City of Kent

Wednesday, June 21, 2023

Regular City Council Meeting

320 S. Depeyster Street, Kent, OH 44240

MINUTES

Regular Council Meeting

At 07:30 PM, Mr. Jack Amrhein called the Regular City Council Meeting to order.

Present:	Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach
Also Present:	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. Amy Wilkens, Clerk of Council
Absent:	Mr. Jerry T. Fiala, Mayor and President of Council, Ms. Gwen Rosenberg

MOTION TO EXCUSE MAYOR FIALA AND MS. ROSENBERG MADE BY Mr. Garret Ferrara, SECONDED by Mr. John Kuhar and CARRIED by a voice vote of 8-0-0.

Opening Remarks and Pledge of Allegiance

Mr. Jack Amrhein welcomed everyone to the Council Meeting and asked all to stand for the Pledge of Allegiance.

Approval of Minutes

MOTION TO APPROVE MAY 17, 2023 REGULAR MEETING MINUTES MADE BY Mr. Michael DeLeone, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 8-0-0.

MOTION TO APPROVE MAY 31, 2023 SPECIAL MEETING MINUTES MADE BY Mr. Robin Turner, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 7-0-1. Ms. Wallach abstained.

Communications

Public Comment

Mr. Amrhein asked if there were any members of the public signed in to speak to Council. Ms. Wilkens stated there were no members of the public signed in to speak.

Written Communication

1. Certificate of Official Result of Election on Local Liquor Option Questions, Proof of Legal Ad Publication, and a sample of the Official Questions and issues ballot for May 2, 2023, were received from the Portage County Board of Elections on May 30, 2023.
2. A letter from Mr. Bernie Noble regarding the permitting process and the state of various properties around town was received on May 24, 2023.
3. Invitation to the Main Street Kent Annual Awards Celebration being held on June 13, 2023, was received and forwarded to Council on May 25, 2023.
4. The Standing Rock Cemetery Board of Trustees Agenda for the June 8, 2023 meeting was received on June 1, 2023.
5. Notification from the Portage County Board of Elections regarding the Special Election to be held Tuesday, August 8, 2023, was received on June 6, 2023.
6. Various emails from Kent residents and local musicians requesting City Council to consider allowing live music to continue in downtown Kent were received and forwarded to Council on June 6, 2023.
7. The Kent Board of Health Meeting Agenda and Statistical Report for June 13, 2023, was received on June 8, 2023.
8. The Board of Zoning Appeals Agenda for the June 19, 2023 meeting was received on June 12, 2023.
9. The Planning Commission Agenda for the June 20, 2023 meeting was received on June 12, 2023.
10. An email about new business development coming to the south end of Kent was received from Ms. Doria Daniels, Chairwoman of the Historic South End Association of Kent on June 13, 2023.

Additional Communication Received After Agenda Published:

1. Approved Meeting Minutes from Portage County Solid Waste Management Policy Committee Meeting held on June 16, 2022 was received on June 14, 2023.
2. Email from Joan Seidel was received on June 15, 2023 regarding the Kent South End Health Fair being held on June 24, 2023.
3. Board of Health Special Meeting Agenda for June 27, 2023 was received June 20, 2023.
4. Civil Service Commission Meeting Agenda for June 26, 2023 was received on June 21, 2023.

City Manager's Report

1. Request Council's approval to submit a NOPEC Foundation grant request for an amount of up to $40,000 for a feasibility study for local interest in energy efficiency in residential properties in Kent. (Draft # 2023-038)
2. Request Council's authorization to accept a $400 donation for the Parks and Recreation memorial tree program.
3. Request for Committee of the Whole time to provide an update on the status of the construction of the new City Hall building.
4. Request Community Development Committee time for Council's consideration of the proposed changes to the Ward maps based on the latest census data.

5. Request Community Development Committee time to provide an update on the status of the City's Design Guidelines review project.
6. Request Land Use Committee time to present a land dedication (Maple/Walnut) to Council for approval.
7. Request Council approval to submit the next round of Ohio Public Works Commission (OPWC) grant requests.
8. Request Finance Committee time to request Council's approval to submit a $34,000 first responder grant request.
9. Request Finance Committee time to present the 2024 Tax Budget for Council's approval for submission to Portage County.
10. Request Finance Committee time to present a 2023 Budget Appropriations amendment for Council's approval.

MOTION TO APPROVE CITY MANAGER'S REPORT MADE BY Mr. Robin Turner, SECONDED by Mr. John Kuhar and CARRIED by a voice vote of 8-0-0.

Standing Committees & Legislation

Committee of the Whole

MOTION TO APPROVE JUNE 7, 2023 COMMITTEE MEETING MINUTES MADE BY Mr. Michael DeLeone, SECONDED by Mr. Garret Ferrara and CARRIED by a voice vote of 8-0-0.

MOTION TO APPROVE ACTION(S) RECOMMENDED MADE BY Mr. Michael DeLeone, SECONDED by Mr. Garret Ferrara and CARRIED by a voice vote of 8-0-0.

Action(s) Recommended

1. Approve the new City of Kent Flag design.

MOTION TO APPOINT MATTHEW HATHAWAY TO THE CIVIL SERVICE COMMISSION MADE BY Mr. Michael DeLeone, SECONDED by Mr. Garret Ferrara and CARRIED by a voice vote of 8-0-0.

MOTION TO INSERT NAME INTO LEGISLATION MADE BY Mr. Michael DeLeone, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 8-0-0.

Draft 2023- 036 A RESOLUTION APPOINTING MATTHEW HATHAWAY TO THE CIVIL SERVICE COMMISSION AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mr. Amrhein's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft 2023- 036 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. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion was CARRIED by a roll call vote of 8-0-0.

MOTION TO ADOPT Draft 2023- 036 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. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion was CARRIED by a roll call vote of 8-0-0.

Resolution 2023-036 has passed as stated by Clerk Wilkens.

Draft 2023- 037 AN ORDINANCE ADOPTING THE NEW DESIGN FOR AN OFFICIAL FLAG FOR THE CITY OF KENT, OHIO, REPEALING RESOLUTION 1975-155, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mr. Amrhein's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft 2023- 037 MADE by Ms. Heidi Shaffer Bish, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 8-0-0.

MOTION TO ADOPT Draft 2023- 037 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. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 8-0-0.

Ordinance 2023-037 has passed as stated by Clerk Wilkens.

Health & Safety Committee

MOTION TO APPROVE JUNE 7, 2023, COMMITTEE MEETING MINUTES MADE BY Mr. Roger Sidoti, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 8-0-0.

MOTION TO APPROVE ACTION(S) RECOMMENDED MADE BY Mr. Roger Sidoti, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 8-0-0.

Actions Recommended:

1. Authorize staff to receive information regarding general, low-frequency noise heard within the city, not specific to one particular business, to determine if any future action is necessary and take no action at this time.
2. Authorize acceptance and distribution of bike helmets by the Kent City Health Department.

Finance Committee

Committee Meeting Minute Approval: NONE

Action(s) Recommended: NONE

Draft 2023-038 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SUBMIT AND ACCEPT ANY GRANT AWARD FROM THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) FOUNDATION NOT TO EXCEED $40,000 AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mr. Amrhein's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft 2023-038 MADE by Mr. John Kuhar, SECONDED by Ms. Tracy Wallach. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 8-0-0.

MOTION TO ADOPT Draft 2023-038 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. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 8-0-0.

Ordinance 2023-038 has passed as stated by Clerk Wilkens.

Unfinished Business: NONE

New Business

Mr. DeLeone stated it was just brought to his attention that the City Flag Committee was hoping to do something for the upcoming Heritage Festival and would need funding. Mr. Jon Ridinger and Mr. Kenneth Crookston from the Flag Committee addressed Council about the rollout of the new flag. Mr. Sidoti asked if we could get miniature flags delivered in time for the festival. Ms. Shaffer Bish said it would be nice if there would be a proposal and if members of the Flag Committee could attend the festival and man the booth. She suggested giving items to the public and encouraging the committee to order a large supply.

Mr. Ridinger said they could bring displays that were at the library and thought they could find stickers, pins, and small items to purchase prior to the event. Ms. Shaffer Bish asked if they had an idea of how much is needed.

Mr. Sidoti asked Ms. Hope Jones if a resolution could be passed to allow the committee to use up to $1000 for this purpose, and designate the City Manager's office to do so. Mr. Sidoti clarified whose budget it would come from and it was decided to provide funding from Council's budget.

Mr. Turner said it would have to be an ordinance, not a resolution. Ms. Hope Jones clarified it could be handled by a voice vote and a resolution would not be necessary. Mr. Turner asked if things could be provided for the children. Mr. Amrhein suggested coloring pages.

Mr. Sidoti asked if there was a Chamber of Commerce member who does printing and if they could reach out to him.

Mr. Ruller asked about the color of the flag. Mr. Ridinger said this will be most important when an actual flag maker makes the final flag.

MOTION TO APPROVE $1500 FOR THE CITY FLAG ROLLOUT MADE BY Mr. Roger Sidoti, SECONDED by Mr. Garret Ferrara, and CARRIED by a voice vote of 8-0-0.

Mr. Ferrara said he wanted to make a motion to refer to the Health and Safety Committee for a discussion about putting a moratorium on vape shops and medical marijuana shops. Mr. Ferrara said the proliferation of vape shops was depressing. They are selling nonregulated materials. There have been two crimes there and he feels they are the gateway to marijuana use. He thinks we need to get ahead of this.

Ms. Shaffer Bish said she is not sure we are able to put a moratorium on a business. Mr. Ferrara said this would be part of the discussion.

Mr. Sidoti said he seconded the motion because it stipulated putting it into a committee discussion.

Mr. Kuhar said he feels as if he is getting dragged off the track and is not sure we can do this. He thought it should be researched first.

Mr.Turner said he does not have an issue with education and discussion. He said they would do this through a discussion in committee. He thinks it is a good idea to be proactive and is something we can do as a legislative body.

MOTION TO SEND TO COMMITTEE A DISCUSSION CONCERNING A MORATORIUM ON VAPE SHOPS AND MARIJUANA SHOPS MADE BY Mr. Garret Ferrara, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 8-0-0.

Councilmembers' Comments

Mr. Kuhar said as councilmembers and elected officials, we are governed by what we do and how we do it. He said they have ordinances. laws and procedures they have to go by. Sometimes, personal feelings may get in the way of the correct decisions to make. They get approached by eloquent speeches and empathetic people that try to pull us off the tracks. As elected officials, we need to stay on the tracks and cannot be swayed by popular opinion. We have to do what is right by the rules and regulations. He said sometimes the people we are servicing needed reminded of that.

Mr. Turner said he was not aware the Mr. Michael DeLeone had lost his mother and that is the most difficult thing to go through. He had met his mother and she was a brilliant lady. He said he was sorry for the loss.

Mayor's Report: NONE

MOTION TO ENTER EXECUTIVE SESSION TO DISCUSS AN EMPLOYEE EVALUATION AND COMPENSATION MADE BY Mr. Jack Amrhein, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 8-0-0.

Mr. Amrhein gave the audience five minutes to clear the room before closing the doors for the Executive Session.

MOTION TO RETURN TO THE REGULAR COUNCIL MEETING MADE BY Mr. Robin Turner, SECONDED by Mr. John Kuhar and CARRIED by a voice vote of 8-0-0.

MOTION TO APPROVE CITY MANAGER CONTRACT EXTENSION TO 2030, GIVE AN EXTRA WEEKS' VACATION AND INCREASE IN COMPENSATION BY 4.75% MADE BY Mr. Garret Ferrara, SECONDED by Ms. Heidi Shaffer Bish and CARRIED by a voice vote of 8-0-0.

There was no further business conducted and the meeting adjourned at 8:28 p.m.

Amy Wilkens	Jack Amrhein
Amy Wilkens, CMC	Jack Amrhein
Clerk of Council	Council President Pro Tem