

WHITEHALL CITY COUNCIL

AGENDA MEETING MINUTES

MAY 16, 2017

Council President Graham called the May 16, 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 that Ordinance No. 024-2017 be tabled until June 6, 2017. Mr. Ryan explained why he wanted Ordinance No. 044-2017 added this evening. He said Buckeye City Motor Sports bought the old Dollar Johnson store that is next door to them on Main Street. This will require a special permit because they want to do motorcycle sales. He said if this was on the normal time frame we would not be able to pass this until after the next Planning Commission meeting which isn't until the beginning of July. He added because this is expansion of an existing business and most of their sales are in the summer he wanted to try to move this on a little quicker for the owner.

Mayor Maggard said that the Senate has had some hearings on a possible bill that would allow agricultural type animals within city limits. She said she will be following this bill. She explained the reason behind this bill is because of food insecurity and in the future there may not be enough food to feed everyone.

Having no further business, the meeting adjourned at 6:48 p.m.

Respectfully submitted,

Mary Freimark, Clerk of Council

APPROVED: _____, 2017.

Jim Graham, Council President

WHITEHALL CITY COUNCIL MEETING

MINUTES – MAY 16, 2017

Council President Jim Graham called the regular meeting of Whitehall City Council to order at 7:00 p.m. on Tuesday, May 16, 2017.

At President Graham's request, everyone rose for a moment of silence in memory of Helen Roberts who was a frequent visitor to the council meetings. The Pledge of Allegiance was then recited by those assembled.

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

Chris Rodriguez
Karen Conison
Lee Stahley
Larry Morrison
Bob Bailey

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, the five present members responded in the affirmative and Mr. Kantor and Mr. Gregg were excused.

APPROVAL OF MINUTES

Ms. Conison moved to approve the Minutes of the May 2, 2017 agenda and regular meetings. Mr. Stahley 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

Gerald Dixon, 3877 Doney St. read a letter that he wrote expressing his concerns on Ordinance No. 035-2017. A copy of the letter is in Council meeting folder.

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 – asked for favorable consideration on first reading on Ordinance Nos. 035-2017 and 041-2017. She asked for everyone to remember those who lost their lives in the Kirkersville tragedy. She also wanted to remember Mr. Wilson who was a teacher in the Whitehall City Schools.

City Attorney Michael Bivens – reminded everyone that the City Attorney's office is sponsoring a Mock Trial with Whitehall Yearling High School students this Thursday at 6:00 p.m. in this court room. He explained that this started out as a way to introduce kids to government, public speaking or the possibility of even being advocates. It has now transformed to actual curriculum at the High School. This Thursday will be their final exam. He said for the past two days he has had the privilege of attending a conference that is given by Ohio Attorney General, Mike Devine that is called "Two Days in May". He said he was deeply impacted with the information that was shared and it was extremely valuable. The conference brought together victim advocates around the state. He has decided to create an exploratory committee which other communities have titled a Survivors Council. He has already empowered his victim advocate to be more along the lines of empowering victims. To let victims of domestic violence know there is a way out. He explained as a child he witnessed domestic violence and he has made it part of his mission and he takes a heavy handle approach on Domestic Violence cases. He asked council and the residents to help make a bold claim that in the City of Whitehall no one will be abused. He said in the upcoming weeks we will be hearing more about this.

City Auditor Dan Miller – had no official report, but wanted to remind everyone that they can see the budgets, audits and all the reports on the City's web-site. He asked for favorable consideration for Ordinance No. 040-2017 and Resolution Nos. 023-2017 and 024-2017.

Director of Public Service and Development Zach Woodruff – reminded everyone that the Etna Rd. construction project will begin at the end of the month. It is expected to last 180 days and during that time Etna will be limited to east bound only from Hamilton to Country Club. He stated Two Tones Brewery is having a tap take over this Thursday from 5:30 p.m. – 9:00 p.m. at Flavor 91 Bistro, 5186 E. Main St.

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 April 2017; Auditor's Bank Report for April 2017; Auditor's Statement of Cash Position for April 2017; Auditor's Revenue Report for April 2017; Treasurer's Investment Report for April 2017; Treasurer's Activity Report for April 2017; Treasurer's Fund Reconciliation Report for April 2017; and Division of Fire Overtime Report for April 2017.

President Graham said there were no Communications, Petitions and Claims.

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. 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 Ordinance No. 024-2017 until June 6, 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 ORDINANCE NO. 024-2017 was tabled.

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.”

Mr. Bailey then moved to adopt Ordinance No. 035-2017 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. 035-2017 was adopted.

Director Woodruff displayed exhibits that deal with this piece of legislation. He reminded City Council and the public that this appropriation is necessary and is for a public purpose, mainly to construct a new roadway. The city has been unable to agree with the property owner as to compensation and continues have dialog with the owner’s representative regarding this matter.

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.”

Mr. Bailey introduced and moved to suspend the rules on Resolution No. 023-2017 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 Resolution 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 RESOLUTION NO. 023-2017 was adopted.

SECOND READING

There was no legislation for second reading.

FIRST READING:

ORDINANCE NO. 038-2017 was read by title only by President Graham:

“TRANSFERRING EIGHTY THOUSAND FIVE HUNDRED NINETY-FOUR AND 14/100 DOLLARS (\$80,594.14) FROM PREVIOUSLY UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE TAX INCENTIVE PROGRAM FUND (280); MAKING A SUPPLEMENTAL APPROPRIATION OF EIGHTY THOUSAND FIVE HUNDRED NINETY-FOUR AND 14/100 DOLLARS (\$80,594.14) FROM THE TAX INCENTIVE PROGRAM FUND (280) TO THE TAX INCENTIVE EXPENSE ACCOUNT (280-000-50000) AND AUTHORIZING AN INCOME TAX REVENUE SHARING PAYMENT TO THE AFFECTED SCHOOL DISTRICTS FROM THE TAX INCENTIVE EXPENSE ACCOUNT (280-000-50000) IN THE AMOUNT OF EIGHTY THOUSAND FIVE HUNDRED NINETY-FOUR AND 14/100 DOLLARS (\$80,594.14) AND DECLARING AN EMERGENCY.”

ORDINANCE NO. 039-2017 was read by title only by President Graham:

“APPROVING AND MAKING APPROPRIATION TRANSFERS FROM VARIOUS WMPITIE FUND EXPENSE ACCOUNTS IN THE TOTAL AMOUNT OF SEVEN THOUSAND FOURTEEN AND 79/100 DOLLARS (\$7,014.79) TO THE TIF FEES ACCOUNT (279.000.59600) AND DECLARING AN EMERGENCY.”

ORDINANCE NO. 040-2017 was read by title only by President Graham:

“APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF FOUR HUNDRED AND NO/100 DOLLARS (\$400.00) FROM UNAPPROPRIATED MONIES IN THE MECHANICAL UPGRADES FUND (318) TO THE 318 FEDERAL OBLIGATIONS FEES EXPENSE ACCOUNT (318.000.59650) AND DECLARING AN EMERGENCY.”

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 040-2017 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 Ordinance No. 040-2017 and Mr. Stahley seconded the motion. There was no discussion. On a roll call vote, the five present members voted in the affirmative and ORDINANCE NO. 040-2017 was adopted.

ORDINANCE NO. 041-2017 was read by title only by President Graham:

“AUTHORIZING SUPPLEMENTAL APPROPRIATIONS IN THE TOTAL AMOUNT OF ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND 101 TO THE GENERAL FUND EXPENSE ACCOUNTS LISTED IN THE BODY OF THIS LEGISLATION AND DECLARING AN EMERGENCY.”

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 041-2017 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 Ordinance No. 041-2017 and Mr. Stahley seconded the motion. There was no discussion. On a roll call vote, the five present members voted in the affirmative and ORDINANCE NO. 041-2017 was adopted.

ORDINANCE NO. 042-2017 was read by title only by President Graham:

“AMENDING SECTION 161.37(e)(2) OF THE CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, TABLE OF AUTHORIZED PERSONNEL.”

ORDINANCE NO. 043-2017 was read by title only by President Graham:

“AUTHORIZING ADOPTION OF THE MAY 2017 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, AND DECLARING AN EMERGENCY.”

Mr. Stahley introduced and moved to suspend the rules on Ordinance No. 043-2017 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. 043-2017 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. 043-2017 was adopted.

ORDINANCE NO. 044-2017 was read by title only by President Graham. It was referred to the planning commission for their 6/1/17 meeting and a Public Hearing was set for 6/10/17.

“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 1123.10(c)(10) TO ALLOW MARC NOLAN (dba BUCKEYE CITY MOTORSPORTS) TO OPERATE A MOTORCYCLE DEALERSHIP, AND THEIR PARTS AND ACCESSORIES ON THE PROPERTY LOCATED AT 4106 E. MAIN STREET, PROPERTY OWNED BY MARC NOLAN.”

RESOLUTION NO. 027-2017 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. 027-2017 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 Resolution No. 027-2017 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, the five present members voted in the affirmative and RESOLUTION NO. 027-2017 was adopted.

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

“ADOPTING THE TAX BUDGET FOR THE CITY OF WHITEHALL, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2018 AND SUBMITTING SAME TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY.”

RESOLUTION NO. 029-2017 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.”

POLL PUBLIC

Gerald Dixon, 3877 Doney St., read a letter that he wrote expressing his concerns regarding Code Enforcement. A copy of the letter is in Council meeting folder.

President Graham stated that if people were reasonable about things we could probably get rid of all laws, but for the most part people are not reasonable. Therefore, we have to have laws because people don't want to be reasonable.

Dave Burnhimer, 1007 Beechwood, said he is concerned that the new handicap ramps on Beechwood are not up to code. He said he knows there not to code because that is what he does for a living. He said someone needs to look at them and that the city should stop payment until they are corrected. He stated if someone were to fall it is the City's responsibility. He said it also appears there are some grading issues, but some of it was taken care of when the pavement was put in. He stated it needs to be checked by a survey, not by a tape measure. He said you need to actually pin the area to guarantee the grading is proper. He said he knows that was not done because he walked the area twice and could not find the survey control. He asked where the parking is for the new three story building being built. He said there are requirements for parking and approximately 1/3 of that area would be required for parking. He said EMH&T is a known consultant and he doesn't know why they didn't address the parking or is he missing something. President Graham said it is a conceptual drawing and it is not final. He said he understands that, but when your conceptualizing you show the basics and parking is one of the basics. He said he has been doing this for 20 years.

COMMUNITY DATE BOARD

Mr. Stahley said this Thursday the Columbus Police Department will be having a memorial for fallen officers including Kirksville at 8:00 p.m. on Washington Blvd.

Ms. Conison said they are taking registrations for the pageant and all the information is on the electronic board at the schools.

Events are listed on the City's Website.

POLL COUNCIL

Mr. Rodriguez said he appreciates everyone showing up tonight and it is good to see some new faces. He wished his grandson Jackson a Happy 5th Birthday,

Ms. Conison thanked everyone for coming and thanked Mr. Dixon for his statements. She reassured everyone that they always listen. She congratulated Mr. Bailey on his daughter's marriage and congratulated Efi on his graduation from Ohio Wesleyan.

Mr. Stahley thanked everyone for coming and wished his mother a Happy Mother's Day.

Mr. Morrison thanked everyone for coming. He said he works closely with the city's Code Enforcement Officers and they bend over backwards for the residents. He said they give them assistance and if they do not have the funds, they give them plenty of time to correct any issues they may have. They work with the residents. He said Code Enforcement is necessary and he agrees with President Graham that if everyone lives with the same standards it wouldn't be an issue, but it is. He thanked everyone for coming.

Mr. Bailey thanked everyone for coming and said he echoed Mr. Morrison's comments. He said Code Enforcement takes the time to make contact with local groups to help owners with their issues. He said he would hate to think what would happen if there was no Code Enforcement and HOA's pop up all over the city. He said Home Owners Associations are a lot stricter and tougher than Code Enforcement. He explained most of the calls Code Enforcement gets are neighbors having concerns with situations. He said they are working with the community to resolve complaints and then they work with the owners to resolve the issues.

President Graham thanked everyone for coming out. He said to Mr. Dixon that he has no problem with him coming up and sharing his views on Code Enforcement. Mr. Dixon said it is not about Code Enforcement. President Graham said it seemed to him it was about Code Enforcement. He said his final comment is that Code Enforcement is what is best for everyone not just for an individual. He looks at it as not a "me" thing, but as an "all of us", thing.

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 7:23 p.m.

Respectfully submitted,

Mary Freimark, Clerk of Council

APPROVED: _____, 2017.

Jim Graham, President of Council