



City Council Regular Meeting Minutes

The City of Kent, Ohio
Wednesday, October 21, 2020

At 7:30 p.m., Mayor Jerry T. Fiala called the **Regular Meeting of Kent City Council** to order. Roll was taken.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer Bish; Mr. Roger Sidoti; Mr. Robin Turner; Ms. Tracy Wallach

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Public Service Director; Mr. Jim Bowling, City Engineer; Ms. Joan Siedel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Kevin Schwartzhoff, Parks and Recreation Director; Mr. Gary Bishop, IT Manager; Mr. John Tosko, Fire Chief; Mr. Nick Shearer, Chief of Police; Ms. Amy Wilkens, Clerk of Council

Approval of Regular Council Meeting Minutes:

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF September 16, 2020, Democracy Day and the October 7, 2020 Special Meeting made by Mr. DeLeone SECONDED by Mr. Kuhar, and CARRIED by a voice vote of 8-0-1 with Ms. Wallach abstaining.

Communication:

Public Comment: Mayor Fiala asked the Clerk if anyone was signed in. There was one (1) visitor who signed in with the Clerk and given permission to talk to Council for three minutes. Mayor Fiala read a statement to the audience: *"While the law does not require Council to provide time for public comment, we have historically invited the public to make comments and we appreciate their input. This is the time where residents and others can comment on matters that concern them. However, we will not engage in debate, and as President of Council, I reserve the right to end any public communication that is disruptive, embarrassing, harassing or otherwise objectionable. We ask that when you begin speaking that you speak clearly, give your name and address and limit comments to three (3) minutes of discussion."*

There was one member of the public signed up to speak, Samantha Wyler of 1800 Rhodes Rd. Apt. 703, Kent. She submitted her statement prior to the meeting (**Attachment #1**) and spoke directly from it.

Written Communications were reported by Clerk Wilkens and placed on file in the Clerk's office as follows:

1. Video from Judge Doherty regarding reelection received and forwarded to Council on September 23, 2020.
2. Board of Health Minutes and Statistical report from September 8, 2020 and Agenda for October 13, 2020 received on October 8, 2020.
3. Parks and Recreation Board Packet for the October 15, 2020 meeting received on October 8, 2020.
4. Planning Commission Agenda and Staff Report for October 20, 2020 received on October 12, 2020.
5. Standing Rock Meeting Minutes from September 10, 2020 and the agenda for the October 8, 2020 meeting received on October 1, 2020

Communications Received after Agenda Publication were reported by Clerk Wilkens and placed on file in the Clerk's office as follows:

1. Civil Service Commission Meeting Agenda for October 19, 2020 received on October 15, 2020.
2. Letter from Kent Inter Faith Alliance (KIFA) for Racial Reconciliation and Justice received on October 16, 2020 and forwarded to Council.
3. Planning Commission Agenda and Staff Report for the October 27, 2020 meeting received on October 19, 2020.
4. Email from Chris Myers regarding picketing and loud music from cars received and forwarded to Council on October 21, 2020 (**Attachment #2**)

City Manager's Report was called for by Mayor Fiala.

1. David Ruller requested Council's authorization for the use of \$500 to help supply food and beverages to public safety personnel working Halloween night.
2. Chief Tosko is asking for Council's authorization to apply for the FY 2020 FEMA Assistance to Firefighter Grant to fund a replacement program for the fire department's Self-Contained Breathing Apparatus (SCBA). The estimated cost of the grant is not to exceed \$275,000 with a 10% local match.
3. Clerk Wilkens has requested Committee of the Whole time for Council to review the applicants for vacant positions on City Boards and Commissions.
4. Melanie Baker has requested Streets, Sidewalks, & Utilities Committee time to present a request from Portage County to let the City-County contract for recycling services to multi-family apartment units in Kent expire at the end of this year.
5. Jim Bowling has requested Streets, Sidewalks & Utilities Committee time to present the 2020 Capital Projects progress report to Council.
6. Bridget Susel has requested Finance Committee time to request Council's authorization to submit a list of properties in arears for Community Development fees/fines/payments to Portage County for the placement of a lien on the respective properties.

7. Rhonda Hall and Jim Bowling have requested Finance Committee time to present the proposed 2021-25 Capital Improvement Plan for Council's authorization.
8. Rhonda Hall has requested Finance Committee time to ask for Council's authorization to submit a request to Portage County for the advance of property tax receipts.
9. Rhonda Hall has requested Finance Committee time for Council's consideration of a 2020 Budget Appropriations Amendment.

MOTION TO APPROVE ITEMS #1-9 OF THE CITY MANAGER'S REPORT made by Mr. Amrhein, seconded by Ms. Rosenberg, and CARRIED by a voice vote of 9-0.

Standing Committees/Legislation

1) Committee of the Whole:

MOTION TO APPROVE MEETING MINUTES of October 7, 2020 made by Mr. Amrhein seconded by Mr. Turner, and CARRIED by a voice vote of 8-0-1, with Ms. Wallach abstaining.

NO RECOMMENDED ACTIONS TO APPROVE

2) Community Development Committee:

NO MEETING MINUTES OR RECOMMENDED ACTIONS TO APPROVE.

3) Streets, Sidewalks and Utilities Committee:

NO MEETING MINUTES OR RECOMMENDED ACTIONS TO APPROVE.

4) Health and Safety Committee:

MOTION TO APPROVE MEETING MINUTES OF October 7, 2020 was made by Mr. Amrhein SECONDED by Mr. DeLeone, and CARRIED by a voice vote of 8-0-1, with Ms. Wallach abstaining.

Ordinance 2020-97 on mass gatherings was approved at the special council meeting held on October 7, 2020.

5) Land Use Committee:

MOTION TO APPROVE MEETING MINUTES OF October 7, 2020 was made by Mr. Ferrara SECONDED by Mr. DeLeone, and CARRIED by voice vote of 8-0-1, with Ms. Wallach abstaining.

MOTION TO APPROVE THE LAND USE COMMITTEE ACTIONS ITEM made by Mr. Ferrara SECONDED by Mr. DeLeone and CARRIED by a voice vote of 9-0.

- 1) Authorize the vacation of the unused street right of way.

Draft No. 2020-98 AN ORDINANCE AUTHORIZING THE VACATION OF A PARCEL OF CITY OWNED LAND KNOWN AS A "PAPER" STREET AND KNOWN AS WHITEWOOD DRIVE OFF OF ADRIAN AVENUE, AND DECLARING AN EMERGENCY, was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Sidoti, seconded by Ms. Shaffer Bish. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-98 made by Mr. DeLeone and seconded by Ms. Shaffer Bish. On roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-98 PASSED as stated by Clerk Wilkens.

6) Finance Committee:

MOTION TO APPROVE THE FINANCE COMMITTEE MEETING MINUTES OF October 7, 2020 made by Mr. DeLeone, seconded by Mr. Kuhar, and CARRIED by a voice vote of 8-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE FINANCE COMMITTEE ACTION ITEM made by Mr. DeLeone, seconded by Mr. Sidoti and CARRIED by a voice vote of 9-0.

Recommended Actions:

- 1) Approve the submission of the proposed projects for OPWC funding consideration.
- 2) Authorize the staff to proceed with the electric vehicle grant request and if the grant funding is approved, authorize execution of the grant agreement and appropriation of the grant funding.
- 3) Authorize the surplus City property sale.
- 4) Approve the 2020 budget appropriations amendments.

Draft No. 2020-99 AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT TWO (2) FUNDING APPLICATIONS TOTALING \$1,195,000 AND TO EXECUTE THE SUBSEQUENT AGREEMENTS WITH THE OHIO PUBLIC WORKS COMMISSION (OPWC), AND TO ACCEPT THE GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATION OF FUNDS AND DECLARING AN EMERGENCY. AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar, seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-99 made by Mr. Kuhar and seconded by Mr. DeLeone. On roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms.

Shaffer Bish, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-99 PASSED as stated by Clerk Wilkens.

Draft No 2020-100 AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT A GRANT FUNDING APPLICATION REQUEST FOR \$30,000.00 TO THE OHIO ENVIRONMENTAL PROTECTION AGENCY (OEPA) AND TO ACCEPT THE GRANT, IF AWARDED, AND EXECUTE THE SUBSEQUENT GRANT AGREEMENT WITH CORRESPONDING APPROPRIATION OF FUNDS, FOR THE "LEVEL 2 ELECTRIC VEHICLE CHARGING STATION GRANT," AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. DeLeone. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2020-100 made by Mr. DeLeone and seconded by Mr. Sidoti. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Turner and Mr. Amrhein. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-100 PASSED as stated by Clerk Wilkens.

Draft No. 2020-101 AN ORDINANCE AUTHORIZING THE SALE AT PUBLIC AUCTION OF SURPLUS PROPERTY NOT NEEDED FOR MUNICIPAL PURPOSES BY A LIVE AUCTIONEER PURSUANT TO SECTION 721.15 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar and seconded by Ms. Rosenberg. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2020-101 made by Mr. Kuhar and seconded by Ms. Shaffer Bish. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Turner and Mr. Amrhein. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020- 101 PASSED as stated by Clerk Wilkens.

Draft No. 2020-102 AN ORDINANCE AMENDING ORDINANCE NO. 2019-139, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 18, 2019; SO AS TO ADJUST APPROPRIATIONS, TRANSFERS AND ADVANCES FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020; AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. DeLeone. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms.

Shaffer Bish, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2020-102 made by Mr. Kuhar and seconded by Mr. Sidoti. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Turner and Mr. Amrhein. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-102 PASSED as stated by Clerk Wilkens.

Draft No. 2020-103 AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE RIGHT OF WAY AGREEMENTS FOR THE PURPOSE OF OBTAINING TEMPORARY AND PERMANENT EASEMENTS FOR THE CONSTRUCTION OF THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar and seconded by Ms. Shaffer Bish. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2020-103 made by Mr. Kuhar and seconded by Ms. Shaffer Bish. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Turner and Mr. Amrhein. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-103 PASSED as stated by Clerk Wilkens.

Special Committees Report: NONE

Unfinished Business:

Mr. Sidoti commented he appreciates weekly updates from Police Chief Shearer and would like similar updates regarding the status of the building of the new City Administration Building. He would like a report, perhaps monthly on where the process stands, the timeline and projections of the project. Ms. Baker said she would report back at the next meeting and would be able to report to Council monthly or biweekly. She added that just yesterday asbestos was removed from the old police station. Mr. Sidoti thanked her for the update.

New Business

MOTION TO MOVE INTO COMMITTEE A DISCUSSION ON MANDATING MASKS was made by Ms. Wallach and SECONDED by Ms. Shaffer Bish. A lengthy discussion followed regarding whether the City had the legal authority to enforce this mandate.

Ms. Wallach said people are not wearing masks as they should and the County is at a Red Level through the Governor's Office.

Mayor Fiala asked if she wanted to make it a motion and she said yes, she was explaining her motion.

Comments; Ms. Wallach said things are getting worse and everyone is getting Covid fatigue and becoming more relaxed with their safe guards. Ms. Shaffer Bish added she is concerned about waiting until the next meeting to discuss this. She said the issue should be immediately referred to Community Development to talk to landlords to make sure they know this is the law. She believes it should be enforced. She supports the motion but does not think it can wait until the discussion on a penalty.

Mr. DeLeone asked if there wasn't already a mask mandate from the governor and asked what good it would be to have one for the City and the Governor. Several members clarified we already passed a mask mandate. He asked how many times they would need to put a mandate in place unless they put something behind it and start fining people.

Mr. Sidoti said a mandate was already passed in July but no enforcement was passed with it. They passed the mandate already so the question goes back to the conversation about having any mandate they wish, but if there is no enforcement and people aren't following the mandate he asked if it does any good. He added that the management of the place in question need to be held accountable. He said the motion was for a mandate and we already have a mandate.

Mayor Fiala asked Clerk Wilkens to read the motion. Clerk Wilkens read "A motion to move to Committee a discussion on mandating masks". Ms. Wallach said the motion was suppose to be FINES for those not wearing masks and Ms. Shaffer said that is what she seconded.

Mr. Turner added the mask mandate has already been done and the issue is now enforcement capabilities. He questioned the ability of owners of property to become responsible the enforcement. Ms. Wallach added they are not talking right now about the solution but rather moving it to be discussed in committee. Mr. Turner said first it should be discussed with Hope (Jones) and Joan (Seidel) the ability to enforce this and whether owners of property or businesses are able to enforce compliance. He said they have already moved beyond the issue of masks and now have to talk about enforcement.

Mr. Kuhar added that enforcement should be discussed with Hope (Jones) and it would be ridiculous to expect landlords to be responsible for this.

Ms. Shaffer Bish added it all depends on the definition of a public place. If rental property is defined as a private place, then Mr. Kuhar may have a point. It is something that needs discussed in the Committee with Hope (Jones) and get her feedback. She said maybe a clarification is needed in the mask mandate on public property.

Ms. Wallach said the motion was to discuss enforcement with some type of penalty the current mask mandate. The idea is to put it into Committee to discuss it with Hope, Joan and what can be done about it.

Mr. Ruller added there have been multiple meetings between the City, Kent State University and property management companies about this issue. Ms. Hope Jones has looked at this pretty thoroughly already and a lot of these points are legal matters concerning civil liberties. Ms. Jones presented her findings regarding how far legally it can be taken in regards to mass gatherings. This was hoped to be in place before Halloween but it did not pass with emergency so the ordinance is not in effect for 30 days. Mr. Ruller said Council could reconsider that motion and if there are enough votes for an emergency, the citation for more than ten in a gathering would be in effect immediately. The language in that ordinance could include the property owner if they are purposely telling residents not to wear masks. Because it did not have seven votes, it

would not go into effect until November. He said if they are anxious to do something, they could reconsider this vote to pass with an emergency so it would be in effect in time for Halloween.

Mayor Fiala called for a vote to be taken on the motion on the floor.

The MOTION FAILED with Ms. Wallach and Ms. Shaffer Bish being the only members voting in favor of this motion.

Ms. Hope Jones added that for a motion to reconsider the mask gathering ordinance, a person who voted in favor of it has to make the motion to reconsider.

A MOTION TO RECONSIDER THE MASS GATHERING ORDINANCE (2020-97) was made by Ms. Shaffer Bish and SECONDED Mr. Sidoti.

Discussion: Mr. Kuhar said he would oppose it as he did the first time. By altering this more than before, it excludes everybody in Kent except the fraternity houses and believes the Constitutional Law Firm in Columbus will file a lawsuit.

Mr. Ferrara said he was not sure what they are attempting to do in this procedure.

Ms. Hope Jones explained when there is an ordinance where some people vote yes and some people vote no, at the next meeting any member who voted in favor of passing is allowed to ask for a reconsideration of the ordinance. When they do so, it is debatable and can be discussed and voted on again.

Mr. Ferrara added this sounds like procedural chicanery and if they want to have a committee meeting again about it they should. This was discussed during last committee and a motion was made which passed and it feels like a knee jerk reaction which he does not like.

Mr. Sidoti clarified that since it was not passed with an emergency clause, it will automatically go into law on November 7, 2020, and all Council is doing is trying to get it "on the books" before Halloween.

Mr. DeLeone added he thinks they are voting again because there was an absence of a member last time and that person will give the seventh vote needed for an emergency.

Mr. Turner said this is not chicanery but the rule and something that is not employed often but is available to do if Council wants to expedite the process. He hopes there would be seven votes to pass to put this as a tool in the City's toolbox to help safeguard the public's general health and well-being. He also believes Ms. Wallach's motion regarding enforcing masks needs to be put back into Committee discussion.

Ms. Shaffer Bish said she is disappointed that the ordinance was not in effect as she thought it passed and was. She said right after the last meeting there were three parties in her neighborhood, all three of which could have violated the ordinance.

Ms. Hope Jones added that Roberts Rules of Order state a 2/3 vote is needed to pass an ordinance with emergency and City Council Standing Rules require 3/4 vote, so it would have passed with emergency using Roberts Rules. As a side note, Council may want to revisit this issue.

Mr. Ruller said there are a couple of walk arounds planned in the neighborhoods knocking on doors to educate the community on safety.

Mr. Ferrara said this was discussed in Committee two weeks ago, the motion was made and now we are trying to pass it with emergency. Ms. Hope Jones stated it is a reconsideration vote. Mr. Ferrara asked what the difference is between that and a second reading.

Ms. Hope Jones explained when Council votes to suspend the rules, that is for suspending the three readings. When that passes, Council can then vote on it. A reconsideration is when something has already passed regardless of the number of readings (or even failed) and someone who voted on the prevailing side wants to reconsider, that is what is being done tonight. This is not in regards to Ms. Wallach's previous motion. The administration is asking about passing the mass gathering ordinance with emergency. It will be two separate votes, one to reconsider and a second vote to pass it.

Mr. Turner added Council has a chance to implement this tonight with an emergency.

Mr. Kuhar added no matter what is done tonight it is written with a poison pen with all of the violations of Roberts Rules and Council's rules and will probably not legally count. Mayor Fiala said he was not so sure of that.

On Roll Call voting "Yes" to reconsidering the mass gathering ordinance: Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. Voting "No" Mr. Kuhar The Motion CARRIED by a roll call vote of 8-1.

MOTION TO SUSPEND THE THREE READINGS made by Ms. Shaffer Bish and seconded by Mr. Sidoti. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. Voting "No" Mr. Kuhar. The Motion CARRIED by a roll call vote of 8-1.

MOTION TO ADOPT DRAFT No. 2020-97 made by Ms. Wallach and seconded by Mr. DeLeone. On roll call, voting "Yes": Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Turner and Mr. Amrhein. Voting "No": Mr. Ferrara and Mr. Kuhar. The Motion CARRIED by a roll call vote of 7-2.

ORDINANCE 2020-97 PASSED with an Emergency Clause as stated by Clerk Wilkens.

Mayor Fiala said other cities such as Cleveland who proposed ordinances for fines for masks aren't being supported and no one is being fined.

Mayor's Report:

Mayor Fiala reminded all about Trick or Treating happening on Sunday from 3-5pm. Those who want can participate and asked all to use common sense.

The Regular Meeting adjourned at 8:36 P.M.



Amy Wilkens
Clerk of Council



Jerry T. Fiala
Mayor and President of Council

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Wilkins, Amy <wilkinsa@kent-ohio.org>

Invitation: CITY OF KENT OHIO October 21, 2020 Regular Council Meeting @ Wed Oct 21, 2020 7:30pm - 9:30pm (EDT) (samanthawyle314@gmail.com)

samanthawyle314@gmail.com <samanthawyle314@gmail.com>

To: wilkinsa@kent-ohio.org

Tue, Oct 20, 2020 at 8:23 AM

Here is what I plan to say

"Hi my name is Samantha, and I live in a densely packed apartment building near Kent State University. The Proceedings of the National Academy of Sciences (PNAS) found that requiring people to wear masks in epicenters of new coronavirus cases may have prevented tens of thousands of infections from covid. The people who live in my apartment building are a mixture of University students, elderly, and people with disabilities. Despite having signs up that masks are required in the building, the majority of residents refuse to follow these guidelines. After Portage county went up to a level 3 red zone, the City Council of Kent passed an ordinance to issue civil fines to people participating in unauthorized gatherings of over 10 people. While I greatly appreciate what the city of Kent has done to control the spread of this virus, more and more research is coming out to conclude that "airborne transmission" may be "the dominant route for infection" from the new coronavirus. I am here today to ask that the Kent City Council please consider passing a similar ordinance to the one they passed on issuing civil fines to unauthorized gatherings, to also issue civil fines to adults who chose not to wear a mask in public spaces.

This isn't about wanting to fine people, but as someone who has to walk through hallways and take elevators every day that people are crowding into without masks, this about public safety. I am a graduate student with a disability, who at some point during the winter break needs to go home and see my doctors or I risk losing the medications I need to be healthy. I am scared to go back home and stay with my aging parents who have their own medical issues, due to the careless disregard of others who live in the same apartment building, who made it clear that they won't listen to signs or public health experts. Mandating masks without any consequence for violations has not worked. All I want is to stay safe, keep my parents safe, and keep those in our community who are more vulnerable safe."

Thank you.

On Oct 15, 2020, at 3:54 PM, wilkinsa@kent-ohio.org wrote:

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Attachment #1



Wilkens, Amy <wilkensa@kent-ohio.org>

Tonight's council meeting

Christopher Myers <kitmyers23@yahoo.com>
To: Amy Wilkens <wilkensa@kent-ohio.org>

Wed, Oct 21, 2020 at 3:54 PM

21 October 2020

Hi Amy!

For the record:

Ex-clerk Grimm wrote in the minutes of a council meeting that I was insulting and vulgar for using the word asinine to describe a comment by Garret Ferrara. At the next month's meeting Council agreed by a vote of 6 yes, 1 abstention, 2 absent, that I was vulgar when they passed those minutes. Councilman Robin Turner later used the word asinine and he was not written up in the minutes as being vulgar. Why is that? We used the same word. OH! Grimm told me later that asinine means foolish. What might that tell you?

Ex-clerk Grimm wrote in a police report against me, among other things, that I was stalking her. According to a conversation I later had with Mayor and Mrs. Fiala when I ran into them one morning at Eddy's restaurant, Grimm one morning accused both of them of stalking her. Why no police report? We were accused of the same thing by the same person.

Councilperson Shaffer's comment in Grimm's police report against me was "I too have felt targeted and harassed by Mr. Myers and have stopped responding to him. He has not yet appeared at my home, but I expect he will some day." She provides no documentation as to why she feels targeted by me and I have brought the subject up in subsequent meetings. So, Heidi, why do you feel targeted by me?

City Manager Ruller wrote in Grimm's police report, "FYI, please be advised that Mr. Meyers (sic) is out protesting on the corner of Depeyster and Haymaker Parkway this afternoon." At a later meeting he admitted that he didn't even know what I was protesting. Included with his comment is a photograph of me taken from the new police station standing there with a sign. I was told by Chief Lee that it was not taken by any police person. Grimm stated in the police report against me, "4/6/18 picketed office building." As her office had been moved there, I suspect that she took it but no one on council will say. On 4/6/18 I was unaware that her office was no longer in the Fire Station. Did she think I was standing there holding a sign making up bad things about her?

I am allowed to picket. If peaceful protesting is not allowed in Kent, why didn't Ruller turn in any Black Lives Matter protesters? Not only does turning in a citizen to the police for doing something perfectly legal, and knowing that it is legal, constitute nothing short of conscious intimidation, it is perhaps the even more grievous sin, the sin of bearing false witness.

Read Grimm's police report. There is a lot in there that is perfectly legal, and there is a lot that is patently untrue. Council refuses to publicly discuss it with me. The Code of Silence. And that, ladies and gentlemen, is why I continue to ask questions and inform the public. I have all of this documented.

Council's behavior is known as protecting the organism, honesty and truth be damned!

Amy, I will not be participating in this evening's meeting. My blood pressure is up and I am going to chill out reading Louis Bromfield's novel "McLeod's Folly" and listening to a little Brahams. If you are into this sort of thing, check out his "Hungarian Dances" sometime.

Oh! Would council care to try to do something to stop the loud music and booming sub-woofer boys from disturbing the peace at all hours while they drive around town. My whole neighborhood is really upset about this. The police seem unable to do anything about it. There are research studies on the internet concerning the effects of low-frequency sound waves on the human body.

Chris

Christopher M. Myers
220 E. Elm Street
Kent OH 44240

Attachment #2

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