

**THE CITY OF KENT, OHIO
REGULAR COUNCIL MEETING
WED., JUNE 15, 2016**

This regular meeting of Kent City Council was called to order at 7:48 p.m. on Wed., June 15, 2016 by Jerry Fiala, Mayor & President of Council. Mayor Fiala welcomed those present.

PRESENT: MR. AMRHEIN, MR. DeLEONE, MR. FERRARA, MR. KUJAR, MS. LONG, MS. SHAFFER, MR. SIDOTI, MR. TURNER, AND MS. WALLACH

ALSO PRESENT: J. FIALA, MAYOR & PRESIDENT OF COUNCIL; D. RULLER, CITY MANAGER; J. SILVER, LAW DIRECTOR; AND L. JORDAN, CLERK OF COUNCIL

Mayor Fiala called upon Mr. Sidoti for his opening remarks at this time.

Mr. Sidoti said he attended Grill for Good over the weekend, and saw the Mayor, Mr. Ferrara, and Ms. Shaffer at the event. He said it is a nice affair for the community, adding he was very impressed with the number of people from out of town and their positive comments. Mr. Sidoti said he spoke with the people from Youngstown working on the former Dale Adams building. He said they were blow away by the comradery of the City and the police who were positive and smiling. Mr. Sidoti said anytime they have something positive in this day and age, it is always good. He said they do not know how good they have it locally until they hear it from the outsiders.

Following his opening remarks, Mr. Sidoti led those present in the Pledge of Allegiance.

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF MAY 18, 2016, PUBLIC HEARING OF MAY 18, 2016, AND THE WORK SESSION OF JUNE 1, 2016.

Motion made by Mr. Sidoti, seconded by Mr. DeLeone, and carried by a voice vote of 8-0-1, with Mr. Ferrara abstaining.

COMMUNICATIONS

Mayor Fiala called for audience comment. He reminded those wishing to address Council to sign up with the Clerk who would call them forward and to limit their comments to three minutes.

Hearing no further audience comment, Mayor Fiala called upon the Clerk for the written communication.

The Clerk reported the following:

- 1) Notification was received from the Ohio Div. Of Liquor Control for a stock transfer for the Venice Café LLC dba Venice Café, 163 Franklin Ave., Kent, OH. Objections must be postmarked no later than June 20, 2016. Chief Lee has no objections to this transfer.

MOTION TO RETURN WITH NO OBJECTIONS.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone, and carried by a voice vote of 9-0.

The Clerk reported the following was received after the agenda was posted.

- 1) Minutes of the May Standing Rock Cemetery Board meeting were placed on file, earlier in the evening, by Council's liaison, Mr. DeLeone.
- 2) Notification was received from the Ohio Division of Liquor Control advising that Paninis and 157 Holdings received the Major Event Waiver, granted by the State during the RNC. This waiver allows them to stay open until 4:00 a.m., July 18, 2016 through July 22, 2016 at 4:00 a.m. This information was forwarded to the Mayor and Council on June 13, 2016.

City Manager's Report

MOTION TO APPROVE ITEMS #1 THROUGH #17

Motion made by Mr. Amrhein, seconded by Mr. DeLeone, and carried by a voice vote of 8-0-1, with Ms. Wallach abstaining.

The following items were approved by the aforementioned motion:

- 1) Authorization of Draft No. 16-61, amendment to Position Allocation Ordinance
- 2) Authorization of Draft No. 16-62, amendment to General Comp Plan
- 3) Authorization of Draft No. 16-58, replacement pages for codified ordinances
- 4) Authorization to renew six parking permits on Portage Street for use by the staff at St. Patrick's school for the next school year
- 5) Authorization of a public hearing in July for the proposed Rootstown Kent JEDD ballot initiative
- 6) Authorization of a public hearing and Special Council meeting in July for the 2017 County Tax Budget
- 7) Authorization of a public hearing for the designation of the Davey Tree building, Bryce Drive, as a locally historic property
- 8) Agenda time, designation of depositories
- 9) Agenda time, renewal of City's bonds and notes
- 10) Agenda time, semi annual review/certification of City's EDA fund

- 11) Agenda time, request by Panini's to expand patio seating along Haymaker Parkway
- 12) Agenda time, request from Davey Tree, designation of property on Bryce Drive being historical
- 13) Agenda time, update on City Administrative Building project
- 14) Agenda time, conversion of one laborer's position back to an Account Clerk position in Central Maintenance
- 15) Agenda time, participatory language with ODOT
- 16) Agenda time, street closure for valet parking for special events
- 17) Agenda time, Rootstown-Kent JEDD on November ballot

STANDING COMMITTEES

Mayor Fiala said they were all asked to submit a name previously for the Salary Review Commission. He said seven names were submitted. He said they would pick three regular members and two alternates at this time.

The Clerk asked Barb Tittle, who was in the audience to reach in an envelope and remove three pieces of paper. Ms. Tittle did so, and the Clerk said the three regular members would be **Mike Finley, Scott Flynn, and Wayne Wilson.**

The Clerk asked Ms. Tittle to remove two more pieces of paper, and she did so at this time. The Clerk reported that the two alternates would be **Kathy Wilen and John Bard.**

Mayor Fiala said they would be getting with them to schedule a meeting, and to get the process going.

COMMUNITY DEVELOPMENT COMMITTEE

MOTION TO APPROVE THE WRITTEN REPORT OF JUNE 1, 2016.

Motion made by Mr. Kuhar, seconded by Mr. DeLeone, and carried by a voice vote of 9-0.

MOTION TO APPROVE THE RECOMMENDED ACTIONS OF JUNE 1, 2016.

Motion made by Mr. Kuhar, seconded by Ms. Shaffer, and carried by a voice vote of 9-0.

The following actions were approved by the aforementioned motion:

- 1) AUTHORIZATION OF TREX LIQUOR LICENSE TRANSFER
- 2) TO HOLD THE ITEM ON ANTI DISCRIMINATION HOUSING LAW ON THE PENDING LIST
- 3) LETTER TO APPROPRIATE INDIVIDUALS AND AGENCIES REGARDING CONCERNS ON ANTI DISCRIMINATION HOUSING LAWS.
- 4) FRACKING COURT CASE UPDATE; NO ACTION NEEDED

The Mayor asked the Clerk to read Draft No. 16-51 by title at this time.

AN EMERGENCY RESOLUTION SUPPORTING OHIO'S ENERGY EFFICIENCY RESOURCE AND RENEWABLE PORTFOLIO STANDARDS TO CREATE JOBS, SAVE CONSUMERS MONEY AND PROTECT PUBLIC HEALTH, AND URGING GOVERNOR KASICH AND THE OHIO GENERAL ASSEMBLY TO REINSTATE THESE STANDARDS WITHOUT FURTHER DELAY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. DeLeone, seconded by Mr. Sidoti.

Roll call was taken on the motion. Voting aye: Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, and Ms. Wallach. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. DeLeone, seconded by Mr. Sidoti.

Roll call was taken on the motion. Voting aye: Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, and Ms. Wallach. The motion carried by a roll call vote of 9-0.

2016-46: AN EMERGENCY RESOLUTION SUPPORTING OHIO'S ENERGY EFFICIENCY RESOURCE AND RENEWABLE PORTFOLIO STANDARDS TO CREATE JOBS, SAVE CONSUMERS MONEY AND PROTECT PUBLIC HEALTH, AND URGING GOVERNOR KASICH AND THE OHIO GENERAL ASSEMBLY TO REINSTATE THESE STANDARDS WITHOUT FURTHER DELAY.


Linda M. Jordan, Clerk of Council


Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 16-59 by title at this time.

AN ORDINANCE AUTHORIZING THE TRANSFER OF A TREX LIQUOR LICENSE FROM THE SECRET CELLAR, LLC, AN OHIO LIMITED LIABILITY COMPANY TO KENT UNDERGROUND, LLC, ALSO AN OHIO LIMITED LIABILITY COMPANY, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Ferrara, seconded by Ms. Shaffer.

Roll call was taken on the motion. Voting aye: Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The motion carried by a roll call vote of 9-0.

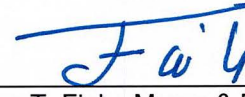
MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Ferrara, seconded by Ms. Shaffer.

Roll call was taken on the motion. Voting aye: Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The motion carried by a roll call vote of 9-0.

2016-47: AN ORDINANCE AUTHORIZING THE TRANSFER OF A TREX LIQUOR LICENSE FROM THE SECRET CELLAR, LLC, AN OHIO LIMITED LIABILITY COMPANY TO KENT UNDERGROUND, LLC, ALSO AN OHIO LIMITED LIABILITY COMPANY, AND DECLARING AN EMERGENCY.


Linda M. Jordan, Clerk of Council


Jerry T. Fiala, Mayor & President of Council

FINANCE COMMITTEE

MOTION TO APPROVE THE WRITTEN REPORT OF JUNE 1, 2016.

Motion made by Mr. DeLeone, seconded by Mr. Kuhar, and carried by a voice vote of 9-0.

MOTION TO APPROVE THE FOUR RECOMMENDED ACTIONS OF JUNE 1, 2016.

Motion made by Mr. DeLeone, seconded by Mr. Kuhar, and carried by a voice vote of 9-0.

The following actions were approved by the aforementioned motion:

- 1) TO AUTHORIZE THE SALE OF CITY SURPLUS AT AUCTION
- 2) TO AUTHORIZE THE SALE OF LAND TO MR. BERARDINELLI, WITH AN STORMWATER EASEMENT TO THE CITY, WITH THE EMERGENCY CLAUSE.
- 3) TO AUTHORIZE AMENDMENTS TO THE 2016 APPROPRIATIONS
- 4) TO AUTHORIZE THE OPWC PRE-APPLICATION FUNDING

MOTION TO APPROVE THE ORAL REPORT OF JUNE 15, 2016 AND THE RECOMMENDED ACTIONS.

Motion made by Mr. DeLeone, seconded by Ms. Shaffer, and carried by a voice vote of 9-0.

The following actions were approved by the aforementioned motion.

- 1) AUTHORIZATION TO INCLUDE IN THE JOB DESCRIPTION FOR THE CLERK OF COUNCIL THAT THEY BECOME A REGISTERED PARLIAMENTARIAN WITHIN THREE YEARS.
- 2) AUTHORIZATION OF THE JOB DESCRIPTION, AMENDMENT TO THE POSITION ALLOCATION ORDINANCE AND THE GENERAL COMPENSATION PLAN.

The Mayor asked the Clerk to read Draft No. 16-52 by title at this time.

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF KENT AND GARY PHILLIP BERARDINELLI TO SELL 0.2833 ACRES OF UNIMPROVED REAL PROPERTY, KNOWN AS 1065 MASON AVENUE, KENT, OHIO FOR \$8,499.00, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone.

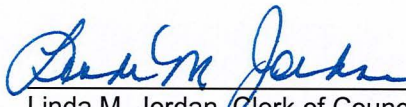
Roll call was taken on the motion. Voting aye: Mr. Ferrara, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Mr. Ferrara, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The motion carried by a roll call vote of 9-0.

2016-48: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT BETWEEN THE CITY OF KENT AND GARY PHILLIP BERARDINELLI TO SELL 0.2833 ACRES OF UNIMPROVED REAL PROPERTY, KNOWN AS 1065 MASON AVENUE, KENT, OHIO FOR \$8,499.00, AND DECLARING AN EMERGENCY.


Linda M. Jordan, Clerk of Council


Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 16-53 by title at this time.

AN ORDINANCE ACCEPTING FOR DEDICATION PURPOSES FROM GARY PHILLIP BERARDINELLI A STORM SEWER EASEMENT, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The motion carried by a roll call vote of 9-0.

2016-49: AN ORDINANCE ACCEPTING FOR DEDICATION PURPOSES FROM GARY PHILLIP BERARDINELLI A STORM SEWER EASEMENT, AND DECLARING AN EMERGENCY.



Linda M. Jordan, Clerk of Council



Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 16-54 by title at this time.

A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SUBMIT ON BEHALF OF THE CITY OF KENT, AN APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION FOR THE SR 43 SIGNALIZATION PROJECT FOR A GRANT FOR \$350,000 AND A NO-INTEREST LOAN IN THE AMOUNT OF \$150,000; AND FURTHER AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, IN THE EVENT THE APPLICATION IS APPROVED, TO EXECUTE THE SUBSEQUENT AGREEMENT; AUTHORIZE THE APPROPRIATION THERETO, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Ferrara, seconded by Mr. Sidoti.

Roll call was taken on the motion. Voting aye: Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Kuhar. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Sidoti, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Kuhar. The motion carried by a roll call vote of 9-0.

2016-50: A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SUBMIT ON BEHALF OF THE CITY OF KENT, AN APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION FOR THE SR 43 SIGNALIZATION PROJECT FOR A GRANT FOR \$350,000 AND A NO-INTEREST LOAN IN THE AMOUNT OF \$150,000; AND FURTHER AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, IN THE EVENT THE APPLICATION IS APPROVED, TO EXECUTE THE SUBSEQUENT AGREEMENT; AUTHORIZE THE APPROPRIATION THERETO, AND DECLARING AN EMERGENCY.



Linda M. Jordan, Clerk of Council



Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 16-55 by title at this time.

A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SUBMIT ON BEHALF OF THE CITY OF KENT, AN APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION FOR THE VALLEYVIEW/MORRIS WATER & STORM IMPROVEMENT PROJECT FOR A GRANT FOR \$340,000 AND A NO-INTEREST LOAN IN THE AMOUNT OF \$50,000; AND FURTHER AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, IN THE EVENT THE APPLICATION IS APPROVED, TO EXECUTE THE SUBSEQUENT AGREEMENT; AUTHORIZE THE APPROPRIATION THERETO, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Kuhar, seconded by Mr. Ferrara.

Roll call was taken on the motion. Voting aye: Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, and Ms. Long. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Kuhar, seconded by Mr. Ferrara.

Roll call was taken on the motion. Voting aye: Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, and Ms. Long. The motion carried by a roll call vote of 9-0.

2016-51: A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SUBMIT ON BEHALF OF THE CITY OF KENT, AN APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION FOR THE VALLEYVIEW/MORRIS WATER & STORM IMPROVEMENT PROJECT FOR A GRANT FOR \$340,000 AND A NO-INTEREST LOAN IN THE AMOUNT OF \$50,000; AND FURTHER AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, IN THE EVENT THE APPLICATION IS APPROVED, TO EXECUTE THE SUBSEQUENT AGREEMENT; AUTHORIZE THE APPROPRIATION THERETO, AND DECLARING AN EMERGENCY.


Linda M. Jordan, Clerk of Council


Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 16-60 by title at this time.

AN ORDINANCE AMENDING ORDINANCE NO. 2015-157, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 2, 2015, AS AMENDED BY ORDINANCE NO. 2016-15, PASSED FEB. 17, 2016; AND AS AMENDED BY ORDINANCE NO. 2016-24, PASSED MAR. 16, 2016; AND AS AMENDED BY ORDINANCE NO. 2016-35, PASSED APRIL 20, 2016, SO AS TO INCREASE APPROPRIATIONS IN FUND 001, GENERAL; FUND 102, STREET CONSTRUCTION, MAINTENANCE & REPAIR (SCMR); FUND 126, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); FUND 201, WATER; FUND 202, SEWER; FUND 208, STORM WATER; AND FUND 303, POLICE FACILITY; AND SO AS TO DECREASE APPROPRIATIONS IN FUND 301, CAPITAL; AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Long, and Ms. Shaffer. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Long, and Ms. Shaffer. The motion carried by a roll call vote of 9-0.

2016-52: AN ORDINANCE AMENDING ORDINANCE NO. 2015-157, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 2, 2015, AS AMENDED BY ORDINANCE NO. 2016-15, PASSED FEB. 17, 2016; AND AS AMENDED BY ORDINANCE NO. 2016-24, PASSED MAR. 16, 2016; AND AS AMENDED BY ORDINANCE NO. 2016-35, PASSED APRIL 20, 2016, SO AS TO INCREASE APPROPRIATIONS IN FUND 001, GENERAL; FUND 102, STREET CONSTRUCTION, MAINTENANCE & REPAIR (SCMR); FUND 126, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); FUND 201, WATER; FUND 202, SEWER; FUND 208, STORM WATER; AND FUND 303, POLICE FACILITY; AND SO AS TO DECREASE APPROPRIATIONS IN FUND 301, CAPITAL; AND DECLARING AN EMERGENCY.


Linda M. Jordan, Clerk of Council


Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 16-61 by title at this time.

AN ORDINANCE AMENDING THE GENERAL COMPENSATION PLAN FOR ALL UNCLASSIFIED AND VARIOUS CLASSIFIED EMPLOYEES OF THE CITY OF KENT, EXCEPT THE CITY MANAGER, FROM JANUARY 1, 2015 THROUGH DECEMBER 31, 2017 AS ADOPTED BY ORDINANCE NO. 2014-165, PASSED DEC. 17, 2014, AS AMENDED BY ORDINANCE NO. 2015-54, PASSED MAR. 18, 2015; AND AS AMENDED BY ORDINANCE NO. 2016-14, PASSED FEB. 17, 2016, SO AS TO RECLASSIFY THE FULL TIME POSITION OF THE CLERK OF COUNCIL FROM THE MANAGEMENT TO PROFESSIONAL CLASSIFICATION, ADJUSTING THE SALARY ACCORDINGLY, EFFECTIVE AUGUST 2, 2016.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Kuhar, seconded by Mr. DeLeone.

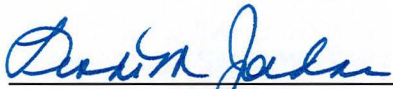
Roll call was taken on the motion. Voting aye: Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Long, Ms. Shaffer, and Mr. Sidoti. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

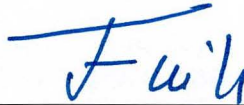
Motion made by Mr. Kuhar, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Long, Ms. Shaffer, and Mr. Sidoti. The motion carried by a roll call vote of 9-0.

2016-53: AN ORDINANCE AMENDING THE GENERAL COMPENSATION PLAN FOR ALL UNCLASSIFIED AND VARIOUS CLASSIFIED EMPLOYEES OF THE CITY OF KENT, EXCEPT THE CITY MANAGER, FROM JANUARY 1, 2015 THROUGH DECEMBER 31, 2017 AS ADOPTED BY ORDINANCE NO. 2014-165, PASSED DEC. 17, 2014, AS AMENDED BY ORDINANCE NO. 2015-54, PASSED MAR. 18, 2015; AND AS AMENDED BY ORDINANCE NO. 2016-14. PASSED FEB. 17, 2016, SO AS TO RECLASSIFY THE FULL TIME POSITION OF THE CLERK OF COUNCIL FROM THE MANAGEMENT TO PROFESSIONAL CLASSIFICATION, ADJUSTING THE SALARY ACCORDINGLY, EFFECTIVE AUGUST 2, 2016.



Linda M. Jordan, Clerk of Council



Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 16-62 by title at this time.

AN ORDINANCE AMENDING ORDINANCE NO. 2015-158 (THE POSITION ALLOCATION ORDINANCE), PASSED DEC. 2, 2015, AS AMENDED BY ORDINANCE NO. 2016-13, PASSED MARCH 18, 2015, SO AS TO RECLASSIFY THE FULL TIME POSITION OF THE CLERK OF COUNCIL FROM THE MANAGEMENT TO PROFESSIONAL CLASSIFICATION EFFECTIVE AUGUST 2, 2016.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Kuhar, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, and Mr. Turner. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Kuhar, seconded by Mr. Ferrara.

Roll call was taken on the motion. Voting aye: Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, and Mr. Turner. The motion carried by a roll call vote of 9-0.

2016-54: AN ORDINANCE AMENDING ORDINANCE NO. 2015-158 (THE POSITION ALLOCATION ORDINANCE), PASSED DEC. 2, 2015, AS AMENDED BY ORDINANCE NO. 2016-13, PASSED MARCH 18, 2015, SO AS TO RECLASSIFY THE FULL TIME POSITION OF THE CLERK OF COUNCIL FROM THE MANAGEMENT TO PROFESSIONAL CLASSIFICATION EFFECTIVE AUGUST 2, 2016.



Linda M. Jordan, Clerk of Council



Jerry T. Fiala, Mayor &
President of Council

HEALTH & SAFETY COMMITTEE

The Mayor asked the Clerk to read Draft No. 16-58 by title at this time.

AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE CITY OF KENT CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Ferrara, seconded by Mr. Sidoti.

Roll call was taken on the motion. Voting aye: Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, and Ms. Wallach. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Ferrara, seconded by Mr. Sidoti.

Roll call was taken on the motion. Voting aye: Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, and Ms. Wallach. The motion carried by a roll call vote of 9-0.

2016-55: AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE CITY OF KENT CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.


Linda M. Jordan, Clerk of Council


Jerry T. Fiala, Mayor & President of Council

LAND USE COMMITTEE

MOTION TO APPROVE THE WRITTEN REPORT AND RECOMMENDED ACTIONS OF JUNE 1, 2016.

Motion made by Mr. Ferrara, seconded by Mr. Sidoti, and carried by a voice vote of 9-0.

The following actions were approved by the aforementioned motion:

- 1) TO AUTHORIZE THE REPLAT AND VACATION NEEDED FOR NEW POLICE FACILITY WITH THE EMERGENCY CLAUSE
- 2) TO AUTHORIZE THE DEDICATION OF TONKIN STREET WITH THE EMERGENCY CLAUSE.

The Mayor asked the Clerk to read Draft No. 16-56 by title at this time.

AN ORDINANCE ACCEPTING A REPLAT OF ALL OF BLOCK "E" IN KENT STATE UNIVERSITY CENTRAL GATEWAY SUBDIVISION AND PART OF ORIGINAL FRANKLIN TOWNSHIP LOT 24 AND VACATING A PORTION OF EAST COLLEGE AVENUE BETWEEN SOUTH DEPEYSTER STREET AND SOUTH WILLOW STREET, FOR PURPOSES OF CONSTRUCTING THE NEW SAFETY CENTER AND ASSOCIATED TONKIN STREET CONSTRUCTION PROJECT, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Ferrara, seconded by Mr. Amrhein.

Roll call was taken on the motion. Voting aye: Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Ferrara, seconded by Mr. Sidoti.

Roll call was taken on the motion. Voting aye: Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The motion carried by a roll call vote of 9-0.

2016-56: AN ORDINANCE ACCEPTING A REPLAT OF ALL OF BLOCK "E" IN KENT STATE UNIVERSITY CENTRAL GATEWAY SUBDIVISION AND PART OF ORIGINAL FRANKLIN TOWNSHIP LOT 24 AND VACATING A PORTION OF EAST COLLEGE AVENUE BETWEEN SOUTH DEPEYSTER STREET AND SOUTH WILLOW STREET, FOR PURPOSES OF CONSTRUCTING THE NEW SAFETY CENTER AND ASSOCIATED TONKIN STREET CONSTRUCTION PROJECT, AND DECLARING AN EMERGENCY.


Linda M. Jordan, Clerk of Council


Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 16-57 by title at this time.

AN ORDINANCE ACCEPTING, FOR DEDICATION PURPOSES, FROM THE CITY OF KENT, OHIO, THE ATTACHED DEDICATION PLAT FOR TONKIN STREET AND OTHER NECESSARY APPURTENANCES, AND REPLAT OF LOT 1 OF THE CITY OF KENT SAFETY FORCES SUBDIVISION NO. 2, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Mr. Ferrara, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Mr. Ferrara, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The motion carried by a roll call vote of 9-0.

2016-57: AN ORDINANCE ACCEPTING, FOR DEDICATION PURPOSES, FROM THE CITY OF KENT, OHIO, THE ATTACHED DEDICATION PLAT FOR TONKIN STREET AND OTHER NECESSARY

Linda M. Jordan, Clerk of Council

File

Ms. Wallach said the events of the previous weekend (in Orlando) were horrible. She said both the Muslim community and the LGBT community in Kent are on edge. Ms. Wallach said the City Manager is an eloquent speaker and writer.

MOTION TO AUTHORIZE THE CITY MANAGER TO SEND A LETTER TO THE RECORD COURIER AND THE AKRON BEACON JOURNAL TO SHOW OUR SUPPORT FOR THE MUSLIM AND LGBT COMMUNITIES.

Motion made by Ms. Wallach, seconded by Ms. Long.

Ms. Wallach said she works with a lot of the Muslim students on campus. She said the City's support would go a long way.

Ms. Shaffer said diversity should be emphasized. She said that is one of Kent's greatest strengths. She said they need to maintain an open dialogue to prevent anything like that. Ms. Shaffer said Mr. Ruller is good.

Ms. Long said she supported the motion, adding she has friends on campus and across the country of the Muslim faith. She said they are fearful. Ms. Long said they are people who were born in this country and are citizens. She said they are fearful of what will happen to them and their families and how they would be treated in their work place. Ms. Long said this is not good, adding in America, they should all be free to attend whatever church they want. She said they can have no belief. Ms. Long said that is their freedom in this country. She said things are not good now, adding America does not look good across the country. She said Mr. Kuhar is leaving the country for a family reunion. Ms. Long said they have to uphold their freedom and what they have in this country. She said they cannot tear them down, and not make them divisive. Ms. Long said that Council, as elected people, must come forward and make a statement.

Mr. Ferrara said he was in favor of the letter, but would like to see it first. He said it is better if letters where from individual Council members instead of the City. Mr. Ferrara said if they wish to make a general statement, they should make it one that they will not tolerate anything like this. He suggested they not specify any religion or sexuality. Mr. Ferrara said they need to stress they will not tolerate those who do not tolerate the rights of all people. He said they are better off to make a blanket statement. Mr. Ferrara said he would leave the letter to Mr. Ruller but was not crazy about it coming from the City. Mr. Ferrara said they should write their own letter.

Mr. Turner said he liked what Mr. Ferrara said until he got to the City issue. He said that he felt that none of them do not feel that way. He said since they all feel that way, they can make a statement. Mr. Turner said if Kent wants to be a beacon, this is their chance. He said it should be about people going around, shooting people down because of their sexuality. Mr. Turner said they should be seen as one, not nine different views. Mr. Turner said the community stands for freedom and making sure everyone can exhibit their full selves. Mr. Turner said it will be difficult for Mr. Ruller. He said they all have the same view, and that should be something they stand on together.

Mr. Kuhar said the issue in Miami was very large, and a lot of people died. He said it was the same in Oklahoma City where a lot of people died. Mr. Kuhar said a lot of black people have been mistreated. He said he did not know what Mr. Ferrara was referring to, but liked what Mr. Turner was saying about what Kent stands for. Mr. Kuhar said he supports freedom for all races and religions. He said a lot of people are abused for their beliefs. Mr. Kuhar said their message should be they stand for freedom and equality.

Mayor Fiala called for the vote, and Mr. Kuhar asked what they were in favor of. Ms. Wallach said they can make it general, and says they support all citizens, regardless of their faith. Mr. Kuhar suggested they just remind people what this country is about. He said they may forget. Mr. Turner said that there are times when people make them forget, and they have to find themselves. Mr. Kuhar said if that does not work, they will put a wall around the City.

The motion carried by a voice vote of 9-0.

Mr. Ruller said the letter will be hard, but it is a great cause. He said the challenge is wording the letter carefully. Mr. Kuhar suggested he reread the Declaration of Independent.

Mr. Ruller said he will circulate the draft. Ms. Wallach told him he was an excellent writer.

Mr. DeLeone said this was Mr. Ruller's anniversary, adding he just received the rest of the evaluations. He said they need to get it done as soon as possible.

Mayor Fiala suggested they get it done before August 1, and Mr. DeLeone said he would do so.

Hearing no further business before this Council, Mayor Fiala adjourned this meeting at 8:25 p.m.



Linda M. Jordan, Clerk of Council



Jerry T. Fiala, Mayor & President of Council