THE CITY OF KENT, OHIO
REGULAR COUNCIL MEETING
WEDNESDAY, JULY 19, 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. Garret Ferrara, Mr. John Kuhar, Ms. Heidi Shaffer, Mr. Roger Sidoti, and Mr. Robin Turner.

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;

ABSENT: Ms. Melissa Long, Ms. Tracy Wallach and Ms. Tara Grimm, CMC, Clerk of Council.

Mayor Fiala called upon Councilmember DeLeone for his opening remarks. Mr. DeLeone had no opening remarks, then he then led the Pledge of Allegiance.

Mayor Fiala explained Mr. Silver will be Acting Clerk of Council for tonight's meeting as Clerk Grimm is at a conference.

MOTION TO EXCUSE MS. LONG AND MS. WALLACH FROM TONIGHT'S MEETING was made by Ms. Shaffer, seconded by Mr. Sidoti, and CARRIED by a voice vote of 7-0.

APPROVAL OF MINUTES:
MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF JUNE 21, 2017 made by Mr. DeLeone, seconded by Mr. Ferrara, and CARRIED by a voice vote of 7-0.

MOTION TO APPROVE PUBLIC HEARING OF JULY 5, 2017 AND SPECIAL CITY COUNCIL MEETING OF JULY 5, 2017 made by Mr. DeLeone, seconded by Mr. Ferrara, and CARRIED by a voice vote of 6-0-1 with Mr. Kuhar abstaining.

COMMUNICATIONS:
Mayor Fiala called for audience comments. 3 visitors signed-in with Clerk to speak.

1. MJ Eckhouse of 123 E. Crain Avenue, Kent would like Council's firm support continued for the LGBTQ community and hopes they will continue it tonight. Kent is a welcoming City and needs to be a leader in the State of Ohio in the terms of welcoming all people regardless of sexual orientation, gender identity or any other protected class. MJ thanked council and hopes they vote for the ordinance with the amendment.

2. Bobbi Ullinger of 459 Majors Lane, Kent thanked City Council for the long haul the past few months and their listening to and having patience dealing with the LGBTQ's community's lack of patience; exuberance; passion; listening to their stories and getting to know them and how they are good neighbors consideration of this Ordinance.

3. Gwen Stembridge, Northeast Coordinator with Equality Ohio and of 1879 W. 112th Street, Cleveland thanked Council for taking the steps to make Kent as welcoming as possible. She thanked Council for listening to the LGBTQ community's request for full inclusion which ensures that anyone living in, working in or visiting Kent would not be denied access to basic and valuable services.

Written Communications were reported by Acting Clerk, Mr. Silver as follows:

1. Planning Commission Agenda for June 6, 2017 was received on May 31, 2017; Minutes for May 2,

2017 was received on June 14, 2017.
2. Sustainability Commission Meeting Packet for June 5, 2017 was received on June 1, 2017.
3. Board of Zoning Appeals Staff Report and Agenda for July 17, 2017 were received on July 11, 2017.
4. Civil Service Commission Agenda for July 17, 2017 was received on July 11, 2017.
5. Architectural Review Board Agenda for June 18, 2017 was received on June 11, 2017.

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

1. Request Council's authorization to schedule a Special Council meeting prior to the start of the August Committee meetings to authorize right of way agreements needed for the SR43 signal project.
2. Request Community Development Committee time to consider a recommendation by the Tax Increment Review Council to terminate the CRA Agreement with the former Record Publishing Company.
3. Request Land Use Committee time for Council to consider recommendations from the Sustainability Commission regarding City support for the objectives of the Paris Climate Accord.
4. Request Land Use Committee time for Council to consider a recommendation from the Sustainability Commission regarding curbside collection of clothing waste for recycling.
5. Request Streets, Sidewalks and Utilities Committee time for consideration of the final legislation required by ODOT to move forward with the repaving of SR261 in 2018.
6. Request Finance Committee to consider a request for a 2017 Budget Appropriation Amendment.
7. Request Finance Committee time for Council to consider requests to certify 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 nonutility debtors; 2)Delinquent City utility debtors; and 3)Non-Payment of bills for Kent residents resulting from special assessments and concrete repairs for 2017; and 4)Non-Payment of bills for Kent residents resulting from special assessment and concrete repairs for prior years.
8. Request Council's authorization to extend the IAFF (Fire) contract terms for 90 days from August 31, 2017 to November 30, 2017 to allow for completion of current contract negotiations.

MOTION TO APPROVE ITEMS #1 - #8 OF THE CITY MANAGER'S REPORT made by Mr. Amrhein, seconded by Mr. DeLeone. Motion CARRIED by a voice vote of 7-0.

STANDING COMMITTEES/ LEGISLATION

COMMITTEE OF THE WHOLE:
Mayor Fiala announced the results of the balloting for the Boards & Commissions Vacancies:

- Howard Boyle for Architectural Review Board
- Benjamin Tipton for the Board of Zoning Appeals
- Mary Junk for Fair Housing Board
- Nadine Gomez for the Sustainability Commission

MOTION TO AUTHORIZE DRAFT Nos. 17-55, 17-56, 17-57, AND 17-58 WITH THE APPROPRIATE NAMES INSERTED made by Mr. Kuhar, seconded by Mr. Ferrara, and CARRIED by a voice vote of 7-0.

MOTION TO DESTROY THE BALLOTS was made by Mr. DeLeone, seconded by Mr. Ferrara, and CARRIED by a voice vote of 7-0.

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF JULY 5, 2017 made by Mr. DeLeone, seconded by Mr. Sidoti, and CARRIED by a voice vote of 6-0-1 with Mr. Kuhar abstaining.

DRAFT No. 17-55: A RESOLUTION APPOINTING HOWARD BOYLE TO THE ARCHITECTURAL REVIEW BOARD, AND DECLARING AN EMERGENCY was read by title only by Mr. Silver per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-55 made by Ms. Shaffer and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 7-0.

RESOLUTION No. 17-55: A RESOLUTION APPOINTING HOWARD BOYLE TO THE ARCHITECTURAL REVIEW BOARD, AND DECLARING AN EMERGENCY *PASSED* as stated by Mr. Silver.

DRAFT No. 17-56: A RESOLUTION APPOINTING BENJAMIN TIPTON TO THE BOARD OF ZONING APPEALS, AND DECLARING AN EMERGENCY was read by title only by Mr. Silver 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. Shaffer, Mr. Sidoti, Mr. Turner, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 17-56 made by Mr. Ferrara and seconded by Ms. Shaffer. On Roll call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Mr. Turner, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Kuhar, The motion CARRIED by a roll call vote of 7-0.

RESOLUTION No. 17-56: A RESOLUTION APPOINTING BENJAMIN TIPTON TO THE BOARD OF ZONING APPEALS, AND DECLARING AN EMERGENCY *PASSED* as stated by Mr. Silver.

DRAFT No. 17-57: A RESOLUTION APPOINTING MARY JUNK TO THE FAIR HOUSING BOARD, AND DECLARING AN EMERGENCY was read by title only by Mr. Silver 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. Sidoti, Mr. Turner, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, and Ms. Shaffer. The motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 17-57 made by Mr. Ferrara seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Turner, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, and Mr. Sidoti. The motion CARRIED by a roll call vote of 7-0.

RESOLUTION No. 17-57: A RESOLUTION APPOINTING MARY JUNK TO THE FAIR HOUSING BOARD, AND DECLARING AN EMERGENCY *PASSED* as stated by Mr. Silver.

DRAFT No. 17-58: A RESOLUTION APPOINTING NADINE GOMEZ TO THE SUSTAINABILITY COMMISSION, AND DECLARING AN EMERGENCY was read by title only by Mr. Silver 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": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, Mr. Sidoti, and Mr. Turner. The motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 17-58 made by Mr. DeLeone and seconded by Ms. Shaffer. On Roll call, voting “Yes”: Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, Mr. Sidoti, Mr. Turner, and Mr. Amrhein. The motion CARRIED by a roll call vote of 7-0.

RESOLUTION No. 17-58: A RESOLUTION APPOINTING NADINE GOMEZ TO THE SUSTAINABILITY COMMISSION, AND DECLARING AN EMERGENCY *PASSED* as stated by Mr. Silver.

DRAFT No. 17-59: AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE ELECTORS OF THE CITY OF KENT AT THE GENERAL ELECTION TO BE HELD NOVEMBER 7, 2017, A PROPOSAL TO AMEND ARTICLE XII “MISCELLANEOUS” OF THE CHARTER OF THE CITY OF KENT, OHIO, BY ENACTING A NEW SECTION 12.06, ENTITLED "SANCTUARY CITY", AND DECLARING AN EMERGENCY was read by title only by Mr. Silver 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”: Mr. DeLeone, Mr. Ferrara, Ms. Shaffer, Mr. Sidoti, Mr. Turner, and Mr. Amrhein; Mr. Kuhar originally abstained from voting, therefore the ***motion FAILED*** 6-0-1. Mr. Silver explained why the motion failed which is per Council Standing Rules Section X whereby ¾ vote of all members of council, or 7 members is required to suspend the readings. Mr. Kuhar then changed his mind to a “Yes” vote. Suspension PASSED.

Mr. Kuhar stated he was going to vote against this Ordinance because we are supposed to uphold the State and Federal laws, and from what he understands is that by law we have to pass this Ordinance, so it is like a “catch 22” when you go against your Oath of office.

MOTION TO ADOPT DRAFT No. 17-59 made by Mr. DeLeone and seconded by Ms. Shaffer. On Roll call, voting “Yes”: On Roll call, voting “Yes”: Mr. Ferrara, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Mr. Amrhein, and Mr. DeLeone; Mr. Kuhar ***Abstained***. The motion to adopt ***FAILED*** by a roll call vote of 6-0-1, therefore causing it to be left on 1st Reading.

DRAFT No. 17-59: AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE ELECTORS OF THE CITY OF KENT AT THE GENERAL ELECTION TO BE HELD NOVEMBER 7, 2017, A PROPOSAL TO AMEND ARTICLE XII “MISCELLANEOUS” OF THE CHARTER OF THE CITY OF KENT, OHIO, BY ENACTING A NEW SECTION 12.06, ENTITLED "SANCTUARY CITY", AND DECLARING AN EMERGENCY *WAS LEFT ON 1ST READING* as stated by Mr. Silver. Mr. Silver stated he would have Clerk Grimm make a formal ruling on the Parliamentary procedure when she returns on Monday and listens to the recording for minute transcription.

Clerk Grimm’s formal ruling was based on the Council Standing Rules, Section X. LEGISLATION: ORDINANCES & RESOLUTIONS and Section VIII paragraph 5:

> ******* *Legislation shall be read by title unless a request is made by a member of Council to have the legislation read in part or whole. The Clerk must present each member of Council with copies of each ordinance and resolution to be considered 48 hours prior to the meeting, with a copy of the agenda listing the legislation in the order in which they will be considered.*
>
> *Roll call votes necessary for passage of legislation shall consist of reading of the title of the legislation, then a motion to suspend the rules. Suspension of the rules allows for the suspension of the three required readings of the legislation at three different meetings and is a non-debatable motion.* ***A three-fourths (3/4) vote of the Council (7 members) is required for suspension of the rules****. If suspension of the rules passes, a motion to adopt the draft legislation shall be made. If* ***suspension of the rules fails, a motion to approve the first reading will be made****. Both motions are debatable, and following debate, a vote on either motion, whichever is applicable, will follow.*

Legislation passed with the inclusion of an emergency clause will take effect immediately upon passage. All other legislation that does not contain an emergency clause will take effect at the earliest time permitted by law. ***Legislation written with the emergency clause must be passed by a three-fourths (3/4) of Council (7 members).***

Any abstention vote shall be counted as neither for, nor against the matter on which the vote is being taken. An abstention vote is a true "NON" vote.

Clerk Grimm deemed Draft No, 17-59 to be left on **1ST READING** requiring a Special City Council meeting to be advertised and scheduled for Wednesday, July 26th at 5:00 p.m.

COMMUNITY DEVELOPMENT COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF JULY 5, 2017 AND THE FIVE (5) RECOMMENDED ACTIONS made by Mr. DeLeone, seconded by Mr. Sidoti, and CARRIED by a voice vote of 7-0.

Recommended Actions:

1) Authorize Anti-Discrimination Public Accommodations to all protected groups.
2) To have the City make it a crime for discriminatory behavior and should go through mediation with the city's law department process before filing criminal charges to seek resolution of the issues, with an increased penalty for a 2nd offense and to be reviewed in one (1) year.
3) Accept the Dedication of Lappin Farm Newcomer Road Right-of-Way to the City of Kent.
4) Authorize a Committee consisting of the Mayor and the At-Large Council persons for purposes of the City Hall Project.
5) Authorize the Lease Agreement in replacement of the Land Sale Agreement with LN Gross.

Draft No. 17-60: AN ORDINANCE ADOPTING SECTION 537.21, ENTITLED "UNLAWFUL PUBLIC ACCOMMODATION DISCRIMINATION", OF THE CODIFIED ORDINANCES OF THE CITY OF KENT, AND DECLARING AN EMERGENCY was read by title only by Mr. Silver 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": Ms. Shaffer, Mr. Sidoti, Mr. Turner, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara; Mr. Kuhar ***abstained*** from voting, therefore the ***motion to suspend FAILED*** 6-0-1. Mr. Silver again explained why the motion failed which is per Council Standing Rules Section X whereby ¾ vote of all members of council, or 7 members is required to suspend the readings.

MOTION TO *AMEND* DRAFT No. 17-60 EXHIBIT "A" TO STRIKEOUT THE LAST LINE OF 537.21 (A)(i) made by Mr. Amrhein, seconded by Ms. Shaffer, and *CARRIED* by a voice vote of 7-0.

MOTION TO ADOPT DRAFT No. 17-60 AS AMENDED made by Mr. Ferrara and seconded by Ms. Shaffer. On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Ms. Shaffer; Mr. Kuhar ***abstained*** from voting, therefore the ***motion to adopt also FAILED*** 6-0-1.

MOTION TO LEAVE AMENDED DRAFT NO. 17-60 ON FIRST READING made by Mr. DeLeone, seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar and Ms. Shaffer. The motion CARRIED by a roll call vote of 7-0.

DRAFT No. 17-60: AN ORDINANCE ADOPTING AMENDED SECTION 537.21, ENTITLED "UNLAWFUL PUBLIC ACCOMMODATION DISCRIMINATION", OF THE CODIFIED ORDINANCES OF THE CITY OF KENT, AND DECLARING AN EMERGENCY *WAS LEFT ON 1ST READING* as stated by Mr. Silver. Mr. Silver also stated he would have Clerk Grimm make a formal ruling on the Parliamentary procedure when she returns on Monday and listens to the recording for minute transcription.

Again, Clerk Grimm's formal ruling was based on the Council Standing Rules, Section X. LEGISLATION: ORDINANCES & RESOLUTIONS and Section VIII paragraph 5:

******* Legislation shall be read by title unless a request is made by a member of Council to have the legislation read in part or whole. The Clerk must present each member of Council with copies of each ordinance and resolution to be considered 48 hours prior to the meeting, with a copy of the agenda listing the legislation in the order in which they will be considered.*

Roll call votes necessary for passage of legislation shall consist of reading of the title of the legislation, then a motion to suspend the rules. Suspension of the rules allows for the suspension of the three required readings of the legislation at three different meetings and is a non-debatable motion. ***A three-fourths (3/4) vote of the Council (7 members) is required for suspension of the rules****. If suspension of the rules passes, a motion to adopt the draft legislation shall be made. If* ***suspension of the rules fails, a motion to approve the first reading will be made****. Both motions are debatable, and following debate, a vote on either motion, whichever is applicable, will follow.*

Legislation passed with the inclusion of an emergency clause *will take effect immediately upon passage. All other legislation that does not contain an emergency clause will take effect at the earliest time permitted by law.* ***Legislation written with the emergency clause must be passed by a three-fourths (3/4) of Council (7 members).***

Any abstention vote shall be counted as neither for, nor against the matter on which the vote is being taken. An abstention vote is a true "NON" vote.

Clerk Grimm deemed Draft No, 17-60 to be left on **1ST READING** requiring a Special City Council meeting to be advertised and scheduled for Wednesday, July 26th at 5:00 p.m.

Draft No. 17-61: AN ORDINANCE ACCEPTING, FOR DEDICATION PURPOSES, FROM NEWCOMER DEVELOPMENT GROUP, LLC (LAPPIN FARM) THE EXISTING NEWCOMER ROAD RIGHT-OF-WAY, AND DECLARING AN EMERGENCY was read by title only by Mr. Silver 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. Turner, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, and Mr. Sidoti. The motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 17-61 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, Mr. Sidoti, and Mr. Turner. The motion CARRIED by a roll call vote of 7-0.

ORDINANCE No. 17-61: AN ORDINANCE ACCEPTING, FOR DEDICATION PURPOSES, FROM NEWCOMER DEVELOPMENT GROUP, LLC (LAPPIN FARM) THE EXISTING NEWCOMER ROAD RIGHT-OF-WAY, AND DECLARING AN EMERGENCY PASSED as stated by Mr. Silver.

Draft No. 17-62: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LEASE OF LAND FOR PRIVATE REDEVELOPMENT FOR REAL PROPERTY ON GOUGLER AVENUE, KENT, OHIO, BETWEEN THE CITY OF KENT AND 315 RFK, LLC, AND DECLARING AN EMERGENCY was read by title only by Mr. Silver per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-62 made by Mr. DeLeone and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 7-0.

ORDINANCE No. 17-62: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LEASE OF LAND FOR PRIVATE REDEVELOPMENT FOR REAL PROPERTY ON GOUGLER AVENUE, KENT, OHIO, BETWEEN THE CITY OF KENT AND 315 RFK, LLC, AND DECLARING AN EMERGENCY PASSED as stated by Mr. Silver.

FINANCE COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF JULY 5, 2017 made by Mr. DeLeone, seconded by Mr. Ferrara, and CARRIED by a voice vote of 6-0-1 with Mr. Kuhar abstaining.

Mr. Kuhar requested that the Recommended Action Items be separated as #1, then combining #2 & #3.

MOTION TO APPROVE RECOMMENDED ACTION ITEM #1 made by Mr. DeLeone, seconded by Ms. Shaffer, and CARRIED by a voice vote of 6-1 with Mr. Kuhar voting "No".

MOTION TO APPROVE RECOMMENDED ACTION ITEMS #2 & 3 made by Mr. DeLeone, seconded by Mr. Sidoti, and CARRIED by a voice vote of 7-0.

Recommended actions:

1) Approve the proposed Ballot Legislation for the New Parks and Recreation Facility with an Emergency Clause.
2) Authorize the City Bond Anticipation Notes Renewal with an Emergency Clause.
3) Authorize the City Surplus Property Auction with an Emergency Clause.

Draft No. 17-63: A RESOLUTION DETERMINING TO PROCEED WITH THE SUBMISSION TO THE ELECTORS OF THE QUESTION OF ISSUING $17,500,000 OF BONDS FOR THE PURPOSE OF CONSTRUCTING, FURNISHING, EQUIPPING AND OTHERWISE IMPROVING A HEALTH AND WELLNESS CENTER AND ACQUIRING AND IMPROVING SITES FOR THAT CENTER, AND DECLARING AN EMERGENCY was read by title only by Mr. Silver per Mayor Fiala's request.

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

Mr. Kuhar commented that he is going to vote "no" on this Ordinance because he cannot put his name on something that requires the citizens to pay higher taxes to help build the facility, then have to pay to belong to the facility, then probably have to pay again because the facility will not support itself; we are getting overwhelmed with overproduction of government owned and government spending. He doesn't want to take away moneys that we will need to build other important new buildings.

Ms. Shaffer stated she is voting "yes" because she wants the voters to be able to have the choice. She also personally supports this as we need a community center, not just a recreation center.

Mr. Kuhar commented that the younger generation go to the surrounding gyms where they can get a membership for $10.00 a month. The seniors can go to silver sneakers at the top notch facility on campus or even our own gym on W. Main Street. There are already options in place that are going to keep the citizens healthy and the money in their pockets to be able to spend elsewhere in the community other than giving it away to taxes.

MOTION TO ADOPT DRAFT No. 17-63 made by Mr. DeLeone and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Ferrara, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 6-1 with Mr. Kuhar voting "No".

DRAFT No. 17-63: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LEASE OF LAND FOR PRIVATE REDEVELOPMENT FOR REAL PROPERTY ON GOUGLER AVENUE, KENT, OHIO, BETWEEN THE CITY OF KENT AND 315 RFK, LLC, AND DECLARING AN EMERGENCY *WAS LEFT ON 1ST READING* as stated by Mr. Silver. Mr. Silver reiterated he would have Clerk Grimm make a formal ruling on the Parliamentary procedure when she returns on Monday and listens to the recording for minute transcription.

Clerk Grimm's formal ruling was based on the Council Standing Rules, Section X. LEGISLATION: ORDINANCES & RESOLUTIONS and Section VIII paragraph 5:

> ********* *Legislation shall be read by title unless a request is made by a member of Council to have the legislation read in part or whole. The Clerk must present each member of Council with copies of each ordinance and resolution to be considered 48 hours prior to the meeting, with a copy of the agenda listing the legislation in the order in which they will be considered.*
>
> *Roll call votes necessary for passage of legislation shall consist of reading of the title of the legislation, then a motion to suspend the rules. Suspension of the rules allows for the suspension of the three required readings of the legislation at three different meetings and is a non-debatable motion.* ***A three-fourths (3/4) vote of the Council (7 members) is required for suspension of the rules****. If suspension of the rules passes, a motion to adopt the draft legislation shall be made. If* ***suspension of the rules fails, a motion to approve the first reading will be made****. Both motions are debatable, and following debate, a vote on either motion, whichever is applicable, will follow.*
>
> *Legislation passed with the inclusion of an emergency clause will take effect immediately upon passage. All other legislation that does not contain an emergency clause will take effect at the earliest time permitted by law.* ***Legislation written with the emergency clause must be passed by a three-fourths (3/4) of Council (7 members).***
>
> *Any abstention vote shall be counted as neither for, nor against the matter on which the vote is being taken. An abstention vote is a true "NON" vote.*

Clerk Grimm deemed Draft No, 17-63 to be left on **1ST READING** requiring a Special City Council meeting to be advertised and scheduled for Wednesday, July 26th at 5:00 p.m.

Draft No. 17-64: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF $1,150,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF RECONSTRUCTING ALLEY 5, ERIE STREET, AND DEPEYSTER STREET AND OTHERWISE IMPROVING NEARBY STREETS, INCLUDING BY RELOCATION OF PUBLIC UTILITIES, LANDSCAPING, AND INSTALLING PARKING PAYMENT DEVICES, STREET SIGNAGE AND SITE IMPROVEMENTS, AND DECLARING AN EMERGENCY was read by title only by Mr. Silver 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": Mr. Kuhar, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara, The motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 17-64 made by Mr. DeLeone and seconded by Mr. Ferrara. On Roll call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Mr. Turner, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Kuhar. The motion CARRIED by a roll call vote of 7-0.

ORDINANCE No. 17-64: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF $1,150,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF RECONSTRUCTING ALLEY 5, ERIE STREET, AND DEPEYSTER STREET AND OTHERWISE

IMPROVING NEARBY STREETS, INCLUDING BY RELOCATION OF PUBLIC UTILITIES, LANDSCAPING, AND INSTALLING PARKING PAYMENT DEVICES, STREET SIGNAGE AND SITE IMPROVEMENTS, AND DECLARING AN EMERGENCY PASSED as stated by Mr. Silver.

Draft No. 17-65: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF $210,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PROVIDE THE FUNDS NECESSARY TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF ACQUIRING THE EXISTING BUILDING LOCATED AT 930 OVERHOLT ROAD TO BE USED AS THE CITY'S SERVICE CENTER, AND TO PAY THE CITY'S PORTION OF THE COSTS OF IMPROVING FAIRCHILD AVENUE, MAJORS AVENUE AND NEWCOMER ROAD AND CERTAIN EASEMENTS BETWEEN CERTAIN TERMINI BY CONSTRUCTING, RECONSTRUCTING AND WIDENING THE PAVEMENT, DRAINING, GRADING, CONSTRUCTING, RECONSTRUCTING AND REPLACING CURBS, SIDEWALKS, DRIVEWAY APPROACHES, STORM SEWERS, ROOF DRAIN PIPES, AND A DRAINAGE OUTLET CHANNEL, INSTALLING NEW WATER MAINS, WATER SERVICE CONNECTIONS, SANITARY SEWERS, AND SANITARY SEWER HOUSE CONNECTIONS ALONG THOSE PORTIONS OF FAIRCHILD AVENUE NOT CURRENTLY SERVED, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, ACQUIRING ANY NECESSARY INTERESTS IN REAL PROPERTY, AND OTHERWISE IMPROVING THE SAME, AND DECLARING AN EMERGENCY was read by title only by Mr. Silver 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, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, and Ms. Shaffer. The motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 17-65 made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Turner, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, and Mr. Sidoti. The motion CARRIED by a roll call vote of 7-0.

ORDINANCE No. 17-65: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF $210,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PROVIDE THE FUNDS NECESSARY TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF ACQUIRING THE EXISTING BUILDING LOCATED AT 930 OVERHOLT ROAD TO BE USED AS THE CITY'S SERVICE CENTER, AND TO PAY THE CITY'S PORTION OF THE COSTS OF IMPROVING FAIRCHILD AVENUE, MAJORS AVENUE AND NEWCOMER ROAD AND CERTAIN EASEMENTS BETWEEN CERTAIN TERMINI BY CONSTRUCTING, RECONSTRUCTING AND WIDENING THE PAVEMENT, DRAINING, GRADING, CONSTRUCTING, RECONSTRUCTING AND REPLACING CURBS, SIDEWALKS, DRIVEWAY APPROACHES, STORM SEWERS, ROOF DRAIN PIPES, AND A DRAINAGE OUTLET CHANNEL, INSTALLING NEW WATER MAINS, WATER SERVICE CONNECTIONS, SANITARY SEWERS, AND SANITARY SEWER HOUSE CONNECTIONS ALONG THOSE PORTIONS OF FAIRCHILD AVENUE NOT CURRENTLY SERVED, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, ACQUIRING ANY NECESSARY INTERESTS IN REAL PROPERTY, AND OTHERWISE IMPROVING THE SAME, AND DECLARING AN EMERGENCY PASSED as stated by Mr. Silver.

Draft No. 17-66: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF $760,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF RENOVATING AND EXPANDING THE CITY'S MAIN FIRE STATION, INCLUDING ACQUISITION OF NECESSARY REAL ESTATE, AND DECLARING AN EMERGENCY was read by title only by Mr. Silver per Mayor Fiala's request.

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

Mr. Kuhar clarified that this was old money and not new money involved in this ordinance.

MOTION TO ADOPT DRAFT No. 17-66 made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll call, voting “Yes”: Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, Mr. Sidoti, Mr. Turner, and Mr. Amrhein. The motion CARRIED by a roll call vote of 7-0.

ORDINANCE No. 17-66: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF $760,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF RENOVATING AND EXPANDING THE CITY’S MAIN FIRE STATION, INCLUDING ACQUISITION OF NECESSARY REAL ESTATE, AND DECLARING AN EMERGENCY PASSED as stated by Mr. Silver.

Draft No. 17-67: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF $3,500,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF CONSTRUCTING A SAFETY CENTER, AND DECLARING AN EMERGENCY was read by title only by Mr. Silver per Mayor Fiala’s request.

MOTION TO SUSPEND THE THREE READINGS made by made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting “Yes”: Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 17-67 made by Mr. DeLeone and seconded by Ms. Shaffer. On Roll call, voting “Yes”: Mr. Kuhar, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The motion CARRIED by a roll call vote of 7-0.

ORDINANCE No. 17-67: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF $3,500,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF CONSTRUCTING A SAFETY CENTER, AND DECLARING AN EMERGENCY PASSED as stated by Mr. Silver.

Draft No. 17-68: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF $375,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF REPLACING, UPGRADING AND EXTENDING SANITARY SEWER TRUNK LINES, AND DECLARING AN EMERGENCY was read by title only by Mr. Silver per Mayor Fiala’s request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. DeLeone and seconded by Mr. Ferrara. On Roll call, voting “Yes”: Ms. Shaffer, Mr. Sidoti, Mr. Turner, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Kuhar. The motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 17-68 made by Mr. DeLeone and seconded by Ms. Shaffer. On Roll call, voting “Yes”: Mr. Sidoti, Mr. Turner, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, and Ms. Shaffer. The motion CARRIED by a roll call vote of 7-0.

ORDINANCE No. 17-68: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF $375,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF REPLACING, UPGRADING AND EXTENDING SANITARY SEWER TRUNK LINES, AND DECLARING AN EMERGENCY PASSED as stated by Mr. Silver.

Draft No. 17-69: AN ORDINANCE AUTHORIZING THE SALE BY ON LINE PUBLIC AUCTION OF VARIOUS ITEMS OF PERSONAL PROPERTY PURSUANT TO SECTION 721.15 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY was read by title only by Mr. Silver 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, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, and Mr. Sidoti. The motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 17-69 made by Mr. DeLeone and seconded by Ms. Shaffer. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, Mr. Sidoti, and Mr. Turner. The motion CARRIED by a roll call vote of 7-0.

ORDINANCE No. 17-69: AN ORDINANCE AUTHORIZING THE SALE BY ON LINE PUBLIC AUCTION OF VARIOUS ITEMS OF PERSONAL PROPERTY PURSUANT TO SECTION 721.15 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY PASSED as stated by Mr. Silver.

HEALTH AND SAFETY COMMITTEE: None

***LAND USE COMMITTEE*:**

MOTION TO APPROVE THE SPECIAL COMMITTEE MEETING MINUTES OF JUNE 21, 2017 AND THE COMMITTEE MEETING MINUTES OF JULY 5, 2017 made by Mr. Ferrara, seconded by Ms. Shaffer, and CARRIED by a voice vote of 6-0-1 with Mr. Kuhar abstaining.

Mr. Kuhar requested separation of Items #1 & 2.

MOTION TO APPROVE RECOMMENDED ACTION ITEM #1 made by Mr. Ferrara, seconded by Ms. Shaffer, and CARRIED by a voice vote of 7-0.

Mr. Ferrara stated he did not get a chance to speak when this was discussed at the last meeting. This is a perfect example of bureaucratic morass. It does not need to go to the Sustainability Commission. All it needs is a letter issued stating City Council supports the issue. He is all for supporting it, but we just made more procedural work for the Sustainability Commission, when a letter could have easily been written and Council signing their name to it.

Ms. Shaffer rebutted that after speaking with members of the staff and a member of the committee, she heard that this was a really positive process which stirs them to develop more goals by ways of sustainability for our future. That was her intention, plus make it more collaborative.

Mr. Kuhar asked why we can go beyond to make this look pretty.

MOTION TO APPROVE RECOMMENDED ACTION ITEM #2 made by Mr. Ferrara, seconded by Mr. DeLeone, and CARRIED by a voice vote of 6-1 with Mr. Kuhar voting "No".

Recommended actions:

1) Motion to authorize the Sustainability Commission and City Staff to meet and draft a short Resolution for ratification by Council for the Paris Climate Agreement.
2) Motion to authorize the purchase of 500 Middlebury Road for $115,000.00 and declaring an emergency.

Draft No. 17-70: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT BETWEEN THOMAS F. AND SHARON A. HUNTER AND THE CITY OF KENT TO PURCHASE 500 MIDDLEBURY ROAD, KENT, OHIO FOR $115,000.00 PLUS CLOSING COSTS FOR THE CITY OF KENT, OHIO, FOR USE BY THE PARKS & RECREATION DEPARTMENT, AND DECLARING AN EMERGENCY was read by title only by Mr. Silver per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-70 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Ferrara, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 6-1 with Mr. Kuhar voting "No".

DRAFT No. 17-70: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT BETWEEN THOMAS F. AND SHARON A. HUNTER AND THE CITY OF KENT TO PURCHASE 500 MIDDLEBURY ROAD, KENT, OHIO FOR $115,000.00 PLUS CLOSING COSTS FOR THE CITY OF KENT, OHIO, FOR USE BY THE PARKS & RECREATION DEPARTMENT, AND DECLARING AN EMERGENCY *WAS LEFT ON 1ST READING* as stated by Mr. Silver. Mr. Silver reiterated he would have Clerk Grimm make a formal ruling on the Parliamentary procedure when she returns on Monday and listens to the recording for minute transcription.

Clerk Grimm's formal ruling was based on the Council Standing Rules, Section X. LEGISLATION: ORDINANCES & RESOLUTIONS and Section VIII paragraph 5:

> ********* *Legislation shall be read by title unless a request is made by a member of Council to have the legislation read in part or whole. The Clerk must present each member of Council with copies of each ordinance and resolution to be considered 48 hours prior to the meeting, with a copy of the agenda listing the legislation in the order in which they will be considered.*
>
> *Roll call votes necessary for passage of legislation shall consist of reading of the title of the legislation, then a motion to suspend the rules. Suspension of the rules allows for the suspension of the three required readings of the legislation at three different meetings and is a non-debatable motion.* ***A three-fourths (3/4) vote of the Council (7 members) is required for suspension of the rules****. If suspension of the rules passes, a motion to adopt the draft legislation shall be made. If* ***suspension of the rules fails, a motion to approve the first reading will be made****. Both motions are debatable, and following debate, a vote on either motion, whichever is applicable, will follow.*
>
> *Legislation passed with the inclusion of an emergency clause will take effect immediately upon passage. All other legislation that does not contain an emergency clause will take effect at the earliest time permitted by law.* ***Legislation written with the emergency clause must be passed by a three-fourths (3/4) of Council (7 members).***
>
> *Any abstention vote shall be counted as neither for, nor against the matter on which the vote is being taken. An abstention vote is a true "NON" vote.*

Clerk Grimm deemed Draft No, 17-70 to be left on **1ST READING** requiring a Special City Council meeting to be advertised and scheduled for Wednesday, July 26th at 5:00 p.m.

STREETS, SIDEWALKS AND UTILITIES COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF JULY 5, 2017 made by Mr. Sidoti, seconded by Mr. DeLeone, and CARRIED by a voice vote of 6-0-1 with Mr. Kuhar abstaining.

MOTION TO APPROVE THE THREE (3) RECOMMENDED ACTIONS made by Mr. Sidoti, seconded by Mr. Ferrara, and CARRIED by a voice vote of 7-0.

Recommended actions:

1) Authorize the Amendment to Panini's License to Occupy the Right-Of-Way with an Emergency Clause.
2) Authorize a License To Occupy the Right-Of-Way to Kent Floral, Co. with an Emergency Clause.
3) Authorize the Queen of Hearts Event contingent upon Chief Lee's approval of the Memorandum of Understanding (MOU) with an Emergency Clause.

Draft No. 17-71: AN ORDINANCE AMENDING THE LICENSE AGREEMENT BETWEEN KENT PANINI'S, LLC, AND THE CITY OF KENT, AND DECLARING AN EMERGENCY was read by title only by Mr. Silver per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-71 made by Mr. Kuhar and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, and Ms. Shaffer. The motion CARRIED by a roll call vote of 7-0.

ORDINANCE No. 17-71: AN ORDINANCE AMENDING THE LICENSE AGREEMENT BETWEEN KENT PANINI'S, LLC, AND THE CITY OF KENT, AND DECLARING AN EMERGENCY PASSED as stated by Mr. Silver.

Draft No. 17-72: A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LICENSE AGREEMENT BETWEEN KENT FLORAL CO. AND THE CITY OF KENT, AND DECLARING AN EMERGENCY was read by title only by Mr. Silver per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 17-72 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, Mr. Sidoti, and Mr. Turner. The motion CARRIED by a roll call vote of 7-0.

ORDINANCE No. 17-72 A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LICENSE AGREEMENT BETWEEN KENT FLORAL CO. AND THE CITY OF KENT, AND DECLARING AN EMERGENCY PASSED as stated by Mr. Silver.

SPECIAL COMMITTEE REPORTS: None

UNFINISHED BUSINESS: None

NEW BUSINESS:
Mr. DeLeone questioned the need for the Special Council Meeting to hear the 4 items of legislation that were left on 1st readings.

Mr. Silver & Mayor Fiala commented that they would need a Special meeting scheduled for next Wednesday, July 26th at 5:00 p.m. tentative on Clerk Grimm's parliamentary rulings.

MOTION TO SCHEDULE A SPECIAL CITY COUNCIL MEETING FOR 5:00 P.M. ON WEDNESDAY, JULY 26, 2017 made by Mr. DeLeone, seconded by Ms. Shaffer. The Motion CARRIED by a voice vote of 7-0.

COUNCILMEMBERS' COMMENTS:
Mr. Kuhar spent today in continuing education classes that were based on civil rights, equal housing and all the laws, rules, and regulations and he found out the State of Ohio has the strictest civil rights laws in the entire country.

Ms. Shaffer remembered someone saying that none of the protected classes were covered under protected classes, so by passing this, we are going to protect everybody.

Mr. Sidoti stated that when you take an issue to the Civil Rights Commission, the only thing they do is check to see if you have a leg to stand on. There is very little power of the commission. Once they deem you have a case, you can take that piece of paper and go through a civil trial. The only exception to that is with public employers. In the end the State of Ohio's laws on discrimination really have no enforcement.

Mr. Turner supports what Council just did. He questions the criminal enforcement of this matter, especially because they have to go through Mr. Silver for mediation first anyway. He is concerned where the criminal aspect is going to take us.

Mr. Kuhar found out today that the most discrimination complaints actually come from the handicapped. He wanted to make sure that what we just passed covers ALL classifications.

Mayor Fiala said we all have to stand up and speak our peace, but at the same time we all have to sit down and listen to each other.

MAYOR'S REPORT:

Mayor Fiala asked for a motion to destroy the ballots.

MOTION TO DESTROY THE BALLOTS was made by Mr. DeLeone, seconded by Mr. Ferrara, and CARRIED by a voice vote of 7-0.

Mayor Fiala thanked Mr. Silver for filling in for Clerk Grimm.

Mr. Kuhar asked is anything like a card had been done in the past for the Clerk for her birthday. He joked with Mr. Silver about it being his birthday and giving him a pay-cut so he can be the Clerk.

Hearing no further discussion, Mayor Fiala adjourned the regular meeting at 8:31 p.m.

Transcribed by Tara Grimm, CMC Clerk of Council for Jim Silver, Law Director and Acting Clerk of Council	Jerry T. Fiala Mayor and President of Council