

RECORD OF PROCEEDINGS

Held

May 22, 2023

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10th REGULAR SESSION:

Kenton City Council met in their 10th Regular Session on May 22, 2023, at 7:00 PM, in Council Chambers. Present: President Joel Althaus, Sue Fox Buroker, David Beazley, Antwillia Davis, Ray Lawrence, Pegg Wren, Robin Jones, Anda Tudor, Law Director John Schwemer, Mayor Lynn Webb, Safety Service Director Cindy Murray.

Prayer given by Mr. Althaus:

Lord, as we pause in the coming days to remember those in the military who have given their life for freedoms we enjoy, we pray You would have us all look to you for strength, comfort, and guidance. Be with all who serve our Armed Forces. Bless them, and their families. Grant Your loving protection. Let peace prevail among all the nations. Especially, let Your mercy rest upon our land, even as we acknowledge with thanksgiving, you'll pass goodness on this country. If it is Your will, preserve the lives of the men and women in uniform as they defend our citizenry. Most of all, we pray that you would turn the hearts of all, military and civilian, to Your holy word, where we find true peace for our sinful souls that surpasses all understanding. Keep us repentant of sin. Move us to know, take hold, and treasure Your saving grace. In this peace and hope in eternity we pray, AMEN.

Pledge of Allegiance recited.

MINUTES:

Althaus: Upon reviewing the record of the minutes from May 8th, does anyone have any additions or corrections? Let them stand approved as submitted.

CITIZENS REQUESTING TIME TO SPEAK:

None.

COMMUNICATIONS:

Althaus: I have none. Anyone have any communications to share?

PETITIONS:

Althaus: We do have a petition, Emma passed that out to the Streets Committee already. If you all could take a look at that, it's just down Main Street, right off Main. If you want to take a look at that, and report back at our next meeting. Just to give everyone an overview, it's 855 South Main. There's a property there that Dianna has a lot, Dianna Ziggler has a lot, and then her garage is basically on a north/south alley behind her lot, been there for years, and then she owns the entire lot behind that. There's only one other land owner that is significant to the request, and that would be the land owner beside her. So, if you all could take a look at that, and if you have any questions, and as far as utilities, we always reserve the ability to, even if we vacate it, to go back in to get access to utilities. So, just let us know what you think at the next meeting. And John I don't, you probably haven't even seen this yet have you?

Schwemer: I looked at it.

Althaus: You did.

Schwemer: Just earlier and I don't personally have any concerns. We just need to make sure there's no safety issues, and then when you report back, I'll get legislation moving.

Althaus: So, and Chief if you've got, one of you guys want to take a look at it too, 855 South Main. Emma's got the original. Okay, any questions on that?

ADMINISTRATION REPORTS:

Althaus: Chief Musser, anything to report on?

Musser: Just wanted to make the council aware we did, I think last time I spoke about this we were getting ready to put a new officer on so, we did hire a local young man from Kenton, seems to be working out really well. He's doing his training at the moment so, we'll get him up here for introductions as soon as we're able. We're going to have a couple more openings coming up. We're anticipating at least one retirement. We're looking at going with the National Testing Network to try to get more candidates to apply with our agency. So, we will see how that goes. That's all I got.

Althaus: Alright, thank you. Bruce, Chief Donnelly?

Donnelly: We did wrap up flow of the hydrants in the Northwest section last week. We will be doing what we call summer inspections on hydrants in the other three wards of the city, but with those we don't actually flow the hydrants. We're just doing maintenance, making sure they open, close, caps

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come off, and all that stuff. So, shouldn't be any real water issues at that point in time but the guys will be out doing that, plus we'll be getting the hydrants painted up in the Northwest Section also during the summer. So, that's all we've got right now.

Althausen: And you saw there their monthly report is in your packet, any questions on that? Okay, Jacqueline, anything in either of your areas?

Fitzgerald: Yesterday they had free fishing day at the quarry. That was a great success. Tom Purcell, Jason Howe, and Barney Gammon; they do a really good job. They're our trustees at the quarry and they've put in some new rock along the new docks and things are looking really good out there, as I've said before. So, if you see them, thank them for all the great work that they do. A lot of young kids out there fishing for the first time, enjoying themselves so it was really kind of fun to see that. Splash pad, the new equipment is finished. We're just waiting on the mushroom to be painted. So, hopefully we'll have that up and running, maybe a little after Memorial Day, possibly if they can. I know our guys are pretty busy with the water main break and stuff. So, just replacing some broken equipment from the Jerry Cross Park. So, those pieces have come in and we'll get those replaced, and the new signage should be going up soon. It's in, we just need to get it up. Pioneer Park, you'll see that being kind of dressed up. Aaron's Landscaping and the Kenton Lions are kind of collaborating together with the City of Kenton and getting that all ready to go before Memorial Day, and some of the Welcome to Kenton signs, the Kenton Lions Group has come together and they've really spruced those up. So, we really appreciate their efforts in making those look nice as you come into the City of Kenton. The building that we purchased off of Perry Street, our summer mowers have really cleaned that up, cut down some of the shoots that were growing up around the building. So, that's looking nice. Downtown flowerpots are finished. Thanks to all the volunteers that made that happen. I think they're going to get watered for the first time tonight. So, the mayor is going to venture out and try out our new contraption for watering. Nuisance, we've done about twenty nuisances, on Thursday, we kind of went out and did some. We just drove around every ward, and we've got about twenty nuisances for high grass and weeds. So, Chief Musser got those in his mailbox Friday, and I put a note on his mailbox that said I've very sorry because he was going to come into it on Monday. So, I think we're going to maybe try to go about it a little differently, I'll talk to the mayor about it. Anything you want to say on that Mayor, at all?

Webb: Not yet.

Fitzgerald: Okay so, we're working on that and just please note that, you know, six inches, that's what the ordinance is, and we're just asking you to mow your grass. We don't need a mosquito issue. Your neighbors are trying hard and if you do see somebody that's got high grass that never has maybe go knock on your neighbor's door, and see if maybe there's an issue, you never know. And then, I've reached out, I try to stay in communication with Pennmark Properties, they're the owners of the former K-Mart building. I spoke with the gentleman this evening, just because I've had a couple of different interest in possibly the building, just where they're at. You know, they're just a little bit at a stalemate, not that they're not going to do anything, but with the cost of construction he said the numbers didn't pencil out right, but they're still trying to move forward, but they're just waiting for number cost to come down. So, they said you know if they signed a five-year lease with somebody, if they decide not to lease in five years, they'd be in the red. So, it makes sense, and just people need to remember we don't make these deals. The city does not make these deals. The mayor does not make these deals. These are private owners of buildings and they do their own investments. So, we can try to help, you know, promote that when people are interested, I get phone calls, you know, hey what's the price, lease and I just send them to the broker of that. I've also been in contact with Gene Wong, the property owner of the old former K-Mart buildings around there, just to kind of see where things are going and how much space is available. So, I've been probably once a month communication with him about what's going on. So, that's kind of what's happening, and the pool is, we open up on Monday, Memorial Day. So, we're getting there. We're just waiting for some paint to dry in the shallow end. We are outpacing our numbers for 21, 22, for pool parties, membership. Same way with the quarry. We've outpaced our numbers for the last two years. So, things are good. Any questions?

Althausen: Alright, thank you. In your packet was a report from the auditor and the treasurer. Any questions on that? John, anything you need to talk about tonight?

Schwemer: No, continue to work on the property purchase on South Detroit Street there. I've acknowledged that they've made the changes that I've requested in the contract but we're waiting for

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an execution copy. It's just everything is a slow process. I was really hoping to have legislation before council tonight, but again, we're not there, and I'm also waiting for a cost estimate for fees with the title company and I want to kind of put that together in legislation. So, I'm just kind of on hold. So, hopefully next meeting. Jacqueline is kind of in the loop. She's been copied when I send that stuff out. So, we're just waiting to hear back, but it's still moving along. That's all I have for right now.

Althaus: Alright, Cindy?

Murray: So, I want to announce that Mary Ann Szczerba has left the City of Kenton. We want to thank Mary Ann for 14 years of service. Basically, in the utility's office, again the water office is moving up here to the 111, right down the hall here on June the 5th. We do have an opening. We are looking for a part-time person to work in the water office to take strictly payments only. During the first couple of weeks it will probably be a 40 hour job, as they learn what they're doing, but we're going to start doing some hashmarks as to what hours people come in and maybe we do some of the hours that we are open because you find when you're down there it's like on the 15th, when the bills are due it's a mad rush all day but then other times it's very slow and so we may reduce the hours for this part-time person. Swimming pools, just want to remind everybody that with our new ordinance that we put in last year, anything over 24 inches in depth has to have a 4-foot fence or wall around it. The fence or wall can be made of wood, plastic, PVC, metal, or masonry. No snow fence, chicken wire, hog wire, or barbed wire. You need to have a permit before you put a pool in, and it has to have a gate that's self-closing or self-latching. So, just a reminder out to everybody, because it's that time of year, and I'm getting calls right and left about people having a swimming pool with no fence around it.

Schwemer: And the fence requires a permit too because we need to make sure it's compliant with our ordinance.

Beazley: Oh dear, it'd be cheaper to buy a pool pass.

Murray: Exactly! That's all I have.

Althaus: Thank you, Cindy. Mayor Webb?

Webb: Before I get into the water break, guys started replacing all the flags downtown today. So again, May is a busy time for our Public Works, getting the pool ready, quarry ready, splash pad, getting everything ready for Memorial Day, and looking nice so, shoutout to the guys on that. Also, a reminder senior cruise night for the graduates is 7 o'clock Friday night. They're go down Jacob Parrott Boulevard, they'll line up at K-Mart, down Jacob Parrott, up Franklin, down Main, back out Columbus, finagle their way past the Middle School to High School parking lot. I think this is our 3rd year, and it seems to have gained some popularity so asking the community to come out and congratulate the kids. They like to get their cars and trucks, it's a neat thing to see. Also, just to piggy-back off Jacqueline on the nuisance and mowing high grass, you will only be, the notice is for the entire year. So, it's not per time. So, once you receive your notice, it's for the entire year, and just back last year when we put the ordinance in, it's those 6 inches but you have 5 days so you know you're another week so by the time we see the six inches you're probably going to be, if you haven't mowed, you're at 8 inches. So, or higher, so everybody, there's kids out there I know that are mowing for jobs and it's just, you can find it and reach out to people, ask for help, that's what I have to say on that. Okay, water main break, real quick, just so we can give you the picture, maybe, I should've had it up. Okay, so West Franklin Street was right out by 555 building, just west of that. This is a 12-inch line, which caused so much the problem. It's a direct 12-inch line from the water tower. So, thank God this is the bottom side though. If that was the top side, we all would've probably saw it last night. Yes, a tremendous amount of pressure, so again, being a Sunday night, and then when this broke, the guys just did a phenomenal job, and I can't reiterate when the tower drains so quickly, we're in a very critical situation. If we would ever lose that tower, you'd have to bring a company in to sanitize it, and we're down for a long time. So, the guys did a phenomenal job. That's the first chunk that we chunked out. Then, once we fixed it, the first time, we found out this 12-inch goes like this and then goes into a 45 elbow. This was inside and they got everything tightened up, and you can see Eric reached under there and he said, it's a no-go, it's a crack. So, they had to take everything apart again, and then they had to pull that out. You had a torch. They had to cut stuff up. It was quite a lengthy process. So, again, they do things right. This is the finished product. So, you'll see here is the fix, right here, the repair, this right here is a 6-inch gas line, live, that they had to work, this is on top of the water line. And then, right here, was the 45 elbow that goes in and then sitting right underneath it is a storm sewer, packed in concrete, and they did a phenomenal job. So, this line is

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about, Burl thought it was put in in the 1970's. So, we've had trouble with that kind of pipe. The big blowout on Decatur was the same kind of line. So again, how the guys did on the operation was outstanding and they did get it isolated, we just lost pressure. This is the beginning so before we could even get down there, that's how quick Franklin Street was flooding. So, a 12 inch is pretty significant, but they did get it isolated and then Dale got pumps running to start re pressurizing so the south end of town probably had way, or nothing, where the north end came up a lot quick then, just for the pressure, but again, the guys had their superhero capes on and again real pleased they, I think they finished up at 4 o'clock this morning.

Murray: So, I just want to give a shoutout too, to Nathan that was working at the, Nathan Frankel was working at the water plant, and noticed that the tower was dropping so he got in the truck and went to the tower, thinking that the leak was out there, and didn't see anything and was kind of driving back down and just happened to glance down Franklin Street, and saw all the water.

Webb: Again, so we're looking probably, I talked to Dale today and he says we should have the results back for the test between 1-2pm tomorrow. So, we'll be putting that out. We notify the hospital, industry, we kind of notify those guys first that way we keep them in the loop so look for that 1-2pm tomorrow window, that we can lift. That's all I have. Any questions?

Althaus: Alright, thanks Lynn.

REPORTS OF STANDING COMMITTEES AND/OR SPECIAL COMMITTEES:

Althaus: Finance, you want to talk about this evening, David?

Beazley: We did meet this evening, there will be some legislation at our next meeting for initial read.

Althaus: Does MOP have any report?

Wren: We did meet today, we have, we're working on something we'll bring to council after we get everything together and the Water Department, the part-time person is in the strength ordinance, their title is a part-time Utility Customer Service clerk. So, and they work 28 hours a week, \$15-\$17 per hour and no benefits so, that'll save some money, but that's all I have to report right now.

Althaus: Utilities?

Jones: We did meet last week and we just, like Cindy discussed, the Water Department, the Customer Service, the bill paying is going to be re-located here as of June 5th, and the signs, the flashing signs as you come in town, I think we have some of those ordered to come into to town. Like you see them in Dunkirk as you're coming and going, they flash and tell you your speed. So, we have those on the way, and then we just have some other projects that we're working on to follow through with.

Althaus: Okay, and Streets? Legislation?

Davis: Nothing at this time.

Althaus: Alright, anything with Regional Planning?

Beazley: No, sir.

Althaus: Parks and Rec, we didn't have a meeting, so Grove Cemetery Board, anything with that?

Davis: just please be mindful. The cemetery will be packed over Memorial weekend. There are lots of people coming in and out. Please do not drive on the grass. If you could stay on the roadways that would be great. We'd appreciate that.

Althaus: Tree Commission, anything to report.

Buroker: Yes, they met on the 11th at 1 and they reviewed their tree cut list and reiterated that we should be careful about mulching up the trees. I've noticed a lot of it downtown, volcanic mulching. So, just a reminder about that.

Althaus: And BKP I do have a set of minutes. I did not attend on Monday. So, if when we get the minutes from this meeting, I'll pass them on as well.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

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ORDINANCES/RESOLUTIONS:**1ST READING**

- **RESOLUTION NO 23-011, TITLE ONLY; A RESOLUTION TO ADOPT THE SOLID WASTE MANAGEMENT PLAN FOR THE ALLEN-CHAMPAIGN-HARDIN-MADISON-SHELBY-UNION JOINT SOLID WASTE MANAGEMENT DISTRICT.**

Althaus: I would definitely suggest you really look though that.

Beazley: All 379 pages, or just the recap?

Althaus: Just the recap, and ideally all 379 pages.

Beazley: I clicked on a link.

Althaus: And we will take that up again.

Murray: I did, it's really quite, it's interesting.

Althaus: It's probably interesting.

Murray: It is pretty interesting about how much, how full different landfills are in the area, and if you're into trash...

(laughter)

Beazley: Or if you have problems with insomnia?

Murray: Yeah.

Althaus: So, please try to skim through that and ask questions, and look forward to some comment in two weeks, three weeks? Three weeks. So, we'll pass that on for a second reading if that's okay with everyone.

- **RESOLUTION NO 23-012, TITLE ONLY; A RESOLUTION TO PROCEED OF THE TAXING AUTHORITY.**

Schwemer: This is one we've already passed. There was a technical language change. So, we've already passed this. I would request that we waive the three read since we have requisite number here tonight so we can get that over to the board of elections.

Motion by Mrs. Davis and second by Mr. Lawrence that the rules requiring legislation of a permanent or general nature to be read on three separate days, be suspended. Roll call vote, 7 ayes, motion carried.

Motion by Mr. Lawrence and second by Mrs. Wren to adopt Resolution No. 23-012.

Althaus: Any discussion?

Beazley: This would then automatically, John, supersede what was passed with the incorrect technicality?

Schwemer: Right, yes.

Beazley: Thank you.

(Roll call vote, 7 ayes, motion carried.)

- **RESOLUTION NO 23-013, TITLE ONLY; A RESOLUTION AUTHORIZING CITY OF KENTON TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER POLLUTION CONTROL LOAN FUND (WPCLF) AGREEMENT ON BEHALF OF THE CITY OF KENTON FOR CONSTRUCTION OF WASTEWATER FACILITIES FOR THE DOWNTOWN SEWER REPLACEMENT PHASE 2 PROJECT; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND DECLARING AN EMERGENCY.**

Beazley: This sounds terrible familiar.

Althaus: Yes, it does. We're now at the construction phase. We've done the planning and design phases, and based on some timing issues, deadlines that we have to meet, we'd ask council to consider this resolution this evening.

Motion by Mr. Beazley and second by Ms. Jones that the rules requiring legislation of a permanent or general nature to be read on three separate days, be suspended. Roll call vote, 7 ayes, motion carried.

Motion by Mr. Beazley and second by Mrs. Davis to adopt Resolution No. 23-013.

Althaus: Any discussion?

(Roll call vote, 7 ayes, motion carried.)

2ND READING

None.

3RD READING

None.

SCHEDULING OF COMMITTEE MEETINGS:

Althaus: No one mentioned any committee meetings that are necessarily planned. Speak now, or forever hold your peace. June 14th on Utilities at 3:30, on Flag Day.

Davis: Legislative is the 21st at 3:30 and Streets follow at 4:30.

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Beazley: Mr. President, I believe at the last meeting finance had suggested we'd meet on the 26th, in the meantime I would make note that the members of Finance will be reaching out to our partners in BKP, the Buck and Pleasant Township Trustees, as the negotiation of Fire agreement comes up for discussion in June.

OTHER MATTERS:

None.

COMMENTS FROM THE PUBLIC:

None.

COMMENTS FROM THE NEWS MEDIA:

None.

COMMENTS FROM COUNCIL MEMBERS AND ADMINISTRATION:

Althaus: Start with Sue.

Buroker: I just, what I said earlier about the mulching around the trees.

Althaus: David?

Beazley: I think it's important that we publicly thank the civil organization under the guise of Lions Club, that is actively involved in doing some civic work in beautification of our parks and areas and we appreciate all of the groups that do that. They just happen to be the ones mentioned tonight.

Davis: I would like to thank the Mayor, I texted her yesterday, she texted me right back saying they were trying to figure it out and 9 minutes later texted me back so I could get ahold of the constituents that had gotten ahold of me previously to figure out what was going on. So, it was very quick turnaround from not knowing, to knowing, to having the situation started. I would like to also remind everybody to be very careful this weekend as people will be out celebrating and having a good time.

Althaus: Great. Pegg?

Wren: The flowerpots look beautiful, as usual, so thanks to all that made that happen.

Althaus: Anda?

Tudor: Nothing, thank you.

Althaus: Okay, Robin?

Jones: Again I'd like to say thank you to the city crew, and Lynn, and Cindy, and everybody that was involved in that last night because that was a huge break and we're lucky that we have the knowledge that we can act on that quickly and get that fixed and first and foremost, it's an inconvenience but it's people's lives too when they have something like that too and I think that people need to understand it's not just about putting somebody in a hole, and getting that fixed right now. There's a lot that goes into that, and I appreciate all their knowledge, and dedication to keeping our town working like it does.

Althaus: John, anything you want to add? Chief?

Musser: I just wanted to say, I went to this cabaret thing over the weekend. I've never been, you know I'm not into jazz hands and all that, but my daughter is in it, so I went, and I wish I had been going. It was unbelievably good. So, I felt compelled to say something in the position that, to give Mr. Daquino and the Arts staff there. It was, I was blown away. So, if I'm blown away, you know, I love music. I'm a critic and I just couldn't believe it. So, if you haven't gone, you know...

Beazley: Shame on you.

Musser: Yeah, I think our schools are part of the reason we stay here, my family stays here, it's not for the climate, the mild winters...

(laughter)

Musser: But I think our schools are above and beyond. What they offer the kids here is way more than you could find elsewhere, and you really don't realize that until you have kids in the school and see what they're doing and how hard the kids work to pull something like that off.

Beazley: Well said.

Althaus: Bruce, anything? Jacqueline? Brian?

Hattery: Pam mentioned it in Finance, but I'll say it here, the state audit has begun. You should all be receiving email from the State Auditor's office, pretty much saying do you have concerns in any area that they should look into. Please, if you have any concerns, let them know, they are independent, and they are a check for us to keep us running smoothly and above board.

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Althausen: Cindy anything?

Murray: Yeah, just remember that school is being let out so be careful. They will be kids out running around, enjoying the summer, and Happy Memorial Day.

Webb: Just that Farmer's Market was a huge success, the Springfest. I think we had almost 35-36 vendors, and they all did very well. So, that was great, and then finally, just a reminder, like Dave says, the Lions Club, the Memorial Day Parade, the Lions every year, whether whoever runs these parades they're instrumental in lining everybody up. It's a tremendous dedication. Jed Robinson, he gets bands together. They are a great organization. Yes Dave, kudos to the Lions. The parade starts at 10, lineup is at 9. The VFW has picked a Grand Marshall, and I'll get with you Tim so we can get her name, and we can...you got it? Perfect. So, the Amvets do the pick on who the Grand Marshall is, most appropriately. So, yes parade and again, if you do have, every time the ceremony out at the cemetery is phenomenal. So, look forward to seeing everybody on the parade route.

Bezley: Mr. President, we neglected to mention one other person who is instrumental in our Memorial Day celebration, and that's Roger Crowe, and the placement of the banners for our veterans.

Buroker: And the Lions and 1879 helped him put those up this year.

Althausen: Alright, Chief you stole what I was going to mention so, I would echo what Chief Musser said about Cabaret, if you have a chance to go. It's an incredible program here in Kenton, and just follow up, if you paid attention to spring events, huge number of track individuals placed at the league, and went on, or are still going on. Baseball team won sectionals.

Bezley: Play again Thursday night.

Althausen: So, I'm not certain where softball...

Davis: Tennis had two...

Althausen: Softball is done.

Davis: Tennis boys a couple, had a couple of boys make it to districts.

Althausen: Make it to districts so, a lot of good things going on, and then the groundbreaking there a week ago, in the rain.

Webb: It was a good turnout. Emma's daughter is cleaning up too in track so kudos to Auhdra.

Althausen: So, good deal. Always fun to highlight the accomplishments, especially with youth. So, our next meeting then, as you see on the back here, is June 12th. So, until then, we are adjourned.

Joel Althausen, President of Council

Emma Boutwell, Clerk