

RECORD OF PROCEEDINGS

Minutes of

KENTON CITY COUNCIL

Meeting

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

Held

March 11, 2024

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5th REGULAR SESSION:

Kenton City Council met in their 5th Regular Session on March 11, 2024, at 7:00 PM, in Council Chambers. Present: President, Joel Althausser, Sue Fox Buroker, David Beazley, Steve Walter, Chad Miller, Pegg Wren, Anda Tudor, Robin Jones, Law Director John Schwemer, Mayor Lynn Webb, Safety Service Director Cindy Murray.

Prayer given by Mr. Althausser:

Dear Lord, we come to You tonight, asking for guidance, at times we feel lost and overwhelmed and need Your help in finding our way. Please open our eyes and hearts to the direction You want us to take. Help us make wise decisions that will lead to safety and prosperity for the City of Kenton. Give us the strength and courage to persevere when times are difficult. Lead us with Your truth and love. Thank you for Your guidance and protection. AMEN.

Pledge of Allegiance recited.

MINUTES:

Althausser: Again, welcome everyone. We've got a nice calming sound in the background for you all. Hope you're able to find your way here and found some place to park because we have closed off all of the side streets in Kenton, if you didn't know that. Anyway, enough of that. I won't do it anymore. Approval of the prior minutes, you had minutes in your packet for a meeting from two weeks ago. Are there any additions or corrections to those minutes as they were printed? Hearing none then, let's mark them approved as submitted.

CITIZENS REQUESTING TIME TO SPEAK:

None.

COMMUNICATIONS:

Althausser: The Hardin County Chamber and Business Alliance had their report for March in your packet. If you have any questions on that or want to share some comments about it with Holli down at the office, I'm sure that she would love to discuss anything you need to talk about with her. Appreciate her reports, and her cooperation and that office's cooperation.

PETITIONS:

None.

ADMINISTRATION REPORTS:

Althausser: I'm going to change the order here just a little bit and our Mayor has a special proclamation.

Webb: I'm just going to do it from here. This is the American Red Cross Month. So, we'd like to thank Daryl Flowers here as our representative to come here and I have the proclamation for the Red Cross. During American Red Cross Month in March, we recognize the compassion of people in Hardin County and reaffirm our commitment to care for one another in times of crisis. This generous spirit is woven into the fabric of our community and advances the humanitarian legacy of American Red Cross founder Clara Barton — one of the most honored women in our country's history — who nobly dedicated herself to alleviating suffering. Today, kindhearted individuals in our community exemplify Barton's commitment as they step up through the Miami Valley to provide a beacon of hope for our neighbors in need. Through their voluntary and selfless contributions, they make a lifesaving difference in people's darkest hours — whether it's delivering shelter, food and comfort during disasters; providing critical blood donations for hospital patients; supporting military families, veterans and caregivers through the unique challenges of service; saving lives with first aid, CPR and other skills; or delivering aid and reconnecting loved ones separated by global crises. We hereby recognize this month of March in honor of all those who lead with their hearts to serve people in need, and we ask everyone to join in this commitment to strengthen our community. NOW, THEREFORE, I, Lynn Webb, Mayor, by virtue of the authority vested in me by the laws of Kenton, Ohio and, do hereby proclaim March 2024 as Red Cross Month. I encourage all citizens of Hardin County to reach out and support its humanitarian mission, and I'd like to present this to Daryl.

Daryl Flowers: Well, most of our stuff that we do in Hardin County is for fire victims. Anyone that has a fire, the Fire Chief usually gives our national Red Cross a call and then they call out the volunteers. Most of the time that's what our duties are in Hardin County is to help those that have had

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fires. I think in my fifteen years we've just set up a shelter once and when people come in and see cots sitting around and think, no thanks, but that's our purpose is if there is a bad thing happens that we would be ready to do, set up a shelter for the bad times.

Althaus: Out of curiosity, was that the ice storm, when you did that?

Flowers: No, it wasn't the ice storm. It was something else, I think it was partial flooding that one year that we had so much water it was kind of a flooding going on, and there was a few people misplaced by the houses getting under water. I think that was the time that they set up a few cots and if people wanted to come in. They didn't really like the idea of sleeping on cots in a row but it's better than being out in the weather. We don't tend to be a five-star hotel. Thank you. Any other questions?

Althaus: Thank you Daryl. Appreciate everything you and the Red Cross do, and then one more quick, well not necessarily quick but I do want to have Cindy come up and, or she can do it right from there, has an announcement to make.

Murray: I just wanted to introduce Tim Castle. Today was Tim's first day as our new Public Works Superintendent. So, I think they're probably going to want you to step up and tell a little bit about yourself.

Tim Castle: I guess first of all just to say thank you for allowing me to take part in the works as a public worker for Kenton, and also now for the opportunity to step up and work with all of you on your team. I took the prayer very personal, as you said those who are lost and finding their way, that's the way I felt today when you step from the outside to that inner ring of fire that's happening all over. It's an eye opener. So, got a lot of groundwork to do but looking forward to working with all of you.

Althaus: We're excited to have Tim, and we're glad you're staying with us and glad you're moving up. Alright, now we'll get back, and I will come back to both of you at the end. So now, Chief Musser?

Musser: I apologize I didn't get this in your packets but it you had a moment to look it over, try to make it a point to recognize our officer, and I wanted to share this letter that Brad Bailey sent over to me. I don't know if you know Brad but he doesn't write a lot of letter, you know what I mean? So, this is nice. Officer Shemeth, he was involved in a situation with Anthony Brown, who we have a lot of attention on lately, and it turned into a fight and ultimately an assault on a police officer, and Shemeth handled himself incredibly well, no one was killed, or seriously hurt and they secured the conviction on Mr. Brown, who we have a lot of things pending for the moment. So, that was good and just to, he didn't do anything he's not expected to. You're expected to know your case, you're expected to testify well, however the suppression hearing and the subsequent jury trial was brutal. So, Shemeth is on 3rd shift. We had the entirety of, I'd say almost the entire 3rd shift in here minus one, and you know so they work. Shemeth went home at 5am, slept for two hours, came back, ten-hour jury trail, did really good on cross examination. Went home. Slept for a few hours. Came back. Worked 3rd shift. So, I just wanted to make it a point to point that out. We've spent a lot of time in trail in the last year. Especially officers that are very young and don't have a lot of trail experience, as well as Kemmere who has a ton. You know, day, weeks actually, four murder trails, and a number of other felony cases, sex cases, and they have all turned out in our favor. We haven't lost one. So, I just want to share that with everybody. Aside from that, you know we're working the traffic out here with construction, doing what we can. I think today was a little better, how we decided to tackle it, and we are preparing for this eclipse. We have had meeting number five this week, I think, will be coming up. So, don't anybody freak out about that. That's all I've got.

Beazley: Thanks Chief.

Althaus: Thanks Chief. Looks like maybe we don't anything for Fire tonight.

Murray: Yeah, he's not here.

Althaus: Okay, so we'll move on. Do you want to talk about Parks & Rec, either of you or Cindy or Lynn, or even Robin?

Jones: We have a meeting tomorrow at 6.

Webb: Wednesday.

Althaus: And then anything regarding Economic Development that you want to talk about now or you can talk about...

Webb: I'll just do it with mine.

Althaus: Okay. Income Tax, you do see a report in there for the first, actually no, that is, yeah...

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Murray: It's just the month of January.

Althaus: Just January. Any questions on that? Okay, Auditor, don't think we have a report, Treasurer. Treasurer, no report. Law Director, John, anything you want to talk about?

Schwemer: No.

Althaus: Okay, back to you Cindy.

Murray: Okay, tomorrow we have a visit from the EPA. They're coming just to look at all of the projects that we have going on and making sure that we are good stewards of their money. So, we're well prepared, and I think it should be a good meeting. So, and it's that time of year again, it's time to announce that we will have a rate increase on our water rate, our utility rates. The sewer portion does not go up. The water bill goes up, the minimum bill will go up \$5.98. This is the big jump year. This is per the rate study that was done by RCAP, and it's in conjunction with this downtown project. When we did the rate study the big project that we gave them. So, this will help pay for this downtown project. I don't know if you want to add anything on that, John?

Schwemer: This was when we did the rate study we passed the ordinance that went into effect that we have rate increases until what 2026 or 25?

Murray: 25

Schwemer: And then it goes 3% after that. So, this jump has been planned, since we did, if you look back, most of the people were not on the council when we passed this but it was through council. Now, we can always change this if we think this is getting out of line, but the thought was this project would be coming on. We need to be able to pay for that. That's why there is the jump. So, it shouldn't be a surprise to anybody, but you know it's been a couple years. So again, the committee looked at that and wanted to, they think it's appropriate, and again we can always revisit this if we think one account is getting out of line but we need to keep in mind we're going to have a lot of expense coming up that we need to keep ahead of, as well as other projects, some large projects that are down the road just with our water system in general. So, we have to be looking outside of just the downtown area. We have to look into the future or we won't have the money to continue the projects.

Althaus: I want to follow up with John, not only that, it's also when this was done we were not in the economic situation we are now, as a whole and it costs money to run a water department. It's not just, there's electricity, there's all types of overhead that all that is going up as well. So, when this was set we were in no where near the inflationary pressures that we are under now.

Murray: The other thing I wanted to announce was, and I don't know if I did this last meeting but starting April 1st the Utility Office hours and the Income Tax hours, we are going to reduce them down. They will be open from 9-1. That is to better utilize our people and utilize tax money, the water rates money, and things like that. So, I just wanted to remind everybody about that. That's all I have.

Althaus: Okay, Lynn.

Webb: I'm going to touch a little bit about Economic Development. Probably the past two weeks we've gone pretty hard with the Chamber, and Holli and her team. We've had, we are chasing a Vibrant Community Grant, which is a million dollars, which it goes towards the downtown. Ottawa, Ohio just has received it and has utilized it. So, that's kind of one of our communities we are trying to mirror from, and they re-did an old hotel, a lower end brewery, offices second floor, third floor is an architect engineer offices. So, it's one of those, so Holli is like spearheading that with several stakeholders in the downtown area. We had a big meeting with Jobs Ohio with that and what the best part was the twelve stakeholders that were invited, every one of them showed up. So, that's huge for us. So, we're on the very first part, leg of this planning and you know in talks with Job Ohio, there's not any promise but they are very, very watching us and encouraging us all along the way. So, we're excited about that. Also, this past week we had Heritage Ohio here and for a Main Street Program and those are programs Van Wert has went through, Main Street, it's a whole downtown re-development. Delaware, when they did their whole thing, that's Heritage Ohio Main Street. Frances Jo was here last week and her team was here for two days. They did a tour of our downtown, assessment. So, we spent two days with them and had a lot of good feedback, a lot of participation, which you know that goes a long way. So that's another one and I do believe the Chamber is footing that \$5,000.00 bill. Today we met with Toledo Port Authority and Jobs Ohio with their small Business Development Center and all their grants and how they can help each and every one of these area and businesses, HVAC, LED electricity, windows, all of that stuff. It's from PACE and they do a lot of tremendous funding. So, people are very much on board, wanting to help get

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this downtown and there's a lot of great enthusiasm. Also, Wednesday night we were at Jobs Ohio in Lima for their annual meeting, and I can assure you Hardin County and Kenton Ohio were one of the main focuses there. We were overjoyed and overwhelmed by what they had to say, and what they have heard. So, we've on the right track and I can only say thank you to all of you who's continued to believe in what's happening. It's your dream and we just want to be a part of the momentum. So, I thank you with that, I have, Mike Boyle stepped down from Tree Commission and the Zoning Board. So, then I appointed, or sent letter to two people if they would fill his spot. Sherri Benson, she lives up on Cherry Street, she will be on the zoning board, and then Michelle Laubis would like to do the Tree Commission with Sue and the rest of the guys. So, those are who I would like to have confirmed.

Motion by Mr. Beazley and second by Mrs. Buroker to approve the Mayor's appointments as stated.

Althaus: Any discussion? And just to clarify, there are, there's a handful, and I think on the sheet we handed out at the beginning of the year, at the bottom it tells per the codifieds who we approve, mayor appoints, we approve. These are two of those positions that we do. So, any discussion?

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

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

Althaus: Finance has a written report.

Beazley: Nothing to add other than the efficiency of our administration, filled the position that we funded already. He sits in our midst.

Althaus: Any questions to David or the Finance Committee? Okay, I'm going to just say MOP, Utilities, Streets, Legislation, is there a report or comment on and of it? Management, MOP, any kind of report?

Murray: I have utilities. So, Utilities meeting for this month and the following in April we will be doing an RCAP training course that is now a requirement from the EPA to take. So, we'll just use our meeting time to watch these videos for the month of March and the Month of April for the Utilities meeting. I'll bring popcorn.

Buroker: Same time?

Murray: Same time.

Beazley: Can anyone attend that training?

Murray: You sure can. I expect the press to be there.

(laughter)

Althaus: Anything Streets? I'm trying to remember. They met right?

Murray: We did meet.

Althaus: Anything to chat about, or not? And if not, that's fine. What about Legislation?

Murray: We're working on signage.

Althaus: We have plenty of things going on right now. Okay, I'm going to pause and go back to administrative reports and see if Fire has anything they want to report?

Captain Wilson: No, our new guy starts tomorrow. Our new firefighter starts tomorrow. He was just hired they filled the spot left by Tyler Pitts. Other than that, no.

Althaus: Okay, great. Council members, I think most of these have not met but Regional Planning?

Beazley: Region Planning did meet this past Thursday, just updates on new projects on the horizon.

Althaus: Parks & Rec meets Wednesday. Grove Cemetery Board?

Walter: We met March 5th. They're still going through the process of identifying all the remains in the mausoleum. They're expecting a new lawn mower this week or next week, and they're trading the old one in.

Db You're talking machinery, not personnel?

Walter: Yes, machinery.

Althaus: Tree Commission?

Buroker: We meet Thursday the 14th at one.

Althaus: BKP will mee next week, and again just to reiterate, they are on the ballot. So, if you have questions, I can answer them for you or find out.

OLD BUSINESS:

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Beazley: Mr. President, it has come to my attention that our next meeting occurs on the auspicious date of the darkening of Kenton, Ohio, April 8, 2024. Out of an abundance of caution, and because of the recommendations of safety to avoid traffic and moving about unnecessarily, I would recommend that we would consider moving our meeting to the following evening to avoid any of the congestion and problems that might occur with April 8th to not add to the problem.

Althausser: How would that work for everyone else? It'd be a Tuesday, 7 o'clock.

Beazley: April 9th.

Althausser: April 9th.

Althausser: Would anyone be opposite to 6?

Motion by Mr. Beazley and second by Mrs. Wren that the next council meeting shall be held Tuesday, April 9, at 6pm.

Althausser: Any discussion?

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

NEW BUSINESS:

None.

ORDINANCES /RESOLUTIONS:**1ST READING**

- **RESOLUTION NO. 004-24, 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: And Cindy are you going to explain the differences?

Murray: Yes I will. So..

Beazley: This replaces a faulty resolution?

Murray: Yes it does. So, it is not unlimited funding. So, it is capped I think at \$500,000.00. So, we actually got the correct price that the school is going after. We actually changed it to where it's stating that the school will be responsible for the additional amount, and there was one more thing that we changed...and the school is responsible for the maintenance.

Beazley: Perfect.

Althausser: So, just a quick clarification, John, by passing this does that effectively...

Beazley: Supersede?

Althausser: Supersede the other one?

Schwemer: It does, yes.

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.

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

Motion by Mr. Beazley and second by Ms. Jones to adopt Resolution No. 004-24.

Althausser: Any discussion?

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

- **RESOLUTION NO. 005-24, 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 N. DETROIT STREET WATERLINE; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND DECLARING AN EMERGENCY.**

Althausser: We have some time here. So, that's not an issue. I don't know, Cindy if you want to explain it a little bit?

Murray: Yeah, so we are trying to be ahead of the game versus behind the game like we usually are. So, this is for the North Detroit Street waterline. We just submitted the paperwork. So, you have time.

Beazley: This is the, from North Carroll to Eliza?

Murray: Yes, this would be the water line up that street. It is estimated to be \$758,000.00 and we're hoping we get some, maybe principal forgiveness out of it, that's what we're applying for. We'll see what we get.

Beazley: And this is not time sensitive?

Althausser: If there are no objections, we'll read that again in two weeks.

Beazley: And one day.

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- **RESOLUTION NO. 006-24, 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 DOWNTOWN WATERLINE REPLACEMENT PHASE 2B; AND DESIGNATING A DEDICATED REPAYMENT SOURCE FOR THE LOAN, AND DECLARING AN EMERGENCY.**

Murray: Same thing. So, this is 2B which is Franklin and Columbus and they went ahead and they the outside ring in. The outside perimeter. So, same thing we just submitted it and I just wanted to make you aware of than. The estimated construction cost for that is \$5,839,599.00 of which we do have a million dollars from the Army Corp for water and a million dollars from the Army Corp for the sewer portion of that project.

Beazley: Wonderful

Althaus: So, again we have some time, and if there are no objections we'll read that again for a second read in two weeks.

Murray: And we will be discussing both those projects with the EPA tomorrow.

2nd READING

None.

3rd READING

None.

OTHER MATTERS

None.

COMMENTS FROM THE PUBLIC:

None.

COMMENTS FROM THE NEWS MEDIA:

None.

COMMENTS FROM COUNCIL MEMBERS AND ADMINISTRATION:

Althaus: Chief Musser, any follow up?

Musser: Nothing else, thank you.

Althaus: Tim? Mr. Wilson? Sue?

Beazley: Mr. President, we take a moment every now and again to recognize the good work of our employees but sometimes we fail to recognize their supervisor. So Chief, job well done in training your officers and having them prepared to do the things that we have asked them to do in all these circumstances. Your leadership shows in their performance. Thank you.

Althaus: Steve?

Wren: I echo what Dave said, and I'm glad to see that programs are coming back around, the main street program, we looked at that a long time ago when I was at the Chamber. We couldn't afford it then or there was a lot of benefits to the downtown, business owners, and stuff with that program. So, kudos and good job.

Althaus: Anda?

Tudor: Nothing other than what she said. I agree with her.

Althaus: Robin?

Jones: Thanks, Tim, for stepping up and investing in our city and congratulations and tell Officer Shemeth great job, Chief Musser, thank you. We have a great police force here. Chief Musser does a great job. Same with Fire, thank you. Is our new fire personnel, is he from local or out of...

Wilson: Just inside Union County.

Althaus: Cindy?

Murray: Nothing.

Althaus: Lynn?

Webb: Once again, just like Dave says, our employees here are phenomenal, and I can never say enough about Cindy Murray because the woman works 24/7 eight days a week because you know, God made another day for her. But, on the other one is Emma is doing a phenomenal job on communication on our project. That goes a long way. So, with that being said on information, please Council member, public, we have the picture up in the hallway. I'll try to get a roundabout picture up, but anybody who wants any kind of information or question or want to share their ideas again or want to know the why's.

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If I'm not here, make a time and we'll try to get together to share the information that we have and the timeframe that we've been looking into this. I'm not shy. If you can't be here til two o'clock in the morning, I certainly can come in. So, that's to the public. That's to everyone. So, that's the best form of knowledge is to communicate it and you know we don't always agree but sometimes we don't know what we don't know. That's all I have Joel, Mr. President.

Althaus: Thank you. I also would echo those comments to Chief. Your department is a totally different, more dynamic, more outgoing, just since you have taken over. It's a completely different, not that I dealt with them every day, I did not, but the difference is night and day and we're blessed and I wished the folks, a lot of our folks do know it, but if you do not, and you live in Kenton, we have an outstanding Police Force. We have an outstanding Fire Department. Our Public Works folks try to with little, both people and time and equipment and they get it done. So, and then I don't know if you've ever come up here lately? There's some really good synergy going on up here and a lot of it is spearheaded by this girl right here beside me. So, we have good things going on but we need it because we have an awful lot of projects. I did think, forget to mention, because I don't think that this went to everyone but I believe I received a letter here, communication, it was actually addressed like I was a local resident but it was to me at this address, and it's a copy of the letter that Kylie Schnipke, the project manager for the 31/68 project. I think this is the same letter that was posted. If anyone wants to see it, in fact I may scan it and send it all to you.

Clerk: It's on the website.

Althaus: It's the one on the website. It is the same one? Read through it, and I would highlight just one item. We can't answer everything out there. I've made some attempts at trying to answer people on social media, and finally stopped because I was frustrated, but I think council needs to be very aware and very open to the fact that all this did was announce that they had pegged, targeted a 2.5-million-dollar amount of money, right. Isn't that the...no, it hasn't even been in front of Council yet. There is no budget approved. There's no appropriation been completed, and that isn't to hint that you wouldn't but it's still...yes, ODOT is moving for, at for them, a extremely fast pace but we're a long way away from breaking ground anywhere. So, there's a lot of room for you to answer questions, and for folk to ask you questions. That's all I would say, but yeah read the letter and there are, I think Kylie was very specific in some of the things she wrote.

Murray: Joel, can I expand on that particular project? So, we did post on, you have to do things ODOT's way since it's their money. So, you had to, we had to post on their website for people to apply to be the engineering contractor. We received two and we have selected one. They are working up their bid on how much it would cost us to do the engineering, and then that goes through ODOT and they will give us the legislation which will most likely be at the next meeting, to go ahead and select that contractor.

Althaus: And final thing is this is much bigger than Kenton, and unfortunately, we became a bit of a focus. This is this whole 68/31, moving traffic from Northern Ohio to Central Ohio, moving traffic from Central Ohio to Northern Ohio. It isn't just a truck problem in Kenton. In fact, that is probably a minor part of it. I hate to say it, a minor part of the whole picture. The whole picture is Route 23 is not a viable option for them to turn into a solid four lane or six lane. So, now they're focused on 31/68 and it's reality. It's not going to solve everything, but doing nothing isn't going to solve a darn thing. So, enough of that. Anymore for the good of the order? Alright then, we're adjourned for two weeks.

Beazley: And a day.

Althaus: And a day. Well, no that's another two weeks.

Joel Althaus, President of Council

Emma Nelson, Clerk