



WHITEHALL CITY COUNCIL MEETING

TUESDAY, JANUARY 06, 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
Brian McCann
Mike Adkins
Gerald Dixon
Devin Brown
Lori Elmore

APPROVAL OF MINUTES:

December 16, 2025 Agenda & Special Meeting Minutes
December 16, 2025 Agenda & Regular Meeting Minutes

ACCEPT COMMITTEE APPOINTMENTS:

ELECT PRESIDENT PRO TEMPORE:

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

Director of Public Service Casey Rowlands

Director of Economic Development Jackie Russell

Treasurer - Vacant

Director of Public Safety Van Gregg

President Thomas M. Potter

COMMUNICATIONS, PETITIONS AND CLAIMS:

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:

No Legislation for Third Reading.

SECOND READING:

ORDINANCE NO. 133-2025

AN ORDINANCE AMENDING TITLE THREE LEGISLATIVE CODE PROHIBITING INTERFERENCE WITH COUNCIL COMMUNICATIONS AND DECLARING AN EMERGENCY.

FIRST READING:

ORDINANCE NO. 001-2026

AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH FRANKLIN COUNTY PUBLIC HEALTH TO PROVIDE HEALTH SERVICES AND PLUMBING INSPECTIONS FOR THE CITY OF WHITEHALL AND ITS RESIDENTS AND DECLARING AN EMERGENCY.

RESOLUTION NO. 001-2026

A RESOLUTION ADOPTING THE CITY OF WHITEHALL CYBERSECURITY PROGRAM AND AUTHORIZING THE MAYOR TO DESIGNATE A PERSON RESPONSIBLE FOR SAID PROGRAM.

POLL PUBLIC:

COMMUNITY DATE BOARD:

POLL COUNCIL:

MORRISON; HARCAR; McCANN; ADKINS; DIXON; BROWN; ELMORE

ADJOURN

City Council Special Meeting

December 16, 2025 Meeting minutes

Present at the meeting were the following:

Mayor Michael T. Bivens, City Attorney Brad Nicodemus, Auditor Steve Quincel, Treasurer Shaquille Alexander, and Service Director Casey Rowlands.

President Thomas Potter, Councilor Larry Morrison, Councilor Amy Harcar, Councilor Amy Smith, Councilor Gerald Dixon, Councilor Devin Brown, Councilor Lori Elmore, and Councilor Jo Anna Heck.

President Potter called the special meeting to order at 6:00 pm and noted that this meeting would follow the format of a special meeting, with no public comments. He requested that council members adhere to the 5-minute speaking limit per person to maintain efficiency, though noted Councilman Dixon would be afforded additional time if needed.

City Attorney Nicodemus provided a detailed explanation of the proceedings, clarifying that this was a matter of first impression for Whitehall. He explained that under Charter Section 7, Council has the authority to remove a member for gross misconduct without requiring the misconduct to be connected to official duties or requiring a conviction. He noted that felony charges had been filed against Councilman Dixon, but emphasized that Council was not acting as fact-finders to determine criminal guilt beyond a reasonable doubt. The City Attorney clarified that the Council's determination would not affect the pending criminal matter. He explained that gross misconduct has been defined by courts as intentional, willful, deliberate, or reckless acts beyond minor breaches of standards, or "that which shocks the conscience."

The City Attorney further explained that discussions regarding removal must be held in public session, as executive sessions excluding Councilman Dixon would not be permitted under Ohio law. He confirmed that notice of the charge and opportunity to be heard had been properly provided, and that Councilman Dixon would not be permitted to vote on his own removal. Six affirmative votes from the remaining council members would be required for removal. He noted that removal would only apply to the current term ending December 31, 2025, and that any action to remove Dixon from his upcoming term would need to be taken after January 1, 2026.

Councilor Harcar, as the sponsor of Resolution 051-2025 regarding Dixon's removal, shared an email she had sent to Councilman Dixon requesting his resignation. She emphasized that the issue before the Council was not about criminal proceedings but about preserving the integrity and proper functioning of the legislative body. Harcar stated she had met with the police and reviewed documents that she believed "shocked the conscience." She argued that Council's authority exists independently of the criminal process and that circumstances limiting a member's ability to carry out responsibilities authorize Council to act under the Charter.

Councilor Smith stated she had spoken with the City Attorney and met with police regarding events leading to Dixon's investigation and arrest. She believed the allegations fell squarely into "gross misconduct" and that Dixon's place was not on the City Council while these matters were being resolved in court.

Councilor Heck noted she had met with police and spoken with the City Attorney to make an informed decision, emphasizing that their role was not to convict but to uphold the Council's standards.

Councilor Brown expressed being saddened by how these events reflected on the city. He stated he had reviewed documents and emails from community members, noting his concern that many emails supported Dixon but did not reference the welfare of children. Brown emphasized that his central focus was the health, safety, and welfare of the community.

Councilor Elmore reinforced that allowing someone to remain in office who had engaged in activities breaking public trust could prevent other victims from speaking up. He stated he had consulted with the Council President, City Attorney, and Police Chief in making his decision.

Councilor Morrison expressed his belief that the process was being rushed, noting Dixon had been released without bail and had an upcoming hearing on December 23. He questioned the need to repeat the removal process again in January when more information would be available.

Councilor Dixon briefly stated that he found it interesting that a council member already knew how others would vote. He indicated he would like to speak, but could not say anything due to the ongoing justice system process.

The City Attorney verified with council members who had met with police that no more than three members were present at any meeting, ensuring no violation of open meetings laws had occurred.

Motion by Councilor Harcar, seconded by Councilor Smith, to suspend the rules on Resolution 051-2025.

Motion carried.

Motion by Councilor Harcar, seconded by Councilor Smith, to approve Resolution 051-2025 for the removal of Gerald Dixon from Council for gross misconduct. Motion failed with Morrison voting No and Smith, Heck, Elmore, Brown, and Harcar voting Yes. (Resolution required all six eligible council members to vote affirmatively for passage)

The meeting was adjourned at 6:29 PM.

Submitted by:

Julie A. Ogg, Clerk of Council

APPROVED: January 5, 2026

Thomas M. Potter, Council President

Whitehall City Council Meeting

December 16, 2025 Meeting minutes

President Potter ordered the Tuesday, December 16, 2025, agenda meeting at 6:38 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 6:47 p.m.

Submitted by,

Julie A. Ogg, Clerk of Council

APPROVED: January 5, 2026

Thomas M. Potter, Council President

Whitehall City Council Meeting

December 16, 2025 Meeting minutes

CALL TO ORDER

The Whitehall City Council meeting was called to order on Tuesday, December 16, 2025, at 7:00 PM by President Thomas Potter.

Before the normal agenda began, Councilmember Dixon made a statement regarding one of the conditions of his release, which stated "no contact with children." Dixon explained that he had contacted the Franklin County Municipal Courts and was told this meant he couldn't speak to and have contact with children, not that he couldn't be in places where children might be present. However, out of caution since he couldn't reach his attorney, Dixon announced he would be leaving the meeting.

MOMENT OF SILENCE

A moment of silence was observed.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present: Councilors Lori Elmore, Larry Morrison, Jo Anna Heck, Amy Smith, Amy Harcar, Devin Brown and President Thomas Potter. Councilor Gerald Dixon was marked as an excused absence after leaving at the beginning of the meeting.

Motion made by Councilor Morrison, seconded by Councilor Heck, to excuse the absent member.

Motion carried, with Councilor Brown voting No.

APPROVAL OF MINUTES

Motion made by Councilor Brown, seconded by Councilor Elmore, to approve the minutes of December 2, 2025 Agenda and Regular Meeting Minutes, as well as December 9, 2025, Agenda and Committee Meeting Minutes. Motion carried unanimously.

SPECIAL PRESENTATION

Scott Brown from the Ohio Auditor of State's office presented the Auditor of State Award to the City of Whitehall. He explained that only 10% of the 6,000 clients statewide qualify for this award, which is presented to local governments that meet specific criteria, including a clean audit report with no findings, material citations, or other deficiencies. Mr. Brown specifically recognized City Auditor Steven Quincel for his leadership and commitment to fiscal integrity.

Following the presentation, Treasurer Alexander presented Auditor Quincel with a token of appreciation for his 10 years of service to the City of Whitehall as both Treasurer and Auditor.

STANDING COMMITTEE REPORTS

Administration and Financial Management – Chairperson Elmore

Chairperson Elmore reported that the committee met, minutes were on file, and the committee would meet again the first Tuesday of next year at 6:30 PM.

Community and Elder Advocacy – Chairperson Harcar

Chairperson Harcar reported that the committee met last week, had no drafts or pending legislation for this meeting, and would meet again in the New Year.

Community Standards and Enforcement – Chairperson Smith

Chairperson Smith noted that Ordinance 131-2025 was up for adoption, minutes were on file, and the committee would meet again in the New Year under new leadership.

Economic Development – Chairperson Dixon

In Chairperson Dixon's absence, Councilor Morrison reported that the committee met last week, minutes were on file, there were several pieces of legislation for consideration, and the committee would meet again after 6:30 PM in the New Year.

Infrastructure, Maintenance, and Services – Chairperson Brown

Chairperson Brown reported that the committee met last week, minutes were on file, and the committee planned to meet again on January 13, 2026, at 6:30 PM.

Public Safety – Chairperson Morrison

Chairperson Morrison reported that the committee met last week, minutes were on file, and would meet again sometime after 6:30 PM in the New Year.

Parks and Recreation – Chairperson Heck

Chairperson Heck reported that Parks and Recreation met last Tuesday, minutes were on file, there was no legislation on the agenda, and the committee would meet again in the New Year.

OFFICIALS' REPORTS

Mayor Michael T. Bivens

Mayor Bivens began by addressing the seriousness of the situation regarding Councilmember Dixon, expressing disappointment in the outcome of a vote that had occurred earlier regarding Dixon's expulsion. The Mayor thanked the five council members who voted to expel Councilor Dixon and reiterated his call for Councilor Dixon's resignation.

The Mayor emphasized the serious allegations against Dixon and expressed concern about the message being sent to residents. He stated that his administration remains committed to protecting the public safety of residents, focusing on justice, accountability, and the protection of every community member.

Mayor Bivens specifically addressed Councilmember Morrison, expressing disappointment that Morrison did not speak with Chief Crispen, look at the evidence, or review the allegations before voting.

Mayor Bivens then shifted to discussing the 2026 budget, describing it as 100% resident-focused, with emphasis on infrastructure and public safety. He noted the budget also focuses on maintaining qualified employees and supporting their economic mobility. The Mayor proudly announced that the city would be entering 2026 with a \$6.9 million carryover.

The Mayor concluded his remarks by thanking Auditor Quincel for his service, integrity, and discipline. He also expressed gratitude to outgoing Councilmembers Heck and Smith for their service and dedication to the city.

City Attorney Bradley S. Nicodemus

City Attorney Nicodemus also thanked Auditor Quincel for his service to the city. He expressed that while Treasurer Alexander would capably take over the role, it would be different not seeing Quincel in the halls. Attorney Nicodemus also thanked Councilmembers Heck and Smith for their service and noted he would miss their discussions on various legal matters.

City Auditor Steve Quincel

City Auditor Quincel expressed that serving on the council was hard but rewarding work. He encouraged residents to consider running for public office if they have something to contribute to their community. Quincel requested favorable consideration of Ordinances 118, 119, 128, 134, 135, 137, 149, and 150.

Director of Public Service Casey Rowlands

Director Rowlands thanked Auditor Quincel and noted she would miss their regular interactions. She also stated she would try to recruit the outgoing councilmembers for various boards and commissions.

Director Rowlands informed the council that Columbus water and sewer rates would be increasing, affecting Whitehall residents. She mentioned she would be meeting with representatives from Columbus to discuss possible discounts for low-income and senior residents. She requested favorable consideration for Ordinances 118, 119, 131, 135, and Resolution 49.

Treasurer Shaquille Alexander

Treasurer Alexander presented financial information about the city's operating revenue, noting that approximately 40-45% comes from the Defense Supply Center Columbus (DSCC). He provided details about expenditures, explaining that a significant portion of general fund transfers go to other funds like reserve maintenance and technology funds.

President Thomas Potter

President Potter noted that the Auditor's financial report for October and November 2025 had been filed in the council office since the last meeting.

COMMUNICATIONS, PETITIONS, AND CLAIMS

No communications, petitions, or claims had been filed in the council office since the last meeting.

POLL PUBLIC

Several residents addressed the council regarding Councilmember Dixon:

Michole Spicer expressed disappointment in the vote regarding Councilmember Dixon's expulsion and stated that Dixon had displayed gross misconduct and conduct unbecoming, describing his alleged actions as "disgusting" and "wicked."

Tara Alston spoke as a survivor, expressing how disheartening the vote outcome was and the impact it would have on victims who have come forward and those who may not have yet. She thanked those who voted to remove Dixon.

Tina Matthews, a grandmother of seven, expressed disgust that Dixon still represented the city council and suggested he be assigned to desk duty to keep him away from children.

David Jackson, a Whitehall resident for about 15 years, spoke about leaders being held to higher standards and how Dixon's situation reflected poorly on the city.

VERIFICATION OF COPIES

All council members confirmed they had received copies of each item of legislation listed on the agenda prior to the meeting.

THIRD READING

ORDINANCE NO. 118-2025

Motion made by Councilor Harcar, seconded by Councilor Elmore, to adopt Ordinance 118-2025, making appropriation for current General Fund (101) expenses, Street (201) expenses, and State Highway Materials (211) expenses during the period from January 1, 2026 to December 31, 2026 in the total sum of \$44,986,351.31 and declaring an emergency. Motion carried 5-1, with Councilor Morrison voting no.

During the discussion, Councilor Smith thanked the administration for answering her budget questions. Councilor Morrison expressed concerns about certain items in the budget, particularly a \$15,700 pay increase and the creation of a new Department of Neighborhoods, suggesting it could have been incorporated into existing structures. Councilor Elmore expressed support for the Department of Neighborhoods, noting it would help meet the needs of underserved areas.

ORDINANCE NO. 119-2025

Motion made by Councilor Morrison, seconded by Councilor Elmore to adopt Ordinance 119-2025, authorizing an appropriation for special revenue, internal service and fiduciary expense accounts for the calendar year 2026 in the total sum of \$35,611,843.54 and declaring an emergency. Motion carried unanimously.

ORDINANCE NO. 120-2025

Motion made by Councilor Morrison, seconded by Councilor Smith to adopt Ordinance 120-2025, allowing a special permit under 1125.04 to allow drive-through facilities on the property located at 0 S. Hamilton Road, parcel number 090-008433, property owned by Wright Patt Credit Union Inc. and declaring an emergency. Motion carried 5-1, with Councilor Brown voting no.

Councilmember Brown prefaced his vote by explaining that while he understood the economic development importance, from his planning background, having two banks on a hard corner was difficult for him to support, though he acknowledged it would likely be a net positive for the city.

ORDINANCE NO. 127-2025

Motion made by Councilor Brown, seconded by Councilor Harcar to adopt Ordinance 127-2025, amending Part One, Title Five Administrative Code of the City of Whitehall: (1) enacting Chapter 168, creating the Department of Neighborhoods and declaring an emergency. Motion carried 5-1, with Councilor Morrison voting no.

Councilor Brown thanked the mayor for establishing the department, noting the importance of reaching residents directly. Councilor Harcar expressed enthusiasm about the department addressing community needs. Councilor Morrison reiterated his belief that this function could have been incorporated into existing departments more cost-effectively.

ORDINANCE NO. 128-2025

Motion made by Councilor Elmore, seconded by Councilor Morrison to adopt Ordinance 128-2025, authorizing an appropriation in the amount of \$331,130.74 from unappropriated monies in the WIMPITE Fund 279 to the Etna Rd TIF expense account 279.000.50008 and authorizing a supplemental appropriation in the amount of \$626,553.69 from unappropriated monies in the Economic Dev Fund 316 to the Economic Dev Incentives/Plan expense account 316.000.50000 and declaring an emergency. Motion carried 5-0, with Councilor Heck abstaining.

RESOLUTION NO. 048-2025

Motion made by Councilor Morrison, seconded by Councilor Smith to adopt Resolution 048-2025, authorizing the Mayor to enter into a school compensation agreement with Whitehall City Schools and declaring an emergency. Motion carried 5-0, with Councilor Heck abstaining.

SECOND READING

ORDINANCE NO. 129-2025

Motion made by Councilor Morrison, seconded by Councilor Harcar to suspend the rules and adopt Ordinance 129-2025, amending Ordinance 003-2025; authorizing and approving the following changes to 161.38 and declaring an emergency. Motion carried unanimously.

ORDINANCE NO. 130-2025

Motion made by Councilor Brown, seconded by Councilor Harcar to suspend the rules and adopt Ordinance 130-2025, authorizing and approving an amendment to the codified ordinances of the City of Whitehall 161 Table of Authorized Personnel for the fiscal year 2026 and declaring an emergency. Motion carried unanimously.

ORDINANCE NO. 131-2025

Motion made by Councilor Smith, seconded by Councilor Heck to suspend the rules and adopt Ordinance 131-2025, amending Section 1303, titled "Administration and Permits" of the Building Code of the City of Whitehall to update the fee schedule of the Building Department. Motion carried unanimously.

FIRST READING

ORDINANCE NO. 133-2025

Motion made by Councilor Brown, seconded by Councilor Morrison to suspend the rules for Ordinance 133-2025, an ordinance amending Title Three Legislative Code prohibiting interference with council communications and declaring an emergency. Motion failed 1-5, with Councilors Elmore, Heck, Smith, Harcar, and Brown voting no.

During discussion, Councilor Heck and Smith indicated they had not had time to review recent changes to the legislation due to other priorities. City Attorney Nicodemus explained he had made some requested changes but noticed additional areas that could be improved, suggesting the legislation would benefit from further review at the next meeting.

ORDINANCE NO. 134-2025

Motion made by Councilor Elmore, seconded by Councilor Smith to suspend the rules and adopt Ordinance 134-2025, authorizing and approving a supplemental appropriation in the amount of \$12,800.00 from unappropriated monies in the General Fund (101) to the Comp Time Buyback Account (101.900.51280). Motion carried unanimously.

ORDINANCE NO. 135-2025

Motion made by Councilor Morrison, seconded by Councilor Brown to suspend the rules and adopt Ordinance 135-2025, approving an appropriation of \$605,310.48 from unappropriated monies in the OWDA Improvement Fund (325) to the OWDA Expense Account (325.000.50010). Motion carried unanimously.

ORDINANCE NO. 136-2025

Motion made by Councilor Elmore, seconded by Councilor Smith to suspend the rules and adopt Ordinance 136-2025, authorizing and approving a fund transfer in the amount of \$11,620.15 from unappropriated monies in the General Fund (101) to the Debt Service Fund (401). Motion carried unanimously.

ORDINANCE NO. 137-2025

Motion made by Councilor Elmore, seconded by Councilor Brown to suspend the rules and adopt Ordinance 137-2025, authorizing and making a supplemental appropriation in the amount of \$1,455,690.00 from unappropriated monies in the Self-Funded Insurance Trust Fund (511) to the Self-Funded Insurance Trust Fund Expense Account (511.000.50000). Motion carried unanimously.

RESOLUTION NO. 049-2025

Motion made by Councilor Heck, seconded by Councilor Brown to suspend the rules and adopt Resolution 049-2025, authorizing the Mayor to accept a grant from the Ohio Department of Development ARPA Construction Grant Program for the replacement of water lines on E Main Street. Motion carried unanimously.

RESOLUTION NO. 050-2025

Motion made by Councilor Elmore, seconded by Councilor Brown to suspend the rules and adopt Resolution 050-2025, resolving to approve "Then and Now" certificates. Motion carried unanimously.

POLL PUBLIC

No additional citizens came forward to speak during the second public poll.

COMMUNITY DATE BOARD

Councilor Heck announced that the last day of school for Whitehall City Schools would be this coming Thursday.

POLL COUNCIL

Each council member shared closing thoughts, with many expressing appreciation for outgoing City Auditor Quincel and Councilors Heck and Smith. Several council members also addressed the situation with Councilor Dixon, with differing perspectives on the vote regarding his expulsion.

President Potter expressed his sadness at saying goodbye to the departing council members and auditor, praising their thoughtfulness, deliberation, and dedication to the city.

Councilor Elmore praised both outgoing council members and Auditor Quincel, and expressed disappointment with the vote regarding Councilor Dixon.

Councilor Morrison thanked those who attended and participated in the meeting, and defended his vote regarding Councilor Dixon, stating he had done his own research and represented his constituents.

Councilor Heck and Councilor Smith both expressed gratitude for their time serving the city and thanked their colleagues and constituents.

Councilor Harcar addressed the vote regarding Councilor Dixon, expressing concern about having someone on council who couldn't be certain if he was allowed to be in a room with children. She also thanked the departing council members and Auditor Quincel. Councilor Harcar shared some Resources for survivors.

24/7 Confidential Support (National)

- **National Sexual Assault Hotline (RAINN)**
 - ☎ 800-656-HOPE (4673)
 - 💬 Online chat available 24/7Confidential crisis support and connection to local resources.
- **Crisis Text Line**
 - 📠 Text **HOME** to **741741**Free, confidential text support 24/7.
- **RAINN.org**

Local Franklin County Resources

The Center for Family Safety and Healing 614-722-8200

(Nationwide Children's Hospital)

- Provides **medical care, forensic exams, counseling, advocacy, and trauma-informed services** for children and adults affected by sexual abuse, domestic violence, and family violence.
- Services are available **with or without law enforcement involvement**.
- Located at Nationwide Children's Hospital; referrals and walk-ins are accepted depending on need

Councilor Brown addressed the Dixon situation, stating that while he has a relationship with Councilor Morrison and doesn't believe him to be an evil man, he felt there was a disservice done to the community. He also thanked and congratulated Auditor Quincel and the departing council members.

ADJOURN

The meeting was adjourned at 8:54 PM.

Submitted by:

Julie A. Ogg, Clerk of Council

APPROVED: January 5, 2026

Thomas M. Potter, Council President

ORDINANCE NO. 133-2025

AN ORDINANCE AMENDING TITLE THREE LEGISLATIVE CODE PROHIBITING INTERFERENCE WITH COUNCIL COMMUNICATIONS AND DECLARING AN EMERGENCY.

WHEREAS, Council is vested with all legislative powers of the City; and

WHEREAS, to perform its duties, Council must maintain communications with persons and entities both within and external to the City; and

WHEREAS, the City has recently prohibited Council from sending and receiving emails from outside entities; NOW, THEREFORE,

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

SECTION 1: Whitehall Codified Ordinances are hereby amended, as follows:

* * *

121.04 PROHIBITING INTERFERENCE WITH COUNCIL COMMUNICATIONS

(a) The City shall not impede, inhibit, or prohibit any communication between Council and any other person or entity, whether internal or external to the City.

(b) Nothing in this section prohibits reasonable e-mail security measures regarding malware, spam, phishing, and other unsolicited emails that may be harmful to the City's e-mail system.

(c) Nothing in this section shall permit the use of the City's e-mail system for illegal means.

(d) As used in this section:

(1) City shall mean the City of Whitehall and shall include employees, elected officials, or agents thereof.

(2) Council shall mean Council as a body politic and shall include councilmembers, the President of Council, and the Clerk of Council.

(3) Communication shall mean written communication, whether delivered via in-person, US Mail, commercial carrier, electronically (e-mail), facsimile, online, or telephonic, or any other means of transmitting thoughts, ideas, or concerns, between persons or entities.

SECTION 2: That this Ordinance is hereby declared an emergency measure, immediately necessary for the preservation of the public health, peace, safety, and welfare of the City of Whitehall, and for the further reason that communications to and from Council shall not be prohibited.

WHEREFORE, this Ordinance shall take full force and effect immediately upon passage and approval by the Mayor.

PASSED this ____ day of _____, 2025.

ATTEST:

Clerk of Council

President of Council

APPROVED this ____ day of _____ 2025.

Mayor

Requested and prepared by: Councilman Dixon

Approved as to form: Bradley S. Nicodemus, City Attorney bsn 12/05/2025

ORDINANCE NO. 001-2026

AUTHORIZING THE MAYOR TO EXECUTE A CONTRACT WITH FRANKLIN COUNTY PUBLIC HEALTH TO PROVIDE HEALTH SERVICES AND PLUMBING INSPECTIONS FOR THE CITY OF WHITEHALL AND ITS RESIDENTS AND DECLARING AN EMERGENCY.

WHEREAS, Franklin County Public Health has previously provided annual health services and plumbing inspections for the City of Whitehall, as seen in Exhibit A;

WHEREAS, the City will pay Franklin County Public Health no more than \$207,233.44 for the provided annual services; NOW, THEREFORE,

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

SECTION 1: That the Mayor is authorized to execute a contract with Franklin County Public Health to provide health services and plumbing inspections for the City of Whitehall and its residents.

SECTION 2: That such public health services and plumbing inspections shall be furnished for the period of one (1) year beginning January 1, 2026, and ending December 31, 2026, at which time a new contract would be presented.

SECTION 3: That such health services and plumbing inspections be performed in accordance with the Ordinances for regulation of health as passed by the Council of the City of Whitehall and the rules and regulations of the District Advisory Council of Franklin County General Health District, passed March 22, 2019, which are hereby adopted and made a part hereof by reference.

SECTION 4: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety, and welfare of the community, and for further reason, these funds need to be recorded into the appropriate grant fund account; 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

ORDINANCE NO. 001-2026

EXHIBIT A

SCOPE OF WORK

Franklin County Public Health ("Board"), hereby agrees to provide health services for the City for the calendar year 2026 as set forth below ("Services").

- The Board shall have full authority to be and act as the public health authority for the City
- The Services described in the schedule listed below in this Exhibit will be provided by the Board to the City.
- The Services will include all necessary medical, nursing, sanitary, laboratory and such other health services as are required by the Statutes of the State of Ohio.

The followings specific services shall be a part of the Services provided under this Contract:

List of Functions, Programs and Services
Administrative Services:
Administration
Budget, Accounts Payable, Accounts Receivable
Communication & Marketing
Grant Writing & Management
Records Management
Reports - Financial & Statistical
Data Services:
Community Health Assessment
Health Data
Environmental Health:
Body Art Business Approval, Inspection and Education
Food Service Operation Licensing, Inspection & Education
Healthy Homes (Lead, Radon) Inspection & Education
Vector Control Education
Public Health Nuisance Enforcement & Education
Plumbing & Medical Gas Inspections
Public Swimming Pool & Spa Licensing, Inspection & Education
Rabies Surveillance - Animal bite investigation and follow up
Retail Food Establishment Licensing, Inspection & Education
School Facilities Inspection & Education
Sewage Treatment System Permitting, Inspection & Education
Solid Waste, Construction and Demolition Facility, Transfer Station Inspection & Enforcement
Sustainability Education and Efforts
Temporary Park Camp Licensing, Enforcement & Inspection
Water Quality Permitting, Testing & Education
Epidemiology, Surveillance, Investigation Services:
Reportable Infectious Disease investigation and follow-up(excluding HIV/AIDS; STD; TB)
Disease Outbreak Management
Health Systems & Planning:
Community Health Action Teams
Community Outreach and Education
Nutrition & Physical Activity Education Programs
Safe Routes To Schools
Tobacco Prevention
Injury Prevention/Opiate Crisis/Harm Reduction Programs & Education
Naloxone Education and Resources
Emergency Preparedness and Planning
Planning and Cities' Readiness Initiative Activities
Peer Support Specialist
Community Health Improvement Plan
Immunization Services:
Childhood and Adult Vaccine Administration Services
Occupational Health:
Immunizations - Fee for Service
Maternal & Child Health:
Complex Medical Help (CMH) Public Health
Nursing Case Management Services
Safe Sleep & Infant Mortality Prevention Initiatives & Education

The Board maintains a range of grant funded programs for citizens throughout the County who are income qualified.

THE BOARD RESERVES THE RIGHT TO AMEND THIS EXHIBIT AT ANYTIME PRIOR TO AUTHORIZATION OF THE CITY COUNCIL AND THE BOARD OF HEALTH ANNUALLY.

RESOLUTION NO. 001-2026

A RESOLUTION ADOPTING THE CITY OF WHITEHALL CYBERSECURITY PROGRAM AND AUTHORIZING THE MAYOR TO DESIGNATE A PERSON RESPONSIBLE FOR SAID PROGRAM.

WHEREAS, House Bill 96 established Section 9.64 of the Ohio Revised Code (ORC), requiring each political subdivision to adopt a formal cybersecurity program to safeguard data, technology, and Information systems; and

WHEREAS, the City of Whitehall is committed to ensuring the confidentiality, integrity, and availability of its information systems, and recognizes the importance of maintaining a cybersecurity program consistent with best practices, including the National Institute of Standards and Technology (NIST) Cybersecurity Framework and the Center for Internet Security (CIS) Controls; and

WHEREAS, the City's Department of Technology has developed a Cybersecurity Program that defines governance, security controls, incident response procedures, and continuous improvement standards to ensure compliance with ORC 9.64 and to support the protection of the City's digital environment; and

WHEREAS, adoption of the Cybersecurity Program by Council will formally establish compliance with state requirements and provide for the designation of a responsible person for program Implementation and maintenance; and

WHEREAS, no additional funding or appropriation is required to adopt and implement the Cybersecurity Program;
NOW, THEREFORE,

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

SECTION NO. 1: Adoption of Cybersecurity Program. The Council hereby approves and adopts the City of Whitehall Cybersecurity Program as required by Ohio Revised Code Section 9.64; said program is attached hereto as EXHIBIT A and incorporated herein.

SECTION NO. 2: Designation of Responsible Person. The Council hereby authorizes the Mayor to designate a person responsible for the implementation, administration, and ongoing maintenance of the Cybersecurity Program.

SECTION NO. 3: This Resolution shall take effect and be in full force from and after the earliest period allowed by law.

PASSED this _____ day of _____, 2026.

ATTEST:

Clerk of Council

President of Council

APPROVED this ____ day of _____, 2026. _____
Mayor

Requested by: Michael T. Bivens, Mayor
Approved as to form: Brad Nicodemus, City Attorney bsn/jo 01/05/2026



City of Whitehall Cybersecurity Program Policy

Department of Origin: Technology

Total # of Pages: 5

Subject: City of Whitehall Cybersecurity Program

Mayor's Approval Date:

Effective Date:

Purpose and Authority

This policy establishes the City of Whitehall's Cybersecurity Program in compliance with Ohio Revised Code.

The purpose of this program is to safeguard the confidentiality, integrity, and availability of city information systems and data, while ensuring continuity of public services. This policy shall be adopted by City Council resolution and maintained under the authority of the Mayor.

Scope

This policy applies to:

- All City of Whitehall departments, offices, and divisions;
- All employees, Elected Officials, Board and Commission Members; contractors, and vendors who access or manage city technology resources; and
- All city-owned information systems, networks, and data assets, whether hosted on-premises or in the cloud.

Program Objectives

1. Establish a unified cybersecurity framework across all city operations.
2. Protect city information assets from unauthorized access, disclosure, alteration, or destruction.
3. Promote security awareness and accountability among employees and partners.
4. Ensure compliance with state, federal, and local requirements.
5. Support continuity of operations through effective backup, recovery, and response plans.

Governance and Responsibilities

- Director of Information Technology – Serves as Program Administrator, responsible for implementation, monitoring, and reporting as necessary.
- Department Heads – Ensure compliance with cybersecurity requirements within their departments.
- Employees, Elected Officials, Board and Commission members, and Contractors – Follow city security policies, complete required training, and report suspected incidents promptly.
- Vendors / Third Parties – Must meet minimum security standards and notify the city of any data breach or compromise involving city data.

Cybersecurity Framework

The City of Whitehall's Cybersecurity Program will align with the NIST Cybersecurity Framework and include the following functional areas:

Identify

- Maintain an inventory of hardware, software, and data assets.
- Conduct periodic risk assessments to evaluate threats and vulnerabilities.

Protect

- Implement access control, password standards, and multifactor authentication.
- Enforce regular patching, encryption, and endpoint protection.
- Maintain secure network configurations and physical safeguards.

Detect

- Monitor systems for anomalous or unauthorized activity.
- Maintain audit logs and review them regularly for signs of compromise.

Respond

- Follow the City's Incident Response Plan for cybersecurity events.
- Coordinate communication with affected departments, law enforcement, and state authorities as needed.

Recover

- Maintain verified data backups and disaster-recovery capabilities.
- Conduct periodic restoration testing to ensure operational continuity.

Cybersecurity Program Requirements

To comply with Ohio Revised Code 9.64, the City of Whitehall's Cybersecurity Program will be consistent with generally accepted best practices for cybersecurity and shall include, at minimum, the following components:

Identify and Address Critical Functions and Cybersecurity Risks

- The program shall identify mission-critical systems, essential public services, sensitive datasets, and core business functions.

- Risk assessments shall evaluate internal and external threats, vulnerabilities, business impacts, and the likelihood of compromise.

Identify the Potential Impacts of a Cybersecurity Breach

Each department shall collaborate with the Technology Department to document operational, financial, legal, and service-delivery impacts that may result from a cybersecurity incident. These assessments will support prioritization of protective measures and recovery objectives.

Mechanisms to Detect Potential Threats and Cybersecurity Events

The City shall maintain and continuously improve processes and technologies designed to detect suspicious activity, including but not limited to:

- System monitoring and alerting
- Log collection and analysis
- Endpoint detection and response
- Email threat detection and filtering
- Network intrusion detection and anomaly monitoring

Procedures for Communication, Analysis, and Containment

The City shall establish and maintain procedures for:

- Immediate notification to the IT Department of suspected incidents
- Activation of the City's Incident Response Plan
- Communication channels between IT, Department Heads, Legal, HR, Communications, and Public Safety
- Analysis of incident severity, scope, and potential data exposure
- Containment strategies to prevent further compromise
- Engagement of outside cybersecurity partners when appropriate

Repair, Restoration, and Post-Incident Security

The City shall maintain procedures for:

- Rapid repair or replacement of systems impacted by a cybersecurity incident
- Recovery of data from secure, verified backups
- Post-incident vulnerability remediation
- Verification that systems are securely restored before returning to service

Cybersecurity Training Requirements

All users of City technology shall receive cybersecurity awareness training corresponding to the sensitivity of their duties. Training frequency, depth, and format will be role-based and may include:

- General annual cybersecurity awareness training
- Specialized training for administrators, finance, HR, law enforcement, and privileged users
- Tabletop exercises and scenario-based drills

Cybersecurity Incident and Ransomware Reporting Requirements (ORC 9.64)

Upon discovering a cybersecurity incident or ransomware incident, the City of Whitehall shall comply with the reporting requirements established under Ohio Revised Code 9.64.

Required Notifications:

- Notify the Executive Director of Ohio Homeland Security within the Ohio Department of Public Safety as soon as possible, but no later than seven (7) days after discovering the incident.

Incidents may be reported to the Ohio Cyber Integration Center (OCIC):

Website: <https://homelandsecurity.ohio.gov/ohio-cyber-integration-center>

Email: OCIC@dps.ohio.gov

Phone: 614-387-1089

- Notify the Ohio Auditor of State as soon as possible, but no later than thirty (30) days after discovering the incident.

Incidents may be reported via email to Cyber@ohioauditor.gov using the reporting form available at: <https://ohioauditor.gov/fraud/cybersecurity.html>

Cybersecurity Incident Definition:

A cybersecurity incident includes any of the following:

- A substantial loss of confidentiality, integrity, or availability of the City's information systems or network.
- A serious impact on the safety and resiliency of operational systems and processes.
- A disruption of the City's ability to conduct government operations or deliver services, including but not limited to payment redirect, payroll redirect, or spear phishing.
- Unauthorized access to the City's information systems, networks, or nonpublic information caused by:
 - A compromise of a cloud service provider, managed service provider, or third-party hosting provider; or
 - A supply chain compromise.

A cybersecurity incident does NOT include:

- Mere threats of disruption or extortion without actual compromise;
- Good-faith cybersecurity research or testing conducted at the request of the system owner;
- Lawfully authorized activity by U.S., state, local, or tribal government entities.

Ransomware Incident Definition:

- A ransomware incident is a malicious cybersecurity incident in which software is introduced that:
- Gains unauthorized access to, encrypts, modifies, or renders unavailable City systems or data; and
- Is followed by a ransom demand to prevent publication, restore access, or remediate the impact.

Ransomware Payment Restrictions:

The City of Whitehall shall NOT pay or comply with any ransom demand unless formally approved by City Council. The approval must be made by resolution or ordinance and must specifically state why payment or compliance is in the City's best interest, as required under ORC 9.64.

Public Records Exemption

Records, documents, and reports related to the City of Whitehall's cybersecurity program or cybersecurity framework, as well as any reports of a cybersecurity incident or ransomware incident, are NOT public records.

In addition, any records that identify cybersecurity-related software, hardware, goods, or services that are being considered for procurement, have been procured, or are currently in use by the City, including, but not limited to, the vendor name, product name, project name, or project description, constitute security records.

Security records are expressly exempt from disclosure and shall not be produced in response to a public records request.

Compliance and Review

- The Technology Department shall perform an annual review of the Cybersecurity Program and recommend updates as needed.
- Non-compliance with this policy may result in disciplinary action consistent with Employee Handbook.

History

Original policy creation date, reviewed, and revision dates:

Original Policy Creation Date: 12/23/2025

Review Frequency: Every year

Revision Date(s): 12/23/2025

Review Date(s):

Approval

Mayor:

Michael T. BIVENS
Print Name

[Signature]
Signature

12/23/25
Date



ACTION ITEM #1: RESOLUTION ADOPTING THE CITY OF WHITEHALL CYBERSECURITY PROGRAM AND DESIGNATE A PERSON RESPONSIBLE FOR SAID PROGRAM

House Bill 96 established Section 9.64 of the Ohio Revised Code, requiring each political subdivision to adopt a formal cybersecurity program. This program must safeguard the City's data, technology, and information systems, ensuring confidentiality, integrity, and availability consistent with best practices such as the National Institute of Standards and Technology (NIST) Cybersecurity Framework and the Center for Internet Security (CIS) Controls.

The City's Information Technology Department will develop a Cybersecurity Program to comply with this requirement. This program defines governance, security controls, response procedures, and continuous improvement standards for Gahanna's digital environment. Adoption by Council will formalize the City's compliance under R.C. 9.64 and designate a responsible person for program oversight.

The Administration respectfully requests that Council adopt a resolution to:

1. Approve the City of Whitehall's Cybersecurity Program as required by R.C. 9.64; and
2. Authorize the Mayor to designate a person responsible for the program's implementation and maintenance.

No additional funding or appropriation is required for this action.

Attachments:

City of Whitehall CyberSecurity Program Policy