

7TH REGULAR SESSION:

Kenton City Council met in their 7th regular session on April 12, 2021 at 7PM in chambers. Present: President Joel Althaus, John McEntee, Antwillia Davis, Ray Lawrence, Pegg Wren, Patti Risner, Robin Jones, Law Director John Schwemer, Mayor Lynn Webb, & Safety Service Director Cindy Murray. Absent: David Beazley.

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

MINUTES:

Althaus: Did anyone find any additions or corrections to the minutes from the prior meeting on 3/22/21? Hearing none, they'll stand approved as submitted.

CITIZENS REQUESTING TIME TO SPEAK:

Althaus: I'd just mention that Judge Grimslid is not able to present this evening, so he & Emily will not be here this evening to go over their annual report. So we will look for the Judge & Emily to be here in 2 weeks.

DEPARTMENTAL NEWS/UPDATES:

Chief Bruce Donnelly: There are a couple of things that I have...we do currently have one position open down at the fire station right now, so we're working with civil service to do what we need to do to get that position filled. Hopefully we can get it filled before guys start taking their summer vacations which is going to come up real quick it seems like. The other thing is we've got a tentative date set right now, approximately May 17th, or the week of May 17th, to do the flow tests on the hydrants in the SE section of town this year. I think we'll be working with OHM a little bit because they need the flows off the new hydrants that they did in the Phase I project. They're wanting to just verify flows so they can do more details as to what to expect in Phase II. So right now we're looking at May 17th to do the SE section. Other than that, everything is going pretty good down there so that's all I've got for now.

COMMUNICATIONS/PETITIONS:

Althaus: I have no communications that were presented to me. Does any Councilmember or the Administration have any communications they wish to share this evening?

MONTHLY/ANNUAL REPORTS:

Althaus: In your packet were several reports. You had the Income Tax Dept. report showing y-t-d we're 5% above year over year accumulative. Also, we've 2 reports with regards to Water & Sewer...the monthly deposit report on the revenue side & the newer water loss report showing a loss of 16.5%. I think that's more inline with where you were hoping to be?

Murray: Yes, but there may be some changes to that depending on what we found today.

Althaus: Okay. Any questions on either of those?

McEntee: Mr. President, I have one. On the monthly deposit report down at the bottom it has total delinquency, is that kind of shaping up in line to what we expected or planned for?

Murray: I don't know, I'd have to find out.

Althaus: I'd say one of those we've found is incorrect...the large one.

McEntee: I see payment arrangement and then is off. What does that mean?

Murray: It is shutoff.

Althaus: I think you'll see a change in the top one here within the next month or so.

Davis: For \$2000? That one?

Murray: \$85,000....

Althaus: 2174...

Davis: Right 2174 people are delinquent.

Althaus: Any other questions? Alright the KPD has their report for the month of March. While we have that report in front of us, I think you've noticed the Administration & Taylor has been posting the daily sheet on Facebook. I try to look at that every day also. But yes, all of the calls they have gone out on are posted. Then KFD...where did I see that? Was that on Facebook also?

Mayor Webb: Their union posts their runs.

Althaus: The union posts their runs for the month and it's broken down as far as where & what type of run it was. So if you have comments on that or things you'd like to see a little bit different, I know the Administration takes suggestions & I'm certain the Chiefs would be happy to too. The KFD also had their monthly sheets for the last couple of months. Any questions on those?

COMMITTEE REPORTS:

Althaus: Obviously Finance didn't meet tonight so we won't have a report from Finance unless David asked one of you to say anything. Is there any report from Nuisance and/or Safety?

Davis: Nothing from Safety. Nuisance will meet again this Thursday at 6PM (tax day). We're coming to the end on wrapping up the changes we want to make in the nuisances. A big shoutout to Cindy for helping us get the 14 nuisances we had combined down into a more productive amendment I guess is what we're going to do with it.

MOP, Wren: MOP has nothing.

Althaus: We don't have any Special Projects going on right now. Anything with the Cemetery Board? BKP meets here in another week. They did have a special meeting with regards to equipment that was only to decide whether or not to order a lift for the 3rd ambulance & they decided to do that.

OLD BUSINESS:

ORDINANCE NO. 21-005, 3RD 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: As we go through each of these, I will ask does anyone have any questions? This is a 3rd reading. I don't think there has been any new developments on any of the 3 of these.

Motion by Mr. McEntee & second by Mr. Lawrence to approve Ordinance No. 21-005.

Althaus: Is there any discussion? (Roll call vote, 6 ayes; motion carried) So you've amended the ordinance regarding stormwater so now lets go to item B.

RESOLUTION NO. 21-001, 3RD 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: Same thing...any questions? This is just establishing the fund that will handle that.

Motion by Mrs. Davis & second by Mrs. Risner to approve Resolution No. 21-001.

Althaus: Is there any discussion? (Roll call vote, 6 ayes; motion carried)

ORDINANCE NO. 21-006, 3RD READING, TITLE ONLY; AN ORDINANCE APPROVING ADJUSTMENTS IN WATER & SANITARY SEWER RATES AND THE ADDITION OF STORMWATER SEWER RATES OF THE CITY OF KENTON, OHIO AND DECLARING AN EMERGENCY.

Althaus: So this is the main piece of legislation that established some new rates across the board on all 3 areas. Any questions or comments?

Motion by Mrs. Wren & second by Mrs. Risner to approve Ordinance No. 21-006.

Althaus: It's been properly moved & seconded. Is there any discussion? (Roll call vote, 6 ayes; motion carried) Is there any further old business that any member would like to present?

NEW BUSINESS:

Althaus: There are 3 items and we're going to ask you to consider 2 of them this evening...I think I gave you all warning of that.

ORDINANCE NO. 21-008, 1ST READING, TITLE ONLY; AN ORDINANCE AUTHORIZING THE GRANT OF AN EASEMENT TO ANDREW T. HUGHES TO MAINTAIN THE GARAGE & FENCE ENCROACHING INTO THE ALLEY RIGHT-OF-WAY FROM THE CITY OF KENTON, OHIO AND DECLARING AN EMERGENCY.

Althaus: This is the one John gave us a warning about 3 weeks ago. Typically, if you don't have any questions, we like to have Council move on these because normally you have title work trying to be done, so you have realtors, attorneys, banks and the people waiting. Are there any questions? Would Council be willing to consider a suspension of the rules?

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

Motion by Mr. Lawrence & second by Mrs. Wren to approve Ordinance No. 21-008.

Althaus: Is there any discussion? (Roll call vote, 6 ayes; motion carried)

ORDINANCE NO. 21-009, 1ST READING, TITLE ONLY; AN ORDINANCE AMENDING KENTON CODIFIED ORDINANCE SECTION 1064.02(G) REGARDING ACCESS THROUGH THE GATE OF FRANCE LAKE – SAULSBERRY PARK IN THE CITY OF KENTON, OHIO.

Althaus: This was brought up 3 weeks ago as well...no hurry on it. I'd just say I wondered if anyone has had any questions asked of them? It simply would take that out of the codifieds basically by saying it is the purview of the Mayor and/or Safety Service Director. So if there are no objections, we can read that again in 2 weeks.

RESOLUTION NO. 21-002, 1ST READING, TITLE ONLY; A RESOLUTION AUTHORIZING THE MAYOR AND/OR SAFETY SERVICE DIRECTOR OF THE CITY OF KENTON, OHIO TO ACCEPT THE BID OF AND ENTER INTO A CONTRACT WITH MOSSER CONSTRUCTION, INC. FOR CONSTRUCTION SERVICES IN CONNECTION WITH THE WATER TREATMENT PLANT TRANSFER CHANNEL IMPROVEMENTS, AND DECLARING AN EMERGENCY.

Althausen: If you read the actual ordinance closely it talked about the bid opening & you saw they had the lowest bid. There are some reasons to move forward on this rather quickly, so I'd ask if Council has any questions at this time of the Administration? We do have an OHM representative here (Sean Root). Cindy?

Murray: I just want to add a couple of things. Just so you know we did get funded by the OEPA Water Supply Revolving Loan at an interest rate of .24% so it comes out to be an annual payment of \$10,445.00 per year for 30 years. We got an excellent rate on that.

Althausen: Very good. Any questions? We'd ask if you would so consider for Council to suspend the 3 read rule.

Motion by Mr. McEntee & 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, 6 ayes; motion carried.

Motion by Mrs. Wren & second by Mrs. Davis to approve Resolution No. 21-002.

Althausen: Is there any discussion? **(Roll call vote, 6 ayes; motion carried)** Okay, off the agenda I would ask for a motion to excuse David Beazley from Council this evening.

Motion by Mrs. Davis & second by Mr. Lawrence to excuse David Beazley.

Althausen: Is there any discussion? **(Roll call vote, 6 ayes; motion carried)** Thank you. Does anyone else have new business to present?

Schwemer: Just to advise Council, the City of Kenton Planning Commission met at 6:30PM today to hold a public hearing on rezoning a property owned by Hardin County up on Kohler Street. It used to be where the Head Start was & basically they requested to have that zoned from R-1 (One & Two Family Residence District) to B-1 (Neighborhood Business District). The Planning Commission after the hearing did recommend to Council to make that change. So we now have to schedule a hearing before Council to consider this to formally either accept & rezone or deny the rezoning. Brenda, I don't know...historically we'd do these at 6:30PM, but I think the last time we just said let's have the hearing at the beginning of Council. I do not view this as being really controversial, I'm not expecting there to be a lot of people showing up to object to this...the history of this, and it seems like I just explained this ½ hour ago, but this property was in Pleasant Twp. & it was annexed in a few years ago because part of the building where Simon Kenton Harco Industries was, half of that building was in the City & half was not so they brought that in & brought this building in too and it wasn't rezoned at the time because the Head Start School was in there & a school is allowed in a residential district. So it's been permitted, but of course Head Start is no longer there & the County is looking to use this building for office purposes possibly leasing it to maybe even another government entity. So for them to be able to do that this really needs to be rezoned so it would be in a way spot zoning because there isn't a B-1 in that area, but it's really the least (most) restrictive step. If anyone drives by the building up there it is clearly a commercial structure with a commercial parking lot & this is not something where it can easily be turned into a residence. It's really just the way it was brought in, it was a school, but I feel rezoning is appropriate for this. So that's kind of the story on it but really we just need to let everyone know the hearing date so we can notify the press. So Brenda...

Clerk: May 24th. That gives us our 30 days required notice.

Schwemer: And I assume we'll just do that at the beginning of the meeting?

Althausen: Yes the agenda will be that we'll open with the hearing, let you introduce it and give anyone an opportunity & then we'll exit that hearing and go on with the Council meeting.

Schwemer: What I sometimes do because this process for rezoning takes so long, you're talking a minimum of two 30 day windows, I'm just giving you a heads up I plan on having legislation for a first read at least on the 24th. So we'll have the hearing but I'll have legislation in place that at least we can talk about okay? Obviously if you decide this isn't something Council wants to do that's fine, but I want to have it there so we're not delaying this whole process another 2 weeks just to get legislation in place. Okay?

Althausen: Is that all right with everybody? Okay, anything else John?

Schwemer: No.

COMMENTS:

Murray: I want to thank you for passing the rate ordinance and I wanted to state that the rates will go into effect at the bill that comes out at the end of May – 1st of June...so it will be for the April rates and that gives us time to get all those things implemented. I just wanted to make that announcement and I think I'm going to let the Mayor talk about spring cleanup...she's the expert on that. Ha.

Althaus: Lets see, Taylor isn't here?

Mayor Webb: No, she's stranded & couldn't get a flight out of Florida so I'll report for her later.

Sgt. Skyler Newfer: Chief Musser could not be here today so my name is Skyler Newfer. He wanted me to go over the nuisance complaints that he had. In reference to the junk & junk vehicles & nuisance properties, there has been 47 junk & junk vehicles & nuisance properties in the City. 2 properties have been cleaned up by the City & most of the other properties have been cleaned up by the property owners themselves. There has been 3 criminal summons issued for nuisance properties. That's pretty much all he wanted me to say.

Althaus: How is that process going so far?

Sgt. Newfer: I think it's going well.

Althaus: Council have you had any feedback?

McEntee: I haven't had any negative feedback.

Davis: And again, the nuisance meetings are public so any Councilmember or anyone is welcome to come to those.

Althaus: Is there anyone here tonight that would like to address Council, including our Commissioner?

Commissioner Roger Crowe: I'd just like to, on behalf of the Commissioners & the County, thank the City Administration & the residents of Kenton for their patience with us. We've kind of tied up the north side of the square against the Courthouse with our window replacement project. I'm happy to report that's very close to being completed. All we have left are the 1st floor windows and that should take less than 2 weeks. Then we should be able to clear off the parking areas again on the north side of the square. It was very much appreciated not only by us but by our contractors as well. I do have to compliment the contractors that we've had in...they've been very efficient, they've been very friendly and it's amazing how well they work together. A lot of times you have a project & they just don't get along, but the scheduling has gone very well...we're way ahead of schedule. They had us into June before they were going to be done originally so as you can see we're going to be done before May 1st. Thank you again for allowing us to take up those parking spots.

Althaus: Roger, I'd echo that...just an opinion but I think that contractor has done an amazing job considering what all they've had to do and how little they've disrupted downtown. The windows look fantastic...a lot of credit to the Commissioners for doing that. People that work in there might say the windows needed replaced for a long time, but I'd still say you thinking forward & getting that done before it got way out of hand...we need to do more of that. I really give you guys a lot of credit for doing that. Anyone here that would like to address Council?

Wren: I was just going to say Roger, thank you, the Courthouse looks amazing. I've had people comment on how nice it looks and not only the windows...there has been an excellent job done keeping that Courthouse up. I know in other towns the courthouses don't look as good as ours. And, I want to publicly send my condolences out to Dave for his father. His mom & dad were very fantastic people. And, our community has lost another fantastic woman this year, Deb Dick. I don't know if most people know, but we're revitalizing the downtown & she was one of the original people that started that & had this vision to get the ratty newspapers off the windows & stuff like that. So my condolences to her family. Clint, her son-in-law, served on Council for quite awhile. That's all I have.

Risner: I'd say the same thing with the condolences. I think outside of that, that's it.

Schwemer: You guys can do what you want with this, but this has not been brought up for a long time and I just think it's maybe something we might want to think about. Keep in mind you can't get raises mid-term, but we've not talked about Council salaries since I've been in office or the Mayor's salary. I just question whether we don't need to sometime look at that...no one is up here doing this for the wage but because the work everyone has to put in, I mean committees are more involved than they used to be, its much more time consuming than it was 15-20 years ago. Now I think my father told you Joel, "Oh Joel, there's not much, it's a pretty easy job". Things are more complicated & they're not going to get less complicated. They never do in government and then when we're facing all the decisions & work that has to be done with Phase II, we're all going to be involved with that. I don't know if people want to think about that or whether Finance would want to review it, but it's been a long time and I'm not talking about my salary...I'm talking about the Mayor, Council, even reviewing the Auditor's salary because they've not

been reviewed for a long time. If anything would be enacted it wouldn't go into place until the beginning of the term...again, you can't take a mid-term salary increase but I just think the discussion is long overdue.

Althausser: To echo that, I will say that the Mayor, SSD & I have had some basically...the same sentiment John just said. Now we had a couple of other positions in there including the Law Director that we thought should be considered. I will admit we haven't broached the subject lately because there have been bigger fish to fry, but that was something that fairly soon I wanted to come to Finance with to possibly start to talk about that. So since it is out there the simplest thing now is Councilmembers think about those topics...each of you know what you're paid & I believe anyone who has dealt with the budget knows what the Mayor is paid & they probably know what the Law Director is paid. The amount of work, especially the Mayor & Law Director put in, I would ask that maybe you consider simply reviewing those and think about how we'd go about that...how do you establish what you want your elected officials to be paid. So with that, lets just think on that for 2 weeks and then we'll either establish a special committee including someone from Finance, and Mayor Webb & I will try to talk about that some more in the next 2 weeks.

Auditor Brian Hattery: Just a point of clarification given the legislation that was passed earlier tonight, elected officials wages are only paid out of the general fund. It has nothing to do with water & sewer rates.

Schwemer: My only point was, and I think Brenda would have to look to see when the last time there was a raise at the Council level, it's not been since I've been in office.

Althausser: I've been in office since 2009 & it had been that way a considerable amount of time prior to me being in office. Again, I think we all have different ways of prioritizing some of the positions & I know mine might be different than some of yours. Personally, my priority isn't the Council positions, no offense, but I also know how much time each & everyone of you put in which is an awful lot & I know we have lost Councilmembers because of the amount of time vs. the money. I mean you don't do this for the money, but you don't do it for absolutely nothing, especially if you have younger kids. If you're going to attract a Mayor that isn't just someone that has nothing else to do, which is not the case right now please don't think that...what you pay determines what type of individual you attract. Thank you, John, for bringing that up & we'll revisit it in 2 weeks.

Mayor Lynn Webb: I'll talk for Taylor at the moment...Parks & Rec the fishing & boating licenses are doing very well. We do have campers in at the campground. I know we're going to do a photo shoot out there once the grass gets greener & the trees pop so that way when people look online they actually can see. But there's been a good turnout for our fishing & boating licenses. Also, in the Rec Desk software that you guys were so great in allowing us to purchase, that's helped us out so much being online purchases. We've had 4 times the amount of credit cards to cash. So just that easy getting online & sliding your card that's helped out & made us more efficient plus I think Pam likes it from the Auditor's side of it so we'll be able to do even a lot more. I'm real happy with how that is going. That's a big shoutout to Taylor because she built the backend of that. Also, like Cindy said city-wide cleanup is April 19-22. We picked that time because the 22nd is Earth Day so we kind of coordinated that & it's coordinated around several other townships. We will be doing it out at the Fairgrounds again...I know I've had several questions wondering why we do it that way but the main reason is because it's behind the gate & we don't have people coming in putting trash in during the middle of the night from who knows where whether it be county or wherever & then our guys don't have to come in & sort through it all. We met with our street guys on city cleanup & we did take out no building material like lumber & carpet...carpet takes up quite a bit of space & it's hard for those guys to wrestle with & sometimes it's kind of not in the best condition. But those were the things that were issues, so they've requested those be removed & since they're doing the job I'm more than happy to oblige. Let's see...community service is another thing people ask me about since we're big on trying to get our town cleaned up. We have a lot of litter & I don't understand it especially from out around Kroger's to Walmart, Jacob Parrott Blvd., Morningside Drive...there's just a tremendous amount of trash. I get some community service help from Municipal Court but that's very limited as they have choices to go anywhere, but I did have a young lady come this past week & she did all of Pioneer Park (picked up sticks & trash), and then went out along Morningside Drive. I don't even know how many bags of trash she did, but it was wonderful & she felt good about it & I was so grateful for her. I also have 2 gentlemen that work out at the quarry with Dewayne & they're from the drug court and we're very supportive of those guys & they've helped him out tremendously. They enjoy it out there...Dewayne is a great role model & he really takes them under his wing so I'm just real proud of those guys. With those who need community service I'm just grateful because they do a good job for us so I appreciate what they do. I've had all kinds of...Troop 150, & Mark Bishop who takes juvenile probation in at Lifeworks so they're very interested in doing some projects for us. So Council if

you have ideas, whether it's painting, parks, etc. any kind of skills they can learn please let me know & I'll feed that forward. We're going to meet & try to get some things planned out. McKittrick is still on the board (demo) & I think it's going to bid, correct?

Clerk: Yes.

Mayor: So we're moving forward on that. That's all I have.

Althausen: Thank you, Lynn. Anyone else for the good of the order? Okay, then I would just echo our condolences to the Beazley family, our condolences to the Dick and the Sneary families...our thoughts are with them all. I would anticipate that David will probably get a hold of Finance, I don't know this but I would anticipate possibly meeting prior to the next Council meeting but I don't know that. Our next Council meeting is April 26, 2021 at 7PM. The month after that we'll have the public hearing prior to our May meeting. If there are no objections, we're adjourned until that time.

Joel Althausen
President of Council

Brenda Hanna
Clerk