

**THE CITY OF KENT, OHIO  
REGULAR COUNCIL MEETING  
WEDNESDAY, May 15, 2019**

At 7:30 p.m., Mayor Jerry T. Fiala called the **Regular Meeting of Kent City Council** to order after the Public Hearing. Roll call was taken.

**PRESENT:** Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Mr. Roger Sidoti; 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 Director; and Ms. Dawn Bishop, Interim Clerk of Council.

**ABSENT:** Ms. Heidi Shaffer; Mr. Robin Turner

MOTION TO EXCUSE THE ABSENCE OF COUNCILMEMBERS SHAFFER AND TURNER made by Mr. Ferrara, seconded by Mr. Sidoti, and CARRIED by a voice of 7-0.

Mayor Fiala called upon Councilmember DeLeone for his opening remarks. Mr. DeLeone had none and led the Pledge of Allegiance.

**APPROVAL OF MINUTES:**

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF April 17, 2019, and the MINUTES OF THE JOINT MEETING WITH FRANKLIN TWP OF May 1, 2019 made by Mr. DeLeone, seconded by Mr. Ferrara, and CARRIED by a voice vote of 6-0-1 with Ms. Wallach abstaining.

**STANDING COMMITTEES/LEGISLATION**  
**COMMITTEE OF THE WHOLE:**

There were no minutes needing approval.

Mayor Fiala altered the agenda as President Dr. Beverly Warren was in attendance before her upcoming retirement and wanted to give her the opportunity to say a few words.

Dr. Warren first said she wanted to say thank you for making her feel at home as a citizen of Kent and she feels like they have really come together to make Kent a destination city and Kent State University a destination university. Looking back she said one of the top achievements of work between the city and the university was the transformation of Summit Street. She believes they have also worked together charting the years to come in a master facility plan, the Gateway Plan, which Council helped to draft and that is another example of their work together. Citizens of Kent spoke up with their ideas for that plan and she expanded on some of those ideas. Dr. Warren said looking ahead there are many things to be optimistic about. The president-elect, current provost Todd Diacon, has a very strong belief in a positive town-gown relationship. She thanked City Manager Ruller who served on the presidential search committee and is an affirmation on the Board of Trustees' respect and belief in the strength of a town-gown relationship. Dr. Warren finished with her own bittersweet emotions of her departure as the fiftieth commemoration of May 4<sup>th</sup> approaches in 2020. That will see thousands of visitors descend on the city and the university and how do we look at this very thoughtfully and honor all voices as not everyone has the same memories and emotions on May 4, 1970. Dr. Warren said it has been a joy of a lifetime to be a part of the community and a part of Kent State University.

MOTION TO AUTHORIZE *Draft No. 2019-52* made by Mr. Amrhein, seconded by Mr. DeLeone, and CARRIED by a voice vote of 7-0.

**Draft No. 2019-52: A RESOLUTION RECOGNIZING THE LEADERSHIP OF KENT STATE UNIVERSITY'S PRESIDENT BEVERLY WARREN, PH.D., ED.D., 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, Mr. Sidoti, Ms. Wallach. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2019-52 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes:" Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Mr. Sidoti, Ms. Wallach. The Motion CARRIED by a roll call vote of 7-0.

RESOLUTION 2019-52 PASSED. Mr. Ruller read the resolution in its entirety before presenting the signed resolution to Dr. Warren.

### **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 three visitors who signed in with the Clerk.

Christopher M Myers, 220 E. Elm Street, Kent, gave his phone number: 330-678-6984 if anyone wanted to contact him about what he is about to discuss. Mr. Myers said he was misquoted by Valerie Royzman in her article where he did not use the word asinine to describe council members who didn't take landlord's concerns seriously but instead used it to describe a statement by Councilman Ferrara. She said she would change it. People around town also ask him why he was labelled vulgar when using the word 'asinine' but when Councilman Turner used it he was not labelled such. He was also told that Mayor Fiala was accused by Tara Grimm, former clerk of council, of stalking her. Perhaps the City or Record Courier would like to investigate this. Mr. Myers questioned why did the City Manager turn him for protesting when he did not know what he was protesting? Mr. Myers also asked of Law Director Jones why has he not received his public records that he requested almost two months ago. Mr. Myers last item to address was when he spoke before Council on Lincoln and Dr. ML King and then also spoke of fascists. Clerk Grimm wrote in minutes that he gave an oration but wrote nothing of the ideals of Lincoln and King he spoke about; Mr. Myers said that is why he had a hard time dealing with Clerk Grimm. He said they may want to look at this, as the lies allowed to manifest are not very nice.

David Ellingsworth, 1082 Graham Avenue, Kent, wanted to address Council on the issues of feral cats. In looking at city ordinances, it says residents are allowed to kill or trap feral animals trespassing on their property in 505.05 but in 505.11 one is not allowed to trap non-domesticated animals and he pointed out the conflict of the two.

Mayor Fiala said they are working on that.

Angela Jarrells, 1060 Davey Avenue Apartment A, Kent, also came before Council to speak on the issue of feral cats. She has been working with the animal compliance officers to either trap and turn over to the APL or legally dispose of these animals. The biggest problem she has been running in to is no amount of TNR or euthanasia is going to make a difference if they don't start prosecuting those who are promoting the problem. She has at least six neighbors who feed or shelter these cats, but don't actually care for these feral cats. They almost always test positive for feline leukemia. She and neighbors have small children they can't allow to play in their own yards because of toxic diseases these cats carry and can transfer, one being toxoplasmas, only found in domestic cats transferred through cat feces and is deadly if transmitted to a child under three. TNR does not seem to be working and she would suggest the only way to control the problem is through euthanasia and secondly prosecuting those who contribute to the problem.

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

1. Civil Service Commission Meeting Agenda for April 29, 2019, received on April 26, 2019.
2. Planning Commission Staff Report and Meeting Agenda for May 7, 2019, received April 30, 2019.
3. Standing Rock Cemetery Meeting Minutes of April 11, 2019, received April 19, 2019.
4. Sustainability Commission Meeting Agenda for May 6, 2019, and the minutes from March 4 and April 1, 2019, received May 2, 2019.
5. Liquor License Transfer Request from La Pizza LLC 25 W Main Street, 1<sup>st</sup> Floor, Adena, OH 43901 to River Merchant 911 N Mantua Street, Kent received May 1, 2019. Chief Lee returned no objections to that transfer.

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

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

1. Board of Zoning Appeals Agenda and Staff Report for public hearing and business meeting for May 20, 2019 received May 13, 2019.
2. Written request to support legislation to ban conversion therapy for youth received from Cari Orris, M.Ed., Professional Clinical Counselor, received May 2, 2019. (Attachment #1.)
3. Letter of Intent to Retire from John Idone received May 15, 2019.

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

1. Request Council's authorization of a resolution honoring Dr. Warren in her retirement from Kent State University and service to the Kent community. (Draft #2019-52)
2. Request Council's authorization of the proposed 2019 CDBG Action Plan. (Draft #2019-55)
3. Request Council's authorization to accept a \$2400 donation from the Henry V. & Frances W. Christenson Foundation to Kent Parks and Recreation for replacement of the projector used for the Sidewalk Cinema movie program. (Draft #2019-58)
4. Request Committee of the Whole time to consider proposed updated to the City's administrative policies to include guidelines for the use of medical marijuana.
5. Request Streets, Sidewalks & Utilities Committee time to review proposed modifications to the City's small cell utility regulations.
6. Request Streets, Sidewalk & Utilities Committee time to consider proposed regulations for the operation of shared rental e-scooters and bikes in Kent.

7. Request Community Development Committee time to consider a proposed new access agreement for the continued remediation of the Mogadore Road property.
8. Request Health & Safety Committee time to receive a staff update on the matter of backyard fires on Bryce Drive.
9. Request Health & Safety Committee time to consider the terms of the lease renewal with Kent State University for the Health Department office space on Haymaker Parkway.
10. Request Finance Committee time to consider a 2019 Budget Appropriations Amendment.
11. Request Finance Committee time to authorize the proposed list of grant funded projects recommended to be submitted for OPWC funding.

MOTION TO APPROVE ITEMS #2-11 OF THE CITY MANAGER'S REPORT made by Mr. Amrhein, seconded by Mr. Ferrara. Motion CARRIED by a voice vote of 7-0.

### **STANDING COMMITTEES/ LEGISLATION**

#### **COMMUNITY DEVELOPMENT COMMITTEE:**

MOTION TO APPROVE THE COMMUNITY DEVELOPMENT COMMITTEE MEETING MINUTES OF May 1, 2019 made by Mr. Kuhar, seconded by Mr. DeLeone, and CARRIED by a voice vote of 6-0-1, with Ms. Wallach abstaining.

MOTION TO AUTHORIZE RECOMMENDED ACTION ITEM ONE made by Mr. Kuhar, seconded by Mr. DeLeone, and CARRIED by a voice vote of 7-0.

MOTION TO AUTHORIZE RECOMMENDED ACTION ITEM TWO made by Mr. Kuhar, seconded by Mr. DeLeone, and CARRIED by a voice vote of 7-0.

#### Recommended Action:

1. Authorize Proposed Permit and Overnight Parking Changes
2. Authorize Revised Neighborhood Grant Program

**Draft No. 2019-53: AN ORDINANCE AMENDING SECTIONS 353.02 AND 353.03 OF "PART THREE - TRAFFIC CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TO IMPLEMENT THE PROPOSED OVERNIGHT PARKING PERMIT PROGRAM, 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. Sidoti. On Roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Mr. Sidoti, Ms. Wallach, Mr. Amrhein. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2019-53 made by Mr. Kuhar and seconded by Mr. DeLeone. Mr. DeLeone said this is a move in the right direction for solving problems coming up with downtown building. On Roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Mr. Sidoti, Ms. Wallach, Mr. Amrhein. The Motion CARRIED by a roll call vote of 7-0.

**ORDINANCE NO. 2019-53 PASSED** as stated by Clerk Bishop.

**Draft No. 2019-54: AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT THE PROPOSED REVISIONS TO THE NEIGHBORHOOD GRANT PROGRAM (NGP), 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, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2019-54 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone. The Motion CARRIED by a roll call vote of 7-0.

**ORDINANCE NO. 2019-54** PASSED as stated by Clerk Bishop.

*Draft No. 2019-55: A RESOLUTION APPROVING A REQUEST FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ASSISTANCE FOR PROGRAM YEAR (PY) 2019 UNDER TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED, INCLUDING THE PY2019 ANNUAL ACTION PLAN AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AND FILE THE PY2019 ANNUAL ACTION PLAN, INCLUDING RELATED CERTIFICATIONS, AND UPON AWARDING OF THE GRANT, AUTHORIZING THE 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. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2019-55 made by Mr. Kuhar and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara. The Motion CARRIED by a roll call vote of 7-0.

**RESOLUTION NO. 2019-55:** PASSED as stated by Clerk Bishop.

***FINANCE COMMITTEE:***

MOTION TO APPROVE THE FINANCE COMMITTEE MEETING MINUTES OF May 1, 2019 made by Mr. DeLeone, seconded by Mr. Kuhar, and CARRIED by a voice vote of 6-0-1, with Ms. Wallach abstaining.

MOTION TO APPROVE RECOMMENDED ACTIONS ONE AND TWO made by Mr. DeLeone, seconded by Mr. Ferrara, and CARRIED by a voice vote of 7-0.

Recommended Actions:

1. Authorize Law Director Prosecution Pay Revision
2. Authorize 2019 Budget Appropriations Amendment

*Draft No. 2019-56: AN ORDINANCE AMENDING SECTION 135.02 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED "ASSISTANT DIRECTORS: APPOINTMENT; DUTIES", 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. Amrhein and seconded by Mr. Ferrara. On Roll call, voting "Yes": Ms. Rosenberg, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2019-56 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Rosenberg, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar. The Motion CARRIED by a roll call vote of 7-0.

**ORDINANCE NO. 2019-56:** PASSED as stated by Clerk Bishop.

**Draft No. 2019-57: AN ORDINANCE AMENDING ORDINANCE NO. 2018-142, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 19, 2018; SO AS TO ADJUST APPROPRIATIONS, TRANSFERS AND ADVANCES FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2019; AND DECLARING AN EMERGENCY** was read by title only by Clerk Bishop per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 2019-57 made by Mr. Kuhar and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg. The Motion CARRIED by a roll call vote of 7-0.

**ORDINANCE NO. 2019-57:** PASSED as stated by Clerk Bishop.

**Draft No. 2019-58: AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$2,400.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM THE HENRY V. AND FRANCES W. CHRISTENSON FOUNDATION TO REPLACE THE PROJECTOR USED FOR THE SIDEWALK CINEMA BLIMP SCREEN PROGRAM, 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. Ferrara. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Mr. Sidoti. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2019-58 made by Mr. DeLeone and seconded by Mr. Kuhar. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Mr. Sidoti. The Motion CARRIED by a roll call vote of 7-0.

**ORDINANCE NO. 2019-58:** PASSED as stated by Clerk Bishop.

**HEALTH AND SAFETY COMMITTEE:**

There were no meeting minutes or actions to be approved.

**LAND USE COMMITTEE:**

MOTION TO APPROVE THE LAND USE COMMITTEE MEETING MINUTES OF MAY 1, 2019 and RECOMMENDED ACTION made by Mr. Ferrara, seconded by Mr. DeLeone, and CARRIED by a voice vote of 6-0-1, with Ms. Wallach abstaining.

MOTION TO AUTHORIZE RECOMMENDED ACTION ITEM ONE made by Mr. Ferrara, seconded by Mr. DeLeone, and CARRIED by a voice vote of 7-0.

Recommended Action:

1. Authorize Updates to the 208 Sewer Service District Plan

**STREETS, SIDEWALKS AND UTILITIES COMMITTEE:**

MOTION TO APPROVE THE STREETS, SIDEWALKS, AND UTILITIES COMMITTEE MEETING MINUTES OF May 1, 2019 made by Mr. Sidoti, seconded by Mr. DeLeone, and CARRIED by a voice vote of 6-0-1, with Ms. Wallach abstaining.

MOTION TO AUTHORIZE RECOMMENDED ACTION ITEMS ONE THROUGH FOUR made by Mr. Sidoti, seconded by Mr. DeLeone, and CARRIED by a voice vote of 7-0.

Recommended Actions:

1. Authorize AT&T Water Tower Lease Amendment
2. Authorize Easement with KSU for the Tower Lease
3. Authorize City & KSU Bike Share Agreement
4. Authorize City & ODOT Legislation for ODOT Repaving SR59

*Draft No. 2019-59: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AMENDED AGREEMENT WITH NEW CINGULAR WIRELESS PCS, LLC (FORMERLY KNOWN AS AT&T WIRELESS, PCS), FOR THE CONTINUED LOCATION OF ITS CELLULAR ANTENNA AND EQUIPMENT ON THE KENT CITY WATER TOWER LOCATED AT KENT STATE UNIVERSITY PROPERTY, 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. Ferrera and seconded by Mr. Kuhar. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Mr. Sidoti, Ms. Wallach. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2019-59 made by Mr. Kuhar and seconded by Mr. Amrhein. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Mr. Sidoti, Ms. Wallach. The Motion CARRIED by a roll call vote of 7-0.

**ORDINANCE NO. 2019-59:** PASSED as stated by Clerk Bishop.

*Draft No. 2019-60: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ACCEPT A NON-EXCLUSIVE EASEMENT FROM THE STATE OF OHIO (DAS FILE NO. 3180-A-2) ON BEHALF OF THE KENT STATE UNIVERSITY FOR THE EXPANDED USE OF A PERMANENT EASEMENT FOR THE AT&T CELL TOWER, AND DECLARING AN EMERGENCY* was read by title only by Clerk Bishop per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 2019-60 made by Ms. Wallach and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Mr. Sidoti, Ms. Wallach, Mr. Amrhein. The Motion CARRIED by a roll call vote of 7-0.

**ORDINANCE NO. 2019-60:** PASSED as stated by Clerk Bishop.

*Draft No. 2019-61: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A NEW BIKE SHARE MEMORANDUM OF UNDERSTANDING BETWEEN KENT STATE UNIVERSITY DEPARTMENT OF RECREATION AND THE CITY OF KENT TO ESTABLISH A BIKE SHARE SYSTEM FOR A ONE (1) YEAR PERIOD, 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, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone. The Motion CARRIED by a voice vote of 7-0.

MOTION TO ADOPT DRAFT No. 2019-61 made by Mr. DeLeone and seconded by Mr. Ferrara. On Roll call voting "Yes": Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone. The Motion CARRIED by a voice vote of 7-0.

**ORDINANCE NO. 2019-61:** PASSED as stated by Clerk Bishop.

*Draft No. 2019-62: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO APPROVE THE PARTICIPATORY LEGISLATION FOR THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION (ODOT), PROJECT POR SR59 (PID 110168) FOR THE REPAVING OF SR59 FROM RIVER STREET WEST TO THE CITY LIMITS, AND DECLARING AN EMERGENCY* was read by title only by Clerk Bishop per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT NO. 2019-62 made by Mr. Kuhar and seconded by Mr. Ferrara. On Roll call voting "Yes": Mr. Kuhar, Ms. Rosenberg, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara. The Motion CARRIED by a voice vote of 7-0.

**ORDINANCE NO. 2019-62:** PASSED as stated by Clerk Bishop.

**SPECIAL COMMITTEE REPORTS:** NONE

**UNFINISHED BUSINESS:**

Mr. Sidoti's first point was that another year has gone by since the last Kent Heritage Festival and there still is not a concept for the new city hall. He's surprised no one else is upset about that. He doesn't want another year to go by where they can't engage with the community about what the new city hall will look like and be about. Mr. Sidoti said they also have missed the opportunity to save tax payers money when the interest rates were low.

Mr. DeLeone asked when will the police department be demolished?

Mr. Ruller said that Ms. Baker was starting to get the bid out for that demolition. He also wanted to respond to Mr. Sidoti: There was no obvious unanimity in design, and there was a lot of 'I hate the building'... 'it's ok' and there was no real consensus but also Council was not asked for an official vote. So Ms. Baker and he had met with the architect and said we've got to help Council "get to the end zone." In June they were supposed to come back to Council with the original look and some other versions so that Council can then say what they do or don't like and get to where Mr. Sidoti wants to get to. Mr. Ruller said they've enjoyed the inclusive process but as Ms. Baker has said, she is on a certain time line and what can they do to get the process moving.

Mr. Kuhar said there was an awful lot of time spent on the inside functionality and where the problem lay now was the outside appearance of the building. He believed at the last meeting there was pretty good consensus of what people would like to see on the outside. He thought something should now be coming back visually acceptable. Mr. Kuhar said he believes they are moving forward and planning is important.

Mr. Fiala said maybe if Ms. Baker and the architect return in June, by the Heritage Festival there will be a concept.

Ms. Baker said that would probably work.

Mr. Fiala said part of the problem is the architect comes in and the second guessing doesn't seem to come until after the meeting and nothing was discussed during it.

Mr. DeLeone said part of the problem is trying to cram these work sessions into a half an hour.

Mr. Sidoti said when Council engages with each other, we hear and understand each other, but Council hasn't done that with this project. Members have called Melanie, or Dave, or the Mayor; not talking to one another. Mr. Sidoti said he agrees you need to plan but he's frustrated over financial windows being closed. He'd like to have something to bring to the public and hear their opinion.

Mr. Fiala asked of Ms. Baker what did 'about going to bid' mean, is the asbestos abatement done?

Ms. Baker said no, this would be the bid to include that.

Mr. Sidoti's second point of unfinished business: if there is a conflict in city ordinances we certainly need to look into that. He continued that the feral cat issue was huge in southwest Kent. It keeps getting worse and worse and we need to take a look at this.

Mr. Fiala said this was looked at a few years ago.

MOTION TO PUT FERAL CAT ISSUE BACK INTO COMMITTEE AND NOTIFY RESIDENTS and TNR STAFF OF THAT COMMITTEE TIME made by Ms. Wallach, seconded by Mr. Sidoti, and CARRIED by a voice vote of 7-0.

Ms. Susel said there is nothing built into the ordinances regarding animal hoarding but there are three or four incidents and it is on her list to bring to Council. First is the conflict in 505 and then also property maintenance code enforcement and then also need to hit it with civil fines for those putting out food for the cats. She will make sure that comes before Council in August.

Ms. Rosenberg said she's glad the issue came up. It is also an environmental issue as feral cats kill thousands of song birds annually.

Mr. Kuhar said he has personally paid to have 35 cats neutered but also he thought the no trapping ordinance was not against nuisance trapping but against hunting. Another thing to take into consideration, you are not allowed to trap a raccoon and let it free, that is a violation of state law

#### **NEW BUSINESS:**

##### ***ITEMS NEEDING COUNCIL ACTION OR REFERRAL***

MOTION FOR COMMITTEE TIME TO DISCUSS SUPPORTING LEGISLATION AGAINST CONVERSION THERAPY made by Ms. Wallach and seconded by Ms. Rosenberg.

Ms. Rosenberg said conversion therapy is a debunked method primarily used in populations trying to repress and forcibly change the nature of one. It can be violent, abusive, and in her opinion a form of child abuse. Ms. Rosenberg knows of no one practicing it in the city but is all for preventing it.

Mr. Kuhar said he doesn't totally understand what Council is trying to do but then on the other hand doesn't really feel like it's any of their business to do it.

Ms. Rosenberg said it would be a ban on people trying to change through unproven and unscientific practices kids who are gay or transgender but it is not a legitimate scientific practice.

Mr. Ruller read the letter in full.

Mr. Kuhar asked are people bringing their children to doctors or others to try to change them as he's never heard of it.

Ms. Rosenberg said it's a sham practice and some form of quackery.

Mr. Kuhar asked so these aren't degreed people trying to do this?

Ms. Rosenberg said they could be or people operating on a fringe.

Mr. Amrhein said there are a number of suicides attributed to this practice.

Ms. Rosenberg said yes and it is a vulnerable population that are being targeted specifically because of their orientation and as far as she knows there is no one practicing it and this would be preventative.

Mr. Ferrara said what Council would be saying is we are going to tell the Legislature we support banning conversion therapy in Ohio.

Mr. Sidoti said anybody could set up a conversion camp as long as one meets minimum requirements for health and sanitation. Then if parents wanted to send their kids there, knowing we are going to try to beat the snot out of them to change their gender identity, that is what we are trying to prevent. It's one thing if a trained psychologist works with a confused kid to help young people, that's not what we are talking about, we're talking about a camp that could be as bad as you can imagine.

The Motion CARRIED by a voice vote of 7-0.

Mr. Amrhein had a couple calls about the number of deer that is just outrageous and they are becoming pests. He would at least like the administration to find out what other cities may be doing to thin the herds out a little bit. He does not know how to deal with this. Mr. Amrhein believes the coyotes have moved on, hasn't seen or heard them for over a year, and because they have moved on the deer population has exploded. The feral cats probably exploded in numbers because of the absence of the coyotes too.

MOTION FOR THE ADMINISTRATION TO CALL CITIES ABOUT CONTROLLING DEER POPULATION made by Mr. Amrhein, seconded by Mr. DeLeone, and CARRIED by a voice vote of 7-0.

Ms. Wallach then asked if Council should also ban the practice of conversion therapy, or stick with just in support of legislation against it.

Mr. Ruller said we should probably run that by the Law Director and maybe she can report back about that, is it enforceable, etc.

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

Mr. DeLeone said talking about deer: on his way to the meeting and driving by the soccer field at St. Patrick's was a herd of deer eating hosta.

Mr. Kuhar said his son runs Ohio Deer Control and they spray for deer on the plants so they don't destroy them. He himself just uses a chemical and does it himself. He thinks they have more of a problem with squirrels, raccoons, possums, and feral cats than we ever will from deer.

Mr. Amrhein wanted to say how smoothly the Spring Cleanup has been running. He put his things out on Sunday and everything was picked up on Monday and his neighbors commented how much better it was than last year and the year before. Mr. Amrhein said thanks so much to Ms. Baker.

**MAYOR'S REPORT:**

Mayor Fiala said Happy Birthdays to Dave Ruller, Melanie Baker, Tracy Wallach, and Jack Amrhein.

The past week he went up to Brecksville with Melanie Baker as the City of Kent received its Tree City Award for the 34<sup>th</sup> year, Class of 1985, and that's something to be proud of.

Kent is currently celebrating *Blue Light Ohio* in conjunction with police week. Banners are currently up on the Main Street Bridge in support of police officers.

Mayor Fiala adjourned the meeting at 8:37 P.M.

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Dawn Bishop  
Interim Clerk of Council

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Jerry T. Fiala  
Mayor and President of Council