

2ND REGULAR SESSION:

Kenton City Council met in their 2nd Regular Session on January 24, 2022, at 7PM in Council Chambers. Present: President Joel Althaus, David Beazley, Ray Lawrence, Pegg Wren, Anda Tudor, Robin Jones, Law Director John Schwemer, Mayor Lynn Webb, & Safety Service Director Cindy Murray. Absent: Antwillia Davis.

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

MINUTES:

Althaus: After reviewing the minutes that were in your packet from the meeting 2 weeks ago, are there any additions or corrections? Okay, the minutes from 1/10/22 are approved as submitted.

CLOSED SESSION:

Althaus: At this time, I'd like Council to consider going into a Closed Session with regards to Section 121.22(G)(4) Labor Negotiations.

Motion by Mr. Beazley & second by Mrs. Wren to go out of Regular Session and enter into Closed Session under Section 121.22(G)(4) Labor Negotiations.

Althaus: Is there any discussion? **(Roll call vote, 5 ayes; motion carried. Time: 7:04 PM)**
So, I'll ask folks to step out at this time.

Motion by Mr. Beazley and second by Mr. Lawrence to go out of Closed Session & return to Regular Session.

Althaus: Is there any discussion? **(Roll call vote, 5 ayes; motion carried. Time: 7:10 PM)**

Althaus: Okay, welcome back everyone. The Administration has reached an agreement with the Firefighters Union, so is there a motion from Council to approve said agreement?

Motion by Mr. Lawrence & second by Mr. Beazley to approve the agreement for the Firefighters Union.

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

CITIZENS REQUESTING TIME TO SPEAK:

Althaus: As you can see, we have no citizens on our agenda this evening. If there is someone that would like to address Council, there will be time later in the meeting.

COMMUNICATIONS:

Althaus: Brenda & I included in your packet the letter that Brenda received regarding Kenton Senior Housing II & Kenton Station Senior Villas II...I'm not certain which is which, but basically we went through this process before. At this time if you all come to the same conclusion that I have & John agrees, there's not really anything for us to do unless we have concerns. Now one thing that came to mind to me is something I was going to bring up to the Street Committee is a sidewalk out there.

Wren: If it's going to be where the Senior Complex is now there is a sidewalk there.

Althaus: I didn't catch this, but John looked at the address and I think it's the Kaylor ground.

Schwemer: It's the other side of the street (north side of Columbus Street).

Althaus: The folks aren't using that sidewalk...they want to go on the north side, and I don't know how many times I've seen individuals in wheelchairs wheeling right down the highway. So maybe in the course of all this, we can solve that issue too.

Wren: That used to be county so if they build over there...

Althaus: We annexed that.

Schwemer: Do you know what it's zoned off the top of your head, Brenda?

Clerk: I believe it's zoned B-3 General Business.

Schwemer: Council may get involved in this because it may need to come in as a Planned Unit Development because otherwise our existing zoning regulations, our setbacks and everything are for single buildings. So all of a sudden if you're putting in a private street and buildings they do not meet residential setbacks so that's what we have had to do with I believe Blanchard House, as well as the first addition across the street (Kenton Senior Villas). So we're not there right now, that will be a zoning issue down the road.

Beazley: So that would go before zoning first?

Schwemer: Yes (Planning Commission). This letter is if we're going to object, we have to submit any comments if that's your decision. I think the realtors have probably heard more, but I've heard nothing negative about the existing project other than they filled up really quick and I think they wished there

were more. I think sometimes the wish was there was a higher income threshold because some people are not able to do that because they have a little bit too much money.

Wren: Right. When they started building that project, they weren't going to be subsidized but anytime OHFA is involved they have to go by those rules. I think it's a great thing because it is full and the only complaint I've heard about it, is the fact that there is a tier scale there and some people don't qualify because they have too much income.

Schwemer: This letter is a little unclear to me on what kind of income whether this is a higher threshold because it says moderate income. I think it was more of a lower income threshold for the first group. So I don't know.

Althausen: Does any Councilmember have a desire for us to submit any comments to the OHFA? Okay, let the record show that we chose not to comment at this point in time. Are there any other communications to be presented?

PETITIONS:

Althausen: We have no petitions.

ADMINISTRATIVE REPORTS:

Althausen: Chief, do you have anything to comment on your reports?

Police, Chief Musser: I have nothing other than I welcome any questions you may have.

Althausen: Are there any questions on the monthly and/or annual report? What was your biggest surprise when you looked at 2021?

Chief Musser: There really wasn't anything catastrophically higher or lower...

Beazley: That's a man with his finger on the pulse.

Althausen: Chief Donnelly, do you have anything to add to your monthly & annual reports?

Fire, Chief Donnelly: Probably the biggest thing I've got to report is on Friday we submitted a grant through the Assistance of Firefighter Grant program through FEMA. Basically, that's to replace all of our air packs, our SCBA bottles, & also update our breathing air compressor & fill station. The total grant dollars we're requesting is \$241,875 and I think our 5% match was right around \$35,000 or \$37,000 (\$11,517) for all of that. So that's the big thing we're looking at right now. On the new ambulance we're just waiting for the radios to come in for that and I think all of the other equipment is in. So, we're ready to get that out on the road and if it works out with the weather maybe we'll bring it up here when we get it fully...

Beazley: Will it take long on the radio?

Chief Donnelly: I talked to them about a week ago and they thought it'd be about 2 weeks to get it in. But then the MARCS radio has to go...it's a programming thing where they've got to get the template back from Ohio DAS to program the radios. But usually, it's maybe a week after they get the radios...hopefully within the next 3 weeks...worse case scenario if we really needed to put it in service right now we've got our portable radios the guys could use to do communications on. Other than that, that's all I've got.

Althausen: Probably nothing from Parks & Rec?

Mayor Webb: Robin will address that.

Jones: We have a Parks & Rec meeting this Thursday in Council Chambers at 6:30 PM, if anyone wants to attend that.

Althausen: You said 6:30 Thursday? (yes). No report from Income Tax or the Auditor tonight. Law Director? No. Safety Service Director?

Murray: Nothing.

Althausen: You found the WWTP Daily Discharge Flow report & then added at your station tonight was the Public Works report. If there are any questions on those you can ask Cindy. Mayor, you're up next if you have anything...

Mayor Webb: I just want to report that we did hire Jacqueline Fitzgerald for our Community Improvement Director. Three people made it to the final round and everybody did a fantastic job and we appreciate everybody who was in all of the interviews. She and Angelica will be here next Council meeting for introductions. Also, we'll have the first Mayor's meeting for the Hardin County Mayor's on February 2nd at 6PM and it will be here. So media, if you would like to attend, it's all you. We'll be going over Capital Budget and I'm going to try to get this where we meet every other month. And, it's pretty big news with the 20 billion dollar investment...I mean 200 billion dollar investment in Columbus. We did have a call in to the Governor, we don't want to miss it however that looks. It will be a great opportunity for the State of Ohio, so I'll say Ohio is on the move. It's pretty exciting for that. That's all I have right now.

REPORTS OF STANDING COMMITTEE AND/OR SPECIAL COMMITTEES:

Althaus: Is there anything from Finance, MOP, Safety/Nuisance? Nothing? Okay.

REPORTS FROM COUNCIL MEMBERS:

Regional Planning – Althaus: I think you reported on your meeting last time...

Beazley: Correct. We've not met since.

Parks & Rec Board - Althaus: Robin just talked about Parks & Rec.

Grove Cemetery Board – Althaus: That would be Antwillia who isn't here.

BKP Ambulance District Board – Althaus: I did email out the minutes for December. We did meet last week...if you look at the December meeting you can see it was a pretty long meeting. Also, Chad, Shelley, Bob White & I did meet with the Administration at the Hospital to discuss some of their runs and some things that have been happening. We're meeting with them, at least Chad & Shelley are...Chad is our Chief and Shelley Prater is head of...well not head of bookkeeping, but she handles all of the insurance claims, so they'll meet with the hospital every month just to try to keep that line of communication going.

OLD BUSINESS:

1) Discussion of open Council Seat (1st Ward): You saw we have 2 individuals that would like to be considered for that open seat. I wanted Brenda to get these out to you, so everybody should have a copy. What we've done in the past is get a few times we thought we could meet. Ideally, we'd interview them right after one another, and get that ball going. I guess we can either chat right after Council or talk some times now. I guess there's no reason we can't...the 2 applicants are Anna LaWarre and Sue Fox Buroker. Do you have any certain time commitments as far as an interview Anna?

Anna LaWarre: Evenings.

Althaus: I think an evening would work for Sue.

Schwemer: Is it something you'd want to do before or after a Council meeting?

Althaus: Thoughts?

Lawrence: It doesn't matter to me. I'm open to anything.

Althaus: It could get a little long...do you want to try to work it around the next Council mtg?

Schwemer: I was just throwing that out there...

Beazley: With 2 candidates I don't think you'd have a significant amount of time...both of them, I think, are well known in the community.

Lawrence: Do we want to have her seated by the next meeting?

Althaus: Well, that's what I was aiming for. I was aiming to do something the very beginning of next week. For example, next Monday and/or Tuesday...what's Council's thoughts? After 5PM.

Beazley: I have a tentative commitment on Monday at this point, but Tuesday would work.

Lawrence: Is that Feb. 1st? I'm fine with that.

Althaus: Do you have any time on Feb. 1st Anna?

LaWarre: Any time after 5PM is fine.

Lawrence: It is the Lunar New Year though...

Beazley: It would be a good time to evaluate people. Ha.

Schwemer: We could wait until Groundhog Day. Ha.

Althaus: Sue might not be available Tuesday, but let's tentatively say Tuesday, Feb. 1st ...I'm trying to think of what's going to work for Sue, depending on what's going on over there...

Beazley: She has a big meal tomorrow so I'd think maybe next week would be an off week.

Althaus: Okay, so how about 5:30PM for you Anna? And then I'll reach out to Sue & see if we can fit her on either side of that. I'm trying to remember from the past...do you foresee these taking more than ½ hour?

Schwemer: No. Historically they were about 15-20 minutes.

Althaus: Okay, I'll try to see if Sue can come in at 5PM. Let's plan on being here right at 5PM everyone with the idea of trying to get that all wrapped up. That's Tuesday, the 1st. While you are right here, do you have any questions?

LaWarre: No, I don't think so. That's why I've been showing up to a couple of the meetings and stuff like that...I've talked with Dave and Ray some....

Althaus: I really appreciate your interest. I've known you for a long time. Questions or comments from Council? Okay, between the two of us (Dave & Joel), well and Anda sees her too, but I may head over there later...she might be over there...

2) Discussion of Standing Committees: I passed out a list of standing committees and individual

appointments. Now, there could be some horse trading if we have to, but that's the way I've got them right now. The 3 open spots would be Lynn's appointment to the Tree Commission, and then 2 committee spots would go to whoever gets the 1st Ward. For now, Lynn I have you continuing being the School Liaison because you've been doing it and wanted to. It's not necessarily something we're obligated to do, but if you want to. Any thoughts? If you don't want to bring up anything right now you can talk to me afterwards. I'd encourage MOP, I gave you each a copy of that chapter, and I'd encourage all Councilmembers...I know I'm going to try to look at researching a few things, but if you have things, we can introduce legislation. There are things that you, as a committee, want to start to look at and tear apart...I think Chief Musser had some stuff & it took us a while, but he had us work on it a couple of years ago. And Antwill's all over it now, that's her thing, she wants to really look at some of those nuisance issues. Remember all committee meetings are open and all Councilmembers are welcome to attend them. That's why I'm trying to make a point to having a point & time on the agenda where we just say hey what are the committee meetings coming up and let's make certain we get those in the record so everybody knows. Okay, any other old business to be discussed?

NEW BUSINESS:

ORDINANCES & RESOLUTIONS:

2ND READING:

Althausser: Just a reminder, all of those the rules were suspended and you can act on them tonight.

Schwemer: It's important & we'd need a unanimous yes to get any of those pieces passed because we're still at a 2/3 majority.

Althausser: Right, for emergency language.

- 1) **RESOLUTION NO. 22-001, TITLY ONLY; A RESOLUTION AUTHORIZING AND DIRECTING THE MAYOR AND/OR SAFETY SERVICE DIRECTOR TO APPLY TO THE OHIO DEPARTMENT OF TRANSPORTATION FOR TRANSPORTATION ALTERNATIVES PROGRAM (TAP) FUNDING AND DECLARING AN EMERGENCY.**

Althausser: Was this described to everyone to enough satisfaction for you all 2 weeks ago? Is there a motion to consider?

Motion by Mr. Beazley & second by Mr. Lawrence to approve Resolution No. 22-001.

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

- 2) **RESOLUTION NO. 22-002, TITLE ONLY; A RESOLUTION FINALIZING THE ACTIONS UNDER ORDINANCE NO. 21-017 TO PERMIT THE CITY OF KENTON, OHIO TO ENTER INTO A HIGHWAY IMPROVEMENT PROJECT WITH THE OHIO DEPARTMENT OF TRANSPORTATION AND DECLARING AN EMERGENCY.**

Althausser: Same thing...any questions? Motion to consider?

Motion by Mrs. Wren & second by Ms. Jones to approve Resolution No. 22-002.

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

- 3) **ORDINANCE NO. 22-001, TITLE ONLY; AN ORDINANCE PROVIDING FOR ADDITIONAL APPROPRIATIONS FOR THE YEAR 2022 FOR THE CITY OF KENTON, OHIO AND DECLARING AN EMERGENCY.**

Beazley: This is the additional amount paying for Resolution No. 22-002 after the State's estimate came in a little higher for us. We had originally budgeted what they cost and then this is the additional amount based on their new projections.

Althausser: And that also was suspended. Thank you, David. These ones that are additional appropriations are always kind of tough when you read them the 2nd & 3rd time because you don't see more than the heading. So, thank you for remembering that. Do I have a motion to consider?

Motion by Mr. Beazley & second by Mr. Lawrence to approve Ordinance No. 22-001.

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

SCHEDULING OF COMMITTEE MEETINGS:

Althausser: I know Antwill is going to get busy pretty quick...obviously there are a couple of committees where you're lacking a person and that might...(static)

Lawrence: I was interested (static)

Althausser: Ray, I've got you on the 3 you were interested in, but there are 2 committees where we're short a person right now, but I can't remember which two...

Lawrence: Public Utilities, and Legislation, Codes & Regulations.

Althausser: And Legislation, which is Antwill's...on Utilities, that committee will have guidance from things that Cindy needs so that will be a work in progress.

Beazley: Mr. President, if it would suit you, I would be happy to volunteer to serve on Legislation, Codes & Regulations until such time we have someone permanently seated.

Althaus: Yes, and the method to my madness was everybody basically has 3 hats, and it just so happens you're Pro Tempore, but that's a very good idea.

Beazley: I'm happy to sit until we have someone permanent.

Althaus: So, for now, David will fill those 2 spots just so you have 3 votes. Wonderful! Thank you. I doubt we have any meetings to schedule right now...

Beazley: Antwillia may have something.

Althaus: Anytime you want to schedule something you don't have to wait until a Council meeting. Just let us all know or let Brenda know to make certain we get it on the agenda. We'll even put them on here ahead of time.

OTHER MATTERS:

Althaus: Are there any pressing matters to clear the air on?

COMMENTS FROM THE PUBLIC:

Murray: Do we need to do anything with the Firefighters agreement?

Althaus: We did. I didn't wait until new business. I just went ahead and did it right as soon as we came back into Regular Session.

Chief Musser: I thought of something to share...someone mentioned this to me, and I want everyone to understand there are sections in here (annual report) the optics of it don't look so great such as sex offense calls with zeros all the way across. Understand that when it comes to a lot of calls, especially sex offense calls, they report it after the fact and the process of gathering evidence and then in most cases getting a warrant for them through grand jury. So, it's recorded as an arrest on a warrant indictment. If it were a fresh arrest, it would certainly indicate the original offense but that is very rarely the case regarding sex offense calls. We should...in our department downstairs every month we post everything that every officer does...ie: Officer Smith stopped this many cars, Officer Smith wrote this many tickets, Officer Smith had this many felony cases submitted to grand jury...it's every statistic for everyone to see and it's very telling for obvious reasons. I need to take those statistics from Brad's office (County Prosecutor) over there and make them part of this report, I think, to give you a more accurate representation of what we do in a felony sense. Because quite honestly that far outweighs...in terms of time, resources & money it paints a much different picture of what we do as a police department, especially when it comes to guys like Kemmere and the task force and stuff like that. So I wanted to point that out before somebody else did. Any questions about that? That's all I've got, thank you.

Althaus: Anna, did you have any questions?

LaWarre: No, I'm just glad to be here and hope Council considers me for the empty seat (static)...

COMMENTS FROM NEWS MEDIA:

None

COMMENTS FROM COUNCIL MEMBERS AND ADMINISTRATION:

Mayor Webb: I just wanted to (static)...once again with the weather the Public Works guys are doing a phenomenal job, as are the Police & Fire...they're all out there dealing with it. (Static)...Republic pulled their drivers early due to the weather (static)...our residents have been given high marks by Republic for their cooperation and patience...Just want to say kudos and give a big shoutout...

Althaus: (static)...Just a reminder our next meeting is Feb. 14th at 7PM. I'll email and confirm that Feb. 1st we'll do the interviews for vacant seat (static). If there are no objections, we're adjourned.

Joel Althaus, President of Council

Brenda Hanna, Clerk