

WHITEHALL CITY COUNCIL

AGENDA MEETING MINUTES

President Potter called the February 20, 2024 agenda meeting to order at 6:30 p.m. All members were present.

President Potter reviewed the agenda and confirmed who would handle the various required motions this evening.

Auditor Quincel shared information as to why Ordinance 012-2024 is needed. This is not asking the residents for a rate increase. Columbus Water Division has never billed for the fire protection meters that were included in the original legislation Ordinance 081-2022 which was a revision to Ordinance 061-2021.

The meeting adjourned at 6:45 p.m.

Submitted by,

Julie A. Ogg, Clerk of Council

APPROVED: March 5, 2024

Thomas M. Potter, Council President

WHITEHALL CITY COUNCIL MEETING

MINUTES – February 20, 2024

President Potter called the regular meeting of Whitehall City Council to order at 7:00 p.m. on Tuesday, February 20, 2024.

At President Potter'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:

Devin Brown
Lori Elmore
Larry Morrison
Jo Anna Heck
Amy Smith
Amy Harcar
Gerald Dixon

APPROVAL OF MINUTES:

Mr. Dixon moved to approve the February 6, 2024 Agenda and Regular Meeting Minutes, the February 13, 2024 Agenda and Committee Meeting Minutes and the February 13, 2024 Agenda and Special Council Meeting Minutes. Ms. Elmore 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:

Lorena Lacey, Whitehall School Board Member invited everyone on the dais and everyone in the community to the 2024 State of the District & Visioning for the Future Community Conversation that will take place on February 28, 2024 at 5:30 pm. This will be held at Whitehall Yearling High School at 675 S. Yearling Road. She is a proud new member of the Whitehall City School Board and she believes that in moving the district forward together that the community must be an integral part of the conversation as they discuss their strategic plan.

Lauren Cardoni, Active Transportation and Safety Manager from MORPC gave Council and the Administration an update to the 2024 – 2050 Draft Metropolitan Transportation Plan. She answered questions from Councilmembers at this time.

STANDING COMMITTEE REPORTS:

Administration and Financial Management – Chairperson Elmore reported that the committee met last Tuesday and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

Community and Elder Advocacy – Chairperson Harcar reported that the committee 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 Smith reported that the committee met last Tuesday and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

Economic Development – Chairperson Dixon reported that the committee 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 Brown reported that the committee met last Tuesday and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

Public Safety – Chairperson Morrison reported that the committee 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 Heck reported that the committee met last Tuesday and their minutes are on file. They will meet again next week, sometime after 6:30 p.m.

OFFICIALS' REPORTS

Mayor Michael T. Bivens – he thanked everyone for coming tonight. It is still Black History Month; he had a fact to share. He highlighted a man that was born in 1827, whose name was Hiram Revels. He is credited with being the first African American United States Senator out of Mississippi. He was born in North Carolina and he was born free, lived in Mississippi and was elected by the Mississippi Senators and citizens during the reconstruction period to the United States Senate. He withstood oppression; he withstood Dred Scott, assaults on his citizenship and the reason why it is relevant to all in that room is because of the nine years he voted in the State of Ohio; he was qualified as a citizen and a person who was actually qualified to sit on the United States Senate. Therefore, it could not be rejected even though despite him being going to Washington and then trying to unseat him. His relationship to the State of Ohio kept him in the seat. He thanked Karen Conison and the WCCA for the wonderful Valentine's Day event. It was a fantastic display of love. Healthy families build healthy communities and it was on display that evening with over three hundred years of marriage represented that night. He invited everyone to come out to Flavor 91 to meet the new Ward 4 Representative Devin Brown on Wednesday, February 21 from 5:30 pm until 7:00 pm.

City Attorney Bradley S. Nicodemus – was not present.

City Auditor Steve Quincel – his parents were at the Valentine's Day event. He gave an update on the Ohio Supreme Court ruling on the Schaad v Alder case. He asked for favorable consideration on Ordinances 009-2024, 010-2024 and 012-2024.

Director of Public Service Casey Thomas – Monett Wike, the Community Affairs Specialist is entering her second week in the office. She asked that Council check their emails as she is requesting bio's from them so she can get them uploaded to the website. She asked for favorable consideration on Resolution 002-2024 and Ordinances 010-2024 and 012-2024.

Public Safety Director Van Gregg – was not present.

Treasurer Shaquille Alexander – was not present. Auditor Quincel spoke on his behalf. For the month of January 2024, revenue was 3.2 million, expenses were 3.7 million, and the portfolio balance is 32.4 million with an average yield of 4.83 percent. Interest earned was one hundred four thousand dollars.

President Potter – advised that the following reports have been filed in the Council office since the last meeting: the Treasurers Investment Report for January 2024, the Treasurers Activity by Fund Report for January 2024 and the Treasurers Fund Reconciliation Report for January 2024, the Auditor's Expense Report for January 2024, the Auditor's Bank Report for January 2024, the Auditor's Statement of Cash Position Report for January 2024, and the Auditor's Revenue Report for January 2024.

COMMUNICATIONS, PETITIONS AND CLAIMS:

There were no Communications, Petitions and Claims filed in the Council Office since the last meeting.

POLL PUBLIC:

No comments at this time.

VERIFICATION OF COPIES:

President Potter 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. 001-2024 *was read by title only by President Potter:*

Tabled until Public Hearing on 03-05-2024

AMENDING THE ZONING MAP ATTACHED TO CHAPTER 1104.01 OF THE 2023 CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, OHIO AND AS SUBSEQUENTLY AMENDED, ALLOWING A SPECIAL PERMIT UNDER SECTION 1104.03(H) TO PERMIT BUY & BUY AUTO SALE, LLC COMPANY TO OPERATE A VEHICLE AND LARGE EQUIPMENT REPAIR BUSINESS IN THE MAIN STREET DISTRICT.

RESOLUTION NO. 002-2024 *was read by title only by President Potter:*

A RESOLUTION TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR THE SOLID WASTE AUTHORITY OF CENTRAL OHIO AND DECLARING AN EMERGENCY.

Mr. Brown introduced and moved to adopt Resolution No. 002-2024 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Resolution No. 002-2024 was adopted.

SECOND READING:

There was no legislation for Second Reading.

FIRST READING:

ORDINANCE NO. 005-2024 *was read by title only by President Potter:*

TABLED ON JANUARY 16, 2024

AMENDING SECTION 1103.02(C) (BUILDING PLACEMENT), AMENDING THE ZONING MAP ATTACHED TO CHAPTER 1104.01 OF THE 2023 CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, OHIO AND AS SUBSEQUENTLY AMENDED, AND CHANGING THE ZONING ON PROPERTY LOCATED ON FAIRWAY BLVD., PARCEL NUMBERS 090-001774, 090-001812, 090-001819, 090-001775, 090-001776, 090-001010, 090-001777, 090-001735, 090-001778, 090-006752, 090-001780, 090-001781 and 090-001782, FROM STUR TO RESIDENTIAL ESTATE DISTRICT.

ORDINANCE NO. 009-2024 *was read by title only by President Potter:*

AUTHORIZING AND APPROVING A FUND TRANSFER IN THE AMOUNT OF FIFTY-EIGHT THOUSAND NINE HUNDRED SIX AND 50/100 DOLLARS (\$58,906.50) FROM UNAPPROPRIATED MONIES IN THE EVIDENCE SETASIDE FUND (245) TO THE LAW ENFORCEMENT TRUST FUND (241) AND MAKING A SUPPLEMENTAL APPROPRIATION OF FIFTY-EIGHT THOUSAND NINE HUNDRED SIX AND 50/100 Dollars (\$58,906.50) 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.

Ms. Elmore introduced and moved to suspend the rules on Ordinance No. 009-2024 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and the rules on Ordinance No. 009-2024 were suspended.

Ms. Elmore moved to adopt Ordinance No. 009-2024 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 009-2024 was adopted.

ORDINANCE NO. 010-2024 *was read by title only by President Potter:*

AUTHORIZING AND APPROVING A SUPPLEMENTAL APPROPRIATION IN THE AMOUNT OF TWELVE THOUSAND AND NO/100 DOLLARS (\$12,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE BUILDING LOT MAINTENANCE EXPENSE ACCOUNT (101.950.53300) AND DECLARING AN EMERGENCY.

Councilperson Morrison requested information on the expenditure of forty thousand dollars from the Building and Lot Maintenance Account and this legislation from the Administration.

There was continued discussion between Councilperson Morrison, Mayor Bivens and Director of Public Service Thomas.

ORDINANCE NO. 011-2024 *was read by title only by President Potter:*

MAKING A SUPPLEMENTAL APPROPRIATION OF TWENTY ONE THOUSAND AND 00/00 DOLLARS (\$21,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE PROGRAMS AND EVENTS EXPENSE ACCOUNT (101.700.58100) AND DECLARING IT AN EMERGENCY.

Ms. Elmore introduced and moved to suspend the rules on Ordinance No. 011-2024 and Ms. Heck seconded the motion.

Councilperson Dixon inquired as to why this is being declared as an emergency.

Director Brady would like the money moved, as her budget is very tight. The money is from Discover and it is on the revenue side and needs to be moved to the expenditure side, which is why Council would need to approve this legislation.

On a roll call vote, all members voted in the affirmative and the rules on Ordinance No. 011-2024 were suspended.

Ms. Elmore moved to adopt Ordinance No. 011-2024 and Ms. Heck seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 011-2024 was adopted.

ORDINANCE NO. 012-2024 *was read by title only by President Potter:*

AN ORDINANCE AMENDING THE WATER SURCHARGES IN SECTION 913.30, SANITARY REGULATIONS, AS CONTAINED IN TITLE ONE, STREETS AND UTILITIES, OF PART NINE, STREETS AND PUBLIC SERVICES CODE, OF THE CODIFIED ORDINANCES OF THE CITY OF WHITEHALL, OHIO, AND DECLARING AN EMERGENCY.

Auditor Quincel shared information as to why Ordinance 012-2024 is needed. This is not asking the residents for a rate increase. Columbus Water Division has never billed for the fire protection meters that were included in the original legislation Ordinance 081-2022 which was a revision to Ordinance 061-2021.

Mr. Brown introduced and moved to suspend the rules on Ordinance No. 012-2024 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and the rules on Ordinance No. 012-2024 were suspended.

Mr. Brown moved to adopt Ordinance No. 012-2024 and Mr. Morrison seconded the motion. There was no discussion. On a roll call vote, all members voted in the affirmative and Ordinance No. 012-2024 was adopted.

POLL PUBLIC:

Holly Stein, Whitehall, OH had a follow-up question from an issue that came up a few weeks ago a request from this Council to City Attorney Nicodemus on a ruling on spot zoning. She wanted to follow-up on what his response was and if that response can be given to the public in writing.

Chairperson Morrison said that the City Attorney is not in attendance this evening and he has not received a response from him. Once received, it will be a part of the public record. With the pending litigation, City Attorney Nicodemus will give two responses; one for the current situation and then another, depending on the outcome, he will give another if it is needed.

Al Johnson, Whitehall, OH really appreciates hearing the dialogue and he thought the comments that Mr. Morrison made were lucid, clear and to the point as well as the Mayors response in terms of asking for the courtesy of meeting in person. As a citizen, he does appreciate having this discussion in front of the people although he understands that you have both the right and the authority to say it does not have to be titled, he felt it was important to bring up. He is very satisfied with the explanation and the discussion and this was a good example as to how this should work.

COMMUNITY DATE BOARD:

T-ball and soccer sign-ups are happening through March 31, 2024. Enrollment can be done on Facebook or the website.

The Franklin County Board of Revisions will be at the Whitehall Public Library on February 26, 2024 from 3:00 until 6:00 pm.

The Easter Egg Hunt is March 23, 2024.

POLL COUNCIL:

Chairperson Brown thanked everyone for the congratulations and he is excited to be working with everyone on the dais and the entire community. He is looking forward to the meet and greet tomorrow at Flavor 91 Bistro at 5:30 pm.

Chairperson Elmore thanked those viewing from home and those that came out to this Council meeting. She thanked the woman from MORPC for her presentation of the project plan that is happening. She thanked the citizens for their questions. She congratulated Mr. Brown on his appointment to the Ward 4 appointment. She looks forward to working with him and offered him help when needed. She recognized Heart Health Month and Black History Month, although February is designated Black History Month, it is actually every day of every year.

Chairperson Morrison thanked those in attendance and those watching from home. He welcomed Mr. Brown to the dais and he looks forward to working with Devin. He wished everyone a good evening.

Chairperson Heck thanked those in attendance and those watching from home. She agrees that it is nice to see people in the audience. She welcomed Mr. Brown and she is looking forward to working with him. Mayor Bivens has already thanked Karen Conison and WCCA and she wanted to say thank you as well for putting on the event. It seemed like the event was successful.

Chairperson Smith thanked those in attendance and those watching from home. She congratulated Mr. Brown and told him that every single one of them has made the mistakes he is going to make so he is not to worry.

Chairperson Harcar thanked those in attendance and those watching from home. She congratulated Mr. Brown and she hopes to make it over to Flavor 91. She is sad she missed the Valentine's Day event. It looked like an amazing time.

Chairperson Dixon thanked those in attendance and those watching from home. He thanked Lorena Lacey for giving them a heads-up on the 2024 State of the District & Visioning for the Future Community meeting coming up. He thanked Ms. Cardoni for coming in with MORPC. He thanked Councilor Elmore for mentioning the LinkUs.

Congratulations to Mr. and Mrs. Sudak for their seventy-five years of marriage. He congratulated Mr. Brown on his appointment. He thanked Ms. Stein for coming in, he brought that legislation forward and he is eagerly awaiting that legal opinion as well. He thanked Mr. Johnson for his comments. For a long time, he felt there was not enough spirited conversation and spirited questions and answers on the dais, particularly for the people watching from home or there in the chambers. He agrees with Mr. Johnson on that matter. Whitehall is a community and they want it to succeed. They all have different points of view and opinions; he feels there should be a spirit of caring for one another and for the community itself and asking questions is just a part of that, the process and the branches of government in this great country.

President Potter thanked Lauren Cardoni and Lorena Lacey for coming in. He appreciates the public coming out and he would like to see more of that.

Having nothing further, President Potter adjourned the meeting at 8:29 p.m.

Submitted by,

Julie A. Ogg, Clerk of Council

APPROVED: March 5, 2024

Thomas M. Potter, Council President