

RECORD OF PROCEEDINGS

Held

July 10, 2023

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13th REGULAR SESSION:

Kenton City Council met in their 13th Regular Session on July 10, 2023, at 7:00 PM, in Council Chambers. Present: President Joel Althausser, Sue Fox Buroker, David Beazley, Antwillla Davis, Ray Lawrence, Pegg Wren, Robin Jones, Mayor Lynn Webb, Safety Service Director Cindy Murray. Absent: Law Director John Schwemer, and Anda Tudor.

Prayer given by Mr. Althausser:

Heavenly Father, in our hearts, we plan our course, but we pray that you establish our steps. I pray that we seek you for advice. Let us not make decisions based upon what we know but let us act based upon Your wisdom. Please guide us, Lord. We place this meeting in Your hands. We place our hearts and our minds in Your hands so that You may direct us. AMEN.

Pledge of Allegiance recited.

Althausser: Welcome everyone, and I'm going to take a little discretion here and go off our agenda a little bit and with things over to Chief Musser.

Musser: Thank you. So, funny story; about 20ish or-so years ago I was working second shift with Dan Foulk, and we had a fight at the pool, and we responded to it and broke up the fight, whatever and I noticed this lifeguard. I think she was the pool manager at the time maybe, and I was like wow, caught my eye. So, I told Foulk later, I was like man, who was that girl, you know, and he's like I don't know just probably some college kid off for the summer, whatever. A couple days later, another incident at the pool. I didn't get to go to that one. Unfortunately, I was on another call. Foulk goes to it. A few hours later I see him back in the office, he says hey Musser remember those girls down there at the pool? They asked me, I guess they walked up to Foulk and said hey, who's that guy you were with a couple days ago? He said oh, that was Musser, and they said well the head lifeguard, she kind of likes him so, Foulk comes in and tells me and I was like really. So, of course I made up a legitimate reason to go to the pool on duty and do some official police work and ended up talking to my future wife. So, I always say that I owe Foulk that one. My wife is like what did he do to me. (laughter) But anyways, I ask that we recognize Dan Foulk, as he's nearing his retirement here in a couple of days. Dan started in 1998 and has had a number of different roles at the Police Department. The first specialty role that he had was K9 handler. He had a German Shepherd named Taeko initially, and then when he retired Taeko he got another dog named Eron. So, I think Dan enjoyed his time in that, you know, doing those, being K9 handler for those two dogs and I worked a lot of the time on second shift with Foulk when he was a handler. I know I called him out a lot in the middle of the night when I was on thirds. You know when he was off on second shift. I happened to work seconds with a couple of guys, you know McNamara and Vogel were very aggressive and we needed a dog a lot. So, Foulk got pulled out of his house more than he probably cared for, but he always showed up. So, he did a great job as a handler. So then, fast forward, 2017-ish I think, we started the SRO program, 18, 2018. Foulk has always been the kind of guy, you know when I was a Sergeant, I'd have to call him. He'd take a call, time would go by, like where's Foulk? Foulk's still on the call. I'd call Foulk on the phone, clear the call. What are you doing? He'd be like well I'm talking. We're talking. Guy knows something about Cummins diesel engines, so I had to talk to him about, you know, whatever. So, people person so I thought well Foulk would probably be a good fit for the SRO position. So, I asked him if he was interested and obviously, he accepted, and helped, you know, we were kind of, we were kind of flying blindly. At the time there was no SRO school. Right at the outset there was no mandatory SRO training. Although that came along shortly after, but I thought well, he's always good at talking to people and people know him as Officer Dan, you know the students and the faculty, and the community. So, he's helped really get that program going and help shape it, and make it what it is today. So, I'm hoping the officer that takes over that role can fill those shoes, and I think Dan might be sticking around for a little bit with the school to help them out. Hopefully that's the case. So, let's hear it for Dan Foulk. (applause)

Dan loves attention, if you didn't know that. (laughter) Soaks it up. So, as has been customary we got Dan's service weapon engraved. SRO Dan Foulk with his dates of service. This company, I've got to give them some credit. They've helped us out so many times, It's called C & S engraving in Powell. They do work for Columbus PD and they come highly recommended. So, they actually pulled this off for us in a

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very short time because we actually switched weapons models recently. So, they had to change their template up a little bit but anyways, want to give this to Dan. (applause)

Althausen: Thanks everyone. Dan, thank you.

Beazley: Thanks Officer Dan.

MINUTES:

Althausen: Are there any questions, additions or corrections to the minutes from two weeks ago? Hearing no comments, they'll stand approved as submitted.

CITIZENS REQUESTING TIME TO SPEAK:

None.

COMMUNICATIONS:

Althausen: You saw that Emma had included the Hardin County Council on Aging newsletter and you also saw that she had included the quarterly Ohio Municipal League magazine. Any questions on those two communications? We have a liquor permit, that is also in your packet and that is a name transfer; which I thought we'd see this long ago. Skinny's Real Estate Limited doing business as Skinny's Tavern & Patio. Any council member desire, all we're doing is we have to decide if we want a hearing or not.

Motion by Mr. Beazley and second by Mrs. Wren to waive the right to a hearing.

Althausen: Any discussion?

(Roll call vote, 6 ayes, motion carried.)

PETITIONS:

Althausen: Other than the one we have in legislation, on that stop sign. I know you're going to talk about it at your next meeting. Any of you guys stop, happen to drive down through there also? Okay, so, I guess Streets meets on the 19th, is that correct?

Lawrence: Yup.

Althausen: We have no other active petitions that I'm aware of.

ADMINISTRATION REPORTS:

Althausen: Skip Chief Musser, and go with Bruce, Chief Donnelly, anything with Fire?

Donnelly: The only thin I've got, at least up to right now is to update all of council is the timeline of delivery of the ambulance has actually been, it's actually moved up due to the fact that there are, they don't have any other demos scheduled at this point and time. So, we'll be able to take delivery of it sometime in August, just depending on when all the financing details get ironed out with legislation and all that. So, it's going to be on display at the Ohio Fire Chief's Convention or conference coming up next week. So, I'm probably gonna take probably the day to go run down there, go look at it, and talk with the vendor and stuff about it. So, if anybody would want to tag along and stuff let me know. It's the 18th and 19th would be the two days that it should be on display down there. So, if anybody has an interest in going down and looking at it beforehand, let me know.

Beazley: Mr. President, by way of note, Finance did meet tonight and tentatively approved the financing package that will be presented with legislation at our next session.

Althausen: Alright, any questions for Bruce? Thank you sir. That's good news and that's moving faster than we thought. Jacqueline, anything with Parks & Rec or Economic Development?

Fitzgerald: Yes, just real quick a big shoutout to the Kenton Stingrays swim team. We hosted champs at our swimming pool this year and I've put on some events that are pretty large, this ran seamlessly. It was incredible to watch that amount of people. So, I just, I can't say enough about the families, locally, that with their kids on swim how they work together and I didn't see one glitch at all. It's amazing, it just was smooth, and there was several thousand people there. You know I know there was some people that weren't happy that we closed the pool but it's a huge economic piece for people to come in from all over; Shawnee, Bluffton, Ada, I don't know all the, where they come from, but come in and use our facility and hear really wonderful comments about how we've really come a long way and how nice it is and so the people that volunteered, thank you and to the kids that work at the pool and help really clean that and our managers, it's just been a great season, other than the weather and we have no control of that. So, it was great to see that turn out and see the kids swim and the parents engaging. Other than that, everything is going well in Park & Recs and Economic Development we just kind of, it's a wait and see game on I think, we've worked with the Chamber on getting some things submitted for some stuff that's come through and you know, we just kind of keep our fingers crossed and hopefully we hit something good and land a deal, as always.

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Althaus: Alright, any questions? Thank you, Jacqueline. Income Tax, no report this month. Auditor, there is a report from the Auditor and Treasurer to the Mayor that we receive monthly, any questions on that? Brian, anything you want to talk about? Law Director is on vacation. Safety Service Director, Cindy?

Murray: The CCR, which is a report on the quality of water that you drink for 2022 is available online and we also have hard copies in the Utility Office, and concerning the Leighton Street Bridge, just to reiterate what we talked about in Finance, Burl and I will be meeting with Luke Underwood, the County Engineer, to go over the report that we had and we'll give an update on that as soon as we find out what's going on.

Beazley: And the closure was out of an abundance of caution?

Murray: Yes, yes.

Althaus: Alright, thank you Cindy. Mayor Webb?

Webb: Right off the bat, Income Tax Lynn will be going to, will have Municipal League training, or their little seminar thing. It's very good, it's networking and all that. So she's there this, she'll be there this week. Also, the guys down at the garage, was it last week? They went to a safety training on excavating and digging and talked to the guys and it was so well received. They said it was excellent training. They got a lot out of it, the people who put it on so shout out to Stephanie and everybody getting that to our guys so they have that opportunity, once again, stay safe. Also, Columbus Street, I think we need to give an update because there might be some questions because you can see, there's digging.

Murray: There was a couple of drains that were lifted above, if you noticed, where the pavement was, the blacktop. We thought maybe we could fix it with, when they came through to blacktop but ODOT said that wouldn't be possible so we got the company back in here to fix them properly before the blacktopping is occurring.

Beazley: And that schedule is...

Murray: They were working on them today. Oh, the blacktopping? I don't know.

Althaus: Well, it's August, right, the schedule?

Murray: The completion is supposed to be in August.

Webb: So, in case anyone has questions on why they're digging up, they're just fixing kind of what we've asked to fix.

Beazley: So, the paving will go?

Webb: Yes.

Beazley: Literally and figuratively, smoothly.

Webb: And the water will go where it's supposed to go, yes. Also Emma, website, we did some...

Clerk: Okay so, we did, our website is about to roll out. Stephanie and I did some training with them on, we are going to have fillable forms is going to be available on there so that was the only portion that we trained on. Just how we can create those documents and like when those get posted to our website like when somebody fills out one of those forms it can go to different people, you know, consecutively, or if this person doesn't answer, you know just kind of priorities, how things escalate through the process of contacting people. So, we were trained on that and then I would say probably within the next two week we will be trained on how to update and create pages on our website. Everything has already been, you know, migrated over from our current site but once we're trained on that then they'll hand it over to us, we'll make the updates that we need to and be ready to roll out with that. So, we're very excited about that.

Beazley: PDFs would include permit applications, job applications, any of those things?

Clerk: Yes, the sky is the limit.

Beazley: Perfect.

Clerk: We will also be able to take payments and things like that all right there, seamlessly on the website.

Webb: So again, I'm so grateful to Stephanie, Emma. They've knocked it out of the park with this and being so attentive and especially what our needs are and really how to move this forward. Second, or not second but on my list, July 4th parade, Robbin Hogan, our new employee down at the Water Department, she kind of took it on our theme for Betsy Ross and then John Aisel, as you guys know from the garage, he wanted to get that brand new dump truck up. So, we can boast how, you know, and it

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was good because Luke Underwood from the county was like wow check that. So, he had to give him a big tour of it. Anyway, it was so exciting. We took home the best overall, but it was a great parade. Julie Zaring does a phenomenal job. I think that's an example right there where we have a community member that loves something and says I want to take it on. She coordinates it all. It's just a neat piece and it's grown since last year. So, every year we hope it continues to grow. We're excited about that. Kenton Fire, golf scramble is Friday or Saturday morning. We're gonna, it'll be a blast and they are packed out. So, no room so if you didn't get in, sorry about your luck, which is a great thing for the Fire Department. They do a great job and then Saturday is Eats on the Street. So, come out, support that. A lot of that, parts of that money goes to Downtown Business Association and...

Beazley: I will need some help on Saturday taking my grill home.

Webb: Okay. We can make that happen. And that is all I have, Joel.

Althaus: Alright, any questions for Lynn?

REPORTS OF STANDING COMMITTEES AND/OR SPECIAL COMMITTEES:

Althaus: Finance had a written report. Anything you want to add David?

Beazley: Yes Mr. Chairman, I would tell you there was a lot of meat that was discussed there, including the initiation of the discussions with Townships on the Fire Contract. We met again tonight. You'll see those meeting notes before our next session. It's entirely possible we'll meet again then depending on the outcome of Cindy's meeting with Burl and Luke as far as how we might have to or need to do quick funding to get our Leighton Street bridge back in operation. So, the financing for the ambulance will also come out of that meeting so you should see that in Legislation in our next meeting.

Althaus: Any questions for David? Okay, has MOP met?

Wren: MOP has not met but we are going to be meeting real soon for some issues.

Althaus: Okay, Utilities?

Jones: We meet Wednesday at 3:30, here in Chambers.

Althaus: Alright? Streets, Alleys, Sidewalks?

Lawrence: We do mee this month and it looks like stop signs are still on the agenda.

Althaus: It looks like it. That tends to happen once one of them comes up. Okay, and finally Legislation?

Davis: Legislation has not met yet.

Althaus: But you're meeting...

Davis: The 19th, yup.

Althaus: Okay, Regional Planning, any meetings?

Beazley: Did not meet in July.

Althaus: And Robin, anything you want to add with Parks & Rec from your perspective?

Jones: No, I was happy to be at the swim meet on Friday and it was a great experience. Lots of comradery, lots of compliments, and it's just like a city within the city for two days. It's wonderful to have it here and I, like Jacqueline said I know people were kind of upset because the pool was closed but if they would just come and see what happens they would walk away with a big smile on their face because it's pretty amazing.

Althaus: Well, to be very clear that was disclosed...

Beazley: Months in advanced.

Althaus: From day one, over and over again. Now, did the rain Saturday morning and early afternoon hurt things very much?

Fitzgerald: No, no, they swam right through it.

Beazley: It did not slow a thing down.

Davis: We skipped the lunch break so that we could go through.

Althaus: Yeah, okay, good deal. Well, that's a great event and hopefully every 4th year we can continue to host that. Alright, Grove Cemetery Board, Antwillia?

Davis: Just wanted to give a status update. Jim is back to work and he is looking great so if you see him just please send well wished toward him.

Althaus: Sue anything with Tree Commission from your prospective?

Buroker: Well, they'll be meeting on the 13th at 1 o'clock, to the best of my knowledge. So, haven't heard anything else.

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Althaus: Okay, and the BKP Ambulance District Board meeting a week from tonight for their monthly meeting. So, I can have an update after that.

OLD BUSINESS:

None.

NEW BUSINESS:

None.

ORDINANCES/RESOLUTIONS:**1ST READING**

- **ORDINANCE NO 23-015, TITLE ONLY; AN ORDINANCE PROVIDING FOR ADDITIONAL APPROPRIATIONS FOR THE YEAR 2023, FOR THE CITY OF KENTON, OHIO, AND DECLARING AN EMERGENCY.**

Althaus: So this is, has to do with the waterworks.

Beazley: When we get a number this specific it is for repair that has to be done in a timely basis to maintain our service.

Althaus: You want to kind of go over that a little bit?

Murray: It's all repair to the water tower.

Althaus: Oh, that's the water tower.

Murray: Yes, and it was things that were identified in our, when we did the Pittsburg Tank & Tower inspection of our wells and our tower and it was recommended by the EPA that we get some of these things fixed.

Beazley: Finance also reviews and recommended.

Althaus: That's what I'm, I was thinking we did this in the last meeting.

Beazley: No, sir.

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, 6 ayes, motion carried.

Motion by Mr. Lawrence and second by Mr. Beazley to adopt Ordinance No. 23-015.

Althaus: Any discussion?

(Roll call vote, 6 ayes, motion carried.)

- **ORDINANCE NO 23-016, TITLE ONLY; AN ORDINANCE AMENDING AND RESTATING KENTON CODIFIED ORDINANCE SECTION 1060.06 RELATING TO SOLID WASTE COLLECTION AND DISPOSAL AND RECYCLING, AND DECLARING AN EMERGENCY.**

Althaus: Remind me why we had to put, I guess I thought that was already in that way, the increases, or is that not why this has to come before council?

Murray: The increases, we decreased the administrative fee.

Beazley: Gotcha, that's what it was and that can go three reads right?

Althaus: That can go three reads unless someone's in a hurry. So, okay we'll read that again in two weeks unless there's any objections.

2ND READING

- **ORDINANCE NO 23-013, TITLE ONLY; AN ORDINANCE VACATING THE ALLEY LYING BETWEEN INLOT NUMBER 43, 44, AND 45 OF ASHER LETSON'S ADDITION TO THE CITY OF KENTON, OHIO.**

Althaus: And again this is down here off of Main. Haven't heard anything change on any urgency so that can go two more week.

3RD READING

- **ORDINANCE NO 23-011, TITLE ONLY; AN ORDINANCE PROVIDING FOR ADDITIONAL APPROPRIATIONS FOR YEAR 2023, FOR THE CITY OF KENTON, OHIO, AND DECLARING AN EMERGENCY.**

Althaus: And I did not pull that one out from my packet two weeks ago.

Beazley: I would remind you that the third item under the Waterworks Funds was amended from \$7,700 to \$8,700, increasing the total appropriations from \$40,650 to \$41,650. That was done at the last meeting.

Motion by Mr. Beazley and second by Mrs. Buroker to adopt Ordinance No. 23-011.

Althaus: Any discussion?

(Roll call vote, 6 ayes, motion carried.)

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SCHEDULING OF COMMITTEE MEETINGS:

None.

OTHER MATTERS:

Althaus: We would ask for a motion to excuse Anda Tudor.

Motion by Mrs. Wren and second by Ms. Jones to excuse Anda Tudor.

Althaus: Any discussion?

(Roll call vote, 6 ayes, motion carried)

Althaus: Chief Musser, anything that you want to talk to council about?

Musser: No, I have nothing further.

Althaus: Are you sure? Okay, thank you again for, it was a day I hated to see really.

Musser: Yeah.

Althaus: For him, I'm glad.

Musser: Yeah, I think he's going to stick around on auxiliary. So, we'll see.

Althaus: I would like to do it for everybody. It's really too bad we couldn't have him stay and talked about him a little bit in front of him.

Musser: Yeah, he's just not an attention seeker.

Althaus: Yeah, I know. I never hear the first inkling of anything negative about him as a resource officer.

Musser: Yeah.

Althaus: Every comment I ever heard was positive and like you said, we were kind of, you guys were feeling your way in the dark on that.

Musser: Yeah.

Althaus: That was a brand new position and I just really appreciate his leadership.

COMMENTS FROM THE PUBLIC:

None.

COMMENTS FROM THE NEWS MEDIA:

None.

COMMENTS FROM COUNCIL MEMBERS AND ADMINISTRATION:

Althaus: Sue?

Buroker: Other than the, I kind of feel the same way about Officer Dan at the school. He was always great to us substitute teachers and helped us go through some of the things that we might have missed, you know, as far as security things. So, he was really great, great at the school.

Beazley: I think it's important that we all echo in appreciation of Officer Dan and what he did.

Chief, appreciate it how you presented that tonight. It was excellent.

Althaus: Antwillia?

Davis: I thought the two Elks would say it but since I'm sitting next to the candidate and the judge, Kenton won 5-7, won their first national championship and we're the only lodge, fourth in a row, five total, four in a row. We are the only lodge to have four in a row. So, it's a pretty big deal.

Althaus: Ray?

Wren: I didn't hear anything from the kids, but I know that a lot of the teachers are going to miss Dan at the school. He did a terrific job and they all echo their appreciation of how great he was.

Beazley: Okay, Robin?

Jones: Just thank you for Chief Musser and Officer Dan for leading the charge and taking care of our kids at the school and keeping everybody safe.

Althaus: I'll get back to you two. Brian, anything? Chief? Chief? Anything? Jacqueline? Cindy? Mayor? Emma? Okay. Well then we are officially done until July 24th. Be, stay tuned, Finance might meet before then.

Beazley: We will notify persons with the proper amount of notification as soon as we know sir.

Althaus: And you also may receive an email, David suggested during the meeting, the Finance Committee meeting, some of this information Cindy is going to gather, some of that's important enough that they may send it to all of council so you can get a head start on it. So, we are, unless there are objections; we are adjourned until July 24th.