THE CITY OF KENT, OHIO
SPECIAL COMMITTEE MEETING
and
REGULAR COUNCIL MEETING
WEDNESDAY, NOVEMBER 16, 2016

At 7:00 p.m., the **Special Committee Meeting** of the Health and Safety Committee was called to order by Chairman Amrhein who stated the item on the Agenda is the "Sustainability Commission Plastic Bag Report." *(Please refer to the Special Committee Meeting Minutes.)*

Mayor Fiala reminded the audience if they wished to speak during the Council meeting, they need to sign in with the Clerk or they will not be recognized.

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. Melissa Long, Ms. Heidi Shaffer, Mr. Roger Sidoti, 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; Tom Wilke, Economic Development Director; Melanie Baker, Public Services Director; and Ms. Sheri Underwood, Acting Clerk of Council.

ABSENT: Mr. Robin Turner

Mayor Fiala asked is if anyone knew where Mr. Turner was. Mr. Ruller stated Mr. Turner called his office to state he was not feeling well.

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

Mayor Fiala called upon Councilmember Ferrara for opening remarks, who stated that the election has passed, and as contentious as it was, it is a great opportunity to get involved if you didn't like the results. Get involved with your local government; he then led the Pledge of Allegiance.

APPROVAL OF MINUTES:
MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF OCTOBER 19, 2016 made by Mr. Ferrara, seconded by Mr. Sidoti, and carried by a voice vote of 8-0.

COMMUNICATIONS:
Mayor Fiala called for audience comments. 4 visitors signed-in with the Acting Clerk to speak.

Anne Durkalski of 319 Riverside Court, Kent, spoke about the issues with a neighboring rental home and disgruntled tenant who lives there. Her temporary fence in her driveway is to prevent them from hitting her car. She's still having reoccurring vandalism on her property due to the neighbors. She is looking to put up a permanent fence. The City needs to be able to care of the short-term renters but also support the residents who live in this City. She provided a written statement to the Acting Clerk of Council. ***(See Attachment #1).***

Mr. Ferrara asked if Ms. Durkalski has contacted the owner of the property. Ms. Durkalski stated many times before, but not in regards to the current residents. Mr. Ferrara reminded her that Council cannot solve the issues going on with property rights. She will need legal help. The City can only help if she were to call the police for being threatened. Ms. Durkalski stated she already received a letter from Mr. Silver with the steps she needed to take. She is ready for when a physical confrontation happens again.

Ms. Wallach reminded Ms. Durkalski to document with the police every time an incident occurs.

Ms. Shaffer asked if Administration has a mediation program for neighbors to talk in a safe environment.

Christopher Myers of 220 E. Elm Street, Kent, reiterated his frustrations and concerns for poor the air quality that was being blown across the street to his rental property. He provided the Acting Clerk with a copy of the KSU citation from ARAQMD. ***(See Attachment #2).*** He states it is not true what the media says about himrefusing to talk with Mr. Euclid and Mr. Berry. Council needs to do something for the Kent citizens and taxpayers who were affected by this violation.

Ms. Wallach asked if there were currently still problems with dust. Mr. Myers stated "no". The day after KSU was cited, the contractor began running water trucks around the area.

Mr. Sidoti asked Mr. Myers what he is asking Kent State for. Mr. Myers wants KSU to acknowledge their foul behavior and a large sum of money split between him and all of his tenants.

Ms. Shaffer also asked what exactly Mr. Myers wants and where all the people are who were directly impacted. None of them have expressed their concerns first-hand. Mr. Myers said some have called the City and some have graduated. He will subpoena his tenants to Court if he needs to. They are willing to speak.

Mr. Ferrara deferred to Mr. Silver who suggested if there is going to be a lawsuit, it is time to cease the discussion.

Mr. Kuhar stated Kent was made accountable per the citation. It is a matter between the governing body and Kent State.

Mr. Myers will be turning papers into the ACLU to see if they will bring suit against the University. He is naming the Mayor and Ms. Shaffer as the Ward Councilperson.

Ms. Wallach asked Mr. Silver if there is any responsibility of the City.

Mr. Silver stated pending litigation can only be talked about in an executive session.

Mary Organ of 5876 Horning Road, Kent, handed out a picture and a written statement. She provided hard copies to Council as she did not realize when she emailed on Friday it was a holiday for the City. ***(See Attachment #3).*** She would hope that Council could come up with some ideas to help its residents, whether out of the box or encourage different housing development, or simply set a precedent to aid staff and commissions to say "No" to big developers.

Nick Schilkowski of 1996 Mohawk Place, Kent, discussed the intersection of 261, Franklin and Sunnybrook and its safety when making left and right hand turns. He would like something done like painting turning lanes or dotted lines to help with the safety of the intersection.

Written Communications were reported by Ms. Chestnutwood as follows:

1. Thank you card from Mike Kerrigan, Democrat for Commissioner for allowing him to introduce himself to Council received October 25, 2016.

2. Kent Environmental Council Newsletter received on October 31, 2016, distributed to Council and placed on file.

3. Letter received November 8, 2016 from Justin & Carrie Gates requesting consideration of a Resolution naming the Kent Recreation Center in honor of Mr. Robert Wright.

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

1. Minutes for Standing Rock Cemetery Regular Meeting of October 13, 2016 were received on November 16, 2016 and placed on file.

Mayor Fiala commented on the letter regarding the Recreation Center. He stated that building is owned by the school and not the City. We rent it from them. The school plans on talking about this in their next meeting

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

1. Request Council's authorization to consider a resolution appointing Tara Grimm as the new Clerk of Kent City Council. (Draft #16-103)

2. Request Council's authorization to renew the City's contract with the Portage County Public Defender's Office for legal services to indigent persons for January 1, 2017 to December 31, 2017. (Draft #16-105)

3. Request Council's authorization to adopt an Ordinance authorizing the County to transfer the tax proceeds for 2016 to the City. (Draft #16-106)

4. Request Council's authorization to adopt an Ordinance amending the payment schedule for the Area Q assessments from 30 days to a deadline of June 1, 2017. (Draft #16-107)

5. Request Health & Safety Committee time for consideration of a proposed memorandum of understanding to share fire equipment between the City of Kent Fire Department and the Ravenna Township Fire Department.

6. Request Community Development Committee time to review and certify the City's semi-annual EDA revolving loan fund report.

7. Request Community Development Committee time to consider a request from Panini's to obtain a license to occupy a portion of the public right of way along Haymaker Parkway to expand their outdoor café seating area.

8. Request Community Development Committee time to receive an update on the status of economic development projects in Kent.

9. Request Community Development Committee time to consider a request from Kent Parks and Recreation to acquire an easement for a future hike and bike trail connection.

10. Request Finance Committee time for consideration of a 2016 Budget Appropriations Amendment.

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

MOTION TO RECESS INTO EXECUTIVE SESSION IMMEDIATELY AFTER IN ACCORDANCE WITH OHIO REVISED CODE SECTION 121.22 G(3): CONFERENCES WITH AN ATTORNEY FOR THE PUBLIC BODY CONCERNING DISPUTES INVOLVING THE PUBLIC BODY THAT ARE THE SUBJECT OF PENDING OR IMMINENT COURT ACTION made by Mr. Amrhein, seconded by Mr. Ferrara. On Roll call, voting "Yes": Ms. Wallach, Mr. DeLeone, Ms. Long, Mr. Sidoti, Mr. Ferrara, Mr. Amrhein, Mr. Kuhar, and Ms. Shaffer. The motion carried by a roll call vote of 8-0.

<u>STANDING COMMITTEES/ LEGISLATION</u>

COMMITTEE OF THE WHOLE:

Draft No. 16-103: A RESOLUTION APPOINTING TARA GRIMM AS CLERK OF COUNCIL OF THE CITY OF KENT AND DECLARING AN EMERGENCY.

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

MOTION TO ADOPT DRAFT No. 16-103 made by Mr. Ferrara and seconded by Mr. Shaffer. On Roll call, voting "Yes": Ms. Wallach, Mr. DeLeone, Ms. Long, Mr. Sidoti, Mr. Ferrara, Mr. Amrhein, Mr. Kuhar, and Ms. Shaffer. The motion carried by a roll call vote of 8-0.

RESOLUTION No. 2016-98: A RESOLUTION APPOINTING TARA GRIMM AS CLERK OF COUNCIL OF THE CITY OF KENT AND DECLARING AN EMERGENCY *PASSED* as stated by Ms. Chestnutwood.

COMMUNITY DEVELOPMENT COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF NOVEMBER 2, 2016, AND THE TWO RECOMMENDED ACTIONS made by Mr. Kuhar, seconded by Mr. Ferrara, and carried by a voice vote of 8-0.

RECOMMENDED ACTIONS APPROVED ABOVE:

1) Motion to postpone the update on new business and economic development projects to the next meeting.
2) Motion to approve Mr. Sidoti, Ms. Shaffer and Mr. Turner to work with Mr. Ruller on the registration for becoming a compassionate city.

FINANCE COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF NOVEMBER 2, 2016 AND THE 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 Authorize the 2017 Operating Budget with the adjustment in the Parks and Recreation Budget to comply with the County certificate.

Draft No. 16-104: AN ORDINANCE APPROPRIATING FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2017 was read by title only by Ms. Chestnutwood 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. Shaffer, Ms. Wallach, Mr. DeLeone, Ms. Long, Mr. Sidoti, Mr. Ferrara, Mr. Amrhein, and Mr. Kuhar. The motion carried by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 16-104 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Shaffer, Ms. Wallach, Mr. DeLeone, Ms. Long, Mr. Sidoti, Mr. Ferrara, Mr. Amrhein, and Mr. Kuhar. The motion carried by a roll call vote of 8-0.

ORDINANCE No. 2016-99: AN ORDINANCE APPROPRIATING FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2017 *PASSED* as stated by Ms. Chestnutwood.

Draft No. 16-105: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO CONTRACT, ON BEHALF OF THE CITY OF KENT, WITH THE OFFICE OF THE PUBLIC DEFENDER, PORTAGE COUNTY, FOR THE PROVISION OF LEGAL COUNSEL TO INDIGENT PERSONS CHARGED WITH POTENTIAL PENALTY OF INCARCERATION FOR OFFENSES COMMITTED IN VIOLATION OF THE ORDINANCES OF SAID CITY FOR THE PERIOD JANUARY 1, 2017 THROUGH DECEMBER 31, 2017 AND DECLARING AN EMERGENCY was read by title only by Ms. Chestnutwood 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. Kuhar, Ms. Shaffer, Ms. Wallach, Mr. DeLeone, Ms. Long, Mr. Sidoti, Mr. Ferrara, and Mr. Amrhein. The motion carried by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 16-105 made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Kuhar, Ms. Shaffer, Ms. Wallach, Mr. DeLeone, Ms. Long, Mr. Sidoti, Mr. Ferrara, and Mr. Amrhein. The motion carried by a roll call vote of 8-0.

ORDINANCE No. 2016-100: AN ORDINANCE AUTHORIZING THE CITY MANAGER TO CONTRACT, ON BEHALF OF THE CITY OF KENT, WITH THE OFFICE OF THE PUBLIC DEFENDER, PORTAGE COUNTY, FOR THE PROVISION OF LEGAL COUNSEL TO INDIGENT PERSONS CHARGED WITH POTENTIAL PENALTY OF INCARCERATION FOR OFFENSES COMMITTED IN VIOLATION OF THE ORDINANCES OF SAID CITY FOR THE PERIOD JANUARY 1, 2017 THROUGH DECEMBER 31, 2017 AND DECLARING AN EMERGENCY *PASSED* as stated by Ms. Chestnutwood.

Draft No. 16-106: A RESOLUTION REQUESTING THE COUNTY AUDITOR TO ADVANCE TAXES FROM THE PROCEEDS OF THE 2016 TAX YEAR COLLECTION PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE was read by title only by Ms. Chestnutwood 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. Kuhar, Ms. Shaffer, Ms. Wallach, Mr. DeLeone, Ms. Long, Mr. Sidoti, and Mr. Ferrara. The motion carried by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No 16-106 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. Kuhar, Ms. Shaffer, Ms. Wallach, Mr. DeLeone, Ms. Long, Mr. Sidoti, and Mr. Ferrara. The motion carried by a roll call vote of 8-0.

RESOLUTION No. 2016-101: A RESOLUTION REQUESTING THE COUNTY AUDITOR TO ADVANCE TAXES FROM THE PROCEEDS OF THE 2016 TAX YEAR COLLECTION PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE *PASSED* as stated by Ms. Chestnutwood.

Draft No. 16-107: AN ORDINANCE AMENDING ORDINANCE NO. 2016-93 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 ALLOWING A 180 DAY TIME PERIOD FOR CASH PAYMENTS, AND DECLARING AN EMERGENCY was read by title only by Ms. Chestnutwood 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. Kuhar, Ms. Shaffer, Ms. Wallach, Mr. DeLeone, Ms. Long, Mr. Sidoti, and Mr. Ferrara. The motion carried by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No 16-107 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. Kuhar, Ms. Shaffer, Ms. Wallach, Mr. DeLeone, Ms. Long, Mr. Sidoti, and Mr. Ferrara. The motion carried by a roll call vote of 8-0.

ORDINANCE No. 2016-102: AN ORDINANCE AMENDING ORDINANCE NO. 2016-93 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 ALLOWING A 180 DAY TIME PERIOD FOR CASH PAYMENTS, AND DECLARING AN EMERGENCY *PASSED* as stated by Ms. Chestnutwood.

HEALTH AND SAFETY COMMITTEE:

MOTION TO APPROVE THE SPECIAL COMMITTEE MEETING MINUTES OF OCTOBER 19, 2016**,** THE COMMITTEE MEETING MINUTES OF NOVEMBER 2, 2016, AND APPROVE THE TWO RECOMMENDED ACTIONS made by Mr. Amrhein, seconded by Mr. DeLeone, and carried by a voice vote of 8-0.

RECOMMENDED ACTION APPROVED ABOVE:

1) Motion to Authorize the Collaborative Fire Pump Testing Memorandum of Understanding with an Emergency Clause.
2) Motion to Postpone the Sustainability Commission Plastic Bag Report to a future meeting.

Draft No. 16-108: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A FIRE TRUCK PUMP TESTING EQUIPMENT MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF KENT, OHIO AND SUFFIELD TOWNSHIP, BRIMFIELD TOWNSHIP, VILLAGE OF MOGAGORE, RANDOLPH TOWNSHIP AND ROOTSTOWN TOWNSHIP TO JOINTLY PARTICIPATE IN ACQUIRING TEST GAUGES AND TEST TIPS FOR THE PURPOSE OF FIRE TRUCK PUMP TESTING; AND DECLARING AN EMERGENCY was read by title only by Ms. Chestnutwood per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 16-108 made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Ferrara, Mr. Amrhein, Mr. Kuhar, Ms. Shaffer, Ms. Wallach, Mr. DeLeone, Ms. Long, and Mr. Sidoti. The motion carried by a roll call vote of 8-0.

ORDINANCE No. 2016-103: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A FIRE TRUCK PUMP TESTING EQUIPMENT MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF KENT, OHIO AND SUFFIELD TOWNSHIP, BRIMFIELD TOWNSHIP, VILLAGE OF MOGAGORE, RANDOLPH TOWNSHIP AND ROOTSTOWN TOWNSHIP TO JOINTLY PARTICIPATE IN ACQUIRING TEST GAUGES AND TEST TIPS FOR THE PURPOSE OF FIRE TRUCK PUMP TESTING; AND DECLARING AN EMERGENCY *PASSED* as stated by Ms. Chestnutwood.

LAND USE COMMITTEE had nothing to report.

STREETS, SIDEWALKS AND UTILITIES COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF NOVEMBER 2, 2016 AND THE RECOMMENDED ACTION made by Mr. Sidoti, seconded by Mr. DeLeone, and carried by a voice vote of 8-0.

RECOMMENDED ACTION APPROVED ABOVE:

1) To Authorize the City-ODOT consent legislation for crack sealing SR 261 with an emergency clause.

***Draft No. 16-109*:** A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT GIVING CONSENT TO THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO CRACK SEAL SR 261 WITHIN THE CITY LIMITS BEGINNING AT SUMMIT STREET AND CONTINUING NORTH TO THE NORTHERN CORPORATION LIMIT; D04 CRACK SEAL FY2017; PID No. 101998, AND DECLARING AN EMERGENCY was read by title only by Ms. Chestnutwood 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. Sidoti, Mr. Ferrara, Mr. Amrhein, Mr. Kuhar, Ms. Shaffer, Ms. Wallach, Mr. DeLeone, and Ms. Long. The motion carried by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 16-109 made by Mr. Kuhar and seconded by Mr. Shaffer. On Roll call, voting "Yes": Mr. Sidoti, Mr. Ferrara, Mr. Amrhein, Mr. Kuhar, Ms. Shaffer, Ms. Wallach, Mr. DeLeone, and Ms. Long. The motion carried by a roll call vote of 8-0.

RESOLUTION No. 2016-104: A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT GIVING CONSENT TO THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO CRACK SEAL SR 261 WITHIN THE CITY LIMITS BEGINNING AT SUMMIT STREET AND CONTINUING NORTH TO THE NORTHERN CORPORATION LIMIT; D04

CRACK SEAL FY2017; PID No. 101998, AND DECLARING AN EMERGENCY *PASSED* as stated by Ms. Chestnutwood.

SPECIAL COMMITTEE REPORTS: None

UNFINISHED BUSINESS: None

NEW BUSINESS:

MOTION TO PUT THE CONCERNS OF MR. NICK SCHILKOWSKI REGARDING ROUTE 261 AND THE INTERSECTION OF FRANKLIN AND SUNNYBROOK FOR IMMEDIATE RESOLUTION CONSIDERATION AND FOR FUTURE PLANNING OF ROUTE 261 made by Ms. Shaffer, seconded by Mr. Ferrara. The motion carried by a voice vote of 8-0.

Ms Shaffer is concerned that this is the second time in recent history that we have heard about this intersection. Last time it involved a pedestrian. She hopes there is something we can do right now and for when we go into a redesign of the area.

Ms. Long knows that is a dangerous intersection from personal experiences. She questioned if the City Engineer knows if we will be getting new lighting and signals and if it would help.

Mayor Fiala said this issue is with the committee.

Mr. DeLeone commented that Ms. Schilkowski gave a solution during his comments about painting the lines. He would like to hear from Mr. Bowling.

Mr. Sidoti stated we should have an increased police presence from time to time to prevent speeding.

Ms. Shaffer wants to explore other ideas with the City Engineer besides line painting and signalization.

Mr. Kuhar stated he sometimes gets confused in those types of intersections. He feels the dotted lane makers may help.

Ms. Wallach noticed the holiday lights are up already, but do they have to be lit this early.

Mayor Fiala stated they are lit for the Small Business Saturday shopping this weekend. He will look into when they will be turned off. He referred to Ms. Baker & Mr. Ruller both who stated it was a special request for this weekend.

MOTION TO TURN HOLIDAY LIGHTS OFF UNTIL THE LIGHTING FESTIVAL IF THEY HAVE BEEN TURNED ON FOR A SPECIAL EVENT made by Ms. Wallach. There was no second. MOTION FAILED.

COUNCILMEMBERS' COMMENTS: None

MAYOR'S REPORT:

Mayor Fiala referred to his guardian angel upstairs, his mom, and today is her birthday. He stated that Ms. Baker, Ms. Long and he attended the NOPEC meeting regarding the new supplier. Things are going well.

Mayor Fiala wished everyone a Happy Thanksgiving & recessed the public portion of the meeting at 8:46 p.m. in order for Council to convene in an Executive Session for the purpose of discussing pending litigation, in accordance with the Motion for an Executive Session made earlier in the meeting.

At 8:54 p.m. Council adjourned from Executive Session and reconvened the regular meeting.

MOTION TO AUTHORIZE THE LAW DEPARTMENT TO FILE A LAWSUIT TO SEE IF THE PROCESS USED TO AMEND SECTION 1122 OF THE CODE IN 2013 - PARKING REQUIREMENTS FOR ROOMING/BOARDING HOUSES - WAS PROPER was made by Mr. Ferrara, second by Mr. Kuhar. Motion carried by a voice vote of 8-0.

The regular meeting adjourned at 8:55 p.m.

Tara Grimm, CMC Clerk of Council *for*	Jerry T. Fiala Mayor and President of Council

Sheri Chestnutwood, Acting Clerk of Council