



City Council Regular Meeting Minutes

The City of Kent, Ohio

Wednesday, December 18, 2019

At 7:30 p.m., Mayor Jerry T. Fiala called the **Regular Meeting of Kent City Council** to order. Roll was taken.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Ms. Tracy Wallach

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Public Service Director; Mr. Jim Bowling, City Engineer; Ms. Joan Siedel, Health Commissioner; Mr. Dave Coffee, Budget and Finance Director; Mr. Kevin Swartzhoff, Parks and Recreation Director; Mr. Harrison Wicks, Assistant to the City Manager; Ms. Amy Wilkens, Clerk of Council

ABSENT: Mr. Robin Turner

Mayor Fiala asked for roll to be read; a MOTION TO EXCUSE Mr. Turner was made by Mr. Ferrara, seconded by Mr. Sidoti, and CARRIED by a voice vote of 8-0.

Mayor Fiala offered to present opening remarks in Mr. Turner's absence. He reminded everyone that it is the season of giving, and there are a lot of people in need of food to make the holidays a nice event. He encouraged everyone, if possible, to please make a visit to Kent Social Services and other agencies to give.

Mayor Fiala then led the Pledge of Allegiance.

APPROVAL OF MINUTES:

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF November 20, 2019 made by Mr. Amrhein, seconded by Mr. DeLeone, and CARRIED by a voice vote of 8-0.

COMMUNICATIONS:

Audience Remarks: Mayor Fiala asked the Clerk if anyone was signed in. There were four (4) visitors who signed in with the Clerk and were given permission to talk to Council for three minutes.

Mayor Fiala read a statement to the audience: *"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 objective. We ask that when you come to the microphone that you speak into the microphone clearly, give your name and address and limit comments to three (3) minutes of discussion."*

Mr. Christopher Myers of 220 E. Elm Street, Kent, stated someone is "going around town" saying he doesn't like the University. He said he would like to give the Mayor something to be passed around to prove otherwise. **(Attachment #1)**

Clerk Wilkens and Mayor Fiala directed Mr. Meyers to submit his document to the Clerk.

Mr. Myers continued by stating he wanted to talk about the previous Clerk of Council accusing him and the Mayor of stalking. He said he didn't think it is in the Mayor's character to stalk anybody. He said Mike DeLeone doesn't think the Mayor stalked the Clerk, he was told this outside of chambers one time. He also said he doesn't think he (Mr. Myers) stalked the Clerk. He encouraged the City to investigate the matter. He asked for Council to go into Executive Council to discuss his picketing and stalking charges.

Mayor Fiala said he had half a minute of time remaining.

Mr. Myers said he did not need his half a minute that he was done.

Clerk Wilkens called Peter Paino to speak.

Peter Paino of 1258 Windward Lane, Kent thanked Council for the opportunity to speak. He is requesting Council to review and study the City's Conflict of Interest Ordinance, which is section 117. He referenced a letter that was submitted to Council members in November and that he is formally asking the City to review the policy. He referenced section 117.04, calling for the creation of a Conflict of Interest Review Board. He would like to know if this exists. He said back in January when he put together and submitted drawings for a project, he received a letter from the City which forbade him from presenting a project to the Kent City Planning Commission. He was told at the time he could resign from the Planning Commission if he wanted to present his case. The Conflict of Interest Ordinance says there is a one (1) year period after you've served where you still can't present anything to a City Board or Commission. He referenced another project he is unable to represent himself on a piece of property he is looking at. He is on the Planning Commission and not on the Board of Zoning Appeals, but the Ordinance says if you are an officer on a Board in the City of Kent, you cannot present to any Commission or City Council.

Mayor Fiala requested this matter be moved over to the Law Department.

Clerk Wilkens called Carleigh and Molly Wiler to speak.

Mr. Ferrara stated Carleigh and Molly approached him when he was out on the campaign trail with a concern. He encouraged them to write a letter and get a petition signed.

Ms. Carleigh Wiler and Ms. Molly Wiler live at 621 Park Ave., read a prepared statement to Council (**Attachment #2**). After their presentation they were presented with City of Kent pins.

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

1. Planning Commission Agenda and Staff Report for December 3, 2019 were received on November 26, 2019 and the Agenda and Staff Report for December 17, 2019 were received on December 9, 2019.
2. Standing Rock Cemetery meeting notes for November 14, 2019 were received on November 27, 2019.
3. Notification that the December Sustainability Commission Meeting was cancelled was received on November 27, 2019. Next meeting will be held January 6, 2020.
4. Request for a Public Hearing from Planning Commission regarding zoning changes to be held on February 5, 2020 was received on December 6, 2019.

5. Request for a review of the City of Kent Conflict of Interest Ordinance was received on December 6, 2019 from a member of the Planning Commission. A copy of this request was forwarded to Council.
6. Health Board Statistical Report, meeting minutes from November 12, 2019 and meeting agenda for December 12, 2019 were received on December 10, 2019.

Communications Received after Agenda Publication were reported by Clerk Wilkens and placed on file in the Clerk's office as follows:

7. The Civil Service Commission meeting minutes for December 16, 2019 were received on December 12, 2019.
8. The Kent Parks and Recreation December Board Packet was received on December 13, 2019.

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

1. Request Council's authorization to accept and allocate a \$2800 grant from the Kent Rotary Foundation to Kent Parks and Recreation (Draft #2019-141)
2. Request Council's authorization to accept and allocate a \$500 donation from the Forest Lakes Homeowner's Association to Kent Parks and Recreation for a new park bench in the Forest Lakes Preserve. (Draft #2019-142)
3. Request Council's authorization to accept and allocate a \$25 donation from Ms. Mary Kennelly to create a new Kent Public Safety Memorial Fund (Draft #2019-143)
4. Request Committee of the Whole Time for Council to affirm their 2020 Council Committee Assignments.
5. Request Community Development Committee Time to present a recommendation from the Architectural Review Board related to property on Franklin Avenue.
6. Request Community Development Committee Time to provide a summary report on the economic development projects that occurred in 2019.
7. Request Health and Safety Committee time for Council's consideration of proposed text amendments to the City regulations regarding feral cats.
8. Request Streets, Sidewalks & Utilities Committee time for Council's consideration of a request for a new license agreement for a proposed outdoor patio that would extend into the public right of way at 101 Crain Avenue.
9. Request Streets, Sidewalks & Utilities Committee time for Council's consideration to authorize the staff to submit an application for a Bike Friendly Community designation.
10. Request Finance Committee time for Council's consideration of the proposed Master Parks Plan Contract.

MOTION TO APPROVE ITEMS #1-10 OF THE CITY MANAGER'S REPORT made by Mr. Amrhein, seconded by Mr. Kuhar, and CARRIED by a voice vote of 8-0.

STANDING COMMITTEES/ LEGISLATION

1. COMMITTEE OF THE WHOLE:

MOTION TO APPROVE MEETING MINUTES of December 4, 2019 made by Mr. Amrhein, seconded by Mr. Sidoti, and CARRIED by a voice vote of 7-0-1, with Mr. Ferrara abstaining.

No recommended actions to be approved.

Voting for Boards and Commissions

Mayor Fiala stated on October 2, 2019, a motion was made by Council that all applicants had to be present for Boards and Commission interviews. This will need to be put on future advertisements in the Tree City Bulletin and applications. He also stated the vote on the Park Board will be delayed because it was not accurately advertised in the Tree City Bulletin.

Mayor Fiala asked for a Motion on the Shade Tree Commission by a member of Council.

MOTION TO APPOINT JIM JENKINS TO THE SHADE TREE COMMISSION, was made by Mr. Sidoti, seconded by Mr. Kuhar, and CARRIED by a voice vote of 8-0.

MOTION TO APPOINT WILDER HRITZ TO THE SUSTAINABILITY COMMISSION, was made by Ms. Shaffer, seconded by Mr. Rosenberg, and CARRIED by a voice vote of 8-0.

MOTION TO APPOINT PETER DORFF TO THE INCOME TAX BOARD, was made by Mr. Sidoti, seconded by Mr. DeLeone, and CARRIED by a voice vote of 8-0.

MOTION TO INSERT APPOINTED NAMES INTO LEGISLATION, was made by Mr. DeLeone, seconded by Mr. Ferrara, and CARRIED by a voice vote of 8-0.

Ms. Rosenberg asked if the people that interviewed already for the Parks and Recreation Board have to reappear and re-interview or is it just open.

Mayor Fiala stated it was not properly advertised in the Tree City Bulletin and someone has made a request that they were not accurately aware that the position was open so it needs to be advertised again.

Ms. Rosenberg asked if we could advertise again and just interview new people and not make those who already interviewed come to another Council meeting and go through the same process again.

Mayor Fiala said a motion should be made.

MOTION TO REQUIRE ONLY NEW APPLICANTS FOR THE PARKS AND RECREATION BOARD WOULD NEED TO APPEAR BEFORE COUNCIL FOR AN INTERVIEW AND THOSE WHO INTERVIEWED ON DECEMBER 4, 2019 WOULD NOT BE REQUIRED TO REAPPLY, REINTERVIEW AND ATTEND ANOTHER COUNCIL MEETING, was made by Ms. Rosenberg, seconded by Mr. Kuhar.

Ms. Tracy Wallach said only one person said they wanted to apply for the five year term and the others did not. She said they may have wanted to apply for the five year term but may not have been aware that was open.

Mayor Fiala said that only one person in the interview stated which term they were applying for.

Ms. Wallach replied that they might not have known it was available. She asked if they want to apply for the five year term, if they have to come back and interview.

Mayor Fiala asked Ms. Wallach to amend the motion.

AMENDMENT TO MOTION TO ALLOW THOSE CANDIDATES WHO WISH TO APPLY FOR THE FIVE YEAR TERM AND NOT HAVE TO REAPPEAR FOR ANOTHER INTERVIEW made by Ms. Wallach, seconded by Mr. DeLeone.

Mr. Kuhar asked if this was brought up during the interview why does it now need changed.

Mayor Fiala said he was correct according to the minutes from the interview, two of the candidates did not bring up the term and one did.

Ms. Jones suggested perhaps the amendment could be withdrawn and Council directs the Clerk to contact each of the applicants to let them know there were two positions available and ask which they are interested in.

Ms. Wallach agreed and withdrew the Amendment.

Clerk Wilkens agreed to contact the applicants for the Parks and Recreation Board.

Draft No. 2019-129 A RESOLUTION APPOINTING PETER DORFF TO THE INCOME TAX BOARD OF REVIEW, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara, seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach.

MOTION TO ADOPT DRAFT NO. 2019-129 made by Mr. Ferrara and seconded by Mr. Kuhar. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach.

ORDINANCE 2019-129 PASSED as stated by Clerk Wilkens.

Mayor Fiala stated there will be a hold on Draft No. 2019-130.

Draft No. 2019-131 A RESOLUTION APPOINTING JIM JENKINS TO THE SHADE TREE COMMISSION, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara, seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach.

MOTION TO ADOPT DRAFT NO. 2019-131 made by Mr. Sidoti and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach.

ORDINANCE 2019-131 PASSED as stated by Clerk Wilkens.

Draft No. 2019-132 A RESOLUTION APPOINTING WILDER HRITZ TO THE SUSTAINABILITY COMMISSION, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Ms. Wallach, seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach.

MOTION TO ADOPT DRAFT NO. 2019-132 made by Mr. Ferrara and seconded by Ms. Shaffer. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach.

ORDINANCE 2019-132 PASSED as stated by Clerk Wilkens.

2. COMMUNITY DEVELOPMENT COMMITTEE:

MOTION TO APPROVE THE COMMUNITY DEVELOPMENT MEETING MINUTES OF December 4, 2019 made by Mr. Kuhar, seconded by Mr. Ferrara, and CARRIED by a voice vote of 8-0-1, with Ms. Wallach abstaining.

NO RECOMMENDED ACTIONS TO BE APPROVED.

Draft No. 2019-133 A RESOLUTION TO AMEND THE KENT-FRANKLIN JOINT ECONOMIC DEVELOPMENT DISTRICT CONTRACT (JEDD) TO PROVIDE EQUAL TREATMENT IN REGARDS TO WATER SURCHARGES, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Ms. Wallach, seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach.

MOTION TO ADOPT DRAFT NO. 2019-133 made by Mr. Ferrara and seconded by Ms. Shaffer. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach.

3. FINANCE COMMITTEE:

MOTION TO APPROVE THE FINANCE COMMITTEE MEETING MINUTES OF December 4, 2019 made by Mr. DeLeone, seconded by Mr. Sidoti, and CARRIED by a voice vote of 8-0.

MOTION TO APPROVE THE FINANCE COMMITTEE ACTION ITEMS one (1), three (3), five (5) and six (6) made by Mr. DeLeone, seconded by Mr. Sidoti, and CARRIED by a voice vote of 8-0.

MOTION TO APPROVE THE FINANCE COMMITTEE ACTION ITEM two (2) made by Mr. DeLeone, seconded by Ms. Shaffer, and CARRIED by a voice vote of 7-0-1 with Mr. Amrhein abstaining.

Recommended Actions:

1. Authorize the resolution authorizing the transfer of County tax proceeds.
2. Authorize the lease agreement for the Health Department in the PARTA Central Gateway.
3. Approve the 2019 Budget Appropriations Amendment.
4. Authorize the proposed 2020 City Operating Budget.
5. Approve the 2020 position allocation ordinance.
6. Authorize the Amendment to the General Compensation Plan.

Draft No. 2019-134 AN ORDINANCE AMENDING SECTION 913.05 OF THE KENT CODIFIED ORDINANCES, INCREASING THE WATER RATES OF THE CITY OF KENT, OHIO BY THREE PERCENT (3%) BEGINNING WITH THE FIRST BILLING CYCLE IN JANUARY, 2020, AND DECLARING AN EMERGENCY, was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara, seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT NO. 2019-134 made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach. On roll call vote "No": Mr. Kuhar. The Motion CARRIED by a roll call vote of 7-1.

ORDINANCE 2019- 134 PASSED as stated by Clerk Wilkens.

Draft No. 2019-135: AN ORDINANCE AMENDING SECTION 915.72 OF THE KENT CODIFIED ORDINANCES, INCREASING THE SEWER RATES OF THE CITY OF KENT, OHIO BY THREE PERCENT (3%) BEGINNING WITH THE FIRST BILLING CYCLE IN JANUARY, 2020, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, and Mr. Amrhein. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2019-135 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, and Mr. Amrhein. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE 2019-135 PASSED as stated by Clerk Wilkens.

Draft No. 2019-136: A RESOLUTION REQUESTING THE COUNTY AUDITOR TO ADVANCE ANY PROPERTY TAXES THAT HAVE BEEN COLLECTED PRIOR TO THE NORMAL FEBRUARY SETTLEMENT DATE FROM THE PROCEEDS OF THE 2019 TAX YEAR COLLECTION PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2019-136 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE NO. 2019-136 PASSED as stated by Clerk Wilkens.

Draft No. 2019-137: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ACCEPT a LEASE AGREEMENT WITH PARTA TO RELOCATE THE CITY OF KENT HEALTH DEPARTMENT AT THE PARTA CENTRAL GATEWAY; AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Ms. Shaffer and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. DeLeone, and Mr. Ferrara. The Motion CARRIED by a roll call vote of 7-0-1 with Mr. Amrhein abstaining.

MOTION TO ADOPT DRAFT No. 2019-137 made by Ms. Shaffer and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. DeLeone, and Mr. Ferrara. The Motion CARRIED by a roll call vote of 7-0-1 with Mr. Amrhein abstaining.

ORDINANCE NO. 2019-137: PASSED as stated by Clerk Wilkens.

Draft No. 2019-138: AN ORDINANCE AMENDING ORDINANCE NO. 2018-142, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 19, 2018; 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, 2019; AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Kuhar. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2019-138 made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE NO. 2019-138 PASSED as stated by Clerk Wilkens.

Draft No. 2019-139: AN ORDINANCE APPROPRIATING FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Kuhar. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2019-139 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE NO. 2019-139 PASSED as stated by Clerk Wilkens.

Draft No. 2019-140: AN ORDINANCE AMENDING ORDINANCE NO. 2018-140 THE POSITION ALLOCATION AND GENERAL COMPENSATION PLAN SO AS TO UPDATE SEVERAL POSITION TITLES, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Kuhar. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2019-140 made by Mr. Ferrara and seconded by Ms. Shaffer. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE NO. 2019-140 PASSED as stated by Clerk Wilkens.

Draft No. 2019-141: AN ORDINANCE ACCEPTING A GRANT DONATION IN THE AMOUNT OF \$2,800.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM ROTARY CLUB OF KENT FOR THE PURCHASE OF PLAYGROUND EQUIPMENT FOR THE PLAYGROUND AT 1115 FRANKLIN AVENUE, KENT RECREATION CENTER, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Ms. Shaffer and seconded by Mr. Sidoti. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Kuhar. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2019-141 made by Mr. Kuhar and seconded by Mr. Ferrara. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE NO. 2019-141 PASSED as stated by Clerk Wilkens.

Draft No. 2019-142: AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$500.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM FOREST LAKES HOMEOWNERS ASSOCIATION, INC. FOR THE PURCHASE OF A PARK BENCH AT THE FOREST LAKES PRESERVE PLAYGROUND, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. Amrhein. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Kuhar. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2019-142 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE NO. 2019-142 PASSED as stated by Clerk Wilkens.

Draft No. 2019-143: AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$25.00 TO THE CITY OF KENT FIRE DEPARTMENT FROM MARY KENNELLY TO BE USED IN THE CREATION OF A FUND FOR A SAFETY FORCES MEMORIAL, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Kuhar. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2019-143 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE NO. 2019-143 PASSED as stated by Clerk Wilkens.

4. HEALTH AND SAFETY COMMITTEE:

NO MINUTES OR RECOMMENDED ACTIONS TO BE APPROVED.

5. LAND USE COMMITTEE:

NO MINUTES OR RECOMMENDED ACTIONS TO BE APPROVED.

6. STREETS, SIDEWALKS AND UTILITIES COMMITTEE:

MOTION TO APPROVE THE STREETS AND SIDEWALKS COMMITTEE MEETING MINUTES OF December 4, 2019 made by Mr. Sidoti, seconded by Mr. Amrhein and CARRIED by a voice vote of 7-0-1 with Mr. Ferrara abstaining.

NO RECOMMENDED ACTIONS TO BE APPROVED.

SPECIAL COMMITTEE REPORTS: NONE

UNFINISHED BUSINESS: NONE

NEW BUSINESS:

MOTION TO MOVE INTO COMMITTEE A REVIEW OF THE CONFLICT OF INTEREST POLICY made by Ms. Schaffer and seconded by Mr. Sidoti and CARRIED by a voice vote of 8-0.

Ms. Shaffer said the policy was written a long time ago and we should make an effort to review all of our policies at some point. She stated it warrants a review that a person cannot represent themselves. She suggested looking at and comparing the policies in other communities to see if Kent is behind the times.

Mr. Sidoti brought up the concern that Kent does not always have a lot of candidates for positions. There is a need to take a look at the policy that may be on the books for twenty or so years and suggested looking at what other communities are doing and if it aligns with expectation of state law.

Mr. Kuhar approves it going to committee and some adjustments can be made to the way things are done. He also stated if you serve on a board, you may be tempted to bias, it's hard to vote on something you are presenting for yourself.

Mr. Sidoti stated any council member could not go before Board of Zoning if they wanted to build a new garage. As long as a council person is not voting on something they could benefit from, he is not sure why council members can't represent themselves before the Board of Zoning. Clarification is needed because many board members don't realize the rights they are giving up at the door when taking on a position.

Mayor Fiala asked for clarification from Ms. Hope Jones if the letter sent in from Mr. Paino referred to her department, if this could be part of this motion.

Ms. Jones said yes.

A Swearing-in Ceremony of Councilpersons Ferrara, Kuhar, Shaffer and Wallach was performed by Law Director Jones. Councilperson Amrhein was sworn in by Claudia Amrhein.

COUNCILMEMBERS' COMMENTS

Ms. Rosenberg thanked those who are working diligently during this holiday season to keep us safe, including the Fire Department, Police, Service and Health Care workers and also those working in the service industry. We should all have a generous heart and wallet especially for those in need and keep them in mind as well. Thank you to all of those people.

Mr. Kuhar said it has been a very good year for the citizens of Kent and for the Administration and everyone who works for the City. Council and the Administration have worked diligently to pick out a new city hall that is going to be built. If we have to wait an extra month and make smarter decisions, that is the smart decision. We thank everyone who participates in the operation of city government and thank all of the citizens of Kent for being a part of this. Everyone have a happy holiday and be careful.

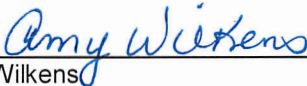
Ms. Shaffer would like to thank her colleagues and the city staff for another wonderful year serving the city of Kent.

MAYOR'S REPORT:

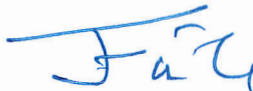
Mayor Fiala would like to reiterate everything that was just said and would also like to thank the safety forces that will be working on Christmas and New Year's. He encouraged all to please thank them. This is the last meeting of the year, we are bringing 2019 to an end. This year we have passed 143 Ordinances which is a lot less than done in the past. Happy New Year and Merry Christmas, or however you celebrate in what you believe in. The next meeting is January 8, 2020 at the Committee Meeting.

Mayor Fiala presented Clerk Wilkens with a card from Council.

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



Amy Wilkens
Clerk of Council



Jerry T. Fiala
Mayor and President of Council



Did you know?

This card is embedded with wildflower seeds!

Plant the paper outdoors in the cooler months, fall through early spring.
Plant anytime indoors, then transplant to a more permanent location in early spring.

1. Loosen the soil.
2. Soak the seed paper in water overnight.
3. Plant the wet seed paper in the prepared soil, at a depth of about $\frac{1}{4}$ inch.
4. Water well, especially during the first four to six weeks.
5. Enjoy your flowers – and knowing that you're helping us grow at KSU, too!

Illustration by Kent State University Visual Communications Design student, Shannon Kovach, '19.

Plant this card!



See reverse for details

Thank you!

Thank you for your continued generosity to Kent State University.

Last year, your gift planted you among the top five percent of our supporters and made you an inaugural member of The Leadership Circle.

We are grateful to call you a partner as we sow seeds for the future and cultivate a brighter tomorrow, together.



www.kent.edu/leadershipcircle

10/20/2019

Dear City of Kent,

My name is Carleigh Wiler and I am a resident of Ward 1. I am concerned about the condition of the sidewalks on both Earl Ave. and Pioneer St.

While walking, scootering, riding bicycles or jogging, residents and visitors can easily trip and fall. I have enclosed pictures for your reference. I am curious to understand how these sidewalks can be repaired and am willing to do whatever I can to help.

Thank you very much for your time and consideration.

Respectfully yours,

Carleigh M. Wiler MOLLY E. Wiler

Carleigh G. Wiler - Age 8
621 Park Ave.
Kent, OH 44240

Joseph Johns
300 Woodland Ave

Laurie Boyle
428 Earl Ave

Stacey Sherman
413 EARL AVE

Shirley R. Shaw
413 Earl Ave.


SARAH MORGAN
422 EARL AVE

TERRI Cronka
419 EARL AVE

John Franco
431 EARL Ave
Kent, OH

Nancy S. Harlep
491 Earl Ave.

Angela Barzizza -bung RBZ
519 Earl Ave



