



City of Kent
Wednesday, July 20, 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. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach

Also Present: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Service Director; 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

Mr. Mike DeLeone asked that everyone stand for the Pledge of Allegiance.

Recognition of Citizens Acts of Kindness and Heroism

Mayor Fiala and Mr. Jack Amrhein presented certificates of appreciation to eleven children who helped assist a local, partially paralyzed landscaper, who had overturned his riding lawnmower in their neighborhood. Ms. Dalisa Dunaway, mother of two of the children, briefly described the incident and how she urged the children to assist the man. Ms. Dunaway was presented with flowers from Mayor Fiala and certificates were given to Case Fortson, Codey Fortson, Joshua Thomas, Allen Tidmore, Raiden Felding, Tyler Ellington, Mack Antwan, Omar Lawler, Deshawn Thomas, and Keith and Chase Stewart. Lieutenant Mike Lewis presented an envelope to each of them which contained a cash donation from a citizen, thanking them for being good neighbors. Lieutenant Lewis and the owner of Penn Station Subs, Mr. Nelson, presented each with gift certificates; each receiving one submarine sandwich a day for one year.

A member from the audience stood and thanked Council for inviting all of the children to the meeting tonight. She also asked that a prayer be sent out to the landscaper's family. She learned today that he had died in an unexpected accident at his home the previous evening. Mayor Fiala asked for a moment of silence from everyone.

Mayor Fiala thanked the group and said they are what makes Kent the best.

Approval of Minutes

MOTION TO APPROVE THE JUNE 15, 2022 REGULAR MEETING MINUTES AND THE JULY 6, 2022 REGULAR MEETING MINUTES MADE BY Mr. Michael DeLeone, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 9-0-0.

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."

Ms. Yana Kryvyak of Trenton Trail, approached the podium to speak about the Tobacco Retail License Legislation being presented this evening. She read from a prepared statement (**Attachment #1**)

Mr. Christopher Myers, who is a resident on Elm Street in Kent, was next to address Council. He talked about a time recently when he was protesting in front of the Franklin Square Deli, stating that open borders equals fentanyl, which equals death. He described an experience with a person making accusations against him and then spat at him. He said tobacco addiction is terrible but does not agree with the City charging \$400 for a license. He said the Ukraine war is terrible and the US support is really sad. He thanked Council.

Ms. Heidi Summerlin, who resides on Rose Ct., asked Council to do something about the new fireworks law in Ohio. She said this past Fourth of July many of her neighbors were setting off commercial grade fireworks, sometimes past 11pm. She had her windows closed, the air conditioner on, the television on, but nothing helped drown out the sounds. She said there is a nice show downtown for the residents to enjoy. She asked Council to vote to ban fireworks in the city of Kent again. She is concerned about safety and fires being started.

Mayor Fiala said Council is going to be taking a look at this in the next month or so.

Written Communication

1. An email from Sandra Reid, who resides on Rustic Knoll, Kent, Ohio, urging City Council to pass a strong and comprehensive tobacco retail license law was received and forwarded to Council on
2. An email from Wendy Hyde, Regional Director for the Preventing Tobacco Addiction Foundation, urging City Council to establish a Tobacco Retail Licensing (TRL) program for the city of Kent was received on June 21, 2022.
3. Notice from the Portage County Board of Elections regarding the Primary Election being held on August 2, 2022 was received on June 17, 2022.
4. A letter from the Ohio Environmental Protection Agency regarding plan approval for the Kent Well #9 Rehabilitation was received on June 15, 2022.

5. The Architecture Review Board Agenda for July 5, 2022 was received on June 29, 2022.
6. The Standing Rock Cemetery Board Minutes from their June meeting and Agenda for the July 14, 2022 meeting was received on June 30, 2022.
7. Liquor License STOCK request was received on June 27, 2022 for Hump & Hustle Brewing Co. LLC, DBA North Water Brewing Co. & Patio, 101 Crain Ave., Kent. Chief Shearer had no objections.

MOTION TO RETURN WITH NO OBJECTION MADE BY Mr. John Kuhar, SECONDED by Ms. Heidi Shaffer Bish and CARRIED by a voice vote of 9-0-0.

Ms. Gwen Rosenberg asked what the stock liquor license was for. Ms. Wilkens replied it was filed due to a change in ownership.

Ms. Wilkens stated Ms. Gwen Rosenberg received a written letter from a resident she wanted to read into the record. Ms. Rosenberg read the letter she received to Council (**Attachment #2**)

City Manager's Report for July 20, 2022

1. Angela has asked for Council's approval to accept and allocate a \$350 donation from Hippy Fox Rocks Inc., to Kent Parks and Recreation Youth Cheerleading. (Draft# 2022-078)
2. Joan has asked Council to authorize the acceptance of homecare products donated to the Kent Health Department by the Portage County Developmental Disabilities Agency with an estimated value of \$100. (Draft# 2022-079)
3. The Staff have requested Committee of the Whole time in August to present a draft of the new Civic Engagement Coordinator position.
4. The City Manager has asked for Committee of the Whole time for Council to receive an update from Dana regarding the status of town gown initiatives.
5. Melanie has asked for Committee of the Whole time to provide Council with a brief update on the status of the new City Hall construction project.
6. Bridget has asked for Community Development Committee time to present a new request for a TREX liquor license for the new business ("Board & Bevy") which would go in the old Sparkle Market property on Summit Street.
7. Joan and Hope have asked for Health & Public Safety Committee time to request the renewal of the Health Department lease at the Kent Central Gateway.
8. Chief Myers and the City Manager has asked for Health & Public Safety Committee time to allow representatives from University Hospital (UH) to present their proposal for a new medical unit (ambulance) and to ask for a financial contribution from the City.
9. Chief Shearer has asked for Health & Public Safety Committee time to request Council's renewal of the annual contract with Kent City Schools for the School Resource Officer.
10. Jim and Hope have asked for Streets, Sidewalks & Utilities Committee time to ask for Council's approval to waive the competitive bidding requirement for the repairs at the Fairchild Avenue Water Tank.

MOTION TO APPROVE THE CITY MANAGER'S REPORT MADE BY Mr. Jack Amrhein, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 9-0-0.

Mr. Ruller informed everyone that the City of Kent was officially recognized as one of the best home towns in Ohio by Ohio Magazine. He talked to the editor about the decision-making process, who said it was easy in Kent. Reporters interviewed residents in the

community and learned a lot of great things. Mr. Ruller said he will get hard copies for councilmembers when the edition comes out.

Standing Committees & Legislation

Committee of the Whole - Chair Mayor Fiala

MOTION TO APPROVE COMMITTEE MEETING MINUTES FROM JULY 6, 2022 MADE BY Mr. Jack Amrhein, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 9-0-0.

Action(s) Recommended- NONE

Community Development Chair Kuhar/ Vice-Chair Rosenberg

MOTION TO APPROVE COMMITTEE MEETING MINUTES AND RECOMMENDED ACTION FROM JULY 6, 2022 MADE BY Mr. John Kuhar, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 9-0-0.

Action(s) Recommended:

1. Authorize the amendment to the City's housing rehabilitation loan program to align with the State's owner-occupied housing assistance program policy.

Health & Safety Committee Chair Amrhein/ Vice-Chair Sidoti

MOTION TO APPROVE COMMITTEE MEETING MINUTES AND ACTION RECOMMENDED FROM JULY 6, 2022 MADE BY Mr. Jack Amrhein, SECONDED by Ms. Heidi Shaffer Bish and CARRIED by a voice vote of 8-1-0. Mr. Kuhar voted 'No'.

Action(s) Recommended:

1. Authorize changes to the City's Tobacco Ordinance by approving a Tobacco Retail License (TRL) policy

Draft 2022- 071 AN ORDINANCE ADOPTING CHAPTER 771 OF THE KENT CODIFIED ORDINANCES TO ESTABLISH THE TOBACCO PRODUCTS SALES LICENSING PROGRAM, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft 2022- 071 MADE by Mr. Garret Ferrara, SECONDED by Ms. Gwen Rosenberg, On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 8-1-0. Mr. Kuhar voted 'No' to suspend the three readings.

Mr. Kuhar said this was government overreach. He said the goal is good and he believes in what is trying to be done, but thinks the approach is wrong. We allowed for ordinances that made it illegal for young people to get the product, but kids are still getting them. He added this should be done through education and that no matter what law there is, it will come

down to complaints from parents about establishments that are selling products to kids. He said when there is a problem, we pass a law that costs people money that does next to nothing. He said there are probably other ways of doing it.

Ms. Shaffer Bish said for those who have been following the rules, they may take this as a chance to level the playing field. She said this helps to elicit good behavior and not sell a product that is harmful to not only individuals but also to our society.

Mr. Turner said he supports it because it creates a structure and the Health Department has said this has been problematic. He said, by the end of the day, by creating this for young people, the opportunity and tool is a positive thing and is not government overreach. He said this will be tracked and, depending on the evidence, we will see if it works.

Mr. Kuhar said we all know vaping is bad and if we want to make laws, why don't we ban vaping and ban the product?

Mr. Sidoti said the important thing is that we are consistent. We expect those who sell alcohol to obey the law, and people who sell food to have a license. He said if you are going to be responsible for selling tobacco in the community, you will be held accountable for holding enforcement of the laws. We don't have anything on the books to do so right now. He said it's laughable to think we wouldn't hold the store responsible for selling alcohol. He said it is a consistent way of doing business in Kent.

Mr. Ferrara asked if the state does not regulate liquor and tobacco sales. Mr. Ferrara asked if the City charges purveyors of alcohol licensing fees. He said you cannot have it both ways and you can't charge one and not the other.

Ms. Shaffer Bish said that the majority of cities in Ohio do not have this in place, but most legislation starts at the local level. We have had many presentations that made a strong argument in favor of it. We are considered both an educational and leadership community. She said we can't just wait around for some state or federal law to drop out of the sky and thinks it is important to show that we are a community that is paying attention to this issue and setting a new standard.

Mr. Kuhar asked if the ordinance passed to 21 for vaping products, did we not include a penalty for that. Ms. Seidel said there is a penalty but that this would give the Health Department help in enforcing it.

Ms. Rosenberg said that from her understanding, the federal government hasn't done anything to regulate vape products, so things like Juul haven't been regulated at all and they haven't made any effort to curb advertising to children. The nicotine levels in a vape can be anything. To have a completely unregulated industry that has been consistently marketed to our own Kent children, asking for a permit to have spot inspection to make sure they are not selling to children is absolutely reasonable and appropriate. She said this is long overdue and wishes the federal government and the FDA would have stepped in sooner. She thinks this will prevent a lot of addiction and heartache.

Mr. Turner said Kent has decided to do something regarding this issue which is appropriate for a governmental body. He said this is not overreach and is totally appropriate.

MOTION TO ADOPT DRAFT 2022- 071 MADE by Mr. Roger Sidoti **SECONDED** by Ms. Gwen Rosenberg . On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion **CARRIED** by a roll call vote of 7-1-1. Mr. Kuhar voted 'No' to adopt ordinance 2022-071. Mr. Ferrara voted 'Abstain'.

ORDINANCE 2022-071 PASSES.

Streets, Sidewalks and Utilities Chair Sidoti/ Vice-Chair Wallach

MOTION TO APPROVE COMMITTEE MEETING MINUTES FROM JULY 6, 2022 MADE BY Mr. Roger Sidoti, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 9-0-0.

Action(s) Recommended:

1. Authorize updates to the language in the local limits section of the City's Sanitary Sewer Ordinance.

Draft 2022-072 A FINAL RESOLUTION AND APPROVAL AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A CONTRACT WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION (ODOT) PROJECT (PID 11270) FOR THE RESURFACING OF NORTH MANTUA STREET (SR43) IN KENT, FROM HAYMAKER PARKWAY TO THE NORTH CORPORATION LIMITS AND PERFORM MINOR BRIDGE REPAIRS; AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft 2022-072 MADE by Mr. John Kuhar, SECONDED by Ms. Gwen Rosenberg. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2022-072 MADE by Mr. John Kuhar, SECONDED by Mr. Roger Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

ORDINANCE 2022-072 PASSES.

Draft 2022- 073 AN ORDINANCE AMENDING CHAPTER 915 "SANITARY SEWER USE" OF THE CODIFIED ORDINANCES SPECIFICALLY SECTION 915.11 "LOCAL LIMITS" OF 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 OF Draft 2022- 073 MADE by Mr. Garret Ferrara, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2022- 073 MADE by Mr. Garret Ferrara, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

ORDINANCE 2022-073 PASSES.

Finance Committee Chair DeLeone/ Vice-Chair Wallach

MOTION TO APPROVE COMMITTEE MEETING MINUTES FROM JULY 6, 2022 MADE BY Mr. Michael DeLeone, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 9-0-0.

MOTION TO APPROVE ACTION(S) RECOMMENDED MADE BY Mr. Michael DeLeone, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 9-0-0.

Action(s) Recommended:

1. Accept and authorize use of the EPA Grant for Vector Control, Tobacco Use 2023 Grant, Healthy Eating and Active Learning Grant and Staying Active and Independent Living Grant received by the Kent City Health Department.
2. Authorize disposal of the Police Department's Call Recorder Server.
3. Authorize sale of surplus Self-Contained Breathing Apparatus by the Fire Department.
4. Authorize submission of the City's 2023 Tax Budget to the Portage County Auditor.
5. Approve the 2022 budget appropriation amendments.

Draft 2022-074 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT GRANT FUNDING FOR THE KENT HEALTH DEPARTMENT NOT TO EXCEED \$171,000 FOR SPECIFIC PROGRAMS, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft 2022-074 MADE by Mr. Garret Ferrara, SECONDED by Mr. Robin Turner. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2022-074 MADE by Heidi Shaffer Bish, SECONDED by Michael DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

ORDINANCE 2022-074 PASSES.

Draft 2022-075 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO DISPOSE OF THE POLICE DEPARTMENT'S CALL RECORDER SERVER ON THE BASIS THAT IT IS NO LONGER REQUIRED BY RETENTION POLICIES OR USE BY THE CITY, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft 2022-075 MADE by Mr. Garret Ferrara, SECONDED by Ms. Gwen Rosenberg. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2022-075 MADE by Garret Ferrara, SECONDED by Michael

DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

ORDINANCE 2022-075 PASSES.

Draft 2022-076 AN ORDINANCE ALLOWING THE KENT FIRE DEPARTMENT TO SELL SELF CONTAINED BREATHING APPARATUSES (SCBA) TO LOCAL FIRE DEPARTMENTS; AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft 2022-076 MADE by Mr. Garret Ferrara, SECONDED by Mr. Roger Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2022-076 MADE by Michael DeLeone, SECONDED by Roger Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

ORDINANCE 2022-076 PASSES.

Draft 2022-077 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 SUSPEND THE THREE READINGS OF Draft 2022-077 MADE by Mr. Garret Ferrara, SECONDED by Ms. Gwen Rosenberg. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2022-077 MADE by Garret Ferrara, SECONDED by Roger Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

ORDINANCE 2022-077 PASSES.

Draft 2022- 078 AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$350.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT TO BE USED FOR YOUTH CHEERLEADING, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft 2022- 078 MADE by Mr. Garret Ferrara, SECONDED by Ms. Gwen Rosenberg. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach.

The motion CARRIED by a roll call vote of 9-0-0.

Ms. Rosenberg thanked the company for making the donation to Kent Parks and Recreation.

MOTION TO ADOPT Draft 2022- 078 MADE by Mr. Michael DeLeone, SECONDED by Mr. Garret Ferrara. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms.Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

ORDINANCE 2022-078 PASSES.

Draft 2022- 079 AN ORDINANCE ACCEPTING A DONATION OF HOMECARE PRODUCTS FROM PORTAGE COUNTY DEVELOPMENTAL DISABILITIES AGENCY ESTIMATED IN THE AMOUNT OF \$100.00 TO THE CITY OF KENT'S HEALTH DEPARTMENT, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft 2022- 079 MADE by Garret Ferrara, SECONDED by Roger Sidoti. On Roll Call Voting "Yes" Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2022- 079 MADE by Garret Ferrara, SECONDED by Roger Sidoti. On Roll Call Voting "Yes" Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

ORDINANCE 2022-079 PASSES.

Unfinished Business

NONE

New Business

Ms.Gwen Rosenberg read the following statement:

I have received many letters from Kent residents, which I have provided to Council and the Mayor, expressing fear, concern and horror at the potential for harm directed at Ohio's childbearing population. Removing a person's right to bodily autonomy and reproductive freedom by denying access to reproductive healthcare and education is a matter that concerns all of us. The recent Supreme Court decision means legislation regarding this issue is being pushed on to local governments- we'll face discussions in the future about our response to draconian laws coming from the Ohio Statehouse. Other cities have already taken action to protect the rights of their residents.

As one Kent resident states in her letter to us, "Elected officials are elected to protect the rights of all people...By restricting or eliminating reproductive rights we know that women will suffer and even die."

The United States already has one of the poorest infant and maternal mortality rates in the developed world, disproportionately affecting Black women and those living in poverty. As a City we have spoken out against racism and our health department has affirmed that racism is a public health

crisis. Additionally, the Ohio bill is particularly barbaric: there are no exceptions for rape, incest or even age. Our state and federal elected officials have demonstrated a lack of basic understanding of human biology, healthcare and reality in enacting this law. It will, and already has inflicted pain and suffering on Ohioans.

In response, I'd like to make two motions, or if Council approves we can combine them into one:

I move to make a resolution opposing the Supreme Court's decision to upend 50 years of established precedent, sowing chaos in courts, local governments and fear in residents being stripped of their right to bodily autonomy.

I move to make a resolution opposing Ohio's inaccurately named "Heartbeat Bill" on the grounds that it does not consider medical science, strips Ohioans of basic bodily autonomy, is abusive to victims of rape and incest and disproportionately threatens the lives of Black and minority Ohioans and those living in poverty.

Ms. Shaffer Bish SECONDED the motion for the resolution.

Mayor Fiala asked if the motion was to move it to committee for discussion. Ms. Rosenberg said we could vote to move to committee or could vote on it right now.

Mayor Fiala said this needs to go to committee and asked for comment. Ms. Shaffer Bish asked why this had to move to a committee. Mayor Fiala said there may be public comment on this issue.

Ms. Roseberg said we have written letters before, especially in the case of state legislation. She said she stands by the motion she made and it's up to Council to discuss it.

Mr. Turner said the motion was for a resolution and not anything where we are implementing laws. He said if this is a resolution, it would be council as a body making a statement.

Mr. Ferrara said this is a contentious and divisive issue and he doesn't see how it behooves Council to write a letter when there are so many people so passionate on either side of the issue. The Supreme Court ruling is to allow states to decide how they want to rule on abortion. Rights are given to you at the ballot based on who you want to vote for and what they stand for with regards to this issue. He sees Council getting themselves in trouble with one side or the other to pass legislation. He said if you feel too strongly about the issue, you should write to your state legislature. He doesn't want to speak on either side of this, so he is not in favor of a resolution.

Mr. Kuhar said he agrees with Mr. Ferrara and is not sure how his constituents feel on this issue.

Ms. Shaffer Bish said we are called leaders for a reason and right now there are some of us that are really angry about this decision to take rights away from people. Taking our ability to manage our own bodies away. It is unprecedented to have rights taken away. Our legislator in our gerrymandered state is going to decide for all of us what we can and can't do on this issue. It is appropriate for our council to make it known and there are a lot of angry women who have not had the chance to speak out in a formal way. She said our voices are louder when we make a statement together and it is our job to be leaders.

Mr. Turner said he supports a woman's right to choose and we can take a vote to see where everyone stands. Voting on this resolution will show where we stand on this issue.

Ms. Rosenberg said that this conversation would not be happening if the Supreme Court didn't vote to do so. Sending it down to the states and cities and there will be more conversations about whether our police department is going to arrest people, if our fire department is going to be trained on self-induced abortions, and then we will need to have conversations about arresting women and young girls who are victims of rape and how that is going to work. We are going to have to have these future conversations whether we want to or not. She added that the Ohio law is an abomination and a

cruelty to a degree that is incomprehensible. Children can be raped by a family member and forced to carry the child to full term. The state legislature doesn't state the harm this will do to many people. You can oppose a poorly written law and, as a council, we have done so, frequently.

Mr. Sidoti said there are too many elements in the motion. He would favor a resolution against a poorly worded law. He said this forces him to decide whether it's all or nothing. He said he totally disagrees that morals are being forced on us. We hold our own morals. He said he could support a statement that says the law is poorly worded, but to be so specific, he cannot vote for it. He added that is why he suggested it go to committee because he thinks there are many nuances to people's beliefs.

Mr. Kuhar asked if the morning after pill had been banned. Many replied 'No'.

Mr. Ferrara said it is already to the point of trying to assume what people believe about abortion. He is just speaking about the anxiety and level of passion people have on either side and, as a body, we cannot speak for either side. He said you should write to your state legislature. He said this is convoluting the issue to promote a cause. Voting matters and said to make it count there.

Mr. Turner said it is not inconsistent to make a statement as a body. It is a resolution and is not making a law and is not inconsistent as a body that we support or don't support something. Right now we are just talking about a body's opinion.

Ms. Wilkens clarified the original motion was to write a resolution. Ms. Rosenberg would like to keep the original resolution she read. She is comfortable letting the administration craft a letter based on what was discussed.

MOTION TO APPROVE A RESOLUTION OPPOSING THE SUPREME COURT'S DECISION TO UPEND 50 YEARS OF ESTABLISHED PRECEDENT, SOWING CHAOS IN COURTS, LOCAL GOVERNMENTS AND FEAR OF RESIDENTS BEING STRIPPED OF THEIR RIGHT TO BODILY AUTONOMY AND OPPOSING OHIO'S INACCURATELY NAMED "HEARTBEAT BILL" ON THE GROUNDS THAT IT DOES NOT CONSIDER MEDICAL SCIENCE, STRIPS OHIOANS OF BASIC BODILY AUTONOMY, IS ABUSIVE TO VICTIMS OF RAPE AND INCEST AND DISPROPORTIONATELY THREATENS THE LIVES OF BLACK AND MINORITY OHIOANS AND THOSE LIVING IN POVERTY MADE BY Ms. Gwen Rosenberg, SECONDED by Ms. Heidi Shaffer Bish and CARRIED by a voice vote of 6-3-0. Mr. Ferrara, Mr. Kuhar and Mr. Sidoti voted 'No'.

Mayor Fiala asked who would sign this resolution. Clerk Wilkens said it could be written in a way to have each who approved it sign their names to it, if they wish.

Mayor Fiala asked if there was any more new business.

Ms. Shaffer Bish said she has heard from the community that the new Ohio fireworks law is exacerbating an already challenging issue of enforcement and now we have no grounds. She said she thinks it is worthy of a discussion. Mr. Amrhein agreed that he didn't want to be woken at 2 o'clock in the morning (by fireworks). If everyone was responsible, it would be a reasonable law.

Mr. Kuhar said for some reason it was not bad in his neighborhood.

MOTION TO SEND TO COMMITTEE TO DISCUSS OPTING OUT OF THE STATE OF OHIO'S NEW FIREWORKS LAW MADE BY Ms. Heidi Shaffer Bish, SECONDED by Mr. Jack Amrhein and CARRIED by a voice vote of 9-0-0.

Mr. Sidoti said housing has been brought up multiple times and asked Ms. Bridget Susel about the housing study and asked if part of it was identifying developable land in Kent. Ms. Susel we don't have enough areas that even meet the subdivision requirements. It would have to be multi-unit housing. There are not a lot of green fields. Mr. Sidoti thanked Ms. Susel.

Mr. Sidoti says he receives a lot of comments from residents that they can't find affordable housing, but he is not sure how to respond to that because we don't have buildable land. Ms. Susel said we have a minor subdivision that is going in on Newcomer and Fairchild, which is literally one of the last areas to build housing. Mr. Sidoti said when we say "housing" we need to narrow it down. Ms. Susel said she had the study from 2016 and would get the information to him.

Councilmembers' Comments

Mr. Kuhar said we have a resignation problem and inflation. He said it is spreading. Canada has the same problem as the United States. He said the people who are causing this all went somewhere and made their own secret country.

Ms. Wallach replied we do know what is causing this- the pandemic and the war in Ukraine.

Ms. Shaffer Bish said we have shut down on borders and this may help.

Mr. DeLeone added we cannot solve all of our problems here tonight.

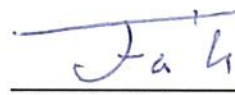
Mayor's Report

Mayor Fiala said the Blues Fest was a huge success in Kent last weekend. He also stated that the quarterly Mayor, City Manager, Service Director meeting will be hosted tomorrow by the City of Kent for the first time in over two years.

Adjourn



Amy Wilkens
Clerk of Council



Jerry T. Fiala
Mayor & President of Council

Hello everyone, my name is Yana and I am interning with Tobacco 21, and today I wanted to give the council a testimony highlighting my experience with underage tobacco use as an underage individual myself. Back in my sophomore year of high school, my best friend and I had friends that were older that did use vape products casually around us. At such a young age, it is hard to say this didn't ignite our curiosity. As a student that planned to go into the medical field, I knew better than to get myself involved with tobacco products of any kind, although my best friend on the other hand didn't have the same thought process. I remember our first time going to the vape shop together, we walked in their confidently because peers had assured us that we wouldn't even get carded, and sure enough they were right.

Today, that same friend of mine has officially been vaping for 5+ years. We are both going into our senior year of college, and to this day there hasn't been one time where she was denied service at a vape shop or questioned about her age. She is in the process of trying to quit vaping, but considering the fact that she had started so young, and that nicotine is a painfully addicting chemical, the 'quitting' process has been far less than productive.

If she had not had the access to the vape products early on, odds are she would not be facing this addiction in the present. As a college student, I have heard a similar story line from a lot of my friends who too struggle with their nicotine addiction and started from an early age, with 2 of my roommate going on her 6th year of vaping.

The addiction is easy to start, but hard to let go of. If my friends hadn't had access to these products at such an early age, they wouldn't be dependent on them today. All of them have turned 21 only in this past year; yet they have more than 5 years of addiction under their belt already, an addiction that is likely to follow them for years to come. For this reason, speaking from personal experience, I believe tobacco retail licensing is a crucial part in holding retailers accountable and preventing nicotine addiction in youth.

July 12, 2022

To: whom this my concern/ City Council

On behalf of the Collaborative Community Committee, Historical South End, and members of community, we would like to send Thanks to The city of Kent, Parks and Rec, Mark Frisone – Kent Social Services, and Chief Nick Shear and Chief Bill Myers for support and participation in this year's Juneteenth celebration at Plum Creek Park. The community feed and love we have received have been very *overwhelming and positive. With everything going on in the world and the rising tension between communities and government we are glad we are all able to come together as a sign of solidarity and togetherness. We are especially grateful for the Police and Fire department officers that participated in this year's kickball game. Hail to Bill Myers and the Fire Department and community participants for winning this year's game. We truly would love to have this event and kickball game to become an annual event that can grow and be an olive branch that we all can stand on together here in our beloved city of Kent. Once again, we just want to say Thanks and we look forward to working the city and officials for future events.*

Sincerely

CCC- Fanette Reed & Neil Dukes

