

## RECORD OF PROCEEDINGS

Minutes of

KENTON CITY COUNCIL

Meeting

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

Held

February 26, 2024

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

Kenton City Council met in their 4<sup>th</sup> Regular Session on February 26, 2024, at 7:00 PM, in Council Chambers. Present: President, Joel Althaus, Sue Fox Buroker, David Beazley, Steve Walter, Chad Miller, Pegg Wren, Anda Tudor, Robin Jones, Mayor Lynn Webb, Safety Service Director Cindy Murray. Absent: Law Director John Schwemer.

Prayer given by Mr. Althaus:

Heavenly Father, from whom all power comes. We thank You for our civil liberties, our freedom, our opportunities, and our privileges. We ask of You to bless, assist, and enlighten the elected officials and employees of the City of Kenton. May they prove worthy of the confidence placed in them by their fellow citizens. May they be just and upright in their thinking. Honest in all their actions, and ever be guided by a true conscience in the legislation they propose or vote upon. Forgive us all our mistakes, and selfish tendencies, and help prepare us by our good deeds for an eternal union with You. AMEN.

Pledge of Allegiance recited.

**MINUTES:**

Althaus: Welcome everyone, in your packets were minutes from the prior meeting. Does anyone have additions or corrections, or comments regarding those minutes? Then if there are no objections, they'll be marked approved as submitted.

**CITIZENS REQUESTING TIME TO SPEAK:**

None.

**COMMUNICATIONS:**

None.

**PETITIONS:**

None.

**ADMINISTRATION REPORTS:**

Althaus: Police Chief Musser, anything to talk about tonight?

Musser: I have nothing tonight, thank you.

Althaus: You're right those cars are pretty tough looking.

Musser: Tough looking, thank you.

Althaus: Yes, I was trying to use the right term.

Murray: They're pretty.

Althaus: Chief Donnelly, anything with Fire?

Donnelly: I just want to let Council know that we have offered one of our candidates a position to fill our open spot. So, I guess I kind of feel good about some of the candidates we interviewed because two of them we found out were probably going to get offered full-time positions if we don't hire them. So, it kind of makes us feel that we had a pretty good line of candidates. So, he's on the paper filling out process, and making sure he's good enough health to be working for us. So, just waiting for that process to start and looking at probably about the second week of March for him to start.

Althaus: Good news Bruce, thank you. Unless Lynn or Cindy you have anything, I'm going to skip right over Parks & Rec and Economic Development. Income Tax, we have no report. So, we're to the Auditor, first typical report that we received that is the monthly report of the City Auditor and Treasurer to the Mayor of Kenton, and then the second page would be your fund balances. Any questions on those, and then you were emailed four different reports from Pam; total expense report, revenue report fund, fund report and bank report. Please review those, and if you have questions I know that Pam would be happy to go over those with you. Also, could probably reach out to Finance Committee if you have questions. Law director, John's not here yet. Cindy, Safety Service?

Murray: So, in your packet will be the discharge report from the sewer plant. There were no bypasses. A bypass is when there, when we get up above about eleven million gallons, but you can see where we are each day of the month of January, and the bottom line is what the Water Plant puts out which is approximately a million gallons per day, and then the line above that is what the Wastewater Treatment Plant is designed to handle per day. So, that's that report. I am happy to announce too that we have hired a new operator down at the Water Treatment Plant that has a Class II license. He starts on Wednesday. So, that will take care of our reporting requirements, and I also want to announce,

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congratulate Cody Barker who took his Class II license for the Sewer Plant and passed that. Our sewer Plant is a, you have to have a Class III license. Our Water Treatment Plant you have to have a Class II license to be the operator or record. So, Cody just took one more step to better himself.

Althausen: That's a nice report, wonderful. Any questions for Cindy? Okay, Lynn Webb, our Mayor.

Webb: Yes, Joel Althausen, Council President, thank you for the recognition. So, this morning was a good news Monday. At the beginning of February, I think was when we presented, or in January. Anyway, so Cindy and I presented along with ODOT and Choice One for Small City mitigation concerning the truck route 68/31 exchange, and we asked for 2.5 million off the project. So, we were awarded that this morning. So, that was a nice Monday Morning praise for that. So, we're excited that they heard us, and we believe in the project. So, Choice One reached out to us this morning to share the good news.

Althausen: Questions for Lynn? Okay, thank you.

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

Althausen: Finance, anything to report this evening?

Beazley: Finance did meet this evening. We reviewed the end of year finances and went through a few other sticking items that are out there but nothing of consequence or great seriousness. There will be a minor piece of legislation, I would expect at our next session that would deal with the addition of a new position.

Althausen: Alright, MOP?

Wren: MOP has not met but we're meeting Wednesday at...

Murray: I'd like to cancel that meeting.

Wren: Okay, forget that.

Murray: We were going to meet this Wednesday to look at job descriptions that we've been trying to update but after talking with Pat Hire today, there are some required things that we need to have in our job descriptions, legally. So, we're going to hold off on that.

Wren: Okay, will be scheduled at a later date.

Althausen: Utilities?

Jones: I'm not on Utilities, but I went to the meeting but who is the Utilities person.

Buroker: I am, we had a pretty long discussion, went over a lot of things in town about adjustment requests for Rite Aid and for the project updates, Cindy, I defer to you if you...

Murray: Yeah, no just our next meeting is March 13<sup>th</sup> at 3:30.

Buroker: Okay, that's what I've got down here.

Althausen: Streets?

Tudor: We are meeting on Wednesday.

Murray: 3:30 for that one?

Tudor: Yeah it's at 3:30.

Althausen: And Legislation?

Jones: That is Wednesday also, following Streets at 4:30.

Althausen: Alright, David, anything with Regional Planning?

Beazley: No, sir.

Althausen: Parks & Rec, Robin, have they met?

Jones: No, we're trying to-we have a meeting in March but we're trying to come together for something at the pool. Maybe another, I don't know, something at the deep end, something that the kids, like will set us apart, you know, more.

Webb: A deep end apparatus.

Jones: A deep end apparatus. So, we've got a little bit of money that was fund raised, and we've got a private sector individual that would like to help fund that.

Althausen: Oh some kind of new equipment, or attraction, or whatever.

Jones: So, we're still working on that trying to get some legalities figured out with that. So, something to look forward to.

Althausen: Steve, Grove Cemetery?

Walter: Our next meeting is the first week of March.

Althausen: Right, and you reported about the mausoleum last, two weeks ago. So, that's really going to keep you all busy. Tree Commission, Sue, anything?

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Buroker: They had their regular meeting, we had it on the 15<sup>th</sup> ay 1. Next one will be the 1<sup>st</sup> Thursday after our first meeting in March, not a whole lot. They have some H & H is already working on the stump removal.

Althausser: And BKP Ambulance District, or course you've seen a few signs around, they have a levy on in the March Primary. Chief Chad had a letter that was in the newspaper, and they put it on Facebook, and social media regarding the need for that levy. I also failed to report last week when we reorganized in January, Allen Barrett remained chairman of that board, Bob White Jr is named as Vice President of that board. Primary Chief, Assistant Chief, Fiscal Officer did not change. Other than that, not a lot, nothing negative going on. Was a little bit of discussion last week regarding the need for BKP at the fair. I think Bruce you were in on that also, as far as Fire. Bottom line is the fair is kind of running up short on EMS crews. I think in the end what will happen is BKP will just fill in where they need to.

Murray: For the eclipse?

Althausser: No, fair.

**OLD BUSINESS:**

None.

**NEW BUSINESS:**

None.

**ORDINANCES /RESOLUTIONS:**

Althausser: Before we would get into the first reading I would remind everyone that the third item, you had received a replacement for that. It should've been handed out, and it should, the only one had language that said Detroit Street. It was just a mistake. This new one should basically have a resolution authority Kenton City Schools, yada yada, that should be the correct one and it had this map with it too.

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

- **ORDINANCE NO. 24-004, TITLE ONLY; AN ORDINANCE PROVIDING FOR ADDITIONAL APPROPRIATIONS AND FOR TRANSFERRING FUNDS FOR THE YEAR 2024, FOR THE CITY OF KENTON, OHIO, AND DECLARING AN EMERGENCY**

Althausser: And there was the explanation, and I think there was an email, I don't know David do you want to talk about this at all?

Murray: I can.

Beazley: All I did was inquire to Cindy, and Cindy gave us the answer.

Murray: So, the traffic light got hit again here down at the corner. John was down there directing traffic. Detroit and Franklin, the pole is still standing but about one more hit and it's going to come down, and so there were several options. We approached the County Commissioners about putting a pole in their yard, but they kind of nixed that one.

Webb: With guidewires.

Murray: So, this \$20,000.00 will allow us to sink a, relocate a pole, drill a new base for it, put an existing pole up. We didn't want to spend a lot of money because...

Beazley: Hopefully we'll have new signalization with the project.

Murray: Yes. So, this was the best alternative that we could have, and we did not have this amount of money in our line item for our street light maintenance.

Beazley: The other question that was asked in the email was about the reimbursement through insurance.

Murray: Yes.

Beazley: And our expenditure will show our proof of loss.

Murray: Yes.

Althausser: So, in insurance language that means we'll get paid back.

Beazley: Assuming the offending party had insurance...

Murray: He did, and it was with...she...it was with a prominent carrier so, it may have been Nationwide.

Beazley: Not on a trucking business I wouldn't think.

Murray: Well we've got it and I'll send it to you from Stolly Insurance.

Althausser: So, we kind of need to get the pole figured out, and the light. So, you see a little asterisk in front of that word ordinance. We'd like Council to consider this this evening.

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Beazley: So, we can keep the pol from falling on people?

**Motion by Mr. Beazley and second by Mr. Walters 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 Ms. Jones, and second by Mrs. Wren to adopt Ordinance No. 24-004.**

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

- **ORDINANCE NO. 24-005, TITLE ONLY; AN ORDINANCE AUTHORIZING THE CITY OF KENTON, OHIO TO ENTER INTO A HIGHWAY IMPROVEMENT PROJECT WITH THE OHIO DEPARTMENT OF TRANSPORTATION AND DECLARING AN EMERGENCY.**

Althausser: Cindy?

Murray: So, this is for the sidewalks that go from, out on East Columbus Street from Broadway to Walmart. We have a million dollars from ODOT and it's at a 90/10 split. The entire project, I think, it's not in there, well, it's in the letter, is actually the actual is estimated at 1.5 million. Our share of what's allowed is \$425,000.00, of that, this project is not until, begin construction is in September of '26, and end construction is September of '27.

Althausser: I take it there's a time issue here?

Murray: Yea, so we've started the, to start the design work we need to get this approved. I'm already behind on that.

**Motion by Mrs. Buroker 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 Ms. Jones and second by Mr. Walter to adopt Ordinance No. 24-005.**

Althausser: Any discussion?

Beazley: Mr. President, I would enquire if we are aware of any other funding sources we might be able to tap into for our share, or are there additional grant dollars that we know might be available, or low interest loans?

Murray: I can find out but I would also like to, we really need to figure out of we need to start assessing some of the property owners for their sidewalks that are running on their property.

Beazley: And I agree, we're going to have to find some ways to offset this total cost to us.

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

- **RESOLUTION NO. 003-24, TITLE ONLY; A RESOLUTION AUTHORIZING KENTON CITY SCHOOLS TO PREPARE AND EXECUTE ON BEHALF OF THE CITY OF KENTON, AN APPLICATION FOR SAFE ROUTES TO SCHOOL FUNDS THROUGH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION, AND DECLARING AN EMERGENCY.**

Althausser: Lynn can you explain this?

Webb: So, this was a while back, and the school s reached out to us to do Safe Routes to school, it's about a Safe Route to school project. So, you'll see the map in front of you. It's kind of hard to read. So, we were going back and forth because they need this Resolution passed, they even showed it's not the same now but it's the same one that we did I think in 14, 14 was the last 16, anyway, when we did a Safe Routes to school, but this is for the school. So, Kylie Schnipke from ODOT, in her response today, the city of Kenton will have to be, we have to be the Project Sponsor. Like the school can't be a project sponsor. This is how all Safe Routes to school applications work. Since the funding is 100%, you won't have to worry about a project match. So, ODOT pays 100% of this Safe Routes to school for the school, but Kenton will still have to be the LPA, meaning if it all fails, we're on the hook, but I don't foresee that.

Beazley: So, this is just to enter the agreement?

**Motion by Mr. Beasley and second by Mr. Miller 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. 0003-24.**

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

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

None.

**3<sup>rd</sup> READING**

None.

**OTHER MATTERS**

None.

**COMMENTS FROM THE PUBLIC:**

None.

**COMMENTS FROM THE NEWS MEDIA:**

None.

**COMMENTS FROM COUNCIL MEMBERS AND ADMINISTRATION:**

Althaus: Chief Donnelly, anything to add? Chief Musser? Anybody else? Darrell? Sue?

Buroker: Nothing.

Jones: I got invited Saturday to go to an Upwards basketball game at the Y. I was so excited for all those kids and those basketball players, and the coaches, and the mentors. It was so uplifting and so inspiring to watch those kids and those coached play at that level. If anybody has a chance to go get them I think this is their last Saturday, but I just left there thinking okay, this is good for all of our youth in this town, and all over the county I think they come from Ada and other places because it was just heartwarming to see all the like the good sportsmanship, their attitudes and it was just a lot of, it was just uplifting to watch those little kids play. So, if you get a chance on a Saturday, Tim was there, you'll know somebody. You'll know somebody's grandkids or kids that are playing. It was a lot of fun.

Althaus: John anything? What's new in the legal world for the City?

Schwemer: Nothing. The only thing I'll mention is kind of to Dave's comment, if we think on like a sidewalk or any one of these projects moving forward that we do want to do assessments, and to kind of pass some of that cost onto the benefitting property owners, I can put a road map out but they take a while, and in the past we have been asked, can we do this but it's almost been too late because we have to give, there's time period that people have the ability, we basically have to pass two resolutions, an ordinance, and a resolution, and it takes time. So, I just want to tell people, we don't want to be ready to start the project and say John, let's do an assessment because it will take me a while to get that done. We have a lot of projects coming up and we don't know even where we're going after that. So, we've only done one since I've been in office and that was the Letson. So, you know we have some experience with that but it took probably five months to get that all done, and there's no shortcutting the statute. So, I will work with people but it's just, don't come to me and ask before the following council meeting. Okay, because we've got to figure that in and then the biggest issue is how to be equitable, you know, are all the sidewalks going in? What are we doing with people who have recently installed sidewalks? Do they need tore up? So, you have to look at that. You have to look at trees, all of that. It becomes, sidewalks are never as easy as they sound because you want to be fair to everyone, but at the same time if you're getting an improvement there is a benefit to your home and the value. So, that's all I have Joel.

Althaus: Okay, thanks John. Cindy? Lynn?

Webb: I think I can speak on behalf of the entire city, what a heartbreaking with Conkle Florist. A business that has been here since, I don't even know when.

Beazley: Over 100 years.

Webb: Really< and you know devastating, devastating. I don't even have words but you know, we're with the Conkle family. They're iconic in our community. So, I just wanted to say that's hard.

Althaus: Alright, thanks Lynn. I just follow up that sentiment. When I first came on to council I got to know Tim. Tim was a council member for three terms, I believe.

Beazley: At least.

Althaus: At least, Chairman of Finance Committee, an excellent Councilman, I just hope they can get things, I mean they just got everything fixed from the tornado. So, thoughts are with them.

Beazley: Entering their peak season.

Althaus: Yeah, so hopefully that can be fixed, and I would also highly encourage Streets, Sidewalks, and Alleys to talk with the Administration a little bit regarding what John brought up about sidewalks and what David brought up. We have a pretty good window of opportunity here to review

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that process and see if it is something that's appropriate. So, that's definitely appropriate committee work, at least have a conversation with the administration sooner, rather than later. Other than that, our next meeting is March 11<sup>th</sup>, here in Council Chambers, 7 o'clock. You saw we have the two committee meetings coming up this week, and Utilities on March 13<sup>th</sup>. So, with that, unless there are objections, we're adjourned.

Joel Althausser, President of Council

Emma Nelson, Clerk