

**THE CITY OF KENT, OHIO
REGULAR COUNCIL MEETING
WEDNESDAY, AUGUST 16, 2017**

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

PRESENT: Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Ms. Melissa Long, Ms. Heidi Shaffer, Mr. Roger Sidoti, Mr. Robin Turner, and Ms. Tracy Wallach.

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Mr. Jim Silver, Law Director; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Mr. David Coffee, Finance Director; Ms. Melanie Baker, Public Service Director; and Mr. John Idone, Parks and Recreation Director; and Ms. Tara Grimm, CMC, Clerk of Council.

ABSENT: Mr. Garret Ferrara

Mayor Fiala called upon Councilmember Kuhar for his opening remarks. Mr. Kuhar joked how he had 3 pages of opening remarks prepared, and then continued with how he hopes everyone is enjoying their summer, everything that is happening in Kent, and taken advantage of some of the activities that have been going on, as it has been a very fruitful summer. He then led the Pledge of Allegiance.

MOTION TO EXCUSE MR. FERRARA FROM TONIGHT'S MEETING was made by Mr. Amrhein, seconded by Mr. DeLeone, and CARRIED by a voice vote of 8-0.

APPROVAL OF MINUTES:

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF JULY 19, 2017, THE SPECIAL CITY COUNCIL MEETING OF JULY 26, 2017 AND THE SPECIAL CITY COUNCIL MEETING OF AUGUST 2, 2017 made by Mr. Kuhar, seconded by Mr. Sidoti, and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

COMMUNICATIONS:

Mayor Fiala called for audience comments. 10 visitors signed-in with Clerk to speak.

1. Ms. Miriam Jackson, 424 E. Summit St., Kent read from a prepared statement. **(See Attachment #1).**
2. Ms. Stacy Yaniglos, 7629 West Lake Blvd., Kent and President of the Kent League of Women Voters spoke in support of the Paris Climate resolution on behalf of the League of Women Voters who joins Council in their desire to protect and support sustainability of our City.
3. Ms. Veronica Williamson, 5040 Camp Rd., Kent and Board member for the Portage County clothing center requested Council consider the negative impact on donations to the center if the City allows Simply Recycling to perform their curbside pickup. The clothing center serves the poor of our community; everything is free, therefore we cannot reduce the amount of incoming clothing.
4. Lorraine McCarty, 210 Orchard St., Kent read from a prepared statement **(see Attachment #2).**
5. Andrews A. Boateng, 295 S. Water St., Kent provides environmental stewardship on climate action plans. From a climate action plan, there is local job creation, air quality control, and reduced emissions. The Compact of Mayors has undertaken the plan with a consistent transparent manner. There are 4 main phases – commitment, invention, reduction targets and a plan which then equals compliance status.
6. Sandra Halem, 429 Carthage Ave., Kent has been a resident since 1969. She stated we are a beautiful and compassionate city and it is the people sharing that makes us a great community. It is emotional and embarrassing for children and adults to not have good clothing to wear. Not many

centers provide free clothing like the Portage County Center. If Simple Recycle comes into the city, it will inadvertently affect the stream of donations, but understands the City wants to do something positive.

7. Barb Tittle, 909 Middlebury Rd., Kent, voiced her personal opinion of the City Manager's salary and raise. She referred to the comparative value of the City Manager and his salary, as well as numerous negative connotations.
8. Mark Frisone, 705 Oakwood, Ravenna, and Family & Community Services at 143 Gougler Ave., Kent was concerned with Simply Recycling coming into the City. The Clothing center was formed by 10 mainline churches which provide support and is the biggest ministry in this county. It was started in Kent by its residents. Simply recycling would potentially take away items usually donated to the clothing center. He would like the opportunity to find alternative solutions in conjunction with Habitat for Humanity to start a curbside pick-up, if need be. He commended the hard work of the Sustainability Commission, however wanted his concerns heard so Council can take time for more due consideration. Mr. Frisone also handed packets to the Clerk to be handed out to Council. **(See Attachment #3).**
9. Rachel Kerns, 6630 Cleveland Road, and Habitat for Humanity, is familiar with Simply Recycling and understands Council strongly supporting a new business. The "Restore" store for Habitat for Humanity receives \$80,000.00 a year in household goods. It takes \$80,000.00 to \$100,000.00 to build a home. She referred to one of Mr. Frisone's comments and elaborated how 6,000 donated items per day have been lost in Cincinnati because of companies like Simply Recycling.
10. Candy Pollard, 8812 St. Rte. 88, Ravenna, is the manager of Portage County Clothing. She explained how some of the better donations come from the Kent residents. They do not charge as they are trying to help people out. Over 460,000 donations were received in 2016, and there were 39,000 shoppers. She is the only paid staff member as the rest are volunteers from the churches to make the program work. She also reminded Council that the clothing center is a recipient of the "Throw & go" program with KSU when students move out.

Written Communications were reported by Clerk Grimm as follows:

1. Planning Commission transcripts for May 16, 2017 & June 6, 2017, as well as Minutes for June 20, 2017 were received on August 1, 2017.
2. Sustainability Commission Meeting Packet for August 7, 2017 was received on August 1, 2017.
3. Parks and Recreation Board packet for July 20, 2017 was received on August 1, 2017.
4. Standing Rock Cemetery Meeting Minutes of June 8, 2017 received July 27, 2017.
5. Reminder letter from The Department of Commerce, Division of Liquor Control informing Council that all liquor licenses in the City of Kent will expire on October 1, 2017 if renewal application are not filed.
6. A Liquor License request was received on July 14, 2017 for a transfer to Pacific East Kent DBA Pacific East located at 110 E. Main Street, 1st floor and basement. Chief Lee had no objections.
7. A Liquor License request was received on July 24, 2017 for a transfer to Westside Food Mart DBA Westside Food Mart, 1152 W. Main Street. Chief Lee had no objections.
8. A Liquor License request was received on August 7, 2017 for a transfer to Aramark Educational Services LLC Campus Bldgs. 109 from KSU DBA University Dining Services Campus Bldgs. 1-9. Chief Lee had no objections.

MOTION TO RETURN THE THREE (3) LIQUOR LICENSE TRANSFER REQUESTS TO THE OHIO DEPARTMENT OF LIQUOR CONTROL BY THE CLERK OF COUNCIL, WITH NO OBJECTION made by Mr. Amrhein, seconded by Mr. DeLeone. Motion CARRIED by a voice vote of 8-0.

Oral Communications of correspondence received after the agenda was published were reported by Ms. Grimm and were placed on file in the Clerk's office:

1. Planning Commission Agenda for August 15, 2017 received on August 9, 2017.
2. Health Board Agenda packet for August 15, 2017 received on August 10, 2017.
3. Board of Zoning Appeals Agenda and Staff Report for August 21, 2017 received August 10, 2017.
4. Parks & Recreation Agenda for August 17, 2017 received August 15, 2017.
5. Standing Rock Cemetery Minutes for August 10, 2017 received on August 16, 2017.

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

1. Request Council's authorization to accept a donation to the Kent Fire Department of a 2014 Polaris Ranger Crew 800, 4 X 4 Utility Vehicle from Davey Tree that is valued at \$5,000. (Draft #17-82)
2. Request Council's consideration of the next packet of right of way agreements negotiated for the SR43 traffic signal improvement project (Draft #'s 17-86, 17-90, 17-92, 17-94, 17-98).
3. Request Council's authorization to accept a \$100 donation from Marlen and Kathryn Hardy to the Kent Police Department to support the Citizen's Police Academy. (Draft #17-99)
4. Request Council's authorization to renew the City's agreement with Kent City Schools for the School Resource Officer for the 2017-18 academic year. (Draft #17-101)
5. Request Council's authorization to accept a \$12,000 grant award from the Ohio Department of Safety Criminal Justice Services to be used to support the Kent Police Department Citizen's Academy. (Draft#17-100)
6. Request Council's authorization to accept a \$200 donation from Judith Swearingen representing the Beach/Norwood Neighborhood to Kent Parks and Recreation to plant a tree at Fred Fuller Park in memory of Martha Miller. (Draft #17-81)
7. Request Council's authorization of the final contract with ODOT for the resurfacing of SR261 as previously approved in Resolution 2016-76, including the funding appropriation. (Draft #17-85)
8. Request Council's authorization to draft a resolution and proclamation recognizing the retirement of Mr. Karl Warnke from the Davey Tree Company and expressing Council's gratitude for his many years of support for the Kent community.
9. Request Health & Safety Committee time for a discussion and review of senior centers led by Councilwoman Long.
10. Request Streets, Sidewalks and Utilities Committee time to receive a staff report on the 2016-17 Sidewalk Shovel Service Pilot to consider the renewal of the pilot service for 2017-18.
11. Request Finance Committee time to consider the "Necessity and Intent" legislation to appropriate right-of-way for the SR 43 Signalization project.
12. Request Finance Committee to consider a request for a 2017 Budget Appropriation Amendment.
13. Request Community Development Committee time to consider an easement agreement for City sewer at the Devon Place University Hospital facility.
14. Request Community Development Committee time to receive a staff report on parking supply and demand in downtown Kent.
15. Request Community Development Committee time to consider proposed changes to the City's parking Ordinance for the installation of meters on Depeyster Street from Columbus Street to Main Street at the request of the Kent Stage.
16. Request Community Development Committee time to consider a request from the Sustainability Commission to use a portion of the downtown City Parking lot to display environmentally friendly vehicles for 3 hours on October 1st as part of a KSU sustainability tour in Kent.

MOTION TO APPROVE ITEMS #1 - #16 OF THE CITY MANAGER'S REPORT made by Mr. Amrhein, seconded by Mr. Sidoti. Motion CARRIED by a voice vote of 8-0.

Mayor Fiala commented that there is a good chance that a couple items of Legislation being considered this evening will be sent back to committee or remain on First Reading.

STANDING COMMITTEES/ LEGISLATION

COMMITTEE OF THE WHOLE: None

COMMUNITY DEVELOPMENT COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF AUGUST 2, 2017 made by Mr. Kuhar, seconded by Mr. DeLeone, and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE ONE (1) RECOMMENDED ACTION made by Mr. Kuhar, seconded by Mr. DeLeone, and CARRIED by a voice vote of 8-0.

Recommended Actions:

- 1) Authorize the termination of the existing CRA with the former Record Publishing Company.

Draft No. 17-73: AN ORDINANCE TERMINATING A COMMUNITY REINVESTMENT AREA (CRA) PROGRAM AGREEMENT WITH RECORD PUBLISHING COMPANY, LLC, WHICH PROVIDED FOR A REAL PROPERTY TAX EXEMPTION PURSUANT TO THE OHIO COMMUNITY REINVESTMENT AREA PROGRAM, EFFECTIVE FEBRUARY 6, 2017, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. DeLeone, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 17-73 made by Mr. Sidoti and seconded by Mr. Kuhar. On Roll call, voting "Yes": Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2017-73: AN ORDINANCE TERMINATING A COMMUNITY REINVESTMENT AREA (CRA) PROGRAM AGREEMENT WITH RECORD PUBLISHING COMPANY, LLC, WHICH PROVIDED FOR A REAL PROPERTY TAX EXEMPTION PURSUANT TO THE OHIO COMMUNITY REINVESTMENT AREA PROGRAM, EFFECTIVE FEBRUARY 6, 2017, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

FINANCE COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF AUGUST 2, 2017 made by Mr. DeLeone, seconded by Mr. Sidoti, and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE FOUR (4) RECOMMENDED ACTIONS made by Mr. DeLeone, seconded by Mr. Amrhein, and CARRIED by a voice vote of 8-0.

Recommended actions:

- 1) Authorize the acceptance the award of grant for funds up to \$3,457 from the Ohio Arts Council for the Kent Creativity Festival.
- 2) Authorize the 2017 Budget Appropriation Amendment with an emergency clause.
- 3) Authorize the certification of delinquent accounts to the Portage County Auditor's Office that authorizes the County to apply tax liens for property addresses in arrears for:
 1. Delinquent non-utility debtors;
 2. Delinquent City utility debtors;
 3. Non-Payment of bills for Kent residents resulting from annual concrete repair programs; and
4. Authorize the submission of the certifying ordinances to the Portage County Auditor's Office for the City's special assessment and sidewalk program from prior years.

4) Authorize a three and one-quarter percent (3.25%) pay raise for the City Manager, Dave Ruller, which brings him current with the "White Book", and be paid retroactive to his anniversary date.

Draft No. 17-74: A RESOLUTION ACCEPTING A GRANT IN THE AMOUNT OF \$3,457.00 TO THE CITY OF KENT FOR THE KENT CREATIVITY FESTIVAL FROM THE OHIO ARTS COUNCIL, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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": Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Kuhar. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 17-74 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, and Ms. Long. The motion CARRIED by a roll call vote of 8-0.

RESOLUTION No. 2017-74: A RESOLUTION ACCEPTING A GRANT IN THE AMOUNT OF \$3,457.00 TO THE CITY OF KENT FOR THE KENT CREATIVITY FESTIVAL FROM THE OHIO ARTS COUNCIL, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-75: AN ORDINANCE AMENDING ORDINANCE NO. 2016-99, THE CURRENT APPROPRIATION ORDINANCE, PASSED NOVEMBER 16, 2016; AS AMENDED BY ORDINANCE NO. 2017-10, PASSED FEBRUARY 15, 2017; AS AMENDED BY ORDINANCE NO. 2017-15, PASSED MARCH 15, 2017; AS AMENDED BY ORDINANCE NO. 2017-38, PASSED MAY 17, 2017; AND AS AMENDED BY ORDINANCE NO. 2017-48, PASSED JUNE 21, 2017; SO AS TO INCREASE APPROPRIATIONS IN FUND 127, NEIGHBORHOOD STABILIZATION PROGRAM (NSP); AND SO AS TO DECREASE APPROPRIATIONS IN FUND 201, WATER; FUND 202, SEWER; FUND 208, STORM WATER; AND FUND 301, CAPITAL; AND SO AS TO TRANSFER APPROPRIATIONS WITHIN FUND 106, PARKS AND RECREATION; AND WITHIN FUND 202, SEWER; AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Long, and Ms. Shaffer. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 17-75 made by Mr. Sidoti and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Long, Ms. Shaffer, and Mr. Sidoti. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2017-75: AN ORDINANCE AMENDING ORDINANCE NO. 2016-99, THE CURRENT APPROPRIATION ORDINANCE, PASSED NOVEMBER 16, 2016; AS AMENDED BY ORDINANCE NO. 2017-10, PASSED FEBRUARY 15, 2017; AS AMENDED BY ORDINANCE NO. 2017-15, PASSED MARCH 15, 2017; AS AMENDED BY ORDINANCE NO. 2017-38, PASSED MAY 17, 2017; AND AS AMENDED BY ORDINANCE NO. 2017-48, PASSED JUNE 21, 2017; SO AS TO INCREASE APPROPRIATIONS IN FUND 127, NEIGHBORHOOD STABILIZATION PROGRAM (NSP); AND SO AS TO DECREASE APPROPRIATIONS IN FUND 201, WATER; FUND 202, SEWER; FUND 208, STORM WATER; AND FUND 301, CAPITAL; AND SO AS TO TRANSFER APPROPRIATIONS WITHIN FUND 106, PARKS AND RECREATION; AND WITHIN FUND 202, SEWER; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-76: AN ORDINANCE AUTHORIZING THE CERTIFICATION OF DELINQUENT MOWING BILLS, PROPERTY MAINTENANCE VIOLATIONS-CITATIONS, ZONING VIOLATIONS-CITATIONS, AND HEALTH DEPARTMENT VIOLATIONS-CITATIONS TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST

AND DUPLICATE AGAINST THE PROPERTY SERVED BY THE MOWING SERVICES, PROPERTY MAINTENANCE VIOLATION-CITATIONS, ZONING VIOLATIONS-CITATIONS, HEALTH DEPARTMENT VIOLATIONS-CITATIONS, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-76 made by Ms. Shaffer and seconded by Mr. Kuhar. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, and Ms. Wallach. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2017-76: AN ORDINANCE AUTHORIZING THE CERTIFICATION OF DELINQUENT MOWING BILLS, PROPERTY MAINTENANCE VIOLATIONS-CITATIONS, ZONING VIOLATIONS-CITATIONS, AND HEALTH DEPARTMENT VIOLATIONS-CITATIONS TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY SERVED BY THE MOWING SERVICES, PROPERTY MAINTENANCE VIOLATION-CITATIONS, ZONING VIOLATIONS-CITATIONS, HEALTH DEPARTMENT VIOLATIONS-CITATIONS, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-77: AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF WATER USE CHARGES, WASTEWATER USE CHARGES, STORM WATER UTILITY CHARGES AND RECYCLING/SOLID WASTE COLLECTION CHARGES TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY FOR THE NON-PAYMENT OF WATER USE CHARGES, WASTEWATER USE CHARGES, STORM WATER UTILITY CHARGES AND RECYCLING/SOLID WASTE COLLECTION CHARGES, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. DeLeone, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 17-77 made by Mr. DeLeone and seconded by Mr. Kuhar. On Roll call, voting "Yes": Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2017-77: AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF WATER USE CHARGES, WASTEWATER USE CHARGES, STORM WATER UTILITY CHARGES AND RECYCLING/SOLID WASTE COLLECTION CHARGES TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY FOR THE NON-PAYMENT OF WATER USE CHARGES, WASTEWATER USE CHARGES, STORM WATER UTILITY CHARGES AND RECYCLING/SOLID WASTE COLLECTION CHARGES, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-78: AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF BILLS FOR RESIDENTS RESULTING FROM THE 2014 AND 2016 ANNUAL CONCRETE REPAIR PROGRAM, TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY FOR THE NON-PAYMENT OF CONCRETE REPAIR, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-78 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, Mr. Kuhar, and Ms. Long. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2017-78: AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF BILLS FOR RESIDENTS RESULTING FROM THE 2014 AND 2016 ANNUAL CONCRETE REPAIR PROGRAM, TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY FOR THE NON-PAYMENT OF CONCRETE REPAIR, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-79: AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF DEIDRICK ROAD, IRMA STREET AND CHELTON DRIVE BETWEEN CERTAIN TERMINI BY THE CONSTRUCTION OF STORM SEWERS, CATCH BASINS, ROADSIDE DITCHES/SWALE AND ROOF DRAIN PIPES (LATERALS), TOGETHER WITH THE NECESSARY APPURTENANCES THERETO AND RELATED RESTORATION, SEEDING AND MULCHING, AND REPLACEMENT OF DRIVEWAY APPROACHES, AND RELATED IMPROVEMENTS, INCLUDING A TRUNK SEWER OUTLET CONSTRUCTED IN THE CITY OF STOW ALONG WILDER ROAD TO FISH CREEK AND OTHERWISE IMPROVING THE SAME, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

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

Mr. Sidoti questioned if this was the continuation of the project we have been working on, on the west-side.

Clerk Grimm responded that this Ordinance is the finalization of the project and the attachment to the Legislation is the final list of unpaid assessment costs.

MOTION TO ADOPT DRAFT No. 17-79 made by Mr. Sidoti and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Long, Ms. Shaffer, and Mr. Sidoti. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2017-79: AN ORDINANCE LEVYING SPECIAL ASSESSMENTS FOR THE IMPROVEMENT OF DEIDRICK ROAD, IRMA STREET AND CHELTON DRIVE BETWEEN CERTAIN TERMINI BY THE CONSTRUCTION OF STORM SEWERS, CATCH BASINS, ROADSIDE DITCHES/SWALE AND ROOF DRAIN PIPES (LATERALS), TOGETHER WITH THE NECESSARY APPURTENANCES THERETO AND RELATED RESTORATION, SEEDING AND MULCHING, AND REPLACEMENT OF DRIVEWAY APPROACHES, AND RELATED IMPROVEMENTS, INCLUDING A TRUNK SEWER OUTLET CONSTRUCTED IN THE CITY OF STOW ALONG WILDER ROAD TO FISH CREEK AND OTHERWISE IMPROVING THE SAME, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-80: AN ORDINANCE AUTHORIZING AND GRANTING THE CITY MANAGER, DAVE RULLER, A THREE AND ONE-QUARTER PERCENT (3.25%) PAY RAISE EFFECTIVE JUNE 15, 2017 was read by title only by Clerk Grimm per Mayor Fiala's request.

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

Ms. Shaffer commented how she does not believe Mr. Ruller's salary is out-of-line for a City the size of ours. The position is worth the salary, but the person is worth far more and is worthy of all of our respect for being a part of all the positive changes and the day-to-day work that is unseen, but necessary. There could have been a lot more problems in the City if not for Mr. Ruller and his motivated and talented staff.

Mr. Kuhar agreed that Mr. Ruller has done a tremendous job for the City and continues to do a tremendous job, which is not the issue with him. His issue is when are the government raises going to stop or slow down. His social security check hasn't gone up, nor has he raised any of his tenant's rents; therefore he is going to abstain when voting.

Mr. Sidoti clarified a few things that came from the audience comments. He feels the residents have missed the whole point and should be voicing to City Council, as Council were the ones who chose to sell our buildings, City Council supported the building currently on the old City Hall site. City Council should be held accountable, not the City Manager, as he is doing exactly what we ask and direct him to do. When we hear about sizes of cities and salary comparisons of cities with a major university in them, Mr. Ruller is smack-dab in the middle salary wise; he then joked that Mr. Ruller receives average pay, but is far from an average City Manager. Mr. Sidoti supports the raise.

Mayor Fiala joked about finally getting his block permit signed by Mr. Ruller and how he *cannot* vote.

MOTION TO ADOPT DRAFT No. 17-80 made by Ms. Shaffer and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, and Ms. Wallach. The motion CARRIED by a roll call vote of 7-0-1 with Mr. Kuhar abstaining.

ORDINANCE No. 2017-80: AN ORDINANCE AUTHORIZING AND GRANTING THE CITY MANAGER, DAVE RULLER, A THREE AND ONE-QUARTER PERCENT (3.25%) PAY RAISE EFFECTIVE JUNE 15, 2017 PASSED as stated by Clerk Grimm.

Draft No. 17-81: A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF \$200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM JUDITH SWEARINGEN FOR A TREE AT FRED FULLER PARK IN MEMORY OF MARTHA MILLER, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. DeLeone, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 17-81 made by Mr. Amrhein and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 8-0.

RESOLUTION No. 2017-81: A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF \$200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM JUDITH SWEARINGEN FOR A TREE AT FRED FULLER PARK IN MEMORY OF MARTHA MILLER, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-82: A RESOLUTION ACCEPTING A DONATION OF A 2014 POLARIS RANGER CREW 800 - 4 X 4 UTILITY VEHICLE FROM DAVEY TREE EXPERT COMPANY ESTIMATED AT \$5,000.00 TO THE CITY OF KENT FIRE DEPARTMENT, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-82 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, Mr. Kuhar, and Ms. Long. The motion CARRIED by a roll call vote of 8-0.

RESOLUTION No. 2017-82: A RESOLUTION ACCEPTING A DONATION OF A 2014 POLARIS RANGER CREW 800 - 4 X 4 UTILITY VEHICLE FROM DAVEY TREE EXPERT COMPANY ESTIMATED AT \$5,000.00 TO THE CITY OF KENT FIRE DEPARTMENT, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-99: A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF \$100.00 TO THE CITY OF KENT POLICE DEPARTMENT FROM MARLEN AND KATHRYN HARDY TO SUPPORT THE CITIZEN'S POLICE ACADEMY, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-99 made by Mr. Sidoti and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Long, Ms. Shaffer, and Mr. Sidoti. The motion CARRIED by a roll call vote of 8-0.

RESOLUTION No. 2017-99: A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF \$100.00 TO THE CITY OF KENT POLICE DEPARTMENT FROM MARLEN AND KATHRYN HARDY TO SUPPORT THE CITIZEN'S POLICE ACADEMY, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-100: A RESOLUTION ACCEPTING A GRANT AWARD IN THE AMOUNT OF \$12,000.00 TO THE CITY OF KENT FROM THE OHIO DEPARTMENT OF SAFETY CRIMINAL JUSTICE SERVICES TO BE USED TO SUPPORT THE KENT POLICE DEPARTMENT CITIZEN'S ACADEMY, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-100 made by Mr. Kuhar and seconded by Mr. Amrhein. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, and Ms. Wallach. The motion CARRIED by a roll call vote of 8-0.

RESOLUTION No. 2017-100: A RESOLUTION ACCEPTING A GRANT AWARD IN THE AMOUNT OF \$12,000.00 TO THE CITY OF KENT FROM THE OHIO DEPARTMENT OF SAFETY CRIMINAL JUSTICE SERVICES TO BE USED TO SUPPORT THE KENT POLICE DEPARTMENT CITIZEN'S ACADEMY, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

HEALTH AND SAFETY COMMITTEE:

There were no minutes or recommended actions to approve.

Draft No. 17-101: A RESOLUTION 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 23, 2018, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-101 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 8-0.

RESOLUTION No. 2017-101: A RESOLUTION 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 23, 2018, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

LAND USE COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF AUGUST 2, 2017 made by Ms. Shaffer, seconded by Mr. DeLeone, and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE TWO (2) RECOMMENDED ACTIONS made by Ms. Shaffer, seconded by Ms. DeLeone, and CARRIED by a voice vote of 8-0.

Recommended actions:

- 1) Authorize the proposed resolution for the Paris Climate Agreement with the words "to be" inserted before the word "developed" in Section 1 in the proposed draft.
- 2) Authorize the initiation of curbside recycling of clothing and household items with Simple Recycling.

MOTION TO LEAVE BOTH DRAFT NO. 17-83 AND DRAFT NO. 17-84 ON *FIRST READING* AND REFER BOTH ITEMS BACK TO COMMITTEE FOR ADDITIONAL INFORMATION made by Mr. Amrhein and seconded by Ms. Shaffer. On Roll call, voting "Yes": Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Kuhar. The motion CARRIED by a roll call vote of 8-0.

Mayor Fiala requested Clerk Grimm read Draft No. 17-83 by title only for its First Reading:

Draft No. 17-83: A RESOLUTION 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 23, 2018, AND DECLARING AN EMERGENCY was left on **FIRST READING** as stated by Clerk Grimm.

Mayor Fiala requested Clerk Grimm read Draft No. 17-84 by title only for its First Reading:

Draft No. 17-84: A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH GREAT LAKES RECYCLING, INC. dba SIMPLY RECYCLING, AND DECLARING AN EMERGENCY was left on **FIRST READING** as stated by Clerk Grimm.

Clerk Grimm reiterated that the MOTION TO LEAVE BOTH DRAFT NO. 17-83 AND DRAFT NO. 17-84 ON *FIRST READING* AND REFER BOTH ITEMS BACK TO COMMITTEE FOR ADDITIONAL INFORMATION made by Mr. Amrhein and seconded by Ms. Shaffer. The motion CARRIED by a roll call vote resulting in 8-0.

STREETS, SIDEWALKS AND UTILITIES COMMITTEE:

There were no minutes or recommended actions to approve.

Draft No. 17-85: A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO PARTICIPATE WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION TO RESURFACE SR 261, FROM THE COUNTY LINE CONTINUING EAST FOR APPROXIMATELY 3.51 MILES ON BOTH SIDES OF THE DIVIDED HIGHWAY; POR-SR 261 - 0.00 TO 2.59 PID 98381, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-85 made by Mr. Kuhar and seconded by Mr. Amrhein. On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Long, and Ms. Shaffer. The motion CARRIED by a roll call vote of 8-0.

RESOLUTION No. 2017-85: A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO PARTICIPATE WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION TO RESURFACE SR 261, FROM THE COUNTY LINE CONTINUING EAST FOR APPROXIMATELY 3.51 MILES ON BOTH SIDES OF THE DIVIDED HIGHWAY; POR-SR 261 - 0.00 TO 2.59 PID 98381, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-86: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN GOOSE 2.5 L.P., AN OHIO LIMITED PARTNERSHIP, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A PERPETUAL EASEMENT FOR HIGHWAY PURPOSES OF 0.009 ACRES OF REAL PROPERTY, FOR \$3,070.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Long, Ms. Shaffer, and Mr. Sidoti. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 17-86 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, and Mr. Turner. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2017-86: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN GOOSE 2.5 L.P., AN OHIO LIMITED PARTNERSHIP, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A PERPETUAL EASEMENT FOR HIGHWAY PURPOSES OF 0.009 ACRES OF REAL PROPERTY, FOR \$3,070.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-87: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A PURCHASE AGREEMENT WITH THE CITY OF KENT, OHIO, BUYING PERSONAL PROPERTY ("MARC'S EXIT" SIGN) FROM MARC GLASSMAN, INC., AN OHIO CORPORATION, FOR \$2,000.00 TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-87 made by Mr. DeLeone and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. DeLeone, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2017-87: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A PURCHASE AGREEMENT WITH THE CITY OF KENT, OHIO, BUYING PERSONAL PROPERTY ("MARC'S EXIT" SIGN) FROM MARC GLASSMAN, INC., AN OHIO CORPORATION, FOR \$2,000.00 TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-88: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A PURCHASE AGREEMENT WITH THE CITY OF KENT, OHIO, BUYING PERSONAL PROPERTY ("MARC'S ENTER" SIGN) FROM MARC GLASSMAN, INC., AN OHIO CORPORATION, FOR \$2,000.00 TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 8-0.

Mr. Kuhar questioned why the "enter and exit" signs were not on the same resolution.

Clerk Grimm explained how they are 2 separate parcels, with 2 separate parcel numbers, with 2 separate sign companies through Marc Glassman, Inc.

MOTION TO ADOPT DRAFT No. 17-88 made by Mr. DeLeone and seconded by Mr. Sidoti. On Roll call, voting "Yes": Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Kuhar. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2017-88: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A PURCHASE AGREEMENT WITH THE CITY OF KENT, OHIO, BUYING PERSONAL PROPERTY ("MARC'S ENTER" SIGN) FROM MARC GLASSMAN, INC., AN OHIO CORPORATION, FOR \$2,000.00 TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-89: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN ANDERSON REALTY, INC., AN OHIO CORPORATION, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT OF 0.014 ACRES OF REAL PROPERTY, FOR \$400.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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": Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, and Ms. Long. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 17-89 made by Mr. Sidoti and seconded by Mr. Amrhein. On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Long, and Ms. Shaffer. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2017-89: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN ANDERSON REALTY, INC., AN OHIO CORPORATION, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT OF 0.014 ACRES OF REAL PROPERTY, FOR \$400.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-90: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN THE NORTHERN OHIO DISTRICT OF THE CHURCH OF THE BRETHREN, AN OHIO NOT-FOR-PROFIT CORPORATION, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT OF 0.016 ACRES OF REAL PROPERTY, FOR \$450.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-90 made by Mr. DeLeone and seconded by Mr. Kuhar. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, and Mr. Turner. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2017-90: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN THE NORTHERN OHIO DISTRICT OF THE CHURCH OF THE BRETHREN, AN OHIO NOT-FOR-PROFIT CORPORATION, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT OF 0.016 ACRES OF REAL PROPERTY, FOR \$450.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-91: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN SHIREY ENTERPRISES, INC., AN OHIO CORPORATION, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT OF 0.033 ACRES OF REAL PROPERTY, FOR \$1,000.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-91 made by Mr. DeLeone and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. DeLeone, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2017-91: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN SHIREY ENTERPRISES, INC., AN OHIO CORPORATION, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT OF 0.033 ACRES OF REAL PROPERTY, FOR \$1,000.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-92: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A PURCHASE AGREEMENT WITH THE CITY OF KENT, OHIO, BUYING AN INTEREST IN 0.002 ACRES OF REAL PROPERTY FROM THOMAS L. AND BARBARA J. HERSHBERGER, FOR \$640.00 AND AN AGREEMENT FOR A TEMPORARY EASEMENT OF 0.021 ACRES OF REAL PROPERTY, FOR \$650.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 17-92 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Kuhar. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2017-92: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A PURCHASE AGREEMENT WITH THE CITY OF KENT, OHIO, BUYING AN INTEREST IN 0.002 ACRES OF REAL PROPERTY FROM THOMAS L. AND BARBARA J. HERSHBERGER, FOR \$640.00 AND AN AGREEMENT FOR A TEMPORARY EASEMENT OF 0.021 ACRES OF REAL PROPERTY, FOR \$650.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-93: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A PURCHASE AGREEMENT WITH THE CITY OF KENT, OHIO, BUYING AN INTEREST IN 0.010 ACRES OF REAL PROPERTY FROM NEMER PROPERTIES, LTD, AN OHIO LIMITED LIABILITY COMPANY, FOR \$5,625.00, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-93 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Long, and Ms. Shaffer. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2017-93: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A PURCHASE AGREEMENT WITH THE CITY OF KENT, OHIO, BUYING AN INTEREST IN 0.010 ACRES OF REAL PROPERTY FROM NEMER PROPERTIES, LTD, AN OHIO LIMITED LIABILITY COMPANY, FOR \$5,625.00, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS

SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-94: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN HAIJEN, LLC, AN OHIO LIMITED LIABILITY COMPANY AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT OF 0.014 ACRES OF REAL PROPERTY, FOR \$400.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Long, Ms. Shaffer, and Mr. Sidoti. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 17-94 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, and Mr. Turner. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2017-94: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN HAIJEN, LLC, AN OHIO LIMITED LIABILITY COMPANY AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT OF 0.014 ACRES OF REAL PROPERTY, FOR \$400.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-95: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A PURCHASE AGREEMENT WITH THE CITY OF KENT, OHIO, BUYING AN INTEREST IN 0.009 ACRES OF REAL PROPERTY FROM MARK S. AND ROSALIE M. ZWOLINSKI, FOR \$3,900.00 AND AN AGREEMENT FOR A TEMPORARY EASEMENT OF 0.001 ACRES OF REAL PROPERTY, FOR \$100.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-95 made by Mr. Amrhein and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. DeLeone, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2017-95: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A PURCHASE AGREEMENT WITH THE CITY OF KENT, OHIO, BUYING AN INTEREST IN 0.009 ACRES OF REAL PROPERTY FROM MARK S. AND ROSALIE M. ZWOLINSKI, FOR \$3,900.00 AND AN AGREEMENT FOR A TEMPORARY EASEMENT OF 0.001 ACRES OF REAL PROPERTY, FOR \$100.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-96: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN KAREN ANN MULLENIX AND GENE TRIMBLE AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT OF 0.023 ACRES OF REAL PROPERTY, FOR \$700.00, FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-96 made by Mr. Sidoti and seconded by Mr. Amrhein. On Roll call, voting "Yes": Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Kuhar. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2017-96: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN KAREN ANN MULLENIX AND GENE TRIMBLE AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT OF 0.023 ACRES OF REAL PROPERTY, FOR \$700.00, FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-97: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN RICHARD HORNICK AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT OF 0.011 ACRES OF REAL PROPERTY, FOR \$325.00, FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-97 made by Mr. Kuhar and seconded by Ms. Shaffer. On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Long, and Ms. Shaffer. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2017-97: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN RICHARD HORNICK AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT OF 0.011 ACRES OF REAL PROPERTY, FOR \$325.00, FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-98: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN QUATRO NOVUS, LLC, AN OHIO LIMITED LIABILITY COMPANY AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT OF 0.009 ACRES OF REAL PROPERTY, FOR \$300.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Long, Ms. Shaffer, and Mr. Sidoti. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 17-98 made by Mr. DeLeone and seconded by Mr. Kuhar. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, and Mr. Turner. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2017-98: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN QUATRO NOVUS, LLC, AN OHIO LIMITED LIABILITY COMPANY AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT OF 0.009 ACRES OF REAL PROPERTY, FOR \$300.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

SPECIAL COMMITTEE REPORTS: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

Ms. Wallach asked Mr. Silver if there has been any new discrimination claims in the City.

Mr. Silver responded "No."

COUNCILMEMBERS' COMMENTS:

Ms. Shaffer wanted to inform the audience why we put the Resolution on the Paris Accord back in committee. Council and Staff felt there is more discussion needed regarding the Compact of Mayors because it does *obligate* the City to perform measurements and reporting. The best discussion happens in our committee meetings and invited the audience to come back for the next committee meeting and join the discussion.

Mr. Sidoti reminded the audience that our committee meetings are the 1st Wednesday of the month and our legislative meetings are the 3rd Wednesday of the month.

Ms. Wallach informed the audience that Council did not approve the recycling resolution this evening as it was also put back into committee.

Ms. Long, after conferring with the Clerk of Council, had originally scheduled her informational meeting on Senior Centers prior to the September 6th committee meeting to begin at 6:30 p.m. She thought she had an hour and is seeking Council's support to begin the work session at 6:00 p.m. to allow her 4 presenters that are coming from 3 different counties, to give 10 minute presentations, which of course cannot be squeezed into 30 minutes.

Clerk Grimm clarified why we needed a Motion to have the hour long work session, as there was no Motion made, nor was anything formally voted upon at the last meeting. At least 5 of the Council members voiced their requests for Ms. Long to bring forth information, and a work session is the platform she has chosen. Therefore we need a Motion to proceed forward.

Mr. Sidoti felt it would be a good idea as we directed Ms. Long to bring forward the information. He joked about the 6th being his birthday.

Ms. Shaffer stated she will support the Motion, as we may have several questions.

Mr. Kuhar questioned exactly what the topic is for this work session. Multiple Council members all replied "senior center" at the same time.

Ms. Wallach asked for clarification that we would be starting at 6:00 p.m.

Mayor Fiala interjected we will have the Clerk work it out the timing for the Agenda.

Clerk Grimm stated if a majority vote, or 5 members, is carried, we will start the work session at 6:00 p.m. on September 6th and then committee meetings will be immediately following.

MOTION TO ALLOW MS. LONG HAVE AN HOUR TO FOR HER PRESENTATION ON SENIOR CENTERS AT THE SEPTEMBER 6, 2017 WORK SESSION TO START AT 6:00 P.M., seconded by Mr. Sidoti, and CARRIED by a voice vote of 8-0.

Mr. Turner asked for Council and residents' support for a 3 year old boy who has a rare form of blood cancer. There is a BBQ fundraiser this Saturday at 310 Dodge St. from 1:00 p.m. to 9:00 p.m. for \$8.00 per person. Any in-kind contributions are also welcome.

Mr. Sidoti added he read about this boy in the newspaper and questioned if there is a "GoFundMe" account set up for his medical bills.

Mr. Turner replied "yes."

MAYOR'S REPORT:

Mayor Fiala reported river clean-up is this Saturday 8:00 a.m. to 3:00 p.m. Meet at the Kramer Field Bridge.

Lt. Mike Lewis and he attended the "Drive Sober or Get Pulled Over" campaign kick-off. It was impressive listening to the speakers and victims.

The Dog Days of Sumer event is being held Saturday, August 19th from 10:00 a.m. to 4:00 p.m.

He also referred to the Council packet, which contained a Kent comprehensive referral guide, put together by Harrison Wicks. He stated he has lived in Kent all his life and knows we have all these services, but to have them all on *one* piece of paper is incredible. He thanked Mr. Wicks for putting the guide together.

Mayor Fiala then asked Council which day of the first week of October they would like to schedule Democracy Day, by Charter regulations. Do they want 2 separate nights since we have a committee meeting, or have both meetings in one evening?

Clerk Grimm and Mayor Fiala reminded Council last year's meeting was approximately 1 ½ hours long.

Clerk Grimm clarified their choices for meeting.

Mr. Amrhein felt that with today's political climate, we'd better hold Democracy Day on a separate evening.

MOTION TO HOLD DEMOCRACY DAY, PER CITY CHARTER, ON A SEPARATE EVENING FROM COMMITTEE MEETING NIGHT AT 6:00 P.M. THURSDAY, OCTOBER 5TH made by Mr. Amrhein, seconded by Ms. Wallach.

Ms. Long asked for the Clerk to check with Mr. Idone for any special Parks and Recreations meetings that Thursday evening before scheduling Democracy Day.

Clerk Grimm clarified again that Democracy Day must start at 6:00 p.m. no matter what evening they had picked that week, per Charter rules.

Mayor Fiala asked for a voice vote. The MOTION PASSED by a voice vote of 8-0. He then clarified the vote was needed so the Clerk can meet the advertising deadline for the Democracy Day Public Hearing.

Hearing no further discussion, Mayor Fiala adjourned the regular meeting at 8:56 p.m.

Tara Grimm, CMC
Clerk of Council

Jerry T. Fiala
Mayor and President of Council

Statement for Kent City Council Meeting

August 16, 2017, 7:30 PM

Regarding: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KENT IN SUPPORT OF THE PARIS CLIMATE AGREEMENT

Good evening, I am Stacy Yaniglos, President of the League of Women Voters of Kent, and I am privileged to speak on behalf of the League. The League of Women Voters has long been concerned about depletion and conservation of natural resources and works at the national, state and local levels to fight climate change, including supporting regulations from the EPA and fighting legislation to stop or hurt progress on climate initiatives. The League strongly supports the UN Paris Agreement, an historic international agreement that established a commitment to reduce carbon pollution and fight climate change.

The League joins Council in its desire to protect and enhance the quality of life for all members of our community and commends Council for their demonstrated commitment to sustainability. We support your consideration of the climate action plan developed by the Sustainability Commission in response to the City's support of the Paris Climate Agreement, as well as the City of Kent's show of solidarity with communities across the nation and the world in support of the Paris Climate Agreement by joining the Compact of Mayors. We urge you to adopt the RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KENT IN SUPPORT OF THE PARIS CLIMATE AGREEMENT.

Talk for Kent City Council. 8-16-17
Lorraine McCarty

I am glad that Kent City Council is looking at a way to support the Paris Climate accords. Kent has a long history of showing environmental leadership and I am hoping that we will find ways to continue that leadership in the issues our planet faces today. I support the recommendation of the Sustainability Commission to develop our own sustainability plan and to join the U. N. Compact of Mayors.

The Compact of Mayors provides a framework for Kent to establish a baseline for our emissions, to develop a plan of our own which fits our own community, and then gives us a mechanism for measuring and reporting mechanism results— all in the same format as over 600 other cities ~~666~~ worldwide are doing. This then helps guide future community planning.

After the city makes a commitment by registering for the Compact, either through an email or letter of intent, their support team will contact the city.

We then have one year to do an assessment of our current climate change impacts, by taking citywide inventory of greenhouse gas emissions (GHG) for buildings and transportation sectors, identifying climate hazards and reporting these things to the compact. Free ICLEI/Clear Path software is provided.

By the end of the second year, we need to create data-based targets to reduce greenhouse gas emissions (GHG), establish a system of measurement, and update our inventory to include emissions from the waste sector and our own climate vulnerability.

By the end of the third year, we must establish a strategic action plan which shows how we will deliver on our commitment to reduce greenhouse gas emissions and adapt to climate change.

We then report our progress on results annually.

And the compact provides resources and guidance for us to do all of this. If we are serious at trying to do our part to deal with this problem, this provides our best first step.

Natchez Mississippi 15,792 pop.
Westchester PA 19,189 pop.
Aspen CO 6,658 pop.



Local charities are concerned about the city's new textile recycling program cutting into their resources

City Councilman David Mann says he'll look into whether the city's deal with a for-profit textile recycling company is hurting organizations like Goodwill and St. Vincent de Paul.

MONROE TROMBLY — APR 19, 2017 10 AM



Simple Recycling's signature orange bags mean easy textile recycling for Cincinnati residents and profit for the company, but could also signify fewer donations to local nonprofits.

PHOTO: HAILEY BOLLINGER

When the city of Cincinnati rolled out a new curbside textile recycling program in March, it appears to have done so with the best of intentions — to conveniently reduce the amount of textiles that end up in landfills while putting a little coin in the city's coffers.

The organization behind the program is Simple Recycling, a for-profit company that picks up unwanted textiles for free, then sorts and ships the items to various places based on quality. Some are sold to local thrift stores, others in international markets. The worst-off are processed for raw materials, the company says.

But local nonprofits say the convenience of "recycling" these items in this manner has negative side effects for their organizations, which rely on donations of reusable clothing and other household items. If Northside Jane tosses the result of a spring closet purge into her orange bag

— provided for free by Simple Recycling — and takes it to the curb instead of dropping it off at Goodwill, that's a dozen or more items the nonprofit could have received and resold.

"It's hurting the programs that we have that are helping people in Cincinnati," says Michael Flannery, public information officer for Ohio Valley Goodwill Industries.

Nancy Beauchamp runs the Salvation Army's Adult Rehabilitation Center and Family Stores, where proceeds from the stores support the rehab center and provide residents with recovery work. She says the organization started seeing a decline in donations weeks before Simple Recycling began operating in Cincinnati.

"We're losing about 6,000 clothing items a day," Beauchamp says. "I think people were holding on to their clothes to give to (Simple Recycling), to try it out since they're new.

"We're not saying they're bad — it's good for the environment what they do. But we've won awards for recycling and how we help the environment, and we've got five or six other things we do with your donation."

Simple Recycling is upfront about its for-profit status and shows pride in its mission: to "make it simple to dramatically reduce the 40 billion tons of clothing in the nation's municipal waste stream through our free, easy and simple curbside collection program."

The company pays the city of Cincinnati to operate here. According to Larry Falkin, director of the Office of Environment and Sustainability, the city stands to earn or save a total of \$70,000 in yearly revenue — \$20 per ton from Simple Recycling, \$25 per ton in avoided landfill disposal costs and \$25 per ton from Hamilton County's Residential Recycling Incentive program.

Simple Recycling also provided *CityBeat* with a three-page "case study" suggesting that its presence in markets actually increases donations to nonprofits.

"What is even more encouraging is that local organizations collecting donations of clothing benefit from Simple Recycling's entry into the marketplace by the increased exposure textile recycling and donation options," it reads.

But that's not exactly what Simple Recycling's data shows. In the communities where the company operates (which aren't listed in the case study and for which no individual data is presented), donations to nonprofits dropped 2.58 percent in 2013 — the year Simple Recycling began operating — and .7 percent in 2014 before leveling out in 2015.

The case study then presents data from three nonprofits in communities where Simple Recycling doesn't operate: in Central Indiana, Southeast Michigan and Northeast Ohio, all of which saw steep declines in donations.

But Simple Recycling doesn't say why it chose those three out of the hundreds of clothing donation nonprofits operating in the United States, why they lost donations, or how the three individual cases shed light on the industry as a whole.

Simple Recycling all but admits nonprofits in communities where it operates have seen declining donations, though it does so while implying that its presence has slowed those declines.

"In communities where Simple Recycling has launched and operated, there is a significant reduction in the decline of charity donation pickups," the report reads. "This can be attributed to the increased exposure to 'alternatives' to throwing clothing in the trash."

No data from before the company's entry into the market, user surveys or other evidence is presented to back up this claim.

On its website, the company encourages people to also donate to nonprofits, listing the website of another organization that will pick up similar items for those organizations.

"We have seen no negative impact on local charity clothing donations programs," says Adam Winfield, Simple Recycling founder. "Since all charities capture only 15 percent of clothing, there is a huge gap in service for this significant environmental program."

In a memo to Mayor John Cranley and members of City Council last June, City Manager Harry Black backed the deal for its environmental benefits and seemed to buy the claim that other cities hadn't seen a drop-off in donations to nonprofits.

"No significant reduction in charitable donations has occurred in other municipalities that have launched curbside textile collection," the memo read.

City administration advised Council that it was considering contracting with Simple Recycling in a June 14, 2016 memo asking for feedback from council members. Council also saw a presentation from the Office of Environment and Sustainability that day. In a Jan. 24 memo, Black advised Council that city administration had decided to partner with the company.

City Councilman David Mann says he never heard anything about the program, however.

"The first I heard of the program was when I got an orange bag at my home," Mann says.

Cities pairing up with for-profit curbside recycling companies is a growing trend. Simple Recycling currently operates in Akron, Ohio, Lansing, Mich., and Austin, Texas, along with dozens of smaller communities. Other companies like Community Recycling in Newtown, Pa., and United Fibers in Queen City, Ariz., are doing the same thing. The situation has come to a head in Austin, Texas, which began its partnership with Simple Recycling in December of 2016. On Feb. 2, its City Council voted to instruct the city manager to collect donation data for the next six months. Austin has a three-year contract with the company.

"We believe that the city should be looking for homegrown solutions that ensure we are meeting all of the goals of our community, not just zero waste," Goodwill's Senior Vice President of Community Engagement Traci Berry said after Austin City Council decided to continue its contract, according to the *Austin Chronicle*.

As opposed to for-profit companies, Goodwill and Salvation Army are nonprofit entities that specialize in providing programs such as drug rehabilitation services, employment opportunities and job training services for people with disabilities and homeless veterans — tax-deductible donations of textiles and housewares help to fuel those programs.

Ohio Valley Goodwill Industries has more than 30 drop-off locations around the city of Cincinnati. According to Ohio Valley Goodwill's website, the total number of individuals served in 2015 was 3,532 and the total placed in community employment was 919. They served 900 veterans in 2015 and recycled more than 49 million pounds of donated material as well as cardboard, steel and office paper.

Flannery of Ohio Valley Goodwill argues that Simple Recycling is diverting economic resources away from local charities that operate in the area.

"Simple Recycling isn't disguising their cause at all or their mission — you know, it's a for-profit company, there's nothing wrong with that," he says. "But they contract with the city, and they get like a penny a pound. And every pound that they pay is going to make somebody money. ... So when people put stuff in orange bags and put them on the sidewalk, they have a choice. They can do that and get somebody rich, or they can donate to Goodwill, or St. Vincent de Paul, the other folks who take clothing and other household items, and help people here in Cincinnati who need help."

Councilman Mann says he will keep an eye on how the situation plays out both here and in Austin, Texas.

"I've seen some speculation that this has had some adverse effects on charities, and I have no idea whether that's true or not — it's worthy of consideration," Mann says. "We'll bring the issue before my committee — the neighborhoods committee — and make sure we understand the facts and see where we should go." ©



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Posted by Betty Palme

Apr 27 2017 17:04

I agree that Goodwill, St Vincent de Paul and other non-profits should get first donations of recycled clothing. I always wondered what they did with things that were not good enough to offer for sale. If they sort and send what they can't use overseas and to fiber recycling plants, I will continue to give my recycled clothing to non-profits instead of for profit companies. If the non-profits don't have places to send what they can't use, we need the services of a company which will send clothes overseas and to fiber recycling plants. One possibility is to give all donated clothes to non-profits first and have them then send or sell what they can't use to a company like Simple Recycling. Another possibility is for the city to give the money they make from Simple Recycling to the non-profit organizations, since Simple Recycling does provide the bag and pick-up service which probably keeps more from the landfill. I looked up the charity rating for Vietnam Veterans of America and they are essentially the same as Simple Recycling, pickup and sell, so I will not be using them.