

**THE CITY OF KENT, OHIO
FINANCE COMMITTEE
WEDNESDAY, JULY 3, 2019**

Chair Michael DeLeone called the meeting of the Finance Committee of Kent City Council to order 8:09 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner; Ms. Tracy Wallach.

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Mr. Tom Wilke, Economic Development Director; Mr. Dave Coffee, Budget and Finance Director; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Police Chief Michelle Lee; and Ms. Dawn Bishop, Interim Clerk of Council.

There were three (3) items on the Agenda.

1. City Tax Budget

Mr. Coffee said this is the annual housekeeping to give the county demonstrative needs to the existing tax structure and whether or not we are requesting any changes to that structure, which we are not. They certify it and we move on down the process.

Ms. Shaffer asked what was the projected total budget?

Mr. Coffee said they're presenting both sides of the balance sheet. The structure of that doesn't lend itself to totals like that. It's not like the annual budget where we have summary page; they're all individual fund accounting. It largely mirrors the existing budget.

MOTION TO APPROVE THE CITY TAX BUDGET, WITH AN EMERGENCY CLAUSE made by Mr. Kuhar, seconded by Mr. Sidoti, and CARRIED by a voice vote of 9-0.

2. City BAN Renewal

Mr. DeLeone asked what was a BAN? There was some back and forth discussion about bonds.

Mr. Coffee said they are BANs: Bond Anticipatory Notes, it's an acronym. As outlined in his June 26 memo to the city manager, he's requesting Council authorization for four separate ordinances that will support refunding of existing debt that are in one year notes.

Mr. Sidoti asked if we add those four notes up, is that the city's total indebtedness at this time?

Mr. Coffee said that's the total short term indebtedness as opposed to bonds and longer term loans.

MOTION TO APPROVE THE CITY BAN RENEWAL, WITH AN EMERGENCY CLAUSE made by Mr. Amrhein, seconded by Mr. Kuhar, and CARRIED by a voice vote of 9-0.

3. Ohio Public Works Pre-Application Renewal

Mr. Ruller said each year Jim Bowling goes through requests through OPWC. There's never enough money to cover all we would like to do, so it's a prioritization and narrowing down process, but then also trying to determine which projects are most likely to get funded. When successful, that will be that much less money to put on bonds.

Mr. Bowling said the key process is to match our needs to what grants would fund. It's our needs based on approved capital plan, not on a whim. The three projects to go to OPWC are in the capital plan and have been approved. They include water fund, storm fund, and capital fund. The three projects are Walnut Street, Harris Street, painting a water tower on Summit. Those are big expenses where they like to try to get grant assistance to move them forward.

MOTION TO APPROVE THE OHIO PUBLIC WORKS PRE APPLICATION REQUEST, WITH AN EMERGENCY CLAUSE made by Mr. Sidoti, seconded by Ms. Wallach, and CARRIED by a voice vote of 9-0.

Hearing no further business before this Committee, Chair DeLeone adjourned the committee meeting at 8:18 p.m.

Dawn Bishop
Interim Clerk of Council

ACTION RECOMMENDED:

- 1) **AUTHORIZE THE CITY TAX BUDGET, WITH AN EMERGENCY CLAUSE.**
- 2) **AUTHORIZE THE BAN RENEWAL, WITH AN EMERGENCY CLAUSE.**
- 3) **AUTHORIZE OH PUBLIC WORKS PRE-APPLICATION REQUEST, WITH AN EMERGENCY CLAUSE.**

**THE CITY OF KENT, OHIO
HEALTH & SAFETY COMMITTEE
WEDNESDAY, JULY 3, 2019**

Chair Jack Amrhein called the meeting of the Health & Safety Committee of Kent City Council to order at 7:30 p.m. after the only item on Streets and Sidewalks Committee agenda was postponed.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner; Ms. Tracy Wallach

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Mr. Tom Wilke, Economic Development Director; Mr. Dave Coffee, Budget and Finance Director; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Police Chief Michelle Lee; and Ms. Dawn Bishop, Interim Clerk of Council.

There were two (2) items on the Agenda.

1. Consideration of a Ban on Conversion Therapy for Minors

Mr. Ruller reminded Council that they put this in committee after quite a bit of discussion and interest in the topic. Coincidentally, his office has received a few letters from community members and from Kent State and they are equally in support of the city banning such practice.

Ms. Jones said she took a look at language other communities in Ohio used to ban conversion therapies including Athens, Dayton, Cincinnati. The language she presented to Council is basically what is being used around the State. Ms. Jones made a few changes requested by the LGBTQ community and a couple of requests, like taking out 'mental health professional' and just use the term 'professional' were requested, but she didn't think the City should get involved where people may be taking their children to clergy members and thinks they may be looking at a liability.

Mr. Kuhar asked if they are looking at banning the practice or the business of the practice.

Ms. Jones said the practice and clarified if there is a mental health official as defined by the code presented to Council, and in the jurisdiction of the City of Kent, and that mental health professional accepts an appointment with a minor to council that minor regarding their sexual orientation, then that practice is banned. This would be a civil penalty.

Mr. Kuhar asked if the parent takes their child to a psychologist or psychiatrist, that doctor does the practice, he is in violation of our ordinance?

Ms. Jones said that is correct.

Mr. Ruller also wanted to point out they have no knowledge of this practice occurring in the City of Kent and this would be to keep it out of the city.

Ms. Shaffer said she's concerned about it not having enough teeth and pointed out the last sentence of paragraph three "or any other persons offering such mental health services" and could that be someone like a counselor?

Ms. Jones said yes, but they would have to be licensed.

Ms. Shaffer asked if we have a religious member or religious counselor, but they might be licensed too, are we excluding them?

Ms. Jones said yes, we are excluding religious institutions. When she was doing some research on this matter, there was a Catholic Diocese in Minnesota (she believed was the local,) where they did include clergy as part of the ban and the Catholic Church is getting around it by giving their lay people enough info that they can do the conversion therapy and not be in violation as they are not clergy but laypeople. Ms. Jones said she does not recommend going down that road and religion is protected by the first amendment and believes that as written, this is a good entrance into the ban.

Ms. Wallach asked what about the people, as discussed in an earlier meeting, that are not licensed and practice in the conversion therapy, will this cover those people?

Ms. Shaffer said that is what she was referring to in that sentence "any other persons offering mental health services."

Ms. Jones said she's going back to where it requires a license but understands what they are asking. She suggested adding to any other persons offering mental health services, regardless whether licensed and also adding, not including religious organizations, just to make it very clear.

Ms. Rosenberg said if someone is fraudulently claiming to be licensed, the organization would have an issue with that and that person would have bigger problems then the City of Kent.

Mr. Kuhar asked what is the regulating body for mental health practitioners and if something is accepted by that regulating body as an accepted practice, is the City in a position to say no we are against how you choose to practice medicine or psychiatry.

Ms. Jones said she has seen no case law in this state or the 6th District that has disallowed cities from banning this practice.

Ms. Wallach said the American Board of Psychiatry has come out against it.

Mr. Sidoti gave an example of a young man coming to his high school principal saying he was struggling with his gender identity and asked could that discussion be construed as treatment.

Ms. Jones said she understands that slippery slope but educators educate people, not treat people, and have the duty of listening to a child and doesn't think that an educator would fall under a mental health professional.

Ms. Wallach said that educator would just be having a discussion, not forcing them to stick to a certain gender.

Ms. Jones said if you look at the definition of gender change efforts, she just doesn't think an educator or next door neighbor, or religious lay people are covered by that. She said this is written where a parent makes an appointment with a mental health professional or other clinical person to pay that person to talk to their child and try to get that child to change their mind about whether they are trans, etc.

Mr. Ferrara asked are we just as concerned about the non-licensed professionals if they do exist, and how do we place a ban on that? Such as Alcoholic Anonymous, which is a group of non-licensed participants. Could someone put this under an umbrella of just a group of people here to talk it through but it's really conversion therapy. Would this ban cover that?

Ms. Jones asked are you talking about a cult? She said we can't keep people from being racist or thinking certain things and this ban would be aimed at the medical and mental health profession to keep them from harming our children. If a neighbor or group of people get together, that's not what this is aimed at.

Mr. Ruller reiterated that this is a good starting point.

Christopher Myers of 220 E Elm Street, Kent, said it seemed to him that what Council is trying to do is tell mental health professionals what they can and cannot do and he suggested someone get with the American Psychiatric Association before Council jumps into this.

Mr. Turner arrived at 7:17 P.M. at this point of the discussion.

MJ Eckhouse of 1433 Cedar Street, Kent, appreciated all the thoughtful questions from City Council and said this speaks to the level of involvement and care that is in the community. That makes him hopeful for the future of Kent and the State. The American Psychiatric, American Medical, American Psychological Boards, and so forth, as detailed in letters sent to Council, have all condemned the practice of conversion therapy clearly, unequivocally.

Jennifer Taver of 1538 Morris Road, Kent, said she is in the Psychology Department at Kent State University and would be more than happy to put any member of Council in touch with someone from the department to provide a professional statement. She is very glad to hear Kent is considering this ban.

Kim Homsher of 411 E School, Kent, was happy to see this addressed and thought the questions were very good. She wanted to add again that conversion therapy has been rejected by the American Psychiatric Association, American Psychology Association, American Academy of Pediatrics, American Medical Association so is not something supported by accrediting bodies. She also wanted to add that in speaking of protecting minors and children, it's not just children that go to and receive this treatment but it's also the minors who are considering coming out and not knowing whether their parents may take them to conversion therapy. She said she is also the president of PFLAG Akron and they hear these stories and they know kids are scared.

MOTION TO BAN CONVERSION THERAPY FOR MINORS WITH ADDITIONAL LANGUAGE AS MENTIONED EARLIER, WITH AN EMERGENCY CLAUSE made by Ms. Shaffer, seconded by Ms. Rosenberg.

Ms. Shaffer said to her knowledge people can pose as mental health professionals and counselors and she thinks adding that language would help in that case. Ms. Shaffer said local governments often lead social change and while it hasn't been seen in Kent, it's important to join with other local governments in Ohio to speak to the State and then ultimately the nation.

Ms. Rosenberg wanted to remind council members that this has been debunked and actively discouraged by psychology and counseling organizations, as some of our guests spoke to, and again we are talking about the very vulnerable population of our youth and she considers this practice abusive.

Mr. Sidoti wanted to thank MJ for his comments about having this open conversation about this issue and said far too often long conversations don't occur and we rubber stamp it and move on. People in the community want honest conversation and ask challenging questions so we can begin to understand. Most importantly as Ms. Rosenberg stated, we are trying to protect our youth. He only questions that balance of parents' rights but sometimes we have to make a value judgement and this is a good first statement.

Mr. Kuhar said he supports this motion hesitantly. That hesitation is parents' rights to raise their children how they want to raise them, until the point where it gets abusive. But if this practice basically boils down to brainwashing and abusive mental stress, then that is the side that supports it.

MOTION CARRIED by a voice vote of 9-0.

2. Proposed Renewal of the School Resource Officer Agreement with Kent City Schools

Mr. Ruller said basically this is just changing the dates of the agreement from one year to the next and to refresh everyone's memory, this is where KCS pays for a full time officer to be at Roosevelt and Stanton and other places as needed.

MOTION TO APPROVE THE SCHOOL RESOURCE OFFICER AGREEMENT WITH KENT CITY SCHOOLS, WITH AN EMERGENCY CLAUSE made by Mr. Kuhar, second by Mr. Sidoti.

Mr. DeLeone said his wife had just commented earlier that it was the best thing the City and schools have done, is put a police officer in the school. He's very well respected and a great guy.

Ms. Rosenberg said the safety of students is a city-wide concern and is happy to approve this.

Mr. Kuhar said he's glad to hear that the police officer is liked and well respected in the schools as other than acting as a guard there, we need someone there the kids trust and can go to if there is a problem.

Mr. Sidoti pointed out that Council has just spent thirty minutes talking about the City's most precious resource: young people. We will hopefully be passing two measures that protect those young people and that says a lot about the community.

MOTION CARRIED by a voice vote of 9-0.

Hearing no further business before this Committee, Chair Amrhein adjourned the meeting at 7:30 p.m.

Dawn Bishop
Interim Clerk of Council

ACTION RECOMMENDED:

- 1) **APPROVE THE CONVERSION THERAPY BAN, WITH AN EMERGENCY CLAUSE.**
- 2) **APPROVE THE SCHOOL RESOURCE OFFICER AGREEMENT WITH KENT CITY SCHOOLS, WITH AN EMERGENCY CLAUSE.**

**THE CITY OF KENT, OHIO
LAND USE COMMITTEE MEETING
WEDNESDAY, JULY 3, 2019**

Chair Garret Ferrara called the Land Use Committee Meeting to order at 7:30 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner; Ms. Tracy Wallach.

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Mr. Tom Wilke, Economic Development Director; Mr. Dave Coffee, Budget and Finance Director; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Police Chief Michelle Lee; and Ms. Dawn Bishop, Interim Clerk of Council.

There were two (2) items on the Agenda.

1. Proposed Text Amendment to the Zoning Code

Ms. Susel said she was coming to Council as part of compliance process built into the Zoning Code. She wanted to begin by saying the applicant has withdrawn their request for this item but as the recommendation has gone forward to Council, she does need a vote on it. Ms. Susel continued that the Planning Commission heard this on May 7. The applicant was asking to add restaurant, catering as conditional uses in I. This was precipitated by a conditional offer the applicant had put on 500 VFW Parkway, the old VFW, contingent on rezoning. The Planning Commission recommended not to approve the amendment and staff supported that. Ms. Susel said zoning is not about a specific building and when you make a change to accommodate that, you establish a precedent that moves forward. The VFW was there as a fraternal organization as it was included in the "I" district. Addressing an issue now plays out in perpetually. Ms. Susel reminded Council the applicant also withdrew their request. Also the Planning Commission recommended against the change as they did not believe restaurant and banquet space belong to the Industrial Zoning District.

Ms. Wallach questioned a discrepancy in Council's packet. It said the Planning Commission voted in favor of the amendment.

Ms. Susel said that's incorrect, they did not vote in favor of it. But she does wish Council's approval of the Planning Commission's recommendation of not amending the text.

Ms. Shaffer said she understands we can't talk about a particular property but it does quite limit what can be done with that building.

Ms. Susel said not necessarily. The American Legion is the one that set the precedent so that the VFW could be in Industrial. The American Legion proposed a banquet facility and they are not leasing as often as they would like and are expanding in other events. The VFW has a kitchen that could be used for production and they actually met with another potential buyer just last week that wants to do catering for service off site, which is fine, production is industrial. They cannot use all the space. Dining and bar area would not be utilized. They thought they could use it as an intensive recreational space like bowling alley, put-put. They were trying to say if they put card tables around the space it would work. So they said you have all that space, find a startup that needs space, like a baker. The problem with zoning per building is creating another problem and setting a precedent. They really don't want things in the code that down the road future council people or staff will have to deal with, like they are doing now with the VFW.

Ms. Shaffer asked if the property could be rezoned.

Ms. Susel said it could with something adjacent to it. But you are creating a situation that is not quite spot zoning, but you leave two industrial properties right by a RC and R3. You've joined that parcel with an adjacent but then you are creating a situation where the City is almost violating its own rules. The City avoids spot zoning.

Ms. Shaffer asked about it almost being a buffer zone but you could have gas extraction there.

Ms. Susel said there is actually an active natural gas extraction lease there. The most logical rezoning would be if all three of those industrial owners want to change this to an adjacency, rather than leaving one or two. The problem with that is the impound lot and as long as that is there, it's probably not going to happen. The other parcel is basically green space.

Mr. Kuhar asked what would be wrong with a restaurant in the middle of an industrial section.

Ms. Susel we sort of have something like that with Mad Cap. They are zoned industrial but they have their primary financial driver is production. The tap room could go away and they would still be brewing. That sort of use could be done there.

Mr. Kuhar has seen that spot zoning done in other cities like Pittsburgh and he has seen it be successful.

MOTION TO ACCEPT THE PLANNING COMMISSION'S RECOMMENDATION, WITH AN EMERGENCY CLAUSE made by Mr. Amrhein, seconded by Ms. Rosenberg, and CARRIED by a voice vote of 9-0.

2. Proposed Easement Agreement with Dominion Energy

Ms. Susel said owners of 315 Gougler, their water production facility, is getting ready to open. Equipment was delivered. They need larger gas supply to run the equipment. To tap they need to cross the city's property. This would grant them an easement so Dominion can put the line in for them.

Ms. Rosenberg asked for clarification on the easement.

Ms. Susel it would be from Mantua to Gougler.

Mr. Kuhar asked if the easement would limit construction.

Ms. Susel said it's the grassy area right next to the new parking lot so basically it is developed already.

MOTION TO APPROVE THE EASEMENT AGREEMENT WITH DOMINION ENERGY, WITH AN EMERGENCY CLAUSE made by Mr. Sidoti, seconded by Mr. Kuhar, and CARRIED by a voice vote of 9-0.

After hearing no further business, Chair Ferrara adjourned the meeting at 7:43 p.m.

Dawn Bishop
Interim Clerk of Council

ACTION RECOMMENDED:

- 1) **ACCEPT PLANNING COMMISSION'S RECOMMENDATION, WITH AN EMERGENCY CLAUSE**
- 2) **APPROVE THE EASEMENT AGREEMENT WITH DOMINION ENERGY, WITH AN EMERGENCY CLAUSE**

**THE CITY OF KENT, OHIO
STREETS, SIDEWALKS, AND UTILITIES COMMITTEE
WEDNESDAY, JULY 3, 2019**

Chair Roger Sidoti called the meeting of the Streets, Sidewalks, and Utilities Committee of Kent City Council to order at 7:43 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner; Ms. Tracy Wallach.

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Mr. Tom Wilke, Economic Development Director; Mr. Dave Coffee, Budget and Finance Director; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Police Chief Michelle Lee; and Ms. Dawn Bishop, Interim Clerk of Council.

There were three (3) items on the Agenda.

1. Proposed Updates to the City's Small Cell Wireless Regulations

Ms. Jones said if Council would recall, last August Council passed a small cell facility ordinance based on Ohio Code and Bill Hanna from Walter Haverfield assisted with that process. Just as that was winding down, the Federal Government got involved and the FCC has passed its own regulations that supersede Ohio Law. Bill Hanna looked at FCC Regulations and Small Cell Ordinance to let the City know what needed amended and changed so to be in compliance. Underlined blue in the ordinance is new and red strike thru would be removed. Ms. Jones said it's not a lot but gets the City in compliance.

Ms. Shaffer just asked for some clarification. The word facility makes it sound like it's something big.

Bill Hanna, Attorney with Walter Haverfield out of Cleveland, said this is probably part two of the process with Ohio and federal regulators as they try to facilitate the installation of small cell wireless facilities to achieve 5G. Small cells are actually a lot smaller than older infrastructure used in wireless telecommunications. Small cells under the Ohio statute that took effect last August 1st, have to be 6 cubic feet or less in terms of the antenna itself and then all related equipment has to be no larger than 28 cubic feet. Mr. Hanna said while these are smaller, they aren't tiny, and the updated ordinance tries to preserve and enhance where in the right of way they go and where additional equipment goes and how it can be concealed with landscaping or shrouding to allow the deployment of these but to allow communities to protect business districts and residential areas.

Ms. Shaffer asked could these also be boxes on the ground along with on the poles.

Mr. Hanna said yes they could be both.

Ms. Shaffer asked do we get to determine where they put these?

Mr. Fiala said no, it's their choice.

Ms. Shaffer asked so I could wake up tomorrow and have a 28 cubic foot box I have to mow around?

Mr. Fiala said it's a city right of way.

Mr. Hanna said typically they aren't that large, but yes they could be up to that size. These take up lots of different shapes and configurations and that is the max size. Your regulations would require they be mounted in the most inconspicuous way possible. If on ground, landscaped; on pole you can dictate height so as not to obstruct pedestrian and other traffic. Typically you aren't looking at one large box you have to

mow around. Mr. Hanna also confirmed as the mayor said, HB 478 that took effect last August 1 and the FCC order, both give rights to the telecommunication providers to install these in a manner compliant with local regulations. Mr. Hanna said the vast majority of the local ordinance was able to be maintained and was not in conflict.

Mr. Kuhar asked if this approval was just a formality?

Mr. Hanna said yes although there are certain requirements or authority under Ohio Law reserved to municipalities that the city needs to put into its code in order to exercise that, which Kent has done, but it is more than just saying we're going to roll over. Through these ordinances you have exercised as much authority in the most flexible way that we could find.

Mr. DeLeone asked how many of these things did Mr. Hanna think would be put up in the city?

Mr. Hanna said he didn't know. The numbers discussed being installed nationwide is astonishingly high. The speeds that will be provided is incredibly fast but the downside is it comes out of a smaller box and reach only 300'- 500'. It's a moving target to some extent. Hopefully they will become smaller and reach further.

Ms. Susel said her office has already had some permits come through, the numbers haven't been extensive and Mobility and Verizon are the two they've dealt with so far.

MOTION TO AUTHORIZE THE PROPOSED UPDATES TO THE CITY'S SMALL CELL WIRELESS REGULATIONS, AND DECLARING AN EMERGENCY made by Mr. Ferrara, seconded by Mr. DeLeone, and CARRIED by a voice vote of 9-0.

2. Consideration of a Street Closure for the Opioid Awareness Music Festival August 11, 2019

Mr. Ruller said this request was copying street closures of other festivals.

Tom Letizia, working with Family and Community Services to organize the event, thanked Council for considering their application. Mr. Letizia said he thinks everyone is aware of the opioid crisis and there will be ten agencies set up, bands, food, and speakers. They're expecting between 1000- 2000 people. Music will go from noon to dusk. Mr. Letizia said he's been involved in other festivals downtown as well.

Ms. Rosenberg asked about the portion on Main Street requested being closed, was that vital?

Mr. Harrison Wicks, Assistant to the City Manager, said they just went off the Grill for Good map and copied their set up. He assumes you could set up all ten agencies on N. Water but if they're planning on food vendors too that may be too much for just N. Water Street.

Mr. Letizia said he would like the extra space if they could and set up will be exactly like Grill for Good's event.

Ms. Rosenberg said she's just concerned about downtown businesses being cut off with traffic disruption.

Mayor Fiala said as taking part in all ten Grill for Goods, there is a lot of vacant space on N. Water Street that they could have taken from Main and put up on Water.

Mr. Letizia said he thinks it will be bigger than Grill for Good but if he could get closure to extend past Columbus and keep Main open, that might work.

Mr. Wicks said a lot of configurations for the events will change next year with the work on Water Street.

Ms. Shaffer asked about who are the ten agencies? Are they all Kent-based? Portage County?

Mr. Letizia said they are not all Kent based. There's a national agency and True Freedom Ministries is one, which helps addicts get set up on the right track again, Root House is another. Mr. Letizia said it's really the top support agencies.

Mr. Ferrara asked are proceeds split evenly amongst the agencies?

Mr. Letizia said yes, that's his understanding: split equally amongst the agencies. He did one of these at Beachland Ballroom last year and that's how he did it.

Mr. Ferrara said there has been some concern and he has spoken to one particular business/constituent, which Ms. Rosenberg eluded to, that there is traffic disruption for businesses downtown and then also a problem with notification of disruptions to businesses. Mr. Ferrara said it wouldn't help anybody if we choose to close this off and then if we don't get enough vendors we won't, it'll be an eleventh hour decision. Mr. Ferrara said while in favor of all the festivals downtown, he would suggest as a first year event, maybe don't close off Main. If we do have to close it, give ample notice to businesses and detour options.

Mr. Kuhar said maybe as this is a Sunday event, traffic problems won't be as bad.

Mr. Fiala said not necessarily, if it's a nice day, there can be a lot of traffic in Kent.

Mr. Letizia asked about the possibility of extending down Water Street past Columbus. He said he really would guess this is going to be larger than Grill for Good.

MOTION TO APPROVE THE FESTIVAL APPLICATION WITH LAYOUT AND STREET CLOSURE CONTINGENT ON RESPONSE AND PARTICIPANTS BY A CERTAIN DATE, AND DECLARING AN EMERGENCY made by Mr. Ferrara, seconded by Mr. DeLeone

MOTION TO AMEND THE MOTION WITH A TWO WEEK BEFORE THE FESTIVAL DEADLINE TO DECIDE ON ROAD CLOSURE made by Mr. Kuhar, seconded by Ms. Wallach, and CARRIED by a voice vote of 9-0.

AMENDED MOTION CARRIED by a voice vote of 9-0.

3. Proposed License Agreement for Troy Grille

Mr. Ruller said to Council he's sure they've noticed outdoor seating for downtown restaurants is a premium and Troy Grille is asking for that consideration now for their restaurant.

Mr. Bowling said this started with Tom Wilke speaking to the owner of Troy Grille to help find a way to have outdoor/patio seating. Luckily the sidewalk is generous there and they worked with the owner to provide their seating and still allow for adequate sidewalk use. There are no utility conflicts. There will be fourteen seats on their patio.

Mr. Kuhar asked if this is for smoking?

The owner answered from the back of the room that it's nonsmoking.

Mayor Fiala said he likes seeing people outside eating on the sidewalk. He doesn't like the one on Franklin, a taco establishment, where you have to walk through it, but this set up looks good.

MOTION TO APPROVE THE LICENSE AGREEMENT FOR TROY GRILLE, AND DECLARING AN EMERGENCY made by Mr. Amrhein, seconded by Ms. Shaffer.

Ms. Shaffer said this is a good thing that will enhance access to the Troy Grille and it's great to drive or walk through the City and see all the people out on the street and makes for a vibrant-looking city.

Ms. Rosenberg said people really seem to enjoy eating outside and said thank you to the owners of Troy Grille for investing in their business.

Ms. Wallach agreed it's a great idea and Troy Grille is a great restaurant that not a lot of people know is there. They have a loyal following and this should help their restaurant grow.

MOTION CARRIED by a voice vote of 9-0.

Hearing no further business before this Committee, Chair Sidoti adjourned the meeting at 8:09 pm.

Dawn Bishop
Interim Clerk of Council

ACTION RECOMMENDED:

1. **AUTHORIZE THE PROPOSED UPDATES TO THE CITY'S SMALL CELL WIRELESS REGULATIONS, AND DECLARING AN EMERGENCY**
2. **AUTHORIZE THE STREET CLOSURE FOR THE OPIOID AWARENESS FESTIVAL, CONTINGENT ON PARTICIPANT LEVELS DECIDED TWO WEEKS AHEAD OF TIME, AND DECLARING AN EMERGENCY**
3. **AUTHORIZE THE LICENSE AGREEMENT FOR TROY GRILLE, AND DECLARING AN EMERGENCY**