

RECORD OF PROCEEDINGS

Held

September 11, 2023

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17<sup>th</sup> REGULAR SESSION:

Kenton City Council met in their 17<sup>th</sup> Regular Session on September 11, 2023, at 7:00 PM, in Council Chambers. Present: President Joel Althausser, Sue Fox Buroker, David Beazley, Ray Lawrence, Pegg Wren, Anda Tudor, Robin Jones, Law Director John Schwemer, Mayor Lynn Webb, Safety Service Director Cindy Murray. Absent: Antwillia Davis

Prayer given by Mr. Althausser:

Lord, as we come together this evening, let us lift up and pray for the families and loved ones of those who lost their lives 22 years ago this day. Their lives will never be forgotten, and our hearts go out to those who lost someone dear from the events of that day. Those left behind were robbed of such important and valuable people. Please comfort them as this anniversary returns yet again. Be present among them in their grief and Lord we pray that those surrounding them would offer kindness where they can. That they would be able to celebrate the precious lives of those who died with honor. May sweet memories of good times be shared and recalled. May there be a sense of peace in knowing they do not grieve their loss alone. Lord, please bless them with Your Love this day. AMEN.

Pledge of Allegiance recited.

Happy Birthday sang to Mayor Lynn.

MINUTES:

Althausser: okay well, let's move on; approval of the prior minutes. Does anyone have any correction to those minutes as they were printed? Hearing none, they'll stand approved as submitted.

CITIZENS REQUESTING TIME TO SPEAK:

None.

COMMUNICATIONS:

None.

PETITIONS:

None.

ADMINISTRATION REPORTS:

Althausser: Chief Musser is there anything you want to?

Musser: I was just going to make council aware we had got our orders in for those two cars.

We're waiting on demo striping pictures. They'll send us some proofs and we'll decide on a colors, which best compliments the cruisers that we have at the moment. We also have two new hirees. They're on the road in their FTO program at the moment. One started a week ago. One started about a month, three-weeks ago, or so. So, I will have them up here for introductions when they are on their second shift rotation.

Beazley: Wonderful

Musser: That's all I've got. Thank you.

Althausser: Thank you. Chief Donnelly?

Beazley: Right now, we've got our new hires set to start next Monday, the 18<sup>th</sup>. So, be filling Tony Hastings Spot. So, with potential legislation being passed, I believe this evening we'll be finalizing, I think, the financing for the ambulance which will obtain delivery hopefully this week because their sales rep is going to be on sales meetings all next week. So, hopefully everything goes smooth and we can get that delivered either Thursday or Friday this week.

Althausser: Alright, thanks Bruce. Anything updated for parks or on behalf of Parks & Rec, anything that we need to talk about? What about Community/Economic Development? Alright then, Auditor, or Income Tax, I think, do we have a report? No, we did not. There's not an asterisk there Joel. Auditor, Brian, anything you want to talk about? Okay, there is, yeah, a report from the auditor and treasurer is there if you have any questions. So, move on to Law Director, John?

Schwemer: Nothing.

Althausser: Cindy?

Murray: So last, maybe it's two Thursday's ago we opened the bids for the downtown project. There was one bidder, Helms & Sons Excavating out of Findlay, Ohio. The engineers estimate for the bids was \$10,775,000.00, and their bid came in at \$11,355,039.00 which is under that 10% level of the bids. So, all of our funding sources are all good with just having the one bid. OHM is working right now on the

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bid tabulations and making sure it's a qualified bid and breaking it into the different funding sources because it was just one combined bid. So, I will have more details on that bid and maybe some legislation to enter a contract with them at the next meeting.

Althaus: Great. Lynn?

Webb: No, nothing, not yet.

Althaus: Okay, we'll move on then. I'll just ask it open ended. Are there any report from any standing committees? Okay, and meetings are already listed on the next page, that we know of, I believe. We can get to those then. We can double check those when we get there. Any council members have reports for their respective assignments?

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

Althaus: I'd ask for a motion to excuse Antwillia tonight.

**Motion by Mrs. Wren and second by Mr. Beazley to excuse Antwillia Davis from tonight's meeting.**

Althaus: Any discussion?

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

**ORDINANCES/RESOLUTIONS:**

Althaus: I do believe, I think the intent might have been to have an asterisk at that first one, wasn't there? Isn't that the money, isn't that to enter into agreement with Community First? So, I think, based on what Chief Donnelly just said, we kind of want to do that tonight right?

Beazley: Yes.

Althaus: Right, am I right? Oka, Emma go ahead and read that and we'll see.

**1<sup>ST</sup> READING**

- **RESOLUTION NO. 23-018, TITLE ONLY; A RESOLUTION AUTHORIZING THE MAYOR AND/OR SAFETY-SERVICE DIRECTOR OF THE CITY OF KENTON, OHIO TO APPLY FOR, ACCEPT, AND ENTER INTO A LOAN AGREEMENT WITH COMMUNITY FIRST BANK, N.A., AND DECLARING AN EMERGENCY.**

Althaus: We've talked about this for a while. This is a formality of going ahead with the financing. Does council desire to move on?

Beazley: We did approve the actual expenditure. So, this is the financing piece of it.

**Motion by Mr. Beazley 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.**

**Motion by Mr. Lawrence and second by Mrs. Wren to adopt Resolution No. 23-018.**

Althaus: Any discussion?

(Roll call vote, 6 ayes, motion carried)

- **ORDINANCE NO. 23-025, TITLE ONLY; AN ORDINANCE PROVIDING FOR ADDITIONAL APPROPRIATIONS FOR THE YEAR 2023, FOR THE CITY OF KENTON, OHIO, AND DECLARING AN EMERGENCY.**

Althaus: Anybody want to give a brief overview?

Murray: This is the school water line.

Althaus: Okay, and...

Beazley: We did receive the invoice on that?

Murray: Yes.

Althaus: And I believe they would kind of like to get it paid, isn't that correct?

Beazley: It would be the recommendation to do so because Finance had approved this and wanted to move forward, and dust is moving, and ground is breaking, and things are happening.

Althaus: And a reminder, it's to help them with the installation cost and the engineering cost but it will be in our right of way, that was we have total access.

Beazley: That is correct. That's the advantage to us, and why we decided to get on board with this project.

Althaus: So, it's basically the difference in cost, pretty much?

Murray: Yes.

**Motion by Mr. Beazley 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.**

**Motion by Mr. Beazley and second by Mr. Lawrence to adopt Ordinance No. 23-025.**

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Althausser: Any discussion?

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

- **RESOLUTION NO. 23-019, TITLE ONLY; A RESOLUTION AUTHORIZING THE SAFETY-SERVICE DIRECTOR OF THE CITY OF KENTON, OHIO TO ENTER INTO RIGHT OF WAY ACQUISITION SERVICES AGREEMENT WITH O.R. COLAN ASSOCIATES, LLC, AND DECLARING AN EMERGENCY.**

Althausser: John you want to, you had it in your email, but do you want to add in?

Schwemer: This is the Detroit Street Project. There are, there's one permanent, but mostly temporary right of way acquisition for this improvement. And you know, with these State projects you pretty much ended to use the qualified group. They have companies that are approved by ODOT to do the right of way acquisition because there's a very complicated process with appraisals and how to has to be handled. Basically, the State wants to make sure these acquisitions are handled in a way that is uniform. So, this is approving it. Cindy will have legislation coming forward to approve the money down the road but this is just to approve so we can keep that part of it moving along. But the right-of-way acquisition cost is estimated at, let me see...

Murray: I've got it right here; it's, the cost for this O.R. Colan is \$79,785.00 and then there will be the cost for the temporary acquisitions of the property above that. So, they're estimating probably about a total of \$100,000.

Beazley: That was within the projected cost of the whole thing to begin with, correct?

Murray: I believe so, but I can check.

Beazley: I think it was. This is just piecing it out is what we're doing with those dollars.

Murray: Yes, and this was all chosen, like he said through ODOT. They, we, sent it out for request for qualifications and this is the company that the city selected.

Beazley: And this needs action?

Althausser: What's your urgency?

Schwemer: This, I think we want to get this...

Murray: Yes, I need to give them the okay that yes, we're good with this and then I will have for the next finance meeting, the cost.

Musser: Thank you.

Althausser: Do any of the six of you have any questions about what this really is doing? We haven't had one of these for a while, this sort of a project.

Schwemer: Well, and you know, the last time we did right-of-way acquisitions it was our own little project.

Althausser: Right.

Schwemer: It wasn't a state approved. So, you know when we did fairground road, I did that myself on those two and that still didn't even go smoothly. We probably ended up overpaying because we were in a bad spot, but the way they handle these is almost in a way that you know, it really avoids a lot of all that. So, this is...

Beazley: Well, and it has the power of ODOT behind it.

Schwemer: Right.

Murray: And I have the right-of-way maps here. So, there's fourteen properties of all the ones on North Detroit Street that there's something in their own personal property that's not in our right-of-way that we have to get in and like water taps, or whatever that's in their property. So, we have to pay them to get on their property and tear it up in order to get, complete this project.

Schwemer: And you know, like the project improvements over at the Village of Ada, they, I don't know what company they use but they use a similar company to do those acquisitions. It's just the way, when you have more than a couple properties and it's a state project, this is the route you really have to go, so.

Althausser: So with that, does council have any desire to move forward?

**Motion by Mr. Beazley and second by Mrs. Tudor 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 Resolution No. 23-019.**

Althausser: Any discussion?

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

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2<sup>nd</sup> READING

- **ORDINANCE NO. 23-023, TITLE ONLY; AN ORDINANCE AMENDING CODIFIED ORDINANCE SECTIONS 1437.10, 1437.12, 1437.13, 1437.14, 1437.20, 1437.22, 1437.24, AND 1437.26 RELATING TO THE DOWNTOWN HISTORIC DISTRICT IN THE CITY OF KENTON.**

Althausen: I don't think there's any new developments here, no urgency, so we can move that onto a third reading and just remember that's cleaning up some of the language, and bringing that more current and up to date. So, we will read that again at the next meeting in two weeks, so now third reading, that is.

3<sup>rd</sup> READING

- **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.**

Althausen: Again, this has been happening in the last, it's a fairly new process but we've done this once already, haven't we?

Beazley: Just once, I think, yes.

Althausen: Any questions before I ask for a motion?

**Motion by Mr. Beazley and second by Mrs. Wren to adopt Resolution No. 23-017.**

Althausen: Any Discussion?

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

**SCHEDULING OF COMMITTEE MEETINGS:**

Althausen: You see the meetings scheduled there, any changes to those?

**OTHER MATTERS:**

Beazley: I would just remind everyone that the Finance meetings going forward from this point will probably be every two weeks, and this will begin the budgeting process for those of you who have nothing better to do prior to council, please join us for those informational fun-filled meetings.

Althausen: Six, or six-thirty?

Beazley: Six.

Althausen: Six, yeah.

Beazley: That starts the twenty-fifth. The next meeting.

Althausen: So, pretty much October, November you plan to meet?

Beazley: Yessir. We hope to have a budget to present by the second meeting in November. So, it can go all three reads.

Althausen: Yup, okay. Any other matter?

Beazley: Those meeting are open to the public too in case you would like to come and spend an hour in budget.

Murray: It's a lot of fun.

(Laughter)

Althausen: It would be longer than an hour except I get antsy about wanting to start council.

**COMMENTS FROM THE PUBLIC:**

John Aisel: I just want to say that I think everybody worked well together with the, basically disaster that we had, with the tornado coming through. I think the Public Works worked well with the Police Department and the Fire Department. I think we was all on the same page trying to get everything. The Police Department did a good job on coming to us and protecting us when we had to do Main Street, which was on a couple of occasions. There's a lot of negativity on Facebook to each other, and I would say that I saw, in the two weeks that we had, working around that whole area, that the citizens of this city like come together to help each other and I thought that was actually pretty nice. People weren't asking. They were just going out and doing and they would just show up and help cut all the trees on the property and set them out and it was more work for us but it was cool. It was very nice to see everybody working together, at least for a small time. So, I just wanted to say that I think that all of us, as a whole in this town, did a good job working together, that's it.

Lawrence: Thank you.

Webb: Thank you.

**COMMENTS FROM THE NEWS MEDIA:**

None.

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**COMMENTS FROM COUNCIL MEMBERS AND ADMINISTRATION:**

Althaus: Sue? David?

Beazley: I hesitate but I'm going to say it anyway; Mr. President, I appreciate your opening prayer, reminding us of the tragedy of twenty-two years ago. But I also remember September 12<sup>th</sup>, and the comments from our citizen just now, reminds us that in the time of disaster, we can put a lot of things to the side, and I think it would behoove us to remember that that need not be just in a time of disaster but any day and very day we should be able to overcome those petty differences and do a lot more working together for the common good.

Althaus: Ray? Pegg? Anda? Robin?

Jones: We had a booth at the fair. Did anyone see the City of Kenton booth? I'd like to thank Robbin Hogan, who is new at the water department, because it was kind of her vision that she drew up and it was pretty neat if you stopped and read it, and Cindy and Lynn helped bring the furniture out and it was really hot on Monday and we were all sweating about three pints of sweat, but I think we do a good job representing our city and I'm proud of the work that we do. So, I just want to say thanks to those people that help pull that together.

Althaus: John, anything? Chief Musser? Chief Donnelly? Brian? Cindy?

Murray: No, just that the Water Crew is going to be doing some work on the corner of Hester and East Columbus. So, the traffic will be restricted on East Columbus tomorrow. So, I just want to make sure everybody's aware of that.

Tim Thomas: Hester?

Murray: Not Hester, what is it?

Beazley: Barron?

Murray: No. It begins with an H.

Beazley: Heisel?

Murray: Heisel.

Althaus: Like one of our shortest streets.

Webb: Oh yeah, that's that little street/alley.

Beazley: Yes, it is.

Murray: Yes, in between...

Beazley: Being their proud representative, I would know that.

Althaus: Okay, birthday gal?

Webb: Hey, you know what, I just want to say a big Amen to what Councilman Beazley said. We are, I am just grateful that the town that we live in, and like we said we can pick and look at the microscopic but I'll tell you what, when we really look at the community we have, and again I can't applaud council enough for, you know doing that you do here, and with budget and with money and equipping our departments with what they need to get things done. Not only now, but in the future and it certainly helps with moral and the three, those right over there that sit here and work for our community are the best of the best and they represent this community so well. We are so blessed beyond measure, and I'm really, even though it's budget time and it can get, you know what, I know that we're going to come together and we're going to put together something that is really going to move this community even further, and you guys have done just a fabulous job and I'm grateful. So, it's what I have. I'm looking forward to it. Let's get it done.

Althaus: Okay, our next meeting then is scheduled for two weeks from tonight on September 25<sup>th</sup>, 7pm, right here. There will be a Finance Committee Meeting at 6 o'clock before. Then, your other committee meetings you see on the 20<sup>th</sup>, a couple of them. The 13<sup>th</sup> which is the day after tomorrow, and well, I think that's it. So, plenty for everybody to do. It's a busy time, last three months of the year, four months of the year, looking forward to seeing you all quite often. With that, if there are no objections, we're adjourned.

Joel Althaus, President of Council

Emma Nelson, Clerk