THE CITY OF KENT, OHIO
REGULAR COUNCIL MEETING
WEDNESDAY, APRIL 18, 2018

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, Ms. Gwen Rosenberg, 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; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Mr. Tom Wilke, Economic Development Director; Mr. Jim Bowling, City Engineer; Ms. Melanie Baker, Public Service Director; and Ms. Tara Grimm, CMC, Clerk of Council.

ABSENT: Mr. John Kuhar.

MOTION TO EXCUSE MR. KUHAR FROM TONIGHT'S MEETING made by Mr. DeLeone, seconded by Mr. Sidoti and CARRIED by a voice vote of 8-0.

Mayor Fiala called upon Councilmember Ferrara for his opening remarks. Mr. Ferrara stated it looks like winter is going to end and it is always an exciting time of year here in Kent with upcoming graduation, spring coming around, spring clean-up and the City being on a roll with the New City Hall. "It's a great time to be in Kent, great things continue to go on and hopes people get out and enjoy it." He then led the Pledge of Allegiance.

APPROVAL OF MINUTES:
MOTION TO APPROVE THE MINUTES OF THE REGULAR CITY COUNCIL MEETING OF MARCH 21, 2018 made by Mr. Ferrara, seconded by Mr. DeLeone, and CARRIED by a voice vote of 8-0.

MOTION TO APPROVE THE MINUTES OF THE PUBLIC HEARING OF APRIL 4, 2018; made by Mr. Ferrara, seconded by Mr. DeLeone, and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

COMMUNICATIONS:
Mayor Fiala called for audience comments. There were three (3) visitors who signed in with the Clerk:

Ms. Denise Baba of 10045 Brushwood Drive, Streetsboro and resident of Portage County for 20 years, introduced herself and wanted to put a face to a name as she is running for the 75th District House seat.

Ms. Kristen Pool of 9519 Nichols Road, Windham, Freedom Township, and member of the Haymaker Farmers Market Board of Trustees thanked Council for their support on behalf of the rest of the Board members and the 50+ vendors and for passing the Resolution this evening.

Mr. Mason Seachrist of 7712 Diagonal Road, Kent requested information on the upcoming river clean-up for his environmental science class and Eagle Scouts. Mr. Seachrist was told Mr. Wicks, secretary to the Sustainability Commission, will provide him the information.

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 March 8, 2018 received March 22, 2018.

2. Response Letter received from Congressman Tim Ryan on March 26, 2018 in regards to the City's letter urging action on gun violence.
3. Planning Commission Agenda for April 3, 2018 received March 27, 2018.
4. Sustainability Commission Agenda for April 9, 2018 and Minutes from February 5, 2018 received April 5, 2018.

Oral Communications were reported by Clerk Grimm as being received after the Agenda was published and were placed on file in the Clerk's office as follows:

1. A memo for the 2018 CDBG Draft Action Plan was received April 17, 2018 from Dan Morganti for the 30 day public comment period that runs through May 16th to be kept on file in the Clerk of Council's office.
2. Portage County Solid Waste meeting minutes of January 31, 2018 received on April 18, 2018 from Ms. Wallach.

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

1. Request Council's authorization to accept a donation of $700 to Kent Parks and Recreation from the Sylvia Coogan Memorial Fund to support the 2018 Art in the Park Festival (Draft #2018-50)

2. Request Council's authorization to schedule the City-Franklin Township annual joint meeting.

3. Request Committee of the Whole time to consider approval of a City-KSU collaboration commitment.

4. Request Committee of the Whole time to receive refresher training for public records from the staff.

5. Request Community Development time to for Council's consideration of a request from the Klaben company to set aside a development fee for the termination of utilities at the property line.

6. Request Community Development time to consider a proposed text amendment to the Property Maintenance Code related to PODS storage units.

7. Request Public Health & Safety time to receive a report from the Health Department on a new project involving GIS mapping of public health indicators.

8. Request Streets, Sidewalks & Utilities time to consider a license Agreement with Akron Water for a bike path easement.

9. Request Streets, Sidewalks & Utilities time to consider authorization of the OPWC funding application requests for 2018.

10. Request Streets, Sidewalks & Utilities Committee time to authorize the award of the citywide trash and recycling contract.

11. Request Finance Committee time for authorization of the sale of surplus City property at auction.

12. Request Finance Committee time for consideration of a proposed 2018 Budget Appropriations Amendment.

MOTION TO APPROVE ITEMS #1 - #12 OF THE CITY MANAGER'S REPORT made by Mr. Amrhein, seconded by Mr. Sidoti. Motion CARRIED by a voice vote of 8-0.

STANDING COMMITTEES/ LEGISLATION

COMMITTEE OF THE WHOLE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF APRIL 4, 2018 AND THE ONE (1) RECOMMENDED ACTION made by Mr. DeLeone, seconded by Mr. Ferrara, and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

Recommended Actions:

1) Have our I.T. professional provide quotes on options for inexpensive digital audio recording and storage methods

BALLOTING FOR VARIOUS BOARDS AND COMMISSIONS

Mayor Fiala referred to Clerk Grimm to announce the results of the balloting for the Boards & Commissions vacancies:

- Todd Ridenour for the Board of Building Appeals as a Registered Plumbing Contractor
- Emily Mattern for the Board of Health
- Allyson Chicoski for the Civil Service Commission
- David Basista and Mark Weisman for the Design and Preservation Committee
- Andrew Scholl for the Sustainability Commission

MOTION TO AUTHORIZE DRAFT Nos. 2018-43, 2018-44, 2018-45, 2018-46, 2018-47 & 2018-48 WITH THE APPROPRIATE NAMES INSERTED made by Mr. Amrhein, seconded by Mr. Ferrara, and CARRIED by a voice vote of 8-0.

Draft No. 2018-43: A RESOLUTION APPOINTING TODD RIDENOUR TO THE BOARD OF BUILDING APPEALS 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, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, and Mr. Amrhein . The motion CARRIED by a roll call vote of 7-0-1 with Ms. Wallach abstaining.

MOTION TO ADOPT DRAFT No. 2018-43 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 7-0-1 with Ms. Wallach abstaining.

RESOLUTION NO. 2018-43: A RESOLUTION APPOINTING TODD RIDENOUR TO THE BOARD OF BUILDING APPEALS AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 2018-44: A RESOLUTION APPOINTING EMILY MATTERN TO THE BOARD OF HEALTH 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. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-44 made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Mr. Turner, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Ms. Rosenberg. The motion CARRIED by a roll call vote of 7-0-1 with Ms. Wallach abstaining.

RESOLUTION NO. 2018-44: A RESOLUTION APPOINTING EMILY MATTERN TO THE BOARD OF HEALTH AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 2018-45: A RESOLUTION APPOINTING ALLYSON CHICOSKI TO THE CIVIL SERVICE COMMISSION 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, Ms. Rosenberg, and Ms. Shaffer. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-45 made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Turner, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, and Mr. Sidoti. The motion CARRIED by a roll call vote of 7-0-1 with Ms. Wallach abstaining.

RESOLUTION NO. 2018-45: A RESOLUTION APPOINTING ALLYSON CHICOSKI TO THE CIVIL SERVICE COMMISSION AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 2018-46: A RESOLUTION APPOINTING DAVID BASISTA AND MARK WEISMAN TO THE DESIGN AND PRESERVATION COMMITTEE 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. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Mr. Turner. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-46 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Mr. Turner. The motion CARRIED by a roll call vote of 7-0-1 with Ms. Wallach abstaining.

RESOLUTION NO. 2018-46: A RESOLUTION APPOINTING DAVID BASISTA AND MARK WEISMAN TO THE DESIGN AND PRESERVATION COMMITTEE AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 2018-47: A RESOLUTION APPOINTING ANDREW SCHOLL TO THE SUSTAINABILITY COMMISSION 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, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-47 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 7-0-1 with Ms. Wallach abstaining.

RESOLUTION NO. 2018-47: A RESOLUTION APPOINTING ANDREW SCHOLL TO THE SUSTAINABILITY COMMISSION AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 2018-48: A RESOLUTION APPOINTING BRIAN GRAY TO THE PARTA BOARD, 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. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-48 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Mr. Turner, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Ms. Rosenberg. The motion CARRIED by a roll call vote of 7-0-1 with Ms. Wallach abstaining.

RESOLUTION NO. 2018-48: A RESOLUTION APPOINTING BRIAN GRAY TO THE PARTA BOARD, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

COMMUNITY DEVELOPMENT COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF APRIL 4, 2018 made by Ms. Rosenberg, seconded by Mr. Ferrara and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE TWO (2) RECOMMENDED ACTIONS made by Ms. Rosenberg, seconded by Mr. Ferrara, and CARRIED by a voice vote of 8-0.

Recommended Actions:

1. Authorize and allocate the 2018 Celebrate Kent grant program funding requests with an emergency clause.
2. Authorize the sub-lease renewal for the Haymakers Farmers' Market with an emergency clause.

Draft No. 2018-49: A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT WITH THE HAYMAKER FARMERS' MARKET FOR THE SUB-LAND LEASE OF A PARKING LOT LOCATED NORTH OF SUMMIT STREET, WEST OF FRANKLIN AVENUE, AND EAST OF AKRON BARBERTON CLUSTER RAILWAY COMPANY'S MAIN LINE TRACK, CONTAINING 0.168 ACRES, FOR THE PERIOD OF MAY 5, 2018 THROUGH OCTOBER 27, 2018; CONTINGENT ON THE CONTINUATION OF THE CITY'S LEASE WITH THE AKRON BARBERTON CLUSTER RAILWAY COMPANY, FOR THE AMOUNT OF $1.00; AND DECLARING AN EMERGENCY 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. Rosenberg. On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, and Ms. Shaffer. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-49 made by Mr. Ferrara and seconded by Ms. Rosenberg. On Roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, and Mr. Sidoti. The motion CARRIED by a roll call vote of 8-0.

RESOLUTION NO. 2018-49: A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT WITH THE HAYMAKER FARMERS' MARKET FOR THE SUB-LAND LEASE OF A PARKING LOT LOCATED NORTH OF SUMMIT STREET, WEST OF FRANKLIN AVENUE, AND EAST OF AKRON BARBERTON CLUSTER RAILWAY COMPANY'S MAIN LINE TRACK, CONTAINING 0.168 ACRES, FOR THE PERIOD OF MAY 5, 2018 THROUGH OCTOBER 27, 2018; CONTINGENT ON THE CONTINUATION OF THE CITY'S LEASE WITH THE AKRON BARBERTON CLUSTER RAILWAY COMPANY, FOR THE AMOUNT OF $1.00; AND DECLARING AN EMERGENCY AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

FINANCE COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF APRIL 4, 2018 made by Mr. DeLeone, seconded by Mr. Ferrara and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE ONE (1) RECOMMENDED ACTION made by Mr. DeLeone, seconded by Mr. Ferrara, and CARRIED by a voice vote of 8-0.

Recommended Action:

1) Authorize the 2018 Proposed Appropriations Amendment as submitted with an emergency clause.

Draft No. 2018-50: A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF $700.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM THE SYLVIA COOGAN MEMORIAL FUND FOR SUPPORT OF THE 2018 ART IN THE PARK FESTIVAL, 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. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Mr. Turner. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-50 made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, and Ms. Wallach. The motion CARRIED by a roll call vote of 8-0.

RESOLUTION No. 2018-50: A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF $700.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM THE SYLVIA COOGAN MEMORIAL FUND FOR SUPPORT OF THE 2018 ART IN THE PARK FESTIVAL, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 2018-51: AN ORDINANCE AMENDING ORDINANCE NO. 2017-156, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 13, 2017; AS AMENDED BY ORDINANCE NO. 2018-33, PASSED FEBRUARY 21, 2018; AND AS AMENDED BY ORDINANCE NO. 2018-38, PASSED MARCH 21, 2018; SO AS TO INCREASE APPROPRIATIONS IN FUND 001, GENERAL; FUND 107, FOOD SERVICE; AND FUND 126, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); AND SO AS TO INCREASE TRANSFERS FROM FUND 001, GENERAL TO FUND 126, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); AND SO AS TO INCREASE ADVANCES FROM FUND 116, INCOME TAX TO FUND 126, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); 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, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-51 made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Ferrara, Ms. Rosenberg, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 7-0-1 with Ms. Shaffer abstaining.

RESOLUTION No. 2018-51: AN ORDINANCE AMENDING ORDINANCE NO. 2017-156, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 13, 2017; AS AMENDED BY ORDINANCE NO. 2018-33, PASSED FEBRUARY 21, 2018; AND AS AMENDED BY ORDINANCE NO. 2018-38, PASSED MARCH 21, 2018; SO AS TO INCREASE APPROPRIATIONS IN FUND 001, GENERAL; FUND 107, FOOD SERVICE; AND FUND 126, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); AND SO AS TO INCREASE TRANSFERS FROM FUND 001, GENERAL TO FUND 126, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); AND SO AS TO INCREASE ADVANCES FROM FUND 116, INCOME TAX TO FUND 126, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

HEALTH AND SAFETY COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF APRIL 4, 2018 made by Mr. Amrhein, seconded by Mr. DeLeone and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE TWO (2) RECOMMENDED ACTIONS made by Mr. Amrhein, seconded by Mr. DeLeone and CARRIED by a voice vote of 8-0.

Recommended Action:

1) Authorize the Pulsepoint CPR Program with an emergency clause
2) Accept the University Hospital's donation of Lucas Machine cases with an emergency clause

Draft No. 2018-52: A RESOLUTION ACCEPTING A DONATION TO THE CITY OF KENT FROM UNIVERSITY HOSPITALS OF A PULSEPOINT PROGRAM THAT CONSISTS OF A VIRTUAL SERVER CONNECTED TO THE 911 DISPATCH CENTER, AN INTERFACE MODULE AND A SMART PHONE APPLICATION (APP) TO PROVIDE A MORE EFFICIENT CPR PROGRAM IN THE CITY, 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. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-52 made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Ms. Rosenberg. The motion CARRIED by a roll call vote of 8-0.

RESOLUTION No. 2018-52: A RESOLUTION ACCEPTING A DONATION TO THE CITY OF KENT FROM UNIVERSITY HOSPITALS OF A PULSEPOINT PROGRAM THAT CONSISTS OF A VIRTUAL SERVER CONNECTED TO THE 911 DISPATCH CENTER, AN INTERFACE MODULE AND A SMART PHONE APPLICATION (APP) TO PROVIDE A MORE EFFICIENT CPR PROGRAM IN THE CITY, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 2018-53: A RESOLUTION ACCEPTING A DONATION TO THE CITY OF KENT FIRE DEPARTMENT FROM UNIVERSITY HOSPITALS OF FOUR (4) CASES FOR THE FIRE DEPARTMENT'S LUCAS MACHINES WHICH PROVIDE AUTOMATIC CPR TO PATIENTS, 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, Ms. Rosenberg, Ms. Shaffer, and Mr. Sidoti. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-53 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Mr. Turner. The motion CARRIED by a roll call vote of 8-0.

RESOLUTION No. 2018-53: A RESOLUTION ACCEPTING A DONATION TO THE CITY OF KENT FIRE DEPARTMENT FROM UNIVERSITY HOSPITALS OF FOUR (4) CASES FOR THE FIRE DEPARTMENT'S LUCAS MACHINES WHICH PROVIDE AUTOMATIC CPR TO PATIENTS, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Mayor Fiala recognized Mr. Ferrara who requested a letter of thanks be written to University Hospitals and joked how he would prefer Mr. Ruller pen the letter.

***LAND USE COMMITTEE*:**

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF MARCH 7, 2018 made by Mr. Ferrara, seconded by Mr. DeLeone and CARRIED by a voice vote of 8-0.

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF APRIL 4, 2018 AND THE ONE (1) RECOMMENDED ACTION made by Mr. Ferrara, seconded by Mr. DeLeone and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

Recommended Action:

1) Authorize the Zoning Code texts amendments for medical marijuana with an emergency clause

Draft No. 2018-54: AN ORDINANCE AMENDING PART ELEVEN, SECTIONS 1103.03 (DEFINITIONS), 1137.02(B) (USES), 1141.02(B) (USES), 1143.02(B) (USES), 1145.02(B) (USES), 1153.02(B) (USES), 1155.02(B) (USES) AND 1171.01 (REQUIREMENTS FOR CONDITIONALLY PERMITTED USES), OF THE KENT CODIFIED ORDINANCES TO INCLUDE LANGUAGE PERTAINING TO MEDICAL MARIJUANA; 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 Ms. Shaffer and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, and Ms. Wallach. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-54 made by Mr. Ferrara and seconded by Ms. Shaffer. On Roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The motion CARRIED by a roll call vote of 8-0.

RESOLUTION No. 2018-54: AN ORDINANCE AMENDING PART ELEVEN, SECTIONS 1103.03 (DEFINITIONS), 1137.02(B) (USES), 1141.02(B) (USES), 1143.02(B) (USES), 1145.02(B) (USES), 1153.02(B) (USES), 1155.02(B) (USES) AND 1171.01 (REQUIREMENTS FOR CONDITIONALLY PERMITTED USES), OF THE KENT CODIFIED ORDINANCES TO INCLUDE LANGUAGE PERTAINING TO MEDICAL MARIJUANA; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

STREETS, SIDEWALKS AND UTILITIES COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF APRIL 4, 2018 made by Mr. Sidoti, seconded by Mr. Ferrara and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE TWO (2) RECOMMENDED ACTIONS made by Mr. Sidoti, seconded by Mr. Ferrara, and CARRIED by a voice vote of 8-0.

Recommended Action:

1) Authorize the special event temporary street closure permit for the Hammy 5k with an emergency clause.
2) Authorize the travelling stanza/utility box art agreements with an emergency clause.

Draft No. 2018-55: A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE A NEW SPECIAL EVENT APPLICATION FROM THE ADAM HAMILTON FOUNDATION FOR THE HAMMY "HOMETOWN HERO" 5K RACE TO BE HELD ON MAY 19, 2018 IN CERTAIN AREAS OF KENT, 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. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-55 made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The motion CARRIED by a roll call vote of 8-0.

RESOLUTION No. 2018-55: A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE A NEW SPECIAL EVENT APPLICATION FROM THE ADAM HAMILTON FOUNDATION FOR THE HAMMY "HOMETOWN HERO" 5K RACE TO BE HELD ON MAY 19, 2018 IN CERTAIN AREAS OF KENT, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 2018-56: A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RENEW THE MEMORANDUM OF UNDERSTANDING THAT WAS ENTERED INTO ON JUNE 1, 2016 BETWEEN KENT STATE UNIVERSITY, SPECIFICALLY THE WICK POETRY CENTER, MAIN STREET KENT AND THE CITY OF KENT TO INTEGRATE PUBLIC ART ON THE UTILITY BOXES IN DOWNTOWN KENT, 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 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, and Ms. Rosenberg. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-56 made by Mr. DeLeone and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, and Ms. Shaffer. The motion CARRIED by a roll call vote of 8-0.

RESOLUTION No. 2018-56: A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RENEW THE MEMORANDUM OF UNDERSTANDING THAT WAS ENTERED INTO ON JUNE 1, 2016 BETWEEN KENT STATE UNIVERSITY, SPECIFICALLY THE WICK POETRY CENTER, MAIN STREET KENT AND THE CITY OF KENT TO INTEGRATE PUBLIC ART ON THE UTILITY BOXES IN DOWNTOWN KENT, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

SPECIAL COMMITTEE REPORTS: NONE

UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Mr. Amrhein stated he had a constituent express a concern, who he believes lives in Ms. Wallach's Ward but owns property in his Ward, regarding sidewalk and curb replacement costs as he has a physically disabled relative living in the home on his property and does not collect rental income. In 1994, Council passed 2 categories when replacing sidewalks and curbs – one for owner occupied and the other for income producing. He would like to see a 3rd category be considered when sharing the costs of the expenses for sidewalk replacements and curb cutting.

Mayor Fiala clarified if this was an actual Motion Mr. Amrhein was making.

Mr. Amrhein replied yes.

MOTION TO REFER TO COMMITTEE TO DISCUSS ADDING A THIRD CATEGORY FOR NON-INCOME PRODUCING PROPERTY OWNERS FOR SIDEWALK REPAIR AND REPLACEMENT EXPENSES made by Mr. Amrhein, seconded by Ms. Shaffer.

Mr. Amrhein felt the topic was worth discussing, however it would be hard to prove non-income producing property.

Ms. Shaffer felt it would make it easier for those different situations.

Mr. Ferrara stated he will vote "No" as we can't make exceptions for every time something comes up. It would become a bureaucratic nightmare.

Ms. Wallach stated she will vote "Yes" as the 3rd category can be decided on an individual basis; there will not be that many situations and this Motion is for it to just go into Committee.

Mr. Sidoti agreed; this Motion is just to go to Committee first. It sounds as if everyone is taking a stand already but let's get it into committee and have some conversation.

MOTION CARRIED by a voice vote of 7-1.

Ms. Wallach questioned the Wick Poetry MOU, if we own the downtown utility boxes and if we are going to expand into the neighborhood boxes.

Mr. Ruller answered yes, we talked about it and it is expensive; but we were going to finish the downtown ones first.

Mr. Bowling commented yes we looked at the neighborhoods with embedded boxes for signals. We would need to find a neighborhood group in each neighborhood willing to maintain the boxes and pick the poem going on the box to reflect the neighborhood's voice. Mr. Wicks has been working on determining where the boxes are in the neighborhoods and finding a lead charge person.

Ms. Wallach asked if there were any utility boxes in her Ward.

Mr. Bowling stated at Crain Ave. Crain, Lake and Water is supposed to have a wrap put on it because it is close enough to downtown, but was unsure if there were anymore.

Ms. Wallach stated Mr. Bowling can look into it and let her know.

Ms. Rosenberg stated she attended a school safety meeting at Roosevelt High School where there were representatives from our police and fire departments, school district, teachers, and students. She was impressed with the planning, effort and coordination by all to protect our young people. In light of the recent letter we sent to our State and National legislators, with the response letter received from Congressman Tim Ryan and it being Compassionate City Month, she wanted to make a Motion.

MOTION TO REQUEST STAFF DRAFT A JOINT RESOLUTION WITH THE KENT CITY SCHOOLS THAT FORMALIZES OUR COMMUNITY'S SHARED COMMITMENT TO SCHOOL SAFETY AND CONTINUE TO PUSH FOR STATE AND NATIONAL SOLUTIONS INCLUDING FUNDING made by Ms. Rosenberg, seconded by Mr. Ferrara.

Mayor Fiala asked where exactly Ms. Rosenberg would like this Resolution to go to.

Ms. Rosenberg was thinking something along the lines of a Memorandum of Understanding like what we have with KSU. People are not aware of how much our police and fire already do.

Mayor Fiala asked if she would like a copy sent to the schools and staff.

Ms. Rosenberg responded yes; reach out and formalize our shared commitment.

Mr. Sidoti agreed and likes the idea to have something formalized.

MOTION CARRIED by a voice vote of 8-0.

Mayor Fiala asked for clarification who she wanted to write the letter, he or Mr. Ruller, since Mr. Ruller writes a better letter.

Laughingly, Ms. Rosenberg responded we will go with Mr. Ruller.

COUNCILMEMBERS' COMMENTS: NONE

<u>MAYOR'S REPORT:</u>
Mayor Fiala reminded everyone of the Mayor's Hunger Challenge for Kent Social Services this Saturday from 10:00 a.m. to 1:00 p.m. where he will be collecting canned goods.

Mayor Fiala announced he issued a Proclamation celebrating and supporting Municipal Clerk's Week which is from May 6th through May 12th honoring our Clerk, Tara Grimm.

MOTION TO DESTROY THE BALLOTS IN THIRTY (30) DAYS made by Mr. Amrhein, seconded by Ms. Shaffer and CARRIED by a voice vote of 8-0.

Hearing no further discussion, Mayor Fiala adjourned the Regular Meeting at 8:09 p.m.

Tara Grimm, CMC
Clerk of Council

Jerry T. Fiala
Mayor and President of Council