



City of Kent
Wednesday, March 16, 2022
Regular City Council Meeting
320 S. Depeyster Street, Kent, OH 44240

MINUTES

7:30 P.M. Regular Council Meeting

At 07:30 PM, Mayor Jerry T. Fiala called the Regular City Council Meeting to order.

Present: Mr. Michael DeLeone, 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, Service Director; Mr. Nick Shearer, Chief of Police; Mr. Bill Myers, Fire Chief; Ms. Amy Wilkens, Clerk of Council

Absent: Mr. Jack Amrhein, Mr. Garret Ferrara, Mr. John Kuhar

MOTION TO EXCUSE MR. AMRHEIN, MR. FERRARA AND MR. KUCHAR MADE BY Ms. Heidi Shaffer Bish, **SECONDED** by Ms. Tracy Wallach and **CARRIED** by a voice vote of 6-0-0.

Mayor Fiala reminded Councilmembers that due to not having the required seven votes to suspend the three readings of the ordinances, tonight will be a first reading only.

Opening Remarks and Pledge of Allegiance

Mr. Robin Turner stated the old police station is currently being raised and that we are "moving on up". With this new change, we as a city have the opportunity to continue to push the envelope. He commends the City Administration for all of the things they have been able to accomplish and tipped his hat to City Council for getting things done.

He then asked all to stand for the Pledge of Allegiance.

Approval of Minutes

**MOTION TO APPROVE FEBRUARY 16, 2022 Regular Council Meeting
Minutes MADE BY Mr. Robin Turner, SECONDED by Mr. Michael DeLeone and
CARRIED by a voice vote of 6-0-0.**

Communications

Public Comment

Mayor Fiala read the following statement:

"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, embarrassment, harassment or otherwise objectionable. We ask you to give your name and address and limit comments to three (3) minutes."

The first speaker for the evening was Brian Soderston, who was called to the podium.

Mr. Soderston introduced himself on behalf of the Sensible Movement Coalition and Norml Appalachia Ohio. He read from a prepared statement (**Attachment #1**)

Ms. Amy Wilkens, Clerk of Council, announced the next public speaker, Mr. J. Michael Fiala. He approached the podium and introduced himself, reading from a prepared statement (**Attachment #2**)

Written Communication

Clerk Wilkens read the following items into the record:

1. Parks and Recreation February Board Meeting Packet was received on February 21, 2022.
2. NEW D1 Liquor License request from Twisted Root Ltd. DBA Twisted Root Cellars, 257 N. Water Street, Kent, received February 22, 2022. Chief Shearer had no objections.
3. Email from Mr. Kenny Crookston regarding the redesign of the City's flag received on February 28, 2022.
4. An email from Jordan Cinderich notifying Council of his resignation from the Fair Housing Board was received and forwarded to Council on March 1, 2022.
5. An email from Jon Rindinger regarding the importance of a good flag design, recommending there not be a committee, was received and forwarded to Council on March 7, 2022.

6. Health Board meeting minutes for January 11, 2022 and the agenda for March 8, 2022 was received on March 4, 2022.
7. Standing Rock Cemetery Board Minutes from February 10, 2022 and the Agenda for March 10, 2022 were received on February 28, 2022.

MOTION TO RETURN THE NOTICE OF LEGISLATIVE AUTHORITY WITH NO OBJECTION MADE BY Mr. Michael DeLeone, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 6-0-0.

MOTION TO APPROVE THE RESIGNATION FROM THE FAIR HOUSING BOARD MADE BY Mr. Michael DeLeone, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 6-0-0.

City Manager's Report

1. Request Council's authorization to submit a letter in support of the proposed National African American Burial Grounds Preservation Act. (voice vote only)
2. Request Council's authorization to accept and allocate an \$875 donation to be used to support children's activities. (Draft# 2022-029)
3. Request Committee of the Whole time in April to discuss the City Flag.
4. Request Committee of the Whole time in April to prepare for considering the request from the NAACP for the City to form a new Commission on "Racism, Hatred and Diversity."
5. Request Community Development time to present proposed updates to the City's Park Fee calculation and Ordinance.
6. Request Community Development time to provide Council with the annual report and an update for Main Street Kent.
7. Request Land Use time to request Council's consideration of a proposed land donation to Kent Parks and Recreation.
8. Request Land Use time to present a request from Dave Tree for Council's approval of a Type I Expedited Annexation request and corresponding annexation agreement.
9. Request Streets, Sidewalks & Utilities Committee time to provide an update on the new KSU electric scooter and electric bike share program.
10. Request Streets, Sidewalks & Utilities Committee time to present a request from the Kent Jaycees to close the street for their annual Craft Beer Festival.
11. Request Finance Committee time to ask for Council's authorization to submit the funding request for the NOPEC Energized grant program.
12. Request Finance Committee time to obtain Council's approval to dispose of outdated police computers.

MOTION TO APPROVE THE CITY MANAGER'S REPORT MADE BY Ms. Gwen Rosenberg, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 6-0-0.

Standing Committees & Legislation

Committee of the Whole

MOTION TO APPROVE MARCH 2, 2022 MEETING MINUTES MADE BY Mr. Roger Sidoti, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 6-0-0.

MOTION TO APPROVE ACTION RECOMMENDED MADE BY Mr. Michael DeLeone, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 6-0-0.

Action(s) Recommended:

1. Establish Guidelines for a new community designed/engaged City flag.

MOTION TO APPOINT REBEKKAH BERRYHILL AND JASON KNOWLES TO THE SHADE TREE COMMISSION MADE BY Ms. Tracy Wallach, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 6-0-0.

MOTION TO AUTHORIZE INSERTION OF NAMES INTO LEGISLATION MADE BY Mr. Robin Turner, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 6-0-0.

Draft 2022-021 A RESOLUTION APPOINTING REBEKKAH BERRYHILL AND JASON KNOWLES TO THE SHADE TREE COMMISSION AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE 1ST READING of DRAFT 2022-021 MADE BY Ms. Heidi Shaffer Bish, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 6-0-0.

Ms. Wilkens stated the first reading had passed.

Community Development Committee

MOTION TO APPROVE THE MARCH 2, 2022 MEETING MINUTES MADE BY Mr. Robin Turner, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 6-0-0.

Ms. Rosenberg asked if she is acting as Chair (in Mr. Kuhar's absence) if she was permitted to speak on the topic. Mayor Fiala said generally no. Ms. Rosenberg asked to defer to Mayor Fiala due to wishing to make a comment about this topic. Mayor Fiala said that would be okay.

MOTION TO APPROVE ACTION RECOMMENDED MADE BY Mr. Michael DeLeone, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 6-0-0.

Action(s) Recommended

1. Authorize changes to the Celebrate Kent! grant program and the Neighborhood Grant Program (NGP) to include diversity-focused projects, initiatives and events.

Ms. Rosenberg said she is very excited about this, as this is something very unique to the city of Kent and really did not want this to go unnoticed because she thinks it is a pretty big deal. Essentially, what the City is doing, is setting aside funds specifically focusing on events, activities, education that celebrate diversity and inclusion. She said this could help school teachers who have tight budgets to bring in art or activities that celebrate the diversity of our community. She thanked Ms. Bridget Susel for the research she did on these and said there aren't a whole lot of cities that think like this and have micro grants for diversity. She said whether it was from a neighborhood group that wants to have a block party or a resident that has an idea and needs money to get things going. She added this speaks a lot about our city as a whole and this Council, who voted unanimously to specify these funds exactly for diversity. She hopes it will be promoted heavily because we really want to spend this money and that this is a great opportunity.

Draft 2022-022 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ADJUST THE APPLICATION REQUIREMENTS FOR FUNDING ASSISTANCE CURRENTLY UTILIZED FOR THE CELEBRATE KENT! AND THE NEIGHBORHOOD GRANT PROGRAM (NGP) TO SUPPORT MULTI-CULTURAL EVENTS AND ACTIVITIES THAT PROMOTE AWARENESS, INCLUSION AND DIVERSITY; AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE 1ST READING of Draft 2022-022 MADE BY Mr. Roger Sidoti, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 6-0-0.

Mr. Sidoti stated that sometimes people wonder why such specific detailed minutes are taken and things are categorized and said this demonstrates why this is so important in finding out the facts.

Ms. Wilkens stated the first reading had passed.

Land Use Committee

MOTION TO APPROVE MARCH 2, 2022 MEETING MINUTES MADE BY Mr. Robin Turner, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote

of 6-0-0.

MOTION TO AUTHORIZE ACTION RECOMMENDED MADE BY Ms. Heidi Shaffer Bish, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 6-0-0.

Action(s) Recommended

1. Authorize the boundary change corrections of two parcels of the 1917 annexation in the River Bend subdivision.

Draft 2022-023 AN ORDINANCE ACKNOWLEDGING THE NORTHERN JURISDICTIONAL BOUNDARY RECORDED ON THE TAX MAP FOR THE ANNEXATION OF TERRITORY PETITION PASSED BY THE COUNCIL OF THE VILLAGE OF KENT, OHIO, ON THE 26TH DAY OF NOVEMBER 1917 DOES NOT ALIGN WITH THE LEGAL DESCRIPTION OF THE 1917 PETITION AND TO CORRECT THE ERROR, CITY OF KENT AFFIRMS THE NORTHERN JURISDICTIONAL BOUNDARY IS THE CENTER OF THE CUYAHOGA RIVER AND PARCEL 12-050-00-00-011-000 AND PARCEL 12-050-00-00-012-000, CURRENTLY RECORDED BY PORTAGE COUNTY IN THE BOUNDARY OF FRANKLIN TOWNSHIP, ARE WITHIN THE JURISDICTIONAL BOUNDARY OF THE CITY OF KENT; AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE 1ST READING OF DRAFT 2022-023 MADE BY Ms. Heidi Shaffer Bish, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 6-0-0.

Ms. Wilkens stated the first reading had passed.

Streets, Sidewalks and Utilities Committee

MOTION TO APPROVE MARCH 2, 2022 MEETING MINUTES MADE BY Mr. Roger Sidoti, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 6-0-0.

MOTION TO AUTHORIZE ACTIONS RECOMMENDED MADE BY Mr. Roger Sidoti, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 6-0-0.

Action(s) Recommended

Authorize changes in the street closure for the Main Street Kent Art and Wine Festival.

Authorize new water service for The Human Bean, located at 1713 E. Main Street/SR 59 in Franklin Township.

Draft 2022-024 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE A NEW SPECIAL EVENT APPLICATION FOR MAIN STREET KENT ART & WINE FESTIVAL FOR SATURDAY, JUNE 4,

2022, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE 1ST READING OF DRAFT 2022-024 MADE BY Mr. Roger Sidoti, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 6-0-0.

Ms. Wilkens stated the first reading had passed.

Draft 2022-025 AN ORDINANCE AUTHORIZING THE WATER TAP-IN FOR THE HUMAN BEAN LOCATED AT 1713 EAST MAIN STREET/STATE ROUTE 59, OUTSIDE THE CITY OF KENT, AND DECLARING AN EMERGENCY (Authorized) was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE 1ST READING OF DRAFT 2022-025 MADE BY Ms. Tracy Wallach, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 6-0-0.

Ms. Wilkens stated the first reading had passed.

Finance Committee

MOTION TO APPROVE March 2, 2022 MEETING MINUTES MADE BY Mr. Michael DeLeone, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 6-0-0.

MOTION TO AUTHORIZE ACTIONS RECOMMENDED MADE BY Ms. Tracy Wallach, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 6-0-0.

Action(s) Recommended

1. Approve the sale of surplus Parks and Recreation fitness equipment.
2. Approve the IT Services contract with Quality IP.
3. Approve the 2022 budget appropriations amendment.

Draft 2022-026 AN ORDINANCE AUTHORIZING THE SALE BY INTERNET AUCTION OF SURPLUS PROPERTY NOT NEEDED FOR MUNICIPAL PURPOSES 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 APPROVE 1ST READING OF DRAFT 2022-026 MADE BY Ms. Tracy Wallach, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 6-0-0.

Ms. Wilkens stated the first reading had passed.

Draft 2022-027 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RENEW THE AGREEMENT WITH QUALITY IP AND THE CITY OF KENT TO HELP WITH BUSINESS TECHNOLOGY NEEDS, WAIVING COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE 1ST READING OF DRAFT 2022-027 MADE BY Mr. Roger Sidoti, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 6-0-0.

Ms. Wilkens stated the first reading had passed.

Draft 2022-028 AN ORDINANCE AMENDING ORDINANCE NO. 2021-133, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 15, 2021; 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, 2022; AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE 1ST READING OF DRAFT 2022-028 MADE BY Mr. Michael DeLeone, SECONDED by Ms. Tracy Wallach and CARRIED by a voice vote of 6-0-0.

Ms. Wilkens stated the first reading had passed.

Draft 2022-029 AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$875.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT TO BE USED FOR CHILDREN'S ACTIVITIES, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE 1ST READING OF DRAFT 2022-029 MADE BY Ms. Tracy Wallach, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 6-0-0.

Ms. Wilkens stated the first reading had passed.

Unfinished Business

Ms. Shaffer Bish said she wanted to comment on food trucks in town. She said she really hopes the voices of the food truck owners will be heard and will help shape policy. She added there should be a distinction between Kent Food Truck owners and out of town food truck owners.

Ms. Hope Jones, Law Director, said distinguishing between Kent owners and out of towners may be very unconstitutional to treat people who are positioned the same, differently. She added she would look into that. She added there was an internal meeting in regards to food trucks and stated she had been very busy as a one-person law office the last few weeks with her secretary out. She stated she knows that is a terrible excuse but that they will be invited to the table and that she is not disregarding

what they say. Unfortunately, everything they want might not make it into the new ordinance, but we think they will like it better. She told her team that moving forward, anytime they get pushback or roadblocks they think are legitimate, to discuss internally before we can put the new ordinance in place.

Ms. Shaffer Bish thanked her for the explanation and encouraged the City to work with food truck owners on this policy. She realizes just like we can't determine housing based on whether someone is a student or not a student, we really can't determine whether somebody is an in-town or out-of-town food truck owner. She said it would be nice for those that are from Kent, to help shape policy.

Ms. Jones added that once they take the comments they heard and get it into a draft form, they would like to invite a few of them in to see what their thoughts are.

New Business

NONE

Councilmembers' Comments

Mr. Roger Sidoti commended Economic Development Director, Mr. Tom Wilke, in regards to the monthly report that is distributed to the Council. He said having a list of what is going on in town is helpful, as residents really want to know in terms of new businesses coming. He said this is very helpful in communicating effectively with residents and he is fascinated by those people who really want to know these things.

Ms. Shaffer Bish said she wanted to echo what Mr. Turner said in his opening remarks in regards to the progress the City is making. She said there has been a lot of demolition in the city but she is most excited about the demolition of the old police station and the transformation of the city. She said it is a capstone to all of the work that we've done in the past ten plus years. She congratulated Ms. Melanie Baker, Service Director, on a job well done.

Mr. Ruller asked Ms. Melanie Baker to update Council on her latest discovery which occurred during the demolition.

Ms. Melanie Baker said she is very excited, as the demolition is going exceptionally well, and the building will be down by Friday. On the west side of the building, just south of the main entrance door, the USGS marker was located. She said they were able to remove it intact and she is very excited to be able to display it in the new building. She added that history is very important to her and so this is a part of the City of Kent's history. She said she knows the bricks from the building were a big deal too, and they have five piles which will be moved to Mogadore Rd. She is extremely excited about all of this and said that things are going well so far. She added she will be creating a website so it can be watched live and posted on social media. She thanked Council for all of their support.

Mr. Sidoti asked if the longitudinal lines were on the historical marker. Ms. Baker said they were on the top. Mr. Sidoti asked if it would be placed in the exact location. Ms. Baker said we can't due to where we are placing the building and that it was pulled out to

be saved. It will be placed in the new building along with a note saying it is not in its appropriate location, but there for its historical value.

Ms. Gwen Rosenberg thanked Chief Myers for the opportunity to participate in the Fire Department training at Franklin Elementary School. She thought she understood what firefighters do, but had underestimated the degree of difficulty of that job. She gained an understanding of what is expected of our firefighters and to see first hand the professionalism of our department, that they value ongoing education and training, not only to rescue victims but to educate themselves on safety.

Mayor Fiala said it was a great feeling to participate in this and wished everyone had the opportunity to do it.

Chief Myers thanked Ms. Rosenberg for taking the time to attend the Fire Training. He didn't realize at the time that she would be actually putting the gear on and go into the smoke, and he was quite impressed. He hopes at the next Council meeting he would like to show Council pictures of the event. Ms. Rosenberg said other fire departments from other cities were there as well. She gave special thanks to Davey Tree for the use of the former school. Chief Myers said there were over 150 firefighters that benefited from the training. There were twelve instructors from different locations that volunteered their time to assemble the structure and said it was an event that brought the firefighting community together. He also thanked Service Director, Melanie Baker and said on Thursday Fire Station No. 2 would be opening. He said she had done a great job along with Captain Sammels and former Chief Tosko. He appreciates everyone's efforts and there will be an open house on May 7th from 9am until noon.

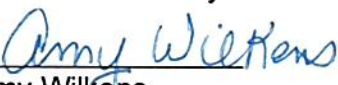
Mr. Ruller said there is a pattern emerging with Ms. Rosenberg with her police and fire training and wanted to call this to everyone's attention (audience laughter).

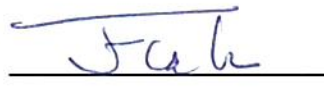
Mayor's Report

Mayor Fiala congratulated Mr. Jack Amrhein on the birth of his granddaughter named Aubrey. He said being a grandparent is the best and it's a great feeling to be one.

He said he watched the old police station being torn down and reminded everyone that it started out as the Fire Department and then added the police department. All services were in the building at one time and now are back to making the city government accessible for residents to have a "one-stop shop" again. He said credit goes out to the staff and Council and maybe it should have happened ten years ago. He said it looked good.

He said he had received many questions from residents asking when Franklin Avenue would be closed down again for the DORA. He also wished everyone a Happy St. Patrick's Day.


Amy Wilkens
Clerk of Council


Jerry T. Fiala
Mayor & President of Council

BRIAN SODERSTON

Hello, I am ~~Travis Sparks~~ with the Sensible Movement Coalition and Norml Appalachia Ohio.

I would like to bring to the attention of this Council some recent statements that the Kent Police Department has made regarding the Sensible Marihuana Initiative that will be on the November ballot here in Kent.

On November 23, Kent Police Chief Nicholas Shearer told the Portager that regardless if the initiative is passed by voters, "Kent officers would still be expected to enforce state law."

On March 1, Kent Police Lieutenant Michael Lewis doubled down and stated to Kent Wired that the Kent Police Department "Doesn't plan to change its enforcement of marijuana laws if the ordinance is passed."

First, I would like to state for the record that there is no separate state court for misdemeanor offenses that the police can send someone they charge. They can charge someone in Kent with a misdemeanor marijuana charge but they will be tried in Portage County and under our initiative they will face: No fine, No Time and No Court Cost.

The more important issue I want to address with Council is that your Police Chief and his subordinates are playing politics with this initiative when they have no business telling people how to vote or influencing how people vote. The role of the police is to enforce the law not make the law. That's your job (and occasionally the voter's job ~~when the elected leaders refuse to lead~~).

Even more importantly, the police are actually prohibited from weighing in on this ballot initiative by both federal law and state law. When the police department accepted federal money for vests, everyone in the department became subject to the Hatch Act. When the Chief used his official authority to influence the results of the election he is violating Hatch Act restrictions. Further in the absence of statutory authorization, the Ohio Attorney General has opined that local governments are prohibited from advocating for or against the passage of any initiative. The Sensible Marijuana Initiatives representation has sent a letter to the Chief detailing these prohibitions.

I am here to ask Council to reiterate to the Kent Police that they should withhold any official comment on the propriety and effect of the initiative and to publicly withdraw all comments that have already been made.

I thank you for your time.

Mar 16, 2022
Kent City Council
320 S Depeyster Street
Kent, OH 44240

My name is J. Michael Fiala, 325 Highland Ave, Kent OH. I am co-owner of Roll Call Burgers and Fries and Taproot Catering. I am here to state my concerns with the New Food Truck ordinance that was authorized with emergency at the Jan 19, 2022 council meeting.

It is time that the City of Kent views Food Truck Operations as legitimate businesses. In 2022, it is projected that the Food truck industry will contribute \$1.2 billion to the US economy. It is estimated that there are 35,000 active food trucks in the US. The industry grew 7.5% since the start of the pandemic and growth is outpacing brick and mortar restaurants by 1.2%.

The optics of new food truck ordinance is that the City wants to crack down on operators that are slipping through the cracks and skirting by regulations while collecting a portion of the profits from people that follow the rules. For operators based in Kent, you already get 2% through RITA. And the additional fees to operate a legitimate business, are a move by the city to get a little extra from a growing business segment.

The new ordinance declares it will "expand opportunities for food trucks in the public right of way." Yet it fails to define or codify how this is possible. Additionally, the ordinance vilifies food trucks through non-compete clauses limiting operations near brick and mortar food services out of fear of stealing customers; yet study after study demonstrates a cooperative, positive effect when food trucks are in the community.

We all know that there have and will be a few operators that will require police, fire, and/or health departments to step in. I am requesting that Kent based Food Truckers not be defined by people operating outside the law. Kent Food Truckers want to be seen as a part of the whole...a part of a growing, vibrant community. And everyone in the room knows that Food trucks provide a valuable service to this community and its events. Yet, this ordinance groups us with the out-of-towner, fly-by-night, opportunistic, carnival, roach coaches that burden city services when they pop up.

I left the February 16 City Council meeting filled with an immense amount of hope and optimism that the wheels of cooperation were moving. I was reassured by City Administration that the food truck community would be brought to the table to work with the City to craft the revised Food truck ordinance. As of this afternoon, to my knowledge, the Kent Food Trucks have not been invited to participate.

Instead, Food truck operators were informed of the results of a work session that occurred near the beginning of March via a phone call from Justin Smith at the City's Health Department. Justin Smith should not have to both represent the KHD and all food trucks in these work sessions. Let a food trucker come to the table. Let us be a part of the whole.