



City of Kent
Wednesday, August 17, 2022
Regular City Council Meeting
320 S. Depeyster Street, Kent, OH 44240

MINUTES

7:25 P.M. Board of Control

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. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Service Director; Mr. Jim Bowling, City Engineer; Mr. Nick Shearer, Chief of Police; Mr. Bill Myers, Fire Chief; Ms. Amy Wilkens, Clerk of Council

Mr. DeLeone asked everyone to stand for the Pledge of Allegiance.

MOTION TO APPROVE JULY 20, 2022 SPECIAL COMMITTEE MEETING MINUTES AND JULY 20, 2022 REGULAR MEETING MINUTES MADE BY Mr. Michael DeLeone, SECONDED by Ms. Tracy Wallach 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. Wilkens called the first speaker to the microphone. Matthias Hoefler of S. Water Street

introduced himself and said it was important for him to come before Council to say he was pro-life.

Mr. Raymond Adamek read from a prepared statement (Attachment #1)

Ms. Allie Frazier , Executive Director of Right to Life, Akron, OH, read from a prepared statement (Attachment #2)

Ms. Carole Pheneger of Boulder Blvd, came to the microphone and stated she noticed that everyone here tonight has already been born, so let's give the next generation a chance.

Written Communication

1. Individual emails from Kent residents Jenna Rinaldi, Tiffany Holler, Michele K. Keith, Iris Meltzer, Diane Stresing, Rebecca Moyseenko, Sandy Dettis, and John Avouris were sent to councilmember Gwen Rosenberg in July in regards to the Supreme Court decision to overturn Roe v Wade and Ohio's heartbeat bill. All emails were shared with councilmembers at the July 20th Regular Council Meeting.
2. The Special Board of Zoning Appeals Meeting Agenda for August 1, 2022 for cases that were continued from May 2020 was received on July 21, 2022.
3. The Planning Commission meeting agenda and staff report for August 2, 2022 was received on July 26, 2022.
4. The Architecture Review Board Meeting Agenda for August 2, 2022 was received on July 29, 2022.
5. Standing Rock Cemetery Board of Trustees Agenda for August 11, 2022 was received on August 4, 2022.
6. Board of Zoning Appeals agenda and staff report for the meeting on August 15, 2022 was received on August 9, 2022.
7. Planning Commission meeting agenda and staff report for August 16, 2022 was received on August 9, 2022.
8. Civil Service Commission Agenda for August 15, 2022 received August 10, 2022.
9. Notice to Legislative Authorities regarding objections to renewal of liquor permits set to expire on October 1, 2022 was received and forwarded to Council and Chief Shearer on August 8, 2022.
10. Liquor License STOCK request from Kent ABC Holdings, LLC, DBA Treno Ristorante & Patio 152 Franklin Ave. 1st. Floor and Basement, Kent, was received on August 5, 2022.

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

Ms. Wallach asked about minutes she submitted to Clerk Wilkens from a meeting held in 2019. Ms. Wilkens stated she thought that was just an FYI. Mayor Fiala said it would be discussed after the meeting.

City Manager's Report

1. Rhonda Hall has asked for Council to approve the creation of a new budget fund to be designated for the Opioid Settlement funds that the City will be receiving.

2. The staff have prepared a resolution at Council's request responding to the recent changes in court rulings and legislation affecting women's reproductive choices.
3. State Representative Gail Pavliga has asked for an opportunity to update City Council during the Committee of the Whole on the status of the City's State Capital Budget grant request.
4. The Staff have requested Committee of the Whole time in August to present an update on the draft of the new Civic Engagement Coordinator position.
5. Melanie Baker 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. Hope Jones has requested Committee of the Whole time to seek Council's approval of the Ordinance replacements for 2022.
7. Chief Myers 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.
8. Rhonda Hall has requested Finance Committee time to ask Council to certify the City tax rates to the County for 2023.
9. Rhonda Hall has asked for Finance Committee time to present a proposed new utility billing contract for Council's approval.
10. Rhonda Hall has asked for Finance Committee time to present a 2022 Budget Appropriations Amendment for Council's approval.

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

Standing Committees & Legislation

Committee of the Whole

MOTION TO APPROVE COMMITTEE MEETING MINUTES FOR AUGUST 3, 2022 AND ACTIONS RECOMMENDED 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 the Civil Service lateral testing rule change allowing for a lateral transfer for City Civil Service vacancies, with an emergency clause.

DRAFT 2022- 080 AN ORDINANCE AUTHORIZING THE CIVIL SERVICE COMMISSION TO CHANGE THE CIVIL SERVICE TESTING RULES TO ALLOW FOR LATERAL TRANSFERS WITHOUT REQUIRING A FULL CIVIL SERVICE RE-TEST, 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- 080 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- 080 MADE by Mr. Michael DeLeone, 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 2020-080 PASSED.

DRAFT 2022-094 A RESOLUTION IN SUPPORT OF WOMENS' REPRODUCTIVE RIGHTS IN DISSENT OF THE U.S. SUPREME COURT DECISION OVERTURNING ROE v. WADE, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO MOVE THE FIRST READING OF DRAFT 2022-094 MADE by Mr. Garret Ferrara, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Garret Ferrara, Mr. Roger Sidoti. On Roll Call Voting "No" Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Turner and Ms. Wallach. The motion **FAILED** by a roll call vote of 2-7-0.

MOTION TO SUSPEND THE THREE READINGS OF DRAFT 2022-094 MADE by Ms. Heidi Shaffer Bish, SECONDED by Mr. Robin Turner. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Robin Turner, Ms. Tracy Wallach. On Roll Call Voting "No"; Mr. Ferrara, Mr. Kuhar, Mr. Sidoti. The motion **CARRIED** by a roll call vote of 6-3-0.

MOTION TO AMEND DRAFT 2022-094 TO ADDRESS STATE LEGISLATURES TO TAKE AGGRESSIVE ACTION TO REWRITE THE OHIO "HEARTBEAT" BILL TO MAKE NECESSARY EXCEPTIONS MADE by Mr. John Kuhar, SECONDED by Mr. Garret Ferrara. On Roll Call Voting "Yes", Mr. Ferrara, Mr. Kuhar and Mr. Sidoti. On Roll Call Voting "No" Mr. Jack Amrhein, Mr. Michael DeLeone, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Robin Turner, Ms. Tracy Wallach. The motion **FAILED** by a roll call vote of 2-7-0.

Mr. Kuhar said the motion he just made goes against his religious beliefs even though there are some really rough circumstances. If we say we are a compassionate city, we need to protect the most vulnerable people in the city.

Mr. Ferrara says there are so many varying opinions, feelings and emotions on this issue that if someone really wants to make their voice known, they should write their state legislature and let them deal with it.

Mr. Sidoti said he would like to see the conversation changed, with both sides against each other. There needs to be honest conversations to discover common ground, which is hard to find. He said he does not have the wisdom to decide important issues that are being discussed. They are tough issues and said we need to back away and have real conversations on how to protect all life with a reasonableness that does not go as far as the state legislature. He said he would rather see directives sent to our state legislature that we take a step back and have an honest conversation.

Mr. Turner said he respects his colleagues on council's position and the majority have determined they want to make a statement on Roe v. Wade. He said this was a resolution and not a law, but rather a basic statement coming from the body of the Council. He said this is reasonable and consistent with what we've done in the past.

Mr. Kuhar says he does not want his name attached to the resolution if the amendment fails.

Ms. Rosenberg said she is not in favor of the amendment and that the resolution is based on facts, it's not a sweeping generalization of legalizing abortion, but rather that this is bad legislation. She heard from many residents in the city of Kent and feels it reflects what they feel.

MOTION TO ADOPT DRAFT 2022-094 MADE by Ms. Rosenberg, SECONDED by Ms. Heidi Shaffer Bish. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Robin Turner, Ms. Tracy Wallach. On Roll Call Voting "No"; Mr. Ferrara, Mr. Kuhar and Mr. Sidoti. The motion **CARRIED** by a roll call vote of 6-3-0.

RESOLUTION 2022-094 PASSED

Community Development

MOTION TO APPROVE COMMITTEE MEETING MINUTES FOR AUGUST 3, 2022 AND ACTIONS RECOMMENDED 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 Development Agreement and TREX Liquor License for Board & Bevy, with an emergency clause.

DRAFT 2022-081 AN ORDINANCE AUTHORIZING THE TRANSFER OF A TREX LIQUOR LICENSE INTO THE CITY OF KENT BY THE WULFJAM, LLC, AN OHIO LIMITED LIABILITY COMPANY, CONDITIONED UPON THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF KENT, OHIO AND WULFJAM, LLC, 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 2022-081 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 2022-081 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.

ORDINANCE 2022-081 PASSED

Health & Safety Committee

MOTION TO APPROVE COMMITTEE MEETING MINUTE FOR AUGUST 3, 2022 AND ACTIONS RECOMMENDED MADE BY Mr. Jack Amrhein, SECONDED by Mr. Garret Ferrara and **CARRIED** by a voice vote of 9-0-0.

Action(s) Recommended:

1. Authorize Health Department lease extension in the PARTA Central Gateway, with an emergency clause.
2. Authorize the School Resource Officer contract renewal for the 2022-2023 academic year, with an emergency clause.

DRAFT 2022-082 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO AMEND THE LEASE AGREEMENT WITH PARTA AND THE CITY OF KENT HEALTH DEPARTMENT TO CONTINUE TO LEASE 201 EAST ERIE STREET AND TO INCLUDE BOTH SUITE G AND E TO THE LEASE WHICH IS THE 2ND FLOOR AND GROUND FLOOR FOR CLINICAL PURPOSES, 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 2022-082 by Mr. Garret Ferrara, SECONDED by Mr. John Kuhar. 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 2022-082 MADE by Mr. Garret Ferrara, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" 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. On Roll Call Voting "Abstain"; Mr. Amrhein. The motion **CARRIED** by a roll call vote of 9-0-0.

ORDINANCE 2022-082 PASSED.

DRAFT 2022-083 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO APPROVE AND EXECUTE AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF KENT, OHIO AND THE KENT CITY BOARD OF EDUCATION REGARDING THE SCHOOL RESOURCE OFFICER PROGRAM, EXTENDING THIS AGREEMENT UNTIL JUNE 3, 2023, 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 2022-083 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 2022-083 MADE by Ms. Tracy Wallach, SECONDED by Mr. Garret Ferrara. 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.

Mr. Ferrara thanked the work the school resource officer does and is happy to fund this position.

Streets, Sidewalks and Utilities

MOTION TO APPROVE COMMITTEE MEETING MINUTES FOR AUGUST 3, 2022 AND ACTIONS RECOMMENDED MADE BY Mr. Roger Sidoti, SECONDED by Mr. Garret Ferrara and **CARRIED** by a voice vote of 9-0-0.

Action(s) Recommended:

1. Authorize the emergency bid waiver for the damaged Fairchild Water Tank, with an emergency clause.
2. Authorize the City/KSU Erie St. closure for the community ice rink project, with an emergency clause.

DRAFT 2022-084 AN ORDINANCE APPROVING THE EMERGENCY REPAIRS TO THE FAIRCHILD WATER TOWER COMPLETED BY KENMORE CONSTRUCTION COMPANIES, WAIVING COMPETITIVE BIDDING, 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 2022-084 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 2022-084 MADE by Mr. Michael DeLeone, 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 2022-084 PASSED

DRAFT 2022-085 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ALLOW THE SERVICE DEPARTMENT TO ENTER INTO A CONTRACT WITH KENMORE CONSTRUCTION COMPANIES TO COMPLETE THE REPAIRS TO THE FAIRCHILD WATER TOWER, WAIVING COMPETITIVE BIDDING, 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 2022-085 MADE by Mr. Garret Ferrara, SECONDED by Ms. Heidi Shaffer Bish. 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 2022-085 MADE by Ms. Heidi Shaffer Bish, 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 2022-085 PASSED

DRAFT 2022-086 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE A NEW SPECIAL EVENT APPLICATION FOR KENT STATE UNIVERSITY AND THE CITY OF KENT FOR AN ICE RINK THAT WILL START ON NOVEMBER 1st AND RUN THROUGH MARCH 15th OF EACH YEAR, 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 2022-086 MADE by Ms. Gwen Rosenberg, SECONDED by Ms. Heidi Shaffer Bish. 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. The motion **CARRIED** by a roll call vote of 8-1-0.

MOTION TO ADOPT DRAFT 2022-086 MADE by Ms. Heidi Shaffer Bish, 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. On Roll Call Voting "No"; Ms. Wallach. The motion **CARRIED** by a roll call vote of 8-1-0.

Ms. Wallach said she said she is voting no because we need to start acting like global warming is a reality and we need to reign in our energy consumption.

ORDINANCE 2022-086 PASSED

Finance Committee

MOTION TO APPROVE COMMITTEE MEETING MINUTES AND ACTIONS 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. Authorize the City of Kent to participate in the Community, University, Educational (CUE) Purchasing Agreement, with an emergency clause.
2. Authorize, accept, allocate and distribute the State of Ohio First Responder Retention Grant for Kent Police, with an emergency clause.
3. Authorize and allocate grant funding to be used for the purchase of replacement body armor, with an emergency clause.
4. Certify and authorize submission of property tax liens to Portage County, with an emergency clause.
5. Approve the 2022 budget appropriations amendment, with an emergency clause.

DRAFT 2022-087 AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF AN AGREEMENT ESTABLISHING THE COMMUNITY UNIVERSITY EDUCATION PURCHASING REGIONAL COUNCIL OF GOVERNMENTS, 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 2022-087 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 2022-087 MADE by Mr. Garret Ferrara, SECONDED by Mr. John Kuhar. 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 2022-087 PASSED

DRAFT 2022-088 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT GRANT FUNDING IN THE AMOUNT OF \$376,771.20 THROUGH THE OHIO VIOLENT CRIME REDUCTION GRANT PROGRAM TO PAY

SWORN OFFICERS AND DISPATCHERS A 10% BONUS, 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 2022-088 MADE by Mr. John Kuhar, 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 2022-088 MADE by Mr. John Kuhar, 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 2022-088 PASSED

DRAFT 2022-089 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT GRANT FUNDING IN THE AMOUNT OF \$801.43 THROUGH THE 2022-2023 OHIO LAW ENFORCEMENT BODY ARMOR GRANT PROGRAM FOR THE PURCHASE OF EXPIRING BODY ARMOR, 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 2022-089 MADE by Mr. John Kuhar, 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 2022-089 MADE by Mr. John Kuhar, 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 2022-089 PASSED

DRAFT 2022-090 AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF BILLS FOR RESIDENTS RESULTING FROM THE 2021 HARRIS STREET REHABILITATION OF UNPAID STREET REHABILITATION PROGRAM, TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY FOR THE NON-PAYMENT OF STREET 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 2022-090 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.

MOTION TO ADOPT DRAFT 2022-090 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 2022-090 PASSED

DRAFT 2022-091 AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF BILLS FOR RESIDENTS RESULTING FROM THE 2021 ANNUAL CONCRETE REPAIR PROGRAMS OF UNPAID CONCRETE SIDEWALK REPAIR ACCOUNTS, TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY FOR THE NON-PAYMENT OF SIDEWALK 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 2022-091 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 2022-091 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 2022-091 PASSED

DRAFT 2022-092 AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF WATER USE CHARGES, WASTEWATER USE CHARGES, STORM WATER UTILITY CHARGES AND RECYCLING/SOLID WASTE COLLECTION CHARGES TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY FOR THE NON-PAYMENT OF WATER USE CHARGES, WASTEWATER USE CHARGES, STORM WATER UTILITY CHARGES AND RECYCLING/SOLID WASTE COLLECTION CHARGES, 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 2022-092 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, Mr. 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 2022-092 MADE by Mr. Roger Sidoti, 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, Mr. 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 2022-092 PASSED

DRAFT 2022-093 AN ORDINANCE ACCEPTING OPIOID SETTLEMENT FUNDS AND DIRECTING PLACEMENT OF SUCH FUNDS IN A SEPARATE FUND, 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 2022-093 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 2022-093 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 2022-093 PASSED

DRAFT 2022-095 AN ORDINANCE AUTHORIZING THE CERTIFICATION OF DELINQUENT MOWING BILLS, PROPERTY MAINTENANCE VIOLATIONS-CITATIONS, ZONING VIOLATIONS-CITATIONS, AND HEALTH DEPARTMENT VIOLATIONS-CITATIONS TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY SERVED BY THE MOWING SERVICES, PROPERTY MAINTENANCE VIOLATION-CITATIONS, ZONING VIOLATIONS-CITATIONS, HEALTH DEPARTMENT VIOLATIONS-CITATIONS, 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 2022-095 MADE by Mr. Michael DeLeone, 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 2022-095 MADE by Mr. Michael DeLeone, 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.

ORDINANCE 2022-095 PASSED

DRAFT 2022-096 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 (AUTHORIZED) was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF DRAFT 2022-096 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 2022-096 MADE by Mr. Michael DeLeone, 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 2022-096 PASSED

Unfinished Business

Ms. Shaffer Bish said she wanted to discuss the state fireworks legislation and the decision about whether to opt out or not. She was going to propose something different, but it had come to her attention that there was a possibility of moving the topic back into committee to reconsider.

Ms. Hope Jones said a motion for reconsideration had to be made at the session when the subject was voted on.

Mr. Ruller said there also had to be a motion from the side who voted in the majority.

MOTION TO EDUCATE CITIZENS ABOUT THE STATE'S NEW FIREWORKS LAW MODELED ROUGHLY ON THE BACKYARD FIRE ORDINANCE MADE BY Ms. Shaffer Bish and SECONDED by Ms. Wallach and CARRIED by a voice vote of 8-1-0.

Ms. Shaffer Bish said very few households have the land to meet the conditions of the law. She does not think people would know this. She would like to put out training and require people to contact the Fire Department if they plan on setting off fireworks, similar to what we do when we want to have a backyard fire.

Ms. Hope Jones said the second part of the motion is what we were running into last week. Any change to the State Law in regards to fireworks in an ordinance would be "opting out". Ms. Jones said it is ok to educate the public.

Ms. Shaffer Bish said she is OK with modifying her motion, but this needs to be done expeditiously, including in the Tree City Bulletin, so people can comply with the law. She is asking for the administration to come back to the Council with educational materials.

Mr. Kuhar thought this was already published in the Tree City Bulletin. Mr. Ruller said it was not in the Tree City Bulletin.

Ms. Tracy Wallach asked if it had been a year since she last brought up the no-idling ordinance. Mayor Fiala said Ms. Wilkens will look into this and let Ms. Wallach know.

New Business

MOTION TO TO REFER TO COMMITTEE TO REVIEW THE YARD WASTE POLICY FOR RENTAL PROPERTY OWNERS New Business MADE BY Mr. Garret Ferrara, SECONDED by Mr. John Kuhar and CARRIED by a voice vote of 9-0-0.

Councilmembers' Comments

Ms. Rosenberg said she is excited to see the Kent State students returning to campus. She is also excited about also seeing their parents and the faculty and staff. She said they made an excellent choice of higher education at Kent State University and a phenomenal choice of where to live. She welcomed them and said she looked forward to seeing them.

Mr. Kuhar said most of the time he is proud to say he is a councilmember, but cannot say that today. Some of the actions did not represent all of the citizens of Kent but, added, his conscience is clear.

Mr. Sidoti said he had gotten a number of phone calls about coyotes and it appeared along the river on the southwest side, there must be a den of coyotes. He said we will probably be hearing about

this again as they are running in large packs.

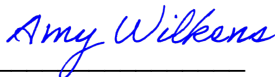
Mayor's Report

Mayor Fiala reminded everyone about the Dog Days of Summer event that is being held this weekend from 11 a.m. to 4 p.m. He also said the Police Academy is going to start September 1st, and highly suggested people take the time and go through the course.

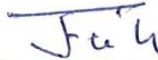
MOTION TO ENTER EXECUTIVE SESSION TO DISCUSS AN EMPLOYEE EVALUATION MADE BY Mr. Jack Amrhein, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 9-0-0.

MOTION TO RETURN TO THE REGULAR MEETING MADE BY Mr. DeLeone, SECONDED by Mr. Sidoti and CARRIED by a voice vote of 9-0-0.

No further action was taken and the meeting adjourned at 9:25 p.m.



Amy Wilkens
Clerk of Council



Jerry T. Fiala
Mayor & President of Council