



City of Kent
Wednesday, May 18, 2022
Regular City Council Meeting
320 S. Depeyster Street, Kent, OH 44240

MINUTES

7:20 P.M. CHIP Public Hearing

Present: Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach

Also Present: Mr. Dave Ruller, City Manager; Mr. Eric Fink, Assistant Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Service Director; Mr. Jim Bowling, City Engineer; Ms. Joan Seidel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Nick Shearer, Chief of Police; Mr. Bill Myers, Fire Chief; Ms. Amy Wilkens, Clerk of Council

Absent: Mr. Jerry T. Fiala, Mayor and President of Council, Ms. Gwen Rosenberg, Mr. Garret Ferrara, Ms. Heidi Shaffer Bish (arrived at 7:30 pm)

MOTION TO EXCUSE MS. ROSENBERG AND MR. FERRARA MADE BY Mr. Michael DeLeone, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 7-0-0.

Mr. Jack Amrhein, President Pro-Tem, called the CHIP public hearing to order and roll was taken. This is the second public hearing on the 2022 Community Housing Impact and Preservation (CHIP) Program for Program Year 2022 Application for Funding. Ms. Bridget Susel said the City has been the recipient of these funds for several decades and are permitted to apply for \$250,000 which is used for an owner-occupied rehabilitation program for low to moderate income people.

There were no members of the public in the audience who wished to speak on the topic.

The Public Hearing was adjourned at 7:22 p.m.

7:25 P.M. CDBG Public Hearing

Present: Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach

Also Present: Mr. Dave Ruller, City Manager; Mr. Eric Fink, Assistant Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Service Director; Mr. Jim Bowling, City Engineer; Ms. Joan Seidel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Nick Shearer, Chief of Police; Mr. Bill Myers, Fire Chief; Ms. Amy Wilkens, Clerk of Council

Absent: Mr. Jerry T. Fiala, Mayor and President of Council, Ms. Gwen Rosenberg, Mr. Garret Ferrara, Ms. Heidi Shaffer Bish (arrived at 7:30 pm)

MOTION TO EXCUSE MS. ROSENBERG AND MR. FERRARA MADE BY Mr. Michael DeLeone, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 7-0-0.

Mr. Jack Amrhein, President Pro-Tem, called the CDBG public hearing to order and roll call was taken. This is the second public hearing to allow for public comment on the Community Development Block Grant (CDBG) Program Year 2022 Action Plan. Ms. Bridget Susel stated the City received notification of receiving funding in the amount of \$306,220, which is lower than the 2021 funding. The City plans on using a small amount of unappropriated funds to offset the project funding to ensure the projects Council reviewed in March are funded at that same level. The program is used to support projects in housing, social service delivery and infrastructure activities in low to moderate income households.

There were no members of the public who wished to speak on this topic and the public hearing adjourned at 7:26 p.m.

Board of Control

7:30 P.M. Regular Council Meeting

Present: Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach

Also Present: Mr. Dave Ruller, City Manager; Mr. Eric Fink, Assistant Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Service Director; Mr. Jim Bowling, City Engineer; Ms. Joan Seidel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Nick Shearer, Chief of Police; Mr. Bill Myers, Fire Chief; Ms. Amy Wilkens, Clerk of Council

Absent: Mr. Jerry T. Fiala, Mayor and President of Council, Ms. Gwen Rosenberg, Mr. Garret Ferrara

Opening Remarks and Pledge of Allegiance

Mr. Kuhar said good evening to all and started his comments by stating we are lucky to live in the United States and have the freedoms that we have. He added it is hard to come up with an opening statement. He discussed how he identifies people when he describes them, which should not be the norm. He pondered how not to describe people with identifiers, saying it would be easier if he personally knew them. He said if he went out and shook hands with a stranger every time he went out, he could call them by their first and last name. He said that might be a small step to take the division that is occurring in America. He referenced the Pit Stop restaurant owned by Mr. Dukes and asked people to visit his restaurant.

He asked all to stand for the Pledge of Allegiance.

Approval of Minutes

MOTION TO APPROVE THE APRIL 20, 2022 REGULAR COUNCIL MEETING MINUTES AND THE MAY 4, 2022 JOINT FRANKLIN TWP. AND KENT CITY COUNCIL MEETING MINUTES MADE BY Mr. Robin Turner, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 7-0-0.

Public Comment

Mr. Amrhein began by reading 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 Pro-Tem of Council, I reserve the right to end any public communication that is disruptive, embarrassing, harassing or otherwise objectionable. We ask you to give your name and address and limit comments to three (3) minutes."

Clerk of Council, Ms. Amy Wilkens, called the first member of the public, Mr. Fritz Seefeldt to the microphone to speak to Council.

Mr. Seefeldt, who resides in Brimfield, introduced himself to Council as a representative of Haymaker Farmers Market. He spoke in favor of the moratorium on food truck regulations being presented. He said the market has already been impacted by two of their vendors who said with the new regulations and the fees that would be incurred, they have chosen not to vend at the Farmers Market. There are vendors that bring prepared food, or who

prepare food on site, who would be impacted as well. He stated it would have a negative impact on the Farmers Market and the city of Kent as well.

Mr. Amrhein thanked Mr. Seefeldt for his comments.

Clerk of Council, Ms. Amy Wilkens, called the next member of the public, Ms. Bobbi Ullinger, to the microphone to speak to Council.

Prior to the meeting, Ms. Ullinger had passed out miniature Hershey bars to members of Council and referenced that in her opening remarks, stating that her pronouns are her/she, just like the chocolate bar. She thanked Council for the letter that was written to the Ohio General Assembly, of which she received a copy. Ms. Ullinger read the attached letter to Council (**Attachment 1**). She concluded by thanking them.

Next, Ms. Wilkens called the final speaker, J. Michael Fiala, who read from the attached statement (**Attachment 2**).

Written Communication

1. Email from Ms. Shirley Sobol, a resident on Lake Street, regarding interactions with Code Enforcement, received and forwarded to Council on April 27, 2022.
2. Email from J. Andrew Rome, Market Manager for the Haymaker Farmers Market, regarding Mobile Food Unit Regulations was received and forwarded to Council on May 2, 2022.
3. Audit Release Notification from the Ohio State Auditor notifying Kent that the data provided to the Ohio Public Employees Retirement System as of December 31, 2021 is accurate and complete was received on April 18, 2022.
4. Civil Service Commission Meeting Agenda was received on May 1, 2022.
5. Email was received on May 2, 2022 from Mr. Nick Bellas notifying Council he will be moving out of town and will be resigning from the Planning Commission effective May 31, 2022.
6. Board of Health Agenda and Statistical Report for the May 10, 2022 meeting was received on May 5, 2022.
7. Standing Rock Cemetery Board Meeting Agenda for May 12, 2022 was received on May 5, 2022.
8. Notification of the NAACP Scholarship Reception being held on May 14, 2022 was received and forwarded to Council on May 11, 2022.
9. Brady's Leap Riverwalk Dedication notification for Friday, May 20, 2022 at 11 a.m. on Main St. Bridge Trail Entrance Stairs was received and forwarded to Council on May 11, 2022.

MOTION TO APPROVE THE CITY MANAGER'S REPORT MADE BY Mr. Jack Amrhein, SECONDED by Ms. Heidi Shaffer Bish and CARRIED by a voice vote of 7-0-0.

1. Council asked for resolutions to be drafted stating concern about proposed HB 454 (restricting medical care to LGBTQ+) and HB 616 (restricting teaching on race, gender, and diversity in schools). (Draft# 2022-048, 2022-049)
2. Request for Council's authorization to submit a CHIP grant application to the Ohio Department of Development in the amount of \$250,000 to be used to promote safe and decent housing for residents of low to moderate income. (Draft# 2022-050)
3. Request for Council's approval to temporarily suspend the recently adopted new food cart regulations, reverting back to the previous regulations, while the new regulations are further refined. (Draft #2022-054)
4. Request for Council's approval to accept and allocate a \$1,500 donation from the Henry V. and Frances W. Christenson Foundation for beautification of City parks. (Draft #2022-056)
5. Request for Council to authorize time to schedule a public hearing for 2 proposed zoning map amendments at the start of the June Committee meeting.
6. Request for Council Committee of the Whole time to allow Council to interview prospective candidates for vacancies on City Boards and Commissions.
7. Request for Committee of the Whole time in June to further discuss the proposal for a new diversity liaison or commission.
8. Request for Community Development time to present a request for a new TREX Agreement for Aces Enterprises LLC.
9. Request for Land Use Committee time to present a proposed zoning map amendment for the recently annexed Davey Tree property.
10. Request for Land Use Committee time to present a proposed zoning map amendment for the former Franklin Elementary School property now owned by Davey Tree.
11. Request for Health & Safety Committee time to present proposed new legislation related to the residential use of fireworks.
12. Request for Finance Committee time to present a proposed Agreement among the City, Franklin Township, and PARTA to pursue alternative transportation funding for a joint project on SR59 from Horning Road to SR261 .
13. Request for Finance Committee time to ask for Council's authorization to submit City capital improvement projects for consideration of OPWC funding.
14. Request for Finance Committee time to share a request from the Kent Area Chamber of Commerce for additional funding for the annual Heritage Festival fireworks show.
15. Request for Finance Committee time to ask for Council's approval to submit a grant for funding the purchase of body armor.

Standing Committees & Legislation

Committee of the Whole

MOTION TO APPROVE COMMITTEE MEETING MINUTES FROM MAY 4, 2022 MADE BY Mr. Robin Turner, SECONDED by Mr. John Kuhar and CARRIED by a voice vote of 7-0-0.

There were no recommended actions to approve.

MOTION TO APPOINT MICHELLE SAHR TO THE BOARD OF ZONING APPEALS; MELISSA ZULLO TO THE HEALTH BOARD AND NASER MATAR TO THE PLANNING COMMISSION MADE BY Ms. Heidi Shaffer Bish, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 7-0-0.

MOTION TO AUTHORIZE THE INSERTION OF NAMES INTO LEGISLATION MADE BY Mr. Michael DeLeone, SECONDED by Mr. Robin Turner and CARRIED by a voice vote of 7-0-0.

DRAFT 2022-045 A RESOLUTION APPOINTING MICHELLE SAHR TO THE BOARD OF ZONING APPEALS, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mr. Amrhein's request.

MOTION TO SUSPEND THE THREE READINGS OF DRAFT 2022-045 MADE by Mr. Michael DeLeone, SECONDED by Mr. Roger Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 7-0-0.

MOTION TO APPROVE DRAFT 2022-045 MADE BY Ms. Heidi Shaffer Bish, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 7-0-0.

RESOLUTION 2022-045 PASSED as stated by Clerk Wilkens.

DRAFT 2022-046 A RESOLUTION APPOINTING NASER MATAR TO THE PLANNING COMMISSION, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mr. Amrhein's request.

MOTION TO SUSPEND THREE READINGS OF DRAFT 2022-046 MADE BY Ms. Heidi Shaffer Bish, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 7-0-0.

MOTION TO ADOPT DRAFT 2022-046 MADE BY Mr. John Kuhar, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 7-0-0.

RESOLUTION 2022-046 PASSED as stated by Clerk Wilkens.

DRAFT 2022-047 A RESOLUTION APPOINTING MELISSA ZULLO TO THE BOARD OF HEALTH, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mr. Amrhein's request.

MOTION TO SUSPEND THE THREE READINGS OF DRAFT 2022-047 MADE BY Ms. Heidi Shaffer Bish, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 7-0-0.

MOTION TO ADOPT DRAFT 2022-047 MADE BY Ms. Heidi Shaffer Bish, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 7-0-0.

RESOLUTION 2022-047 PASSED as stated by Clerk Wilkens.

DRAFT 2022-048 A RESOLUTION OF THE CITY OF KENT, OHIO EXPRESSING THE CONDEMNATION OF THE MAYOR AND CITY COUNCIL OF OHIO HOUSE BILL NO. 616, WHICH PROHIBITS AND CENSORS CONVERSATIONS ABOUT THE EXPERIENCES AND FAMILIES OF LGBTQ+ OHIOANS IN OUR SCHOOLS FROM GRADES K-12 AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mr. Amrhein's request.

MOTION TO SUSPEND THE THREE READINGS OF DRAFT 2022-048 MADE BY Ms. Heidi Shaffer Bish, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 7-0-0.

MOTION TO ADOPT DRAFT 2022-048 MADE BY Ms. Heidi Shaffer Bish, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 6-1-0, with Mr. Kuhar voting 'No'.

Resolution 2022-048 PASSED as stated by Clerk Wilkens.

DRAFT 2022-049 A RESOLUTION OF THE CITY OF KENT, OHIO EXPRESSING THE CONDEMNATION OF OHIO HOUSE BILL NO. 454, WHICH PROHIBITS AFFIRMATIVE CARE FOR OHIO TRANSGENDER YOUTH, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mr. Amrhein's request.

MOTION TO SUSPEND THE THREE READINGS OF DRAFT 2022-049 MADE BY Ms. Heidi Shaffer Bish, SECONDED by Ms. Tracy Wallach and CARRIED by a voice vote of 7-0-0.

MOTION TO ADOPT DRAFT 2022-049 MADE BY Ms. Heidi Shaffer Bish, SECONDED by Ms. Tracy Wallach and CARRIED by a voice vote of 6-1-0, with Mr. Kuhar voting 'No'.

RESOLUTION 2022-049 PASSED as stated by Clerk Wilkens.

Community Development

MOTION TO APPROVE COMMITTEE MEETING MINUTES FROM MAY 4, 2022 AND THE ACTIONS RECOMMENDED MADE BY Mr. John Kuhar, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 7-0-0.

Action(s) Recommended:

1. Authorize the continuation of the Davey Tree Enterprise Zone Agreement.

DRAFT 2022-050 AN ORDINANCE AUTHORIZING THE COMMUNITY DEVELOPMENT DEPARTMENT TO SUBMIT A PROPOSAL TO THE STATE OF OHIO DEVELOPMENT SERVICES AGENCY, OFFICE OF COMMUNITY DEVELOPMENT, TO PARTICIPATE IN THE PY2022 COMMUNITY HOUSING IMPACT AND PRESERVATION PROGRAM (CHIP) AND UPON AWARDING OF THE GRANT, AUTHORIZING APPROPRIATION OF FUNDS AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mr. Amrhein's request.

MOTION TO SUSPEND THE THREE READINGS OF DRAFT 2022- 050 MADE BY Mr. John Kuhar, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 7-0-0.

MOTION TO APPROVE DRAFT 2022- 050 MADE BY Mr. John Kuhar, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 7-0-0.

ORDINANCE 2022-050 PASSED as stated by Clerk Wilkens.

DRAFT 2022-051 AN ORDINANCE APPROVING A REQUEST FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ASSISTANCE FOR FISCAL YEAR 2022 UNDER TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED, INCLUDING THE PY2022 ANNUAL ACTION PLAN AND AUTHORIZING THE EXECUTION AND FILING OF THE PY2022 ANNUAL ACTION PLAN, INCLUDING RELATED CERTIFICATIONS, AND UPON AWARDING OF THE GRANT, AUTHORIZING APPROPRIATION OF FUNDS AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mr. Amrhein's request.

MOTION TO SUSPEND THE THREE READINGS OF DRAFT 2022-051 MADE by Mr. John Kuhar, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 7-0-0.

MOTION TO ADOPT DRAFT 2022-051 MADE by Heidi Shaffer Bish, SECONDED by Roger Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr.

Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 7-0-0.

ORDINANCE 2022-051 PASSED as stated by Clerk Wilkens.

DRAFT 2022-052 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO CONTINUE THE ENTERPRISE ZONE AGREEMENT WITH THE DAVEY TREE EXPERT COMPANY PROVIDING FOR A PROJECT AND REAL PROPERTY TAX EXEMPTION PURSUANT TO THE OHIO ENTERPRISE ZONE PROGRAM (EZ), AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mr. Amrhein's request.

MOTION TO SUSPEND THE THREE READINGS OF DRAFT 2022-052 MADE by Mr. Roger Sidoti, SECONDED by Mr. John Kuhar. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 7-0-0.

MOTION TO ADOPT DRAFT 2022-052 MADE by Ms. Heidi Shaffer Bish, SECONDED by Mr. John Kuhar. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 7-0-0.

ORDINANCE 2022-052 PASSED as stated by Clerk Wilkens.

Health & Safety Committee

MOTION TO APPROVE COMMITTEE MEETING MINUTES OF MAY 4, 2022 AND THE ACTIONS RECOMMENDED MADE BY Mr. Jack Amrhein, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 7-0-0.

Action(s) Recommended:

1. Authorize the changes to the City's Noise Ordinance.

DRAFT 2022-053 AN ORDINANCE AMENDING SECTION 509.12 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED "UNLAWFUL NOISE", AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mr. Amrhein's request.

MOTION TO SUSPEND THE THREE READINGS OF DRAFT 2022-053 MADE by Mr. John Kuhar, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 7-0-0.

MOTION TO ADOPT DRAFT 2022-053 MADE by Mr. Michael DeLeone,

SECONDED by Mr. Roger Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 7-0-0.

ORDINANCE 2022-053 PASSED as stated by Clerk Wilkens.

DRAFT 2022-054 AN ORDINANCE IMPOSING AN INDEFINITE MORATORIUM ON THE APPLICABILITY OF ORDINANCE NO. 2022-004 TITLED "MOBILE FOOD UNIT REGULATIONS" AS IT PERTAINS TO REGULATE VENDING, PEDDLING AND SOLICITING IN THE CITY, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mr. Amrhein's request.

MOTION TO SUSPEND THE THREE READINGS OF DRAFT 2022-054 MADE by Ms. Heidi Shaffer Bish, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Michael DeLeone, Mr. Jack Amrhein, Mr. John Kuhar, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, , Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 7-0-0.

MOTION TO ADOPT DRAFT 2022-054 MADE by Ms. Heidi Shaffer Bish, SECONDED by Mr. Roger Sidoti. On Roll Call Voting "Yes" Mr. Michael DeLeone, Mr. Jack Amrhein, Mr. John Kuhar, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, , Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 7-0-0.

ORDINANCE 2022-054 PASSED as stated by Clerk Wilkens.

Finance Committee

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF MAY 4, 2022 AND THE ACTION RECOMMENDED MADE BY Mr. Michael DeLeone, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 7-0-0.

Action(s) Recommended:

1. Authorize the acceptance and allocation of \$80,000 in grant funding to be used for the purchase of Police body cameras.

DRAFT 2022-055 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT GRANT FUNDING IN THE AMOUNT OF \$80,000 FOR BODY CAMERAS, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mr. Amrhein's request.

MOTION TO SUSPEND THE THREE READINGS OF DRAFT 2022-055 MADE by Mr. Michael DeLeone, SECONDED by Ms. Heidi Shaffer Bish. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The

motion CARRIED by a roll call vote of 7-0-0.

MOTION TO ADOPT DRAFT 2022-055 MADE by Mr. Michael DeLeone, SECONDED by Mr. John Kuhar. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 7-0-0.

ORDINANCE 2022-055 PASSED as stated by Clerk Wilkens.

DRAFT 2022-056 AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$1,500.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM THE HENRY V. AND FRANCES W. CHRISTENSON FOUNDATION FOR KENT PARKS AND RECREATION BEAUTIFICATION, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mr. Amrhein's request.

MOTION TO SUSPEND THE THREE READINGS OF DRAFT 2022-056 MADE by Mr. Michael DeLeone, SECONDED by Mr. Roger Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 7-0-0.

MOTION TO ADOPT DRAFT 2022-056 MADE by Ms. Tracy Wallach, SECONDED by Mr. Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 7-0-0.

ORDINANCE 2022-056 PASSED as stated by Clerk Wilkens.

Unfinished Business

NONE

New Business

NONE

Councilmembers' Comments

Mr. Sidoti mentioned the tragedy in Buffalo being another example of the types of conduct people have in this country with hate-filled rhetoric, and Mr. Kuhar's opening comments struck a nerve because he is absolutely correct. We have more freedoms, but that also means we have a staggering amount of responsibility. He believes both sides of the political spectrum today have lost the ability to speak eloquently about how each

one of us is responsible for making sure we maintain these freedoms.

Mr. Turner comments on the newspaper's editorial comments and our last meeting that didn't properly contextualize what transpired. The article led its readers to believe the NAACP concluded there was systemic racism in the city. To interpose words from a councilmember months prior to last week's meeting was highly inaccurate. They gave a whole different feel to the discussion. This city has worked hard to do work that needs to be done. He thinks through the NAACP bringing this forward it brings us the ability to address the concerns of the community. It gave the impression that we are at "loggerheads" with the NAACP, which is not accurate. He doesn't want to cast dispersion on where we are as a community. We as a government and council have stepped up and he doesn't want to be portrayed as we are not standing up. We are working to try to do better and we have stepped up every opportunity to do so. The public has chosen us to represent the community and we do that. The article did not accurately portray what the administration, the mayor, the city manager and council said. The newspaper needs to be more accurate and relay more accurately what the city council has done. The NAACP is challenging us to do better and we are accepting that challenge. He asked us to please give them the opportunity to do the job we were chosen to do. He said him and the mayor hadn't always seen eye to eye, but mayor Fiala stepped up and did what he needed. He is very proud of the city staff.

Mr. Kuhar said he wanted to say in simple terms, the doors to Kent city hall are open and, instead of having special treatment for people, we have equal treatment for all people. The doors are open and everyone will be treated equally.

Mayor's Report

NONE

Executive Session

MOTION TO ENTER EXECUTIVE SESSION TO DISCUSS A COURT CASE MADE BY Mr. Jack Amrhein, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 7-0-0.

Present: Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, , Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach

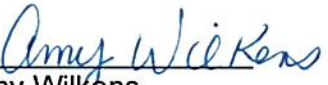
Absent: Mr. Jerry T. Fiala, Mayor and President of Council, Ms. Gwen Rosenberg, Mr. Garret Ferrara

MOTION TO GO BACK INTO THE PUBLIC MEETING AT 8:58 PM. MADE by Mr. Amrhein SECONDED by Mr. Sidoti and CARRIED by a voice vote of 7-0-0.

MOTION TO APPROVE SETTLEMENT IN REGARDS TO THE COURT CASE INVOLVING LANDLORDS MADE by Mr. Sidoti SECONDED by Mr. DeLeone and CARRIED by a voice vote of 6-1-0 with Mr. Kuhar voting 'No'.

MOTION TO ADJOURN MADE BY Mr. Roger Sidoti, SECONDED by Mr. John Kuhar and CARRIED by a voice vote of 7-0-0.

With no further business, the City Council Regular Meeting adjourned at 8:59 p.m.



Amy Wilkens
Clerk of Council



Jerry T. Fiala
Mayor & President of Council



CITY OF KENT, OHIO

April 28, 2022

Honorable Members of the Ohio General Assembly:

The Mayor and I are writing on behalf of the Kent City Council to urge your opposition to Ohio House Bills 616 and 454.

HB616 proposes to restrict teaching on race, gender and diversity in Ohio's K-12 schools which we view as an unprecedented use of public education to advance a political agenda through regulation of local curriculum and instruction. The bill undermines local control and takes steps down the slippery slope of using public education to promote exclusion and intolerance by suppressing dialogue and perpetuating an insular view of history.

As leaders in the Kent community, we stand united in our commitment to promote inclusion and to be a welcoming place for all. Legislation that seeks to marginalize people by restricting understanding of race, class, gender, sexuality, etc., must not be allowed to dismantle our community for political gain – and we ask for you to join us in opposition to HB616.

HB454 proposes to ban medical and mental health care for minors in the LGBTQ+ community. Withholding medical care for political purposes is contrary to our commitment to care for all individuals equally. In responding to 911 calls in our community, the singular goal is ensuring the best care, and we expect no less from our State laws. The idea of State based bigotry is reprehensible and we need you to join us in opposition to HB454.

Legislation like HB454 and HB616 seek to erase valued members of our community from our classrooms and deny full access to life saving medical care, ultimately impairing our ability to fully embrace, support, and affirm all students and all members of our community. We need your help to make sure students and community members can learn, work and live with dignity, respect, free from fear and violence, and protected from prejudice by opposing HB616 and HB454.

We implore our State legislators to vote these bills down and to vocally speak up against the divisiveness they cause in Ohio. In these challenging times it is more important than ever that we work together to speak out against any attack on the foundational principles of our democracy.

Respectfully,

A handwritten signature in blue ink, appearing to read "Fiala", is written over a horizontal line.

Jerry T. Fiala
Mayor, City of Kent

A handwritten signature in blue ink, appearing to read "Dave Ruller", is written over a horizontal line.

Dave Ruller
City Manager, City of Kent

Cc: Honorable Members of Kent City Council
Hope Jones, Law Director
Amy Wilkens, Clerk of Council

May 18, 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 encourage Council to vote in support of the moratorium of the new food truck ordinance; to rescind the current iteration of the ordinance, and restore the prior version of regulations for operating a mobile food business in the City of Kent until a new ordinance can be crafted that: 1) treats food trucks as a legitimate business through the removal of protectionist language; 2) does not burden the food truck business with extraneous administrative tasks, fees, and oppressive oversight from city departments; 3) justifies fees through an approved cost methodology; 4) treats all mobile food operations equally; and 5) views food trucks as a resource rather than a problem.

But as a city we have to face a few truths:

- Our downtown retail is dismal. Even prior to COVID, College Town Kent and Acorn Alley were having trouble filling spaces with anything, let alone retail options that would draw people in.
- Our food scene is quite monotonous. There are a handful of bar and grill spots that all have the same basic menu. The same goes for Mexican, Mediterranean, Asian, Taco joints, Sushi places, Coffee shops, and so on.
- We need KSU students and their families to support our businesses. It would be very difficult for city residents to purchase enough for most businesses to maintain a positive cash flow.
- Real Estate is expensive for small business, requires a lot of renovation and updating, and is generally unattainable for small start ups. This forces the city to rely on the deep pockets of a small group of individuals with the ability to take the risk.

Kent has a resource that if handled with care, would alleviate or cure many of these woes. By constructing laws that support food truck business, laws that draw them into your city, you increase the potential for a more vibrant living experience with increased food choices and flavors.

When first conceptualizing our food business, it was a brick and mortar. I inquired around town at a few locations that I thought would have fit our concept. One location was in College Town Kent. I was quoted 10-12k/month in rent alone. (That's a lot of burgers.) Many of the older

buildings I looked at required \$500k just to make the space stable. (That's a lot more burgers.) By comparison, I was able to get into the food truck business for less than \$5000 total.

The ordinance as it stands, makes the prospect of retail mobile vending (the type of food trucking that the city would benefit from the most) nearly not worth the trouble. In looking at our calendar, we are doing 3 Kent festivals, no brewery appearances (these were the things we wanted to do the most as food truckers). We quickly shifted our focus toward more guaranteed money, private parties because of laws like this. We also advise newbies to plan more private parties. By creating laws that hinder food truck operators, it pushes them away from the business segments that would most benefit the city.

One of the biggest pinch points for me is that paying this fee doesn't afford us any extra protections. We will potentially be inspected every time we set up. We potentially will be asked by multiple city personnel if we have the proper permits. We won't even experience a better law enforcement presence that could prevent muggings and theft. One of my biggest fears.

Without a doubt, Kent needs Food Trucks. We need food trucks that support and accentuate our downtown. We need food trucks that round out our brick and mortar food businesses. We need food trucks that draw people downtown for a bite to eat and shopping. With well constructed food laws, we could make Kent feel like there was a festival everyday in the summer.

Without a doubt, Kent needs Food Trucks.