

Whitehouse

June 27, 2024

WHITEHOUSE COUNCIL AGENDA

July 2, 2024

6:30 P.M.

The Whitehouse Village Council is encouraging citizens to consider accessing public meetings remotely. You may do so by phone at 1-567-318-0438. You will then be prompted to press the following Meeting ID 960287013#. You may also access the meeting online by going to the Village website at www.whitehouseoh.gov and clicking on the link from the home page. Please make sure you mute your microphone.

Notice is hereby given that the Whitehouse Village Council will meet on Tuesday, July 2, 2024, at 6:30 PM. The meeting will be held in Council Chambers, Village Hall, 6925 Providence St., Whitehouse, Ohio

Welcome and thank you for attending the Whitehouse Village Council meeting. The purpose of the Village Council meeting is to conduct the official business of the Village of Whitehouse and to hear citizen's comments pertaining to items that appear on the agenda and comments for future consideration. We welcome and encourage your participation. If you wish to make a comment, please wait to be recognized then state your name and address for the record. Please make your comments as concise as possible to allow time for others who wish to make comments. The Mayor presides over the Council meeting and has the authority to take the actions necessary to maintain order and proper decorum among those present. Thank you for your cooperation.

- I. Call to Order
- II. Roll Call
- III. Prayer
- IV. Pledge of Allegiance
- V. Adoption of Minutes of the June 18, 2024 Council Meeting
- VI. Adoption of Bills Dated June 27, 2024 and the Addendum bills dated July 2, 2024
- VII. Introduction of Persons to Appear Before Council
- VIII. Committee Reports
 - A. Report on Fallen Timbers Union Cemetery District Meeting
 - B. Report on the June 18, 2024 Records Commission Meeting
- IX. Report of the Mayor
- X. Report of the Clerk of Council
- XI. Report of the Municipal Administrator
 - A. Finance Committee Meeting Scheduled for July 9, 2024

6925 Providence Street . PO Box 2476 . Whitehouse, Ohio 43571
Phone 419-877-5383 . Fax 419-877-5635
whitehouseoh.gov

- B. Request Authorization for Legislation Authorizing the Finance Director to Transfer Certain Funds for Village Accounting Purposes (as an emergency)
- XII. Report of the Law Director
- XIII. Report of the Department Heads
- XIV. Citizen Comments on Agenda Items
- XV. Ordinances
 - A. **Ordinance 7-2024:** To Place On the Ballot at the Next General Election a Charter Amendment to Change Article XIII, Nominations and Elections for the Village of Whitehouse, Lucas County, Ohio
 - B. **Ordinance 8-2024:** To Place On the Ballot at the Next General Election a Charter Amendment to Change Article III, The Council, Section 3.08, Meetings, For the Village of Whitehouse, Lucas County, Ohio
 - C. **Ordinance 9-2024:** To Place On the Ballot at the Next General Election a Charter Amendment to Change Article IV, Mayor, Section 4.05, Vacancy and Resignation, For the Village of Whitehouse, Lucas County, Ohio
- XVI. Resolutions
 - A. **Resolution 9-2024:** Authorizing the Finance Director of the Village of Whitehouse, Lucas County, Ohio, To Transfer Certain Funds for Village Accounting Purposes; Formal Verification of Said Transfer (as an emergency)
- XVII. Council Comments
 - A. Marijuana Grow Facilities
- XVIII. Citizen Comments
- XIX. Adjournment

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

Meeting called to order at 6:30 PM by Mayor Rich Bingham.

Council Members Present: Louann Artiaga, Dave Riggenbach, Carrie Tuohy, Steve Fine, Steve Connelly and Larry Yunker

Council Members Absent: None

Staff Present: Municipal Administrator Jordan Daugherty, Deputy Administrator Joshua Hartbarger, Solicitor Kevin Heban, Director of Public Services Steve Pilcher, Police Chief Allan Baer, Council Clerk Nicole Hartbarger

Guests Present: Karen Gerhardinger, Tim Tuohy

Council Prayer was given by Municipal Administrator Jordan Daugherty

Motion by Councilman Connelly, seconded by Councilman Fine to approve the minutes of the May 21st, 2024 council meeting. 6 ayes

Councilwoman Artiaga asks what is included in the 'adjustments' field on the bills awaiting approval. Administrator Daugherty states that he will get full details from staff and share those by email to all.

Motion by Councilman Riggenbach, seconded by Councilman Fine to approve the bills totaling \$37,712.19 dated June 13th, 2024 and the Addendum bills totaling \$121,616.64 dated June 18th, 2024 and the May 2024 Financial Statements. 6 ayes

PERSONS TO APPEAR BEFORE COUNCIL

Mayor Bingham asked if there were any persons to appear before council. There were none.

COMMITTEE REPORTS

Mayor Bingham asked if there were any committee reports to share.

Report on the June 11th, 2024 Committee of the Whole Meeting (COW)

Councilwoman Artiaga shared that the first item on the COW agenda was to continue discussion on proposed changes to the Whitehouse Charter. She shared that from that discussion there were some modifications to be discussed with Solicitor Heban. This included questioning filing guidelines, etc.; they also talked about requirements for Council meetings and what updates should be required.

Artiaga shared that an Executive session to discuss possible selling of Village property to Brian Carroll was held.

Lastly, Artiaga commented that the Committee discussed the remaining COVID Funds that do need to be spent soon. Looking to continue the practice of spending on items that will lessen strain on the general fund including computer systems and a police cruiser. Also discussed some downtown and State Route 64 beautification projects. The committee also discussed updating the dock in the small quarry or looking at an observation deck set up.

Report on the June 18th, 2024 Records Commission Meeting

Records Commission secretary, Jennifer Herman, is currently compiling the minutes for this meeting. This report will be shared at the next council meeting.

REPORT OF THE MAYOR

Mayor Bingham began his report with a thank you to all who helped out at the Cherry Fest. It was a successful event and it was great to talk with a lot of community members.

Bingham comments to Council and Administrators that he understands that Rite Aid in Waterville will be closing. Asking if there is any way we can reach out to Chamber regarding the thought of a pharmacy being in town. He comments that for some, the closest pharmacy will now be in Maumee as Kroger is not always an option. Artiaga comments when the Apothecary in Whitehouse was being sold/closing, the owner had at one point talked about opening back up in the future. She shares there may be some of his former employees who would be interested in practicing in town. Administrator Daugherty comments that he and Deputy Administrator Hartbarger have good contact with Matt Sapara at Mercy, he will be a good contact to get information on, he will be the best route. Mayor Bingham comments there are several places in town here where it would be a possibility to bring a pharmacy. He appreciates staff reaching out to Sapara and looking into options.

Mayor Bingham brings up the topic of curb side pick-up. He shared that several residents, during Cherry Fest, voiced concern over the no curb side pick-up option at all anymore. Some felt this was retaliation because of the tax levy not going through; Bingham says this is not the case, but that is the perception. He did ask Daugherty and Public Works Director Pilcher if in September we can have a curb side pick-up instead of the roll off/drop off. Pilcher says he contacted ARS to ask if we can do the same weekend as drop off was scheduled, they did say it was possible, Sat Sept 28. The cost is \$180/hour for truck and helpers, and then \$65/ton of picked up materials. Pilcher says based on previous curb side pick ups it runs around \$9,500. Councilwoman Tuohy comments that she talked to residents at Cherry Fest and at least three commented that money was found and the Village still took away the curb side pick-up, she says they felt it was taken away to show what could happen. Mayor Bingham comments that people were commenting on a \$3MM find but there are plenty of expenses that need to be covered with that money – there is budget that this additional carry over that was found is there to cover. Artiaga asks

Daugherty are we, by law, supposed to have certain amount of carry over. Daugherty says no, there is no law requirements, but the state does start watching when you get close to a deficit. Daugherty also comments, it wasn't that the Village found money, there was an estimate set for a \$2MM carry over; but then additionally Department Heads tightened up on their budgets that were allowed to be spent, investments for the year came back considerably higher than expected along with more income tax income than expected. Artiaga comments that she doesn't think people understand that we will be a City the next census, we will be responsible for taking care of the State Route through town, collective bargaining, etc. that will be more expenses and required budget spend than what we have today. It is commented that this additional money does not change the overall trajectory of deficit spending. All of Council agrees to schedule the payment for a September curb side pick up instead of the current drop off.

Motion by Artiaga, seconded by Connelly to schedule the September 28th, 2024 curb side pick up from ARS for the estimated \$9,500. 6 ayes

It is asked, going into next year do we want to pull this from general fund to do curbside or do we want to assess fee to residents, which is an estimate of \$11.11 for two pick-ups, need to consider this going forward. This estimate would be for two pick-ups instead of all drop off, around \$1 per month. Council asks Pilcher how many were using the pick-up service. Pilcher says we had 110-130 use drop off, do not have numbers for curbside pick up, but could be upwards of a third of the population, Artiaga agrees that 30% sounds right. Councilman Fine says he likes how previous Council made trash pick-up similar to an enterprise fund where it is self-funded, similar to utilities. Councilman Riegenbach asks what the current refuse fee is – does it make sense to just add a dollar to this fee. Daugherty says he will pull in a rate and fee schedule to review and will include the updated refuse for two curb side pick-ups. Daugherty comments this discussion can be in October when reviewing rates that are then finalized in December for budgets.

Mayor Bingham begins a discussion on the survey that was sent out to residents. He comments, as of this morning, 382 people took the survey, 352 that live in the Village. 50% are 55 or older. 70% have no children in their households. Bingham is looking to get some signs out at the intersection, will be passing out flyers at the home AW football games prior to game from 6-7. He comments the more we have take the survey the better feel we will have. Goal is still around 30%. No Council members have issue with signs being made for major intersections. Riegenbach asks is it cheaper at this point to send a mailer to every house. The signs made can be a few hundred dollars where, per Daugherty, a mailer could be upwards of \$3k. Maybe do signs first and see what response we get and then talk about a mailer. Riegenbach asks if door hangers are ready, Hartbarger says do we want both Access Whitehouse app and survey on the hanger, all of Council agree to both. Artiaga asks can we put a flyer in the water bills that are already mailed out monthly,

Hartbarger says we did put a notification on the water bill but were not able to use the QR code as it was too small. Pilcher says the company that handles our billing does charge a fee for adding in a flyer but can look into those amounts. Councilman Fine asks for Councilman Connelly to comment on response rate so far. Connelly comments that there are about 100 of the responses that did not fill out the demographics so it is hard to track if it is people without kids. Connelly agrees to send out a flyer in the water bill if possible, but we are already at the point of looking really good, from a sample size perspective things won't change much even with more responses.

Bingham shared the disc golf course is looking to open in October or November, there are three sponsors so far for holes, do need six more. It is \$350 to sponsor the hole and there will be signs placed for each hole.

Bingham shared that he and Artiaga are going to the July 17th, 2024 trustee meeting in Providence Twp. He comments that the Concert in the Park for June is this Thursday, will still go on even with the heat. He shared he will be attending the Safety City graduation this coming Friday at the primary school. He reminds all that the roll off/drop off is Friday and Saturday this week.

Other upcoming events include Founders Day on July 5th, Library anniversary celebration this coming Saturday, June 22 and Ice Cream with Mayor and Council on August 17th from 1-3pm.

Bingham shares they are slowly working on the ditch issues that were discussed during the last meeting. Reviews happening between himself, Daugherty, Hartbarger and Pilcher. Finding out some ditches are swails and figuring out how to handle the difference.

Mayor received two complaints last week. First was the tornado siren going off on the first Friday of the month at 12pm. He commented he did have to explain to resident that the Village has nothing to do with that, it is Lucas County EMA. The second complaint was from a gentleman regarding lack of crime data on the Village website – he shared the Village did change software to save \$12k per year which is what drives the change. He commented there is an app called WENS that can be downloaded to find out this information instead of the Whitehouse website. Staff will reach out to this individual to inform him of this information.

REPORT OF THE CLERK OF COUNCIL

Mayor Bingham asked for any items to report from Clerk Nicole Hartbarger. There were none.

REPORT OF THE MUNICIPAL ADMINISTRATOR

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

Daugherty begins by asking for clarity on door hangers for survey, are we not ordering. Mayor Bingham says lets hold off for now and try the water bill flyer first. All of Council agree.

A. Request Authorization of Charter Amendment Ordinances (3)

Daugherty comments that Council needs to request authorization of the previously discussed charter amendments including primary requirements, absence of mayor, and council meeting requirements.

Solicitor Heban comments that the procedure is, in general, three readings, then if signed by Mayor then takes effect in 30 days. If not passed as emergency, it will pass during the 2nd July meeting then 30 days after which is past the August 1st cutoff date. When it is an emergency and the Mayor signs it becomes effective immediately, not needing the 30 days to take effect. He shares that with charter amendments we do not have to worry about the referendum. Heban confirms if we want it on the ballot this November, it will need to be as emergency during the third reading. Fine comments he did ask about the numbering and titling of the ballot issues, Heban says that is done by BOE, but they will not be identical titles. Fine asks about dates. Heban shares he put in Oregon date, which is latest in Lucas County, and then count back 60 days and that is when petitions would be due. Fine asks a clarifying question on dates; say petitions due July 4, what if there is Council vacancy on July 5. Councilman Yunker comments the BOE requires you to state if you are running for an expired term or unexpired term, if vacancy comes after petition due date, then the unexpired term vacancy would have no one running. Fine is asking if we can update the primary language for this change. Heban says might not make it through the Secretary of State language check. Fine asks question about declaring vacancy. Heban says if Mayor leaves with no resignation, etc. this allows the Council to declare the vacancy with no malfeasance issues. Fine concerned that it wasn't in the previous discussions but now does see the wording. He asks can we insert a word or two into that language where it qualifies where this declaring of vacancy can actually be used.

Daugherty says if Council is ready, they need to authorize each proposed change separately.

Motion by Riggenbach, seconded by Connelly to request authorization of Charter Amendment Ordinance 7-2024. 6 ayes

Motion by Riggenbach, seconded by Tuohy to request authorization of Charter Amendment Ordinance 8-2024. 6 ayes

Motion by Riggenbach, seconded by Connelly to request authorization of Charter Amendment Ordinance 9-2024. 6 ayes

Daugherty says he met with Artiaga and they are working on dates for a Finance Committee to meet quarterly. He comments they are looking to have two meetings prior to appropriations so the Committee can be fully informed. Working this week on calendar and municipal actions. Artiaga says she met with Daugherty and expressed the wishes of Council to have a Finance Committee formed and to start meeting; standard to meet quarterly and will have updates to all during Committee of the Whole meeting. Tuohy commented that she thought they discussed having a full Finance Committee meeting. Artiaga commented she made proposal for a full Finance Committee with regular meetings to Daugherty and he came back with a counter of quarterly meetings. Connelly commented the goal is to help establish quarterly reporting, but would need prior/more often Finance Committee meetings to establish those quarterly reporting requirements. Tuohy asks Heban what the rules would be to establish a Finance Committee, Heban says whatever Council sees fit. Mayor asks who would pick the three members of the new committee. Heban says that is Council responsibility. Riggensbach asks are we talking about a full on Finance Committee or are we talking about working groups. Connelly comments they talked forming Committee but felt immediate need to establish transparency for quarterly reporting. Riggensbach agrees, create a full Committee with hopes of not needing for too long or too much. Mayor Bingham comments we need three people. Riggensbach, Connelly and Tuohy volunteer to make up the new Finance Committee. Per vote, all in favor to approve these members.

REPORT OF THE LAW DIRECTOR

Mayor Bingham asked Solicitor Kevin Heban for any items to be reported. There were none.

CITIZEN COMMENTS ON AGENDA ITEMS

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

ORDINANCES

Mayor Bingham asked Solicitor Kevin Heban for any ordinances to be reviewed or voted on. He shares there are three ordinances ready to be voted on.

- A. Ordinance 7-2024: To Place On the Ballot at the Next General Election a Charter Amendment to Change Article XIII, Nominations and Elections for the Village of Whitehouse, Lucas County, Ohio

Motion by Councilman Connelly, seconded by Councilwoman Artiaga to approve **Ordinance 7-2024** to be read by title only, first reading, declaring an emergency. 6 ayes

- B. Ordinance 8-2024: To Place On the Ballot at the Next General Election a Charter Amendment to Change Article III, The Council, Section 3.08, Meetings, For the Village of Whitehouse, Lucas County, Ohio

Motion by Councilwoman Tuohy, seconded by Councilman Yunker to approve **Ordinance 8-2024** to be read by title only, first reading, declaring an emergency. 6 ayes

- C. Ordinance 9-2024: To Place On the Ballot at the Next General Election a Charter Amendment to Change Article IV, Mayor, Section 4.05, Vacancy and Resignation, For the Village of Whitehouse, Lucas County, Ohio

Motion by Councilwoman Artiaga, seconded by Councilman Fine to approve **Ordinance 9-2024** to be read by title only, first reading, declaring an emergency. 6 ayes

RESOLUTIONS

Mayor Bingham asked Solicitor Kevin Heban for any resolutions to be reviewed or voted on. There were none.

OTHER ITEMS DISCUSSED

Department Heads

Public Works Director Pilcher shares there is a delay in manufacturing the pedestrian bridge, it is now due here mid-July, they are currently pouring foundations. This will have to sit for a bit while the concrete cures. Fine asks about a completion date. Pilcher says around end of October for full sidewalk. Pilcher will get with Daugherty and Hartbarger to present days to have ceremony to open and name it. Artiaga comments she did talk to Tiffany Eckert, Andy Eckert's wife, and she has some ideas on what plaque could have. She has suggested raising funds to put a soldiers cross on the bridge, same that sits in Veterans Memorial Park; Pilcher says he believes there should be room.

Police Chief Baer shared that this coming Saturday there is a Toledo Roadrunners Club Multisport race event back in park behind Village Hall. For around 5 hours during the day there will be some traffic being stopped, etc. Event is previously approved by Council. Tuohy shared with Baer that she put a picture of Officer Schumann and self on Facebook, and got a really nice comment from a resident – the resident's husband passed and Officer Schumann went out and did a face to face visit and wanted to let Tuohy know how much it meant to her that Schumann stopped out. Tuohy also shared that the next day, driving to work saw Officers Scheuerman and Kasick changing a tire, wanted to give them a shout out for how much they do. Chief Baer says it is very nice to hear all of these good things.

Council Comments

Mayor Bingham shares his thanks to Clerk Hartbarger and her family for their help in passing out flyers during the Cherry Fest parade.

Councilman Riegenbach asks question on demographics for survey shares that he has used a resource before, and has proven accurate, city-data.com and it outlines the estimated number of people per household.

Councilman Connelly comments on survey that 1) do have 18 respondents who want to be contacted, how to split those up but do need to do that and 2) establishing some sort of cut off, do want to cut off at some point for purposes of summarizing. He feels they are seeing a good story to tell so far with responses. He suggests end of next month after we see

Regular

June 18,

24

responses from a few more pushes for responses. Fine asks do we want to talk about the follow ups; it is decided to split up over the Council and Mayor.

Councilman Yunker shares a follow up on Riggenbach's comment, can also use census.gov for some breakdown on household set up.

Councilwoman Artiaga shared that she asked Deputy Administrator Hartbarger about Access Whitehouse app and if we can list where weather shelters are. Hartbarger says he is in the process of adding. She also asks about air conditioners, are they still available and did we put that out there; Hartbarger says yes it has been shared, he says 3-4 people have called and inquired.

CITIZEN COMMENTS

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

ADJOURNMENT

Motion by Councilwoman Artiaga, seconded by Councilman Connelly to adjourn the meeting at 7:47pm. 6 ayes

Duly Appointed Clerk of Council

Mayor

COUNCIL BILLS

6/27/2024

VENDOR	DEPARTMENT	AMOUNT	TOTAL	DESCRIPTION
Affordable Fire Protection	Fire	\$200.00	\$200.00	Back Flow Test
Amazon	Streets	\$62.00		Supplies
Amazon	Parks	\$61.99		Supplies
Amazon	Police	\$97.00	\$220.99	Supplies
Anthony Geha	Community	\$750.00	\$750.00	Band-Founders Day
AT&T	Fire	\$70.51	\$70.51	Phone Service
AT&T First Net	Fire	\$252.84		Cell Phones
AT&T First Net	Administration	\$92.09		Cell Phones
AT&T First Net	Water	\$42.78		Cell Phones
AT&T First Net	Sewer	\$42.78	\$430.49	Cell Phones
Atlantic Emergency Solutions	Fire	\$7,859.19	\$7,859.19	Vehicle Annual Service
Buckeye State Pipe & Supply	Water	\$18,620.68		Meters
Buckeye State Pipe & Supply	Water	\$19,908.00	\$38,528.68	Meter Encoders
Christine Fouty	Police	\$20.00	\$20.00	Employee Reimbursement
Lucas County Coroner Lab	Police	\$180.00	\$180.00	Testing
MASI	Water	\$92.05	\$92.05	Water Sample Analysis
Matt Braun	Water	\$83.23	\$83.23	Employee Reimbursement
Ohio Gas Company	Life Squad	\$13.50		Natural Gas Charges
Ohio Gas Company	Parks	\$81.81		Natural Gas Charges
Ohio Gas Company	Police	\$9.71		Natural Gas Charges
Ohio Gas Company	Maintenance	\$40.36		Natural Gas Charges
Ohio Gas Company	Fire	\$13.50	\$158.88	Natural Gas Charges
Thomas Equipment	Streets	\$70.50	\$70.50	Supplies
Traffic Stop Uniform Supply	Police	\$412.83		Uniforms
Traffic Stop Uniform Supply	Fire	\$365.80	\$778.63	Uniforms
		\$49,443.15	\$49,443.15	

Records Commission
Minutes of June 4, 2024

The meeting was called to order at 6:00 p.m. by Chairman Allan Baer.

Members present: Jordan Daugherty, Allan Baer, Amy Schultz, and Kevin Heban. Others present: Mayor Bingham, Joshua Hartbarger and Jennifer Herman.

Motion by Jordan Daugherty, seconded by Kevin Heban to approve the minutes of the June 6, 2023, meeting as presented. Motion passed 4-0.

Motion by Jordan Daugherty, seconded by Kevin Heban to appoint Allan Baer as Chairperson of the Records Commission for 2024. Motion passed 4-0.

The Commission reviewed the items on the retention list. Kevin made a motion to accept the current retention schedule, seconded by Jordan. Motion passed 4-0.

Next item of business were any additions to the record retention list. The first item being added is the credit card receipts from utility payments. Jordan suggested they be kept for 2 years or until the last audit cycle. The next two items are Council audio files and audio/video meeting recordings. After a brief discussion, the committee decided they should be kept for 2 years. Jennifer will take care of getting that added to the retention list and submitting it to the State Archives of Ohio office. Motion by Kevin, seconded by Jordan to approve the additions to the retention list. Motion passed 4-0.

Allan asked for any other business. Commission decided that the next scheduled Records Commission meeting would be June 3, 2025, at 6:00 p.m. Motion by Kevin, seconded by Jordan. Motion passed unanimously.

Motion by Kevin, seconded by Amy to adjourn the meeting. Motion carried and the meeting adjourned at 6:12 p.m.

Respectfully submitted,

Jennifer Herman
Zoning Clerk

ORDINANCE NO. 7-2024

AN ORDINANCE TO PLACE ON THE BALLOT AT THE NEXT GENERAL ELECTION A CHARTER AMENDMENT TO CHANGE ARTICLE XIII, NOMINATIONS AND ELECTIONS FOR THE VILLAGE OF WHITEHOUSE, LUCAS COUNTY, OHIO, AND TO DECLARE AN EMERGENCY

WHEREAS, the present Charter for the Village of Whitehouse provides for a nomination and election process that includes a possible primary; and

WHEREAS, the procedure now in place, under certain circumstances, may not allow proper time for Federal and State law to be followed and therefore is in need of amendment; and

WHEREAS, the Council for the Village of Whitehouse has determined that it would be in the best interests of the public that the Charter for the Village of Whitehouse be amended to change the dates for nominations and elections in order to comply with Federal and State Elections laws.

NOW THEREFORE, Be It Ordained By The Council Of The Village Of Whitehouse, Lucas County Ohio, That:

Section 1. The question of the change of Article XIII, Nominations and Elections, shall be submitted to a vote of the qualified electors of the Village of Whitehouse at the general election to be held on the 5th day of November, 2024, at the regular places of voting in the Village of Whitehouse between the hours of 6:30 a.m. and 7:30 p.m. Article XIII, Nominations and Elections, shall be amended to read as follows:

ARTICLE XIII NOMINATION AND ELECTIONS

SECTION 13.01 MUNICIPAL ELECTIONS

All elections provided for by this Charter, whether for the choice of officials or for the submission of questions to the voters, shall be conducted by the election authorities prescribed by the laws of the State of Ohio, which laws shall apply to all such elections except as provision is otherwise made by this Charter. A regular municipal election for the choice of all elective offices of the Municipality shall be held on the first Tuesday after the first Monday in November, or as otherwise established by the Lucas County Board of Elections, in the odd-numbered years. The nominating petitions and ballots to be used in all municipal elections shall bear no party marks or designations.

SECTION 13.02 NOMINATING PROCEDURE

Nominations for elective offices of the Municipality shall be made only by petition filed with the election authorities at least sixty (60) days prior to the date of holding of the primary election with respect to which such petition is filed and signed by electors of the Municipality not less in number than two percent (2%) of the number of electors voting at the last general municipal

election with a minimum of twenty-five (25) signatures. The nomination of each candidate shall be made by a separate petition accompanied by the written acceptance of nomination by the candidate.

SECTION 13.03 PRIMARY ELECTIONS

In the event valid nominating petitions are filed in accordance with Nominating Procedure Section of this Article by candidates for any elective office of the Municipality for a full term in excess of three (3) times the number to be elected at any regular municipal election, a non-partisan primary election for the nomination of candidates for such offices to be voted for at said regular municipal election shall be held on the first Tuesday after the first Monday in September immediately preceding such regular municipal election, or as otherwise provided for by the Lucas County Board of Elections. At such primary election, the names of all candidates for office who have filed nominating petitions in accordance with the provisions of Nominating Procedure Section of this Article shall be placed upon the ballot.

Council may, by resolution, order a special election to be held at any time, the purpose and date of which shall be set forth in the resolution.

SECTION 13.04 CANDIDATES AT REGULAR MUNICIPAL ELECTION

If a primary election is not required by this Article, the candidates for elective offices of the Municipality to be voted for at the regular municipal election in 1993 and at regular municipal elections thereafter shall be the candidates filing valid nominating petitions in compliance with the Nominating Procedure Section hereof.

If such primary election is so required, the candidates for any elective office of the Municipality for a full term to be voted for at the regular municipal election shall be those, equal in number to twice the number to be elected to such office at the regular municipal election, receiving the largest number of votes at such primary election.

SECTION 13.05 WHO SHALL BE DECLARED ELECTED

The candidates for any elective office, equal in number to the places to be filled, who shall receive the largest number of votes at such regular municipal election shall be declared elected.

Section 2 The ballot for the election shall be entitled; "Village Charter Amendment Ballot" and the question to be submitted on the ballot shall be: "Shall the proposed amendment of Article XIII, Nominations and Elections, of the Charter of the Village of Whitehouse be adopted?" This shall be followed by the text set forth in Section 1 above. To the left of said wording, in boxes, with the appropriate place for marking, shall appear the words, "Yes", and "No", and each voter shall indicate his/her vote by appropriate marking on the ballot.

Section 3. The Clerk of Council is directed to publish the full text of the proposed charter amendment, as set forth above, for not less than two consecutive weeks in the Mirror and Toledo Blade with the first publication being at least fifteen days prior to the election, in accordance with Section 9 of Article XVIII, Ohio Constitution, and ORC 731.211.

Section 4. To pay the cost of printing copies of the proposed charter amendment and the publishing of notice, there is hereby appropriated from the General Fund the sum of \$500.00, or so much thereof as may be needed.

Section 5. The Clerk of Council is directed to transmit a certified copy of this Ordinance to the Board of Elections of Lucas County, Ohio no later than 4:00 p.m. on August 1, 2024.

Section 6. It is found and determined that all formal actions of Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the Village of Whitehouse and the State of Ohio.

Section 7. This ordinance is deemed an emergency measure, is necessary for the immediate preservation of the public health, safety and welfare, and for the further reason that it is necessary to promptly submit this matter to the Board of Elections and to allow sufficient time to notify the citizens of Whitehouse of the proposed amendment.

VOTE ON EMERGENCY MEASURE: Yeas: _____ Nays: _____

FINAL VOTE ON THE MEASURE: Yeas: _____ Nays: _____

First Reading: _____

Second Reading: _____

Third Reading: _____

EFFECTIVE DATE OF THIS ORDINANCE: _____, 2024.

Mayor

ATTEST:

Duly Appointed Clerk of Council

Solicitor

ORDINANCE NO. 8-2024

AN ORDINANCE TO PLACE ON THE BALLOT AT THE NEXT GENERAL ELECTION A CHARTER AMENDMENT TO CHANGE ARTICLE III, THE COUNCIL, SECTION 3.08, MEETINGS, FOR THE VILLAGE OF WHITEHOUSE, LUCAS COUNTY, OHIO, AND TO DECLARE AN EMERGENCY

WHEREAS, the present Charter for the Village of Whitehouse provides for procedures dealing with the meetings of Council; and

WHEREAS, the procedure now in place, under certain circumstances, is in need of amendment due to the present technology and current environment of society as compared to when the Charter provisions were first adopted; and

WHEREAS, the Council for the Village of Whitehouse has determined that it would be in the best interests of the public that the Charter for the Village of Whitehouse be amended to change certain aspects dealing with the procedure for Council meetings.

NOW THEREFORE, Be It Ordained By The Council Of The Village Of Whitehouse, Lucas County Ohio, That:

Section 1. The question of the change of Article III, The Council, Section 3.08, Meetings, shall be submitted to a vote of the qualified electors of the Village of Whitehouse at the general election to be held on the 5th day of November, 2024, at the regular places of voting in the Village of Whitehouse between the hours of 6:30 a.m. and 7:30 p.m. Article III, Council, Section 3.08 Meetings, shall be amended to read as follows:

ARTICLE III, THE COUNCIL, SECTION 3.08 MEETINGS

The Council shall meet at such times as may be prescribed by its rules, regulations, ordinances and by-laws. Council shall hold such special meetings as may be found necessary, which may be called by the Clerk upon written request of the mayor or upon the written request of three (3) members of Council. Any such vote or request for the calling of a special meeting shall state the subject or subjects to be considered, and no other subject or subjects shall be considered except on the approval of five (5) or more members of Council in attendance at such special meeting. Twenty-four (24) hours notice in writing of such special meeting, if called by the Mayor or by three (3) members of Council, shall be given to each member of Council and to the Mayor by personal service or by delivery thereof at their usual places of residence. Members of Council may waive such notice by their attendance at such special meeting.

If an emergency is declared by either federal, state or local officials, that would preclude normal meetings to occur, the Village Administrator, in consultation with the Mayor, Village Council and the Solicitor, can convene meetings to conduct Village business by whatever appropriate means deemed necessary until the state of emergency has been lifted. Public notice of all meetings of Council, including all meetings of the Committee of the Whole, shall be posted pursuant to rules adopted by Council and pursuant to the Ohio Revised Code. All meetings of Council, including all meetings of the Committee of the Whole, shall be open to the public. The Council may hold an executive session if a majority of a quorum so determined to hold such a session for the sole purposes as set forth in the Ohio Revised Code as now existing or as amended in the future.

Section 2 The ballot for the election shall be entitled; "Village Charter Amendment Ballot" and the question to be submitted on the ballot shall be: "Shall the proposed amendment of Article III, Council, Section 3.08, Meetings, of the Charter of the Village of Whitehouse be adopted?" This shall be followed by the text set forth in Section 1 above. To the left of said wording, in boxes, with the appropriate place for marking, shall appear the words, "Yes", and "No", and each voter shall indicate his/her vote by appropriate marking on the ballot.

Section 3. The Clerk of Council is directed to publish the full text of the proposed charter amendment, as set forth above, for not less than two consecutive weeks in the Mirror and Toledo Blade with the first publication being at least fifteen days prior to the election, in accordance with Section 9 of Article XVIII, Ohio Constitution, and ORC 731.211.

Section 4. To pay the cost of printing copies of the proposed charter amendment and the publishing of notice, there is hereby appropriated from the General Fund the sum of \$500.00, or so much thereof as may be needed.

Section 5. The Clerk of Council is directed to transmit a certified copy of this Ordinance to the Board of Elections of Lucas County, Ohio no later than 4:00 p.m. on August 1, 2024.

Section 6. It is found and determined that all formal actions of Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the Village of Whitehouse and the State of Ohio.

Section 7. This ordinance is deemed an emergency measure, is necessary for the immediate preservation of the public health, safety and welfare, and for the further reason that it is necessary to promptly submit this matter to the Board of Elections and to allow sufficient time to notify the citizens of Whitehouse of the proposed amendment.

VOTE ON EMERGENCY MEASURE: Yeas: _____ Nays: _____

FINAL VOTE ON THE MEASURE: Yeas: _____ Nays: _____

First Reading: _____

Second Reading: _____

Third Reading: _____

EFFECTIVE DATE OF THIS ORDINANCE: _____, 2024.

Mayor

ATTEST:

Duly Appointed Clerk of Council

Solicitor

ORDINANCE NO. 9-2024

AN ORDINANCE TO PLACE ON THE BALLOT AT THE NEXT GENERAL ELECTION A CHARTER AMENDMENT TO CHANGE ARTICLE IV, MAYOR, SECTION 4.05, VACANCY AND RESIGNATION, FOR THE VILLAGE OF WHITEHOUSE, LUCAS COUNTY, OHIO, AND TO DECLARE AN EMERGENCY

WHEREAS, the present Charter for the Village of Whitehouse provides for a procedure when the office of Mayor is vacant and the filling of that position; and

WHEREAS, the procedure now in place, under certain circumstances, may prove untenable to be followed and therefore is in need of amendment; and

WHEREAS, the Council for the Village of Whitehouse has determined that it would be in the best interests of the public that the Charter for the Village of Whitehouse be amended to change the process and procedure when the office of Mayor shall become vacant.

NOW THEREFORE, Be It Ordained By The Council Of The Village Of Whitehouse, Lucas County Ohio, That:

Section 1. The question of the change of Article IV, Mayor Section 4.05, Vacancy and Resignation, shall be submitted to a vote of the qualified electors of the Village of Whitehouse at the general election to be held on the 5th day of November, 2024, at the regular places of voting in the Village of Whitehouse between the hours of 6:30 a.m. and 7:30 p.m. Article IV, Mayor, Section 4.05, Vacancy and Resignation, shall be amended to read as follows:

ARTICLE IV MAYOR

SECTION 4.05 VACANCY AND RESIGNATION

In the event the office of Mayor shall become vacant for any reason, the President of Council shall thereupon become the Mayor and serve for the unexpired term or until the beginning of the term of the successor duly elected as hereinafter provided. Such person shall not continue as a member of Council. In such situation, there shall be a Council vacancy to be filled pursuant to the procedure set forth in Section 3.07 of this Charter. Council shall have the power to declare a vacancy of the Mayor's position. Any resignation shall be effective when tendered.

Section 2 The ballot for the election shall be entitled; "Village Charter Amendment Ballot" and the question to be submitted on the ballot shall be: "Shall the proposed amendment of Article IV, Mayor, Section 4.05, Vacancy and Resignation, of the Charter of the Village of Whitehouse be adopted?" This shall be followed by the text set forth in Section 1 above. To the left of said wording, in boxes, with the appropriate place for marking, shall appear the words, "Yes", and "No", and each voter shall indicate his/her vote by appropriate marking on the ballot.

Section 3. The Clerk of Council is directed to publish the full text of the proposed charter amendment, as set forth above, for not less than two consecutive weeks in the Mirror and Toledo Blade with the first publication being at least fifteen days prior to the election, in accordance with Section 9 of Article XVIII, Ohio Constitution, and ORC 731.211.

Section 4. To pay the cost of printing copies of the proposed charter amendment and the publishing of notice, there is hereby appropriated from the General Fund the sum of \$500.00, or so much thereof as may be needed.

Section 5. The Clerk of Council is directed to transmit a certified copy of this Ordinance to the Board of Elections of Lucas County, Ohio no later than 4:00 p.m. on August 1, 2024.

Section 6. It is found and determined that all formal actions of Council concerning or relating to the passage of this Ordinance were adopted in an open meeting of the Council, and that all deliberations of this Council and any of its committees, that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of the Village of Whitehouse and the State of Ohio.

Section 7. This ordinance is deemed an emergency measure, is necessary for the immediate preservation of the public health, safety and welfare, and for the further reason that it is necessary to promptly submit this matter to the Board of Elections and to allow sufficient time to notify the citizens of Whitehouse of the proposed amendment.

VOTE ON EMERGENCY MEASURE: Yeas: _____ Nays: _____

FINAL VOTE ON THE MEASURE: Yeas: _____ Nays: _____

First Reading: _____

Second Reading: _____

Third Reading: _____

EFFECTIVE DATE OF THIS ORDINANCE: _____, 2024.

Mayor

ATTEST:

Duly Appointed Clerk of Council

Solicitor

RESOLUTION NO. 9-2024

A RESOLUTION AUTHORIZING THE FINANCE DIRECTOR OF THE VILLAGE OF WHITEHOUSE, LUCAS COUNTY, OHIO, TO TRANSFER CERTAIN FUNDS FOR VILLAGE ACCOUNTING PURPOSES; FORMAL VERIFICATION OF SAID TRANSFER AND DECLARING AN EMERGENCY.

WHEREAS, it is the recommendation of the Administrator, of the Village of Whitehouse, Lucas County, Ohio, that the Village administratively transfer certain funds between duly established accounts within the Village of Whitehouse, Lucas County, Ohio, accounting system; and

WHEREAS, this Council is desirous of implementing said transfers and hereby approving same:

NOW THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE VILLAGE OF WHITEHOUSE, LUCAS COUNTY, OHIO, three-fourths (3/4) of all members elected thereto concurring:

SECTION I: That the Administrator of the Village of Whitehouse, Lucas County, Ohio, is hereby duly authorized and directed to complete and enter upon the accounting records of the Village of Whitehouse, Lucas County, Ohio, the following funds transfers:

AS ATTACHED IN EXHIBIT A HERETO.

SECTION II: It is hereby found and determined that all formal actions with respect to said accounting fund transfers were adopted pursuant to this Resolution in an open meeting of this Council, with full disclosure and approval herein, and the deliberations of this Council and any of its committees that resulted in such fund transfer action were in compliance with all legal requirements as required by Village Charter.

SECTION III: This Resolution is hereby declared to be an EMERGENCY MEASURE necessary for the immediate preservation of the public peace, health and safety of said Village and its inhabitant, and for the further reason that this Resolution is necessary to provide orderly transfer documentation as to the accounting records of the Village of Whitehouse, Lucas County, Ohio; in order that necessary funding for said accounts indicated herein can be completed.

WHEREFORE, this Resolution shall take effect and be in full force immediately upon its passage and approval.

VOTE ON EMERGENCY MEASURE: Yeas _____ Nays _____

Adopted and effective July 2, 2024 as an EMERGENCY MEASURE

Mayor

ATTEST:

Duly Appointed Clerk of Council

Kevin A. Heban, Solicitor

**EXHIBIT A
July 2, 2024
Transfers**

FROM	AMOUNT	TO
General Fund (1000)	\$150,000.00	Life Squad (2902)
Income Tax A (2071)	\$10,000.00	Crack Seal (4906)
Water Fund (5101)	\$10,000.00	Elevated Tank (4930)
Income Tax B (2073)	\$379,691.03	General Fund (1000)

VILLAGE OF WHITEHOUSE

July 2, 2024

ADMINISTRATION

- 05-31-24 1. May 31, 2024: Income Tax Collection = \$1,534,420.76
Compared to last year = \$1,677,645.74 (8.54% decrease)
JEDD & JEDZ collections = \$1,466,554.92
- 02-19-19 2. Safety and Health Report: Last lost time injury was January 14, 2019

ADMINISTRATIVE ACTIVITIES

COMMUNITY DEVELOPMENT

SUBDIVISION DEVELOPMENTS

- 02-20-24 1. **Savanna Lake Plat 2** – All utilities completed. Construction of street underway. Construction completed-awaiting Toledo Edison to install electrical utility.

STREETS

05-21-24

1. **Pedestrian Bridge** – A TMACOG funded tap project to install a 10' wide path along the north side of SR 64 between Whitehouse Square Blvd. and Finzel Rd. project includes a 14' wide pedestrian bridge over Blue Creek. – Construction year 2023. 80/20 Grant. Engineers Estimate \$652,000. Grant \$521,600. Conducted ODOT Field Review on 4-27-21. Design Engineering Completed. Legislation for ODOT Bridge Inspection. Project out to bid. Bid over Engineers estimate – bids rejected. Will rebid. Out to bid. Bid opening date – 4/20/23. Bid Over Engineer's Estimate. Will need rebid. Out to bid - bid opening date 9/21/23. Bid awarded to Geddis Paving & Excavating in the amount of \$845,000.00. Construction started 3/1
2. **Swanton Street Reconstruction** – Total Reconstruction of Swanton Street, from Maumee to Texas St. This is in the OPWC project pipeline for FY 2024. Plans completed. Bid completed – Low Bid B&J Concrete and Construction - \$226,774.25. Construction started May 8, 2024.
3. **North Texas St. (Lone Oak Ditch to Swan Creek), Bond St., Cemetery Rd (Intersection at SR 64)** – 2025 OPWC Street Resurfacing

PARKS & RECREATION

- 02-20-24 1. **Providence St. Plazas at Wabash Cannonball Trail** – Reconstruction of both East & West plazas to include a pop fountain area. Plans in engineering – under Council review. Postponed until 2025.
2. **Disc Golf** – Public Works Staff is working with volunteers on construct improvements at Sandra Park to include the disc golf course.

WATER

02-20-24

1. **Elevated Storage** - A new .5MG Water Tower is currently in the design engineering phase. Design engineer is Poggemeyer Design Group. Grant awarded for construction of new .5 MG Elevated Water Storage Tower - \$1,874,138.00. Plans to OEPA for review.

WASTE WATER

02-20-24

1. **Sanitary Sewer Trunk Main** –Working with Jones & Henry Engineering on the installation of a sanitary sewer trunk main to be constructed to replace current force mains and sewage pumping stations which are nearing the end of their useful life and needing replaced. Wrapping up plans to submit to OEPA. Easement acquisitions underway. Awarded to Mark Shaffer's Excavating & Trucking for \$2,486,185.00. Construction Spring 2021-Project started March 2021. Presently on hold-delay in material acquisition. Material acquired-construction has resumed. Cemetery Rd closing July 26th for 35 days. Cemetery Rd. & Wabash Cannonball Trail are open. Currently constructing final connections at Logan and Field Ave. All underground construction completed. Earth work & pavement restoration is underway. Final clean up completed. Awaiting project closeout.
2. **Sanitary Sewer Collection System Evaluation** – Contacted with Jones & Henry to review sanitary sewer inspection data and make recommendation for future maintenance efforts.

STORM SEWER

05-21-24

1. Staff working with Lucas County Engineer to move forward petition process for the maintenance of Swan Creek to include all of the Swan Creek Watershed west of I-475 in Lucas County. Petitions to be filed with Lucas County. Ditch petition hearing to begin Spring 2021. Petition Filed. First reading held 12-2-21. Approved by unanimous vote to continue with determining the need for ditch maintenance and costs. Expected to take 24 months to gather information.
2. **Decant Pad** – A decant pad will be constructed in 2023 utilizing ARPA funds. The decant pad will be constructed at the Public Work Facility and will be utilized as a dewatering area for wet material waste. Estimated \$50,000.00. Project completed.

SANITATION

02-07-23

1. Established 2024 bulk drop off dates. The drop off dates will be January 6 & 13, March 22 & 23, June 21 & 22, September 27 & 28, 2024.

MISCELLANEOUS

07-02-24

1. **Building Permits**: 4 new homes as of 06-26-24.

02-20-24

2. **Public Works:**

1. Water Department
 - a. Valve Exercising
2. Sewer Flushing & Manhole Evaluations
3. Storm Water Inspections – Outfalls & Asst. Management
4. Tree Trimming
5. Sandra Park Path Construction

Boards and Commissions

- A. Board of Zoning Appeals
 1. Pending approval of September 6, 2023 meeting minutes
- B. Charter Revision Commission
 1. Pending approval of March 7, 2024 meeting minutes
- C. Fire Dependency Board
 1. Pending approval of January 10, 2024 meeting minutes
- D. Planning Commission
 1. Pending approval of April 1, 2024 meeting minutes
- E. Records Commission
 1. Pending approval of June 6, 2023, meeting minutes
 2. Pending 2023 Reorganization Meeting
 3. Pending Review of Records Set for Destruction in 2023
 4. Pending Review of Records Policies
- F. Tree Commission
 1. Pending approval of March 28, 2024 meeting minutes
 2. Pending Tree Inventory

Council Committee of the Whole

- A. Economic Development
 1. Pending Monitoring of Economic Development Plan (ongoing)
- B. Finance, Audit & Investment
- C. Franchise, Lands & Buildings
- D. Parks & Recreation
- E. Public Services Committee
- F. Personnel & Safety
- G. General
 1. Pending review of Council project list