

10TH REGULAR SESSION:

Kenton City Council met in their 10th Regular Session on May 23, 2022, at 7:00 PM, in Council Chambers. Present: President Joel Althausser, Sue Fox Buroker, David Beazley, Antwillia Davis, Ray Lawrence, Anda Tudor, Robin Jones, Law Director John Schwemer, Mayor Lynn Webb & Safety Service Director Cindy Murray. Absent: Pegg Wren.

Prayer given by President Althausser and the Pledge of Allegiance recited.

MINUTES:

Althausser: Are there any additions or corrections to the minutes of the previous meeting? Hearing none, the minutes from May 9th will stand approved as submitted.

CITIZENS REQUESTING TIME TO SPEAK:

Althausser: We have nobody on the agenda, however, there will be time for anyone wanting to address Council later in the meeting under public comments.

COMMUNICATIONS:

Althausser: Does any Councilmember have any communications? Administration?

PETITIONS:

Althausser: I'm unaware of any at this time.

ADMINISTRATION REPORTS:

Althausser: We'll begin with Police...Chief Musser, do you have anything to chat with us about?

Chief Dennis Musser: No, I have nothing tonight.

Althausser: Fire...Chief Donnelly? Chief does have a report for April 2022.

Chief Bruce Donnelly: We had applied for a grant to the OEMA Hazard Mitigation Program Grant for additional tornado sirens and we got word that we didn't make the cut...they had a lot of applications for that. So, unfortunately, we won't be able to do that this year. The roof replacement project is tentatively looking to be complete this week, hopefully in the next day or two. They've made quick work of that and all of the repairs on the truck bay roof and hose tower roof. Those have been the 2 biggest things we've got going on. The hydrants in the SW Section (4th ward) for the most part we're done with that except for Espy Street. We didn't want to do that while the contractors are working on that new line, so there are about ½ dozen hydrants that we'll flow later after the project is complete. Other than that, that's all I've got.

Althausser: Thank you, Bruce. Parks doesn't have anything...Emma, anything with Income Tax you want to talk about? Auditor...Brian or Pam? Okay, the Treasurer is not here. Law Director...John, do you want to bring that up now?

John Schwemer: Yes. So it's really time where the City needs to really look to see how we regulate the future of potential solar within the City. I've had a number of inquiries here over the past several weeks and I guess my initial position was we're not going to regulate necessarily people that put it up on their house for individual household purposes or where people are using it solely for their business. I think really my concern is commercial resale or leasing, you know where people are putting up solar and then it's getting leased. Keep in mind, more than likely any project in the City of Kenton is going to be considered a smaller project not subject to regulation by the Ohio Power Siting Board, which means who knows if it would be negotiated in the lease regarding removal or is it just going to be left there in 20 years and we're going to have to take care of it ourselves...that's kind of my concern and what zoning districts we'd allow a commercial solar to take place. So I think if we don't act now we're going to be asked by these companies because I don't feel our codifieds allow it right now for commercial. If it's for their own personal use or for the school or something like that where they're using it for their own, that's not something I'd view we'd prohibit right now. But commercial sales, if you look anywhere in our zoning code we have nothing comparable. So I think we need to get that to a committee.

Davis: Would that go into Legislation?

Schwemer: I think more than likely when I spoke with Joel that's probably where it would go. But this is very important so anyone else from Council, or the Administration, or City, that wants to sit in on these meetings it's going to be important because the solar will impact future developments and everything. So it's not just a simple process that we're going to have to work through. I'll try to research how other cities have regulated this, to the extent that I can find some. But I know it's coming in some form or another. I don't know where, but it will be happening.

Althaus: Would your preference be for you to do a little research on existing legislation instead of us also doing that? In other words, let you find what's out there that you think...

Schwemer: When is our next meeting for Legislation?

Althaus: On the 9th.

Schwemer: I would say lets just see what I can get for that meeting, but I just don't think there is going to be...I think we're going to be rushed to get through this and I think we want to at least start getting our hands around it. If we can't fully dive into it that meeting that's fine, but at least we'll start the discussion. Okay?

Althaus: Anyone legislative or on Council, you have other cities where you look at their codifieds I'm certain. I know I do. Don't be afraid to take a look at those. There is no sense reinventing the wheel if we can find a good example.

Auditor Brian Hattery: John, are you seeing windmills or is it primarily solar?

Schwemer: Well, the problem with wind is the setbacks required we have very few areas that is going to be far enough from residences & businesses in what you consider the drop zone. So to my knowledge we've never had an inquiry for wind. The way the energy industry seems to be moving it really seems to be moving...of course we have the wind farms here around the county, but I see a lot more emphasis on the solar. Like I said, we've received a few inquiries and in fact I received a call from a company asking about it. So who knows, it may not happen but...

Davis: Can you share those inquiries just so we can get a size of what they're wanting to do?

Schwemer: I don't know that or the location...I just know that the size of the properties that we have available in town are not going to be large enough & generate enough capacity to mandate going to the Power Siting Board. So there is no state oversight more than likely on any project unless it is one that is the City of Kenton as well as going into one of the townships. Then you could get one that's large enough. But if you're talking just a stand-alone project, we probably don't have enough land to get one to that size.

Althaus: Okay, thank you, John. Cindy Murray has a couple of reports that I'm certain she might highlight...

SSD Cindy Murray: Do you have any questions on the reports that are in the packet from the Public Works or the WWTP?

Althaus: I'm guessing we had a bypass too the other day?

Murray: This was not a bypass. It takes about 12 million gallons in order for it to bypass. I don't know what he had the other day. Are you talking Saturday night?

Althaus: Yeah, I wondered if we had one Saturday.

Murray: What I did want to talk about was for those citizens that are on the electrical aggregate, starting with their June bill they'll see it goes to Energy Harbor and it should be at .0565 per kilowatt hour. We do not currently have a gas aggregate for the City for the citizens. I'll probably reach back out...the pricing just wasn't good to get into, so I'll reach out and ask if the summer months would be a better time to enter into a gas aggregate or not. There will also be a water rate increase with this bill that's coming out this month that was part of the rate study and part of the legislation, it's a water & sewer rate increase. The Espy Street work has started, and I apologize I don't have a good update on that, but they seem to be moving at a pretty good clip so hopefully they're done here maybe by the end of June or mid-July. I'll have a better update next meeting or if I have one sooner than that I'll call the news media and let them know. We did have our Issue II bid opening for the paving of city streets this summer. It was issued to Helms & Sons out of Findlay, and they also got the ODOT contract so they'll already be in the city so that helps them with their bidding. We'll be doing Jennings, Hideaway, Meadow Lane, N. Glendale, Forest Ave., and Maydoll Drive. I urge you to read the Tree Commission minutes real good...we had a very interesting meeting with Stephanie Miller of ODNR. We have a lot of trees that are in need of some serious help and we really need to address those in the next year or so. So take a good look at that and maybe we'll have Stephanie in here to talk to us all. The last thing I have is a reminder that Detroit St., Wayne St., & Bales Rd. will be shut down at the RR crossing starting Friday until next Friday. They're going to try to expedite Detroit St. as much as possible and I just wanted to remind everybody of that. And the last thing I want to talk about is the WENS System that we have, which is the alert system. We apologize that nothing went out with the water break. That is a manually activated system and we had people out and we will try to do better with that or come up with a different system that we'll use. Any questions for me?

Althaus: Thank you, Cindy. Mayor Webb?

Mayor Lynn Webb: I'm going to take like a couple of hours, so Brenda has a lot of minutes to type so she doesn't ever leave us. Ha. Let me first, let's just talk about upcoming events. This Thursday is Senior Cruise Night for the grads, so they'll be lining up at Kmart at 6PM I do believe. (can't hear) Brenda at the

Elks from 5-7PM. Come hungry & thirsty & bring your Kleenex. Ha. Also, we're pretty excited...Saturday is our Farmer's Market (The Market on Main) which will be over here at Liberty Bank. We have several committed people, and our big produce is Yoder's Farm who does the Scioto Valley Auction, and they have all the produce, flowers, vegetables, and they're kind of our anchor. So they'll be coming in with a big trailer of stuff so we're real grateful for those guys. Memorial Day Parade...first thing in the morning the lineup is at 9AM and the parade steps off at 10AM. You can register through the Chamber, and I think we put up a signup sheet too. We just ask this year to make it a teachable moment for our kids, you know red, white & blue even though your team might be orange & black. Throw in some red, white & blue and kind of teach them about what Memorial Day is. Throwing candy is going to be underhand this year, so we're not pelting the police & little kids. We need to keep a good eye on that because that's something you don't want to take away, but we had more than several complaints last year. Also, the pool is opening that day. The pool is ready, the staff is hired. We are fortunate to have the staff...there are a lot like Columbus, Wapak...everybody is struggling for guards, but we're in a good spot and we're pretty excited about that. So that's ready to go. The Splash Pad is open, I think the water turns on at 11AM every morning and I think it shuts off at 7PM. Let me touch base on the free fishing day last Sunday with Louie Lures. It was a phenomenal thing and Coach Moore with the conservation...it was just a constant flow of people, and they were taking people out on kayaks and it was a great event. I think we sold almost 30 more fishing licenses that day. We just got a lot of good feedback and Louie Lures just loved the area, loved our community. They're pretty neat guys. So that was very, very successful. If you haven't been out to the quarry drive out there because it is a beautiful peaceful place. So now we're moving into the real stuff...we did make an Income Tax Administrator hire to take Emma's spot, who is moving because no one can take Brenda's spot, ha, but she's moving into Council Clerk. We hired Lynn Chute and she's worked for McCullough Industries and just how you work in small towns she's Doug Carmean's Aunt. So she'll be starting on the 31st of May. Thanks for everybody who was in on the interviews. Trash will be delayed Memorial Day by 1 day, so everybody is off a day and we'll put something out on that. Then to wrap it up, we'll touch with what Cindy talked about the water leak. So it was probably the biggest one, and I've only been here for 3 years, but it was by far the biggest one I've put my eyes on. So it was probably 24" long and the problem was with our Sani Vac you know how we said you could spray it with the wand, and I should've printed out pictures, but where that break was, probably about 1' to the north, was an old clamp and Burl said that clamp has been there before he has worked here so that's almost 30 years. They think what happened was, when they fixed that clamp and backfilled, they just put the old pavement back in first instead of stone. Well, when our guys got down there all they were hitting were huge rocks and huge pavement so you can't cut through that with the wand, so they were using a sledgehammer to break up the asphalt. So that's kind of what took it longer. Then once they got down there, the water was coming out to a point to where that's where the decision was made to try to slow it down, but it was so fast it was very unsafe. If we'd put guys down in there it would've been so unsafe because the water was coming up so fast and the force of it was extreme. So we thought we could just dial it back a little bit at the tower but once we looked at it we had to dig out and unfortunately we had to shut it down. I think we made the call at 7PM to give us 2 hours to notify...first we always notify the hospital and GP, probably our main people, but first and foremost is the hospital so they can get things moving. Everybody was making calls and because of the hour I said I need to do better trying to have my plan of action. I missed the WENS so that's how that happened. It is what it is, and they got it fixed and they only had probably an inch clearance on each side, so it was tricky. Noah Leffler, Bobby Halsey, John Aisel, & Justin Wyomic were the 4 guys on crew, and they just did a phenomenal job, and Dale Albert. But I think we started at 4PM and the guys got home at 1-1:30AM, so they did a heck of a job with what they had. Apologies, no one likes to shut the water down, but it was all hands-on deck and, as always, they did a great job. Then my final thing is for the Chief...come get your plaque. This is from Walmart, and they brought a wonderful sandwich platter tonight & cookies for the guys for Police Recognition Week. They were so thankful because the Police go out there quite a bit, and they had nothing but good words to say about our Police Force. We're real grateful and it's neat to see that (round of applause at this time). It's nice to see people recognize how awesome they are. So with that, I'm just going to stop.

REPORTS OF STANDING COMMITTEES AND/OR SPECIAL COMMITTEES:

Althausen: Any report from Finance?

Finance, Beazley: There will be legislation at our next meeting. We're discussing it at this point because we have a few more questions to dial in. But, there will be some legislation from Finance at our next meeting pertaining to some things from our Fire Chief and other departments.

Althaus: Pegg is not here, but there is a written report from MOP. Does anyone from MOP want to address that, or maybe a simpler way of saying it is does anyone have any questions? Public Utilities...any comments about their last meeting?

Public Utilities, Jones: We talked about so much stuff...what did we talk about Cindy? There is a lot to learn and I'm grateful for Cindy because I don't know how she remembers everything she remembers. But at the next meeting we'll talk about storm sewer...the time has changed to 3:30PM also, assessments on the y-t-d of the trash, and the y-t-d income expenses for utilities and how to proceed to help the county getting delinquent utilities taken care of through them with maybe a little of that back to the city, storm rates on the ERU, which Cindy talked about getting RCAP in here to try to help us with some studies about how we can get more storm water from people that don't have green space like a business versus a residence would be paying a different amount of money. Our next meeting is June 9th at 3:30PM I believe...right? A time change so Antwillia can come earlier.

Althaus: Any report or comment from Streets?

Streets, Lawrence: Streets is still doing research with sidewalks right now.

Althaus: Legislation?

Legislation, Davis: Ray is going to do Legislation because I was at the Middle School Band Concert.

Lawrence: We're still doing a lot of research on vacancies and that's our main focus and now it looks like moving into solar.

Davis: Yeah, we're going to take it all Ray by the end of this. Ha.

REPORTS FROM COUNCIL MEMBERS:

Althaus: Regional Planning?

Beazley: Has not met.

Althaus: Parks & Rec Board...Robin, anything?

Jones: Just kind of what Lynn touched on. The pool opens this Monday. Cindy how many people have signed up for the tennis camp, do you know?

Murray: As of the 13th, it was 11 signed up so there could be more now...I'm not sure.

Jones: So we talked about the tennis signup and I think that ended May 20th, right Cindy? So Michalea Schriber is going to have a tennis camp at the High School. Like Lynn touched on, we had a good turnout for Louies Lures and the free fishing. I think that's about it.

Althaus: Thanks, Robin. Anything from Grove Cemetery Board, especially with what's coming up on Monday?

Davis: Just have a little bit of grace with our employees. Of course the rain has been heavy, and lots of mowing going on, lots of people have been out there, and we do not have the staff to do everything immediately. It takes a little extra bit of time this time of year.

Beazley: The guys are working 12-hour days.

Davis: Yes, they're way over worked right now. Give them some love.

Althaus: The Tree Commission report from May 12th is in your packet. They had changed their meeting so it was one Sue could not attend, but if you have any questions you can ask Sue and I'm sure she'll get the answer or ask Cindy. BKP, I have a set of minutes from last month coming to you. I received them late last week, so I'll get those to you.

OLD BUSINESS:

Althaus: None that I'm aware of.

NEW BUSINESS:

Althaus: I had marked down John's comments for new business, but we already took care of that so we'll move onto Ordinance/Resolutions and we have one item up for 3rd reading.

ORDINANCES/RESOLUTIONS:

3RD READING:

- **ORDINANCE NO. 22-009, TITLE ONLY; AN ORDINANCE AMENDING AND RESTATING KENTON CODIFIED ORDINANCE SECTION 660.08 RELATING TO GRASS AND WEEDS IN THE CITY OF KENTON.**

Althaus: Remember this came out of Legislation regarding a fee change...

Davis: This is the fee change for commercial for lack of mowing. So, it just changes the administration fee from \$150 to \$300 on commercial properties.

Motion by Mr. Lawrence and second by Mrs. Davis to approve Ordinance No. 22-009.

Althaus: Is there any discussion? **(Roll call vote, 6 ayes; motion carried)**

2ND READING:

- **ORDINANCE NO. 22-012, TITLE ONLY; AN ORDINANCE PROVIDING FOR ADDITIONAL APPROPRIATIONS FOR THE YEAR 2022 FOR THE CITY OF KENTON, OHIO AND DECLARING AN EMERGENCY.**

Althausen: I do not recall which is which, but I know we do have time if you want to read them a 3rd time. I didn't bring my packet from 2 weeks ago, so I apologize. This one would be the waterworks, street...

Beazley: Labor Relations.

Althausen: Labor Relations, yep. So, if there are no objections, we'll read that again next meeting.

- **ORDINANCE NO. 22-013, TITLE ONLY; AN ORDINANCE PROVIDING FOR ADDITIONAL APPROPRIATIONS FOR THE YEAR 2022 FOR THE CITY OF KENTON, OHIO AND DECLARING AN EMERGENCY.**

Althausen: That's the same here, you do have time if you'd like to read it a 3rd time. That's the Phase II downtown, several transfers...so we'll read that again in 2 weeks.

Beazley: That did come with the legislative explanation as well in your packets last meeting if you have any questions. Remember Finance can help you as well.

1ST READING:

- **ORDINANCE NO. 22-014, TITLE ONLY; AN ORDINANCE AUTHORIZING THE SAFETY SERVICE DIRECTOR TO ADVERTISE FOR BIDS FOR ROCK SALT FOR THE PUBLIC WORKS DEPARTMENT AND TO CONTRACT WITH THE LOWEST AND/OR BEST BIDDER.**

Althausen: To our knowledge there is no reason that it is imperative to do this right now, is that correct? You'd probably get a good price if you do it now...we'll read that again in 2 weeks.

Beazley: We finally get warm enough and you want to read rock salt legislation. Ha.

Althausen: Every year it finally warms up and we look at buying salt again. Ha.

SCHEDULING OF COMMITTEE MEETINGS:

Althausen: You see the following list of scheduled meetings in the foreseeable future. Are there any additions or corrections to those?

Beazley: Yes, Mr. President. Finance will meet again prior to the 2nd meeting in June, which will be June 27th at 6PM.

- Utilities on June 8th at 3:30P PM
- Parks and Recreation on June 8th at 6:00 PM
- Legislation on June 9th at 4:30 PM
- Streets & Sidewalks on June 9th at 5:30 PM
- MOP on June 22nd at 3:00 PM
- Finance on June 27th at 6:00 PM

OTHER MATTERS:

Althausen: Does anyone have anything else to discuss?

COMMENTS FROM THE PUBLIC:

None.

COMMENTS FROM THE NEWS MEDIA:

None.

COMMENTS FROM COUNCIL MEMBERS AND ADMINISTRATION:

Buroker: I would just like to thank Lynn for giving us a heads up on the water going to be shut down. That was quite the help to get our stuff ready at the Elks to put in the refrigerator for the next day because I had 2 big events the next day. So I appreciate that and I had a little extra time to get that ready. Thanks, Lynn.

Davis: Just the annual...remember the last day of school is Wednesday, so watch for kids out on the street because they're going to be everywhere come Thursday.

Lawrence: I just want to say thanks to Lynn for directing traffic at the water leak...you were wearing your vest and hard hat...

Mayor Webb: I was living my best life.

Jones: The planters around the square got all planted over the weekend. Jacqueline, Lynn, & I think Judy Cross worked, along with the 2 summer mowers, and my friend Diana Beach helped me

Saturday. It takes a village to get all those in. People don't realize how much work that is, so next year if anyone wants to volunteer, I'm sure we'll be glad if you raise your hands. But they look nice and I appreciate everyone who helped with that.

Schwemer: So, this is it. We'll be missing Brenda here and I hope everyone can come out Thursday. But I'll tell you there has been no anchor here for the City that we've had since I've been around that's really kept everything together through changes of administration. Over the years you've been such a great help Brenda, so we're really going to miss you. If we could draw up legislation mandating you not retire until 2030 I'd like to do that, but I don't think we would have legal enforcement. Ha. Unfortunately, we can't keep you here, but you will be missed so much. You've been so helpful to everyone within this program and the employees...(round of applause).

Clerk: Thank you, John.

Mayor Webb: I just don't want to slight the Fire Dept. by giving the Police Dept. something. I always try to keep that in balance. Kenton Elementary School was down there for a tour, and I stopped down to watch one of the classes...again, our Firefighters do a phenomenal job with little kids. They were knocking a big pylon over with a fire hose, they were so engaging, and the kids had a ball. So again, a shoutout to our safety guys and fire. I can't say anything to what John said...I've been here starting my 3rd year, but at least living in this town we know it's a great word John used, anchor. I call her the Asst. Attorney General because she can recall...the history that she has that knows how this piece worked and how this piece worked...it's an art, something that I think is a gift. I don't think she had one customer at her window ever that didn't feel valued, respected, she always was helpful regardless of what it was. A true gem and a true...well, if you could put a face on a brand of our city it would be Brenda and her heart. I appreciate you, sister.

Clerk: Thank you, Lynn.

Althausen: I don't know that people fully appreciate Brenda's role. We think of this as just small-town government and things are pretty simple, but sometimes it's not. She essentially is the Mayor and Safety Service Director's right hand person, she's Council's right-hand person, and that includes me. That puts her in a unique situation to where she has the Mayor sometimes wanting to vent and ask questions about Council and I know many times I've had concerns & vented and asked questions about the administration many times, and Brenda...the word that comes to mind to me is just character and integrity. This woman never ever lost sight of why she was here. It didn't matter how much she liked the person or disliked the person her answers were always in the best interests of the City and the position she served the City. Always. I never ever saw her take a side or speak out of school, ever and that's in my 10 (+) years. There are many times that I should have done this, and a few times I remembered to do it, but I'd think to myself be like Brenda. In a tense situation, respond & think how Brenda would handle it. I'm going to miss you greatly. So with that I'm going to quit. Ha. I know that over time Brenda did show Emma an awful lot. That's one good thing, she has a lot of knowledge and will jump right in and she has your phone number, Brenda. Ha.

Clerk: Thank you, Joel.

Althausen: So with that, is there anything we missed tonight? Okay, you've got all the committee meetings and our next meeting is June 13th, so that's actually in 3 weeks. Have a safe Memorial Day and remember why we celebrate it. With that, if there are no objections, we're adjourned.

Joel Althausen, President of Council

Brenda Hanna, Clerk

(Clerk's Note: Thank you from the bottom of my heart for your thoughts and kind words. It truly has been an honor and privilege serving Council, the Administration, and the Public for the past 30 years. Keep up the great work in moving this community forward...it truly is a great place to call home.)