THE CITY OF KENT, OHIO
REGULAR COUNCIL MEETING
WEDNESDAY, SEPTEMBER 19, 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; Mr. John Kuhar; 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; Ms. Melanie Baker, Public Service Director; Mr. Jim Bowling, City Engineer; and Ms. Tara Grimm, MMC, Clerk of Council.

ABSENT: None

Mayor Fiala called upon Councilmember Sidoti for his opening remarks. Mr. Sidoti congratulated the Mayor on finally winning a bet against Ravenna. It was nice to see the Rough Riders beat Ravenna and hopes the bet is collected on. He commented on the recent touchy subject of the trash difficulties and congratulated the administration on how they dealt with the difficulties that were presented to the community by our current trash haulers. When Council gets blindsided, they have to respond to their constituents. He knows the extra hours the administration put in to it because he took many phone calls; He admires the community after hearing the explanation of what happened. He then led the Pledge of Allegiance.

APPROVAL OF MINUTES:

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF AUGUST 15, 2018 made by Mr. Sidoti, seconded by Mr. Ferrara.

Ms. Rosenberg wanted Clerk Grimm to make a typographical correction of the word "onus" on page 9 of 12, and on page 7 of 8 she believes she was the seconder of one of the Motions.

Clerk Grimm informed Ms. Rosenberg that the minutes she was questioning were Health and Safety Minutes (and Committee of the Whole minutes) not August 15, 2018's regular meeting minutes. Therefore, Ms. Rosenberg would have to wait until that portion of the Agenda where we approve those minutes.

MOTION CARRIED by a voice vote of 8-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE MINUTES OF THE SPECIAL COUNCIL MEETING OF SEPTEMBER 5, 2018 made by Mr. Sidoti, seconded by Mr. Ferrara,

Again Ms. Rosenberg wanted the Clerk to make a typographical correction on page 9 of 12.

Clerk Grimm reminded Ms. Rosenberg she has to wait until we get to those minutes as the correction is not in the Special Meeting Minutes.

MOTION CARRIED by a voice vote of 7-0-2 with Mr. Amrhein and Ms. Wallach abstaining.

COMMUNICATIONS:

Mayor Fiala read a statement to the audience: *"While the law does not require Council to provide time for public comment, we have historically invited the public to make comments and we appreciate their input. This is the time where residents and others can comment on matters that concern them. However, we will* *not engage in debate, and as President of Council, I reserve the right to end any public communication that is disruptive, embarrassment, harassment or otherwise objective. We ask that when you come to the microphone that you speak into the microphone clearly give your name and address and limit their comments to three (3) minutes of discussion."* He then asked the Clerk if anyone was signed in. There were three (3) visitors who signed in with the Clerk.

Mr. Mike Kerrigan with the Portage County Board of Commissioners located at 449 S. Meridian Street, Ravenna, thanked Council and the administration for the work they did with the County as well as all of our townships and villages on the Local Government Fund. It really was local government at its best. Not everyone walked away with what they wanted, but everyone walked away feeling good about the agreement that they all came to. He recognized Mr. Coffee, the Administration and the City Manager for their diligent work. Once the election is over, he would like as many of us to go to our State legislators regarding the local government fund and the cuts we have all been taking collectively. The expansion in the rainy day fund and the cuts to the state income tax are not being felt in Columbus, they are being felt here in our cities, townships and villages.

Ms. Judy Nelson of 330 Whetstone Dr., Kent thanked Council and the Mayor for the proclamation declaring October Sustainability Month. The Sustainability Commission is very grateful for that. This is a good time to celebrate as Kent has always had a history of being concerned about sustainability issues and that's when they created the commission. She gave credit to the goals of conservation, transportation and improving on making it clean. She also referred to a handout she provided the Clerk to disseminate to Council ***(See Attachment #1)*** for the Kent Green Energy Ohio Tour (GEO Tour) and Clean Transportation Cruise-In being held September 29, 2018 from noon to 4:00 p.m. There are many stops and is a self-guided tour.

Mr. Terry Thompson of Republic Services sincerely apologized and asked for forgiveness for the issues created with the trash. The brochures went out 2 ½ weeks late, which he cannot remedy; there were also issues with his call center not being prepared, which he has remedied. They are on track and will be making adjustments over the next 30 days as the unlimited service is the default service on the new list. Prices are being rolled back effective September 1st for anyone who has called in or will call in through November 1st. There will be credits made for overcharges. He informed Council there will still be on-going issues because of the homeowners associations (HOA's) which are possibly serviced by competitors and we don't know who they are. Bills, invoices and brochures were sent to all addresses and if a resident discards it, they would become a delinquent customer and then they would have to identify that addresses location. Some HOA's are summary billed.

Ms. Wallach asked what an HOA is.

Mr. Thompson replied "Homeowners Association." After merging their list with the Portage County Solid Waste and the City's, he feels they now have a good address list; but there still are some holes and gaps that will remedy themselves as we move forward. It will be a good list when they are done.

Mr. Kuhar questioned if a resident received a bill for unlimited service and changed his mind to only wanting 2 cans, will they be credited the difference for their next billing cycle.

Mr. Thompson explained the new pricing matrix starts September 1st, and they will get a credit. It also depends on the person's billing cycle.

Mr. Kuhar asked if they already paid their bill, would they still get a credit.

Mr. Thompson replied "Yes."

Ms. Wallach questioned if a person chooses the bag system, they pay the recycling fees. She asked Mr. Thompson to talk to his call center as she had a resident complain after talking to the call center. The call center was misrepresenting the $23.00 cost as a service charge on top of buying the bags.

Mr. Thompson stated they pay $19.50 a quarter and then they buy their bags. He will talk to his call center.

Mayor Fiala pointed out to Ms. Wallach the copy of Mr. Ruller's new brochure given to Council this evening that outlines everything. ***(See Attachment #2)***

Mr. Ruller reminded Council of the new brochure that was in front of them, which was themed around most of the questions the City was receiving. The misunderstandings seemed to be in the consolidation of the billing for garbage and recycling; how recycling costs went up and how our rates had not gone up in almost seven years; and with the markets now having softer and truer costs and no longer being able to subsidize the costs. People assumed it was trash costs that went up, so this brochure does a better job explaining what happened at the community base level. We will not be mass mailing it at this time.

Mr. Ferrara asked if the brochure will be on the website.

Ms. Wallach questioned the $45 cost per tire for tire disposal.

Mr. Thompson said yes, that is the cost as it is a separate service over everything else. To haul a certain volume of tires, a special permit is needed. A supervisor typically is the one who has to go out and pick up tires separately. The Solid Waste District does a drop-off event and the cost is much less expensive to dispose of tires that way. People should be encouraged to have any place that installs on new tires to dispose of their old tires for them.

Ms. Jones asked for reassurance from Mr. Thompson that no delinquency letters would be sent until this is all sorted out by October 31st. They would then revert back to September 1st.

Mr. Thompson agreed November 1st, unless someone didn't pay their bill in July or August, then they could be in a bad debt situation. Those will be dealt with normally, but any pro-rations or credits will be taken care of.

Mr. Kuhar asked about any cost difference between commercial and residential for 1 blue bucket.

Mr. Thompson stated if it is brought to the curb, there is no cost difference. If it were off-street, in a parking lot, alley or around a corner, that would be a separate charge for pick-up.

Mayor Fiala thanked Mr. Thompson because after 18 months of his wife asking for a trash container, they finally received it today.

Mr. Thompson reminded Council there will still be continuing calls from HOA's, condos, and apartments because all they have is an address. He left "My Resource" brochures with the Clerk to disseminate to Council. Residents can log in through their phone, tablet or computer direct to local dispatch and not the call center. ***(See Attachment #3)***

Mr. Ruller commented on how he used this service and it worked. He saw the changes to his bill within 24 hours on his computer screen.

Mr. Thompson stated if Council had any more questions, they could call him directly.

Mr. Turner asked about helping seniors or disabled people, the add-on costs to have someone pick up their garbage if it is not brought to the curb, and how we identify those people in need.

Mr. Thompson replied how this is an offered service, except for bulk items or yard waste. He would need Council's help to identify those people in need.

Ms. Baker informed Mr. Turner and the rest of Council that there is already a mechanism in place. It is a form that can be filled out by the resident which is located at the Service Department. Then it is provided to the haulers.

Mayor Fiala stated this is nothing new.

Ms. Baker agreed and stated it should have transferred with the service from their current account.

Mr. Turner stated some people are not in the system and are needing this added service and is now aware of the form.

Mayor Fiala complimented Mr. Ruller on the brochure.

Mr. DeLeone added “it sort of looks like Harrison’s work.”

Oral Communications received after the Agenda was published were placed on file in the Clerk’s office as follows:

1. Copy of Board of Elections letter sent to the Public Service Director listing the polling places for November5 6, 2018 received on September 13, 2018.
2. Civil Service Agenda for September 17, 2018 received September 13, 2018.
3. Parks & Recreation Board Packet for September 20, 2018 received September 18, 2018.
4. Health Department Agenda for September 19, 2018, Statistical report, and Minutes from August 14, 2018 received September 18, 2018
5. Planning Commission Agenda and Staff Report for October 2, 2018 received September 18, 2018.

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

1. Parks and Recreation Board Packet for August 16, 2018 received August 20, 2018.
2. Civil Service Meeting Agenda for August 20, 2016 received on August 16, 2018.
3. Clerk of Council received a letter from Portage County Board of Elections confirming ballot proofs are ready to be viewed during business hours on September 4th & 5th.
4. Sustainability Commission Meeting Agenda for September 11, 2018 and the Minutes of August 6, 2018 received on September 10, 2018.
5. A NEW Liquor License request received August 27, 2018 from Twisted Root, Ltd., DBA Twisted Root Cellars located at 257 N. Water St. Chief Lee had no objections.

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

6. A NEW Liquor License request received September 4, 2018 from Kent Entertainment Group, LLC located at 100 E. Erie St., Suite 130. Chief Lee had no objections.

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

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

1. Request Council’s authorization to consider a resolution certifying the City’s tax rates for 2019 for filing with the County (Draft #18-106).
2. Request Council’s authorization to accept a grant in the amount of $3,457 and allocate those funds for use in the 2018 Kent Creativity Festival. (Draft #18-107)
3. Request Council’s authorization to accept 3 donations ($475, $2,082.97, $750) to Kent Parks and Recreation to support the Reverend Hal Walker Rest Area. (Draft #’s18-104, 105)

4. Request Streets, Sidewalks & Utilities Committee time for consideration of proposed City Code changes for the administration of small cell wireless regulations in Kent.
5. Request Streets, Sidewalks & Utilities Committee time to consider project authorization for a joint project with Portage County for the partial repaving of Mogadore Road.
6. Request Public Health & Safety time to consider proposed updates to the City's solicitation Ordinance.
7. Request Finance Committee time to consider a request from staff to rescind accumulated fees that had been applied as liens to 535 Bowman Drive.
8. Request Community Development Committee time to consider proposed options for regulating urban chicken farming in Kent.
9. Request Council's authorization for an Executive Session.

MOTION TO APPROVE ITEMS #1 - #8 OF THE CITY MANAGER'S REPORT made by Mr. Amrhein, seconded by Mr. DeLeone. Motion CARRIED by a voice vote of 9-0.

STANDING COMMITTEES/ LEGISLATION

COMMITTEE OF THE WHOLE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF SEPTEMBER 5, 2018 made by Mr. DeLeone, seconded by Mr. Ferrara.

Ms. Rosenberg requested Clerk Grimm to make a typographical correction on page 9 of 12 of the word "onus" in the first paragraph.

Clerk Grimm stated typographical errors can be changed by her at any point in time and can be brought to her attention after the draft minutes are published a full week prior to the meeting. Signed minutes will have any corrections as requested and approved by Council. She asked Ms. Rosenberg to hand her a copy of the requested change.

MOTION CARRIED WITH CORRECTION OF THE TYPOGRAPHICAL ERROR OF "ONUS" REQUESTED BY MS. ROSENBERG by a voice vote of 6-0-3 as stated by Mayor Fiala.

Clerk Grimm asked for clarification of exactly who the three were who abstained from approving the minutes.

Mayor Fiala replied "Roger, Jack and Tracy."

MOTION CARRIED WITH CORRECTION OF THE TYPOGRAPHICAL ERROR OF "ONUS" REQUESTED BY MS. ROSENBERG by a voice vote of 6-0-3 with Mr. Amrhein, Mr. Sidoti and Ms. Wallach abstaining.

MOTION TO APPROVE THE TWO (2) RECOMMENDED ACTIONS made by Mr. DeLeone, seconded by Mr. Ferrara, and CARRIED by a voice vote of 9-0.

Recommended Action:

1. Approve the updated City's Title VI Policy.
2. Table discussion on verbatim visitors' comments until New City Hall technology is discussed.

COMMUNITY DEVELOPMENT COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF SEPTEMBER 5, 2018 made by Mr. Kuhar, seconded by Mr. Ferrara, and CARRIED by a voice vote of 7-0-2 with Mr. Amrhein and Ms. Wallach abstaining.

There were no recommended actions to be approved.

Draft No. 2018-107: A RESOLUTION ACCEPTING A GRANT IN THE AMOUNT OF $3,284.00 TO THE CITY OF KENT FOR THE KENT CREATIVITY FESTIVAL FROM THE OHIO ARTS COUNCIL, 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": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, 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. 2018-107 made by Mr. Ferrara and seconded by Mr. Kuhar. On Roll call, voting "Yes": Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, 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. 2018-107: A RESOLUTION ACCEPTING A GRANT IN THE AMOUNT OF $3,284.00 TO THE CITY OF KENT FOR THE KENT CREATIVITY FESTIVAL FROM THE OHIO ARTS COUNCIL, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

FINANCE COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF SEPTEMBER 5, 2018 made by Mr. DeLeone, seconded by Mr. Sidoti, and CARRIED by a voice vote of 7-0-2 with Mr. Amrhein and 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 9-0.

Recommended Action:

1. Authorize the 2018 proposed appropriations amendment as submitted with an emergency clause

Draft No. 2018-103: 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; AS AMENDED BY ORDINANCE NO. 2018-38, PASSED MARCH 21, 2018; AS AMENDED BY ORDINANCE NO. 2018-51, PASSED APRIL 18, 2018; AS AMENDED BY ORDINANCE NO. 2018-71, PASSED JUNE 20, 2018; AND AS AMENDED BY ORDINANCE NO. 2018-92, PASSED AUGUST 15, 2018; SO AS TO INCREASE APPROPRIATIONS IN FUND 001, GENERAL; FUND 201, WATER; AND FUND 301, CAPITAL; AND SO AS TO DECREASE APPROPRIATIONS IN FUND 202, SEWER; 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. Kuhar, 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 9-0.

MOTION TO ADOPT DRAFT No. 2018-103 made by Mr. Kuhar and seconded by Mr. Ferrara. On Roll call, voting "Yes": Ms. Rosenberg, 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. 2018-103: 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; AS AMENDED BY ORDINANCE NO. 2018-38, PASSED MARCH 21, 2018; AS AMENDED BY ORDINANCE NO. 2018-51, PASSED APRIL 18, 2018; AS AMENDED BY ORDINANCE NO. 2018-71, PASSED JUNE 20, 2018; AND AS AMENDED BY ORDINANCE NO. 2018-92, PASSED AUGUST 15, 2018; SO AS TO INCREASE APPROPRIATIONS IN FUND 001, GENERAL; FUND 201, WATER; AND FUND 301, CAPITAL; AND SO AS TO DECREASE APPROPRIATIONS IN FUND 202, SEWER; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 2018-104: A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF $750.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM THE OHIO ELKS ASSOCIATION FOR A PORTABLE SOUND SYSTEM; 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. DeLeone and seconded by Mr. Sidoti. On Roll call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, and Ms. Rosenberg. The motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2018-104 made by Mr. DeLeone and seconded by Ms. Shaffer. On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, and Ms. Shaffer. The motion CARRIED by a roll call vote of 9-0.

RESOLUTION NO. 2018-104: A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF $750.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM THE OHIO ELKS ASSOCIATION FOR A PORTABLE SOUND SYSTEM; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 2018-105: A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF $2,557.97 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FOR THE REVEREND HAL WALKER REST AREA; 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 Ms. Shaffer. On Roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, and Mr. Sidoti. The motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2018-105 made by Mr. Kuhar and seconded by Mr. DeLeone.

Mr. Ferrara asked where the rest area was located.

Mayor Fiala stated right where the bike path comes down on Franklin Ave. next to the bridge and Walgreens.

Ms. Shaffer thinks this is a wonderful thing we are about to vote on, wholeheartedly supports it, and is a tribute to a person that not only contributed to Kent, but to many other communities during his life. She believes this donation comes from the Kent Environmental Council.

On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Mr. Turner. The MOTION CARRIED by a roll call vote of 9-0.

RESOLUTION NO. 2018-105: A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF $2,557.97 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FOR THE REVEREND HAL WALKER REST AREA; AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 2018-106: RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR 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. Rosenberg, 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. 2018-106 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The motion CARRIED by a roll call vote of 9-0.

ORDINANCE NO. 2018-106: RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR PASSED as stated by Clerk Grimm.

HEALTH AND SAFETY COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF SEPTEMBER 5, 2018 made by Mr. Amrhein, seconded by Mr. DeLeone,

Ms. Rosenberg requested Clerk Grimm make a correction on page 7 of 8 to list her as the seconder of the Motion and not Ms. Shaffer.

Clerk Grimm stated she will have to re-listen to the recording. When the correction is made, it will be reflected in the signed minutes, if appropriate.

Ms. Shaffer confirmed Ms. Rosenberg was the seconder of the Motion Ms. Rosenberg was requesting to be changed.

MOTION CARRIED WITH THE CORRECTION REQUEST OF MS. ROSENBERG TO CHANGE THE SECONDER OF THE MOTION ON PAGE 7 OF 8 TO HER INSTEAD OF MS. SHAFFER by a voice vote of 7-0-2 with Mr. Amrhein and Ms. Wallach abstaining.

There were no recommended actions to be approved.

***LAND USE COMMITTEE*:**

There were no meeting minutes or actions to be approved.

STREETS, SIDEWALKS AND UTILITIES COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF SEPTEMBER 5, 2018 made by Mr. Sidoti, seconded by Mr. Ferrara, and CARRIED by a voice vote of 7-0-2 with Mr. Amrhein and Ms. Wallach abstaining.

MOTION TO APPROVE THE ONE (1) RECOMMENDED ACTION made by Mr. Sidoti, seconded by Mr. Ferrara, and CARRIED by a voice vote of 9-0.

Recommended Action:

1. Authorize the parking ordinance revision to Section 353.03 "Parking Permits" and 355.02 "Restrictions Regulating Off-Street Parking In Municipal Parking Lots" with an emergency clause

Draft No. 2018-108: AN ORDINANCE AMENDING SECTION 353.02 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED "PARKING REGULATION AUTHORIZATION", 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": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, 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. 2018-108 made by Mr. Kuhar and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, 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. 2018-108: AN ORDINANCE AMENDING SECTION 353.02 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED "PARKING REGULATION AUTHORIZATION", AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 2018-109: AN ORDINANCE AMENDING SECTION 353.03 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED “PARKING PERMITS”, 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”: Mr. Kuhar, 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 9-0.

MOTION TO ADOPT DRAFT No. 2018-109 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, Mr. Ferrara, and Mr. Kuhar. The motion CARRIED by a roll call vote of 9-0.

ORDINANCE NO. 2018-109: AN ORDINANCE AMENDING SECTION 353.03 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED “PARKING PERMITS”, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft No. 2018-110: AN ORDINANCE AMENDING CHAPTER 355 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED “MUNICIPAL PARKING LOTS”, 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. Rosenberg. The motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2018-110 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. Rosenberg, and Ms. Shaffer. The motion CARRIED by a roll call vote of 9-0.

ORDINANCE NO. 2018-110: AN ORDINANCE AMENDING CHAPTER 355 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED “MUNICIPAL PARKING LOTS”, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

SPECIAL COMMITTEE REPORTS: NONE

UNFINISHED BUSINESS: NONE

NEW BUSINESS:
Mr. Amrhein referred to a packet of information from Ms. Mary Kenneley regarding her concerns on leaves, grass and brush and how it is not addressed in our Ordinances properly. Council received this information over a month ago.

Ms. Shaffer thinks it is important to clarify this.

MOTION TO REFER TO ADMINISTRATION TO INCORPORATE THE WORDS “LEAVES, GRASS AND BRUSH” INTO OUR CURRENT ORDINANCES made by Mr. Amrhein, seconded by Ms. Shaffer and CARRIED by a voice vote of 9-0.

Mr. Kuhar had received several calls from concerned citizens regarding the new T21 Ordinance and how they worry there will be an increase in opioid use since we are restricting 14 to 18 year olds access to vapes. His thought train was "what do we have to occupy kids" and need a youth center to help kids expel their energies rather going into the neighborhoods for drugs.

MOTION TO REFER TO COMMITTEE, MAYBE PARKS, FOR A YOUTH CENTER made by Mr. Kuhar, seconded by Mr. Turner.

Mr. Kuhar felt how for the ten years he has been on Council, we have needed some place for the youth to go if we are really going to save some of the kids from going the wrong direction.

Mr. Turner agreed this needs to be discussed and the prospect of giving kids alternatives.

Mr. Ferrara stated the intent is good. With the Parks and Recreation coming forward with a rec center twice, and a levy not passing on the ballot, he will be voting "No" on this motion as he is leaving this up to Parks and Recreation for a plan.

Ms. Wallach thought we already have a youth center on Franklin Street where Robert Wright used to work.

Mayor Fiala commented how yes, we do already have programs down there.

Ms. Wallach agreed with Mayor Fiala that she thought already have a youth center.

Mr. Sidoti stated he will vote "Yes" to put in committee, but we shouldn't talk just about Parks and Rec, the schools should have a role in this conversation. While the intent is good, the mind of a 2018 young person is significantly different than when he was in school. It won't be easy, we can set up all the programming, but whether or not the kids get there…it is worthy of discussion.

Mr. Kuhar clarified and expanded on the Motion how his intent is not to build a new youth center, but to put together programming with what we have or activities for the youth.

Clerk Grimm asked to be recognized to clarify which committee Mr. Kuhar would like this to be referred to.

Mayor asked "Would you like to be recognized?"

Clerk Grimm stated "Yes" then restated she needed to know which committee Mr. Kuhar would like this matter to be referred to for the Motion.

Mr. Kuhar as well as the Mayor and several others all answered at same time. Mr. Kuhar's response was "Community Development."

Ms. Rosenberg agreed with what Mr. Sidoti had to say. Our school system has excellent after school programs. She feels one of the big problems is security, as it is expensive. She is in support of the Motion if it also includes discussion not just limited to Parks and Recreation, but explores options with the school district.

MOTION TO REFER TO THE COMMUNITY DEVELOPMENT COMMITTEE FOR A YOUTH CENTER originally made by Mr. Kuhar, seconded by Mr. Turner CARRIED with a voice vote of 8-1 with Mr. Ferrara voting "No."

Mayor Fiala reminded Mr. Kuhar that the Tree City Bulletin is full of program offerings for all ages.

Mr. Turner is concerned about seniors and a couple of facilities in the city that he has been dealing with, as well as seniors' concerns, and low income housing access. He informed Council of a very blunt conversation he had with one of our seniors where that person felt the City doesn't care about it seniors because they do not know where they stand. They want the City to validate their concerns.

Mr. Turner stated he would like to make a motion to create a seniors committee that allows the seniors to look down the road, see what their needs are, and allow them to build on as they have a great deal of fear among them of losing their housing, rising costs, and other things. Ms. Wallach seconded the informal Motion.

Clerk Grimm asked to be recognized as this is the same Motion that was made by Ms. Long at the end of last year and failed, therefore it cannot be brought back for 1 year.

Mr. Turner asked for Clerk Grimm to research the information on Ms. Long's Motion and get back to him.

Mayor Fiala reiterated that the Clerk will do the research, so we can't vote on the Motion.

Clerk Grimm also clarified Mr. Turner did not actually make a formal Motion.

Again, Mayor Fiala reiterated that the Clerk will do the research and then we can come back and Mr. Turner can bring it up again.

Ms. Shaffer commented that we are trying to launch the One Kent Initiative and it could be one of the groups that we really illicit seniors' interests, concerns and get their voices out there. There's other ways rather than creating another committee.

MOTION TO PUT INTO COMMITTEE A DISCUSSION OF OUR SENIOR POPULATION AND VARIOUS WAYS TO SUPPORT THEM made by Ms. Wallach, seconded by Ms. Shaffer.

Clerk Grimm asked to be recognized to clarify which committee Ms. Wallach would like this to be referred to.

Ms. Wallach replied "Community Development."

Ms. Wallach felt she is in the same situation as Mr. Turner is; the 2 complexes that are having troubles right now are in her ward and Mr. Turner's ward. A lot of times, she feels helpless because she can only help them in certain areas. Maybe a way could be found to discuss senior housing that not owned by a private company.

Ms. Shaffer added how there are a lot of issues, not just the development a senior wing of the "hoped for" recreation center. It is important to have senior voices be heard and better integrate them into our discussions.

Mr. Turner asked again for clarification of Ms. Long's Motion because he thought it was only for the senior center, but the bottom line is this is something that our seniors should be doing as they should be able to identify what their problems are.

Mr. Ferrara called a POINT OF ORDER for Mr. Turner to speak to the Motion.

Mr. Sidoti stated he will vote for the Motion because there are 2 issues that have come up that fit very well under an alleged compassionate city and we should extend compassion to our seniors and our young people who are struggling.

MOTION TO PUT INTO THE COMMUNITY DEVELOPMENT COMMITTEE A DISCUSSION OF THE SUPPORT OF OUR SENIORS originally made by Ms. Wallach, seconded by Ms. Shaffer CARRIED by a voice vote of 9-0.

Mr. Ferrara informed Council he received a complaint from a resident regarding the Fairchild Bridge and the gridlock caused by those "turning on the green and parking in the intersection."

MOTION TO REFER TO THE ADMINISTRATION FOR A SIGN STATING "DO NOT BLOCK INTERSECTION" PER ORDINANCE LIKE THE ONE IN STREETSBORO made by Mr. Ferrara, seconded by Ms. Shaffer and CARRIED by a voice vote of 9-0.

Mr. DeLeone informed Council that the Cemetery Board met and asked for something to be done with the crumbling cemetery wall, which cannot be painted because it is owned by the City.

There was a lot of talk over in the audio recording.

MOTION TO REFER TO THE ADMINISTRATION TO FIND A METHOD TO FIX THE CEMETERY WALL made by Mr. DeLeone, seconded by Mr. Ferrara.

Mr. DeLeone stated how one of the ideas discussed at the meeting was to use some of the bricks from the old police building to fix the wall.

MOTION CARRIED by a voice vote of 9-0.

MAYOR'S REPORT:

Mayor Fiala did not have a report and referred to Mr. Amrhein to read in the executive Session language.

Mr. Kuhar interrupted Mr. Amrhein's reading informing the Mayor he had skipped the Councilmembers' Comments section of the Agenda.

COUNCILMEMBERS' COMMENTS:

Mr. Kuhar had 2 things he wanted to comment on. He made a public comment on how he was wrong on an issue from a few years ago regarding the Summit Street roundabouts and not thinking they were a good idea. He thanked Mr. Bowling and complimented the wonderful job and how "pretty good" the traffic flows. He also complimented the excellent job done on tearing down the old funeral home on Main Street as the new building is an attribute to the neighborhood.

At 8:29 p.m., **MOTION TO MOVE INTO AN EXECUTIVE SESSION *immediately following the meeting in accordance with ORC §121.22 Section G, Item (1) & (3) "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 (3) "Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action"*** made by Mr. Amrhein, seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, and Mr. Sidoti. The Motion CARRIED by a roll call vote of 9-0.

At 9:18 p.m., MOTION TO RECESS OUT OF EXECUTIVE SESSION AND RECONVENE THE REGULAR MEETING made by Mr. DeLeone, seconded by Ms. Shaffer. Motion CARRIED by a voice vote of 9-0.

No action was taken.

At 9:18 p.m., MOTION TO ADJOURN made by Mr. DeLeone, seconded by Ms. Shaffer. Motion CARRIED by a voice vote of 9-0.

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