

### **23<sup>RD</sup> REGULAR SESSION:**

Kenton City Council met in their 23<sup>rd</sup> regular session on December 13, 2021 at 7PM in Chambers. Present: President Joel Althaus, John McEntee, David Beazley, Antwillia Davis, Ray Lawrence, Pegg Wren, Jacqueline Fitzgerald, Robin Jones, Law Director John Schwemer, Mayor Lynn Webb, & Safety Service Director Cindy Murray.

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

### **MINUTES:**

Althaus: You received the minutes from our meeting on 11/22/21...are there any additions or corrections to those minutes as they were printed? Hearing none, and I never do here anything, they'll stand approved as submitted.

Althaus: With Council's permission, I'd like to take a little leeway here. I want to ask Council to consider a closed session, which is on our agenda per section 121.22(G)(4) labor negotiations, and then I'd ask Council to consider sometime after new business to go into another closed session per section 121.22(G)(1) personnel. So at this time, if there are no objections, I'd like to switch things up and jump to citizens requesting time to speak.

### **CITIZENS REQUESTING TIME TO SPEAK:**

Althaus: Is Taylor here to speak this evening? (No) Okay, then Judge Grimslid, if you'd like to come up to the podium, please.

Judge Greg Grimslid: I want to thank Council for their time today. You should've got in your packet a request and the Auditor broke down the final figures for you and you should have that sheet as well, but when going through the appropriation figures in the original budget I didn't do the math correctly to include the whole amount. So the appropriations is just under \$9,000 for the additional funds we're looking for. I thought originally when we caught this that I'd be able to use Special Projects, but Special Projects cannot be used for that type of asset or expense; however, there are other items in the General Budget that I'll be able to keep in the General Budget & as the year goes along appropriate out as special funds that will qualify that should keep some of our supplies & things of that nature to offset for this year in that amount. I set forth in the letter the reasons why I'm asking for this amendment, and I think they're pretty straight forward and Council is well aware of what's in there. Also, I'm going to mention something else that's been kind of bugging me ever since I became a Judge...I'm the Judge of Hardin County Municipal Court, not the Kenton Municipal Court, and you all pay almost 90% (+) of the upkeep and running the Court. Now, when we bring the money in & it gets divided, it doesn't go out that way...about \$260,000 goes back to the City but the County, the Sheriff and the villages it's almost \$150,000 of the money goes to them. We are a county-wide municipal court, and the majority of my cases are either Kenton, Ada Police, Forest Police or the Sheriff and then citizens for civil cases come from all over the county. It's not just people in Kenton seeking to evict someone from rentals...I mean Ada has a huge percentage because of the college. It just doesn't seem fair that you all are paying the majority of the housing, utilities and so forth. I don't know how you could break that down. I've talked with John about it and I'm willing to go to the Commissioners if you decide that that's what you want to do. I don't think you'd specifically ask for a percentage, but just a flat fee of some amount per year that they could put in to help cover those expenses. I wasn't here when it was originally set up, I was in practice, but I wasn't in the court I was a defense attorney. But it hardly seems proper & right with the utilities and whatever and I think this would probably be an appropriate year to consider that since the county has got so much other funds at this point in time coming in compared to normal to help alleviate some of the expenses the city has. It hardly seems right that it's not spread out through the whole county. Right now, the only thing the County Commissioners are paying for is a small portion of my salary...the majority of my salary isn't picked up by you or the county, it's picked up by the State. But my Bailiff/Probation Officer & Head Clerk a small portion of their's is paid. But all of the other employees down there everything is paid 100% by you guys and I think that is something that probably needs to be looked into. I appreciate your time, and like I said, I thought that we'd be able to take care of this when I originally saw that I'd done the figures wrong in here that we could cover it with Special Projects, but I cannot do that directly for this type of expense. I've basically already told my staff that that's what was happening. Obviously, math was not one of my better subjects...I do want to mention that I mentioned to the Chief directly when the situation last month was going on, I appreciated the effort that Law Enforcement and Special Emergency Responders did this last couple of months. I think it was above and beyond and the results, fortunately, were much more positive than we ever hoped for. If anybody has any questions...

Beazley: Your Honor, I did want to clarify the initial request. Did it include the standard budgeted increase of 3%?

Judge Grimslid: Yes.

Beazley: This is an additional roughly 3.

Judge Grimslid: 3.8%, yes.

Beazley: Okay, thank you.

Althausser: Any other questions?

Fitzgerald: I do have one, your Honor. I know you got the standard raise for 2021 and then it looks like there was another raise on March 15, 2021.

Judge Grimslid: There was at that point in time we were able to give a service bonus and that was a one-time increase at that point. That is due to the fact that we've cut our staff down...we went from 6 when I originally started to basically 4 plus a clerk. We've replaced people with part-time...I have 3 full-time clerks now instead of 5 when I first started.

Jones: How much was that bonus in March of 2021?

Judge Grimslid: I can't remember right now.

Althausser: Let's clarify, was it a bonus or a raise?

Judge Grimslid: It ended up being a raise due to the stuff that was going on at that point in time.

Jones: Was it due to Covid?

Judge Grimslid: We did not get Covid funds.

Jones: Okay, so can you clarify what was going on at the time?

Judge Grimslid: It was due to Covid & the situation we're dealing with down there dealing with exposure to staff...I'm not saying it's anymore, but due to the problems we were having with our law our jail and stuff, the people that were being brought in were a lot of positive Covid tests back then at the early stages...

Jones: So with the raise that they got going into 2021 and then this raise would be over a 6% raise for one year...

Fitzgerald: 6.8%.

Jones: 6.8% for one year plus what they were awarded in March of 2021, is that right?

Judge Grimslid: That is correct.

Jones: So basically that's...to me, this is a problem I have, that's more than our firefighters and our law enforcement are awarded in their contract.

Judge Grimslid: My people are a lot less paid to start off with. It's hard for me to justify hiring someone to come in & work for \$11-\$12/hr. to start & hold them to the point that I need to have retention. It's not a job where I can have people going in & out because they have to be highly trained.

Jones: Right, I understand that, but we have to have our firefighters & police officers highly trained too.

Judge Grimslid: The starting officer, and rightly so, the starting police officer's pay is probably \$12,000-\$15,000 more.

Jones: I understand that, but I think their job encompasses more of a life-threatening situation.

Judge Grimslid: I'm not saying my people are in a life-threatening situation...

Jones: I'm just saying you can't compare apples to apples with a deputy clerk vs a police officer or firefighter. I mean, their job descriptions are way different to me. I mean, that's how I feel. Then they also get insurance benefits which we have to pay.

Judge Grimslid: Well until just recently, the insurance benefits weren't worth a whole lot under the old thing. I had clerks that were getting sued & collection letters. She's retired now, but she just went ahead and paid them. But I understand that includes insurance as well. I will state that I'm not covered on your insurance & I never have been. I was on my wife's insurance until she just turned 65 & went on Medicare.

Jones: Okay, those were just the questions I had to justify...

Judge Grimslid: My justification is the fact that they are so far below the neighboring...we're lower than what Wyandot County pays for their Probation Officer & Clerk by thousands upon thousands of dollars. I mean if you choose not to...

Davis: Just for purposes do you roughly have the difference like what does our Clerk make? What does our Deputy Clerk make a year roughly?

Judge Grimslid: It depends on how many years you've been here. They started out at about \$11...

Davis: So we're saying \$30,000 a year?

Judge Grimslid: No.

Davis: \$29,000.

Judge Grimslid: The Head Clerk is paid more than that, but that's the same as one of your department heads.

Davis: And we think Wyandot County is paid double that?

Judge Grimslid: Not double, but they pay more.

Davis: Okay, I was just trying to get a comparison...I thought it was \$40,000.

Judge Grimslid: No, they're not at \$40,000, but our Dep. Clerks aren't making \$30,000 a year.

Fitzgerald: I think Kenton has a better benefit program than Wyandot & Allen County with the 4.6 accrued hours of sick leave, the personal days & holidays...those are better than the surrounding counties and I think that speaks a lot for maybe a little bit lack of pay we make up in benefits.

Judge Grimslid: Do you know that?

Fitzgerald: There's been some phone calls made.

Judge Grimslid: Well, whatever you decide that's up to you. You are the decider.

Althaus: Judge, I appreciate you explaining this & providing the detail & the Auditor's Office for providing detail.

Judge Grimslid: I'd also mention they're non-union, so I'm their negotiating party here. So that's my request.

Jones: Thank you for bringing up the Commissioner part also because I think that's something we need to look into very seriously. Thank you.

Althaus: I'd add the Judge & I just talked about that, the Mayor & I discussed that situation at length and it's high on the priority list. But it's like anything else, especially when you have a situation that's been done for so long, we want to make certain we do some investigation to understand why it's that way. The last thing in the world I want to do is just assume that another Council or another Administration or another set of Commissioners did however many years ago was just flat out wrong without looking at why. There could be very appropriate reasons why it was & beyond that we want to look & see what other counties are doing. I know people get tired of hearing me say that, but we need to see what's appropriate. Again Judge, thank you. Any other questions? Okay, I'd just say Finance, if you have the opportunity to discuss this a little more in depth, I understand normally we'd have it done by now but we also know anytime the budget is out there as active legislation it can be amended. It can be amended once it's done too, and I would say Judge that it doesn't mean that we couldn't take this up right after the first of the year as well. Obviously, you have raises you're trying to figure out, but it doesn't have to make it in the budget right here. Any other thoughts? Okay, so again I'd ask Council to consider a closed session...we've had several things come up and the first is for labor negotiations with an update on where we are. The reason I'd like to split it is there is another issue in regards to personnel. So right now, I'd entertain a motion...

Schwemer: Joel, that provision under the ORC when you're dealing with general employment we have to be a little specific, not with respect to an individual employee, but I'd just like it in the motion that it's regarding employment or dismissal of an employee or employees.

Althaus: Not the one we're talking about now. We'll qualify that when we get to that. Right now we're only looking at 121.22(G)(4) Labor Negotiations.

**Motion by Mr. Beazley & second by Mrs. Davis to go into Closed Session under Section 121.22(G)(4) Labor Negotiations.**

Althaus: Is there any discussion? **(Roll call vote, 7 ayes; motion carried. Time: 7:25 PM)**  
I'd ask everyone in the audience to step out if you would, and we'll try to move as expeditiously as possible and come back for the rest of the meeting.

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**Motion by Mr. Beazley & second by Mr. Lawrence to go back into Regular Session.**

Althaus: Is there any discussion? **(Roll call vote, all ayes; motion carried. (Time: 8:02 PM)**

Althaus: Okay, we've received an update for a contract with AFSCME. They have ratified the contract and we've been updated on the status of that. I'd ask Council for a motion to consider moving forward with the contract.

**Motion by Mr. Beazley & second by Mr. McEntee to adopt the AFSCME Contract.**

Althaus: Is there any discussion? **(Roll call vote, 7 ayes; motion carried)**

#### **DEPARTMENTAL NEWS/UPDATES:**

Chief Bruce Donnelly: The good news is I did get an update from Fire Services & they have got to a point where the part manufacturer basically has said they can't do anymore with our rebuilt swivel, so they are actually sending a new swivel to Fire Services to put on it. I haven't heard anything about progress beyond that, but at least we're taking another step that sounds like progress at this point in time. The ambulance is over in Ft. Wayne getting the graphics on it, just sent the final proof on that, so hopefully it

will be done probably within the next 2 weeks for sure...I know they were getting a little behind on some of their other projects so it pushed us back a little bit, but we got the proof for that done so it's moving along. We've had a couple of house fires here in the last week, luckily nobody was injured in any of those, but I guess as a PSA for this time of year...none of them involved candles or space heaters, but we just ask the residents to be mindful of using candles especially with the holiday season and if you're leaving make sure they're put out. Be very careful with your space heaters that they're not up against anything and not plugged into lightweight extension cords...just be mindful of those kinds of things. The guys have been pretty busy here lately with doing building inspections...I know there is one on the square that they just recently got asked to do for what sounds like possibly a new business coming so they can get their occupancy permit. EMS calls are still keeping us hopping, but other than that we've got just a lot of busy work I guess but our run numbers are keeping us plenty busy at this point in time. That's all I've got.

Althausen: Chief you had a couple of emails that involved some transfers and things like that. Are we working on that for the next meeting?

Beazley: Will the next meeting be soon enough?

Chief Dep. Auditor Pam Romanko: There is enough currently in Incidentals to cover...

Althausen: No, there was another email...

Chief Donnelly: There was the one with moving some money to uniform allowance...we need to sit down and work on that.

Althausen: Okay, I'm guessing we may see something about that in 2 weeks.

Chief Donnelly: The other one I guess along that line that I just sent out today was in the original appropriation for the ambulance. We put the equipment supplies for the ambulance under new equipment vs putting it in EMS supplies. So basically, we're just redistributing money back from one account to one that is more appropriate for where the purchases are going to come from. So me & Pam will work on that over the next week or so for the next meeting.

Althausen: Chief, if you have things to do you can leave, it's your call. Okay, Auditor's Office?

Auditor Brian Hattery: Nothing at this time.

Romanko: I'll just elaborate a little on what the Chief said. I'm just about done with the November books, and I will go back & review all the funds & line items to make sure they're all good. There probably will be some transfer legislation for the next meeting just to finish out the year for things I perhaps missed.

Althausen: So, it's a reclassification...

Romanko: Yes.

#### **COMMUNICATIONS/PETITIONS:**

Althausen: I have no communications other than you have minutes from the Kenton Hardin Health Dept. from 10/26. Are there any other communications? There are no petitions that I'm aware of either.

#### **MONTHLY/ANNUAL REPORTS:**

Althausen: In your packet you have the Income Tax report. Are there any questions on that? Alright, we have the WWTP Daily Discharge Flow report, KPD report, KFD report...questions on any of those?

#### **COMMITTEE REPORTS:**

None from Finance or Regional Planning.

Safety, Nuisance, Cemetery, Davis: Safety has met and we're going to start back up after the first of the year so we're giving it a break until after Christmas. And Cemetery...all of the footers have been poured for this year so we're currently on track and done with footers. Cindy, can you have them mail us a water bill? We haven't gotten a water bill since the new meter went in. That's all I have.

Murray: Sure. I sure will.

MOP, Wren: MOP did meet & we do have Ordinance 21-036 tonight where the strength ordinances have been updated and changed.

BKP, Althausen: BKP will meet a week from tonight. Just a quick comment about committees...most of you remember 2 years ago I kind of wanted to overhaul the committees. I still have that information that I'd originally started working on & had a short conversation with Lynn & Cindy today so we're going to work on that further & have something rough to have in front of you at the last meeting of the year. Also, two years ago because of where we were in the budget process, we were actually quite a way ahead of schedule and we approved the budget in this meeting (23<sup>rd</sup> session). So the last meeting of that year we went ahead, and because of a few things the last Administration had, we had our swearing

in at the last meeting of the year if you all recall. We're not going to do that this year so our swearing in will be the first meeting of the year & we will do that first thing so we're all onboard. Okay?

**OLD BUSINESS:**

**ORDINANCE NO. 21-029, 3<sup>RD</sup> READING, TITLE ONLY; AN ORDINANCE VACATING THE ALLEY LYING BETWEEN INLOTS NUMBER 11, 12, AND 13 OF ADAM SCHNEIDER'S SUB-DIVISION AND INLOTS NUMBER 87, 88, AND 89 OF LETSON'S THIRD ADDITION TO THE CITY OF KENTON, OHIO.**

Althausen: Are there any changes or anything new?

**Motion by Mrs. Davis & second by Mr. Lawrence to adopt Ordinance No. 21-029.**

Althausen: Is there any discussion? (Roll call vote, 7 ayes; motion carried)

**ORDINANCE NO. 21-032, 2<sup>ND</sup> READING, TITLE ONLY; AN ORDINANCE PROVIDING FOR ADDITIONAL APPROPRIATIONS FOR THE YEAR 2021 FOR THE CITY OF KENTON, OHIO AND DECLARING AN EMERGENCY.**

Althausen: It has been 3 weeks so I'm trying to remember what all is in here. Pam...

Romanko: That is the health insurance buyout ordinance.

Althausen: So it has to be done by yearend...it's up to Council what you want to do.

Romanko: It has to be done by yearend, but if we could write the check this week it would be great; if not, we'll write it in two weeks.

**Motion by Mr. McEntee and second by Mrs. Fitzgerald 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 by Mrs. Wren and second by Ms. Jones to adopt Ordinance No. 21-032.**

Althausen: Is there any discussion? (Roll call vote, 7 ayes; motion carried)

**ORDINANCE NO. 21-033, 2<sup>ND</sup> READING, TITLE ONLY; AN ORDINANCE TO MAKE APPROPRIATION FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF KENTON, STATE OF OHIO, DURING JANUARY 1, 2022 THROUGH DECEMBER 31, 2022 AND DECLARING AN EMERGENCY.**

Althausen: Any questions at this point about the budget?

Romanko: Is this where I bring up some misc. items for amending this budget?

Althausen: Yes, I guess it is.

Romanko: Brenda passed out the sheet with the numbers on it. The first item is the Municipal Court and Judge Grimslid spoke on that. The other 3 items...the Rec Director will be leaving & her last day is the 17<sup>th</sup> so her last normal paycheck will be in 2021, but her severance she'll have accrued 1.9 weeks of vacation so she will have a severance buyout that will take place in 2022. That \$921 is her severance pkg. and of course we need to transfer money from general to parks to be able to pay that. Then the 4<sup>th</sup> item on Grove Cemetery...if you look at page 9 of the budget, you'll see that the Grove Cemetery Distribution is \$2500.00 and the Auditor & Treasurer Fees is \$102,000.00 and this corrects that mistake.

Althausen: I guess I would say that Council if you would decide to amend this & consider these as amendments, they do not all have to be done on one amendment.

Romanko: Right, these were the things that came up as part of it and I put them in this form so you could see them, not so they were all grouped together.

Althausen: First things first, are there any questions you have for Pam or Brian?

Beazley: The Rec we have no way of circumventing that so we might as well approve that transfer and the additional amounts and then obviously the typographical error where we reversed the amounts that just simply needs to be corrected. So, Mr. President, I would move...

**Motion by Mr. Beazley & second by Mrs. Davis that we amend the budget as requested by the Auditor's Office as it pertains to the RSPO Fund and general transfer to the RSPO Fund, and the Grove Cemetery Distribution and Auditor's & Treasurers Fees, as described on the last 3 items on the sheet.**

Althausen: Is there any discussion? (Roll call vote, 7 ayes; motion carried) With regards to the last item, which is actually the first section on there for Municipal Court, Judge Grimslid did give his explanation and unless someone moves to the contrary, I'd suggest Council do anymore research on that that they need to because either way we do owe it to Judge Grimslid to make some kind of decision. So, I'd encourage you to ask Pam or Brian any questions you might have. Is there anything further in regard to those items? Are there any other comments with regards to the budget at this time?

**NEW BUSINESS:**

**ORDINANCE NO. 21-035, 1<sup>ST</sup> READING, TITLE ONLY; AN ORDINANCE PROVIDING FOR ADDITIONAL APPROPRIATIONS FOR THE YEAR 2021 FOR THE CITY OF KENTON, OHIO AND DECLARING AN EMERGENCY.**

Althaus: I see Pam stayed standing up there...Chief do you want to speak to this, or do you want Pam to speak to it?

Chief Dennis Musser: I think that we spoke briefly about this sometime ago, maybe last Council meeting...

Beazley: We did not speak to the entire group, Chief.

Chief Musser: Oh, okay. So, essentially we're asking for a transfer of funds...

Romanko: Additional appropriations.

Chief Musser: Additional appropriations, I'm a little frazzled here...okay, so basically one of our kind residents, a Hardin County native, approached us and offered to purchase a cruiser for the police department. They wish to remain an anonymous party so I'm going to hold myself to that, but we did receive the check so basically this is just covering the cost of it while we go through that process of getting the check deposited, getting the purchase order written, so on & so forth.

Beazley: So, this is the form of a donation & the donation has been received.

Chief Musser: As of today, yes.

Althaus: So Pam, it is an additional appropriation but it's the best kind there is.

Chief Musser: Exactly.

Beazley: A paid for additional appropriation.

Chief Musser: So with this family purchasing a cruiser for us, then Council would only need to purchase 2 more for the department. So it's a win-win. Ha.

Davis: You should be asking Santa...

Althaus: We need to get them on a rotation, you know that's how I feel.

Beazley: There is no doubt about that, but this is a very generous donation and I am aware that we will honor the donor's wishes, but a tremendous thanks need to be expressed because that's a very generous gift.

Romanko: That being said, the 3 read rule we'd like to be waived so we can...

Althaus: Obviously I think they were hopefully going to get there but...

Beazley: Mr. President, under Pam's urgent urging, I move...

**Motion by Mr. Beazley and second by Ms. Jones that the rules requesting legislation of a permanent or general nature to be read on three separate days, be suspended. Roll call vote, 7 ayes; motion carried.**

**Motion by Mrs. Wren and second by Mr. Lawrence to approve Ordinance No. 21-035.**

**ORDINANCE NO. 21-036, 1<sup>ST</sup> READING, TITLE ONLY; AN ORDINANCE AMENDING KENTON CODIFIED ORDINANCE SECTIONS 202.03(C), 228.01, 230.05, 234.01, 234.05, 236.01, 249.13, 249.15(B), 246.16, 249.21, 249.25, AND 249.46 AND REPEALING CODIFIED ORDINANCE SECTIONS 236.11, 236.02, 238.05, 238.06, 238.07, 238.09, 236.10 AND 236.11, RELATING TO LEGAL HOLIDAYS, APPOINTMENTS AND COMPOSITION OF DEPARTMENTS, PAY ASSIGNMENTS, CLASSIFICATIONS AND SCHEDULES, CERTAIN BENEFITS, AND DECLARING AN EMERGENCY.**

Althaus: I will ask MOP and/or John to address this, but I just want to comment that I believe MOP & John just wanted to see if Brenda could read all that. Ha.

Schwemer: We'll probably get to see her do it again. Ha.

Althaus: Right, all you have to do is not suspend the rules and she'll read it again in 2 weeks. Ha. So, John or Pegg, do you want to give a brief background on this?

Schwemer: Pegg, do you want me to run with it?

Wren: Yes.

Schwemer: A lot of this is cleanup, so I'll just hit some of the main items. The rules of construction at the top we mostly brought the Juneteenth date. We talked about changing that to keep in-line with what our paid holidays states, but there is a section at the end of the ordinance that we amended to address the paid holidays (sect. 249.46). We do not follow a federal holiday schedule as far as pay, some of them are but some aren't so that 249.46 really addresses they get off for pay. The appointment qualification in 228 it was mandatory that an income tax administrator be appointed so we put that optional "may" as opposed to "shall". That was the change there. Source of Safety Service Director's salary that was just a different breakdown of allocation based upon our existing use of that office. We always have to tune that into what we feel is an appropriate allocation between general, street, water, and sewer and there was just a change in the percentages there. Composition of Fire Dept...we had to increase the number to 16 which is what we're in-line with and acknowledge that there could be 3 captains. Residency requirements we had changed that in-line with what we expect in the future. Really it addresses Hardin County and the area surrounding, and a few of the other surrounding counties. Some definitional changes in the next couple of sections are with terminology, but not so much job positions or

descriptions. Then we had within the water department that section 8 of the ordinance, we had a bunch of section titles that we had not used for a long period of time, and we were basically removing those because they are basically viewed as obsolete positions. There were a number of changes to the pay classifications, but mostly to keep in-line with again what we are doing with a number authorized for the WWTP as far as staffing levels, so it was really changing that to keep in-line with the folks we actually have...like water meter reader on the public works 0-1 so we don't have to have one. It's just to give flexibility, okay? Moving on, we did a number of changes on pay ranges...we have positions within the City that are very comparable, but for whatever reason the pay ranges were very different even though the job work that was done was very similar. So, we put some new descriptions such as Utility Billing Specialist, Utility Customer Service, as well as we had Personnel, Public Works Superintendent...we're trying to make those in-line more consistent. The hourly schedule for part-time seasonal hourly really didn't change much but we did have on the salaried schedule...we have now a full-time salary schedule, a part-time salary schedule, which is to provide flexibility for possibly the Auditor's Office and what they'll be doing, as well as the Law Director with somebody that's going to be helping with paperwork in the office. Then there is a part-time seasonal salary schedule that was modified/increased and again that is possibly by use of Brian, due to a set period of time that he may have an employee for the following year. Season under our codifieds doesn't mean it's just for one season, it can be up to an entire year and that sounds like possibly the option that he may be moving towards. So those are the changes there. Pay adjustments in 249.21...this is something I think we'll continue to look at, but basically this was kind of a mandatory evaluation process and it's not something we've followed so we put it as discretionary. But again, it's something that the administration will continue to look at and may consider using it. It just hasn't been done in a number of years.

Beazley: John, as I read that now it says that it "shall" be...

Schwemer: Right, but it's "may" receive evaluation...

Beazley: The adjustments themselves "shall" be reviewed by MOP, that's not been modified and that all by itself is something that previous administrations were uncooperative at the very least, and I'd strongly urge us to get back to that practice diligently. Before Finance would even consider something, I think it will have to go in front of MOP, at least from my standpoint so long as I remain in charge of Finance.

Schwemer: That's been something that's not been consistently followed and it's been over the history of a couple of administrations. I remember some heated discussions a number of years ago about this and that's all I'm going to say about that in open session. Moving onto section 13, this just gets in-line with what the City contributes towards full-time employees as far as our coverage. That was really the only change in hospitalization. We took out section...I'm drawing a blank on what we wiped out on that, Cindy. What was the first part of that component we deleted? Okay, here it is...the accessibility portion we had a provision in there that says a city employee has to maintain a residence, has to have a telephone at no expense to the city, the fire department receiving permanent appointment has to reside in a 7-mile radius...so it's things to keep it consistent with the union agreement as well as our current operation. So that whole provision really was obsolete with our requirements as well as the requirements of ORC regarding residency. Then, as I mentioned before, that last component is holidays and that is our paid holidays and what we're adding there is the Juneteenth date because it's a federal holiday and is audited by the State. So that's a lot going on there. Are there any questions?

Althausen: I'd just make a general comment to Council with regards to actually both the next 2 items and anything that might come up in 2 weeks...remember, we're at a point in time this year where you will have these 2 items on the 3<sup>rd</sup> reading, if you choose to go that way, with a new Council or I should say a different Council. Any other questions or comments on item B? If there are no objections, that will go to a 2<sup>nd</sup> reading in 2 weeks.

**RESOLUTION NO. 21-013, 1<sup>ST</sup> READING, TITLE ONLY; A RESOLUTION AUTHORIZING THE MAYOR OF THE CITY OF KENTON, OHIO TO ENTER INTO AN AGREEMENT TO FURNISH EMERGENCY MANAGEMENT WITH THE HARDIN COUNTY COMMISSIONERS THROUGH THE HARDIN COUNTY EMERGENCY MANAGEMENT AGENCY, AND DECLARING AN EMERGENCY.**

Althausen: This is more formality, well not a formality, but we've got to do it unless we chose to do that on our own. Questions for the Mayor?

Beazley: Do we want to go ahead and move on that?

Althausen: That's your call.

**Motion by Mrs. Davis & second by Mr. Beazley 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 by Mr. Lawrence & second by Mrs. Wren to approve Resolution 21-013.**

Althaus: Is there any discussion? **(Roll call vote, 7 ayes; motion carried)** Is there any further new business at this time? John, so I get the language right, we're going to ask for a closed session with regards to 121.22(G)(1)...can you say the rest of it?

Schwemer: Yes, regarding employment and dismissal of an employee or employees.

Althaus: Thank you. Before I ask for that motion, first I'm going to give anybody that doesn't have to be here a chance to go ahead and do their comments. Chief Musser, anything?

Chief Musser: Thank you for moving on the item we had on the table tonight.

Althaus: And we thank whoever that was and anything you may have had to do with that we thank you too. That is just an incredible gift.

Morgan Ellis: I'm Morgan Ellis and this is my husband, Hayden Ellis. We are a younger generation of Kentonites, I'm 29 & he's 28, and we've lived here our entire lives. We were talking the other day about how we've never been to a City Council meeting and I feel like it's very important for our younger generation to get engaged. As we're becoming more engaged with our employment in the community, we realize how important it is for the younger generation to become engaged. We're just here for this and hopefully we'll be at more. I just want to say you guys are doing a great job and I want to say the City is looking great so keep up the great work.

Althaus: The reason I did that is we do go into a closed session and the intention is not to have any business after that other than comments from Council and the Administration. So I'm just letting you know that, although I'm not promising that but that's the intent. So, do I have a motion to go into closed session as was stated by myself and our Law Director?

**Motion by Mr. Beazley & second by Mrs. Wren to go out of regular session and enter into closed session under section 121.22(G)(1) Personnel regarding employment and dismissal of an employee or employees.**

Althaus: Is there any discussion? **(Roll call vote, 7 ayes; motion carried. Time: 8:38PM)** Okay, anyone who shouldn't be in this should step outside. You're welcome to not return, but you're also welcome to return.

Fitzgerald: Morgan and Hayden, thank you for coming. I appreciate you.

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**Motion by Mr. Beazley & second by Mr. McEntee to go out of closed session and return to regular session.**

Althaus: Is there any discussion? **(Roll call vote, 7 ayes; motion carried. Time: 9:03PM)**

Althaus: Okay, we've come back from closed session, so we are to the comments portion of the evening having heard all the business scheduled on the agenda. As we always do, and as we always should, we begin with Cindy.

Murray: I've got lots of things to say now that nobody's here to hear it. I just want to say at the Water Office we're doing the best we can...we had some sickness this week and I just want all the citizens to remain patient and calm. When the Mayor & SSD are down there working as a tag team trying to take everybody's money just remain calm. Electric Aggregate...I wanted to remind all the citizens with energy prices going up please make sure you get part of the electric aggregate program at a rate .0434 cents per kilowatt hour. You're not going to get that anywhere else. That's good until May. We did not lock in on another rate because they're so high right now, so we're trying to wait until it goes down a little bit. I want to thank the anonymous donor of the police car. This citizen sought us out so that's a very, very gracious donor. And I just want to wish everybody the happiest of holidays!

Auditor, Brian Hattery: This is just a thank you to John. He did a lot of changes in a short amount of time that's in the book of ordinances. He did a lot for me, and he did a lot for others also in a short amount of time, so I just want to give my thanks and appreciation to the Law Director for putting in some extra hours for that. That's all, Mr. President.

McEntee: Merry Christmas everybody!

Beazley: I will echo John's Merry Christmas. Happy holidays!

Davis: Merry Christmas! That's all I have.

Lawrence: Ditto.

Wren: Merry Christmas everyone!

Fitzgerald: Merry Christmas!

Jones: Merry Christmas! Thanks everybody for everything you do...Cindy, Lynn, everybody here.

Beazley: I'm going to retract my passing and say good job on the police department tree.

Jones: Thank you. It was last minute that I got this text from my son if I could help with the KPD tree. He said it needs done tonight so I was like okay do they have a tree. He said yes, they had a tree, but no decorations so we figured it out. It'll be bigger & better next year because we'll have more time to plan.

Schwemer: Since Brian was commending me on the hard work, I have to advise you that I'm not going to be at the next meeting; however, I can participate by phone during the entire meeting if need be.

Althausser: Just be on standby and I'll call you.

Schwemer: I will make myself available at 7PM so I can participate the entire meeting. We're taking the girls up skiing in MI and I'll be gone a couple of days, but it happens to be that Monday. It's kind of unfair because you guys if you're not here you can't vote...I know I don't vote, but it seems kind of unfair but it's the way the laws are written.

Althausser: So are you like leaving tomorrow and being gone through the rest of the year or...

Schwemer: No, I am not. The realtors won't let me. Ha.

Davis: No we will not.

Mayor Webb: So I'll just touch base...since the media isn't here at least we'll have it on record that storm damage pickup is tomorrow and Wednesday for the 1<sup>st</sup> & 2<sup>nd</sup> wards, and Thursday & Friday for the 3<sup>rd</sup> & 4<sup>th</sup> wards. I want to give a shoutout to Johnny Manns who did the entire Pioneer Park. He picked that up all day Sunday and did a phenomenal job. I always appreciate his help. He does most of our downtown on the weekend and he does the parking lot to make sure it looks nice. He takes a lot of pride in our downtown so if you see Johnny or know Johnny, give him a shoutout. Also leaf pickup is wrapping up this week. Friday is the last day for the vac machine, but we will continue to pick up bagged leaves. Go to the Facebook post, we reposted it to call Burl and get that schedule for pickup. It went exceptionally well with the new machine...I think it's safer and less chance for workmen's comp and all that stuff.

Jones: That arm comes out pretty far.

Mayor Webb: Um hmm. So that's the update. I definitely want to...Ada had their shot at the storm and Kentucky, and we just want to say as a City, regardless of whether it's in Ohio or not, I think we send our thoughts & prayers to all of them. It also needs to put us on alert and say hey, what do we need to get back up & running after a tornado, how do we look at that, are we really ready to go with emergency management? There are a lot of issues that I'm not comfortable with...I think even the Celina storm last year...so I think maybe after the new year that might be something we bring up for Safety Committee. It's one of those things where you can always be overprepared, but I don't think we're overprepared at all. Stuff like that kind of brings it to the forefront that we need to work on it. That's it.

Althausser: I appreciate everyone's attention tonight. There are an awful lot of things coming. In 2 weeks...it's the meeting we look for, the last one of the year and for a couple of you it is the last one. So we'll talk more about that in 2 weeks. Everybody have a Merry Christmas.

Beazley: Are you bringing cake?

Althausser: I'll bring something, yes. It might be in a bottle. Ha. I'd just encourage everyone to communicate...when you have a concern or question, please don't go around people but talk to them. Talk to the Mayor, talk to Cindy, talk to each other as Councilmembers, if you have a question with maybe the way I address something talk to me about it. I'd welcome that. If some of the communications regarding the agreement we moved tonight seemed a little formal to you, part of that was to keep us from having a special session and I think it worked out fine. Pat was bound & determined we were going to have a special session. Okay, with that if there are no objections, we're adjourned.

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Joel Althausser, President of Council

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Brenda Hanna, Clerk