

12TH REGULAR SESSION:

Kenton City Council met in their 12th regular session on June 28, 2021, at 7PM in Council Chambers. Present: President Joel Althausser, John McEntee (Zoom), David Beazley, Antwillia Davis, Ray Lawrence (Zoom), Pegg Wren, Robin Jones, Law Director John Schwemer, Mayor Lynn Webb, & SSD Cindy Murray. Absent: Patti Risner. (Note: Mr. McEntee entered the meeting late with Zoom)

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

Althausser: For the record, we have Ray Lawrence joining us remotely via Zoom. Councilmembers, you can see his shining bright face there. Ray, if I might ask, where are you?

Lawrence: I'm in my living room.

Althausser: That's gorgeous. It looks like you're in some resort somewhere.

Lawrence: Thank you.

Althausser: Also, just a little bit about Patti...Patti is going through a pretty tuff stretch here. She had a doctor appointment today & thought she'd be back in plenty of time, but they just got her back so she won't be joining us tonight. It looks like another surgery is in store for her, so please keep your prayers and thoughts with her. I guess I'll wait until we get to new business, but you'll see there is legislation for some transfer of funds & additional appropriations in the first item. The other 3 items we can work through & we may just have to work through the first one because the requirements of Council readings are the requirements. However, and I know the Mayor will have an update on her, but with Pam's absence also there are some things we may have to meet again on shortly although I have no idea when.

MINUTES:

Althausser: Does any member or anyone at that meeting have any additions or corrections to the record of proceedings from 6/14? Hearing none, they'll stand approved as submitted.

CITIZENS REQUESTING TIME TO SPEAK:

Althausser: We have no one on the agenda but there will be time later if someone walks in.

DEPARTMENTAL NEWS/UPDATES:

None.

COMMUNICATIONS/PETITIONS:

Althausser: We do have a notice from the Ohio Division of Liquor Control regarding a new liquor license at Fuel Mart. Brenda, do you want to explain this a little bit?

Clerk: Sure. You were notified this would be coming a couple of meetings ago...the reason they notified us the first time was because it was within 500 ft. of a City park. This is for a C-1 & C-2 Permit...the C-1 is beer in sealed containers for carryout only until 1AM; and a C-2 is wine & prepackaged mixed drinks in sealed containers for carryout only until 1AM.

Althausser: The Chief isn't here tonight...Mayor do you know of any concerns about this? (No)

Motion by Mrs. Davis & second by Mr. Beazley to waive the hearing for Fuel Mart's liquor license.

Althausser: Is there any discussion? **(Roll call vote, 5 ayes; motion carried)** Okay, we do have the Tree Commission minutes from 6/10/21. Any questions on those?

MONTHLY/ANNUAL REPORTS:

Althausser: In your packet was the May 2021 WWTP Daily Discharge Flow report. Are there any questions or Cindy do you want to comment?

Murray: Does anybody have any questions?

Beazley: The Mother's Day rain...

Murray: Yes, the big spike was Mother's Day.

Althausser: While Cindy is at the podium, we have the monthly Water Loss report too.

Murray: That is a month behind due to our billing cycles being a month behind. The big thing you need to know there is that we found out this past month that the meter at Grove Cemetery is currently not working. So that should affect...back in April it probably won't affect that 31% a lot, but the May numbers will be very high because we didn't meter any water usage at Grove Cemetery & we won't in June either. They're working on it this coming week.

Althausser: Also, we have the Public Works report.

Murray: Again, we just started this last month to kind of show you a breakdown of where our hours are spent, what accomplishments they made, and what upcoming projects they have going. If you guys want anything added to that just let me know.

Althaus: Any questions on that? I think that report is very helpful.

COMMITTEE REPORTS:

None from Finance, Regional Planning, MOP...

Nuisance, Davis: Nuisance has an ordinance coming up in new business.

Althaus: A report in new business?

Davis: The ordinance in new business. Safety is asking since it is very close to July 4th that we please do not shoot fireworks off in our backyards. That would be kind of everyone, and the Fire Dept. would appreciate it if we don't light our houses on fire with fireworks. And, the Cemetery, you hit the water meter replacement so that's all I have.

Althaus: I'll be forwarding a set of board minutes for BKP from their last meeting.

OLD BUSINESS:

ORDINANCE NO. 21-012, 3RD 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: Any comments on that or any questions?

Motion by Mr. Beazley & second by Mrs. Wren to approve Ordinance No. 21-012.

Althaus: Is there any discussion? **(Roll call vote, 5 ayes; motion carried)**

ORDINANCE NO. 21-013, 3RD 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: Any comments before we ask for a motion?

Motion by Mr. Beazley & second by Mrs. Davis to approve Ordinance No. 21-013.

Beazley: I was worried that Cindy would come unglued if we didn't get her salt. Ha.

Althaus: Is there any discussion? **(Roll call vote, 5 ayes; motion carried)** Is there any other old business to be brought forward at this time?

NEW BUSINESS:

Althaus: Obviously there are 4 items all on 1st read. I'll ask Cindy or Mayor Webb, whichever want to field this, what our options are on Ordinance 21-015.

Murray: The \$6900 is needed for the Clark State College tuition for a 2020 expenditure so we definitely need to get that covered. It's an outstanding bill.

Althaus: You just discovered it?

Murray: Yes, the invoices were lost in the mail.

Althaus: So \$6900 for fire school. Our options are limited...one option is to have another meeting here this week, but the issue is I don't know how long John is gone.

Davis: Where is he?

Althaus: He is out of state.

Davis: I leave Friday morning.

Althaus: I leave Thursday evening, but I don't matter.

Davis: Right.

Althaus: Thank you for that. Ha.

Davis: That's not what I meant. That sounded so much worse...Ha.

Beazley: I'll just give her a high five for that. Ha.

Schwemer: Brenda, I don't know if you'll know this & I'll go research it real quick if you don't know the answer, but what is the time frame in which we need to publicly announce a special meeting? I can't remember...

Murray: I thought it was 48.

Althaus: 48 hrs.

Tim Thomas of Kenton Times: 24 hours.

Clerk: I thought 24 hrs.

Schwemer: Ok, if you guys don't mind, I'm just going to Brenda's office & pull it real quick. I don't want to put us longer than we have to...

Murray: The other one that is important on there is the \$6000...

Beazley: To beef up concessions for the big swim meet.

Davis: Which is July 9th & 10th. You're talking probably 600(+) people.

Althausen: That's probably the more critical one.

Mayor Webb: Our concession stand has been doing very, very, very well so we're keeping it stocked.

Beazley : So we're going to have to have 2 meetings if Patti is unavailable & John is unavailable...

Davis: I should be able to video in from Florida...

Mayor: That would be after July 1st which is the cutoff for Zoom...

(Lots of discussion at this point from everyone regarding special sessions regarding doing 2 meetings in one evening...John pointed out we'd have to have the meeting start at 7:30PM to get the full 24 hours advance notice. Dave added you could open the meeting, vote & close and then reopen the meeting, vote & close. It should take less than 15 minutes for the special sessions.)

(NOTE: Mr. Althausen contacted Mr. McEntee who joined the meeting via Zoom. This will be the last time Council can vote virtually...the provision put into place due to COVID expires on July 1st.)

Althausen: John, I don't know if you had a chance to look at your email, but we do have Ordinance 21-015 that is providing for additional appropriations & transferring funds for 2021 that includes the following: Under General Fund (101) police new equip. \$1500; fire turnout gear \$8200; fire school \$6900; fire new equip. \$1800; fire incidentals \$3500 for a total of \$21,900. We discussed fire school a little bit 2 weeks ago & that is an item that is a carryover from last year that caught us off-guard. The invoice was lost essentially, but that was for medic training.

Murray: Yes, paramedic school for 2020. The \$3500 was for the SAFER Grant that we discussed.

Althausen: Right, to hire a gentleman to help us complete the SAFER grant application for fire personnel. Those are all appropriations, but I want to say a couple of those are grants...

Beazley: The \$8200 & \$1800 is a \$10,000 grant for the Fire Dept. & the \$1500 is for the sale of a vehicle.

Althausen: Okay, under RSPO this is pretty critical.

Murray: And these are transfers.

Althausen: Yes, the transfer to the concession stand from the asst. manager salary of \$6000. We need concessions for the swim meet in 10 days. \$1000 is a transfer from maintenance of equipment to maintenance of parks for a line item we've run over on.

Murray: Yes, the Splash Pad again.

Althausen: Water Office Incidentals to Water Office maintenance of equipment \$500 and then Sewer Office Incidentals to Sewer Office maintenance of equipment \$500. This is for the mail folding machine.

Beazley: Right, half comes out of sewer & half out of water.

Althausen: Right. Does anyone have any questions before we move forward on this? Do I have a motion to suspend the rules?

Clerk: Do we need to read the title?

ORDINANCE NO. 21-015, 1ST READING, TITLE ONLY; AN ORDINANCE PROVIDING FOR ADDITIONAL APPROPRIATIONS AND FOR TRANSFERRING FUNDS FOR THE YEAR 2021 FOR THE CITY OF KENTON, OHIO AND DECLARING AN EMERGENCY.

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

Motion by Mrs. Davis & second by Mr. Beazley to approve Ordinance No. 21-015.

Althausen: Is there any discussion? **(Roll call vote, 6 ayes; motion carried)** The rest of the items are things we can wait on for now...I know we interrupted your time away John and I apologize for that. You can stay online if you'd like or not.

RESOLUTION NO. 21-005, 1ST READING, TITLE ONLY; A RESOLUTION AUTHORIZING THE MAYOR AND/OR SAFETY SERVICE DIRECTOR OF THE CITY OF KENTON, OHIO TO ENTER INTO AGREEMENT FOR THE LEASE OF A GAPVAX COMBINATION JET/VACUUM MACHINE AND DECLARING AN EMERGENCY.

Althausen: This is to lease the jet vac & I believe the lender involved is Huntington and this can go another read. Are there any questions? Okay, we'll read this again in 2 weeks.

ORDINANCE NO. 21-016, 1ST READING, TITLE ONLY; AN ORDINANCE AMENDING AND RESTATING KENTON CODIFIED ORDINANCE SECTIONS 660.03(d), 660.05(f)&(k), 660.07, AND 660.08 AND ADOPTING SECTIONS 660.18 AND 660.19 RELATING TO SAFETY, SANITATION, AND HEALTH IN THE CITY OF KENTON, AND DECLARING AN EMERGENCY.

Althausen: This ordinance came out of Nuisance Committee and can wait on action.

Davis: Right, we'd rather it go 3 reads, so please read this through and take your time.

Schwemer: Would you like me to hit a couple of key points real quickly?

Althaus: Sure.

Schwemer: We're expanding the definition of litter and adding some additional items. Currently the definition is a little bit vague so we're clarifying that. On the sidewalk ordinance, mostly what we did was make the notice requirements more uniform...the same with junk and junk motor vehicle notices...it was trying to make the notification and collection process more uniform (can't hear). Also, with tall grass & weeds, we are proposing 6" tall, which is a 2" drop from what it is currently. Dandelions...currently we're addressing those under noxious weeds, but realistically that's kind of hard to do...there are just a handful of properties in Kenton that don't have dandelions so we're changing that. Another big component is 660.18 which will address outdoor use of furniture such as having a couch sitting on your porch, etc. We've made it to where you can only have furniture made for the outdoors, which a lot of other communities have in place. Sect. 660.19 deals with infestation...creating a section that requires structures/properties to be free of bedbugs, termites, rodents, etc. (can't hear) So this ordinance is best for all to review, ask questions, or give comments on and then we can request a vote after 2 more reads.

Althaus: Thank you, John. So, everyone please take a good look at this legislation.

ORDINANCE NO. 21-017, 1ST READ, TITLE ONLY; AN ORDINANCE AUTHORIZING THE MAYOR AND/OR SAFETY SERVICE DIRECTOR TO ENTER INTO A HIGHWAY IMPROVEMENT PROJECT WITH THE OHIO DEPARTMENT OF TRANSPORTATION AND DECLARING AN EMERGENCY.

Althaus: Cindy, Mayor...do you want to comment on this?

Murray: That work is from W. Espy to Main St. and from Main St. to SR 292.

Beazley: This would be a 2022 project in next year's budget?

Murray: Yes. We're working with ODOT to try to do all of the state routes and coordinate that with other projects...

Althaus: (can't hear)...I believe this can go at least another read, and possibly to a 3rd read. If there are no objections, we'll read this again in 2 weeks. Is there any further new business to come before Council this evening?

COMMENTS:

Murray: (can't hear)...the paving project will be starting and the transfer channel should be done in the next week or two.

Lawrence: Just my appreciation for letting me join the meeting remotely since I couldn't be there.

Althaus: Mayor or Cindy, do you have an update on Pam?

Mayor Webb: I'll let Cindy talk because she's been in touch with Pam.

Murray: Pam's home and she's very happy to be home. She said she's ready to get back to work and she's very thankful for all of the prayers.

Mayor Webb: A big congratulation to the Nuisance Committee for all the work they've done on this legislation. Thank you for your diligence. We're going to have some of the guys at the garage come in early on Friday mornings to clean up gutters, alleys, weeds, etc. around the square. I'd like to reiterate to the business owners downtown to try to do their share by taking care of their sidewalks and pulling a weed if needed. Please don't park on the square after 11PM because the guys will come in at 3AM when there isn't much traffic and nobody will be parked downtown and then they'll leave at noon. That's really I have.

Althaus: Alright, we need a motion to excuse Patti this evening.

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

Althaus: Is there any discussion? **(Roll call vote, 6 ayes; motion carried)** Thank you. Okay, our next meeting is on July 12th at 7PM. I'd ask that you keep Patti and Ray in your thoughts & prayers. Also, I'd like to thank both Ray & John for joining the meeting this evening via Zoom as it made a huge difference. If there is nothing further and no objections, this meeting is adjourned.