

RECORD OF PROCEEDINGS

Minutes of

KENTON CITY COUNCIL

Meeting

Lillenihal Southeastern, Inc., 1-800-837-1904, Re-Order 66685K

Held

APRIL 11, 2022

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7TH REGULAR SESSION:

Kenton City Council met in their 7th Regular Session on April 11, 2022, at 7:00 PM in Council Chambers. Present: President Joel Althaus, Sue Fox Buroker, David Beazley, Antwillia Davis, Ray Lawrence, Pegg Wren, Robin Jones, Law Director John Schwemer, Mayor Lynn Webb, and Safety Service Director Cindy Murray. Absent: Anda Tudor.

Prayer given by President Beazley & the Pledge of Allegiance recited.

MINUTES:

Althaus: Are there any additions or corrections to the minutes of either the March 28th regular meeting or March 30th special session?

Wren: Mr. President, I do have a correction under the scheduling of committee meetings. MOP is actually scheduled for 4/20, not 4/12, at 2PM.

Althaus: Thank you, Pegg. We did catch that for the agenda. Three of us had 3 different dates. I will say the person who had the correct date was our Service Director, Cindy Murray. So, from now on when she says what date she has I'm just going to say you're correct. Ha. Any other additions or corrections? Please note then that the minutes are approved as corrected.

CITIZENS REQUESTING TIME TO SPEAK:

Althaus: We have no one on the agenda, but I'm going to use a little latitude here and I see Christina Cross is here this evening. I have no idea why she'd be here. Ha. Christina, if you want to come to the podium...

Christina Cross: Hello, good evening, Councilmembers, Mayor, and the audience. I'd like to say thank you for allowing me some time to address you tonight. I'm sure you've heard that I'm running for the Hardin County Common Pleas Court Judge, the Domestic Relations Division as it's now called. I just want to tell you a little bit about myself because I don't think sometimes the sound bites that we hear or what we see actually encapsulates all of what I am & who I am. First of all, I'm an attorney. I've practiced for over 20 years, I'm a trial attorney by trade, that's what I've done for the most part. I have national, state, and local experience. I have my own law firm here, Cross Law Firm. I represent mostly business owners and try to keep them out of court is the goal. However, I've had extensive trial practice where I have been in court defending all different types of defendants and mostly it was business clients. I'm very proud of my trial experience & record. Most of my cases that went to trial received a defense verdict meaning the plaintiff was awarded zero dollars. In other cases, I was able to (can't hear...static) and I was able to never have a client go out of business. So definitely representing businesses has really been what I've been about, but I've had all different kinds of litigation cases that I've been involved in and have been the lead counsel for. For example, I've been the lead counsel for class action lawsuits (on the defense side) with multi parties involved ranging from construction defect cases all the way to transportation issues for the San Diego Transit & Trolley, Coach USA which is a national client, and have appeared in all different types of courts and have taken depositions throughout the country. So I definitely have the attorney experience necessary for this job title as Judge. (can't hear...static) It's an open seat so you're required to have a Bar License in the State of Ohio, and I have that as well as in California & Washington D.C., and I'm also an educator. (can't hear...static) while waiting for my license to transfer, I was told by someone here in this room that the schools are always looking for teachers, so I subbed in the elementary school and really enjoyed it. I've been involved in an internship program (Wildcat Connector Program) where teens can find their passion and learn job skills/trades (can't hear...static) career advisor...Judge Christopher...a gap that I noticed not only in his courtroom but in the mental health program, the mental health court and so I was wondering how that could be fixed. One way in which that could be fixed & improved upon, I believe, is if we have a CASA Program, a Court Appointed Special Advocate program added as an enhancement to the court system. That is something the Judge would have to consider & decide upon. These are volunteers in the community that get very well trained, and they volunteer their time to be the eyes & the ears of a child maybe going through a custody process...it's more than just a one-time hit, they're meeting & spending time with the child at least once per month. That is what's required or asked of a CASA volunteer. They also give a report to the Judge and a lot of times it's more focused on the education system. It doesn't have to be, but it talks about the home life and that type of thing, they also testify in court...in addition to the (?) program we have now, I'd definitely introduce a CASA program. I've talked to people in this community that are CASA volunteers however they go out of county to Hancock, Putnam, Allen...they're wanting a CASA program here and they want to help our juvenile system out. In terms of what was lacking with again information where this student spent most of their time during the school day was at school...so information needed to be from the counselors for their behavior at school

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and their attendance at school, and some of that information was lacking in the reports and the testimony that I heard. Again, it could've been a fluke on the 3-4 days I was there, but I'm just saying I think that really needed to be improved upon. A CASA volunteer would be another set of eyes & ears and would be able to assist the Judge in those types of cases. So I've talked about juveniles, I've talked about children going through the court system, the other thing I found was the mental health issue. A lot of our teens are asked to complete mental health services or drug treatment, and because we're at capacity in our county, they're having to go out of county for these services. What was disturbing and bothering me as a parent, I know how hard it is to have to get your child out of county for just even a soccer game, right? So they're being asked to go on a regular routine basis and these children & juveniles that I saw unfortunately were missing a lot of their appointments. I've talked to Judges in other counties about what they do about this and they said they've negotiated contracts and that's something that's definitely in my wheelhouse as an attorney. They've renegotiated contracts with the mental health services, they've met with the mental health board, and they've also worked to get more mental health treatment within county. I know this is not one thing that one single Judge can do, but it takes collaboration, and it takes somebody that is very passionate and wants to see more mental health services right here in our county so our teens and even our adults do not have to go out of our county for those services. So those are some of the things I've observed, but one thing that continues to be a problem from the education side of things is that we need basically the school to have an open-door policy with the Juvenile Judge and/or Family Court Judge, as to when things are getting out of hand at the school with a student in-particular or if a student is missing a lot of school. Now there are things of course by law if a child misses so many days it's considered high absenteeism sure, but again in talking to Judges in other counties they meet routinely with the schools and they want to know what is going on in the schools. Those Judges want to be briefed and they also want to kind of nip things in the bud so to speak. I'm not saying not have Prosecutors bring cases, but perhaps maybe bring them sooner or make the Judge aware of what's going on. I think in those counties when the Judges have done that, they've pre-empted or they are pretty much able to maybe stop something that is going to go down the wrong track sooner & faster, especially with absenteeism if they notice a student is habitually absent/chronically absent to school or not at school, they're not waiting for so many days that the student misses...actually it turns out is half a school year. So those Judges are actually calling the parent or guardian in and the student and having a sit-down meeting and try to determine a plan. So again, those are things I'm promising to do, those are things I think need to be done, and those are all the things that I am definitely passionate about. I want to improve our community for our youth & families here. I think that I have a good pulse on what is going on being a parent myself and talking to other parents about what's going on in their child's school. (can't hear...static) Are there any questions?

Althausser: Thank you, Christina (can't hear...static) we wish you luck in the election.

Cross: I appreciate your support and my website is electchristinacross.com and if you have any questions or want to meet with me personally one on one, I'm more than happy to do that and we can get into more detail about some of the ideas and programs that I've just talked about. Thank you.

Althausser: There will be time later if anyone else would like to address Council under comments from the public towards the end of the meeting.

COMMUNICATIONS:

Althausser: I'll just go first. I received, and I think a few Councilmembers received, but not all, is a survey from the Ohio Gas Association from Mr. Jimmy Stewart. If you want to fill that out, feel free to and if you have any questions there is a number you can call. Also, just to let everyone know, I did get a call from Brett Clum regarding the audit with the normal questions they ask. I received that last week and answered those questions and I think it will be noneventful. But if you ever have questions, feel free to reach out to the Auditor. Any other communications?

PETITIONS:

Althausser: I know of none.

ADMINISTRATIVE REPORTS:

Althausser: Chief Musser, do you have any comments?

Chief Dennis Musser: No, thank you.

Althausser: Chief Donnelly? We do have several reports in our packet including monthly & quarterly.

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Chief Bruce Donnelly: Probably the biggest news I got today was we're actually seeing maybe a light at the end of the tunnel with the ladder truck. The aerial operations are all completed and right now it's tentatively scheduled 3rd party ladder testing on 4/19. So we do kind of see a positive there on that. But with that it seems every time I get good news, I get bad news too. The turnout gear that we ordered for our new hires got pushed back from April delivery dates to now somewhere between August and October. They're looking at 11-13 month lead times for turnout gear right now. So I'm going to start checking with other manufacturers just to see if they're in that same situation too, or if it's just the current one we're working with right now. I've asked about if they carry gear in stock and a lot of the retailers aren't doing that just because with NFPA guidelines turnout gear is basically good for 10 years, so they don't want it sitting on the shelf for 1-2 years and then when a department buys it they're down to only 8-9 years left of technically useful life of that gear.

Althaus: So the clock starts ticking as soon as it's made, not as soon as it's being used.

Chief Donnelly: Right.

Althaus: That's the insurance. Ha.

Chief Donnelly: That's what's put on the label inside of the gear. Other than that, one of the things I was kind of doing a little bit of comparison was this year's 1st quarter report vs. last year and we're about right on the same pace for runs (EMS & Fire). Other than that, everything seems to be going fairly well.

Althaus: Questions for Chief? Thank you, Bruce. Jacqueline, do you have anything to talk about?

Parks & Recreation Director, Jacqueline Fitzgerald: We just have a Park & Rec Board meeting this Wednesday at 6PM.

Althaus: Okay, we have an Income Tax report and you can see where we are through March. Auditor...Brian, anything you want to talk about or Pam?

Chief Deputy Auditor, Pam Romanko: I was just going to reiterate that I have also talked to Brett and Ann and another 3rd party regarding our audit. I've submitted items already and it's underway. We had the informal entrance interview with Brett and myself, and that's probably what you had. I think there was also an email sent to the Councilmembers regarding that. So if you guys want to have an initial conference with them you can notify them, but I said I didn't think so but that's really up to you. So that's pretty much what we're doing in the Auditor's Office and preparing for the Audit.

Auditor Brian Hattery: (can't hear...static) if any of you have any questions or concerns feel free to reach out to the Auditor, it won't hurt my feelings (can't hear...static).

Althaus: John, anything under Law Director?

Law Director John Schwemer: (can't hear...static) the Sunshine Meeting Training has been done and completed for 2 years. If you'll recall, several meetings ago you voted to have me go through the training on behalf of all of you as elected officials...(can't hear...static) you can attend the training seminar yourselves in person (normally held out of town), or you can do it on-line with a user name & email. It's about a 3-hour program but it's broken into sections so you could do several & then take a break (can't hear...static) there is one section that is a lot of lawyer talk, that might be kind of boring, but if you want to take this training you will get some information from it...

Beazley: Would you send out an email and supply us the link and that way anybody would be able to access it. That would just make it more simple for us...anything that simplifies is good.

Schwemer: Yep, I can do that. Again, I've satisfied the requirements for all the elected officials, and I've designated each of you individually as people that have appointed me to do that task.

Althaus: Cindy Murray, anything?

Safety Service Director Cindy Murray: The Columbus St. Storm bid opening is set for Thursday the 21st, that is a CDBG Program, so it's ran through Mark Doll. Our paving project bid opening is Thursday the 29th. The last thing I have is Joe Sherman, who has been with us about 14 years...we were just debating how long he's been here, but he's decided to leave the City. He's not going far...he got a job with the County. He was a team leader on the Street Crew and he moved to the WTP and then decided it wasn't for him. So we wish him the best of luck and thank him for all of his hard work and dedication to the City.

Althaus: Mayor Webb?

Mayor Lynn Webb: Today, mowers started...we had 2 of our seasonal mowers start today and we're kind of expanding that program...they'll do a little bit of light maintenance, all the trash can pickups, they'll do landscaping on top of mowing too. So they started today and we're pretty excited about those guys. They seem to be good ones and we're happy to have them aboard. One is Jim & one is Justin. Also, just a reminder, Spring Cleanup is the 18th thru 21st of this month, from 8AM-6:30PM, and you need to enter through the east gate (fairgrounds). I will put out a call to action tomorrow about if anybody would want to help with their truck & trailer. That seems to be the issue with some things so hopefully we can get that so people can utilize that. That's something I'll put out tomorrow. Finally, we definitely want to be

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transparent about this...I don't know Facebook fans if you watched Facebook this past weekend, but we had an issue down on W. Espy Street where we had low water pressure. The low water pressure in some houses was like that much water (pencil diameter) coming out. We had a miscommunication on who was being affected and how bad it really was. They talked about it and people had called early last week and we looked for it and were having a very tough time trying to find the leak. So we would dig, couldn't find it. We'd dig again, and then again on Friday. Dale (Albert) was there at midnight trying to hear it through sonar in the middle of the night and they dug again & couldn't find it. What happened then over the weekend, I think there were 9 houses involved and they've had hardly any water for a week and we didn't know that. So there was a miscommunication & we rectified that I can assure you. Counter measures will be put in place. But what we found was very interesting...like Burl said, it was the first time...so if you're at W. Espy Street at S. Detroit heading west, it just goes to a stub line, it's not looped in. This is one of the things the EPA wants us to fix throughout our town. Well, it's a 4" line and we had 2 companies here sonar it and never could find it. So what they did was go all the way to the end almost & cut that 4" water main. They used our new jet truck & jetted up through that 4" main. That old main with calcification and all of that just made it narrower & narrower and we think some of those pieces had dropped off and really slowed the water down. So the guys collaborated and made a great call...they cut the pipe in half and jetted it almost 400' and I think by 4:45PM today they had it back up. So like Burl said, we've never done that but again thank you for the truck. If we wouldn't have had that we could've jetted it, but we'd have a bunch of trucks sitting there. So the new equipment did make it go quicker and their pressure is restored. They're on a boil alert on W. Espy Street for those 9 houses. So again, we were down there all day (can't hear...static). The guys did a great job as they always have. On that note, that's it.

REPORTS OF STANDING COMMITTEES AND/OR SPECIAL COMMITTEES:

Althaus: Finance has a written report. Is there anything you want to add, Dave?

Finance, Beazley: Just a reminder that prior to next Council session we plan on Finance meeting again at 6PM.

MOP, Wren: Just that MOP is meeting on Wednesday, April 20th at 2PM.

Utilities, Jones: We have a meeting this Wednesday at 4:30PM here in Chambers.

Streets, Lawrence: May 12th at 5:30 PM, after Nuisance (Legislation) meets, is our next meeting.

Althaus: Folks, if you did meet, we want to hear about it. I know Streets didn't have a quorum, so it was more of just a discussion.

Legislation, Davis: Legislation did meet, and you'll see legislation at our next Council meeting about increasing the administration fee for commercial properties on mowing violations. Also, the Legislative Committee is working on handling the vacant building/commercial building issue we have here in town. We don't plan to have that resolved until 2023, but it is a process we've started with the help of the administration. Thank you to Cindy for doing all of that research. And then our next meeting is also going to be on the 12th at 4:30PM.

REPORTS FROM COUNCIL MEMBERS:

Althaus: I think Regional Planning did meet...anything there Dave?

Regional Planning, Beazley: That was the annual reorganizational meeting, so all the appropriate parties were reappointed and re-elected and we reviewed projects of the past year and the bid dates for the coming year. That's essentially all that we did in our most recent session.

Althaus: Robin, anything you want to talk about for Parks & Rec?

Parks & Rec Board, Jones: Just like Jacqueline said, we have a meeting this Wednesday from 6PM-7PM in Chambers here.

Althaus: Grove Cemetery?

Grove Cemetery, Davis: Grove Cemetery met the 1st Monday of the month. We know that Memorial Day is coming up, so mowing should be starting here soon. Also, if water has not been turned on, it will be turned on here in the next couple of weeks just to water your flowers. But of course, we can't have it on when its freezing weather.

Althaus: Tree Commission I don't think has met, or did they?

Tree Commission, Buroker: The next meeting is April 14th at 1PM here in Chambers.

BKP, Althaus: BKP hasn't met since our last meeting. The minutes from the last meeting as soon as I receive them, I'll send them off.

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OLD BUSINESS:

Althaus: Any old business on something we've talked about before that needs brought up again?

NEW BUSINESS:

Althaus: Anything new that anyone wants to put out there in front of Council?

ORDINANCES/RESOLUTIONS:**3RD READING:**

ORDINANCE NO. 22-005, TITLE ONLY; AN ORDINANCE OPTING-OUT OF THE PROVISIONS OF HB 172 AND REAFFIRMING THE BAN ON THE DISCHARGING, IGNITING, OR EXPLODING OF FIREWORKS IN THE CITY OF KENTON, AS SET FORTH IN CHAPTER 672.10 OF THE CODIFIED ORDINANCES OF THE CITY OF KENTON, AND DECLARING AN EMERGENCY.

Althaus: Any comments? If you'd like to vote on this, now is the time.

Motion by Mrs. Davis & second by Mr. Lawrence to approve Ordinance No. 22-005.

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

Schwemer: Joel, I'd just like to say for purposes of that legislation, we're kind of being a little proactive in this because we don't know how other communities are going to react. But due to the safety concern, I really think this is the right decision. But obviously if we see other communities that are able to handle this in a different manner, we can always take this back up. It's not set in stone forever so we can revisit this, but I just think right now the risk is a little too great to not proceed with this. I know the action is already done, but I just wanted to explain we can always look at this again if we think it's working better in other communities.

Althaus: John, if we were to choose to do that and go along with the State, we would have had to change our codifieds anyway, correct?

Schwemer: Right.

2ND READING:

None.

1ST READING:

ORDINANCE NO. 22-008, TITLE ONLY; AN ORDINANCE PROVIDING FOR ADDITIONAL APPROPRIATIONS AND TRANSFERRING FUNDS FOR THE YEAR 2022 FOR THE CITY OF KENTON, OHIO AND DECLARING AN EMERGENCY.

Althaus: You will note at your station was an update to Ordinance 22-008 that added the RSPO Fund for a transfer of \$525.00 that was explained in the attached explanation. The other items in this were discussed at Finance so Pam and/or Dave if there is anything you want to add?

Romanko: The police cruisers, I had not appropriated quite enough to uplifting them so an additional \$2300 is needed for that. Then the current software support for the current software we're still using, I didn't factor that in...we have the new software and the old software, but I have to pay support on both because we're using different modules on both of them. So I need \$9600 and that's split between general, water & sewer like all of the Auditor's expenses are. The transfer (new item) the current amount for training & certificates was budgeted at \$700. Last year we used a city employee for training, so we paid for him to have training to train, but this year the employee doesn't work here anymore so they need to pay the Lima YMCA to certify 7 of our lifeguards. That is \$1225, we have \$700 in there, so we need to transfer \$525 from maintenance of equipment to swimming pool training & certificates. Any other questions?

Althaus: Just to make certain that you're looking at the correct one. The one we're putting forth for consideration has Section III now. Section II was added, and the old Section II is now Section III.

Romanko: And I changed the heading to include additional appropriations & transferring funds.

Althaus: So, the old one in your packet is not what is being considered. Does Council wish to move forward on this?

Beazley: Mr. President, there is a certain amount of urgency as it pertains to the training & certification in-particular in order to get that PO taken care of and get those lifeguards trained in time for pool opening. Because of that I would move...

Motion by Mr. Beazley & second by Ms. Jones 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 and second by Mr. Beazley to approve Ordinance No. 22-008.

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

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SCHEDULING OF COMMITTEE MEETINGS:

Althausser: We kind of hit them all already. We had 2 listed on the agenda, Finance on 4/25 at 6PM and David reminded us of that; MOP on April 20th at 2PM; and then reminders mentioned tonight was Utilities on 4/13 at 4:30PM, Legislation will meet on 5/12 at 4:30PM, followed by Streets on 5/12 at 5:30PM.

Lawrence: Streets will always follow Nuisance since most everybody is already here.

OTHER MATTERS:

Althausser: We do have an absent Councilmember tonight...she had a vacation scheduled long ago and I'd like Council to consider excusing Anda.

Motion by Mrs. Wren and second by Mr. Lawrence to excuse Anda Tudor.

Althausser: Any discussion? **(Roll call vote, 6 ayes; motion carried)**

COMMENTS FROM THE PUBLIC:

None.

COMMENTS FROM THE NEWS MEDIA:

None.

COMMENTS FROM COUNCIL MEMBERS AND ADMINISTRATION:

Davis: I want to thank Chief Donnelly for first bringing the fireworks piece of information to the legislative committee and for also giving us all the support documents so that we could handle that and actually research it the way we needed to. And I would also like to publicly thank Police Officer Mendez, so Dennis if you could say something very nice to him. He assisted in a personal matter of ours, really my son, and he was kind the entire time. We really thank him for getting out in the rain tonight.

Wren: I just want to wish everyone a happy easter.

Jones: Thank you, Christina, for coming tonight. That was very informative for me. Happy easter to everyone.

Mayor Webb: I said this at Regional Planning the other night...it's an invitation and I'll try to get an email out or somebody will, but we're going to try to do as a whole county a way to communicate. We're copying it off Hancock County, Logan County, & Union County, and they get together every quarter for breakfast. It's all of the elected officials in the county and city council members. So, it's May 5th from 8AM-9:30AM and we'll meet at Vet's Hall. That's an opportunity to...it will be State Officials, all County Officials...

Davis: Can you repeat the date?

Mayor Webb: May 5th from 8AM-9:30AM. We'll do it quarterly. A lot of the State Officials like this because then they're not traveling from every little village and so forth. It kind of works where we can collaborate with other towns. It works really well for those other 3 counties so we're going to try it.

Althausser: Okay, great. Anything else for the good of the order? We have all the committee meetings in and if you didn't write them down, they'll be in the minutes. Our next meeting here is 4/25 at 7PM, and if there are no objections, we're adjourned.

Joel Althausser, President of Council

Brenda Hanna, Clerk