

CALL TO ORDER:

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

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL:

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

APPROVAL OF MINUTES:

January 20, 2026 Agenda & Regular Meeting Minutes
January 27, 2026 Agenda & Committee Meeting Minutes

SPECIAL PRESENTATION:

Impact Safety
Executive Director Julie Harmon and Venica Miller

STANDING COMMITTEE REPORTS:

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

OFFICIALS' REPORTS:

Mayor Michael T. Bivens

City Attorney Bradley S. Nicodemus

City Auditor Shaquille Alexander

Director of Public Service Casey Rowlands

Director of Public Safety Van Gregg

Treasurer - Vacant

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:

ORDINANCE NO. 133-2025

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

SECOND READING:

ORDINANCE NO. 004-2026

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

FIRST READING:

ORDINANCE NO. 008-2026

AMENDING ORDINANCE 118-2025, MAKING APPROPRIATION FOR CURRENT GENERAL FUND (101) EXPENSES, FOR THE DEPARTMENT ON NEIGHBORHOODS AND THE DECLARATION OF AN EMERGENCY.

RESOLUTION NO. 003-2026

RESOLVING TO REMOVE GERALD DIXON FROM COUNCIL AND THE DECLARATION OF AN EMERGENCY.

POLL PUBLIC:

COMMUNITY DATE BOARD:

POLL COUNCIL:

ADJOURN

Whitehall City Council Meeting

January 20, 2026 Meeting minutes

President Potter ordered the Tuesday, January 20, 2026, agenda meeting at 6:31 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 6:36 p.m.

Submitted by,

Julie A. Ogg, Clerk of Council

APPROVED: February 3, 2026

Thomas M. Potter, Council President

Whitehall City Council Meeting

January 20, 2026 Meeting minutes

CALL TO ORDER

The Whitehall City Council meeting was called to order on Tuesday, January 20, 2026, at 7:00 PM by President Thomas Potter

MOMENT OF SILENCE

A moment of silence was observed.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was recited.

ROLL CALL

Present: Councilors Amy Harcar, Mike Adkins, Brian McCann, Gerald Dixon, Devin Brown, Lori Elmore, Larry Morrison, President Thomas Potter

APPROVAL OF MINUTES

The Council approved the January 6, 2026, Agenda & Regular Meeting Minutes and the January 13, 2026 Agenda & Committee Meeting Minutes.

Motion to approve the minutes made by Councilman Dixon, seconded by Councilman Adkins.
Motion carried unanimously.

SPECIAL PRESENTATIONS

Mayor Michael T. Bivens presented a proclamation for Human Trafficking Prevention Month. The Mayor thanked Councilor Amy Harcar for her leadership in this space and for requesting this proclamation. Mayor Bivens shared a recent incident where the city was able to remove an individual from a human trafficking situation based on information and video provided to law enforcement.

The proclamation declared January 2026 as National Human Trafficking Prevention Month in Whitehall and outlined several key points:

- Human trafficking is a serious human rights violation and public health crisis
- Cases have been reported in every US state and territory
- Labor trafficking remains a significant issue in various industries
- Traffickers increasingly use online platforms to exploit individuals
- Immigrants and marginalized populations face heightened vulnerability
- The city is committed to survivor-centered approaches to recovery

City Council Mtg minutes January 20, 2026

- Prevention requires community-wide effort and education

STANDING COMMITTEE REPORTS

1. Administration and Financial Management – Chairperson Elmore

Chairperson Elmore reported that the committee met last week with several pieces of legislation on the agenda for this evening. The committee will meet again next Tuesday at 6:30 PM.

2. Community and Elder Advocacy – Chairperson Harcar

Chairperson Harcar reported that the committee met last week with no drafts or pending legislation this evening. The committee will meet again next week at 6:30 PM.

3. Community Standards and Enforcement – Chairperson McCann

Chairperson McCann reported that the committee met last Tuesday with minutes on file. There is one piece of legislation tonight, and the committee will meet again next Tuesday at 6:30 PM.

4. Economic Development – Chairperson Dixon

Chairperson Dixon reported that Economic Development met last week with minutes on file. The committee intends to meet in East Chambers next week after 6:30 PM.

5. Infrastructure, Maintenance, and Services – Chairperson Brown

Chairperson Brown reported that the committee met last week with minutes on file and plans to meet again next Tuesday at 6:30 PM.

6. Public Safety – Chairperson Morrison

Chairperson Morrison reported that Public Safety met last week with minutes on file. There are two items up for consideration tonight, and the committee will meet again next week after 6:30 PM.

7. Parks and Recreation – Chairperson Adkins

Chairperson Adkins reported that the committee met last week with no reports at this time and will meet next Tuesday after 6:30 PM.

MOTION TO SUSPEND THE RULES

Councilor Morrison made a motion to suspend the rules to accept the agenda as submitted. Councilor Elmore seconded. Motion approved unanimously.

OFFICIALS' REPORTS

1. Mayor Michael T. Bivens

Mayor Bivens announced that the first round of interviews for the Office of Neighborhoods would begin this week. He noted that 35 qualified applicants would be interviewed with a panel that includes three community members and an alternate. The mayor emphasized the importance of this office, pointing out that it represents 0.3% of the operating budget for 2026.

Mayor Bivens shared a recent example of a resident from Broadwood Apartments who needed rental assistance but was denied by Columbus because they are a Whitehall resident. The mayor was able to connect them with services, but noted this is exactly the type of situation the Office of Neighborhoods would address.

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The mayor also congratulated Councilor Lori Elmore for her partnership in the Martin Luther King Jr. Scholarship awards for the past nine years. Together, they have invested nearly \$23,000 of their personal money in scholarships. This year, they awarded 14 Whitehall Yearling High School students scholarships toward their education, with the top two recipients receiving \$1,000 each.

2. City Attorney Bradley S. Nicodemus

City Attorney Nicodemus had no official report but noted he would provide additional information regarding Ordinance 133-2025 when it came up for consideration.

3. City Auditor Shaquille Alexander

City Auditor Alexander was not present.

4. Director of Public Service Casey Rowlands

Director Rowlands had no official report but requested favorable consideration for Ordinance 006-2026.

5. Director of Public Safety Van Gregg

Director Gregg was not present.

6. Treasurer

This position is currently vacant. The Council President noted that resumes were being accepted until Friday.

7. Director of Economic Development Jackie Russell

Director Russell had no official report but requested favorable consideration for Ordinance 006-2026.

COMMUNICATIONS, PETITIONS, AND CLAIMS

- Notice from the Ohio Division of Liquor Control for a TFOL D5 and D6 license from Andon Enterprises LLC, 5815 Karric Square Drive, Columbus, Ohio 43016, to Afro Fusion Grill Columbus LLC, 3866 East Main Street, Whitehall, Ohio 43213.

POLL PUBLIC

Several citizens addressed the Council during the first public comment period:

Micole Spicer expressed her desire to hear a public statement from the initiators of the recall effort against certain council members to explain their reasoning. She also emphasized the community's responsibility to protect children.

Maria Martinez Beshears, a former prosecutor who worked with the Whitehall PD narcotics unit, spoke in defense of Detective Slosser and other officers. She expressed concern about public criticism of the police department and the posting of an undercover officer's photo on social media. She emphasized that dismissed felony complaints are common during ongoing investigations.

Corey Benson spoke about the allegations against Councilman Dixon, noting the importance of child safety while also recognizing the importance of due process.

Tara Alston spoke about focusing on potential victims and the impact that the community's response has on victims who may be contemplating coming forward.

Autumn Rehl called for improved decorum among council members, noting that citizens notice when council members speak unkindly to each other and the public.

THIRD READING

ORDINANCE NO. 133-2025

An ordinance amending Title Three Legislative Code, prohibiting interference with council communications and declaring an emergency.

City Attorney Nicodemus provided clarification about the potential implications of the ordinance as requested by the Mayor at the previous meeting. He explained that while the ordinance does not change criminal code section 2921.31 (obstruction of official business), it could affect how that code is applied in the future by establishing that blocking council communications is done "without privilege to do so."

Mayor Bivens responded that this would affect public officials on both ends since both the mayor and council members are public officials. He disputed the characterization that his administration had blocked council members' emails, clarifying that the only limitation involved FOP emails pursuant to contract negotiations, which is currently the subject of litigation.

Councilor Elmore expressed her opinion that this matter didn't rise to the level requiring legislation and could be resolved without it. She viewed the ordinance as an attempt to subvert the mayor's administrative powers.

Councilor Brown raised concerns about the council potentially overstepping administrative powers by telling the administration what they can or cannot do with a system they control.

Councilor Morrison stated that the council had asked the administration to stop blocking emails for months, with evidence of multiple people being blocked, and saw this legislation as the most efficient and financially responsible way to address the issue.

Motion to amend Ordinance 133-2025 made by Councilor Dixon, seconded by Councilor Morrison. Amendment passed unanimously.

Motion to adopt Ordinance 133-2025 made by Councilor Dixon, seconded by Councilor Morrison. Motion passed 4-3 with Councilors Harcar, Brown, and Elmore voting against. The ordinance was passed, but without the emergency clause.

FIRST READING

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.

Motion to introduce Ordinance 002-2026 and suspend all rules made by Councilor Morrison, seconded by Councilor Elmore. Motion to suspend rules passed unanimously.

Motion to adopt Ordinance 002-2026 made by Councilor Morrison, seconded by Councilor Elmore. Motion passed unanimously.

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.

Motion to introduce Ordinance 003-2026 and suspend all rules made by Councilor Morrison, seconded by Councilor Elmore. Motion to suspend rules passed unanimously.

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Motion to adopt Ordinance 003-2026 made by Councilor Morrison, seconded by Councilor Elmore. Motion passed unanimously.

ORDINANCE NO. 004-2026

Amending Section 1116.03 and enacting Section 1116.04 to standardize the development of all accessory dwelling units, ADUs, in the City of Whitehall.

This ordinance was read by title only with no action taken.

ORDINANCE NO. 005-2026

Authorizing and making an appropriation in the amount of \$56,000 from unappropriated monies in the COBRA Extended Benefits (501) to the COBRA Expense Account (501.000.50000).

Motion to introduce Ordinance 005-2026 and suspend all rules made by Councilor Elmore, seconded by Councilor Morrison. Motion to suspend rules passed unanimously.

Motion to adopt Ordinance 005-2026 made by Councilor Elmore, seconded by Councilor Morrison. Motion passed unanimously.

ORDINANCE NO. 006-2026

Authorizing and making a supplemental appropriation in the amount of \$20,000 from unappropriated monies in the Plumbing Permit Fund (851) to the Plumbing Permits Expense Account (851.000.50000).

Motion to introduce Ordinance 006-2026 and suspend all rules made by Councilor Elmore, seconded by Councilor Brown. Motion to suspend rules passed unanimously.

Motion to adopt Ordinance 006-2026 made by Councilor Elmore, seconded by Councilor Brown. Motion passed unanimously.

ORDINANCE NO. 007-2026

Authorizing and approving a fund transfer in the amount of \$3,000 from unappropriated monies in the General Fund (101) to the Accrued Benefit Reserve Fund (505); authorizing and approving a supplemental appropriation in the amount of \$3,000 to the Accrued Benefit Reserve Expense Account (505.000.51000) and declaring an emergency.

Motion to introduce Ordinance 007-2026 and suspend all rules made by Councilor Elmore, seconded by Councilor Morrison. Motion to suspend rules passed unanimously.

Motion to adopt Ordinance 007-2026 made by Councilor Elmore, seconded by Councilor Morrison. Motion passed unanimously.

RESOLUTION NO. 002-2026

Resolving to remove Gerald Dixon from Council and the declaration of an emergency.

There was considerable debate about whether to bring this resolution forward for a vote at this meeting. Councilor Morrison made a motion to vote on the resolution and suspend all rules, seconded by Councilor Dixon.

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Councilor Harcar objected to rushing the vote, stating this was only the third meeting of the year and that council typically spent more time deliberating other matters of less gravity. She noted that not all council members had reviewed the information packet provided by the police department.

Councilor Elmore read portions of the documentation provided by police, stating it was public information relevant to the expulsion for gross misconduct. She cited sections of the city charter regarding council's authority to remove members.

Councilor Morrison argued that the case had been made into a "circus" by the administration, noting that Councilor Dixon had been released by the court without any restrictions at his last appearance due to a lack of evidence. Councilor Morrison stated that he had not reviewed the documents.

Councilor Brown emphasized that the issue was about fitness for leadership, not criminal conviction. He maintained that regardless of legal outcomes, the evidence taken from Councilor Dixon's house and Councilor Dixon's characterization of certain materials as "art" raised serious questions about his fitness to serve.

Councilor Adkins stated that he had not had time to meet with Chief Crispen.

Councilor McCann stated that he had reviewed the documents, but had not met with Chief Crispen.

Councilor Dixon declined to comment on the evidence but suggested that personal and political motivations were behind the effort to remove him from the council.

Councilor Morrison made a motion prior to the conversations to vote on the resolution. Seconded by Councilor Dixon. The motion passed 4-3, with Councilors Harcar, Brown, and Elmore voting against.

The motion to suspend the rules on Resolution 002-2026 passed 4-3, with Councilors Harcar, Brown, and Elmore voting against.

Motion to adopt Resolution 002-2026 made by Councilor Morrison, seconded by Councilor Dixon. The resolution failed with a vote of 3-3 (Councilors Harcar, Brown, and Elmore voting for removal; Councilors Adkins, McCann, and Morrison voting against), as a unanimous vote was required for removal.

POLL PUBLIC

The second public comment period included statements from:

Diane Peters, who spoke about racial discrimination and expressed concern about the council's priorities in potentially removing some council members while retaining Councilor Dixon.

Brandon Horstman, a lifelong Whitehall resident, who spoke about the need for Whitehall politics to change and the importance of doing what is right based on evidence.

Wendy Wilson, who expressed disappointment with the lack of decorum displayed during the meeting and criticized how council members had treated each other and the public.

POLL COUNCIL

Councilor Harcar expressed disappointment with how the resolution was handled, noting that the council had spent more time on other matters like housing than on the resolution to remove Councilor Dixon. She thanked the mayor for the human trafficking proclamation and for the Martin Luther King Day event, which she noted included relatives of both Martin Luther King Jr. and Coretta Scott King.

Councilor Adkins had nothing to add.

Councilor McCann had nothing to add.

Councilor Dixon spoke about the need to avoid assumptions, emphasizing that there are currently no charges against him. He also apologized for two incidents from recent meetings, explaining that one was due to his attempt to maintain order in discussions and the other was a misunderstanding about parliamentary procedure.

Councilor Brown expressed appreciation for the Department of Neighborhoods initiative and thanked the mayor and Councilor Elmore for the MLK scholarship program. He emphasized that the evidence against Councilor Dixon was claimed by Dixon as "art," which Brown felt was inconsistent with leadership positions. He also defended the council members targeted by the recall effort, noting their willingness to engage with citizens who disagree with them.

Councilor Elmore thanked those present and read a statement about her commitment to public service, listing various initiatives she had proposed or supported during her time on council. She then addressed what she described as false statements made about her in public forums, reading from an apology email she had received from a citizen who had made incorrect statements. She also detailed instances of interruptions and unprofessional behavior during a July 15th council meeting, which she contrasted with accusations against her regarding decorum.

Councilor Morrison thanked everyone for their attendance and patience. He expressed hope that the upcoming discussion of council rules would help ease tensions. He clarified that his opposition to the Department of Neighborhoods was based on cost efficiency rather than a belief that people don't need assistance. He emphasized that his disagreements with other council members and the administration were based on policy, not personal feelings.

President Potter thanked the mayor for his proclamation and adjourned the meeting at 9:23 PM.

Submitted by:

Julie A. Ogg, Clerk of Council

APPROVED: February 3, 2026

Thomas M. Potter, Council President

City Council Committee Meeting

January 28, 2026, minutes

The meeting was called to order at 6:30 PM by President Pro Tem Larry Morrison.

Present at the meeting were the following:

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

Administration/Council of the Whole Matters

At the start of the meeting, President Pro Tem Morrison welcomed everyone to the Whitehall City Council Committee meeting. Before proceeding with the agenda items, President Pro Tem Morrison invited a speaker to address them.

Brian Steel, President of the Fraternal Order of Police, addressed the council regarding concerns about the Whitehall Police Department leadership. Mr. Steel discussed the no-confidence vote taken against Chief Crispin, explaining that every patrol officer had voted no confidence. He detailed issues raised by officers, including alleged ticket quotas, low morale, and what officers described as a hostile work environment. Mr. Steel also addressed allegations about his conduct, including claims that he had exposed an undercover officer (which he denied) and claims about threats to the Chief's family (which he condemned). Mr. Steel emphasized his willingness to work toward a resolution but maintained that officers' concerns needed to be addressed.

Council members, including Councilor Elmore and Councilor Harcar, asked questions about labor-management meetings, officer complaints, and union positions. Other council members also participated in the questioning, with Councilor Brown asking about the timing of when issues began and why they weren't brought forward sooner.

Discussion: Council Rules of Procedure for the 2026-2027 term

The Council engaged in an extensive discussion regarding potential changes to the Council Rules of Procedure. President Pro Tem Morrison presented numerous sections from the Reynoldsburg and Gahanna council rules that he suggested the council consider adopting. Among his recommendations were changes related to agenda preparation, committee structure, and procedural matters.

Councilperson Dixon contributed suggestions, including restricting cell phone use at the dais, implementing timers for council members during debate, and modifying public participation procedures to allow speakers either two 3-minute sessions or one 5-minute session.

Councilor Elmore suggested adding language requiring that questions to the administration be submitted by noon on Friday before meetings, and proposed a progressive discipline approach for disruptive audience members (caution, warning, and then removal).

The Council decided to compile all suggestions and have members submit written arguments for their proposals before the next meeting, when they would discuss and vote on each item individually.

Draft #1: Ordinance No. 008-2026

The Council discussed Ordinance 008-2026, which would amend the 2026 budget by zeroing out funding for the Department of Neighborhoods. President Pro Tem Morrison introduced the ordinance and explained that he believed the city could provide the same services in a more cost-effective manner without creating a new department.

Councilor Elmore strongly opposed the amendment, arguing that the Department of Neighborhoods was necessary to address modern community needs. She explained that the department would help residents navigate various assistance programs and connect them with appropriate resources, noting that the 17.2% poverty rate in Whitehall demonstrated the need for such services.

Councilor Harcar, citing her experience in advocacy work, emphasized that residents with complex needs require dedicated assistance beyond just being given phone numbers. She explained that helping families with food, housing, and utilities requires personalized support and follow-up.

Councilor Brown supported the department, explaining that it addressed sustainable development by balancing economic development with community investment. He noted that administration officials had indicated they lacked the capacity to properly assist residents without dedicated staff.

Councilor McCann expressed concerns about understanding the parameters of the new department's role before supporting it.

Councilor Dixon suggested that the current situation reflected a role reversal from previous council dynamics, noting that the current majority had the opportunity to either compromise or stand firm as previous majorities had done.

Councilor Morrison will introduce Ordinance No. 008-2026, amending Ordinance 118-2025, making appropriation for current General Fund (101) expenses, for the Department of Neighborhoods, and the declaration of an emergency, and seconded by Councilor Dixon. The ordinance will be three readings with adoption scheduled for 03-03-2026.

Third Reading

The council acknowledged that the Mayor had vetoed Ordinance 133-2025 on January 27, 2026. No discussion took place on this item. The vote on this ordinance is scheduled for February 3, 2026.

Administration and Financial Management

Councilor Elmore opened and closed the Administration and Financial Management committee at 9:18 PM, noting there were no drafts or pending legislation.

Community and Elder Advocacy

Councilor Harcar opened the Community and Elder Advocacy committee at 9:18 PM. She announced her intention to reintroduce legislation for the removal of Councilperson Dixon at the next meeting, explaining that last week's measure had been advanced without receiving the required three readings due to procedural confusion.

A tense exchange followed between Councilor Harcar and Councilor Dixon regarding decorum and council conduct. President Pro Tem Morrison intervened to maintain order. Councilor Harcar closed the committee at 9:24 PM.

Community Standards and Enforcement

Councilor McCann opened the Community Standards and Enforcement committee at 9:24 PM. The second reading of Ordinance No. 004-2026 regarding Accessory Dwelling Units (ADUs) was acknowledged, with third reading and adoption scheduled for February 17, 2026.

Councilor Dixon mentioned that he had spoken with Economic Development Director Russell, who was exploring potential changes related to rental inspections that might affect the ADU legislation. Director Russell will be making a presentation on ADUs on February 10th. Councilor McCann and Councilor Elmore had spoken with Director Russell as well. Councilor McCann closed the committee at 9:27 PM.

Economic Development

Councilor Dixon opened and closed the Economic Development committee at 9:28 PM, noting there were no drafts or pending legislation.

Infrastructure, Maintenance and Services

Councilor Brown opened the Infrastructure, Maintenance and Services committee at 9:28 PM. He reported that he had received an update from Public Service Director Rowlands regarding three upcoming waterline projects and a resurfacing project.

Councilor Elmore expressed appreciation for the city's street crews, noting they had done an excellent job with snow removal. Council members also discussed water main breaks occurring in the community due to cold weather, noting that while these are the responsibility of the City of Columbus, they are impacting Whitehall residents. Councilor Brown closed the committee at 9:30 PM.

Public Safety

Councilor Morrison opened and closed the Public Safety committee at 9:31 PM, noting there were no drafts or pending legislation. He briefly acknowledged that safety forces were doing a fantastic job.

Parks and Recreation

Councilor Adkins opened and closed the Parks and Recreation committee at 9:31 PM, noting there were no drafts or pending legislation.

President Pro Tem Morrison adjourned the meeting at 9:31 PM.

Submitted by:

Julie A. Ogg, Clerk of Council

APPROVED: February 3, 2026

Thomas M. Potter, Council President

ORDINANCE NO. 133-2025

Amended 01/20/2026

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 _____, 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

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 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)

Commented [BN1]: word choice - lesser area

ORDINANCE NO. 004 -2026

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(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

(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.

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

ORDINANCE NO. 008-2026

AMENDING ORDINANCE 118-2025, MAKING APPROPRIATION FOR CURRENT GENERAL FUND (101) EXPENSES, -FOR THE DEPARTMENT ON NEIGHBORHOODS AND THE DECLARATION OF AN EMERGENCY.

WHEREAS, Ordinance 118-2025, the City's operating budget, was adopted December 16, 2025; and

WHEREAS, amendments to certain appropriations ~~has~~have been requested; NOW, THEREFORE,

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

SECTION 1: Ordinance 118-2025, providing for current expenses and other expenditures of the City of Whitehall during the fiscal year ending December 31, 2026, shall be amended as follows:

MAYOR

101.204.51200	DIRECTOR OF NEIGHBORHOODS	\$	92,000.00 <u>0.00</u>
101.204.51300	ASS'T TO DIRECTOR OF NEIGHB	\$	61,000.00 <u>0.00</u>
101.204.58010	TRAINING CERTIFICATION	\$	- 7,500.00 <u>0.00</u>
101.204.58314	NEIGHBORHOODS TECH	\$	-5,000.00 <u>0.00</u>
		\$	165,500.00 <u>0.00</u>

SECTION 2: That any sums which shall be expended from the above appropriation and which are a proper charge against any other department, or against any person or firm, or corporation, shall, if repaid within the period covered by such appropriation, be credited to the General Fund and require re-appropriation action by Council.

SECTION 3: That the City Auditor is hereby authorized to draw his warrant upon the Treasurer of the City for the amounts appropriated and for the purposes stated in this Ordinance, upon receiving the proper certificates and vouchers therefore, approved by the officer authorized by law to approve the same or authorized by an ordinance or Resolution of Council to make the expenditures. The City Auditor and Treasurer are hereby specifically prohibited from drawing warrants and making payments in excess of amounts appropriated by Council.

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 and for the further reason this is amendment to the current operating budget; 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