

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, Fire Chief Jason Francis, Council Clerk Nicole Hartbarger

Guests Present: Karen Gerhardinger

Council Prayer was given by Pastor Stephen Bond of Community of Christ Church.

Motion by Councilwoman Artiaga, seconded by Councilwoman Tuohy to approve the minutes of the July 2nd, 2024 council meeting. 6 ayes

Motion by Councilman Connelly, seconded by Councilman Yunker to approve the bills totaling \$33,014.15 dated July 12th, 2024 and the Addendum bills totaling \$479,269.41 dated July 16th, 2024. 6 ayes

PERSONS TO APPEAR BEFORE COUNCIL

Mayor Bingham asked if there were any persons to appear before Council. Matt Killam with the Toledo Metroparks is present to speak to Council on behalf of the Metroparks system.

Killam shared that he appreciates the opportunity to meet with the newer members of Council and Mayor. He shared some statistics from Metroparks as a whole including number of staff, attendees, miles of trails, acreage, etc. Killam shared that the Metroparks system applied for a gold medal of national parks award and were awarded “Gold Number One Park District in America”; came in first due to number of visits compared to the number of residents around area in Lucas County. He shared some Downtown Toledo updates, part of the downtown planning master plan. Killam talked some about public invites and input – they have heard a lot of requests for swimming. The Metroparks built a large splash pad called the ‘Mini Maumee’ in place of a swim idea; they are listening to residents and their ideas. He shares they are looking into an International Park face lift. There are ideas in process on 10 year plans, things going according to plan, battling inflation as all people and groups are. It was asked of Killam what the thoughts on Blue Creek are, what is it that we are hearing out here. Councilman Fine commented that people have asked for swimming, how to provide it. Killam comments that we were close to swimming out in this area but that was prior to lifeguards becoming extremely hard to obtain but this is on the radar for out here. Fine thanks Killam and the Metroparks for being a world class park system.

COMMITTEE REPORTS

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

Report on the July 9th, 2024 Committee of the Whole Meeting

Councilwoman Artiaga shared that first up was discussion on the charter and proposed changes. She shared that Rebecca Conklin Kleiboemer came to speak first on idea of floating date versus a specific date for petition due dates. Solicitor Heban verified that Board of Elections would not approve language with specific date as it could cause potential issues. Question on floating date falling on holiday or other BOE closed day, asked for language to be updated to include petitions would be due on the next business day that BOE is open. Artiaga shared that next was discussion on succession of Mayor questions. The Committee is waiting for some information from Heban. The Committee

next reviewed the Surface Transportation Grant; Pilcher provided information for the Committee to review – discussed pushing projects together for better chance at grant approvals and scoring. The next topic reviewed was a presentation on sewer lines review. Opportunities for improvement were presented and discussed. Ideas for funding and possible disruption to residents were discussed. Lastly, the Committee discussed covid funds that are remaining, Pilcher provided rendering of accessible areas and estimated cost for quarry observation deck.

Report on the July 9th, 2024 Finance Committee Meeting

Councilman Connelly shared that the Committee discussed overall goals and objectives of their meetings. He commented they are looking for reports that are easily digestible and easy for staff to provide. They talked about how to roll data up, and how much detail is expected based on what is useful. During the meeting Daugherty shared that he has a current snapshot view that he can share with the Committee.

REPORT OF THE MAYOR

Mayoral Appointment to the JEDZ Board

Mayor Bingham shares that he is nominating Bob Kimball to the JEDZ Board. He comments that Kimball is currently involved in the Whitehouse Board of Zoning Appeals along with involved with the Lucas County Republican party boards.

Motion by Tuohy, seconded by Connelly to accept nomination of Bob Kimball to the JEDZ Board. 6 ayes

Bingham shared that he received a letter from Jenny Steinke from the Ovarian Cancer Connection requesting to put teal ribbons around trees in town. Administrator Daugherty has advised that this has not been done in the past, but there is no reason this cannot be changed – looking for opinion and discussion. Artiaga suggests light poles instead of the trees. Bingham says we have time to decide, does not necessarily have to be tonight. Riggenbach asks same question as Artiaga, shares it is a good cause but do need to maybe have some clarity on what types of requests will come through, the first request could create numerous. Tuohy comments it is ok to say no if it is not something we would want to represent in future, but supports this current ask. Bingham asks can the Non-Profit Group do this on their own, Solicitor Heban says no, Council controls what goes on trees or light poles. Heban comments that we have to be careful in future as we can't say no to something just based on their content – if we let someone do it now, have to let all who request unless we want to subject ourselves to lawsuit. Connelly asks have we done this for soldiers, like the yellow ribbons. Daugherty comments in past yes, he says this particular applicant is a good cause but can't reject what Heban said about saying no based on content going forward. Connelly asking Heban what other municipalities have done. Heban says can set guidelines to follow but could still be sued and it would be up to a judge on if things are fair. Riggenbach comments that doesn't stop a business from putting things in their windows. Yunker asking where exactly they are looking to place ribbons, sounds like in easement trees down the main road. Fine shares that after hearing Heban comments he is leaning toward no. Yunker suggesting can't restrict on content but can put guardrails around what is allowed i.e. solid-colored ribbons with no writing. Fine still concerned. Bingham comments it is hard to say no when people are trying to raise awareness to issues – feels no matter what is decided it is a lose situation. Fine suggests a small donation instead from the Village to the requested cause. Artiaga asking to table this topic until after citizen comments during this meeting.

Bingham is reminding all of curb side pick up, please make sure all know that in September it is curb side instead of drop off. This has been shared on water bills and is on the Village website.

Bingham shares some Village survey stats: 499 have logged in and tried to take survey, 466 in total that can be used. Majority taking survey 65-74 ages. He shares that he plans to hold

signs and pass out flyers at home football games to get people to take survey along with downloading the new village app.

Other updates shared include Bingham and Artiaga going to Providence Township meeting tomorrow night, the Concert in the Park series coming up Thursday at 6pm and is the last one. Ice Cream with the Mayor is coming up in August. Lastly he shared a concern brought up, phone call from a resident. Suggested council should have passed the repealing of the ordinance of the marijuana grow facility and then passed to voters in the future if need be – feels things are being done in reverse order.

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 shared that out of the last Committee of the Whole meeting there are a few topics that need action. Those are being covered first.

Daugherty asks for a motion to allow Administration to apply for grant funds, STG, for upcoming street projects; he asks for any questions or comments regarding this topic that was discussed in recent meetings. Fine asks is there two roundabouts; Pilcher confirms just one.

Motion by Councilman Riegenbach, seconded by Councilman Connelly to authorize administration to apply for STG Grant Funds for upcoming street projects. 6 ayes

Daugherty next asks for a motion to allow Administration to seek funding for sewer updates that were discussed during the last Committee of the Whole meeting.

Motion by Councilwoman Tuohy, seconded by Councilman Fine to authorize Administration to seek out funding for sewer system updates. 6 ayes

A. Request Authorization for Legislation For the Mid Year Amended Appropriations (as an emergency)

Daugherty shares that this request is for standard, mid-year appropriations; basic housekeeping items, nothing significant. Asking for authorization tonight.

Motion by Councilwoman Artiaga, seconded by Councilman Fine to request authorization for legislation for the mid year amended appropriations, as an emergency. 6 ayes

B. Request Authorization for Legislation To Place On the Ballot at the Next General Election the Issue Approving the Cultivation and Processing of Marijuana

Mayor Bingham asks if this legislation should be passed as an emergency, Solicitor Heban confirms yes, as emergency.

Tuohy asks to confirm, Council is putting this on the ballot to see if we want to reverse the moratorium with the public vote, rather than making that decision as Council; the moratorium would be in effect until vote changes it. Riegenbach does not agree with this direction, agrees with citizen feedback that Mayor Bingham received. Tuohy comments we can't give details on possible interest until we can receive details, and we can't get details until moratorium is lifted. Fine asks what info we would be looking for that would help; Tuohy says if we say no it still could be in our area anyway without Whitehouse benefitting; she shares after talking to residents she did get more people for the chance of it than against the idea of it. Bingham says two ways, Council can repeal the moratorium ourselves then take offers to citizens if one comes in, it can be a ballot issue on a special election if needed; or Council can go forward with having citizens decide on repeal of

moratorium first. Connelly suggests going forward as is. Bingham suggesting if go forward, we do not have to go to voters again if idea of lifting moratorium is passed – residents already gave approval.

Motion by Councilman Fine, seconded by Councilman Connelly to request authorization for legislation to be placed on the ballot at the next general election regarding the issue of approving the cultivation and processing of marijuana, as an emergency. 4 ayes 2 nays

C. Request Authorization for Legislation to Purchase a Police Cruiser Using COVID Funds (as an emergency)

Daugherty comments that this topic was discussed at the previous Committee of the Whole meeting; we are capitalizing on good price on the cruiser and good interest rates.

Motion by Councilman Riggenbach, seconded by Councilman Connelly to request authorization for legislation to purchase a police cruiser using COVID Funds, as an emergency. 6 ayes

D. Operations Report Summary

Deputy Administrator Hartbarger starts the operations report by sharing that the open office assistant position has been filled. Kelsey Blaskis has filled position after receiving over 20 applications.

Hartbarger shares there have been recent BWC grants applied for and successful receipts. Due to this, the Village is purchasing equipment for the Public Works and Fire Department teams.

Mayor Bingham asks if we are discussing Swan Creek Ditch postcard that went out to all residents. Daugherty shares in 2018 is when Council took action previously, but now newly dealing with flooding issues. Very long and involved process over a few years so far, issues affect upstream counties and municipalities, if the county was to fix just one, as in Whitehouse, it does not fix all flow problems. Daugherty says all in this watershed will see Village of Whitehouse labeled as the petitioner. We are the initiated party, can share that municipality is working through how to fix the issue. In 2018, cost estimates were provided, and were much lower than what are showing on the cards that went out now, lower costs and overall burden to Village of Whitehouse at that time. In 2018, Council voted to take on that burden so to not increase taxes. The current amount is \$115k per year for next 6 years, this will impact the general fund; it was initially estimated in 2018 at \$20k per year. Daugherty comments that the card is very confusing, it is ORC language. Tuohy comments that on the news they did go through each section and help explain, which helped. Hartbarger says the ditch in the area has lost half of its capacity per the engineers office. Bingham shares back in 2018 was to fix Whitehouse's problem then it ballooned into the full county and other counties including Fulton. Daugherty shares that a common question he is hearing is - I don't live near water why do I have to pay - Whitehouse is very flat and is very close to the flood plain – adding lots of streets and houses increases water drainage stress. Everyone in the Village benefit from the updates and fixes. Fine confirms it is \$115k per year; Daugherty says yes it is each year. Daugherty comments that the good news is that this will be fixed going forward and issues will improve.

REPORT OF THE LAW DIRECTOR

Mayor Bingham asked Solicitor Kevin Heban for any items to be reported.

Heban shares that he has an answer on Riggenbach's question on floating date for petitions due dates. He said there is no need to change legislation, Ohio BOE has a rule that if date falls on legal holiday or BOE is closed it automatically goes to next business day.

Heban shares that next topic is question Riggenbach raised regarding sitting Mayor, if they resign after voted in. Heban says presuming these amendments pass, Council will have some updates to do to ordinances – if passes, Council should enact specific ordinance that stops someone from resigning and then being able to serve next elected term.

Heban shares his last topic is regarding Buckeye Cable request to easement access – Pilcher reviewed and no issues. It is on property that Village owns. Hartbarger shares that Village was petitioned by Buckeye for business going in next to Village Social Park. May risk underground work if easement is granted. Hartbarger and Heban suggest an aerial license to protect from any Village Social Park damage underground in that area. Hartbarger confirms overhead lines already exist – did not go to BZA, this is straight to Council. Fine asks, does this give same height as other lines, Hartbarger confirms yes.

Motion by Riggenbach, seconded by Fine to authorize administration to sign license agreement with Buckeye Cable. 6 ayes

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 several 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 Riggenbach, seconded by Councilwoman Artiaga to approve **Ordinance 7-2024** to be read by title only. 6 ayes

Motion by Councilwoman Artiaga, seconded by Councilwoman Tuohy to approve **Ordinance 7-2024** by title only, declaring an emergency. 6 Ayes

Motion by Councilman Connelly, seconded by Councilman Fine to adopt **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, as an emergency.** Third reading vote by name. 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 Councilman Connelly, seconded by Councilman Yunker to approve **Ordinance 8-2024** to be read by title only. 6 ayes

Motion by Councilwoman Artiaga, seconded by Councilman Connelly to approve **Ordinance 8-2024** by title only, declaring an emergency. 6 Ayes

Motion by Councilman Yunker, seconded by Councilman Fine to adopt **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, as an emergency.** Third reading vote by name. 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 Councilman Connelly, seconded by Councilwoman Tuohy to approve **Ordinance 9-2024** to be read by title only. 6 ayes

Motion by Councilwoman Tuohy, seconded by Councilman Fine to approve **Ordinance 9-2024** by title only, declaring an emergency. 6 Ayes

Motion by Councilman Connelly, seconded by Councilwoman Tuohy to adopt **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, as an emergency.** Third reading vote by name. 6 Ayes

- D. **Ordinance 10-2024:** Amended Ordinance to Make Appropriations for Current Expenses and Other Expenditures of the Village of Whitehouse, State of Ohio, During the Fiscal Year Ending December 31, 2024 (as an emergency)

Motion by Councilman Riggensbach, seconded by Councilman Connelly to approve **Ordinance 10-2024** to be read by title only. 6 ayes

Motion by Councilman Riggensbach, seconded by Councilman Connelly to approve to suspend the rules and have the second and third reading of **Ordinance 10-2024** by title only. 6 Ayes

Motion by Councilman Fine, seconded by Councilwoman Tuohy to approve **Ordinance 10-2024** by title only, declaring an emergency. 6 Ayes

Motion by Councilman Riggensbach, seconded by Councilman Connelly to adopt **Ordinance 10-2024: Amended Ordinance to Make Appropriations for Current Expenses and Other Expenditures of the Village of Whitehouse, State of Ohio, During the Fiscal Year Ending December 31, 2024, as an emergency.** Third reading vote by name. 6 Ayes

- E. **Ordinance 11-2024:** To Place On the Ballot at the Next General Election the Issue Approving the Cultivation and Processing of Marijuana in the Village of Whitehouse, Lucas County, Ohio (as an emergency)

Motion by Councilman Connelly, seconded by Councilwoman Artiaga to approve **Ordinance 11-2024** to be read by title only. 6 ayes

Motion by Councilman Connelly, seconded by Councilman Fine to approve to suspend the rules and have the second and third reading of **Ordinance 11-2024** by title only. 6 Ayes

Motion by Councilman Fine, seconded by Councilman Yunker to approve **Ordinance 11-2024** by title only, declaring an emergency. 6 Ayes

Connelly fine

Motion by Councilman Connelly, seconded by Councilman Fine to adopt **Ordinance 11-2024: To Place On the Ballot at the Next General Election the Issue Approving the Cultivation and Processing of Marijuana in the Village of Whitehouse, Lucas County, Ohio, as an emergency.** Third reading vote by name. 6 Ayes

RESOLUTIONS

Mayor Bingham asked Solicitor Kevin Heban for any resolutions to be reviewed or voted on.

- A. **Resolution 10-2024:** Authorizing the Administrator to Purchase a 2024 Ford Explorer Police Interceptor for Use by the Police Department for the Village of Whitehouse, Lucas County, Ohio (as an emergency)

Motion by Councilman Riggensbach, seconded by Councilman Fine to approve **Resolution 10-2024** to be read by title only. 6 ayes

Motion by Councilman Riggensbach, seconded by Councilwoman Tuohy to approve to suspend the rules and have the second and third reading of **Resolution 10-2024** by title only. 6 Ayes

Motion by Councilman Riggensbach, seconded by Councilwoman Artiaga to approve **Resolution 10-2024** by title only, declaring an emergency. 6 Ayes

Motion by Councilman Riggensbach, seconded by Councilman Fine to adopt **Resolution 10-2024: Authorizing the Administrator to Purchase a 2024 Ford Explorer Police Interceptor for Use by the Police Department for the Village of Whitehouse, Lucas County, Ohio, as an emergency.** Third reading vote by name. 6 Ayes

OTHER ITEMS DISCUSSED

Department Heads

Public Works Director Steve Pilcher shares that the bridge delivery is expected July 24, there could be some traffic delays while offloading and getting the bridge in place. He comments there is a bid opening for the elevated storage tank on Industrial Parkway; Maguire Steel was the lower bid at \$2.753M - waiting for Kleinfelder to review bids and move forward. Pilcher shares that Lucas County Engineer will be at Village Hall from 4-8pm on July 30, in classroom and council chambers to answer questions on the Swan Creek Ditch petition. Bingham asks what the original water tower estimate was; Pilcher says \$2.9MM so this bid is under. Tuohy asks where we post our open bids, Pilcher says usually in Mirror newspaper along with sending directly to contractors that have worked with in past, engineer does as well; have used Lucas County Auditor open bid site in past. Fine asks expect large crowd on 30th - is this individual or one large group – individual is the intent.

Fire Chief Jason Francis shares that the statistics for June have been emailed to Council along with included in packet for tonight's meeting.

Council Comments

Councilman Riegenbach comments that he is very grateful to have charter conversations moving to ballot and grateful for the hard work and effort by all. One of the most important documents we have, time and effort spent on this topic was the right thing.

Councilman Connelly comments that it is a privilege to serve the public with people he respects and admires; appreciate all here.

Councilman Yunker comments that on the topic of postcards that went out for ditch issues, there is a lot of back and forth on social media. Overwhelming negative comments from people outside of Whitehouse stating it is Whitehouse's problem only. Yunker says really it is a benefit for a large portion of Northwest Ohio. Yunker asks question for Administration, he understands a message went out that the Village will no longer be sending communications via email and residents should be using the new app. Hartbarger shares that is probably a misunderstanding, all will still receive email, it will come through app to email and residents just need to subscribe to correct platform. Hartbarger comments he understands some do not have smartphones and there will be way to still continue to receive email.

Councilman Fine asks at next Committee of the Whole meeting should Council talk about communication for upcoming ballot measures and efforts. Riegenbach asks what we can say – Heban says you can state the facts. Hartbarger shares that the Village survey is going in the August water bill, very low cost to print in color. Heban says yes can do this for ballot issues too – this is a little different than tax last year as these are not money issues. Bingham agrees citizens should know what they are voting on.

Councilwoman Artiaga shares that she emailed a copy of Council roles to all, they are quite antiquated can discuss and review during September committee of the whole.

CITIZEN COMMENTS

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

Councilwoman Artiaga asks all to circle back to the teal ribbon on the trees request for the Ovarian Cancer Connection.

Connelly comments he is thinking about beautification of downtown and how things are today. Not in favor of ribbon on trees but in favor of small nominal donation to the group. Yunker comments saying yes could open slippery slope for public spaces for other requests, but we could create some restrictions with messaging, etc. Fine agree with all. Tuohy agrees, but feel it is a no win challenge that we can't do something nice because of what it opens us up to. Riegenbach asks who is requesting, make sure if do donation it goes to the right local chapter that is requesting, he is in favor of donation. Artiaga more comfortable with donation approach, even if adopting restrictions, still could open up to messages that Village does not support.

Motion by Councilman Connelly, seconded by Councilman Fine to present a \$250 donation to the Ovarian Cancer Connection after verifying their 501c3 status. 6 ayes

ADJOURNMENT

Motion by Councilman Riggerbach, seconded by Councilwoman Tuohy to adjourn the meeting at 8:08pm. 6 ayes

Duly Appointed Clerk of Council

Mayor