

**THE CITY OF KENT, OHIO
REGULAR COUNCIL MEETING
WEDNESDAY, July 17, 2019**

At 6:00 p.m., Mayor Jerry T. Fiala called the **Regular Meeting of Kent City Council** to order. Roll was taken and Ms. Shaffer was absent initially until 7:33 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; and Ms. Tracy Wallach.

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Ms. Melanie Baker, Public Service Director; Mr. Tom Wilke, Economic Development Director; and Ms. Dawn Bishop, Interim Clerk of Council.

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* **AND** *Item (2) 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, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest* **MADE BY** Mr. Sidoti and seconded by Ms. Rosenberg. On Roll Call voting "Yes:" Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Mr. Sidoti, Mr. Turner, Ms. Wallach. The Motion **CARRIED** by a roll call vote of 8-0.

MOTION TO RECESS FROM EXECUTIVE SESSION at 7:01 p.m. **MADE BY** Mr. DeLeone and seconded by Mr. Sidoti. On Roll Call voting "Yes:" Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Mr. Sidoti, Mr. Turner, Ms. Wallach. The Motion **CARRIED** by a roll call vote of 8-0.

At 7:30 p.m., after recognizing Mr. Herb Page with a proclamation presentation, Mayor Fiala asked for roll to be read and then called upon Councilmember Kuhar for his opening remarks.

Mr. Kuhar said thank you to everyone who made the Kent Heritage Festival such a successful event. He also said if you look around the streets on a daily basis you see the City of Kent coming alive and you can see what a nice place this is to visit and enjoy all the things that we have to offer. It's a lot of people doing a lot of hard work to make that happen.

Mr. Kuhar then led the Pledge of Allegiance.

APPROVAL OF MINUTES:

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF June 19, 2019 and the MINUTES OF THE PUBLIC HEARING OF July 3, 2019 made by Mr. Kuhar, seconded by Mr. DeLeone, and **CARRIED** by a voice vote of 8-0.

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 nine visitors who signed in with the Clerk.

Christopher Myers, 220 E Elm Street, Kent, (**Attachment #1**) said he wouldn't speak anything that is not true but is sure he would embarrass Mr. Ruller tonight. Mr. Myers read the First Amendment of the US Constitution. He said Kent may be a fine place to live but not if you value free speech; if you value free speech and exercise it here in front of Council, you can get a police report filed against you. Mr. Myers said he was protesting on the corner of Depeyster and Haymaker one day and Mr. Ruller said to Council that Mr. Myers is protesting on the corner but didn't even know what was being protested. Mr. Myers said he used the word asinine and he was written as being vulgar; Mr. Turner was used the word asinine and was not written up in the minutes as vulgar.

Mayor Fiala interrupted and said Mr. Turner was corrected also.

Mr. Myers said Mr. Turner was corrected but not written up as vulgar and that's a big difference. Mr. Myers said Heidi Shaffer said in the police report that was written against him that she feels targeted, but didn't say how she feels targeted. She said she thinks I may show up at her door sometimes, like he has a history of showing up at people's doors, and said 'give me a break.'

Josh Dobrilovic had signed up but then declined to speak.

Daniel Ott, PO Box 314/1970 Cleveland-Massillon Road, Bath, OH, said in 2016 he was arrested in Kent during an eviction. He has previously tried to work this out with the Law Department but they have refused to communicate with him. Last month he was hung up on by a female who identified herself as the law director. Mr. Ott wished to collect his \$32.50. During the trial he had to take off work for, he was found not guilty. The court imposed a fine of \$25 for the public defender's office. He said he refused to pay it and the court put a block on his driver license. Mr. Ott had no vehicles in his name until last month when he went to get plates for his vehicle, they couldn't because of the block on his license and he's restricted. He had to pay it. He has communication from 2017 where the City of Kent (**Attachment #2**) from Sandy Lance, Legal Secretary, where the city was going to pay \$32.50 after signing a release. Mr. Ott said he refused to sign that because the officers were arrogant and the jury thought they were morons and he wanted \$10,000 or was taking them to federal court. Mr. Ott let it go, the officers knew they were wrong in violating his constitutional rights. Mr. Ott said he wants his \$32.50 and will sign the release now. He said the City has until noon Friday to bring him a check or he will have so many public record requests from the service department, police department, anything you write down, buy, he'll request a copy of that. Mr. Ott said he can still sue those two officers, he has a background check on them, he can pay the fee, it will go on their credit report, and it might get dismissed but he can waste their time as they wasted his. The Law Department knows how to get a hold of him he said.

Linda Prezioso, 1017 S Daniel Way, San Jose, CA, wanted to stop in and say hi while she was in town. She said the town looks great, the rain not so much; she was sitting brainstorming with Bridget about the VFW property; and it's great to be sitting in the audience instead of in the clerk's seat where she was for twenty-six and a half years.

There was some back and forth talking with Ms. Prezioso over top of each other, "thank yous, keep in touch."

Stacy Simera, Kent Psychological Services, was also in attendance on behalf of the National Association of Social Workers and she serves on the Board of Directors of the Ohio Chapter. She said she is an independently licensed social worker with Bachelors of Psychology from Kent State University and Masters of Science from Case Western Reserve. She wanted to speak on the consideration of the bill banning conversion therapy on minors within the city limits. **Attachment #3**, which she had copies for Council, was just an excerpt from the Department of Health and Human Services Substance Abuse and Mental Health Services Administration Report issued in 2015. Ms. Simera said she knows Council as a whole, knows the members, so she already has a feeling they will vote 'yes.' Her handout of the report was more just to reassure them that they are on the right side of science and child health. Ms. Simera said research has shown conversion therapy simply doesn't work, it is fraudulent and not evidence-based; it is also very cruel and has been shown to involve, literally, torture. It is ineffective, constituting child abuse in a lot of cases. Ms. Simera when you vote to protect child health in this way, it's not just the kids that you protect but also the message you send to other kids that are closeted; but when that kid reads the Record Courier and hears about tonight's vote, they know they are valued. Children who identify as LGBTQ have a suicide rate 4x higher than the general population. Research has shown that any movement towards acceptance reduces those suicide risks. SAMHSA.gov has the entire report on their site. Myriad of national bodies encourage a local ban like this, state-wide ban, but Ms. Simera said please don't wait for the state to pass such an initiative banning conversion therapy statewide; it's been introduced several times and never makes it out of committee.

Giovonni Santiago, Equality Ohio 574 Forge Avenue, Akron, OH, said he was there not only representing Equality Ohio but also his own organization META Center Inc which he started to assist non gender conforming youth. It's based in Akron on Brittain Road. Mr. Santiago said thank you for considering banning this dangerous practice of conversion therapy. Kent stands ready to join other Ohio communities in banning such practice, including Cincinnati, Athens, Toledo, etc. He said it's very important that cities take actions as the State Licensing Board cannot. Mr. Santiago said the overwhelming medical consensus is that being lesbian, gay, bisexual, transgender, is not a disease and all is part of the normal spectrum of human diversity. Mr. Santiago said it is important we recognize people as individuals no matter where on the spectrum they lie. Mr. Santiago said it is important to recognize that many parents who send their children to conversion therapy are trying to do the correct thing; whether they don't know enough about it, etc. It is impossible to change a young person's gender or sexual orientation and then those lies have a negative consequence to our young people and shows them they are not valued and dehumanized. Mr. Santiago continued that those who offer this type of therapy do so quietly so it's really not possible to know how many if any offer it in the City of Kent. This ban will also help educate parents about the dangers of seeking conversion therapy even outside the city limits. Giovonni Santiago said as a community we protect our youth, we don't let them buy nicotine, alcohol, we regulate driving, and we value keeping them safe, monitored, and loved to enter adulthood. Mr. Santiago concluded with thanking the Council for their consideration and with Leelah Alcorn's words. Leelah was a transgender child in Kings Mills, OH. She committed suicide in 2014 after scheduling a blog post. She expressed how her parents didn't approve of her and employed some techniques mentioned tonight to change Leelah's gender. "My death needs to mean something. My death needs to be counted in the number of transgender people who commit suicide this year. I want someone to look at that number and say wow, that's messed up, fix it, fix society please."

Sean Cleland, 1262 Carol Drive, Kent, said he has come to love this community and is in front of Council as a concerned citizen and an ally. Mr. Cleland said thank you to Council for considering this tonight and even if just taking a symbolic stance to say you would outright ban a form of torture that is not clinically based or evidence based.

MJ Eckhouse, 1433 Cedar Street, Kent, wanted to echo the gratitude expressed to Council for considering this ban on conversion therapy. MJ Eckhouse said we hear terms thrown around like torture when talking about conversion therapy. If one isn't familiar with details or specific experiences from people who have been through it, hearing it described as torture may sound exaggerated. MJ Eckhouse read from a New York Times article published last year from an author who had gone through conversion therapy when in middle school and quoted author Sam Brinton "I was told that my faith community rejected my sexuality; that I was the abomination we had heard about in Sunday school; that I was the only gay person in the world; that it was inevitable I would get HIV and AIDS. But it didn't stop with these hurtful talk-therapy sessions. The therapist ordered me bound to a table to have ice, heat and electricity applied to my body. I was forced to watch clips on a television of gay men holding hands, hugging and having sex. I was supposed to associate those images with the pain I was feeling to once and for all turn into a straight boy. In the end it didn't work. I would say that it did, just to make the pain go away." MJ Eckhouse said for reference that's what is being talked about and it's understood that maybe it's too broad and may accidentally encompass certain people but that article was shared to assure Council that will not be the case. People don't accidentally stumble into treating a child like that and the ordinance is a measure against child abuse and will demonstrate at the City of Kent is an inclusive, forward-thinking, welcoming community.

Lis Regula, 1433 Cedar Street, Kent, said two years ago, nearly to the day, Kent City Council was considering a non-discrimination ordinance to protect LGBTQ individuals here in the City of Kent. It will be exactly two years ago next week that it passed and Lis Regula said he still remembers how proud he was of the city to be the 19th in the state to say you are welcomed here, no matter who you are, who you love, you are welcomed here. Lis Regula said this does not take away parents' rights; parents who are bound and determined to turn their child straight can go outside the City of Kent to do that. Here, in these city limits, you aren't going to do that. If a business wants to practice what MJ just described, go outside the city limits. In a time and place where it is easy to hear real descriptions and graphic photos of kids undergoing this kind of torture in our county on a regular basis, stepping up and saying here in this city you are protected, here that's not going to happen to you, and here you are safe. Hopefully tonight's vote will make Kent the 7th city in the State of OH to protect kids in this way.

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

1. Health Board Meeting Minutes for May 14, 2019, May and June Statistical Reports, and Agenda for July 9, 2019 received July 3, 2019.
2. Planning Commission Staff Report and Meeting Agenda for July 16, 2019, received July 8, 2019.
3. Sustainability Commission Meeting Agenda for July 3, 2019, and the minutes from June 3, 2019, received June 27, 2019.

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

1. Revised Planning Commission Agenda for July 16, 2019, received July 11, 2019.
2. Park and Recreation Board Packet for July 18, 2019, received July 14, 2019.
3. Liquor License Request from the Ohio Division of Liquor Control for Kent Tacos, LLC, DBA Barrio with Chief Lee returning no objections for that issuance.

MOTION TO RETURN THE LIQUOR LICENSE REQUEST TO THE OHIO DIVISION OF LIQUOR CONTROL WITH NO OBJECTION made by Mr. Ferrara, seconded by Mr. Kuhar, and CARRIED by a voice vote of 9-0.

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

1. Request Council's authorization to submit a Fire Department grant application to the Ohio Bureau of Worker's Compensation to fund the installation of a new exhaust system at Fire Station #1. (Draft #2019-73)
2. Request Committee of the Whole time for interviews of candidates for City Boards and Commissions.
3. Request committee of the Whole time for an update on the City Hall project.
4. Request Community Development Committee time to consider a proposed text amendment to the City's rental licensing regulations.
5. Request Community Development Committee time to consider an updated MOU between the City and Portage County authorizing the use of Neighborhood Stabilization Program income for eligible CDBG projects.
6. Request Health & Safety Committee time to receive a staff report outlining the deer population management practices in area cities.
7. Request Streets, Sidewalks & Utilities Committee time to consider a proposed amendment to the City's downtown parking Ordinance.
8. Request Finance Committee time to consider authorizing the submission of several grant funding applications for the East Main Street Transportation Improvement Project.
9. Request Finance Committee time to consider a 2019 budget Appropriations Amendment.
10. Request Finance Committee time to consider authorization of the sale of the retired Fire Department heavy duty rescue truck.
11. Request an Executive Session.

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

STANDING COMMITTEES/ LEGISLATION

COMMITTEE OF THE WHOLE:

There were no meeting minutes or actions to be approved

COMMUNITY DEVELOPMENT COMMITTEE:

There were no meeting minutes or actions to be approved

FINANCE COMMITTEE:

MOTION TO APPROVE THE FINANCE COMMITTEE MEETING MINUTES OF July 3, 2019 AND THE THREE RECOMMENDED ACTION ITEMS made by Mr. DeLeone, seconded by Mr. Sidoti, and CARRIED by a voice vote of 9-0.

Recommended Actions:

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.

Draft No. 2019-70: A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF KENT, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2020, SUBMITTING THE SAME TO THE COUNTY AUDITOR, 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. 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. 2019-70 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.

RESOLUTION NO. 2019-70: PASSED as stated by Clerk Bishop.

Draft No. 2019-71: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$2,400,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PROVIDE FUNDS TO PAY COSTS OF CONSTRUCTING A SAFETY CENTER, AND TO RETIRE OUTSTANDING NOTES THAT WERE PREVIOUSLY ISSUED FOR THAT PURPOSE, 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. 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. 2019-71 made by Mr. Ferrara and seconded by Ms. Shaffer. 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. 2019-71: PASSED as stated by Clerk Bishop.

Draft No. 2019-72: AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT THREE (3) FUNDING APPLICATIONS TOTALING \$920,000 AND TO EXECUTE THE SUBSEQUENT AGREEMENTS WITH THE OHIO PUBLIC WORKS COMMISSION (OPWC), AND TO ACCEPT THE GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATION OF FUNDS, 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. Ferrara. 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. 2019-72 made by Ms. Shaffer 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.

ORDINANCE NO. 2019-72: PASSED as stated by Clerk Bishop.

Draft No. 2019-73: AN ORDINANCE AUTHORIZING THE CITY OF KENT FIRE DEPARTMENT TO APPLY FOR AN OHIO BUREAU OF WORKER'S COMP SAFETY INTERVENTION GRANT FOR FIREFIGHTERS EXPOSURE TO ENVIRONMENTAL ELEMENTS (FEEEG); 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. 2019-73 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.

ORDINANCE NO. 2019-73: PASSED as stated by Clerk Bishop.

Draft No. 2019-74: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$255,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PROVIDE FUNDS TO PAY COSTS OF REPLACING, UPGRADING AND EXTENDING SANITARY SEWER TRUNK LINES, AND TO RETIRE OUTSTANDING NOTES THAT WERE PREVIOUSLY ISSUED FOR THAT PURPOSE, 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. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-74 made by Mr. Sidoti 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. 2019-74: PASSED as stated by Clerk Bishop.

Draft No. 2019-75: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$990,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PROVIDE FUNDS TO PAY A PORTION OF THE COSTS OF RECONSTRUCTING ALLEY 5, ERIE STREET, AND DEPEYSTER STREET AND OTHERWISE IMPROVING NEARBY STREETS, INCLUDING BY RELOCATION OF PUBLIC UTILITIES, LANDSCAPING, AND INSTALLING PARKING PAYMENT DEVICES, STREET SIGNAGE AND SITE IMPROVEMENTS, AND TO RETIRE OUTSTANDING NOTES THAT WERE PREVIOUSLY ISSUED FOR THAT PURPOSE, 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. Sidoti and seconded by Mr. Ferrara. 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. 2019-75 made by Mr. Sidoti 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.

ORDINANCE NO. 2019-75: PASSED as stated by Clerk Bishop.

Draft No. 2019-76: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$255,000 OF NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PROVIDE FUNDS TO PAY COSTS OF RENOVATING AND EXPANDING THE CITY'S MAIN FIRE STATION, INCLUDING ACQUISITION OF NECESSARY REAL ESTATE, AND TO RETIRE OUTSTANDING NOTES THAT WERE PREVIOUSLY ISSUED FOR THAT PURPOSE, 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. Amrhein. 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. 2019-76 made by Mr. Ferrara and seconded by Mr. Amrhein. 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. 2019-76: PASSED as stated by Clerk Bishop.

HEALTH AND SAFETY COMMITTEE:

MOTION TO APPROVE THE HEALTH AND SAFETY COMMITTEE MEETING MINUTES OF July 3, 2019 AND THE TWO RECOMMENDED ACTION ITEMS made by Mr. Amrhein, seconded by Mr. Kuhar, and CARRIED by a voice vote of 9-0.

Recommended Actions:

1. Approve the Conversion Therapy Ban, with an emergency clause.
2. Authorize the School Resource Officer Agreement with Kent City Schools, with an emergency clause.

Draft No. 2019-77: AN ORDINANCE ADOPTING CHAPTER 723 "SEXUAL ORIENTATION OR GENDER IDENTITY CHANGE EFFORTS" OF THE CODIFIED ORDINANCES OF THE CITY OF KENT, OHIO, 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. 2019-77 made by Mr. Kuhar and seconded by Mr. Ferrara.

Mr. Ferrara said thank you to everyone who provided so much information to Council about this issue. It's a big deal, he's proud to support it, and he hopes what he considers to be a big deal means more cities will adopt such measures.

Ms. Shaffer said Kent is a welcoming and diverse city and she welcomes any opportunity to demonstrate such. Ms. Shaffer continued that Kent is also an education city and thinks this goes far in educating others about the negative effects of this type of therapy; it puts it into the news and educates parents who think this is innocuous.

Mr. Amrhein said simply that morally it is the right thing to do and he is going to support it.

Mr. Kuhar said at first he was opposed to the action considering that maybe they were doing something wrong by violating parents' rights. But child abuse definitely outweighs anybody's parental rights so he is now supporting it.

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. 2019-77: PASSED as stated by Clerk Bishop.

Draft No. 2019-78: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO APPROVE AND EXECUTE AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF KENT, OHIO AND THE KENT CITY BOARD OF EDUCATION REGARDING THE SCHOOL RESOURCE OFFICER PROGRAM, EXTENDING THIS AGREEMENT UNTIL MAY 29, 2020, 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": 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. 2019-78 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. 2019-78: PASSED as stated by Clerk Bishop.

LAND USE COMMITTEE:

MOTION TO APPROVE THE LAND USE COMMITTEE MEETING MINUTES OF July 3, 2019, and the TWO RECOMMENDED ACTION ITEMS made by Mr. Ferrara, seconded by Mr. DeLeone, and CARRIED by a voice vote of 9-0.

Recommended Actions:

1. Accept Planning Commission's Recommendation, with an emergency clause.
2. Approve the Easement Agreement with Dominion Energy, with an emergency clause.

Draft No. 2019-79: AN ORDINANCE ACCEPTING THE KENT PLANNING COMMISSION'S RECOMMENDATION NOT TO AMEND THE TEXT OF CHAPTER 1155 "INDUSTRIAL DISTRICT (I) TO ADD "RESTAURANT, EVENT CENTER, RETAIL, CATERING" AS CONDITIONALLY PERMITTED USES, 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. 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. 2019-79 made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach. Voting "No:" Mr. Kuhar The Motion CARRIED by a roll call vote of 8-1.

ORDINANCE NO. 2019-79: PASSED as stated by Clerk Bishop.

Draft No. 2019-80: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO GRANT A GAS PIPELINE EASEMENT TO THE EAST OHIO GAS COMPANY, DBA DOMINION ENERGY OHIO, TO SERVE RIVERSIDE LANDING LOCATED AT 315 GOUGLER AVENUE, 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. 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.

MOTION TO ADOPT DRAFT No. 2019-80 made by Mr. Ferrara and seconded by Ms. Shaffer. 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. 2019-80: PASSED as stated by Clerk Bishop.

STREETS, SIDEWALKS AND UTILITIES COMMITTEE:

MOTION TO APPROVE THE STREETS, SIDEWALKS, AND UTILITIES COMMITTEE MEETING MINUTES OF July 3, 2019 made by Mr. Sidoti and seconded by Mr. Ferrara.

MOTION TO AMEND THE ORIGINAL MOTION TO INCLUDE MS WALLACH'S COMMENT ABOUT TROY GRILLE IN THE MINUTES made by Ms. Wallach, seconded by Mr. Ferrara, and CARRIED by a voice vote of 9-0.

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

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

Recommended Actions:

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, and declaring an emergency.
3. Authorize the License Agreement for Troy Grille, and declaring an emergency.

Draft No. 2019-81: AN ORDINANCE AMENDING CHAPTER 939 "USE OF PUBLIC WAYS FOR SMALL CELL WIRELESS FACILITIES AND WIRELESS SUPPORT STRUCTURES" OF THE STREETS, UTILITIES AND PUBLIC SERVICES CODE, 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. 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. 2019-81 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. 2019-81: PASSED as stated by Clerk Bishop.

Draft No. 2019-82: AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE A NEW SPECIAL EVENT APPLICATION FROM THE FAMILY & COMMUNITY SERVICES, INC. FOR THE OPIOID AWARENESS MUSIC FESTIVAL TO BE HELD ON SUNDAY, AUGUST 11, 2019, AND THE TEMPORARY CLOSURE OF NORTH WATER STREET, BETWEEN MAIN STREET AND COLUMBUS STREETS AND WEST MAIN STREET BETWEEN WATER STREET AND FRANKLIN AVENUE, 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. 2019-82 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.

ORDINANCE NO. 2019-82: PASSED as stated by Clerk Bishop.

Draft No. 2019-83: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LICENSE AGREEMENT BETWEEN THE CITY OF KENT AND TROY GRILLE, LLC TO INSTALL AN OUTDOOR PATIO ON EAST MAIN STREET, 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. 2019-83 made by Mr. Ferrara and seconded by Mr. Kuhar. 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. 2019-83: PASSED as stated by Clerk Bishop.

SPECIAL COMMITTEE REPORTS: NONE

UNFINISHED BUSINESS: NONE

NEW BUSINESS:

ITEMS NEEDING COUNCIL ACTION OR REFERRAL

Mr. Kuhar asked if we could get Mr. Ott his \$32 and have him sign that paper.

Mayor Fiala asked Law Director Jones to make a comment on that.

Ms. Jones said she didn't want it coming out of her budget and you can see why she hung up on him. He was saying nasty things about the police department, wasn't being kind, and the statute of limitations has run out. Ms. Jones said she sees Mr. Kuhar's point: he is going to start making excessive public record requests, which he could do right now if he wants to.

Mr. Kuhar asked if it was worth it all.

Ms. Jones said probably not.

Mr. Ruller said we'll get it to him.

SCHEDULE FUTURE COUNCIL MEETINGS

COUNCILMEMBERS' COMMENTS

Ms. Rosenberg said she's very pleased that Council voted unanimously to ban gay conversion therapy. It was the right thing to do, the moral thing to do and it is welcoming and inclusive and hopes it spreads to more communities. She hopes that if in some way Council is helping young people, or really anybody who is feeling vulnerable, this would just be a way to prove we are welcoming community and inclusive.

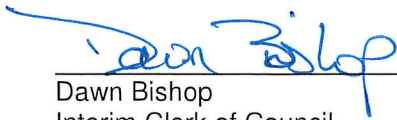
MAYOR'S REPORT:

Mayor Fiala said he wanted to thank everybody who had anything to do with the Kent Heritage Festival. Once again it was a success despite Mother Nature a little bit. The fireworks that were a slight increase in cost this year were great.

Mayor Fiala ended the recess so Council could return to EXECUTIVE SESSION at 8:23 P.M. and asked if everybody would clear the room that was not eligible to remain.

MOTION TO RETURN TO OPEN MEETING FROM AN EXECUTIVE SESSION at 9:28 p.m. made by Mr. DeLeone 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.

Mayor Fiala adjourned the meeting at 9:29 p.m.



Dawn Bishop
Interim Clerk of Council



Jerry T. Fiala
Mayor and President of Council

Christopher M. Myers
~~Christopher M. Myers~~ 220 E. Elm

Amendment I, U.S. Constitution
Congress shall make no law respecting an
establishment of religion, or prohibiting the
free exercise thereof, or ~~abridging~~ abridging
the freedom of speech, or of the press, or the
right of people peaceably to assemble, and to
petition the government for a redress ~~of~~
of grievances.

From: Sandy Lance <lances@kent-ohio.org>

To: radiootter <radiootter@aol.com>

Subject: Release

Date: Mon, Jun 12, 2017 10:47 am

Attachments: OTT, DANIEL - Release and Covenant Not to Sue.docx (13K)

Here is the release we talked about.

It will need to be signed in front of a Notary and the original sent to our office. Upon receipt of the signed Release, you can pick up the reimbursement money or I can send it out to you.

Let me know if you have any questions.

Thank you.

Sandy

--

Sandy Lance, Legal Secretary

City of Kent, Ohio

319 South Water Street

Kent, Ohio 44240

(330) 678-8619

(330) 678-8033 fax

lances@kent-ohio.org

> PLEASE NOTE: This message and any response to it may
> constitute a public record, and therefore may be available
> upon request in accordance with Ohio public records law.
> (ORC 149.43)

RELEASE AND COVENANT NOT TO SUE

For the sole and only consideration of payment of \$32.50 by the City of Kent to DANIEL OTT, JR., I, the undersigned, hereby promise, covenant and agree that I will not hereafter bring, commence, prosecute or maintain, or cause or permit to be brought, commenced, prosecuted or maintained, any suit or action, either at law or in equity, in any court in the United States or in any state thereof, or elsewhere, against the City of Kent, Ohio, the City of Kent, Ohio's Police Department and/or Officers J.P. Gormsen and Drake Oldham or any other Kent Police Officer, their successors or assigns, for, on account of, arising out of, or in any way connected with, certain injuries and the injurious results, or any causes of action arising, or hereafter to arise therefrom, that may have been received by DANIEL OTT, JR., for an alleged theft that occurred on or about the 9th day of June, 2016, and by his arrest and prosecution by the Kent Police Department and Officers J.P. Gormsen and Drake Oldham in Portage County Case Number 2016CRB1179, and that I nor any one claiming through me, will enforce, prosecute, or recover upon, or attempt to enforce, prosecute, or recover upon, any claim or right of action whatsoever against the City of Kent, Ohio, the Kent Ohio Police Department and/or Officers J.P. Gormsen and Drake Oldham, which I or any one claiming through me may now have or may hereafter assert, in any way connected with the said arrest, the injuries resulting therefrom or the injurious results arising or hereafter to rearise therefrom.

Further, I have reviewed this Release with my attorney and sign it with my attorney's knowledge and consent. I further agree and acknowledge that the arresting officer had probable cause to arrest me for the charges being dismissed.

In witness whereof, I have signed my name to two copies of the foregoing Release and Covenant and Agreement not to sue, at Kent, Ohio, this _____ day of _____, 2017.

Daniel Ott, Jr.

STATE OF OHIO)
) SS
PORTAGE COUNTY)

BEFORE ME, a Notary Public in and for said County and State, personally appeared DANIEL
OTT, JR. who acknowledges that he has executed the foregoing instrument and the same is
his/her free act and deed, this _____ day of _____, 2017.

NOTARY PUBLIC

From: Sandy Lance <lances@kent-ohio.org>
To: radiootter <radiootter@aol.com>
Subject: Re: Release
Date: Thu, Jun 15, 2017 11:00 am

Hi Dan,

Just checking on the status of this Release.

Thanks
Sandy

On Mon, Jun 12, 2017 at 10:47 AM, Sandy Lance <lances@kent-ohio.org> wrote:
Here is the release we talked about.

It will need to be signed in front of a Notary and the original sent to our office.
Upon receipt of the signed Release, you can pick up the reimbursement money or
I can send it out to you.

Let me know if you have any questions.

Thank you.
Sandy

--

Sandy Lance, Legal Secretary
City of Kent, Ohio
319 South Water Street
Kent, Ohio 44240
(330) 678-8619
(330) 678-8033 fax
lances@kent-ohio.org

--

Sandy Lance, Legal Secretary
City of Kent, Ohio
319 South Water Street
Kent, Ohio 44240
(330) 678-8619
(330) 678-8033 fax
lances@kent-ohio.org

PORTAGE COUNTY MUNICIPAL COURT
KENT DIVISION

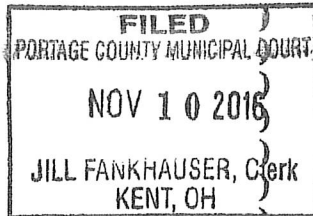
STATE OF OHIO,

Plaintiff,

-vs-

DANIEL C. OTT, JR.

Defendant.



CASE NO. K 2016 CRB 1179

JUDGE KEVIN T. POLAND

JUDGMENT

This matter came on for jury trial the 8th and 9th day of November, 2016. The State of Ohio was represented by Assistant Prosecutor Kimberly Quinn. Defendant, Daniel C. Ott, Jr., was present and represented by Attorneys Eli Heller and Dennis Lager.

Voir dire was conducted by the Court, the State of Ohio and Defendant.

Opening statements were presented by the State and Defendant.

The State presented evidence consisting of testimony and exhibits and rested.

Defendant's motion to dismiss pursuant to Criminal Rule 29 was overruled.

Defendant presented evidence consisting of testimony and exhibits and rested.

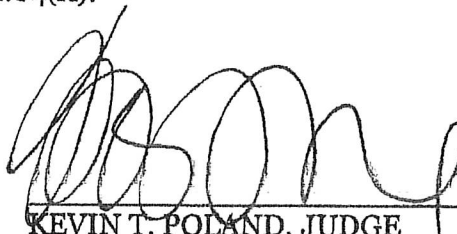
Closing arguments were presented by the State and Defendant.

Instructions were given by the Court.

Both the State of Ohio and Defendant acknowledged that they were satisfied with the instructions as given by the Court.

The jury deliberated and found Defendant Not Guilty of Intimidation of a Victim of a Crime pursuant to O.R.C. section 2921.04(A).

IT IS SO ORDERED.


KEVIN T. POLAND, JUDGE

Cc: Prosecutor Kimberly Quinn
Attorney Eli Heller

*IN THE PORTAGE COUNTY MUNICIPAL COURT
KENT, OHIO*

*STATE OF OHIO
Plaintiff*

Vs.

*DANIEL C. OTT JR
Defendant*



Case No: 2016 CR B 001179 K

JUDGE KEVIN T. POLAND

ORDER AND JUDGMENT ENTRY

This matter came before the Court on the Motion to Waive All Costs filed by Defendant on April 20, 2017. Defendant is requesting that the Court waive the \$25.00 indigent application fee.

On June 14, 2016 Defendant applied for court appointed counsel and filled out an Affidavit of Indegency. As such, a \$25.00 application fee was assessed.

Defendant was advised of this fee at the time he applied for counsel. The Affidavit of Indegency has a notification of this fee at the top of Page 1. In addition there is clear language at the top of Page 2 that by submitting this Financial Disclosure/Affidavit of Indegency Form, you will be assessed a non-refundable \$25.00 application fee.

It is the ORDER of Court that Defendant's Motion to Waive All Costs is not well taken and is hereby DENIED.

IT IS SO ORDERED.



JUDGE KEVIN T. POLAND
April 27, 2017

Cc: Daniel C. Ott Jr

From: Otter <radiootter@aol.com>

To: lances <lances@kent-ohio.org>

Subject: ATTN: James Silver

Date: Wed, Jun 21, 2017 9:04 am

Dear Mr. Silver, I appreciate your offer to pay the \$32 fee related to the fee the Kent Municipal Court ordered me to pay. However, I will not be agreeing to "Release all claims" against the City of Kent and it's employees in any manner. The \$32 payment should be made to the Kent Municipal Court in good faith by the City of Kent.

However, Upon acceptance of \$10,000 made payable to Daniel Ott by the City of Kent "Kent", I would be willing to "release all claims" from the City of Kent and it's employees relative to the criminal charge "Kent" brought against me. I would also consider a used dump truck or heavy duty truck instead of a monetary settlement.

Based on the malicious and unprofessional actions of the City of Kent Police Department and the arrogance of the officers, I may seek relief from The United States Federal Court (42 U.S.C. 1983).

I'm sure you are not aware, but the officers who testified in the case at bar, failed to comply with a Court subpoena, lied under oath, failed to follow city procedures and acted in a reckless manner with citizens.

In federal Court, I will seek money damages as well as injunctive and declaratory relief against all defendants in excess of one million dollars. My criminal history report will be marked forever for the charge Kent initiated as well all parties credit may be harmed by a federal suit.

It is my belief that City of Kent employees violated by first amendment right 42 U.S.C. 1988 of free speech and all defendants acted in bad faith and harassed me by initiating repeated prosecutions to harass an individual.

The Federal Court procedures are long and tiring but I believe it will be necessary to bring justice to a County which believes they are their own country. The officers involved in the case at bar need to understand they are complacent in their jobs and should conduct themselves as professionals and follow procedures set forth by their employer.

The Federal complaint is being drafted along with relative press releases so if you would like to send me a revised "release" and payment consideration I would be happy to review it. Time is of the essence in this matter and appreciate a proposed draft either by mail or email by June 26, 2017. I anticipate a Federal complaint to filed on or about July 11, 2017.

Thank You

Daniel Ott

P.O. Box 314

Bath, OH 44210-0314

330-338-2877

12/15/2016 FIRST ACCOUNTS RECEIVABLE NOTICE SENT

[Image](#)

FIRST AR NOTICE

Sent on: 12/15/2016 08:35:32.28

01/19/2017 SECOND ACCOUNTS RECEIVABLE NOTICE SENT

OTT JR, DANIEL C was sent notice for \$ 25.00

Printed on 01/19/2017 12:16:14.40.

01/19/2017 SECOND ACCOUNTS RECEIVABLE NOTICE SENT

[Image](#)

SECOND AR NOTICE

Sent on: 01/19/2017 12:16:56.55

02/23/2017 THIRD AND FINAL ACCOUNTS RECEIVABLE NOTICE
SENT

OTT JR, DANIEL C was sent notice for \$ 25.00

Printed on 02/23/2017 13:23:43.19.

02/23/2017 THIRD AND FINAL ACCOUNTS RECEIVABLE NOTICE
SENT

[Image](#)

THIRD AR NOTICE

Sent on: 02/23/2017 13:24:43.23

04/03/2017 THIS MATTER IS REFERRED TO A THIRD-PARTY
COLLECTION AGENT ON THIS DATE.

\$7.50 \$0.00

OTT JR, DANIEL C was sent notice for \$ 25.00

Printed on 04/03/2017 09:54:44.30. Receipt: 247505

Date: 06/20/2019

04/05/2017 COURT ORDERED VEHICLE REGISTRATION BLOCK
ISSUED TO THE BMV.

[Image](#)

REGISTRATION BLOCK created on: 04/05/2017

For: OTT JR, DANIEL C

04/25/2017 MOTION TO WAIVE ALL COSTS

[Image](#)

DANIEL C OTT JR (DEFENDANT);

04/28/2017 MOTION DENIED

[Image](#)

06/20/2019 ALERT CANCELED

REGISTRATION BLOCK canceled on: 06/20/2019

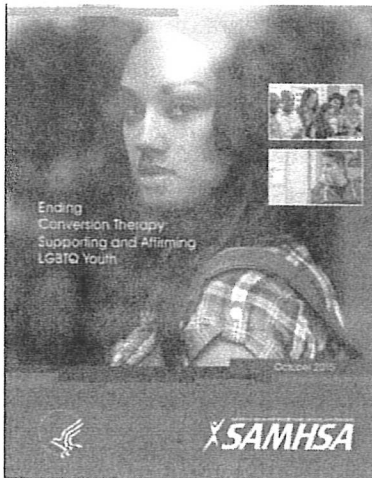
For: OTT JR, DANIEL C

06/20/2019 RELEASE OF VEHICLE REGISTRATION BLOCK
ISSUED TO THE BMV.

[Image](#)

RELEASE OF KENT BMV 1150 REGISTRATION
BLOCK

Sent on: 06/20/2019 10:30:44.95



Office: 330.673.5812 / Fax: 330.673.7162
190 Currie Hall Parkway, Kent, Ohio 44240
www.kentpsychological.com

Stacy Simera,
MSSA, LISW-S, SAP
Mental Health Therapist



US Department of Health and Human Services
Substance Abuse and Mental Health Services
Administration

“Ending Conversion Therapy for Minors”

(76-page report with 12 pages of references)

Available at samhsa.gov

Executive Summary

Lesbian, gay, bisexual, and transgender youth, and those who are *questioning* their sexual orientation or gender identity (LGBTQ youth) experience significant health and behavioral health disparities. Negative social attitudes and discrimination related to an individual's LGBTQ identity can contribute to these disparities, and may result in institutional, interpersonal, and individual stressors that affect mental health and well-being. (Bockting, Miner, Swinburne Romine, Hamilton, & Coleman, 2013; Meyer, 2003). This stress, as well as limited opportunities for support, are encountered by *sexual and gender minority* youth in their families, communities, and school settings. Additionally, some transgender youth experience gender dysphoria – psychological distress due to the incongruence between one's body and gender identity (Coleman et al., 2012).

SAMHSA is committed to eliminating health disparities facing vulnerable communities, including sexual and gender minority communities. One key factor to preventing these adverse outcomes is positive family (including guardians and caregivers) and community engagement and appropriate interventions by medical and behavioral health care providers. Supporting optimal development of children and adolescents with regard to sexual orientation, gender identity, and gender expression is vital to ensuring their health and well-being.

The purpose of this report, *Ending Conversion Therapy: Supporting and Affirming LGBTQ Youth*, is to provide mental health professionals and families with accurate information about effective and ineffective therapeutic practices related to children's and adolescent's sexual orientation and gender identity. Specifically, this report addresses the issue of conversion therapy for minors. The conclusions in this report are based on professional consensus statements arrived at by experts in the field. Specifically, conversion therapy—efforts to change an individual's sexual orientation, gender identity, or gender expression²—is a practice that is not supported by credible evidence and

has been disavowed by behavioral health experts and associations. Conversion therapy perpetuates outdated views of gender roles and identities as well as the negative stereotype that being a sexual or gender minority or identifying as LGBTQ is an abnormal aspect of human development. Most importantly, it may put young people at risk of serious harm.

Key Findings

This report and its recommendations are based on consensus statements developed by experts in the field after a careful review of existing research, professional health association reports and summaries, and expert clinical guidance. The consensus statements highlight areas of the ethical and scientific foundations most relevant to the practice of conversion therapy with minors. A full list of the consensus statements is found in the body of this report; key statements that form the underpinnings of the guidance in this report are provided here.

- Same-gender³sexual orientation (including identity, behavior, and attraction) and variations in gender identity and gender expression are a part of the normal spectrum of human diversity and do not constitute a mental disorder.
- There is limited research on conversion therapy efforts among children and adolescents; however, none of the existing research supports the premise that mental or behavioral health interventions can alter gender identity or sexual orientation.
- Interventions aimed at a fixed outcome, such as gender conformity or heterosexual orientation, including those aimed at changing gender identity, gender expression, and sexual orientation are coercive, can be harmful, and should not be part of behavioral health treatment. (American Psychiatric Association, 2013b; American Psychological Association, 2010; National Association of Social Workers, 2008).

Professional Consensus Process

In early April 2015, representatives from SAMHSA and APA agreed to collaborate to address the concerns of professional associations, policy makers, and the public regarding efforts to change gender identity and sexual orientation in children and adolescents (also referred to as conversion therapy). Through the support of the Federal Agencies Project, APA hosted an expert consensus convening on this topic in July 2015, which significantly informed this report. The research overview and clinical expertise highlighted throughout serve as the foundation from which the consensus statements were developed. Both the process of achieving consensus and the results of the meeting are published below.

APA initially developed a list of the areas of expertise to be used in identifying potential experts to participate in the consensus panel based on existing professional guidelines and resolutions related to sexual orientation, gender identity, and gender expression, as well as published research. APA solicited nominations from specialists in the field with expertise in gender, sexuality and sexual orientation, child and adolescent development and mental health, and the psychology of religion. Additionally, APA solicited nominations from professional associations representing the major mental health and health professions. Using the input received from these sources, APA extended invitations to a short list of highly recommended group of experts. This initial expert pool nominated additional experts based on their assessment of the expertise needed to achieve the goals of the meeting. The final panel of 13 experts consisted of ten psychologists, two social workers, and one psychiatrist. These individuals included researchers and practitioners in child and adolescent mental health with a strong background in gender development, gender identity, and sexual orientation in children and adolescents. The panel also included experts with a background in family therapy, ethics, and the psychology of religion. Among others, the panel included: Sheri Berenbaum, PhD; Celia B.

Fisher, PhD; Laura Edwards-Leeper, PhD; Marco A. Hidalgo, PhD; David Huebner, PhD; Colton L. Keo-Meier, PhD; Scott Leibowitz, MD; Robin Lin Miller, PhD; Caitlin Ryan, PhD, ACSW; Josh Wolff, PhD; and Mark Yarhouse, PsyD. APA activities were coordinated by Clinton W. Anderson, PhD and Judith Glassgold, PsyD.

Based on published literature on consensus methods, APA developed an iterative process that culminated in a two-day meeting in Washington, DC on July 7 and 8, 2015. During the meeting, panelist-led discussions considered the relevant research, professional guidelines and clinical knowledge-base for each of the topics. The panel developed consensus statements on sexual orientation change efforts as well as gender identity change efforts in children and adolescents for each of the relevant developmental stages: pre-pubertal children, peri-pubertal adolescents, and pubertal and post-pubertal adolescents.

Panelists agreed that unanimous consensus was a strong priority, but that if unanimity could not be reached, 80 percent support would constitute consensus. The panelists also agreed that minority opinions should be reflected in the record if any dissenting expert wished to issue such an opinion. Unanimous consensus was reached in nearly all instances. No dissenting opinions were formally registered. The statements of professional consensus are printed in *Section 3* of this report.

Observers from interested federal agencies, health and human services professional organizations, foundations, and LGBTQ human rights organizations also attended the meeting. These observers were offered an opportunity to submit written questions, which the panel addressed throughout the course of the meeting.

Attachment 3 7.17.19 Regular Meeting Minutes

Statements of Professional Consensus

The following are the statements of professional consensus regarding sexual orientation and gender identity and expression that were developed during the July 2015 APA consensus convening. After initially developing separate statements regarding issues relating to the development of sexual orientation and gender identity and gender expression, the panel developed a set of three key summary statements. The panel also developed a statement regarding the guiding human rights and scientific principles that provide a foundation for behavioral health professionals' work in this area.

Guiding Principles

Behavioral health professionals respect human dignity and rights. The foundational ethical principle of “self-determination” requires that children and adolescents be supported in their right to explore, define, and articulate their own identity. The principles of “justice” and “beneficence and nonmaleficence” require that all children and adolescents have access to behavioral health treatments that will promote their health and welfare. Children and adolescents have the right to participate in decisions that affect their treatment and future. Behavioral health professionals respect human diversity and strive to incorporate multicultural awareness into their work.

These guiding principles are based upon the codes of ethics for the professional fields of Psychology, Psychiatry, and Social Work (American Psychiatric Association, 2013b; American Psychological Association, 2010; National Association of Social Workers, 2008).

Professional Consensus on Conversion Therapy with Minors

1. Same-gender⁷sexual orientation (including identity, behavior, and/or attraction) and variations in gender identity and gender expression are a part of the normal spectrum of human diversity and do not constitute a mental disorder.
2. There is limited research on conversion therapy efforts among children and adolescents; however, none of the existing research supports the premise that mental or behavioral health interventions can alter gender identity or sexual orientation.
3. Interventions aimed at a fixed outcome, such as gender conformity or heterosexual orientation, including those aimed at changing gender identity, gender expression, and sexual orientation are coercive, can be harmful, and should not be part of behavioral health treatments. Directing the child to be conforming to any gender expression or sexual orientation, or directing the parents to place pressure for specific gender expressions, gender identities, and sexual orientations are inappropriate and reinforce harmful gender and sexual orientation stereotypes.

Attachment 3 7.17.19 Regular Meeting Minutes

Legislative, regulatory, and legal efforts

Many individuals, organizations, and several state legislatures have taken steps to regulate and eliminate the practice of conversion therapy. Efforts to end the practice of conversion therapy have included legislative bans and causes of action alleging consumer fraud, among others. Future efforts may include federal regulatory action, advancement of legislation at the state and federal level, and additional activities by the Administration.

As of August 2015, four states and the District of Columbia have passed laws banning the practice of conversion therapy for minors, and 21 other states have introduced similar legislation. All of the bills bar mental health providers from practicing conversion therapy on minors; some also include protections for vulnerable adults, restrictions on the use of state funds, and consumer protection provisions.

There is currently no federal ban on conversion therapy. Several bills and resolutions have been introduced in 2015, including H.R. 2450: Therapeutic Fraud Prevention Act; S.Res. 184: Stop Harming Our Kids Resolution of 2015; HR 3060 Stop Child Abuse in Residential Programs for Teens Act of 2015; and H.Con.Res. 36: Expressing the sense of Congress that conversion therapy, including efforts by mental health practitioners to change an individual's sexual orientation, gender identity, or gender expression, is dangerous and harmful and should be prohibited from being practiced on minors. These efforts discourage or ban conversion therapy or require non-discrimination in the provision of services to sexual and gender minority minors.

Stakeholders have also suggested the following as potential federal actions to end conversion therapy:

- Restrictions on the use of federal or state funding for conversion therapy by federal programs, by recipients of such funding, or through health insurance reimbursements.

- Policies for institutions that house out-of-home youth (such as juvenile justice and foster care programs) that prohibit conversion therapy efforts on minors in care. These entities are often licensed by states or receive federal funding.
- Clarification of existing non-discrimination policies to extend to prohibitions on conversion therapy

In addition to legislative and regulatory action, legal action has been explored as a mechanism for ending the use of conversion therapy. Most notably, a jury found in favor of a claim brought under New Jersey's consumer fraud law, finding that a "conversion therapy" program that offered services purported to change people from gay to straight was fraudulent and unconscionable.²³

In addition, potential claims of discrimination have been raised under the theory that the provision of ineffective and potentially harmful therapy is due solely to an individual's sexual orientation or gender identity.

Notably, the American Bar Association also passed a resolution urging "all federal, state, local, territorial, and tribal governments to enact laws that prohibit state-licensed professionals from using conversion therapy on minors," as well as "to protect minors, particularly minors in their care, from being subjected to conversion therapy by state-licensed professionals."²⁴