THE CITY OF KENT, OHIO
REGULAR COUNCIL MEETING
WED., JULY 20, 2016

This regular meeting of Kent City Council was called to order on July 20, 2016 at 7:30 p.m. by Jerry T. Fiala, Mayor & President of Council.

PRESENT: **MR. AMRHEIN, MR. DeLEONE, MR. FERRARA, MR. KUHAR, 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 Council member Turner for his opening remarks at this time.

Mr. Turner said it is a difficult thing to do, adding it is because of the Clerk that they do anything correctly. He said people agree that what they do is reasonable, adding that they are trying. Mr. Turner said it is very difficult to lose an individual with the Clerk's quality and balance. He told the Clerk she was simply the best of anything they do, with the way she has put it together. Mr. Turner said he did not know what they will do after this meeting, adding the hope is they can get someone half as qualified as the Clerk. He said she has been a tremendous friend to them, and as a Clerk, anything they have sent to her was done and done correctly. Mr. Turner said for that reason, it will be difficult to lose her friendship and her talents.

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

MOTION TO APPROVE THE MINUTES OF THE THREE (3) PUBLIC HEARINGS OF JULY 6, 2016; SPECIAL COUNCIL MEETING OF JULY 6, 2016; AND WORK SESSION OF JULY 6, 2016.
Motion made by Mr. Turner, seconded by Mr. Ferrara, and carried by a voice vote of 8-0-1, with Mr. Kuhar abstaining.

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF JUNE 15, 2016
Motion made by Mr. Turner, seconded by Mr. Amrhein, and carried by a voice vote of 8-0-1, with Ms. Wallach abstaining.

Mayor Fiala called for audience comment at this time.

James Fisher, 5231 Sunnybrook Road, Kent: Mr. Fisher explained that he crosses SR 261 daily from Sunnybrook Road to Franklin Avenue and back. He said the conditions are poor, including tall grass making it difficult to reach the signal buttons for the crosswalk. Mr. Fisher said there is not enough time to cross, and people give pedestrians a hard time. He said they swear at them, and "give them the bird." Mr. Fisher said it is time they get a hold of the idiot drivers who are brain damaged, and whose mothers dropped them on their head. Mr. Fisher said he hated to see it be like SR 59 when students were getting killed or hurt crossing the street.

Mr. Fisher said he would like to sit down to see if they cannot do something. He said he did not want them to draft more laws, as they have many but only a few protect the innocent. He said that attorneys know there is more money protecting the guilty.

Mr. Fisher said he would hate to see another situation in Kent, adding people do not respect the law. He said people are almost running down people in the crosswalk, and the police would tell them to do a better job. Mr. Fisher asked that they address this issue before it becomes serious. He said the crosswalks are good downtown, and horrible two blocks away.

Lorraine McCarty, 210 Orchard Street: Ms. McCarty said both the KEC and she are concerned about climate change, adding that Kent should do everything to curb the effects. Ms. McCarty said that 2015 was the warmest year in 135 years, and it looks like 2016 will surpass it.

Ms. McCarty said that carbon and methane are the biggest culprits, and both are connected to oil and gas production. She said that the City has done a great job with economic sustainability, and bringing them into the 21st century. Ms. McCarty said she is pleased they have agreed to follow LEADs guidelines in all new buildings, adding they should be commended as that would help with carbon use.

Ms. McCarty said there are other things the City can do to help their sustainability, adding it has been on their agenda since 2004. She said she understood they were waiting on the Sustainability Commission to recommend things. Ms. McCarty said the KEC has given input previously. She said they are urging Council and the City to develop a Climate Action Plan for future use. Ms. McCarty said there are other ways to achieve carbon reduction, such as the LED bulbs in street lights. Ms. McCarty said they can seek further funding to help residents conserve energy. She said they can develop relationships with companies to install solar panels on vacant industrial sites. She suggested they look for reduction of residential energy use, and the possibility of using renewables as a source.

Ms. McCarty said they could conserve their current energy sources. She suggested the Architectural Review Board may be able to help educate the City residents on climate change. She said they need to measure it, so they know what is happening. Ms. McCarty said those were just a few ideas. She said the residents need to know what is on the horizon, adding it is essential if they are going to survive. She said they need to do their part.

At this time, Ms. McCarty distributed an article from Worcester, Massachusetts and what they are doing. She asked the Clerk to forward copies to them.

Vinay Bhardwaj, 1100 Birchwood Circle: Ms. Bhardwaj thanked them for the opportunity to speak. She said they see what is happening around them. Ms. Bhardwaj said they wondered if they can do something to make their police feel welcome and support them. She said she is open to any suggestions.

Ms. Bhardwaj said she had the opportunity to go to Louisville, Kentucky, and found that city is a Compassionate City. She said Kent is a compassionate city, adding everyone has compassion and uses it every day, although they do not realize it.

Ms. Bhardwaj said as the wife of a professor, she has met a lot of students. She said it is easy to be compassionate, adding it costs nothing to be kind and listen to others. Ms. Bhardwaj said Kent is a good city. She said she has lived in Kent for fifty years, and has never seen an unkind person. Ms. Bhardwaj said she does not know the law, and seeks their guidance to help her. She asked they let her know whether it is possible for Kent to become a compassionate city. She said they can start with the schools, community, and low income people. She said they fortunately have social services where people get food. Ms. Bhardwaj said in a compassionate city, no one goes hungry, and everyone helps everyone. She said she realized they cannot help everyone, but should have a group where people can call. Ms. Bhardwaj asked again for Council's guidance as to whether it is possible to pursue. She said she hopes they do not disappoint her. She said she has lived in Kent for fifty years, and wants Kent to flourish and shine.

Surinder Bhardwaj, 1100 Birchwood Circle: Mr. Bhardwaj thanked the Mayor and Council for the opportunity to say a few words, adding his comments are a continuation of what his wife said. Mr. Bhardwaj said he has lived in Kent for fifty-four years. He said when he came to the U.S., he did not know how to dial a rotary phone. He explained that a kind man at the Minneapolis airport showed him how to dial the number, and the rest is history. He said it has been a wonderful experience and journey of his life. Mr. Bhardwaj said he has seen Kent go from what it was in 1969, through trials and tribulations, to a beautiful place. He said many of them contributed to this, and they need to build on it. Mr. Bhardwaj said they have the resources, like the University, and people giving evidence to show that it can be done. He said he wanted the City to join the movement of being a compassionate city. He said Louisville was the first city to declare itself a compassionate city and join the movement.

Mr. Bhardwaj said human beings can be proud of themselves, without being drunk with pride. He said they can humbly and compassionately lift each other up from any situation. Mr. Bhardwaj said Seattle Washington has joined the movement. He requested, pled and begged that they let Kent become part of the movement and a leader in the mid-sized cities in the US.

Anne Durkalski, 319 Riverside Ct., Kent: Ms. Durkalski thanked them for letting her come and thanked them for reading the paperwork. She said her situation with a renter next door is a side yard driveway that the renters consider another driveway. Ms. Durkalski said Kim Brown from the Building Department has told her it has to be in the deed that it is a shared or second driveway. She said the renters and owners use it and it blurs the lines. Ms. Durkalski said her car, last October, was hit in her driveway, and the tenants did not have a clue what was going on. She said they were responsible for it.

Ms. Durkalski said as a walker, she sees lots of situations. She said it first started because of her situation, and is now bigger for all homeowners and renters alike. Ms. Durkalski said Council is taking care of it, and hopefully some problems will not be rehashed. She said she has tried to be respectful, adding she runs a lot and tries to not think about these things. Ms. Durkalski said it is not just them, but it is everyone. She said Kent is great, and they have waited thirty years for this. She said they need to deal with what she said, adding the homeowners are the backbone of Kent and they need to be sure they are stable.

Ms. Durkalski said that 26000 people come to Kent State, and she questioned how they do it. She said they are the ones keeping it stable. Ms. Durkalski said that parents want to know how Kent is going to manage it and protect the kids, grandkids, etc. and visitors. She said her problem is her side yard and driveway. She said that she cannot go thru the harassment, damage, and safety issues that her grandchildren will deal with. She asked that they maybe iron out some more things to make it easier for a homeowner to document.

John Koch, 1102 Erin Drive, Kent: Mr. Koch thanked them for the opportunity to speak, and distributed information to them. He said he would like an ordinance requiring lawn application companies to provide twenty-four hours notification to abutting neighbors of the application. He said that one week after Easter, his nine and seven year-old daughters found a baby bunny. Mr. Koch said they wanted to help get the bunny on its feet. He said they found out how to take care of it, and were giving it a diet consisting of grass and dandelions. Mr. Koch said they fed the bunny with grass and dandelions from their side yard, and it did well for the entire week. He said they fed it the following Saturday, and it died in their hands a

few hours later, adding it was devastating. Mr. Koch said across the lawn by the driveway was a placard warning that the neighbor's lawn was treated. He said it was about fifty to sixty feet away. He said he started to investigate, and the lawn company said he had to request notification in writing. He questioned how he is to know a neighbor is getting treatment.

Mr. Koch said he talked to the Clerk about bringing this to their attention, and found some laws in existence. He said one requires twenty-four hour notice prior to any application, and included the date, applicator's name, and phone number. He said the ordinance said if they do not notify the neighbors, they cannot do the job.

Mr. Koch said some communities have more lenient laws. He said he was in the system for the neighbor's spraying, and after the initial spraying on May 9 that caused the problem, he was to be notified. He said the truck sprayed again on May 21 and he had not been notified. Mr. Koch said he asked the driver if he had his name, and he did. He said when he called the company, they blamed the technician.

Mr. Koch said he is now aware of the placards. He said it is reasonable to ask for notification, adding it could be advertising for a company. Mr. Koch said he believed it was a reasonable request that companies notify the neighbors. He said his children and dogs play in the yard.

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

The Clerk reported the following:

1) The Mayor and all members of Council received a letter on July 6, 2016 from Anne Durkalski of Riverside Ct. expressing her concerns with renters and suggesting homeowner's' rights in Kent.

The Clerk reported the following correspondence was received after the agenda was written.

1) The Budget & Finance Director filed the Fiscal Officer's Certificates for the note renewals with the Clerk's office on July 14, 2016.
2) Notification was received from the Ohio Div. of Liquor Control for a stockholder's transfer for Kent Paninis LLC dba Kent Paninis, 1st Fl & Patio Only, 295 S. Water Street, Suite 104, Kent, OH. Objections must be postmarked no later than August 15, 2016, and Chief Lee has no objections.

MOTION TO RETURN WITH NO OBJECTIONS.
Motion made by Mr. Amrhein, seconded by Mr. DeLeone, and carried by a voice vote of 9-0.

3) Notification was received from the Ohio Div. Of Liquor Control advising any objections to liquor license renewals must be received by Sept. 1, 2016.

Hearing no further written correspondence, Mayor Fiala called for the City Manager's report.

MOTION TO APPROVE ITEMS #1 THROUGH #11
Motion made by Mr. Amrhein, seconded by Mr. Ferrara, and carried by a voice vote of 9-0.

The following items were approved by the aforementioned motion:
1) Authorization for the appropriation of $2000 for reimbursement to KUSO for the Kent Heritage Festival.
2) Authorization to accept a new laser LTI speed measuring device awarded to the Kent Police (Dr. 16-81)
3) Authorization of a donation in memory of Pauline Soule (Dr. 16-79)
4) Agenda time, Streets, Sidewalks, & Utilities Committee, Panini's license to occupy
5) Agenda time, Community Development Committee, staff update on developer's findings for a downtown grocery at the former courthouse property.
6) Agenda time, Community Development Committee, review of new proposed commercial vehicle storage regulations
7) Agenda time, Community Development Committee, review of new proposed donation box location regulations
8) Agenda time, Health and Safety Committee, extension of the School Resources Officer position
9) Agenda time, Finance Committee, update on City Administrative Building project
10) Agenda time, Finance Committee, cost of City trash bag service
11) Agenda time, Finance Committee, liens with the County for unpaid City bills

Mr. Ruller publicly thanked the Clerk, adding that Mr. Turner said it the best. He said he would miss her talents and her friendship. He said he and the Clerk often played good cop/bad cop with staff and setting agenda items, adding they can figure out who was which one. He said they had some good conversations, adding they are Council's only two employees. He did stress they never talked about the Council. Mr. Ruller said they supported each other, adding the Clerk had a great sense of humor that he will miss.

Mr. Ruller said there has been so much good work in the community, adding that even though staff has been green lighted, it did not get to them without going through the Clerk. He said she was the gatekeeper, doing it well, and kept him in check. He said many times he had too much for a schedule, and the Clerk would suggest he save items for another month. He said she gave him sage advice, and he thanked her for all she did.

STANDING COMMITTEES

Mayor Fiala announced the results of the balloting for vacancies on the boards and commissions.

P.A.R.T.A Pete Kenworthy

BOARD OF BUILDING APPEALS David Hansford (HVAC)

FAIR HOUSING BOARD Adriana Montes

COMMITTEE ON DESIGN & PRESERVATION Adriana Montes

STORMWATER DISTRICT REV. & APP BOARD Anne Jefferson

SUSTAINABILITY COMMISSION Julie Morris

MOTION TO AUTHORIZE DRAFT NOS. 16-65 THROUGH 16-70, WITH THE APPROPRIATE NAMES INSERTED.
Motion made by Mr. Amhrein, seconded by Mr. Ferrara, and carried by a voice vote of 9-0.

The Mayor asked the Clerk to read Draft No. 16-65 by title only at this time.

A RESOLUTION APPOINTING DAVID HANSFORD TO THE BOARD OF BUILDING APPEALS, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.
Motion made by Mr. Ferrara, seconded by Mr. Kuhar.

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. Kuhar.

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.

2016-60: A RESOLUTION APPOINTING DAVID HANSFORD TO THE BOARD OF BUILDING APPEALS, 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. 16-66 by title only at this time.

A RESOLUTION APPOINTING PETE KENWORTHY TO THE PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY (PARTA), 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. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, and Ms. Wallach. Mr. Amrhein abstained. The motion carried by a roll call vote of 8-0-1.

MOTION TO ADOPT THE DRAFT ORDINANCE.
Motion made by Mr. Kuhar, seconded by Mr. Ferrara.

Roll call was taken on the motion. Voting aye: Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, and Ms. Wallach. Mr. Amrhein abstained. The motion carried by a roll call vote of 8-0-1.

2016-61: A RESOLUTION APPOINTING PETE KENWORTHY TO THE PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY (PARTA), 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. 16-67 by title only at this time.

A RESOLUTION APPOINTING ADRIANA MONTES TO THE FAIR HOUSING BOARD, 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.

2016-62: A RESOLUTION APPOINTING ADRIANA MONTES TO THE FAIR HOUSING BOARD, 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. 16-68 by title only at this time.

A RESOLUTION APPOINTING ADRIANA MONTES TO THE COMMITTEE ON DESIGN & PRESERVATION, 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. 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.

2016-63: A RESOLUTION APPOINTING ADRIANA MONTES TO THE COMMITTEE ON DESIGN & PRESERVATION, 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. 16-69 by title only at this time.

A RESOLUTION APPOINTING ANNE JEFFERSON TO THE STORMWATER DISTRICT REVIEW AND APPEALS BOARD, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.
Motion made by Mr. Kuhar, 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 Ms. Shaffer, 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.

2016-64: A RESOLUTION APPOINTING ANNE JEFFERSON TO THE STORMWATER DISTRICT REVIEW AND APPEALS BOARD, 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. 16-70 by title only at this time.

A RESOLUTION APPOINTING JULIE MORRIS TO THE SUSTAINABILITY COMMISSION, 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: 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. DeLeone, 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.

2016-65: A RESOLUTION APPOINTING JULIE MORRIS TO THE SUSTAINABILITY COMMISSION, AND DECLARING AN EMERGENCY

Linda M. Jordan, Clerk of Council **Jerry T. Fiala, Mayor & President of Council**

COMMUNITY DEVELOPMENT COMMITTEE

MOTION TO APPROVE THE WRITTEN REPORT OF JULY 6, 2016 AND FOUR RECOMMENDED ACTIONS.
Motion made by Mr. Turner, seconded by Mr. Ferrara, and carried by a voice vote of 8-0-1, with Mr. Kuhar abstaining.

The following items were approved by the aforementioned motion:
1) TO AUTHORIZE THE PROPOSED KENT-ROOTSTOWN JEDD WITH THE EMERGENCY CLAUSE.
2) TO AUTHORIZE THE SEMI ANNUAL CERTIFICATION OF THE CITY'S EDA
3) TO AUTHORIZE THE LOCAL HISTORIC DESIGNATION OF THE DAVEY TREE BUILDING WITH THE EMERGENCY CLAUSE
4) TO AUTHORIZE VALET PARKING FOR PARTA.

The Mayor asked the Clerk to read Draft No. 16-71 by title only at this time.

A RESOLUTION CERTIFYING THAT THE CITY'S REVOLVING LOAN PLAN IS CONSISTENT WITH AND SUPPORTIVE OF THE AREA'S ECONOMIC DEVELOPMENT ADJUSTMENT STRATEGY AND IS BEING OPERATED IN ACCORDANCE WITH THE POLICIES AND PROCEDURES CONTAINED IN THE REVOLVING LOAN PLAN AND THAT THE LOAN PORTFOLIO MEETS THE STANDARDS CONTAINED WITHIN SAID PLAN 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.

2016-66: A RESOLUTION CERTIFYING THAT THE CITY'S REVOLVING LOAN PLAN IS CONSISTENT WITH AND SUPPORTIVE OF THE AREA'S ECONOMIC DEVELOPMENT ADJUSTMENT STRATEGY AND IS BEING OPERATED IN ACCORDANCE WITH THE POLICIES AND PROCEDURES CONTAINED IN THE REVOLVING LOAN PLAN AND THAT THE LOAN PORTFOLIO MEETS THE STANDARDS CONTAINED WITHIN SAID PLAN 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. 16-72 by title only at this time.

AN ORDINANCE DESIGNATING THE PROPERTY LOCATED AT 905 BRYCE ROAD, OWNED BY THE DAVEY TREE EXPERT COMPANY, AS A LOCAL HISTORIC PROPERTY IN THE CITY OF KENT, AND DECLARING AN EMERGENCY.

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.

2016-67: AN ORDINANCE DESIGNATING THE PROPERTY LOCATED AT 905 BRYCE ROAD, OWNED BY THE DAVEY TREE EXPERT COMPANY, AS A LOCAL HISTORIC PROPERTY IN THE CITY OF KENT, 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 15, 2016.
Motion made by Mr. DeLeone, seconded by Mr. Ferrara, and carried by a voice vote of 9-0.

MOTION TO APPROVE THE WRITTEN REPORT OF JULY 6, 2016 AND FOUR RECOMMENDED ACTIONS.
Motion made by Mr. DeLeone, seconded by Ms. Wallach, and carried by a voice vote of 8-0-1, with Mr. Kuhar abstaining.

The following actions were approved by the aforementioned motion:
1) TO AUTHORIZE THE DESIGNATION OF DEPOSITORIES WITH THE EMERGENCY CLAUSE
2) TO AUTHORIZE THE RENEWAL OF THE CITY'S BAN DEBT
3) TO AUTHORIZE AN AMENDMENT TO THE POSITION ALLOCATION ORDINANCE TO ALLOW FOR THE REINSTATEMENT OF THE ACCOUNT CLERK IN CENTRAL MAINTENANCE, WITH THE EMERGENCY CLAUSE.

The Mayor asked the Clerk to read Draft No. 16-73 by title only at this time.

A RESOLUTION ESTIMATING THE AMOUNT OF ACTIVE, INTERIM, AND INACTIVE DEPOSITS TO BE AWARDED, FIXING PERIOD OF DESIGNATION AND DATE OF AWARDING.

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. DeLeone, 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.

2016-68: A RESOLUTION ESTIMATING THE AMOUNT OF ACTIVE, INTERIM, AND INACTIVE DEPOSITS TO BE AWARDED, FIXING PERIOD OF DESIGNATION AND DATE OF AWARDING.

Linda M. Jordan, Clerk of Council **Jerry T. Fiala, Mayor & President of Council**

The Mayor asked the Clerk to read Draft No. 16-74 by title only at this time.

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF $435,000 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.

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. 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. DeLeone.

Roll call was taken on the motion. Voting aye: Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, and Ms. Wallach. Mr. Kuhar dissented. The motion carried by a roll call vote of 8-1.

2016-69: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF $435,000 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.

Linda M. Jordan, Clerk of Council **Jerry T. Fiala, Mayor & President of Council**

The Mayor asked the Clerk to read Draft No. 16-75 by title only at this time.

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF $1,010,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF RENOVATINGAND EXPANDING THE CITY'S MAIN FIRE STATION, INCLUDING ACQUISITION OF NECESSARY REAL ESTATE, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.
Motion made by Mr. DeLeone, 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. DeLeone, seconded by Ms. Shaffer.

Roll call was taken on the motion. Voting aye: Mr. DeLeone, Mr. Ferrara, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. Mr. Kuhar dissented. The motion carried by a roll call vote of 8-1.

2016-70: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF $1,010,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF RENOVATINGAND EXPANDING THE CITY'S MAIN FIRE STATION, INCLUDING ACQUISITION OF NECESSARY REAL ESTATE, 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. 16-76 by title only at this time.

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.

MOTION TO SUSPEND THE THREE READINGS.
Motion made by Ms. Shaffer, seconded by Mr. Ferrara.

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 Ms. Shaffer, seconded by Mr. Ferrara.

Mr. Kuhar said he is voting against these, adding it may be his misunderstanding. He asked if they were selling their low interest notes and offering bonds at a high interest rate. He asked if he was wrong. The Clerk said if she could speak during a motion she would explain they were renewing the notes for another year. Mr. Kuhar said he did not believe it was written that way, and the Clerk noted they spoke of the issuance and sale of notes for this year.

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.

2016-71: 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.

Linda M. Jordan, Clerk of Council **Jerry T. Fiala, Mayor & President of Council**

The Mayor asked the Clerk to read Draft No. 16-77 by title only at this time.

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF $420,000 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.

MOTION TO SUSPEND THE THREE READINGS.
Motion made by Mr. Kuhar, seconded by Mr. Ferrara.

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. Kuhar, seconded by Mr. Sidoti.

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.

2016-72: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF $420,000 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.

Linda M. Jordan, Clerk of Council **Jerry T. Fiala, Mayor & President of Council**

The Mayor asked the Clerk to read Draft No. 16-78 by title only 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, 2016, AND AS AMENDED BY ORDINANCE 2016-54, PASSED JUNE 15, 2016, SO AS TO REINSTATE THE POSITION OF A FULL TIME ACCOUNT CLERK IN THE CENTRALAINTENANCE DIVISION, WHILE ELIMINATING ONE FULL TIME LABORER POSITION SO AS TO BE BETTER ALIGNED WITH THE CURRENT NEEDS OF THE CITY, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.
Motion made by Ms. Shaffer, 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. Ferrara, seconded by Ms. Shaffer.

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.

2016-73: 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, 2016, AND AS AMENDED BY ORDINANCE 2016-54, PASSED JUNE 15, 2016, SO AS TO REINSTATE THE POSITION OF A FULL TIME ACCOUNT CLERK IN THE CENTRALAINTENANCE DIVISION, WHILE ELIMINATING ONE FULL TIME LABORER POSITION SO AS TO BE BETTER ALIGNED WITH THE CURRENT NEEDS OF THE CITY, 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. 16-79 by title only at this time.

AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF $200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM JUDITH SWEARINGEN FOR THE PLANTING OF A TREE IN MEMORY OF PAULINE SOULE, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.
Motion made by Ms. Shaffer, 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. DeLeone.

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.

2016-74: AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF $200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM JUDITH SWEARINGEN FOR THE PLANTING OF A TREE IN MEMORY OF PAULINE SOULE, 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. 16-81 by title only at this time.

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ACCEPT A GRANT OF A NEW LTI 20/20 TRUSPEED TRAFFIC LASER, SERIAL #TJ004347, VALUED AT $ 1,395 FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY THROUGH THE OHIO TRAFFIC SAFETY OFFICE, BASED ON THE POLICE DEPARTMENT'S GOOD STANDING AND CONTINUED PARTICIPATION IN THE ANNUAL TRAFFIC SAFETY MOBILIZATIONS KNOWN AS "CLICK IT OR TICKET" AND "DRIVE SOBER OR GET PULLED OVER"; 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. Sidoti.

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.

2016-75: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ACCEPT A GRANT OF A NEW LTI 20/20 TRUSPEED TRAFFIC LASER, SERIAL #TJ004347, VALUED AT $ 1,395 FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY THROUGH THE OHIO TRAFFIC SAFETY OFFICE, BASED ON THE POLICE DEPARTMENT'S GOOD STANDING AND CONTINUED PARTICIPATION IN THE ANNUAL TRAFFIC SAFETY MOBILIZATIONS KNOWN AS "CLICK IT OR TICKET" AND "DRIVE SOBER OR GET PULLED OVER"; AND DECLARING AN EMERGENCY.

Linda M. Jordan, Clerk of Council **Jerry T. Fiala, Mayor & President of Council**

STREETS, SIDEWALKS & UTILITIES COMMITTEE

MOTION TO APPROVE THE WRITTEN REPORT OF JULY 6, 2016 AND THE RECOMMENDED ACTION OF JULY 6, 2016, AUTHORIZING THE PARTICIPATORY AGREEMENT WITH ODOT FOR SR 261 WITH THE EMERGENCY CLAUSE.
Motion made by Mr. Sidoti, seconded by Mr. DeLeone, and carried by a voice vote of 8-0-1, with Mr. Kuhar abstaining.

The Mayor asked the Clerk to read Draft No. 16-80 by title only at this time.

A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO PARTICIPATE WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION TO RESURFACE SR 261, FROM THE WESTERN END OF THE DIVIDED HIGHWAY SEGMENT, CONTINUING EAST FOR APPROXIMATELY 1.9 MILES WITH MINOR BRIDGE REPAIRS TO BRIDGES OVER PLUM CREEK AND THE WHEELING & LAKE ERIE RAILROAD; POR-SR 261 - 0.72 TO 2.59 PID 98381, 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. 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. Ferrara, 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.

2016-76: A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO PARTICIPATE WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION TO RESURFACE SR 261, FROM THE WESTERN END OF THE DIVIDED HIGHWAY SEGMENT, CONTINUING EAST FOR APPROXIMATELY 1.9 MILES WITH MINOR BRIDGE REPAIRS TO BRIDGES OVER PLUM CREEK AND THE WHEELING & LAKE ERIE RAILROAD; POR-SR 261 - 0.72 TO 2.59 PID 98381, AND DECLARING AN EMERGENCY.

Linda M. Jordan, Clerk of Council **Jerry T. Fiala, Mayor & President of Council**

SPECIAL COMMITTEE REPORTS None

UNFINISHED BUSINESS None

NEW BUSINESS

MOTION TO AUTHORIZE A 3% PAY INCREASE FOR THE CITY MANAGER, FOLLOWING HIS JOB EVALUATION, EFFECTIVE ON HIS ANNIVERSARY DATE OF JUNE 15.
Motion made by Mr. DeLeone, seconded by Mr. Ferrara, and carried by a voice vote of 9-0.

MOTION TO HAVE DISCUSSION ON KENT BECOMING A COMPASSIONATE CITY.
Motion made by Ms. Shaffer, seconded by Mr. Ferrara.

Ms. Shaffer said she loved the idea and would like more research. She said she appreciated their suggestion, and suggested it was in line with a letter they recently wrote that was published in a variety of places. Ms. Shaffer said she appreciated being considered for this, adding it is the next appropriate step for what they are trying to do as a city.

Mr. Ferrara said it was a great idea, and fits with what Kent stands for. He said it personifies the people within Kent.

Mr. Kuhar said he thought they were already compassionate by what they do and how they act. He said he did not know they had to be designated.

Mr. Turner said this fits the community, and it would be nice to be able to state it. Mr. Turner said it is one thing to believe it, and another to stand up and say it is the essence of their being. Mr. Turner commended the Bhardwajs, adding they discussed this downtown. He said they took their time to come to Council to say the City needs to be designated. Mr. Turner said this might catch on in other communities as well. He said he totally supported it.

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

Mr. Sidoti said the letter and statement they made after the Orlando shooting said a lot of Kent and that they are compassionate. He agreed with Mr. Kuhar, adding they take it for granted and do not express it enough. Mr. Sidoti said there are still people in their community that are not being served as well as they could be. He suggested they take another step. Mr. Sidoti said with the tragedies with the police lives lost in the last few weeks, it strikes home. He said they believe they are safe, adding he talks to citizens all the time who think they are safe.

Mr. SIdoti said that 26000 students come in, and they have to adapt to the community. He said it is a large transient population, and their police do a wonderful job adapting to those struggles.

Mr. Sidoti said enforcing the rules is not easy. He said that some people think freedom means the freedom to do whatever they want. Mr. Sidoti said if that was the case, they would have chaos. He said there has to be respect for authority, and the loss of those police struck a nerve.

Mr. Sidoti said he would like to propose they craft a letter. He said he had previously discussed this with Mr. Turner. Mr. Kuhar asked if there was a motion, and Mr. Sidoti said he was explaining what he was thinking.

MOTION TO AUTHORIZE A LETTER BE DRAFTED SUPPORTING THE KENT POLICE DEPARTMENT AND ALL THE WORK THEY DO.
Motion made by Mr. Sidoti, seconded by Mr. Ferrara.

Mr. Sidoti said he had distributed four paragraphs. He said it should be a letter of support, and not a proclamation.

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

MOTION TO REFER THE ISSUE OF PESTICIDE COMPANIES PROVIDING NOTIFICATION TO THE HEALTH & SAFETY COMMITTEE.
Motion made by Mr. Amrhein, seconded by Ms. Shaffer.

Mr. Amrhein said this is extremely important and thanked Mr. Koch for the information. Ms. Shaffer agreed, adding she cannot believe they did not have this already on the books. Ms. Shaffer said she appreciated Mr. Koch for bringing it to their attention and doing the research.

Ms. Wallach asked if the City does not do the phone calls if they are spraying, and Mr. Ruller said he did not believe the Health Commissioner has been doing the calls because he has sprayed so often.

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

MOTION TO REFER THE ISSUE OF CROSSING SR. 261 TO THE ADMINISTRATION.
Motion made by Ms. Wallach, seconded by Ms. Shaffer.

Ms. Shaffer said if they are going to be compassionate, they need to be compassionate toward the pedestrians.

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

MOTION TO HAVE FURTHER DISCUSSIONS ON SUSTAINABILITY FOR THE CITY.
Motion made by Ms. Wallach.

Ms. Wallach said they could discussing things like replacing city vehicles with hybrids or a new windmill for City Hall.

Ms. Shaffer seconded the motion.

Ms. Shaffer said they need to do some strategic planning along those lines. She said it would be useful to work with the Sustainability Commission.

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

Ms. Wallach said she and her husband have a friend whose sister is the manager of the hotel. She said they were told the hotel is doing fantastic. Ms. Wallach said that since they rearranged the seating for the restaurant, it is doing well also. Ms. Wallach said she thought everyone would be interested.

Mr. Kuhar said the public restroom at the Sherman Wells House is never available and he thought that was part of the agreement with the Sherman Wells House. He said if it was part of the discussion, he would like a motion or referral to set up requirements for availability between 9-5 and during public events, with signage saying there is a public restroom.

Mayor Fiala asked Mr. Silver if they can do that on private property, and Mr. Silver said he would look at the agreement.

Mr. Kuhar asked them to look into this, adding if it is a requirement they need to make it happen.

Ms. Wallach said she believed there was an agreement to have it available during downtown events, otherwise it would have to be staffed.

MOTION TO LOOK INTO THE RESTROOMS BEING AVAILABLE AT THE WELLS SHERMAN HOUSE.
Motion made by Mr. Kuhar, seconded by Mr. Sidoti.

Mr. Kuhar said he would like it available, and if it is with just public events, that would be fine. He said if it is was all the time, they need some guidelines. Mr. Kuhar said no one knows it is there, as there is no signage.

Mr. Sidoti said he made the motion for the loan, and believed part of the motion was to have the restaurants available during major events downtown. Mr. Sidoti said signage would be nice.

The motion carried by a voice vote of 8-0 (Mr. Amrhein was out of the room).

MOTION TO RECESS INTO EXECUTIVE SESSION PRIOR TO ADJOURNMENT FOR THE HIRING OF A TEMPORARY CLERK.
Motion made by Mr. Amrhein, seconded by Mr. Kuhar.

Roll call was taken. 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.

MAYOR'S REPORT

Mayor Fiala presented the Clerk with a plaque commemorating her 26 years as the Clerk, along with a monetary gift.

Mayor Fiala recessed this meeting at 8:45 p.m. Following Executive Session, he reconvened the public portion of this meeting at 9:00 p.m.

MOTION TO AUTHORIZE HIRING A TEMPORARY CLERK FOR $25 PER HOUR FOR NO MORE THAN 28 HOURS WEEKLY.
Motion made by Mr. Sidoti, seconded by Mr. Amrhein, and carried by a voice vote of 9-0.

Hearing no further business before this Council, Mayor Fiala adjourned this meeting at 9:05 p.m.

Linda M. Jordan, Clerk of Council

Jerry T. Fiala, Mayor & President of Council