



City Council Regular Meeting Minutes

The City of Kent, Ohio

Wednesday, December 16, 2020

Due to the COVID-19 pandemic, this meeting will be held virtually using the Zoom platform and broadcast live on the City of Kent YouTube Channel.

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 (7:31 p.m.); 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 Seidel, 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

Mayor Fiala started the meeting by greeting Mr. Peter Orlando from the Parks and Recreation Board, issuing a proclamation in his honor for service to the City and his retirement after just over 26 years. Mr. Fiala read the proclamation and notified Mr. Orlando the document would be hand delivered to him.

Mr. Orlando thanked Council for approving him for five terms on the board and said it was a good board that was able to contribute. He thanked Mr. Ruller and the City Administration for the cooperation over the years. He also thanked Mr. Bowling and Suzanne Stemnock, Ms. Wilkens and Hope Jones. He appreciates the cooperation from the City and hopes it continues and that Council appoints good board members in the future. He said the Parks are in a good place. He said this is a great honor and a surprise and thanked everyone very much. Mayor Fiala thanked Mr. Orlando for his service. Mr. Schwartzhoff, Parks and Recreation Director, thanked Mr. Orlando saying he has been a lot of help to him. He added his historical knowledge of the Parks Department is really going to be missed and whoever is hired on as the new Director could benefit from this knowledge. He thanked Mr. Orlando for his twenty-six years of service.

Mayor Fiala called upon Councilmember Wallach for her opening remarks. Ms. Wallach said this has been quite a year- tense, stressful, scary and sometimes really scary. She referenced the old Chinese saying "May you live in interesting times", and said we are definitely in interesting times. She said finally there is some hope, there is a light at the end of the tunnel, vaccines are coming and hopefully by this time next year we will be able to spend the holidays with our family and friends. She hopes to be back in the classroom next year in the fall instead of online. She asked Mayor Fiala to lead the pledge of allegiance.

Mayor Fiala led the Pledge of Allegiance.

Approval of Regular Council Meeting Minutes:

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF November 18, 2020 made by Mr. Kuhar SECONDED by Ms. Wallach, and CARRIED by a voice vote of 9-0.

Communication:

Public Comment: There were no visitors signed in to speak with Council.

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

1. Letter from Eric Asp of 845 Bryce Rd regarding minimizing the number of guns in neighborhoods received on November 23, 2020.
2. Standing Rock Cemetery Commission Meeting minutes from November 12, 2020 and Agenda for December 10, 2020 meeting received on December 2, 2020.
3. Board of Health Minutes and Statistical report from November 10, 2020 and Agenda for December 8, 2020 received on December 4, 2020.
4. Planning Commission Agenda and Staff Report for December 15, 2020 meeting received on December 8, 2020.
5. Liquor License transfer request received December 4, 2020 for Doctor Realty LLC, 1225 W. Main St. and Patio, Kent. Chief Shearer had no objections.

MOTION TO RETURN WITH NO OBJECTION made by Mr. Kuhar
SECONDED by Ms. Rosenberg and CARRIED with a voice vote of 9-0.

6. Liquor License transfer request received December 8, 2020 for B&R Gillespie Holdings DBA Tree City Coffee & Pastry, Ste. 101, 135 E. Erie St., Kent. Chief Shearer had no objections.

MOTION TO RETURN WITH NO OBJECTION made by Mr. Kuhar
SECONDED by Ms. Shaffer Bish and CARRIED with a voice vote of 9-0.

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

1. Request for a Public Hearing in January for the proposed Davey Tree Enterprise Zone.
2. Request for time prior to the January Committee meeting to allow Council to organize and appoint the Chairs and Vice Chairs of Council Committees.
3. Request of Council's consideration to authorize the submission of an amicus brief urging the 11th District Court to reconsider the authority of local governments to ban conversion therapy (Draft #2020-130)
4. Request for Committee of the Whole time for Council to review applicants for vacancies on City Boards and Commissions.
5. Request for Community Development Committee time to present the request for the

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- proposed new Enterprise Zone submitted by Davey Tree for their corporate campus expansion.
6. Request for Land Use Committee time to present a request for right of way dedication at the proposed new Dunkin' Doughnuts property on S. Water Street.
 7. Request for Land Use Committee time to submit the developer request to dedicate Phase 5 of River Bend East to the City.
 8. Request for Land Use Committee time to present a request from a resident for the City to sell a portion of City owned property between Ivan Drive and S. Water Street.
 9. Request for Finance Committee time to request Council's support for passing the resolution of necessity and intent to secure the 3 remaining outstanding easements needed for the Southwest Sanitary Sewer Pump Station project.
 10. Request for Finance Committee time to extend the Parks and Recreation Fee moratorium which expires on December 31, 2020.

MOTION TO APPROVE ITEMS #1-10 OF THE CITY MANAGER'S REPORT, excluding #2, made by Mr. Amrhein, SECONDED by Mr. Ferrara, and CARRIED by a voice vote of 9-0.

STANDING COMMITTEES/ LEGISLATION

1) Committee of the Whole:

MOTION TO APPROVE MEETING MINUTES of December 2, 2020 made by Mr. Amrhein seconded by Mr. Sidoti, and CARRIED by a voice vote of 9-0.

NO RECOMMENDED ACTIONS TO APPROVE

Voting for Boards and Commissions

MOTION TO APPOINT TIM SAHR TO THE BOARD OF ZONING APPEALS made by Mr. Ferrara SECONDED by Mr. Kuhar and CARRIED by a voice vote of 9-0.

MOTION TO APPOINT DEBORAH DOUGLAS TO THE BOARD OF ZONING APPEALS made by Mr. Sidoti SECONDED by Mr. DeLeone and CARRIED by a voice vote of 9-0.

MOTION TO APPOINT GARRETT MUNRO TO THE DESIGN AND PRESERVATION COMMITTEE made by Ms. Shaffer Bish SECONDED by Mr. Amrhein and CARRIED by a voice vote of 9-0.

MOTION TO APPOINT KATHLEEN WILER TO THE PARKS AND RECREATION BOARD made by Mr. Kuhar SECONDED by Ms. Rosenberg and CARRIED by a voice vote of 9-0.

MOTION TO APPOINT STEVE MITCHELL TO THE PARKS AND RECREATION BOARD made by Mr. Kuhar SECONDED by Ms. Rosenberg and CARRIED by a voice vote of 9-0.

MOTION TO APPOINT AMANDA EDWARDS TO THE PLANNING COMMISSION made by Ms. Shaffer Bish SECONDED by Mr. Sidoti and CARRIED by a voice vote of 9-0.

MOTION TO APPOINT NICKOLAS BELLAS TO THE PLANNING COMMISSION made by Mr. Sidoti SECONDED by Mr. DeLeone and CARRIED by a voice vote of 9-0.

MOTION TO MOVE NAMES INTO LEGISLATION made by Mr. Turner SECONDED by Mr. Kuhar and CARRIED by a voice vote of 9-0.

Draft No. 2020-116 A RESOLUTION APPOINTING TIM SAHR AND DEBORAH DOUGLAS TO THE BOARD OF ZONING APPEALS, 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, SECONDED by Mr. Kuhar. 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. 2020-116 made by Ms. Shaffer Bish 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.

RESOLUTION 2020-116 PASSED as stated by Clerk Wilkens

Draft No. 2020-117 A RESOLUTION APPOINTING GARRETT MUNRO TO THE DESIGN AND PRESERVATION COMMITTEE, 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 Ms. Shaffer Bish, SECONDED by Mr. Sidoti. 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. 2020-117 made by Mr. Kuhar 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.

RESOLUTION 2020-117 PASSED as stated by Clerk Wilkens.

Draft No. 2020-118 A RESOLUTION APPOINTING KATHLEEN WILER AND STEVE MITCHELL TO THE PARKS AND RECREATION BOARD 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, SECONDED by Ms. Rosenberg. On roll call, voting "Yes": Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-118 made by Mr. Kuhar and SECONDED by Mr. Sidoti. On roll call, voting "Yes": Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr.

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

RESOLUTION 2020-118 PASSED as stated by Clerk Wilkens.

Draft No. 2020-119 A RESOLUTION APPOINTING AMANDA EDWARDS AND NICKOLAS BELLAS TO THE PLANNING COMMISSION, 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, SECONDED by Ms. Shaffer Bish. On roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-119 made by Mr. Kuhar and SECONDED by Mr. Sidoti. On roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The Motion CARRIED by a roll call vote of 9-0.

RESOLUTION 2020-119 PASSED as stated by Clerk Wilkens.

2) Community Development Committee:

NO MEETING MINUTES OR RECOMMENDED ACTIONS

3) Land Use Committee:

MOTION TO APPROVE MEETING MINUTES of December 2, 2020 made by Mr. Ferrara SECONDED by Mr. Sidoti, and CARRIED by a voice vote of 9-0.

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

Recommended Actions:

- 1) Authorize the proposed agreement between the City and Klaben for a new section of the Hike & Bike trail.

Draft No. 2020-120 AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT OBTAINING A PERMANENT EASEMENT FROM KLABEN PROPERTY MANAGEMENT L.L.C., 1085 WEST MAIN STREET FOR \$52,160 FOR THE PURPOSE OF A SIDEWALK TO IMPROVE THE WALKABILITY FOR THE HIKE/BIKE TRAIL, 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, SECONDED by Mr. Sidoti. On roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone,

Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, and Ms. Shaffer Bish. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-120 made Mr. Sidoti and SECONDED by Mr. Ferrara. On roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, and Ms. Shaffer Bish. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-120 PASSED as stated by Clerk Wilkens.

4) Streets, Sidewalks and Utilities Committee

MOTION TO APPROVE MEETING MINUTES of December 2, 2020 made by Mr. Sidoti SECONDED by Mr. Ferrara, and CARRIED by a voice vote of 9-0.

NO RECOMMENDED ACTIONS TO APPROVE

5) Health and Public Safety Committee:

NO MEETING MINUTES OR RECOMMENDED ACTIONS

Draft No. 2020-130 AN ORDINANCE OF THE CITY OF KENT, OHIO, AUTHORIZING THE CITY'S LAW DIRECTOR TO APPEAR AS AMICUS CURIAE AND/OR TO JOIN AS A SIGNATORY OF ANY LOCAL GOVERNMENT AMICUS BRIEF IN SUPPORT OF LOCAL CONVERSION THERAPY BANS, INCLUDING, BUT NOT LIMITED, TO THE CURRENT PETITION FOR REHEARING AND REHEARING EN BANC IN OTTO ET AL. V CITY OF BOCA RATON ET AL, 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 Ms. Shaffer Bish, SECONDED by Mr. Ferrara. On roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, and Mr. Sidoti. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-130 made by Mr. Kuhar and SECONDED by Mr. Ferrara. On roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, and Mr. Sidoti. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-130 PASSED as stated by Clerk Wilkens.

6) Finance Committee:

MOTION TO APPROVE THE FINANCE COMMITTEE MEETING MINUTES OF December 2, 2020 made by Mr. DeLeone, seconded by Mr. Ferrara, and CARRIED by a voice vote 9-0.

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

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Recommended Actions:

- 1) Authorize the renewal of the Portage County Public Defender's contract for 2021
- 2) Authorize the proposed 2021 City Operating budget
- 3) Authorize the submitted 2020 Budget Appropriations
- 4) Authorize the "then and now" list of purchase orders for 2020
- 5) Approve the acceptance of the NOPEC public phone charging station
- 6) Approve the 2021 position allocation ordinance

Draft No. 2020-121 AN ORDINANCE AUTHORIZING THE CITY MANAGER TO CONTRACT, ON BEHALF OF THE CITY OF KENT, WITH THE OFFICE OF THE PUBLIC DEFENDER, PORTAGE COUNTY, FOR THE PROVISION OF LEGAL COUNSEL TO INDIGENT PERSONS CHARGED WITH POTENTIAL PENALTY OF INCARCERATION FOR OFFENSES COMMITTED IN VIOLATION OF THE ORDINANCES OF SAID CITY FOR THE PERIOD JANUARY 1, 2021 THROUGH DECEMBER 31, 2021 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": Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, and Ms. Rosenberg. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-121 made by Mr. DeLeone, SECONDED by Mr. Sidoti. On roll call, voting "Yes": Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, and Ms. Rosenberg. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-121 PASSED as stated by Clerk Wilkens.

Draft No 2020-122 AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR, UPON THE ISSUANCE OF A CERTIFICATE OF AVAILABILITY OF FUNDS, TO PAY CERTAIN PURCHASE ORDERS MADE THAT EXCEED \$3000.00; 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. DeLeone and seconded by Mr. Kuhar. On roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, and Ms. Shaffer Bish. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2020-122 made by Mr. DeLeone and SECONDED by Mr. Ferrara. On roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, and Ms. Shaffer Bish. The Motion CARRIED by a roll call vote of 9-0.

RESOLUTION 2020-122 PASSED as stated by Clerk Wilkens.

Draft No. 2020-123 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A GRANT AGREEMENT WITH NOPEC, INC. AND TO ACCEPT ONE ELECTRONIC CHARGING STATION FOR THE USE IN PUBLIC AREAS, 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": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, and Mr. Turner. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2020-123 made by Ms. Shaffer Bish and seconded by Mr. DeLeone. On roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, and Mr. Turner. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020- 123 PASSED as stated by Clerk Wilkens.

Draft No. 2020-124 AN ORDINANCE AMENDING SECTION 915.72 OF THE KENT CODIFIED ORDINANCES, INCREASING THE SEWER RATES OF THE CITY OF KENT, OHIO BY THREE PERCENT (3%) BEGINNING WITH THE FIRST BILLING CYCLE IN JANUARY, 2021, 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. Sidoti. On roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, and Mr. Turner. Voting "No": Ms. Wallach. The Motion CARRIED by a roll call vote of 8-1.

MOTION TO ADOPT DRAFT No. 2020-124 made by Mr. DeLeone and seconded by Ms. Shaffer Bish. On roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, and Mr. Turner. Voting "No": Mr. Kuhar, and Ms. Wallach. The Motion CARRIED by a roll call vote of 7-2.

Comments by Council:

Ms. Wallach said now is not the time to raise rates because people are really struggling right now. It looks like hope is on the way with the vaccine so things will be picking up later on.

Mr. Kuhar agreed with Ms. Wallach's comments.

ORDINANCE 2020-124 PASSED as stated by Clerk Wilkens.

Draft No. 2020-125 AN ORDINANCE AMENDING SECTION 913.05 OF THE KENT CODIFIED ORDINANCES, INCREASING THE WATER RATES OF THE CITY OF KENT, OHIO BY THREE PERCENT (3%) BEGINNING WITH THE FIRST BILLING CYCLE IN JANUARY, 2021, 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. Sidoti. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms.

Shaffer Bish, Mr. Sidoti, Mr. Turner, and Mr. Amrhein. Voting "No": Ms. Wallach. The Motion CARRIED by a roll call vote of 8-1.

MOTION TO ADOPT DRAFT No. 2020-125 made by Mr. DeLeone and seconded by Mr. Ferrara. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, and Mr. Amrhein. Voting "No": Mr. Kuhar, and Ms. Wallach. The Motion CARRIED by a roll call vote of 7-2.

Council Comments:

Ms. Shaffer Bish said years ago Council embarked on a process of rate stabilization and thought it was the right thing to do and had to take a big jump. This is a relatively small jump in comparison. There is never going to be a good time for rate stabilization but the City's health depends on it. She thinks if we vote no, we are pushing responsibilities down the road.

Mr. Turner agreed with Ms. Shaffer Bish and said it would be a matter of "kicking the can" down the road. He appreciates and understands difficulties all are going through but the amount of the increase is minimized and conceptually if this is not done there will be a greater increase in the future. The logic that has been applied by the City Administrators, this is the appropriate mechanism to be used now to try to address the shortfall. It is a chronic, unfortunate situation but we will be able to deal with it if we stick to our plan.

Mr. Kuhar said he will vote no and added we will always continue to need money and right now there is hope that within a year, things will be back to normal and everyone will be back to making money again. He has a hard time justifying a rate increase at this time and continuing on with a widening of a bike trail for millions of dollars. He knows they are two different things but something does not strike him as good to do at this time. In six to eight months he would probably vote yes.

Ms. Wallach agreed with Mr. Kuhar.

ORDINANCE 2020-125 PASSED as stated by Clerk Wilkens.

Draft No. 2020-126 AN ORDINANCE AMENDING ORDINANCE NO. 2019-140 THE POSITION ALLOCATION AND GENERAL COMPENSATION PLAN 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. DeLeone and seconded by Mr. Ferrara. On roll call, voting "Yes": Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein and Mr. DeLeone. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2020-126 made by Mr. Ferrara and seconded by Mr. DeLeone. On roll call, voting "Yes": Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein and Mr. DeLeone. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-126 PASSED as stated by Clerk Wilkens.

Draft No. 2020-127 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 Mr. DeLeone. On roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Mr. Amrhein and Mr. Ferrara. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2020-127 made by Mr. Kuhar and seconded by Mr. Ferrara. On roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Mr. Amrhein and Mr. Ferrara. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-127 PASSED as stated by Clerk Wilkens.

Draft No. 2020-128 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. Sidoti. On roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Kuhar. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2020-128 made by Mr. Ferrara and seconded by Ms. Rosenberg. On roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Kuhar. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-128 PASSED as stated by Clerk Wilkens.

Draft No. 2020-129 AN ORDINANCE APPROPRIATING 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, 2021, 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 Mr. DeLeone. On roll call, voting "Yes": Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, and Ms. Rosenberg. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2020-129 made by Mr. Kuhar and seconded by Mr. Ferrara. On roll call, voting "Yes": Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, and Ms. Rosenberg. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-129 PASSED as stated by Clerk Wilkens.

Seeing no further business, the Finance Committee adjourned at 8:20 P.M.

Mayor Fiala asked before going into Unfinished Business for Mr. Ruller, City Manager, to provide any insight for 2021.

Mr. Ruller said he had practical news about budgetary adjustments that needed to be made due to Covid-19, and that we will need an emergency meeting with Council before the end of the year to be compliant with the auditors. The auditors would like the year concluded in a different way due to the CARES Act funding that was received and would like it done before December 31, 2020. The meeting will be the week after Christmas. He said he did not have any exciting or happy news and thought Ms. Wallach said it best, thank God 2020 is ending.

Mayor Fiala confirmed the meeting will be on December 30, 2020 at 7 P.M.

Unfinished Business: NONE

New Business: NONE

Council Comments:

Ms. Wallach said she is happy everyone has stayed healthy through all the challenges this year.

Ms. Rosenberg added she was happy to see the email about vaccinations for the first responders which gave her a boost of confidence and she is glad to see they are going to be protected.

Mr. Kuhar said he has an employee of his that said they are going to wait and watch when they give the vaccine to see how people are doing with it. Mr. Kuhar told him by the time he gets the vaccine, he will have waited already.

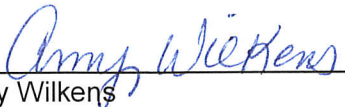
Ms. Shaffer Bish added that in addition to Kent State University employees and Kent City employees, she encouraged everyone to find a way to support the local businesses through the holiday season and beyond. It is really important to keep your money local as much as you can despite any inconvenience in going into a store versus pushing a button on a computer, but it's real important to help them get through this.

Mayor's Report:

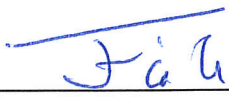
Mayor Fiala said generally this day a Council Christmas party happens and it usually snows every time and the Service Director puts out a parking ban. The party will not occur because of Covid but maybe if things are good in July, we can have a Christmas in July party.

Mayor Fiala said people celebrate December 25th in different ways, but whatever you believe to respect the other person for what they believe and that's what it's about. He wishes that everyone stays healthy and gets out of this year and into 2021. He doesn't think it could be much worse and hopes it's better. Happy New Year.

The Regular Meeting adjourned at 8:25 P.M.



Amy Wilkens
Clerk of Council



Jerry T. Fiala
Mayor and President of Council