



City Council Regular Meeting Minutes
The City of Kent, Ohio
Wednesday, July 15, 2020

Special Note: Due to the Covid-19 Pandemic, this meeting was conducted virtually and broadcast live on the City's YouTube Channel.

At 8:00 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; Mr. Roger Sidoti; Mr. Robin Turner and 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. Rhonda Hall, Budget and Finance Director; Ms. Melanie Baker, Service Administration Director; Mr. Gary Bishop, IT Manager; Ms. Joan Seidel, Health Commissioner; Mr. Nick Shearer, Police Chief; Mr. John Tosko, Fire Chief; Mr. Kevin Schwartzhoff, Parks and Recreation Director; and Ms. Amy Wilkens, Clerk of Council.

APPROVAL OF MINUTES:

MOTION TO APPROVE THE MINUTES OF THE PUBLIC HEARING OF JUNE 3, 2020, REGULAR COUNCIL MEETING OF JUNE 17, 2020, SPECIAL COUNCIL MEETING OF JULY 1, 2020 AND PUBLIC HEARINGS OF JULY 1, 2020 made by Mr. Amrhein, seconded by Mr. Kuhar, and CARRIED by a voice vote of 9-0.

COMMUNICATIONS:

Public Communication

Mayor Fiala asked if there were any members of the public joining the meeting. There were no members signed in that wished to address Council.

Written Communication

The following items were received and are in the Clerk of Council's Office:

1. Letter from the Department of Commerce regarding the approval of the operation of the DORA in the City of Kent, Ohio received on June 27, 2020. This letter was forwarded to Council Members on June 29, 2020.
2. Standing Rock Cemetery Meeting Agenda for July 9, 2020 and the Minutes from the June 11, 2020 meeting were received on June 29, 2020.
3. Sustainability Commission Meeting Agenda for July 6, 2020 and Minutes from June 1, 2020 were received on July 1, 2020.
4. Email from Mr. Mercer, resident of Kent Ohio, regarding requiring the use of masks was received on June 29, 2020 and forwarded to City Council Members.
5. Emails from Tony Mosca, Iris Meltzer and Chris Cowles regarding requiring the use of masks were received on July 15, 2020 all forwarded to City Council Members.

The following information was received after the Agenda was posted and are on file in the Clerk of Council's Office:

1. The July Packet from the Parks and Recreation Board was received on July 10, 2020
2. Emails were received between July 9, 2020 and July 15, 2020 and forwarded to Council members. All emails are on file in the Clerk of Council's Office.

In Favor of the Mask Ordinance: Elizabeth Smith- Pryor and Richard E. Pryor; Cynthia Price; Helen and Richard Burdette; Lori Zellefrow; Jennifer Mapes; Jacob Barkly; Kat Holtz; Tara Smith; Melissa Zulla; Anne Jefferson; Kellie Green; Sara Koopman; Linda Miles; Catherine Greenwood; Todd Boyles; Matthew McMinn; Barb Wendel; Jennifer Oettinger; Dr. Enrico Gandolfi; Dr. Matthew Crawford; Christin Vais; Dr. Dana Lawless- Andric; Mary Step; Deborah Smith; Tammy Clewell; Theresa Walton-Fisette; Murali Shanker and Sonia Shanker ; Robin VandeZande; Mark Mistur; Mindy Uhrig; Wesley Raabe; Linda Piccirillo Smith; Pamela Grimm; Chris Carman; Brad and Jody Maxwell; Dave Kaplan; Jennifer Tabor; Mark Bracher; Robert Walker; Christine Gillespie; Ellen Rubin; Tracy Foreman, Sandy Dettis and Dissac Foreman; Vivien Sandlund; Barb Barkley; Sue Roxburgh; Dr. Rebecca Catto; Allen and Maureen Smalley; Michael Davis; Christopher Dum; Chris Myers; Erin, Lance, Elaine and Jerry May; Joyce Snodgrass; Denise and Gary Mote

Concerns/Against Mask Ordinance: Jessica West; Jin- Hyoung Kim; Jesse Gray; Nichole Costa; and Randy Lyle

3. An email was received from Victor Barratt McCartney regarding a push for greater police accountability by creating a civilian oversight committee as well as a new policy for minor drug offenses. This email was forwarded to Council.
4. A letter regarding the appearance of the old police station at 319 S. Water St. was received on July 15, 2020 from Mary L. Kenneley of 1123 Elna Avenue.
5. A Letter from resident Laura Mazur regarding the waste drop off site.
6. A letter from Melissa Clemens regarding traffic speed and a wish to create a community involved program to make streets safer.
7. A letter from Treehugger Mariah Reincarnated regarding lowering the voting age.

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

1. Kevin Schwartzhoff asked for Council's authorization to accept a \$200 donation from Ronald and Judith Swearingen to Kent Parks and Recreation for the purchase of a memorial tree in honor of Rita Thomas. (Draft #2020-70)
2. Melanie Baker has requested Committee of the Whole time to review the latest update on the new City Hall project.
3. Amy Wilkens and Hope Jones have requested Committee of the Whole time to discuss recommendations for membership on City Boards and Commissions.
4. Tom Wilke has requested Community Development Committee time to present a proposed Community Reinvestment Area Agreement for Montrose Mazda.
5. Bridget Susel has requested Community Development Committee time for Council's consideration of an Agreement with the Brownfield Restoration Group for environmental remediation work.
6. Chief Shearer has requested Finance Committee time to seek Council's authorization to renew the Police Department's agreement with Kent City School to share in the cost of a School Resource Officer.
7. Joan Siedel and Rhonda Hall have requested Finance Committee time to create a new line item in the Health Department budget related to tattoo business fees.

8. Rhonda Hall has requested Finance Committee time to provide Council with a status report on City finances in light of the Covid-19 pandemic and to request Council's approval of budget reduction measures required in response to revenue losses.

MOTION TO APPROVE ITEMS #1-8 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 THE COMMITTEE OF THE WHOLE MEETING MINUTES of July 1, 2020 made by Mr. DeLeone, seconded by Mr. Kuhar, and CARRIED by a voice vote of 9-0.

Recommended Actions:

- 1) Authorize the proposed updates of the City Ordinance Book pages.

MOTION TO APPROVE THE COMMITTEE OF THE WHOLE Recommended Actions made by Mr. DeLeone, seconded by Mr. Kuhar, and CARRIED by a voice vote of 9-0.

Draft No. 2020-59 AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE CITY OF KENT CODIFIED ORDINANCES 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. Ferrara. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-59 made by Mr. DeLeone and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-59: AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE CITY OF KENT CODIFIED ORDINANCES AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

Draft No. 2020-60 A RESOLUTION AFFIRMING THAT BLACK LIVES MATTER AND THAT THE CITY OF KENT IS COMMITTED TO CONDEMNING RACISM AND ENCOURAGING A COMMITMENT TO FAIR AND EQUAL TREATMENT FOR ALL was read by title only by Clerk Wilkens per Mayor Fiala's request

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

MOTION TO ADOPT DRAFT NO. 2020-60 made by Ms. Shaffer and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

RESOLUTION 2020-60: A RESOLUTION AFFIRMING THAT BLACK LIVES MATTER AND THAT THE CITY OF KENT IS COMMITTED TO CONDEMNING RACISM AND ENCOURAGING A COMMITMENT TO FAIR AND EQUAL TREATMENT FOR ALL **PASSED** as stated by Clerk Wilkens

2. COMMUNITY DEVELOPMENT COMMITTEE:

NO MEETING MINUTES OR RECOMMENDED ACTIONS TO APPROVE

3. STREETS, SIDEWALKS & UTILITIES COMMITTEE:

MOTION TO APPROVE THE STREETS, SIDEWALKS & UTILITIES COMMITTEE MEETING MINUTES of July 1, 2020 made by Mr. Sidoti, seconded by Mr. DeLeone, and **CARRIED** by a voice vote of 9-0.

MOTION TO APPROVE THE STREETS, SIDEWALKS & UTILITIES COMMITTEE ACTION ITEMS made by Mr. Sidoti, seconded by Mr. DeLeone, and **CARRIED** by a voice vote of 9-0.

Recommended Actions:

- 1) Consideration of a Water Service Extension Request

Draft No 2020-61 AN ORDINANCE AUTHORIZING LTC BRIMFIELD, LLC A WATER TAP-IN FOR A NEW 96 BED SKILLED NURSING FACILITY LOCATED AT 5075 SR 43 AND MELOY ROAD, OUTSIDE THE CITY OF KENT, 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 Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion **CARRIED** by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-61 made by Mr. Sidoti and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion **CARRIED** by a roll call vote of 9-0.

ORDINANCE 2020-61 AN ORDINANCE AUTHORIZING LTC BRIMFIELD, LLC A WATER TAP-IN FOR A NEW 96 BED SKILLED NURSING FACILITY LOCATED AT 5075 SR 43 AND MELOY ROAD, OUTSIDE THE CITY OF KENT, AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

4. LAND USE COMMITTEE:

NO MINUTES OR RECOMMENDED ACTIONS TO BE APPROVED.

5. HEALTH AND SAFETY COMMITTEE:

MOTION TO APPROVE THE HEALTH AND SAFETY COMMITTEE MEETING MINUTES of July 1, 2020 and the Special Meeting Minutes from July 15, 2020 made by Mr. Amrhein, seconded by Ms. Shaffer, and **CARRIED** by a voice vote of 9-0.

MOTION TO APPROVE THE STREETS, SIDEWALKS & UTILITIES COMMITTEE ACTION ITEMS made by Mr. Amrhein, seconded by Ms. Wallach, and **CARRIED** by a voice vote of 9-0.

Draft No 2020-62 AN ORDINANCE REQUIRING FACIAL COVERINGS IN INDOOR AND OUTDOOR AREAS ACCESSIBLE TO THE PUBLIC; 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 seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion **CARRIED** by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-62 made by Ms. Wallach and seconded by Ms. Shaffer. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 8-0-1 with Mr. Kuhar abstaining.

ORDINANCE 2020-62 AN ORDINANCE REQUIRING FACIAL COVERINGS IN INDOOR AND OUTDOOR AREAS ACCESSIBLE TO THE PUBLIC; AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

6. FINANCE COMMITTEE:

MOTION TO APPROVE THE FINANCE COMMITTEE MINUTES of July 1, 2020 made by Mr. DeLeone, seconded by Mr. Kuhar, and CARRIED by a voice vote of 9-0.

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

Recommended Actions:

- 1) Authorize submission of the City's 2021 Tax Budget to the County
- 2) Authorize the proposed easement agreements required for the SW Sanitary Pump Station Project
- 3) Authorize the City to proceed with the proposed West Side Fire Levy renewal and request the County Board of Elections place the issue on the Fall 2020 ballot
- 4) Approve the Budget Appropriations Amendment

Ms. Rhonda Hall asked to speak before Council regarding the bonds bid to the banks. There were four bids for the bonds approved last month, and the rate received was 1.29% for the next ten years. She thanked Mr. David Coffee for rolling over the notes year after year that enabled the city to obtain this low interest rate.

Draft No 2020- 63 A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF KENT, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2021, SUBMITTING THE SAME TO THE COUNTY AUDITOR, 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 seconded by Mr. Kuhar. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-63 made by Mr. Kuhar and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

RESOLUTION 2020-63 A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF KENT, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2021, SUBMITTING THE SAME TO THE COUNTY AUDITOR, AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

Draft No. 2020-64 A RESOLUTION DETERMINING TO PROCEED TO SUBMIT TO THE ELECTORS OF THE CITY OF KENT THE QUESTION OF THE RENEWAL OF THE CITY'S EXISTING 0.73-MILL TAX LEVY FOR THE PURPOSE OF PROVIDING SUFFICIENT FUNDS FOR THE CURRENT EXPENSE OF MAINTAINING AND OPERATING A FIRE STATION IN THE CITY OF KENT WEST OF THE ERIE RAILROAD PURSUANT TO SECTIONS 5705.19(I) AND 5705.191 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 seconded by Ms. Shaffer. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION MADE TO ALLOW THE CLERK THE ABILITY TO AMEND THE TITLE OF THE ORDINANCE AMENDING THE NAME OF THE ERIE RAILROAD IF NEEDED made by Mr. DeLeone SECONDED by Ms. Shaffer and CARRIED with a voice vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-64 made by Ms. Shaffer and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

RESOLUTION 2020-64; A RESOLUTION DETERMINING TO PROCEED TO SUBMIT TO THE ELECTORS OF THE CITY OF KENT THE QUESTION OF THE RENEWAL OF THE CITY'S EXISTING 0.73-MILL TAX LEVY FOR THE PURPOSE OF PROVIDING SUFFICIENT FUNDS FOR THE CURRENT EXPENSE OF MAINTAINING AND OPERATING A FIRE STATION IN THE CITY OF KENT WEST OF THE ERIE RAILROAD PURSUANT TO SECTIONS 5705.19(I) AND 5705.191 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens

Draft No 2020-65; AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 679 SQUARE FEET OF REAL PROPERTY FROM JOHN N. REEVES, II, 1250 MIDDLEBURY ROAD FOR \$360.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND 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 seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-65 made by Mr. Kuhar and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-65 AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 679 SQUARE FEET OF REAL PROPERTY FROM JOHN N. REEVES, II, 1250 MIDDLEBURY ROAD FOR \$360.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND THE CONSTRUCTION OF THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

Draft No 2020-66; AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 9,875 SQUARE FEET OF REAL PROPERTY FROM MARK F. COLLINS, 1178 MIDDLEBURY ROAD FOR \$1,310.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND 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 Ms. Shaffer seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-66 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-66 AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 9,875 SQUARE FEET OF REAL PROPERTY FROM MARK F. COLLINS, 1178 MIDDLEBURY ROAD FOR \$1,310.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND THE CONSTRUCTION OF THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

Draft No 2020-67; AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 483 SQUARE FEET OF REAL PROPERTY FROM TONI KUNO, 1234 MIDDLEBURY ROAD FOR \$300.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND 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 seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-67 made by Mr. DeLeone and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-67 AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 483 SQUARE FEET OF REAL PROPERTY FROM TONI KUNO, 1234 MIDDLEBURY ROAD FOR \$300.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND THE CONSTRUCTION OF THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

Draft No 2020-68; AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 579 SQUARE FEET OF REAL PROPERTY FROM GAIL A. NEUBERT nka GAIL A. TUTTLE, 1240 MIDDLEBURY ROAD FOR \$300.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND 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 seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-68 made by Mr. Kuhar and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-68 AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 579 SQUARE FEET OF REAL PROPERTY FROM GAIL A. NEUBERT nka GAIL A. TUTTLE, 1240 MIDDLEBURY ROAD FOR \$300.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND THE CONSTRUCTION OF THE

SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

Draft No 2020-69 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. DeLeone seconded by Ms. Shaffer. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-69 made by Mr. DeLeone and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-69 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 **PASSED** as stated by Clerk Wilkens.

Draft No 2020-70 AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM RONALD SWEARINGEN AND JUDITH SWEARINGEN TO PURCHASE A MEMORIAL TREE IN MEMORY OF RITA THOMAS, 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. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-70 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-70 AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM RONALD SWEARINGEN AND JUDITH SWEARINGEN TO PURCHASE A MEMORIAL TREE IN MEMORY OF RITA THOMAS, AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

SPECIAL COMMITTEE REPORTS:

UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Ms. Wallach said there was a really good discussion with the police department at the last committee meeting and she is very proud of the department. She asked about moving the discussion into committee to discuss establishing a group to review how to get more money for training and setting up scholarships for people of color to attend Kent State in the Criminal Justice major.

Ms. Shaffer added she thinks it is important to look at strategies to improve recruiting across the entire staff of the city and examining hurdles to hiring. She said there are many impediments and they need to be looked at.

Ms. Wallach added the SAT and ACT scores are discriminatory against minorities and this may be the case for the Civil Service test as well.

Mr. Sidoti added that Chief Shearer mentioned they had candidates who were eligible, pass the Civil Service test, but struggled with passing background checks. He agreed with Ms. Wallach about the SAT and ACT issue and thinks something needs to be done to encourage all minorities to apply to the City of Kent. There are highly qualified people that would be able to qualify and the key is encouraging them in some way. He agrees the police are doing a wonderful job on all other areas of the report and recruitment is everyone's job.

Ms. Rosenberg asked if this was to create a committee and if a report from Lt. Lewis before creating this may help.

Ms. Wallach said this is a motion to created a committee that would meet semi-annually or quarterly to discuss different issues such as recruitment.

Ms. Rosenberg asked if it would be a City Council Committee that would meet.

Ms. Wallach replied that is what needs to be discussed, what type of committee they would like and who would be on this committee.

Ms. Shaffer added that the idea is to have a flushed-out discussion on whether a committee is needed or if there is another strategy. Ms. Shaffer said she would like it on the agenda for a future meeting.

Mr. Turner agreed with Ms. Shaffer that the formation of a committee at this time is premature and the discussion is something that is most important, acknowledging there is a consider they need to sit down and formulate a plan of direction. The discussion should include the administration, the staff, the police and fire chiefs and department heads. There is an issue throughout the city, not just in the safety forces. He supports the concept of discussing and then developing a policy or an action plan.

Ms. Rosenberg asked to expand the scope to include city departments and even Boards and Commissions.

Ms. Wallach and Ms. Shaffer agreed with Ms. Rosenberg.

MOTION to refer to the appropriate committee the discussion of hiring persons of color across all City departments made by Ms. Wallach **SECONDED** by Ms. Shaffer and **CARRIED** by a voice vote of 9-0.

Ms. Wallach concluded by adding the Board of Elections is looking for poll workers.

Mr. Kuhar asked the administration look into adding sanitation stations downtown area and keep them supplied by people to sanitize their hands.

Ms. Wallach said it may be possible to use the COVID funds for this.

Mr. Kuhar said the biggest problem with the coronavirus is people not sanitizing properly. If there is something in front of them when they leave a store or a bar it would help. It would be a small price to pay to keep things safer.

Mr. Turner asked what the implementation would look like and if it is going to be discussed in a committee.

Mr. Amrhein stated it would be put into the Health and Safety Committee for further discussion.

Mr. Kuhar requested administration to expedite this matter, look at the feasibility and implement rather than wait a month.

Mr. Sidoti said the administration should be given the latitude to implement as they see fit and as quickly as possibly and with the DORA starting up the sooner implemented the better. If it warrants it could come back to Council for discussion but the administration should move ahead with implementing if they can find the money in the COVID funding.

Mayor Fiala asked Clerk Wilkens to read the original motion.

Clerk Wilkens read "a motion to have the administration put sanitation stations downtown."

MOTION for the Administration to look into providing sanitation stations in the downtown area for visitors to sanitize their hands by Mr. Kuhar, **SECONDED** by Ms. Wallach and **CARRIED** 9-0.

Mr. Sidoti gave a shout out to Jim Bowling regarding his response to Ms. Clemens letter about people speeding in Kent. She has spoken with him on numerous occasions regarding the 25-mph speed limit in residential areas. Both Mr. Ruller and Mr. Bowling quickly responded to her letter and Ms. Clemens really wants to help the police department in this area. He agreed that most people view this speed limit as a suggestion.

Mr. Ferrara asked to refer to committee or the administration the possibility of vacating 1118 Adrian Ave over in White Oak Hills. A gentleman had wanted to purchase this city owned parcel and is not going forward with the purchase.

Mr. DeLeone clarified they will be vacating the property to the residents that live on either side of the property.

Mr. Ferrara replied that is correct and as he understands it there is no longer interest in the original buyer purchasing the property so the two people who live on either side of the property would like the City to vacate it so it can be split.

Mr. Ruller added he will meet with Bridget Susel and Hope Jones to discuss.

COUNCILMEMBERS' COMMENTS:

Mr. DeLeone said he has talked to Scott Swan, Franklin Twp. Trustee, who notified him of their passing of a similar ordinance to be in step with the City of Kent, depending on what the City did.

Ms. Shaffer thanked all of the citizens, constituents, business owners who wrote, called and texted opinions about the masking ordinance, pro and con. Resident participation is what makes Kent special of the citizenry. She challenged the press who have not reported on the resolution developed by Ms. Wallach, Mr. Turner and herself to support the black lives movement. She encouraged residents to look at the agenda and read the resolution and for the press to print it.

Ms. Rosenberg commended Chief Shearer and the Police Department in locating and bringing back the missing teenager and the concern of the police searching for her. She also thanked the assisting public agencies and the great relationship with the U.S. Marshalls.

Mr. Ferrara clarified that Council affirmed that black lives matter and that all people were created equal and not the *mission* of the organization Black Lives Matter.

Mr. Sidoti agreed with Mr. Ferrara.

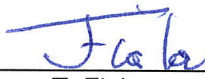
MAYOR'S REPORT:

Mayor Fiala thanked everyone who supported the mask ordinance and referenced the new video created by the Health Department which is very educational and very well done. Tonight's mask ordinance passing shows the concern about the community and their health and safety and what masks can do to control the virus and prevent the spread to enable businesses to remain open.

The Regular Meeting adjourned at 8:55 P.M.



Amy Wilkens
Clerk of Council



Jerry T. Fiala
Mayor and President of Council

