

CALL TO ORDER – ROLL CALL – PRAYER – PLEDGE OF ALLEGIANCE

Meeting called to order at 6:30 PM by Mayor Don Atkinson.

Council Members Present: Mayor Don Atkinson, Bob Keogh, Steve Connelly, Mindy Curry, Louann Artiaga (Mayor excused from roll call – returned to meeting at 6:45pm), Richard Bingham, and President of Council Rebecca Conklin Kleiboemer

Council Members Absent: None

Staff Present: Administrator Jordan Daugherty, Deputy Administrator Joshua Hartbarger, Solicitor Kevin Heban, Director of Public Services Steve Pilcher, Police Sergeant Brad Baker, Fire Chief Jason Francis, Clerk Nicole Hartbarger

Guests Present: Jason Graven, Theresa Torio, Justin Keeler, Jennifer Bingham, Karen Gerhardinger, Wendy Gehring

Council Prayer was given by Village Administrator Daugherty

Motion by Councilman Richard Bingham, seconded by Councilman Steve Connelly to approve the minutes of the June 20th, 2023 Council Meeting. 5 ayes

Motion by Bingham, seconded by Connelly to approve the bills totaling \$50,933.87 dated July 13th, 2023 and the Addendum bills totaling \$226,692.26 dated July 18th, 2023. 5 ayes

PERSONS TO APPEAR BEFORE COUNCIL

A motion was made by Council President Conklin Kleiboemer, seconded by Councilwoman Curry to move the first person to appear before Council, Justin Keeler, to later in the agenda after Councilwoman Artiaga's return.

Jason Graven, Task Force 20, appeared before Council to give a summary of the recent success of fundraising events held in Whitehouse. He stated that the recently held 5k Race went well for the third year in a row. He was very grateful for the hospitality of Whitehouse and the support of the Village, Police and Fire Departments when holding these events. Graven mentioned that attendance was slightly down, but overall the good weather and Whitehouse support made for a successful event. Task Force 20 plans to hold their 4th Annual 5k Race in Whitehouse next year. Mayor Atkinson asked Graven to give a quick synopsis of Task Force 20 for those in meeting attendance. Graven explained that Task Force 20 funds physical and healthy lifestyles for veterans with a base mission of preventing suicide. Mayor Atkinson praised Graven and Task Force 20 for their work with veterans throughout the area and thanked them for holding their events here in Whitehouse.

After Councilwoman Artiaga returned to the meeting, Justin Keeler of 10816 Toledo Street appeared before Council to present an appeal on a Board of Zoning Appeals decision #02-2023. Keeler began by explaining the dilapidated condition of the house when they first purchased it and how much work they have put in to repair. One of the last steps they must take is to tear down the current garage as it is in disrepair. He explained that he has gone before the Board of Zoning Appeals after his initial permit request was denied and the BZA upheld the denial, not allowing the permit. Keeler said the reason for this is because the BZA states it is a pole barn structure while he, Keeler, states it is a standard garage structure with concrete foundation. Keeler said that the design engineer of his structure has been in contact with Deputy Administrator Hartbarger who sits on the BZA to inform him that they do not view the structure as a pole barn. Keeler mentioned that he feels other residents in Whitehouse have been able to build similar structures to the one he is trying to get a permit for and does not understand why he is being denied. He stated that he is confused as to why it is still being referred to as a pole barn by the BZA when his engineer said it is not.

Council was given the chance to ask Keeler and members of Village Administration and the BZA questions to clarify the situation. President Conklin Kleiboemer began with reminding Keeler and others involved that per permit requirements and zoning legislation, this appeal is on the originally submitted documents pertaining to the permit request. It does not consider any updated drawings or redesigns; those would need to be included in a new permit request. Mayor Atkinson asked Keeler what structure is currently standing there and was told it is an old wood structure carriage barn. He then followed up with a question to Hartbarger asking what type of structure would be allowed. Hartbarger commented that the area is zoned for C2 garage structures, which is a typical garage.

Mayor Atkinson asked if the discussion could be delayed in order for Council to go see the area in person. Solicitor Heban noted that it would require a motion to table the conversation and appeal and then it would have to be discussed and decided upon at a subsequent meeting. There was no motion made to delay the discussion and vote.

Several more Council members asked questions of Village Administration staff. It was asked if part of the problem is because the drawing for the permit request is not the required 16 on center build and if so, if plans are resubmitted with this requirement could it be constructed. The answer provided was that any resubmission of drawings or design would go through the permit approval process again and be given the same opportunity of review. Keeler once again stated that he and his engineer do not believe the building should be identified as a pole barn. Another comment from Council included the statement that they are to be either supporting the BZA decision or rejecting it, not redesigning the structure or anything else. Council also made the statement that the current rules and regulations for zoning are newly defined and need to be followed correctly. Solicitor Heban commented that there is zoning code and regulation for Pole Type Buildings and Barns and the structure in question fit that definition in the current Ohio code.

Motion was made by Councilman Keogh, seconded by Bingham to affirm the Board of Zoning Appeals decision based on the originally submitted permit documents. 6 ayes (vote taken by name)

After the motion and vote, discussion on the BZA decision topic continued. Council commented that there are buildings similar to the one in question Keeler is attempting to get approval for, asking why those were approved and this one is not. Hartbarger commented that the latest revision of the local and Ohio zoning codes occurred in 2016; any buildings or structures put up prior to that have been grandfathered in. It was also asked by Council if there have been any other recent permit requests to build structures similar to the one in question for the BZA decision 02-2023. Hartbarger stated that there have been permit requests for somewhat similar buildings, but all requests have been in or very near to agriculturally zoned areas where that type of building is allowed. Administrator Daugherty stated that the Village Administration wants to allow structures to be built, this is not an attempt to be difficult. He stated that design plans need to fit the required Ohio code and would gladly review a permit request with a design solution that fits Ohio code. One last clarifying question from Council was why this was being viewed as a pole barn when the resident and the resident's engineer says it is not. Hartbarger stated that based on the original design documents submitted for the permit request, it fits the definition of a Pole Type Building and Barn per the current Ohio code.

COMMITTEE REPORTS

A. Fallen Timbers Union Cemetery District Meeting – July 17th, 2023

- i. Current revenues, expenses and bank account balances were reviewed. A discussion was held on how to work on keeping expenses down as they have seemed to go up slightly recently.
- ii. An update of the current audit was given – the audit has been going well but is still ongoing at this time.
- iii. Year to Date 2023, there have been 12 deeds registered and 37 funerals held. This looks to be a considerable increase over 2022 numbers.
- iv. Other business reported included that the mower issues have been resolved and all mowing has been caught up. Also, the issue of golf balls being found

throughout Wakeman Cemetery seems to have gotten better; very few were noticed after social media posts were made asking this activity to stop. The district is still working with the county to label all plots.

- v. Mayor Atkinson asked President Conklin Kleiboemer to give a brief overview of the FTUCD to those in attendance at the meeting. It was explained that there are five local cemeteries throughout Whitehouse, Waterville and Waterville Township that have formed a district to support maintenance and planning.
 - vi. Mayor Atkinson gave kudos to the FTUCD saying that since it's inception it has been very productive and working well for our local cemeteries.
- B. Tree Commission Meeting – June 22nd, 2023
- i. Meeting called to order with all current members present.
 - ii. There was discussion held about the information table the Tree Commission will have at the upcoming Whitehouse Farmers Market. They plan to hand out information along with free trees to those who stop by.
 - iii. There have been two trees removed recently from neighborhoods along with five from the roundabout at St. Rt. 64. There will be work on the walking path at Sandra Park.
 - iv. The group has found several books that they plan to donate to the 577 Foundation.
 - v. It was noted that six signs have disappeared from trees along the Wabash-Cannonball Trail. This will be looked into along with the signs being replaced.
- C. Committee of the Whole Meeting – July 11th, 2023
- i. Meeting was called to order at 6:30pm with all members in attendance; Councilman Connelly was in attendance online therefore unable to participate in any applicable voting.
 - ii. Village of Whitehouse pay scale amendment was discussed in order to create a fitting pay scale for a newly created Accounting Specialist position within the administration team. This is to be a B1 step within the scale. This position has been filled internally by Jill Gundy. It was approved during COW to recommend the passing of this pay scale change to Council.
 - iii. The process of scheduling events within the Village of Whitehouse was discussed. The focus was on events that require Village staff to be present, mainly affecting Police and Fire services. It was asked that Council support Village Admin staff when making decisions on the ability to allow an event to occur. The ask was to cap the number of staff required events to the nine that are annually scheduled within the Village as this would be the least amount of constraint on Police and Fire employees. Along with the cap, it was discussed that a 60 day minimum request deadline be enforced.

Motion made by President Conklin Kleiboemer, seconded by Councilwoman Curry to pass legislation for Establishing Pay Classifications, and Benefit Steps for Employees of the Village of Whitehouse, as an emergency. 6 ayes

REPORT OF THE MAYOR

Mayor Atkinson began with kudos to the new Clerk of Council, Nicole Hartbarger, on the minutes that she has submitted so far in the position. He appreciates the time and detail put into the minutes especially for anyone who listens in online and may possibly miss details.

Mayor Atkinson shared that he received an email from a visitor from Sherwood, OH. The visitor has family that lives in Whitehouse and stayed in town for several days house sitting. The visitor praised Whitehouse for its small town charm and was impressed with all the

Village has to offer its residents. The Mayor followed up with a phone call to the visitor and thanked him for the kind words. The email was forwarded to employees and department heads.

Mayor Atkinson mentioned that he recently stopped by the newly built Dewesoft building on Logan St. He shared what a great build this has been and that it is an impressive structure to have in town. He mentioned that this building is a headquarters for the Dewesoft software

company that is being run by two local Anthony Wayne graduates. He encouraged all to stop by and see the new office.

Mayor Atkinson finished up his report with some comments about the upcoming Tax Levy that will be on the November 2023 ballot. He stated that this is a historical moment in Whitehouse as there has been no tax increase in over 50 years. He hopes that this levy will pass and keep Whitehouse moving forward in the right direction for at least 15-20 years. He reiterated that there will be plenty of opportunity for the community to learn all details about the levy through hearings, town halls and public communication.

REPORT OF THE CLERK OF COUNCIL

Mayor Atkinson asked for any items to report from Clerk Nicole Hartbarger.

Clerk Hartbarger mentioned that there was an invitation addressed to the Mayor and Council for the Dewesoft building open house coming up in August. She mentioned that she would share the invitation with all by email.

Clerk Hartbarger also requested that Council Members please let her know if there are any upcoming meetings that they will knowingly miss due to vacations or other reasons. She mentioned that she will start to keep a calendar so all are aware of any changes to attendance.

REPORT OF THE VILLAGE ADMINISTRATOR

Mayor Atkinson asked for any items to report from Village Administrator Jordan Daugherty.

Daugherty thanked Council for their passing vote and support on the pay scale amendment that will have a final vote to pass Ordinance 8-2023.

Daugherty reviewed Resolution 11-2023. He stated that Village Administration is looking to have action to purchase a new police vehicle authorized. Daugherty explained that this purchase will not occur until 2024, but most locations require at least 6 months in advance on any purchase orders. He explained that new police vehicles have been purchased every other year for the last four years and prior to that, vehicle were purchase every year. The Village is working on going to every three years for police vehicle purchases in order keep vehicle expenses down.

Motion by Bingham, seconded by Conklin Kleiboemer to request authorization for legislation authorizing the Administrator to Purchase a 2024 Utility Stock Program Police Explorer for Use by the Police Department for the Village of Whitehouse, as an emergency. 6 ayes

REPORT OF THE VILLAGE SOLICITOR

Mayor Atkinson asked Solicitor Kevin Heban for any items to be reported. Heban mentioned that he only had a quick comment regarding the upcoming BZA appeal to be presented. He stated that it requires 5 Council votes to overturn a current BZA decision.

CITIZEN COMMENTS ON AGENDA ITEMS

Mayor Atkinson asked for Citizen Comments pertaining to Agenda items. There were none.

ORDINANCES

Mayor Atkinson asked Solicitor Kevin Heban for any ordinances to be reviewed or voted on. Previously discussed Ordinance 8-2023 to be voted on.

Motion by Keogh, seconded by Bingham to accept **Ordinance 8-2023: Establishing Pay Classifications, and Benefit Steps for Employees of the Village of Whitehouse, Lucas County, Ohio; Repealing Ordinance No. 18-2022**, at its first reading and declaring an emergency. 6 ayes

Motion by Artiaga, seconded by Curry to approve to suspend the rules and have the second and third reading of **Ordinance 8-2023** by title only and declaring an emergency. 6 ayes

Motion by Artiaga, seconded by Bingham to accept **Ordinance 8-2023** and to pass said Ordinance and declaring an emergency. Third reading vote by name. 6 ayes

RESOLUTIONS

Mayor Atkinson asked Heban for any resolutions to be reviewed or voted on. Previously discussed Resolution 11-2023 to be voted on.

Motion by Bingham, seconded by Conklin Kleiboemer to accept **Resolution 11-2023: A Resolution Authorizing the Administrator to Purchase a 2024 Utility Stock Program Police Explorer for Use by the Police Department for the Village of Whitehouse, Lucas County, Ohio**, at its first reading and declaring an emergency. 6 ayes

Motion by Artiaga, seconded by Curry to suspend the rules and have the second and third reading of **Resolution 11-2023** by title only and declaring an emergency. 6 ayes

Motion by Conklin Kleiboemer, seconded by Bingham to accept **Resolution 11-2023** and to pass said Resolution and declaring an emergency. Third reading vote by name. 6 ayes

OTHER ITEMS DISCUSSED

Department Heads

Public Services Director Steve Pilcher let Council know that the street resurfacing project will be ramping up for the remainder of the summer. There is also water tower funding coming soon. Pilcher mentioned that the crews are continuing fire hydrant painting by zone and are having good results with sandblasting the hydrants. The team has held a good pace on all seasonal projects and the part-time employees have been working out great.

Police Sergeant Brad Baker started with thanking Council for the approval of the new police vehicle purchase previously in the meeting. He commented that the Police Department has had two of their recent vacancies filled and there have been interviews with one conditional offer extended to an individual starting on July 31st. Sergeant Baker told council about the recent training held at Whitehouse Police Department for 30 Taser Instructors from all over. He said all in attendance spoke very highly of Whitehouse and were impressed with the location. He mentioned several other trainings coming up that the Police Department is hosting including one on grant writing and one for security in places of worship. Mayor Atkinson thanked Sergeant Baker and all police staff for their continued hard work and dedication.

Council Comments

Several Council members agreed with previous comments from earlier in the meeting regarding how good the town looks with thanks to the hard-working Whitehouse staff. It was also commented that residents may feel it is easier to support the levy to uphold the current work that is being done around the Village. Another comment from Council agreed that the Village is looking great, especially the improvements in the downtown business area, it seems that zoning enforcement from Jacob Barnes is working well.

The comment was made that it seems the previously discussed BZA decision was one sided and no give from the BZA. Would like to see improvement on that.

There has been a public request for a Rock Snake to be put together somewhere in the Village. This would be a path of painted rocks and stones. This request has come in conjunction with a planned event hosted by Ordinary Pioneer. Council is understanding that there needs to be an approved location if it is in a public area so it does not interfere with Village mowing, maintenance, etc. Pilcher mentioned that areas can be reviewed and discussed.

Whitehouse Valley Subdivision pond status was brought up based on discussions from previous Council meetings. Council member was copied on a recent email where it was noted that if the pond issue is not cleaned up and taken care of in the near future by the

residents in Whitehouse Valley, it could become a problem the Village has to handle. It was asked if Solicitor Heban has any knowledge of the County stepping in to help. Heban mentioned that the County can be petitioned for help but it can be a very long process. Heban also mentioned that an assessment can be done on the HOA and all 80 lots by size to get funds to clean the pond, but that will not necessarily solve the problem on a go forward basis.

The condition of the Pickle Ball court was asked about. Council member had been made aware that the condition of the court was not good. Pilcher commented that just in the last 3-4 weeks the courts were repainted and are looking much better.

The upcoming Income Tax Committee town hall was mentioned. This is to be held August 22nd at the Fire Department, wondering if it should be moved to August 29th to not interfere with the Dewesoft building open house. This will be discussed and decided. Question was asked about Council members attending the townhalls. Solicitor Heban commented that absolutely Council can attend but cannot do any deliberation.

During this time Mayor Atkinson asked Hartbarger to mention the upcoming raffle. Hartbarger shared that there is a raffle for an Apple iPad being held to benefit Cindy Bergfeld's nephew. Tickets will be sold. Mayor Atkinson added that the nephew was recently diagnosed with a late stage disease and the money earned from the raffle will go to help support his family of four as the income lost has been a big impact on them.

CITIZEN COMMENTS

Mayor Atkinson asked if there were any Citizen comments to be heard. There were none.

Mayor Atkinson stated that he does not believe the BZA should be a confrontational committee and he plans to look into what has occurred with Appeal 02-2023 that was brought before council previously in the meeting.

ADJOURNMENT

Motion by Keogh, seconded by Bingham to adjourn the meeting at 7:41pm. 6 ayes

Duly Appointed Clerk of Council

Mayor