

WHITEHALL CITY COUNCIL
AGENDA MEETING MINUTES

July 24, 2018

President Graham called the July 24, 2018 agenda meeting to order at 6:30 p.m. All members were present.

President Graham 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)(1) to consider the promotion of a public employee. Mr. Bailey so moved and Mr. Rodriguez seconded the motion. A roll call was taken and all members voted in the affirmative and the meeting adjourned to executive session at 6:45 p.m.

The executive session and meeting adjourned at 6:52 p.m.

Respectfully submitted,

Mary Freimark, Clerk of Council

APPROVED: _____, 2018.

Jim Graham, Council President

WHITEHALL CITY COUNCIL MEETING

MINUTES – JULY 24, 2018

President Graham called the regular meeting of Whitehall City Council to order at 7:00 p.m. on Tuesday, July 24, 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:

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

APPROVAL OF MINUTES

Ms. Conison moved to approve the Minutes of the July 10, 2018 agenda and regular meetings. Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members responded in the affirmative and the Minutes were approved as submitted.

POLL PUBLIC

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 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 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 two weeks ago 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 two weeks ago 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 two weeks ago and their minutes are on file. They will meet next week, sometime after 6:30 p.m.

OFFICIALS' REPORTS

Mayor Kim Maggard – she had no official report. She expressed her sadness on the passing of Chuck Underwood. She said that Chuck Underwood held many positions for the City of Whitehall which included Board of Zoning, City Attorney, City Councilman, City Council President, City Treasurer and most recently Safety Director. Not only did he serve in many capacities for the city, he was also a decorated veteran. In the first Iraq war he flew bombers and logistical planes. He was also an instructor with FlightSafety, he heard appeals for Ohio Unemployment Compensation and he was a hearing officer for Financial Security. She said these are the things that she knew he did, but she is sure he did even more than what she shared. He was a compassionate, kind and a true friend. He was a mentor and he will be greatly missed. She is glad he got to spend his last days at his summer lake house that he loved.

City Attorney Michael Bivens – he thanked everyone for coming this evening. He thanked the mayor for the beautifully spoken words that were said about Chuck Underwood. He said Chuck was a fine individual and a fine human being and he will be missed.

His commended the mayor for her vision and the seed she planted for going after and receiving the opioid fund grant for the city. He said the mayor was not able to attend the event last week because she was on vacation, but she would have been proud of Sam Quinones and the efforts of Chief Menapace. There were over 300 people that came out that night as it related to the opioid epidemic. The community is interested and concerned about how the city is working hard to help the problem. Part of the grant is a pilot Mayors Drug Court and it will start August 14. It will be held at the Police Department and will run concurrent with our regular Mayors Court. They will be selective on who will be chosen for drug court because the grant only services 20 to 30 individuals for a two year period. Once someone is selected they will get the help they need to fight the addiction. He feels the community will really benefit from this program.

Mayor Maggard added that the reason why they were able to have Mr. Quinones come and speak was due to the generosity of the Police Department and their training budget. The Fire Departments training budget was stretched and there was no money from the grant budget. She thanked the Police Department and said this is an example of complete team work.

City Auditor Dan Miller – he had no official report.

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

Director of Public Safety Van Gregg – 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 Auditor's Expense Report for June 2018; The Auditor's Bank Report for June 2018; The Auditor's Statement of Cash Position Report for June 2018; The Auditor's Revenue Report for June 2018; and The Division of Fire Overtime Report for June 2018 and The Mayors Report to Council for June 2018.

COMMUNICATIONS, PETITIONS AND CLAIMS:

1. Agenda for the July 12, 2018 meeting of the Planning Commission.

PUBLIC HEARING:

ORDINANCE NO. 060-2018

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.

President Graham opened the public hearing on Ordinance No. 060-2018 at 7:13 p.m.

He explained that this has been continued with the Planning Commission so there has been no recommendations given to council.

He asked if there was anyone here to speak in support for Ordinance No. 060-2018, they can come forward and state their name and address for the record. There were not comments.

He asked if there was anyone here in opposition for Ordinance No. 060-2018, they can come forward and state their name and address for the record. There were not comments.

President Graham continued the public hearing on Ordinance No. 060-2018 until the next City Council Meeting on August 7, 2018, at Whitehall Community Park.

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 members responded in the affirmative.

THIRD READING:

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

“MAKING AND APPROVING A FUND TRANSFER IN THE AMOUNT OF ~~ONE~~ TWO HUNDRED THOUSAND AND NO/100 DOLLARS (\$~~+~~ 200,000.00) FROM THE TRANSFER EXPENSE ACCOUNT (101-950-59999) TO THE STREET MAINTENANCE AND REPAIR FUND (201) AND DECLARING AN EMERGENCY.”

Mr. Rodriguez then moved to amend and adopt as read Ordinance No. 057-2018 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 057-2018 was amended and adopted.

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).”

Mr. Rodriguez then moved to adopt Ordinance No. 058-2018 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 058-2018 was adopted.

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

“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.”

Mr. Rodriguez then moved to table Ordinance No. 060-2018 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 060-2018 was tabled.

Mr. Bailey asked if on Ordinance No. 060-2018 should have had two motions and votes, one for the amendment and one for the adoption.

Attorney Bivens said that due to the fact it was said “amend as read” they do not need two separate votes. The amendment does not have to be approved as a separate voting action because what was read is what council is voting on. The reason why it needed to be stated “amended as read” is because it was previously read at a council meeting. Therefore, council is voting on something different that had been read at a previous meeting.

SECOND READING:

ORDINANCE NO. 062-2018 was read by title only by President Graham:

“AUTHORIZING THE CREATION OF THE PARK STREAM RESTORATION ACCOUNT (308.000.52000) AND APPROPRIATING ~~ONE SIX HUNDRED FIFTY TWENTY-SIX FIVE HUNDRED~~ THOUSAND AND NO/100 DOLLARS ~~(\$156,500)~~ (\$626,000.00) FROM UNAPPROPRIATED MONIES IN THE OPWC PROJECTS FUND (308) AND DECLARING AN EMERGENCY.”

Mr. Rodriguez then moved to amend as read and moved to suspend the rules on Ordinance No. 062-2018 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 062-2018 was amended and suspended.

Mr. Rodriguez then moved to adopt Ordinance No. 062-2018 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 062-2018 was adopted.

ORDINANCE NO. 063-2018 was read by title only by President Graham:

“AUTHORIZING THE REPLACEMENT OF SECTION 1128.04 AND THE REPEAL OF SECTIONS 1128.05 AND 1128.06.”

FIRST READING:

ORDINANCE NO. 064-2018 was read by title only by President Graham:

“AUTHORIZING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF ONE HUNDRED EIGHTY THOUSAND AND NO/DOLLARS (\$180,000.00) FROM PREVIOUSLY UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO VARIOUS ACCOUNTS IN THE GENERAL FUND (101) AND DECLARING AN EMERGENCY.”

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 064-2018 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 064-2018 was suspended.

Mr. Bailey then moved to adopt Ordinance No. 064-2018 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 064-2018 was adopted

ORDINANCE NO. 065-2018 was read by title only by President Graham:

“AUTHORIZING THE CREATION OF THE MUNICIPAL NET PROFIT TAX FEES ACCOUNT (101.950.59610), APPROVING AND MAKING AN APPROPRIATION IN THE AMOUNT OF TWO THOUSAND AND NO 00/100 DOLLARS (\$2,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE MUNICIPAL NET PROFIT TAX FEES EXPENSE ACCOUNT (101.950.59610) AND DECLARING AN EMERGENCY.”

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 065-2018 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 065-2018 was suspended.

Mr. Bailey then moved to adopt Ordinance No. 065-2018 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 065-2018 was adopted

ORDINANCE NO. 066-2018 was read by title only by President Graham:

“AUTHORIZING AND APPROVING THE MAYOR TO SIGN A CONTRACT WITH THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS (I.A.F.F.) LOCAL 1729 FOR THE CONTRACT TERM JANUARY 1, 2017 TO DECEMBER 31, 2019 AND DECLARING AN EMERGENCY.”

ORDINANCE NO. 067-2018 was read by title only by President Graham:

“AUTHORIZING THE MAYOR TO ENTER INTO A CONTRACT WITH CORNA KOKOSING CONSTRUCTION COMPANY FOR THE PURPOSE OF PROVIDING CONSTRUCTION MANAGEMENT SERVICES FOR THE WHITEHALL COMMUNITY CENTER PROJECT WITH THE YOUNG MEN’S CHRISTIAN ASSOCIATION OF CENTRAL OHIO (YMCA) FOR THE FACILITY TO BE CONSTRUCTED AT WHITEHALL COMMUNITY PARK AND DECLARING AN EMERGENCY.”

ORDINANCE NO. 068-2018 was read by title only by President Graham:

“AUTHORIZING THE MAYOR TO ENTER INTO A LEASE AGREEMENT WITH YOUNG MEN’S CHRISTIAN ASSOCIATION OF CENTRAL OHIO (YMCA) FOR THE LEASE OF THE TWENTY-FIVE THOUSAND SQUARE FEET (25,000) FACILITY TO BE CONSTRUCTED AT WHITEHALL COMMUNITY PARK AND DECLARING AN EMERGENCY.”

ORDINANCE NO. 069-2018 was read by title only by President Graham:

“AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH M+A ARCHITECTS FOR ARCHITECTURAL AND CONSULTING ENGINEERING SERVICES AND DECLARING AN EMERGENCY.”

ORDINANCE NO. 070-2018 was read by title only by President Graham:

“AUTHORIZING THE MAYOR TO ENTER INTO A PROFESSIONAL SERVICES AGREEMENT WITH YOUNG MENS CHRISTIAN ASSOCIATION OF CENTRAL OHIO (YMCA) FOR THE PURPOSE OF PROVIDING AN OWNERS REPRESENTATIVE ON THE WHITEHALL YMCA COMMUNITY CENTER PROJECT LOCATED IN WHITEHALL COMMUNITY PARK AND DECLARING AN EMERGENCY.”

RESOLUTION NO. 027-2018 was read by title only by President Graham:

“AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT A GRANT FROM THE OHIO PUBLIC WORKS COMMISSION AND DECLARING AN EMERGENCY.”

Mr. Rodriguez introduced and moved to suspend the rules on Resolution No. 027-2018 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and RESOLUTION 027-2018 was suspended

Mr. Rodriguez then moved to adopt Resolution No. 027-2018 and Mr. Kantor seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and RESOLUTION NO. 027-2018 was adopted.

RESOLUTION NO. 028-2018 was read by title only by President Graham:

“AUTHORIZING THE MAYOR TO APPLY FOR AND ACCEPT A GRANT FROM THE OHIO PUBLIC WORKS COMMISSION AND DECLARING AN EMERGENCY.”

Mr. Kantor introduced and moved to suspend the rules on Resolution No. 028-2018 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all present members voted in the affirmative and RESOLUTION 028-2018 was suspended

Mr. Kantor then moved to adopt Resolution No. 028-2018 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all present members voted in the affirmative and RESOLUTION NO. 028-2018 was adopted.

POLL PUBLIC

No comments at this time.

COMMUNITY DATE BOARD

Auditor Miller said National Night Out is August 7 at Whitehall Community Park.

Mayor Maggard said the Food Truck Festival is Saturday, July 28. Friday at 8:30 p.m. there will be Movie in the Park with free popcorn. You can get more information the city's Facebook page.

Ms. Elmore said there is a Ribbon Cutting Ceremony for the Homeport Whitehall Hamilton Crossing from 1:00 p.m. to 3:00 p.m. The public is welcome.

Mr. Kantor said Sunday, July 29 is the first 3 on 3 basketball at John Bishop Park from 12:00 p.m. to 7:30. Monday July 30 there is a Spaghetti Dinner at Kae Ave. from 5:30 p.m. to 7:30 p.m. to help the family who had a fire a few weeks ago. Wednesday, August 1 is the Norton Field Party from 5:00 p.m. to 7:00 p.m.

Ms. Heck said the Spaghetti Dinner is \$5.00 and will include a bottled water, garlic bread, salad and for an extra \$1.00 you can get a soda. They will also have to go orders and if you would like you can give a larger donation.

POLL COUNCIL

Mr. Rodriguez commented that when he eulogized his father, he used a line from a movie that said "the Greeks didn't write obituaries that asked if this man had passion". His father had passion and Chuck Underwood had passion for this community. This community was beloved to him along with his community in New York. He was such a kind person and that was his take away. He wished everyone a Happy National Tequila Day and hopes to see everyone at the Food Truck Festival Saturday.

Ms. Elmore thanked everyone for coming out and for people that are listening viewing the council meeting through Facebook. She sent her condolences to the Underwood family and asked everyone to keep them in their prayers. Whitehall Community to visit the website and stay informed. There is a lot of things happening in the city and the website will keep you informed.

Ms. Conison thanked everyone for coming. She reiterated what a nice person Chuck Underwood was. He treated everyone as an individual and would always remember specific things about you and then talked to you about them. That is a rare person that can do that. Last year WCAA wanted to honor him as the Grand Marshall and he said there are so many more deserving people. She said he was so wrong because look at all the wonderful things about him. He will be greatly missed and she wishes his family lots of love.

Mr. Kantor said Whitehall Yearling High School alumni party for all years is August 4 at 6:00 p.m. at Coaches. He said he has known Chuck Underwood and his family for 30 years. He was a good friend to him and his family. It is a sad time for the City of Whitehall. He was someone you will only meet one time in your life. His prayers go out to the Underwood family.

Ms. Heck gave her condolences and prayers to the Underwood family. She thanked everyone for coming out and for everyone who is watching on Facebook. She said it was a great turnout for the Opioid Crisis event last week and she is happy to see that the city is trying to get ahead of the crisis and figure it out.

Mr. Morrison offered his condolences to the Underwood family. He said he will be greatly missed in this community and I'm sure by his family as well. He thanked everyone for coming.

Mr. Bailey thanked everyone for coming. He said Chuck Underwood was a man with great integrity and had so many life experiences. He was a quality friend and an even better mentor. He feels blessed to have spent many golf trips with him. He would share and coach and he will be greatly missed.

President Graham offered his condolences to the Underwood family. He said that it is not often that a person like Chuck Underwood comes along. All the things he has done for the City of Whitehall and all the people within the city and all the service he has contributed. He devoted so much of his time to the city and he did not get the credit he deserved. He deserved a lot of credit and did a lot, he was always there.

President Graham offered congratulations to Council Clerk, Mary Freimark on becoming a Certified Municipal Clerk. He said it is not something that is easily obtained; you have to read books, write papers and go to a lot of meetings and do all that in a short amount of time. It is quite an achievement and for her to maintain this achievement she will have to continue the education. Council is proud of her accomplishment.

Having nothing further, Mr. Bailey 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 7:37 p.m.

Respectfully submitted,

Mary Freimark, Clerk of Council

APPROVED: _____, 2018.

Jim Graham, Council President