

RECORD OF PROCEEDINGS

Minutes of

KENTON CITY COUNCIL

Meeting

Lifenthal Southeastern, Inc., 1-800-837-1904, Re-Order 88685K

Held

MARCH 22, 2021

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6TH REGULAR SESSION:

Kenton City Council met in their 6th regular session on March 22, 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: We'll keep things moving, although everyone's brackets are already broken so I don't think it really matters. Ha. Does anyone have any corrections or additions to the minutes of the previous meeting? Ok, then they'll stand approved as submitted. I think that's been the case the entire tenure of my time here...probably the entire tenure that Brenda has been doing the minutes. Ha. No? Someone actually had a correction, well, it's very rare.

CITIZENS REQUESTING TIME TO SPEAK:

Althaus: We don't have anyone on the agenda this evening as far as citizens. If someone is in attendance this evening there will be an open comment portion at the end & I'll ask for public participation.

DEPARTMENTAL NEWS/UPDATES:

Auditor, Brian Hattery: I don't have anything now, but Pam has a couple of things.

Chief Dep. Auditor, Pam Romanko: First of all, last week I updated the Ohio Checkbook website. I now has all of our transactions from 2016 through February 2021. You guys can all see those transactions and the web address is checkbook.ohio.gov.

Althaus: Did you find we had more money in our check book?

Romanko: No, ha, but it does show our spending for 2021 was higher because of all the loan activity & all of the downtown stuff. This time of the year is busy when we get our real estate taxes & our income taxes, so there is extra money in the checking account that we're charged access fees on. We don't get paid interest on our account at Liberty anymore so we will be opening a money market account at Liberty & I just needed to make you all aware of that, that we're opening that account. Other than that, the audit is still going fine & the auditor's office is a busy time of year.

Althaus: Chief Musser? No? Emma anything? No? Taylor anything? I'll give you a chance later.

COMMUNICATIONS/PETITIONS:

Althaus: I'd call your attention to this report that Commissioner Rush just dropped off today from the Hardin County Commissioners. I actually think they've been doing this for years, but I think it's the first time they've given it to us. I thought that was very nice and if you have any questions on any of those things, I'm certain any of the 3 commissioners will entertain your questions. I have no other communications...well, I guess we could call the Tree Commission minutes a communication. Those were their minutes from 3/11/21.

MONTHLY/ANNUAL REPORTS:

Althaus: In your report was the KFD report from February. Chief said he couldn't be here tonight, but he didn't really have much to report on. But I know if you have any questions you can contact him and he'd answer them.

COMMITTEE REPORTS:

None from Finance, Regional Planning, MOP...

Nuisance, Cemetery, Davis: Nuisance will be this Thursday, Safety hasn't met, and the next Cemetery meeting will be April 5th at 7PM at the building at the cemetery.

BKP, Althaus: I do have minutes from the meeting prior. I'll make certain I send those to you all. I just realized I didn't send those...I got those last week. Any other committee reports I might've missed?

Schwemer: Joel, I don't know if now is the time to bring this up, but Park & Rec met and there was a recommendation by the board to have the quarry back gate closed all year except for special events. Right now, the gate is regulated by 1064.02 of our codifieds in section (g) and it basically states that during April to Oct. the gate is open daily, & then from Nov. to March it's closed except for special events like the Lake of Lights which they open it up for. Now Brenda can tell the history on this, but we've changed it about as often as we've had changeover of Council. It's just been a continuous thing...you look at our

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ordinances and its probably been changed 6-8 times over the last 20 years...just back & forth, back & forth. The board's recommendation is to keep it closed mainly because it's hard at night to keep an idea of who is back there & it really becomes a safety issue even when camping is going on. My recommendation when I looked at this I thought I don't know if we should really be legislating that, that is more of an administrative decision. I looked at the statute and I just don't know if it's appropriate. So I told Taylor I wouldn't have a problem changing the ordinance, but my thought was to just get an opinion from Council if we just take that away & leave it up to the Administration to administer. It's really an administrative decision in my opinion. You guys can always get input from your constituents and give recommendations, but I just don't know if us changing it back to the way it's been several times is really the way to go or we just amend the codifieds and take that out which basically leaves that up to the Administration. So I didn't want to just write up an ordinance to do that unless I at least told you & wanted to see if there was anyone really against doing that. Again, to me this is more of an administrative decision & we've essentially legislated it here in the past.

Althaus: John, we could in the absence of anything written, we could rescind that right here right now. In my opinion we'd need to suspend the 3 reading rule to do that I'd think but we could rescind that codified. I'm just throwing that out there. Thoughts? Maybe we can discuss this right now real quick.

Schwemer: If you wanted to or I could draw up an ordinance & have it at the next meeting.

Davis: I'm fine if we want to rescind it.

Schwemer: Brenda, do we think we'll have issues with the publisher as far as if we just do a rescission? Would you just send them notes?

Clerk: That might be something...they work off of approved legislation.

Althaus: We wouldn't get it in our codifieds until next year...

Schwemer: Right. I think probably just for purposes of getting this done through our publisher, why don't I just draw up an ordinance & have it ready for next time. Is that okay?

Althaus: Um hmm. Any questions for John on that?

Schwemer: Ok, so Taylor that's what we'll plan on.

OLD BUSINESS:

ORDINANCE NO. 21-005, 2ND READING, TITLE ONLY; AN ORDINANCE AMENDING AND RESTATING KENTON CODIFIED ORDINANCE SECTIONS 1044.07, 1044.09 & 1044.09 PERTAINING TO STORMWATER SEWERS IN THE CITY OF KENTON AND DECLARING AN EMERGENCY.

Althaus: Any questions on this that have arisen in the past couple of weeks? Anything new that has come to surface on behalf of the Administration or Law Director? No? Okay, if I don't hear anything we'll go ahead & read that again in 2 weeks.

RESOLUTION NO. 21-001, 2ND READING, TITLE ONLY; A RESOLUTION ESTABLISHING AN ENTERPRISE FUND FOR THE COLLECTION OF REVENUE & DISBURSEMENT OF EXPENSES FOR STORMWATER COLLECTION & DISPOSAL AND DECLARING AN EMERGENCY.

Althaus: Any questions? If I hear no objections, we'll just read this again in 2 weeks.

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

Althaus: Does anyone have anything new to bring up as this is the final piece regarding the rates? I'd encourage everyone to use the next 2 weeks wisely & make certain you have all your questions answered. Okay, we'll read that again in 2 weeks. These will all be a 3rd reading. Is there any further old business to be discussed at this time?

NEW BUSINESS:

ORDINANCE NO. 21-007, 1ST READING, TITLE ONLY; AN ORDINANCE PROVIDING FOR TRANSFERRING FUNDS FOR THE YEAR 2021 FOR THE CITY OF KENTON, OHIO, AND DECLARING AN EMERGENCY.

Althaus: Pam is at the podium ready to go.

Romanko: Well these are just 2 transfers. The fire school to fire bldg. maintenance we need a little money in maintenance. The explanation is attached to the legislation. We had some overhead door repairs that wasn't encumbered last year that was encountered in last year. The fire extinguisher cost is more than what was budgeted, and we've had 2 overhead door repairs & the truck bay heater. So we're taking money from the fire school, which there is extra money in there because a couple of people that were going to go aren't going to go this year, so we're transferring that. Since we don't have dispatchers as we went to central dispatch, we have some money in there to use for a used police vehicle for a Ford SUV.

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Due to what this is, we're asking that you waive the 3 read rule so they can get these things taken care of. Any questions?

Althaus: Questions for Pam? You have the explanation, so I'd ask if any Councilmember wishes to move...

Motion by Mrs. Risner & second by Mrs. Wren that the rules requiring legislation of a permanent or general nature to be read three separate times be suspended. Roll call vote, 7 ayes; motion carried.

Motion by Mr. McEntee & second by Mr. Beazley to approve Ordinance 21-007.

Althaus: Is there any discussion? **(Roll call vote, 7 ayes; motion carried.)** Thank you for the explanation, Pam, that's very helpful. Is there any other new business?

Schwemer: I'm just giving Council a heads up. We've had a request for...there is a property going up for sale & a mortgage location survey came up & it determined that an existing old garage as well as fence are located within the alley right-of-way at 323 N. Detroit Street. That is the property across the alley from the Optometry Office. So it's a very old structure, the garage is very old and the fence has been there forever. So the request is to grant an easement for them to maintain those. So I'll have that at the next Council meeting, but we would be asking Council to waive the 3 read rule as long as we have the requisite quorum to get that passed so that can move along. So I just wanted to give you a heads up. This all came together very quickly & I wasn't able to get legislation in front of Council today, but I wanted to give you a heads up so it wasn't a complete surprise. If anyone wants to drive by, again it's at 323 N. Detroit Street. The garage & fence are slightly within the alley right-of-way.

Althaus: Again, it's one of those situations where the structure is there & has been there. We just want to make it right. Anything else?

COMMENTS:

Murray: We had the bid opening for the Transfer Channel on Thurs. March 18th & we had one bidder who came in underneath the engineers estimate. So next meeting we'll be presenting legislation and hopefully you'll approve it that evening so we can start the project in mid-April in order to meet the EPA deadlines that were given to us. Speaking of the EPA, we have an EPA 1 day audit this Thurs. March 25th at the WTP so I just wanted to keep you informed of that. Any questions?

Hattery: Thank you, Mr. President. There is one thing I did forget under departmental updates. We've mentioned this to the Finance Committee, I forget if we said it to Council, but my office has some older software not quite as old as the water department's, but it is old. We talked about replacing that for a number of years & this is the year to do it. We have some questions to ask but we might be fairly aggressive & try to get it done as soon as possible. It will cost several thousands of dollars, but if you'll remember that cost will be split up amongst the general, water & sewer departments, & maybe now storm sewer...we'll see. There might be an opportunity to use some recently passed federal funds, CARE funds, because the software provides us opportunities or possibilities like maybe instead of doing hand written time cards we'll do something electronically & that enables us perhaps the opportunity to use these federal COVID funds to help purchase this software. We'd also be looking at including with the software our HR Dept. and possibly Income Tax also. So we're hoping to get something that will cover...I'm sorry I'm losing the saying...kills a lot of birds with one stone. But I want to let you know that's coming and it will be a significant amount when we get to that point. We're going to try to do some demos and maybe go to another city just to make sure & see what it's like, but again I hope, this is my hope is this summer. We'll see, it could be just a fantasy. Does anybody have any questions on that? If you do please let me know. Thank you.

Rec Director, PIO, Taylor Klinger: So I deployed Rec Desk this morning at exactly 1:35 AM when I woke up to let my mom's dog out. So far as of today we have \$6,605 that we've encumbered just today for fishing, boating & camping. So it's significant. There have only been 2 people that have actually come in to do it so it's just showing that having the software is necessary & we're going to try to utilize it for other things. I'm meeting with Michelle Musser on Wednesday afternoon to try to see if we can kind of pair the swim team with our software because they don't have a way to sign up online & take payments. So that's something we're trying to utilize as we have a big platform. We kind of want to bridge the gap & see if some other community things that benefit the city could utilize some of the software that we have. So in the future I think that just shows the Rec Dept. can utilize software better and I'd say probably this \$6000 took about 3-4 weeks last year to get in the bank account and it's taken not even 24 hours this year. So I just wanted to give you guys an update on that. If you want to, I suggest you guys go on and look at it. It took a significant amount of time to build, but it is very user friendly. We've had no problems with anybody having issues so I'd like you guys to check it out & if you have any suggestions we should add or

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know of like clubs or anything like that that might be able to utilize this & we can partner with them that would be helpful too. Thanks.

Chief Dennis Musser: Real quick I just wanted to thank Council for moving forward with that quickly, the legislation for the used cruiser. Mr. Beazley had asked me about interest in newer cars which we had that discussion over the last couple of years, so I do want to speak to that. Would we rather have new cars? Yes, we'd rather have new cars, of course. The uncertainty in terms of our budget last year did not lend itself to securing 2 more new cars for this year. To be quite honest with you, the amount of money municipalities have spent through grants & CARES Act funding on cars has been so tremendous that getting a car now before the end of this year would probably not be possible. We could probably get a build date this year & then receive the cars next year so that's just a seed I want to plant in everybody's brain. That's not funny Antwill. Ha. If we can maybe move forward with that going into this year seeing where we stand that would be great. The thing about having a fleet of cars you drive every single day, if you don't keep up on it, it's a problem that occurred & developed over 10-15 years so it's going to take a long time to get a modern updated fleet. But I do appreciate the help with the Delhi vehicle. Secondly, we've been going after nuisances here starting today rather aggressively, so you'll probably hear about it thru numerous social media outlets by the end of the week I'm sure. So we've been meeting with the Nuisance Committee on Thursdays, I think we have one coming up here in a few days, and I think that's probably going to really simplify the things we come up with, the solutions we come up with will probably simplify the whole nuisance issue. But I want to say before I came in here, I got a call from the 2nd shift Sgt. to issue our 3rd summons for...if you take your couch or your living room furniture & you put it on the side of the road you are going to get a ticket into criminal court. I'm not writing anymore 10 day you know take your time and get your living room set off the roadway or off the tree lawn. I'm not sure why anybody would think that that's appropriate, but we're going to be stepping that up here in the coming months. So I appreciate Council's support & the Nuisance Committee on that. That's all I have. Questions?

Davis: I'm good. I sit through those meetings.

WKTN, Tom Nesbeth: I just want to clarify, you keep saying these matters of old business will be read again in 2 weeks. Do you mean 3? I believe the next meeting is April 12th.

Althaus: Okay I'm always going to say 2 weeks. We have 3 times a year that it will be 3 weeks. And also, anytime you just want to clarify something, feel free to grab us right afterwards. That's fine.

Beazley: I do want to announce at the behest & reminder of the Dep. Auditor, we will have a Finance meeting prior to our next session in 3 weeks on April 12th at 6PM.

Kenton Times, Tim Thomas: Question for Brenda...Isn't there a Planning Commission meeting that night at 6:30PM?

Clerk: Yes, sir, there is. It's going to be a public hearing at 6:30PM. Good catch!

Beazley: Let's move Finance back to 5:30PM then, that way we'll be in good shape. Thank you, Tim.

Althaus: We'll have to give Tim a check & put him on the payroll. Ha.

Mayor Webb: Okay just to give you a quick update. Thursday evening I might be a little late for Nuisance because there will be a Mayor's meeting...it's county-wide Mayors of villages and we'll meet at the 555 bldg. There is a big interest in Alex Haushalter when she gave her presentation here so she's coming back to present to Mayors from other communities in Hardin County plus some other people wanted to hear that. So that's kind of good news, people are hearing what we're doing. Alex does a great job with that. Another thing...just increase awareness for the community, the citizens...it's getting nice weather & if you're around a city park keep your eyes peeled so hopefully we can stop some of this vandalism. So if you see something call the police dept. and we'll get it taken care of. Also, I think we've done a good job, it's a noticed improvement...we're seeing a lot of the trash bins are being brought back up to the house but April 5th we'll still proceed in going around to make sure those are up where they need to be. The United Way is planning a community cleanup so it's all of Hardin County. We'll be posting stuff about that to get as many volunteers out on the cleanup day so we can do a community cleanup. So we'll keep everybody updated on that. My final thing is as I sit here I just want to commend the Administration, Dept. Heads...the Safety Service Director goes nonstop. What she does is outstanding. Pam does outstanding work...the communication that happens in this building every single day is remarkable. If you guys ever have a few minutes to stop up & watch how these guys work...Chief is the same way. He took this nuisance thing & ran with it...it's just a privilege ... then Brenda who is our Asst. Attorney General (just kidding!) I always call her that because we always can just lean on her with her experience & knowledge, it really is priceless. Regardless of what a very, very, very few people say, we're in good hands & going in the right direction. Thank you, Council, for being so good in working with us and

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listening. I think we're all a really good team & it's a really good benefit for our community so a shout out to everybody.

Althausser: I just want to bring up something, well it's city related, but there have been many times in the past where when we've had something happen with Kenton City Schools and a particular team or something we always try to mention that. Kenton High School's Show Choir Top Twenty, especially since Todd Daquino took over, they are very aggressive in participating in competitions. They had a first over the weekend and that was they were the grand champion at the Sheridan Invitational. They won the entire competition regardless of choir size, they were best choreography and to put that into perspective that hasn't happened in the 50 (+) years of Top Twenty. Not because they haven't been in many competitions, not because they haven't had quality shows & performances, it's just the level of competition is that high. So I think especially in what we've gone through the past year that that group of young people has been able to perform at a high level all year long. So if you see any of those young men & women, if you see Mr. Daquino, and that includes the Band A Company, they've had an excellent year and that includes that crew that all students set up & tear down that show before each performance, say something because that is a huge accomplishment in the history of the choral program at KHS. There were quite a few announcements made tonight...you have a nuisance meeting on Thursday, Cemetery did you say next week?

Davis: April 5th.

Althausser: Okay in 2 weeks on April 5th. Finance is going to meet April 12th at 5:30PM, Council will be here April 12th at 7PM, and it sounds like in-between there will be Regional Planning (Note: Planning Commission) at 6:30PM. So, unless there are objections to adjournment, we're adjourned for 3 weeks.

Joel Althausser
President of Council

Brenda Hanna
Clerk