

WHITEHALL CITY COUNCIL  
AGENDA MEETING MINUTES  
MARCH 7, 2017

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Council President Pro Tempore Bailey called the March 7, 2017, agenda meeting to order at 6:30 p.m. All members were present with the exception of Mr. Kantor.

Council President Pro Tempore Bailey reviewed the agenda and confirmed who would handle the various required motions this evening.

Having no further business, the meeting adjourned at 6:38 p.m.

Respectfully submitted,

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Mary Freimark, Clerk of Council

APPROVED: \_\_\_\_\_, 2017.

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Jim Graham, Council President

## WHITEHALL CITY COUNCIL MEETING

### MINUTES – MARCH 7, 2017

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Council President Pro Tempore Bailey called the regular meeting of Whitehall City Council to order at 7:00 p.m. on Tuesday, March 7, 2017.

At Council President Pro Tempore Bailey'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:

Karen Conison  
Lee Stahley  
Larry Morrison  
Bob Bailey  
Chris Rodriguez  
Van Gregg

#### EXCUSE ABSENT MEMBERS

Mr. Rodriguez moved to excuse the absent members and Mr. Stahley seconded the motion. There was no discussion. On a roll call vote, the six present members responded in the affirmative and President Graham and Mr. Kantor were excused.

#### APPROVAL OF MINUTES

Ms. Conison moved to approve the Minutes of the February 21, 2017 agenda and regular meetings. Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, the six present members responded in the affirmative and the Minutes were approved as submitted.

#### SPECIAL PRESENTATION

Attorney Michael Bivens provided a power point presentation explaining on how Mayor's Court works and the new diversion program which he is calling the Strategic Community Initiative. An electronic copy of the presentation was placed in council's power point folder. He introduced Derrick Owens, Larry Thomas, and Kevin Miller with the Columbus Urban League. They explained some of the goals their program strives to achieve in Mayor's Court. Their goals are to give people the resources needed to ultimately help them rehabilitate. Mr. Owens said they call themselves career coaches. Attorney Bivens introduced Brad Nicodemus, Whitehall Assistant City Attorney and Kylie Keitch, Whitehall Prosecutor. Ms. Keitch said how nice it is as a prosecutor to be able to send an individual who wants to change their life to someone in the next room who can help them do that. Mr. Nicodemus said he was skeptical of the program at the beginning, but now he sees it work. He says the difference is the defendants want to help themselves and the Urban League is giving them a chance to do that. He introduced Ms. Pittman who shared her story of having a license suspension that spiraled out of control which caused her to lose her job and has prevented her from getting another one. She said the Urban League helped her get the resources she needed to rectify the situation and get her back on her feet. Mr. Nicodemus was excited to let Ms. Pittman know that everything was rectified and her case is dismissed. Lastly, Attorney Bivens thanked everyone involved to make this program work.

## SPECIAL PRESENTATION

Joe Ryan, Economic Development Specialist presented a power point presentation updating council on the Whitehall Chamber of Commerce. An electronic copy of the presentation was placed in council's power point folder. He introduced the President, Cindy Page with Wallick Communities and Vice President Debbie Moore with Ernie's Automotive.

## POLL PUBLIC

Joy Bivens, 4985 Doral Ave., Whitehall Ohio. She thanked the City, the Columbus Urban League and Attorney Bivens for all the efforts and work they have put into giving people a second chance.

## 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 Engagement – 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.

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 Gregg 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 – Chairperson Stahley said they met last week and their minutes are on file. They will meet next week, sometime after 6:30 p.m.

Parks and Recreation – Council President Pro Tempore Bailey said that Chairperson Kantor was not able to be here this evening, but the committee did meet last week and their minutes are on file. They will meet next week, sometime after 6:30 p.m.

## OFFICIALS' REPORTS

Mayor Kim Maggard – thanked everyone for coming out this evening. She thanked the Urban League for helping with our residents. She thanked Attorney Bivens for getting this program up and running. She thinks it is going to be good for the City of Whitehall and the communities that surround the city. She said “Go Chamber” for rocking it and she just sent a check in to join. She wants to be a partner with them and would like to help them in any way. She asked for favorable consideration for Ord. Nos. 016-2017, 017-2017 and Resolution 014-2017. She explained that Resolution 014-2017 is opposing House Bill 49 which is the collection by the state of our business income tax. The state wants to charge us 1% for all of our collections net profits. She said we do a good job collecting these taxes and we still want to provide services to our businesses.

City Attorney Michael Bivens – reported there were 133 cases in Mayor's Court for the month of February, only 30 were Whitehall residents and 25 of those were criminal. He asked for favorable consideration for Resolution 014-2017. He stated he is excited to hear the upcoming State of the Community address because this is the city of opportunity.

City Auditor Dan Miller – had no official report. He asked for favorable consideration on Resolution 014-2017. He said his staff does a great job collecting these taxes and they do not need the help from the state. He asked for favorable consideration for Ordinance No. 022-2017 and Resolution Nos. 011-2017, 012-2017, and 013-2017.

Director of Service and Development Zach Woodruff – had no official report.

Director of Public Safety Mark Newcomb – reported on March 2 the Police Department began carrying Narcan to revive individuals who have overdosed. The city received the Narcan kits free of charge from the Franklin County Board of Health. He thanked the fire department EMS Coordinator, Mike Burns on conducting the training for the entire police department. He said that April 4 the Fire Department will participate in a county wide mass casualty drill.

Treasurer Steve Quincel – had no official report, but asked for support of Resolution 014-2017.

Council President Pro Tempore Bailey - advised that the following Officials' Reports have been filed in the Council Office since the last meeting: The Division of Fire Overtime Report for January 2017; Mayor's Report to Council for January 2017.

### COMMUNICATIONS, PETITIONS AND CLAIMS

1. Agenda for the March 2, 2017 meeting of the Planning Commission.
2. Minutes for the February 2, 2017 meeting of the Planning Commission.

### VERIFICATION OF COPIES

Council President Pro Tempore Bailey 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. The six present members responded in the affirmative.

### THIRD READING

There was no legislation for third reading.

### SECOND READING

ORDINANCE NO. 011-2017 was read by title only by President Pro Tem Bailey:

“RECLASSIFYING A PORTION OF A FUND ADVANCE AS A FUND TRANSFER.”

### FIRST READING

ORDINANCE NO. 014 -2017 was read by title only by President Pro Tem Bailey:

“AMENDING SECTION 143.15 OF THE CODIFIED ORDINANCES TITLED “EMERGENCY MEDICAL SERVICE BILLING” AND DECLARING AN EMERGENCY.”

ORDINANCE NO. 015-2017 was read by title only by President Pro Tem Bailey:

“MAKING AND APPROVING A FUND TRANSFER IN THE AMOUNT OF ONE HUNDRED TWELVE THOUSAND TWO HUNDRED FIFTY AND NO/100 DOLLARS (\$112,250.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE CAPITAL IMPROVEMENT FUND (311) AND DECLARING AN EMERGENCY.”

ORDINANCE NO. 016-2017 was read by title only by President Pro Tem Bailey:

“AUTHORIZING AND APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF FORTY THOUSAND AND NO/100 DOLLARS (\$40,000.00) FROM UNAPPROPRIATED MONIES IN THE LAW ENFORCEMENT TRUST FUND 241 TO THE LAW ENFORCEMENT TRUST PAYROLL EXPENSE ACCOUNT 241.000.51500 AND DECLARING AN EMERGENCY.”

Mr. Stahley introduced and moved to suspend the rules on Ordinance 016-2017 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, the six present members responded in the affirmative and the rules were suspended.

Mr. Stahley then moved to adopt Ordinance No. 016-2017 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, the six present members voted in the affirmative and ORDINANCE NO. 016-2017 was adopted.

ORDINANCE NO. 017-2017 (was read by title only by President Pro Tem Bailey:

“APPROVING AND AUTHORIZING A SUPPLEMENTAL APPROPRIATION OF THIRTY TWO THOUSAND AND NO/DOLLARS (\$32,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE POLICE SCHOOLS AND SEMINARS EXPENSE ACCOUNT 101.960.51900 AND DECLARING AN EMERGENCY.”

Mr. Stahley introduced and moved to suspend the rules on Ordinance 017-2017 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, the six present members responded in the affirmative and the rules were suspended.

Mr. Stahley then moved to adopt Ordinance No. 017-2017 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, the six present members voted in the affirmative and ORDINANCE NO. 017-2017 was adopted.

ORDINANCE NO. 018-2017 was read by title only by President Pro Tem Bailey:

“MAKING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF FIVE THOUSAND THREE HUNDRED AND NO/100 DOLLARS (\$5,300.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE BUILDING AND LOT MAINTENANCE ACCOUNT (101-950-53300) AND DECLARING AN EMERGENCY. “

ORDINANCE NO. 019-2017 was read by title only by President Pro Tem Bailey:

“MAKING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF THREE THOUSAND AND NO/100 DOLLARS (\$3,000.00) FROM UNAPPROPRIATED MONIES IN THE STREET MAINTENANCE AND REPAIR FUND (201) TO THE NEW EQUIPMENT ACCOUNT (201-000-53000) AND DECLARING AN EMERGENCY.”

ORDINANCE NO. 020-2017 was read by title only by President Pro Tem Bailey:

“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 1123.12(c)(2) TO ALLOW DAVID TODD, DBA CAMILLE WOODWORKING LLC, TO OPERATE A FINE CUSTOM WOODWORKING ESTABLISHMENT AT PROPERTY LOCATED AT 117 NORTH HAMILTON ROAD (PARCEL NUMBER 090-000010-00, 090-000290-00), OWNED BY HGI-MIDWEST II LLC, AND DECLARING AN EMERGENCY.”

ORDINANCE NO. 021-2017 was read by title only by President Pro Tem Bailey:

“AUTHORIZING THE TRANSFER OF PROPERTY GENERALLY KNOWN AS THE COMMONS AT ROYAL LANDING AND CERTAIN OTHER ADJACENT PROPERTY TO CONTINENTAL REAL ESTATE COMPANIES OR ITS DESIGNEE TO ACCOMPLISH THE REMEDIATION AND REDEVELOPMENT OF THAT PROPERTY.”

ORDINANCE NO. 022-2017 was read by title only by President Pro Tem Bailey:

“AUTHORIZING THE CREATION OF THE FY 2016 JAG GRANT FUND (268) AND ACCOUNT (268-000-50000); ADVANCING FOURTEEN THOUSAND, FOUR HUNDRED AND NINE AND NO/100 DOLLARS (\$14,409.00) FROM UNAPPROPRIATED MONEY IN THE LAW ENFORCEMENT TRUST FUND (241) TO THE FY 2016 JAG GRANT FUND (268); MAKING AN APPROPRIATION OF FOURTEEN THOUSAND, FOUR HUNDRED AND NINE AND NO/100 DOLLARS (\$14,409.00) FROM THE FY 2016 JAG GRANT FUND (268) TO THE FY 2016 JAG GRANT ACCOUNT (268-000-50000) AND DECLARING AN EMERGENCY.”

Mr. Stahley introduced and moved to suspend the rules on Ordinance 022-2017 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, the six present members responded in the affirmative and the rules were suspended.

Mr. Stahley then moved to adopt Ordinance No. 022-2017 and Ms. Conison Bailey seconded the motion. There was no discussion. On a roll call vote, the six present members voted in the affirmative and ORDINANCE NO. 022-2017 was adopted.

RESOLUTION NO. 011-2017 was read by title only by President Pro Tem Bailey:

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

Mr. Rodriguez introduced and moved to suspend the rules on Resolution No. 011-2017 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, the six present members responded in the affirmative and the rules were suspended.

Mr. Rodriguez then moved to adopt Resolution No. 011-2017 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, the six present members voted in the affirmative and RESOLUTION NO. 011-2017 was adopted.

RESOLUTION NO. 012-2017 was read by title only by President Pro Tem Bailey:

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

Mr. Rodriguez introduced and moved to suspend the rules on Resolution No. 012-2017 and Mr. Stahley seconded the motion. There was no discussion. On a roll call vote, the six present members responded in the affirmative and the rules were suspended.

Mr. Rodriguez then moved to adopt Resolution No. 012-2017 and Mr. Stahley seconded the motion. There was no discussion. On a roll call vote, the six present members voted in the affirmative and RESOLUTION NO. 012-2017 was adopted.

RESOLUTION NO. 013-2017 was read by title only by President Pro Tem Bailey:

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

Mr. Rodriguez introduced and moved to suspend the rules on Resolution No. 013-2017 and Mr. Gregg seconded the motion. There was no discussion. On a roll call vote, the six present members responded in the affirmative and the rules were suspended.

Mr. Rodriguez then moved to adopt Resolution No. 013-2017 and Mr. Gregg seconded the motion. There was no discussion. On a roll call vote, the six present members voted in the affirmative and RESOLUTION NO. 013-2017 was adopted.

RESOLUTION NO. 014-2017 was read by title only by President Pro Tem Bailey:

“STRONGLY OPPOSING GOVERNOR KASICH’S 2018-2019 BUDGET REGARDING CHANGES TO MUNICIPAL INCOME TAX COLLECTION AND DECLARING AN EMERGENCY.”

Mr. Gregg introduced and moved to suspend the rules on Resolution No. 014-2017 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, the six present members responded in the affirmative and the rules were suspended.

Mr. Gregg then moved to adopt Resolution No. 014-2017 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, the six present members voted in the affirmative and RESOLUTION NO. 014-2017 was adopted.

Council President Pro Tempore Bailey asked for a motion to approve raises for council staff. Mr. Rodriguez moved to give a 2% raise to council employees, retroactive to January 1, 2017. Mr. Morrison seconded the motion. On roll call vote, the six present members all voted in the affirmative and the motion carried.

### POLL PUBLIC

Lori Elmore, 645 Fairway Blvd. Whitehall, Ohio. She thanked council for the opportunity. She wanted to speak on behalf of all the great things Whitehall is doing, specifically to the mayor for bringing up House Bill 49. She feels that this could be detrimental to the City of Whitehall and the progress that has been made. She asked the citizens of Whitehall to contact their house and senate representatives and the people of the committee to let them know that they oppose this legislation. She feels that is a responsibility of citizens of Whitehall. She reiterated how important

it is to call Kevin Beacon and Heather Bishoff and the other people that are on the committee regarding the finances of the budget.

Director Woodruff introduced Kaitlin King, who is our new Community Affairs Manager. He stated that she has a lot on her plate with the State of the Community, Food Truck Festival, Resident Guide, 4th of July, etc. He said she will be reaching out to everyone shortly, but he felt it was important to formally introduce her.

### COMMUNITY DATE BOARD

Events are listed on the City's Website. Director Woodruff said the State of the Community event, which is a joint event with the city, chambers and the schools will be March 22 at 6:30 at the Kae Ave. Elementary School. The Mad Greek will be providing refreshments at 5:30 p.m. He said they are excited about being able to recap 2016 and share what the community is doing for 2017.

Ms. Conison announced that on April 4 they will be stuffing Easter Eggs at Whitehall Yearling High School and April 8 is the Easter Egg Hunt at John Bishop Park at 10:00 a.m.

### POLL COUNCIL

Ms. Conison thanked everyone for staying to the end of our council meeting. She thanked the Urban League and Ms. Pittman for sharing her story and for the Whitehall Chamber of Commerce.

Mr. Stahley thanked Attorney Bivens and the Urban League. He commended Ms. Pittman for the courage she showed by sharing her story. He said that is an example of what is working in our city. He thanked Mr. Ryan and the Whitehall Chamber. Lastly, he thanked Mr. Newcomb for telling the citizens about the Narcan. He shared that when he went on a police ride along he got to know how Narcan is saving individual lives.

Mr. Morrison thanked everyone for coming and complimented the Urban League and Chambers on what a great job everyone is doing.

Mr. Rodriguez thanked the Urban League and Attorney Bivens for the presentation. He welcomed Ms. King on board. He stated that the council clerks raises are well deserved and their wealth of knowledge is invaluable. He thanked Ms. Elmore for talking about Resolution 014-2017. He said it is something we have to go after as a community. He explained that we can also call other elected officials in other communities. We need to have everyone understand our point. He said they keep talking about home rule, but they keep taking it away and we need to fight for it.

Mr. Gregg thanked everyone for coming. He thanked Attorney Bivens and the Urban League and said it is nice to see results. He thanked the Chamber and welcomed Ms. King on board.

Council President Pro Tempore Bailey said how proud he is of all the work that everyone is doing. He said that he remembers a saying that reads, "that if a man is hungry you're not just giving him a fish you're teaching him how to fish." He said that is the path that we need to take and he is proud of it. He stated there is new life in Whitehall and everyone is making a difference.



Having nothing further, Mr. Rodriguez moved to adjourn and Mr. Gregg seconded the motion. On a roll call vote, the six present members responded in the affirmative and the meeting adjourned at 8:13 p.m.

Respectfully submitted,

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Mary Freimark, Clerk of Council

APPROVED: \_\_\_\_\_, 2017.

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Jim Graham, President of Council