

# RECORD OF PROCEEDINGS

Minutes of

KENTON CITY COUNCIL

Meeting

Lilienthal Southeastern, Inc., 1-800-837-1904, Re-Order 66865K

Held

October 23, 2023

20

**20<sup>th</sup> REGULAR SESSION:**

Kenton City Council met in their 20<sup>th</sup> Regular Session on October 23, 2023, at 7:00 PM, in Council Chambers. Present: President Joel Althaus, 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. Althaus:

Heavenly Father, we come before you tonight asking for Your guidance and wisdom as we meet in Council Chambers. We pray that You would give us clarity of thought, and unity of purpose, as we discuss the matters of our city. We also ask You open our hearts and minds to the tragic events unfolding in the Middle East and ongoing in Ukraine. We pray for those innocent individuals caught in the violence and we ask for Your divine intervention to help those in leadership position to seek a peaceful path forward. In Your Holy Name we pray, AMEN.

Pledge of Allegiance recited.

**MINUTES:**

Althaus: Welcome everyone, really winding down toward the end of the year, staring November in the face. So, with that as usually happens we get a busy schedule, busy agenda. Moving forward, I'd ask if you've reviewed the minutes from the prior meeting? Does anyone have any additions or corrections to those minutes? Hearing none, let them stand approved as submitted.

**CITIZENS REQUESTING TIME TO SPEAK:**

Althaus: We do not have any citizens on our agenda this evening. For anyone wanting to address council, there will be time during public participation at the end of the meeting. Right now, I do want to have Joe Sherman come up and address council. He's got some news that he wants to share with us.

Joe Sherman: I want to introduce myself to everyone; My name is Joe Sherman, and I am running for the Republican Primary in March. I'm going to run on Roger Crowe's old seat. Roger is no longer going to run. So, it'll be the January 3<sup>rd</sup> seat of 2025. I'll give you a little background on myself; I was born and raised here in Hardin County. I live 6 miles east of Kenton, and I farm about 450 acres. I've been a Goshen Township Trustee going on twenty years. I also sit on the Grove Cemetery Board for the same amount of time. Some work history: I worked here for the City of Kenton for roughly 16 years, and I went to the Engineer's office, out to the county, for about a year and four months, where I had to resign to be able to run for this position. So, I think with my background, as far as on this side of infrastructure, I think I could be a well-rounded individual in the Commissioner's Office for some of the plans that's going on within the county. So, do you have any questions for me?

Webb: Good Luck. Proud of You.

Althaus: Joe, good luck.

**COMMUNICATIONS:**

None.

**PETITIONS:**

None.

**ADMINISTRATION REPORTS:**

Althaus: We'll go on with...I just saw someone walk in. I wasn't certain you were going to make it. So, I'm going to go ahead and we're gonna back up to public participation. If you want to, you want to go ahead, at least introduce yourself and say why you're here tonight, come on up to the podium.

Madisen Jolliff: Hi, I'm Madisen Jolliff, and I'm with Mid-Ohio Energy and we're trying to get more in the community, so we thought this was a great way to get our face out there, and kind of interact more with the community. I apologize I was late; I got stuck by an Amish buggy.

# RECORD OF PROCEEDINGS

099

Minutes of

KENTON CITY COUNCIL

Meeting

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

Held

October 23, 2023

20

Althaus: It's not problem at all.

Jolliff: I appreciate you guys for letting me be here tonight.

Althaus: You're very welcome, and Mid-Ohio has always been a good friend to the city. We really appreciate them being here, and the investment they've made in Kenton and Hardin County. So, welcome. Police, Chief Musser, anything you want to talk about tonight?

Musser: Trick or Treat next weekend, or coming up rather. Be aware, although it'll be daylight, we're not trick or treating in the dark.

Althaus: Half the parents are happy; half the parents are upset. So, what are you going to do. Okay, Chief Donnelly, Fire?

Donnelly: I just want to say, we kind of wrapped up a good week of Fire Prevention Week last week. I know, I'm not sure the exact number of students that they reached out to during the week, but I know they were at first grade, did all the first-grade classes, did all the, I believe, head start classes, and preschool. So, I know they got out to a lot of kids. Also, second grade we do a, the union does a poster contest, and so we had the winners from those classes down to the Fire Station and got to ride in the trucks from the school down to the Fire Station and got a quick tour there. So, so we just thank all the people that have helped with the donations towards the fire safety products, and I hate to say it but paraphernalia, but the activity books, and stickers, and all that kind of stuff that we give out to the kids and everything, and so just really appreciate the community's support for this.

Althaus: Thank you, Bruce. Anything with Parks & Rec that administration wants to talk about?

Webb: Nope, not at this time.

Althaus: Economic and Community Development?

Webb: We are really looking into some revolving loans. There's also a downtown vibrancy grant that we're really looking into, and I think we're going to go take some field trips; especially up in Ottawa just landed a million-dollar vibrancy grant for their downtown. So, we're going to check into that and continue to look what we can do to draw those dollars here to benefit our business owners and possibly attract more.

Althaus: Alright, thanks Lynn. Income Tax, there is a report. Any questions on that report? Auditor, we do have the report from the Auditor and the Treasurer to the Mayor, and then the second page of that would be the, this is the August report for all of our different balances as far as per fund. Any questions about that? I don't think the Auditor's office must've left for the evening but if you have any questions, you can ask Brian and/or Pam. Law Director, John, anything you want to report this evening?

Schwemer: Nothing Joel.

Althaus: Okay, Cindy, Safety Service Director?

Murray: So, I think last time I gave you the wrong date for the meeting about the ODOT Study. It will be November 16<sup>th</sup> from 5:30-7:30 over in Veteran's Hall. I think I said the 14<sup>th</sup> but it is the 16<sup>th</sup>. Along that same line we had a discussion with ODOT and they suggested that we put back in for the Traffic Mitigation Grant for that, the concepts that they have come up with for that meeting that will be on the 16<sup>th</sup>. So, it's basically the crossover from State Route 31 to 68. So, I encourage everyone to come to that November 16<sup>th</sup> meeting to see what the concepts are so that everybody knows what's going on, and we will be putting back in for that grant and that grant is due in mid-November, to help us pay to do whatever the final concept it. The next thing I have is, don't rake your leaves into the gutters. They need to stay on your lawn or bag them until we get ready to come around and pick them up. At the next meeting we will have our schedule for the leaf pickup, and the last thing I have is the new speed radar sign, one of the new ones was put in out at Walmart in front on the Lima Memorial Health. It's not calibrated yet, so it's a little bit off. Burl has got a webinar next week on how to calibrate them, but I think it's already working. When I drove out that way people were slowing down coming into town. So, we will get the rest of them up. So, that's all I have.

Althaus: Cindy, do you know how ODOT is going to advertise the November 16<sup>th</sup> meeting?

Murray: There will be invitations going out and I will get the information to the newspaper. We'll get it in the newspaper.

Althaus: Okay, great, thanks. Lynn anything?

Webb: Nothing right now.

*Held*

October 23, 2023

20

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

Althaus: We'll start with Finance.

Beazley: Yes Mr. President, we met this evening, reviewed the piece of Legislation which was late in arriving to your packets today. In addition, we have a first copy of the budget and kudos to those who have been participating in that process. We're extremely close after our first meeting. So, my appreciation to administration and staff who have been diligently working on that. We should wrap up our final thoughts on that prior to our next meeting on November 13<sup>th</sup> and have a piece of legislation and a balanced budget to present to council two weeks later on the 27<sup>th</sup>.

Althaus: Any questions for David? Does MOP have a report?

Wren: No, we don't but there is an ordinance tonight that deal with pay assignments, classifications, and schedules. Did some changes.

Althaus: Public Utilities have a report?

Jones: Our last meeting, Angelica Jordan was here, and she had some projects that she's working on that's going to help make her job at the Water Treatment Plant better for all of us moving forward. Cindy discussed Scott Avenue Project and the next meeting is November 15<sup>th</sup>.

Althaus: How about Streets, Alleys, Sidewalks? Okay, Legislation?

Davis: You will see ordinance twenty-eight and twenty-nine have come out of the Legislation so we'll go over that this evening, and Legislation will not meet again until the beginning of next year.

Althaus: Oh wow so your tenure is done?

Davis: My tenure is done. I signed out at the last one. Took my bow.

Schwemer: Unless the need arises.

Althaus: Unless the need arises. Alright, we'll go on to...does any council member with an individual assignment have a report this evening?

Davis: The only thing I have is the cemetery meeting has been switched to November 7<sup>th</sup> at 5pm, in case anyone would like to join us.

Beazley: On Election Day?

Davis: Yes, it is on Election Day.

Althaus: That's your regular, that's not the joint meeting.

Davis: No, it's our regular meeting.

Althaus: Okay, BKP Ambulance District Board did meet last Monday. Nothing earth shattering other than the, two of the chairs, lift chairs, I don't even know if I'm going to use the right terms, Bruce, the stair chairs? Where they can take folks upstairs and down stairs? They got upgraded to all power assist. Actually, it was a pretty cool demonstration. Really neat pieces of equipment that, I think they're rated up to 350 pounds or 400 pounds. So, neat demonstration, two of those that were up here with mostly grant funds.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

None.

**ORDINANCES /RESOLUTIONS:**

Althaus: You'll see a big list under first reading. I do think we need to clarify the 4<sup>th</sup> item is really 23-031, right? And the 5<sup>th</sup> item is 23-032.

**1<sup>ST</sup> READING****-ORDINANCE NO. 23-028, TITLE ONLY; AN ORDINANCE AMENDING AND RESTATING KENTON CODIFIED ORDINANCE SECTION 1044.02 RELATING TO THE GENERAL PROVISIONS OF SEWERS IN THE CITY OF KENTON.**

Schwemer: So, the main request through the Safety service Department was there's been just a couple of issues, historically where people had discharged sump pump effluent out of their house; like pumping from a basement from stormwater that's getting in which you know a lot of old houses do, but then shooting it off onto a neighboring property, okay. So, it was really to codify that, and then if they're doing that they could be charged for a violation. So, that's the gist. It's not been a large issue but you

# RECORD OF PROCEEDINGS

*Minutes of*

KENTON CITY COUNCIL

*Meeting*

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

*Held*

October 23, 2023

*20*

can understand how it could be, and we're not talking again about sanitary because you can't pump sanitary anywhere other than in the sanitary sewer system. So, it's just like a stormwater, and such. So, that's really the only change. The rest of that is left intact.

Althaus: Does anyone have any questions regarding that? Okay, if you want to do some individual research, please do so. If there are no objections, we'll read that for a second time in three weeks at the next meeting.

**-ORDINANCE NO. 23-029, TITLE ONLY; AN ORDINANCE ADOPTING KENTON CODIFIED ORDINANCE CHAPTER 836 RELATING TO CLOTHING DONATION CONTAINERS AND RECYCLE BINS IN THE CITY OF KENTON, AND DECLARING AN EMERGENCY.**

Althaus: I'm going to guess John again?

Schwemer: So, we have had issues in the past with clothing donation containers or recycle bins where they're not adequately maintained. We're not trying to be negative, but if you have those and then people aren't picking them up, we don't know who to get or contact if they're not. What happens if stuff blows all over, it gets wet, it gets damaged? So, this is really just a requirement so they apply with the City so we know who the responsible party is. We know who to contact if they're not adequately emptying those bins, and keep in mind, this would not apply to a donation center that is fully staffed. I'm just going to throw out, for example Goodwill. They would seem to fit but they do not need to apply because they have fully staffed people at their structure. This is just your recycle bins that you see around town because we've had some issues with those. So, I don't think the plan is to, you know I think we need to run this a few reads. So, we're not looking to get this, so take a look at it. If there's concerns, let us know, if there's no questions right now.

Althaus: We've all seen bins like that. They're overflowing with clothes that have gotten wet and soggy, everything else. So, if you have any questions, please seek out John or did this come through Legislation? Okay, talk to the committee, if they have comments, I'm certain they heard more, and if there are no objections, we'll read that again in three weeks.

**-ORDINANCE NO. 23-030, TITLE ONLY; AN ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO PROVIDE FOR THE ADOPTION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; TO PROVIDE FOR THE PUBLICATION OF SUCH NEW MATTER; AND TO REPEAL ORDINANCES AND RESOLUTION IN CONFLICT THEREWITH.**

Althaus: I think the word ordinances should've been in there at least one more time. John, you want to comment on that one?

Schwemer: We do this every year. It's part of our agreement with the publishing company. They look to see changes in this revised code, mainly; most of them are criminal in nature, but they want to make sure our ordinances match with changes that they legislature down in Columbus has made. So, we do this every year, there's always a handful. So, we're just conforming with what has been passed at the state house, so.

Althaus: If there are no objections then, we will read this again in three weeks, on a second reading.

**-ORDINANCE NO. 23-031, TITLE ONLY; AN ORDINANCE AMENDING KENTON CODIFIED ORDINANCE SECTIONS 249.13 AND 249.18 RELATING TO PAY ASSIGNMENTS, CLASSIFICATIONS AND SCHEDULES, AND DECLARING AN EMERGENCY.**

Althaus: I don't know if Cindy, you want to talk about this or Lynn?

Murray: I've got it highlighted here what we've asked to change. So, the first one comes on the second page where we've added for the Wastewater Maintenance Mechanic 1, Wastewater Treatment Maintenance Mechanic 2, Wastewater Maintenance Mechanic 3; so, up to this point, the Wastewater Treatment Plant did not have a mechanic. So we're adding that mechanic. The Water Treatment did have a mechanic. So, under Water Treatment, we changed it up a little bit, and it used to be a Water Treatment Mechanic 1, with a Class 1, we added with a Class 1 Water Treatment Operator's Certificate, and a Water Treatment Maintenance Mechanic 2 with a Class 2 Water Treatment operator's Certificate. The reason we added that is we currently do have a Maintenance Mechanic 1 at the Water Treatment Plant who has a Class

Held

October 23, 2023

20

1 Operator's License. He would like to go get his Class 2, but up to this point there was no incentive for him to get his Class 2 because he would be making the same pay. So, we separated that out because we need to get another Class 2 Operator at our plant as a backup for our Superintendent. So, we added those two classes. Underneath the Police Department, we changed, we added 0-1 for Police Lieutenant. It just used to be 1, and for the Police Sergeant it used to be 2. We made in 0-3, maybe it was 0-2, but we made it 0-3 in case the Chief would ever change his mind and say I don't want a Lieutenant, I want three Sergeants, one on every shift, and the Police Officer, we took it from 8-17. Increased the range, I think it was 8-13 and we took it up to 17. Down under Unclassified Civil Service, the Clerk of Council/Administrative Assistant, we changed her pay range to 13-29. The Public Work Superintendent, we changed his pay range from 15-33, and down underneath the funds for which certain classifications shall be paid we took the salaries from the Auditor and the Auditor's Office to 33, 33, 33; 33 percent from the General Fund, 33.33 percent from the Water Works, and 33.33 from the Sewer Fund. That's basically all that changed in that.

Beazley: Could I request, prior to our next meeting, rather than having to dive into the website, could you send an e-mail which would have pay ranges with their values?

Murray: Yes.

Beazley: I appreciate that. It'd be easier to measure this up. I could go get it, but I think it'll be easier if you send it to everybody.

Murray: That's fine.

Beazley: Appreciate it.

Althaus: And if you'd like, I think Cindy could also scan her highlighted version to show you which areas have changed and email those.

Murray: Yes.

Beazley: I starred mine but that's fine. That would be good. Thank you.

Althaus: Okay, yeah other than David's point and Cindy will email the question, or the highlighted version so you know what areas the suggested changes are. If you have any other questions, please seek out Cindy or Lynn, and if there are no objections, we will read that again in three weeks, up for second read.

**-ORDINANCE NO. 23-032, TITLE ONLY; AN ORDINANCE PROVIDING FOR ADDITIONAL APPROPRIATIONS FOR THE YEAR 2023, FOR THE CITY OF KENTON, OHIO, AND DECLARING AN EMERGENCY.**

Althaus: You see David's got that; you see the explanation.

Beazley: Yeah, Mr. President, first of all I would, on behalf of the Auditor's Office we know this was a rather late drop for you to be fully apprised. This is the result of end of the year reviews of accounts and some transactions that didn't necessarily transpire and get balancing entries into the books and so on and so forth, so the biggest chunk of the street is well, you've got the explanations there. They're very succinct, and easy to understand but I did want to apologize for this dropping late. Finance was not aware of it before 3 o'clock either, but these are things that we typically do more than once in the fourth quarter and this kind of just came together all at once after all of the budget work and things of that nature. So, I know they've been "one-arm paper hanger" working in there for a bit but this is not something that we anticipate happening on a regular basis with this late drop of this type of information.

Althaus: There are bills to be paid, and with that we would ask Council to consider suspending the three-reading rule.

**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, 7 ayes, motion carried.**

**Motion by Mr. Lawrence and second by Mrs. Wren to adopt Ordinance No. 23-032.**

Althaus: Any discussion?

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

**2<sup>nd</sup> READING**

None.

# RECORD OF PROCEEDINGS

103

Minutes of

KENTON CITY COUNCIL

Meeting

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

Held

October 23, 2023

20

## 3<sup>RD</sup> 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.**

Althausser: Finally up to the third reading for Cindy's gasoline and asphalt, and bituminous cold mix, etcetera. Comments?

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

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

- **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.**

Althausser: Again another one of those items done every year. It's 3<sup>rd</sup> reading, looking for a motion if you so desire.

**Motion by Mrs. Davis and second by Mrs. Wren to adopt Ordinance No. 23-020.**

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

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

Althausser: We can sell all the Chief's vehicles, his fleet that he doesn't need anymore, and make all kinds of money. This is the third reading, looking for a motion if you so desire.

**Motion by Mrs. Buroker second by Mrs. Tudor to adopt Ordinance No. 23-021.**

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

## **OTHER MATTERS:**

None.

## **COMMENTS FROM THE PUBLIC:**

None.

## **COMMENTS FROM THE NEWS MEDIA:**

None.

## **COMMENTS FROM COUNCIL MEMBERS AND ADMINISTRATION:**

Althausser: Alright well then Council Members, Administration, we will start as we should with Sue Buroker.

Buroker: I have nothing.

Althausser: Davis?

Beazley: No, sir.

Davis: I have nothing additional.

Althausser: Antwillia, Ray, you're winding down. Your chances to...

Davis: You've heard me talk enough in the last eight years.

Beazley: Don't encourage it.

Althausser: I encourage Ray. Pegg?

Wren: Nothing.

Althausser: Anda? Robin?

Jones: Nothing.

Althausser: John, anything? Cindy? Brian? Chiefs, any last? Emma? Lynn?

Webb: Real quick just reiterate, Trick or Treat, yes it's during the day, and there's tons of Trunk or Treats going around, all the church parking lots so, and the parade, and I think that goes off at 1:30 by the Optimist. So, look on-line if you want to sign up for that. Also, it was wrap up of fall sports season, and just commend our student athletes for just doing a phenomenal job. They represent. Special shoutout to the Cross County team, the Girls Cross Country Team setting all kinds of records and doing all kinds of great things and they'll continue to represent, but again very proud of this community and the support the give, plus the efforts to these kids and the coaches and everybody.

Beazley: Don't forget your band who did their Pigskin Pageant tonight.

Webb: Yes, and that's excellent also. So, again kudos to the City.

RECORD OF PROCEEDINGS

Minutes of

KENTON CITY COUNCIL

Meeting

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

Held

October 23, 2023

20

Althausen: Alright, well we don't meet until three weeks, and as was reminded earlier tonight, the meeting date for ODOT, of course we'll meet again before then, but is that week 11/16. So, we'll have Council on the 13<sup>th</sup>, and then that must be what, Thursday night?

Murray: Mhm.

Althausen: Also then, the 4<sup>th</sup> Monday will be our joint meeting with the Grove Cemetery Board. We'll have more information on that, but I think normally we meet at...

Davis: 6:30.

Althausen: 6:30. So, we'll try to sneak in a Finance Meeting.

Beazley: We should not need one. We should be presenting Legislation that night.

Althausen: Hopefully it will be done. So, that will be a busy night. Keep taking your Vitamin C, let's not miss any meetings going down the stretch so we can get things loaded, and get done with this year and start the next. Any last items for the good of the order? Alright, if there are no objections, we're adjourned.

Joel Althausen, President of Council

Emma Nelson, Clerk