



City of Kent
Wednesday, November 15, 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; Mr. Jim Bowling, City Engineer; Mr. Jamie Samels, Interim Fire Chief; Ms. Dominique Bolenbacher, Community Engagement Coordinator; Ms. Amy Wilkens, Clerk of Council

Opening Remarks and Pledge of Allegiance

Mr. Kuhar said he didn't have any opening remarks. He said he was glad that everybody was here. He was glad to be there and asked everyone to please stand for the Pledge of Allegiance.

Approval of Minutes

MOTION TO APPROVE THE OCTOBER 18, 2023 REGULAR MEETING MINUTES MADE BY Mr. Michael DeLeone, SECONDED by Mr. John Kuhar 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 podium, Ms. Emily Ulm.

Emily Ulm, a resident of Rockwell Street, expressed concerns about changes in zoning laws in her neighborhood. She mentioned living there for 21 years and loving the area and its community. Her concerns arose when a long-term single-family-owned home was listed as a rental for five students. Emily expressed distress at this change but praised the prompt response of the city, thanking individuals like Bridget Susel and Eric Fink for their efforts in filing an injunction request to prevent the house from being rented this way. She hopes for a favorable ruling in court that aligns with the city's zoning laws, suggesting that it might influence the owner's decision about renting the house in this manner. Emily emphasized the significance of maintaining zoning laws, stating that allowing homes to become boarding houses or rooming houses could set a detrimental precedent, potentially altering the neighborhood's fabric. She concluded by highlighting the concern that increased student rentals could make it challenging for local families to purchase homes in the area, as they would face competition from outside investors seeking profit rather than residency. **(Attachment #1)**

Mark Seeman, another resident of Rockwell Street, echoed Ms. Emily Ulm's concerns regarding changes in their neighborhood. Mark has lived on Rockwell Street for 38 years and appreciates the historic nature of the area, enjoying its proximity to town and cherishing his retirement there. He expressed distress upon learning that a neighboring property had been sold to New Era Rentals for over \$200,000. This property, previously vacant, is being advertised as a potential student rental despite not aligning with the current zoning laws. Mark highlights the intentions of the new owners to convert the four-bedroom house into a five-bedroom rental, charging \$600 per student, potentially making \$3,000 a month from the property. Mark emphasized the larger issue at hand, pointing out the strain on housing resources due to Kent State University's substantial student population without adequate on-campus housing options. He stresses the need for a balance between student housing demand and maintaining the neighborhood's character as a residential area, not simply a community catering solely to student rentals. He also brings attention to New Era Rentals' previous lawsuits against the city to alter zoning laws for their benefit, urging the council to consider this when addressing the situation. Mr. Seeman hopes his presentation will emphasize the urgency of the matter and encourage the council to support the neighborhood's interests amidst the challenges posed by increasing student rental properties in the area.

Julia Weisman, who resides on Bryce Rd., in Kent, spoke next. She addressed a situation regarding ongoing noise disturbances from her neighbor. She began by thanking specific council members and former officials for their past assistance in addressing illegal fires caused by the neighbor. Unfortunately, despite the fires stopping, Ms. Weisman said retaliatory behavior has persisted, causing continuous disruptions. The neighbor had created excessive noise, including offensive language, making it challenging for Ms. Weisman to enjoy her home. She said that despite multiple attempts to peacefully resolve the issue, the neighbor's behavior remains disruptive. Ms. Weisman expressed fear due to past menacing and verbal threats directed at her. She detailed her efforts to address the situation legally, including calling the police and recording the disturbances. She said she signed charges against the neighbor, but the prosecutor dismissed the case without her knowledge or notification, leaving her feeling disregarded and unsafe. She highlighted the neighbor's history of police complaints and connections to city officials, expressing concerns about biases influencing legal decisions. Ms. Weisman then requested an external investigation by investigators from outside Kent to ensure impartiality and fair handling of

the case. She emphasized the importance of enforcing noise ordinances and sought accountability regarding the dismissal of charges, aiming for transparency in how laws are enforced within the city.

Mr. Mark Weisman, who resides on Bryce Rd. said he is choosing not to speak further since his wife, Julia Weisman, effectively conveyed their shared concerns during her address.

Ms. Wendy DeAlesandro who resides on Mogadore Rd., addressed City Council regarding the noise ordinance. Drawing from her experience covering a similar issue in Streetsboro Council, she suggested adopting a similar approach to warning individuals before issuing noise citations. In Streetsboro, individuals are typically warned three times before receiving a citation for ongoing noise disturbances. She emphasized the importance of specific warnings tied to particular incidents, preventing past warnings from being used against individuals for unrelated occurrences months later. Wendy also expressed concerns about relying solely on recordings as evidence for noise complaints, citing worries about potential manipulation of audio levels with advancing technology. She urged the council to review and potentially revise the noise ordinance, suggesting a need for specific warnings and exploring alternative methods beyond recordings to address noise disturbances effectively.

Written Communication

- Standing Rock Cemetery Agenda for November 9, 2023 was received on November 3, 2023.
- Liquor License TRANSFER request for Timothy J. Surgen, 802 N. Mantua St. Kent. was received on September 27, 2023. After further review, Chief Shearer and Hope Jones had no objections.

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

- Proclamation request for LoveLight's 2023 Multicultural Holiday Festival was received on October 30, 2023.
- Proclamation request for PBS Western Reserve's 50th Anniversary, which is to be held on November 30, 2023, was received on November 3, 2023.

Additional Communication Received:

- Email from resident Wendy DiAlesandro in regards to Kent's Noise Ordinance was received and forwarded to Council on November 14, 2023.
- The Parks and Recreation Board Packet for their meeting on November 16, 2023 was received and posted on November 14, 2023.
- The Kent Board of Health Meeting Agenda for November 14, 2023 was received on November 13, 2023.

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

- Request Council's authorization to accept a donation of a framed photo of the Mill fire from McKay Bricker valued at \$166.01.
- Request Council's authorization to accept a \$100 gift card donation to the Kent Fire Department.
- Request Council's authorization to enter into the NOPEC Resiliency and Sustainability Program and accept services valued at \$40,000.

- Request Council's authorization to hold a public hearing on 12/6/23 to receive public comment on proposed text amendments to the Zoning Code.
- Request asked for Committee time to share information on the proposed new "Safety Town" project.
- Request Committee of the Whole time to present an update on the status of the construction of the new City Administration building.
- Request Community Development time to present the final version of the design guidelines for Councils' final comments and approval.
- Request Land Use Committee time to present the proposed rezoning request on Johnson Road.
- Request Streets, Sidewalks & Utilities Committee time to present proposed updates to the City Code that are designed to streamline the approval of new and recurring special events in Kent that require street closures for under 3 hours.
- Request Streets, Sidewalks & Utilities Committee time to present a request for street closures corresponding to the 2024 Eclipse event in April.
- Request Finance Committee time to request Council's authorization to renew the City's contract with the Portage County Public Defender's Office for 2024.
- Request Finance Committee time to present the proposed 2024 Operating Budget for Council's approval.
- Request Finance Committee time to present the list "then and now" purchase order for 2023 that require end of year authorization.

Standing Committees & Legislation

Committee of the Whole

MOTION TO APPROVE NOVEMBER 1, 2023 COMMITTEE MEETING MINUTES AND NOVEMBER 8, 2023 SPECIAL COMMITTEE MEETING MINUTES MADE BY Mr. Michael DeLeone, SECONDED by Mr. John Kuhar and CARRIED by a voice vote of 9-0-0.

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

Action Recommended:

1. Return Ordinance 2023-061 back to the Regular City Council Meeting for a second reading on November 15, 2023, and a third reading at the Special Council Meeting being held on December 6, 2023.

Voting on Board and Commission Appointments

MOTION TO APPOINT DAVID HANSFORD TO THE BOARD OF BUILDING APPEALS MADE BY MR. GARRET FERRARA SECONDED BY MR. SIDOTI AND CARRIED BY A VOICE VOTE OF 9-0-0.

MOTION TO APPOINT EVAN HOWE TO THE BOARD OF HEALTH MADE BY MS. HEIDI SHAFFER BISH SECONDED BY MR. GARRET FERRARA AND CARRIED BY A VOICE VOTE OF 9-0-0.

MOTION TO APPOINT MICHELLE SAHR AND STEVE PROTZMAN TO THE BOARD OF ZONING APPEALS MADE BY MR. JOHN KUCHAR SECONDED BY MS. HEIDI SHAFFER BISH AND CARRIED BY A VOICE VOTE OF 9-0-0.

MOTION TO APPOINT MS. KATHLEEN ENDRES AND MR. DAVID MERTZ TO THE COMMITTEE ON DESIGN AND PRESERVATION MADE BY MR. ROGER SIDOTI SECONDED BY MS. HEIDI SHAFFER BISH AND CARRIED BY A VOICE VOTE

OF 9-0-0.

MOTION TO APPOINT KELEIGH VERRALDO-ZUCCHERO TO THE FAIR HOUSING BOARD MADE BY MR. GARRET FERRARA SECONDED BY MS. TRACY WALLACH AND CARRIED BY A VOICE VOTE OF 9-0-0.

MOTION TO APPOINT RODERICK MOXLEY JR. TO THE PARKS AND RECREATION BOARD MADE BY TRACY WALLACH SECONDED BY GWEN ROSENBERG AND CARRIED BY A VOICE VOTE OF 9-0-0.

MOTION TO APPOINT NASER MATAR TO THE PLANNING COMMISSION MADE BY MR. JOHN KUCHAR SECONDED BY MS. GWEN ROSENBERG AND CARRIED BY A VOICE VOTE OF 9-0-0.

MOTION TO APPOINT REBEKKA BERRYHILL TO THE SHADE TREE COMMISSION MADE BY MR. ROGER SIDOTI SECONDED BY MR. GARRET FERRARA AND CARRIED BY A VOICE VOTE OF 9-0-0.

MOTION TO APPOINT MR. JIM JENKINS TO THE SHADE TREE COMMISSION MADE BY MR. ROGER SIDOTI SECONDED BY MR. JOHN KUCHAR AND CARRIED BY A VOICE VOTE OF 9-0-0.

MOTION TO APPOINT MARYJAYNE STONE TO THE SUSTAINABILITY COMMISSION MADE BY MS. HEIDI SHAFFER BISH SECONDED BY MS. TRACY WALLACH AND CARRIED BY A VOICE VOTE OF 9-0-0.

MOTION TO AUTHORIZE INSERTION OF NAMES INTO LEGISLATION MADE BY Mr. Jack Amrhein, SECONDED by Mr. John Kuhar and CARRIED by a voice vote of 9-0-0.

DRAFT 2023-072 A RESOLUTION APPOINTING DAVID HANSFORD TO THE BOARD OF BUILDING APPEALS 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 2023-072 A RESOLUTION APPOINTING DAVID HANSFORD 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 was CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT DRAFT 2023-072 A RESOLUTION APPOINTING DAVID HANSFORD 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 was CARRIED by a roll call vote of 9-0-0.

Resolution 2023-072 has passed.

DRAFT 2023-073 A RESOLUTION APPOINTING EVAN HOWE TO THE BOARD OF HEALTH, 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 2023-073 A RESOLUTION APPOINTING EVAN HOWE 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 was CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT DRAFT 2023-073 A RESOLUTION APPOINTING EVAN HOWE 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 was CARRIED by a roll call vote of 9-0-0.

Resolution 2023-073 has passed.

DRAFT 2023-074 A RESOLUTION APPOINTING MICHELLE SAHR AND STEVE PROTZMAN TO THE BOARD OF ZONING APPEALS 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 2023-074 A RESOLUTION APPOINTING MICHELLE SAHR AND STEVE PROTZMAN 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. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion was CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT DRAFT 2023-074 A RESOLUTION APPOINTING MICHELLE SAHR AND STEVE PROTZMAN MADE by Ms. Heidi Shaffer Bish, 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 was CARRIED by a roll call vote of 9-0-0.

Resolution 2023-074 has passed.

DRAFT 2023- 075 A RESOLUTION APPOINTING KATHLEEN ENDRES AND DAVID MERTZ TO THE COMMITTEE ON DESIGN AND PRESERVATION 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 2023- 075 A RESOLUTION APPOINTING KATHLEEN ENDRES AND DAVID MERTZ 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 was CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT DRAFT 2023- 075 A RESOLUTION APPOINTING KATHLEEN ENDRES AND DAVID MERTZ 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 was CARRIED by a roll call vote of 9-0-0.

Resolution 2023-075 has passed.

DRAFT 2023- 076 A RESOLUTION APPOINTING KELEIGH VERALDO-ZUCCHERO TO THE FAIR HOUSING BOARD 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 2023- 076 A RESOLUTION APPOINTING KELEIGH VERALDO-ZUCCHERO 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 was CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT DRAFT 2023- 076 A RESOLUTION APPOINTING KELEIGH VERALDO-ZUCCHERO MADE by Mr. Roger Sidoti, 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 was CARRIED by a roll call vote of 9-0-0.

Resolution 2023-076 has passed.

DRAFT 2023- 077 A RESOLUTION APPOINTING RODERICK MOXLEY JR. TO THE PARKS AND RECREATION BOARD 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 2023- 077 A RESOLUTION APPOINTING RODERICK MOXLEY JR. 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 was CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT DRAFT 2023- 077 A RESOLUTION APPOINTING RODERICK MOXLEY JR. MADE by Mr. John Kuhar, SECONDED by Mr. Roger Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion was CARRIED by a roll call vote of 9-0-0.

Resolution 2023-077 has passed.

DRAFT 2023-078 A RESOLUTION APPOINTING NASER MATAR TO THE PLANNING COMMISSION 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 2023-078 A RESOLUTION APPOINTING NASER MATAR 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 was CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT DRAFT 2023-078 A RESOLUTION APPOINTING NASER MATAR 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. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion was CARRIED by a roll call vote of 9-0-0.

Resolution 2023-078 has passed.

DRAFT 2023- 079 A RESOLUTION APPOINTING REBEKKA BERRYHIL and 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 OF DRAFT 2023- 079 A RESOLUTION APPOINTING REBEKKA BERRYHIL and JIM JENKINS 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

was CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT DRAFT 2023- 079 A RESOLUTION APPOINTING REBEKKA BERRYHIL and JIM JENKINS 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 was CARRIED by a roll call vote of 9-0-0.

Resolution 2023-079 has passed.

DRAFT 2023-080 A RESOLUTION APPOINTING MARYJAYNE STONE 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 OF DRAFT 2023-080 A RESOLUTION APPOINTING MARYJAYNE STONE MADE by Ms. Heidi Shaffer Bish, SECONDED by Ms. Tracy Wallach. 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 was CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT DRAFT 2023-080 A RESOLUTION APPOINTING MARYJAYNE STONE MADE by Ms. Heidi Shaffer Bish, SECONDED by Ms. Tracy Wallach. 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 was CARRIED by a roll call vote of 9-0-0.

Resolution 2023-080 has passed.

Draft 2023- 061 (2nd Reading) AN ORDINANCE PROVIDING AN AMENDMENT TO THE CHARTER OF THE CITY OF KENT, OHIO TO BE SUBMITTED AT THE PRIMARY ELECTION ON MARCH 19, 2024, WHICH WILL AMEND ARTICLE XII, SECTION 12.02 TITLED "VOTING WARD APPORTIONMENT," AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE THE SECOND READING OF Draft 2023- 061 MADE by Ms. Heidi Shaffer Bish, SECONDED by Ms. Tracy Wallach. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Ms. Heidi Shaffer Bish, Mr. Robin Turner, Ms. Tracy Wallach. Voting "No" Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Mr. Roger Sidoti, The motion was CARRIED by a roll call vote of 5-4-0.

The second reading was approved by a majority vote and the third and final reading will occur at a Special Meeting being held on December 6, 2023.

Health & Safety Committee

MOTION TO APPROVE THE NOVEMBER 1, 2023 COMMITTEE MEETING MINUTES MADE BY Mr. Jack Amrhein, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 8-1-0.

MOTION TO APPROVE ACTION(S) RECOMMENDED MADE BY Mr. Jack Amrhein, SECONDED by Mr. Garret Ferrara and CARRIED by a voice vote of 5-4-0. Voting "Yes", Mr. Amrhein, Mr. DeLeone, Ms. Shaffer Bish, Mr. Turner and Ms. Wallach. Voting "No", Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, and Mr. Sidoti.

Council discussed the proposed ordinance limiting cars idling while unattended:

Opposition: Some members opposed the ordinance due to concerns about government imposition on people's choices, the impact on low-income residents, and the multitude of exceptions in the ordinance. They questioned its practicality, enforcement challenges, and potential burden on certain demographics.

Support: Others supported the ordinance as a step toward addressing climate change and viewed it as a messaging tool to signify concern about the environmental impact. They emphasized that the ordinance aligns with state laws and encourages responsible behavior without imposing significant hardships.

Concerns and Clarifications: Discussions revolved around the difference between "unattended" and "occupied," highlighting the potential ambiguity and the necessity of clarifying the ordinance for effective enforcement. Concerns were raised regarding exceptions, enforcement feasibility, and the impact on various groups, including delivery drivers and low-income individuals.

Ultimately, while some members raised doubts about the ordinance's efficacy and practicality due to numerous exceptions, others viewed it as a symbolic step toward climate action, leading to a divided opinion among the council members.

Action Recommended:

1. Authorize revisions to Kent Revised Code 351.08 restricting motor vehicle engines to continue running while unoccupied, with exceptions for residential property, emergency vehicles, public safety vehicles and public service agreements, with an emergency clause.

Draft 2023-081 AN ORDINANCE AMENDING CHAPTER 351 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED "PARKING GENERALLY", 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 2023-081 MADE by Mr. Michael DeLeone, SECONDED by Ms. Tracy Wallach. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Ms. Heidi Shaffer Bish, Mr. Robin Turner, and Ms. Tracy Wallach The motion FAILED by a roll call vote of 5-4-0.

MOTION TO APPROVE THE FIRST READING OF Draft 2023-081 MADE by Mr. Michael DeLeone, SECONDED by Ms. Tracy Wallach. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Ms. Heidi Shaffer Bish, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 5-4-0.

The first reading of Draft 2023-081 has passed.

Streets, Sidewalks and Utilities

MOTION TO APPROVE NOVEMBER 1, 2023 COMMITTEE MEETING MINUTES MADE BY Mr. Roger Sidoti, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 8-0-1 with Mr. Sidoti abstaining.

Action(s) Recommended

1. None

Finance Committee

MOTION TO APPROVE NOVEMBER 1, 2023 COMMITTEE MEETING MINUTES MADE BY Mr. Michael DeLeone, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 8-0-1. Mr. Sidoti voted abstain.

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

1. Authorize the County Auditor to transfer the tax proceeds for 2023 in advance of the 2024 settlement date, with an emergency clause.
2. Approve the 2024-2028 Capital Improvement Plan, with the emergency clause.
3. Authorize projects for AMATS grant funding, with appropriate allocation of funds, with an emergency clause.
4. Authorize the amendment of the City's Tax Ordinance to align with State Tax Code requirements, with an emergency clause.
5. Authorize the Kent Downtown Community Urban Redevelopment Corporation (aka DKC) to transfer PPN 17-025-30-00-027-000 (252 N. Water Street, Kent OH), PPN 17-025-30-00-028-000 (vacant lot), and PPN 17-025-30-00-029-000 (266 N. Water Street, Kent, Ohio) back to the City of Kent, Ohio and authorize the City of Kent, Ohio to sell PPN 17-025-30-00-027-000 (252 N. Water Street, Kent OH), for seventy thousand dollars and no cents (\$70,000.00) and the sale of PPN 17-025-30-00-028-000 (vacant lot) for seventy thousand dollars and no cents (\$70,000.00) to Andrea Chisnell (representative of record for Madalena's) for a total to be paid of one hundred forty thousand dollars and no cents (\$140,000.00) for the purpose of redeveloping the parcels for an Italian restaurant.

Draft 2023- 082 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 2023 TAX YEAR COLLECTION PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE, 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 2023- 082 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 was CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2023- 082 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 was CARRIED by a roll call vote of 9-0-0.

Resolution 2023-082 has passed.

Draft 2023-083 AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT THREE (3) FUNDING APPLICATIONS TOTALING \$6,068,800 AND TO EXECUTE THE SUBSEQUENT AGREEMENT TO THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS), AND TO ACCEPT THE GRANTS, IF AWARDED, WITH CORRESPONDING APPROPRIATION OF FUNDS FOR THE CONSTRUCTION PHASE OF SR59 AND NORTH MAIN STREET AND RESURFACING OF MOGADORE ROAD, 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 2023-083 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 was CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2023-083 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 was CARRIED by a roll call vote of 9-0-0.

Ordinance 2023-083 has passed.

Draft 2023-084 AN ORDINANCE AMENDING CHAPTER 187 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED "INCOME TAX", 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 2023-084 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 was CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2023-084 AN ORDINANCE AMENDING CHAPTER 187 MADE by Mr. DeLeone, SECONDED by Mr. 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 was CARRIED by a roll call vote of 9-0-0.

Ordinance 2023-084 has passed.

Draft 2023- 085 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO COMPLETE NEGOTIATIONS FOR, DRAFT, AND EXECUTE A PURCHASE AGREEMENT FOR THE SALE OF PARCELS OF PROPERTY KNOWN AS 252 N. WATER STREET AND PPN 17-025-30-00-028-000 A VACANT LOT ON N. WATER STREET, KENT, OHIO TO ANDREA CHISNELL, FOR \$140,000.00, 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 2023- 085 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, Ms. Tracy Wallach. The motion was CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2023- 085 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, Ms. Tracy Wallach. The motion was CARRIED by a roll call vote of 9-0-0.

Ordinance 2023-085 has passed.

Unfinished Business

Mr. Kuhar brought up a previous discussion related to the Planning Commission and the time taken for plans to be approved and finalized. Mr. Kuhar is seeking an update on the investigation or results regarding this matter. The council members reflected on whether they've received an email or information addressing these concerns previously. Ms. Rosenberg remembers getting a detailed explanation from Ms. Susel that explained their process. The email will again be shared with Mr. Kuhar and the rest of City Council.

New Business

MOTION TO REFER TO ADMINISTRATION A REVIEW OF MS. WEISMAN'S COMMENTS ABOUT NEIGHBOR PROBLEMS AND REPORT BACK TO COUNCIL MADE BY Mr. Garret Ferrara, SECONDED by Ms. Heidi Shaffer Bish and CARRIED by a voice vote of 9-0-0.

Ms. Shaffer Bish highlighted the importance of residents feeling comfortable enough to report issues to the authorities, especially when it pertains to neighborhood problems. She emphasized the significance of an open pathway for residents to address concerns and take action, indicating a willingness to discuss the situation further and find ways to facilitate and encourage reporting on these issues to ensure a safer and more inclusive community.

Mr. Kuhar expressed surprise and concern about the lack of transparency, emphasizing the importance of delivering on promises of transparency within the municipality. He's eager to receive answers and resolve the situation to maintain the credibility of the council.

Mr. Turner emphasized the importance of transparency and communication with the residents. He expressed confidence in the competence and integrity of their city departments but acknowledged the need to address concerns brought forward by residents. The aim is to ensure that any mistakes made are acknowledged and rectified to maintain the trust of the community.

Mr. Kuhar pointed out an apparent irony between two situations discussed during the meeting—one involving a rental house in a residential area and another about a landlord disregarding a resident's complaint. He advocated holding landlords accountable for their tenants' conduct, agreeing that the matter should be investigated further.

MOTION TO SEND TO COMMITTEE THE NOISE ORDINANCE FOR FURTHER REVIEW MADE BY Mr. Jack Amrhein, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 9-0-0.

Mr. Amrhein said he wanted to address the idea the Wendy DeAlesandro had brought forward during public comment.

Councilmembers' Comments

Mr. Garret Ferrara said he was glad to see John back after a health scare, offering assistance in a light-hearted manner and offering to take him to future doctor appointments in his warm car.

Ms. Gwen Rosenberg expressed gratitude to the residents who attended the meeting and voiced their concerns about a house on Rockwell Street. She acknowledged their effort and time, emphasizing the importance of residents directly sharing their concerns with the Council. She assured them that their input would be kept in mind, especially regarding zoning matters and the impact of rental properties on the neighborhood.

Mr. Roger Sidoti expressed gratitude to those who applied for the boards and commissions, acknowledging the commitment shown by those reapplying for these positions. He also mentions that there are still openings available and encourages anyone interested in contributing to reach out to

Amy Wilkens.

Ms. Shaffer Bish said she wanted to expand on Ms. Rosenberg's comments showing concern about the conversion of single-family homes into rental properties, particularly in Ward 5. She emphasized the importance of vigilance and upholding the rental property policy to maintain the community's housing diversity. She expressed gratitude to the residents of Rockwell Street for their involvement in addressing these issues and highlighting the need to preserve housing for families and homebuyers while ensuring housing options for students as well.

Mr. John Kuhar reflected on nearly two decades of serving the community as a council member, expressing gratitude to everyone who supported and allowed him to represent the citizens of Kent. It's heartening to see such appreciation for the opportunity to serve.

Mr. Turner acknowledged the departing council members, recognizing their diverse perspectives and the integral roles they've played in the city's progress. The emphasis on maintaining the city's integrity, responding to challenges, and preserving the quality of life for residents is clear. It's also great to see an open invitation for citizens to continue engaging with the council and sharing their concerns for the betterment of the community.

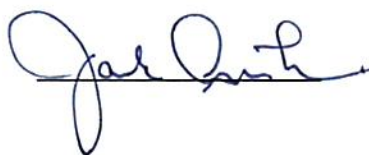
Mayor's Report

Mayor Fiala said he had attended a meeting with City Manager Dave Ruller about next year's solar eclipse. It's common for cities to plan for events like these, especially when they're expected to draw in a lot of visitors. Planning might involve discussions on how the event could impact the city, managing the influx of people, ensuring safety, and potentially capitalizing on the opportunity to showcase the city to visitors.

He said that next week is the Thanksgiving Holiday. It's a time to not only appreciate what we have but also extend kindness to those who might need it most. Whether it's through community efforts, donations, or simply offering support to those in need, these gestures can make a significant difference during the holiday season. Wishing everyone a Happy Thanksgiving.

Hearing no further business, the meeting adjourned at 8:55 p.m.


Amy Wilkens, CMC
Clerk of Council



Any person who requires an auxiliary aid or service for effective communication or a modification of policies and procedures to participate in any City or City Council public meeting or event should contact the Clerk of Council at 330-676-7555 or councilclerk@kent-ohio.org. Any request for auxiliary aid or other accommodation should be made as soon as possible, but no later than forty-eight hours prior to the event.

Thank you for the opportunity to speak before the council. My husband and I have lived on Rockwell St for 21 years and we love it, we love the location and the neighbors, some of whom are here tonight, some of whom are on council.

We never thought much about zoning laws until a house on the street, which had been a single family, owner-occupied house for at least 60 years, changed hands and was listed as rental for 5 students. I was extremely distressed when I found out, but I have been quite impressed by the city's response so far. I would especially like to thank Bridget Susel and Eric Fink for being so prompt in filing an injunction request to prevent it from being rented out this way.

I hope that if the case gets to court soon, and the judge rules in favor of the city's zoning laws, that it might change the owner's minds about renting the house this way.

If not, I hope that the city will not give up on this case and others like it. If R-2 zoned homes are allowed to be turned into boarding houses, it sets a bad precedent. Without zoning laws and enforcement, literally any house in the city could be turned into a rooming house, which would change the fabric of the neighborhoods considerably. If every house that goes to market becomes a potential student rental, it will become even harder for local families to buy homes to live in since they will have to compete with outside investors who see our neighborhoods not as a place to live, but as a way to make money.