

WHITEHALL CITY COUNCIL  
AGENDA MEETING MINUTES

October 2, 2018

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President Graham called the October 2, 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.

The executive session and meeting adjourned at 6:37 p.m.

Respectfully submitted,

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Mary Freimark, Clerk of Council

APPROVED: \_\_\_\_\_, 2018.

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Jim Graham, Council President

WHITEHALL CITY COUNCIL MEETING  
MINUTES – OCTOBER 2, 2018

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President Graham called the regular meeting of Whitehall City Council to order at 7:00 p.m. on Tuesday, October 2, 2018.

At President Graham's request, everyone rose for a moment of silence. Those assembled then recited the Pledge of Allegiance.

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

APPROVAL OF MINUTES

Ms. Conison moved to approve the Minutes of the September 18, 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.

SPECIAL PRESENTATION

Langport Homeowners Association presented a plaque to the City of Whitehall to thank them for their assistance and support on making the necessary improvements to get their community back on track. They also presented a plaque to Attorney Michael Bivens for all of his leadership and guidance. They thanked Council for allowing them to come and show their gratitude and appreciation to the city and Attorney Bivens.

President Graham said they appreciate the recognition and it is nice to see Langport Homeowners Association flourish.

Attorney Bivens said that the Landport Homeowners Association should get all the credit for what they did, he just did a small part. They cleaned it up and did the right thing for their community and they are exactly why Whitehall is the City of Opportunity.

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. They discussed numerous Ordinances and Resolutions that will be introduced tonight. They will meet again next week, sometime after 6:30 p.m.

Community and Elder Advocacy – Chairperson Elmore reported that they met last Tuesday and their minutes are on file. 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 have two Ordinances on the Agenda this evening. 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 have no pending drafts or legislations. 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 have no pending drafts or legislations. He said that everyone has a copy in front of them of the concept plan for the Whitehall Dog Park. Last time the city purchased land to develop a park was 46 years ago. They will meet next week, sometime after 6:30 p.m.

## OFFICIALS' REPORTS

Mayor Kim Maggard – she congratulated Langport for working hard the last few years and for showing that if a community works hard and has a passion they can make things better. She thanked Attorney Bivens for giving them support and guidance and helping them in their efforts. She asked for favorable consideration on Ordinance Nos. 095-2018 and Resolution No. 039-2018. Resolution No. 039-2018 is asking that our elected state leaders to give back local government funds that have been taken for many years. The state has a \$147,000,000 surplus from taking from local government funds and they are asking the next elected governor to return those funds to every community it has been taken from.

She stated they announced today that there would be a new dog park in Whitehall. They had many suggestions from residents over the years that they would like a dog park. They have been working on this since 2016. They acquired one of the lots in 2016 and they recently learned from the Franklin County Land Bank that they have the opportunity for the other lot as well. This is a 2.3-acre plot of land and they are looking forward to it. They will be asking neighbors and citizens around Whitehall for their thoughts on how they would like their dog park to be designed. She thanked Council and the citizens for their support.

City Attorney Michael Bivens – he thanked everyone for coming this evening. He thanked the mayor for her kind words regarding Langport. His official report for the month of September: they prosecuted 308 cases in Mayor's Court; only 28 of them were of a criminal nature committed by Whitehall residents. Once again, that shows that Whitehall is a safe community.

October is Domestic Violence Awareness Month. They are going to host a community swap meet, which will help support survivors of domestic violence. It will be held on October 13, 11:00 a.m. to 3:00 p.m. on the porch at City Hall. This is to help support survivors by giving them free things as it relates to their lives. They will have tables set up with different organizations that help Domestic Violence victims.

In 2015, they had prosecuted 181 Domestic Violence cases. There are a number of factors when you think about the prosecution of these cases. The willingness from the victim to come forward, the comfort level with the Domestic Violence Advocate and whether their case is going to get redress in the system. He has really worked with his team on getting them on board with his vision. In 2017 they successfully prosecuted 284 cases and year to date in 2018 they have successfully prosecuted 291 cases. They are trending up on letting the public know that the City Attorney's Office is here to help and provide resources. He urged anyone that may need help to call the City Attorney's Office or the Police Department.

He is excited to announce that Rose's Department Store parking lot is being repaired. He is also excited about the Legal Rams back in competition. They will be doing a fourth amendment case, which involves search and seizure, and drone flying. His son, Michael Bivens has been chosen for the Homecoming Court at Whitehall High School in his senior year.

City Auditor Dan Miller – he asked for favorable consideration on Ordinance Nos. 084-2018, 093-2018, 094-2018 and Resolution No. 040-2018. The State Auditor has returned the audit back to them with no corrections. It will be on-line tomorrow.

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

Treasurer Steve Quincel – he had no official report. He said there was a Fish Fry at the VFW last Friday. To help present the check to the Athletic Director of the High School, they had the National Commander and the State of Ohio Commander at the VFW. They wanted to visit a VFW post that is doing something for the community. He congratulated the Whitehall VFW on having visitors of that caliber at their post.

President Graham – advised that the following Officials' Reports have been filed in the Council Office since the last meeting: The Treasurer's Investment Report for August 2018; The Treasurer's Activity Report for August 2018; and The Treasurer's Fund Reconciliation Report for August 2018.

### 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. 084-2018 was read by title only by President Graham:

“APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF FIFTY THOUSAND FIVE HUNDRED SEVENTY-THREE AND 50/100 DOLLARS (\$50,573.50) FROM UNAPPROPRIATED MONIES IN THE CAPITAL IMPROVEMENT / PROJECT FUND (311) TO THE CAPITAL IMPROVEMENT ACCOUNT (311-000-54000) AND DECLARING AN EMERGENCY.”

Mr. Bailey then moved to adopt Ordinance No. 084-2018 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 084-2018 was adopted.

SECOND READING:

ORDINANCE NO. 090-2018 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, AMENDING THE PLANNED APARTMENT DISTRICT (PAD) DEVELOPMENT PLAN ON PROPERTY LOCATED AT 540 SOUTH HAMILTON RD, PARCEL NUMBER (090-001623), PROPERTY OWNED BY HAMILTON CROSSING HOMES, LLC.”

ORDINANCE NO. 091-2018 was read by title only by President Graham:

“AN ORDINANCE VACATING A PORTION TO THE EAST-WEST ALLEY NORTH OF MAIN STREET AND WEST OF LAMBY LANE IN THE BLOWER ADDITION DIRECTLY BEHIND 3948 – 3972 EAST MAIN STREET.”

FIRST READING:

ORDINANCE NO. 093-2018 was read by title only by President Graham:

“APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF FIFTEEN THOUSAND AND 00/100 DOLLARS (\$15,000.00) FROM UNAPPROPRIATED MONIES IN THE LAW ENFORCEMENT TRUST FUND (241) TO THE LAW ENFORCEMENT TRUST ACCOUNT (241-000-50000) AND DECLARING AN EMERGENCY.”

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 093-2018 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 093-2018 was suspended.

Mr. Bailey then moved to adopt Ordinance No. 093-2018 and Ms. Conison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 093-2018 was adopted.

ORDINANCE NO. 094-2018 was read by title only by President Graham:

“APPROVING AND MAKING A SUPPLEMENTAL APPROPRIATION OF THIRTY THOUSAND AND 00/100 DOLLARS (\$30,000.00) FROM UNAPPROPRIATED MONIES IN THE LAW ENFORCEMENT TRUST FUND (241) TO THE LAW ENFORCEMENT TRUST SETASIDE ACCOUNT (241-000-51000) AND DECLARING AN EMERGENCY.”

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 094-2018 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 094-2018 was suspended.

Mr. Bailey then moved to adopt Ordinance No. 094-2018 and Mr. Rodriguez seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 094-2018 was adopted.

ORDINANCE NO. 095-2018 was read by title only by President Graham:

“AUTHORIZING AND APPROVING A SUPPLEMENTAL APPROPRIATION OF EIGHTEEN THOUSAND AND NO/DOLLARS (\$18,000.00) FROM UNENCUMBERED MONIES IN THE COMMUNITY DEVELOPMENT TRUST FUND 550 TO THE HOME REINVESTMENT EXPENSE ACCOUNT 550.000.53000 AND DECLARING AN EMERGENCY.”

Mr. Bailey introduced and moved to suspend the rules on Ordinance No. 095-2018 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 095-2018 was suspended.

Mr. Bailey then moved to adopt Ordinance No. 095-2018 and Ms. Elmore seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and ORDINANCE NO. 095-2018 was adopted.

RESOLUTION NO. 039-2018 was read by title only by President Graham:

“A RESOLUTION STRONGLY URGING THE OHIO GOVERNOR AND MEMBER OF THE OHIO GENERAL ASSEMBLY TO INVEST THE STATE BUDGET SURPLUS IN MUNICIPALITIES AND DECLARING AN EMERGENCY.”

Mr. Bailey introduced and moved to suspend the rules on Resolution No. 039-2018 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and RESOLUTION NO. 039-2018 was suspended.

Mr. Bailey then moved to adopt Resolution No. 039-2018 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and RESOLUTION NO. 039-2018 was adopted.

RESOLUTION NO. 040-2018 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. 040-2018 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and RESOLUTION NO. 040-2018 was suspended.

Mr. Bailey then moved to adopt Resolution No. 040-2018 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and RESOLUTION NO. 040-2018 was adopted.

#### POLL PUBLIC

Lee Stahley, 4139 Virginia Circle East. He said he is disappointed in the administration regarding a new dog park at Lamby Lane. None of residents had heard about this park and he believes that some of the City Council members were not properly informed. This is a blatant disregard for the way this government works. He said the mayor should be disappointed in herself using these tactics to work for Issue #37.

Mayor Maggard reiterated that they started discussing the dog park in 2016 after they had their first survey and residents expressed wanting a dog park; that is when they started looking at opportunities in which they could develop a dog park. They got the first parcel of land for that property in 2016 and they recently learned from the Franklin County Land Bank that they have the opportunity for the other parcel. The city has no control over the timing on when they receive things from the Franklin County Land Bank. There is no reason to hide the good things that this council and administration do for the citizens.

### COMMUNITY DATE BOARD

Ms. Conison said tomorrow is Whitehall Rams homecoming parade at 6:00 p.m. and the Homecoming game is this Friday at 7:00 p.m. October 27 is the Employment for Seniors 5K walk/run in the morning. The WCCA Halloween walk is at 1:00 p.m. at Etna Rd. Elementary, followed by the announcement of the male and female Citizens of the Year. They are still accepting applications for male and female Citizens of the Year.

Mayor Maggard said the Community Health Action Team is sponsoring a Health Fair on October 27, from 10:00 to 2:00 at the High School.

Auditor Miller said on October 27 at 6:00 p.m. the Whitehall Yearling Alumna Association is having a Casino night at VFW. The association has this fundraiser to give two \$1000 scholarships to Whitehall Yearling graduates.

Ms. Heck said October 6, from 10:00 a.m. to 11:00 a.m. the Parks and Rec. Dept. is sponsoring a "Get out and Play" at the balls fields at John Bishop Park. October 13, from 10:00 a.m. to 12:00 p.m. is "Rocket with Fire Chief," for ages 8 through 12 at Whitehall Community Park. October 18 at 6:00 p.m. is Safer Whitehall at New Life Church.

Mayor Maggard said the piece of land that used to be the hand radio place; they have turned that in to a beautiful landscaped flower garden. They have a structure up that they can place flyers for community events.

### POLL COUNCIL

Mr. Morrison thanked Attorney Bivens for his hard work for his efforts at Langport. It really influences the community and gives them spirit on everything that was done there. He thanked everyone for coming and urged everyone to have a good week.

Mr. Bailey thanked everyone for coming. He said that Attorney Bivens is a special person and this community is blessed to have him serve in the capacity he does. Every meeting there is something he learns about Attorney Bivens that he respects and admires. He is great for this community and he thinks people are starting to see it and recognize it. It is nice to see a community like Langport show good community to each other.

The first he heard of the dog park was last Tuesday. He is warming up to the idea and the location for the park already is looking better. They are starting to see some designs and are getting an understanding on what is possible on that property so they can answer questions. The administration is doing a good job on researching what is involved in developing a good dog park and they will involve the community. He does not know if residents in the neighborhood are warming up to it or not, but it will help as they receive more information. They are starting to get input from neighbors. As it grows it will be monitored and residents will be educated on how to use the facility. You don't know unless you try and he is keeping an open mind. He hopes he can be part of the process.

Mr. Rodriguez thanked everyone for coming and said it was good to see Mr. Stahley. He said the Langport presentation was very nice and that Attorney Bivens puts the unity in community.

Ms. Elmore thanked everyone for coming. Langport is a great community and she looks forward to seeing what they do in the future. She thanked Attorney Bivens for all he does. She appreciates the data and facts that he provides to council to show that Whitehall is a safe community. No better person deserves an award than Attorney Bivens. He is a standup person whose work speaks for itself and we are blessed to have him in Whitehall. She reiterated that October is Domestic Violence Awareness Month. She congratulated Massey's Pizza for getting the Small Business Spotlight Award and for their 70 years in Whitehall. She was excited to drive through Rose's Parking Lot and not have to dodge potholes. She urged everyone to make sure to register to vote. The deadline is October 9.

The discussion on dog parks was occurring when they were making improvements to the different parks. At that time, they were trying to consider where the proper place is to put a dog park. There are people that want a dog park and the appropriate way to handle issues are to wait until the citizens speak. To try to shame somebody to utilize one issue or try to connect with another issue is in bad taste. We as a community are better than that and we don't have to behave like that. This is a forum to address concerns and issues that someone has, but it is also a forum that individuals need to be respectful. She respects everyone that gets the courage to get up and addresses council, but the purpose is not to shame people.

Ms. Conison thanked everyone for coming. She and her dog are very excited about the new dog park in Whitehall. She congratulated Mr. Stahley for buying a home in Whitehall. She said she loved seeing Attorney Bivens so shocked on his recognition. The statistics he provides are great, but what she sees is his kindness and heart. She thanked him for everything he does and thanked everyone for coming.

Mr. Kantor thanked everyone for coming. The dog park is going to be a nice park and they have had positive input. The Parks, Administration, Parks and Rec. Commission have been discussing this project since 2016 and he has been included in these meetings. He thanked them all for moving forward on this project. They are asking for input from the public. He congratulated Attorney Bivens for all he does and especially Langport. He appreciates the statistics he gives each meeting. Some other suburbs do not report everything so their statistics are misleading. This month is National Breast Cancer Awareness Month.

Ms. Heck thanked everyone for coming and for watching at home. She thanked Attorney Bivens for all the work he does with Langport as well as the rest of the city. She is glad all the work he does is being recognized.



President Graham thanked everyone for coming.

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 7:48 p.m.

Respectfully submitted,

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Mary Freimark, Clerk of Council

APPROVED: \_\_\_\_\_, 2018.

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Jim Graham, Council President