

# WHITEHALL CITY COUNCIL COMMITTEE MEETINGS

## AGENDA

**TUESDAY, APRIL 23, 2024**

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**6:30 P.M. – ADMINISTRATION/COUNCIL OF THE WHOLE MATTERS:**

**SPECIAL PRESENTATION:**

Matt Backiewicz and Erin Schmerschneider from Worthington Energy and Trebel to discuss Community Aggregation.

**THERE ARE THREE PIECES OF DRAFT LEGISLATION ON THE AGENDA.**

**COMMITTEE OF THE WHOLE LEGISLATION/ISSUES:**

**DRAFT # 1**

**ORDINANCE NO. 032-2024** (*Comm. Of the Whole. – 3rd reading – ADOPT 06-04-2024- / )*

AUTHORIZING ADOPTION OF THE MAY 2024 REPLACEMENT PAGES TO THE CODIFIED ORDINANCES OF THE CITY OF WHITEHALL.

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WHEREAS, it is desirable and necessary that the City of Whitehall maintain an organized and published code of ordinances; and

WHEREAS, the codified ordinances for the City of Whitehall should be amended regularly to conform with current state law as required by the Ohio Constitution; and

WHEREAS, various ordinances of a general and permanent nature have been passed by council and should be included in the codified ordinances; and

WHEREAS, the Walter H. Drane Company of Cleveland, Ohio has entered into a contract with the City of Whitehall to prepare and publish such revisions twice a year and the May 2024 replacements are now before the council; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

**SECTION 1.** That the ordinances of the City of Whitehall, Ohio, of a general and permanent nature, as revised, recodified, rearranged, and consolidated into component codes, titles, chapters, and sections within the May 2024 replacement pages to the codified ordinances are hereby approved and adopted.

**SECTION 2.** That the President of Council and Clerk of Council shall certify that the permanent and general ordinances of the City, as codified in the current replacement pages are correctly set forth therein.

**SECTION 3.** That the City Auditor is hereby authorized to draw his warrant upon the Treasurer of the City to pay the Walter H. Drane Company for said services and products from previously appropriated monies in the City Council Office Supplies Account (101-100-52000).

**SECTION 4.** That this Ordinance shall be in full force and effect from and after the earliest period allowed by law.

Requested and Prepared by: Clerk of Council, Julie A. Ogg  
Approved as to form: Bradley S. Nicodemus, City Attorney BSN 04/22/2024

**DRAFT # 2**

**RESOLUTION NO. 012-2024** (*Comm. Of the Whole. – 3rd reading – ADOPT 06-04-2024-* / )

A RESOLUTION AUTHORIZING THE MAYOR TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF WHITEHALL, OHIO FOR PLANNING, DESIGN AND CONSTRUCTION OF THE 2024 SANITARY AND STORM REPLACEMENT PROJECT; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN.

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WHEREAS, the City of Whitehall, Ohio (hereinafter referred to as the “LGA”) currently owns and maintains the infrastructure that comprises the wastewater system (the “system”); and

WHEREAS, the LGA needs to implement certain capital improvements to upgrade the existing aging system; and

WHEREAS, the LGA has engaged engineering firm EMH&T to plan wastewater replacement projects for construction in 2024; and

WHEREAS, the LGA desires to obtain a Water Pollution Control Loan Fund for the planning of such facilities on the terms set forth in the Cooperative Agreement (defined below); and

WHEREAS, the Ohio Water Pollution Control Loan Fund requires the government authority to pass legislation for application of a loan and the execution of an agreement as well as designating a dedicated repayment source; NOW THEREFORE,

BE IT RESOLVED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

**SECTION 1:** That Mayor, Michael T. Bivens, be and is hereby authorized to apply for a WPCLF loan, sign all documents for and enter into a Water Pollution Control Loan Fund with the Ohio Environmental Protection Agency and the Ohio Water Development Authority for planning, design and construction of wastewater facilities on behalf of the City of Whitehall, Ohio.

**SECTION 2:** That the dedicated repayment source will be with revenue received from the sewer surcharge.

**SECTION 3:** That this resolution shall be in full force and effect from and after the earliest period allowed by law.

Prepared by: Casey Thomas, Director of Public Service  
Approved as to form by, Bradley S. Nicodemus, City Attorney BSN 04/22/2024

**SECOND READING:**

**RESOLUTION NO. 011-2024** (*Comm. Of the Whole– 3rd reading –ADOPT 05/21/2024-Morrison/Dixon*)

A RESOLUTION AUTHORIZING THE ADOPTION OF THE OFFICIAL FLAG FOR THE CITY OF WHITEHALL AND DECLARING AN EMERGENCY.

**STANDING COMMITTEES**

**ADMINISTRATION AND FINANCIAL MANAGEMENT - Chairperson Elmore**

**Members: Morrison, Smith, Brown**

**DRAFT # 3**

**ORDINANCE NO. 033-2024** (*Adm. & Fin. Mgmt. – 3rd reading – ADOPT 06-04-2024-Elmore/*)

AUTHORIZING AND APPROVING A FUND TRANSFER IN THE AMOUNT OF FORTY FIVE THOUSAND NINE HUNDRED FIFTY EIGHT AND 34/100 DOLLARS (\$45,958.34) FROM UNAPPROPRIATED MONIES IN THE EVIDENCE SETASIDE FUND (245) TO THE LAW ENFORCEMENT TRUST FUND (241) AND MAKING A SUPPLEMENTAL APPROPRIATION ON THE AMOUNT OF FORTY FIVE THOUSAND NINE HUNDRED FIFTY EIGHT AND 34/100 DOLLARS (\$45,958.34) FROM UNAPPROPRIATED FUNDS IN THE LAW ENFORCEMENT TRUST FUND (241) TO THE LAW ENFORCEMENT TRUST FUND EXPENSE ACCOUNT (241.000.50000) AND DECLARING AN EMERGENCY.

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WHEREAS, the Whitehall Division of Police seized monies as a result of a narcotics investigation and recorded the said monies in the Evidence Setaside Fund (245) and;

WHEREAS, the Franklin County Common Pleas Court has released the monies, by court order, to the Whitehall Division of Police and disperse the monies as outlined in Whitehall City Ordinance 52-87; NOW, THEREFORE,

BE IT ORDAINED BY THE COUNCIL OF THE CITY OF WHITEHALL, OHIO:

**SECTION 1:** That this Council approves a fund transfer in the amount forty five thousand nine hundred fifty eight and 34/100 dollars (\$45,958.34) from unappropriated monies in the Evidence Setaside Fund (245) to the Law Enforcement Trust Fund (241) and a supplemental appropriation in the amount of forty five thousand nine hundred fifty eight and 34/100 dollars (\$45,958.34) from unappropriated funds in the Law Enforcement Trust Fund (241) to the Law Enforcement Trust Fund Expense Account (241.000.50000).

**SECTION 2:** That the City Auditor is hereby authorized to draw his warrant upon the Treasurer of the City for these funds for the stated purpose.

**SECTION 3:** That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety and welfare and for further reason that these monies need to be available to the Whitehall Division of Police to continue to protect and serve the City of Whitehall; WHEREFORE, this ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

**COMMUNITY AND ELDER ADVOCACY – Chairperson Harcar**

**Members: Heck, Dixon, Brown**

No drafts or pending legislation.

**COMMUNITY STANDARDS AND ENFORCEMENT – Chairperson Smith**

**Members: Dixon, Elmore & Harcar**

**THIRD READING:**

**PUBLIC HEARING ON MAY 21, 2024**

ORDINANCE NO. 019-2024 (*Comm. Stand & Enf. – 3rd reading – ADOPT 05-21-2024-Smith/Heck*)

*Referred to Planning Commission for May 2, 2024 Meeting*

AMENDING SECTION 1109.04-TITLED “COMMUNITY GARDENS AND URBAN AGRICULTURE” OF THE PLANNING AND ZONING CODE OF THE CITY OF WHITEHALL AND DECLARING AN EMERGENCY.

ORDINANCE NO. 020-2024 (*Comm. Stand & Enf. – 3rd reading – ADOPT 05-21-2024-Smith/Morrison*)

*Referred to Planning Commission for May 2, 2024 Meeting*

AMENDING CHAPTER 1113 TITLED “LANDSCAPING” CODE OF THE CITY OF WHITEHALL, CODIFIED ORDINANCES BY IMPLEMENTING A LANDSCAPE MAINTENANCE REQUIREMENT AND DECLARING AN EMERGENCY.

ORDINANCE NO. 022-2024 (*Comm. Stand & Enf. – 3rd reading – ADOPT 05-21-2024-Smith/Dixon*)

*Referred to Planning Commission for May 2, 2024 Meeting*

AMENDING CHAPTER 1115 TITLED “OUTDOOR LIGHTING” CODE OF THE CITY OF WHITEHALL, CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.

ORDINANCE NO. 023-2024 (*Comm. Stand & Enf. – 3rd reading – ADOPT 05-21-2024-Smith/Dixon*)

*Referred to Planning Commission for May 2, 2024 Meeting*

AMENDING CHAPTER 1111-TITLED “PARKING, LOADING AND DRIVE THRU” OF THE PLANNING AND ZONING CODE OF THE CITY OF WHITEHALL AND DECLARING AN EMERGENCY.

ORDINANCE NO. 031-2024 (*Comm. Stand & Enf. – 3rd reading – ADOPT 05-21-2024-Smith/* )

*Referred to Planning Commission for May 2, 2024 Meeting*

MAKING UPDATES TO PART 11 – PLANNING AND ZONING CODE, TITLE 1 THROUGH TITLE 15, OF THE WHITEHALL CODIFIED CODE, TO REPLACE ALL INSTANCES OF “CITY ADMINISTRATOR” TO “DIRECTOR OF PUBLIC SERVICE” AS OUTLINED IN EXHIBIT A.

**ECONOMIC DEVELOPMENT – Chairperson Dixon**

**Members: Smith, Morrison, Brown**

No drafts or pending legislation.

**INFRASTRUCTURE, MAINTENANCE AND SERVICES – Chairperson Brown**

**Members: Morrison, Dixon, Heck**

No drafts or pending legislation.

**PUBLIC SAFETY – Chairperson Morrison**

**Members: Elmore, Heck, Harcar**

No drafts or pending legislation

**PARKS AND RECREATION – Chairperson Heck**

**Members: Elmore, Harcar, Smith**

No drafts or pending legislation.