



**City of Kent**  
**Wednesday, January 18, 2023**  
**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. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Service Director; Mr. Jim Bowling, City Engineer; Ms. Joan Seidel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Nick Shearer, Chief of Police; Mr. Bill Myers, Fire Chief; Mr. Nick Cecil, Director of IT.

**Absent:** Ms. Amy Wilkens, Clerk of Council

Mr. Turner presented his opening comments, mentioning the new City Hall and looking forward to great things happening in 2023. He asked everyone to stand for the Pledge of Allegiance.

**MOTION TO APPROVE MINUTES FROM DECEMBER 14, 2022 AND DECEMBER 21, 2022 MADE BY Mr. John Kuhar, SECONDED by Mr. Jack Amrhein and CARRIED by a voice vote of 8-0-1. Ms. Wallach voted 'Abstain'.**

**Communications**

**Public Comment**

There were no members of the public signed in to speak to Council.

**Written Communication**

1. Email from Erin Krebs in regards to a low frequency sound coming from a neighbor's house and the solution worked out between neighbors was received and forwarded to Council on January 4, 2023.

2. Standing Rock Cemetery Board of Trustees meeting agenda for January 12, 2023 was received on December 28, 2022.

Communication received after the agenda is published:

1. Notification of no Planning Commission Meeting being held on January 17, 2023 and the next meeting will be March 7, 2023 was received on January 17, 2023.
2. Board of Zoning Appeal Agenda and Staff Report for January 23, 2023 was received on January 17, 2023.
3. PY 2023 CDBG Implementation Schedule was received on January 17, 2023.
4. Civil Service Agenda for January 23, 2023 was received on January 17, 2023.

### **City Manager's Report**

1. Request Council's authorization to submit an Ohio EPA grant for \$10,000 (and accept and allocate those funds if approved) for use in the City's water system repair and maintenance. (Draft #2023-001)
2. Request Council's authorization for the Law Department to proceed with negotiating a settlement in ongoing lawsuit with the contractor for the City's Valleyview capital project. (Draft# 2023-003)
3. Request Council's authorization to accept a \$1,500 donation to Kent Parks & Recreation from the Henry V. and Frances W. Christenson Foundation.
4. Request Committee of the Whole time to suggest changes to the City's RLF Loan Review Board.
5. Request Committee of the Whole time to provide time to interview applicants for City Boards and Commission vacancies.
6. Request Committee of the Whole time to provide an update on the status of the new City Hall construction.
7. Request Streets, Sidewalks, & Utilities Committee time to ask for Council's authorization of a new Trail Construction, Maintenance and Use Agreement with Summit County Metro-Parks.
8. Request Finance Committee time to ask for Council's approval for the use of the 2023 NOPEC Event Sponsorship grant funds.

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

### **STANDING COMMITTEES & LEGISLATION**

#### **Committee of the Whole** Chair Mayor Fiala

**MOTION TO APPROVE JANUARY 4, 2023 COMMITTEE MEETING MINUTES AND ACTIONS RECOMMENDED MADE BY Mr. Michael DeLeone, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 8-0-1. Ms. Wallach voted 'Abstain'.**

Action(s) Recommended:

1. Keep the following items on Council's Pending list
2. Sustainability Commission to come up with 10 action items to fend off global warming
3. Explore Senior Center Advisory Committee

4. Review and Discuss unattended vehicle idling in the city
5. Design Guidelines reorganization
6. Discussion with Franklin Twp. on sidewalk snow shoveling and/or plowing
7. Parameters for low frequency noises
8. Proactively dealing with racism
9. Flag Committee
10. Changes in Fireworks Law

2. Remove the following items from Council's Pending list

1. Conflict of Interest for Boards and Commissions
2. Review of noise ordinance and recommendation
3. Animal control equipment discussion
4. Yard waste site policies

**Health & Safety Committee** Chair Amrhein/ Vice-Chair Sidoti

**MOTION TO APPROVE JANUARY 4, 2023 COMMITTEE MEETING MINUTES MADE BY** Mr. Jack Amrhein, **SECONDED** by Mr. Michael DeLeone and **CARRIED** by a voice vote of 8-0-1. Ms. Wallach voted 'Abstain'.

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

Action(s) Recommended:

1. Send Letter to Governor Mike Dewine requesting he veto HB 513 (letter not sent, Governor vetoed this bill on 1/5/23)

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

Committee Meeting Minute Approval : NONE

Action(s) Recommended: NONE

**DRAFT 2023-001** AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT AN EQUIPMENT GRANT APPLICATION REQUEST FOR \$10,000.00 TO THE OHIO ENVIRONMENTAL PROTECTION AGENCY (OEPA) AND TO ACCEPT THE GRANT, IF AWARDED, AND EXECUTE THE SUBSEQUENT GRANT AGREEMENT WITH CORRESPONDING APPROPRIATION OF FUNDS, FOR PUBLIC WATER SYSTEMS, AND DECLARING AN EMERGENCY was read by title only by Ms. Hope Jones per Mayor Fiala's request.

**MOTION TO SUSPEND THE THREE READINGS OF DRAFT 2023-001** AN ORDINANCE AUTHORIZING THE CITY MADE by Mr. John Kuhar, **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 2023-001** AN ORDINANCE AUTHORIZING THE CITY MADE by Mr. John Kuhar, **SECONDED** by Mr. Garret Ferrara. On Roll Call Voting "Yes" JMr. 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 2023-001 has passed.**

**Finance Committee** Chair DeLeone/ Vice-Chair Wallach

**MOTION TO APPROVE JANUARY 4, 2023 COMMITTEE MEETING MINUTES MADE BY** Mr. Michael DeLeone, **SECONDED** by Mr. Roger Sidoti and **CARRIED** by a voice vote of 8-0-1. Ms. Wallach voted 'Abstain'.

**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

Authorize the renewal of the IT Services contract with Quality IP, with the emergency clause.

**DRAFT 2023-002** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RENEW THE AGREEMENT WITH QUALITY IP AND THE CITY OF KENT TO HELP THE CITY'S TRANSITION TO MICROSOFT OFFICE 365, WAIVING COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY was read by title only by Ms. Hope Jones per Mayor Fiala's request.

**MOTION TO SUSPEND THE THREE READINGS OF DRAFT 2023-002 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 2023-002 MADE by** Garret Ferrara, **SECONDED** by 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.

**Ordinance 2023-002 has passed.**

**DRAFT 2023-003** AN ORDINANCE AUTHORIZING THE SETTLEMENT & RELEASE AGREEMENT BETWEEN THE CITY OF KENT AND FIORITTO CONSTRUCTION, LLC, AND DECLARING AN EMERGENCY was read by title only by Ms. Hope Jones per Mayor Fiala's request.

**MOTION TO SUSPEND THE THREE READINGS OF DRAFT 2023-003 AN ORDINANCE AUTHORIZING THE SETT 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 2023-003 AN ORDINANCE AUTHORIZING THE SETT 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.

**Ordinance 2023-003 has passed.**

**Unfinished Business** NONE

**Councilmembers' Comments**

Mr. Ferrara read the following statement:

"Tonight was a great night for the City of Kent. Signing the final I beam is a tradition of marking the capstone piece of a structure. Kent residents had the chance to put their names on what is sure to be a symbol of the capstone achievement of the City's resurgence. It is a symbol and a testament to the residents, volunteers, leaders and administration who have helped Kent become more economically and socially viable, and thus eminently more livable. We have not been in this position since the days when the railyards and river were the primary economic engines of the City. There is a new generation of residents and students that only know Kent as a vibrant, fun community with wonderful parks and natural resources and a thriving downtown with concerts, festivals, and a restaurant and nightlife scene that seemed unimaginable even 20 years ago. That generation, thankfully, doesn't know anything about urban decay, blight, empty buildings or land banking. Kent has had a truly transformative renaissance. After creating a rejuvenated and expanded Central Business District, and a Gateway strengthening and solidifying our connection with Kent State, we are taking a moment to pat ourselves---ourselves, as in the citizens of Kent---to pat ourselves on the back by building a City Hall that is reflective of a City with a great history and a greater future.

We are building a City Hall that represents the great citizens of a great city. We are building a city Hall that we all deserve, a city hall that says "We are proud of what and who we are, what we have accomplished, and we want a symbol of our pride and success." The new City Hall will be just that, and then some.

Just as the I beam represents the capstone piece of a structure; I look at the new City Hall as the capstone achievement of my time serving on City Council. I campaigned 24 years ago with three themes:

1. Be Pro Business. Redevelop Downtown by building a better economic environment more conducive to doing business in Kent.
2. Build a hotel in downtown Kent.
3. Develop a better, deeper partnership with Kent State.

I've seen these goals come to fruition over the past 23 years while serving the residents of Kent. In the process, we also got a conference center, a parking deck, a new fire station, a new police station- - We saved an historic hotel and transformed it into a key piece of the downtown redevelopment.

We redeveloped the blighted and dilapidated southern portion of downtown from Water St to Erie St along Haymaker Parkway, thus expanding the downtown footprint and tax base. Those are the big items, but there are smaller and yet equally important projects too numerous to list that have had meaningful purpose in Kent's renaissance.

I don't think there is a better way to thank the residents and those that work in Kent for their support and encouragement than by building a city hall that reflects the spirit, grit, and determination of the very people it serves.

I am honored to be a part of that progress. And after 24 years of service, I am asking the citizens of Ward 1 to put forth someone with high aspirations and lofty goals much like the person I was 24 years ago when I decided that I wanted to make Kent a better place and ran for Council. While I still aspire for Kent to reach higher and further and expect better, that person to take us there will not be me. I have chosen not to run for reelection. I thank all those who have supported me over the years, especially my biggest supporters: My wife Michele and my daughters Gianna and Francesca. I am honored that Michele and Francesca are here tonight. 24 years ago we were newly married and we had no children. Today Gianna is in her Freshman year at Bates College in Maine and Francesca is a Junior at Kent Roosevelt. Time sure flies. I can only ask that anyone who thinks they have an inkling to serve their community to please throw your hat into the ring or encourage someone to do so. The

City deserves a qualified council member with vision and desire to serve this great community. The democratic process is the greatest way to see that that happens. By having choices amongst candidates, the city's and citizens best interest are served and representatives are held accountable. Anyone interested has over 2 weeks to get 25 signatures on a petition to get their name on the ballot. Again, I urge everyone here to spread the word to anyone interested.

Let me finish where I started: The topping off ceremony is a symbol of the great achievement the city has made over the past 24 years. I am proud and honored to have been a part of that history. I look forward to serving out the remainder of my term in office this year the way I started my first term almost 24 years ago and have served ever since: with an objective view of doing what is best for Kent and those that live and work here.  
Thank you."

There was a standing ovation from Council and members of the audience. Mayor Fiala said that is hard to top, other than the topping off of the new city hall, and that he was shocked.

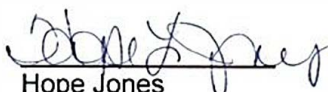
Mr. Turner said he was stunned, adding that he and Mr. Ferrara didn't always see eye to eye on political issues, but his work and commitment to the city has made it a shining city on a hill. He added that Kent would not be where it is today without the leadership he has shown. He said he was stunned and heart sick. He said he would be truly missed and it's difficult to have to deal with it tonight because we didn't see it coming. He thanked him for his leadership and commitment to making this community a better place. For that, he will be remembered and congratulated him on his next steps and hopes he will stay engaged and help direct the city in the place that its moving. He thanked Mr. Ferrara.

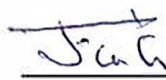
Mr. Kuhar said he didn't think he could ever retire because he couldn't put together as elegant of a speech as Garret. He added he would be missed and "good job".

### **Mayor's Report**

Mayor Fiala said it was 7:49 pm, and in his thirty years of public service, this was the shortest Council Meeting he ever attended. We will adjourn out of the Council meeting, but will be having a public information session by the Fire Department.

The Regular Council Meeting adjourned at 7:50 p.m.

  
Hope Jones  
Law Director

  
Jerry T. Fiala  
Mayor & President of Council

  
Amy Wilkins  
Clerk of Council

### **Public Information Presentation**

Chief Meyers and Captain Lynn provided an update on the Star of the Mill fire that occurred in downtown Kent on December 2, 2022, (Attachment #1) Pictures and video were shared with Council.

Ms. Shaffer Bish said experience mattered and it was really on the side of the fire department.

Mr. Sidoti asked about the possibility of getting a drone. There was a short discussion about the possibility of getting one. It could also be helpful during river rescues.

Many councilmembers commended the work of the Chief, the captain and all of the firefighters and staff that assisted during the fire.

