

5TH REGULAR SESSION:

Kenton City Council met in their 5th regular session on March 8, 2021 at 7PM in Chambers. Present: President Joel Althaus, John McEntee, David Beazley, Antwillia Davis, Ray Lawrence, Pegg Wren, Patti Risner, Robin Jones, Law Director John Schwemer, Mayor Lynn Webb, & Safety Service Director Cindy Murray.

Prayer given by Mrs. Risner & the Pledge of Allegiance recited.

MINUTES:

Althaus: Are there any additions or corrections to the minutes of the previous meeting? Hearing none, they'll stand approved as submitted.

CITIZENS REQUESTING TIME TO SPEAK:

Althaus: We have no one on the agenda this evening, however there will be time at the end of the meeting under comments if anyone present has anything to address with Council.

DEPARTMENTAL NEWS/UPDATES:

Auditor Brian Hattery: I spoke with Rob Jacobs with the State Auditor's team and he wants to keep us updated on a regular basis on how the audit is going. Is everybody okay doing email updates? He mentioned conference calls...I don't know that that's needed, but are we all good and do you all want to get the email, or should it just go to Finance? It doesn't really matter to me. It ought to at least go to Finance, but if you'd all like to be on these updates we've never had this option before so it's a little new for me also. I just need to hear from you & I'd like to respond to him officially if you don't mind.

Althaus: I would send it to all Council.

Hattery: I agree. Everyone on Council we'll do email updates & we'll all just see together exactly what that's going to look like. Thank you, that's all I have.

Althaus: I had a chance, just to follow up a little bit, to talk with Rob and also with...who's the guy from Lima? Brad?

Chief Dep. Auditor Pam Romanko: Brett.

Althaus: Yes, Brett Clum. I talked to him for a little bit & I guess what I would just alert Council to is remember we're coming out of our 3 years of outside auditors.

Romanko: 5 years.

Althaus: 5 years, yes. Now because we had 5 years straight, we have to have the State do it and this will be a more robust audit. Not that they didn't do a robust one before, but that's a quote from Brett. They tend to look at things a little more in depth, so I think that's a good thing. Other than that, I got the same questions I usually do.

Hattery: If anybody has any concerns of any misuse of finances please feel free to respond to them directly. Don't ever feel like you can't (can't hear)...now is the time if you have concerns & I have no doubt they will take your concerns seriously & address them...not necessarily just about finances but accounting in general.

Althaus: Chief, anything from KPD?

Chief Dennis Musser: No, I'll wait for comments.

Althaus: Taylor, anything from PIO? Oh, she just walked out...we'll catch her later. I know Chief Donnelly went to the Buck Twp. meeting tonight. Is there anything he wanted you to bring up?

FF Tate Peterson: I'll wait until comments...he gave me a list.

COMMUNICATIONS/PETITIONS:

Althaus: There were quite a few and a couple of them we may have to deal with. First, I'd mention you had at your station the Kenton Hardin Health Board proposed budget & that goes to the Advisory Council meeting. Mayor Webb is a member of the Advisory Council along with several representatives from the townships & villages. Lynn, you were probably going to talk about that later, but is there anything you want Council to be aware of?

Mayor Lynn Webb: No.

Althaus: Then you also saw Kenton Hardin Health minutes from their prior meeting. Mayor Webb always attends those meetings so if you have questions please ask her. I also received another letter/communication from Dickinson Wright, the attorneys for Hardin Solar II & Hardin Solar III, regarding another step in the process where they're transferring part of the energy & part of the acreage to Hardin Solar III. Anyone is welcome to look at it, but I don't know that we have anything to do on that...its more informative. You also had a letter in your packet regarding tree seedlings that are available from the Tree

Commission. I think there was information on how to go about signing up for those. Then the last item is from the Freedom Celebration Fireworks Committee...I think we have that budgeted. I know we didn't give last year so we can talk about this later & see what you think you might want to do. Are there any other communications?

MONTHLY/ANNUAL REPORTS:

Althausen: In your packets you have the Income Tax report, the KPD report, Water & Sewer, plus a couple of new ones. Cindy, do you want to explain the new reports?

Murray: The first is a monthly water loss report. It shows we've had a 40% loss...we've put meters on the buildings & places that use water (ie: city hall, etc.) but we've never had an accurate amount of usage because we weren't charging them so we're trying to get this 22% down to 14%. We made a lot of headway getting it down to 22%, but the goal is 14% so we'll keep identifying places where we're using water or losing it and getting those places fixed. The other report in there is from the sewer dept. It's just kind of letting you see on the graph what the plant was designed for...2.4 million gallons per day and you can see that most of the time we are processing over that amount. At the top of the sheet you can see the bypass and anytime we have a bypass we have to report it to the EPA. I just wanted to let you guys know what goes on down there & that's why we're doing some of the projects that we're doing. We also added some things to the bottom of the monthly deposit record that Mary Ann gives out every month. We showed what Republic bills us and you can see what accounts are delinquent, how much they're delinquent for, & you can see what we brought in vs. what we billed. If there is anything else you want to see on these reports just let us know, or any other report that you'd like to see.

Althausen: Questions for Cindy?

Davis: Cindy, on the delinquent bills is it everything that's 30 days delinquent or is it 60 day delinquency that we're getting reported?

Murray: It's everything that's delinquent on their account.

Davis: Okay so if it's the 60 we've got it on this report.

Murray: Yes. Those are the top 5 that are listed down there & then there's a total delinquency.

Davis: Thank you.

Althausen: Thanks, Cindy. Those are very beneficial reports.

COMMITTEE REPORTS:

Finance, Beazley: Finance hasn't met since our last meeting. We'll be discussing tonight initially the legislation that Finance proposed. Regional Planning did meet & I'm sure the Administration is well aware of the deadlines coming up soon for the next round of funding & projects. Things are looking very promising for the things we have already requested. I'd note that the normal Regional Planning meeting for April which would be the 1st Thursday is April 1st also Maundy Thursday, so we'll be delaying that Regional Planning meeting for 2 weeks until the 15th. That will be the full commission meeting.

Davis: Nuisance will meet Thursday. It is a public meeting & we'll be here at 6PM. Safety hasn't met yet, and the Cemetery met last Monday. We're getting ready to kick off the season & get ready for Memorial Day & move towards the warm weather. If anybody is looking for a position, please stop out & see Jerry.

MOP, Wren: Nothing.

Bart Steele: Are you looking at volunteers?

Davis: No, we're looking to hire another employee at the Cemetery.

OLD BUSINESS:

ORDINANCE NO. 21-002, 2ND READING, TITLE ONLY; AN EMERGENCY ORDINANCE TO APPROVE THE EDITING AND INCLUSION OF CERTAIN ORDINANCES AS PARTS OF THE VARIOUS COMPONENT CODES OF THE CODIFIED ORDINANCES; TO PROVIDE FOR THE ADOPTION OF NEW MATTER IN THE UPDATED AND REVISED CODIFIED ORDINANCES; TO PROVIDE FOR THE PUBLICATION OF SUCH NEW MATTER; AND TO REPEAL ORDINANCES AND RESOLUTIONS IN CONFLICT THEREWITH.

Althausen: I'd ask Council to consider the suspension of rules. The updated ordinances are actually already on the website.

Motion by Mr. Beazley & 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 by Mrs. Risner & second by Mrs. Wren to approve Ordinance No. 21-002.

Althaus: Is there any discussion? (Roll call vote, 7 ayes; motion carried) Is there any further old business that ought to be considered?

NEW BUSINESS:

ORDINANCE NO. 21-004, 1ST 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 believe these items have already been discussed but Finance or Pam do you want to talk about it?

Romanko: This is for the downtown design. Council already approved the contract with OHM last year, but I didn't have a breakdown for storm, sewer, etc. yet so it wasn't in the budget. Now we have received a bill for OHM, so I need to get this in place.

Althaus: Pam, do you want this passed tonight?

Romanko: Well, yes if possible because then everything will be set up & ready to go when we get our funding.

Motion by Mr. Beazley & second by Mrs. Risner 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. Risner & second by Mr. McEntee to approve Ordinance No. 21-004.

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

ORDINANCE NO. 21-005, 1ST READING, TITLE ONLY; AN ORDINANCE AMENDING AND RESTATING KENTON CODIFIED ORDINANCE SECTIONS 1044.07, 1044.08 & 1044.09 PERTAINING TO STORMWATER SEWERS IN THE CITY OF KENTON AND DECLARING AN EMERGENCY.

Althaus: John, do you want to give a high-level overview of this one & maybe the next two, or do you want to do them one at a time?

Schwemer: Sure. At the request of Finance, I was asked to basically draft the rate recommendation of RCAP, which again was recommended by Finance as a result of the last few Finance meetings. The Ordinance 21-006 is really the rate ordinance that we'd discussed and again recommended by RCAP; however, Ord. 21-005 basically would change our sewer system ordinance to allow for the collection of stormwater. Right now it addresses storm & sanitary sewer, but there is no real mechanism for us to collect & assess. So that's really just creating that & it addresses unpaid charges. In our codifieds we do not have that. It's always been a standalone ordinance & that's the way I'm continuing this. So this just allows for that with storm sewer. Resolution 21-001, we do not have stormwater collection fund so that's setting up a new enterprise fund for the collection. Again, Ord. 21-006 is the actual rate passage for the water, sanitary & storm. Dave, you can fill in any gaps with anything you'd like to add. So that's kind of what I thought we needed to get done was to get the recommendation from RCAP & Finance on the table & be able to collect & assess appropriately.

Beazley: This is the vehicle whereby we can collect & the resolution sets up the fund. One of the big issues that's driven Phase I & now Phase II is the separation of sanitary & storm sewage for the purposes of satisfying the EPA & doing better work for our citizens quite frankly. So that's the gist of Finance's recommendation on this.

Althaus: Are there any questions about item B, Ord. 21-005? Okay, I'd ask you try to familiarize yourself with that further. David & the rest of Finance can be very knowledgeable if you have questions. If there are no objections, we'll let item B lay on the table until the next meeting for the 2nd read.

RESOLUTION NO. 21-001, 1ST READING, TITLE ONLY; A RESOLUTION ESTABLISHING AN ENTERPRISE FUND FOR THE COLLECTION OF REVENUE AND DISBURSEMENT OF EXPENSES FOR STORMWATER COLLECTION AND DISPOSAL AND DECLARING AN EMERGENCY.

Althaus: David, I don't know if you want to address this?

Beazley: Essentially the only thing that this resolution does is we already have enterprises funds in existence...we set up one for trash, we already had water & sewer for a number of years, so what this does is it earmarks these funds that would be collected specifically for storm water & allocates them into one location where they can't be comingled with any other funds, can't be spent for any other items that are not related to stormwater, it doesn't go into the general fund, it specifically addresses those expenses that we would incur in the maintenance & improvement of stormwater collection in the City of Kenton.

Althaus: Any questions for David or John or the Administration on that one? If there are no objections, we'll read that again in 2 weeks.

ORDINANCE NO. 21-006, 1ST READING, TITLE ONLY; AN ORDINANCE APPROVING ADJUSTMENTS IN WATER AND SANITARY SEWER RATES AND THE ADDITION OF STORMWATER SEWER RATES OF THE CITY OF KENTON, OHIO AND DECLARING AN EMERGENCY.

Althausen: I'll go to you David again. Do you want to talk about the philosophy behind how they were set?

Beazley: I think all of the members of Council had an opportunity in the past 2 Finance meetings prior to Council sessions to hear the reasoning. They heard the presentation from RCAP the need for the rate increase, which have been ignored for now 8 years, to get our water & sewer rates back into alignment with our water & sewer expenses and the predictable deterioration of equipment & facilities that need to be repaired or replaced. So it's a funding mechanism that we recognize is an ongoing & inflationary cost and we need to respond accordingly. I think the one piece in here that was a little bit different was dealing with the stormwater. Part of our funding is coming in 3 pieces...water, sanitary & stormwater were all of the phases and we've not even had a fund whereby to collect and/or pay expenses. So this also sets up an onus on each of the water bills, if you will, for a small contribution to the stormwater fund as well.

Althausen: For Council the reality is item D is the one to do a little research on and think through over the next few weeks. The other two are really just setting up the mechanisms to do what we need to do or be able to do any of this down the road. D is the meat & potatoes as it's the rates & how those rates will adjust over the next several years.

Beazley: One thing I didn't address that we did discuss & I want to just bring it back to everyone's attention, once we implement the recommended 5 yr. plan of RCAP we did provide for a regular rate percentage increase in subsequent years subject to the review of Council and the ability to waive that. So if our water fund becomes wealthy we have the ability to suspend that rate increase for the subsequent year and any years after that should it prove that we have sufficient rate in there to provide for our needs. Likewise for sewer and/or stormwater. So the mechanism is in there to automatically increase, but it is under an overview if you will of Council to review. So we set a March date for that which gives us the year end results December or early January & we've got a time frame to review that before those rates will go into place in March. That was our thinking was that we don't have to revisit this every time to set a new number for a rate, but we have the opportunity to view our funds & their health or lack thereof and make our decisions each year thereafter.

Althausen: Other comments or questions?

Steele: (can't hear)...raise the costs (can't hear)

Beazley: We always have unexpected things happen to us, Bart, and that's part of what RCAP...they go through these and review our system, our types of expenses, our wages and so forth, and then you factor in the "what if" to a certain extent because pieces & parts are destined to wear out and are going to have to be replaced. We hope they last this period of time, but they may only last a certain period and we may have an expense before we necessarily incur so there is some contingency in that.

Steele: You were saying equipment wears out but like my father always said, take care of it and it will last forever. I've been associated with many councils (can't hear) so the best way to stop costs is to maintain things...

Althausen: If there aren't any objections, we'll move this to a 2nd read. Back to the fireworks...is there \$500 in the budget Dave?

Beazley: Yes sir.

Althausen: The only thing I'd throw out to Council to consider since we did not donate last year because they cancelled the event, this year they want to try to have a bigger/better celebration. So maybe give them the monies from last year as well. You don't have to act on it tonight, but the \$500 is already in the budget.

Taylor Klinger: I'm on that committee (can't hear)...they're really asking what you can do by way of volunteering time, however donating money is great too. (can't hear)...

Althausen: That's a point well taken. That's another...individually you could help out & I'm certain Taylor can help you talk to Denna directly. Again, I just wanted to throw that out there for your consideration, but it can be done at any time. Any other new business to be considered?

COMMENTS:

Murray: I just wanted to announce that the Transfer Channel bid opening will be 3/18/21 at noon. I just wanted to give a shoutout to all the City employees for snow removal. They did a great job and it was a lot of hours. We want to thank the citizens for being patient with us. I think we have 63 miles of

streets that we have to plow and that doesn't include alleys. If you've ever seen our alleys when they're snow covered its hard to tell if its an alley or grass. So I just want to thank the citizens for being patient.

Steele: (can't hear)...with that big snow you couldn't see cars coming at intersections (can't hear).

Murray: We'll take that into account...we have a lot of new employees and when you're pushing big snow and can't see if there is a fire hydrant that's buried underneath, they're reluctant to push the snow completely out of the intersections for fear of hitting a hydrant.

Steele: (can't hear)...a map so they can know where they are (can't hear)

Murray: We will. I think we have 4 new employees that just started before the big snow.

Romanko: Nothing to report other than we're working on the audit.

Chief Musser: (can't hear...recorder is nothing but static)The new MARCS radio system has been implemented and is going well. So far we've had no complaints on central dispatching. They are doing a topnotch job and it's going incredibly smoothly.

FF Tate Peterson: (can't hear...recorder static) Chief Donnelly wanted me to let you know he & former Chief Russ Blue went to John Heilshorn's funeral as he was a firefighter in our department at one time. Our MARCS radios should be in the vehicles within 2 weeks. Tyler Pitts, who has been with us 8 or 9 years, passed his Paramedic test.

Rec Director, Taylor Klinger: (Can't hear...recorder static) We are having a Park Board meeting on Wednesday at 7PM. The quarry will open on April 1st. We had something tragic happen at the quarry...Dave Butler suffered a heart attack & died. He was an intricate part of the quarry as he helped Dewayne (quarry manager) out quite a bit. The family is asking that donations be made to the quarry. Both Chad Fenwick & Chief Musser did all they could for him until the ambulance got there. Cindy let our insurance company know of this tragic fatality as well. I'm working on updating each department page...we've had 71,509 view posts, 132 new likes, 2708 visits and 4 file downloads...so everything is moving along.

Althaus: Thank you, Taylor. If there is anything Council wants to add to the website, just let Taylor know.

Mayor Lynn Webb: Chief Musser & the KFD met with the administration & Barney Gammon on a presentation regarding the Geo Bit Tracker that can be used for people with autism or dementia. It's about the size of an oreo and it clips on (can't hear)...it connects to wifi, gps, cell towers, etc. and it's no cost to the City safety forces for the app. The caregiver can set up a geo fence around the property and if the fence is broken the tracker alerts the caregiver who can notify safety personnel. The tracker shows the location of the person along with a picture of the person. It could be really useful. Next, I'd like to give a shoutout to Our Place for doing senior meals. They hooked up with the Lima Agency and received another \$16,000 for the meals. They also plan on doing an easter meal like they did at Thanksgiving and Christmas. Also, we met with a contractor about the concrete deck and caulking at the pool. We'll probably do that after the pool closes in September because it will be an easier time to get it scheduled, but we're looking to get a couple of quotes. This will be done with capital budget funds that we were awarded. I want to touch base real quick about the Health Dept. budget paper you have...you'll notice that the City gives a significant amount of \$88,500 and I believe that's ORC so the townships and villages make up the other 2/3. I believe the Commissioners provide the office space. Up until recently the Commissioners were updated twice monthly on how things are going at the health dept., but I think they changed that to once per month. I think it would be beneficial and I'd leave it up to you, but if they would report to us as well to keep us informed & answer questions. But that's entirely up to you. An update on the Public Works...the new truck with the dump bed arrived today & the guys are really excited & very grateful & thankful to Council for this. Burl thought they will probably use it a lot with the Dura Patcher. The Street Crews will be starting tree removal, the guys are out working on catch basins and manholes making repairs & doing digs (can't hear). And finally, I think we've had ample enough time and as we drive around the City, which is quite often, we need to address the trash totes being left at the curb. So starting April 5th we will enforce what is implemented in our ordinance. The 1st time we will have the help of the police, but the carts will be taken up to the residence and you'll be given a warning ticket. After that ticket any future violations will be \$20 added to your water bill. If they keep doing it, the water will be shut off. So, it's personal responsibility to get them up...we've had time for everybody to get used to how it needs to be. I'd appreciate if our community members would continue to work hard and reach out & help your neighbor and if you see one sitting out maybe make contact with your neighbor to help them get the trash tote up and if you see one laying in the street stop & pick it up & roll it up out of the road at least. I am in constant contact with Republic & they really helped us out through the snow thing...there was kind of some confusion, but I think that will help tremendously. So April 5th is when we're going to start that. That's all I have.

Althausen: Just a follow-up, remember you have until the next day to get the totes up to your house.

Mayor: We'll put that out there. I think Taylor will be able to make a nice thing on social media something like for Monday trash pickup you have to have the totes back up to your house on Tuesday. One last thing, there are a lot of mattresses laying out. For some reason everybody must have got a new bed, but the requirements for a mattress is they'll pick it up if it's not over 50 lbs. plus it must be wrapped in plastic & taped. So no mattresses and no furniture (furniture can't be over 50 lbs. or 4' in length)...don't leave your couch & your love seat out by the curb. You'll get a visit for that too.

Steele: Maybe you could hire a dump truck (can't hear) & use volunteers to go around once per week to pick up all that's laying around. I'd volunteer.

Mayor: Well Bart, I'm going to be pretty frank with you. I appreciate your comments, but I'll just be real clear the City didn't deliver it to their house, they got it there somehow so they can remove it somehow. That's not my responsibility and that's not every taxpayer in this City's job to go around & pick up people's junk. I'm not going to pay somebody to pick up people's junk. That's good you want to volunteer so I suggest you put your phone number out there or a way for someone to contact you and that would be a wonderful service. I appreciate that. Thanks.

Althausen: Just to recap, the Nuisance Committee meets Thursday at 6PM, Rec meets on Wednesday at 7PM, and our next Council meeting is 3/22 at 7PM. Please try to familiarize yourselves with the legislation and have comments ready. If there are no objections, this meeting is adjourned.

Joel Althausen, President of Council

Brenda Hanna, Clerk