

WHITEHALL CITY COUNCIL  
AGENDA MEETING MINUTES  
APRIL 18, 2017

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Council President Graham called the April 18, 2017, agenda meeting to order at 6:30 p.m. All members were present with the exception of Mr. Gregg and Mr. Kantor.

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

Director Woodruff asked for Ordinance No. 024-2017 to be tabled until May 2, 2017.

Having no further business, the meeting adjourned at 6:37 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 – APRIL 18, 2017

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Council President Jim Graham called the regular meeting of Whitehall City Council to order at 7:00 p.m. on Tuesday, April 18, 2017.

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:

Larry Morrison  
Bob Bailey  
Chris Rodriguez  
Karen Conison  
Lee Stahley

### EXCUSE ABSENT MEMBERS

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

### APPROVAL OF MINUTES

Ms. Conison moved to approve the Minutes of the April 4, 2017 agenda and regular meetings. Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, the five present members responded in the affirmative and the Minutes were approved as submitted.

### POLL PUBLIC

There were no comments at this time.

### 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 – President Graham reported on behalf of Chairperson Gregg 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 – President Graham reported on behalf of Chairperson Kantor 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 – had no official report.

City Attorney Michael Bivens – updated the numbers for Mayors Court for the month of March. They prosecuted 356 cases and only 34 were Whitehall residents that were of a criminal nature. He stated he wanted to publicly praise his new Victim Advocate Coordinator on how she handled a serious situation at Franklin County Municipal Court. There was a violation of a protection order and the case was adjudicated and the defendant was no longer on services with the City of Whitehall, therefore there were no stay away or protection orders in place. He said that the Victim Advocate had developed a relationship with the victim and advised them to get a civil protection order. The defendant was let out of jail that night and went to the victim's home and burglarized it along with other heinous acts in the home. He eventually even tried to commit suicide in the home. He said this situation could have turned out to be bad but the civil protection order was in place. As a result of that he also violated the protection order from the City of Whitehall so additional charges were filed. Bond was set at two different \$25,000 cash/surety bonds so the defendant will not be able to do anything to the victim. The victim does not currently live in Whitehall, but the protection order was originated in Whitehall. He said he wanted to share this story and let everyone know how proud he is of his Victim Advocate Coordinator.

City Auditor Dan Miller – said tax day is over and the tax office is now closed and he has no official report.

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

Treasurer Steve Quincel – was not present.

Council President Graham - advised that the following Officials' Reports have been filed in the Council Office since the last meeting: Auditor's Expense Report for March 2017; Auditor's Bank Report for March 2017; Auditor's Statement of Cash Position for March 2017; Auditor's Revenue Report for March 2017; and Division of Fire Overtime Report for March 2017.

### COMMUNICATIONS, PETITIONS AND CLAIMS

1. Notice from the Ohio Division of Liquor Control of the application for transfer of ownership of the C2, C2X liquor permits of AMEER CARRY OUT LLC, DBA WALTS CARRY OUT, 81-83 S. HAMILTON RD. to SHAWOI LLC, DBA WALTS CARRY OUT, 81-83 S. HAMILTON RD.

### 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. The five present members responded in the affirmative.

### THIRD READING

ORDINANCE NO. 023-2017 was read by title only by President Graham:

“MAKING A FUND TRANSFER FROM PREVIOUSLY UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE WMPITIE TIF FUND (279) IN THE AMOUNT OF FIFTY-TWO THOUSAND FIVE HUNDRED TWENTY-SEVEN AND 27/100 DOLLARS (\$52,527.27) AND ATTRIBUTING THE AMOUNTS TO THE ACCOUNTS FROM WHICH THEY WERE PAID AND DECLARING AN EMERGENCY.”

Mr. Bailey introduced and moved to adopt Ordinance No. 023-2017 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, the five present members voted in the affirmative and ORDINANCE NO. 023-2017 was adopted.

ORDINANCE NO. 024-2017 was read by title only by President Graham:

“TO AUTHORIZE THE PROVISION OF A REAL PROPERTY TAX ABATEMENT FOR A NEW PROJECT IN THE AIR SOUTH COMMERCE PARK WITHIN THE POTH ROAD COMMUNITY REINVESTMENT AREA FOR THE PURPOSE OF ENCOURAGING THE CREATION OF NEW JOBS WITHIN THE CITY AND AUTHORIZING THE EXECUTION OF THE RELATED COMMUNITY REINVESTMENT AREA AGREEMENT.”

Mr. Morrison introduced and moved to table until Ordinance No. 024-2017 until May 2, 2017 and Mr. Stahley seconded the motion. There was no discussion. On a roll call vote, the five present members responded in the affirmative and ORDINANCE NO. 024-2017 was tabled.

### SECOND READING

ORDINANCE NO. 028-2017 was read by title only by President Graham:

“TRANSFERRING ONE HUNDRED TWENTY THOUSAND SEVEN HUNDRED FORTY-SEVEN AND 91/100 DOLLARS (\$120,747.91) FROM THE BOND RETIREMENT ACCOUNT (101-950-57500) TO THE DEBT SERVICE FUND (401); MAKING A SUPPLEMENTAL APPROPRIATION OF FIVE THOUSAND NINE HUNDRED NINETY AND 39/100 DOLLARS (\$5,990.39) FROM THE DEBT SERVICE FUND (401) TO THE DEBT SERVICE EXPENSE ACCOUNT (401-000-50000) AND DECLARING AN EMERGENCY.”

Mr. Bailey introduced and moved to suspend the rules on Ordinance 028-2017 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, the five present members responded in the affirmative and the rules were suspended.

Mr. Bailey then moved to adopt Ordinance No. 028-2017 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, the five present members voted in the affirmative and ORDINANCE NO. 028-2017 was adopted.

ORDINANCE NO. 030-2017 was read by title only by President Graham:

“AUTHORIZING THE REPEAL OF THE REQUIREMENT FOR RESIDENTIAL PROPERTY CLEANUP AND STREET CLEANUP BONDS AND INCREASING THE AMOUNT THAT MAY BE REQUIRED FOR STREET CLEANUP AT COMMERCIAL PROPERTIES.”

FIRST READING

ORDINANCE NO. 031-2017 was read by title only by President Graham:

“MAKING AND APPROVING SUPPLEMENTAL APPROPRIATIONS IN THE TOTAL AMOUNT OF FOURTEEN THOUSAND, TWO HUNDRED THIRTY EIGHT AND NO/100 DOLLARS (\$14,238.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND 101 TO VARIOUS GENERAL FUND EXPENSE ACCOUNTS.”

ORDINANCE NO. 032-2017 was read by title only by President Graham:

“AUTHORIZING THE REPEAL OF PLUMBING PLAN REVIEW AND PERMIT FEES AND ADOPTING THE FEES CHARGED BY FRANKLIN COUNTY PUBLIC HEALTH.”

Mr. Bailey introduced and moved to suspend the rules on Ordinance 032-2017 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, the five present members responded in the affirmative and the rules were suspended.

Mr. Bailey then moved to adopt Ordinance No. 032-2017 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, the five present members voted in the affirmative and ORDINANCE NO. 032-2017 was adopted.

ORDINANCE NO. 033-2017 was read by title only by President Graham:

“AMENDING 161.37 (f) OF THE CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, OHIO TITLED ‘TABLE OF AUTHORIZED PERSONNEL’ , AND DECLARING AN EMERGENCY.”

Mr. Stahley introduced and moved to suspend the rules on Ordinance 033-2017 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, the five present members responded in the affirmative and the rules were suspended.

Mr. Stahley then moved to adopt Ordinance No. 033-2017 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, the five present members voted in the affirmative and ORDINANCE NO. 033-2017 was adopted.

ORDINANCE NO. 034-2017 was read by title only by President Graham:

“AUTHORIZING AN APPROPRIATION TRANSFER FROM THE COMMUNITY RECREATION EXPENSE ACCOUNT 310.000.54000 IN THE AMOUNT OF SEVENTY THOUSAND AND NO/100 DOLLARS (\$70,000.00) TO THE PARK MAINTENANCE ADDITION EXPENSE ACCOUNT 310.000.55000 AND DECLARING AN EMERGENCY.”

Mr. Stahley introduced and moved to suspend the rules on Ordinance 034-2017 and Mr. Bailey seconded the motion. There was no discussion. On a roll call vote, the five present members responded in the affirmative and the rules were suspended.

Mr. Stahley then moved to adopt Ordinance No. 034-2017 and Mr. Bailey seconded the motion. There was no discussion. On a roll call vote, the five present members voted in the affirmative and ORDINANCE NO. 034-2017 was adopted.

ORDINANCE NO. 035-2017 was read by title only by President Graham:

“AUTHORIZING THE CITY OF WHITEHALL TO APPROPRIATE THREE PARCELS TOTALING APPROXIMATELY 1.16 ACRES FROM H. EUGENE FLETCHER, LOCATED AT 61-91 S. HAMILTON ROAD, FOR THE PUBLIC PURPOSE OF CONSTRUCTING A ROADWAY TO BE OPEN TO THE PUBLIC WITHOUT CHARGE.”

ORDINANCE NO. 036-2017 was read by title only by President Graham:

“APPROVING AND MAKING AN APPROPRIATION OF ELEVEN THOUSAND SEVEN HUNDRED NINETY-NINE AND NO/100 DOLLARS (\$11,799.00) FROM UNAPPROPRIATED MONIES IN THE FY15 JAG GRANT FUND (262) TO THE FY15 JAG GRANT ADVANCE BACK EXPENSE ACCOUNT (262.000.59990) AND DECLARING AN EMERGENCY.”

Mr. Bailey introduced and moved to suspend the rules on Ordinance 036-2017 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, the five present members responded in the affirmative and the rules were suspended.

Mr. Bailey then moved to adopt Ordinance No. 036-2017 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, the five present members voted in the affirmative and ORDINANCE NO. 036-2017 was adopted.

RESOLUTION NO. 022-2017 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. 022-2017 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, the five present members responded in the affirmative and the rules were suspended.

Mr. Bailey then moved to adopt Resolution No. 022-2017 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, the five present members voted in the affirmative and RESOLUTION NO. 022-2017 was adopted.

RESOLUTION NO. 023-2017 was read by title only by President Graham:

“APPROVING REVISIONS TO THE INVESTMENT POLICY OF THE CITY OF WHITEHALL AND DECLARING AN EMERGENCY.”

RESOLUTION NO. 024-2017 was read by title only by President Graham:

“SUPPORTING THE 2017 FRANKLIN COUNTY SENIOR OPTIONS LEVY AS ISSUE 1 AND DECLARING AN EMERGENCY.”

Ms. Conison introduced and moved to suspend the rules on Resolution No. 024-2017 and Mr. Stahley seconded the motion. There was no discussion. On a roll call vote, the five present members responded in the affirmative and the rules were suspended.

Ms. Conison then moved to adopt Resolution No. 024-2017 and Mr. Stahley seconded the motion. There was no discussion. On a roll call vote, the five present members voted in the affirmative and RESOLUTION NO. 024-2017 was adopted.

RESOLUTION NO. 025-2017 was read by title only by President Graham:

“AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT A 2017 NATURE WORKS 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. 025-2017 and Mr. Stahley seconded the motion. There was no discussion. On a roll call vote, the five present members responded in the affirmative and the rules were suspended.

Mr. Bailey then moved to adopt Resolution No. 025-2017 and Mr. Stahley seconded the motion. There was no discussion. On a roll call vote, the five present members voted in the affirmative and RESOLUTION NO. 025-2017 was adopted.

RESOLUTION NO. 026-2017 was read by title only by President Graham:

“AUTHORIZING THE INTENT TO APPROPRIATE A 1.16-ACRE PROPERTY IN FEE SIMPLE FROM PROPERTY OWNER H. EUGENE FLETCHER, LOCATED AT 61-91 S. HAMILTON ROAD, WHITEHALL, OHIO, FOR THE PUBLIC PURPOSE OF CONSTRUCTING A ROADWAY TO BE OPEN TO THE PUBLIC AND DECLARING AN EMERGENCY.”

Mr. Morrison introduced and moved to suspend the rules on Resolution No. 026-2017 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, the five present members responded in the affirmative and the rules were suspended.

Mr. Morrison then moved to adopt Resolution No. 026-2017 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, the five present members voted in the affirmative and RESOLUTION NO. 026-2017 was adopted.

Director Woodruff explained that the city is moving forward and believes this appropriation is necessary. He said the city has been unable to come to an agreement with the owner regarding compensation. He displayed exhibits to help explain.

## POLL PUBLIC

Jill McGinn with CLEAResult, Ohio Outreach Manager. spoke on behalf of Columbia Gas. They have designated Whitehall as being one of the only areas in the State of Ohio that qualifies for the Home Energy Audit Program. Whitehall residents only have to pay \$20.00 for the audit no matter what their income level is and if they refer a friend or family they receive a check from Columbia Gas in the amount of \$20.00. This program will also do safety checks of the home along with installing low flow shower heads and programmable thermostat if necessary. She said one of the best parts of this program is if a customer moves forward and upgrades their energy efficiency, Columbia gas will pay for almost all of the insulation with the exception of \$300.00. It does not matter if the recommendation is \$4000 to \$6000 worth of installation, the resident would only pay \$300. She said that this program has been going on for years and she thinks Whitehall residents may think it has been canceled. She stated she has heard rumors that this opportunity for Whitehall residents may be discontinued at the end of this year so she felt it was important to let the residents know what a great benefit it is to the city.

Director Woodruff asked Ms. McGinn to give her business card to Ms. King so we can help promote this program to our residents. He stated that he did think the program was discontinued and he is pleased to know it isn't.

## COMMUNITY DATE BOARD

Ms. Conison said that Sunday, April 23, WCPAAA is having a Spaghetti Dinner at Whitehall Senior Center. 12:00 p.m. to 4:00 p.m., Adults are \$8.00, children are \$4.00. There will be a 50/50 raffle and door prizes. Mr. Bailey and Mr. Rodriguez will be doing the cooking. On April 25 the WCPAAA is having a fundraiser, take the flyer to Texas Roadhouse and they will get 10% of all sales.

Ms. King stated that May 6 is Rebuilding Together Central Ohio and we are still needing volunteers.

Events are listed on the City's Website.

## POLL COUNCIL

Mr. Morrison thanked everyone for coming and for the opportunity from Columbia Gas.

Mr. Bailey thanked everyone for coming. He said he appreciated Ms. McGinn coming to council tonight discussing the Columbia Gas Energy program that is offered to the residents.

Mr. Rodriguez thanked everyone for coming and also wanted to thank Ms. McGinn. He said he thinks this is a great benefit to our residents.

Ms. Conison thanked everyone for coming and thanked Ms. McGinn. She shared she did benefit from this program years ago and her house is much warmer.

Mr. Stahley thanked everyone for coming out and thanked Ms. McGinn for this great opportunity.



President Graham said he would like to publicly apologize to members of council, administration and especially Mr. Rodriguez. On March 21, there was a resolution recognizing the owners of the Whitehall Shell Station for the 40 years of doing business in the city. He said he feels that he did not handle the situation well and that recognition is important to our community and he wanted to thank Mr. Rodriguez for his efforts for bringing this to council. He stated that he thinks of council as a team and he felt his actions were those of not a team player. He stated that he received no negative comments about this, but it was his own personal experience that felt it warranted an apology to Mr. Rodriguez. Mr. Rodriguez said no apology was necessary because council is a team and whatever they do they do together. President Graham said often times on a team someone deserves recognition and that is what makes a good team environment.

President Graham thanked everyone for coming out this evening and hopes to see everyone in two weeks. He stated that it is always nice to see people getting recognized for what they contribute to the community.

Having nothing further, Mr. Bailey moved to adjourn and Mr. Rodriguez seconded the motion. On a roll call vote, the five present members responded in the affirmative and the meeting adjourned at 7:32 p.m.

Respectfully submitted,

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Mary Freimark, Clerk of Council

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

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Jim Graham, President of Council