

RECORD OF PROCEEDINGS

Minutes of

KENTON CITY COUNCIL

Meeting

Lilienthal Southeastern, Inc., 1-800-837-1904, Re-Order 6866SK

Held

FEBRUARY 27, 2023

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4th REGULAR SESSION:

Kenton City Council met in their 4th Regular Session on February 27, 2023, at 7:00 PM, in Council Chambers. Present: President Joel Althaus, David Beazley, Antwillia Davis, Ray Lawrence, Pegg Wren, Robin Jones, Anda Tudor, Mayor Lynn Webb, Safety Service Director Cindy Murray. Absent: Law Director John Schwemer. Absent: Sue Fox Buroker.

Prayer given by Mr. Althaus:

Lord, thank you for the gift of life and the opportunity to serve the people of our city. Help us to act with character, and to listen with understanding. Give us a spirit of service, and remind us that we are stewards of Your authority, and finally Father, renew within us the strength of your presence, and the joy of helping to build a better community. We ask this in Your most blessed name. AMEN

Pledge of Allegiance recited.

MINUTES:

Althaus: There were minutes in your packet for the meeting from February 13th. Are there any additions or corrections to those minutes? Hearing nothing from the crowd, they will be approved as submitted. Just a heads up and a warning later on; you will see five pieces of legislation under first reading, every one of those has an asterisk, which means we're going to try to get them done tonight. You'll see most of it, it's an odd combination of routine things we do every year, things we knew were coming; opioid settlement that has to be done immediately. So, we'll explain all of that, but I just wanted to call your attention to it.

CITIZENS REQUESTING TIME TO SPEAK:

None.

COMMUNICATIONS:

Althaus: We received from Hardin County Farm Bureau; their announcement of their Public Policy Breakfast. I believe Lynn and Cindy went last year. I've gone a couple times; it's been several years ago. They do ask that if you would like to attend that you RSVP by March 10th. It does, there are part that have to do with the city, or the city can have a, maybe help or it's just a good networking opportunity. So, you should have that. Any other announcements or communications from Council Members?

PETITIONS:

None.

ADMINISTRATION REPORTS:

Althaus: Police Chief Musser is here. Chief, anything you'd like to talk about? Chief Donnelly has a written report for the Fire Department for the month of January. Bruce, anything you want to add?

Donnelly: Right now, our Engine Seventy-One is up at Findlay getting some repairs done. It was hoping to be just some preventative maintenance type issues; repairing some gauges, but in the course of, I believe it was the next to the last fire that we had on 292, the barn fire, we had some coolant issues with the truck down there. So, we took it up and so they've found some additional, they found where the coolant leave is, they found that the EGR cooler has issues with it, brakes are needing replaced, leak on the power steering, one of the shackles on the rear leap springs is busted. So, that's kind of, I haven't heard anything else that they've added to the list that they're getting quoted pricing for us. So, right now it's out of service; hopefully, not for too long but that's why we're relying on our Engine Seventy-Two, our backup engine, for running first out right now. So, we've got all of our extrication tools in the bed of the pickup truck right now. So, outside of that, applied for Assistance to Firefighter Grant this year. We're still waiting for, as far as I know we're still in for '21's applications. They haven't divvied out all that money yet, but we applied for about \$69,000 worth of hose and other nozzles and those type of appliances to kind of restock some of our, or get some replace some hose, get some new hose, fill some void that we've had with, especially on the backup engine. So, basically trying to kind of re-equip it. So, outside of that; fire activity does seem like it's up here in the last month or so; nothing, as far as we know being intentional or anything like that. Seems to be a lot of unintentional stuff. So, but it's

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definitely picked up here recently. So, just remind everybody to be careful with their electrical appliances and heating sources, supplementary heating sources this time of year.

Althaus: Bruce, I'm glad you mentioned that; I was going to ask, it seems you guys have had some very, I guess, public and well-known fires the last two months. Just I guess keep us abreast if there's anything you need.

Donnelly: Okay.

Althaus: I know we're going to be watching overtime and things like that, too. So, we can stay ahead of that but equipment wise, we want to stay ahead of it.

Donnelly: So, I mean, this could put a damper in I know probably like our equipment maintenance line item and stuff but I know with this repair, since this truck is owned three ways right now, I know that will kind of soften the blow a little bit, but still not, not what we want to see out of a relatively new truck like this.

Althaus: Hopefully it's simple.

Donnelly: Yeah, and hopefully this takes care of problems for many year then.

Althaus: Okay, Parks & Rec, anything you want to talk about on that front Jacqueline?

Fitzgerald: I'll just give you an update. So, the pool roof is completed and new gutters; so we should be good on a roof for a very long time. The length of the building. We're pretty much done hiring all of our pool employees for the summer. The quarry, if you go out there now you'll see all the brush has been taken away from the water side. So, we now have a clear view of the water. It looks really good. He was, Northern Construction was there this weekend doing that. It looks nice. So, the concrete probably won't be poured anytime soon, with the rain. They're still working on getting the lots done, but I think they're halfway through with the lots, getting at least stone, and we have a Park & Rec meeting next Wednesday evening. That's pretty much it for parks. Unless anybody has any questions about what, you know, what's going on.

Althaus: And the resolution that we'll have later is really just cleaning up something that we've needed to get done, right?

Fitzgerald: Correct.

Althaus: Because we're already moving forward on some of those things.

Fitzgerald: Correct, which we had permission, from ODNR.

Althaus: Yes, yes. I guess if there's any questions you can answer that then. Anything with Community Development?

Fitzgerald: Yes. So, the Architectural Review Board, we're working with a new building owner in downtown; they're going to re-do their façade, new roof. So, we're working through those, the Architectural Review Board. Once again, we're working on new applications for façade improvements or changes in signage. We have those, Jayna Jansen has those done, sent those out to us. So, we're making really good improvements with that group. Still in communication with the gentleman, the brokerage that owns the Kmart build, what's going on there. They contacted me last week; we've just had some conversations about some different things and where they're headed. I talked to the broker on the corner lot of Jacob-Parrot, next to Dollar Tree and kind of what they want to do with that lot, seeing if we can get somebody interested in that corner lot. So, things are moving in the right direction.

Althaus: Any questions? Alright, thank you. Income tax, we don't have a report. I doubt there's anything to update, just thought I'd ask real quick; if not, then Auditor, you have the report from the Auditor and Treasurer to the Mayor, that is a monthly report. Any questions there? John anything from the legal side? Cindy, a couple reports from you; want to talk about those or anything else?

Murray: Yeah so, you've got the Public Works monthly report from January, I don't know if anybody has any questions about that one? And the January Wastewater Discharge Flow report.

Beazley: That was everyday above. We haven't been there for a while is there any plausible, I mean, I didn't think January was quite that wet.

Murray: No overflows.

Althaus: Okay.

Webb: We haven't had those in a long time.

Murray: While we're on the Wastewater Treatment Plant; I did get an email from Mike, they are without power down there; generator is running. According to him AEP says it should be back up around 9:30. We're okay til about 11. If it's still out at 11 they'll have to go get some more fuel for the

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generators but keep right on flushing, we're good. Utility meeting is March 8th at 3:30. We missed it in the agenda. So, utilities is March 8th at 3:30. Walmart light, today it changed to flashing yellow on 67 and it just red as you come out of Walmart. It has to go through a 90 day period of signage and everything else, and then after that 90 day period we have to reevaluate to see if there's been any crashed out there, or increases in crashes. We do need to do some, add some additional speed limit signage because it's very sparse out there but then we can take the lights down and this was ODOT's recommendation was to make 67 a straight pass through and not the stop and that's all I have until we get to legislation.

Althaus: Mayor Webb?

Webb: I just want to bring everybody up to speed; we thought we'd be hitting Columbus Street this week, and Burl talked to construction. It will be more toward the 12th of March now. Once again, weather depending so I just wanted to bring everyone up to speed on that. Also, I think Friday morning, we were at the courthouse; State Representative Cross had a meeting with elected official and anybody. I would encourage anybody that if you see those, try to attend, if you can, I know people work. The things that he brought forth for the 135th general assembly is House Bill 1 and House Bill 33. House Bill 33 is basically operating budget, but in that speak of local tax and how it used to be we would get a decent, sizable chunk of money through administrations that tanked a little bit and they're kind of, they want to try to get that back up. Which, we all are very for. So, that's one to look at House Bill 1 is a property tax bill and that could effect a lot how things are done. So, it's just at the house side so, and again just try to stay up on that because both of those affects us, will affect us one way or another.

Beazley: Mayor, on the Columbus Street there have been some residents that have questioned who is responsible for restoring the tree lawn after the stuff comes out of that. Is that us? Is that the construction people? But there are plans and contingencies in place?

Webb: Yes, that's all part of the project.

Beazley: Thank you very much.

Althaus: Okay, thanks Lynn.

REPORTS OF STANDING COMMITTEES AND/OR SPECIAL COMMITTEES:

Althaus: Any report from Finance tonight?

Beazley: No, sir.

Althaus: MOP?

Wren: MOP doesn't have anything.

Althaus: Public Utilities?

Jones: Our last meeting was February 15th and we had a representative from Wexler Engineering that we've contacted and contracted with about the stormwater usage and better ways to control maybe the stormwater run-offs and how other communities operate doing that. So, we got a lot of information and I'm sure that we'll be focusing on that too, down the road too, to make some decisions.

Althaus: Alright, thanks Robin. Streets?

Lawrence: Nothing. March 15th, we have a meeting.

Althaus: Finally Legislation?

Davis: Same, we're waiting for our meeting on the 15th.

Althaus: Okay, Council Members, anything Regional Planning?

Beazley: No, sir.

Althaus: Parks & Rec Board, anything you want to add, Robin, to what was?

Jones: no, just meeting next week.

Althaus: Grove Cemetery? Other than later on tonight we've got some legislation. Tree Commission, I know Sue's been going to that. Finally BKP met last week and I do have some minutes I will get to you all.

OLD BUSINESS:

None.

NEW BUSINESS:

Motion by Mrs. Wren and second by Ms. Jones to excuse Sue Fox-Buroker from the meeting. Roll call vote, all in favor, motion carried.

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ORDINANCES/RESOLUTIONS:

Althaus: Again, mentioned at the beginning of the meeting, we're going to try to get through all of these this evening. We do have six of you here. We'll explain each one as we go.

1ST READING

- **ORDINANCE NO. 23-005, TITLE ONLY; AN ORDINANCE PROVIDING FOR ADDITIONAL APPROPRIATIONS FOR THE YEAR 2023, FOR THE CITY OF KENTON, OHIO, AND DECLARING AN EMERGENCY**

Althaus: You have a description here, explanation; basic summary is this, it doesn't effect the general fund in any way in that, it's a grant coming in, got appropriate it to new equipment for the Fire Department, and it's the CHIP funds are their own, that's in a revolving loan fund, and anytime there is a project we have to clean that fund up.

Motion by Mrs. Davis 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 Ms. Jones to adopt Ordinance No. 23-005.

Althaus: Any discussion?

(Roll call vote, 6 ayes, motion carried)

- **RESOLUTION NO. 23-003, TITLE ONLY; A RESOLUTION AUTHORIZING THE CITY OF KENTON TO APPLY FOR, ACCEPT, AND ENTER INTO A WATER SUPPLY REVOLVING LOAN ACCOUNT (WSRLA) AGREEMENT ON BEHALF OF THE CITY OF KENTON FOR PLANNING, DESIGN AND/OR CONSTRUCTION OF WATER FACILITIES; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND DECLARING AN EMERGENCY.**

Althaus: Who's going to talk about this? Cindy.

Murray: Okay so, this is on Scott Avenue and West North Street; so, it goes from Scott Avenue from West Grove to where it hits West North and from Kuert up to West North. Right now, Scott Avenue is a dead end on the water line. So, this will connect it to the West North. We've had multiple breaks on this area of West North. So, we're going to replace that and in addition it will go and tie into Westview Estates because right now Westview Estates is fed on a line that runs across Rick's, Rick Whitaker's Auto Supply place, used to be the old Ford place; and there is a major leak on that. So, we will abandon that line. We will take care of that leak. We will take care of the dead end leak on Scott Avenue and fix...

Beazley: Close the system.

Murray: Yup.

Althaus: And we have an application time frame here that we're trying to meet.

Murray: Yes.

Beazley: Do you have any idea the cost of the project at this point?

Murray: A little bit less than \$500,000.

Beazley: Perfect, thank you.

Murray: We also are applying most of the service down there is lead service. So, we are applying for the...

Beazley: US grant?

Murray: Yeah.

Motion by Mrs. Davis 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, 6 ayes; motion carried.

Motion by Mrs. Wren and second by Mrs. Tudor to adopt Resolution No. 23-003.

Althaus: Any discussion?

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

- **RESOLUTION NO. 23-004, TITLE ONLY; A RESOLUTION TO AUTHORIZE PARTICIPATION IN THE TEVA, ALLERGAN, CVS, WALGREENS, AND WALMART NATIONAL OPIOID SETTLEMENT, AND DECLARING AN EMERGENCY.**

Althaus: John, you want to talk about this at all, or is it self-explanatory?

Schwemer: Self-explanatory. Just another settlement, which is similar to the other settlement we've approved in the past.

Beazley: This one deals with the retail arm vs the supply arm.

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Althaus: And again, same thing, of course they want to get these turned around quickly.

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, 6 ayes; motion carried.

Motion by Mr. Lawrence and second by Ms. Jones to adopt Resolution No. 23-004.

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

- **RESOLUTION NO. 23-005, TITLE ONLY;** A RESOLUTION AUTHORIZING THE MAYOR AND/OR SAFETY-SERVICE DIRECTOR OF CITY OF KENTON, OHIO TO ENTER INTO A CAPITAL IMPROVEMENT COMMUNITY PARK, RECREATION/CONSERVATION PROJECT PASS THROUGH GRANT AGREEMENT WITH THE STATE OF OHIO, DEPARTMENT OF NATURAL RESOURCES, AND DECLARING AN EMERGENCY.

Althaus: Again, we've known this was coming; formalizes the \$100,000 grant received. I think everybody knows where it's been going to so far. I'd like to move this along as well.

Motion by Mrs. Wren 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 Ms. Jones and second by Mrs. Davis to adopt Resolution No. 23-005.

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

- **RESOLUTION NO. 23-006, TITLE ONLY;** A RESOLUTION REQUESTING THE HARDIN COUNTY AUDITOR TO CERTIFY THE CURRENT TAX VALUATION OF THE CITY AND THE REVENUE THAT WOULD BE GENERATED BY A 1.00 MILL RENEWAL LEVY FOR GROVE CEMETERY MAINTENANCE AND OPERATING EXPENSES, AND DECLARING AN EMERGENCY.

Althaus: Antwillia had warned us this was coming also, so did John.

Davis: Any questions?

Schwemer: The only thing I would note is, I was planning on having a resolution at the next council meeting to move this along, but there's been a change with the statutory language in what's required to put these ballot issues on, and there's a lot of questions on what needs to be input on those. So, we had a meeting with the County Auditor, who is also going to be working with the Prosecutor's office and the involved Townships because this will not just be a Grove Cemetery issue, it'll be a County-wide local issue and of course it's another one of those issues where they changed the law but did not provide a lot of explanation and if we get it wrong; then the ballot issue is not going to go on. So, it may take us a few weeks to get that ironed out and try to make sure we are doing this right and once we do that the template will be circulated between the other Townships but I'm just telling you this, so I won't have anything next meeting but this resolution here; we're really doing nothing other than asking for the dollar amount. So, it does not hurt to pass it tonight because we're not putting anything on the taxpayer. You know, when we do get the formal resolution to do the levy, I always like to give those more reads but we're still ahead of the game here. So, we have time; but like I said it would be nice to pass this. I'm just telling you; it may be a meeting or two before we get the second component of that legislation before council.

Davis: And this is a renewal; this is not an additional tax.

Althaus: And again, these are always a two-step process. First, we have to ask for the dollar amount, or to certify the dollar amount created. So, as John said, it would be good to get this done. We know it has to be done.

Motion by Ms. Jones 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, 6 ayes; motion carried.

Motion by Mrs. Davis and second by Mr. Lawrence to adopt Resolution No. 23-006.

Althaus: Any discussion?

Beazley: I would like John to clarify again in my mind the difference between renewal and replacement.

Schwemer: Renewal and replacement; they don't look at the new values...

Beazley: Renewal does not, replacement does. That's what I was just clarifying; this does not update that. Perfect. Thank you.

Schwemer: This is a five-year deal and we do it every five years.

Beazley: Thank you.

Althaus: Any other discussion? (Roll call votes, 6 ayes, motion carried.)

2nd READING

None.

3rd READING

None.

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SCHEDULING OF COMMITTEE MEETINGS:

Althaus: You see two of them there; Legislation, three actually, because we know Streets is going to meet the same day as Legislation.

Davis: And then Public Utilities is the 8th.

Althaus: Is the 8th at 3:30. So, street should be like 4-4:30, right after?

Lawrence: Yeah, we usually do Legislation, Street follows. We usually try to cut one an hour, the other one an hour.

Beazley: Mr. President, I would request that Finance have a schedule meeting on the 27th of March, 6 pm.

OTHER MATTERS:

None.

COMMENTS FROM THE PUBLIC:

None.

COMMENTS FROM THE NEWS MEDIA:

None.

COMMENTS FROM COUNCIL MEMBERS AND ADMINISTRATION:

Althaus: Mr. Beazley?

Beazley: Nothing.

Davis: I have nothing.

Althaus: Ray?

Lawrence: Nothing.

Althaus: Pegg?

Wren: I have been out by the pool and the roof looks great. It really dresses the building up a lot. Just thought I'd tell you that.

Althaus: Anda?

Tudor: Nothing.

Althaus: Robin?

Jones: No, thank you.

Althaus: Anything, follow up John? Bruce? Musser? Jacqueline?

Fitzgerald: I did forget something on Community Improvement; the letter of intent for the lot, the corner lot up at Ohio and Detroit Street was accepted and they will having a purchase of sales agreement in 60-90 days.

Althaus: Well done everybody. And yea, I'm getting to you two; just hold your horses.

Murray: I got it right here.

Althaus: Okay, Cindy Murray.

Murray: The power is back on at the Sewer Plant.

Althaus: And Lynn Webb?

Webb: I just want to again, reiterate that, thank you again to council, over and over again, I cannot thank you enough, just for the collaboration and the partnership between administration and council, the legislative body, I thank you with how we can move things forward. Again, I don't have enough words to say other than thank you. That's what is process. So, appreciate you all. That's all I have.

Althaus: Okay, well as you can see, our next meeting is scheduled for March 13th right here at 7pm. Got a whole list of committee meetings between now and, well now I guess, one of them before then, the rest of them after that meeting. Anything else for the good of the order? Then, we're adjourned.

Joel Althaus, President of Council

Emma Boutwell, Clerk