

RECORD OF PROCEEDINGS

Held

October 9, 2023

20

19th REGULAR SESSION:

Kenton City Council met in their 19th Regular Session on October 9, 2023, at 7:00 PM, in Council Chambers. Present: President Joel Althausser, Sue Fox Buroker, David Beazley, Antwillia Davis, Ray Lawrence, Pegg Wren, Anda Tudor, Robin Jones, Law Director John Schwemer, Mayor Lynn Webb, Safety Service Director Cindy Murray.

Prayer given by Mr. Althausser:

Heavenly Father, as we gather in the City Council meeting, we seek Your divine guidance and wisdom. Bless the discussions and decisions that will be made this evening so that they may align with Your perfect plan for our city. Grant us judgement to identify opportunities, courage to address challenges, and unity to work together harmoniously. May the outcomes of this meeting lead to the prosperity and well-being of all involved in Your Name we pray, AMEN.

Pledge of Allegiance recited.

MINUTES:

Althausser: Welcome everyone and have a full agenda tonight. So, we'll get started with the approval of the prior minutes. Are there any additions or corrections to those minutes as they were printed in your packets? Hearing none, they'll stand approved as submitted.

CITIZENS REQUESTING TIME TO SPEAK:

None.

COMMUNICATIONS:

Althausser: In your packet was a PDF of the Ohio Municipal League Cities & Villages publication. I think that's quarterly. Emma and I were just talking we're gonna, she's gonna stop putting it in the packet and just email everyone when they come in, and say hey, it's up here if you'd like to see it you're welcome to come up and take a look at it. Any other communications this evening? We did receive all of the emails, a couple of e-mails from the Auditor's Office regarding the audit and I'll bring up a couple things on that, or one thing on that in new business.

PETITIONS:

None.

ADMINISTRATION REPORTS:

Althausser: Chief Musser, anything you'd like to report this evening?

Musser: Yeah, I would just like to mention a few things in light of recent incidences that we've handled at the police department, and I feel like this is at least the 6th time I've had this conversation, and I do it at council, you know, for obvious reasons and the media is here, you know, we can pass it on, on social media ourselves, but we have had a number of stolen cars in the city. We have had a number of pursuits with the stolen cars, and we have, I believe in the end, we will have convicted everybody responsible for stealing the cars. So, I want to say this because the problem, part of the problem is, of course people shouldn't steal things but this happens every year; different groups of young individuals go out and just literally walk down alleys and roads and check door handles. So, I would ask again, citizens to not leave their vehicles unsecured. Don't leave keys to the unsecured vehicle inside the vehicle. Don't leave firearms in the unlocked vehicle, or in a vehicle at all. We have had a number of stolen guns. All of them from unlocked cars with the guns sitting inside. You are not a responsible gun owner if you're going that, and I'm a gun guy. I've got guns like my wife has shoes. I don't leave them in an unlocked car and you know in the end, we're the ones that are cleaning that mess up after a pursuit and a crash and foot chases and situation when someone could've been hurt or killed. So, I just wanted to point that out. We have also recovered a number of guns from the Wendy's bathroom, the McDonald's bathroom, the Ralphie's bathroom, laying on the ground at different venues in our city because they drop them or what have you. Again, you go in the bathroom, you take the gun off, you go to the bathroom, you put the gun back on. You don't leave it on the commode. So, other than that,

RECORD OF PROCEEDINGS

093

Minutes of

KENTON CITY COUNCIL

Meeting

Lilienthal Southeastern, Inc., 1-800-837-1904, Re-Order 66665K

Held

October 9, 2023

20

we're waiting on our two cars still. Some sort of vehicle limbo as usual, but we will get them eventually. So, that's all I've got. Thank you.

Althausser: Thank you Chief. Kenton Fire Department have their monthly reports for August and September. Chief Donnelly, anything you'd like to add, or do you have a report? Okay, anything you want to update with Parks & Rec, administration?

Webb: We're working on when the next meeting is.

Althausser: Okay. Community Development?

Webb: Yes, we have some things in the works. Holly and I are working on several things from revolving loans to downtown, like an incentive piece that's through the state. She put together a nice piece and she's, I think we're going to have her come at some point and talk to council about it.

Althausser: Okay, thank you. I don't think there's anything with Income Tax, no report to night. So, we'll move on to Auditor, Brian, anything you'd like to talk about this evening? The Auditor and Treasurer do have their report to the Mayor with regards to balances of all of our funds and then the, that's a two page document. If you have any questions on that please seek out Brian after the meeting. Law Director, John anything you'd like to report? Cindy does have the Waste Water Treatment Plant daily discharge flow for the month of August. Cindy, anything you want to follow up on that, or anything else?

Murray: No, just notice that we did have a bypass. We had a big heavy rain.

Althausser: And Lynn, anything at this time?

Webb: No, not at this time.

REPORTS & SCHEDULING OF STANDING COMMITTEES AND/OR SPECIAL COMMITTEES:

Althausser: Finance Committee has a written report. David, anything you'd like to add?

Beazley: There will be a few items that come up in legislation. I would remind folks that next meeting, prior at 6 o'clock we will begin grinding through the departmental budgets, and we've got two maybe three meetings before we'll have to put a budget in front of council for finance. So, we may be meeting on the off weeks depending on how much progress is made.

Althausser: Alright, thank you David. MOP?

Wren: MOP has not met.

Althausser: I would alert MOP, there's a change that we might want to try to have you all either maybe possibly via e-mail or actually in person might be a need for you to meet this week to go over some things John and the administration have been working on with regards to the pay scales, strength ordinance. Again, back up to that point where we've got to get the ranges so they work for our ability to hire someone or not hire someone. So, stay tuned on that. We may ask you right after the meeting even to set up a time. Public utilities?

Jones: We have a meeting on the, this Wednesday at 3:30.

Althausser: Streets?

Lawrence: October 18th we have a meeting.

Althausser: Okay, and legislation?

Davis: Same.

Althausser: Okay, council members anything? I have nothing new for BKP. Do any of the rest of you have anything to update?

Beazley: Regional Planning just approved the rate fee structures again, and I am pleased to announce there is no increase on the assessments to the city for budgeting purposes, and several pieces of tonight's legislation refer to some of the ongoing grants and agreements that we have going forward there as well.

OLD BUSINESS:

None.

NEW BUSINESS:

Althausser: All that I wanted to ask was, we do have, you've received the, you've probably received a copy of the audit or a link to the audit in an e-mail. In that document they sort of eluded to the fact that we had waived our exit conference face-to-face. We have not, I double check with Brian

Held

October 9, 2023

20

and Emma, to our knowledge we have not done that. Do any of you after having reviewed the audit, have any desire for a face-to-face exit conference?

Beazley: The principal finding was once again the cash basis versus accrual. All of the other, and I had a little exchange with Mr. Clum and he was complimentary of our Auditor's office and our departments for their timely and cooperative efforts. So, I would add that along to that and as chair of Finance I have no recommendation for an exit.

Althausen: I think we ought to do that with actually a vote. Could I entertain a motion to waive the exit conference?

Motion by Mr. Beazley and second by Mrs. Buroker to waive the exit conference.

Althausen: Any discussion? (Roll call votes, 7 ayes, motion carried.)

Althausen: Alright that passed 7-0. Thanks everybody, that was we make it formal. Brian actually has the document and this time it's not just Finance. It's all of council so...

Hattery: Law Director, Safety Service Director too for whatever I don't know why they're on...

Althausen: I don't know, I mean we actually could start passing that around.

ORDINANCES /RESOLUTIONS:

Althausen: Okay, quite a few items on the first reading. A few things to explain. I would note that the second through fifth items are somewhat related, and Cindy will explain those but let's start with the top one.

1ST READING

- **ORDINANCE NO. 23-027, TITLE ONLY; AN ORDINANCE PROVIDING FOR ADDITIONAL APPROPRIATIONS FOR THE YEAR 2023, FOR THE CITY OF KENTON, OHIO, AND DECLARING AN EMERGENCY.**

Althausen: Yes, David?

Beazley: Mr. President, the storm fund transfer relates to the engineering for the diversion of the storm sewer across the property there so as not to land lock us, and the repair to water system is the purchase of the fire hydrants. All of those were documented in the finance report that all council should have seen. I believe this has some urgency because we're about out of fire hydrants.

Motion by Mr. Beazley and second by Mrs. Wren 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 Ordinance No. 23-027.

Althausen: Any discussion? (Roll call vote, 7 ayes, motion carried.)

- **RESOLUTION NO. 23-023, TITLE ONLY; A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE DISTRICT PUBLIC WORKS INTEGRATING COMMITTEE AND TO EXECUTE A PROJECT AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION, FOR THE CITY OF KENTON, CITY-WIDE STREET RESURFACING IMPROVEMENTS PROJECT AND DECLARING AN EMERGENCY.**

Althausen: Cindy, you want to kind of give a brief...

Murray: Yeah, this is basically Round Thirty-Eight for the paving of the streets, and this will be done in 2025, and the streets that we will be paving will be Clover Lane, Lark Lane, Scott (where we are tearing up not), and Scioto Street.

Althausen: And...

Beazley: All of these have an urgency in order to get the paperwork back on time, is my understanding.

Althausen: Okay.

Beazley: That was relayed to me by my boss at Regional Planning.

Althausen: That was relayed to me as well.

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, 7 ayes, motion carried.

Motion by Mrs. Wren and second by Mrs. Tudor to adopt Resolution No. 23-023.

Althausen: Any Discussion? (Roll call vote, 7 ayes, motion carried.)

RECORD OF PROCEEDINGS

095

Minutes of

KENTON CITY COUNCIL

Meeting

Lilienthal Southeastern, Inc., 1-800-837-1904, Re-Order 6665K

Held

October 9, 2023

20

- **RESOLUTION NO. 23-024, TITLE ONLY; A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE DISTRICT PUBLIC WORKS INTEGRATING COMMITTEE AND TO EXECUTE A PROJECT AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION, FOR THE CITY OF KENTON, NORTH DETROIT STREET RECONSTRUCTION PHASE ONE IMPROVEMENTS, AND DECLARING AN EMERGENCY.**

Beazley: Carol to Eliza.

Murray: Yes, so this is a, we're asking, we're applying for a \$500,000.00 grant to help us pay for that project. That will be done in 2025.

Motion by Mr. Beazley and second by Mrs. Davis 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. Buroker to adopt Resolution No. 23-024.

Althaus: Any discussion?

Tim Thomas: Joel, quick thing, in that resolution the very last sentence it says the North Street reconstruction project; instead of the North Detroit Street, on the title only one.

Althaus: On the title only it does say.

Davis: Mine says North Detroit.

Beazley: Mine says North Detroit.

Webb: Mine says North Detroit.

Tim Thomas: Your agenda?

Davis: Oh, my actual...

Althaus: Your agenda, but the actual...

Beazley: Resolution...

Althaus: The actual resolution does say North Detroit Street, I'm almost certain it does.

Davis: Yeah, it does.

Beazley: Thank you for keeping us honest.

Althaus: Good catch though Tim. So, that is North Detroit.

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

- **RESOLUTION NO. 23-025, TITLE ONLY; A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE DISTRICT PUBLIC WORKS INTEGRATING COMMITTEE AND TO EXECUTE A PROJECT AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION, FOR THE CITY OF KENTON, DOWNTOWN SIGNALIZATION IMPROVEMENTS (DETROIT STREET), AND DECLARING AN EMERGENCY.**

Beazley: We have two different resolutions; one for Detroit, one for Main because they're separated in the grant agreements. So, that's why twenty-five and twenty-six read very similarly. One is Detroit Street and one is Main and this is the downtown revitalization project.

Murray: Right, so basically we are trying every angle that we can get to get the signals paid for.

This is a fallback. It's a zero, what we're going after is a zero percent loan, but we're still dredging forward trying to get but we wanted to make sure that we applied for this.

Beazley: What we have approved to this point is the subsurface and the surfacing and the sidewalks and the streetscape and all that. The only thing that was not included was signalization. This addresses that vacancy.

Murray: Signal and streetlights. We've got to work on streetlight.

Beazley: Which, there's some really creative suggestions being tossed about as to how that might, I heard some of the discussions on that. So, kudos for going after all of the possible avenues there.

Murray: And the other thing that we have not approved yet that we will be is silva cells for the trees which, we're working with ODNR and hopefully we get that completely funded too.

Motion by Mr. Beazley and second by Mrs. Wren 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 Ordinance No. 23-025.

Althaus: Any discussion?

Murray: I have one more thing; so, this is only for the signals, two signals on each street. The ones that are warranted by ODOT, which is on Franklin and Columbus on both streets. So, we have to figure out yet what we're doing.

Held

October 9, 2023

20

Beazley: At a tune of about \$800,000 per intersection.

Althaus: And I think everybody gathers the significance of that. It's basically impossible to obtain grant or zero-interest or any kind of benefit on a loan on an unwarranted intersection, as crazy as that might be. Alright, any further discussion?

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

- **RESOLUTION NO. 23-026, TITLE ONLY; A RESOLUTION AUTHORIZING THE MAYOR TO SUBMIT AN APPLICATION TO THE DISTRICT PUBLIC WORKS INTEGRATING COMMITTEE AND TO EXECUTE A PROJECT AGREEMENT WITH THE OHIO PUBLIC WORKS COMMISSION, FOR THE CITY OF KENTON, DOWNTOWN SIGNALIZATION IMPROVEMENTS (MAIN STREET), AND DECLARING AN EMERGENCY.**

Althaus: And as David said, just like the prior one but for Main.

Beazley: Part B.

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 Mrs. Davis and second by Mrs. Buroker to adopt Resolution No. 23-026.

Althaus: Any discussion?

(Roll call vote, 7 ayes, motion carried)

2nd READING

- **ORDINANCE NO. 23-025, TITLE ONLY; AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ADVERTISE FOR BIDS FOR MATERIALS AND SUPPLIES FOR THE CALENDAR YEAR 2024 AND TO CONTRACT WITH THE LOWEST AND/OR BEST BIDDERS AND DECLARING AN EMERGENCY.**

Althaus: Again, that was our gas, diesel, asphalt, etcetera.

Beazley: Bituminous Cold Mix, my favorite.

Althaus: Yeah, I saw that. Cindy, anything change? Okay, that can then go for a third reading in two weeks. If there are no objections, that's what we'll do.

- **RESOLUTION NO. 23-020, TITLE ONLY; A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.**

Althaus: Again, no urgency. That can be read a third time. Any objections? Okay, we'll read that in two weeks, for a final time.

- **RESOLUTION NO. 23-021, TITLE ONLY; A RESOLUTION AUTHORIZING THE SALE OF PERSONAL PROPERTY NOT NEEDED FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY.**

Althaus: That's Chief Donnelly cleaning out his house; ambulance, couple ambulances, and a 2014 Ford Taurus.

Murray: That would be that guy sitting next to him.

Althaus: That's the Chief's, yeah. I'm certain everybody would just hate to see that go (laughter). So again, any hurry up you guys? You want them sold pretty bad? Alright, that can be read again in two weeks. We'll do that.

3rd READING

None.

OTHER MATTERS:

None.

COMMENTS FROM THE PUBLIC:

None.

COMMENTS FROM THE NEWS MEDIA:

None.

COMMENTS FROM COUNCIL MEMBERS AND ADMINISTRATION:

Althaus: Brian, do you want to start? Anything you would like to add?

Hattery: Not this evening, thank you.

Althaus: Bruce? Sue?

RECORD OF PROCEEDINGS

097

Minutes of

KENTON CITY COUNCIL

Meeting

Lillenthal Southeastern, Inc., 1-800-837-1904, Re-Order 88685K

Held

October 9, 2023

20

Buroker: I just want to say I'm really enjoying driving down Columbus Street. Looks really nice.

Althausen: Was waiting for the waves of public appreciation.

Buroker: They did a really nice job.

Althausen: They did. David?

Beazley: No.

Althausen: Antwillia?

Davis: Nothing.

Althausen: Ray? Pegg? Anda? Robin?

Jones: The last Market on Main is this Saturday. If you haven't been there all summer it's time to go. They have a lot of extra things planned and it should be a really good day.

Althausen: Hope for good weather. John, anything you want to add yet tonight? Cindy?

Murray: Yes, so mark your calendars November 14th, which is a Tuesday evening, I'm not sure of the time. The contractor with ODOT will be doing a public forum over at Veteran's Hall to discuss what they're looking at as far as the traffic flow through town. So, November 14th at Veteran's Hall.

Althausen: Do you have the time again?

Murray: No. I will try to get more information.

Davis: But it is going to be evening?

Murray: Yes.

Althausen: Basically, traffic flow, okay. Thanks Cindy, that's good to hear. We'll have to really see if somehow, we can get the word out and get some of these people that want to whine and...Okay, Lynn?

Webb: Okay, to piggyback of that I just want to say to everybody that Stephanie Temple put out a thing on Facebook. It's a group you can join called Positivity Challenge of Kenton. Go join it. It's to promote positive things in Kenon/Hardin County and they're posting pictures of businesses. It's just a really cool thing that, and a lot of people have jumped on so you know, that's our counter to that. I think it's pretty cool. So, I'm promoting that. Do that. Again, in this entire room, everyone is a leader here and I can't say enough about our leadership within the building. It's just like going after funding, it's a never quit, Cindy is amazing, both the Chiefs, we are in a good space. God is good. That's what I have to say but I need that printed in the minutes, thank you.

Althausen: Okay, well our next meeting then is October 23rd, two weeks from tonight, 7pm. Finance will meet at 6pm and then we will anxiously await a November 14th meeting. I've got that right, November 14th? So, we'll keep reminding everyone of that because that's a thing that will be interesting to hear what they're thinking. Anything else we've missed? If there are no objections, we're adjourned.

Joel Althausen, President of Council

Emma Nelson, Clerk