

THE CITY OF KENT, OHIO
REGULAR COUNCIL MEETING
WEDNESDAY, MARCH 20, 2019

At 7:32 p.m., Mayor Jerry T. Fiala called the **Regular Meeting of Kent City Council** to order after the Work Session of a KSU Presentation, Police Promotional Swearing In, and a Public Hearing. Roll call was taken.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; 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. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Ms. Melanie Baker, Public Service Director; and Ms. Dawn Bishop, Interim Clerk of Council.

ABSENT: Mr. John Kuhar; Mr. Garret Ferrara

MOTION TO EXCUSE THE ABSENCE OF BOTH MR KUHAR AND MR FERRARA made by Ms. Shaffer, seconded by Mr. Amrhein, CARRIED by a voice vote of 7-0.

Mayor Fiala called upon Councilmember Wallach for her opening remarks. Ms. Wallach wanted to remind everyone when it comes to recycling to please clean your containers and put them in loose in your recycling container. Ms. Wallach then led the Pledge of Allegiance.

APPROVAL OF MINUTES:

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING, made by Ms. Wallach, seconded by Mr. DeLeone, and CARRIED by a voice vote of 7-0.

MOTION TO APPROVE THE MINUTES OF THE COUNCIL WORK SESSION, AND TWO PUBLIC HEARINGS of February 20, 2019, made by Ms. Wallach, seconded by Mr. Sidoti, and CARRIED by a voice vote of 7-0.

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 was one visitor who signed in with the Clerk.

Christopher Myers, 220 E Elm, Kent, OH, began with he is "allowed to embarrass public employees. It's in the Constitution of the United States and Rules of City Council." He had communication to and from the City's Law Director requesting information and emails (**Attachment 1**). Mr. Myers then spoke on *Hate: Why We Should Resist It with Free Speech, Not Censorship* by Nadine Strossen. The author is a professor of Constitutional Law at New York Law School and the first female national president of the ACLU. He suggested listening to her speech that was given to the City Club Forum in Cleveland by going to their online archives. Mr. Myers spoke about communication received from Law Director Jones saying he "can not speak directly or indirectly to Tara Grimm, Clerk of Council; however, if you read (*Hate*) and listen to her (Ms. Strossen's) speech, you will find that the Supreme Court of the United States repudiates what she

has said that I'm not allowed to have direct or indirect contact with Tara Grimm." Mr. Myers referenced his Freedom of Speech lawsuit against the City of Kent that is being mailed to the US District Court in Akron, OH.

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

1. Sustainability Commission Meeting Agenda for March 4, 2019 and the Minutes of February 4, 2019 received on February 28, 2019.
2. City Health Board Meeting Agenda for February 19, 2019 and the Minutes of January 8, 2019 received on February 14, 2019.
3. Standing Rock Cemetery Meeting Minutes for February 14, 2019 received on February 22, 2019.
4. Planning Commission Staff Report for March 5, 2019 and Meeting Agenda for March 19, 2019 received March 11, 2019.

Oral Communications received after the Agenda was published were placed on file in the Clerk's office as follows:

1. Civil Service Commission Agenda for March 18, 2019 received March 14, 2019.
2. Park and Recreation Board Packet for March 21, 2019 received March 20, 2019.
3. Standing Rock Cemetery Meeting Notes for March 14, 2019 received March 19, 2019.
4. Liquor License Transfer Request from R Robert Ciccone Estate, DBA Ciccones Café, to Community Building Strategies LLC of 425 Cherry Street 1st floor and basement received March 14, 2019. Chief Lee had no objections.

MOTION TO HAVE THE CLERK OF COUNCIL RETURN THE LIQUOR LICENSE TRANSFER REQUEST TO THE OHIO DEPARTMENT OF LIQUOR CONTROL WITH NO OBJECTION made by Mr. Amrhein, seconded by Mr. DeLeone, and CARRIED by a voice vote of 7-0.

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

1. Request Council's authorization to accept a donation to Kent Parks and Recreation in the amount of \$100 in memory of Tom and Shirley Sommers. (Draft #2019-31)
2. Request Council's authorization to accept a donation to Kent Parks and Recreation in the amount of \$200 in memory of Harry Miller. (Draft #2019-31)
3. Request Council's authorization to allocate NOPEC grant funds in the amount of \$2,000 in support of the Kent Heritage Festival. (Draft #2019-32)
4. Request Council's authorization to submit a grant request to AARP for funding to assist senior citizens in Kent. (Draft #2019-33)
5. Request Council's authorization to schedule a public hearing on April 3rd for consideration of a rezoning request for the West Williams property.
6. Request Community Development Committee time to consider a rezoning request for the West Williams Street property.
7. Request Community Development Committee time to consider a request for a special event permit for the Torch Fest celebrating the 50th anniversary of the Burning River.
8. Request Community Development Committee time to consider a request for a special event permit for Main Street Kent's "Wizardly World of Kent" event.
9. Request Community Development Committee time to consider a new special event street closure request for the KSU "Flashes Forever" Alumni event on N. Water Street.
10. Request Community Development Committee time to authorize the 2019 sublease of the railroad parking area to the Haymaker's Farmers Market.

11. Request Community Development Committee time to receive information on the distribution of the 2019 Celebrate Kent grants.
12. Request Community Development Committee time to consider approval of the E. Main Street Neighborhood Study Project "purpose and needs" statement.
13. Request Finance Committee time to consider the award of the Parks and Recreation canoe livery operation contract for 2019.
14. Request Finance Committee time to consider a proposed 2019 Budget Appropriations Amendment.
15. Request Health and Safety Committee time to consider proposed new rules related to allowing service dogs on restaurant patios in Kent.
16. Request Land Use Committee time to consider approval of proposed updates to the 208 Water/Sewer Service District plan.

MOTION TO APPROVE ITEMS #1-16 OF THE CITY MANAGER'S REPORT made by Mr. Amrhein, seconded by Ms. Wallach. Motion CARRIED by a voice vote of 7-0.

STANDING COMMITTEES/ LEGISLATION

COMMITTEE OF THE WHOLE:

MOTION TO APPROVE THE COMMITTEE OF THE WHOLE MEETING MINUTES OF March 6, 2019 made by Mr. DeLeone, seconded by Mr. Sidoti, and CARRIED by a voice vote of 7-0.

Recommended Action:

1. Update Council Pending List

MOTION TO APPROVE THE RECOMMENDED ACTION ITEM made by Mr. DeLeone, seconded by Mr. Sidoti, and CARRIED by a voice vote of 7-0.

COMMUNITY DEVELOPMENT COMMITTEE:

MOTION TO APPROVE THE COMMUNITY DEVELOPMENT COMMITTEE MEETING MINUTES OF March 6, 2019 made by Ms. Rosenberg, seconded by Mr. DeLeone, and CARRIED by a voice vote of 7-0.

Recommended Action:

1. Approve the County Solid Waste Plan
2. Approve TREX Liquor Permit Request D1 257 N. Mantua
3. Approve TREX Liquor Permit Request D3 911 N. Street
4. Authorize JAYCEES Craft Beer Event Street Closure Request
5. Authorize City/Wick Poetry/KSU River Project Agreement
6. Authorize 2019 CHIP Grant Application

MOTION TO APPROVE ALL RECOMMENDED ACTION ITEMS made by Ms. Rosenberg, seconded by Mr. Sidoti, and CARRIED by a voice vote of 7-0.

Draft No. 2019-23: AN ORDINANCE APPROVING PROPOSED CHANGES BY THE PORTAGE COUNTY SOLID WASTE MANAGEMENT DISTRICT, DRAFT 2019 SOLID WASTE MANAGEMENT PLAN 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 Mr. Sidoti. On Roll call, voting "Yes": Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2019-23 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein. The Motion CARRIED by a roll call vote of 7-0.

ORDINANCE NO. 2019-23: AN ORDINANCE APPROVING PROPOSED CHANGES BY THE PORTAGE COUNTY SOLID WASTE MANAGEMENT DISTRICT, DRAFT 2019 SOLID WASTE MANAGEMENT PLAN AND DECLARING AN EMERGENCY PASSED as stated by Clerk Bishop.

Draft No. 2019-24: AN ORDINANCE AUTHORIZING THE TRANSFER OF A TREX LIQUOR LICENSE INTO THE CITY OF KENT FOR TWISTED ROOT, LTD., AN OHIO LIMITED LIABILITY COMPANY, CONDITIONAL UPON THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF KENT, OHIO AND TWISTED ROOT, LTD., 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. Wallach. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2019-24 made by Mr. Sidoti and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach. The Motion CARRIED by a roll call vote of 7-0.

ORDINANCE NO. 2019-24: AN ORDINANCE AUTHORIZING THE TRANSFER OF A TREX LIQUOR LICENSE INTO THE CITY OF KENT FOR TWISTED ROOT, LTD., AN OHIO LIMITED LIABILITY COMPANY, CONDITIONAL UPON THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF KENT, OHIO AND TWISTED ROOT, LTD., AND DECLARING AN EMERGENCY PASSED as stated by Clerk Bishop.

Draft No. 2019-25: AN ORDINANCE AUTHORIZING THE TRANSFER OF A TREX LIQUOR LICENSE INTO THE CITY OF KENT FOR THE RIVER MERCHANT, LLC, AN OHIO LIMITED LIABILITY COMPANY, CONDITIONAL UPON THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF KENT, OHIO AND THE RIVER MERCHANT, LLC, 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. DeLeone. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2019-25 made by Mr. DeLeone and seconded by Mr. Sidoti. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The Motion CARRIED by a roll call vote of 7-0.

RESOLUTION NO. 2019-25: AN ORDINANCE AUTHORIZING THE TRANSFER OF A TREX LIQUOR LICENSE INTO THE CITY OF KENT FOR THE RIVER MERCHANT, LLC, AN OHIO LIMITED LIABILITY COMPANY, CONDITIONAL UPON THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF KENT, OHIO AND THE RIVER MERCHANT, LLC, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Bishop.

Draft No. 2019-26: AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE A NEW SPECIAL EVENT APPLICATION FROM THE KENT JAYCEES FOR THE FIRST ANNUAL KENT CRAFT BEER FEST TO BE HELD ON MAY 18, 2019 IN CERTAIN AREAS OF KENT, 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 Mr. Sidoti. On Roll call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Ms. Rosenberg. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2019-26 made by Mr. DeLeone and seconded by Ms. Rosenberg. On Roll call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Ms. Rosenberg. The Motion CARRIED by a roll call vote of 7-0.

ORDINANCE NO. 2019-26: AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE A NEW SPECIAL EVENT APPLICATION FROM THE KENT JAYCEES FOR THE FIRST ANNUAL KENT CRAFT BEER FEST TO BE HELD ON MAY 18, 2019 IN CERTAIN AREAS OF KENT, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Bishop.

Draft No. 2019-27: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A NEW AGREEMENT BETWEEN KENT STATE UNIVERSITY, SPECIFICALLY THE WICK POETRY CENTER, MAIN STREET KENT AND THE CITY OF KENT TO BRING AWARENESS OF THE CUYAHOGA RIVER INTO KENT THROUGH STATIC AND INTERACTIVE DISPLAYS AND ALSO KNOWN AS THE RIVER STANZAS 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. Sidoti and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2019-27 made by Mr. DeLeone and seconded by Ms. Rosenberg. On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer. The Motion CARRIED by a roll call vote of 7-0.

ORDINANCE NO. 2019-27: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A NEW AGREEMENT BETWEEN KENT STATE UNIVERSITY, SPECIFICALLY THE WICK POETRY CENTER, MAIN STREET KENT AND THE CITY OF KENT TO BRING AWARENESS OF THE CUYAHOGA RIVER INTO KENT THROUGH STATIC AND INTERACTIVE DISPLAYS AND ALSO KNOWN AS THE RIVER STANZAS PROJECT, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Bishop.

Draft No. 2019-28: AN ORDINANCE AUTHORIZING THE COMMUNITY DEVELOPMENT DEPARTMENT TO SUBMIT A PROPOSAL TO THE STATE OF OHIO DEVELOPMENT SERVICES AGENCY, OFFICE OF COMMUNITY DEVELOPMENT, TO PARTICIPATE IN THE PY2019 COMMUNITY HOUSING IMPACT AND PRESERVATION PROGRAM (CHIP) AND UPON AWARDING OF THE GRANT, AUTHORIZING 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 Mr. Sidoti and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, and Mr. Sidoti. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2019-28 made by Mr. Sidoti and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, and Mr. Sidoti. The Motion CARRIED by a roll call vote of 7-0.

ORDINANCE NO. 2019-28: AN ORDINANCE AUTHORIZING THE COMMUNITY DEVELOPMENT DEPARTMENT TO SUBMIT A PROPOSAL TO THE STATE OF OHIO DEVELOPMENT SERVICES AGENCY, OFFICE OF COMMUNITY DEVELOPMENT, TO PARTICIPATE IN THE PY2019 COMMUNITY HOUSING IMPACT AND PRESERVATION PROGRAM (CHIP) AND UPON AWARDING OF THE GRANT, AUTHORIZING APPROPRIATION OF FUNDS AND DECLARING AN EMERGENCY PASSED as stated by Clerk Bishop.

FINANCE COMMITTEE:

MOTION TO APPROVE THE FINANCE COMMITTEE MEETING MINUTES OF March 6, 2019 and APPROVE THREE RECOMMENDED ACTION ITEMS made by Mr. DeLeone, seconded by Mr. Sidoti, and CARRIED by a voice vote of 7-0.

Recommended Actions:

1. Approve the Quality IP Agreement
2. Amend City Trash Service Contract to Remove Recycling
3. Approve New Contract with Portage County for Recycling

Draft No. 2019-29: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT WITH QUALITY IP AND THE CITY OF KENT TO HELP WITH BUSINESS TECHNOLOGY NEEDS, WAIVING 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. Sidoti and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Mr. Turner. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-6 made by Mr. Ferrara and seconded by Mr. Kuhar. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Mr. Turner. The Motion CARRIED by a roll call vote of 7-0.

ORDINANCE NO. 2019-29: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT WITH QUALITY IP AND THE CITY OF KENT TO HELP WITH BUSINESS TECHNOLOGY NEEDS, WAIVING COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Bishop.

Draft No. 2019-30: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO AMEND THE CITY OF KENT'S TRASH SERVICE CONTRACT WITH REPUBLIC SERVICES OF OHIO, LLC IN ORDER TO ENTER INTO A NEW CONTRACT DIRECTLY WITH PORTAGE COUNTY SOLID WASTE MANAGEMENT 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. DeLeone and seconded by Ms. Wallach. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, and Ms. Wallach. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2019-30 made by Mr. Sidoti and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, and Ms. Wallach. The Motion CARRIED by a roll call vote of 7-0.

ORDINANCE NO. 2019-30: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO AMEND THE CITY OF KENT'S TRASH SERVICE CONTRACT WITH REPUBLIC SERVICES OF OHIO, LLC IN ORDER TO ENTER INTO A NEW CONTRACT DIRECTLY WITH PORTAGE COUNTY SOLID WASTE MANAGEMENT DISTRICT; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Bishop.

Draft No. 2019-31: AN ORDINANCE ACCEPTING TWO DONATIONS TOTALING \$300.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM MISTY SOMMERS, JODY SWEARENGEN AND SUZANN MILLER MOLEDAR, 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 Mr. Sidoti. On Roll call, voting "Yes": Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2019-31 made by Mr. Sidoti and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The Motion CARRIED by a roll call vote of 7-0.

ORDINANCE NO. 2019-31: AN ORDINANCE ACCEPTING TWO DONATIONS TOTALING \$300.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM MISTY SOMMERS, JODY SWEARENGEN AND SUZANN MILLER MOLEDAR, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Bishop.

Draft No. 2019-32: AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2019 COMMUNITY EVENT SPONSORSHIP PROGRAM AWARD IN THE AMOUNT OF \$2000 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": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2019-32 made by Mr. DeLeone and seconded by Mr. Sidoti. On Roll Call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The Motion CARRIED by a roll call vote of 7-0.

ORDINANCE NO. 2019-32: AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCEPT NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2019 COMMUNITY EVENT SPONSORSHIP PROGRAM AWARD IN THE AMOUNT OF \$2000 AND DECLARING AN EMERGENCY PASSED as stated by Clerk Bishop.

Draft No. 2019-33: AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT AN APPLICATION TO THE 2019 AARP COMMUNITY CHALLENGE GRANT PROGRAM 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 Mr. DeLeone and seconded by Mr. Sidoti. On Roll Call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Ms. Rosenberg. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2019-33 made by Mr. DeLeone and seconded by Mr. Sidoti. On Roll Call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Ms. Rosenberg. The Motion CARRIED by a roll call vote of 7-0.

ORDINANCE NO. 2019-33: AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT AN APPLICATION TO THE 2019 AARP COMMUNITY CHALLENGE GRANT PROGRAM AND TO ACCEPT THE GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATION OF FUNDS AND DECLARING AN EMERGENCY PASSED as stated by Clerk Bishop.

HEALTH AND SAFETY COMMITTEE:

There were no meeting minutes or actions to be approved.

LAND USE COMMITTEE:

There were no meeting minutes or actions to be approved.

STREETS, SIDEWALKS AND UTILITIES COMMITTEE:

MOTION TO APPROVE THE STREETS, SIDEWALKS, AND UTILITIES COMMITTEE MEETING MINUTES OF March 6, 2019 and APPROVE RECOMMENDED ACTION ITEM #1 made by Mr. Sidoti, seconded by Mr. Ferrara, and CARRIED by a voice vote of 6-0-1 with Ms. Shaffer abstaining

Recommended Action:

1. Accept the East Main Street Neighborhood Study Agreement Amendment #1

Draft No. 2019-34: AN ORDINANCE AMENDING RESOLUTION NO. 2018-40 THAT PASSED MARCH 21, 2018 TO ENTER INTO THE EAST MAIN STREET AREA AGREEMENT BETWEEN THE CITY OF KENT AND KENT STATE UNIVERSITY TO SET THE FRAMEWORK TO BEGIN INVESTIGATING TRAFFIC CONCERNS ALONG THE EAST MAIN STREET CORRIDOR, 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 Mr. Amrhein. On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, and Ms. Shaffer. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2019-34 made by Ms. Wallach and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer. The Motion CARRIED by a roll call vote of 7-0.

ORDINANCE NO. 2019-34: AN ORDINANCE AMENDING RESOLUTION NO. 2018-40 THAT PASSED MARCH 21, 2018 TO ENTER INTO THE EAST MAIN STREET AREA AGREEMENT BETWEEN THE CITY OF KENT AND KENT STATE UNIVERSITY TO SET THE FRAMEWORK TO BEGIN INVESTIGATING TRAFFIC CONCERNS ALONG THE EAST MAIN STREET CORRIDOR, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Bishop.

Draft No. 2019-35: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR IMPROVEMENTS ON NORTH WATER STREET, AND DECLARING AN EMERGENCY read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Ms. Shaffer, seconded by Ms. Wallach. On Roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, and Mr. Sidoti. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2019-35 made by Mr. DeLeone, seconded by Ms. Shaffer. On Roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, and Mr. Sidoti. The Motion CARRIED by a roll call vote of 7-0.

ORDINANCE NO. 2019-35: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR IMPROVEMENTS ON NORTH WATER STREET, AND DECLARING AN EMERGENCY PASSED as state by Clerk Bishop.

SPECIAL COMMITTEE REPORTS: NONE

UNFINISHED BUSINESS:

Ms. Shaffer asked if it was possible to change her abstention to a "yes" vote in approving the recommended action item in Streets, Sidewalks, and Utilities.

Mayor Fiala and Ms. Jones said it didn't matter, it passed.

NEW BUSINESS:

ITEMS NEEDING COUNCIL ACTION OR REFERRAL

Ms. Rosenberg said voting is a fundamental part of our democracy and would like to encourage our City employees to exercise their right.

MOTION TO FORMALLY ALLOW CITY PERSONNEL TO VOTE WITHOUT HAVING TO TAKE LEAVE TIME made by Ms. Rosenberg, seconded by Ms. Shaffer.

Ms. Rosenberg said in lieu of having an Election Day holiday, this will send a clear message that City Council supports democracy and all of our city personnel are encouraged to vote and with any luck it will encourage city businesses to afford their employees the same.

Ms. Shaffer said it's a great example of leadership and all employers should do the same.

MOTION TO AMEND THE ORIGINAL MOTION TO BRING THE VOTING LEAVE TIME TO COMMITTEE made by Ms. Rosenberg, seconded by Mr. Ferrara, and CARRIED by a voice vote of 7-0.

Ms. Wallach said it's a wonderful idea and hopes it can be discussed in April.

Mr. Sidoti said he hopes the Law Director can offer some guidance in April Committee.

Mr. DeLeone had a question about logistics he'll address in Committee.

Ms. Wallach asked that the Sustainability Committee come back ASAP with ideas that the City can do to help with climate change.

***SCHEDULE FUTURE COUNCIL MEETINGS
COUNCILMEMBERS' COMMENTS***

Mr. Sidoti said the last renderings of City Hall have received positive feedback on social media.

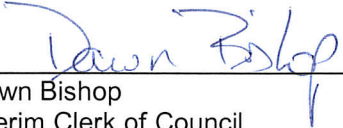
Mr. DeLeone said from his perspective Ms. Bishop is doing a good job.

Ms. Shaffer wanted to recognize how fast city personnel came out to fix a sidewalk on East Oak where a hole had opened up and a dog got its paw caught. When they went to prop it open they found a bigger problem with water running underneath. They were out to fix it that day and poured the concrete today. She wants to thank Ms. Baker and whoever else was responsible for that.

MAYOR'S REPORT:

Mayor Fiala had no remarks.

Mayor Fiala adjourned the meeting at 8:00 P.M.


Dawn Bishop
Interim Clerk of Council


Jerry T. Fiala
Mayor and President of Council

20 March 2019

Ms. Jones, Law Director, City of Kent, Ohio:

On 30 March 2018 Mr. Ferrara sent the attached email to all members of council. I would like all emails, records of personal contacts, phone records, and notes, that occurred as a result of that email. I would also like the "Quoted text hidden" referenced at the bottom of his email.

The email is a part of the police report written against me by Tara Grimm, former Clerk of Council. Also appearing in the police report are emails by Council person Heidi Shaffer, and City Manager Ruller.

Garret Ferrara <ferrara@kent-ohio.org>

Fri, Mar 30, 2018 at 12:19 PM

To: Clerk of Council <councilclerk@kent-ohio.org>

Cc: Gwen Rosenberg <rosenbergg@kent-ohio.org>, Heidi Shaffer <shaffer@kent-ohio.org>, Jack Amrhein <amrhein@kent-ohio.org>, Jerry Fiala <fialaj@kent-ohio.org>, John Kuhar <kuhar@kent-ohio.org>, Mike DeLeone <deleone@kent-ohio.org>, Robin Turner <turner@kent-ohio.org>, Roger Sidoti <sidoti@kent-ohio.org>, Tracy Wallach <wallach@kent-ohio.org>

Tara I spoke with Jack and Roger and we want to formally address the issue and your concerns with a plan of action. Can we schedule an exec session this Wednesday to discuss the matter and ways that we can ensure a productive and safe work environment?

In reading Heidi's comments I think calling the exec session is in order as I believe the rest of council will agree with addressing your concerns even though I haven't spoken to the others. Please feel free to respond to the thread council members. Also in speaking with Jack if you feel that Wednesday is not soon enough to address the issue please contact him directly so we can address those concerns.

Have a happy Easter.

Garret Ferrara
Kent City Council
Ward 1

Sent from my mobile, please excuse any typos.

[Quoted text hidden]

Christopher M. Myer
220 E. Elm St. Kent, OH 44240



CITY OF KENT, OHIO

DEPARTMENT OF LAW

April 10, 2018

Christopher Myers (330) 678-6984
220 E. Elm St.
Kent, Ohio 44240

Re: Tara Grimm, Clerk of Council

Dear Mr. Myers,

This is a follow up to our phone conversation on April 6, 2018. It was nice speaking to you and I hope you are feeling better after your hospital stay.

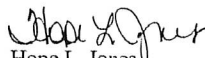
As I indicated on the phone, I am giving you notice that you are not to have any direct or indirect contact with Tara Grimm, City Council's Clerk. She has indicated that after several contacts with you she does not feel safe around you. As her employer, the City must ensure a safe work environment for all of our employees.

This notice does not prohibit you from attending public meetings, including Council meetings and expressing your opinions during the "Citizen Comment" time or when citizens are invited to speak during Committee meetings. You have every right to inform Council of your views of the Council minutes or any other issue that you feel you need to voice your beliefs.

If you need a public record from Council or any city department, please direct your request to me. I gave you my email address and you are free to call me at 330-678-8619. If you need to speak to someone about an issue that you would have called Ms. Grimm about, please call me and I will make sure that Ms. Grimm is informed of our conversation.

After our conversation on the phone last Friday, I believe you understood that Ms. Grimm wants no contact with you. I understand that you do not agree with her feelings about you, but please respect this request and do not have contact with Ms. Grimm in the future.

Very truly yours,


Hope L. Jones
Law Director

Cc: Mayor Jerry Fiala
Tara Grimm, Clerk of Council