

WHITEHALL CITY COUNCIL
AGENDA MEETING MINUTES

President Potter called the January 2, 2024 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.

There was discussion on the procedure to elect a President Pro Tempore.

The meeting adjourned at 6:44 p.m.

Submitted by,

Julie A. Ogg, Clerk of Council

APPROVED: January 16, 2024

Thomas M. Potter, Council President

WHITEHALL CITY COUNCIL MEETING

MINUTES – January 2, 2024

President Potter called the regular meeting of Whitehall City Council to order at 7:00 p.m. on Tuesday, January 2, 2024.

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:

Amy Smith
Amy Harcar
Gerald Dixon
Larry Morrison
Lori Elmore
Jo Anna Heck

APPROVAL OF MINUTES:

Mr. Dixon moved to approve the December 19, 2023 agenda and regular meeting minutes. Ms. Heck seconded the motion. There was no discussion. On a roll call vote, Smith- Yes; Harcar- Yes; Dixon- Yes; Morrison- Abstain; Elmore – Yes; Heck- Yes; and the minutes were approved as submitted.

APPROVAL OF COMMITTEE APPOINTMENTS:

Mr. Dixon moved to accept the Committee Appointments. Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members responded in the affirmative and the Committee Appointments were approved for 2024 – 2025 term.

ELECTION OF PRESIDENT PRO TEMPORE:

President Potter opened the floor to accept nominations. Once there is a nomination with a second, the individual will be asked if they accept the nomination, if accepted then there will be a vote.

Chairperson Elmore withdrew her nomination. There are now two nominees.

Mr. Morrison moved to nominate Mr. Dixon and the motion did not receive a second. Motion failed.

Ms. Smith moved to nominate Mr. Morrison as President Pro Tem and Ms. Heck seconded the motion. Mr. Morrison accepted the nomination. On a roll call vote, Smith- Yes; Harcar- Yes; Dixon- Yes; Morrison- Abstain; Elmore – Yes; Heck- Yes; and Mr. Morrison will be the President Pro Tem for 2024 and 2025.

POLL PUBLIC:

Holly Stein, 831 Fairway Blvd, Whitehall 43213 wants to make a proposal to Council. She had talked with a couple of the Councilmembers for 2024. She would like to see a different process for which the public, who comes up for Poll Public, would not have to give their home address. The reason she is requesting this is that she had people come to her home address after a series of meetings that were held and she does attend other meetings where you just have to say your

name and you sign-in for security purposes. She has spoken with Councilperson Elmore and she feel it is an issue of safety for the community.

President Potter said he does not have an answer for her but it is a great question and they will certainly take a look at that procedure and he appreciates her thoughts on this.

STANDING COMMITTEE REPORTS:

Administration and Financial Management – Chairperson Elmore reported that the committee met on Tuesday, December 12, 2023 and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

Community and Elder Advocacy – Chairperson Harcar reported that the committee met on Tuesday, December 12, 2023 and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

Community Standards and Enforcement – Chairperson Smith reported that the committee met on Tuesday, December 12, 2023 and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

Economic Development – Chairperson Dixon reported that the committee met on Tuesday, December 12, 2023 and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

Infrastructure, Maintenance and Services – Chairperson Morrison reported that the committee met on Tuesday, December 12, 2023 and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

Public Safety – Chairperson Morrison reported that the committee met on Tuesday, December 12, 2023 and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

Parks and Recreation – Chairperson Heck reported that the committee met on Tuesday, December 12, 2023 and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

OFFICIALS' REPORTS

Mayor Michael T. Bivens – he wished everyone a Happy New Year. He thinks today has been a very resplendent day to say the least. First of which was to see the beautiful smile on Clerk of Council Julie Ogg's face when she received her Master Municipal Clerks designation today. Congratulations and it is well deserved. Then coming into the Mayor's office this morning, it is important to say publically, as well as to Council and the public that this is the first day in twenty years that he has come to work without the practice of law on his mind. Practicing law for the last twenty years has been an extreme honor and privilege and has been an oath that he has given to the Supreme Court of the State of Ohio to keep client confidences. He says that to Council, in the past eight years as well as to the public he has served as the City Attorney and he has protected the confidences and privileges of Council. Brad Nicodemus will agree with him as an attorney, he is the first attorney to ascend to the Mayor's office in the history of the City of Whitehall. To that degree, there was a gray area that he was existing in for a period, where he is the attorney and he is about to become the client. There were things he could not say, things that were not ethical to be a part of and conversations that he should not have been involved in. Notwithstanding Council, everything that they engaged in during the past eight years as their City Attorney is still privileged and is still protected communication so they have no issues as it relates to that. However, this is a new day. As the Mayor, transforming into the actual now client of not only the City Attorney as well as outside counsel, there will be a noticeable shift that Councilmembers and the public will see, one of which he would like to announce that in the upcoming weeks, just stay tuned. He is going to create some working groups from the Mayor's office. One of those working groups will be wholly committed to, as he said in his acceptance speech on Sunday, about creating healthy families. This working group will be committed to healthy families as well as housing. He will not need Council appropriation for this. It will be a working group exclusively out of his office and they are going to dream big about how to make Whitehall win. With that being said, today was also a day where he was fortunate enough to be able to interview some great candidates for Administrative Assistant to the Mayor as well as Economic Development. There is another round of interviews going on tomorrow so just stay tuned. If he is given time to get his feet underneath himself, they have some great things ahead of

them and he is looking forward to working with this Council so that Whitehall can continue to be able to say that opportunity is here.

City Attorney Bradley S. Nicodemus – he introduced himself as the City Attorney. It feels odd to say that because the last ten years he has been the Assistant City Attorney. He used Mayor Bivens opportunity is here as a segway, if the name is familiar and the face is not. Fifteen years ago, he walked through the doors as a law student, needing a few hours in law clinic and needing to learn a little about Mayors Court. Little did he know that fifteen years later he would be sitting up there. He came in, fell in love with the place and he never left. He actually spent five years volunteering time in Mayor's Court and picking up several prosecution gigs for then City Attorney Shannon. When he figured out that he was not going to get rid of him, Mr. Shannon hired him on as Assistant City Attorney. He is thankful for the past eight years under Mayor Bivens' office and the programs that have been started. He is looking forward to keeping them going and expanding them. Council knows that he gave some data at meetings and he intends to continue that. He loves data. Before he became an attorney, he was a computer programmer with a degree in economics. He loves data. He does not have the resident numbers as he often reported as this is the first day in office and his clerks are out. He did have some numbers he wanted to share with Council and he did want to give them to Mayor Bivens for the last meeting but was not able to. The Attorneys office has two part-time prosecutors in Franklin County Municipal Court and they alternate days. They handle misdemeanor cases down there. Those two prosecutors were scheduled for six thousand seven hundred and twelve hearings last year. If you try to do the math, with two hundred sixty working days, that is twenty-six cases per day. That is a lot. He thanked Leslie and Kylie, their downtown prosecutors because six thousand court appearances is a lot. He has worked with Council in the past just as Mayor Bivens has for the past eight years; his door is open, give him a call, send him an email, he is always happy to sit down with anyone and talk about the things that need to be talked about.

City Auditor Steve Quincel – he has no legislation before Council, however it will be coming. The office is focused on closing December 2023 and calendar year 2023. Once that work is completed, the work for 2024 will begin.

Public Safety Director Van Gregg – was not present.

Treasurer Shaquille Alexander – had no official report. Council can expect his numbers on January 16. He welcomed the new Councilmember and the returning one as well. He congratulated Michael Bivens on becoming Mayor. He wished everyone a Happy New Year.

President Potter – advised that the following reports have been filed in the Council office since the last meeting: The Treasurer's Investment Reports for November 2023, The Treasurer's Activity by Fund Report for November 2023 and The Treasurer's Fund Reconciliation Report for November 2023.

COMMUNICATIONS, PETITIONS AND CLAIMS:

There were no Communications, Petitions and Claims.

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:

No legislation for third reading.

SECOND READING:

No legislation for second reading.

FIRST READING:

ORDINANCE NO. 001-2024 was read by title only by President Potter:

REFER TO PLANNING COMMISSION FOR THE JANUARY 4, 2024 MEETING

AMENDING THE ZONING MAP ATTACHED TO CHAPTER 1104.01 OF THE 2023 CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, OHIO AND AS SUBSEQUENTLY AMENDED, ALLOWING A SPECIAL PERMIT UNDER SECTION 1104.03(H) TO PERMIT BUY & BUY AUTO SALE, LLC COMPANY TO OPERATE A VEHICLE AND LARGE EQUIPMENT REPAIR BUSINESS IN THE MAIN STREET DISTRICT.

RESOLUTION NO. 001-2024 was read by title only by President Potter:

AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT ASSISTANCE FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES VIA OHIO'S URBAN FORESTRY GRANT PROGRAM.

POLL PUBLIC:

No comments at this time.

COMMUNITY DATE BOARD:

The Martin Luther King Jr. Breakfast is scheduled for Monday, January 15, 9:00 – 11:00 am at the Whitehall YMCA. There is a link to register on the city's website and Facebook page.

POLL COUNCIL:

Chairperson Smith thanked those in attendance and those watching from home. She wished everyone a Happy New Year. This is always a time for resolutions and goals and any day is a great day to set a new goal. She is very excited to be working with all the new people and she apologized for not being able to attend Mayor Bivens swearing in event, she would like to have a copy of his speech. She congratulated Councilpersons Harcar and Morrison and she looks forward to working with them.

Chairperson Harcar thanked those in attendance and those watching from home. She congratulated Mayor Bivens on his historic election. She is hoping the former Mayor, Wes, Karen and Bob are doing something that gives them a little peace, quiet and fun tonight. She wished a Merry Christmas to the Orthodox community, as they will be celebrating on January 7, so many of the Ethiopian community here in Whitehall, the Macedonian community in Reynoldsburg and other communities as well. She thanked everyone for the warm welcome she has received and she does appreciate it. She knows she will have many questions and she will probably make a couple of mistakes along the way so she appreciates their patience.

Chairperson Dixon wished everyone a Happy New Year. He thanked those in attendance and those watching from home. He welcomed and welcomed back all those in attendance. He wished Mayor Bivens the highest degree of good will and hopes that everything for his term ahead because out of all of them, he has the greatest burdens in making sure everything goes well. He has always had confidence in Mr. Bivens and he wishes him the highest degree of good will. He congratulated Mr. Morrison on President Pro Tem.

Chairperson Elmore thanked those in attendance and those watching from home. She wished everyone a Happy New Year and she is looking forward to some great things happening within the city and on this Council. Congratulations again to Councilperson Amy Harcar and Councilperson Larry Morrison and for becoming President Pro Tem. She welcomed City Attorney Nicodemus. She believes that the addition is going to help them continue to move in the direction

they need to move in. She hopes great things happen for the Councilmembers who are no longer with them and are probably doing whatever it is that they want to do. She knows there are some shoes that need filled and they will. To the history making Mayor, she knows that he will do great things for the city and she stands ready and willing to work with him, as she is sure all Councilmembers do as well.

Chairperson Morrison wished everyone a Happy New Year. He thanked those in attendance and those watching from home. He congratulated everyone on his or her elections. He is not the speechmaker that some of the elected officials are, they do a great job, and he congratulates them and appreciates the hard work they do. The celebration were very nice for the Mayor and for Council. He attended Mr. Alexanders swearing in, this chamber was just packed and it was a great celebration. He thanked everyone for voting him as Pro Tem and back in November. He looks forward to working with the administration and Council and moving this city forward as it has in the past several years.

Chairperson Heck thanked those in attendance and those watching from home. She congratulated Mayor Bivens on his swearing in. She could not attend as she was out of town. She looks forward to working with him this year. She congratulated Amy Harcar and is excited to be working with her. She is glad to have Larry Morrison back. She congratulated City Attorney Nicodemus and even though he has been working in the City Attorney's office for a while now, it is good to see him on the dais and she is looking forward to working with him more directly.

President Potter echoed the sentiments of his colleagues and wished everyone a happy, safe and prosperous 2024. There are some new faces on the dais that he is excited to be working with. Mayor Bivens, City Attorney Nicodemus it is wonderful to have them with Council. He welcomed Amy Harcar. There are no dumb questions; if you do not have questions, you are not trying. There is never a question you should not ask; anyone on Council and the Administration will be more than happy to help. He welcomed Mr. Morrison back to Council and he appreciates that he accepted the nomination for Pro Tem. That will be very helpful.

Having nothing further, Mr. Dixon moved to adjourn and Ms. Heck seconded the motion. On a roll call vote, all members responded in the affirmative and the meeting adjourned at 7:28 p.m.

Submitted by,

Julie A. Ogg, Clerk of Council

APPROVED: January 16, 2024

Thomas M. Potter, Council President