

WHITEHALL CITY COUNCIL  
AGENDA MEETING MINUTES  
FEBRUARY 6, 2018

---

Jim Graham, Council President, called the February 6, 2018 agenda meeting to order at 6:30 p.m. All members were present with the exception of Ms. Conison.

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

The meeting adjourned at 6:48 p.m.

Respectfully submitted,

---

Mary Freimark, Clerk of Council

APPROVED: \_\_\_\_\_, 2018.

---

Jim Graham, Council President

## WHITEHALL CITY COUNCIL MEETING

### MINUTES – FEBRUARY 6, 2018

---

Council President Graham called the regular meeting of Whitehall City Council to order at 7:00 p.m. on Tuesday, February 6, 2018.

At President Graham's request, everyone rose for a moment of silence. The Pledge of Allegiance was then recited by those assembled.

On roll call by the clerk, the following members of council were present:

Wes Kantor  
JoAnna Heck  
Larry Morrison  
Robert Bailey  
Chris Rodriguez  
Lori Elmore

#### EXCUSE ABSENT MEMBERS

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

#### APPROVAL OF MINUTES

Mr. Kantor moved to approve the Minutes of the January 16, 2018 agenda and regular meetings. Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all present members responded in the affirmative and the Minutes were approved as submitted.

#### SPECIAL PRESENTATION

Attorney Michael Bivens explained that one of his key values that he wanted to bring to the City Attorney's office is to make a difference. One of the things he saw a need to do is to get young people involved in the city so they can become our future city leaders. He introduced and thanked Paul Smathers, Coach Lightfoot and Joy Bivens for helping him get the Mock Court program started. He said this year something special happened with these kids. They competed in a Mock Trial competition and had to leave without advancing. When they got the results the kids were noticeably upset because they knew they did something special. They were better than every team that was there that day.

When he left that competition he was very upset and was trying to figure out what he could do to show these kids what a great job they did. So he has decided to honor them in his office and in front of council.

He introduced and gave out special awards for each young person that was involved.

Best Expert Witness - Abigail Elizabeth Barth  
Best Prosecution Witness - Michael Justin Bivens  
Meritorious Bailiff - Micaela Elise Brown  
Best Closing Argument: Defense - Tina Jolie Lane  
Most Improved - Rachel Michelle Neal  
Best Cross Examination - Ryan Wayne Redifer  
Best Defense Witness - Sir Blake Este'ban Singleton  
Best Closing Argument: Prosecution - Estefany Turcios  
Best Time Keeper - Marissa Juleen White  
Best Direct Examination - Paula Andrea Wilson

Coach Lightfoot thanked Mr. Smathers for allowing this project to happen. He said this class has done a phenomenal job and this was a perfect example of a project based learning approach within the classroom. These kids have made it a joy and it is amazing how far they have come. He stated that this would not have happened without Attorney Bivens having the passion. When he comes in the classroom he gets you fired up about law and the kids feed off of that.

Ms. Bivens thanked Mr. Smathers for allowing this to happen and to Mr. Lightfoot for taking the initiative to keep everyone on task. She thanked Attorney Bivens and said that working with young people is his passion. She thanked the students that participated and reiterated that public speaking is hard and they will use these skills for the rest of their life.

President Graham said on behalf of City Council he congratulated Attorney Bivens and his department for coming up with this idea years ago. Even though the Legal Rams did not finish first in competition they will always be first in Whitehall.

### POLL PUBLIC

Joy Bivens, 4985 Doral Ave., Whitehall Ohio. She said through the City Attorney's office they are looking for residents in Whitehall to assist them in establishing the Youth Justice Circle. These circles are created for minors that commit non-violent crimes, in lieu of being prosecuted by the Franklin County Juvenile Court. They participate in a program where a designated adult reviews their case with the minor and their families and creates an independent opportunity plan with corrective action. This plan may consist of writing a paper or performing community service. If they are compliant with the action plan, then a recommendation is written to the judge to have their case dismissed. The City of Whitehall has a high rate of youth detainment and this could be a good approach to help lower those rates. On February 22, in City Council Chambers there will be an informational meeting regarding this topic. They are looking for good people to establish a Whitehall Youth Justice Circle.

### STANDING COMMITTEE REPORTS

Administration and Financial Management – 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.

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 – President Graham 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 – President Graham reported they met last week and their minutes are on file. They will meet next week, sometime after 6:30 p.m.

Parks and Recreation – Councilman Kantor reported that they met last week and their minutes are on file. They will meet next week, sometime after 6:30 p.m.

### OFFICIALS' REPORTS

Mayor Kim Maggard – she thanked Attorney Bivens for starting the Mock Court at Whitehall Yearling High School and giving the kids a little something different for their future. It is exciting to have kids interested in government and maybe someday become public servants.

The YMCA is working on an RFQ for the Community Park YMCA. A board will be appointed by the mayor and council to make sure they get the best proposal. She is working on updating the cities solicitation ordinance. This will include making sure people are protected, detailed rules and updating the procedures for a permit. One of the things we don't mandate is a back ground check and that needs to be changed. She asked for favorable consideration for Ordinance No. 001-2018.

City Attorney Michael Bivens – his official report for the month of January is there were 213 cases in Mayor's Court, 27 of them were of a criminal nature committed by Whitehall residents.

He attended an opioid addiction seminar and he has come up with some potential strategies on how to approach the upcoming Mayors Drug Court. They have pulled all the cases in the past five years and started tracking repeat offenders. In these cases you can possibly see that these individuals could be suffering from opioid addiction. If they can approach these people on a volunteer basis they may be able to get them to commit themselves to the Mayors Drug Court so they can get the help that is needed. He is asking for help from council and the public to assist his office on identifying some of these individuals that may need this help. He asked for favorable consideration for Resolution No. 010-2018

City Auditor Dan Miller –He asked for favorable consideration on Ordinance Nos. 012-2018, 016-2017 017-2018 and Resolution Nos. 007-2018, 008-2018 and 009-2018.

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

Treasurer Steve Quincel – he had no official report.

President Graham – advised that the following Officials' Reports have been filed in the Council Office since the last meeting: The Division of Fire Overtime Report for December 2017.

## **COMMUNICATIONS, PETITIONS AND CLAIMS:**

1. Notice from the Ohio Division of Liquor Control for a new D1 liquor permit for the KROGER COMPANY DBA KROGER STORE 814, 3648 E. BROAD STREET, WHITEHALL, OHIO 43213.
2. Agenda for the February 1, 2018 meeting of the Planning Commission.
3. Minutes from the January 4, 2018 meeting of the Planning Commission.

### **VERIFICATION OF COPIES**

President Graham 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 present members responded in the affirmative.

### **THIRD READING:**

ORDINANCE NO. 122-2017 was read by title only by President Graham:

“TO AMEND THE CITY INCOME TAX CODE TO ADOPT SECTIONS 718.80 THROUGH 718.95 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY.”

ORDINANCE NO. 001-2018 was read by title only by President Graham:

“AN ORDINANCE AUTHORIZING THE MAYOR TO EXECUTE NECESSARY CONVEYANCE DOCUMENTS TO ACQUIRE PROPERTY FROM H. EUGENE FLETCHER LOCATED AT 51-91 S. HAMILTON ROAD, WHITEHALL, OHIO.”

Mr. Morrison introduced and moved to suspend the rules on Ordinance No. 001-2018 and Mr. Bailey seconded the motion. There was no discussion. On a roll call vote, all present members responded in the affirmative and the rules were suspended.

Mr. Morrison then moved to adopt Ordinance No. 001-2018 and Mr. Bailey seconded the motion. There was no discussion. On a roll call vote, all present members voted in the affirmative and ORDINANCE NO. 001-2018 was adopted.

### **SECOND READING:**

ORDINANCE NO. 002-2018 was read by title only by President Graham:

“AMENDING SECTION 184.3 OF THE CODIFIED ORDINANCES TITLED “DEFINITIONS” AND DECLARING AN EMERGENCY.”

### **FIRST READING:**

ORDINANCE NO. 006-2018 was read by title only by President Graham:

“UNAPPROPRIATING SIX HUNDRED AND NO/100 DOLLARS (\$600.00) FROM THE SAFE PARKS GRANT EXPENSE ACCOUNT (273.000.50000) AND DECLARING AN EMERGENCY.”

ORDINANCE NO. 007-2018 was read by title only by President Graham:

“UNAPPROPRIATING TWO MILLION NINE HUNDRED FORTY-SEVEN THOUSAND SIX HUNDRED FORTY-EIGHT AND 67/100 DOLLARS (2,947,648.67) FROM THE COMMUNITY EVENT CENTER ACCOUNT (303.000.51000) AND DECLARING AN EMERGENCY.”

ORDINANCE NO. 008-2018 was read by title only by President Graham:

“UNAPPROPRIATING TWO HUNDRED FIFTY AND NO/100 DOLLARS (\$250.00) FROM THE HAMILTON ROAD STREETScape ACCOUNT (307.000.52000) AND DECLARING AN EMERGENCY.”

ORDINANCE NO. 009-2018 was read by title only by President Graham:

“UNAPPROPRIATING THREE HUNDRED EIGHTY-SIX THOUSAND EIGHT HUNDRED SIXTY-FOUR AND 12/100 DOLLARS (386,864.12) FROM THE ETNA ROAD IMPROVEMENT ACCOUNT (319.000.50000) AND DECLARING AN EMERGENCY.”

ORDINANCE NO. 010-2018 was read by title only by President Graham:

“APPROVING AND MAKING A FUND TRANSFER IN THE AMOUNT OF FOUR HUNDRED FORTY-FIVE THOUSAND SEVEN HUNDRED TWENTY AND 00/100 DOLLARS (\$445,720.00) FROM VARIOUS ACCOUNTS IN THE WMPITIE FUND (279) TO THE DEBT SERVICE FUND (401).”

ORDINANCE NO. 011-2018 was read by title only by President Graham:

“TRANSFERRING FOUR HUNDRED FIFTY THOUSAND SEVEN HUNDRED FORTY-FIVE AND 10/100 DOLLARS (\$450,745.10) FROM THE BOND RETIREMENT ACCOUNT (101-950-57500) TO THE DEBT SERVICE FUND (401).”

ORDINANCE NO. 012-2018 was read by title only by President Graham:

“ADVANCING TWO HUNDRED FIFTY THOUSAND AND NO/100 DOLLARS (\$250,000.00) FROM PREVIOUSLY UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE TANF PROGRAM GRANT FUND (815) AND DECLARING AN EMERGENCY.”

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 012-2018 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all present members responded in the affirmative and the rules were suspended.

Mr. Bailey then moved to adopt Ordinance No. 012-2018 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all present members voted in the affirmative and ORDINANCE NO. 012-2018 was adopted.

ORDINANCE NO. 013-2018 was read by title only by President Graham:

“AUTHORIZING THE REPEAL OF CHAPTER 1333 AND THE MODIFICATION OF CHAPTER 1127.”

ORDINANCE NO. 014-2018 was read by title only by President Graham:

“AMENDING 505.21 HUMANE CONFINEMENT AND TREATMENT OF DOGS OF THE CODIFIED ORDINANCES OF THE CITY OF WHITEHALL.”

ORDINANCE NO. 015-2018 was read by title only by President Graham:

“AUTHORIZING THE CREATION OF THE DA-PO (DIVERSION ALTERNATIVE – PROJECT OPIOID) GRANT FUND (255), APPROPRIATING ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00) FROM UNAPPROPRIATED MONIES IN THE DA-PO GRANT FUND (255) TO THE DA-PO GRANT EXPENSE ACCOUNT (255.000.50000) AND DECLARING AN EMERGENCY.”

ORDINANCE NO. 016-2018 was read by title only by President Graham:

“AUTHORIZING THE CREATION OF THE 2017 BULLETPROOF VESTS ACCOUNT (267-000-52000); ADVANCING SIX THOUSAND EIGHT HUNDRED TWENTY-EIGHT AND 34/100 DOLLARS (\$6,828.34) FROM UNAPPROPRIATED MONEY IN THE LAW ENFORCEMENT TRUST FUND (241) TO THE BULLETPROOF VESTS GRANT FUND (267); MAKING A FUND TRANSFER OF TEN THOUSAND TWO HUNDRED SEVENTY-ONE AND 66/100 DOLLARS (\$10,271.66) FROM UNAPPROPRIATED MONIES IN THE LAW ENFORCEMENT TRUST FUND (241) TO THE BULLETPROOF VESTS GRANT FUND (267); MAKING AN APPROPRIATION OF SEVENTEEN THOUSAND, ONE HUNDRED AND 00/100 DOLLARS (\$17,100.00) FROM THE BULLETPROOF VESTS GRANT FUND (267) TO THE 2017 BULLETPROOF VESTS ACCOUNT (267-000-52000) AND DECLARING AN EMERGENCY.”

Mr. Kantor introduced and moved to suspend the rules on Ordinance No. 016-2018 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all present members responded in the affirmative and the rules were suspended.

Mr. Bailey asked if this has to be passed on the 1<sup>st</sup> reading.

Auditor Miller said yes.

Mr. Kantor then moved to adopt Ordinance No. 016-2018 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all present members voted in the affirmative and ORDINANCE NO. 016-2018 was adopted.

ORDINANCE NO. 017-2018 was read by title only by President Graham:

“APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF ONE HUNDRED NINETEEN THOUSAND FIVE HUNDRED AND 00/100 DOLLARS (\$119,500.00) FROM UNAPPROPRIATED MONIES IN THE LAW ENFORCEMENT TRUST FUND (241) TO THE LAW ENFORCEMENT SETASIDE FORFEITURE ACCOUNT (241-000-51000) AND DECLARING AN EMERGENCY.”

Mr. Kantor introduced and moved to suspend the rules on Ordinance No. 017-2018 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all present members responded in the affirmative and the rules were suspended.

Mr. Kantor then moved to adopt Ordinance No. 017-2018 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all present members voted in the affirmative and ORDINANCE NO. 017-2018 was adopted.

ORDINANCE NO. 018-2018 was read by title only by President Graham:

“UNAPPROPRIATING TWELVE AND 49/100 DOLLARS (\$12.49) FROM THE PARK RANGER GRANT EXPENSE ACCOUNT (272.000.50000) AND DECLARING AN EMERGENCY.”

RESOLUTION NO. 006-2018 was read by title only by President Graham:

“LEVYING SPECIAL ASSESSMENTS FOR PROPERTY MAINTENANCE AT SEVERAL LOCATIONS IN THE CITY OF WHITEHALL, OHIO (ADDRESSES AND PARCEL NUMBERS AS PROVIDED WITHIN THE TEXT OF THIS RESOLUTION), CERTIFYING SUCH COSTS TO THE FRANKLIN COUNTY AUDITOR TO BE ASSESSED AGAINST SUCH PROPERTY AND DECLARING AN EMERGENCY.”

Ms. Heck introduced and moved to suspend the rules on Resolution No. 006-2018 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all present members responded in the affirmative and the rules were suspended.

Ms. Heck then moved to adopt Resolution No. 006-2018 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all present members voted in the affirmative and RESOLUTION NO. 006-2018 was adopted.

RESOLUTION NO. 007-2018 was read by title only by President Graham:

“AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT A 2018 CLEAN OHIO TRAILS FUND GRANT THROUGH THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) AND DECLARING AN EMERGENCY.”

Mr. Bailey introduced and moved to suspend the rules on Resolution No. 007-2018 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all present members responded in the affirmative and the rules were suspended.

Mr. Bailey then moved to adopt Resolution No. 007-2018 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all present members voted in the affirmative and RESOLUTION NO. 007-2018 was adopted.

RESOLUTION NO. 008-2018 was read by title only by President Graham:

“AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT A 2018 RECREATION TRAIL PROGRAM GRANT THROUGH THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) AND DECLARING AN EMERGENCY.”

Mr. Bailey introduced and moved to suspend the rules on Resolution No. 008-2018 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all present members responded in the affirmative and the rules were suspended.

Mr. Bailey then moved to adopt Resolution No. 008-2018 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all present members voted in the affirmative and RESOLUTION NO. 008-2018 was adopted.

RESOLUTION NO. 009-2018 was read by title only by President Graham:

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



Mr. Bailey introduced and moved to suspend the rules on Resolution No. 009-2018 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all present members responded in the affirmative and the rules were suspended.

Mr. Bailey then moved to adopt Resolution No. 009-2018 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all present members voted in the affirmative and RESOLUTION NO. 009-2018 was adopted.

RESOLUTION NO. 010-2018 was read by title only by President Graham:

Mr. Bailey introduced and moved to suspend the rules on Resolution No. 010-2018 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all present members responded in the affirmative and the rules were suspended.

Mr. Bailey then moved to adopt Resolution No. 010-2018 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all present members voted in the affirmative and RESOLUTION NO. 010-2018 was adopted.

#### POLL PUBLIC

There were no further comments for poll public.

#### COMMUNITY DATE BOARD

Ms. King said that tomorrow evening at 5:30 p.m. there will be a Big Walnut Trail Open House in Council Chambers.

On February 15 at 6:00 p.m., Chief Cripes is having a Safer Whitehall Town Hall Meeting at the New Life Church on Yearling Road.

Ms. Elmore said that April 5, 2:00 p.m. – 6:30 p.m. is a Trade Fair Day. This is geared towards high school students that have decided to not attend college. It will help them prepare for a career and to figure out what their strengths and weaknesses are. The details will be coming.

#### POLL COUNCIL

Mr. Kantor thanked everyone for coming and thanked Attorney Bivens for the Mock Court program. He stated that the numbers are going down for crime in Whitehall.

Ms. Heck thanked Attorney Bivens for the work he does with the kids. She is around these kids and she knows it makes a difference in their lives. They are the future for tomorrow. She thanked everyone for coming.

Mr. Morrison thanked everyone for coming and thanked Attorney Bivens for recognizing the kids.

Mr. Bailey thanked everyone for coming. He said he appreciates Attorney Bivens passion for everything he does. It is contagious and he urged him to keep doing what he is doing because it is making a difference.

Mr. Rodriguez thanked everyone for coming and congratulated Attorney Bivens on everything he does. He wished Mr. Kantor good luck on his surgery tomorrow.

Ms. Elmore thanked everyone for coming. She thanked Attorney Bivens and the Legal Rams. She reiterated how great Attorney Bivens is with the kids and said he has given an opportunity for every age to get involved in their city. She thanked the Mayor and the team for everything that is happening in Whitehall with economic development and growth. She wished Mr. Kantor good luck on his surgery.

President Graham thanked everyone for coming and hopes to see everyone for the next meeting on Feb. 20.

Having nothing further, Mr. Rodriguez moved to adjourn and Ms. Elmore seconded the motion. On a roll call vote, all present members responded in the affirmative and the meeting adjourned at 7:57 p.m.

Respectfully submitted,

---

Mary Freimark, Clerk of Council

APPROVED: \_\_\_\_\_, 2018.

---

Jim Graham, Council President