

**THE CITY OF KENT, OHIO
REGULAR COUNCIL MEETING
WEDNESDAY, August 21, 2019**

At 7:35 p.m., Mayor Jerry T. Fiala called the **Regular Meeting of Kent City Council** to order after Chief Tosko was able to recognize and award medals to Fire Department personnel for twenty-two recent lifesaving rescues in the swift river.

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; and Ms. Tracy Wallach.

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Mr. Erik Fink, Assistant Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Public Service Director; Mr. Jim Bowling, City Engineer; Fire Chief John Tosko; Ms. Dawn Bishop, Interim Clerk of Council

Mayor Fiala asked for roll to be read and then called upon Councilmember Rosenberg for her opening remarks.

Ms. Rosenberg wanted to thank the Fire Department for what she saw on Facebook: a couple of lucky students from the Kent Free Library Summer Reading Program were given a ride to school today in a fire truck. She loves it when city organizations work together like that. Ms. Rosenberg said as it is the first day of school in Kent, here's to a successful new school year for Kent City School students and Kent State University students.

Ms. Rosenberg then led the Pledge of Allegiance.

APPROVAL OF MINUTES:

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF July 17, 2019 made by Mr. Ferrara, seconded by Mr. Amrhein, and CARRIED by a voice vote of 8-0-1 with Ms. Wallach abstaining.

COMMUNICATIONS:

Mayor Fiala read a statement to the audience: *"While the law does not require Council to provide time for public comment, we have historically invited the public to make comments and we appreciate their input. This is the time where residents and others can comment on matters that concern them. However, we will not engage in debate, and as President of Council, I reserve the right to end any public communication that is disruptive, embarrassment, harassment or otherwise objective. We ask that when you come to the microphone that you speak into the microphone clearly, give your name and address and limit comments to three (3) minutes of discussion."* He then asked the Clerk if anyone was signed in. There were fifteen visitors who signed in with the Clerk.

Jay Plymale of 7437 Birkner Drive Kent, said he can think of a lot of people around that would be in violation of the code, a lot of unrelated people living together. When looking at Bowling Green v Yoder, something things stand out: property owner's rights of the housing. He has seen in his lifetime a large amount of people just not getting married, or not staying married. You end up with a lot of single people living together. He hates to see fighting everybody.

Kristin Beahiaume of 851 Admore Drive Kent, said she and her husband are both realtors in Kent and have recently purchased their first rental. They bought a multifamily and a single family on Rockwell. She first learned of the residential licensing program in April and was a little bit taken aback because as a realtor, she works very closely with Heather Phile and on every property they transfer they get the buyer to sign off on the zoning certificate. As this was a pretty major thing, it was shocking to her to never have seen this before. As residents of the City of Kent, would you say the foundation to your own home is plum and is your grading and soil as they should be; do you have flaking paint or cracks on your ceiling. Ms. Beahiaume said if you come to my home maybe you would find that. Would it be ok to you if a city official came into your home uninvited or without a warrant and you have to pay them \$100 to do so and \$5 for each additional bedroom? She's not against health and safety. Ms. Beahiaume said this is too subjective and the answer she was given was we wouldn't do that, but the problem is you could, and that power is out there. She would ask to suspend the program or amend it.

Christopher Myers of 220 E Elm Kent, said he wanted to speak about the housing code. He has always found it very intrusive for his tenants to have someone coming in looking in their closets. He has always gotten along well with the Health Department; he had four houses, he got along with the Health Department, and they did a very good job. He said this is a little much, people who aren't related live together; sometimes they can't afford not to. He does commend the Health Department for their fine job. He also mentioned that the Record Courier has been advertising Council meetings for Tuesdays.

Claire Weihe of 312 N Lincoln Street Kent, wanted to speak on behalf of the Kent State University Student Govt in support of the rental licensing program. In 2018/2019 academic year, 28,000 undergraduate students had 70% living off campus. Many homes in Kent are over 100 years old and come at low monthly cost to students. These low prices make it possible for a lot of students to pursue an education. She said the last thing the students need to worry about is their safety. She believes landlords should be responsible for providing a safe residence for their tenants and it is not an invasion of privacy but public health and human rights.

Vala Zeinali of 604 Hickory Mills Kent, the student body president at Kent State University, said there are 6400 students living in residence halls and 20,000 living elsewhere. He shouldn't have to worry about his girlfriend having her front door broken with the force of a finger, worry that at any moment her roof could cave in covering her in asbestos, he shouldn't have to worry of carbon monoxide poisoning. He shouldn't have to worry about his basic human rights. As an advocate for students, he said living off campus can be great but not if it puts your students in danger.

Antonio Sacco-Neuman of 430 Suzanne Drive, Kent, said she lives next door to a home that was vacated by people who couldn't pay their mortgage and sat vacant for several years; not because of the economy downturn but because he was a drinker. He up and moved to Florida because you can't make him pay from there, she's been told. The house was eventually purchased by a couple from Boston Heights. Ms. Sacco-Neuman then addressed the audience and said it's great some of you live in Kent and Ms. Rosenberg called a point of order for Ms. Sacco-Neuman to address Council. Ms. Sacco Neuman continued with the problem is that a lot of landlords do not live in Kent and do not care. The first renters built an overhang on the back of the house, never finished it, left it open, never put gutters up, and squirrels, birds, etc would go in and out at the roof. She said talking about the grade of a property and if it's holding water, she finally got disgusted and called the City and it got fixed. Then she had a couple who threw trash all over the garage floor, don't use trash cans, wonder why they have a possum problem. She said she's living in a place where her health and safety is at risk. She ended up with a raccoon in her attic, which cost her \$7000 in getting the raccoon out, cleaning, sealing it up. She said the house behind her is owned by

Ernie Duncan of Aurora, Section 8 occupants, and Mr. Duncan through all contents and trash out on the back deck because he didn't want to pay somebody to take care of it. He then came to her house and yelled at her because she called the City. Ms. Sacco-Neuman continued with the house across the street that is owned by a Kent resident slumlord that had SWAT there. She would like to commend Council for this program and certainly hopes none of it is repealed.

Andrew Madonio wished to withdraw his name.

Michael Wiener of 318 Lake Street said he went to school in Kent, he and his wife took money from their wedding reception and invested in their first property in Kent, which is now part of the beautiful architecture building. Most of their properties are licensed, so most of the less specific language doesn't apply to them. The fact that trying to enforce the bedroom restrictions on unrelated people, on properties that have been running as continuous business for nearly fifty years in his family and now more than twenty years personally. He doesn't mind following health codes. They've always been grandfathered in other properties, which they maintain at the same high level of safety. To pay another licensing fee to not have bedrooms ripped from their business isn't so bad, but he would like it to be complete and not pick and choose who; there's lots of examples of people getting away with it. He doesn't mind making it right but doesn't want to be picked on.

Bron Roeder of 1387 Elizabeth Court, Kent, has multiple rental properties. He brings houses up to standards where he would want to live there himself. He does his own inspections and that is written out in his lease agreements. He has a licensed contractor do work on his properties. PMHA already does inspections of his Section 8 properties. He doesn't like the fees from the city that have come out of nowhere. He is a recent retiree of the US Marine Corps, always did his job, and he expects the city to do their job. The State of Ohio has already ruled against different municipalities for trying to do what Kent is doing.

Bernie Noble of 1008 Mogadore Road, Kent, wanted to speak on his tenant's behalf. They do not want the city in their homes and one even thinks it's against his fourth amendment right. We already have the Health Department, Fair Housing Board, etc that anybody could call if there's a problem and this just seems like a money grab.

Mike Hornyak wished to withdraw his name.

Debra Redman, 141 S Mantua Street, Kent, spoke about the inspection process on her six bedroom duplex and also concerned about the unrelated persons living together provision. She says there are plenty of ordinances and laws already.

Bret Roberts of 1345 Aleside Drive in Hinckley, he put around \$50,000 in a rental property and surrounding his property are student rentals. He doesn't really understand the point of only having two unrelated people in a unit. If he has three on one side and one on the other; changes his property to two and two, what does it matter. He feels in his situation he should be granted a non-conforming duplex. He also has a licensed boarding house on S Mantua that is next to a house that will be up for sale. He would like to buy that house, fix it up, but in order to make any money he would have to rent it out to three students, not just two. Ms. Phile told him that's not going to happen and he just wanted to talk to Council about that because of these improvements he's trying to do. He would like cooperation from the City.

Mr. Brad Dickerson wished to withdraw his name.

Jim Hauch of 201 Emerald Avenue, Streetsboro, said most of the rental properties in the city are owned by local individuals. He said this iron fist approach isn't going to do anything but create bad blood between landlords and the city. For example, he has affidavits going back to 1968 and the City is not accepting those. He really wants Council to take a good hard look at this ordinance and how it's being enforced, talk to the city manager, the building department, and let them know how it's affecting local landlords and residents.

Written Communications were reported by Interim Clerk Bishop and placed on file in the Clerk's office as follows:

1. Planning Commission Staff Report and Meeting Agenda for August 6, 2019, received July 30, 2019.
2. Sustainability Commission Meeting Agenda for August 12, 2019, and the minutes from July 1, 2019, received August 8, 2019.
3. Standing Rock Cemetery Trustees Regular Meeting Minutes of July 11, 2019, received August 6, 2019.
4. New Liquor License Permit from Ohio Division of Liquor Control for Angel Campos LLC, DBA Coyotes Mexican Grill Cantina 2500 SR 59 Suites 18 & 20 received July 30, 2019.

Mayor Fiala noted that the location of the liquor license request was in Franklin Township. MOTION TO RETURN THE LIQUOR LICENSE REQUEST made by Mr. Amrhein, seconded by Mr. Kuhar, and CARRIED by a voice vote of 9-0.

5. Notification from Ohio Division of Liquor Control of all liquor permits set to expire/up for renewal on October 1, 2019, received July 16, 2019.
6. Standing Rock Cemetery Trustees Regular Meeting Minutes of August 8, 2019, received August 14, 2019.

Communications received after the publishing of the agenda were reported by Interim Clerk Bishop and placed on file in the Clerk's office as follows:

1. Park and Recreation Meeting Board Packet for August 15, 2019.

City Manager's Report was called for by Mayor Fiala.

1. Request Council's authorization to accept a donation of pet carriers valued at a total of \$80 to the Kent Police Department for use in animal welfare. (Draft #2019-98)
2. Request Council's authorization to accept an Ohio Art's Council Grant in the amount of \$3171 and allocate its use for the Kent Creativity Festival. (Draft #2019-99)
3. Request Committee of the Whole time for approval of a City employee retirement funding policy.
4. Request Community Development Committee time to consider a proposed text amendment to Chapter 505 amending the Backyard Chicken regulations.
5. Request Health & Safety Committee time to receive a staff report outlining the deer population management practices in area cities.
6. Request Health & Safety Committee time to consider a new permit process for film productions proposed in the City of Kent.
7. Request Finance Committee time to consider authorizing the sale of a used police patrol vest.
8. Request Finance Committee time to authorize and certify the City tax rates for submission to the County.
9. Request Finance Committee time to consider authorization to apply for Ohio municipal bridge funding.
10. Request Finance Committee time to consider authorization to apply for AMATS resurfacing funding.

MOTION TO APPROVE ITEMS #1-10 OF THE CITY MANAGER'S REPORT made by Mr. Amrhein, seconded by Mr. Kuhar, and CARRIED by a voice vote of 9-0.

STANDING COMMITTEES/ LEGISLATION

COMMITTEE OF THE WHOLE:

MOTION TO APPROVE THE COMMITTEE OF THE WHOLE MEETING MINUTES OF AUGUST 7, 2019 made by Mr. DeLeone, seconded by Mr. Sidoti, and carried by a voice vote of 7-0-2 with Ms. Shaffer and Ms. Wallach abstaining.

MOTION TO APPROVE THE RECOMMENDED ACTIONS made by Mr. DeLeone, seconded by Mr. Sidoti, and CARRIED by a voice vote of 9-0.

Recommended Actions:

1. Authorize insertion of names into legislation

Mr. Fink read the names for boards off the ballots.

MOTION TO APPROVE THE APPOINTMENTS made by Mr. Amrhein, seconded by Mr. DeLeone, and CARRIED by a voice vote of 9-0.

Draft No. 2019-84: A RESOLUTION APPOINTING BRIDGET TIPTON TO THE ARCHITECTURAL REVIEW BOARD, AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll Call, voting "Yes:" Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2019-84 made by Mr. Kuhar and seconded by Mr. Ferrara. On Roll Call, voting "Yes:" Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

RESOLUTION NO 2019-84 PASSED as stated by Clerk Bishop.

Draft No. 2019-85: A RESOLUTION APPOINTING WILLIAM DUNICK TO THE DESIGN AND PRESERVATION COMMITTEE, AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll Call, voting "Yes:" Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2019-85 made by Mr. Kuhar and seconded by Mr. Ferrara. On Roll Call voting "Yes:" Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein. The Motion CARRIED by a roll call vote of 9-0.

RESOLUTION NO 2019-85 PASSED as stated by Clerk Bishop

Draft No. 2019-86: A RESOLUTION APPOINTING JORDAN CINDERICH TO THE FAIR HOUSING BOARD, AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Ms. Rosenberg. On Roll Call voting "Yes:" Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-86 made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll Call voting "Yes:" Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone. The Motion CARRIED by a roll call vote of 9-0.

RESOLUTION NO. 2019-86 PASSED as stated by Clerk Bishop.

Draft No. 2019-87: A RESOLUTION APPOINTING DEBORAH DOUGLAS TO THE FAIR HOUSING BOARD, AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-87 made by Mr. Kuhar and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara. The Motion CARRIED by a roll call vote of 9-0.

RESOLUTION NO. 2019-87 PASSED as stated by Clerk Bishop.

Draft No. 2019-88: A RESOLUTION APPOINTING MORGAN TIPTON TO THE PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY, AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll Call, voting "Yes:" Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar. The Motion CARRIED by a roll call vote of 8-0-1, with Mr. Amrhein abstaining.

MOTION TO ADOPT DRAFT NO. 2019-88 made by Mr. Ferrara and seconded by Mr. Deleone. On Roll Call, voting "Yes:" Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar. The Motion CARRIED by a roll call vote of 8-0-1, with Mr. Amrhein abstaining.

RESOLUTION NO. 2019-88 PASSED as stated by Clerk Bishop.

Draft No. 2019-89: A RESOLUTION APPOINTING THOMAS SIMPSON TO THE PARKING ACTION COMMITTEE, AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2019-89 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg. The Motion CARRIED by a roll call vote of 9-0.

RESOLUTION 2019-89 PASSED as stated by Clerk Bishop.

COMMUNITY DEVELOPMENT COMMITTEE:

MOTION TO APPROVE THE COMMUNITY DEVELOPMENT MEETING MINUTES OF August 7, 2019 made by Mr. Kuhar, seconded by Mr. DeLeone, and CARRIED by a voice vote of 7-0-2, with Ms. Shaffer and Ms. Wallach abstaining.

MOTION TO APPROVE THE RECOMMENDED ACTION ITEMS made by Mr. Kuhar, seconded by Mr. Ferrara, and CARRIED by a voice vote of 9-0.

Recommended Actions:

1. Authorize licensing text amendment, with an emergency clause.
2. Authorize the updated MOU between the City and Portage County for use of NSP Program Income, with an emergency clause.

Draft No. 2019-90: AN ORDINANCE AMENDING TITLE SEVEN – ENVIRONMENTAL HEALTH AND HOUSING MAINTENANCE CODE (RENTAL LICENSING) OF THE KENT CODIFIED ORDINANCES TO REMOVE SURPLUS LANGUAGE AND ADD CLARIFYING LANGUAGE FOR THE INSPECTION AND LICENSING OF RESIDENTIAL RENTAL UNITS; AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara, seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer.

MOTION TO ADOPT DRAFT NO. 2019-90 made by Mr. Ferrara and seconded by Ms. Shaffer.

Ms. Shaffer said she's hesitant to reduce penalty language. She's said they've gotten landlord/property owner's attention so maybe they can work together. She said since being elected to Council in 2008, the issue that has taken most of her time and energy has been the condition of rental properties and the fact that many are in zoning violations. She gets complaints from her constituents and even from landlords who want to have a better more level playing field. Her first meeting she had with students she thought was going to be about police, it ended up being about housing, they want safe housing. They do not feel empowered at that age to advocate for themselves. This is something they should do. She said this is the right thing. In reducing the penalty and making it a rather civil issue in her understanding, they are giving a concession. Property values as homeowners are also at stake. You can tell by looking in her neighborhood whether a place is a rental or homeowner-occupied. She would like to see all of the city be a community we can be proud of.

Mr. Kuhar said we are only changing the amount of a fine and changing things from civil to criminal infractions. He doesn't expect anyone who makes a civil mistake to be fined as much as a rapist would be fined because \$3000 is a felony fine, not a civil infraction fine. He would hate to see someone go to jail because they left their trash cans on the curb too many days. They are only combining Health and Community Development Codes to mesh but also coming into reality as these are civil not criminal offenses.

Mayor Fiala asked of Mr. Fink if anyone on Council with rentals should abstain from the vote. Mr. Fink said no that would not be necessary.

On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer.

ORDINANCE 2019-90 PASSED as stated by Clerk Bishop.

Draft No. 2019-91: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO APPROVE THE PROPOSED UPDATED MEMORANDUM OF UNDERSTANDING AND ADDENDUM TO THE 2009 NEIGHBORHOOD STABILIZATION GRANT (NSP) SUBRECIPENT AGREEMENT BETWEEN THE CITY OF KENT AND PORTAGE COUNTY TO UTILIZE THE PROGRAM INCOME FOR A CDBG ELIGIBLE PROJECT; AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Ms. Shaffer. On Roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-91 made by Mr. Kuhar and seconded by Ms. Shaffer. On Roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2019-91 PASSED as stated by Clerk Bishop.

FINANCE COMMITTEE:

MOTION TO APPROVE THE FINANCE COMMITTEE MEETING MINUTES OF August 7, 2019 made by Mr. DeLeone, seconded by Mr. Amrhein, and CARRIED by a voice vote of 7-0-2, with Ms. Shaffer and Ms. Wallach abstaining.

MOTION TO APPROVE THE ACTION ITEMS made by Mr. DeLeone, seconded by Mr. Sidoti, and CARRIED by a voice vote of 9-0.

Recommended Actions:

1. AUTHORIZE THE EAST MAIN STREET TRANSPORTATION IMPROVEMENT FUNDING APPLICATIONS, WITH AN EMERGENCY CLAUSE.
2. AUTHORIZE THE 2019 BUDGET APPROPRIATIONS AMENDMENT, WITH AN EMERGENCY CLAUSE.
3. AUTHORIZE THE SALE OF THE RETIRED HEAVY DUTY RESCUE TRUCK, WITH AN EMERGENCY CLAUSE.
4. AUTHORIZE THE CERTIFICATIONS OF DELINQUENT ACCOUNTS FOR PORTAGE COUNTY'S PROPERTY TAX LIENS, WITH AN EMERGENCY CLAUSE.

Draft No. 2019-92: AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT THREE (3) FUNDING APPLICATIONS TOTALING \$16,850,000.00 AND TO EXECUTE THE SUBSEQUENT AGREEMENTS WITH THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) AND THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT), AND TO ACCEPT THE GRANTS, IF AWARDED, WITH CORRESPONDING APPROPRIATION OF FUNDS FOR THE EAST MAIN STREET AREA IMPROVEMENTS, AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Ms. Shaffer and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner.

MOTION TO ADOPT DRAFT No. 2019-92 made by Mr. Kuhar and seconded by Mr. Ferrara. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner.

RESOLUTION NO. 2019-92 PASSED as stated by Clerk Bishop.

Draft No. 2019-93: AN ORDINANCE AMENDING ORDINANCE NO. 2018-142, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 19, 2018; SO AS TO ADJUST APPROPRIATIONS, TRANSFERS AND ADVANCES FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2019; AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. DeLeone and seconded by Ms. Rosenberg. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-93 made by Mr. DeLeone and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE NO. 2019-93: PASSED as stated by Clerk Bishop.

Draft No. 2019-94: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO ACCEPT A BID OF \$40,000.00 FROM RENOVO FIRE DEPARTMENT TO PURCHASE THE CITY OF KENT'S USED 1992 PIERCE DASH HEAVY RESCUE TRUCK, WITHOUT COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-94 made by Mr. DeLeone and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE NO. 2019-94 PASSED as stated by Clerk Bishop.

Draft No. 2019-95: AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF WATER USE CHARGES, WASTEWATER USE CHARGES, STORM WATER UTILITY CHARGES AND RECYCLING/SOLID WASTE COLLECTION CHARGES TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY FOR THE NON-PAYMENT OF WATER USE CHARGES, WASTEWATER USE CHARGES, STORM WATER UTILITY CHARGES AND RECYCLING/SOLID WASTE COLLECTION CHARGES, AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-95 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE NO. 2019-95 PASSED as stated by Clerk Bishop.

Draft No. 2019-96: AN ORDINANCE AUTHORIZING THE CERTIFICATION OF DELINQUENT MOWING BILLS, PROPERTY MAINTENANCE VIOLATIONS-CITATIONS, ZONING VIOLATIONS-CITATIONS, AND HEALTH DEPARTMENT VIOLATIONS-CITATIONS TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY SERVED BY THE MOWING SERVICES, PROPERTY MAINTENANCE VIOLATION-CITATIONS, ZONING VIOLATIONS-CITATIONS, HEALTH DEPARTMENT VIOLATIONS-CITATIONS, AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-96 made by Mr. DeLeone and seconded by Ms. Shaffer. On Roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE NO. 2019-96 PASSED as stated by Clerk Bishop.

Draft No. 2019-97: AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF BILLS FOR RESIDENTS RESULTING FROM THE 2018 ANNUAL CONCRETE REPAIR PROGRAM, TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY FOR THE NON-PAYMENT OF SIDEWALK REPAIRS, AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-97 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE NO. 2019-97 PASSED as stated by Clerk Bishop.

Draft No. 2019-98: AN ORDINANCE ACCEPTING A DONATION OF TWO (2) HARD PLASTIC PET CARRIERS DONATED BY DARLENE ARDELIAN, VALUED AT \$40.00 EACH, AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-98 made by Ms. Shaffer and seconded by Mr. Ferrara.

Ms. Rosenberg wanted to express her gratitude for the donation.

On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE NO. 2019-98 PASSED as stated by Clerk Bishop.

Draft No. 2019-99: AN ORDINANCE ACCEPTING A GRANT FROM THE OHIO ARTS COUNCIL IN THE AMOUNT OF \$3,171.00 TO BE USED TO SUPPORT THE KENT CREATIVITY FESTIVAL WHICH WILL BE HELD ON SEPTEMBER 28, 2019, AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Ms. Rosenberg. On Roll Call, voting "Yes:" Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-99 made by Ms. Wallach and seconded by Mr. Ferrara. On Roll Call, voting "Yes:" Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE NO. 2019-99 PASSED as stated by Clerk Bishop.

HEALTH AND SAFETY COMMITTEE:

NO MINUTES OR RECOMMENDED ACTIONS TO BE APPROVED.

LAND USE COMMITTEE:

NO MINUTES OR RECOMMENDED ACTIONS TO BE APPROVED.

STREETS, SIDEWALKS AND UTILITIES COMMITTEE:

MOTION TO APPROVE THE STREETS, SIDEWALKS, AND UTILITIES COMMITTEE MEETING MINUTES OF August 7, 2019 made by Mr. Sidoti, seconded by Mr. Amrhein, and CARRIED by a voice vote of 7-0-2 with Ms. Wallach and Ms. Shaffer abstaining.

MOTION TO APPROVE THE FOUR RECOMMENDED ACTION ITEMS made by Mr. Sidoti, seconded by Mr. Kuhar, and CARRIED by a voice vote of 9-0.

Recommended Actions:

1. AUTHORIZE THE PROPOSED DOWNTOWN PARKING ORDINANCE CHANGE, AND DECLARING AN EMERGENCY.
2. AUTHORIZE THE STREET CLOSURE EVENT FOR THE CREATIVITY FESTIVAL, AND DECLARING AN EMERGENCY.
3. AUTHORIZE THE RENEWAL OF THE CITY-ODOT BRIDGE INSPECTION AGREEMENT, AND DECLARING AN EMERGENCY.
4. AUTHORIZE THE PROPOSED JOINT EASEMENT WITH PARTA FOR NEW BUS SHELTER AT KENTWAY, AND DECLARING AN EMERGENCY.

Draft No. 2019-100: AN ORDINANCE AMENDING SECTION 353.02 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED "PARKING REGULATION AUTHORIZATION" TO REMOVE THE TWO HOUR ON STREET PARKING RESTRICTION AFTER 5:00 P.M., ON SPECIFIED STREETS IN THE

CENTRAL BUSINESS DISTRICT AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Ms. Shaffer. On Roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-100 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE NO. 2019-100 PASSED as stated by Clerk Bishop.

Draft No. 2019-101: AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE A NEW SPECIAL EVENT APPLICATION FROM THE CITY OF KENT AND KENT STATE UNIVERSITY FOR THE 2019 KENT CREATIVITY FESTIVAL "PLAN B" TO BE HELD ON SATURDAY, SEPTEMBER 28, 2019, AND THE TEMPORARY CLOSURE OF ERIE STREET BETWEEN HAYMAKER PARKWAY AND DEPEYSTER STREET, ERIE STREET BETWEEN DEPEYSTER STREET AND WATER STREET, AND A PORTION OF THE SOUTH WATER STREET PARKING LOT, A "PLAN B" FOR GREEN ENERGY OHIO TOUR-CLEAN TRANSPORTATION DRIVE-IN SCHEDULED TO BE HELD IN CONJUNCTION WITH KENT CREATIVITY FESTIVAL AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-101 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE NO. 2019-101 PASSED as stated by Clerk Bishop.

Draft No. 2019-102: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RENEW AN AGREEMENT GIVING CONSENT TO THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION FOR PARTICIPATION IN THEIR BRIDGE INSPECTION PROGRAM SERVICES FOR THE YEARS 2020-2022; PID 109334; AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-102 made by Mr. Kuhar and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE NO. 2019-102 PASSED as stated by Clerk Bishop.

Draft No. 2019-103: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN EASEMENT TO ACCESS FOR THE PURPOSE OF INSTALLING A CONCRETE PAD AND BUS PASSENGER SHELTER FROM KENTWAY, INC., AS GRANTOR, TO THE CITY OF KENT

AND THE PORTAGE AREA REGIONAL TRANSIT AUTHORITY (PARTA), AS GRANTEES, AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Ms. Shaffer and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-103 made by Ms. Shaffer and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE NO. 2019-103 PASSED as stated by Clerk Bishop.

SPECIAL COMMITTEE REPORTS: NONE

UNFINISHED BUSINESS: NONE

NEW BUSINESS:
ITEMS NEEDING COUNCIL ACTION OR REFERRAL

MOTION MADE TO MOVE INTO COMMITTEE A LOOK AT THE RESIDENTIAL LICENSING made by Mr. Kuhar and seconded by Ms. Wallach.

Mr. Kuhar said he thinks there are a couple issues they may need to look at a little closer.

Ms. Wallach said way back when she was first on Council about the two bedroom unrelated occupants vs three occupants. She would at least like to discuss it again and wanted the clerk to find that discussion from 2008-2010.

Ms. Shaffer said Council has gone over and over and over this for over twelve years. With the new definition of family, these issues people raised about unmarried couples can be solved with our definition that is already included in the ordinance. She said it is a slippery slope to start grandfathering people in because of a certain number of bedrooms. Her residents certainly aren't happy with zoning violations and she doesn't think they will be happy with us if we open that back up.

Mr. Kuhar said he doesn't think the new definition of family meets the needs of what the problems are and it may possibly be having some fourth amendment violations we may need to get rid of before we have a lawsuit on our hands.

THE MOTION FAILED on a voice vote of 4-5 with Mr. Amrhein, Mr. Ferrara, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer against.

MOTION TO DEDICATE THE NEW KENTWAY BUS STOP IN COUNCILMAN'S WILLIAM F SCHULTZ'S NAME WITH THE APPROVAL OF PARTA made by Ms. Shaffer and seconded by Mr. Ferrara.

Ms. Shaffer said they've been trying for many years to get a bus stop at Kentway and a recent retiree from PARTA brought it up to her to name the bus stop after Bill Schultz. Bill Schultz was a strong advocate for public transportation and a strong advocate for the elderly and their transportation needs. She would like to see some sort of plaque.

Mr. Turner said it really is most appropriate, especially it being in his former ward, and everything he stood for. When someone goes in, in the shelter, it would be nice to see his name, maybe a picture or inscription, and is very appropriate to follow through with in his memory.

Mr. DeLeone asked who owns the bus stop.

Mr. Turner said as it was brought to Council by a staff member, it would seem logical they would support it as well.

MOTION CARRIED BY A VOICE VOTE OF 9-0.

Ms. Wallach said she's been working with residents of Four Season still and there was a problem with the gas meters right by the parking lot and one of the residents accidentally hit the gas pedal instead of the brake and ran into the gas meter and they had to evacuate. They've been working with management and they were going to put concrete planters in front of those gas meters to help prevent further accidents like that but now they aren't going to do that.

MOTION TO ASK COUNCIL TO PASS A RESOLUTION AUTHORIZING ADMINISTRATION TO SEND A LETTER TO NRP GROUP REQUESTING PUT IN THE OHIO FIRE CODE SAFETY REQUIREMENTS FOR PROTECTION OF OUTSIDE GAS METERS made by Ms. Wallach and seconded by Mr. DeLeone.

Ms. Wallach said while they are grandfathered, they should still be putting these things up as there was already an accident that was very detrimental. We can't force them, just request it of them.

Mr. Kuhar said again we can't force them, just would suggest it and not make it look like we are going to fine them or send them to jail.

MOTION CARRIED BY A VOICE VOTE OF 9-0.

Ms. Wallach said while in the Community Development Department the other day, she was told they were buying a new car. She would like to see a comprehensive vehicle acquisition plan. She said the City has to start buying hybrids, we can't put it off anymore. The car that was being bought could have easily been a hybrid or electric but it wasn't because of the conditions. She knows each department does it their own way so could we get a more comprehensive and could we lease some cars instead of buying them and just an overall general look at all things are done; understanding that police vehicles are a different need, service different, etc. MOTION TO SEE A COMPREHENSIVE VEHICLE ACQUISITION PLAN made by Ms. Wallach and seconded by Ms. Shaffer.

Ms. Shaffer said without excess cost to the city, it is part of being an environmental leader making those types of purchases when possible.

Mr. Turner said he would also like to make sure department heads are brought in on the conversation, or at least get their opinion how it would affect their overall function. Mr. Turner said the move to hybrid or electric cars is very forward thinking and it would send a positive message out.

MOTION CARRIED BY A VOICE VOTE OF 9-0.

SCHEDULE FUTURE COUNCIL MEETINGS

COUNCILMEMBERS' COMMENTS

Mr. Sidoti said Harrison Wicks has been driving the Heart and Soul meetings and Mr. Wicks has to be commended for his efforts. He is working with a very diverse group of residents and we all bring different things and ideas and Mr. Wicks handles it very deftly and sometimes maybe we don't say enough thank you's to the people doing the work on the front lines and he's doing a nice job. *—Applause followed—*

Mr. Kuhar wanted to thank everyone for coming out and voicing their opinion on landlord issue. We had comments from both sides which is what a democracy is about and he just wishes we had that kind of a turn out for every meeting and people being involved in their community and their likes and dislikes instead of just sitting at home complaining.

Mr. Turner said he would like to clear something up if he can. With regard to the utterance of the word asinine: Mr. Myers came to him with his concern of the difference in how each were noted in using it. Asinine is not a profanity but is maybe a negative comment. The appropriateness of why it was made is that Mr. Chris Myers interacted with a councilmember and he believes at that time is the reason she stepped in; Mr. Turner's said his use of the word asinine was just in general comment. He wanted to make sure people understood why it kept popping up. Most people probably thought it was a confrontation that our clerk intervened on and that's what we've been pushing her to do. So there was a difference in the usage of the word, not him over reaching.

Mayor Fiala asked if Chris Myers was satisfied with that and he said from the audience he'll be talking about it again.

Mr. Amrhein said he was at the Kent Wellness Center today and someone who lives in Ivan wanted him to convey to Mrs. Baker his thanks to her and the service department for quick clean up of brush and chipping of wood from all trees that fell.

Ms. Wallach asked if the compost site was open.

Ms. Baker answered yes as of a week ago

MAYOR'S REPORT:

Mayor Fiala said there's a lot of things going on in the community in the summer but the Dog Days of Summer was a hit this year. The new freshmen were welcomed into the city just yesterday and they came off the bus, toured downtown. As we are mom and pop for the next nine months for these kids, let's make sure we look after them and show them what Kent is all about.

MOTION FOR AN EXECUTIVE SESSION IN ACCORDANCE WITH ORC §121.22 Section G, Item (1): To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing
Made by Mr. Amrhein, seconded by Ms. Rosenberg at 9:00 p.m. On Roll call voting "Yes:" Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer; Mr. Sidoti, Mr. Turner, Ms. Wallach.
The Motion CARRIED by a roll call vote of 9-0.

Amy Wilkens
Clerk of Council
As transcribed by Interim Clerk D. Bishop

Jerry T. Fiala
Mayor and President of Council