



## WHITEHALL CITY COUNCIL COMMITTEE MEETING

TUESDAY, JANUARY 13, 2026

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

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

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

**DRAFT # 1**

**ORDINANCE NO. 002-2026** (*Comm. Of the Whole –1st Reading- SUSP &ADOPT 01-20-2026 –Morrison/*  
)

AUTHORIZING AND APPROVING THE MAYOR TO SIGN A CONTRACT WITH THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC., REPRESENTING FULL-TIME POLICE DISPATCHERS FOR THE CONTRACT TERM JANUARY 1, 2026, TO DECEMBER 31, 2028, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor of the City of Whitehall and the Fraternal Order of Police Ohio Labor Council, Inc. have been in negotiations for a new contract, and

WHEREAS, the Fraternal Order of Police Ohio Labor Council, Inc. ratified this draft agreement approved by the Fulltime Dispatchers on December 24, 2025, and now it requires approval by the Council of the City of Whitehall to authorize the Mayor to sign this contract beginning January 1, 2026, and ending on December 31, 2028; NOW, THEREFORE,

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

**SECTION 1:** The Council of the City of Whitehall determines it is in the best interest of the City to authorize and approve the Mayor to sign a contract between the City of Whitehall and the Fraternal Order of Police, Ohio Labor Council, Inc., for full-time dispatchers for the time period of January 1, 2026, to December 31, 2028.

**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 both parties have bargained in good faith and the Council of the City of Whitehall has thirty (30) days to approve and authorize the Mayor to enter into a contract after ratification by the Fraternal Order of Police, Ohio Labor Council, Inc. for fulltime dispatchers; WHEREFORE, This Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

Requested: Michael T Bivens, Mayor

Prepared by: Tracy Wentz, Director of HR

Approved as to form: Brad Nicodemus, City Attorney bsn 1/13/2026

**DRAFT # 2**

**ORDINANCE NO. 003-2026** (*Comm. Of the Whole –1st Reading- SUSP &ADOPT 01-20-2026 –Morrison/*  
)

AUTHORIZING AND APPROVING THE MAYOR TO SIGN A CONTRACT WITH THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC., REPRESENTING PART-TIME POLICE DISPATCHERS FOR THE CONTRACT TERM JANUARY 1, 2026, TO DECEMBER 31, 2028, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor of the City of Whitehall and the Fraternal Order of Police Ohio Labor Council, Inc. have been in negotiations for a new contract, and

WHEREAS, the Fraternal Order of Police Ohio Labor Council, Inc. ratified this draft agreement approved by the Part-time Dispatchers on December 24, 2025, and now it requires approval by the Council of the City of Whitehall to authorize the Mayor to sign this contract beginning January 1, 2026, and ending on December 31, 2028; NOW, THEREFORE,

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

**SECTION 1:** The Council of the City of Whitehall determines it is in the best interest of the City to authorize and approve the Mayor to sign a contract between the City of Whitehall and the Fraternal Order of Police, Ohio Labor Council, Inc., for part-time dispatchers for the time period of January 1, 2026, to December 31, 2028.

**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 both parties have bargained in good faith and the Council of the City of Whitehall has thirty (30) days to approve and authorize the Mayor to enter into a contract after ratification by the Fraternal Order of Police, Ohio Labor Council, Inc for part-time dispatchers; WHEREFORE, This Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

Requested: Michael T Bivens, Mayor

Prepared by: Tracy Wentz, Director of HR

Approved as to form: Brad Nicodemus, City Attorney bsn 1/13/2026

**THIRD READING:**

**ORDINANCE NO. 133-2025** (*Comm. Of the Whole –3rd Reading- ADOPT 01-20-2026 –Dixon/Morrison*)  
AN ORDINANCE AMENDING TITLE THREE LEGISLATIVE CODE PROHIBITING INTERFERENCE WITH COUNCIL COMMUNICATIONS AND DECLARING AN EMERGENCY.

**STANDING COMMITTEES**

**ADMINISTRATION AND FINANCIAL MANAGEMENT - CHAIRPERSON ELMORE**

Members: Morrison, McCann, Brown

No drafts or pending legislation.

**COMMUNITY AND ELDER ADVOCACY– CHAIRPERSON HARCAR**

Members: Adkins, Dixon, Brown

No drafts or pending legislation.

## COMMUNITY STANDARDS AND ENFORCEMENT – CHAIRPERSON MCCANN

Members: Dixon, Elmore & Harcar

### **DRAFT # 3**

**ORDINANCE NO. 004-2026** (*Comm. Stand & Enf. –3rd Reading- ADOPT 02-17-2026 –McCann/*

)

*Refer to the Planning Commission Meeting on 02-05-2026*

*Public Hearing at City Council on 02-17-2026*

AMENDING SECTION 1116.03 AND ENACTING SECTION 1116.04 TO STANDARDIZE THE DEVELOPMENT OF ACCESSORY DWELLING UNITS (ADUs) IN THE CITY OF WHITEHALL.

WHEREAS, the City of Whitehall seeks to provide clear standards for the development and regulation of accessory dwelling units (ADU); AND

WHEREAS, the City of Whitehall allows by-right development of accessory dwelling units (ADU), the zoning standards of accessory dwelling units (ADU) shall be updated to protect the quality of life and ensure responsible development within Whitehall's neighborhoods; NOW, THEREFORE,

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

SECTION 1: Section 1116.03 of the Codified Ordinances shall hereby be amended to read as the following.  
1116.03 ACCESSORY STRUCTURES.

(a) Exempt from Zoning Permit. Accessory structures that have a footprint area of less than 100 square feet and that are not located in a front yard are exempt from requiring a zoning permit. This provision shall not be construed to exempt signage from requiring a zoning permit.

(b) Location and Design. Accessory structures shall meet the following standards:

(1) Accessory structures shall not be located in a front yard.

(2) Accessory structures shall not exceed the height or footprint area of the primary structure on the same property.

(3) Accessory structures shall observe the same setback requirements that apply to primary structures on the subject property unless explicitly exempted in Section 1110.01 - Permitted Exceptions to Dimensional Standards.

(c) Signage. Signage on accessory structures is subject to the applicable provisions of Article 1112 - Signs.

(d) Parking. Parking that is associated with accessory structures is subject to the applicable provisions of Article 1111 - Parking, Loading, and Drive-Throughs.

~~(e) Specific to Accessory Dwelling Units. An accessory dwelling unit may only be constructed on a lot with a legally existing principal residential use, and it shall comply with the following:~~

~~(1) An ADU shall not be located any closer to any public right-of-way than the main building.~~

~~(2) An ADU shall satisfy the side and rear setbacks for the applicable zoning district.~~

~~(3) An ADU shall not exceed fifty percent (50%) of the size of the primary dwelling unit.~~

~~(4) An ADU shall not exceed the lesser of (a) the height of the primary dwelling unit or (b) the maximum permitted height of the district standards.~~

~~(5) An ADU shall have exterior finish materials that are compatible with the primary dwelling unit.~~

~~(6) An ADU shall be allowed one (1) entrance, which is to be located on the primary façade facing the street.~~

SECTION 2: Section 1116.04 of the Codified Ordinances of the City of Whitehall shall hereby be enacted to read as the following.

#### 1116.04 ACCESSORY DWELLING UNITS.

(a) An accessory dwelling unit (ADU) is defined in Section 1128.01 of the Codified Ordinances of Whitehall, OH.

(b) An ADU shall not be considered duplex units as an ADU must be of a lesser area [BN1] [JO2] to the primary structure.

(c) All other provisions of this Zoning Code are applicable to ADUs including

(1) Section 1116: Accessories

(2) Section 1111: Parking

(3) Section 903.09: Driveway construction

(4) Section 903.05: Sidewalks construction; new commercial businesses and residences

(5) Section 909: Water Mains

(6) Section 911: Sewer

(7) Section 913: Sanitary

(8) Section 933: Garbage and Rubbish

(9) Section 1502.01: Deletions, Modifications and Amendments (Fire Prevention)

(10) Section 919.01: Addresses

(11) Section 1115: Lighting

(12) Section 1117: Manufactured Homes

(13) Section 1114: Fence Codes

(14) Section 1120.04(a): Expansion and Substitution[BN3]

(d) Specific to Accessory Dwelling Units. An accessory dwelling unit may only be constructed on a lot with a legally existing principal residential use, and it shall comply with the following:

(1) An ADU shall be a structure with a permanent foundation that is properly connected to public utilities.

(2) An ADU shall not be located any closer to any public right-of-way than the main building.

(3) An ADU shall satisfy the side and rear setbacks for the applicable zoning district.

(4) An ADU shall not exceed 1,000 square-feet of living space or sixty-five percent (65%) of the size of the primary dwelling unit, whichever is lesser.

(5) An ADU shall be larger than 350 square-feet.

(6) No lot or parcel shall contain more than two (2) ADUs.

(7) An ADU shall not exceed the lesser of (a) the height of the primary dwelling unit or (b) the maximum permitted height of the district standards.

(8) An ADU shall have exterior finish materials that are compatible with the primary dwelling unit.

SECTION 3: That this Ordinance shall go into full force and effect at the earliest date permitted by law.

Requested by: Jackie Russell, Director of Economic Development

Prepared by: Curtis Nutter, Intern

Approved as to form: Bradley S. Nicodemus, City Attorney bsn 1/13/2026

[BN1]word choice - lesser area

[JO2]

[BN3]All other provisions of this Zoning Code are applicable to ADUs.

#### **ECONOMIC DEVELOPMENT – CHAIRPERSON DIXON**

Members: McCann, Morrison, Brown

No drafts or pending legislation.

#### **INFRASTRUCTURE, MAINTENANCE AND SERVICES - CHAIRPERSON BROWN**

Members: Morrison, Dixon, Adkins

No drafts or pending legislation.

**PUBLIC SAFETY – CHAIRPERSON MORRISON**

Members: Elmore, Adkins, Harcar

No drafts or pending legislation.

**PARKS AND RECREATION – CHAIRPERSON ADKINS**

Members: Elmore, Harcar, McCann

No drafts or pending legislation.

**ADJOURN**

**ORDINANCE NO. 002-2026**

AUTHORIZING AND APPROVING THE MAYOR TO SIGN A CONTRACT WITH THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC. REPRESENTING FULL-TIME POLICE DISPATCHERS FOR THE CONTRACT TERM JANUARY 1, 2026 TO DECEMBER 31, 2028 AND DECLARING AN EMERGENCY.

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WHEREAS, the Fraternal Order of Police Ohio Labor Council, Inc. ratified this draft agreement approved by the Fulltime Dispatchers on December 24, 2025, and now it requires approval by the Council of the City of Whitehall to authorize the Mayor to sign this contract beginning January 1, 2026, and ending on December 31, 2028; NOW, THEREFORE,

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**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 both parties have bargained in good faith and the Council of the City of Whitehall has thirty (30) days to approve and authorize the Mayor to enter into a contract after ratification by the Fraternal Order of Police, Ohio Labor Council, Inc. for fulltime dispatchers; 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: Michael T Bivens, Mayor  
Prepared by: Tracy Wentz, Director of HR  
Approved as to form: Brad Nicodemus, City Attorney bsn 1/13/2026

**ORDINANCE NO. 003-2026**

AUTHORIZING AND APPROVING THE MAYOR TO SIGN A CONTRACT WITH THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL, INC. REPRESENTING PART-TIME POLICE DISPATCHERS FOR THE CONTRACT TERM JANUARY 1, 2026 TO DECEMBER 31, 2028 AND DECLARING AN EMERGENCY.

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Clerk of Council

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President of Council

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\_\_\_\_\_  
Mayor

Requested: Michael T Bivens, Mayor  
Prepared by: Tracy Wentz, Director of HR  
Approved as to form: Brad Nicodemus, City Attorney bsn 1/13/2026

**ORDINANCE NO. 133-2025**

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

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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 \_\_\_\_\_, 2026.

ATTEST:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

APPROVED this \_\_\_\_ day of \_\_\_\_\_ 2026.

\_\_\_\_\_  
Mayor

Requested and prepared by: Councilman Dixon

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

## **ORDINANCE NO. 004-2026**

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(c) All other provisions of this Zoning Code are applicable to ADUs including

- (1) Section 1116: Accessories
- (2) Section 1111: Parking
- (3) Section 903.09: Driveway construction
- (4) Section 903.05: Sidewalks construction; new commercial businesses and residences
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- (6) Section 911: Sewer
- (7) Section 913: Sanitary
- (8) Section 933: Garbage and Rubbish
- (9) Section 1502.01: Deletions, Modifications and Amendments (Fire Prevention)

Commented [BN1]: word choice - lesser area

**ORDINANCE NO. 004 -2026**

- 2 -

(10) Section 919.01: Addresses

(11) Section 1115: Lighting

(12) Section 1117: Manufactured Homes

(13) Section 1114: Fence Codes

(14) Section 1120.04(a): Expansion and Substitution

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SECTION 3: That this Ordinance shall go into full force and effect at the earliest date permitted by law.

PASSED this \_\_\_\_ day of \_\_\_\_\_, 2026.

ATTEST:

\_\_\_\_\_  
Clerk of Council

\_\_\_\_\_  
President of Council

APPROVED this \_\_\_\_ day of \_\_\_\_\_, 2026. \_\_\_\_\_  
Mayor

**Commented [BN2]:** All other provisions of this Zoning Code are applicable to ADUs.

Requested by: Jackie Russell, Director of Economic Development  
Prepared by: Curtis Nutter, Intern  
Approved as to form: Bradley S. Nicodemus, City Attorney bsn 1/13/2026