



City of Kent
Wednesday, March 20, 2024
Regular City Council Meeting
320 S. Depeyster Street, Kent, OH 44240

MINUTES

At 06:59 PM, Mayor Jerry T. Fiala called the Regular City Council Meeting to order.

Present: Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner

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; Mr. Jamie Samels, Fire Chief; Ms. Dominique Bollenbacher, Community Engagement Coordinator; Ms. Amy Wilkens, Clerk of Council

Absent: Mr. Chris Hook

MOTION TO EXCUSE MR. CHRIS HOOK MADE BY Mr. Roger Sidoti, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 8-0-0.

Opening Remarks and Pledge of Allegiance

Mayor Fiala said that it was Mr. Turner's turn for opening remarks. Mr. Turner asked for everyone to stand for the Pledge of Allegiance.

Approval of Minutes

MOTION TO APPROVE FEBRUARY 21, 2024 REGULAR CITY COUNCIL MEETING MINUTES AND MARCH 6, 2024 SPECIAL CITY COUNCIL MINUTES MADE BY Mr. Robin Turner, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 8-0-0.

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 when residents and others can comment on matters that concern them. However, we will not engage in debate, and as President of the 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, Clerk of Council, called the first member of the public to speak.

Ms. Laura Mohnacky of 503 Laurel Drive, introduced herself to City Council and read from a prepared statement regarding the problems her daughter is having with a semi truck parking in the neighborhood (Attachment #1).

The second speaker was called to the microphone.

Ms. Tracy Wallach who resides at 231 Starr Ave. in Kent approached the microphone to speak to Council. She urged the Council to reconsider adopting the new ward boundaries and proposed keeping the current ones. She suggested putting before the residents a change in the city charter on the fall ballot, increasing the required population difference for changing ward boundaries from 10% to 15%. She highlighted the low risk of legal challenges and emphasized the benefits of maintaining compact, contiguous wards to avoid confusion among residents, especially during elections. Ms. Wallach encouraged the Council to prioritize clarity and continuity in the ward boundaries for the benefit of the community.

Up next was the Kent KSS Robotics Team. Mr. Logan Crowley introduced the First Lego League team 37348, "Charged Up," which meets at KSS Robotics in Kent. The team shared their mission to develop robotics skills and tackle this year's challenge statement on sharing hobbies on a global scale. They collaborated with experts and developed a project called "Dip and Dabble," a VR hobby library. The team received top awards at competitions, including an advancement to the World Championship. They asked for assistance in promoting their event, sponsorship opportunities, and GoFundMe campaign to represent Ohio at the championship.

Written Communication

1. An application to the Standing Rock Cemetery Board of Trustees from Jim Stroble was received on February 26, 2024.
2. Letter from Leo Lux resigning from the Standing Rock Cemetery Board of Trustees effective May 31, 2024 was received on March 15, 2024.
3. The Planning Commission Agenda and Staff report for March 5, 2024 was received on February 28, 2024.
4. An email was received from Parks and Recreation Director, Angela Manley that Neil Dukes would not be able to finish his term on the Park Board. His official written resignation is pending.
5. Notification from the Community Development Department was received on March 6, 2024, that there would be no Board of Zoning Appeals meeting on March 18, 2024.
6. Letter from PARTA notifying Council that Karen Beck's term on their board will be expiring June 30, 2024 and asking Council to take action to reappoint or replace her was received on March 5, 2024.
7. The Civil Service Meeting Agenda for March 18, 2024, was received on March 13, 2024.
8. The Standing Rock Cemetery Board Agenda for March 14, 2024, was received on February 29, 2024.
9. An email from Rick Hawksley regarding the Architectural Review Board was received and forwarded to Council on February 21, 2024.

10. A request for a Mayoral Proclamation for Davey Tree was received on February 20, 2024 for their event being held on March 15, 2024 to commemorate March 15 to commemorate the grand reopening of their corporate office.
11. An email from Rick Hawksley regarding the purposes of design guidelines in communities was received and forwarded to Council on March 14, 2024.
12. Liquor License transfer request was received March 11, 2024 for Chipotle Mexican Grill of Colorado LLC DBA Chipotle Mexican Grill 4355, transferring the license from 429 E. Main Street to 605 E. Main Street, Kent. Chief Shearer has no objections.

MOTION TO RETURN LIQUOR LICENSE REQUEST WITH NO OBJECTION MADE BY Mr. Michael DeLeone, **SECONDED** by Mr. Roger Sidoti and **CARRIED** by a voice vote of 8-0-0.

Additional Comments Received After Agenda Published:

- Parks and Rec Agenda Packet for the March 21, 2024 meeting was received on March 15 2024.
- Kent City Flag Commission meeting minutes from the March 13, 2024 meeting were received on March 14, 2024
- Parks and Recreation Board applications from Adam Livengood, Crystal Foster and Chelsea Treveline and applications for Standing Rock Cemetery Board from Judith Shaw and Paul Tucek.

City Manager's Report

MOTION TO APPROVE CITY MANAGER'S REPORT MADE BY Mr. Jack Amrhein, **SECONDED** by Ms. Gwen Rosenberg and **CARRIED** by a voice vote of 8-0-0.

1. Request for authorization to accept a \$500 donation from the Kent Rotary Foundation to be used towards the 2024 Eclipse Mural Project.
2. Request for authorization to accept a \$5,000 donation from Main Street Kent to be used towards the 2024 Eclipse Mural Project.
3. Request for authorization to accept a \$500 donation from Timberland Enterprises, Inc. (OBA Ray's Place) to be used towards the Kent Parks and Recreation Adult Easter Egg hunt.
4. Request Council's authorization to re-appoint Bridget and officially appoint Eric Helmstedter as Tom's replacement on the City's Tax Increment Review Council (TIRC). (Draft Number 2024-026)
5. Request approval of 4 right of way easements negotiated at fair market value with private property owners for the East Main Street Improvement Project. (Draft Number 2024-028)
6. Request approval to renew and make permanent the changes made to the permissible hours of live music in businesses located within the DORA that were adopted in 2023. (Draft Number 2024-029)
7. Request authorization to submit a FEMA Assistance to Firefighters Grant (AFG) in the amount of \$28,020 to be used for the replacement of aging fire hoses.
8. Request Committee of the Whole time to share a final update of staff preparations for the upcoming eclipse events.
9. Request Committee of the Whole time to provide Council with a brief update on the status of the new City Hall construction project.
10. Request Community Development Committee time to provide an update on the City's Climate Action Plan and sustainability programs.
11. Request Finance Committee time to propose the creation of a new budget fund to track Health Department revenues and expenses.

12. Request Finance Committee time to present a recommendation of the Parks Board to donate football equipment (valued at \$28,741) to the Kent Youth Football and Cheer organization.
13. Request Streets, Sidewalks & Utilities Committee time to present a request for a new block party and street closure on N. Water Street.
14. Request Streets, Sidewalks and Utilities Committee time to present a request for a new partial street closure on Erie Street.

Standing Committees & Legislation

Committee of the Whole

MOTION TO APPROVE THE MARCH 6, 2024 COMMITTEE MEETING MINUTES MADE BY Mr. Michael DeLeone, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 8-0-0.

Action(s) Recommended

1. Board and Commission Interviews and Appointments.
2. City Hall Construction Update-No action required.
3. Adopt Second Ward Map Changes that were presented to Council on February 7, 2024, and authorize staff to proceed with finalizing the legal descriptions.

Ms. Celko asked the actions be split, voting first on actions 1 and 2.

MOTION TO APPROVE NUMBER 1 AND 2 OF ACTIONS RECOMMENDED MADE BY Mr. Michael DeLeone, SECONDED by Mr. Jeff Clapper and CARRIED by a voice vote of 8-0-0.

Ms. Shaffer Bish expressed her intention to vote against Action #3 because she believes it's crucial to allow voters to decide on the matter. She emphasized the importance of giving voters the choice to maintain the current districts to prevent confusion.

Mr. Turner expressed his confusion about the previous meeting where he voted to accept an understanding that no action was being taken regarding the wards (Action 3). He highlighted that the process seemed disjointed, with initial concerns from the Board of Elections being later clarified. Mr. Turner emphasized that the proposed changes to the wards to 15% were reasonable and not unconstitutional, and he urged for the matter to be put to a vote by the residents. He expressed concern that the proposed changes could disrupt the community's continuity and urged council to reconsider and allow residents to decide on the proposal.

Ms. Shaffer Bish expressed feeling deceived because she was under the impression that the current election cycle did not present an opportunity for the maps to be changed. She mentioned confusion about whether there were concerns about the maps changing before this election. Ms. Hope Jones clarified that the current concerns are related to the upcoming presidential election and that the issue of changing the maps can be revisited after the election if necessary.

Mayor Fiala called the vote.

MOTION TO APPROVE THE THIRD ACTION RECOMMENDED MADE BY Mr. Michael

DeLeone, SECONDED by Mr. Jeff Clapper and TIED by a voice vote of 4-4-0. Those voting in favor: Ms. Gwen Rosenberg, Mr. Jeff Clapper, Mr. Jack Amrhein, Ms. Melissa Celko. Those voting against: Mr. Roger Sidoti, Mr. Michael DeLeone, Ms. Heidi Shaffer Bish and Mr. Robin Turner.

To break the tie vote on the motion, Mayor Fiala was called upon to vote. He voted in favor of the motion remembering hearing discussions about ward boundaries every ten years, noting that some points raised in the current discussion are recurring. The Motion passed 5-4-0.

Voting for Boards and Commissions

MOTION TO APPOINT KENNETH CROOKSTON TO THE PLANNING COMMISSION

MADE BY Mr. Michael DeLeone, SECONDED by Mr. Jeff Clapper and CARRIED by a voice vote of 8-0-0.

MOTION TO APPOINT EARL CLAUSON TO THE PLANNING COMMISSION MADE BY Ms. Heidi Shaffer Bish, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 8-0-0.

MOTION TO APPOINT OLIVIA KENNEDY, ROBERT SZGENDA AND RANDALL SMITH TO THE BOARD OF ZONING APPEALS MADE BY Mr. Michael DeLeone, SECONDED by Mr. Jeff Clapper and CARRIED by a voice vote of 8-0-0.

MOTION TO APPROVE INSERTION OF NAMES INTO LEGISLATION MADE BY Mr. Michael DeLeone, SECONDED by Mr. Jack Amrhein and CARRIED by a voice vote of 8-0-0.

Draft 2024-022 A RESOLUTION APPOINTING KENNETH CROOKSTON AND EARL CLAUSON 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 2024-022 MADE by Mr. Roger Sidoti, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 8-0-0.

MOTION TO ADOPT Draft 2024-022 MADE by Mr. Roger Sidoti, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 8-0-0.

Resolution 2024-022 passed.

Draft 2024- 023 A RESOLUTION APPOINTING O'LIVIA KENNEDY, ROBERT SZGENDA AND RANDALL SMITH 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 2024- 023 MADE by Mr. Michael DeLeone, SECONDED by Ms. Melissa Celko. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 8-0-0.

MOTION TO ADOPT Draft 2024- 023 MADE by Mr. Michael DeLeone, SECONDED by Mr. Jeff Clapper. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger

Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 8-0-0.

Resolution 2024-023 passed.

Community Development

MOTION TO APPROVE MARCH 6, 2024 COMMITTEE MEETING MINUTES MADE BY Ms. Gwen Rosenberg, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 8-0-0.

MOTION TO APPROVE ACTIONS RECOMMENDED MADE BY Ms. Gwen Rosenberg, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 8-0-0.

Action(s) Recommended

1. Authorize renewal of the Haymaker Farmer's Market Sublease for 2024, with an emergency clause.
2. Receive the CDBG Staff Report - No Action Needed
3. Authorize a 3% Fixed Rate for the City's Revolving Loan Fund with the emergency clause.
4. Receive the Economic Development Update - No Action Needed

Draft 2024- 024 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RENEW THE AGREEMENT WITH THE HAYMAKER FARMERS' MARKET FOR THE SUB-LAND LEASE OF A PARKING LOT LOCATED NORTH OF SUMMIT STREET, WEST OF FRANKLIN AVENUE, AND EAST OF AKRON BARBERTON CLUSTER RAILWAY COMPANY'S MAIN LINE TRACK, CONTAINING 0.168 ACRES, FOR THE PERIOD OF APRIL 6, 2024 THROUGH NOVEMBER 30, 2024; CONTINGENT ON THE CONTINUATION OF THE CITY'S LEASE WITH THE AKRON BARBERTON CLUSTER RAILWAY COMPANY, FOR THE AMOUNT OF \$1.00; 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 2024- 024 MADE by Mr. Roger Sidoti, SECONDED by Ms. Gwen Rosenberg. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 8-0-0.

MOTION TO ADOPT Draft 2024- 024 MADE by Mr. Roger Sidoti, SECONDED by Ms. Gwen Rosenberg. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 8-0-0.

Ordinance 2024-024 has passed.

Draft 2024- 025 AN ORDINANCE AUTHORIZING AMENDING THE CITY'S ECONOMIC DEVELOPMENT REVOLVING LOAN FUND PROGRAM (RLF) TO ESTABLISH A FIXED INTEREST RATE 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 2024- 025 MADE by Mr. Roger Sidoti, SECONDED by Ms. Gwen Rosenberg. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 8-0-0.

MOTION TO ADOPT Draft 2024- 025 MADE by Mr. Michael DeLeone, SECONDED by Mr. Roger Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 8-0-0.

ORDINANCE 2024-025 has passed.

Draft 2024-026 A RESOLUTION APPOINTING ERIC HELMSTEDTER AND REAPPOINTING BRIDGET SUSEL TO THE TAX INCENTIVE REVIEW COUNCIL 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 2024-026 MADE by Ms. Heidi Shaffer Bish, SECONDED by Mr. Jeff Clapper. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 8-0-0..

MOTION TO ADOPT Draft 2024-026 MADE by Mr. Michael DeLeone, SECONDED by Mr. Roger Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 8-0-0.

RESOLUTION 2024-026 has passed.

Health and Public Safety Committee

MOTION TO APPROVE MARCH 6, 2024 COMMITTEE MEETING MINUTES MADE BY Mr. Jack Amrhein, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 8-0-0.

MOTION TO APPROVE ACTION(S) RECOMMENDED MADE BY Mr. Jack Amrhein, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 8-0-0.

Action Recommended:

1. Receive Kent City Health Department Annual Report-No Action Required

Draft 2024-029 AN ORDINANCE AMENDING SECTION 509.12 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED "UNLAWFUL NOISE", 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 2024-029 MADE by Mr. Roger Sidoti, SECONDED by Mr. Michael DeLeone On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 8-0-0.

MOTION TO ADOPT Draft 2024-029 MADE by Mr. Roger Sidoti, SECONDED by Mr. Jeff Clapper. On Roll Call Voting "Yes" Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Gwen Rosenberg, Roger Sidoti. Voting No: Mr. DeLeone and Ms. Heidi Shaffer Bish. Mr. Turner abstained. The motion CARRIED by a roll call vote of 5-2-1.

ORDINANCE 2024-029 has passed.

Streets, Sidewalks and Utilities

MOTION TO APPROVE MARCH 6, 2024 COMMITTEE MEETING MINUTES MADE BY Mr. Roger Sidoti, **SECONDED** by Ms. Melissa Celko 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 the East Main Street Construction and Maintenance Agreement between the City, PARTA, and Kent State University to proceed with the East Main Street Transportation Improvement Project with the emergency clause.
2. Authorize additional time period for the closure of streets as presented for the Eclipse Event beginning Sunday, April 7, 2024, and Monday, April 8, 2024.

Draft 2024- 027 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO CONTINUE THE EAST MAIN STREET IMPROVEMENTS AGREEMENT BETWEEN THE CITY OF KENT, KENT STATE UNIVERSITY AND PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY (PARTA) AND BEGIN THE FINAL PHASES OF THE PROJECT 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 2024-027 MADE by Ms. Melissa Celko, **SECONDED** by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was **CARRIED** by a roll call vote of 8-0-0.

MOTION TO ADOPT Draft 2024-027 MADE by Mr. Roger Sidoti, **SECONDED** by Ms. Gwen Rosenberg. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was **CARRIED** by a roll call vote of 8-0-0.

ORDINANCE 2024-027 has passed.

Draft 2024-028 AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE FOLLOWING AGREEMENTS WITH THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING TEMPORARY EASEMENTS, FOR RIGHT-OF-WAY PURPOSES, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY FOR THE PROJECT KNOWN AS EAST MAIN STREET IMPROVEMENT PROJECT, 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 2024-028 MADE by Ms. Melissa Celko, **SECONDED** by Ms. Gwen Rosenberg. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was **CARRIED** by a roll call vote of 8-0-0.

MOTION TO ADOPT Draft 2024-028 MADE by Mr. Roger Sidoti, **SECONDED** by Ms. Gwen Rosenberg. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was **CARRIED** by a roll call vote of 8-0-0.

ORDINANCE 2024-028 has passed.

Unfinished Business

MOTION TO APPOINT MS. TRACY WALLACH TO THE SOLID WASTE DISTRICT MADE BY Ms. Heidi Shaffer Bish, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 8-0-0.

New Business

MOTION TO SEND TO COMMITTEE A DISCUSSION OF PARKING SEMIS IN DRIVEWAYS MADE BY Mr. Jack Amrhein, SECONDED by Ms. Heidi Shaffer Bish and CARRIED by a voice vote of 8-0-0.

Ms. Shaffer Bish acknowledges Mrs. Mohnacky's argument regarding the impact of semis parked in residential areas. She emphasizes concerns about noise, emissions, and road wear caused by these vehicles. She advocates for a thorough examination of the issue with clear consideration.

Mr. Clapper suggests that the upcoming discussion about semis parked in residential areas presents an opportunity to address broader issues related to commercial traffic throughout the town.

Mr. Turner recognized the issue of commercial vehicles in residential areas and emphasizes the need for better understanding and coordination regarding enforcement mechanisms. He expressed regret that the matter had to be brought up but commend the presenter for their thorough presentation.

Mr. Sidoti raised two significant points: the impact of heavy vehicles, particularly 15-ton trailers, on neighborhood streets and infrastructure, and the issue of off-site parking for trailers, which allows drivers to leave their tractor and disrupts the neighborhood. He expressed support for addressing these concerns through a committee discussion.

MOTION TO SEND TO COMMITTEE A DISCUSSION ABOUT MAKING BOARDS AND COMMISSION APPLICANTS INTERVIEW BEFORE COUNCIL MADE BY Ms. Gwen Rosenberg, SECONDED by Mr. Sidoti and CARRIED by a voice vote of 7-1-0.

Ms. Rosenberg proposed sending the motion to committee regarding the requirement for candidates or applicants for boards and commissions to attend in-person interviews before Council. She highlighted concerns about deterring potential volunteers due to discomfort with public speaking and suggested the existing selection process is robust enough. Mr. Sidoti seconds the motion but expressed torn feelings, acknowledging the public nature of certain board hearings but also recognizing the potential deterrent effect. He suggested researching and gathering feedback from board members before making a decision.

Ms. Shaffer Bish said that while the interview process can be uncomfortable, it serves as an important part of the public process and provides valuable information for decision-making. She recalls her own experience of being interviewed for a citizens group and views it as an honor to serve. Ms. Shaffer Bish emphasizes the importance of gathering as much information as possible about candidates to make informed decisions, especially considering the legal implications of board and commission appointments. She believes the council is respectful and sympathetic towards candidates and supports the current interview requirement.

Mr. Turner agrees with Ms. Rosenberg's motion to send the proposal to committee but ultimately expresses his support for the current interview requirement. He acknowledges that while removing the requirement might increase the number of applicants, he believes that the interview process is a valuable tool for council members to assess candidates' demeanor and ability to respond to questions. Mr. Turner emphasizes the importance of this firsthand interaction in evaluating candidates and making informed decisions.

Councilmembers' Comments

Mr. Sidoti expressed his deep pride and gratitude for the ceremony held at Roosevelt High School on Saturday, which honored Officer Butcher. He commends the unity and support shown by the community, particularly towards the police and fire departments. Mr. Sidoti highlighted the sense of community and solidarity demonstrated during the event, despite the profound sadness of losing Police Officer Butcher. He emphasizes the uplifting nature of the event and praises the heartfelt support received by Police Officer Butcher's family and the uniformed personnel of the city. Overall, Mr. Sidoti expresses his appreciation for the strong sense of community spirit exhibited in Kent during this difficult time.

Ms. Shaffer Bish emphasizes the need for careful consideration and planning regarding how to inform residents about the changes in ward representation. She expressed concern about potential confusion among residents and stressed the importance of providing clear and effective communication. While she refrains from making a motion at this time, Ms. Shaffer Bish highlighted the importance of developing an education plan over the next few months to ensure residents are well-informed about the changes in representation.

Mayor's Report

Mayor Fiala highlighted two important points during his remarks. Firstly, he emphasizes the need to ensure public safety during the upcoming Solar Eclipse event on April 8th by urging residents to wear protective glasses to avoid any potential eye damage. Secondly, he reflected on the recent vote regarding ward representation and expressed his opinion that while the current proposal may not have passed, he believes it's worth considering Tracy Wallach's idea in the future. Mayor Fiala acknowledged the efforts of the staff in addressing the issue and emphasized the importance of moving forward. Finally, he extended Easter greetings to everyone celebrating the holiday.

Hearing no further business, the meeting adjourned at 8:05 p.m.


Amy Wilkens, CMC
Clerk of Council


Jerry T. Fiala
Mayor & President 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.

Ladies and Gentlemen

My name is Laura Mohnacky. I come before you today seeking change, for all Kent residents specifically addressing the current situation affecting the South Pearl Street neighborhood.

The resident, located at 202 South Pearl Street, drives a semi tractor/trailer for Kuhnle Brothers in Newbury, Ohio. According to the company Safety Director he drops his trailer in Kent and drives the semi tractor home each evening to park in his driveway. In the morning anywhere between the hours of 3:30 and 5:30 he starts the tractor and allows it to idle in the driveway for minimally 30-45 minutes. As you can see from the photos his driveway is approximately 10' from his nearest neighbor and 70' from my daughters house across the street. The sound of the tractor idling and the vibrations emitted from the engine can be heard and felt at least 4 houses away on either side and across the street. This means that residents are awoken hours before their alarms and often unable to return to sleep. This action greatly impacts the neighborhood and disrupts normal expectations in a residential district.

After several complaints to the City of Kent Police and a conversation between myself and Officer Auckland, I was informed that they couldn't do anything because the tractor is parked on private property and being operated within specs for the type of vehicle. I contacted Kuhnle Brothers themselves to find out the weight of the tractor. I was transferred to Kuhnle Brothers safety director Casey McNicholas who informed me that the tractor weighed approximately 30,000 pounds or 15 tons, he also informed me that taking the tractors home is a benefit they provide their drivers even if they live within a city and not in a rural setting. He also asked why I was "picking" on a hard working man and informed me that I should be more concerned with the "hippie, meth heads cooking meth in the neighborhood". I was shocked with his complete lack of care and concern for any of the neighbors plus his unfounded accusations. Believe me, I am very grateful for the job that this driver is doing along with every other working citizen!

Finally I reached out to our councilman, Jack Amrhein, now I am here. First of all, as you can see from the photos, this is a large commercial vehicle that does not in any way belong parked in a driveway in any residentially zoned district! No one who buys or rents a home in a residential district expects to hear or feel the noise and vibrations from a parked semi inside their home. My husband works for a local trucking company in Akron and they do not allow their drivers to idle next to the office building because of the disturbance it causes.

In the City of Kent we have several ordinances that speak to large commercial vehicles utilizing city streets and noise, specifically 351.17 **Parking Large Vehicles in Residence Districts**, 339.02 **Use of Local Streets** and 509.12 **Unlawful Noise** between the hours of 9pm and 8am. Designated quiet time in the City of Kent.

Ordinance 351.17 disallows numerous types of commercial vehicles including semis from parking on any residential street unless they are in service at a property on that street. Please consider changes that would include parking large commercial vehicles on any property, private or public within any residentially zoned district unless said vehicle is in service at the property.

Ordinance 339.02 states No person shall operate a vehicle exceeding a gross weight of 5 tons, on any street in the municipality other than a state route, except local streets designated as truck routes and marked with the appropriate signage. South Pearl Street has no such signage and by my interpretation it is illegal for this semi weighing 15 tons, to be driven on South Pearl. Therefore it was and is illegally parked in the private driveway as one can reasonably assume the vehicle did not fly there. This ordinance I feel the Kent Police should have been able to enforce. Please consider clarifying the verbiage on this ordinance so as to remove any chance for misinterpretation.

Ordinance 509.12 speaks to noise. Noise from idling cars and normal neighborhood sounds are expected but vibrations and noise from an idling

semi is not! Especially not in the early morning hours specifically designated as quiet hours.

Furthermore, the city's decision to contract trash and recycling service to one company for all residents so as to limit the amount of overweight vehicles traveling on our residential streets is an example showing why these amendments should be considered.

Please help me help my daughter and other residents like her to have enjoyment within their homes and on their properties without disturbance. Semi tractors do not belong in residentially zoned districts and should be held to commercially zoned areas.

Thank you for your time and consideration. I will be available for further discussions if needed.