

RECORD OF PROCEEDINGS

Held JULY 25, 2022

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14TH REGULAR SESSION:

Kenton City Council met in their 14th Regular Session on July 25, 2022 , at 7:00 PM, in Council Chambers. Present: President Joel Althausser, Sue Fox Buroker, David Beazley, Antwillia Davis, Ray Lawrence, Pegg Wren, Anda Tudor, Robin Jones, Law Director John Schwemer, Mayor Lynn Webb and Safety Service Director Cindy Murray. Prayer given by President Althausser and the Pledge of Allegiance recited.

MINUTES:

Althausser: Anyone find any additions or corrections to the minutes as they were submitted? And then as a follow up to that, you noticed we sent packets via email and that was just kind of a joint decision. Emma had a really short week last week and we were trying to get everything done and I said let's use this as a test time and we'll email them out and say they'll be hard copies at your stations. I guess my question, two part, are you okay with having them emailed? I know a few, we've done it before as a backup. Is anyone not fine with it? Which is fine, we can work on that. If you are, would you rather them be here to print out, or would you rather print them out on your own to be able to look at them, hard copies prior to coming to the meeting?

Discussion amongst members

Althausser: What we'll do is we'll make a few copies and we'll kind of test it out that way and see who wants to grab a packet and go from there. What about non-council, Brian, anything, either way work for you?

Brian Hattery: Yeah, I'm good with what council decides.

Althausser: Okay, John? Alright we will move forward with the way we did it this week, but we won't have hard copies for everybody, just a few of them. With the approval of the minutes, we'll move on.

CITIZENS REQUESTING TIME TO SPEAK:

Althausser: We have no one on our agenda this evening. There will be time later in council under public participation if you would like to address council. Before we go any further, I would like to make an introduction, or have someone make their own introduction. We do have a new guest with us tonight if you want to just stand up and you don't have to go to the podium for this. Tell us who you are and why you're here.

Sean Blevins: I'm Sean Blevins. I'm the new sports editor for The Times. I just graduated from Kent State. I'm from Columbus. Look forward to getting to know each one of you guys.

Althausser: Tim is at the board meeting tonight because...

Blevins: I'm filling in for him.

Althausser: So, Sean's filling in for Tim. So welcome, and anytime you have questions don't be afraid to toss your hand up and we'll try to get those answered or you can always talk to any of us afterwards and we'll clarify.

COMMUNICATIONS:

None.

PETITIONS:

Althausser: We don't have any petitions. We will have a liquor permit to discuss in new business.

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ADMINISTRATION REPORTS:

Althausser: We do have the Fire Department report for the month of June and then their activity sheet so far. I'll come back to you Chief Musser. Bruce, is there anything you want to add to this or anything you want to...

Bruce Donnelly: I guess there's nothing really to add to the report. One thing we probably will be doing since the water project on ESPY Street is completed, we will try to finish those last 3-4 hydrants that are down there, get those flowed. So, I'll coordinate with Cindy and Dale and Burl to see if there's any better time that works for them but hopefully we can get it done prior to the paving project. Which, hopefully is going to be starting soon. The other thing is, we're probably going to start getting back into doing fire safety inspections in businesses. Kind of seeing the work being done across the street there next to Brooks Tax Office and stuff. So, we're probably going to start around the square and kind of focus on some of those business and kind of get back into the swing of getting into some of the businesses just to do the fire safety inspections since we really haven't been doing them on a regular basis since Covid came along and so, so we will be kind of getting, hopefully we'll talk a little bit more, getting to know some of these new business owners around town so, that's all I've got.

Althausser: Alright, thank you Bruce, Chief Musser anything from the Police Department?

Dennis Musser: I just wanted to let you guys know we have one car that should be here in a week or so. It's getting outfitted currently at Parr Public Safety. The other two are still sitting in a lot in Chicago somewhere waiting on microchips. So, they've been sitting there for months actually but Ryan Weaver from Findlay Ford just informed me that recently, that as soon as they get a few chips they'll have like 300 cars out there, so that'll be great. That's all I've got. Thanks guys.

Althausser: Chief, we may have some questions for you when we get to that liquor permit. I guess the next report we have, the next written report, would be Cindy, so if you want to give your report then I'll come back to Brian or anyone else.

Cindy Murray: Does anyone have any questions on the report? The Public Works and the Sewer Discharge? Do you want me to cover whatever I'm going to cover while I'm up here?

Althausser: You can, yup.

Murray: I just want to remind residents that on the bill, their water bill that comes out in, at the end of August, which will be for July, there will be a trash increase. We are entering year 3 of our trash contract. The regular size, 96 gallon trash cart goes up 58 cent/month and the senior cart goes up 46 cents/month. So, they will see that on the bill that comes out at the end of August. Also wanted to say on your electric bill, we are now, the city aggregate is now with Energy Harbor and that rate, is found in the middle of your bill, you should see the logo for Energy Harbor and that rate should be .0561 cents/kilowatt hour. So, no longer IGS, it should now say Energy Harbor. Any questions?

Althausser: Okay, Brian do you have anything that you want to report on?

Brian Hattery: Not this evening, thank you Sir.

Althausser: John?

John Schwemer: Nothing.

Althausser: Lynn?

Lynn Webb: I'll wait til the end.

Althausser: Okay, you want to go clear at the end?

Webb: Yeah when I do the end, end pieces. Final comments.

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REPORTS OF STANDING COMMITTEES AND/OR SPECIAL COMMITTEES:

Althaus: Okay, Finance?

David Beazley: We do not have a report. We did not have a meeting but do plan to schedule a meeting for the 2nd meeting in August, 6pm, that would be August 22nd. We'll be beginning our budgeting process.

Althaus: MOP?

Pegg Wren: MOP hasn't met.

Althaus: Public Utilities?

Robin Jones: We're going to have a meeting August 10th like we always do. The Wednesday after the first meeting.

Althaus: I don't think we got that. They just were sent out. I know you sent two invites out.

Inaudible discussion

Althaus: But no meeting to report on then, right? Streets?

Ray Lawrence: We met, just a couple stop signs that we talked about and we do have the 17th of August following Legislation.

Althaus: And Legislation?

Antwill Davis: Legislation met we are going over some new regulations and guides so we might see some legislation in the next couple of months but we're in the very beginning process of things and our meeting will be the 17th at 3pm.

Althaus: Okay, council member, does any council member who is listed there, do you have a report on your respective assignments?

REPORTS FROM COUNCIL MEMBERS:

Sue Fox Buroker: Shade tree, they met on the 14th, I believe it was and they're going to call Stephanie to help them evaluate those trees that they had picked out, I mean, they were obviously very excited about the support from council but they did talk a little bit about stop sign areas that need to be cleared out that have some trees that are kind of blocking a little bit and they're going to have a list put together by August and they're going to start bids and trying to get started in September. That was the biggest thing.

Althaus: Any questions for Sue? Did I miss anything?

OLD BUSINESS:

None.

NEW BUSINESS:

Althaus: We do have a request from the Department of Commerce, the Division of Liquor Control asked us to consider whether would like a hearing, or whether we waive a hearing with regards to a permit for JL Enterprises LLC. That is at 924 East Columbus Street. So, I believe that would be the new shop there beside Goodwill, that complex, am I right? I guess I would just remind everyone what we're doing is deciding whether we would like a hearing or not and if we do, where would we have it?

Beazley: Mr. President, can we define more clearly for those of us that don't have these memorized what a C1 entails?

Althaus: Emma's got it right here. A C1, to sell beer in containers and not for consumption on premises. Where sold in original containers having capacity not more than 5 and 1/6 gallons.

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Beazley: Is there an hour of operation?

Althausser: No, not in this description that came from the ORC.

Beazley: This is the smoke shop right? Chief, anything we should be aware of at this location, at this point?

Musser: This came across my desk over the last week or two. Correct me if I'm wrong, but I think the owner is the same owner of the business on South Main Street, used to be the Clark Station, do you have a name in front of you?

Althausser: Looks like JL Enterprises.

Davis: John Holland.

Musser: Okay so, the state sends us a background check, we fill it out and send it back. So, there were a couple items on the background check, in regard to the license on South Main Street and the business on South Main Street, so I gave them that information along with the court docket and sent it back to the state. I don't know what a hearing on your end entails but...

John Schwemer: Yeah and we've had council request one of those before and this whole purpose of this hearing is for us to put on evidence of why the permit should not be issued and in my opinion all we would be doing is reiterating the past items that you've already provided. Unless somebody has additional information, because otherwise, the last time that was called it was almost called because council was just interested in what was going on and that did not go well with the Division of Liquor. It's like we're putting on a mini trail, almost before them to put on evidence of why the permit should not be issued. So, it's just not to ask questions. It's to show evidence and you know if you provided that information unless there's more things we need, if that's the case we need to plan and exactly what we're going to do. And if we don't have that right now, my recommendation would be let it sit with what the Chief has submitted, let them make the decision and then obviously we will reevaluate this, we have annually the ability to review the permit. But otherwise, all we would do is submit the information you have already presented. I assume no one else on this council has any additional information other than what you've provided.

Musser: I believe the permit is still in force on the South Main Street location or at least reinstated after the last offense so.

Althausser: That is a relatively, this business though is relatively new right? Have there been any issues that are not, that have come up since this?

Musser: We have not had any issues, no.

Althausser: Okay, anybody else have any other questions? Then we would need a motion to either ask for, or waive a hearing. We do have to respond by August 15th.

Motion by Mr. Beazley and second by Ms. Jones to waive the right to a hearing regarding a liquor permit for 924 East Columbus Street, JL Enterprises LLC.

Althausser: Any discussion?

(Roll call vote, 7 ayes, motion carried)

ORDINANCES/RESOLUTIONS:

1ST READING

- **ORDINANCE NO. 22-021, 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.**

Cindy Murray: So, this is for next year's paving. It would be East Columbus from Wayne to Morningside Drive. Our share is approximately \$285,000. We just got this and we will be able to go the three reads on this.

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Althaus: If there are no objections, we'll read this again at the next meeting. Alright, next item.

- **ORDINANCE NO. 22-022, TITLE ONLY; AN ORDINANCE PROVIDING FOR ADDITIONAL APPROPRIATIONS FOR THE YEAR 2022, FOR THE CITY OF KENTON, OHIO, AND DECLARING AN EMERGENCY.**

Althaus: And Pam did attach an explanation. You'll see that there.

Beazley: It's comprehensive but it does need to be acted on.

Althaus: Yes. We've got to pay some people.

Motion made by Mr. Beazley and second by Mr. Lawrence 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 made by Mr. Beazley and second by Pegg Wren to adopt Ordinance No. 22-022.

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

- **RESOLUTION NO. 22-008, TITLE ONLY; A RESOLUTION APPROVING A MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF KENTON AND PLEASANT, GOSHEN, AND BUCK TOWNSHIPS TO AUTHORIZE THE TRUSTEES OF GROVE CEMETERY ASSOCIATION TO EXECUTE A QUITCLAIM DEED OF CEMETERY PROPERTY, AND DECLARING AN EMERGENCY.**

Davis: As you all know we want to sell the superintendent home. We've been working on this for some time. It has passed the other townships and we would like to sell this fairly quickly before the season dies down. John, do you want to go into any of the other fun stuff in this?

Schwemer: I don't know that it's...this will authorize the association deed the property to the city, which will be held for the benefit of the Cemetery Association. So, any proceeds would go straight through and that's outlined in the memorandum of understanding. So, I think we'd have to check with Pam, we might then need to appropriate and transfer those out through ordinance, I would assumed, but it would just be run through our books and directly then to the cemetery and then they would have those funds for their operations. We would have to take the lead and advertising for the sale. So, I plan on having legislation possibly at the next meeting, if not the following meeting. It takes basically two resolutions to sell property, you first need to pass a basically an ordinance intent, saying that it's not needed for municipal purposes and go in for advertise, and once the advertising bids are opened, if the association decides there's a bid they're willing to accept, they would essentially direct us to close the transaction. So, it would be two actions coming up from the city on this. Under the code, we're kind of the mechanism to move property. So this is really the appropriate way to do it. We're just kind of acting at their request because this is the cemetery property. This is the only way they can get this done is through our assistance.

Motion made by Mr. Beazley and 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, 7 ayes; motion carried.

Motion made by Mrs. Davis and second by Mr. Lawrence to adopt Resolution No. 22-008.

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

2ND READING

- **ORDINANCE NO. 22-020, 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.**

Althaus: Anything changed Cindy that we can't, any objections to reading this again in two weeks? We'll do so.

SCHEDULING OF COMMITTEE MEETINGS:

Althaus: We kind of already talked about that. We'll try to summarize that and make certain it's on the next agenda. There were a couple that got cancelled and I think we didn't always, we didn't know exactly when all of them were going to be yet, so.

OTHER MATTERS:

None.

COMMENTS FROM THE PUBLIC:

None.

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COMMENTS FROM THE NEWS MEDIA:

None.

COMMENTS FROM COUNCIL MEMBERS AND ADMINISTRATION:

Murray: I just want to like everybody for the fine comments about my father at the last meeting.

Webb: Sean, welcome to the chambers, as we call it. To our city, we welcome you. You will not find, and I mean this whole heartedly, a finer community. What you see here is commitment. You will learn that you can hear a lot of things about other towns but we are rock solid in commitment to our community. This council, our staff, the administration, safety, public works. So, welcome aboard. Be ready to be amazed, okay?

Sean Blevins: It's been a great first week here.

Webb: Well good, and it's not even football season yet, right. Couple things I want to bring to attention, exceptional job with KPD and the Trinity Hurt case. Well done. Again, we're thorough, things get handed down, it works. We have an extraordinary team and great leadership. Then go hand in hand is KFD is outstanding. Eats on the Street, I had more compliments of how well people are in this community. We have our EMS on staff there, interacting with people. The police are down there, not to be in the way, but just for an assurance. Again, with that number of people, and they put it down, and it's a good cleanup and it's a great event and something to be pretty proud of for our community. Also, it's this time of year, and I think it's outstanding, is the number of churches we have in our community is quite a few and it's summertime VBS and it amazes me, the commitment to each one of these churches that they put these awesome things on and they always have great turnouts and you know the Real Camp at Assembly's, over 250 kids, over 150 volunteers. It really says something about our community and what they want to pour in. To not only to our youth, but our entire community. So, I just want to give all of those, everyone of them, a huge shoutout because that means something to our community and for a lot of people, get your kids. Send them to one. Just for the activities. Just to be engaged with other kids and adults that really want to pour into them. So, that was something, plus 4-H camp was this week, and they had some great picture. Again, we have some outstanding youth that have outstanding leadership skills. So, just real proud of our community and again Sean, be ready, be amazed. That's all I have.

Althausser: Any questions for Lynn? Just as a reminder I did look, yea Legislative set to meet at 3pm on the 17th. Streets and alleys, now this say 5pm on the 17th but I think it's probably 4. It's 4, okay. And then...

Discussion regarding different meeting times.

Murray: I'll make it 4:30

Althausser: And then we also had, I think you all received the minutes for the utilities board meeting, via email. We did not put them in the packets. So, we just wanted to remind everybody of that. Okay, anything we've missed?

Beazley: Did you mention Finance on the 22nd?

Althausser: And Finance on the 22nd at 6 o'clock. So, our next meeting them is August 8th, here in chambers, 7pm. Until then everyone have a good couple weeks and if there are no objections, we're adjourned.

Joel Althausser, President of Council

Emma Boutwell, Clerk