THE CITY OF KENT, OHIO
REGULAR COUNCIL MEETING
WEDNESDAY, NOVEMBER 15, 2017

At 7:30 p.m., Mayor Jerry T. Fiala called the **Regular Meeting of Kent City Council** to order. Roll call was taken.

PRESENT: Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Melissa Long, Ms. Heidi Shaffer, Mr. Roger Sidoti, Mr. Robin Turner, and Ms. Tracy Wallach.

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Mr. Eric Fink, Assistant Law Director; Ms. Bridget Susel, Community Development Director; Mr. Tom Wilke, Economic Development Director; Mr. Jim Bowling, City Engineer; Mr. David Coffee, Finance Director; Ms. Melanie Baker, Public Service Director; Police Chief Michelle Lee; and Ms. Tara Grimm, CMC, Clerk of Council.

ABSENT: Mr. Jim Silver, Law Director.

Mayor Fiala called upon Councilmember Shaffer for her opening remarks. Ms. Shaffer commented on Council's walk-thru of the New Police Station earlier this evening, then led the Pledge of Allegiance.

<u>APPROVAL OF MINUTES:</u>
Ms. Wallach requested the 4 sets of meeting minutes be approve separately.

MOTION TO APPROVE THE MINUTES OF THE PUBLIC HEARING OF OCTOBER 18, 2017 made by Ms. Shaffer, seconded by Mr. Ferrara, and CARRIED by a voice vote of 8-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF OCTOBER 18, 2017 made by Ms. Shaffer, seconded by Mr. Ferrara, and CARRIED by a voice vote of 8-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE MINUTES OF THE WORK SESSION OF NOVEMBER 1, 2017 made by Ms. Shaffer, seconded by Mr. DeLeone, and CARRIED by a voice vote of 9-0.

MOTION TO APPROVE THE MINUTES OF THE SPECIAL CITY COUNCIL MEETING OF NOVEMBER 1, 2017 made by Ms. Shaffer, seconded by Mr. Ferrara, and CARRIED by a voice vote of 9-0.

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

1. Stacy Simera, a Licensed Social Worker from the National Association of Social Workers (NASW) Ohio Chapter, Region 2, presented a plaque for their "NASW Elected Officials of the Year 2017" to the Mayor as well as individual Certificates of Recognition to each member of Council. ***(See Attachment #1).***
2. Christopher Myers of 220 E. Elm St., Kent read from a prepared Statement ***(See Attachment #2).***
3. Bruce Shaw of 1215 Fairview Drive, Kent summarized his submitted prepared statement ***(See Attachment #3).***

Written Communications were reported by Clerk Grimm and were placed on file in the Clerk's office as follows:

1. Standing Rock Cemetery Meeting Minutes of October 12, 2017 received October 20, 2017.
2. A NEW Liquor License Request was received on October 25, 20917 Pizzafire Kent LLC DBA Pizzafire located at 220 S. Depeyster St. Chief Lee had no objections.

MOTION TO RETURN THE NEW LIQUOR LICENSE REQUEST TO THE OHIO DEPARTMENT OF LIQUOR CONTROL BY THE CLERK OF COUNCIL, WITH NO OBJECTION made by Mr. Ferrara, seconded by Mr. DeLeone. Motion CARRIED by a voice vote of 9-0.

3. Parks and Recreation Board packet for October 19, 2017 received on October 19, 2017.
4. Invitation to Council for NOPEC 2017 General Assembly Meeting received October 31, 2017.
5. Planning Commission Agenda October 17, 2017 received on October 10, 2017.
6. 2018 Meeting Schedules for Board of Zoning Appeals and Planning Commission received October 31, 2017.
7. Letter from National League of Cities for the FY2019 Membership Dues Increase received October 20, 2017.
8. Joint Meeting Agenda for Board of Zoning Appeals and Planning Commission on November 7, 2017 received October 31, 2017.
9. Sustainability Commission Meeting Agenda for November 6, 2017 and minutes of October 2, 2017 received on November 1, 2017.

Oral Communications of correspondence received after the agenda was published as reported by Clerk Grimm and were placed on file in the Clerk's office:

1. Health Board Agenda of November 14, 2017, Minutes of October 10, 2017 and Statistics Report received on November 13, 2017.
2. Board of Zoning Appeals Agenda and Staff Report of November 20, 2017 received November 15, 2017.
3. Planning Commission Agenda of November 21, 2017 received November 15, 2017.
4. Civil Service Agenda of November 20, 2017 received November 15, 2017.
5. Standing Rock Cemetery Minutes of November 9, 2017 received November 15, 2017.

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

1. Request Council's authorization to accept a $200 donation from Judith Swearingen to plant a tree in memory of Mr. Harold Walker along the Portage Hike and Bike Trail. (Draft # 17-144)
2. Request Council's authorization to accept a $200 donation from Charles and Betty Lim for a tree to be planted at Plum Creek Park in memory of Liu Yu Min. (Draft # 17-145)
3. Request time at the start of the December 6th Regular Council meeting for Chief Tosko to swear-in the newest hire in the Kent Fire Department.
4. Request Committee of the Whole time to discuss the formation of a Senior Center advisory group.
5. Request Community Development Committee time to certify the 2017 EDA Revolving Loan Fund report.
6. Request Community Development Committee time to receive an update on the economic development and new business activity in 2017.
7. Request Community Development Committee time to consider the renewal of the Main Street Kent contract.
8. Request Community Development Committee time to consider a new TREX Liquor License transfer request.
9. Request Health & Safety Committee time to approve the proposed Franklin Township fire services rates for 2018.
10. Request Health & Safety Committee time for renewal of the City's indigent legal services contract.
11. Request Health & Safety Committee time for renewal of the City's Public Defender's Office contract.
12. Request Streets, Sidewalks & Utilities Committee time for a report on sidewalk repair funding.
13. Request Streets, Sidewalks & Utilities Committee time to consider a request to add parking meters to College Street between Water Street and Franklin Avenue.
14. Request Streets, Sidewalks & Utilities Committee time to consider the re-bid of the citywide trash collection service contract.

15. Request Finance Committee time for consideration of an amendment to the 2017 budget allocation Ordinance.
16. Request Finance Committee time for approval of the 2018 Position Allocation Ordinance.

MOTION TO APPROVE ITEMS #1 - #16 OF THE CITY MANAGER'S REPORT made by Mr. Amrhein, seconded by Mr. Shaffer. Motion CARRIED by a voice vote of 9-0.

STANDING COMMITTEES/ LEGISLATION

COMMITTEE OF THE WHOLE: None

COMMUNITY DEVELOPMENT COMMITTEE:
MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF NOVEMBER 1, 2017 AND THE ONE (1) RECOMMENDED ACTION made by Mr. Kuhar, seconded by Mr. Ferrara, and CARRIED by a voice vote of 9-0.

Recommended Action:

1) Vacate three (3) current easements and authorize two (2) new Hike and Bike Trail easements and three (3) new stormwater easements for the redevelopment of Riverside Landing and Portage Hike & Bike Trail and declaring an emergency.

Draft No. 17-138: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN 315 RFK, LLC, AN OHIO LIMITED LIABILITY COMPANY, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A PERMANENT WALKWAY AND BIKEWAY EASEMENT FOR HIKE AND BIKE TRAIL CONSTRUCTION, RECONSTRUCTION, INSTALLATION, MAINTENANCE AND REPAIR PURPOSES OF 0.227 ACRES OF REAL PROPERTY, IN EXCHANGE OF THE VACATION OF THE EXISTING EASEMENT FOR HIKE AND BIKE TRAIL PURPOSES ON THEIR PROPERTY; AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. 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 DRAFT No. 17-138 made by Mr. DeLeone and seconded by Mr. Kuhar. On Roll call, voting "Yes": 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.

ORDINANCE No. 2017-138: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN 315 RFK, LLC, AN OHIO LIMITED LIABILITY COMPANY, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A PERMANENT WALKWAY AND BIKEWAY EASEMENT FOR HIKE AND BIKE TRAIL CONSTRUCTION, RECONSTRUCTION, INSTALLATION, MAINTENANCE AND REPAIR PURPOSES OF 0.227 ACRES OF REAL PROPERTY, IN EXCHANGE OF THE VACATION OF THE EXISTING EASEMENT FOR HIKE AND BIKE TRAIL PURPOSES ON THEIR PROPERTY; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-139: AN ORDINANCE VACATING A STANDARD HIGHWAY EASEMENT ORIGINALLY GRANTED TO THE CITY OF KENT, OHIO BY KENT DOWNTOWN COMMUNITY URBAN REDEVELOPMENT CORPORATION IN JUNE 27, 2008 CONDITIONED UPON THE FILING OF A NEW EASEMENT FROM 315 RFK, LLC, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar and seconded by Mr. Sidoti. On Roll call, voting “Yes”: 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 DRAFT No. 17-139 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting “Yes”: 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.

ORDINANCE No. 2017-139: AN ORDINANCE VACATING A STANDARD HIGHWAY EASEMENT ORIGINALLY GRANTED TO THE CITY OF KENT, OHIO BY KENT DOWNTOWN COMMUNITY URBAN REDEVELOPMENT CORPORATION IN JUNE 27, 2008 CONDITIONED UPON THE FILING OF A NEW EASEMENT FROM 315 RFK, LLC, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-140: AN ORDINANCE VACATING A PERMANENT WALKWAY EASEMENT ORIGINALLY GRANTED TO THE CITY OF KENT, OHIO BY BRADY’S LEAP PARTNERS, A LIMITED PARTNERSHIP IN OCTOBER 20, 1994 CONDITIONED UPON THE FILING OF A NEW EASEMENT FROM 315 RFK, LLC, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala’s request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. Kuhar. On Roll call, voting “Yes”: Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, and Ms. Long. The motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 17-140 made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll call, voting “Yes”: 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.

ORDINANCE No. 2017-140: AN ORDINANCE VACATING A PERMANENT WALKWAY EASEMENT ORIGINALLY GRANTED TO THE CITY OF KENT, OHIO BY BRADY’S LEAP PARTNERS, A LIMITED PARTNERSHIP IN OCTOBER 20, 1994 CONDITIONED UPON THE FILING OF A NEW EASEMENT FROM 315 RFK, LLC, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-141: AN ORDINANCE VACATING A PERMANENT WALKWAY EASEMENT ORIGINALLY GRANTED TO THE CITY OF KENT, OHIO BY BRADY’S LEAP PARTNERS, A LIMITED PARTNERSHIP IN DECEMBER 27, 1994 CONDITIONED UPON THE FILING OF A NEW EASEMENT FROM 315 RFK, LLC, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala’s request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting “Yes”: Mr. 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 DRAFT No. 17-141 made by Mr. Kuhar and seconded by Mr. Ferrara. On Roll call, voting “Yes”: 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.

ORDINANCE No. 2017-141: AN ORDINANCE VACATING A PERMANENT WALKWAY EASEMENT ORIGINALLY GRANTED TO THE CITY OF KENT, OHIO BY BRADY’S LEAP PARTNERS, A LIMITED PARTNERSHIP IN DECEMBER 27, 1994 CONDITIONED UPON THE FILING OF A NEW EASEMENT FROM 315 RFK, LLC, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-148: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN 315 RFK, LLC, AN OHIO LIMITED LIABILITY COMPANY, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A PERPETUAL EASEMENT FOR STORM WATER MANAGEMENT PURPOSES OF INSTALLING, CONSTRUCTING,

RECONSTRUCTING, REPAIRING AND MAINTAINING STORM WATER SYSTEMS, 0.0296 ACRES OF REAL PROPERTY, IN EXCHANGE FOR THE VACATION OF SEVERAL EXISTING EASEMENTS ACROSS GRANTOR'S PROPERTY; AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. 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 DRAFT No. 17-148 made by Mr. DeLeone and seconded by Mr. Sidoti. On Roll call, voting "Yes": 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.

ORDINANCE No. 2017-148: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN 315 RFK, LLC, AN OHIO LIMITED LIABILITY COMPANY, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A PERPETUAL EASEMENT FOR STORM WATER MANAGEMENT PURPOSES OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, REPAIRING AND MAINTAINING STORM WATER SYSTEMS, 0.0296 ACRES OF REAL PROPERTY, IN EXCHANGE FOR THE VACATION OF SEVERAL EXISTING EASEMENTS ACROSS GRANTOR'S PROPERTY; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-149: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN 315 RFK, LLC, AN OHIO LIMITED LIABILITY COMPANY, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A PERPETUAL EASEMENT FOR STORM WATER MANAGEMENT PURPOSES OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, REPAIRING AND MAINTAINING STORM WATER SYSTEMS, 0.013 ACRES OF REAL PROPERTY, IN EXCHANGE FOR THE VACATION OF SEVERAL EXISTING EASEMENTS ACROSS GRANTOR'S PROPERTY; AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. 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 DRAFT No. 17-149 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": 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.

ORDINANCE No. 2017-149: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN 315 RFK, LLC, AN OHIO LIMITED LIABILITY COMPANY, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A PERPETUAL EASEMENT FOR STORM WATER MANAGEMENT PURPOSES OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, REPAIRING AND MAINTAINING STORM WATER SYSTEMS, 0.013 ACRES OF REAL PROPERTY, IN EXCHANGE FOR THE VACATION OF SEVERAL EXISTING EASEMENTS ACROSS GRANTOR'S PROPERTY; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-150: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN 315 RFK, LLC, AN OHIO LIMITED LIABILITY COMPANY, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A PERPETUAL EASEMENT FOR STORM WATER MANAGEMENT PURPOSES OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, REPAIRING AND MAINTAINING STORM WATER SYSTEMS, 0.018 ACRES OF REAL PROPERTY, IN EXCHANGE FOR THE VACATION OF SEVERAL EXISTING EASEMENTS

ACROSS GRANTOR'S PROPERTY; AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll call, voting "Yes": 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 DRAFT No. 17-150 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": 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.

ORDINANCE No. 2017-150: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN 315 RFK, LLC, AN OHIO LIMITED LIABILITY COMPANY, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A PERPETUAL EASEMENT FOR STORM WATER MANAGEMENT PURPOSES OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, REPAIRING AND MAINTAINING STORM WATER SYSTEMS, 0.018 ACRES OF REAL PROPERTY, IN EXCHANGE FOR THE VACATION OF SEVERAL EXISTING EASEMENTS ACROSS GRANTOR'S PROPERTY; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

FINANCE COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF NOVEMBER 1, 2017 AND THE THREE (3) RECOMMENDED ACTIONS made by made by Mr. DeLeone, seconded by Mr. Ferrara, and CARRIED by a voice vote of 9-0.

Recommended actions:

1) Authorize, accept and appropriate the proposed AMATS grant for the resurfacing of Mogadore Road from Cherry St. to Summit St., and declaring an emergency.
2) Approve the 2018-2022 Capital Improvement Plan with the two (2) variances from the City Policy's fund balances for one (1) year, and declaring an emergency.
3) Authorize the proposed budget appropriations as submitted, and declaring an emergency.

Draft No. 17-142: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO APPLY FOR, ACCEPT IF AWARDED, AND ALLOCATE $580,000.00 FROM THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) FOR A RESURFACING PROGRAM GRANT TO RESURFACE MOGADORE ROAD FROM CHERRY STREET TO SUMMIT STREET, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. 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 DRAFT No. 17-142 made by Mr. Ferrara and seconded by Mr. Kuhar. On Roll call, voting "Yes": 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.

ORDINANCE No. 2017-142: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO APPLY FOR, ACCEPT IF AWARDED, AND ALLOCATE $580,000.00 FROM THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) FOR A RESURFACING PROGRAM GRANT TO RESURFACE MOGADORE ROAD FROM CHERRY STREET TO SUMMIT STREET, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-143: AN ORDINANCE AMENDING ORDINANCE NO. 2016-99, THE CURRENT APPROPRIATION ORDINANCE, PASSED NOVEMBER 16, 2016; AS AMENDED BY ORDINANCE NO. 2017-10, PASSED FEBRUARY 15, 2017; AS AMENDED BY ORDINANCE NO. 2017-15, PASSED

MARCH 15, 2017; AS AMENDED BY ORDINANCE NO. 2017-38, PASSED MAY 17, 2017; AS AMENDED BY ORDINANCE NO. 2017-48, PASSED JUNE 21, 2017; AS AMENDED BY ORDINANCE NO. 2017-75, PASSED AUGUST 16, 2017; AND AS AMENDED BY ORDINANCE NO. 2017-111, PASSED SEPTEMBER 20, 2017; SO AS TO INCREASE APPROPRIATIONS IN FUND 001, GENERAL; FUND 106, PARKS AND RECREATION; FUND 126, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); FUND 128, FIRE & EMS; FUND 202, SEWER; AND FUND 301, CAPITAL; AND SO AS TO DECREASE APPROPRIATIONS IN FUND 201, WATER; AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar and seconded by Mr. Sidoti. On Roll call, voting "Yes": 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 DRAFT No. 17-143 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": 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.

ORDINANCE No. 2017-143: AN ORDINANCE AMENDING ORDINANCE NO. 2016-99, THE CURRENT APPROPRIATION ORDINANCE, PASSED NOVEMBER 16, 2016; AS AMENDED BY ORDINANCE NO. 2017-10, PASSED FEBRUARY 15, 2017; AS AMENDED BY ORDINANCE NO. 2017-15, PASSED MARCH 15, 2017; AS AMENDED BY ORDINANCE NO. 2017-38, PASSED MAY 17, 2017; AS AMENDED BY ORDINANCE NO. 2017-48, PASSED JUNE 21, 2017; AS AMENDED BY ORDINANCE NO. 2017-75, PASSED AUGUST 16, 2017; AND AS AMENDED BY ORDINANCE NO. 2017-111, PASSED SEPTEMBER 20, 2017; SO AS TO INCREASE APPROPRIATIONS IN FUND 001, GENERAL; FUND 106, PARKS AND RECREATION; FUND 126, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); FUND 128, FIRE & EMS; FUND 202, SEWER; AND FUND 301, CAPITAL; AND SO AS TO DECREASE APPROPRIATIONS IN FUND 201, WATER; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-144: A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF $200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM JUDITH SWEARINGEN FOR A TREE ALONG THE PORTAGE BIKE TRAIL IN MEMORY OF HAROLD WALKER, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. 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 DRAFT No. 17-144 made by Mr. Ferrara and seconded by Ms. Shaffer. On Roll call, voting "Yes": 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.

RESOLUTION No. 2017-144: A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF $200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM JUDITH SWEARINGEN FOR A TREE ALONG THE PORTAGE BIKE TRAIL IN MEMORY OF HAROLD WALKER, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-145: A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF $200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM CHARLES AND BETTY LIM FOR A TREE AT PLUM CREEK IN MEMORY OF LIU YU MIN, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Ms. Sidoti. On Roll call, voting "Yes": 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 DRAFT No. 17-145 made by Mr. DeLeone and seconded by Ms. Sidoti. On Roll call, voting "Yes": 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.

RESOLUTION No. 2017-145: A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF $200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM CHARLES AND BETTY LIM FOR A TREE AT PLUM CREEK IN MEMORY OF LIU YU MIN, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-146: AN ORDINANCE AMENDING SECTION 913.05 OF THE KENT CODIFIED ORDINANCES, INCREASING THE WATER RATES OF THE CITY OF KENT, OHIO BY NINE PERCENT (9%) BEGINNING WITH THE FIRST BILLING CYCLE IN JANUARY, 2018, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. 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 DRAFT No. 17-146 made by Mr. DeLeone and seconded by Mr. Shaffer. On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Long, and Ms. Shaffer. The motion CARRIED by a roll call vote of 8-0-1 with Mr. Kuhar Abstaining.

ORDINANCE No. 2017-146: AN ORDINANCE AMENDING SECTION 913.05 OF THE KENT CODIFIED ORDINANCES, INCREASING THE WATER RATES OF THE CITY OF KENT, OHIO BY NINE PERCENT (9%) BEGINNING WITH THE FIRST BILLING CYCLE IN JANUARY, 2018, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 17-147: AN ORDINANCE AMENDING SECTION 915.72 OF THE KENT CODIFIED ORDINANCES, INCREASING THE SEWER RATES OF THE CITY OF KENT, OHIO BY THREE PERCENT (3%) BEGINNING WITH THE FIRST BILLING CYCLE IN JANUARY, 2018, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. 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 DRAFT No. 17-147 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": 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.

ORDINANCE No. 2017-147: AN ORDINANCE AMENDING SECTION 915.72 OF THE KENT CODIFIED ORDINANCES, INCREASING THE SEWER RATES OF THE CITY OF KENT, OHIO BY THREE PERCENT (3%) BEGINNING WITH THE FIRST BILLING CYCLE IN JANUARY, 2018, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

HEALTH AND SAFETY COMMITTEE: **None**

LAND USE COMMITTEE**: None**

STREETS, SIDEWALKS AND UTILITIES COMMITTEE: None

SPECIAL COMMITTEE REPORTS: NONE

UNFINISHED BUSINESS: NONE

NEW BUSINESS:
Ms. Shaffer would like to see an article and the fully adopted Resolution on the Paris Climate Accord advertised to the community. It has been a process and should be highlighted in the community. She is willing to assist in the writing of the article.

MOTION TO HAVE ADMINISTRATION PUBLICIZE, IN FULL, IN BOTH THE NEXT TREE CITY BULLETIN AND THE RECORD COURIER, THE FULLY ADOPTED RESOLUTION AND AN ARTICLE ON THE PROCESS made by Ms. Shaffer, seconded by Ms. Wallach.

Mr. Sidoti supported the idea as the Sustainability Commission is a citizen organization Council appointed and would like to see them included in the article as part of the process.

Ms. Shaffer agreed with Mr. Sidoti and felt that the “process is as important as the product.”

The **MOTION *CARRIED*** by a voice vote of 9-0.

MOTION TO REVIEW THE PROCESS OF OUR RECORDED RECORDS AND HOW THEY ARE SAVED made by Ms. Wallach. No one seconded the Motion. Clerk Grimm stated the Motion ***FAILED*** for lack of a second.

MOTION FOR COUNCIL MEMBER SALARY RAISES OF $1,500.00 FOR THE YEAR OR $125.00 PER MONTH FOR THE NEW INCOMING 2018 ELECTORS AND THE 2020 ELECTORS made by Mr. Ferrara, seconded by Ms. Shaffer.

Mr. Ferrara explained how none of the Councilmembers who were reelected or the new incoming member had any prior knowledge of a salary increase, therefore, there is no conflict of interest.

Ms. Shaffer agreed as we would be taking care of future Councils. We are in a position of great responsibility and should be paid for a position that is done well 24/7.

Mr. Kuhar was opposed to the raises. Being on Council is a public service and civic duty. The money doesn’t matter, especially for this position.

Mr. Sidoti reminded Council that there was a Citizen committee appointed back in 2016 as directed by our Charter. Their findings were that the Mayor’s position is grossly underpaid; even a $1,500 raise is too low for the Mayor. He felt that raises could begin in 2020 for the Wards; the 2018 At-large raises are not needed and should wait until 2022. He is troubled that we do not have more candidates running in the elections. Mr. Sidoti was not unopposed to voting for raises, however, he would be voting “NO” unless the At-Large raises are moved to 2022. The decision has to be made in good conscience. He would like to see the following:

- In 2018, the Mayoral Position receive a $1,500 raise for this year only.
- In 2020, the Ward Councilmembers receive a $1,500 raise in 2020 only.
- In 2022, the At-Large Councilmembers receive a $1,500 raise in 2022 only.

Mr. Turner commented on how we have been revisiting this topic since April and his position on the matter has not changed. He felt that the Health and Wellness Center Levy not passing is an indicator and view of people's financial situation. Mr. Turner would like to see this matter put on the ballot and be left to the voters as it is not fair for us to vote ourselves a raise.

Ms. Wallach stated there should at least be a cost of living raise given every year and reminded Mr. Turner that the recreation center vote is a completely different matter.

Assistant Law Director Fink stated he is holding off on his opinion until he can review the information; however, there are the ORC rules, Mr. Silver's opinion on the matter, and our City's Charter which already states the rules regarding Councilmembers' salary raises.

Mr. Ferrara reminded Council that it costs $15,000 to put something on the ballot. It would cost us more to send it to the voters than the actual amount we are looking to approve as a raise.

Mr. Amrhein commented how he doesn't particularly like when Congress gives themselves a raise. He further commented on how he was "Acting" Mayor for the last 2 weeks, and how he was extremely busy also attending events, then informed Council that "Our Mayor works hard."; 25 years Council has gone without a raise and would like to see us increase the salary for the next people moving into these seats.

MOTION TO AMEND MR FERRARA'S MOTION FOR COUNCIL RAISES TO REFLECT THE FOLLOWING:

- IN 2018, THE MAYORAL POSITION RECEIVE A $1,500 RAISE FOR THAT YEAR ONLY;
- IN 2020, THE WARD COUNCILMEMBERS RECEIVE A $1,500 RAISE IN 2020 ONLY;
- IN 2022, THE AT-LARGE COUNCILMEMBERS RECEIVE A $1,500 RAISE IN 2022 ONLY

made by Mr. Sidoti, seconded by Ms. Shaffer. Motion ***CARRIED*** by a voice vote of 7-2 with Mr. Kuhar and Mr. Turner voting "No".

Clerk Grimm was asked by Mayor Fiala to read back the wording of the proposed newly amended motion for clarification.

MOTION TO APPROVE A RAISE FOR THE MAYORAL POSITION FOR $1,500 IN 2018 ONLY; THE WARD COUNCILMEMBERS RECEIVE A $1,500 RAISE IN 2020 ONLY; AND THE AT-LARGE COUNCILMEMBERS RECEIVE A $1,500 RAISE IN 2022 ONLY made by Mr. Amrhein, seconded by Mr. DeLeone.

Mr. Sidoti commented how this middle ground is appropriate as it isn't a whole lot of money collectively; we, as Council, need to set the standard as this is the right thing to do.

Ms. Shaffer stated she reiterates Mr. Sidoti's comments and continued with how this is a dignified way of not voting "ourselves" a raise, as none of us know if we are going to run again or even win the election if we do run.

Mr. Turner referred to his earlier comments on the last election cycle and the trend; he does not think this is this isn't the time for raises.

Ms. Shaffer concluded with how she is happy this Council has the knowledge and the foresight to protect the position and our future Councilmembers.

Mr. Kuhar stated this amendment is not quite as abrasive but will still be voting "No".

On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Long, Ms. Shaffer, and Mr. Sidoti; voting "No": Mr. Kuhar and Mr. Turner. **The motion CARRIED by a roll call vote of 7-2.**

Mayor Fiala referred to Clerk Grimm who stated "The Motion passed by a ¾ vote of all members of Council, or 7 members voting yes."

COUNCILMEMBERS' COMMENTS:

Mr. Sidoti informed the Kent State students that were sitting in the audience, the difference between on Committee meetings on the 1st Wednesday of the month and how we do all of our discussing and hashing out at that meeting vs. the 3rd Wednesday of the month's legislative meeting as they witnessed this evening. We do not just "rubber stamp" everything.

Mr. Kuhar stated he was pleased with the election results, but was very disappointed in the number of voters who turned out. Only 4,000 of the 28,000 residents voted and he applauds those who showed up. Mayor Fiala commented only a small percentage of the 28,000 residents are even registered to vote.

Ms. Wallach piggybacked off of Mr. Kuhar's comments by stating she asked her students during class "who voted in the election" and most had no idea there was even an election taking place, including her adult students.

MAYOR'S REPORT:

Mayor Fiala stated he is going on the record to state he is upset about the raise Council voted on for the Mayor; but was not allowed to speak to the Motion. He thanked Mr. Amrhein for filling in for him during his vacation and joked that a woman on the beach stopped and commented on how she knows "he" is in the newspaper all the time. The Mayor commented "yes, the Record Courier" and they both laughed as the woman told him she was from Ravenna. The Mayor also informed Council on how Melanie Baker, Tom Wilke and he attended the Annual NOPEC meeting and things are moving smoothly.

Mayor Fiala wished everyone a Happy Thanksgiving and told them to enjoy their family.

At 8:34 p.m., Mayor Fiala announced there will be a Special Finance Committee meeting to present the proposed 2018 Operating Budget followed by an Executive Session.

MOTION TO MOVE INTO AN EXECUTIVE SESSION AFTER THE SPECIAL FINANCE COMMITTEE MEETING *in accordance with ORC §121.22 Section G, Item (1) and (4): (1) "To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing;" and (4) "Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment."* made by Mr. Amrhein, seconded by Mr. Ferrara. On Roll call, voting "Yes": 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.

At 8:35 p.m., Council moved into the Special Finance Committee Meeting ***(See separate Special Finance Committee Meeting Minutes)***

At 9:17 p.m., Chair DeLeone adjourned the Special Finance Committee meeting.

Mayor Fiala announced there would be a 5 minute break prior to the start of Executive Session.

At 9:22 p.m., Mayor Fiala reconvened the Regular Council meeting and Council moved into Executive Session as previously moved.

At 10:02 p.m., Council came out of Executive Session and Mayor Fiala reconvened the Regular Meeting.

MOTION TO APPROVE THE TENTATIVE AGREEMENT FOR A UNION CONTRACT REACHED BY KENT CITY STAFF AND THE OHIO PATROLMAN'S BENEVOLENT ASSOCIATION (O.P.B.A.) made by Mr. Ferrara, seconded by Mr. Amrhein. On Roll call, voting "Yes": 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.

Hearing no further discussion, Mayor Fiala adjourned the Regular Meeting at 10:03 p.m.

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