



WHITEHALL CITY COUNCIL MEETING

TUESDAY, MAY 19, 2026

CALL TO ORDER:

MOMENT OF SILENCE

PLEDGE OF ALLEGIANCE

ROLL CALL:

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

APPROVAL OF MINUTES:

May 6, 2026 Agenda & Regular Meeting Minutes

SPECIAL PRESENTATION:

Antone White, Director of the Franklin County Board of Elections

STANDING COMMITTEE REPORTS:

Administration and Financial Management – Chairperson Elmore

Community and Elder Advocacy – Chairperson Harcar

Community Standards and Enforcement – Chairperson McCann

Economic Development – Chairperson Dixon

Infrastructure, Maintenance, and Services – Chairperson Brown

Public Safety – Chairperson Morrison

Parks and Recreation – Chairperson Adkins

OFFICIALS' REPORTS:

Mayor Michael T. Bivens

City Auditor Shaquille Alexander

City Attorney Bradley S. Nicodemus

Treasurer Trevel Balsaer

Director of Public Service Casey Rowlands

Director of Economic Development Jackie Russell

Director of Public Safety Van Gregg

Director of Neighborhoods Gerald Wright

President Thomas M. Potter

COMMUNICATIONS, PETITIONS AND CLAIMS:

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. 034-2026

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

FIRST READING:

RESOLUTION NO. 016-2026

A RESOLUTION PROVIDING FOR THE SUBMISSION OF THE QUESTION OF THE RECALL OF MAYOR MICHAEL BIVENS TO THE ELECTORS OF THE CITY AND THE DECLARATION OF AN EMERGENCY.

RESOLUTION NO. 017-2026

A RESOLUTION PROVIDING FOR THE SUBMISSION OF THE QUESTION OF THE RECALL OF COUNCILMEMBER LORI ELMORE TO THE ELECTORS OF THE CITY AND THE DECLARATION OF AN EMERGENCY.

RESOLUTION NO. 018-2026

A RESOLUTION PROVIDING FOR THE SUBMISSION OF THE QUESTION OF THE RECALL OF COUNCILMEMBER AMY HARCAR TO THE ELECTORS OF THE CITY AND THE DECLARATION OF AN EMERGENCY.

RESOLUTION NO. 019-2026

AUTHORIZING AND APPROVING A PLAN OF INDUSTRIAL, COMMERCIAL,

DISTRIBUTION, AND RESEARCH DEVELOPMENT AND ONE OR MORE AGENCY
AGREEMENTS WITH THE WHITEHALL COMMUNITY IMPROVEMENT CORPORATION.

POLL PUBLIC:

COMMUNITY DATE BOARD:

POLL COUNCIL: ELMORE; MORRISON; HARCAR; ADKINS; MCCANN; DIXON;
BROWN

ADJOURN

Whitehall City Council Meeting

May 6, 2026 Meeting minutes

President Potter ordered the agenda meeting for Wednesday, May 6, 2026, at 6:30 p.m. All members were present.

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

There was discussion regarding the second Code Enforcement Officer, the City Planner position, the rate of pay, and the job descriptions.

The meeting adjourned at 6:53 p.m.

Submitted by,

Julie A. Ogg, Clerk of Council

APPROVED: May 19, 2026

Thomas M. Potter, Council President

Whitehall City Council Meeting

May 6, 2026 Meeting minutes

Call to Order

President Potter called the meeting to order at 7:00 PM on Wednesday, May 6, 2026, in the Council Chamber at City Hall. He began with a moment of silence followed by the Pledge of Allegiance.

Roll Call

Clerk Ogg conducted the roll call, with the following councilmembers present: Councilors Brown, Elmore, Morrison, Harcar, Adkins, McCann, and Dixon. President Potter was also present.

Approval of Minutes

The following sets of minutes were presented for approval:

- April 7, 2026 Agenda & Regular Meeting Minutes
- April 14, 2026 Special Meeting Minutes
- April 14, 2026 Committee Meeting Minutes
- April 21, 2026 Agenda & Regular Meeting Minutes
- April 28, 2026 Committee Meeting Minutes

Councilor Harcar made the motion to accept the minutes, which was seconded by Councilor Elmore. The motion passed unanimously with all members voting yes.

Special Presentation

Motorcycle Awareness Month Proclamation

Mayor Michael T. Bivens presented a proclamation designating May 2026 as Motorcycle Awareness Month in the City of Whitehall.

Municipal Clerks Week Proclamation

Mayor Michael T. Bivens presented a proclamation designating May 3 through May 9, 2026, as Municipal Clerks Week in the City of Whitehall. The proclamation recognized the integral role municipal clerks play in maintaining records, supporting legislative and judicial processes, and contributing to the long-term success and stability of the community. Mayor Bivens extended his sincere appreciation to Lorena Lacey, Clerk of Whitehall Mayor's Court, and to Julie Ogg, Clerk of Council, for their dedication, service, and unwavering commitment to the residents of Whitehall. Following the reading of the proclamation, a group photograph was taken with the Council in the chambers. Those in attendance warmly received the recognition.

Standing Committee Reports

Administration and Financial Management – Chairperson Elmore

Councilor Lori Elmore reported that the Administration and Financial Management Committee met the prior week, that the minutes are on file, that several pieces of legislation were before the Council that evening, and that the committee would meet the following Tuesday again at 6:30 PM.

Community and Elder Advocacy – Chairperson Harcar

Councilor Amy Harcar reported that the Community and Elder Advocacy Committee met the prior week, that there were no drafts or pending legislation before the Council that evening, and that the committee would meet again the following Tuesday after 6:30 PM.

Community Standards and Enforcement – Chairperson McCann

Councilor Brian McCann reported that the committee met the prior Tuesday, that the minutes are on file, that there was no legislation before the Council that evening under this committee, and that the committee would meet the following Tuesday again at 6:30 PM.

Economic Development – Chairperson Dixon

Councilor Gerald Dixon reported that the Economic Development Committee met just over a week prior, that there were no pieces of legislation under this committee on the evening's agenda, and that the committee intended to meet the following week in the chambers after 6:30 PM.

Infrastructure, Maintenance, and Services – Chairperson Brown

Councilor Devin Brown reported that the Infrastructure, Maintenance, and Services Committee met the prior week, thanked Council members for coverage during his absence, noted that the minutes are on file, confirmed there were no drafts or pending legislation that evening, and stated the committee planned to meet the following Tuesday again at 6:30 PM.

Public Safety – Chairperson Morrison

Councilor Larry Morrison reported that the Public Safety Committee also met the prior week, that the minutes are on file, and that the committee would meet the following week again sometime after 6:30 PM.

Parks and Recreation – Chairperson Adkins

Councilor Mike Adkins reported that the Parks and Recreation Committee also met the prior week, that the minutes are on file, that there were no drafts or legislation before the Council, and that the committee would meet again the following Tuesday.

Officials' Reports

Mayor Michael T. Bivens

Mayor Bivens offered brief remarks, noting he wished to move expeditiously to the Director of Neighborhoods' report. He congratulated all candidates who advanced through the primary election the prior day, describing it as a fantastic showing and noting it was one of the largest voter turnouts in Franklin County history. He also congratulated seniors who received awards at Whitehall Yearling High School, and thanked Councilor Elmore for joining him in presenting the Martin Luther King Jr. Scholarship awards to the recipients.

City Auditor Shaquille Alexander

City Auditor Shaquille Alexander was not present. In his absence, Councilor Devin Brown conveyed remarks that Auditor Alexander had prepared for the public. The key points shared were as follows: the General Fund is holding steady, beginning 2026 at \$6,900,000 and sitting at \$6,500,000 four months in, which Auditor Alexander described as essentially flat after a full third of the year's operations and a

clear sign that revenues and spending are tracking together. Income tax collections through April 30 totaled over \$11,260,000, with February, March, and April each delivering between \$3,150,000 and \$3,280,000. The General Fund budget is on target, with 33.78% of the budget utilized against a 33.33% pacing target — a variance of less than half a percentage point. Auditor Alexander's bottom-line assessment was that the General Fund is stable, income tax revenue has been steady, and the budget is on target, reflecting the discipline of the Mayor, department heads, and the finance team. Director of Economic Development Jackie Russell noted that Auditor Alexander is currently attending class to further his education and that he welcomes any public questions.

City Attorney Bradley S. Nicodemus

City Attorney Bradley S. Nicodemus was not present.

Treasurer Trevel Balser

Treasurer Trevel Balser was not present.

Director of Public Service Casey Rowlands

Director of Public Service Casey Rowlands offered congratulations to Chuck Thacker, who had been serving as a crew chief and was promoted to Street Superintendent as of May 4, stepping into the role previously held by Jeff, who is retiring at the end of the month and had been mentoring Thacker for the prior month. Director Rowlands also congratulated Dustin Irvin, who moved into the newly vacated Crew Chief position. Director Rowlands spoke with evident pride about the city's service crew, stating, "Our service crew is the best in the business. They are amazing." She noted that the crew is in "fifth season," that Mayor Bivens had been out with them the prior week, and that while it is a tough and often thankless job, she wished to publicly thank them for making her job easier. Director Rowlands concluded by requesting favorable consideration for Ordinances 035-2026 and 036-2026.

Director of Economic Development Jackie Russell

Director of Economic Development Jackie Russell noted that the week of May 6 is Economic Development Week and highlighted the 100th anniversary of the International Economic Development Council (IEDC), encouraging the public to explore the IEDC's online resources. She congratulated two city interns, Curtis Nutter and Dejon Cox, on their college graduations from The Ohio State University. Director Russell also conveyed Auditor Alexander's message that he is available to answer public questions and concluded by requesting favorable consideration for Ordinances 035-2026 and 036-2026.

Director of Public Safety Van Gregg

Director of Public Safety Van Gregg was not present.

Director of Neighborhoods Gerald Wright

Director of Neighborhoods Gerald Wright delivered a report that generated considerable enthusiasm from the Council. He began by noting the completion of the third event in the Department of Neighborhoods' "Meet and Greet" series, held that same evening at Andrus Townhomes, which he described as very well attended and energetic. Through the meet and greet series and resident connections — including referrals from Councilor McCann and Councilor Elmore — the Department has engaged with over 300 Whitehall residents to date. Director Wright emphasized that the Department's work proceeds through partnerships and collaborations.

Director Wright then unveiled the highlight of his report: in support of Mayor Bivens' "See Something, Say Something" initiative, the Department has procured and is customizing bicycles for community outreach. He displayed one of the bicycles for the Council and the public, explaining that while staff members are out on foot or bicycle in neighborhoods, they will serve as visible examples of the initiative and will be accessible to residents in their own communities. Director Wright distinguished this program from the public safety-oriented "See Something, Say Something" effort — the Department's version is described as more relational and resident-focused, intended to facilitate wraparound services and support. The bicycle presentation was met with good humor from Council, with questions about helmets and whether the custom basket was standard equipment. Director Wright confirmed the basket

was a "special collaborative effort." Mayor Bivens and Council members expressed enthusiasm about joining Director Wright on bicycle rides through neighborhoods, noting that members of the public would also be invited to participate.

Director Wright concluded his report by inviting everyone to an upcoming free ice cream social on May 14 at the Whitehall Public Library, beginning at 3:00 PM, planned to be held outdoors along Broad Street, weather permitting.

President Thomas M. Potter

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

Communications, Petitions, and Claims

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

Poll Public (First)

Council President Potter opened the first Poll Public period and asked members of the public to sign in, provide their city, and observe the three-minute time limit.

Robert Fischer addressed Council regarding a traffic safety concern on Dimson Drive East in the Country Club Village area. Mr. Fischer described a pattern of extreme speeding — with vehicles traveling at 50 to 60 miles per hour in a 25-mile-per-hour zone — involving four-wheelers, motorcycles, pickup trucks, and cars operating at all hours, particularly from noon through the early morning. He noted that cats have been struck and killed on the road and expressed concern for the safety of residents, noting that five families with disabilities reside in approximately eight houses along the street. Mr. Fischer stated the problem has persisted for at least two to three years and that he had previously contacted the courthouse but had never attended a Council meeting before to raise the issue. Councilor Devin Brown responded that he is familiar with the area and, in his capacity as Chair of Infrastructure, Maintenance, and Services, offered to connect with Mr. Fischer after the meeting.

Tina Matthews of Columbus addressed Council, identifying herself as the founder of Community Cares Paradigm Shifts. Ms. Matthews referenced comments from Councilor Dixon at the April 28 meeting regarding community concerns and sought information about the process for petitioning for a ward election. Council President Potter clarified that the Poll Public forum is not a discussion-based format and that questions should be directed to appropriate channels outside of the meeting. After it was noted that Ms. Matthews' time had expired, she was asked to conclude her remarks.

Verification of Copies

Council President Potter asked the Clerk to call roll to confirm that each member of Council had received copies of all legislation listed on the agenda prior to the meeting.

Roll call confirmed all seven members — Councilor Brown, Councilor Elmore, Councilor Morrison, Councilor Harcar, Councilor Adkins, Councilor McCann, and Councilor Dixon — had received copies of all agenda legislation. All responded in the affirmative.

Third Reading

No legislation was presented for Third Reading.

Second Reading

No legislation was presented for Second Reading.

First Reading

Ordinance No. 034-2026 (Title Only)

Allowing a Special Permit under Section 1125.04 to allow drive-through facilities on the property located at 4600 E. Broad Street, Parcel Numbers 090-008427-00 and 090-008249-00, property owned by Meyer Foods Management Company, and declaring an emergency.

This ordinance was read by title only and noted as being referred to the Planning Commission. No vote was taken at this reading.

Ordinance No. 035-2026

Authorizing and approving an amendment to the Codified Ordinances of the City of Whitehall, Section 161 Table of Authorized Personnel, for Fiscal Year 2026, and declaring an emergency.

Motion to introduce Ordinance No. 035-2026 and move for suspension of all rules was made by Councilor Dixon and seconded by Councilor Morrison. Roll call: Brown – Yes; Elmore – Yes; Morrison – Yes; Harcar – Yes; Adkins – Yes; McCann – Yes; Dixon – Yes. Rules were suspended.

Motion to adopt Ordinance No. 035-2026 was made by Councilor Dixon and seconded by Councilor Morrison. Roll call: Brown – Yes; Elmore – Yes; Morrison – Yes; Harcar – Yes; Adkins – Yes; McCann – Yes; Dixon – Yes. Ordinance No. 035-2026 was adopted unanimously.

Ordinance No. 036-2026

Amending Ordinance No. 129-2025; authorizing and approving the following changes to Section 161.38, and declaring an emergency.

Motion to introduce Ordinance No. 036-2026 and move for suspension of all rules was made by Councilor Elmore and seconded by Councilor Dixon. Roll call: Brown – Yes; Elmore – Yes; Morrison – Yes; Harcar – Yes; Adkins – Yes; McCann – Yes; Dixon – Yes. Rules were suspended.

Motion to adopt Ordinance No. 036-2026 was made by Councilor Elmore and seconded by Councilor Dixon. Roll call: Brown – Yes; Elmore – Yes; Morrison – Yes; Harcar – Yes; Adkins – Yes; McCann – Yes; Dixon – Yes. Ordinance No. 036-2026 was adopted unanimously.

Ordinance No. 037-2026

Authorizing and approving an advance of unappropriated monies in the amount of \$61,228.60 from the General Fund (101) to the Energy Project Fund (810); and authorizing and approving a supplemental appropriation in the same amount from unappropriated monies in the Energy Project Fund (810) to the Energy Project Fund Expense Account (810.000.50000).

Motion to introduce Ordinance No. 037-2026 and move for suspension of all rules was made by Councilor Harcar and seconded by Councilor Elmore. Roll call: Brown – Yes; Elmore – Yes; Morrison – Yes; Harcar – Yes; Adkins – Yes; McCann – Yes; Dixon – Yes. Rules were suspended.

Motion to adopt Ordinance No. 037-2026 was made by Councilor Harcar and seconded by Councilor Elmore. Roll call: Brown – Yes; Elmore – Yes; Morrison – Yes; Harcar – Yes; Adkins – Yes; McCann – Yes; Dixon – Yes. Ordinance No. 037-2026 was adopted unanimously.

Ordinance No. 038-2026

Authorizing and approving a fund transfer in the amount of \$55,000.00 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 \$55,000.00 to the Accrued Benefit Reserve Expense Account 505.000.51000.

Motion to introduce Ordinance No. 038-2026 and move for suspension of all rules was made by Councilor Elmore and seconded by Councilor Morrison. Roll call: Brown – Yes; Elmore – Yes; Morrison – Yes; Harcar – Yes; Adkins – Yes; McCann – Yes; Dixon – Yes. Rules were suspended.

Motion to adopt Ordinance No. 038-2026 was made by Councilor Elmore and seconded by Councilor Morrison. Roll call: Brown – Yes; Elmore – Yes; Morrison – Yes; Harcar – Yes; Adkins – Yes; McCann – Yes; Dixon – Yes. Ordinance No. 038-2026 was adopted unanimously.

Ordinance No. 039-2026

Approving and making a fund transfer in the amount of \$284,417.07 from various accounts in the WMPITIE Fund (279) to the Debt Service Fund (401).

Motion to introduce Ordinance No. 039-2026 and move for suspension of all rules was made by Councilor Elmore and seconded by Councilor Morrison. Roll call: Brown – Yes; Elmore – Yes; Morrison – Yes; Harcar – Yes; Adkins – Yes; McCann – Yes; Dixon – Yes. Rules were suspended.

Motion to adopt Ordinance No. 039-2026 was made by Councilor Elmore and seconded by Councilor Morrison. Roll call: Brown – Yes; Elmore – Yes; Morrison – Yes; Harcar – Yes; Adkins – Yes; McCann – Yes; Dixon – Yes. Ordinance No. 039-2026 was adopted unanimously.

Ordinance No. 040-2026

Approving and making a fund transfer in the amount of \$77,648.86 from unappropriated monies in the General Fund (101) to the Debt Service Fund (401).

Motion to introduce Ordinance No. 040-2026 and move for suspension of all rules was made by Councilor Elmore and seconded by Councilor McCann. Roll call: Brown – Yes; Elmore – Yes; Morrison – Yes; Harcar – Yes; Adkins – Yes; McCann – Yes; Dixon – Yes. Rules were suspended.

Motion to adopt Ordinance No. 040-2026 was made by Councilor Elmore and seconded by Councilor McCann. Roll call: Brown – Yes; Elmore – Yes; Morrison – Yes; Harcar – Yes; Adkins – Yes; McCann – Yes; Dixon – Yes. Ordinance No. 040-2026 was adopted unanimously.

Ordinance No. 041-2026

Authorizing and approving a fund transfer in the amount of \$203,651.75 from unappropriated monies in the General Fund (101) to the Debt Service Fund (401).

Prior to the adoption vote, Councilor Devin Brown offered context on behalf of Auditor Alexander for the benefit of the public. Councilor Brown explained that this is a fund transfer necessitated by the same mechanism as the OPWC transfer — that recreation bond debt service is due, the General Fund is the repayment source, and Fund 401 is where the bondholder payment must originate. He noted that Ordinance No. 119-2025 already authorized the General Fund to spend the money, and that this ordinance simply moves the funds to the correct fund to make the payment.

Motion to introduce Ordinance No. 041-2026 and move for suspension of all rules was made by Councilor Elmore and seconded by Councilor McCann. Roll call: Brown – Yes; Elmore – Yes; Morrison – Yes; Harcar – Yes; Adkins – Yes; McCann – Yes; Dixon – Yes. Rules were suspended.

Motion to adopt Ordinance No. 041-2026 was made by Councilor Elmore and seconded by Councilor McCann. Roll call: Brown – Yes; Elmore – Yes; Morrison – Yes; Harcar – Yes; Adkins – Yes; McCann – Yes; Dixon – Yes. Ordinance No. 041-2026 was adopted unanimously.

Ordinance No. 042-2026

Authorizing and approving a supplemental appropriation in the amount of \$6,500.00 from unappropriated monies in the General Fund to the 101.900.55100 Records Maintenance Expense Account.

Councilor Lori Elmore requested that documentation provided by Auditor Alexander covering Ordinances 037, 039, 040, 041, 043, and 044 be made available to the public by Clerk of Council Julie Ogg, which Clerk Ogg confirmed would be done.

During discussion on adoption, Councilor Devin Brown provided additional public context: when the 2026 annual appropriation ordinance was passed, the records maintenance line was not funded at a sufficient level to cover the year's records retention obligations. Because the city is legally required to maintain certain municipal records, the line requires supplementation. Councilor Brown characterized this as a routine, midyear, corrective appropriation.

Motion to introduce Ordinance No. 042-2026 and move for suspension of all rules was made by Councilor Elmore and seconded by Councilor Brown. Roll call: Brown – Yes; Elmore – Yes; Morrison – Yes; Harcar – Yes; Adkins – Yes; McCann – Yes; Dixon – Yes. Rules were suspended.

Motion to adopt Ordinance No. 042-2026 was made by Councilor Elmore and seconded by Councilor Brown. Roll call: Brown – Yes; Elmore – Yes; Morrison – Yes; Harcar – Yes; Adkins – Yes; McCann – Yes; Dixon – Yes. Ordinance No. 042-2026 was adopted unanimously.

Ordinance No. 043-2026

Approving a fund transfer in the amount of \$456,623.33 from unappropriated monies in the Water Utility Fund (841) to the Debt Service Fund (401).

During discussion, Councilor Devin Brown noted that in 2023, the city entered into loan agreements with the Ohio Water Development Authority (OWDA), the state's financing arm for water and sewer projects, for water and sewer line improvements and related street reconstruction. As with all long-term debt, the actual payment to OWDA must originate from Fund 401.

Motion to introduce Ordinance No. 043-2026 and move for suspension of all rules was made by Councilor Elmore and seconded by Councilor Brown. Roll call: Brown – Yes; Elmore – Yes; Morrison – Yes; Harcar – Yes; Adkins – Yes; McCann – Yes; Dixon – Yes. Rules were suspended.

Motion to adopt Ordinance No. 043-2026 was made by Councilor Elmore and seconded by Councilor Brown. Roll call: Brown – Yes; Elmore – Yes; Morrison – Yes; Harcar – Yes; Adkins – Yes; McCann – Yes; Dixon – Yes. Ordinance No. 043-2026 was adopted unanimously.

Ordinance No. 044-2026

Approving and making a fund transfer in the amount of \$423,368.75 from unappropriated monies in the General Fund (101) to the Debt Service Fund (401).

During discussion, Councilor Devin Brown offered final public context, noting that this follows the same long-term debt service mechanism as prior ordinances: debt service flows to Fund 401, multiple bond series are bundled into one transfer ordinance for administrative efficiency, and the emergency clause reflects the timing of an upcoming payment date.

Motion to introduce Ordinance No. 044-2026 and move for suspension of all rules was made by Councilor Elmore and seconded by Councilor Morrison. Roll call: Brown – Yes; Elmore – Yes; Morrison – Yes; Harcar – Yes; Adkins – Yes; McCann – Yes; Dixon – Yes. Rules were suspended.

Motion to adopt Ordinance No. 044-2026 was made by Councilor Elmore and seconded by Councilor Morrison. Roll call: Brown – Yes; Elmore – Yes; Morrison – Yes; Harcar – Yes; Adkins – Yes; McCann – Yes; Dixon – Yes. Ordinance No. 044-2026 was adopted unanimously.

Poll Public (Second)

Council President Potter opened the second Poll Public period. No members of the public came forward, and the period was closed.

Community Date Board

Councilor Brown announced the following upcoming community events:

- May 7 — Memorial ceremony at the Whitehall Police Department at 6:00 PM.
- May 25 (Memorial Day) — Flag raising at City Hall at 10:00 AM.

Councilor Brown also announced a community conversation event to be held on Monday, May 18, at 6:30 PM at the Whitehall Senior Center, focused on topics including home prices, development, infrastructure improvements, and the direction of the city. The event will be moderated by a Whitehall resident and is designed as an open discussion. Auditor Alexander will also participate to provide financial insights. Councilor Brown encouraged residents with advance questions to reach out to him or Auditor Alexander prior to the event.

Poll Council

Councilor Brown thanked all those in attendance and those watching online. He expressed appreciation for Auditor Alexander's continued commitment to financial transparency and praised the community members who continue to attend and engage with Council. Councilor Brown also affirmed his confidence in the direction of the city and expressed support for Mayor Bivens and Councilor Elmore as leaders.

Councilor Elmore thanked Mayor Bivens for both proclamations — particularly Motorcycle Awareness Month, urging residents to be mindful of motorcyclists on the road and avoid phone distraction while driving. She extended heartfelt recognition to Clerk of Council Julie Ogg and Lorena Lacey for their well-deserved honors. Councilor Elmore spoke warmly of the Department of Neighborhoods' third meet and greet, describing a particularly meaningful conversation with a former OCSCA board member in attendance, Vicky Arnold, who was visiting her first Council meeting. She also echoed Mayor Bivens' congratulations to the Martin Luther King Jr. Scholarship recipients at Whitehall Yearling High School, calling them "very talented seniors who are going to do great things." She encouraged all Council members to attend future meet and greet events, reflecting, "That's what community really looks like."

Councilor Morrison thanked all in attendance and those watching from home, expressing appreciation for their attendance and input, and wished residents a good and safe week.

Councilor Harcar used her Poll Council time to publicly address a series of questions she had received via email from an individual formerly involved in Whitehall politics, as she was unable to reply directly. She responded to questions regarding her employer, ETSS, clarifying that the organization is grant-funded and operates in full compliance with federal laws and grant requirements. She explained that the legal federal protections ETSS works within — including TPS, T Visas, refugee status, green cards, and asylum processes — are distinct from undocumented status, and that the limited exception she encounters involves victims of violent crime, domestic violence, and human trafficking whose documents were stolen, destroyed, or improperly filed by their abusers. Councilor Harcar stated she finds the term "illegals" dehumanizing and unhelpful, and affirmed that she serves all Whitehall residents regardless of background. She also responded to questions about her work on behalf of senior citizens and veterans, citing specific instances of assistance provided and her participation in community events and meetings.

Councilor Adkins thanked Director Wright for his report, expressing enthusiasm for the bicycle initiative and noting he looked forward to seeing the helmet design. He also recognized the athletic department at Whitehall Junior High and High School for their mulch project held the prior Saturday, and encouraged community members interested in volunteering to spread mulch in city parks to contact Parks and Recreation, noting the effort was anticipated for the following Saturday and was primarily suited for adult volunteers.

Councilor McCann highlighted the continued value of plain-language financial summary sheets prepared by Auditor Alexander, encouraging residents to obtain them when available. He announced his intent to begin hosting quarterly Ward 2 community meetings, to be held at a church across from City Hall, modeled as open, seated discussions rather than a formal presentation format. He stated his intention to invite administration members to participate and expressed plans to hold the inaugural

meeting in the first week of August. Councilor McCann also encouraged attendance at Rosemore Middle School's final game of the season the following day.

Councilor Dixon thanked those in public attendance and those watching from home. He acknowledged the comments from Robert Fischer regarding traffic safety on Dimson Drive East, affirming that speeding and disregard for traffic laws has been a recurring concern throughout Whitehall, sharing his own firsthand observations from his neighborhood at Robinwood and Doney. He encouraged Councilor Brown and Mr. Fischer to connect on the matter. Councilor Dixon also congratulated Chuck Thacker on his promotion to Street Superintendent, congratulated City interns Curtis Nutter and Dejon Cox on their graduations, and spoke approvingly of Ordinances 035-2026 and 036-2026, framing their passage as an example of productive negotiation and cooperation — stating, "We state our concerns, there is negotiation, and with that negotiation we find success."

Council President Potter thanked Mayor Bivens for both proclamations, with particular warmth toward Clerk of Council Julie Ogg, whom he described as "phenomenal" and "the most competent person I've known in that position." He also commended Director Wright's report on the Department of Neighborhoods and expressed enthusiasm for the bicycle outreach program.

Adjourn

There being no further business before the Council, Council President Potter adjourned the meeting at 8:00 PM. Councilor Elmore offered a Happy Mother's Day greeting to all mothers as the meeting concluded.

Submitted by,

Julie A. Ogg, Clerk of Council

APPROVED: May 19, 2026

Thomas M. Potter, Council President

ORDINANCE NO. 034-2026

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

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

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

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

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

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

SECTION 2: That this Ordinance is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety, and welfare, and for the further reason that the project is supported by and is in line with the goals of the Whitehall Works Comprehensive Development Blueprint adopted by City Council on July 16, 2019; WHEREFORE, this Ordinance shall go into full force and effect immediately upon its passage and approval by the Mayor.

PASSED this _____ day of _____, 2026

ATTEST:

Clerk of Council

President of Council

APPROVED this ____ day of _____, 2026

Mayor

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

RESOLUTION NO. 016-2026

A RESOLUTION PROVIDING FOR THE SUBMISSION OF THE QUESTION OF THE RECALL OF MAYOR MICHAEL T. BIVENS TO THE ELECTORS OF THE CITY AND THE DECLARATION OF AN EMERGENCY.

WHEREAS, on March 11, 2026, petitions demanding the recall of Mayor Michael T. Bivens were filed with the Clerk of Council;

WHEREAS, on March 31, 2026, the Clerk of Council certified that pursuant to Charter §68 the petitions were sufficient to demand the recall of Mayor Michael T. Bivens;

WHEREAS, on May 3, 2026, in *State ex rel. Michael T. Shannon v. Julie Ogg, in her official capacity as City of Whitehall Clerk of Council*, 2026-Ohio-1599, the Ohio Supreme Court determined the petitions insufficient and the petitioners were subsequently notified and provided a ten (10) day cure period as provided in Charter §68;

WHEREAS, on May 13, 2026, additional petitions parts were filed with the Clerk of Council;

WHEREAS, on May 14, 2026, the Clerk of Council certified that pursuant to §68 the petitions were sufficient to demand the recall of Mayor Michael T. Bivens;

WHEREAS, Mayor Michael T. Bivens was provided notice of the sufficiency of the petitions demanding her recall;

WHEREAS, Charter §68 requires Council to set a date for a recall election if the person subject to recall does not resign and such election shall be set no earlier than thirty (30) days nor later than sixty (60) days after notice was provided thus providing for an election date between June 13, 2026, and July 13, 2026;

WHEREAS, Council acknowledges the request of the Board of Elections to set the special election date of June 23, 2026, so as to minimize interference with its duties and staffing with regards to statewide ballot initiative petition verification; and

WHEREAS, Council is now required to set a date for the recall election; NOW, THEREFORE,

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

SECTION 1: Pursuant to Charter §68, Council hereby determines and sets the date for the recall election as June 23, 2026.

SECTION 2: The form of the ballot to be given at the election on the question of recall of Mayor Michael T. Bivens shall be substantially as follows, as directed by Charter §68 and Ohio law:

"Shall Micael T. Bivens be allowed to continue as Mayor?"

Yes _____

No _____

SECTION 3: The Clerk of Council is hereby directed and authorized to cause notice of this recall election to be published according to law.

SECTION 4: The Clerk of Council is hereby authorized and directed to certify a copy of this Resolution immediately after its passage and to deliver it to the to the Board of Elections of Franklin County, Ohio for the purpose of having the question set forth in Section 2, above, placed on the ballot in order to submit the question of the recall of Mayor Michael T. Bivens to the electors of the City of Whitehall, Ohio, at the election to be held as set herein.

RESOLUTION NO. 016-2026

SECTION 5: This Resolution setting a date for a recall election is required pursuant to Charter §68 and therefore not subject to mayoral veto nor requires mayoral approval. This Resolution shall only be effective if Mayor Michael T. Bivens does not resign within the time provided by the Charter.

SECTION 6: The Council finds and determines that all formal actions of this Council relating to the adoption of this Resolution have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of R.C. §121.22.

SECTION 7: That this Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety and welfare and for the further reason time of the essence in this election matter; WHEREFORE, This Resolution shall go into full force and effect immediately upon its passage by Council.

PASSED this ____ day of _____, 2026.

ATTEST:

Clerk of Council

President of Council

RESOLUTION NO. 017-2026

A RESOLUTION PROVIDING FOR THE SUBMISSION OF THE QUESTION OF THE RECALL OF COUNCILMEMBER LORI ELMORE TO THE ELECTORS OF THE CITY AND THE DECLARATION OF AN EMERGENCY.

WHEREAS, on March 11, 2026, petitions demanding the recall of Councilmember Lori Elmore were filed with the Clerk of Council;

WHEREAS, on March 31, 2026, the Clerk of Council certified that pursuant to Charter §68 the petitions were sufficient to demand the recall of Councilmember Lori Elmore;

WHEREAS, on May 3, 2026, in *State ex rel. Michael T. Shannon v. Julie Ogg, in her official capacity as City of Whitehall Clerk of Council*, 2026-Ohio-1599, the Ohio Supreme Court determined the petitions insufficient and the petitioners were subsequently notified and provided a ten (10) day cure period as provided in Charter §68;

WHEREAS, on May 13, 2026, additional petitions parts were filed with the Clerk of Council;

WHEREAS, on May 14, 2026, the Clerk of Council certified that pursuant to §68 the petitions were sufficient to demand the recall of Councilmember Lori Elmore;

WHEREAS, Councilmember Lori Elmore was provided notice of the sufficiency of the petitions demanding her recall;

WHEREAS, Charter §68 requires Council to set a date for a recall election if the person subject to recall does not resign and such election shall be set no earlier than thirty (30) days nor later than sixty (60) days after notice was provided thus providing for an election date between June 13, 2026, and July 13, 2026;

WHEREAS, Council acknowledges the request of the Board of Elections to set the special election date of June 23, 2026, so as to minimize interference with its duties and staffing with regards to statewide ballot initiative petition verification; and

WHEREAS, Council is now required to set a date for the recall election; NOW, THEREFORE,

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

SECTION 1: Pursuant to Charter §68, Council hereby determines and sets the date for the recall election as June 23, 2026.

SECTION 2: The form of the ballot to be given at the election on the question of recall of Councilmember Lori Elmore shall be substantially as follows, as directed by Charter §68 and Ohio law:

"Shall Lori Elmore be allowed to continue as Councilmember?"

Yes _____

No _____

SECTION 3: The Clerk of Council is hereby directed and authorized to cause notice of this recall election to be published according to law.

SECTION 4: The Clerk of Council is hereby authorized and directed to certify a copy of this Resolution immediately after its passage and to deliver it to the to the Board of Elections of Franklin County, Ohio for the purpose of having the question set forth in Section 2, above, placed on the ballot in order to submit the question of the recall of Councilmember Lori Elmore to the electors of the City of Whitehall, Ohio, at the election to be held as set herein.

RESOLUTION NO. 017-2026

SECTION 5: This Resolution setting a date for a recall election is required pursuant to Charter §68 and therefore not subject to mayoral veto nor requires mayoral approval. This Resolution shall only be effective if Councilmember Lori Elmore does not resign within the time provided by the Charter.

SECTION 6: The Council finds and determines that all formal actions of this Council relating to the adoption of this Resolution have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of R.C. §121.22.

SECTION 7: That this Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety and welfare and for the further reason time of the essence in this election matter; WHEREFORE, This Resolution shall go into full force and effect immediately upon its passage by Council.

PASSED this ____ day of _____, 2026.

ATTEST:

Clerk of Council

President of Council

RESOLUTION NO. 018-2026

A RESOLUTION PROVIDING FOR THE SUBMISSION OF THE QUESTION OF THE RECALL OF COUNCILMEMBER AMY HARCAR TO THE ELECTORS OF THE CITY AND THE DECLARATION OF AN EMERGENCY.

WHEREAS, on March 11, 2026, petitions demanding the recall of Councilmember Amy Harcar were filed with the Clerk of Council;

WHEREAS, on March 31, 2026, the Clerk of Council certified that pursuant to Charter §68 the petitions were sufficient to demand the recall of Councilmember Amy Harcar;

WHEREAS, on May 3, 2026, in *State ex rel. Michael T. Shannon v. Julie Ogg, in her official capacity as City of Whitehall Clerk of Council*, 2026-Ohio-1599, the Ohio Supreme Court determined the petitions insufficient and the petitioners were subsequently notified and provided a ten (10) day cure period as provided in Charter §68;

WHEREAS, on May 13, 2026, additional petition parts were filed with the Clerk of Council;

WHEREAS, on May 14, 2026, the Clerk of Council certified that pursuant to §68 the petitions were sufficient to demand the recall of Councilmember Amy Harcar;

WHEREAS, Councilmember Amy Harcar was provided notice of the sufficiency of the petitions demanding her recall;

WHEREAS, Charter §68 requires Council to set a date for a recall election if the person subject to recall does not resign and such election shall be set no earlier than thirty (30) days nor later than sixty (60) days after notice was provided thus providing for an election date between June 13, 2026, and July 13, 2026;

WHEREAS, Council acknowledges the request of the Board of Elections to set the special election date of June 23, 2026, so as to minimize interference with its duties and staffing with regards to statewide ballot initiative petition verification; and

WHEREAS, Council is now required to set a date for the recall election; NOW, THEREFORE,

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

SECTION 1: Pursuant to Charter §68, Council hereby determines and sets the date for the recall election as June 23, 2026.

SECTION 2: The form of the ballot to be given at the election on the question of recall of Councilmember Amy Harcar shall be substantially as follows, as directed by Charter §68 and Ohio law:

"Shall Amy Harcar be allowed to continue as Councilmember?"

Yes _____

No _____

SECTION 3: The Clerk of Council is hereby directed and authorized to cause notice of this recall election to be published according to law.

SECTION 4: The Clerk of Council is hereby authorized and directed to certify a copy of this Resolution immediately after its passage and to deliver it to the to the Board of Elections of Franklin County, Ohio for the purpose of having the question set forth in Section 2, above, placed on the ballot in order to submit the question of the recall of Councilmember Amy Harcar to the electors of the City of Whitehall, Ohio, at the election to be held as set herein.

RESOLUTION NO. 018-2026

SECTION 5: This Resolution setting a date for a recall election is required pursuant to Charter §68 and therefore not subject to mayoral veto nor requires mayoral approval. This Resolution shall only be effective if Councilmember Amy Harcar does not resign within the time provided by the Charter.

SECTION 6: The Council finds and determines that all formal actions of this Council relating to the adoption of this Resolution have been taken at open meetings of this Council; and that deliberations of this Council and of its committees, resulting in such formal action, took place in meetings open to the public, in compliance with all statutory requirements including the requirements of R.C. §121.22.

SECTION 7: That this Resolution is hereby declared to be an emergency measure immediately necessary for the preservation of the public health, peace, safety and welfare and for the further reason time of the essence in this election matter; WHEREFORE, This Resolution shall go into full force and effect immediately upon its passage by Council.

PASSED this ___ day of _____, 2026.

ATTEST:

Clerk of Council

President of Council

Required by: Charter §68
Prepared by: Bradley S. Nicodemus, City Attorney
Approved as to form: Bradley S. Nicodemus, City Attorney bsn 05/14/2026