

WHITEHALL CITY COUNCIL

AGENDA MEETING MINUTES

June 19, 2018

President Pro Tem Bailey called the June 5, 2018 agenda meeting to order at 6:30 p.m. All members were present with the exception of President Graham. President Pro Tem Bailey said that President Graham asked to be formally excused from last meeting and this meeting.

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

President Graham advised that he would like a motion to adjourn to executive session pursuant to Ohio Revised Code Section 121.22 (g)(3) conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action. Mr. Rodriguez so moved and Mr. Kantor seconded the motion. A roll call was taken and all members voted in the affirmative and the meeting adjourned to executive session at 6:35 p.m.

The executive session and meeting adjourned at 6:55 p.m.

Respectfully submitted,

Mary Freimark, Clerk of Council

APPROVED: _____, 2018.

President Pro Tem Bailey

WHITEHALL CITY COUNCIL MEETING

MINUTES – JUNE 19, 2018

President Pro Tem Bailey called the regular meeting of Whitehall City Council to order at 7:00 p.m. on Tuesday, June 19, 2018.

At President Pro Tem 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:

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

EXCUSE ABSENT MEMBERS

Mr. Rodriguez moved to excuse President Graham from the June 5 and June 19 City Council Meetings, Mr. Conison seconded the motion. There was no discussion. On a roll call vote, all members responded in the affirmative and President Graham was excused.

President Pro Tem Bailey reported that there will be no City Council Meeting on July 3, 2018 and that the July meetings will as follows; City Council Meetings will be July 10 and July 24 and Committee Meetings will be July 17 and July 31.

APPROVAL OF MINUTES

Ms. Conison moved to approve the Minutes of the June 5, 2018 agenda and regular meetings. Mr. Kantor 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

Mayor Maggard presented a Proclamation supporting PRIDE month in Whitehall.

POLL PUBLIC

No comments at this time.

STANDING COMMITTEE REPORTS

Administration and Financial Management – Mr. Rodriguez reported that they met last Tuesday and their minutes are on file and they will meet again next week, sometime after 6:30 p.m.

Community and Elder Advocacy – Chairperson Elmore reported they met last Tuesday and went over Resolution No. 025-2018. Their minutes are on file and they will meet 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 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 – 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.

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

OFFICIALS' REPORTS

Mayor Kim Maggard – she asked for favorable consideration on Ordinance No. 059-2018. She reported the city has been interviewing construction managers for the YMCA project and a decision will be made this week. The street crew is continuing to work on repairing and constructing new curbs on Broad Street and for everyone to be careful as it narrows to one lane. The fireworks viewing tickets are available at City Hall until June 29 from 8:00 a.m. to 4:00 p.m. in the Service Department. The festivities will begin at 6:00 p.m. on July 3 at Whitehall Yearling High School football stadium. The Independence Celebration Carnival begins on June 28 and runs through July 1 at John Bishop Park. The city has renovated the playgrounds at all the city's public parks for a total cost of \$750,000. There is a Ribbon Cutting Ceremony for the new Lamby Lane playground this Sunday at 4:30 p.m. Music in the Park is featuring British Invasion this week.

City Attorney Michael Bivens – he said his office has initiated what they call a strategic community incentive in respect to diversion. It is a plea bargain agreement that is done in Mayors Court in respect to diverting cases that are poverty related or low level drug cases. They use the Urban League to do this. The Columbus City Attorney has noticed what Whitehall has been doing and is interested in the program. Most of the cases in Whitehall Mayors Court are committed by Columbus residents. Therefore, if we can help Columbus, we will help Whitehall. The Urban League will be holding a program called "Empower You" at Whitehall City Hall on Thursday, June 28 from 9:00 a.m. to 5:00 p.m.

He updated council and the public regarding the ongoing problem with Roses Parking Lot. He said Code Enforcement has sent numerous violation letters regarding the potholes in the parking lot. The violations have been ignored because the owner lives in California. The City Attorney's office is going to start using other resources to escalate this issue. He is asking if anyone has had damages to their car or any other personal experience from the condition of this parking lot, please contact the City Attorney's office. Once they collect the facts they are going to make sure the property owner does what he is obligated to do.

City Auditor Dan Miller – he said today they wrapped up the 2017 Audit. He asked for favorable consideration on Ordinance Nos. 055-2018 and 056-2018 and Resolution No. 024-2018

Director of Public Service and Development Zach Woodruff – he thanked the City Attorney's office for taking on the issues of Roses Parking Lot. He said Code Enforcement staff has been working on this issue for years and they can only do so much. The street crew is working on curbs, sidewalk panels and storm drops along Broad Street. The city has seasonal people to help with weeding and mowing. He appreciates all the support.

Director of Public Safety Van Gregg – was not present.

Treasurer Steve Quincel – he had no official report. He congratulated his 87 year old father, Robert Quincel who through the efforts of the Franklin County Veterans Services Office and Columbus Board of Education was awarded his South High School Diploma.

President Pro Tem Bailey – advised that the following Officials' Reports have been filed in the Council Office since the last meeting: The Auditor's Expense Report for May 2018; The Auditor's Bank Report for May 2018; The Auditor's Statement of Cash Position Report for May 2018; The Auditor's Revenue Report for May 2018; and The Division of Fire Overtime Report for May 2018;.

COMMUNICATIONS, PETITIONS AND CLAIMS:

1. Notice from the Ohio Division of Liquor Control of a hearing regarding transfer of ownership application of the D5 liquor permit of MMKAP LLC DBA JJ EEZYS 3878 E. Main St. & Patio to EEZYS LTD DBA JJ EEZYS 3878 E. Main St. & Patio.

VERIFICATION OF COPIES

President Pro Tem 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. On a roll call vote, all present members responded in the affirmative.

THIRD READING:

THERE IS NO LEGISLATION FOR THIRD READING.

SECOND READING:

ORDINANCE NO. 050-2018 was read by title only by President Graham:

“PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF THE CITY OF WHITEHALL AN AMENDMENT TO THE CHARTER OF THE CITY OF WHITEHALL, OHIO PROPOSING TO AMEND SECTION 24(C) OF THE CHARTER, TO PROVIDE A PLAN OF SUCCESSION TO THE MAYOR AND ACTING MAYOR IN THE EVENT THE PRESIDENT OF COUNCIL SHALL DECLINE TO SUCCEED TO THE OFFICE AND LESS THAN ONE (1) YEAR REMAINS TO BE SERVED ON THE TERM OF OFFICE OF THE FORMER MAYOR AND DECLARING AN EMERGENCY.”

ORDINANCE NO. 051-2018 was read by title only by President Graham:

“PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF THE CITY OF WHITEHALL, AN AMENDMENT TO THE CHARTER OF THE CITY OF WHITEHALL, OHIO, PROPOSING TO AMEND SECTIONS 3(e), 23(b), 26(b), 41(b), AND 45(b) OF THE CHARTER, TO ELIMINATE ALL REFERENCES TO LIMITING OF TERMS FOR THE ELECTED OFFICES OF CITY COUNCIL, MAYOR, CITY ATTORNEY, CITY AUDITOR AND CITY TREASURER AND DELARING AN EMERGENCY.”

Mr. Kantor introduced and moved to table indefinitely Ordinance No. 051-2018 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, Morrison, yes; Bailey, no; Rodriguez, yes; Elmore, yes; Conison, yes; Kantor, yes; Heck, yes, and ORDINANCE 051-2018 was Tabled.

ORDINANCE NO. 052-2018 was read by title only by President Graham:

“PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF THE CITY OF WHITEHALL, AN AMENDMENT TO THE CHARTER OF THE CITY OF WHITEHALL, OHIO, PROPOSING TO AMEND SECTIONS 3(e), 23(b), 26(b), 41(b), AND 45(b) OF THE CHARTER, TO EXTEND THE TERM LIMITS FROM TWO (2) CONSECUTIVE FOUR (4) YEAR TERMS TO NOT MORE THAN THREE (3) CONSECUTIVE FOUR (4) YEAR TERMS (OR) CHANGE TWO (2) CONSECUTIVE FOUR (4) YEAR TERMS TO NOT MORE THAN THREE (3) CONSECUTIVE FOUR (4) YEAR TERMS FOR THE ELECTED OFFICES OF CITY COUNCIL, MAYOR, CITY ATTORNEY, CITY AUDITOR AND CITY TREASURER AND DELARING AN EMERGENCY.”

ORDINANCE NO. 053-2018 was read by title only by President Graham:

“PROVIDING FOR THE SUBMISSION TO THE ELECTORATE OF THE CITY OF WHITEHALL AN AMENDMENT TO THE CHARTER OF THE CITY OF WHITEHALL, OHIO PROPOSING TO AMEND ALL REFERENCES OF WHATEVER NATURE TO INDIVIDUALS BE GENDER NEUTRAL (OR) PROPOSING TO AMEND MISCELLANEOUS PROVISIONS REGARDING GENDER NEUTRAL LANGUAGE THROUGHOUT THE CHARTER AND DECLARING AN EMERGENCY.”

ORDINANCE NO. 054-2018 was read by title only by President Graham:

“AUTHORIZING THE MAYOR TO ENTER INTO A SETTLEMENT AGREEMENT AND AN ASSIGNMENT AND ASSUMPTION OF LEASES WITH WC MANAGEMENT, LLC.”

RESOLUTION NO. 023-2018 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, 2019 AND SUBMITTING SAME TO THE COUNTY AUDITOR AND DECLARING AN EMERGENCY.”

FIRST READING:

ORDINANCE NO. 055-2018 was read by title only by President Graham:

“TRANSFERRING NINETY–SEVEN THOUSAND EIGHTY-SEVEN AND 90/100 DOLLARS (\$97,087.90) FROM PREVIOUSLY UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE TAX INCENTIVE PROGRAM FUND (280); MAKING A SUPPLEMENTAL APPROPRIATION OF NINETY–SEVEN THOUSAND EIGHTY-SEVEN AND 90/100 DOLLARS (\$97,087.90) 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 NINETY–SEVEN THOUSAND EIGHTY-SEVEN AND 90/100 DOLLARS (\$97,087.90) AND DECLARING AN EMERGENCY.”

Mr. Rodriguez introduced and moved to suspend the rules on Ordinance No. 055-2018 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all present members voted in the affirmative and ORDINANCE 055-2018 was suspended

Mr. Rodriguez then moved to adopt Ordinance No. 055-2018 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all present members voted in the affirmative and ORDINANCE NO. 055-2018 was adopted.

ORDINANCE NO. 056-2018 was read by title only by President Graham:

“ADVANCING ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00) FROM PREVIOUSLY UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE DA-PO (DIVERSION ALTERNATIVE – PROJECT OPIOD) GRANT FUND (255) AND DECLARING AN EMERGENCY.”

Mr. Rodriguez introduced and moved to suspend the rules on Ordinance No. 056-2018 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all present members voted in the affirmative and ORDINANCE 056-2018 was suspended

Mr. Rodriguez then moved to adopt Ordinance No. 056-2018 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. 056-2018 was adopted.

ORDINANCE NO. 057-2018 was read by title only by President Graham:

“MAKING AND APPROVING A FUND TRANSFER IN THE AMOUNT OF ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00) FROM THE TRANSFER EXPENSE ACCOUNT (101-950-59999) TO THE STREET MAINTENANCE AND REPAIR FUND (201) AND DECLARING AN EMERGENCY.”

ORDINANCE NO. 058-2018 was read by title only by President Graham:

“APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF FIFTY THOUSAND AND NO/100 DOLLARS (\$50,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND 101 TO THE INCOME TAX REFUNDS EXPENSE ACCOUNT (101.350.57000).”

ORDINANCE NO. 059-2018 was read by title only by President Graham:

“AUTHORIZING AND APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF THIRTEEN THOUSAND AND NO/DOLLARS (\$13,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND 101 TO THE MAYOR’S MAGISTRATE EXPENSE ACCOUNT 101.200.51100 AND DECLARING AN EMERGENCY.”

Mr. Rodriguez introduced and moved to suspend the rules on Ordinance No. 059-2018 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all present members voted in the affirmative and ORDINANCE 059-2018 was suspended

Mr. Rodriguez then moved to adopt Ordinance No. 059-2018 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all present members voted in the affirmative and ORDINANCE NO. 059-2018 was adopted.

ORDINANCE NO. 060-2018 was read by title only by President Graham:

Refer to Planning Commission 7/12/18 & Public Hearing on 7/24/18

“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 1123.03(c)(1) TO ALLOW GRACE EDUCATIONAL & TUTORING CENTER TO OPERATE A SCHOOL AND TUTORING CENTER ON THE PROPERTY LOCATED AT 700 BERNHARD ROAD PARCEL #090-000348), OWNED BY EBENEZER ETHIOPIAN EVANGELICAL CHURCH-LCMS.”

RESOLUTION NO. 024-2018 was read by title only by President Graham:

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

Mr. Rodriguez introduced and moved to suspend the rules on Resolution No. 024-2018 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all present members voted in the affirmative and RESOLUTION 024-2018 was suspended

Mr. Rodriguez then moved to adopt Ordinance No. 048-2018 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. 024-2018 was adopted.

RESOLUTION NO. 025-2018 (*Admin./Fin. – 1st reading – ADOPT 6/19/18– Lori/Chris*)

“AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT A FEDERAL SUB GRANT AWARD FROM THE FRANKLIN COUNTY BOARD OF COMMISSIONERS TITLED DIVERSION ALTERNATIVES PROJECT OPIOD AND DECLARING AN EMERGENCY.”

Ms. Elmore introduced and moved to suspend the rules on Resolution No. 025-2018 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all present members voted in the affirmative and RESOLUTION 025-2018 was suspended

Ms. Elmore then moved to adopt Resolution No. 025-2018 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all present members voted in the affirmative and RESOLUTION NO. 025-2018 was adopted.

POLL PUBLIC

No comments at this time.

COMMUNITY DATE BOARD

Ms. Conison said the WCCA will have their Cruise-in on June 23 at Whitehall VFW at 1:00 p.m. with a rain date of June 24. The Whitehall pageants will be the following week at John Bishop Park. The baby pageant will be at 10:00 a.m. at Rosemore School and all the other pageants will start at 1:00 p.m. The 4th of July parade is on July 4th at 10:00 a.m. It starts down Yearling Road go up Etna and up through the park.

Mr. Kantor said after the Car Show there a picnic at the playground Ribbon Cutting Ceremony at Lamby Lane from 4:30 p.m. to 6:00 p.m. and then Music in the Park.

Ms. Heck said next week Parks and Rec. are holding a Soccer Camp at Rosemoor School. It is \$25.00 and for children entering 1st grade through 8th grade. Sign-ups can be done through Parks and Rec.

Mr. Bailey said Whitehall Education Foundation will have their Golf Outing at Jefferson Country Club on July 9. They still have teams available.

POLL COUNCIL

Mr. Morrison thanked everyone for coming and hopes everyone has a good week.

Mr. Rodriguez thanked everyone for coming. He wished Mr. and Mrs. Bailey a Happy 30th Anniversary.

Ms. Elmore wished Mr. and Mrs. Bailey a Happy Anniversary. She thanked the facebook listeners and the people that are at the meeting tonight. She said she is extremely concerned about the immigration deportation. There are 11.6 % Hispanics in Whitehall and they are our neighbors, they go to our schools, our children play with them, and they are our families and friends. She is asking to show more compassion and love to those who are affected by an immoral act against humanity in striping away children from their parents. Immigration Deportation will affect all of us in one way or another. Take the opportunity to express love by sending a note or giving a hug. She is a parent and she has no idea how hard this is for these children and parents. She moved to Whitehall because of its diversity and multi- cultural community. At the end of the day all of us are immigrants to this country. She asked everyone to come to the council meetings and talk to council and administration and build relationships.

Ms. Conison wished Mr. and Mrs. Bailey a Happy Anniversary. She thanked everyone for coming.

Mr. Kantor wished Mr. and Mrs. Bailey a Happy Anniversary. He thanked everyone for coming. He said there are a lot of things going on this summer and asked everyone to go enjoy the Parks. He said he made a motion tonight to table the ordinance that deletes term limits because it has been on the ballot twice and been defeated twice. The other ordinance involving term limits will still give the voters the opportunity to vote to extend term limits. He is asking everyone to get out and vote this November.

Ms. Heck wished Mr. and Mrs. Bailey a Happy Anniversary and thanked everyone for coming. She thanked the Mayor for the Proclamation she gave tonight. She also thanked the Fire Department for the Safe Station they are now providing. It is great to see they are already helping people and she is excited on what how many others they can help.

President Pro Tem Bailey thanked everyone for coming. He said the Safe Station is getting feedback from all over and not just in Whitehall. It is a phonemical program.

Having nothing further, Mr. Kantor moved to adjourn and Mr. Rodriguez seconded the motion. On a roll call vote, all members responded in the affirmative and the meeting adjourned at 7:43 p.m.

Respectfully submitted,

Mary Freimark, Clerk of Council

APPROVED: _____, 2018.

President Pro Tem Bailey