



**WHITEHALL CITY COUNCIL MEETING
TUESDAY, JUNE 2, 2026**

CALL TO ORDER: 7:00 p.m., Council Chamber at City Hall by President Thomas Potter

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL:

Larry Morrison

Amy Harcar

Mike Adkins

Brian McCann

Gerald Dixon

Devin Brown

Lori Elmore

APPROVAL OF MINUTES:

- May 12, 2026 Committee Meeting Minutes
- May 19, 2026 Agenda & Regular Meeting Minutes
- May 26, 2026 Committee Meeting Minutes

STANDING COMMITTEE REPORTS:

- Administration and Financial Management – Chairperson Elmore
- Community and Elder Advocacy – Chairperson Harcar
- Community Standards and Enforcement – Chairperson McCann
- Economic Development – Chairperson Dixon
- Infrastructure, Maintenance, and Services – Chairperson Brown
- Public Safety – Chairperson Morrison
- Parks and Recreation – Chairperson Adkins

OFFICIALS' REPORTS:

Mayor Michael T. Bivens

City Auditor Shaquille Alexander

City Attorney Bradley S. Nicodemus

Treasurer Trevel Balser

Director of Public Service Casey Rowlands

Director of Economic Development Jackie Russell

Director of Public Safety Van Gregg

Director of Neighborhoods Gerald Wright

President Thomas M. Potter

COMMUNICATIONS, PETITIONS AND CLAIMS:

PUBLIC HEARING:

ORDINANCE NO. 034-2026

ALLOWING A SPECIAL PERMIT UNDER 1125.04 TO ALLOW DRIVE-THROUGH FACILITIES ON THE PROPERTY LOCATED AT 4600 E BROAD STREET, PARCEL NUMBER 090-008427-00 AND 090-008249-00, PROPERTY OWNED BY MEYER FOODS MANAGEMENT COMPANY, AND DECLARING AN EMERGENCY.

POLL PUBLIC:

VERIFICATION OF COPIES:

Roll call on whether each member of the Council was given a copy of each item of legislation listed on the agenda prior to the meeting and including any add-on legislation.

THIRD READING:

ORDINANCE NO. 034-2026

ALLOWING A SPECIAL PERMIT UNDER 1125.04 TO ALLOW DRIVE-THROUGH FACILITIES ON THE PROPERTY LOCATED AT 4600 E BROAD STREET, PARCEL NUMBER 090-008427-00 AND 090-008249-00, PROPERTY OWNED BY MEYER FOODS MANAGEMENT COMPANY, AND DECLARING AN EMERGENCY.

SECOND READING:

RESOLUTION NO. 019-2026

AUTHORIZING AND APPROVING A PLAN OF INDUSTRIAL, COMMERCIAL, DISTRIBUTION, AND RESEARCH DEVELOPMENT, AND ONE OR MORE AGENCY

AGREEMENTS WITH THE WHITEHALL COMMUNITY IMPROVEMENT CORPORATION
AND DECLARING AN EMERGENCY.

FIRST READING:

ORDINANCE NO. 045-2026

AUTHORIZING AND APPROVING A FUND TRANSFER IN THE AMOUNT OF ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE ST MAINTENANCE & REPAIR FUND (201) AND MAKING A SUPPLEMENTAL APPROPRIATION OF ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00) FROM UNAPPROPRIATED MONIES IN THE ST MAINTENANCE & REPAIR FUND (201) TO THE NEW EQUIPMENT EXPENSE ACCOUNT (201.000.53000).

ORDINANCE NO. 046-2026

APPROVING AND MAKING A FUND TRANSFER IN THE AMOUNT OF TWENTY-FIVE THOUSAND SIX HUNDRED TWENTY-ONE AND 68/100 (\$25,621.68) FROM ACCOUNT TOWN & COUNTRY INCENTIVE (279.000.50003) TO THE DEBT SERVICE FUND (401).

ORDINANCE NO. 047-2026

APPROVING A FUND TRANSFER IN THE AMOUNT OF TWO HUNDRED TWENTY-SIX THOUSAND TWO HUNDRED SIXTY-TWO DOLLARS AND 50/100 (\$226,262.50) FROM THE POLICE DEPARTMENT TAX LEVY FUND (280) TO THE DEBT SERVICE FUND (401).

ORDINANCE NO. 048-2026

AN ORDINANCE APPROPRIATING ONE HUNDRED THIRTY THOUSAND AND 00/100 DOLLARS (\$130,000.00) FROM UNAPPROPRIATED MONIES IN THE PLUMBING PERMITS FUND (851) TO THE PLUMBING PERMITS EXPENSE ACCOUNT (851.000.50000).

ORDINANCE NO. 049-2026

AN ORDINANCE TO AMEND 505.23 OF THE WHITEHALL CODIFIED ORDINANCES TO PROHIBIT THE FEEDING OF DEER.

ORDINANCE NO. 050-2026

AMENDING SECTION 1111.10 OF THE PLANNING AND ZONING CODE TO PROMOTE THE SAFETY OF DRIVE-THRU FACILITIES BY REQUIRING BY-PASS LANES AND EMERGENCY VEHICLE EGRESS IN THE CITY OF WHITEHALL; AND DECLARING AN EMERGENCY.

RESOLUTION NO. 020-2026

AUTHORIZING AND APPROVING THE MAYOR TO APPLY FOR AND ACCEPT A
“DEFENSE COMMUNITY INFRASTRUCTURE PROGRAM” GRANT FROM THE UNITED
STATES DEPARTMENT OF DEFENSE AND DECLARING AN EMERGENCY.

RESOLUTION NO. 021-2026

RESOLVING TO APPROVE “THEN AND NOW” CERTIFICATES.

POLL PUBLIC:

COMMUNITY DATE BOARD:

POLL COUNCIL:

ADJOURN

City of Whitehall

City Council Committee Meeting

May 12, 2026 minutes

President Pro Tem Morrison called the Whitehall City Council Committee Meeting to order at 6:31 pm.

Present at the meeting were the following:

Councilor Lori Elmore, Councilor Amy Harcar, Councilor Brian McCann, Councilor Gerald Dixon, Councilor Devin Brown, Councilor Larry Morrison, Councilor Mike Adkins.

City Attorney Brad Nicodemus and Auditor Shaquille Alexander.

President Potter was not in attendance.

President Pro Tem Morrison confirmed there were no pieces of draft legislation on the agenda for the evening.

Committee of the Whole Legislation/Issues

President Pro Tem Morrison opened the floor for any members wishing to speak on Committee of the Whole legislation or issues. No members came forward, and the body proceeded to Standing Committees.

Standing Committees

Administration and Financial Management – Chairperson Elmore

Members: Morrison, McCann, Brown

Councilor Elmore opened the Administration and Financial Management Committee at 6:32 PM. Councilor Elmore noted there were no drafts or pending legislation before the committee.

Councilor Elmore raised a procedural matter on behalf of City Attorney Nicodemus, inquiring about proposed deer-related legislation that had been discussed several weeks prior, and where it would be brought back — whether to Administration or another committee. It was agreed by members present that the matter would be addressed under Parks and Recreation.

Remarks by the City Auditor — Revenue Sharing and TIF Matter

City Auditor Alexander, who noted he had been working late at City Hall and elected to join the meeting, addressed the committee on several items of significance. Auditor Alexander stated he had wanted to speak to the ongoing public commentary surrounding the revenue sharing issue with the school district that had made considerable public attention in the prior year.

Auditor Alexander was direct and emphatic in his remarks. He stated that the revenue sharing issue "predated even my time with the City of Whitehall," noting he had been employed with the city since 2022. He expressed that the continued commentary on the matter confounded him, as he had stated multiple times — both verbally and in writing — that the issue was not one that originated under his tenure. He emphasized that the matter was resolved through collaborative efforts among Director Russell, Mayor Bivens, and his predecessor, Auditor Quinzel, and that those resolution efforts also involved the school administration and the school board. Auditor Alexander noted that Councilor Adkins had served on the school board as President during the relevant period and therefore had firsthand knowledge of the circumstances. He further stated that a contract had since been agreed upon unanimously — with one abstention — by the school board, and that the agreement was supported by

the school board's legal counsel. Auditor Alexander stressed in unequivocal terms: "The schools were not shorted a dime. And I repeat that, the schools were not shorted a dime." He offered his availability, as well as that of Director Russell and the school board members, to speak with anyone who had remaining questions about what happened, why it happened, and what safeguards are now in place.

Auditor Alexander then addressed a second matter, referencing concerns that had been raised the prior week regarding the manner in which information is communicated from his office. He stated he had personally spoken with the individual who raised the concerns and acknowledged that information may reach members of council through different channels — sometimes physically on their desks, sometimes through the Clerk of Council, and sometimes via email. He noted he was absent from the prior Wednesday meeting due to a language class he attends on Wednesday evenings. However, Auditor Alexander expressed that what he took issue with was a comment conveyed to him during that conversation, to the effect that he "doesn't work for or represent people." While allowing that the comment may not have been intended as it was received, he firmly reaffirmed his accountability: "I remind you all that this is the people's government. I work for you all. I do my best to be available and accessible, and I'm accountable to every single taxpayer penny that comes to our coffers."

Finally, Auditor Alexander announced an upcoming community town hall that he would be co-hosting with Councilor Devin Brown. He described the event as an opportunity for genuine public engagement, noting that it would follow a moderated format led by a Whitehall resident, with a portion open to live questions and answers. He encouraged both the public and fellow council members to attend, and noted that a QR code and link were available for residents to submit questions in advance. He welcomed challenging questions, stating: "We don't want all softballs, so please come out and give us some tough ones."

Committee Discussion

Councilor Harcar thanked Auditor Alexander for his forthcoming remarks and expressed appreciation for his accessibility and willingness to answer questions regardless of their complexity. Councilor Harcar acknowledged that social media often surfaces partial or inaccurate information, and emphasized the responsibility of council members to direct residents to factual sources. She expressed strong support for the upcoming town hall.

Councilor Elmore thanked Auditor Alexander for his consistent transparency regarding budget figures and financial methodology and praised his open-door policy. She also invited Councilor Adkins to speak to the TIF matter, given his prior role as school board president during the period in question.

Councilor Adkins acknowledged he had been in a period of transition — moving from the school board to city council — at the relevant time, and that while he had received some explanation of how the issue arose, he had not yet had an in-depth conversation with Auditor Alexander on the matter. He expressed a desire to sit down with the Auditor to develop a more thorough understanding.

Councilor Brown echoed the sentiments of appreciation for Auditor Alexander's transparency and underscored the importance of distinguishing between factual information and narratives that may serve particular agendas. Councilor Brown specifically commended the collaborative nature of the resolution process — involving both city administration and the schools — and urged community members to attend the town hall as an opportunity for accurate information sharing and genuine civic participation.

President Pro Tem Morrison added closing remarks, stating that with a signed agreement between the city and the school district, along with safeguards against recurrence, the matter should be considered settled. "It should be put to bed," he said.

Auditor Alexander thanked the chair and the body before departing.

Councilor Elmore, hearing no further business, closed the Administration and Financial Management Committee at 6:41 PM.

Community and Elder Advocacy – Chairperson Harcar

Members: Adkins, Dixon, Brown

Councilor Harcar opened the Community and Elder Advocacy Committee at 6:41 PM. Councilor Harcar reported there were no drafts or pending legislation before the committee at this time.

Councilor Harcar informed the committee that she had met with Director Russell earlier that day and wished to place an emerging legislative matter on the council's radar: proposed "Megan's Way Out" legislation. She noted that when she first encountered the name, she had assumed it was related to domestic violence or stalking, but clarified that it was entirely unrelated. She explained the background: Megan Keleman, a 25-year-old woman, lost her life while sitting in a drive-through lane, doing nothing wrong. The legislation being contemplated would require new drive-through facility construction to include safe exit provisions for patrons. She noted that the legislation is currently pending in the Ohio Statehouse but appears to be stalled, and expressed hope that Whitehall could take action at the local level to advance such protections. She indicated that City Attorney Nicodemus would assist in drafting the legislation and that she anticipated bringing it before the committee in approximately two weeks. She offered to circulate a summary to members by email in advance of that presentation.

Hearing no further business, Councilor Harcar closed the Community and Elder Advocacy Committee at 6:43 PM.

Community Standards and Enforcement – Chairperson McCann

Members: Dixon, Elmore, Harcar

Councilor McCann opened the Community Standards and Enforcement Committee at 6:43 PM.

Councilor McCann reported there were no drafts or pending legislation. No members raised any items for discussion.

Councilor McCann closed the Community Standards and Enforcement Committee at 6:43 PM.

Economic Development – Chairperson Dixon

Members: McCann, Morrison, Brown

Councilor Dixon opened the Economic Development Committee at 6:43 PM. Chairperson Dixon noted one piece of legislation before the committee:

Ordinance No. 034-2026 — Second Reading Allowing a Special Permit under §1125.04 to allow drive-through facilities on the property located at 4600 East Broad Street, Parcel Numbers 090-008427-00 and 090-008249-00, property owned by Meyer Foods Management Company, and declaring an emergency.

Chairperson Dixon reported that the ordinance had been referred to the Whitehall Planning Commission for a special meeting on May 21, 2026, and that City Council would hold a public hearing on June 2, 2026, with third reading and adoption scheduled for the same date. He identified the subject property as the former Applebee's location at 4600 East Broad Street, noting this is the proposed site of a Culver's restaurant.

Councilor Dixon noted that Director Russell was not in attendance and invited comment from members present. Councilor Harcar expressed enthusiasm about the development, stating she was "really excited to see something going into that location." Councilor Dixon agreed, observing that the initial public reception to the announcement had been "very positive" and that Culver's appeared to have a very large and enthusiastic fan base. "It sounds like a really great thing for Whitehall," Councilor Dixon remarked.

Hearing no further business on this item or any other matters for economic development, Councilor Dixon closed the Economic Development Committee at 6:45 PM.

Infrastructure, Maintenance, and Services – Chairperson Brown

Members: Morrison, Dixon, Adkins

Councilor Brown opened the Infrastructure, Maintenance, and Services Committee at 6:46 PM. Councilor Brown reported there were no drafts or pending legislation before the committee.

Councilor Brown took the opportunity to share details of the upcoming community conversation event, which will also address infrastructure matters. The event is scheduled for:

- Date: Monday, May 18, 2026
- Time: 6:30 PM to 8:00 PM
- Location: Whitehall Senior Center, 4924 Aetna Road

Hearing no further business, Councilor Brown closed the Infrastructure, Maintenance, and Services Committee at 6:46 PM.

Public Safety – Chairperson Morrison

Members: Elmore, Adkins, Harcar

President Pro Tem Morrison, serving as Chairperson of Public Safety, opened the Public Safety Committee at 6:46 PM. President Pro Tem Morrison reported there were no drafts or pending legislation.

Councilor Elmore praised the recently held public safety memorial, which she and President Pro Tem Morrison both attended. President Pro Tem Morrison noted it was a well-attended event and that Mayor Bivens, Chief of Police, and others delivered remarks. He praised the event as an important and continuing tradition to honor those who have served the community. He acknowledged that light refreshments were available, but underscored that the purpose of the event was one of honor and recognition.

Councilor Harcar also reminded those present of the upcoming Memorial Day flag-raising ceremony, scheduled for 10:00 AM at Whitehall City Hall.

Hearing no further business, President Pro Tem Morrison closed the Public Safety Committee at 6:48 PM.

Parks and Recreation – Chairperson Adkins

Members: Elmore, Harcar, McCann

Councilor Adkins opened the Parks and Recreation Committee at 6:48 PM. Councilor Adkins noted there were no drafts or pending legislation formally before the committee, and invited Councilor Elmore to present the deer legislation matter that had been deferred from Administration and Financial Management earlier in the evening.

Deer Population Management and Proposed Legislation

Councilor Elmore addressed the committee on proposed deer management legislation. She noted that City Attorney Nicodemus had been consulted on the matter several weeks prior, and that since then, she had conducted research, including outreach to the City of Worthington, whose deer management program has been operating successfully.

Councilor Elmore relayed that Worthington officials advised that it is far easier to address a deer population problem proactively — getting ahead of it — than to allow it to grow unchecked. She reported that Worthington's program began not with a culling initiative, but with legislation prohibiting the feeding and baiting of deer, including the use of salt licks. That foundational ordinance was described as the essential first step recommended by Worthington. Councilor Elmore noted that she was aware such feeding activity had occurred in Whitehall, and indicated she would prepare legislation

prohibiting the feeding of deer, analogous to an existing Whitehall ordinance prohibiting the feeding of migratory water birds.

Beyond the legislative component, Councilor Elmore detailed the administrative pathway that Worthington had followed. Once foundational legislation was in place, they engaged the Ohio Department of Natural Resources (ODNR), which works directly with municipalities to establish a working group or task force. ODNR utilized resources from The Ohio State University to conduct a study of the deer population, including drone footage and survey data, to assess population health. Based on the resulting report, a management plan was developed. In Worthington's case, that plan involved the use of sharpshooters to harvest deer, with the harvested meat donated to area food pantries.

Councilor Elmore indicated she would also pursue, in coordination with the mayor's office and administration, the initiation of contact with ODNR to begin the task force process. She noted that Worthington had been generous in sharing the relevant ODNR contacts. She expressed some uncertainty as to whether the administrative coordination would fall under the purview of Director Rowlands, Director Russell, or both, and suggested that this be clarified with the mayor's office.

City Attorney Nicodemus, present at the meeting, confirmed he could draft the feeding prohibition legislation once directed to do so, and Councilor Elmore indicated she would follow up the following day and confirmed the legislation had not previously been formally introduced — it had been held pending further research.

Councilor Adkins inquired about the enforcement of a feeding prohibition ordinance. City Attorney Nicodemus responded that enforcement would fall under Code Enforcement and Animal Control, consistent with how the existing migratory water bird feeding prohibition is enforced. Councilor Adkins acknowledged the clarification.

Additional Remarks

Councilor Brown encouraged residents to take advantage of Whitehall's parks as the weather improved, and highlighted two upcoming events: the Whitehall Scoops event on Thursday, May 14, 2026, from 3:00 to 4:30 PM at the Whitehall Public Library, as well as additional programming scheduled for the following week. Councilor Brown urged residents to follow the Parks and Recreation Department's social media presence for event updates, emphasizing that programming and events are sustained by community participation and attendance.

Councilor Adkins echoed Councilor Brown's comments, directing residents to the city's Facebook page for a full listing of upcoming events. Councilor Adkins noted that opening day for softball and baseball had been canceled due to rain, but that outdoor activity in the parks was expected to ramp up considerably. He also mentioned he had a meeting with Director Russell scheduled for Thursday and looked forward to receiving updates on Parks and Recreation matters.

Hearing no further business, Councilor Adkins closed the Parks and Recreation Committee at 6:53 PM.

President Pro Tem Morrison, hearing no further business before the council, adjourned the meeting at 6:53 PM.

Submitted by:

Julie A. Ogg, Clerk of Council

APPROVED: June 2, 2026

Thomas M. Potter, Council President

Whitehall City Council Meeting

May 19, 2026 Meeting minutes

President Potter ordered the Tuesday, May 19, 2026, agenda meeting to order at 6:30 p.m. All members were present.

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

The meeting adjourned at 6:34 p.m.

Submitted by,

Julie A. Ogg, Clerk of Council

APPROVED: June 2, 2026

Thomas M. Potter, Council President

Whitehall City Council Meeting

May 19, 2026 Meeting minutes

Call to Order

President Potter called the meeting to order at 7:00 PM on Tuesday, May 19, 2026, in the Council Chamber at City Hall. He began with a moment of silence followed by the Pledge of Allegiance.

Roll Call

Roll call was conducted by Clerk Hinton, who was noted to be filling in for the regular clerk, Clerk Ogg. Council President Potter acknowledged Ms. Hinton's first evening with the body and expressed appreciation for her service.

Present: Councilors Elmore, Morrison, Harcar, Adkins, McCann, Dixon, Brown, and Council President Potter.

Approval of Minutes

President Potter called for a motion to approve the May 6, 2026, City Council meeting minutes. Councilor Dixon made the motion to accept the minutes, which Councilor Adkins seconded. The motion passed unanimously with all members voting yes.

Presentation

Antone White, Director of the Franklin County Board of Elections

Council President Potter welcomed Antone White, Director of the Franklin County Board of Elections, and thanked him for attending. Director White addressed the Council to formally request the setting of a special election date.

Director White asked the Council to designate Tuesday, June 23, 2026, as the date for the special election for the City of Whitehall. He provided three primary justifications for this date selection.

First, Director White explained that selecting June 23rd would afford Whitehall voters the full benefit of the early voting and absentee voting schedule. He confirmed that all five Whitehall polling locations would be available on that date and stated that his office was prepared to distribute a voter information guide to residents detailing all relevant election dates and procedures.

Second, Director White noted that June 23rd would allow his office to complete the special election prior to the commencement of a significant statewide election responsibility beginning July 1st — namely, statewide signature validation activity tied to state-issued filings for the upcoming November election. He described this work as requiring substantial staff time, resources, and system capacity across multiple departments within a two-week timeframe.

Third, Director White stated that holding the election on June 23rd would help avoid operational scheduling conflicts surrounding the July 4th holiday, noting that scheduling the election later would compress critical election activity into a period where staffing availability could be adversely impacted.

Director White summarized his position by stating that June 23rd represented "the clearest operational path for conducting a very secure, accurate, and efficient special election here in the city of Whitehall," while also ensuring that his office could meet its other election obligations. He offered to answer any questions from the Council.

Council President Potter thanked Director White for his concise presentation. Council members posed no questions.

Standing Committee Reports

Administration and Financial Management – Chairperson Elmore

Councilor Elmore, Chairperson of the Administration and Financial Management Committee, reported that the committee had met the previous week, that minutes were on file, and that several pieces of legislation were before the Council that evening. The committee was scheduled to meet the following Tuesday again at 6:30 PM.

Community and Elder Advocacy – Chairperson Harcar

Councilor Harcar, Chairperson of the Community and Elder Advocacy Committee, reported that the committee had met the previous week, that minutes were on file, that there were no drafts or pending legislation for the evening, and that the committee would meet again the following week after 6:30 PM.

Community Standards and Enforcement – Chairperson McCann

Councilor McCann, Chairperson of the Community Standards and Enforcement Committee, reported that the committee had met the previous Tuesday, that minutes were on file, that there was currently no legislation before the committee, and that the committee would meet the following Tuesday at 6:30 PM.

Economic Development – Chairperson Dixon

Councilor Dixon, Chairperson of the Economic Development Committee, reported that the committee had met the previous week, that minutes were on file, and that there was one piece of legislation on the agenda for the evening, to be read by title only. The committee was scheduled to meet in chambers the following week after 6:30 PM.

Infrastructure, Maintenance, and Services – Chairperson Brown

Councilor Brown, Chairperson of the Infrastructure, Maintenance, and Services Committee, reported that the committee had met the previous week, that minutes were on file, and that the committee planned to meet the following Tuesday again at 6:30 PM.

Public Safety – Chairperson Morrison

Councilor Morrison, Chairperson of the Public Safety Committee, reported that the committee had also met the previous week, that minutes were on file, and that the committee would meet again the following Tuesday sometime after 6:30 PM.

Parks and Recreation – Chairperson Adkins

Councilor Adkins, Chairperson of the Parks and Recreation Committee, reported that the committee had also met the previous week, that there was nothing on the table for the evening, and that the committee would meet again the following Tuesday.

Officials' Reports

Mayor Michael T. Bivens

Mayor Bivens addressed the Council, the audience, and those viewing from home with an extended statement. He opened by reciting the poem "If" by Rudyard Kipling, describing the verses as words that sustain him personally on a daily basis. He then pivoted to a public expression of gratitude directed at his staff, stating: "I've said it to you privately. I want to say it to you publicly. I honor every one of you for the dedication that you have given to this community."

Mayor Bivens addressed what he characterized as ongoing misinformation and seeds of discord surrounding the administration's fiscal management, stating that the administration had been "honorable with respect to fiscal management," transparent, and accountable, maintaining an open-door policy for all residents and having participated in more than 300 community engagement meetings during his approximately two and a half years in office.

The Mayor then addressed the recall campaign directly, confirming that he had received information indicating the campaign was being financed by the Fraternal Order of Police (FOP) Lodge. He was emphatic in distinguishing between the FOP Lodge and the officers of the Whitehall Division of Police, stating unequivocally: "I support our Whitehall Division of Police. You are the greatest men and women who serve our city on a daily basis. The Whitehall Division of Police is not the Lodge. You have my 100 percent support from day one when I became mayor, and you still have it tonight."

Mayor Bivens expressed confusion and pain regarding what he described as seeds of racial division within the community, recounting a personal conversation with a friend at a local establishment who expressed a feeling that the Mayor was "moving us out of the city" as Caucasian residents. The Mayor rejected this characterization entirely, stating: "I don't know where this became a black and white issue. That's never been in my heart. That is not what I seek." He invoked his service in the United States Marine Corps as evidence of his commitment to serving all people regardless of "race, gender, ethnicity, sexual orientation, or religion," declaring himself "the personification of Whitehall for all."

The Mayor reflected on the broader costs of the recall — not only financial, but reputational — noting that businesses had conveyed to him that they were considering leaving the city because of the ongoing discord. He also expressed concern for younger residents who were confused and distressed by the situation.

Mayor Bivens closed his remarks by citing the 121st Psalm, stating his faith guided him through these challenges, and extended respect to all sides of the recall debate, saying, "Any of you recall supporters, you deserve just as much respect. You deserve just as much safety, and we will not go into this season angry, or bitter, or fighting each other." He concluded: "After that, we will be Whitehall for all, and we will love each other."

City Auditor Shaquille Alexander

City Auditor Shaquille Alexander was not present at the meeting.

City Attorney Bradley S. Nicodemus

City Attorney Bradley S. Nicodemus reported that he had nothing to report for the evening.

Treasurer Trevel Balser

Treasurer Trevel Balser provided an update on the status of treasurer's reports, noting that he had completed reports for several months and was currently working on March and April, with plans to submit them as a bundle upon completion.

Treasurer Balser offered observations from his review of the city's financial data. He reported that the city was in a "very strong financial position" consistently, with a strong cash position. He described a "very robust investment portfolio" managed by City Auditor Alexander that was generating a rate of return of approximately 3.73 to 3.75 percent, which he characterized as "pretty respectable." Revenue was reported as strong, as expected for the first part of the year, given tax season.

Treasurer Balser also noted that he had been working with Auditor Alexander to update financial reports posted on the city's website, some of which had not been updated since before the COVID-19 pandemic, and stated that the treasurer's reports and audits were among the most important documents to keep current. He indicated this remediation was underway.

Director of Public Service Casey Rowlands

Director Rowlands provided an update on the Yearling Road construction project, describing it as nearing completion. She reported that brick pavers in the crosswalks were being removed during the current week and would be replaced with asphalt in the coming weeks. Director Rowlands took care to clarify a potential misunderstanding among residents, noting that dedication or memorial bricks located in the sidewalks would not be removed: "Anyone who has a dedication brick, those will remain. They will not be removed. So those will stay there for your loved ones."

Director Rowlands expressed enthusiasm about the project's progress, stating that asphalt paving was expected to begin the following week, and reaffirmed an August 1st project completion target.

Director of Economic Development Jackie Russell

Director Russell indicated she had no official report for the evening.

Director of Public Safety Van Gregg

Director Gregg was not present at the meeting.

Director of Neighborhoods Gerald Wright

Director Wright thanked the Council and the many Whitehall residents who attended the recent ice cream social community engagement event held at the library, describing it as a great turnout and a meaningful opportunity for community connection.

Director Wright also formally invited all present to join in the city's Memorial Day ceremony, to be held on Monday, May 25, 2026, at 10:00 AM at Whitehall City Hall. He noted that following the City Hall ceremony, attendees would join VFW Post 8794 at Forest Lawn Memorial to continue the remembrance.

President Thomas M. Potter

Council President Potter reported that no official reports had been filed in the Council office since the last meeting.

Communications, Petitions, and Claims

Council President Potter announced that no communications, petitions, or claims had been filed in the Council office since the last meeting.

Poll Public

Council President Potter opened the Poll Public period, reminding members of the public to sign in, state their name and city of residence, and that each speaker would have three minutes. He cautioned the audience to remain respectful and refrain from speaking while others had the floor.

Several residents came forward to speak. The remarks during this period were predominantly supportive of Mayor Bivens and the officials subject to the recall, with one resident raising a separate neighborhood concern.

Micole Spicer, a Whitehall resident, expressed general support for continued progress, development, community, families, and unity in Whitehall, offering affirmations for each value.

Glenna Henson, a Whitehall resident, raised a long-standing concern about a neighbor operating what appeared to be a construction business out of a residential property, including the presence of a commercial trailer. She stated she had lived in Whitehall since 1962 and that she had been working with city staff on the matter. She expressed frustration that the issue had not been resolved and indicated it was affecting her quality of life and desire to remain in the city.

Pastor LaMarr, a Columbus resident, also came forward to address the Council, though the content of his remarks was not clearly captured in the record.

Antonio Wilborn, a Whitehall resident, came forward to speak as an American citizen, offering a message focused on the necessity of mutual respect, love, and integrity across all community divisions. He concluded with a faith-based appeal, stating: "Love is the only thing that's going to conquer all of these problems here," and cautioning that failing to operate in that spirit would have consequences.

Chelsea Johnson, identified as a proud owner of the Columbus Chaos Women's Football Team and a business owner operating in Whitehall, spoke in support of Mayor Bivens. She noted that it was Mayor Bivens who stood by her organization from the start, "creating a home here in Whitehall for women's tackle football." She cited Columbus Chaos Day on April 23rd as a milestone marking five years of

partnership and growth. Ms. Johnson praised the Mayor's dedication to women's sports, to citywide events, and to inclusive community-building, stating: "His leadership is not just a nod to the past, but a promise to a brighter future in Whitehall."

Marie Long, a Whitehall resident, offered brief remarks expressing gratitude for the Mayor and the work of those in attendance, including a personal anecdote about her grandchildren — one a former Whitehall resident and one who does not live in the city — both of whom were praying for a positive outcome in Whitehall.

Barbara Blake, a Whitehall resident, thanked the Council for providing an open forum for public comment regardless of where residents stood on any issue. He encouraged the public to seek out the truth independently and to do their own research, cautioning against judging people by individual failures. Ms. Blake stated his full support for the officials who are subject to the recall and noted he had displayed visible signs of support at his home.

Michael Young, identified as the lead pastor of City of Grace Church located in Columbus with many Whitehall-resident members, spoke in support of Mayor Bivens, Councilor Elmore, and Councilor Harcar. He noted that Councilor Elmore was the first African American elected to the Whitehall City Council in 2017, and that Mayor Bivens became Whitehall's first Black mayor in 2023. Pastor Young expressed concern that "there is an ideology that wants to rewrite history," and questioned the motivations of FOP Lodge 9 in financing the recall of individuals he characterized as faithful public servants. He posed a pointed question to those assembled: "What does Whitehall really want to represent? Is it about the betterment of all people? Or is it about taking this city and its residents back into a previous time in this nation?" Council President Potter noted that Pastor Young resides in Columbus.

Council President Potter closed the first Poll Public period and proceeded with the agenda.

Verification of Copies

Clerk Hinton conducted a roll call to verify each council member had received copies of all agenda legislation prior to the meeting, including any add-on legislation. All members confirmed they had received copies.

Third Reading

No legislation was presented for third reading.

Second Reading

Ordinance No. 034-2026

Allowing a Special Permit Under 1125.04 to Allow Drive-Through Facilities on the Property Located at 4600 E Broad Street, Parcel Numbers 090-008427-00 and 090-008249-00, Property Owned by Meyer Foods Management Company, and Declaring an Emergency.

This ordinance was read by title only.

First Reading

Resolution No. 016-2026

A Resolution Providing for the Submission of the Question of the Recall of Mayor Michael Bivens to the Electors of the City and the Declaration of an Emergency.

Councilor Harcar briefly inquired whether the election date of June 23rd needed to be formally set within this resolution, and was advised by Council President Potter that the date was already incorporated.

Motion to introduce Resolution No. 016-2026 and move for the suspension of all rules was made by Councilor Morrison and seconded by Councilor McCann. Upon roll call: All members voted in the affirmative. Rules were suspended 7-0.

Before the adoption vote, the Council engaged in substantive discussion in support of Mayor Bivens.

Councilor Elmore expressed wholehearted support for the Mayor, characterizing him as "a man of integrity, of character, of vision, a trailblazer," and stating that "to have to go through this process is not good for anybody." She expressed that the Council's energies should be directed toward moving the city forward with progress.

Councilor Harcar seconded Councilor Elmore's sentiments and spoke directly to the Mayor's support for her own work on the Council, noting that Mayor Bivens had offered her resources when she introduced legislation that was controversial. She acknowledged that road conditions had been cited among reasons motivating the recall, but pushed back firmly: "It's not the mayor's fault that the roads are in the shape they're in. The roads are in the shape they're in because multiple people through the years kicked that can down the road and never addressed it." She observed that Mayor Bivens "did what no one else was willing to do because he knew it was going to be ugly," and expressed that he had faced a level of public scrutiny — including criticism of his professional attire — that she had never seen applied to others in his position, noting "a big glaring reason that some people want to overlook."

Councilor Brown spoke to the broader political context, stating: "What we're seeing in Whitehall is just a reflection of what we continue to see politically on different landscapes. And all it comes down to is, this is politics, unfortunately." Councilor Brown distinguished between community leaders and politicians, characterizing Mayor Bivens, Councilor Elmore, and Councilor Harcar as "community leaders." He also directly challenged ongoing narratives about financial mismanagement, citing confirmation from the city's auditor, treasurer, and third-party auditors that "Whitehall's financial situation is some of the best that it's ever been." Councilor Brown characterized the sharing of disinformation for political purposes as "despicable" and affirmed his continued support for all three officials subject to recall.

Councilor McCann offered a notably measured statement, acknowledging that regardless of his personal feelings about the recall, he felt it was important to defend the Mayor specifically on the matter of road conditions. Councilor McCann stated that the roads were not the Mayor's fault, that the problem had been deferred by multiple administrations over many years, and that "in defense of the mayor, may be the only thing I defend you on right now, but I'm going to because it's the right thing to do." He noted the administration had invested over \$28 million in infrastructure since Mayor Bivens took office, framing this as evidence that the administration was "not just thinking about today" but thinking in decades.

Motion to adopt Resolution No. 016-2026 was made by Councilor Morrison and seconded by Councilor McCann. Upon roll call: All members voted in the affirmative. Resolution No. 016-2026 was adopted 7-0.

Resolution No. 017-2026

A Resolution Providing for the Submission of the Question of the Recall of Councilmember Lori Elmore to the Electors of the City and the Declaration of an Emergency.

Motion to introduce Resolution No. 017-2026 and move for the suspension of all rules was made by Councilor Dixon and seconded by Councilor Adkins. Upon roll call: All members voted in the affirmative. Rules were suspended 7-0.

During the discussion, Councilor Harcar spoke in tribute to Councilor Elmore. She recalled meeting Councilor Elmore approximately ten to eleven years prior, when both served on a superintendent's advisory committee advocating for students and schools. Councilmember Harcar described Councilor Elmore as always outspoken and always willing to stand up for herself, particularly when treated unfairly. She stated: "I have seen the way that people have spoken to her when they've sat in the audience. And for some reason, people find that acceptable for her to be disrespected while she sits up

here, but they don't find it acceptable for her to speak up for herself." Councilor Harcar praised Councilor Elmore as "open and honest, maybe to a fault," adding that "you don't ever have to worry about where you stand with Councilor Elmore — she will tell you." She expressed pride in calling Councilor Elmore a friend and characterized the recall as "very unfair."

Councilor Elmore then chose to speak for herself on the record, providing a chronological account of what she viewed as the political and procedural context leading to the recall. She described several key decisions she had been involved in: an economic development matter on Fairway where the developer ultimately rescinded a request for city financial resources, rendering prior legislation moot; a vote not to remove Police Chief Crispin in response to pressure from FOP Lodge 9 President Brian Steele, which Councilor Elmore characterized as an improper bypass of the established union contract dispute resolution process; the removal of a candidate from the ballot for knowingly failing to meet the city's residency requirement, a decision she successfully defended before the Ohio Supreme Court; and the vote to remove a Council member from office for gross misconduct.

Councilor Elmore addressed the recall itself directly, calling it "a blatant back-dooring of the election process." She argued that the recall group had every opportunity to run for office through the standard election process but instead "chose a more insidious way to try and remove us from office." She rejected characterizations of malfeasance, stating: "Not one of the elected officials being recalled has been involved in any type of scandal." She identified a seated Council member as the only individual on the dais who had been involved in a scandal, and noted that person was being supported by the recall group and FOP Lodge 9, which she stated was contributing \$50,000 toward the recall campaign. Councilor Elmore closed by affirming her integrity and her record, stating: "This recall is not an indictment on who I am. My works speak for themselves." She encouraged voters to "vote yes to keep Mayor Bivens, myself, and Councilor Amy Harcar."

Councilor Devin Brown offered additional remarks, reiterating his sustained public support for all three recalled officials and pushing back against what he characterized as disinformation from the recall effort. He noted that people who had been invited to community conversations about city finances had not shown up to those forums, stating: "Their whole goal is to push out propaganda, to upset people." Councilor Brown expressed optimism that residents would see through the "nonsense" and choose to build community.

Councilor Dixon responded to certain remarks made during the discussion, pushing back firmly on an implication that opposition to the recall was racially motivated among Council members. Councilor Dixon stated: "I am not in charge of the recalled effort, and I don't care what you look like up on this dais. Male, female, black, white, straight, gay, whatever. I don't care. And the merit to say such a thing about your fellow counselors, I think, is rotten." Councilor Brown attempted to clarify his earlier remarks, and a brief exchange followed between the two Council members. Council President Potter intervened to restore order and directed Clerk Hinton to call the roll.

Motion to adopt Resolution No. 017-2026 was made by Councilor Dixon and seconded by Councilor Adkins. Upon roll call: All members voted in the affirmative. Resolution No. 017-2026 was adopted 7-0.

Resolution No. 018-2026

A Resolution Providing for the Submission of the Question of the Recall of Councilmember Amy Harcar to the Electors of the City and the Declaration of an Emergency.

Motion to introduce Resolution No. 018-2026 and move for the suspension of all rules was made by Councilor Morrison and seconded by Councilor Dixon. Upon roll call: All members voted in the affirmative. Rules were suspended 7-0.

Motion to adopt Resolution No. 018-2026 was made by Councilor Morrison and seconded by Councilor Dixon.

During the discussion, Councilor Elmore spoke warmly of Councilor Harcar, describing her as the kind of person "you want in your corner." She praised Councilor Harcar's consistent kindness and grace

under pressure, her advocacy for new Americans — emphasizing the distinction between new Americans and undocumented individuals — and her broader humanitarian work, including stopping to assist people in need on the street. Councilor Elmore called it a personal privilege to be going through the recall alongside Councilor Harcar, while also expressing that having to endure the process at all was "wrong" and "shameful." She characterized the recall as "a back-dooring of a political process," and stated that two years was not sufficient time to fully evaluate any elected official's record. She closed by encouraging voters to vote yes for Councilor Harcar, Mayor Bivens, and herself.

Councilor Harcar then addressed the Council and the public regarding her own recall. She stated plainly: "I am fully aware of why I am being targeted in this recall. The petitioners are also very well aware of why they got the signatures against me, even if those reasons are not written plainly on the paperwork." She described her years of outspoken advocacy for inclusion, immigrant and refugee communities, LGBTQ residents, and victims of crime, and rejected claims that she had hidden her agenda, noting that her campaign materials "openly included multiple languages and reflected the values I ran on from the beginning."

Councilor Harcar raised the question of whether the targeting of the recall was coincidental, posing directly: "Is it simply a coincidence that the targets of this recall are the first black mayor, the first black council member, and the white lady who advocates for immigrants and refugees? Is it a coincidence that racist and hateful comments have repeatedly come from individuals supporting this effort?" She stated that she had chosen not to align herself with "people who use fear, division, race, religion, immigration status, or identity to turn neighbors against one another."

Councilor Harcar also addressed what she characterized as a double standard, noting that her work serving immigrants and refugees had been treated as suspicious, while conduct she believed should concern all residents had been "minimized, ignored, overlooked, and excused." She compared her level of scrutiny to that of a predecessor in her committee chair role and raised the existence of an ongoing investigation regarding that individual. She also noted that the timing of the special election — during a period of predictably lower turnout — appeared to be a deliberate strategic choice by those organizing the recall. She closed: "Regardless of the outcome, I will continue treating people with dignity, standing up for vulnerable residents, and serving the city the best way that I know how, whether or not I continue to sit in this seat."

Councilor Brown offered further remarks supporting Councilor Harcar, clarifying that his earlier comments about the racial dimensions of the recall were directed at forces outside of the dais, not at his fellow Council members. He stated that Councilor Harcar "doesn't just represent new Americans," citing examples of her assisting elderly residents in danger who were not immigrants, as well as her service to veterans and the LGBTQ community. He expressed confidence that the community would see through divisive rhetoric and choose unity.

Upon roll call, all members voted in the affirmative. Resolution No. 018-2026 was adopted 7-0.

Resolution No. 019-2026

Authorizing and Approving a Plan of Industrial, Commercial, Distribution, and Research Development and One or More Agency Agreements with the Whitehall Community Improvement Corporation.

This resolution was presented by title only. Council President Potter invited Director Russell to provide a high-level overview for the Council's benefit, noting that the item would be discussed in greater depth the following Tuesday.

Director Russell explained that the City of Whitehall has had a Community Improvement Corporation (CIC) since approximately 1984. As part of best practices for CIC governance, a cooperative agreement between the city and the CIC is required. Director Russell stated that during her research into the city's economic development structures, she was unable to locate a finalized version of such an agreement — noting that all versions she found were marked with question marks, "draft," or similar qualifiers. This resolution, she explained, was intended to formalize the powers originally established when the CIC was created in 1984 and to clarify the cooperative relationship between the city and the CIC.

Poll Public

Council President Potter opened the second Poll Public period, again reminding speakers to sign in and limit remarks to three minutes.

Micole Spicer, a Whitehall resident who had also spoken during the first Poll Public period, addressed the Council regarding Police Chief Mike Crispen. Ms. Spicer stated that she had never missed a Safer Whitehall town hall meeting and expressed appreciation for Chief Crispen's open-door policy and genuine care for the community. She pushed back on narratives suggesting that the Chief was mistreating Black residents, stating: "Black people, we do support police," and affirming her personal support for the Whitehall Police Department. Ms. Spicer noted that there was an upcoming Safer Whitehall town hall on May 24th and encouraged all residents to attend. She concluded by stating there was "no comparison" between Chief Crispen's leadership and that of FOP President Brian Steele.

Diane Peters, a Whitehall resident, thanked the administration and relevant organizers for the recent community conversations, describing them as "really informative." She commented on Councilor Dixon's attendance at the prior evening's community conversation, expressing surprise that he had not asked any questions or rebutted any statements made. She also noted that Treasurer Balser — whose spouse she identified as one of the petitioner organizers — had himself confirmed that the city was in good financial shape. She expressed frustration at what she perceived as dismissive attitudes toward speakers from Columbus, arguing that those individuals were speaking to the integrity of the recalled officials. She directed particular criticism at FOP member Brian Steele, characterizing his involvement in the community as causing harm. The resident stated that the recall had deeply affected her that she had hoped Whitehall would be her "forever home," and that even if the recall effort failed, she would not be able to view the city the same way again.

Glenna Henson, a Whitehall resident who had spoken during the first Poll Public period, returned with additional comments regarding her neighborhood complaint about a commercial trailer. She also stated that she had called the police chief's office but received no call back, and that when an officer did visit, only two officers were patrolling the streets that evening. She questioned a prior statement that forty-nine officers were patrolling city streets. Ms. Henson also commented on Councilor Harcar, stating that her primary knowledge of Councilor Harcar's work concerned what she characterized as the creation of a sanctuary city, which she expressed concern could affect federal funding for road repairs. She also stated that she had observed Councilor Elmore raising her voice at people and expressed support for the recall effort.

Joel Harcar, a Whitehall resident of 21 years, came forward to express his unambiguous support for a "yes" vote on all three recall questions. He offered structured affirmations in support of Mayor Bivens, citing continued growth, innovation, active community engagement, and a balanced and responsible budget as noted by Treasurer Balser. He expressed support for Councilor Elmore, citing her focus on public safety and her decade-plus of service. He expressed support for Councilor Harcar, citing her work on public resources, domestic violence, human trafficking awareness, mental health resource connections, food access, immigrant rights information, and human rights broadly. He closed: "Vote yes for city and community growth. Vote yes to continue the progress of improving our city for the future."

Tony Cooper, a Whitehall resident, stated he had previously lived in Whitehall in the 1970s and had returned as a second-time resident. He noted his role as a volunteer with the Whitehall Civic Association and expressed support for Mayor Bivens, Councilor Elmore, and Councilor Harcar. Mr. Cooper offered a reflective remark about the evolution of race relations in Whitehall since his first residence, stating that "things have gotten a lot better, but they could be better yet." He expressed frustration at the recall, noting that Mayor Bivens had only been in office for two years and had not yet had sufficient time to see infrastructure projects through to completion. He encouraged residents to "take a deep breath, and let progress happen."

Nahari Luke, a Whitehall resident, briefly expressed excitement and confidence, stating: "We're going to do the right thing here in Whitehall." He encouraged all residents to vote yes on June 23rd.

Council President Potter closed the second Poll Public period, noting that no additional speakers came forward.

Community Date Board

Councilor Harcar, on behalf of Councilor Adkins and the Parks and Recreation Committee, announced several upcoming community events.

The Summer Kickoff event was announced for June 5th, at which the first 350 participants would receive a free meal from food trucks. Food boxes would also be distributed at the event to assist residents experiencing food insecurity.

Councilor Harcar announced that June 6th would mark the final monthly food giveaway by Whitehall United Methodist Church. She explained that due to cuts to the Mid-Ohio Food Bank and reduced capacity, the church was no longer able to continue offering food pantries at smaller locations. Councilor Harcar noted that this reality illustrated the real-world impact of policy decisions on residents, stating: "What we vote for has an impact on our residents. So we need to be thoughtful of that."

The third annual Juneteenth celebration at John Bishop Park was announced for June 20th. Councilor Harcar noted that she had attended the prior two events, described them as "great events," open to all, and characterized them as meaningful opportunities for community celebration.

Finally, Councilor Harcar reminded the public that the recall election was scheduled for June 23rd and encouraged residents to mark their calendars and vote.

Poll Council

Councilor Elmore

Councilor Elmore thanked those in attendance and those viewing from home. She offered a public commendation to City Auditor Shaquille Alexander, noting his provision of financial information in an accessible form and his open-door policy for any residents who wished to understand the city's finances better. Councilor Elmore directed a personal message to an audience member she referred to as "Ms. Peters," urging her not to leave the city: "You are needed here, and we love you, and you do great work." She also addressed audience member Ms. Henson, noting she had never had a direct conversation with her, and offered to be available for conversation after the meeting. Councilor Elmore addressed what she characterized as a broader problem of people in the community "listening to innuendo, listening to gossip, listening to echo chambers" instead of going directly to elected officials. She closed by again encouraging voters to cast a yes vote on June 23rd for Councilor Harcar, Mayor Bivens, and herself.

Councilor Morrison

Councilor Morrison thanked everyone watching from home and those present in chambers, acknowledging that some good words had been spoken and recognizing that the recall process, while difficult, was a necessary part of the civic process before the Council.

Councilor Harcar

Councilor Harcar reported that she had spent the day — as she had for approximately ten to eleven years — attending the Two Days in May conference downtown. She shared a particular highlight: attending a session presented in collaboration by colleagues from D Wave, which serves deaf and hearing-impaired individuals who are survivors, and an organization called Crisp, which serves immigrants and refugees on language access. Councilor Harcar described the experience as unexpectedly meaningful, noting that she had gained insight into how to better serve individuals who are both deaf and blind, and emphasized the importance of knowing who to contact to serve anyone who comes forward needing assistance.

Councilor Harcar also shared a public safety reminder, noting she had received contact from three different individuals in the past six weeks who had felt uncomfortable with a person they observed near

a park or playground. While acknowledging the behavior may not have constituted a criminal act, she advised residents to "listen to your intuition" and to document concerning observations in writing. She stated, "You know when you feel something in your gut. Sometimes we're trained not to listen to that, but we should be listening to that."

Councilor Harcar also expressed her desire to attend a Columbus Chaos game and noted that anti-discrimination legislation she introduced, supported by six of seven Council members, had passed the city council 6-1 as a city ordinance.

Councilor Adkins

Councilor Adkins thanked everyone for attending. He reminded parents that football and cheer sign-ups had begun at Whitehall Parks and Recreation, noting that youth football games are played at Michael Arends Field.

Councilor McCann

Councilor McCann thanked everyone for coming and expressed particular appreciation for Director Wright and Mayor Bivens for their collaboration on the upcoming Memorial Day ceremony, which Councilor McCann stated was personally meaningful to him. He expressed hope that the ceremony would grow in significance over time as an important annual tradition in the city.

Councilor Dixon

Councilor Dixon thanked all in attendance and those watching from home. He expressed deep distress over a comment made by a community member — identified as Mr. Wilborn — who had stated that some residents felt they were being pushed out of the city. Councilor Dixon called this "beyond awful" and stated that he did not know of anyone who wanted any resident to leave the city based on their color or any other reason. He also addressed the observation made during Poll Public that he had not asked questions at the prior evening's community meeting, explaining that by the time questions were opened, only ten minutes remained and he chose to defer to citizens rather than take up their time. He stated that he had not received any questions directed to him since then. Councilor Dixon also expressed his strong objection to what he characterized as campaigning from the Council dais, stating: "I abhor campaigning from this dais. It continues to happen, and I think it's terrible." He closed by affirming that a recall is a citizen's initiative and a constitutionally protected right, and as such deserved to be treated with respect.

Councilor Brown

Councilor Brown directly addressed Councilor Dixon's statement about the prior evening's meeting, stating that more than ten minutes had remained when questions were opened, and that he and Auditor Alexander had remained after the meeting concluded, taking questions until 8:30 PM. He confirmed that Councilor Dixon had not stayed for the extended period and that no questions had been received from him. A procedural dispute arose when Councilor Dixon raised a point of order, characterizing Councilor Brown's remarks as a personal attack. Councilor Elmore also interjected. Council President Potter intervened to restore order, affirming that Councilor Brown had the floor and directing him to continue.

Councilor Brown then returned to themes of community building, expressing genuine optimism about residents' ability to discern the difference between those producing "hatred, chaos, division" and those truly working to build community. He reiterated his support for the recalled officials, restated his belief that their opponents had been unwilling to engage in good-faith community conversations, and encouraged the public to continue to show up and participate. Council President Potter noted that Councilor Brown's allotted time had expired, and he concluded his remarks.

President Potter

Council President Potter thanked Clerk Hinton for stepping in and performing her duties excellently.

Adjourn

With no additional business before the Council, Council President Potter adjourned the meeting at 8:43 PM.

Submitted by,

Julie A. Ogg, Clerk of Council

APPROVED: June 2, 2026

Thomas M. Potter, Council President

City of Whitehall

City Council Committee Meeting

May 26, 2026 minutes

President Pro Tem Morrison called the Whitehall City Council Committee Meeting to order at 6:31 pm.

Present at the meeting were the following:

Councilor Lori Elmore, Councilor Amy Harcar, Councilor Brian McCann, Councilor Gerald Dixon, Councilor Devin Brown, Councilor Larry Morrison, Councilor Mike Adkins.

City Attorney Brad Nicodemus, Auditor Shaquille Alexander, Director Casey Rowlands, and Director Jackie Russell.

President Potter was not in attendance.

President Pro Tem Morrison confirmed there were eight pieces of draft legislation on the agenda for the evening.

City Auditor Presentation – Financial State of the City

City Auditor Shaquille Alexander delivered a comprehensive financial presentation to Council, covering the annual financial results for 2025 and the current fiscal standing of the City of Whitehall. City Auditor Alexander stated at the outset that he intended to be brief, though the ensuing discussion extended considerably as members engaged substantively with the material.

2025 Financial Highlights

City Auditor Alexander opened by noting that every financial indicator he reviewed reflected an improved financial position for the city in 2025. He reported that the city's net position increased by approximately \$11,000,000, or roughly 33.8 percent, representing what he described as "a great improvement." The general fund balance grew by approximately \$4,200,000, or about 25 percent year over year, with City Auditor Alexander noting that the general fund is the city's main operating fund, funded approximately 85 percent by income tax. The TIF bond balance grew by approximately \$2,000,000, or about 26 percent. Additionally, \$11,400,000 was invested through infrastructure via the Ohio Water Development Authority loan, which is repaid through water and sewer service costs.

City Auditor Alexander then described the city's operating results on a cash, budgetary basis. He explained that general fund revenues came in at approximately \$40,650,000 against a budget estimate of \$40,690,000—a remarkably close projection that City Auditor Alexander lightheartedly credited to the acumen of City Auditor Steven Quinzel. More notably, he reported that expenditures were budgeted at \$44,000,000, but only \$40,200,000 was actually spent, yielding a \$4,000,000 operating surplus on a cash basis.

City Auditor Alexander highlighted three key metrics under the heading of "resiliency, growth, and stewardship": the net position increase of approximately 34 percent; the general fund balance growth of \$4,200,000; and investment earnings growing 6.5 percent to \$845,000, despite a declining interest rate environment. He characterized this as particularly encouraging given the economic instability of the year. He also noted that maintenance is no longer being deferred throughout the city and that economic development is actively working.

Income Tax Trends and Revenue Diversification

City Auditor Alexander then transitioned to a discussion of income tax revenue trends over an eleven-year period. He reported that income tax revenue has grown approximately 60 percent since 2015, rising from roughly \$22,500,000 to just under \$36,000,000 in 2025—an all-time high. He identified a

significant dip in 2023, noting that a large employer, referred to as DFAS, saw a reduction in its income tax contribution, which precipitated an emergency meeting during which the city discussed reducing headcount. He recalled that one employee who had been with the city for fewer than six months was ultimately part of that reduction in force, describing the episode as "a very uncomfortable conversation."

He reported that the city achieved an approximately 18 percent recovery by 2024 and a new all-time high in 2025, with the city currently tracking to exceed that figure in 2026. On the question of concentration risk, City Auditor Alexander noted that in 2025, DFAS's share of total income tax revenue stood at 47 percent—the third-lowest share in the eleven-year series—meaning that while the absolute dollars from DFAS are rising, the city is becoming proportionally less reliant on that single employer. He stated plainly: "That's the trend we want to continue. Where we're getting more, we're less reliant."

Budget Stabilization Fund and Reserves

City Auditor Alexander credited the work of former City Auditor Quincel and Mayor Maggard in managing the 2023 shortfall, describing how the city tightened its approach to purchase orders and appropriations. He then described the establishment of a budget stabilization fund under Ohio Revised Code Section 5705, which currently holds approximately \$1,600,000 and is accruing interest. He stated that the statutory cap is 5 percent of the prior year's general fund revenue—approximately \$2,200,000—and expressed his hope to fully fund the account by year-end. He noted that as of March 31, 2026, the city held approximately \$31,200,000 across its total investment portfolio.

Fund Accounting and Common Misconceptions

City Auditor Alexander addressed what he described as a common misconception regarding the police tax levy fund, clarifying that the levy revenues collected by Franklin County and distributed to Whitehall flow into Fund 280—a restricted special revenue account—and are used exclusively to repay the bonds issued to construct the new police station. He stated unequivocally: "That never gets intermingled with the general fund." He also provided a detailed explanation of fund accounting using the analogy of separate envelopes for different household expenses, each maintained independently.

Economic Development Tools: TIF, CRA, and Income Tax Reimbursement Agreements

City Auditor Alexander offered explanations of the city's economic development tools, emphasizing that all have been council-approved and that none were implemented unilaterally. He explained Tax Increment Financing (TIF) as capturing the new property tax increment from new development to fund public infrastructure, without affecting existing taxes. He noted that the city's TIF districts were last legislatively updated in 2005. Community Reinvestment Area (CRA) abatements, he explained, apply only to the new value created by investment, not to existing property value. Income Tax Reimbursement Agreements, he noted, are performance-based—if a company does not bring the promised jobs, the city retains all income tax generated. He stated: "No new jobs, you own nothing."

Regarding the strategic framework, City Auditor Alexander identified four pillars: growing the tax base, reducing concentration risk, honoring restricted fund commitments, and using economic development tools transparently.

Community Conversation Recap and Public Communication

City Auditor Alexander also recapped a recent community conversation event, expressing gratitude to Councilor Devin Brown for his vision in organizing the event, moderator Harry Pitt, and Merrill Robinson, who volunteered to record and livestream the session at no cost. He described the format as including pre-submitted questions and an open audience session, noting the event extended until approximately 8:30 PM with informal conversations continuing afterward. He also thanked city directors who attended voluntarily.

Discussion on Public Trust and Financial Communication

Councilor Amy Harcar opened the discussion by expressing frustration that the city's positive financial trajectory is not being communicated effectively to residents, noting that she continues to hear narratives of mismanagement despite the data. She asked whether City Auditor Alexander had

suggestions for more effectively distributing this information. She referenced a postcard-style summary that Councilor McCann had praised.

City Auditor Alexander responded candidly, noting that a community member had recently suggested that Yearling Road must have "gold under it the way they keep digging it up." He stated that when he shares factual information, he needs council members to reinforce those messages through their own community relationships, noting: "I think council should share in that message. You all have resources and relationships I don't." He added that he was exploring working with the city's communications staff, Jayda Parker, to produce monthly social media content, and noted that printed materials are already available at the permitting window, the mayor's office, and the tax window. He was explicit about his own reservations regarding social media, calling it "a net negative for humanity," but acknowledged its reach.

Council President Pro Tem Morrison affirmed that the financial reports are public records and can be shared on council members' social media platforms.

Councilor Brown expressed optimism that continued transparency efforts would help rebuild public trust, acknowledging that some individuals benefit from sustaining a narrative of mismanagement. He stated: "I'm optimistic that as we continue to do our part, we'll be able to rebuild the trust that a lot of people have been okay kind of tearing down." City Auditor Alexander responded appreciatively, noting that he is intentional about transparency because he can see the political environment and the inaccurate conversations being circulated.

Councilor Gerald Dixon offered extended remarks, expressing personal trust in City Auditor Alexander while attributing the broader public distrust to what he characterized as a persistent pattern of unheeded conflicts of interest in Whitehall government over many years. He stated: "For years, I have been crowing about the public trust. And the public should be able to trust their government." He expressed the view that City Auditor Alexander has been "caught up" in a broader climate of distrust not of his own making. City Auditor Alexander responded with equanimity, stating: "I'm not above criticism" and emphasizing that his concern is less about personal reputation and more about accurately conveying the city's financial health to residents. He reinforced the need for a concerted, collective effort: "It can't just be me, can't just be you. It has to be a concerted effort, and we have to work in partnership."

Councilor Brian McCann inquired about the distinction between DFAS's growing absolute contribution and its declining share, which City Auditor Alexander confirmed and described as the desired trend.

Councilor Lori Elmore asked broadly about the city's commitment to responsible economic growth and balancing quantity with quality of incoming businesses. Councilor Adkins echoed the importance of prioritizing quality over quantity when attracting new businesses. City Auditor Alexander agreed, noting that "responsible growth" is the operative principle and that the city should not simply attract any business regardless of civic compatibility or tax compliance.

City Auditor Alexander concluded his presentation by noting that the 2025 audit from Julian and Grubb should be completed within two to three weeks, at which point the results would be presented to council and made available to the public. He noted that the city is currently tracking positively through the first five months of 2026, with the general fund standing at approximately \$6,400,000—essentially flat from the \$6,900,000 year-opening balance—and expected to close the month of May at over \$7,600,000 once pending income tax entries and property tax distributions are booked. He confirmed that a payment due to Whitehall City Schools by May 31 is in process and will be transmitted by week's end.

Committee of the Whole Legislation/Issues

Proposed Council Rules of Procedure Changes

Before moving to legislation, Council President Pro Tem Morrison recognized Councilor Dixon, who had distributed proposed rules of procedure changes to council members.

Proposed Rule 1: Prohibition on Naming Citizens in a Criticizing Manner

Councilor Dixon introduced his first proposed rule change, stating that no one on the dais should call out any citizen or member of the audience by name in a criticizing or negative manner. He explained that doing so places a private citizen into a political spotlight, potentially exposing them to retribution from others who may be aligned against that council member's perceived opponents. He stated: "It creates a problem for the person who we do that to. And I don't think it is right for us up here to do that."

Councilor Harcar sought clarification on the specific incident prompting the proposal, recalling one prior episode that she was aware of and asking whether this was the incident in question. Councilor Dixon indicated it was not. Councilor Harcar expressed concern that the proposed rule could prevent council members from defending themselves against disruptive audience behavior, noting: "There are times that some behavior in here hurled at us is pretty reprehensible." She stated that being unable to address such situations by name gives her pause.

Councilor Dixon clarified that his objection is specifically to the naming of private citizens in a critical context—not to expressing general sentiments—and that the naming is what creates a political hazard for civilians who have not assumed a public role.

Councilor Elmore argued that the existing council rules are sufficient, that the matter lies within the Council President's purview to manage in real time, and that adding new rules to address individual incidents risks censorship. She stated: "I believe that everybody has a right to say what they need to say." She also raised the inherent subjectivity of determining what constitutes a "criticizing" remark. Council President Pro Tem Morrison agreed that controlling proceedings is the Council President's responsibility and noted that tolerance levels will vary depending on who is presiding.

Councilor Brown asked the fundamental question of who would determine what constitutes a criticizing or negative comment, which other members agreed was subjective. Councilor Adkins observed that the matter had been discussed at length and suggested it should simply be brought to a formal vote.

Following extended discussion, Council President Pro Tem Morrison indicated that the item had been discussed sufficiently and directed the body to move on, with the understanding that it would come to a vote the following week.

Proposed Rule 2: Prohibition on Campaigning or Electioneering from the Dais

Councilor Dixon introduced his second proposed rule, which would prohibit campaigning, electioneering, or excessive praise of elected officials or candidates from the council dais. He cited Ohio Revised Code Section 9.03 in support, which restricts the use of public funds to support or oppose the nomination or election of a candidate for public office. He argued that council proceedings—funded by taxpayer dollars—fall within the scope of that prohibition.

Councilor Dixon asked City Attorney Bradley Nicodemus for a legal interpretation of the cited code section. City Attorney Nicodemus acknowledged that O.R.C. 9.03 typically applies to the use of physical city resources—such as printing campaign flyers—and that whether it extends to time used at a council meeting was a question he had not previously encountered and would need to research. He committed to reviewing the provision and reporting back.

City Auditor Alexander commented that the concept of "fawning praise" is highly subjective, giving the example that genuine compliments exchanged between colleagues could be characterized as such, and questioned whether a rule of this kind was workable without clear definitional standards.

Council President Pro Tem Morrison indicated that the item would be tabled pending City Attorney Nicodemus's legal opinion.

Proposed Rule 3: Restoration of Prior Language on Temporary Chair Selection

Councilor Dixon's third proposed rule would restore the prior council rules language providing that in the absence of both the Council President and President Pro Tem, council may appoint from its members a temporary chair by vote. He stated that the current rules replaced that language with a pecking order based on committee chairmanships, which he characterized as unfair.

Councilor Harcar noted that this issue had been extensively debated during the council rules revision process, that a vote had already been taken, and that the current committee-order language had been duly adopted. She expressed reluctance to revisit rules that had been settled. Councilor Adkins made a similar observation, noting that as the deciding vote on the prior adoption, he had since concluded that requiring a new election of a temporary chair each time made more procedural sense, consistent with school board practice.

Council President Pro Tem Morrison noted his personal agreement with changing the provision but acknowledged that any rule change can be brought forward for a vote at any time. No further action was taken on this item during the meeting.

Committee of the Whole Legislation/Issues

Draft #1 – Resolution No. 020-2026

Authorizing and Approving the Mayor to Apply for and Accept a "Defense Community Infrastructure Program" Grant from the United States Department of Defense and Declaring an Emergency

Director of Public Service Casey Rowlands presented this resolution. She noted a typographical error in the agenda title: the correct name of the grant program is the Defense Community Infrastructure Program, not "Defense Community Improvement Program." She stated that City Attorney Nicodemus confirmed the correction could be made administratively.

Director Rowlands explained that this is the city's third consecutive year applying for this grant. She noted that the program's theme for the current cycle is quality of life for the military installation and the surrounding community, and that the application being developed centers on micro-mobility initiatives benefiting both the Defense Logistics Agency on the base and residents commuting to and from the city. The grant application deadline is June 25, 2026.

Councilor Brown moved to introduce the resolution, noting that this grant exemplifies what Whitehall is doing differently than peer communities—specifically, the aggressive pursuit of external funding to deliver results at little to no cost to taxpayers. He stated: "We have done an incredible job as a community being able to apply for and receive grants that allow us to do incredible work for either little to or no cost to the taxpayers."

Motion to introduce Resolution No. 020-2026 will be made by Councilor Brown and seconded by Councilor Morrison. The motion is for first reading, with adoption scheduled for June 2, 2026.

Standing Committees

Administration and Financial Management – Chairperson Elmore

Members: Morrison, McCann, Brown

Councilor Elmore opened the Administration and Financial Management Committee at 8:12 PM.

Draft #2 – Ordinance No. 045-2026

Authorizing and Approving a Fund Transfer of \$100,000.00 from the General Fund (101) to the Street Maintenance & Repair Fund (201) and Making a Supplemental Appropriation of \$100,000.00 to the New Equipment Expense Account (201.000.53000)

City Auditor Alexander introduced this item, noting that it reflects strategic financial planning and sound infrastructure management. He stated that the city was able to complete approximately 20 miles of in-house roadway repairs for \$100,000 using existing staff, and that this legislation authorizes the purchase of additional equipment to expand that capacity.

Director of Public Service Casey Rowlands provided further detail. She explained that the city maintains approximately 58 total centerline miles of roadway and that the pavement assessment identified approximately 17.7 to 18 centerline miles in "fair" condition that can be addressed by city crews without outside contractors. Roads in "poor" or "failed" condition require full-depth reconstruction through outside contractors using OPWC grants or capital improvement funds. She explained that the \$100,000 would fund three pieces of equipment: a skid steer, a 30-inch mill attachment (an upgrade from the city's current 10-inch mill), and a pavement roller. No additional training or certifications are required for operators. She noted: "If we can tackle those 18 miles of our 58 miles each year, that gets smaller and smaller, and then our blue and our green get bigger and bigger."

Council President Pro Tem Morrison inquired whether specialized training or certification was required for the equipment's operators. Director Rowlands confirmed there was not, and that current staff would train incoming employees on its use.

Councilor Dixon requested that the pavement condition map distributed to council be made publicly available. Director Rowlands confirmed it would be posted, noting it is a preliminary snapshot pending the full assessment.

Motion to introduce Ordinance No. 045-2026 will be made by Councilor Elmore and seconded by Councilor Brown. The motion is for first reading, with adoption scheduled for June 2, 2026.

Draft #3 – Ordinance No. 046-2026

Approving a Fund Transfer of \$25,621.68 from the Town & Country Incentive Account (279.000.50003) to the Debt Service Fund (401).

Councilor Elmore presented this item. City Auditor Alexander explained that the funds are being transferred to service bond debt issued in 2014 and 2016 for the acquisition and improvement of property within the Town and Country TIF district, including the Commons at Royal Landing streetscape and land acquisition. He stated that under the Auditor of State's requirements, all debt retirement payments must flow through the Debt Service Fund (401), and that TIF revenues from the Town and Country district are pledged to service this specific debt.

Councilor Dixon sought clarification on the mechanics of drawing from the Town and Country incentive account. City Auditor Alexander explained that Fund 279 contains multiple ledger accounts—cash, expense, asset, and liability accounts—and that the pledged TIF dollars within that fund are the designated revenue source for this debt. He confirmed the transfer is a routine and legally required step in the debt service process.

Motion to introduce Ordinance No. 046-2026 will be made by Chairperson Elmore and seconded by Councilor Morrison. The motion was received for first reading, with adoption scheduled for June 2, 2026.

Draft #4 – Ordinance No. 047-2026

Approving a Fund Transfer of \$226,262.50 from the Police Department Tax Levy Fund (280) to the Debt Service Fund (401).

Councilor Elmore presented this item. City Auditor Alexander noted this is directly analogous to the Town and Country transfer: voter-approved property tax levy revenues collected by Franklin County and distributed to Whitehall are deposited into Fund 280, a restricted special revenue account, and must be transferred to the Debt Service Fund to service the bonds issued for the construction of the new police station. He reiterated that these funds are never commingled with the general fund.

Motion to introduce Ordinance No. 047-2026 will be made by Councilor Elmore and seconded by Councilor Morrison. The motion was received for first reading, with adoption scheduled for June 2, 2026.

Draft #5 – Ordinance No. 048-2026

Appropriating \$130,000.00 from Unappropriated Monies in the Plumbing Permits Fund (851) to the Plumbing Permits Expense Account (851.000.50000) and Declaring an Emergency.

Director of Economic Development Jackie Russell explained that the city collects plumbing permit fees and remits 60 percent to Franklin County for inspection services, retaining 40 percent. The current 2026 appropriation proved insufficient to cover anticipated invoices for the remainder of the year, including a single April 2026 invoice exceeding \$47,000. She confirmed that the cash balance in Fund 851 is well-funded with an unencumbered balance exceeding \$137,000 and year-to-date permit revenue in excess of \$120,000—no transfer from any other fund is required. The appropriation is structured to cover the full anticipated year-end need in a single action to avoid repeated supplemental appropriations to the council.

City Auditor Alexander confirmed upon inquiry that all funds needed are already held within Fund 851 and that no transfer from the general fund or any other source is involved—the appropriation simply authorizes expenditure from existing, unappropriated cash within the fund.

Motion to introduce Ordinance No. 048-2026 will be made by Councilor Elmore and seconded by Councilor Adkins. The motion was received for first reading, with adoption scheduled for June 2, 2026.

Draft #6 – Resolution No. 021-2026

Resolving to Approve "Then and Now" Certificates.

City Auditor Alexander explained that Ohio Revised Code Section 5705.41(D)(1) requires that "then and now" certificates of \$3,000 or more be approved by council resolution or ordinance within 30 days of issuance. These arise when disbursements are made outside the normal purchase order workflow due to time sensitivity—such as credit card purchases, emergency items including police cruisers, or essential software subscriptions. He noted this type of resolution comes before council approximately once every four to six weeks.

Motion to introduce Resolution No. 021-2026 will be made by Councilor Elmore and seconded by Councilor McCann. The motion was received for first reading, with adoption scheduled for June 2, 2026.

Councilor Elmore closed the Administration and Financial Management Committee at 8:27 PM.

Community and Elder Advocacy – Chairperson Harcar

Members: Adkins, Dixon, Brown

Councilor Harcar opened the Community and Elder Advocacy Committee at 8:28 PM. No drafts or pending legislation were before the committee. Councilor Harcar took the opportunity to thank all those involved in the Memorial Day event held the prior day, extending particular thanks to Councilor McCann for his remarks at the ceremony and to the mayor's team, who planned and executed the event. Councilor Harcar closed the Community and Elder Advocacy committee at 8:29 PM.

Community Standards and Enforcement – Chairperson McCann

Members: Dixon, Elmore, Harcar

Councilor McCann opened the Community Standards and Enforcement Committee at 8:29 PM.

Draft #7 – Ordinance No. 049-2026

An Ordinance to Amend Section 505.23 of the Whitehall Codified Ordinances to Prohibit the Feeding of Deer.

Councilor McCann recognized Councilor Elmore, who explained that she first introduced this legislation in late 2024, and that it was placed on hold before being reintroduced. She cited the growing deer population as a hazard to motorists, a threat to plant life, and a cause of landscape damage for both residential and commercial property owners. She noted that feeding concentrates deer in urban areas, makes them reliant on non-native food sources, and poses health risks to the animals themselves.

City Attorney Nicodemus explained the drafting approach: rather than create a new standalone ordinance, the existing Section 505.23—which already prohibited feeding waterfowl—was amended to also prohibit feeding deer. He noted that the waterfowl ordinance had been effective since its enactment, with few enforcement issues. The penalties are structured on an escalating basis: a first offense is a minor misdemeanor (fine only), while second and subsequent violations are fourth-degree misdemeanors, which allow courts to impose probation with potential jail time as a compliance tool. City Attorney Nicodemus noted that, to his knowledge, no one has been jailed for feeding waterfowl under the existing ordinance.

Councilor Adkins asked who would be responsible for enforcing the ordinance. City Attorney Nicodemus confirmed that while law enforcement technically has jurisdiction under the 500-series code, enforcement would primarily rest with code enforcement officers and animal control. Director Rowlands noted that the recruitment process for an additional code enforcement officer is underway, with the application period closing in approximately two weeks before interviews begin.

City Attorney Nicodemus confirmed that public outreach notifying residents of the change would be coordinated with the Department of Neighborhoods and Director Rowlands' office, potentially through mailers, the city website, and direct contact with known deer-feeding locations. He also confirmed that a longer-term management strategy, similar to Worthington's engagement with the Ohio Department of Natural Resources for a deer population survey and potential harvest program, may follow if the feeding prohibition alone does not reduce the deer concentration.

The committee noted that the ordinance does not restrict bird or squirrel feeders or naturally growing vegetation.

Ordinance No. 049-2026 is to have three readings, will be introduced by Councilor McCann and seconded by Councilor Elmore, with adoption scheduled for July 7, 2026.

Draft #8 – Ordinance No. 050-2026

Amending Section 1111.10 of the Planning and Zoning Code to Promote the Safety of Drive-Thru Facilities by Requiring By-Pass Lanes and Emergency Vehicle Egress in the City of Whitehall; and Declaring an Emergency.

Councilor McCann recognized Councilor Harcar, who explained that this legislation is modeled on Ohio House Bill 264, known as "Megan's Way Out," which is currently stalled in the State House. She explained that Megan Keleman, a resident of Stow, Ohio, was killed in a murder-suicide while trapped in a single-lane, curbed drive-through with no means of egress. Councilor Harcar stated that she had spoken with Megan's father, Nick, on the day of the meeting, and that he, his wife, and a family friend plan to attend the June 9 council meeting to make a special presentation. She stated: "I thought it was really important that the family was involved and their input was here."

Director Russell explained the technical changes the ordinance makes to the existing zoning code. She noted that the existing code already required a bypass lane but provided no minimum dimensions or specifications—rendering it effectively unenforceable. The new language, adapted from the House Bill 264 template, requires a minimum 10-foot bypass lane that is clear and unobstructed by curbs or barriers, includes visible signage, and provides adequate clearance for public safety vehicles. The

ordinance applies to newly constructed drive-through facilities and those undergoing structural alterations requiring a zoning permit. Existing drive-through facilities that are not undergoing major renovation would not be required to retrofit.

Director Russell noted that Culver's, which is separately under consideration for a special permit at 4600 East Broad Street, already naturally complies with the bypass lane requirement due to its standard drive-through design.

Councilor Harcar confirmed that after consulting with Megan's father, the family is comfortable with the July 7 adoption timeline, as it allows the public to hear the family's presentation on June 9 before the vote is taken.

Director Russell clarified that because this is a planning and zoning code amendment, it requires review by the Planning Commission and three readings at council. The public hearing, to be set in coordination with the council clerk, would likely fall on the date of the third reading, which is July 7, 2026, given the calendar's constraints.

Ordinance No. 050-2026 will be on third reading, introduced by Councilor McCann and seconded by Councilor Harcar, with the public hearing and adoption scheduled for July 7, 2026.

Councilor McCann closed the Community Standards and Enforcement Committee at 8:45 PM.

Economic Development – Chairperson Dixon

Members: McCann, Morrison, Brown

Councilor Dixon opened the Economic Development Committee at 8:45 PM.

Third Reading – Ordinance No. 034-2026

Allowing a Special Permit Under Section 1125.04 to Allow Drive-Through Facilities on the Property Located at 4600 East Broad Street, Parcel Numbers 090-008427-00 and 090-008249-00, Property Owned by Meyer Foods Management Company, and Declaring an Emergency. (Public Hearing scheduled June 2, 2026 – Adoption scheduled June 2, 2026)

Director Russell reported that the Planning Commission held a meeting the prior week and approved the Culver's special permit application unanimously, with one condition: that natural screening be installed along the northern side of the property adjacent to the Norton Crossing apartments to shield headlights from residents as vehicles navigate the drive-through. Director Russell explained that the drive-through enters from the rear of the lot via Passage Drive, wraps around the bank side of the building, and then comes around to the front facing Norton Crossing, creating a headlight impact on apartment residents. The condition requires landscaping—not a fence—of sufficient height to screen both standard vehicles and taller trucks.

Councilor Brown raised a broader strategic question about balancing the city's desire to attract new businesses—including drive-through-oriented tenants—against the city's zoning code, which generally promotes walkable, street-oriented, mixed-use development. He acknowledged the specific merits of Culver's on a site that has sat vacant for more than ten years, but expressed concern about a pattern of filling single vacant sites with drive-through uses rather than creating meaningfully different commercial districts over time.

Director Russell responded substantively, explaining that the Economic Development team evaluates each application against both the city's blueprint strategic plan and the existing built environment. She noted that for this particular site—surrounded by active banks not expected to vacate soon—requiring a mixed-use project would have been impractical and would have foreclosed this redevelopment opportunity. She stated: "A tenant like Culver's that we know is going to a lot that's been empty for probably 10 years or more is something that we think is a great mix because it also fits the built environment." She acknowledged Councilor Brown's broader concern and described the team's ongoing efforts to evaluate where current zoning uses are becoming ill-suited—gas stations on Main Street being

cited as one example where the anticipated arrival of Bus Rapid Transit will change traffic patterns significantly.

Director Russell also noted that the team had successfully negotiated Culver's down from six or seven variance requests to three: "We're just really trying to work to make projects as close to our code as possible and not just giving a variance because somebody wants it."

Councilor Dixon noted the public hearing for this ordinance is scheduled for June 2, 2026, and invited any members of the public who have thoughts on the Culver's application to attend.

Ordinance No. 034-2026 is on third reading. Councilor Dixon will introduce the item, and it will be seconded by Councilor McCann. Adoption is scheduled for June 2, 2026 following the public hearing.

Second Reading – Resolution No. 019-2026

Authorizing and Approving a Plan of Industrial, Commercial, Distribution, and Research Development and One or More Agency Agreements with the Whitehall Community Improvement Corporation (WCIC) and Declaring an Emergency.

Director Russell prefaced her explanation by acknowledging that the title of this resolution is more complicated than its substance. She then provided a thorough history and explanation of the Whitehall Community Improvement Corporation (WCIC).

Background on the WCIC

Director Russell read from the original 1984 legislation creating the WCIC, quoting its purpose: "to advance, encourage, and promote industrial, economic, commercial, and civic development of the city of Whitehall." She explained that the WCIC has functioned primarily as a land bank, holding properties acquired through delinquent taxes or returned from failed development agreements. She noted that a key legal rationale for using the WCIC is that the city itself cannot receive revenues—if the city buys a property and later sells it, it must sell at the same price paid. The WCIC, as a nonprofit entity, can acquire and sell property at appreciated market value, allowing the city to benefit from land appreciation over time.

She described the WCIC's board composition: up to fifteen members, currently ten voting members and a non-voting secretary. Ohio law requires that 40 percent of the board be elected officials or city-appointed members, ensuring that the WCIC cannot operate independently of city interests. The remaining members may be any person, partnership, or corporation that is a resident of or does business in Whitehall. Current board members include local commercial real estate professionals.

Director Russell cited the Norton Crossing development as an example of the WCIC's role: after COSIC (the Central Ohio Community Improvement Corporation) demolished delinquent properties, those parcels were transferred to the WCIC, which then served as a third-party holder in the agreement with the Norton Crossing developer, allowing the city to simultaneously provide economic incentives. She also described the Habitat for Humanity and COSIC partnerships through which the WCIC has facilitated affordable single-family home construction on residential lots.

Purpose of This Legislation

Director Russell explained that this resolution is not creating new powers for the WCIC—all of those powers derive from the 1984 legislation and the applicable Ohio Revised Code provisions. Rather, it memorializes the existing relationship between the city and the WCIC in a single document and re-designates the WCIC as the city's economic development agent, which is standard practice. She noted that comparable communities—New Albany, Hilliard, and Westerville among them—all have similar agreements with their community improvement corporations and typically renew them every ten to fifteen years. She stated: "We just realized that we weren't doing, we didn't have a memorializing document that brought this to light, but that we re-memorialize that relationship."

Director Russell also described the WCIC's forward potential, noting that it has historically been underutilized. She expressed a vision in which the WCIC could administer small business facade grants, signage improvement programs, and other targeted economic development initiatives, funded by modest general fund contributions. She stated: "If we could partner with the CIC to do them and fund out of the general fund, even small amounts of 20,000 dollars to do a couple small business grants a year, we could start to clean up some of the areas that maybe people aren't as proud of in the business community."

City Auditor Alexander noted that the WCIC is a component unit of the City of Whitehall for audit purposes, discreetly presented in the city's financial statements, and that he serves as the WCIC's treasurer and chief financial officer. He confirmed that WCIC financials—revenues, expenses, balance sheet, and assets held for resale—are publicly reported and available through the city's annual audit. He drew a parallel between this legislation and the investment policy he previously brought to council: not legally required, but valuable as a documented, council-approved framework for how the city and WCIC operate together.

Councilor Dixon raised questions about the WCIC's decision-making structure, who appoints members, and the distinction between the city and the WCIC in terms of revenue generation. Director Russell clarified that the mayor makes appointments in practice, with staff recommendations, and that the board itself votes to accept new members. On revenue, she confirmed that the city cannot receive revenue from commercial activities, while the WCIC can. She stated: "The more property that we have under our control and we can sell it to a developer or sell it to an end user that we know is going to build what we want, the better chance we have in controlling some of those conversations."

City Attorney Nicodemus noted that the designation of the WCIC as economic development agent, while already existing in the 1984 legislation, is best practice to reaffirm in a current agreement that consolidates all powers and expectations into one reference document.

Councilor Brown inquired about potential conflicts of interest given his membership on the WCIC board. City Attorney Nicodemus advised that, as an elected official required by law to sit on the board, his participation in a council vote approving the WCIC agreement is not a conflict, though he noted Councilor Brown has the discretion to abstain if he deems it appropriate. No abstention was formally entered at this time.

City Attorney Nicodemus also noted that he would confirm with Director Russell whether a public hearing is actually required for this legislation, as it is simply executing an agreement rather than creating new authority.

House Bill 184 – Economic Development Confidentiality Warning

Director Russell then addressed a significant new development in Ohio law: House Bill 184, effective as of late March 2026, which amended Ohio Revised Code Section 9.669 (the public records code) to make certain economic development information non-public. She explained that any information provided to the city in connection with any form of economic assistance—including CRAs, income tax reimbursement agreements, TIF agreements, development agreements, and potentially even building permits that are part of a larger incentivized project—is no longer a public record and may not be shared publicly. Violators, including elected officials, city staff, and past or present public officials, may be subject to misdemeanor charges.

She explained that this creates a direct conflict with some statutory obligations—CRA agreements, for example, require the city to publicly disclose job counts, payroll levels, and investment figures—while other aspects of the same agreement are now protected. She stated: "It puts us in a predicament where we have to balance two pieces of legislation and have to be very careful with what we do."

Director Russell explained that the practical result is that any economic development project involving a request for economic assistance will need to be discussed in executive session, where council members can be fully briefed without violating the confidentiality requirements. She apologized in advance for

the increased time that may be required in executive session and committed to distributing a memo prepared by outside counsel Brown Todd and reviewed by City Attorney Nicodemus.

City Attorney Nicodemus acknowledged that the law is creating difficulties for public transparency and noted that the Ohio Municipal League and other entities are actively working to lobby for changes. He noted: "I think it'll get fixed. I just don't know if it'll be this session, this year, or this decade."

Director Russell confirmed that information already publicly discussed—such as projects that have been presented at past council meetings—would not be retroactively removed from the public record, but that no new information related to those agreements would be voluntarily released going forward.

Councilor Dixon expressed concern on behalf of the public, stating: "The folks out there, you need to understand this and give your representatives a call about what is being done to fix this." City Attorney Nicodemus noted that Franklin County Auditor had authored an op-ed piece describing how HB 184 erodes government transparency.

Council members across the dais expressed significant frustration at the breadth of the new law's application, with Councilor Harcar characterizing it as "a mess" and several members expressing concern about being unable to respond to direct constituent inquiries about pending development projects. Director Russell is committed to working through all existing and future projects with the guidance of outside counsel to ensure compliance.

Resolution No. 019-2026 is on a second reading. It will be introduced by Councilor Dixon and seconded by Councilor Morrison. The adoption is scheduled for June 16, 2026.

Councilor Dixon closed the Economic Development Committee at 9:44 PM.

Infrastructure, Maintenance, and Services – Chairperson Brown

Members: Morrison, Dixon, Adkins

Councilor Brown opened the Infrastructure, Maintenance, and Services Committee at 9:44 PM. There were no drafts or pending legislation. Councilor Brown thanked Director Rowlands for her continued work and for providing the pavement condition information distributed during the Administration and Financial Management Committee. He closed the Infrastructure, Maintenance, and Services committee at 9:44 PM.

Public Safety – Chairperson Morrison

Members: Elmore, Adkins, Harcar

Councilor Morrison opened and closed the Public Safety Committee at 9:45 PM. There were no drafts or pending legislation.

Parks and Recreation – Chairperson Adkins

Members: Elmore, Harcar, McCann

Councilor Adkins opened the Parks and Recreation Committee at 9:45 PM. There were no drafts or pending legislation. Councilor Brown took the opportunity to thank Parks and Recreation Director Brady for her coordination of the community conversation event with himself and City Auditor Alexander, including facilitating a walkthrough the prior Friday, managing setup, and remaining until the building closed after the event. City Auditor Alexander echoed that recognition, stating: "We have the best parks and rec director in the county and in the state and I will bet my top dollar on that." Councilor Adkins closed the Parks and Recreation committee at 9:46 PM.

Return to Committee of the Whole – Proposed Rule #2 (Campaigning/Electioneering)

Councilor Dixon requested that the body return to the second proposed rule change—the prohibition on campaigning and electioneering from the dais—which had been deferred pending City Attorney Nicodemus's research. City Attorney Nicodemus confirmed he was unable to provide a complete legal opinion during the meeting and would do so the following week. Councilor Dixon indicated his intent to continue advancing the rule regardless of the legal interpretation, reaffirming his position that campaigning and electioneering have no place on the council dais. Council President Pro Tem Morrison acknowledged the matter would return the following week.

Council President Pro Tem Morrison adjourned the meeting at 9:47 PM.

Submitted by:

Julie A. Ogg, Clerk of Council

APPROVED: June 2, 2026

Thomas M. Potter, Council President

ORDINANCE NO. 034-2026

ALLOWING A SPECIAL PERMIT UNDER 1125.04 TO ALLOW DRIVE-THROUGH FACILITIES ON THE PROPERTY LOCATED AT 4600 E BROAD STREET, PARCEL NUMBER 090-008427-00 and 090-008249-00, PROPERTY OWNED BY MEYER FOODS MANAGEMENT COMPANY, AND DECLARING AN EMERGENCY.

WHEREAS, Council has received a new application from the Mannik and Smith Group LLC on behalf of Meyer Foods Management Company for a special use permit to permit drive-through facilities on land located at 4600 E Broad Street; and

WHEREAS, Said request for a special permit was referred to the Planning Commission Case No. 904, which reported a FAVORABLE recommendation on said request; and

WHEREAS, Council has held a Public Hearing after due notice according to law; NOW, THEREFORE,

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

SECTION 1: If development of the special permit use does not commence within a period of one year, the approval shall be voided unless an application for a specified time extension of six months is submitted to and granted by Council.

SECTION 2: 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 the further reason that the project is supported by and is in line with the goals of the Whitehall Works Comprehensive Development Blueprint adopted by City Council on July 16, 2019; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

PASSED this _____ day of _____, 2026

ATTEST:

Clerk of Council

President of Council

APPROVED this ____ day of _____, 2026

Mayor

Requested by: Mannik and Smith Group LLC (Applicant)
Prepared by: Curtis Nutter, Intern
Approved as to form: Kylie Keitch, Asst. City Attorney kk/jo 4/21/2026

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PASSED this _____ day of _____, 2026

ATTEST:

Clerk of Council

President of Council

APPROVED this ____ day of _____, 2026

Mayor

Requested by: Mannik and Smith Group LLC (Applicant)
Prepared by: Curtis Nutter, Intern
Approved as to form: Kylie Keitch, Asst. City Attorney kk/jo 4/21/2026

RESOLUTION NO. 019-2026

AUTHORIZING AND APPROVING A PLAN OF INDUSTRIAL, COMMERCIAL, DISTRIBUTION, AND RESEARCH DEVELOPMENT, AND ONE OR MORE AGENCY AGREEMENTS WITH THE WHITEHALL COMMUNITY IMPROVEMENT CORPORATION AND DECLARING AN EMERGENCY.

WHEREAS, the Section 13 of Article VIII of the Ohio Constitution provides that, to create and preserve jobs and employment opportunities and to improve the economic welfare of the people of the State, it is in the public interest and a proper public purpose for a municipal corporation, its agencies or instrumentalities, or corporations not for profit designated by such municipal corporation as its agency or instrumentality, to perform the acts and exercise the powers therein provided; and

WHEREAS, the Whitehall Community Improvement Corporation (the "Corporation"), an Ohio corporation not for profit, has been formed pursuant to Chapter 1724 of the Ohio Revised Code (the "Act"); and

WHEREAS, this Council, by its Resolution No. 13-84, adopted April 17, 1984, designated the Corporation as the agency for the City of Whitehall (the "City") for the industrial, commercial, distribution, and research development in the City; and

WHEREAS, Section 1724.10(B) of the Act permits any political subdivision that has designated a community improvement corporation as an agency to prepare a plan and to enter into one or more agreements by and between the political subdivision and community improvement corporation for the purposes set forth in the Act; and

WHEREAS, the Act, and specifically Section 1724.10B(1), permits the Corporation to prepare a plan for of industrial, commercial, distribution, and research development, or of reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property, and which such plan shall be confirmed by the legislative authority of the political subdivision; and

WHEREAS, the Act, and specifically Section 1724.10(B)(2), permits the City and the Corporation, as the designated agency of the City, to enter into an agreement to provide, among other things, authorization for the Cooperation to sell or to lease any real property or interests in real property owned by City determined from time to time by this Council not to be required by the City for its purposes, for uses determined by the this Council as those that will promote the welfare of the people of the City, stabilize the economy, provide employment, assist in the development of industrial, commercial, distribution, and research activities to the benefit of the people of the political subdivision, will provide additional opportunities for their gainful employment, or will promote the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property within the subdivision; and

WHEREAS, the Act, and specifically Section 1724.10(B)(3), permits the City and the Corporation, as the designated agency of the City, to enter into an agreement to provide, among other things, that the City will convey to the Corporation real property and interests in real property owned by the City and determined by this Council not to be required by the City for its purposes and that such conveyance of such real property or interests in real property will promote the welfare of the people of City, stabilize the economy, provide employment, assist in the development of industrial, commercial, distribution, and research activities to the benefit of the people of the City, provide additional opportunities for their gainful employment or will promote the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property in the subdivision, for the consideration and upon the terms established in the agreement, and further that as the agency for development or land reutilization Corporation may acquire from others additional real property or interests in real property, and any real property or interests in real property so conveyed by it for uses that will promote the welfare of the people of the City, stabilize the economy, provide employment, assist in the development of industrial, commercial, distribution, and research activities required for the people of the City and for their gainful employment or will promote the reclamation, rehabilitation, and reutilization of vacant, abandoned, tax-foreclosed, or other real property in the City; and

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WHEREAS, there are substantial and pressing problems including but not limited to the development and encouragement of industry, commerce, distribution and research within the confines of this City, which problems may best be solved by and with the assistance of the Corporation; and

WHEREAS, this Council has determined to provide for the confirmation of the a plan and authorization and authority for the execution and delivery of one or more agreement between the City and the Corporation all as permitted and provided for in the Act;

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

SECTION 1. Plan of the Corporation. The Council hereby confirms the form of the Plan of Industrial, Commercial, Distribution, and Research Development of the Corporation (the "Plan") pursuant to Section 1724.10(B)(1) of the Act, in the form presently on file with the Clerk of Council, and conforming the terms and provisions of such Plan in all respects. The Mayor and City Auditor, for and in the name of this City, are hereby authorized to execute and deliver any documents or agreements necessary or appropriate to enter into and effectuate the Plan, including any document, agreement or instrument which includes an Agreement described and authorized by Section 2 of this Resolution, provided further that the approval of changes thereto by those officials, and their character as not being substantially adverse to the City, shall be evidenced conclusively by the execution thereof.

SECTION 2. Agreement Regarding Real Property. The form of Agreement by and between this City and the Corporation pursuant to Sections 1724.10(B)(2) and (3), in the form presently on file with the Clerk of Council, is hereby approved and authorized with changes therein not inconsistent with this Resolution and not substantially adverse to this City and which shall be approved by the Mayor and City Auditor, or each individually. The Mayor and City Auditor, for and in the name of this City, are hereby authorized to execute the Agreement, provided further that the approval of changes thereto by those officials, and their character as not being substantially adverse to the City, shall be evidenced conclusively by the execution thereof.

SECTION 3. Further Authorization. The Mayor and City Auditor, or each individually, are hereby authorized and directed to execute such other documents and to take such other actions as may be necessary or appropriate to carry out the purposes of this Resolution, the Plan, or any Agreement authorized herein.

SECTION 4. Open Meetings. This Council finds and determines that all formal actions of this Council and any of its committees concerning and relating to the passage of this ordinance were taken in an open meeting of this Council or any of its committees, and that all deliberations of this Council and any of its committees that resulted in those formal actions were in meetings open to the public, all in compliance with the law including ORC Section 121.22.

SECTION 5. Effective Date. This resolution is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, or welfare of the City, and for the further reason that this resolution is required to be immediately effective in order to cause the development of the Incentive District and construct the public park and other public infrastructure improvements contemplated by this ordinance and agreements of the City; wherefore, this resolution shall be in full force and effect immediately upon its passage.

PASSED this _____ day of _____, 2026.

ATTEST:

Clerk of Council

President of Council

RESOLUTION NO. 019-2026

APPROVED this ____ day of _____, 2026.

Mayor

Requested and Prepared by: Jackie Russell, Director of Economic Development
Approved as to form by: Bradley S. Nicodemus, City Attorney bsn 05/15/2026

ORDINANCE NO. 045 -2026

AUTHORIZING AND APPROVING A FUND TRANSFER IN THE AMOUNT OF ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00) FROM UNAPPROPRIATED MONIES IN THE GENERAL FUND (101) TO THE ST MAINTENANCE & REPAIR FUND (201) AND MAKING A SUPPLEMENTAL APPROPRIATION OF ONE HUNDRED THOUSAND AND NO/100 DOLLARS (\$100,000.00) FROM UNAPPROPRIATED MONIES IN THE ST MAINTENANCE & REPAIR FUND (201) TO THE NEW EQUIPMENT EXPENSE ACCOUNT (201.000.53000).

WHEREAS, the City of Whitehall maintains approximately 58 total centerline miles of roadway; and

WHEREAS, the City’s pavement assessment identified approximately 18 centerline miles of roadway that could be repaired by the City Service Department without outside contracting and project awards; and

WHEREAS, the City desires to purchase a new 30” mill attachment and pavement roller to complete these jobs;
NOW, THEREFORE,

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

SECTION 1: That there be and is hereby transferred the sum of one hundred thousand and no/100 dollars (\$100,000.00) from unappropriated monies in the General Fund (101) to the St Maintenance & Repair Fund (201) and makes a supplemental appropriation of one hundred thousand and no/100 dollars (\$100,000.00) from unappropriated monies in the St Maintenance & Repair Fund (201) to the New Equipment expense account (201.000.53000).

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 shall go into full force and effect immediately upon its passage and approval by the Mayor.

PASSED this ____ day of _____, 2026.

ATTEST:

Clerk of Council

President of Council

APPROVED this ____ day of _____, 2026.

Mayor

ORDINANCE NO. 046-2026

APPROVING AND MAKING A FUND TRANSFER IN THE AMOUNT OF TWENTY-FIVE THOUSAND SIX HUNDRED TWENTY-ONE AND 68/100 (\$25,621.68) FROM ACCOUNT TOWN & COUNTRY INCENTIVE (279.000.50003) TO THE DEBT SERVICE FUND (401).

WHEREAS, bonds were issued on June 22, 2016, for the purchase of the Commons at Royal Landing, Streetscape Improvements, and land acquisition; and

WHEREAS, bonds were issued on September 30, 2014, to make infrastructure improvements and to purchase blighted property; and

WHEREAS, Ordinance 119-2025 appropriated monies for the purpose of repayment of these bonds; and

WHEREAS, the Auditor of State requires bond retirement payments and other long-term debt obligations to be paid from the Debt Service Fund; NOW, THEREFORE,

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

SECTION 1: The Council of the City of Whitehall hereby approves a fund transfer in the amount of Twenty-Five Thousand Six Hundred Twenty-One and 68/100 Dollars (\$25,621.68) from the Town & Country Incentive Account (279.000.50003) to the Debt Service Fund (401).

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

SECTION 3: This ordinance shall take effect and be in full force immediately upon its passage and approval by the Mayor.

PASSED this ____ day of _____, 2026.

ATTEST:

Clerk of Council

President of Council

APPROVED this ____ day of _____, 2026.

Mayor

ORDINANCE NO. 047-2026

APPROVING A FUND TRANSFER IN THE AMOUNT OF TWO HUNDRED TWENTY-SIX THOUSAND TWO HUNDRED SIXTY-TWO DOLLARS AND 50/100 (\$226,262.50) FROM THE POLICE DEPARTMENT TAX LEVY FUND (280) TO THE DEBT SERVICE FUND (401).

WHEREAS, bonds were issued on January 25, 2023, and October 24, 2023, for the purpose of financing additions and renovations to the City’s Police Station; and

WHEREAS, Ordinance 119-2025 appropriated monies for the purpose of repayment of these bonds; and

WHEREAS, monies from the May 2022 voter-approved property tax levy for this purpose have been received from the Franklin County Auditor; and

WHEREAS, the Auditor of State requires bond retirement payments and other long-term debt to be paid from the Debt Service Fund; NOW, THEREFORE,

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

SECTION 1: The Council of the City of Whitehall approves a fund transfer in the amount two hundred twenty-six thousand two hundred sixty-two dollars and 50/100 (\$226,262.50) from the Police Department Tax Levy Fund (280) to the Debt Service Fund (401).

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 shall go into full force and effect immediately upon its passage and approval by the Mayor.

PASSED this ____ day of _____, 2026.

ATTEST:

Clerk of Council

President of Council

APPROVED this ____ day of _____, 2026.

Mayor

ORDINANCE NO. 048 -2026

AN ORDINANCE APPROPRIATING ONE HUNDRED THIRTY THOUSAND AND 00/100 DOLLARS (\$130,000.00) FROM UNAPPROPRIATED MONIES IN THE PLUMBING PERMITS FUND (851) TO THE PLUMBING PERMITS EXPENSE ACCOUNT (851.000.50000).

WHEREAS, the City of Whitehall, Ohio (the "City") maintains Fund 851 (Plumbing Permits) to account for plumbing permit fees collected by the City and to fund the City's share of related plumbing inspection costs; and

WHEREAS, the City has entered into an agreement with Franklin County under which the costs of plumbing inspection services are shared between the County and the City on a 60/40 basis; and

WHEREAS, the current 2026 appropriation in the Plumbing Permits Expense Account (851.000.50000) is insufficient to cover anticipated invoices owed to Franklin County for the remainder of the calendar year, including a single April 2026 invoice that exceeds \$47,000.00; and

WHEREAS, sufficient unappropriated monies are available within Fund 851 to support the requested appropriation, the Fund holding an unencumbered balance of more than \$137,000.00 and having received year-to-date permit revenue in excess of \$120,000.00; and

WHEREAS, appropriating these monies in a single ordinance will enable timely payment of inspection invoices and will avoid the administrative burden of repeated supplemental appropriations to Council for each individual invoice; NOW, THEREFORE

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

SECTION 1: The Council of the City of Whitehall hereby appropriates the sum of one hundred thirty thousand and 00/100 dollars (\$130,000.00) from unappropriated monies in the Plumbing Permits Fund (851) to the Plumbing Permits Expense Account (851.000.50000).

SECTION 2: The City Auditor is hereby authorized to draw warrants upon the Treasurer of the City for payments from said account for the purpose stated in this Ordinance.

SECTION 3: This Ordinance shall take effect and be in force immediately upon its passage and approval by the Mayor.

PASSED this ____ day of _____, 2026.

ATTEST:

Clerk of Council

President of Council

APPROVED this ____ day of _____, 2026.

Mayor

ORDINANCE NO. 049-2026

ORDINANCE NO. 00-2026

AN ORDINANCE TO AMEND 505.23 OF THE WHITEHALL CODIFIED ORDINANCES TO PROHIBIT THE FEEDING OF DEER.

WHEREAS, the City has observed that there is a significant and growing deer population; and

WHEREAS, the deer population in the City poses a hazard to motorists in the City, causes a reduction in plant life, and causes damage to landscaping installed by residents and commercial landowners of the City; and,

WHEREAS, the feeding of deer has been shown to increase the concentration of deer in the area of feeding, thereby increasing the likelihood of a) collisions between vehicles and deer, and b) damage to vegetation and landscaping in the area; and,

WHEREAS, the feeding of deer has been shown to encourage them to remain in urbanized areas and to become reliant on non-native food sources that may not be sustainable or healthy; and,

WHEREAS, Council finds that the adoption of an ordinance regulating the feeding of deer promotes the health, safety, and welfare of the citizens of the City is necessary; NOW, THEREFORE,

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

SECTION 1: That Section 505.23 of the Whitehall Codified Ordinances, titled "Feeding of Waterfowl Prohibited" is hereby amended as follows:

505.23 FEEDING OF WATERFOWL AND DEER PROHIBITED.

(a) Feeding Waterfowl Prohibited:

(1) No person shall purposely feed, ~~cause to be fed, or provide or make food available for consumption by~~ for domestic or migratory waterfowl on private or public property within the City. ~~of Whitehall and no person shall create or foster any condition, or allow any condition to exist or continue, which results in a congregation or congestion of domestic or migratory waterfowl in residential areas of the City of Whitehall.~~

(2) No person shall recklessly feed or make food available for consumption by domestic or migratory waterfowl on private or public property within the City.

(3) No person shall create or foster ~~and~~ a condition which results in a congregation of congestion of domestic or migratory waterfowl on private or public property within the City.

(b) Feeding Deer Prohibited:

(1) No person shall purposely feed or make food available for consumption by deer on private or public property within the City.

(2) No person shall recklessly feed or make food available for consumption by deer on private or public property within the City.

(c) Removal Required: Each property owner or person having control of the property shall have the duty to remove any device or materials placed on the owner's property in violation of this section. Alternatively, a property owner or person having control of the property may modify such a device or make other changes to the property that prevent waterfowl or deer from having access to the materials or feeding from the device.

(d) Exceptions to Prohibitions.

(1) The prohibitions in this section shall not apply to any health department employee, law enforcement officer, or state or federal game official acting within the scope of his or her official duties.

(2) The prohibitions in this section shall not apply to feeding waterfowl that is authorized and conducted by the City.

ORDINANCE NO. 049-2026

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The prohibitions in this section shall not apply to feeding deer that is authorized as part of a deer management program.

~~(a)~~(e) Definitions: For the purposes of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

- (1) DOMESTIC WATERFOWL. Non-native ducks, geese, and swans, ~~and not~~ retained in agricultural operations.
- (2) FEED OR FEEDING. The act of or furnishing of food or other sustenance.
- (3) MIGRATORY WATERFOWL. Migration occurs, and waterfowl is considered to be migratory, when large portions of a bird species make regular annual movements between two or more places. Often, this migration occurs due to annual temperature changes, s which affect food resources and breeding opportunities.
- (4) NON-MIGRATORY WATERFOWL. Waterfowl that may fly large distances within a day, but return to a particular area by night. Such species can spend their entire lives in one area.
- (5) RESIDENT CANADA GEESE. Canada Geese that nest within the conterminous United States and/or Canada Geese, or domestic waterfowl on any public or private property within the boundaries of the City. Exceptions to this will only be granted through state and/or federal permitting processes.
- (6) FEEDING OR MAKING FOOD AVAILABLE. Feeding or making food available for consumption shall include the act of placing or permitting to be placed on the ground, or within five feet of the ground, any device or any fruits, grains, minerals, plants, salt licks, vegetables, seeds, nuts, hay, or any other edible materials that may reasonably be expected to result in consumption by migratory waterfowl or deer, unless such items are screened or otherwise protected from migratory waterfowl or deer consumption.
 - a) The presumption that the placement of any fruits, grains, minerals, plants, salt licks, vegetables, seeds, nuts, hay, or any other edible materials is for consumption by migratory waterfowl or deer shall not apply to the following:
 1. Naturally growing materials, including but not limited to fruit, grain, nuts, seeds, hay, and vegetables.
 2. Planted materials growing in gardens and lawns, as ornamental plants, or shrubs, standing crops.
 3. Residue from lawns, gardens, and other vegetable materials maintained as a compost or mulch pile.
 4. Unmodified, commercially purchased bird or squirrel feeders or their equivalent.

(f) Violations.

- (1) Any person who violates subsection (a)(1) or (b)(1) of this section is guilty of a minor misdemeanor for the first offense. For the second and subsequent violations of subsection (a)(1) or (b)(1), the violator shall be deemed guilty of a misdemeanor of the fourth degree.
- (2) Any person who violates subsection (a)(2), (a)(3), or (b)(2), of this section is guilty of a minor misdemeanor.
- (3) Each day that a violation continues shall be deemed a separate offense.
- (4) It shall not be an element of the offense, and the prosecution shall be required to prove, that any food was actually consumed by a migratory waterfowl or deer.
- (5) In addition to filing criminal charges, the City may initiate a civil action in an appropriate court for injunctive and other relief for a violation of this section.

SECTION 2: This Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

PASSED this ___ day of _____, 2026.

ATTEST:

ORDINANCE NO. 049-2026

ORDINANCE NO. 00-2026

Clerk of Council

President of Council

APPROVED this ____ day of _____, 2026.

Mayor

Requested by: Councilwoman Lori Elmore
Prepared by: Bradley S. Nicodemus, City Attorney
Approved as to form: Bradley S. Nicodemus, City Attorney, bsn 05/21/2026

ORDINANCE NO. 050-2026

AMENDING SECTION 1111.10 OF THE PLANNING AND ZONING CODE TO PROMOTE THE SAFETY OF DRIVE-THRU FACILITIES BY REQUIRING BY-PASS LANES AND EMERGENCY VEHICLE EGRESS IN THE CITY OF WHITEHALL; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Whitehall seeks to provide clear standards for the development and regulation of drive-thru facilities; AND

WHEREAS, the City of Whitehall Zoning Code acts to promote the health and safety of Whitehall residents; AND

WHEREAS, the City of Whitehall seeks to provide standards supporting the function of emergency medical services and traffic flow; AND

WHEREAS, Megan Keleman, a resident of Stow, Ohio, was killed in a murder-suicide involving being trapped in a drive-thru facility due to a single-lane, curbed drive-thru configuration; NOW, THEREFORE,

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

SECTION 1: Section 1111.10 of the Codified Ordinances shall hereby be amended to read as the following.
1111.10 DRIVE-THRU STANDARDS.

(a) APPLICABILITY This ordinance shall apply to all newly constructed drive-through facilities and drive-through facilities undergoing structural alteration or site redevelopment requiring a zoning permit.

(a~~b~~) Drive-throughs are permitted only within specific zoning districts as specified in Article 1108 - Comprehensive Use Table.

(b~~c~~) All queuing vehicles shall be located on the lot on which the drive-through services are being provided and shall not interfere with the movement of vehicles or pedestrians on public rights-of-way.

(c~~d~~) All establishments with drive-throughs shall provide a minimum 10-foot by-pass lane whereby vehicles may exit the lot at any point without proceeding through the drive-through lane.

(1) Parking circulation area may contribute toward meeting this requirement, provided it is located adjacent to the drive-through lane.

(2) A by-pass lane shall include clear-visible signage to alert vehicle operators to the presence and direction of the by-pass lane.

(3) A by-pass lane shall provide adequate clearance for public safety vehicles.

(4) A by-pass lane shall be clear and unobstructed by curbs or barriers.

(d~~e~~) Menu boards may not flash or have any visible bulbs. All menu boards ~~must~~ shall be oriented toward the drive-through aisle that they are serving.

(e~~f~~) Drive-through speakers shall not be audible from adjacent properties. Drive-through speakers shall not emit outdoor music.

SECTION 2: 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 emergency vehicle egress is necessary for the policing and emergency medical services of the City of Whitehall; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

PASSED this _____ day of _____, 2026.

ATTEST:

Clerk of Council

President of Council

APPROVED this ____ day of _____, 2026.

Mayor

Requested by: Amy Harcar, City Councilperson
Prepared by: Jackie Russell, Economic Development Director & Curtis Nutter, Intern
Approved as to form: Kylie Keitch, Asst. City Attorney kk 5/26/2026

RESOLUTION NO. 020-2026

AUTHORIZING AND APPROVING THE MAYOR TO APPLY FOR AND ACCEPT A “DEFENSE COMMUNITY INFRASTRUCTURE PROGRAM” GRANT FROM THE UNITED STATES DEPARTMENT OF DEFENSE AND DECLARING AN EMERGENCY.

WHEREAS, the City of Whitehall houses the Defense Logistics Agency within the Defense Supply Center of Columbus; and

WHEREAS, this grant offers additional financial support for the quality of life and infrastructure of military service members and families; and

WHEREAS, the City of Whitehall desires to develop additional resources and connectivity between the Defense Logistics Agency and residents of Whitehall; and

WHEREAS, the program will be administered by the Public Service Director, City Planner, Economic Development Director, and members of the Defense Logistics Agency or designees;

WHEREAS, the grant application deadline is approaching with a due date of June 25, 2026; NOW, THEREFORE,

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

SECTION 1: That the Mayor is hereby authorized to apply for and accept through the United States Department of Defense a Defense Community Infrastructure Program grant.

SECTION 2: That the Mayor, as Chief Executive Officer, Casey Rowlands, as Official Representative, and Curtis Nutter, as Program Contact, be directed and authorized to act in connection with the application.

SECTION 3: That this Resolution 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 the application must be submitted by June 25th to receive funding for the City of Whitehall; WHEREFORE, this Resolution shall go into full force and effect immediately upon its passage and approval by the Mayor.

PASSED this _____ day of _____, 2026.

ATTEST:

Clerk of Council

President of Council

APPROVED this ____ day of _____, 2026.

Mayor

Requested by: Casey Rowlands, Director of Public Service
Prepared by: Curtis Nutter, Planning Intern
Approved as to form: Kylie Keitch, Asst. City Attorney kk 05/26/2026

RESOLUTION NO. 021-2026

RESOLVING TO APPROVE "THEN AND NOW" CERTIFICATES.

WHEREAS, O.R.C. 5705.41(D)(1) states that "then and now" certificates of three thousand dollars and no/100 (\$3,000.00) and more must be approved by resolution or ordinance within thirty days of receipt of the "then and now" certificates; and

WHEREAS, the City has processed the attached "then and now" certificates over the sum of three thousand dollars, and now these certificates require approval by City Council; and

WHEREAS, the Auditor of the City of Whitehall, Ohio, has determined that, at the time of the making and execution of the certificates, a sufficient sum was appropriated by Council for the purpose of the requisition, and is currently deposited in the treasury and allocated to the appropriate account and free from any previous encumbrances; NOW, THEREFORE,

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

SECTION 1: That the City Council does hereby approve the attached "then and now" certificates:

SECTION 2: That the City Council of the City of Whitehall, Ohio, lawfully appropriated the expenditure, which the expense originated.

SECTION 3: That this Resolution shall go into full force and effect immediately upon its passage by the Council of the City of Whitehall and approval by the Mayor.

PASSED this ____ day of _____, 2026.

ATTEST:

Clerk of Council

President of Council

APPROVED this ____ day of _____, 2026.

Mayor