

**11<sup>TH</sup> REGULAR SESSION:**

Kenton City Council met in their 11<sup>th</sup> regular session on June 14, 2021, at 7PM in Council Chambers. Present: President Joel Althaus, John McEntee, David Beazley, Antwillia Davis, Ray Lawrence, Pegg Wren, Robin Jones, Law Director John Schwemer, Mayor Lynn Webb, & SSD Cindy Murray. Absent: Patti Risner.

Prayer given by Mr. Beazley and the Pledge of Allegiance recited.

Althaus: I'd note I did speak with Patti late this afternoon. She's hanging in there but the outlook as to when she might be able to rejoin us...she is still in Ada at this time so any thoughts on her behalf that you can provide or call her, she would appreciate that.

**MINUTES:**

Althaus: The minutes of the last meeting were in your packet. Does anyone have any additions or corrections? Hearing none, they'll stand approved as submitted.

**CITIZENS REQUESTING TIME TO SPEAK:**

Althaus: We have no citizens requesting time to speak, but there will be time during comments at the end of the meeting for anyone present who did not make it on the agenda.

Beazley: Mr. President, Commissioner Rush & I spoke earlier before you arrived and he indicated he would have to leave for another meeting. If you would be gracious enough to entertain his remarks now instead of at the end.

Althaus: Sure, we can do that. Fred, if you want to come forward to the podium so we can get you recorded for posterity.

Commissioner Fred Rush: Thank you. I wanted to stop by real quick & like I said I'm off to another meeting at 7:30PM at the Fairgrounds. I did want to update everybody on the fact that on May 27<sup>th</sup>, the Thursday before Memorial Day, Hardin County did make application for American Rescue Plan money that has been allocated to all the different entities within the country. Hardin County's total amount was approx. \$6,080,000. So we made application & the terms are that you'd receive half of it the 1<sup>st</sup> year & then 1 year later you receive the remaining portion. So 7 working days after we made application it was in fact just a week ago today that we received our first half payment. So that is here and it's approx. \$3,040,000. So what we've been doing as Commissioners is looking at what it is along with receiving different requests for potential uses of that money. The long & short of it is we're working through that as we speak right now. We put together what I'll call a little performance model that basically lists all the different activities listing out the value of each one & then being able to very easily understand what it is that we're looking at & how much is still remaining & what is left to be spent, etc. So we're working through that model. Commissioner Crowe was on vacation last week, so he'll be looking at it for the first time tomorrow. During the course of I'd say this month, we'll be going through talking with people adding things & subtracting things but hopefully in a very short period of time we'll have that complete & submitted. But I just thought I'd give you a little bit of an update as to where the County is at regarding the fact that it is received & the fact that we are reviewing it & trying to determine what is the best particular entities looking at those funds. As you've seen from the Courthouse the windows themselves are completed & we're on the last phase of the window project, which is basically working with the Auditor's Office for the HVAC system & the wiring system. All of the wiring when it goes into the building it comes to a hub that is located in the Auditor's Office. So before you can actually remove all of the old wiring & test that new wiring you have to make sure the Auditor's Office will be the last one done. So right now we're in the process shortly of finishing up the 2<sup>nd</sup> phase of the wiring and hopefully maybe by late summer/early fall we're at a point where we can start testing & then at that time start pulling the old wiring. Then once that's all tested then we'll finish up the Auditor's Office. But those are the 2 main things going on right now regarding what the Commissioners are doing. But anyway, I thought I'd just come by and make a quick little brief remark about the American Rescue Plan money so you knew where we're at with that. So nothing earthshattering, it's just a little information. Any questions? Thank you very much.

**COMMUNICATIONS/PETITIONS:**

Althaus: I have no communications at this time, does any Councilmember have any to share? I do not know of any outstanding petitions.

**MONTHLY/ANNUAL REPORTS:**

Althaus: You see in your packet you have the Income Tax report & I noticed it has an additional page. Would either of you (Cindy or Emma) like to talk about that?

Emma Boutwell: That is a report that Cindy Murray had requested so we can kind of get an idea month to month where we're at.

Murray: With the budget.

Althaus: Thank you. We also have the monthly deposit report for water/sewer, KFD has their report as well as the KPD. Any questions on any of those?

#### **COMMITTEE REPORTS:**

None from Safety, MOP, BKP...

Finance, Beazley: Finance has a written report from our last meeting and I'd just note the agreement, if not already executed, is expected to be executed for the Sanivac? You selected a lender?

Auditor Brian Hattery: We're beginning that process & yes we have a lender.

Beazley: In addition to that I'd report on Regional Planning if you'd like.

Althaus: Go right ahead.

Beazley: We did meet last Thursday evening...the bids for OPWC for Round 36 projects I'm sure have been worked through with our administration. Those deadlines are Sept. of this year. We do have some information on the McKitrick project...I know our guys were up there in the last week working on our utilities & things of that nature coming off of that & the other utilities are the next thing to come & then follow with asbestos abatement remediation in June yet, and then the actual razing of the property is expected to begin in early July. In addition to that, my understanding is our city paving projects are supposed to begin later this month, any day now almost. Finally, we did get paperwork with I's dotted & T's crossed for the underground storage tank abatement down at the former Ma's Produce site. So that is anticipated to be completed this year as well. The monitoring phase will go for a prolonged period but the actual removal of tanks & razing of the structure there will be done this year. That's all I have.

Nuisance, Davis: I'm excited to say that at our next meeting in 2 weeks you'll finally see an ordinance from the Nuisance Committee after all of the months & months of meetings. There is nothing additional from Safety and the Cemetery meeting will actually be tomorrow.

#### **OLD BUSINESS:**

##### **ORDINANCE NO. 21-012, 2<sup>ND</sup> READING, TITLE ONLY; AN ORDINANCE VACATING THE ALLEY LYING BETWEEN INLOT NUMBERS 6&7 OF HIRIAM KETTLES' ADDITION TO THE CITY OF KENTON, OHIO.**

Althaus: Anything new on this or any questions? Unless there are objections, we can read this for a 3<sup>rd</sup> & final reading in two weeks.

##### **ORDINANCE NO. 21-013, 2<sup>ND</sup> READING, 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.**

Althaus: Not what we want to think about right now, but yes we do have to buy rock salt eventually. Comments or questions?

Davis: Cindy, can we go to a 3<sup>rd</sup> read on this? Do we have time? (Yes)

Althaus: Ok, if there are no objections, we'll read this again in 2 weeks. Does anyone have any further old business?

#### **NEW BUSINESS:**

##### **ORDINANCE NO. 21-014, 1<sup>ST</sup> READING, TITLE ONLY; AN ORDINANCE TO CHANGE THE ZONING OF THE REAL PROPERTY LOCATED AT 950 KOHLER STREET IN THE CITY OF KENTON, OHIO OWNED BY THE BOARD OF COUNTY COMMISSIONERS OF HARDIN COUNTY, OHIO FROM R-1 (ONE & TWO FAMILY RESIDENCE DISTRICT) TO B-1 (NEIGHBORHOOD BUSINESS DISTRICT) AND DECLARING AN EMERGENCY.**

Althaus: As you'll recall that was a public mtg. 3 weeks ago. Commissioner Crowe was here & if you noticed in the minutes, he was asked if speed was something they'd like to see if it could be done quickly & he reminded us they'd been in negotiations with the purchaser & one of the conditions was that it be rezoned. So they'd like us to move forward as quickly as possible.

Schwemer: Just to clarify it is to lease not to purchase. I'd like to personally request this move forward. We've had the 2 hearings & we've yet to have anyone place any issues.

**Motion by Mr. Beazley & second by Mr. Lawrence that the rules requiring legislation of a general or permanent nature to be read on three separate days, be suspended. Roll call vote, 6 ayes; motion carried.**

**Motion by Mrs. Wren & second by Mrs. Davis to approve Ordinance 21-014.**

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

Schwemer: Commissioner? With Roger not being here tonight if you could just make sure he knows the process is formally complete for the rezoning of the County property on Kohler. Once it's signed by the Administration which will probably happen tonight it will go into effect immediately because it has emergency language. So for purposes of any lease negotiations, it will be done this evening.

Commissioner Rush: Will he actually get a formal note on it also?

Schwemer: We can give him a copy of the legislation.

Rush: Right, then we can have that for our files, but I'll tell him. Thank you.

Althaus: Okay, any further new business?

#### **COMMENTS:**

Murray: I'm going to talk tonight about the ordinance for swimming pools at someone's residence & the requirements because there have been some questions about that. Sect. 1250.03 it says "...swimming pools exclusively for the use of residents provided that each such pool or the entire lot is walled or fenced to prevent uncontrolled access from the street or adjacent properties & provided that such pool & accessory equipment is at least 15' distant from all lot lines." So basically, what that's saying is the pool has to be 15' from the lot line & it has to either be walled around the pool or fenced in in the yard and that is basically for safety reasons so that a child or someone that doesn't swim doesn't come over & get in & drown. There have been questions about that & I just wanted to make sure we clarified that. Any questions on that?

Althaus: Just a comment before people get a little concerned about that, that isn't that different than what most insurance companies require. In fact, they might require something more stringent.

Beazley: Absolutely like having locks on gates.

Murray: The Transfer Channel...it's a little ahead of schedule & they're looking to be done the 2<sup>nd</sup> week of July. It's all going very good, we're ahead of schedule & below budget.

Beazley: That's the word.

Murray: Yep. You talked about the street paving project...it will begin at the end of this month & we're looking at Grove, W. Carey, N. Market & Stevens Street. Durapatching...the 4<sup>th</sup> ward is complete. They started in the 4<sup>th</sup> ward & they have now moved to the 3<sup>rd</sup> ward and that's all I have.

Chief Dennis Musser: Just real quick, I want to let everyone know we got our SUV from Delhi Twp. and should have it on the road tomorrow hopefully. We're switching over radios & components & things like that. It's a very nice vehicle especially for what we paid for it so I'm pleased with that. We've been moving forward with the nuisance properties & the mowing quite aggressively. I couldn't tell you what our number is as far as mowing at this point...I probably lost track a couple of weeks ago, but working with the Garage & Administration & has gone very smoothly. We gave a civil service test last week & we should be grading the tests this week (tomorrow) and we're looking to replace 2 people. Any questions?

Chief Bruce Donnelly: I'll get the bad news out of the way first. Currently our ladder truck is out of service with some electrical issues (can't hear due to static)...it's being looked at in Findlay and the cost for repair is \$43,000. However, part of the repair is something that was worked on in Indiana last summer so hopefully that part can be submitted under a warranty claim. We received a grant from the State Fire Marshall of \$10,000 for turnout gear & a ventilator fan.

McEntee: I was contacted about a tree that needs trimmed that's blocking the stop sign at the SE corner of Wayne & Jennings.

Beazley: It would be located on Jennings Street...no trees there on Wayne Street.

Mayor Lynn Webb: We had a huge turnout for the Memorial Day Parade. A special shoutout to the Lion's Club & the Amvets for their help in making it such a great success...it was a collaboration of all of us working together. I know the residents at KNRC really appreciated it (can't hear...static). Friday night was the Cruise-In...there was a food truck here in the parking lot and lots of cars & motorcycles parked up around the square. On occasion you'd hear an engine being revved...it was just a great time. I want to put it out there that people should come to Kenton because we don't have the cicadas. Ha. As far as the McKitrick Hospital the asbestos removal began today. Signs are posted and there is no entry allowed by anyone from here on out. I would like to give a shoutout to Dave Dulin...last year he trimmed trees along W. Franklin and Columbus Streets and now he's moving to the Marie Avenue area. That's quite a service he's providing for our community so a big thank you. Next, I'd like to talk about the house on S. Detroit in front of the WTP. Once it was used for storage of records by the City, but under Mayor Manns it was leased to an organization as a shelter for battered women, which was never really utilized. It has been sitting empty and inside the back entrance has black mold, the ceiling on the front enclosed porch is falling in and it's being invaded by groundhogs. We have an opportunity to apply for grant monies to remove the house & garage and we keep the property. We could also pull out & save or sell some of

the windows, the garage doors, the HVAC unit, and the vinyl fencing around the back patio. I just wanted to see what your thoughts are on this.

Beazley: The grant will pay for all of it?

Mayor: Yes. Last year with the contractors in town that were building the wind turbines we thought about possibly renting that house, but with the black mold that didn't happen.

Davis: We can't have a nuisance property when we go after residents for theirs.

Schwemer: It's a residential structure and in my opinion the City doesn't want to be in the landlord business. That's just not ideal. (can't hear with static) (Note: no opposition to moving forward with applying for the grant to demolish 420 S. Detroit St.)

Mayor: I also want to say that a lot of people are taking care of their property and really stepping it up. I want to put it out there for the downtown business owners to do the same such as sweep your walk or pull weeds if you see them, etc. We're just trying to make our community nicer. Last week we had the high school football team help out on the west side of the square. It's just one of those things, it doesn't take long and if you could just help us out... it's just an ask on my part. Thank you.

Althausser: I would ask for a motion to excuse Patti this evening.

**Motion by Mrs. Davis & second by Mr. Lawrence to excuse Patti Risner.**

Althausser: Is there any discussion? **(Roll call vote, six ayes; motion carried)** I'd just thank both Chiefs for being here & for the updates. I would say that Lynn, Cindy, John, & myself did get an opportunity to meet with Chief Donnelly & the 3 captains a week ago to get a good update on the fire house, on staffing, on the ladder truck, on how EMS runs are going...there will probably be more on that at some point but nothing tonight. I do really appreciate the time you provided us. I might end up having a special projects committee appointed at some point here just to look at quite a few things that involves not just fire, but several of our departments too. For instance, right now with Pam gone we just need some contingency ideas for the future. We have an administration that is very forward thinking and very active, but what that creates is we become very dependent on some key roles...how can we be smarter and maybe not create so much stress in some of these folks, what are some things we can do...it's a working idea in my head right now, but stay tuned and we may try to address that more proactively. We meet again on June 28<sup>th</sup> in two weeks...I don't know does Finance have any plans for a meeting?

Beazley: Not at this point. We don't have anything necessarily pressing.

Althausser: Brian, is there anything you need from any of us?

Hattery: Not that I can think of.

Althausser: Okay, with that, unless there are any objections, we're adjourned.

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Joel Althausser  
President of Council

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Brenda Hanna  
Clerk