THE CITY OF KENT, OHIO
COUNCIL WORK SESSION
WEDNESDAY, FEBRUARY 15, 2017

At 6:30 p.m., Mayor Jerry T. Fiala called the **COUNCIL WORK SESSION** to order.

PRESENT: Mr. Michael DeLeone, Mr. Garret Ferrara, 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. Tom Wilke, Economic Development Director; Mr. Jim Bowling, City Engineer; Mr. David Coffee, Finance Director; Ms. Melanie Baker, Public Service Director; and Ms. Tara Grimm, CMC, Clerk of Council.

ABSENT: Mr. Jack Amrhein

MOTION TO EXCUSE MR. AMRHEIN FROM TONIGHT'S COUNCIL WORK SESSION was made by Mr. DeLeone, seconded by Mr. Ferrara, and carried by a voice vote of 8-0.

Mayor Fiala referred to Mr. Ruller who then referred to Mr. Jeff Meyers of DS Architecture to begin the work session on the study his firm has conducted on the New City Hall project. Mr. Meyers presented the matrix, adjacency diagrams, footprint & parking plan. After all questions were answered, he asked for some direction from Council for taking the study to the next level, which Mayor Fiala stated will occur during the regular meeting following the work session. Members of Council had various questions regarding the project.

Mr. Kuhar questioned the parking aspect affecting the function of the New City Hall and if we need "more" parking, especially for Council meetings. He also asked what the square footage of the old council chambers were.

Mr. Meyer's stated the old chambers were 1,200 sq. ft. and it has been increased to 1,600 sq. ft. He also discussed that the old building's entire useable square footage was 15,000 to 18,000 and we are allowing for planning of future growth. He feels 20,000 sq. ft. would be adequate.

Ms. Long commented that she sees a City Hall as a building that residents go to for information and all City related items.

Mr. Meyers reminded Ms. Long that this is just a conceptual building and has not been designed. Their task was to perform only an analysis of site for usage, as well as considering the zoning and need for a parking plan due to the CD district.

Mr. DeLeone clarified for Ms. Long that the building is in "space", it can be rotated and placed anywhere on the site.

Mr. Ferrara asked Mr. Meyers what he feels from a design perspective, local knowledge and in his professional opinion, will work on this site, and collectively for council.

Mr. Meyers replied aesthetically he feels the size of the building should reflect "I am the City/ Community", it should be stately and represent a building of importance, as well as represent the vision of the City.

Mr. Ferrara asked if Mr. Meyers, in his opinion, felt this is the best place for the New City Hall and at what cost.

Mr. Meyers commented on his Masters in Urban Design, and feels the new building should be a gateway on this optimal site and follow along with the Bi-Centennial Plan.

Mr. Sidoti thanked Mr. Meyers and DS Architecture for all of their hard work. During the kick-off one year ago, the one-stop shop idea was wishful thinking. After surveying the community, performing this analysis, we now have a plan.

Mr. Meyers brought to Council's attention that after conferring with the staff, there are 2 types of public: the residential/community public and then there is the general contractor public. We still need to involve the community, businesses, all City employees and resident meetings to further discuss important needs and connections with City government.

Mr. Sidoti discussed the "efficiency" understanding to the community. Do we build something a little larger and spend the money now to prepare for future growth and expansion?

Mr. Turner referred to the optics of selling a New City Hall to community based on the look and how it fits our City. We need to excite the community but also be realistic. He questioned the difference between square footage build out v. renovating later, having adequate space. Our selling point needs to address size v. value.

Ms. Shaffer stated she is not sold on the Overholt building. We need to consider building an information center within City Hall to help streamline the process. Overholt needs to be involved and highlighted in the overall picture of the City and improve wayfaring. She questioned how many city halls Mr. Meyers has built, then corrected and how many he has "designed".

Mr. Meyer's listed his designs in Hermitage, PA, Sandusky, Kent's very own new police Station, the Pennsylvania Dept. of Corrections. He has constantly worked on improving the design process.

Ms. Shaffer stated she was interested in seeing examples of these other City Halls.

Mr. Ruller interrupted by reminding Council that this is the end of Mr. Meyer's process and involvement. The next step is to advertise for RFQ's.

Mr. Meyers informed Council they could go out and tour other City Halls, see what they like and dislike.

Mr. Kuhar stated he prefers Overholt remain a place for the general contractor public. He also questioned the use of fuel cell technology.

Mr. Meyers clarified that our City Ordinances requires elite silver buildings, which could incorporate hydrogen fuel cells. Mr. Meyers referred to Dave Sommers, the Project Manager, who explained that by 2030, buildings will need to be net carbon neutral. Other options are also solar and geothermal.

Ms. Long was confused about page 11 in the book they received at the last Council meeting. She questioned the difference in the parking.

Mr. Meyers clarified for Ms. Long the zoning codes, variances that can be requested and how we definitely do not want over-parking.

Ms. Long referred to expansion by buying more properties and use those for parking.

Mr. Meyers reminded Council that we are not far along enough in the process. The initial opinion of purchasing more property is "No", especially since the parking study was just completed.

Mr. Sidoti asked if water issues have been addressed at the site.

Mr. Meyers stated yes, the lead points and topography have been looked at.

Ms. Wallach discussed the variations in the "green space" on the visual aide boards where it comes and goes from.

Ms. Ruller commented as a City we run very lean at the administrative management field levels and are at too great a risk to lose any kind of administrative/employee relationship. He then referred to Ms. Baker's experience in being a part of building the facilities at her former city and how she is honest enough to be straight forward and talk about what works, what she would have done different or would change.

Mr. Meyers reminded Council that he asked the Administration to think about the individual position, not the persons in those positions right now.

Mr. Kuhar referred to being a very low-tech person and experiencing his first Skype meeting and can truly appreciate the value of having those types of meetings, saving the extensive travel for face-to-face meetings.

Mayor Fiala stated he was sworn in to City Council on July 10, 1985 and has been a lifelong resident. He would like to see Council give direction to the City Manager in utilizing the current police station location to move to the next step of this process.

Mr. Meyers commented he would like Council to "disprove the current police station location", but in order to give Council a cost estimate, he needs a site location to work with.

Mayor Fiala adjourned the Council Work Session at 7:20 p.m.

Tara Grimm
Tara Grimm, CMC
Clerk of Council

J Fiala
Jerry T. Fiala
Mayor and President of Council

THE CITY OF KENT, OHIO
PUBLIC HEARING
WEDNESDAY, FEBRUARY 15, 2017

At 7:25 p.m., Mayor Fiala called the **Public Hearing** to order. Roll Call was taken.

PRESENT: Mr. Michael DeLeone, Mr. Garret Ferrara, 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. Tom Wilke, Economic Development Director; Mr. Jim Bowling, City Engineer; Mr. David Coffee, Finance Director; Ms. Melanie Baker, Public Service Director; and Ms. Tara Grimm, CMC, Clerk of Council.

ABSENT: Mr. Jack Amrhein

MOTION TO EXCUSE MR. AMRHEIN FROM TONIGHT'S PUBLIC HEARING was made by Mr. DeLeone, seconded by Mr. Ferrara, and carried by a voice vote of 8-0.

Ms. Susel stated Mr. Morganti was unable to present the information this evening due to an illness. Ms. Susel briefly announced this is Part #1 of 2 planned Public Hearings to discuss the 2017 Community Development Block Grant Program. As of today, they have not been informed of the exact amount to be allocated, but anticipate it to be approximately the same amount as 2016, which was $271,000.00.

There were no questions from Council or the Audience.

Mayor Fiala closed the Public Hearing at 7:26 p.m.

Tara Grimm, CMC
Clerk of Council

Jerry T. Fiala
Mayor and President of Council

THE CITY OF KENT, OHIO
REGULAR COUNCIL MEETING
WEDNESDAY, FEBRUARY 15, 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. Michael DeLeone, Mr. Garret Ferrara, 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. Tom Wilke, Economic Development Director; Mr. Jim Bowling, City Engineer; Mr. David Coffee, Finance Director; Ms. Melanie Baker, Public Service Director; and Ms. Tara Grimm, CMC, Clerk of Council.

ABSENT: Mr. Jack Amrhein

MOTION TO EXCUSE MR. AMRHEIN FROM TONIGHT'S REGULAR MEETING was made by Mr. DeLeone, seconded by Mr. Ferrara, and carried by a voice vote of 8-0.

Mayor Fiala called upon Councilmember Kuhar who led the Pledge of Allegiance then gave his opening remarks. Mr. Kuhar reflected upon the last 70 years of fighting for rights and freedom. He commented on how nothing good comes from hatred.

APPROVAL OF MINUTES:
MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF JANUARY 18, 2017 made by Ms. Shaffer, seconded by Mr. Ferrara, and carried by a voice vote of 8-0.

COMMUNICATIONS:
Mayor Fiala called for audience comments. 1 visitor signed-in with Clerk to speak.

Ms. Ann Ward of 474 Longmere Drive, Kent, and member of the Kent Environmental Council invited Council and Staff to attend a free meeting to learn about community solar on Monday, February 27, 2017 at 7:00 pm at the Unitarian Universalist Church of Kent – Fessenden Hall located at 228 Gougler Ave.

Written Communications were reported by Ms. Grimm as follows:

1. On January 26, 2017, an email with a 36 page attachment was received from Mr. Lou Perez in regards to Public Records requests made to individual members of Council between August 26, 2016 & January 20, 2017
2. Sustainability Commission Meeting Packet for February 6, 2017 was received on February 1, 2017 and was placed on file.
3. Planning Commission Agenda for February 7, 2017 was received on February 2, 2017 and was placed on file.
4. Architectural Review Board Agenda for February 7, 2017 was received on February 2, 2017 and was placed on file.
5. On February 6, 2017 Mr. Lou Perez sent a thank you email to Clerk of Council Grimm in regards to his public records request originally dated February 2, 2017.
6. Letter received from Riverwood Chapel on February 7, 2017 regarding the events that took place in Washington D.C. on or about January 27th.
7. Memo received February 7, 2017 from Parks and Recreation Director requesting acceptance of a $200 donation from Judith Swearingen for a tree at Jesse Smith Park in memory of Bobbi Jean "BJ" Kimak.
8. A Liquor License Transfer request was received on January 31, 2017 from DFH Holdings DBA Stone Tavern *TO* Pacific East Kent. Chief Lee had no objections. Deadline for return is March 2, 2017.

MOTION TO RETURN THE LIQUOR LICENSE TRANSFER REQUEST WITH NO OBJECTION TO THE OHIO DEPARTMENT OF LIQUOR CONTROL made by Mr. DeLeone, seconded by Mr. Sidoti, and carried by a voice vote of 8-0.

9. Kent Health Board Agenda for February 14th meeting, Minutes of January Meeting, and Statistical Report for January was received on February 8, 2017 and placed on file.
10. BZA Agenda for February 20, 2017 was received on February 8, 2017 and placed on file.

Oral Communications were reported by Ms. Grimm regarding correspondence received after the agenda was written:

1. Copy of a letter received February 10, 2017 from Representative Kathleen Clyde written to City Manager Dave Ruller thanking him for contacting her office regarding anti-discrimination and fair housing laws.
2. Planning Commission Agenda for the February 21, 2017 meeting were received on February 15, 2017 and placed on file.
3. Planning Commission approved minutes from December 6, 2016 & December 20, 2016 were received on February 18, 2017 and placed on file.

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

1. Request Streets, Sidewalks and Utilities Committee time consider updates required by the EPA to the City's stormwater management regulations.
2. Request Streets, Sidewalks & Utilities Committee time to consider City Code updates required to confirm to changes in State legislation regarding small cell wireless antenna's installed in the public right of way.
3. Request Finance Committee time for a review of parking meter revenues and expenses.
4. Request Finance Committee time to consider an additional budget appropriation to allow for the consideration of new brick crosswalks as an alternative bid item in the hike and bike trail project along Haymaker Parkway at the Depeyster and Water Street crossings.
5. Request Health & Safety Committee time for consideration of an Ordinance that would enable the City to forward unpaid City parking tickets to the Ohio Bureau of Motor Vehicles (BMV) for collection.
6. Request Health & Safety Committee time for consideration of a Tobacco grant submission by the Health Department.
7. Request Community Development Committee time to consider the 2017-18 CDBG Program.
8. Request Committee of the Whole time to receive an update on the "One Kent" initiative.
9. Request an Executive Session to discuss a proposed land sale.
10. Request Council 's authorization to submit an Ohio Arts Council grant in the amount of $5,000 to support the 2017 Kent Creativity Festival.

MOTION TO APPROVE ITEMS #1 – 8 & 10 OF THE CITY MANAGER'S REPORT made by Mr. Sidoti, seconded by Mr. Ferrara. Motion carried by a voice vote of 8-0.

STANDING COMMITTEES/ LEGISLATION

COMMITTEE OF THE WHOLE:

BALLOTING FOR BOARD & COMMISSION VACANCIES

MOTION TO AUTHORIZE DRAFT NO. 17-07 AND DRAFT NO. 17-08 WITH THE APPROPRIATE NAMES INSERTED made by Mr. Ferrara, seconded by Mr. DeLeone, and carried by a voice vote of 8-0.

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF FEBRUARY 1, 2017 AND THE ONE RECOMMENDED ACTION made by Mr. DeLeone, seconded by Mr. Ferrara, and carried by a voice vote of 8-0.

RECOMMENDED ACTION APPROVED ABOVE:

1) To remove, combine and update Council's pending list.

Draft No. 17-07: A RESOLUTION APPOINTING JEANNE MCKINLEY TO THE STORMWATER DISTRICT REVIEW & APPEALS BOARD, AND DECLARING AN EMERGENCY was read by title only by Ms. Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-07 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. DeLeone, Mr. Ferrara and Mr. Kuhar. The motion carried by a roll call vote of 8-0.

RESOLUTION No. 2017-07: A RESOLUTION APPOINTING JEANNE MCKINLEY TO THE STORMWATER DISTRICT REVIEW & APPEALS BOARD, AND DECLARING AN EMERGENCY *PASSED* as stated by Ms. Grimm.

Draft No. 17-08: A RESOLUTION APPOINTING JEFFREY CLAPPER TO THE PLANNING COMMISSION, AND DECLARING AN EMERGENCY was read by title only by Ms. Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-08 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. DeLeone, Mr. Ferrara and Mr. Kuhar. The motion carried by a roll call vote of 8-0.

RESOLUTION No. 2017-08: A RESOLUTION APPOINTING JEFFREY CLAPPER TO THE PLANNING COMMISSION, AND DECLARING AN EMERGENCY *PASSED* as stated by Ms. Grimm.

MOTION TO HAVE THE CLERK DESTROY THE BALLOTS was made by Mr. Ferrara, seconded by Mr. DeLeone and carried by a voice vote of 8-0.

COMMUNITY DEVELOPMENT COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF FEBRUARY 1, 2017 made by Mr. Kuhar, seconded by Mr. Ferrara, and carried by a voice vote of 8-0.

There were no recommended actions to approve.

Draft No. 16-25: **THIRD READING AN ORDINANCE AMENDING CHAPTER 1147, UNIVERSITY DISTRICT, OF THE ZONING CODE OF THE CITY OF KENT TO SHIFT NON-EDUCATIONAL AND NON-UNIVERSITY OWNED OR OPERATED FACILITIES TO CONDITIONALLY PERMITTED USES; LOWERING THE MAXIMUM HEIGHT; AND INCLUDING ADDITIONAL ALLOWED USES IN SAID CHAPTER, AND DECLARING AN EMERGENCY** was read by title only by Ms. Grimm per Mayor Fiala's request.

MOTION TO ADOPT DRAFT No. 16-25 made by Ms. Shaffer and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Long, Ms. Shaffer, and Mr. Sidoti. The motion carried by a roll call vote of 8-0.

ORDINANCE No. 2017-09: AN ORDINANCE AMENDING CHAPTER 1147, UNIVERSITY DISTRICT, OF THE ZONING CODE OF THE CITY OF KENT TO SHIFT NON-EDUCATIONAL AND NON-UNIVERSITY OWNED OR OPERATED FACILITIES TO CONDITIONALLY PERMITTED USES; LOWERING THE MAXIMUM HEIGHT; AND INCLUDING ADDITIONAL ALLOWED USES IN SAID CHAPTER, AND DECLARING AN EMERGENCY *PASSED* as stated by Ms. Grimm.

FINANCE COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF FEBRUARY 1, 2017 AND THE ONE RECOMMENDED ACTION made by Mr. DeLeone, seconded by Mr. Ferrara, and carried by a voice vote of 8-0.

RECOMMENDED ACTION APPROVED ABOVE:

1) Motion to approve the 2017 Budget Appropriations as presented, with an emergency clause.

Draft No. 17-10: AN ORDINANCE AMENDING ORDINANCE NO. 2016-99, THE CURRENT APPROPRIATION ORDINANCE, PASSED NOVEMBER 16, 2016, SO AS TO INCREASE APPROPRIATIONS IN FUND 001, GENERAL; FUND 201, WATER; FUND 202, SEWER; FUND 208, STORM WATER; FUND 301, CAPITAL; FUND 302, MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT (MPITIE); AND FUND 303, POLICE FACILITY; AND DECLARING AN EMERGENCY was read by title only by Ms. Grimm per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. DeLeone and seconded by Mr. Sidoti. On Roll call, voting "Yes": Ms. Wallach, Mr. DeLeone, Mr. Ferrara, 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. 17-10 made by Mr. DeLeone and seconded by Ms. Shaffer. On Roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, 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. 2017-10: AN ORDINANCE AMENDING ORDINANCE NO. 2016-99, THE CURRENT APPROPRIATION ORDINANCE, PASSED NOVEMBER 16, 2016, SO AS TO INCREASE APPROPRIATIONS IN FUND 001, GENERAL; FUND 201, WATER; FUND 202, SEWER; FUND 208, STORM WATER; FUND 301, CAPITAL; FUND 302, MUNICIPAL PUBLIC IMPROVEMENT TAX INCREMENT EQUIVALENT (MPITIE); AND FUND 303, POLICE FACILITY; AND DECLARING AN EMERGENCY *PASSED* as stated by Ms. Grimm.

Draft No. 17-11: AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF $200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM JUDITH SWEARINGEN FOR A TREE AT JESSE SMITH PARK IN MEMORY OF BOBBI JEAN "BJ" KIMAK, AND DECLARING AN EMERGENCY was read by title only by Ms. Grimm 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, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. DeLeone, and Mr. Kuhar. The motion carried by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 17-11 made by Mr. DeLeone and seconded by Ms. Shaffer. On Roll call, voting "Yes": Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. DeLeone, and Mr. Ferrara. The motion carried by a roll call vote of 8-0.

ORDINANCE No. 2017-11: AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF $200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM JUDITH SWEARINGEN FOR A TREE AT JESSE SMITH PARK IN MEMORY OF BOBBI JEAN "BJ" KIMAK, AND DECLARING AN EMERGENCY *PASSED* as stated by Ms. Grimm.

HEALTH AND SAFETY COMMITTEE had nothing to report.

LAND USE COMMITTEE had nothing to report.

STREETS, SIDEWALKS AND UTILITIES COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF FEBRUARY 1, 2017 AND THE ONE RECOMMENDED ACTION made by Mr. Sidoti, seconded by Mr. DeLeone, and carried by a voice vote of 8-0.

RECOMMENDED ACTION APPROVED ABOVE:

1) Motion to authorize the proposed changes to the Chapter 935 for the City's multi-family recycling requirements

Draft No. 17-12: AN ORDINANCE AMENDING CHAPTER 935 OF THE KENT CODIFIED ORDNANCES, TO REFLECT THE COLLECTION OF RECYCLING MATERIALS FROM MULTI-FAMILY APARTMENT COMPLEXES BY DUMPSTERS WHERE APPROPRIATE AND SETTING THE FEES FOR SAID COLLECTIONS was read by title only by Ms. Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-12 made by Mr. DeLeone and seconded by Mr. Ferrara. On Roll call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, and Ms. Long. The motion carried by a roll call vote of 8-0.

ORDINANCE No. 2017-12: AN ORDINANCE AMENDING CHAPTER 935 OF THE KENT CODIFIED ORDNANCES, TO REFLECT THE COLLECTION OF RECYCLING MATERIALS FROM MULTI-FAMILY APARTMENT COMPLEXES BY DUMPSTERS WHERE APPROPRIATE AND SETTING THE FEES FOR SAID COLLECTIONS *PASSED* as stated by Ms. Grimm.

Draft No. 17-13: AN ORDINANCE APPROVING THE AMENDMENTS TO THE CITY SERVICE DIRECTOR'S RULES AND REGULATIONS FOR THE COLLECTION OF RECYCLING MATERIALS TO REFLECT NEW RATES AND METHODS OF COLLECTING RECYCLING MATERIAL FROM MULTI-FAMILY APARTMENT COMPLEXES EFFECTIVE MAY 1, 2017 was read by title only by Ms. Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-13 made by Mr. Ferrara and seconded by Mr. Kuhar. On Roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Long, Ms. Shaffer, and Mr. Sidoti. The motion carried by a roll call vote of 8-0.

ORDINANCE No. 2017-13: AN ORDINANCE APPROVING THE AMENDMENTS TO THE CITY SERVICE DIRECTOR'S RULES AND REGULATIONS FOR THE COLLECTION OF RECYCLING MATERIALS TO

REFLECT NEW RATES AND METHODS OF COLLECTING RECYCLING MATERIAL FROM MULTI-FAMILY APARTMENT COMPLEXES EFFECTIVE MAY 1, 2017 *PASSED* as stated by Ms. Grimm.

SPECIAL COMMITTEE REPORTS: None

UNFINISHED BUSINESS:

MOTION TO MOVE FORWARD WITH COUNCIL'S SITE SELECTION AS THE CURRENT POLICE STATION SITE made by Mr. Ferrara, seconded by Ms. Wallach, and *PASSED* by a voice vote of 8-0.

Ms. Wallach commented that the current police station site is the best and least expensive option and to have a campus like atmosphere was always the plan.

Ms. Shaffer is looking forward to the New City Hall serving as a gateway into the heart of the City.

NEW BUSINESS:

MOTION TO HAVE CITY MANAGER DRAFT A POSITIVE LETTER IN SUPPORT OF RIVERWOOD CHAPEL AND THEIR PARTNERSHIP WITH WORLD RELIEF AKRON made by Ms. Shaffer, seconded by Ms. Wallach. The motion carried by a roll call vote of 8-0.

Ms. Shaffer felt that this letter could become part of the "One Kent" initiative roll-out and include statements about becoming a "Compassionate City". It could include reference to the Riverview Church letter and other comments made by Council in the past.

Mr. Sidoti commented that we are a multi-national community, and this would reaffirm that "Kent is working".

Mr. Kuhar would like to see the letter kept more general when it is drafted.

Ms. Shaffer is excited to see the strands start coming together under the umbrella of "One Kent" initiative.

Ms. Wallach referred to the letter received from Representative Kathleen Clyde. She would like us to contact other cities to see what legislation they may have passed to protect their LGBT communities.

MOTION TO LOOK INTO OTHER CITIES AND THEIR LAWS REGARDING THE PROTECTION OF THE LGBT COMMUNITY made by Ms. Wallach, seconded by Ms. Shaffer. The motion carried by a roll call vote of 8-0.

Ms. Shaffer felt that Ms. Susel and Community Development could assist with matter.

Mr. Turner questioned if this is even a necessity or a redundancy of the protections for LGBT on a national level.

Mr. Kuhar reminded Council that this topic was originally brought up last year and we were ineffective as the LGBT community is not a protected class.

Mr. Turner added that the national laws protect the LCBT community from sexual harassment.

Ms. Wallach updated Council that the Wells Sherman House has been up and running for a couple of years. At least once a month they rent out the facility for free to a non-profit organization, and the 2 main non-profit organizations utilizing it have been the Boy Scouts and a group called "Knitting for those in Need." The moving and renovation of the Wells Sherman House so impressed a student form China that it became an article in a Chinese newspaper. They participate in community activities and during the major community events, they have the House open to be able to use the public restrooms. The house cannot be open continuously because of the business that is located inside the building, unless it is manned by volunteers.

They also brought a new business to Kent called "Vows to Video" and upgrade that end of town and inspired another organization to purchase the building on the corner that used to house the Standing Rock Community, although she is unaware what is currently going on with that building.

Mayor Fiala commented he thought that building was going to be torn down due to the failing structure.

Ms. Wallach continued by stating because of all the thing she mentioned above that the Kent Wells Sherman House has done for the community she made the following motion:

MOTION TO HAVE THE CITY FORGIVE THE REMAINING PART OF THE WELLS SHERMAN HOUSE LOAN WITH THE CITY IN THE AMOUNT OF $10,000 made by Ms. Wallach, seconded by Ms. Shaffer.

Mayor Fiala asked for discussion from Council.

Ms. Wallach had no further comment.

Ms. Shaffer thought it was a bit of a hardship when they are renting space out to non-profits for free and think it is a jewel in our downtown. She admires the work people have put into the building, as well as the many volunteers who take pride in the house. She is in favor of wiping the slate clean and allow them to continue the other stipulations in their contract.

Mr. Kuhar is opposed to the Motion. He referred to when Mr. Hawksley informed Council he was not going to ask for money and only wanted moral support. He remembers the City writing out a check with a really "loose" contract because there were no penalties to it. He also remembers Kent State writing out a check and then a house was being moved across town. The volunteers have done a great job with the house. He doesn't feel we can just hand out the tax payer's money, in the amount of $7,000.00

Mayor Fiala corrected Mr. Kuhar by stating the amount was $10,000 and asked Ms. Wallach to confirm that amount. She stated the original loan was $15,000, the balance is now $10,000.

MOTION TO TABLE THE PREVIOUS MOTION OF HAVING THE CITY FORGIVE THE REMAINING PART OF THE WELLS SHERMAN HOUSE LOAN WITH THE CITY IN THE AMOUNT OF $10,000 made by Mr. Ferrara until there can be further discussion on it.

Mayor Fiala asked for a second to the motion. There was no second, and Mayor Fiala stated "seeing no second to the motion, MOTION TO TABLE FAILS". He then asked for any more discussion on the original Motion. There was no further discussion.

MOTION TO HAVE THE CITY FORGIVE THE REMAINING PART OF THE WELLS SHERMAN HOUSE LOAN WITH THE CITY IN THE AMOUNT OF $10,000 made by Ms. Wallach, seconded by Ms. Shaffer and then *PASSED* with a voice vote of 6-2, with Mr. Ferrara and Mr. Kuhar voting "No".

Upon review of the Council Standing Rules by Mr. Silver and Ms. Grimm, the above MOTION TO HAVE THE CITY FORGIVE THE REMAINING PART OF THE WELLS SHERMAN HOUSE LOAN WITH THE CITY IN THE AMOUNT OF $10,000 was deemed an *INVALID MOTION*. ***This matter should have been sent to the Finance Committee for further review and consideration. Mr. Silver and Ms. Grimm further discussed a solution to this invalid motion: Mr. Ruller could include this item in his next Council Communications for the next Committee Meeting and it could be placed on the Agenda. Only then can we move forward with an actual motion, vote and possible drafting of legislation for this matter. For further clarification, violation occurred when the matter was not sent to committee per Council's Standing Rules, page 8, Item XI, (B) & (C).***

COUNCILMEMBERS' COMMENTS:

Ms. Long reminded everyone that the Parks & Recreation Board meeting is tomorrow, February 16th.

Mr. Ferrara commented although it is a done deal, he would rather have a discussion in private regarding the Wells Sherman House, and that it is horrible to have this sprung upon Council at this point in time, where we should have had some discussion regarding waiving monies owed to the City, and we did not properly give it committee time spent on it, no discussion amongst members, no discussion with our Finance Director on how this is even possible. It is not the function of the building itself, it is the process we are supposed to go through with public funds. He feels it is horrible what we just did and the way we did it.

Mr. Kuhar commented "ditto" to Mr. Ferrara's comments above.

MAYOR'S REPORT:

Mayor Fiala had nothing to report.

At 8:04 p.m. **MOTION TO RECESS INTO AN EMERGENCY EXECUTIVE SESSION IMMEDIATELY AFTER THE REGULAR MEETING IN ACCORDANCE WITH OHIO REVISED CODE SECTION 121.22 G(2): TO CONSIDER THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES, THE SALE OF PROPERTY AT COMPETITIVE BIDDING, OR THE SALE OR OTHER DISPOSITION OF UNNEEDED, OBSOLETE, OR UNFIT- FOR-USE PROPERTY IN ACCORDANCE WITH SECTION 505.10 OF THE REVISED CODE, IF PREMATURE DISCLOSURE OF INFORMATION WOULD GIVE AN UNFAIR COMPETITIVE OR BARGAINING ADVANTAGE TO A PERSON WHOSE PERSONAL, PRIVATE INTEREST IS ADVERSE TO THE GENERAL PUBLIC INTEREST** made by Mr. Sidoti, seconded by Mr. Kuhar. On Roll call, voting "Yes": Ms. Wallach, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, and Mr. Turner. The motion carried by a roll call vote of 8-0.

At 8:38 p.m. Council came out of Executive Session and resumed the regular Meeting.

At 8:39 p.m. **MOTION TO SELL 214 S. WATER STREET, THE OLD COURTHOUSE/POST OFFICE TO JOHN FLYNN FOR $435,000.00, WITH RESTRICTIONS TO KEEP THE FACADE IN SIMILAR CONDITION AND SHAPE, UNLESS KENT CITY COUNCIL AUTHORIZES OTHERWISE** made by Mr. Kuhar, seconded by Mr. Sidoti. The motion carried by a voice vote of 8-0.

There was no further discussion.

The regular meeting adjourned at 8:40 p.m.

Tara Grimm, CMC
Clerk of Council

Jerry T. Fiala
Mayor and President of Council