020 (*Comm. Of the Whole – 1st reading – ADOPT 05/19/2020– /* )**

AUTHORIZING ADOPTION OF THE MAY 2020 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, AND DECLARING AN EMERGENCY.

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WHEREAS, it is desirable and necessary that the City of Whitehall maintain an organized and published code of ordinances; and

WHEREAS, the codified ordinances for the City of Whitehall should be amended regularly to conform with current state law as required by the Ohio Constitution; and

WHEREAS, various ordinances of a general and permanent nature have been passed by council and should be included in the codified ordinances; and

WHEREAS, the Walter H. Drane Company of Cleveland, Ohio has entered into a contract with the City of Whitehall to prepare and publish such revisions twice a year and the May 2020 replacements are now before council; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1. That the ordinances of the City of Whitehall, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the May 2020 replacement pages to the codified ordinances are hereby approved and adopted.

SECTION 2. That the President of Council and Clerk of Council shall certify that the permanent and general ordinances of the City, as codified in the current replacement pages are correctly set forth therein.

SECTION 3. That the City Auditor is hereby authorized to draw his warrant upon the Treasurer of the City to pay the Walter H. Drane Company for said services and products from previously appropriated monies in the City Council Office Supplies Account (101-100-52000).

SECTION 4. That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety and welfare; and for the further reasons that it is necessary that the City of Whitehall maintain an organized and published code of its ordinances and that it conform with current state law provisions; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

Requested and prepared by: Clerk of Council, Julie A. Ogg, 05/07/2020  
Approved as to form: Michael T. Bivens, City Attorney MTB 5/7/2020

**DRAFT # 1**

**ORDINANCE NO. 041-2020** (*Comm. Of the Whole – 3rd reading – ADOPT 06/16/2020– / )*

AUTHORIZING THE MAYOR TO EXECUTE AND DELIVER A PURCHASE AND SALE AGREEMENT AND OTHER APPROPRIATE DOCUMENTS ON BEHALF OF THE CITY TO SELL APPROXIMATELY .2 ACRES OF PARCELS 090-005410 AND 090-001974 TO CONTINENTAL REAL ESTATE OR THEIR DESIGNEE.

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WHEREAS, the City of Whitehall (the “City”) purchased parcels 090-005410 and 090-001974 as part of the Broad street and Hamilton Road intersection improvement project on October 23, 2019; and

WHEREAS, after designating the appropriate amount of the land Right-Of-Way, through a lot split, approximately .2 acres of the parcels (the “Property” as further depicted on Exhibit A attached hereto) has been deemed excess property not necessary for the project and the only productive use is as a combination to adjacent property owner; and

WHEREAS, it is necessary for the City to execute and deliver a Purchase and Sale Agreement and other related documents to sell the Property to Continental Real Estate or their designee so that they can perform a lot combination;

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Whitehall, Franklin County, Ohio, that:

**SECTION 1:** This Council finds and determines that the sale of the Property to Continental Real Estate or their designee is the only reasonable use for the Property after a lot split is performed is as a combination to adjacent property owner.

**SECTION 2:** The Agreement in the form presently on file with the Clerk of Council is hereby approved and authorized with changes therein and completions thereto not inconsistent with this ordinance and not substantially adverse to this City and which shall be approved by the Mayor. The Mayor, for and in the name of this City, is hereby authorized to execute and deliver that Agreement, provided further that the approval of changes and completions thereto by the Mayor, and their character as not being substantially adverse to the City, shall be evidenced conclusively by the Mayor’s execution thereof.

**SECTION 3:** The Mayor is hereby authorized to execute and deliver all documents necessary, and to take any other required measures, to complete the transactions contemplated by this ordinance and the Agreement.

**SECTION 4:** This Council finds and determines that all formal actions of this Council concerning and relating to the passage of this ordinance were taken in an open meeting of this Council and any of its committees and that all deliberations of this Council or any of its committees that resulted in those formal actions were in meetings open to the public in compliance with the law, including Ohio Revised Code Section 121.22.

**SECTION 5:** This Ordinance is in full force and effect at the earliest date permitted by law.

Requested and Prepared by: Zachary Woodruff, Service & Development Director  
Approved as to form: Michael T. Bivens, City Attorney

**STANDING COMMITTEES**

**ADMINISTRATION AND FINANCIAL MANAGEMENT - Chairperson Bob Bailey**  
**Members: Rodriguez, Morrison & Conison**

**DRAFT # 3**  
**ORDINANCE NO. 036-2020 (Admin/Fin. Mgmt. – 1st reading – ADOPT 05-19-2020–Bailey/)**

REPEALING AND REPLACING ORDINANCE 031-2020; MAKING A SUPPLEMENTAL APPROPRIATION OF FORTY-THREE THOUSAND, ONE HUNDRED SIXTY-NINE AND 83/100 DOLLARS (\$43,169.83) FROM THE TAX INCREMENT FINANCING FUND (279) TO VARIOUS EXPENSE ACCOUNTS IN THE 279 FUND AND AUTHORIZING THE DISTRIBUTION OF THE PORTION OF THE TOTAL SERVICE PAYMENTS ATTRIBUTABLE TO EACH TIF TO THE AFFECTED VOCATIONAL SCHOOL DISTRICT FROM THE TAX INCREMENT FINANCING FUND (279) IN THE AMOUNT EQUAL TO 100% OF THE PROPERTY TAX PAYMENT THE VOCATIONAL SCHOOL DISTRICT WOULD HAVE RECEIVED OF FORTY-THREE THOUSAND, ONE HUNDRED SIXTY-NINE AND 83/100 DOLLARS (\$43,169.83) AND DECLARING AN EMERGENCY.

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WHEREAS, Ordinance 031-2020 had a typo in the title for the amount to pay the vocational school district; and

WHEREAS, in February 2020, the City of Whitehall received the 2019 first half TIF tax year distribution; and

WHEREAS, the city received its share of TIF funds as well as TIF funds that shall be paid to the affected vocational district; and

WHEREAS, the total amounts received by the city for each TIF district are as follows, and:

<i>Total Distributions by date of tax receipts</i>		
<u>Account #</u>	<u>TIF District</u>	<u>March-2020</u>
279.000.41000	Main Yearling Incentive	\$ 125,486.85
279.000.42000	Main Hamilton Incentive	\$ 93,369.63
279.000.43000	Town & County Incentive	\$ 90,660.83
279.000.44000	Hamilton Broad Incentive	\$ 60,337.93
279.000.45000	Poth Road Incentive	\$ 117,878.95
279.000.46000	Air South 1 Incentive	<u>\$ 29,706.10</u>
TIF Fund Total		\$517,440.29

WHEREAS, it is the intention of the City to transfer certain portions of the distribution of service payments attributable to each TIF to the affected vocational school district in an amount equal to 100% of the property tax payments the affected vocational school district would have received; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1: That Ordinance 031-2020 has been repealed.

SECTION 2: This Council does hereby find and determine that it is in the best interest of the City of Whitehall to ensure that the vocational school system benefit of the distribution of service payments which can come from the use of tax increment financing incentive (TIF) districts.

SECTION 3: That a supplemental appropriation is made in the amount of forty-three thousand one hundred sixty-nine and 83/100 dollars (\$43,169.83) from unappropriated monies in the Tax Increment Financing Fund (279) in the following amounts to these expense accounts.

<u>Account #</u>	<u>TIF District</u>	<u>Aug-2019</u>
279.000.50001	Main Yearling Incentive	\$ 10,448.06
279.000.50002	Main Hamilton Incentive	\$ 7,763.62
279.000.50003	Town & Country Incentive	\$ 7,620.14
279.000.50004	Hamilton Broad Incentive	\$ 5,040.97
279.000.50005	Poth Road Incentive	\$ 9,827.93
279.000.50006	Air South 1 Incentive	<u>\$ 2,469.11</u>
TIF Fund Total		\$43,169.83

SECTION 4: That the Auditor is hereby authorized to draw his warrant upon the Treasurer of the City for the funds to make the payment from the Tax Increment Financing Fund for the purpose stated in this Ordinance.

SECTION 5: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, safety and welfare; and for the further reason that these monies are needed by the vocational school district to pay operating expenses; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage by the Council of the City of Whitehall and approval by the Mayor.

**DRAFT # 4**

**ORDINANCE NO. 037-2020 (Admin/Fin. Mgmt. – 1st reading – ADOPT 05-19-2020–Bailey/)**

**AMENDING 135.16(C)(1) TITLED CAPITAL IMPROVEMENT AND PROJECT FUND AND DECLARING AN EMERGENCY.**

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WHEREAS, due to the unprecedented pandemic and the uncertainty of revenue flows to the City of Whitehall, it is vital the City of Whitehall adjust General Fund revenues going to special funds, and

WHEREAS, it is necessary to amend the budget percentage going in to the Capital improvement Fund for revenues in the month of May 2020 and going forward; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1: That the Council of the City of Whitehall, Ohio amends 135.16(c) of the Capital Improvement and Project Fund in the following manner:

**CAPITAL IMPROVEMENT AND PROJECT FUND**

(c) Financing the Capital improvement and Project Fund will be as follows:

(1) ~~Three percent (3%)~~ one quarter of one percent (.25) of all General Fund Revenue will be deposited to the Capital Improvement and Project Fund.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety and welfare and for the further reason it is the wish of the administration and city council that this amendment be passed in order to assist the stabilization of the General Fund budget due to loss of general fund income due to the Covid-19 pandemic; WHEREFORE, This Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

**DRAFT # 5**

**ORDINANCE NO. 038-2020** (*Admin/Fin. Mgmt. – 1st reading – ADOPT 05-19-2020–Bailey/*)

**AMENDING 135.18(b) TITLED FLEET RESERVE AND MAINTENANCE FUND AND DECLARING AN EMERGENCY.**

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WHEREAS, due to the unprecedented pandemic and the uncertainty of revenue flows to the City of Whitehall, it is vital the City of Whitehall adjust General Fund revenues going to special funds, and

WHEREAS, it is necessary to amend the budget percentage going in to the Fleet Reserve and Maintenance Fund beginning for revenues in the month of May 2020 and going forward; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1: That the Council of the City of Whitehall, Ohio amends 135.18(b) of the Fleet Reserve and Maintenance Fund in the following manner:

**FLEET RESERVE AND MAINTENANCE FUND**

(c) Financing the Fleet Reserve and Maintenance Fund will be as follows:

(1) ~~One percent (1%)~~ one quarter of one percent (.25) of all General Fund Revenue will be deposited to the Fleet Reserve and Maintenance Fund.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety and welfare and for the further reason it is the wish of the administration and city council that this amendment be passed in order to assist the stabilization of the General Fund budget due to loss of general fund income due to the Covid-19 pandemic; WHEREFORE, This Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

**DRAFT # 6**

**ORDINANCE NO. 039-2020** (*Admin/Fin. Mgmt. – 1st reading – ADOPT 05-19-2020–Bailey/*)

AMENDING 135.21(b)(1) WATER AND SEWER MANDATE IMPROVEMENT RESERVE FUND AND DECLARING AN EMERGENCY.

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WHEREAS, due to the unprecedented pandemic and the uncertainty of revenue flows to the City of Whitehall, it is vital the City of Whitehall adjust General Fund revenues going to special funds, and

WHEREAS, it is necessary to amend the budget percentage going in to the Water and Sewer Mandate Improvement Reserve Fund beginning for revenues in the month of May 2020 and going forward; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1: That the Council of the City of Whitehall, Ohio amends 135.21(b)(1) of the Water and Sewer Mandate Improvement Reserve Fund in the following manner:

**Water and Sewer Mandate Improvement Reserve Fund.**

(c) Financing the Water and Sewer Improvement Reserve Fund will be as follows:

(1) ~~One percent (1%)~~ one quarter of one percent (.25) of all General Fund Revenue will be deposited to the Water and Sewer Mandate Improvement Reserve Fund.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety and welfare and for the further reason it is the wish of the administration and city council that this amendment be passed in order to assist the stabilization of the General Fund budget due to loss of general fund income due to the Covid-19 pandemic; WHEREFORE, This Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

**DRAFT # 7**

**ORDINANCE NO. 040-2020** (*Admin/Fin. Mgmt. – 1st reading – ADOPT 05-19-2020–Bailey/*)

AMENDING 143.15(d)(1) OF THE CODIFIED ORDINANCES OF THE CITY OF WHITEHALL TITLED “EMERGENCY MEDICAL SERVICE BILLING” AND DECLARING AN EMERGENCY.

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WHEREAS, due to the unprecedented pandemic and the uncertainty of revenue flows to the City of Whitehall, it is vital the City of Whitehall study all funding sources and adjust accordingly, and

WHEREAS, it is necessary to amend the revenue disbursement percentage going to the General Fund from the emergency medical service billing, beginning for revenues beginning May 13, 2020 and going forward; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

SECTION 1: That the Council of the City of Whitehall, Ohio amends 143.15(d)(1) of Emergency Medical Service Billing in the following manner:

**(d) Revenue Disbursement.**

(1) All revenues generated by the charges for emergency medical services shall be disbursed in the following manner: ~~Sixty~~ Fifty percent (~~60~~ 50%) to the Fire Department New Equipment Fund (301) until the cash fund balance reaches seven hundred fifty thousand and no/100 dollars (\$750,000.00); twenty percent (20%) to the Medical Supply Fund (302) until the cash fund balance reaches one hundred thousand and no/100 dollars (\$100,000.00); the remaining revenues received shall be placed in the General Fund (101) of the City.

SECTION 2: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety and welfare and for the further reason it is the wish of the administration and city council that this amendment be passed in order to assist the stabilization of the General Fund budget due to loss of general fund income due to the Covid-19 pandemic; WHEREFORE, This Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.



**DRAFT # 8**

**RESOLUTION NO. 012-2020** (*Admin/Fin. Mgmt. – 1st reading – ADOPT 05-19-2020–Bailey/*)

**Ohio Revised Code  
Section 321.34**

**TAX ADVANCE PAYMENTS**

**Resolution 012-2020**

TO: Michael Stinziano, Auditor of Franklin County, Ohio

DATE: 5/20/2020

WHEREAS, the Council of the City of Whitehall, Ohio met in regular session on 5/19/2020.

WHEREAS, the Franklin County Auditor's Office has made it possible for Advances on Real Estate Tax Settlements to be distributed via electronic transfer.

THEREFORE, BE IT RESOLVED that the Auditor is hereby directed by the Council of the City of Whitehall, Ohio to request an advance on all funds, as they become available during fiscal year 2020.

SECTION 1: That this Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, welfare, peace and safety and for further reason these funds are needed to order materials and schedule installation prior to the end of the year; WHEREFORE, this Resolution shall go into full force and effect immediately upon its passage and approval by the Mayor.

Approved as to form: Michael T. Bivens, City Attorney MTB 5/11/2020

**COMMUNITY STANDARDS AND ENFORCEMENT – Chairperson Rodriguez**  
**Members: Kantor, Morrison & Elmore**

No drafts or pending legislation.

**COMMUNITY AND ELDER ADVOCACY – Chairperson Lori Elmore**  
**Members: Bailey, Rodriguez & Heck**

No drafts or pending legislation.

**ECONOMIC DEVELOPMENT – Chairperson Larry Morrison  
Members: Conison, Rodriguez & Elmore**

No drafts or pending legislation.

**INFRASTRUCTURE, MAINTENANCE AND SERVICES – Chairperson Jo Anna Heck  
Members: Bailey, Morrison & Kantor**

No drafts or pending legislation.

**PUBLIC SAFETY – Chairperson Karen Conison  
Members: Kantor, Bailey & Heck**

No drafts or pending legislation.

**PARKS AND RECREATION – Chairperson Wes Kantor  
Members: Conison, Elmore & Heck**

No drafts or pending legislation.