



City of Kent
Wednesday, April 17, 2024
Regular City Council Meeting
320 S. Depeyster Street, Kent, OH 44240

MINUTES

At 07:00 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, Mr. Chris Hook, 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; Mr. Nick Shearer, Chief of Police; Mr. Jamie Samels, Fire Chief; Ms. Dominique Bollenbacher, Community Engagement Coordinator;; Ms. Amy Wilkens, Clerk of Council

Opening Remarks and Pledge of Allegiance

Mr. Chris Hook said he was happy for the turnout at the Council meeting, noting that in his three months on the Council, attendance has been higher than usual, with people even overflowing out of the chambers. He emphasized the importance of continued engagement from the community, encouraging attendees to keep showing up, engaging, and reaching out to their Council representatives. Mr. Hook appreciated the energy and diverse representation across generations, assuring the community that the Council is listening and looks forward to hearing their input during the meeting.

He asked all to stand for the Pledge of Allegiance.

Approval of Minutes

MOTION TO APPROVE THE MARCH 20, 2024 REGULAR MEETING MINUTES MADE BY Ms. Gwen Rosenberg, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 9-0-0.

Communications

Mayor Fiala proposed suspending the standing rules to allow Bridget Susel to provide an overview of the marijuana situation in Ohio before proceeding to Public Communication.

MOTION TO SUSPEND STANDING RULES MADE BY Mr. Jack Amrhein, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 9-0-0.

Ms. Bridget Susel clarified the situation regarding adult-use cannabis licensing in Ohio. She emphasized that there is currently no availability of such licenses in Ohio. She highlighted that any

potential future licensing would likely be regulated by the state legislature and clarified the timeline for the issuance of licenses according to state law. Bridget also explained that the temporary moratorium imposed by the City of Kent is not a ban but rather a legislative action to allow time for the adoption of rules and regulations associated with the adult cannabis industry. She emphasized the importance of taking a proactive approach to zoning law to ensure that regulations reflect the community's needs and comply with state law. Bridget addressed misinformation circulating on social media and encouraged individuals to refer to official sources for accurate information on the issue.

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 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."

Clerk Wilkens called the first speaker to the microphone.

Pamela Siekman, co-owner of Bliss Ohio, a state-licensed medical marijuana dispensary located at 331 East Main Street, addressed the council. She clarified her role and corrected misinformation regarding the ownership of the business. Pamela highlighted the compliance of Bliss Ohio with all aspects of the law pertaining to medical cannabis dispensaries and emphasized their contributions to the community, including employing local residents and supporting local businesses and charities. She expressed the intention of expanding their business into adult cannabis sales and highlighted the potential tax revenues that could benefit the city. Pamela expressed dismay at the city's decision to impose a moratorium on adult-use cannabis licensing, stating that it would hinder their plans for expansion despite their proven track record of compliance and contribution to the community. The speaker informed the Council that the Department of Commerce, Division of Cannabis Control, has issued 13 new administrative rules regarding the Dual license application, which their business intends to apply for. These rules are currently open for public comment, and the chairman of the joint committee on agency rule review expects them to be finalized on May 13th.

Mayor Fiala asked that Ms. Siekman wrap up her comments. She said her husband, Dwayne Siekman, would continue where she left off.

Dwayne Siekman, co-owner of Bliss Ohio located at 331 East Main Street, discussed the administrative rules governing cannabis licensing. He mentioned that the final version of the administrative rules would likely mirror those of the Ohio Department of Commerce, with no additional drafting required after finalization by the Joint Committee on Agency Rule Review on May 13th. Dwayne emphasized that the rules regarding the locations for cannabis facilities are already in effect and would not be changed for adult or dual-use license holders. He also highlighted the overwhelming support for adult-use cannabis sales in Kent, citing the high percentage of residents who voted in favor of it. Dwayne provided details about the investments made in their facilities and operations, including security measures and compliance with state regulations. He addressed concerns raised by residents, emphasizing that none of the negative predictions had materialized, and expressed gratitude to their staff and patients for being exemplary community partners. **(Attachment #1)**

Madeline Franz, a current student at Kent State University, highlighted the city of Kent's reputation for leadership, education, and hospitality. She emphasized the need to handle changes regarding cannabis legalization carefully and rationally. Madeline cited studies showing positive effects of recreational marijuana policy changes in college towns, such as increased applications and improved academic performance. She also mentioned the potential annual tax revenue generated by cannabis sales, estimated to be between \$276 million to \$343 million in the fifth year of operation. Madeline argued that limiting the economic and educational potential by restricting legal cannabis sales within the city would be a disservice. She reminded the council of the significant percentage of Kent taxpayers who voted in favor of ending prohibition and urged them to consider the consequences of their decision on the community's future. Madeline encouraged the council to embrace change and move forward into the future by allowing regulated cannabis sales.

Sabra Corea, a longtime resident of Kent and a medical marijuana patient at Bliss Ohio, expressed concern about the future of the local business. She questioned why various government bodies are placing roadblocks in the way of legalized marijuana despite the expressed desire of Ohio residents. Sabra highlighted the importance of allowing local businesses like Bliss Ohio to adapt to a changing market, especially as adult-use cannabis legalization is anticipated. She emphasized the convenience and community connection offered by Bliss Ohio and expressed a desire to see them thrive without unnecessary restrictions. Sabra concluded by urging the council to support local businesses and keep Kent's economy vibrant and local.

Hannah Toth, a Kent State University senior and resident, highlighted the economic, political, and medical implications of restricting recreational marijuana sales in Kent. She emphasized the medical benefits of marijuana for conditions like depression and anxiety, which are not currently covered under Ohio's medical marijuana program. Hannah shared her personal experience with depression and anxiety and expressed marijuana as a helpful aid. She noted the overwhelming community support for recreational marijuana legalization in Kent and warned against going against the community's voice by imposing a moratorium. Hannah stressed the potential negative impacts of the moratorium on the local economy, job losses, and tax revenue, as well as the risks associated with obtaining marijuana from the streets, where it may be laced with dangerous substances like fentanyl. She urged the City Council to consider the voices of the citizens and the economic benefits of recreational marijuana sales for the city's well-being.

Mitchell Hitchcock, a resident of Kent and former security provider for Bliss Ohio, opposed the moratorium on adult-use cannabis sales. He emphasized his experience in providing security for the dispensary and attested to the professionalism and security measures implemented by Bliss Ohio. Mitchell argued that the moratorium would put medical patients at risk and move revenue outside of the city to competitors. He highlighted the impact on local employees and the community, noting the charitable work and contributions made by Bliss Ohio. Mitchell pointed out that the state heavily regulates medical marijuana and will continue to do so for adult-use cannabis. He proposed restricting smoke shops and head shops selling intoxicating hemp instead of imposing a ban on adult-use sales. Mitchell urged the council to reconsider the moratorium, emphasizing the potential negative consequences for Bliss Ohio and the community.

James Russell III, the designated representative of Bliss Ohio, spoke against the moratorium on adult-use cannabis sales. He highlighted his role in ensuring compliance with regulations and emphasized the benefits of the cannabis industry for Kent, including job creation, tax revenue, and alternative medication options. James expressed excitement about the potential tax revenue that could benefit the city, citing estimates ranging from \$200 to \$400 million. He emphasized his personal investment in Kent as a resident and former Kent State University student, expressing a desire to contribute positively to the community. James emphasized that Bliss Ohio aims to engage in open dialogue and provide assistance to the community.

Tom Patterson, residing at 579 South Francis Street, voiced his support for maintaining the legalization of cannabis, which was approved by the people. He highlighted the importance of honoring the public's decision and criticized potential changes made by the state after such decisions are made. Although he personally doesn't use cannabis, he cited the positive experience of his family member at Bliss Ohio, indicating its effectiveness as a medical treatment. Tom expressed frustration with the idea of traveling to other cities to purchase cannabis and the associated loss of tax revenue for Kent. He emphasized the safety and efficacy of cannabis as an alternative method and urged for its continued availability.

Haley Richards, residing at 842 Admore Drive and deeply rooted in the Kent community for over 23 years, expressed concerns about the proposed moratorium on cannabis sales. She emphasized the importance of keeping tax revenue within Kent rather than seeing it go to neighboring cities like Rena. Haley highlighted the potential harm the moratorium could cause to the existing dispensary's ability to compete and contribute to the local economy. She urged the council to reconsider the moratorium, emphasizing the desire to see the community benefit from the tax revenue generated by cannabis sales.

Kayla Henry, a lifelong resident of Kent, expressed her opposition to the proposed moratorium on cannabis sales. She highlighted that the moratorium seems to be driven by fear rather than practical considerations, noting that existing medical dispensaries can easily transition to adult-use dispensaries. Kayla emphasized that the majority of residents support cannabis sales, and implementing the moratorium would only push customers to neighboring cities like Ravenna and Cuyahoga Falls, resulting in lost tax revenue for Kent. She advocated for keeping the revenue within Kent and urged the council to reconsider the moratorium.

Aidan Blackburn, a freshman at Kent State University, shared his personal experience with medical marijuana, stating that he has had five surgeries over the past two years and relies on medical marijuana for sleep. Despite having limited information about the meeting, Aidan emphasized the importance of access to medical marijuana provided by dispensaries like Bliss Ohio in Kent. He highlighted the positive impact it has had on his life and urged the council to consider the benefits of keeping dispensaries in Kent for individuals like him who rely on their services.

Brendan Allen shared his positive experiences with Bliss Ohio, expressing his appreciation for the staff and the welcoming atmosphere they create. Despite his youthful appearance, Brendan emphasized his commitment to using medical marijuana responsibly, highlighting the transition from seeking it on the streets as a minor to obtaining it legally once he turned 18. He described himself as a regular customer at Bliss Ohio, expressing sadness at the prospect of the dispensary shutting down and the potential return to purchasing marijuana illegally. Brendan thanked the council for their time and attention.

Written Communication

1. Board of Zoning Appeals Agenda and Staff Report for the April 1, 2024 Special Meeting was received on March 25, 2024.
2. Planning Commission Agenda and Staff Report for April 2, 2024 was received on March 26, 2024.
3. PARTA Board Application from Karen Beck was received on March 29, 2024.
MOTION TO ACCEPT APPLICATION MADE BY Ms. Rosenberg SECONDED by Ms. Celko CARRIED by a voice vote of 9-0-0.
4. Standing Rock Cemetery Board of Trustees Agenda for the April 11, 2024 meeting was received on April 3, 2024.

5. Board of Health Meeting Agenda for the April 9, 2024 meeting was received on April 4, 2024.
6. An email from Lucas Brady in regard to Bliss Ohio's ability to sell adult use marijuana was received and forwarded to Council on April 9, 2024.
7. An email from Patricia Johnson of Dinsmore and Shohl LLP regarding Next Level Operators LLC DBA Bliss Ohio, was received on April 9, 2024.
8. Civil Service Commission Agenda for April 15, 2024 was received on April 10, 2024.
9. An email from Rick Hawksley about the noise ordinance was received and shared with Council on April 11, 2024.
10. An email from Emily Mattern notifying Council of her resignation from the Health Board was received on April 10, 2024. **MOTION TO ACCEPT MADE BY Mr. DeLeone, SECONDED by Mr. Sidoti and CARRIED by a voice vote of 9-0-0.**

Communication Received After Agenda Published:

1. Parks and Rec Agenda Packet for the April 18, 2024 meeting was received on April 12, 2024.
2. Email from John Powers in regards to adult use marijuana sales was received and forwarded to Council on April 16, 2024

City Manager's Report

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

1. Request Council's approval to schedule the annual joint meeting with Franklin Township Trustees on May 1st at 7 pm.
2. Request Council's approval to recycle 4 decommissioned City IT servers. (Draft Number 2024 -033)
3. Asked for Council's approval of right of way easements negotiated at fair market value with private property owners for the East Main Street Improvement Project. (Draft Number 2024-034)
4. Request for Committee of the Whole time to provide an update for the Parks and Recreation Department.
5. Request for Committee of the Whole time to allow Dana to provide a KSU update.
6. Requested Committee of the Whole time to provide Council with a brief update on the status of the new City Hall construction project.
7. Requested Finance Committee time to present the proposed Operating Levy Renewal to be placed on the Fall ballot.
8. Requested Finance Committee time to propose the creation of a new budget fund to track Health Department revenues and expenses.
9. Requested Community Development Committee time to request Council's authorization to renew the Dave Tree Enterprise Zone Agreement.
10. Request for Community Development Committee time to present suggestions to modify the criteria used for consideration of street closures for downtown events.
11. Request for Streets, Sidewalks & Utilities Committee time to present a new street closure request for a block party/skateboard event on N. Water Street.

Dave Ruller, the City Manager, addressed the audience, acknowledging their concerns and thanking them for their engagement. He expressed support for recreational marijuana and emphasized the city's eagerness to welcome new tax revenue. Ruller explained that the city's main challenge is navigating the legal complexities of zoning regulations regarding recreational marijuana. He assured the audience that the city is not opposed to marijuana but is focused on ensuring legal compliance and protecting the community's interests. Ruller highlighted the importance of zoning regulations in maintaining a safe and orderly

environment for residents and businesses. He reassured the audience that the city is working diligently to find a solution that accommodates both the desires of the community and the legal requirements. Ruller urged the audience not to view the city's actions as opposition to marijuana but rather as a necessary process to ensure responsible implementation. He concluded by expressing gratitude for the community's involvement and reaffirmed the city's commitment to finding a resolution.

Standing Committees & Legislation

Committee of the Whole

MOTION TO APPROVE THE APRIL 3, 2024 COMMITTEE MEETING MINUTES MADE BY Ms. Melissa Celko, **SECONDED** by Ms. Gwen Rosenberg and **CARRIED** by a voice vote of 9-0-0.

Action(s) Recommended: None

Voting for Boards and Commissions

MOTION TO APPOINT CHRIS SYPHRIT MADE BY Mr. Jeff Clapper, **SECONDED** by None. The motion **FAILED**.

MOTION TO APPOINT JILLIAN TIPTON MADE BY Ms. Gwen Rosenberg, **SECONDED** by Mr. Roger Sidoti and **CARRIED** by a voice vote of 5-4-0.

Ms. Gwen Rosenberg expressed appreciation for all the applicants who spoke to the council about their desire to join the parks and recreation board. She emphasized that every applicant was highly qualified and would make valuable additions to the board. While she acknowledged Miss Tipton's impressive level of experience demonstrated on her resume, she also stressed that all candidates were excellent choices. Ms. Rosenberg highlighted the importance of having such a diverse pool of interested individuals for boards and commissions. She encouraged all applicants to consider applying for other boards or commissions, including the upcoming vacancy on the parks and recreation board in December. Finally, she thanked all the applicants for their interest and participation.

Mr. Sidoti expressed his preference for Jillian and also mentioned his appreciation for the gentleman from Solon. He encouraged the gentleman from Solon to consider reapplying in December when another opening on the Parks Board arises. Mr. Sidoti believed that Jillian would fulfill the current need well and expressed agreement with Ms. Rosenberg's assessment of the outstanding candidates. He clarified that the current term is expired and will be up again in January.

Mr. Turner attempted to nominate Crystal for a position, but there was already a motion on the floor. He was advised to speak to the existing motion.

MOTION TO INSERT NAMES INTO LEGISLATION MADE BY Mr. Roger Sidoti, **SECONDED** by Mr. Chris Hook and **CARRIED** by a voice vote of 9-0-0.

Draft 2024-030 A RESOLUTION APPOINTING JILLIAN TIPTON 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 2024-030 A RESOLUTION APPOINTING JILLIAN TIPTON MADE by Ms. Gwen Rosenberg, **SECONDED** by Mr. Roger Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was **CARRIED** by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2024-030 MADE by Ms. Gwen Rosenberg, SECONDED by Mr. Roger Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0.

Resolution 2024-030 has passed.

DRAFT 2024-031 AN ORDINANCE AMENDING SECTION 105.01 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT, OHIO, SO AS TO SUBDIVIDE THE CITY INTO WARDS AS REQUIRED BY SECTION 731.06 OF THE OHIO REVISED CODE AND SECTION 64, ARTICLE XIV OF THE CHARTER OF THE CITY OF KENT, OHIO, 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 2024-031 MADE by Ms. Gwen Rosenberg, SECONDED by Mr. Roger Sidoti. On Roll Call Voting "Yes" Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Mr. Roger Sidoti The motion CARRIED by a roll call vote of 7-2-0. Ms. Shaffer Bish and Mr. Turner voted 'No'.

Mr. Robin Turner had several concerns about the ward boundaries issue. Firstly, there's a personal impact on their ward that they find problematic. He noted that the initial adoption of the boundaries was done with six votes, but there was a lack of communication about the implications of not moving forward with the initial decision. Turner feels this lack of communication is problematic, especially considering the potential legal issues concerning state or federal law, citing a lawsuit involving Bowling Green Ordinance as an example. They believe the information about this lawsuit wasn't properly communicated to the council. Turner and another council member, Heidi, still have issues with the decision, feeling that what they voted on should have stood. Turner questions the timeline and requirements for moving forward with the boundaries, emphasizing the need for clarity on the implications for the city if they choose not to accept the boundaries. They suggest that the decision should be put before the voters to determine, prioritizing transparency and understanding the potential consequences for the city.

Ms. Shaffer Bish asked for an amendment. Mayor Fiala and Law Director Hope Jones said they were in the middle of a motion and needed to address the current motion.

Ms. Heidi Shaffer Bish expressed her belief that voters should have a say in the ward boundaries issue. She compared the current situation to a previous redistricting in 2010, which only affected two wards due to a specific event (building of a large apartment complex). Ms. Shaffer Bish suggests that the current redistricting, impacting the entire community, warrants voter input. She proposes giving voters a chance to weigh in on the issue, with the option of using the proposed changes as a backup plan if voters reject it. Bish emphasizes the importance of ensuring citizens know who represents them and building relationships with them, regardless of any changes to ward boundaries. She acknowledges the complexities and uncertainties surrounding the issue but stresses the need for clarity and effective communication with the public. Bish concludes by indicating that while she won't be voting for the proposed changes, she wants to focus on the next steps once a decision is made..

MOTION TO ADOPT DRAFT 2024-031 AN ORDINANCE AMENDING SECTION 105. MADE by Mr. Roger Sidoti, SECONDED by Mr. Chris Hook. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Mr. Roger Sidoti The motion CARRIED by a roll call vote of 7-2-0. Ms. Shaffer Bish and Mr. Turner voted 'No'.

Ordinance 2024-031 has passed.

Community Development

MOTION TO APPROVE THE APRIL 3, 2024 COMMITTEE MEETING MINUTES MADE BY Ms. Gwen Rosenberg, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 9-0-0.

Action(s) Recommended: None

Finance Committee

MOTION TO APPROVE THE APRIL 3, 2024 COMMITTEE MEETING MINUTES MADE BY Mr. Michael DeLeone, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 9-0-0.

Action(s) Recommended

1. Authorize the donation of the Kent Youth Football and Cheer equipment to Kent Youth Football and waive competitive bidding as presented, with the emergency clause.

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

Draft 2024-032 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, ON BEHALF OF THE CITY OF KENT PARKS & RECREATION DEPARTMENT TO DONATE TO THE KENT YOUTH FOOTBALL AND CHEER ORGANIZATION, SPORTS EQUIPMENT AND UNIFORMS, 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 2024-032 MADE by Ms. Gwen Rosenberg, SECONDED by Mr. Roger Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2024-032 MADE by Ms. Gwen Rosenberg, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0.

Ordinance 2024-032 has passed.

Draft 2024-033 AN ORDINANCE AUTHORIZING THE RECYCLING OF OLD DELL TRAFFIC SERVERS THAT ARE NO LONGER NEEDED FOR MUNICIPAL PURPOSES AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft 2024-033 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, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0..

MOTION TO ADOPT Draft 2024-033 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, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0.

Ordinance 2024-033 has passed.

Draft 2024-034 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, PERMANENT AND UTILITY 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 2024-034 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, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2024-034 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, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0.

Ordinance 2024-034 has passed.

Streets, Sidewalks and Utilities

MOTION TO APPROVE THE APRIL 3, 2024 COMMITTEE MEETING MINUTES MADE BY Mr. Roger Sidoti, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 9-0-0.

Action(s) Recommended

1. Authorize the requested closure of Erie Street on April 20th from 9 am to 7 pm with the emergency clause.

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

DRAFT 2024-035 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE A NEW SPECIAL EVENT APPLICATION FROM BRANDED IN KENT KNOWN AS "EARTH DAY VENDOR MARKET" TO BE HELD ON SATURDAY, APRIL 20, 2024, AND THE TEMPORARY CLOSURE OF EAST ERIE STREET BETWEEN SOUTH WATER STREET AND THE PRIVATE ALLEY BY TREE CITY COFFEE, 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 2024-035 MADE by Ms. Heidi Shaffer Bish, SECONDED by Ms. Gwen Rosenberg. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0.

Ms. Heidi Shaffer Bish expresses her enthusiasm for a business initiative that she believes will positively impact the downtown area. She commends the business for being innovative

and enhancing existing activities in the community. Ms. Shaffer Bish expresses her love for the community and appreciates when people take initiative to improve it. She looks forward to experiencing the benefits of this new venture and expresses excitement about being a part of it.

MOTION TO ADOPT DRAFT 2024-035 MADE by Ms. Heidi Shaffer Bish, SECONDED by Ms. Gwen Rosenberg. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0.

Ordinance 2024-035 has passed.

Unfinished Business

Ms. Celko raised concerns about noise complaints from residents in her ward, particularly regarding extended hours for music during work hours. She requested feedback and data on the number of complaints and their origin. She shared her personal experience of being affected by music coming into her window during summer months and expressed concern for residents for whom it disrupts their work life. Dave Ruller suggested that typically, such issues are first addressed by contacting city staff directly, mentioning that Ms. Celko could discuss the matter with him or Nick Shearer. Mr. Ruller explained the process of escalating the issue to full council discussion if necessary, but highlighted the availability of resources within the city administration to address noise complaints. He also mentioned ongoing efforts, involving council members like Heidi, in dealing with noise complaints, and suggested looking up past discussions on the issue for reference. Ms. Celko expressed her gratitude and acknowledges the provided resources.

New Business

MOTION TO SEND TO COMMITTEE A DISCUSSION ABOUT IMPLEMENTING A CONSENT AGENDA MADE BY Mr. Chris Hook, SECONDED by Ms. Heidi Shaffer Bish and CARRIED by a voice vote of 8-1-0.

Mr. Chris Hook proposed the implementation of a consent agenda, inspired by his reading of "Robert's Rules for Dummies." He explains that a consent agenda groups non-controversial items together for efficient voting, aiming to save time and make council meetings more enjoyable for the audience. He clarifies the process, where the council president asks if any items should be removed for separate discussion. Hook believes this approach would enhance efficiency and save time, allowing him to be home in time for his child's bedtime.

Ms. Heidi Shaffer Bish supports Chris Hook's proposal to implement a consent agenda, which she understands as grouping non-controversial items for efficient voting. She agrees with the goal of saving time and making council meetings more enjoyable for the audience. Bish appreciates Hook's explanation of the process and believes this approach would enhance efficiency, allowing council members to address important matters while also accommodating personal commitments like family responsibilities.

Mr. Roger Sidoti is curious about the possibilities of implementing a consent agenda but voices concern about maintaining transparency. He worries that by grouping items together, the transparency of council decisions might be compromised. Sidoti emphasizes the importance of ensuring that the public perceives the council's actions as transparent and suggests exploring ways to maintain transparency even with a consent agenda, as he believes that important details could get lost when items are lumped together.

Mr. Robin Turner supports the idea of exploring the idea of implementing a consent agenda. They mention the need to address certain aspects that are still unclear and suggest sitting down with the

city's attorney and others to go through the details. Turner finds the idea interesting and believes it's worth considering further. They express willingness to support the exploration of this concept.

Ms. Gwen Rosenberg said she was concerned that implementing a consent agenda might prevent residents from having the opportunity to provide input on agenda items. She agrees with Roger's concerns about potential transparency issues and worries about being unable to anticipate which items might generate public interest or discussion. Rosenberg values the opportunity for anyone in the audience to weigh in on agenda items, even if they are present for other reasons. She plans to vote against the proposal to preserve the audience's ability to participate in discussions.

Councilmembers' Comments

Mr. Roger Sidoti expresses appreciation for the successful planning of the eclipse event and commends everyone involved, particularly mentioning Joan as a driving force behind it. He describes the atmosphere in the downtown area during the event as phenomenal and praises the presence of officers. Sidoti reflects on the balance between overplanning and underplanning, noting that while the crowds may not have been as large as expected, it's preferable to be well-prepared. He concludes by giving kudos to the city and all involved in making the event a success.

Mr. Robin Turner said he was concerned about an incident involving a young person who was hit while riding a motor scooter. He shared that the incident occurred in his ward and mentioned that he spoke with the mother of the injured child, who is recovering at home. Mr. Turner shared his conversations with the police department regarding the incident and mentions concerns about the safety of children riding motor scooters. He highlights the need to ensure the safety of children and suggests inviting representatives from the scooter company to discuss safety measures. Chief Shearer provides further details on the incident, including information about the minimum age requirements for renting scooters and safety mechanisms in place. He discusses liability issues and the need for spin to implement more stringent safety measures. There is a discussion about liability and safety measures regarding minors riding scooters, with a focus on spin's responsibility in ensuring safety. Council members express concern about the incident and discuss potential legal and safety implications.

Ms. Gwen Rosenberg briefly mentions Rhonda Boyd's retirement and expresses both happiness for her and sadness at her departure. She then shares her excitement about seeing the first chimney swifts, expressing hope that they will find a welcoming home in the chimney swift tower.

Mayor's Report

Mayor Fiala acknowledged the community's recent collaboration during the solar eclipse, noting that most downtown restaurants sold out of food during a recent event. He also highlighted Telecommunications Dispatchers Week and Animal Control Week, encouraging appreciation for their work. He mentioned an upcoming State of the Union address by the City Manager and promoted the annual food challenge for Kent Social Services, emphasizing the importance of supporting those in need.

MOTION TO ENTER EXECUTIVE SESSION To consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit- for-use property in accordance with section 505.10 of the Revised Code and for Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action **MADE BY** Mr.Jack Amrhein, **SECONDED** by Mr. Chris Hook. Roll call was taken:

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

At 9:40 p.m., a **MOTION TO RETURN TO REGULAR COUNCIL MEETING** WAS MADE BY Mr. Jack Amrhein, SECONDED by Ms. Melissa Celko and CARRIED by a voice vote of 9-0-0.

DRAFT 2024-036 AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN VALVOLINE LLC AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A PERMANENT AND TEMPORARY EASEMENT FOR RIGHT-OF-WAY PURPOSE 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 2024-036 MADE by Ms. Heidi Shaffer Bish SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT DRAFT 2024-036 MADE by Ms. Heidi Shaffer Bish, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0.

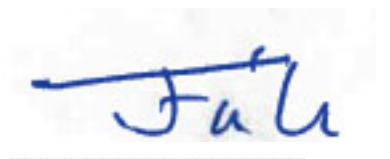
Ordinance 2024-036 has passed.

MOTION TO DIRECT STAFF AND ADMINISTRATION TO STUDY THE LIFTING OF THE ADULT CANNABIS MORATORIUM IN VIEW OF THE CONFUSING STATE LAWS AND ZONING REQUIREMENTS MADE BY Mr. Chris Hook, SECONDED by Ms. Melissa Celko and CARRIED by a voice vote of 9-0-0.

Hearing no further business, the meeting adjourned at 9:45 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.

BLISS Ohio

April 17, 2024

Kent City Council
320 S. Depeyster Street
Kent, OH 44240

Good evening Mayor, Council Members and Staff,

We'd like to reintroduce ourselves as the owners of Bliss Ohio, a state licensed medical marijuana dispensary located at 331 E. Main St. For more than 25 years, Dwayne and I have been successful small business owners and since 2015 we have been actively involved in developing Ohio's medical marijuana policy and regulations.

After a rigorous application review process and facility buildout we were approved by and issued an operator's license from the State of Ohio Board of Pharmacy on April 19, 2023. Following changes enacted late last year by the Ohio General Assembly, the Ohio Department of Commerce's Division of Cannabis Control now oversees the regulation and compliance activities associated with licensed medical cannabis dispensaries. Beginning with the submission of its application and at all times since, Bliss Ohio has maintained full compliance with all aspects of the law pertaining to medical cannabis dispensaries.

We serve more than 2000 patients, and we support the Kent Community:

- We employ 11 people, and we plan to hire more. Our employees are licensed by the state, receive federal background checks, and are trained according to state approved Standard Operating Procedures.
- We use local contractors for IT, HVAC, landscaping, snowplow, and other general contracting needs.
- We are members of the Kent Area Chamber; have participated in the Golf Outing, Tree City Annual Dinner & Awards Ceremony, silent auction, and donated our time to a lunch and learn for area businesses. We did a ribbon cutting with the Mayor and Council.
 - We are members of the Kent Natural Foods Co-Op.
 - We held our employee holiday party at Laziza restaurant.
 - We buy gift cards from local businesses.
 - We buy pizza from Lucci's and EuroGyro, burritos from Taco Tontos, bagels from Cleveland Bagel Café, and bowls from Grazers.

- We lunch at River Merchant and Troy Grille.
- We have drinks at Bricco, Ray's Place and Mike's Place.
- We hosted a private event for patients at Over Easy – and we brunch there.
- We've supported Kent Parks and Recreation by hosting an employee appreciation event there.
- We've stayed more nights at the KSU Hotel than we care to admit!
- We've donated to the following charities: One of a Kind Pets, Whole Latte Love, VFW Post 4738, Last Prisoner Project, American Humanist Association, and the National Parks Foundation.
- We pay local sales tax, property tax, payroll tax, and income tax. With adult sales, we will pay an additional 10% excise tax to the city of Kent.

With regard to the 10% Excise Tax on Adult Use Marijuana sales, the Ohio Department of Taxation and the Ohio Office of Budget and Management calculated tax revenue estimates at \$200 million. Of that total approximately \$72 million is allocated for the *Host Community Fund*. The *Host Community Fund* will benefit municipal corporations or townships, such as Kent, that have adult sales dispensaries.

We want our business to remain and expand in Kent at our current location.

Following the passage of Issue 2 last November, we hoped to expand our business into adult cannabis sales. Medical cannabis operators are the “first in line” to obtain adult-use licenses from the State because we have already been through the rigorous application process and have demonstrated that we can be trusted as good stewards of the law and the community.

Even so, an application for an adult-use license by a licensed medical dispensary operator, like Bliss Ohio, is by no means automatic; rather, we will again be required to demonstrate to the State the necessary capabilities to meet the rigorous requirements set out in the statutes enacted pursuant to Issue 2 as well as the forthcoming administrative rules that are in the final stages of promulgation by the Ohio Department of Commerce.

To our dismay, we learned that during the holiday season, and with little notice and time to express opposition, a moratorium was passed to allow the City of Kent to take a “wait and see” approach to adult-use cannabis sales following the passage of Issue 2. Specifically, the moratorium, states that the City would like the opportunity “to review the State of Ohio’s adopted rules, regulations and guidelines...” We’d like to inform Council that the Ohio Department of Commerce Division of Cannabis Control has already issued thirteen (13) new administrative rules regarding the dual-use license application, ownership, dispensary security, and operations, among other rules. These rules have been submitted for public comment and review, and we have shared a copy for your convenience. Additionally, the Chairman of the Joint Committee on Agency Rule Review publicly stated last week that he expects these rules to be finalized at their May 13th meeting.

The final versions of the administrative rules will be the same or substantially similar, as the Ohio Department of Commerce will not be doing any additional drafting. Furthermore, the Ohio

Department of Commerce's administrative rules regarding the locations of cannabis facilities mirrors existing, codified law, and will not be changed for adult-use sales or Dual-Use License holders. As such, the very rules that the City is waiting to see, for zoning purposes, already exist and are in effect.

City Council Members and staff have stated they would like to see where the community wants to fit adult sales into the City of Kent. However, the community has already demonstrated its *overwhelming* support of adult marijuana sales, as shown through its passage of Issue 2.¹ 73% of the people of Kent spoke. We ask that you respect the will of the people and their vote.

We recognize that the City of Kent may be concerned about recreational marijuana shops popping up around the city. Any such concern would be misplaced, as the State has already set forth that there is a limit on the number of adult-use cannabis licenses granted. Moreover, there is a sophisticated and rigorous review in place for the issuance of these licenses, just like the application process for medical cannabis facilities.

We humbly ask Council to reconsider its moratorium, not holistically, but to allow a "carve out" for current medical dispensary operators licensed by the State of Ohio as a Dual-Use dispensary. Said action by Council will align the city ordinance with O.R.C. 3780.25.

Because residents from Kent will soon be able to travel to dually licensed medical and adult-use dispensaries in nearby municipalities, this moratorium only serves to harm local businesses like Bliss Ohio.

There are currently 10 medical dispensaries in the immediate area. **None** of these municipalities prevent their existing, licensed operators from adult sales once the State of Ohio approves them. **The only municipality or township with a moratorium on adult sales is Kent.**

The city of Ravenna currently has a medical marijuana dispensary and has **NOT** issued a moratorium on adult sales for that business. Neighboring Streetsboro passed an ordinance **welcoming** new dispensaries with a local cultivator, Wellspring Fields, planning to open their dispensary there.

On February 20th, Parma City Council **rescinded** its moratorium related to marijuana cultivating, processing, testing and dispensing.

And the City of Newark has included language in its moratorium that **exempts their currently licensed medical dispensary operators** so long as they are in good standing and in compliance with all laws and regulations.

¹ Over 70% of voters cast ballots in favor of Issue 2 in the City of Kent. In fact, more voters cast ballots in favor of Issue 2 than any Council Member received who was up for reelection. See: https://www.portagecounty-oh.gov/sites/g/files/vyhlf3706/f/uploads/official_prec_by_prec_with_write-ins_over_under_blank.pdf.

As such, we respectfully request that you do right by Bliss Ohio and other licensed local cannabis businesses, and amend Ordinance 2024-003.² While we understand that adult marijuana sales is new and presents unfamiliar issues to Council Members and staff, we believe that an exemption to the current moratorium offers a viable solution that better aligns with the wishes of the community and allows all parties to accomplish their goals.

As previously mentioned on November 7, 2023 73% of Kent residents voted in favor of Adult Use Cannabis Sales. In Ward 5, where our business is located, 85.5% of the voters approved Issue 2.

The favorable vote percentage in each of the remaining Wards was as follows:

- Ward 1 – 71.9%
- Ward 2 – 71.5%
- Ward 3 – 76%
- Ward 4 – 76.6%
- Ward 6 – 79.5%

Let us share with you a little bit about our facilities and operations. First, an investment of more than \$1 million was made to bring the business up to code and compliance with local and state regulations. Improvements included new siding, paint, shingles, windows, adding an enclosed delivery bay, new HVAC system, electrical, security system, and a state-of-the-art fire system. As mentioned previously, our employees are licensed by the state, receive federal background checks, and are trained according to state approved Standard Operating Procedures, including quarterly continuing education requirements.

We'd like to highlight some Security and Surveillance regulations as required by the State.

- For every hour of operation, we have a certified and trained security guard present.
- We have 65 security cameras, both internally and externally, of which 10 are 360 degree/multidirectional cameras both for internal and external views.
- Our cameras have no blind spots in any of the three floors (the exception is the restroom). These cameras have a view for the complete exterior of the business as well.
- We have 23 motion detectors that cover the entire building inside and outside.
- We have 22 panic stations and multiple sirens with strobes.
- There are 16 fire sensors.

Our Security and Surveillance systems are so advanced that we have assisted the Kent Police Department in solving two crimes by allowing them access to our camera footage!

We have paid \$70,000 to the state for our Certificate to Operate.

² In the interest of convenience, a proposed draft resolution is attached.

The Division of Cannabis Control's recently published rules force compliance on the following:

- No dispensary can be located within 500 feet of "Prohibited facility", defined as a school, church, public library, public playground, or public park. We are in compliance.
- The dispensary's standard operating policies and procedures must mitigate the risk of diversion, theft, or loss and ensure compliance with all mandates. We are in compliance.
- The dispensary must allow the Division access to videos of secure limited access areas in limited circumstances. We are in compliance.
- Dispensaries are required to meet the Division's standards for security and surveillance, which include, at a minimum, things like an alarm system with point of entry alarms, motion detectors, and silent alarm, and a video surveillance system which must be accessible remotely in real time by the Division and all videos must be stored for at least 45 days. We are in compliance.
- All secure, limited access areas shall be constantly monitored, video surveilled, and meet all requirements. We are in compliance.
- All dispensing errors must be immediately remedied and reported to the Division. We are and have been in compliance.

We have State required Standard Operating Procedures for everything. These procedures apply to adult sales.

- We must destroy and dispose of all excess, unwanted, outdated, deteriorated, adulterated, or misbranded cannabis under video surveillance and in a manner as to render the cannabis unusable and non-retrievable;
- We must maintain records of all cannabis destruction and disposal;
- We have a process for how and when we can close early or change hours of operation.
- We must maintain proper cleanliness, ventilation, temperature control, and sanitation to ensure safe and consistent inventory;
- Our dispensary must contain sufficient lighting to ensure visibility, security, and proper surveillance;
- Upon entering the premises all dispensary visitors must: Provide valid, government issued photo ID evidencing that they are twenty-one years of age or older; Obtain a visitor badge, visibly displayed at all times, and returned upon departure; and Escorted and monitored by an assigned registered employee at all times;
- We must maintain a visitor log memorializing all facility visitors that enter the premises;
- Within the retail area, our dispensary shall establish a secure, limited access area that is physically separated from the remainder of the retail area and is accessible only by authorized registered employees; and
- Customers are prohibited from using products purchased at Bliss in our dispensary or in the parking lot. Loitering is not acceptable in any case.

We believe City Council Members and staff's concerns would be better directed towards industries that are not as heavily regulated as our marijuana business. As demonstrated, the sales of medical

and adult marijuana in Ohio requires businesses to endure a careful, expensive, and onerous process of selection, quality, security, and safety. The operations of cannabis dispensaries should not be equated with concerns of Delta-8 and intoxicating hemp (cannabis) sales³, or other black market, unregulated sales.

The fact of the matter is, minors can currently walk into a variety of retailers like gas stations, grocery stores, and other novelty shops and purchase untested and unregulated products like those now being addressed by Governor DeWine; whereas no minor will ever be able to walk into a licensed medical or adult dispensary and purchase cannabis since it is explicitly prohibited by Ohio law.

For those of you that have not visited Bliss when you walk into our business customers are greeted by a sound bowl, water feature, crystals, comfy couches, a smiling receptionist, and a trained security guard. Our welcoming staff check the customer in, ensuring they have a valid, government issued photo ID, and medical marijuana card before they are granted access to the retail floor. Once customers arrive on the dispensary floor, they will only find product packaging – aside from more crystals, cozy chairs, and checkout stations! - and not actual product on display. After reviewing their order, the patient receives their product in a sealed bag. The bag must remain sealed until they arrive at their place of residence.

We take our commitment to being a good neighbor and business seriously.

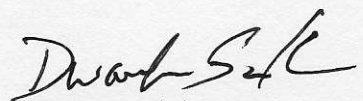
Lastly, at the January 2022 planning commission meeting, residents had an opportunity to share their concerns. The concerns raised ranged from Bliss Ohio patients will be selling their purchases for sex, to active use of product in the parking lot, to random people walking the nearby neighborhood, to loud music and long hours, diversion, and access to school children. One can look at each and every one of those concerns raised and not find a single example of those actually happening.

Our staff and our patients should be commended for a job well done in maintaining a level of professionalism and in my opinion are owed a sense of gratitude and thanks for being an exemplary Kent community partner.

We look forward to continuing to build our small business in Kent and serving as a good neighbor to the entire community. Thank you for your consideration of our request.

Sincerely,


Pamela Siekman
Bliss Ohio
Co-Founder and CEO


Dwayne Siekman
Bliss Ohio
Co-Founder and President

³ <https://governor.ohio.gov/media/news-and-media/governor-dewine-calls-for-quick-action-on-intoxicating-hemp>.

ORDINANCE NO: _____

BY _____

AN ORDINANCE EXEMPTING CURRENTLY LICENSED MEDICAL MARIJUANA DISPENSARIES WITHIN THE CITY OF KENT, OHIO, FROM THE RESTRICTIONS OF THE MORATORIUM IMPOSED BY ORDINANCE 2024-003 REGARDING ADULT USE CANNABIS AND DECLARING AN EMERGENCY

WHEREAS, the City of Kent City Council passed a complete moratorium on January 17, 2024, on adult-use cannabis operators, testing laboratories, and individuals required to be licensed by the Ohio Revised Code within the City limits until such time as the City Council has had the opportunity to review the State of Ohio's adopted rules, regulations and guidelines; and

WHEREAS, the moratorium also paused existing businesses in the City that are licensed by the State of Ohio as medical marijuana dispensaries from expanding in any manner which would allow for the retail sale or dispensing of adult use marijuana; and

WHEREAS, Section Three of Ordinance 2024-003 declared an emergency measure necessary for the immediate preservation of the public peace, health, safety and, welfare of the residents of the City; and

WHEREAS, it is the desire of this Council to allow the current medical marijuana dispensary in Kent, specifically Next-Level Operators LLC doing business as Bliss Ohio, located at 331 E Main Street, Kent, Ohio, to be exempt from the temporary restrictions imposed by Ordinance 2024-003 so long as it is in good standing with the State of Ohio and City of Kent licensure requirements, in compliance with all laws and regulations of both the State of Ohio and the City of Kent pertaining to the sale and dispensing of medical marijuana and adult use marijuana, and that the request for any type of application, permit, or approval from the zoning inspector for the retail sale or dispensing of adult use marijuana is for their current existing location for which the license was issued by the State of Ohio and City of Kent.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENT, COUNTY OF PORTAGE, STATE OF OHIO:

SECTION ONE: The medical marijuana dispensary in Kent, specifically Next-Level Operators LLC doing business as Bliss Ohio, located at 331 E Main Street, Kent, Ohio, which is currently licensed by the State of Ohio and the City of Kent, is hereby exempt from the temporary moratorium adopted by this Council by way of Ordinance 2024-003 so long as the following requirements are met: The medical marijuana dispensary is in good standing with the State of Ohio and the City of Kent licensure requirements; the medical marijuana dispensary is in compliance with all laws and regulations of both the State of Ohio and the City of Kent as it pertains to the dispensing and sale of medical and adult use marijuana; and that the request for any type of application, permit, or approval from the zoning inspector for the retail sale or dispensing of adult use marijuana is for the current existing location of the dispensary (as listed above) for which the license was issued by the State of Ohio and City of Kent.

SECTION TWO: Any request for a certificate of zoning clearance, building occupancy permit, or any other permit or approval required under the City's Zoning Code will remain subject the rules, regulations, and requirements as set forth in the current zoning code of the City of Kent.

SECTION THREE: That an emergency is hereby declared to exist as set forth in this Ordinance as this matter which impacts the health, safety and public welfare of the City of Kent and that as such, this Ordinance shall be effective immediately upon passage by Council and approval by the Mayor pursuant to Section 121.22 of the Ohio Revised Code.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens, CMC
Clerk of Council

I, Amy Wilkens, Clerk of Council for the City of Kent, County of Portage, and State of Ohio, and in whose custody the original files and records of said Council are required to be kept by the laws of the State of Ohio, hereby certify that the foregoing is a true and exact copy of Ordinance No. _____, adopted by the Council of the City of Kent on _____.

(SEAL)

Amy Wilkens, CMC