

RECORD OF PROCEEDINGS

Minutes of

KENTON CITY COUNCIL

Meeting

Lilienthal Southeastern, Inc., 1-800-837-1904, Re-Order 66885K

Held

August 14, 2023

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15th REGULAR SESSION:

Kenton City Council met in their 15th Regular Session on August 14, 2023, at 7:00 PM, in Council Chambers. Present: President Joel Althausser, Sue Fox Buroker, David Beazley, Antwillla Davis, Ray Lawrence, Anda Tudor, Robin Jones, Law Director John Schwemer, Mayor Lynn Webb, Safety Service Director Cindy Murray. Absent: Pegg Wren

Prayer given by Mr. Althausser:

Lord, we give You thanks tonight for watching over our residents and city. Thank you for protecting us from injury during the weather we experienced Saturday. We ask You to be with those who experienced property damage, bless us with the wisdom to learn from this event, and to work to provide more warning and safety for our residents. We pray for this council meeting tonight. Give the council members wisdom and guidance as they deliberate on items before them. May ever decision be righteous in Your sight, for our benefit, and for Your Glory. We ask this in Your Holy Name, AMEN.

Pledge of Allegiance recited.

MINUTES:

Althausser: Hefty agenda this evening. So, we will get right to it. The minutes, they were in your packet from the prior meeting three weeks ago. Does anyone have any additions or corrections? Hearing none, they can be marked as approved as submitted.

CITIZENS REQUESTING TIME TO SPEAK:

None.

COMMUNICATIONS:

None.

PETITIONS:

None.

ADMINISTRATION REPORTS:

Althausser: Chief Musser, anything you want to report?

Musser: No, nothing to report.

Althausser: Fire, Bruce, Chief Donnelly?

Donnelly: Just want to let council know that this past Saturday we gave our agility test for hiring a replacement for our retiring Captain Hastings, who is retiring in just a little over a week. He's got four shift day left. So, we had fifteen people submit test sores through the national testing network process. Twelve actually submitted application, the city application and release forms. So, that kind of dropped our number down. We had eight that responded back to taking the agility test. Six did pass that. So, we'll be conducting interviews later on this week. Keep this process moving along. So, at this time, that's all I've got.

Althausser: Did you get it done before the storm rolled through?

Donnelly: Yes. Yup.

Beazley: While you're there Chief, I did want to say thank you for the remarks portion or your written report. There were a couple of items there that were of interest. I appreciate you adding that information.

Donnelly: Mhm, no problem.

Althausser: Okay, I don't think we have anything from Parks & Rec or Economic Development. Income Tax, there is a report from the income tax department through the end of July.

Beazley: No, sir.

Althausser: I'm sorry, June. Yes, we don't have July yet. Any questions on that? Alright, anything Pam or Brian you want to add to the Income Tax? Okay, Auditor then?

Hattery: Just a couple of things, Mr. President, one thing is just reminder there is the Auditor of State is part of our Audit this year, sent a questionnaire to all council member, fraud questionnaire. There are two council people who have yet to fill that out and they are stressing to us that we will have a finding if you do not complete that in a timely fashion. So, please do so. The other thing is, I regret to announce that my Assistant Deputy Auditor Sierra Trout has put in her notice. She, if you'll recall when

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she introduced herself she is a new mother who is returning to work and she's finding her heart is now in a different place. So, we wish her well in her new adventure as a new Mom. So, if you know of anybody who might be interested, feel free to have them apply. It's out on Indeed right now. So, are there any questions?

Althaus: Brian you might add, Pam made certain that if you have not filled out the fraud questionnaire yet, it is at your station. There's a hard copy at your station.

Hattery: Okay, thank you.

Althaus: Alright, thanks Brian. Moving on then, John, anything from the legal side? Okay, Cindy?

Murray: I have a couple reports in there. So, if anybody has any questions on them.

Althaus: Any questions on those two reports from Cindy?

Murray: And let me report on the bridge. So, the repairs are complete on the bridge and I just got off the phone, about ten til seven, with the inspection company that needs to come back in here and inspect the bridge. They're going to try to get here this weekend.

Althaus: Okay, good news. Lynn?

Webb: Not at this time.

Althaus: Not at this time. Okay. Then...

Beazley: Mr. President, can we back up to Cindy?

Althaus: Sure.

Beazley: With regard to that bridge and that type of construction has there been any further word about funding from ODOT or the State on those bridges and their...

Murray: Longer term?

Beazley: Rapid failure?

Murray: No, but we do, I'm working with the county engineer to get some quotes on what those repairs would be, and Mark Doll is aware about getting this....

Beazley: That's where the information came from to me that there was some impotence moving in that direction because that style of bridge had been failing more rapidly than anticipated throughout the state. So, thank you.

REPORTS OF STANDING COMMITTEES AND/OR SPECIAL COMMITTEES:

Althaus: Finance, do you want to start?

Beazley: We did have a meeting tonight. There will be a couple pieces of legislation that we will read tonight that deal with some of the recommended expenditures that we have upcoming and that's generally where we are other than the need for the audit paperwork to be completed.

Althaus: And Pegg's not here. Anyone else on MOP, is there anything MOP needs to report on?

Buroker: Haven't met.

Althaus: I don't think so. So, Public Utilities?

Jones: We meet this Wednesday at 3:30.

Althaus: Anything from Streets?

Lawrence: Not at this time. We do meet this month.

Althaus: Any finally Legislation, Antwillla, anything? So, council member, Regional Planning, David, have you guys met?

Beazley: As I mentioned, we had a discussion about some of the funding and the issues as it dealt with that. That came out of the Regional Planning.

Althaus: Okay, Parks & Rec Board, anything there Robin, to talk about?

Jones: We did have a meeting on August 10th and the last day for the pool was supposed to be Saturday; of course, we had all the bad weather so they did keep the pool open on Sunday so people could enjoy that and then Jacqueline had an end of the year pool party for the associates, which was nice. The pool, the Quarry, and the Tennis Camp, I think they all show increase in revenue from last year so that's a positive trend moving forward and we updated the pool employee handbook and policy has been updated and the time frame to close the pool like if they see incoming bad weather or if they see like low attendance has been moved from 3 to like 5 o'clock, if they see low attendance. So, they're working on different ways to try to keep the pool open longer and some ideas that would involve the

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pool manager to be that, their responsibility. So that was really all they talked. They slide tower needs some sandblasting and some improvements so they're looking on some bids for that, and that's about it.

Althausser: Okay, thanks Robin. Antwillla, anything to update on the Grove Cemetery Board?

Davis: Yes so, we just had our meeting and we'd like to thank Job and Family Services for working with us to give us the youth employees that we had out at the cemetery. Their time has come to an end because they're going back to school but that was a great program and we had three incredible workers who really, I mean, they're doing hard work when they're out at the cemetery. So, it was a great program and we want to thank them and we want to thank those boys for showing up, and being there, and being reliable employees.

Beazley: It's a big deal.

Lawrence: Spent three years out there as a kid in the summer.

Davis: Yup. It's a good program.

Lawrence: That's a lot of work ethic.

Althausser: Anything with the tree commission, Sue?

Buroker: Should be meeting this Thursday.

Althausser: This Thursday.

Buroker: At one.

Althausser: And BKP will meet a week from tonight. I have no new, no updates from the board but again they meet a week from tonight.

OLD BUSINESS:

Althausser: Under old business there's a comment; software updates, I don't know that we...

Beazley: Because of some of the changes in personnel and what's happened here in the last few days there's been a request that we have...

Althausser: Put that off for a little bit.

Beazley: We need to get some people together in a room and have a conversation.

Althausser: Changes in personnel in the past few hours. Okay, good enough.

NEW BUSINESS:

None.

ORDINANCES/RESOLUTIONS:**1ST READING**

-RESOLUTION NO. 23-015, TITLE ONLY; A RESOLUTION AUTHORIZING THE MAYOR AND/OR SAFETY SERVICE DIRECTOR OF CITY OF KENTON, OH TO ENTER INTO A WATER AND WASTEWATER INFRASTRUCTURE PROGRAM GRANT AGREEMENT WITH THE OHIO DEPARTMENT OF DEVELOPMENT AND DECLARING AN EMERGENCY.

Althausser: I don't know who want to give a brief discussion of this?

Schwemer: Yeah, this is really just a resolution to make sure the City Council has approved that grant funding which has been awarded, and the thought is we would just want to get this moving along as quick as we can. I don't think anyone want to turn away 5 million dollars, or if anyone from the public is against that then I think that...

Murray: I just, before I signed my name on everything I wanted you guys to say yes, it's okay to go ahead and sign these.

Althausser: But, to John's point; so, we would ask council to consider...

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

Althausser: Any discussion?

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

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-RESOLUTION NO. 23-016, TITLE ONLY; A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF KENTON, OHIO TO ENTER INTO A CONTRACT FOR UNION OF A CITY HEALTH DISTRICT WITH THE GENERAL HEALTH DISTRICT, AND DECLARING AN EMERGENCY.

Althaus: Any questions, or any, this is pretty standard, isn't it? There's nothing changing here, is there John?

Schwemer: Well, it's the original contract, the cost allocation remains the same as our existing contract but the old contract didn't have the number of board members, which we were operating under. So, this new contract reflects how that organization is run regarding the appointment. So, it's really just to get the contract in the way in which the Health District Operates. There's no changes to that. There's no changes to the way it operates. There's no changes to the appointments that the city has on the Health Board. Nor is there a change to the fee allocation. It's just to get it in line with how it operates.

Althaus: Any questions, at this time? There's no hurry, to my knowledge, but...

Davis: But there's real no need to keep it, for three weeks.

Motion by Mrs. Davis and second by Mrs. Buroker 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.

Althaus: I would just run, there is no hurry here. We're not under any time constraint. So, council do what you will.

Motion by Mr. Beazley and second by Mrs. Tudor to adopt Resolution No. 23-016.

Althaus: Any discussion? **(Roll call vote, 6 ayes, motion carried.)**

-RESOLUTION NO. 23-017, TITLE ONLY; A RESOLUTION ADOPTING THE 2023 HARDIN COUNTY HAZARD MITIGATION PLAN, AUTHORIZING THE MAYOR OF THE CITY OF KENTON, OHIO, TO EXECUTE CONTRACTS/AGREEMENTS AS REQUIRED, AND DECLARING AN EMERGENCY.

Althaus: Anything Lynn or John, you want to give an overview of this?

Murray: I can. So, this is something that we go through every four or five years. They meet with the Townships, they meet with the Fire Departments, the Police, the Sheriffs. We analyze what hazards are in the area; train derailments, tornados, floods, and they come up with plans to mitigate the extent of the damage of those situations. The City of Kenton, and I can bring it to the next meeting, has a list of action items, if you will of things that we kind of signed up to, said that we would look into to help kind of mitigate those problems. But that's basically what this plan is all about.

Davis: Can you email this?

Beazley: This has been ongoing for years.

Schwemer: Well, I think 18 was the first time we really, before that there was a plan, but it wasn't a formal plan in place. Now, they contract with a company because it's voluminous. I mean it's a very extensive. So, they use a consulting firm to work with the department in the county to create this. In 2018 was really the first time we did the formation that we have now, and now we're just kind of tweaking it for changes in the county. But it's very similar to what we've had in the past.

Beazley: This will be the 3rd go around because we re-upped in 20, or 21.

Schwemer: Yup.

Althaus: Okay, decide to move forward on that. So, we'll read it again in two weeks.

-ORDINANCE NO. 23-020, TITLE ONLY; AN ORDINANCE PROVIDING FOR ADDITIONAL APPROPRIATIONS FOR THE YEAR 2023, FOR THE CITY OF KENTON, OHIO, AND DECLARING AN EMERGENCY.

Althaus: Who'd like to talk about this one?

Beazley: Brian, I had a question; Chief you indicated we're how far out on Captains?

Donnelly: It'll be a week from this coming Friday. So, we're actually about 10 days.

Beazley: So, we'll be within our constraints for a, at least a second read to get this severance taken care of?

Hattery: That sounds correct, yes.

Althaus: Thought, you do have enough people here tonight.

Beazley: That is a true statement as well and the nuisance abatement was the CDBG funding for the items that were listed at our last council meeting. Which included the Comstock Elevator and some of those items, correct?

Webb: Yes, CDBG monies for that right?

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Beazley: Mr. President, in honor of our retiring Captain, I would want to make sure that he would be able to receive his severance on or about the day of his departure so;
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. Beazley and second by Mr. Lawrence to adopt Ordinance No. 23-020.
Althausser: Any discussion? (Roll call vote, 6 ayes, motion carried.)

-ORDINANCE NO. 23-021, TITLE ONLY; AN ORDINANCE PROVIDING FOR ADDITIONAL APPROPRIATIONS FOR THE YEAR 2023, FOR THE CITY OF KENTON, OHIO, AND DECLARING AN EMERGENCY.

Althausser: Turn that over to David.

Beazley: I'll take this. Yes sir Mr. President, we heard at the last council meeting about the availability of cruisers and the engine combination packages that we were able to rely on and a couple of deals that were available to us. This representation here for cruisers is two fully outfitted vehicles, which would be relatively immediately available to us Chief?

Musser: Correct.

Beazley: The only thing that is of any difference whatsoever is the fact that these will be black in color as opposed to the dark gray, but that's what available. We can get the engine package and the things that we need. So, it is the recommendation of Finance that we would appropriate these dollars. In addition, we added, and I fundamentally have a problem with calling this next purchase New Equipment. I think it's personnel, but we are in need of a new K9 Officer and this equipment is actually the cost to procure and train both the new officer and the handling officer in this case, and both of these have immediate need. As in, we need paperwork completed tomorrow in order to get them purchased.

Motion by Mr. Beazley 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, 6 ayes, motion carried.

Motion by Mr. Lawrence and second by Mrs. Davis to adopt Ordinance No. 23-021.
Althausser: Any discussion? (Roll call vote, 6 ayes, motion carried.)

2nd READING

-ORDINANCE NO 23-017, TITLE ONLY; AN ORDINANCE PROVIDING FOR ADDITIONAL APPROPRIATIONS FOR THE YEAR 2023, FOR THE CITY OF KENTON, OHIO, AND DECLARING AN EMERGENCY.

Althausser: I don't recall what this was but I believe we could still wait another two weeks.

Murray: This was the Fire.

Beazley: This is the ambulance and if we go one more read, as it is prescribed we will be able to take delivery of it at the end of the month as we anticipate, so.

Althausser: That is the ambulance then?

Beazley: Yes sir.

Althausser: If you guys are worried about it, but it'll be three reads at the end of the month anyway. Alright then, we will read that again in two weeks.

-ORDINANCE NO 23-019, TITLE ONLY; AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ADVERTISE FOR BIDS FOR ROCK SALT FOR THE PUBLIC WORKS DEPARTMENT, AND TO CONTRACT WITH THE LOWEST AND/OR BEST BIDDER.

Althausser: And that's just Cindy "downer" reminding us that we have winter coming up eventually, so...

Beazley: Debbie Downer (laughter)

3rd READING

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.

Althausser: Any final questions on this? It is the 3rd read. If not, I'll entertain a motion if council so desires.

Motion by Mrs. Davis and second by Mrs. Buroker to adopt Ordinance No. 23-016.

Althausser: Any discussion? (Roll call vote, 6 ayes, motion carried.)

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SCHEDULING OF COMMITTEE MEETINGS:

Althaus: We pretty much took care of that.

OTHER MATTERS:**Motion by Mr. Lawrence and second by Mrs. Davis to excuse Pegg Wren's absence from the meeting.**

Lawrence: Someone may want to get ahold of her about...

Davis: She's in another country. We're not getting ahold of her.

Lawrence: You might want to fill that out for her. (laughter)

Davis: I won't fill that out for her, but I will put it on her desk at work.

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

COMMENTS FROM THE PUBLIC:

None.

COMMENTS FROM THE NEWS MEDIA:

None.

COMMENTS FROM COUNCIL MEMBERS AND ADMINISTRATION:

Althaus: We will start with Sue.

Buroker: Well, I'm just glad and thankful that everybody's okay including my great niece, who lives at the end of the Wayne Street right before Scioto Village where the tornado sort of came down and the sirens worked really well. Went off for a long time.

Beazley: They stated a clear and present danger and did so effectively. I would add my appreciation for our crews that were out getting the streets cleared and assisting with areas that needed assistance. Our mayor was out in the middle of the action, I give her full props for that as well.

Davis: Nothing to add to that.

Althaus: Ray?

Lawrence: Yeah, I want to thank the Chief for his leg work on these Police cruisers, and council for moving it through. I think this is a huge asset; not only keeping our community safe but keeping our officers in the forefront of modern equipment.

Althaus: Anda, anything to add?

Tudor: No thanks.

Althaus: Robin?

Jones: Thank you for the city workers that took care of the situation on Saturday and grateful that everybody got out okay and no lives were lost.

Althaus: John, anything to add? Chief Musser?

Musser: I just wanted to thank City Council for moving ahead with that so quickly. I greatly appreciate it. Secondly, school is going to be back in before we meet again. So, I think the 23rd. Watch out for all the kids here coming up. Despite the fact that we are currently short staffed, we have every intention of having our SROs out there with their lunch boxes on the first day of school. So, we will have to keep an eye on overtime costs to cover vacancies to keep that going but I'm, there's no way I'm going to let that go now after all that.

Davis: They love them.

Musser: Yeah, it's worked out.

Beazley: Yup.

Musser: Wonderfully, so that's it. Thank you.

Althaus: Thank you. Chief Donnelly? Okay, Brian? Cindy? Lynn?

Webb: Just real quick, since we've met the last time I can, Police and especially the fire has been exceptionally busy through the fire last week at Root Edition to the tornado on Sunday. Again, small town of Kenton comes together quickly, and we seem to be pretty seamless, not only with our safety services but as the community members. There's a tremendous outpouring, like Councilman Beazley said when he was down also at the scene, it's a tremendous, neighbors helping neighbors. Again, our guys when we do have a man on call that gets called out immediately and he was immediately opening up Main Street so any kind of emergency vehicles could get through but know that when the call goes out then to the other guys, that's all, they don't have to come in unless we declare an emergency and they come in. So, that's a big thing that I always want people to know. You know, they don't have to

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unless we would declare some kind of big emergency. So, they're out there. They're helping. They go above and beyond. Police had it under control. Fire had it under control. Again, thank you for, that the siren went off, and it is. It's difficult and you know, we've had some people say they didn't hear it in certain areas. With wind, with rain, you know, we are looking into it. We did miss out on the grant that would get us more. So, just like always we'll keep looking at way to try to find more but the good Lord watched over us and what could've been, wasn't. So, I appreciate everybody's efforts. That's what I have.

Althausen: Alright, thanks Lynn. I would just echo, we did dodge a pretty good bullet there, generally speaking. I was on the north end of town, in my house, with it pouring down rain, and the TV on and I heard the siren just fine. Now, you heard it when it swung around to your direction. Folks, I think it's worthwhile to say, those sirens aren't meant to create a warning that you will hear over everything else, especially if you're not tuned in to the fact that we may have bad weather. And I hate to be brutally honest about it, but that's not what they're meant to do. If you want a siren that's going to do that we're going to have to put about ten of them in this town, and then we're going to get screamed at every Wednesday at noon. (Laughter) So, Chief?

Donnelly: And I guess with the tornado sirens, from speaking with Federal Signal, who is the manufacturer of the one we have; those sirens are technically only designed to warn people that are actually outside. They're not actually designed to warn people that are in their house. I think the assumption is, if you're in your house, you're probably watching TV or something like that where the warning is going to come through. So...

Beazley: The vast majority of the public have a cell phone and every cell phone that I saw or heard went off with an audible alarm whether you had it muted or not. It's like an Amber Alert. It's there.

Davis: I did hear it in my basement so it's loud enough.

Donnelly: And that's the thing it probably covers (inaudible) but it's primarily designed for outside warning where you're not, back in the day when you didn't have cell phone or another potential warning system.

Althausen: Again, thanks has been said, but it can't be said enough; Fire, Police, our Public Works crew, good response and thankfully no one hurt. At least, not that I'm aware of. With that, we would meet again on August 28th, 7pm right here. If there are no objections, we're adjourned.

Joel Althausen, President of Council

Emma Nelson, Clerk