

# RECORD OF PROCEEDINGS

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Minutes of

KENTON CITY COUNCIL

Meeting

Lillenthal Southeastern, Inc., 1-800-837-1904. Re-Order 68685K

Held

April 10<sup>th</sup>, 2023

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## **7<sup>th</sup> REGULAR SESSION:**

Kenton City Council met in their 7<sup>th</sup> Regular Session on April 10, 2023, at 7:00 PM, in Council Chambers. Present: President Joel Althausser, Sue Fox Buroker, David Beazley, Antwillia Davis, Ray Lawrence, Pegg Wren, Robin Jones, Anda Tudor, Law Director John Schwemer, Mayor Lynn Webb, Safety Service Director Cindy Murray.

Prayer given by Mr. Althausser:

God of love, we meet this evening concerning the common and the uncommon matters of the City of Kenton; matters which will ultimately effect those who have chosen to live and work here in Kenton, Ohio. Be with us in our discussions. Give us vision and courage to do Your will with compassion and respect, as stewards and companions for the benefit of the entire community and beyond. Help us to know and believe in the gifts You have given us as city leaders; both individually and collectively. Inspire us to solve the challenge we may face and to take joy in our shared triumphs, both ordinary and grand. In faith and hope, we trust in Your presence and guidance today. AMEN

Pledge of Allegiance recited.

## **MINUTES:**

Althausser: Welcome everyone and I'd ask now for you to think back to the minutes that were in your packets. Do you have any addition or corrections to those minutes as they were submitted? Hearing none, they'll stand approved as submitted.

## **CITIZENS REQUESTING TIME TO SPEAK:**

None.

## **COMMUNICATIONS:**

Althausser: Quite a few things in your packet and I like what Emma did; a couple things that we tend to get, she went ahead and just put them in your packet, and I think it's a good idea. Hardin County Council on Aging newsletter, you have that, and also have the OML Cities & Villages quarterly newsletter. If we go back into the dark ages, we used to get one of those, but I think over the years it in cost cutting they just sent one to the city on behalf of council. So, that will be in there for the ongoing, every quarter, and please take a look through that. If you want to see the original, Emma has it up here. Any questions on either of those two communications? Does any other council member have communication before I move onto the last item? Okay then, happy to have Judge Grimslid here this evening and Judge is here to give his annual report for the Municipal Court. Judge, the podium is all yours.

Judge Grimslid: Thank you. I have included a report that all of you should've had in your packet; copies of those report were sent as well to all the village mayor's offices in the county, as well as the commissioner's office. I think the numbers, and everything are self-explanatory. Our total receipts were up last year, even though our cases were down by 80 cases over the period of the year. Again, that's stuff that's not under control of the court. We don't issue tickets or citations. We don't bring civil lawsuits either; individuals do. So, there's no control, however many there are, there are. However we did increase our cost range a little bit through court order. So, we took in over \$60,000 more. Receipts last year were over a million dollars, then it shows how they were dispersed. Just give a brief report, kind of a background of the court, we're kind of a hybrid office per say because it's actually a county-wide jurisdiction. The office is not controlled by the city itself, nor is it controlled by the county itself. I'm a county-wide elected official. I don't represent the citizens of Kenton alone. I do overall, as a citizen of the county, but I do not have specific villages, or whatever that I just represent them. I represent the citizens of Hardin County and the court was set out to State Statute, and it sets forth the funding requirements and so forth and so on. Some counties do it as, Hardin County does at this point in time where the city, where the court sits, pays a large portion of the requirements. Some like Auglaize County or Putnam County; they're totally, their municipal courts are totally paid by the County Commissioners, and none of us have anything to do with setting that up. It happened in the 80's, I believe I should've had at some point in time, a report from the Prosecutors' office as to how that was set up through

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legislation, and so forth. So, just kind of wanted to point that out that it's not, even though it's the municipal court, it's not the Kenton municipal court, it's the Hardin County. So, the whole country is responsible and if you look at it, it kind of breaks down the way the money goes to the different agencies, as brought in for that situation. You see that Forest has a large disbursement compared to the other ones. They actively write tickets, traffic tickets, using their municipal ordinance, or village ordinances. So, they get a bigger percentage of the fine from that. But that's why theirs is a little bit out of whack. They have a couple of officers that love to write traffic tickets. So, they do that on a regular basis. Any questions from the numbers? We did have an employee start today. So, we're only down two employees now. We've been down 3 employees for most of the year. I commend my staff that was there and have stayed for the work they've done. They've been quite busy doing work of a couple extra people, and taking it on but we have got through that and like I said, we started one today and then we have one other one that's going to start in a couple weeks. So, that's good; get us back up close to numbers. If there's questions; there's couple funds that show up on the Auditor's things that actually, that special projects funds, or whatever have nothing to do with the city, or the county, or whoever. It's strictly the courts discretionary funds, and it's set up by statute that the court is the only one that can control those and spend them on stuff for the courts as set forth by their statutes. There's also an indigent fund for alcohol that was set up by the state, certain court costs and everything. So, those are capped through your fiscal office; but they're actually funds that neither you, nor the county, nor even me, to some degree can just go use up for anything. They're set forth specifically what you can or can't use them for. And again, I welcome you to come down anytime; see the court in action. Mondays, Tuesdays, and Thursdays are regular court days, Wednesdays small claims, and Fridays are set aside for jury trials, when we have them. We just recently had a jury trial, which we don't have that very many in municipal court, but we did have one; it went quite well. Staff was very efficient in handling them, even though we were short-handed, and they should be commended for that and they got good grades from the response sheets from people as far as how the jurors were handled while they were dealing with the court. If I have no questions, I'll go ahead and sit down, thank you.

Althaus: Thank you Judge.

**PETITIONS:**

None.

**ADMINISTRATION REPORTS:**

Althaus: Start with the Police; anything from Police this evening?

Lieutenant Lutes: Nothing tonight.

Althaus: Fire, Chief Donnelly, and Chief's monthly activity report for February and March, those two months are in there. A lot of things going on.

Donnelly: Right now, we've gotten several quotes for the air compressor, breathing air compressor that we got grant money for. So, we're trying to move on that fairly quickly because the vendor that had the lowest bid has also notified us that they're going to be hit with a 3% price increase at the end of the month. So, we'll be getting the paperwork in to get those funds transferred and luckily, he's, the dealer is gracious enough to basically kind of take our word for it that we are going to purchase from him and if we don't have the money to have the PO in place, he's still going to lock in the order for us ahead of time. So, other than that, things are going pretty good. We're still fairly active with fires at this point in time, it seems like. So, other than that everything seems to be going fairly well right now.

Althaus: Did I, is the engine all fixed? It's back?

Donnelly: It's back, the...

Althaus: Any I'm not trying to set you up. I really...

Donnelly: The chassis issues have been taken care of. It's, we're waiting for the parts for the pump engine cooler, for those parts to come back in. So, they said it could be up to fifteen weeks before those parts come in. So, we've got it back. Got it in service. Just they, I think basically looped the lines in there. So, basically it kind of recirculates some water to kind of help cool but it's still kind of functional on that respect, but everything else is working fine on it.

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Althaus: I thought I saw it the other day. Well, that's good news. Alright, thanks Chief Donnelly. Parks & Rec, anything Jacqueline to talk about this evening, and then you can go right into Community Development, if you'd like.

Fitzgerald: Sure, thank you. So, our seasonal summer mowers started today. They did a safety class on mowing, and then they went out and did some brush pickup. The quarry is open. So, camping season started April 1<sup>st</sup>. We passed all our water tests and so that's starting to fill up, and as of Friday we were about \$13,000.00 in Parks & Rec, ahead then we were from last year. So, Don and Deb do a great job marketing our campground, and the improvements there, and the pool passes have been selling pretty good, so we're pleased with that. We did take a closer look at a piece of equipment out at the quarry. It's about 26 years old, and we just didn't realize how bad of shape it really is in. The tube is busted, and a lot of the metal is just kind of roached out, and it's showing through. It's just not very safe for the kids to be on. So, I sent an email out to the Park Board and showed them pictures, and they all agreed that it's not safety standards. Someone's going to get hurt. So, we're just looking at how we would eventually replace that piece, down the road, for future, just trying to budget. So, there are some smaller pieces that are like \$29,000. We're not looking at \$100,000 piece. So, we'll try to look for some grants and stuff like that. So, that's kind of where we're at with Park & Recs. And then, kind of on a community development side, we've been working with nuisance. So, I'm going to show you some pictures that we've kind of been out and we've been working with the Police Department, they've been great. This is stuff that they have probability been dealing with for years. It's a huge mountain that we have to climb, and nobody is going to help us out of this but ourselves, and so I tried to break these down into wards and this is, Lynn is this the 4<sup>th</sup> ward?

Webb: Yeah.

Fitzgerald: This is the 4<sup>th</sup> ward. So, we have, in this town we have a lot of dilapidated campers and boats that are just kind of sitting around. So, we're working on, you know we have people that send in, this is hey there's a lot of junk. So, we have to address those; like I said, the police have been great at it, but there's a lot of repeat offenders and we're just trying to figure out a way to collaboratively work together to tackle this issue. So, if you go back up, our gateways are really what we're focused on and this is kind of behind Wendy's area, where people are coming in, and they go through Wendy's and they're seeing all of this. We're really just trying to address it. Okay, you can kind of keep going.

Webb: This is Stevie Lightner, he lives right behind Wendy's. He's the guy that does a lot of auto repairs, and you know he's one of the guys that we just want to have a really good conversation with and try to work with him. Again, it's not trying to take someone's livelihood away, but we've got to find a way to help him out to be in compliance.

Fitzgerald: So, you know cars parked on, trucks parked on grass, we have ordinances for. We need to look into demolition derby vehicles, they're kind of all over the place. They're not appealing when you come in. This is off of Walnut Street; I believe that's owned by the state. There were two campers, Lieutenant Lutes, I think you handled that. You've done a wonderful job since I've been here watching how they do this and actually the people that had two campers there, paid to have those removed themselves right after we sent out. So, it's nice to see that gone but this is a house right next to it that's been burnt out for several years. You go to the next slide; this is what it looks behind it. So, there's just lots of junk. This is South Wayne; this house has been condemned. It's been cleaned up by the city, I'm not sure how many times, but we have boats that did not come from the Scioto River, that floated up there. There's stuff all over the yard, everywhere.

Webb: That's the front.

Jones: Are they still living in it?

Webb: No, well they're not supposed to be.

Jones: Are they living in the campers behind it?

Lieutenant Lutes: No, they say they are repairing it. They live two doors down. It's in a constant state of repair.

Beazley: Or disrepair, as the case may be.

Fitzgerald: This is in the 3<sup>rd</sup> ward. So, not the same area, or 1<sup>st</sup> ward, I'm sorry. This is King Street, that's behind the house. I wish the pictures were a little bit bigger but when I started to enlarge, they got very pixelated. This is over off of Walnut, I'm sorry, Mill Street. This is a rental. A lot of these could be rentals.

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Webb: This is right...

Fitzgerald: Right behind our, the 555 building. This is on Barron Street. They now have some of it cleaned up, but they've thrown a tarp over the front porch so that you can't see all the stuff. That's across the street from the house we just looked at.

Murray: That is gone.

Fitzgerald: That is gone.

Webb: Parts of it.

Fitzgerald: There's sill...

Murray: That trailer is gone.

Fitzgerald: Yes, and that's been cleaned up by the city, I think what last year you guys went in and the city cleaned it up, it took all day.

Webb: Yup.

Fitzgerald: This was just taken care of last Friday. This is the house on West Lima Street that got a lot of complaints. That is the back.

Webb: So, it's been processed.

Fitzgerald: Yes.

Webb: The city, it was a city cleanup, Friday.

Fitzgerald: That's more of the back. That's the front, and then this is a break down of what it cost to clean that up, and we will send that to the owner, which is out of Washington D.C., and it will go on their taxes and then if that doesn't get paid then the city taxpayer ends up paying that.

Webb: Right, we don't get that. It was over \$1,000 for that cleanup.

Fitzgerald: So, can you read off to everybody, because you can't see it. Can you read?

Webb: Labor cost were \$650.00, basically. Equipment cost \$220.00. Transfer to the dump station was \$104.00. Cost to serve notice \$36.00, and administrative fees were \$125.00 for \$1030.00.

Fitzgerald: And so, it takes our city worker guys, how many hours did they have into that?

Webb: They did this one and another property, so it was a full day, of, I think there was 4 guys.

Fitzgerald: So, that takes them off their job of what they had listed to do. This is off of Robinson Avenue, I'm sorry, this is off Leighton Street which might be Robinson.

Webb: Robinson.

Fitzgerald: Full of campers.

Webb: That's back to Madison Street.

Davis: So, some of the things we went over in the last nuisance meeting, the steps, and maybe calling in private servicing companies; has that been helpful? Have you been able to do more since we've kind of talked...

Webb: When you look at their cost for that amount of time it's much better for us to do it when we schedule our guys ahead of time.

Davis: Mhm, okay.

Webb: This is off South Main. Everything that you're looking at has been processed, written up at least.

Davis: Okay.

Fitzgerald: This is off of King Street.

Murray: That one has not gone out. That letter.

Fitzgerald: Okay.

Webb: This is a condemned property that the Health Department condemned. The house also.

Murray: But it's also up for Sheriff's auction.

Fitzgerald: Right, which didn't, nobody bid on it, twice.

Murray: So, I don't know who to send the letter to.

Fitzgerald: Right, right. Okay. So, this is the old John Krock's antique store. It's falling down.

Murray: That letter has gone out.

Fitzgerald: Yeah.

Murray: The abatement.

John Schwemer: And it's always a danger if they started a Sheriff sale on that, if we do abate; we cannot assess, once that court action has initiated. So, at that point in time we are, our chances of getting money back are zero. Our only chance is assessing and being far enough along in the assessment,



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and hopefully it goes for a sale and like a neighbor wants the lot, you know, so we actually get some money back but it's, you know, our collection is not great that way.

Fitzgerald: This is off Kohler Street, both houses side-by-side, windows busted out, roof falling in.

Webb: We have, this is properties we've had other residents file complaints on; just because, you know, they see not only animals going in but people.

Fitzgerald: So, you know we're kind of working on this. We've spend a lot of time talking about how we could improve and do things better and we're trying to pull from other cities to try to figure some different things out because you know, we do have a problem and we don't want our police to have to spend their time dealing with this or our time or city crew just like how do we get more compliant and just, you know, force it in and this is how it's going to be and we can't keep doing this because it's just not good for our community. So, as we work on these, I just want you guys, I know you guys are aware of probably some of these things but it's something that, you know, we're truly trying to focus on and make things better for our city.

Beazley: of the ones we've seen what percentage are absentee ownership?

Webb: I didn't hear.

Fitzgerald: Absentee ownership, like rentals, do they live in another, well; there's two of them, the one is in, lives in DC and I know there's a couple that are out of state and they're very difficult, and you know Cindy has dealt with them and it's just difficult to...

Webb: They won't respond back.

Beazley: Understood.

Murray: It's not as many as...

Lutes: It's not as bad as you would think. I know all three today were owners.

Beazley: Local Owners?

Lutes: Yes, local owners.

Beazley: Thank you.

Lutes: And living in the property.

Fitzgerald: I mean, the campers are just like, I mean if you just start driving around everywhere there's campers like everywhere. So, I don't know if there was a sale on campers in the 80's, I mean it's just the craziest thing. So, we just got to clean up and get better. So, we'll continue to keep you all updated on the progress and hopefully we'll make some good progress. Anybody have any questions on Park & Rec or, you know, kind of Community Improvement and what we're trying to do with that?

Murray: We're doing the best we can. We've got to think of another way to address this because if not, we'll be cleaning up the same properties every year.

Fitzgerald: Yup.

Beazley: Generationally.

Fitzgerald: Yes, and if anyone's got the answer for that one, that would be great; to figure out.

To end on a good note, we had a Downtown Business Association meeting that the Kenton Historic Courthouse District at the Chamber led and Heritage Ohio came in today and we talked about downtown buildings. It was a really great meeting. The last two meetings we had were really great. We had a full, there was probably 20 people, or more at both meetings and just kind of the energy that people are kind of getting a little bit excited, and what we can do, and look for different grants and CRAs, Community Improvement Districts, and how we can do some different things better. So, and of course they all go back to like a building code enforcement and they didn't know that we didn't have one but you know how that really kind of drives some things home and helps save your buildings. They drove around. They said you know, at some point in 10 years you won't have these buildings and we're fortunate to have the architecture that we do in these buildings because a lot of towns don't have them. So, they were impressed with our stock. I did ask if anybody wanted to buy some, but no one offered. (laughter) And there's one gentleman that has several buildings that he's bought, and he's done a really nice job and it's impressive what he's done. So that's been a really great piece that we've all have come together for. So, it's a positive. So, a lot of good things happening. I know that's not sexy by any means, but I think that we all need to see that what we're working on, collaboratively and what some of our police and the city guys have to deal with.

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Althaus: Any questions? Okay, thank you Jacqueline. You have a report from the Auditor, Treasurer to the mayor and that's a monthly report that covers all of the different funds within our books. Are there any questions?

Beazley: Brian is the transfer of the funds to Huntington now complete?

Hattery: Yes sir. That was complete about a week and a half ago.

Beazley: Thank you. It looked like the report reflected that, but I just wanted to confirm. Thank you.

Hattery: And if I may; just two items, we did hear from the State Auditor's office and they will be here to begin their audit of the city about mid-May, is what we were told. So, just so you're aware, and the other announcement is unfortunately I am losing my Assistant Deputy Auditor, Tine Weber. She is moving on to another position with another public entity. We are sorry to lose her but we wish her the best. She came in during a, an interesting period where we switched software; which wasn't easy. So, she had to learn the job and help us get transitioned to the new software, and now to a new bank too. So, we're very appreciative of the work that she's put in and again we wish her the best, and are already in the search for a new one.

Beazley: Did she give a last day?

Hattery: Oh, not this Wednesday, but next Wednesday; I think that's the 19<sup>th</sup>.

Beazley: Sounds right.

Hattery: Okay. Any questions for me?

Beazley: Thank you.

Hattery: Thank you, sir.

Althaus: Okay, thanks Brian. Move on then, John anything that you would like to...

Schwemer: No, cause I'll talk later.

Althaus: During the Legislation? Okay.

Schwemer: Yeah.

Althaus: So, Cindy?

Murray: It's that time of year again. Please do not push your grass, throw your grass out into the curbs, out onto the street. It's just a friendly reminder it ends up down in the storm sewer. Clogs our storm sewer.

Althaus: And Cindy had the Public Works report for the month of March, if anyone has any questions on that. Okay then, we'll move on to Mayor Webb, if she has anything tonight.

Webb: Just, the garage guys finished storm pick up. Jim and the other new mower guy finished most of it today. So, hopefully we can, if you have anybody or anybody has contacted you, or Tim, tell anybody that still need some picked up from the past two weekend of high wind, let us know and we'll get that picked up. Also, a reminder spring cleanup is next week. So, this is a good week to get everything out and ready to roll, and get it to the fairgrounds, and I just want to piggyback off Jacqueline; you know we've seen this before in our community. Whether it's the chapel out at the cemetery, or some other historical thing and it's like the guys from Heritage that came here, that this is their expertise, to look at these historical and renovations and they have renovated some pretty, where the roof has caved in and taken everything with it. But like they say, we are about ten years to losing it all. So, we really want to be proactive to really save our history as much as we can, but you know and to really champion the public/private. We have to partner together, and it can't be something that the city funds, because we can't. We need that public/private if we really want to save the character of what our downtown, and it's like he said, you know, people are building, buying big cornfields. Developers are buying cornfields and replicating this. And like he said it might be there for 50 years but this is what we have is iconic so...

Murray: Think about your Easton's and your Polaris's.

Webb: So, we just need to be able to, we're really want to look at doing all we can before we get into a big giant mess. So, that's all I have.

Althaus: Okay, thank you.

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

Althaus: Finance is there a report this evening?

Beazley: There is no report this evening.

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Althausen: And do you know when your next meeting might be?

Beazley: Two weeks.

Althausen: Two weeks, okay. Move on to MOP.

Wren: MOP has not met.

Althausen: Do you have a meeting scheduled? Probably don't even have anything scheduled, do you? Okay. Public Utilities?

Jones: We have a meeting Wednesday at 3:30, here.

Althausen: Right, no report?

Jones: No.

Althausen: Okay, Streets, Alleys, Sidewalks?

Lawrence: We meet on the 18<sup>th</sup>?

Althausen: 19<sup>th</sup>.

Lawrence: We're looking at some traffic lights and stuff.

Althausen: Okay. Any questions for Ray on that? And then Legislation, I see you meet then right before MOP, anything to report or anything?

Davis: We're working on the nuisances.

Althausen: Okay, we'll move onto council members; I'm going to go ahead and go first, I'll just say BKP will have a meeting next week and I know they're working on legal counsel. I believe that's made some headway, as far as new legal counsel. Beyond that nothing really new to report. So, anything for Regional Planning?

Beazley: Regional Planning has pushed their meeting back to this Thursday. It is a joint, fill joint commission.

Althausen: Robin, anything to add, Parks & Rec side, from your perspective?

Jones: We don't meet til May.

Althausen: Grove Cemetery Board?

Davis: Lots happening at Grove Cemetery. Please be mindful. The weather has broke. We will start mowing non-stop. You'll see the weedwhackers out there non-stop. We have 36 foundations to lay. So, you'll see foundations going in and we have to seed add of the past graves, so quite a few of those. So, please be mindful of the workers we are getting ready for Memorial Day. Go out and enjoy the cemetery.

Althausen: Tree Comission, Sue?

Buroker: We're going to meet this Thursday at 1.

Murray: Can I add to that?

Althausen: Go ahead.

Murray: So, this past Thursday we walked North Detroit Street, and discussed with Stephanie Miller from ODNR the trees that will be removed; some we're going to try to save, where to plant the new trees, all as a part of that North Detroit Street Project. So, that was good.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

None.

**ORDINANCES/RESOLUTIONS:****1<sup>ST</sup> READING**

- **ORDINANCE NO. 23-007, TITLE ONLY; AN ORDINANCE ADOPTING KENTON CODIFIED ORDINANCE CHAPTER 1286 RELATING TO SOLAR ENERGY SYSTEMS IN THE CITY OF KENTON, AND DECLARING AN EMERGENCY.**

Althausen: This is something Legislation has worked on with John for quite a while, any questions for them; you saw the ordinance in there? Anything that you guys on that committee want to add?

Schwemer: This is important for people to read. I just want to make sure people understand the committee's thought is; we are not trying to shut down solar, and you can see we're allowing

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that, but the main gist is in residential districts the only way it's going to be permitted, going forward, is on your roof structure. Okay, it's really not to be in the side yards, front yards, even rear yards. They will allow free-standing in the non-residence districts, but there's stipulations, and again the thought is if people start putting these in front of their houses and you'd think, well, no one would ever do that, but it will happen. That can become an eye sore. It can become a safety issue, a lot of issues. So, we're not trying to be against solar. We almost want to promote it; but just in a way that is productive and not detrimental to the neighborhood, as well as the neighbors, as well as people driving the roads with glare; there's a whole host of issues that we're trying to deal with. But what is important to note is we do have some free-standing solar right now, and as it's drafted those are grandfathered in. So, we are not making those people remove those, and that's specifically stated because we can enact ordinances and people that have stuff up, we can make them remove it, but that is not the case here. I only really know of two instances here in the city where we have that; one would be, for example, the school. That is a residential district. The schools are allowed in residential districts. That will be allowed to remain, and I know there's a private individual in the North part of town that's already got a permit through the city and those will be allowed to remain. Okay, we do have more roof-top solar, but again that's what we would be allowing; of course, you know people would need to get a permit because Cindy would be checking to make sure they're meeting the safety requirements, but my initiative, I think this is important for us to get on top of it. If we feel we're being too restrictive, let me know and we can always change it. You know, we're not set on this, but I think we need to get ahead of this before this gets up and is installed in a way that maybe detrimental to the community. But again, the thought is, we are not negative solar, you know with electrical costs and savings and such. So, my intent is to do this a full three read.

Beazley: John this was patterned after some model legislation already in place?

Schwemer: I had pulled a number of cities and surprisingly, there are not a lot of cities, I've found, that do regulate it but it's becoming more and more, and you read the issues and where they can be installed and everything, and you become aware that this could become a problem. It could become a safety issue, if not addressed. So, that's the goal of this. It's not to prohibit, it's to make sure it's done in a way that benefits the property owners, as well as the neighbors, and the community. So, but obviously if you guys take issue with certain portions; we can meet however council would like to discuss this, you know, if anyone feels we need to meet to further discuss or question, answer, anything like that. So I'm at, you know, just let me know if anyone from council would like that cause this is, I feel, important legislation.

Althaus: And to piggyback on that, we'd encourage residents, it will be read two more times. If you have questions, reach out to your council person, reach out to the mayor, come to council in the next two meetings. One of the other concerns also; there's just an awful lot of solar development, and the other concern is you have two or three open lots and all the sudden someone wants to cover them with solar panels. We had nothing on the books to even handle that, at all.

Schwemer: I would say one item, and I really don't see us getting into this but, the State, when they pass solar, part of the renewable energy, if they have a largescale utility and part of the city is part of that, we can not legislate against that. So, if we get a large solar farm that's regulated by the public utilities commission, that's that large, and it goes into part of the city, our ordinance does not apply because the revised code is one of those, it supersedes, and we cannot. So, my ordinance acknowledges that; but the problem with those is, we don't have any area in town. It has to be tied with a larger, the townships, we're just a part of it because the size of those. I can tell you we don't have any in the city that are large enough. Even the larger vacant land that we have in town; not near enough to get the megawatt requirements under the Utility Commission.

Althaus: Okay, thanks to Legislation working on that with John so closely, and a lot of work. Unless there are objections we'll have that move on to a second reading in two weeks then.



# RECORD OF PROCEEDINGS

013

Minutes of

KENTON CITY COUNCIL

Meeting

Lilienthal Southeastern, Inc., 1-800-837-1904, Re-Order 68665K

Held

April 10<sup>th</sup>, 2023

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- **ORDINANCE NO. 23-008, TITLE ONLY;** AN ORDINANCE AUTHORIZING THE PURCHASE OF THE REAL ESTATE SITUATED AT 414 S. MAIN STREET IN THE CITY OF KENTON, OHIO, AND DECLARING AN EMERGENCY.

Althaus: As this has been discussed here and there, vetted a few times, and the fact that there is a contract out there; I'd first ask if there are any further questions on it, as it's written, and the next question would be would council consider acting on this tonight?

**Motion by Mrs. Davis and second by Mr. Beazley 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. Buroker to adopt Ordinance No. 23-008.**

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

- **ORDINANCE NO. 23-009, TITLE ONLY;** AN ORDINANCE PROVIDING FOR ADDITIONAL APPROPRIATIONS FOR THE YEAR 2023, FOR THE CITY OF KENTON, OHIO, AND DECLARING AN EMERGENCY.

Althaus: I don't know who wants to talk about this.

Murray: I will.

Althaus: Cindy will.

Murray: Okay, so this is for the Scott Avenue water line replacement.

Beazley: Part of it is, right?

Murray: Scott and West North. Yeah, I don't know what city hall...

Beazley: That's what we just approved.

Murray: Right, the second half is the Waterworks fund; the additional appropriations for the Scott Avenue and West North. The original quote, and it was a preliminary quote without any engineering waws for \$445,595.00. When they actually did the engineering, the estimate was, and that's when we budgeted, the actual quote was \$533,241.00 and we had the bid opening, and the winning bid came in under the engineer's estimate of \$527,664.77.

**Motion by Mrs. Davis and second by Mr. Beazley 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. 23-009.**

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

- **RESOLUTION NO. 23-009, TITLE ONLY;** A RESOLUTION AUTHORIZING THE MAYOR AND/OR SAFETY SERVICE DIRECTOR OF THE CITY OF KENTON, OHIO TO ACCEPT THE BID OF AND ENTER INTO CONTRACT WITH EXCAVATION LLC FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE SCOTT AVENUE LEAD LINE REPLACEMENT PROJECT, AND DECLARING AN EMERGENCY.

Althaus: So, we're got money available.

**Motion by Mrs. Davis and second by Mr. Beazley 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 Resolution No. 23-009.**

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

## 2<sup>nd</sup> READING

- **RESOLUTION NO. 23-008, TITLE ONLY;** A RESOLUTION AUTHORIZING THE SALE OF PERSONAL PROPERTY NOT NEEDED FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY.

Althaus: I don't think anything's changed so we go a couple more weeks unless someone has questions.

## 3<sup>rd</sup> READING

- **ORDINANCE NO. 23-007, TITLE ONLY;** A RESOLUTION TO PROCEED OF THE TAXING AUTHORITY.

Althaus: I don't think there's any questions here. It's third reading.

**Motion by Mrs. Davis and second by Mr. Beazley to adopt Resolution No. 23-008.**

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

Held

April 10<sup>th</sup>, 2023

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**SCHEDULING OF COMMITTEE MEETINGS:**

**OTHER MATTERS:**

None.

**COMMENTS FROM THE PUBLIC:**

None.

**COMMENTS FROM THE NEWS MEDIA:**

None.

**COMMENTS FROM COUNCIL MEMBERS AND ADMINISTRATION:**

Althausser: We'll start with Sue, David, Antwillia, Ray, Pegg, Anda, Robin?

Jones: No, thank you.

Althausser: John, anything you want to add?

Schwemer: No.

Althausser: Chief Donnelly, Lieutenant Lutes, Jacqueline, Brian, Cindy, Mayor?

Webb: Happy Birthday Chief Musser! It's here and it's a good birthday for him. We're all grateful for his last year and it's a good birthday to celebrate and I can't say enough with Lutes sitting here; he is an outstanding help to us with our nuisance properties and everything. He can get things moved, so to speak. So, I appreciate him and his effort, and he's top-notch.

Althausser: I know several times when I was with a previous employer; vacant properties Rob helped us quite a few times. So, didn't know if people were living there or not. You don't know whether you ought to knock on the door or even walk up on the porch, so you take him with you, and all is well. Appreciate all you guys do. Well, with that then our next regular meeting, April 24<sup>th</sup> I do hope everyone had a wonderful Easter, some family time. Spring definitely has sprung, and it looks like we have a pretty good forecast. So, enjoy yourselves and we'll see you in two weeks. We're adjourned.

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Joel Althausser, President of Council

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Emma Boutwell, Clerk