

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 Riggengbach, 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, Tim Tuohy, Rebecca Conklin-Kleiboemer, Dave Prueter

Council Prayer was given by Municipal Administrator Jordan Daugherty

Motion by Councilwoman Artiaga, seconded by Councilman Riggengbach to approve the minutes of the June 18th, 2024 Council meeting. 6 ayes

Councilwoman Tuohy inquires about the water tower project line on the bills to be approved, confirming this is now for engineering work. Administrator Daugherty confirms that the line item for Kleinfelder is for engineering, etc.; now post bid and ready for construction, the contract is monitored.

Motion by Councilman Riggengbach, seconded by Councilwoman Tuohy to approve the bills totaling \$49,443.15 dated June 27th, 2024 and the Addendum bills totaling \$306,796.71 dated July 2nd, 2024. 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 Fallen Timbers Union Cemetery District Meeting

Councilwoman Artiaga shared that the group met on June 17th for a regularly scheduled meeting. After revenue and expenses, the remaining cash balance was reported.

Artiaga shared that the Daughters of American Revolution group have volunteered time to clean stones, project is ongoing. Request to purchase back a cemetery lot by couple who have lost deed. Vote was made to allow purchase of deed. Some damage to cemetery locations based on recent storms. Treasurer Tiffany Bachman reviewed budget and how it is calculated. Discussion was held on projects to prioritize, did some board work with categorizing, etc. Tree removal and planning top the list, fencing at Whitehouse Cemetery to enclose trailer, drainage at Wakeman and trash receptacles for all locations. Some future projects as well.

Report on the June 18th, 2024 Records Commission Meeting

Police Chief Allan Baer reviewed the list of those present at the meeting. First order of business was to approve previous meetings minutes. Allan Baer was appointed as chairperson; motion passed. New items include additions to the records retention lists including credit card receipts. Updates will be made to the retention list, motion was made for these updates and passed. Next meeting is scheduled for June 3rd, 2025.

REPORT OF THE MAYOR

Mayor Bingham asked all to spread the word on curbside pick-up for September, change to curbside versus drop off. He shared the Village is looking to get more people signed up with the new Whitehouse app and to take the survey. Looking to spread the word on these at upcoming home football games in the fall.

Mayor Bingham reminded all of upcoming events. Bingham and Councilwoman Artiaga will be attending the Providence Township Trustee meeting on July 17. Concert in the park event is on July 18. Founders Day event this Friday, July 5. Ice Cream with mayor and Council August 17 under the gazebo in Whitehouse Park.

Mayor Bingham shares that he has reached out to those from the survey who asked for someone from Council to reach out; he comments that it has been positive feedback so far.

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.

A. Finance Committee Meeting Scheduled for July 9th, 2024

Administrator Daugherty shares that next Tuesday will be the first meeting. Will have the normally scheduled Committee of the Whole (COW) meeting that night; that will be preceding the Finance Committee meeting. Daugherty comments that a couple of projects will be presented at COW, including sidewalks and safe routes to school. He shared that they met with Kleinfelder and feel there is a good project that can be pursued. COW should not be a very long meeting – focus on applying for funds/grants. Finance Committee to follow, will take direction/advice by email for the agenda for this meeting. He shared they can begin with a review of standard documents and then flow from there on any further requested information that can be helpful.

B. Request Authorization for Legislation Authorizing the Finance Director to Transfer Certain Funds for Village Accounting Purposes (as an emergency)

Administrator Daugherty shares that these are funds already appropriated with the budget process, now ready to transfer into appropriate funds.

Motion by Councilman Fine, seconded by Councilman Connelly to Request Authorization for Legislation Authorizing the Finance Director to Transfer Certain Funds for Village Accounting Purposes, as an emergency. 6 ayes

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.

Rebecca Conklin Kleiboemer - 10934 Lone Oak: Conklin Kleiboemer shares that she has comments regarding the proposed charter changes. She thanks Council for adjusting dates and reviewing those. She wants to confirm to all that dates will change every cycle. Conklin Kleiboemer's suggestion is to set stable date on an estimated November 2nd election so due dates are the same every single year for candidates to turn in petitions – could help candidates going forward. Conklin Kleiboemer shared some thoughts on Ordinance 9, succession planning for Mayor. She comments she has been following the Council discussions and does appreciate that this is an effort to make things smooth and easy. She shares that she has personally experienced this process/issue. Creating Council vacancies due to Mayoral vacancy can create some unevenness in all seats. Her question is how long is too long with

a vacancy – if in middle of term as council president, if mayor resigns after that deadline you risk losing two years of your term. She asks could the opportunity that this creates be used unjustly. Do not want to create disparity among any Council seats if possible. She closes her comments by stating she is rooting for all - has great confidence in the work that is being done, and knows it is coming from a good place. She thanks Council for doing the work, and is looking forward to the vote.

Councilman Fine asks a question to clarify the comments on the primary date requirements. Conklin Kleiboemer confirms the idea of picking a solid date instead of having to do the math for due dates each year.

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 Councilwoman Artiaga, seconded by Councilwoman Tuohy to approve **Ordinance 7-2024** by title only, second 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 Councilman Riggensbach, seconded by Councilwoman Tuohy to approve **Ordinance 8-2024** to be read by title only, second 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

Councilwoman Tuohy comments during open discussion time that a lot of the comments resident Conklin Kleiboemer brought up were discussed and understood prior to moving forward with the ordinance update.

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

RESOLUTIONS

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

- 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)

Motion by Councilwoman Tuohy, seconded by Councilwoman Artiaga to approve **Resolution 9-2024** to be read by title only. 6 ayes

Motion by Councilwoman Tuohy, seconded by Councilman Fine to approve to suspend the rules and have the second and third reading of **Resolution 9-2024** by title only. 6 Ayes

Motion by Councilwoman Artiaga, seconded by Councilman Connelly to approve **Resolution 9-2024** by title only, declaring an emergency. 6 Ayes

Motion by Councilman Connelly, seconded by Councilman Yunker to adopt **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)**. Third reading vote by name. 6 Ayes

OTHER ITEMS DISCUSSED

Department Heads

Public Works Director Pilcher shares an update on the pedestrian bridge project. There were some backups with the bridge build, now looking for delivery around July 22. On the Swanton Street project, there was some curb work to finish but now pretty much wrapped up; he shares the Village has submitted payment for a large portion of this project. He comments on the storms that rolled through recently, a lot of rain, focused on answering complaints on flooding and reviewing various areas where that was prominent. Reviewing if it is something the Village can do or if it is just mother nature and way too much rain at once. He shared the crews were out for almost a week picking up storm damage including branches, cutting down trees, etc. Councilman Yunker asking a question regarding bridge paved pathway, he shared there are questions on social media, people asking if the path will be wider than the current path that it is connecting to. Pilcher confirms plan is for it to be the same width all the way down from current path.

Fire Chief Francis shared that the Fire Department is updating response plans with dispatch including Providence and Waterville responses. He shares they are trying to keep on track with supplies. He informed Mayor and Council that Oregon Fire Dept donated four AED's to the Whitehouse Fire Department. Oregon updated the fleet they had and donated the used AED's to Whitehouse; all that is needed to purchase is batteries. Mayor confirms that Chief Francis will be sending a thank you letter for this donation.

Councilwoman Tuohy comments thanking Pilcher and whole crew for the response times for the storm clean up.

Police Chief Baer comments that along with the monthly statistical document he included two other items. He shares that the Police Department operates completely under policy and procedure – all dictated. Village of Whitehouse Police Department received recognition from Lexipol for policy gold standard, third year in a row that the department has received this. He also shared that the department received a policy advisory board letter, a letter created to verify departments are using best practice policies – departments do have to provide proof that these policies are followed. He comments the department just received recertification, it is a lot of work for the department and all officers.

Council Comments

A. Marijuana Grow Facilities

Mayor Bingham asks that Council has open discussion on this topic. He shares that currently, the Village does not allow them.

Councilwoman Artiaga shares that it has been suggested that Council revise the moratorium against growing, this would not affect ordinances against sales and distribution, as this is only for growing. She comments that the Village could have a possibility of \$3-5MM in revenue a year – could help offset a lot of budget items. She believes this should go to the voters to decide if we should allow a growth facility in the Village. Voters need to be aware of options and be able to tell how they feel via Council meetings and voting.

Councilman Riegenbach shares that he feels similar to Artiaga's comments. He comments if we maintain the current moratorium we are not able to even receive an offer if there is one. He believes Council could suggest to voters, 1) to be able receive offer – lift the moratorium and 2) vote on accepting an offer; to not even be in position to receive an offer we do not know what the potential is. He shares that he does not have clarity on what

neighboring community positions are – would be concerned if neighbor can receive offer and take offer it could still end up right on our property line. He would like to have full picture and full story on any potential.

Councilwoman Tuohy shares that she agrees with both Artiaga and Riggenbach's comments. She shares it is hard to say no to \$5MM, but does not know if these numbers are true. She comments Council cannot currently offer any information to the public because we cannot even receive an offer on options. Could create own set of guidelines for the topic. Would hate to see this amount of potential revenue to not be an option. But comments she does understand, would not want anyone to feel unsafe in their own community. She would like to be able to say are willing to take a look at options and then open that option to the voters.

Mayor Bingham comments that he is personally not for this, but he is for letting the people decide. He states the community should decide, not the seven sitting here. Bingham comments he does not know if we will even get an offer but do understand we have to think outside of the box when it comes to revenue. His question is, is this community going to want to be known as a growth facility community – feels this has to go to the citizens/voters.

Councilman Fine agrees this topic should go to the voters. Looking at poll results from last year, where legalizing Marijuana was on the state ballot, a slight majority voted no from our area. He asks if we should open it up and then let staff help decide how to best approach things.

Councilman Connelly comments that the only changes for this topic should come from a vote. He comments that as it relates to revenue estimates, these look high compared to research on true numbers in Michigan. He states that we need more facts and research done.

Councilman Yunker comments that a lot of his same thoughts have been covered here. Ideally would put this to the voters. He comments if an opportunity does arise, need to have timely responses if possible. There is the moratorium in place, which used to restrict kinds of businesses that can come into town. He shares they could consider zoning options, specifying where certain types of business can exist i.e. not next to school or large amounts of housing. States that it is not as if the moratorium is lifted then it is immediately free game on this topic, there are still restrictions that can be used.

Mayor Bingham confirming with Solicitor Heban we can put in zoning restrictions etc. Heban states, from a staff perspective, there is no recommendation on this topic. Growth developers work with contractors who look for areas. Heban was reached out to by a contractor asking about options in the Whitehouse area. He comments this is an area where the state government has given municipalities leeway to control. Still have enough time to put on the general election for this year. He shares we would have to pass as emergency measure at next meeting to get on ballot. Connelly comments he is still disbelieving of provided revenue numbers, a rash action now might not be necessary. If we want voters to decide now, or two years from now, that is still putting it to the people. Riggenbach asks for confirmation on what Council is voting on. Heban confirms voting on lifting the moratorium, if the Village wants to be in the position to receive an offer.

Mayor Bingham asks for all to confirm understanding that the plan is to put on ballot in November to remove the moratorium or not. All Council members confirm yes, this is the agreement.

Motion by Councilwoman Artiaga, seconded by Councilman Fine to draft legislation to put on November 2024 ballot to vote on lifting growth facilities moratorium. 6 ayes

Councilman Riggerbach comments that it was a great job done by Public Works department with the last storm. So much damage all over town and there were no detours or roads closed from his perspective.

Councilwoman Tuohy shares that all is great. Wishes all a safe Fourth of July. She shares to please start pushing the Whitehouse app. Great job to Police and Fire as always.

Councilman Fine shares kudos to Public Works for storm response – quick notifications from the app and social media were great. He comments to the Police Department he has worked on policies before, know it is a thankless job but commend them for doing the great work. Comments to the Fire Department appreciate all being done thinking outside of the box.

Councilman Connelly seconds all comments already made. Thank you to Deputy Chief Hartbarger for quick response to text during the recent storm. He shares that the person he contacted from the survey contact request was very complimentary of the Village and beautification.

Councilman Yunker adds one more kudos for Maintenance Department – he shares they took care of all storm damage, etc., in the same time frame as unlimited drop off, thank you for all.

Councilwoman Artiaga asks Pilcher how was participation in June bulk drop off. He comments he is not sure on number of residents but knows it was up; filled six 30-yard dumpsters.

Pilcher comments to all, don't forget about Founders Day event, Mark Schriefer and staff are working very hard on a good program.

Councilwoman Artiaga shares the concert series is upcoming on July 18 from 6-8pm. She comments she wants to make Council aware – had the opportunity to attend RITA agency on June 20, learned that collections are up and cost for them to collect is less than 1% of taxes collected. RITA is now in 80 of 88 counties in Ohio.

CITIZEN COMMENTS

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

Motion by Councilwoman Artiaga, seconded by Councilwoman Tuohy at 7:36pm to enter into Executive Session regarding ORC 121.22 (G)(8) - to consider confidential information related to economic development. 6 ayes

Motion by Councilman Connelly, seconded by Councilman Fine at 7:55pm to reconvene council meeting. 6 ayes

ADJOURNMENT

Motion by Councilman Connelly, seconded by Councilwoman Artiaga to adjourn the meeting at 7:55pm. 6 ayes

Duly Appointed Clerk of Council

Mayor