

UNCOMMON. DESTINATION KENT UNMISTAKABLE.

Shop & Dine

Many of the shops in downtown Kent's walkable retail district are locally owned and operated featuring unique, one-of-a-kind merchandise. They offer distinctive character, innovative products & personalized service. The restaurant scene offers distinct and delicious flavors. With a wide variety of choices, there's sure to be something for every taste! If you want to grab a great cup of coffee & a place to hang out with a good book or group of friends, downtown Kent has that covered too with numerous, unique coffee shops.

Art & Music

Visual arts are a staple in downtown Kent. With numerous art galleries, stylized bike racks, public art murals, & yarn bombing throughout the downtown, the city is rich with a variety of unique local art. Along the Kent State Esplanade live numerous sculptures as well as the Wick Poetry Center & Garden and the Kent State Fashion Museum. For a bit of history, you can make a stop at the Kent Historical Society located right in our downtown. There is also a vast array of live music options almost every night of the week & outdoor concerts in the summer months! Kent's history is rich in music & talent and today's music scene is thriving.

Great Outdoors

You can get close to nature & hike or bike your way through the Portage Hike & Bike Trails. Need a bike? Rent one from the Bike Share to get around and explore! Downtown Kent has great outdoor spots like the Hometown Bank Plaza & Acorn Plaza to eat lunch, grab an ice cream cone, or to just sit & relax. You can also spend the afternoon with Crooked River Adventures kayaking or canoeing the Cuyahoga River. And be sure to check out the Haymaker Farmers' Market every Sat. from 9am-1pm for fresh local goodies!

Entertainment & Events

The Kent Stage is downtown Kent's headquarters for live entertainment. It is an intimate venue that dissolves the barrier between the performers and their audience. They feature musical acts of all genres, comedy acts, theater performances, & much more! Public events are held throughout the year in downtown Kent as well. Numerous music events, Oktoberfest, Art & Wine Festival, Sidewalk Cinemas are just to name a few! There's always something happening in Kent.

Planning a visit to downtown Kent? You'll be amazed at all our town has to offer with it's multi-million dollar urban renewal effort, Kent boasts a colorful, vibrant downtown where historic preservation blends with the downtown's entrepreneurial spirit. It's become a popular destination for all ages to enjoy. Come discover uncommon, unmistakable Kent!

For all things Kent, visit

www.destinationkent.com



KENT STATE
UNIVERSITY

HOTEL AND CONFERENCE CENTER



The Kent State University Hotel & Conference Center

- Full-Service Boutique Hotel Serving the Public with 94 Guest Rooms & Suites Offering Upgraded Amenities & Services
- Located in the Heart of Downtown Kent within Walking Distance of Unique Shops, Galleries, Eateries & Entertainment
- Complimentary Deluxe Continental Breakfast Included with Overnight Stay
- Elegant Grand Ballroom to Accommodate up to 250 Guests Offering Flexible Seating Arrangements for Meetings, Conferences, or Special Events
- Complimentary WiFi & Comprehensive Audiovisual Technology
- A Personalized & Dedicated Team to Ensure a Successful Event
- Nominated as one of the "25 Most Impressive University Conference Centers" and as one of "The Best College Hotels"
- Fine Dining & Signature Cocktails at Nineteen10 Restaurant & Lounge
- Conveniently located near Akron, Canton & Cleveland Airports, Attractions & Businesses
- Unique Outdoor Dining - 2nd Floor Terrace & Street Side Patio

www.kentstatehotel.com | (330) 346-0100 | 215 S. Depeyster St. Kent, OH 44240



NINETEEN10
RESTAURANT & LOUNGE

FOR INFORMATION ON BOOKING YOUR TRIP,
CONTACT GREAT DAY! TOURS
375 TREEWORTH BLVD. CLEVELAND, OH 44147
(440) 526-5350

DESTINATION
Kent

UNCOMMON, UNMISTAKABLE KENT, OH



DESCRIPTION

The original "Tree City," Kent is situated on the banks of the Cuyahoga River and boasts a colorful, vibrant downtown. It is a perfect destination for a day, overnight or multi-day tour! Our centralized location near the Ohio Turnpike and Interstates 76 and 77, Kent is half-way between New York and Chicago, Cleveland and Pittsburgh.

WE MAKE TOUR PLANNING EASY



PROMOTIONAL
MATERIALS &
IMAGES



COMPLIMENTARY
BUS PARKING



ITINERARY
PLANNING
ASSISTANCE



FAM TOURS

UNIQUE SHOPPING /DINING

Kent's historic walkable downtown district offers a mix of locally owned and operated specialty and boutique shops featuring apparel, jewelry, antiques, gourmet foods, and fine art. The downtown restaurant scene offers an array of choices from brewery casual to fine dining, appealing to everyone's palate and budget! Tours, private cooking events and classes are available for groups!

HISTORY / ARTS / ENTERTAINMENT

Kent is not short on creativity and history! Group tours and workshops are offered at various museums and art galleries such as the Kent State Fashion Museum, Sculpture Mile, Kent Historical Museum, KSU May 4th Visitor Center, & Masonic Temple. (Tours are "walkable" or by bus). The Kent Stage was constructed in 1927 as a silent movie and vaudevillian theater and is the sole surviving downtown theater in the county. The Kent Stage was named the "Best Acoustic Venue in Northeast Ohio" by The Plain Dealer and hosts approximately 150 concerts a year, music and film festivals, numerous plays, and features a variety of genres from blues, jazz and pop to bluegrass, classic country and rock & roll. An annual calendar is available to plan your next group outing.

WINERIES & BREWERIES

Ohio is one of the top 10 wine-producing states with more than 1.1 million gallons produced every year. Kent is located amidst 24 wineries on the Canal County Wine Trail offering group tours, tastings, shopping, and delectable dining! A short drive from Kent, northeast Ohio is host to one of the largest 2 day wine festivals in the county - "Vintage Ohio" (voted Top 150 event by ABA) every August. Kent's own MadCap Brew Co. welcomes groups to tour and sample 8 different MadCap brews on tap or a refreshing Bent Tree cold brew coffee. Groups can play the "life-size" Jenga game, cornhole or other fun games while at the brewery stop.



RECREATIONAL ACTIVITIES

Crooked River Adventures is the umbrella for a variety of programs and services through the Kent State University Department of Recreational Services. Highlights include canoeing and kayaking tours (guided or self-tours), snowshoeing, river rafting, backpacking, indoor climbing wall, and indoor ice skating arena. The Dan Smith Community Park in downtown Kent offers group activities such as cornhole, oversized Connect 4, a free library for adults and children, urban swings, and ample seating for relaxing with friends. Take a ride on one of our FlashFleet bicycles, a bicycle sharing collaboration between the city of Kent and Kent State University. Tour Beckwith Orchards, a family owned and operated farm and market for over 125 years with gift and bakery items available throughout the year. Kent is home to Haymaker Farmers' Market, Portage County's oldest producer's only farm market featuring locally grown and produced items. The market is outside May-October and indoors November-April and features a holiday market in December!

ANNUAL EVENTS PERFECT FOR GROUPS

GROUP YEAR-ROUND EVENTS.
SEE FULL LISTING ON WEBSITE.

Beatlefest - Feb. 23rd

Americana Music Fest - April 27th

Art & Wine Festival - June 2nd

Kent Heritage Festival - June 30th

Blues Fest - July 13th

Round Town Music Festival - Sept. 14th

Kent's Oktoberfest - Sept. TBD

Festival of Lights - Dec. 1st

MULTI-DAY ITINERARY IDEAS

Amish Country: Geauga County, 4th largest Amish community in the world

Casinos (4): Jack Downtown Cleveland, Hard Rock Rocksino, Jack Racino, and Hollywood Racino

Covered Bridges: Quite a sight to see a selection of the 125 historic wooden covered bridges in the state of Ohio.

Museums: Great Lakes Science Center, Rock & Roll Hall of Fame, Greater Cleveland Aquarium, Cleveland Museum of Natural History, Pro Football Hall of Fame, Cleveland Institute of Art, Akron Art Museum, Butler Institute of American Art, National Packard Museum

Music & Entertainment Venues: Blossom Music Center, First Energy Stadium, Covelli Center, Packard Music Hall, E.J. Thomas Hall

Parks & Recreation: Cleveland Metroparks, Cleveland Botanical Gardens, The Holden Arboretum, Cuyahoga Valley National Park, Cuyahoga Valley Scenic Railway, Cedar Point Amusement Park, Lake Erie Islands, Stan Hywet Hall & Gardens, Millcreek Park, Hale Farm & Village, Nelson-Kennedy Ledges State Park, Ski Resorts & More

Theatres: Porthouse Theatre, Playhouse Square, State Theatre, Akron Civic Theatre, Weathervane Playhouse, Stambaugh Auditorium

Wineries: Enjoy a variety of the nearly 200 wineries in Ohio; learn about Ohio's famous ice wine along the way!

Zoos: Cleveland Metroparks Zoo & Rainforest, Akron Zoo



KENT IS HALF-WAY BETWEEN NEW YORK CITY & CHICAGO, CLEVELAND & PITTSBURGH.
A PERFECT DESTINATION FOR A DAY, OVERNIGHT, OR MULTI-DAY TOUR!

CALL GREAT DAY! TOURS FOR GROUP TOUR INFORMATION 440-526-5350

KENT IS IN THE HEART
OF IT ALL!

MILES FROM

Buffalo 209 mi.

Chicago 366 mi.

Cincinnati 243 mi.

Columbus 137 mi.

Dayton 207 mi.

Detroit 190 mi.

New York City 428 mi.

Nashville 516 mi.

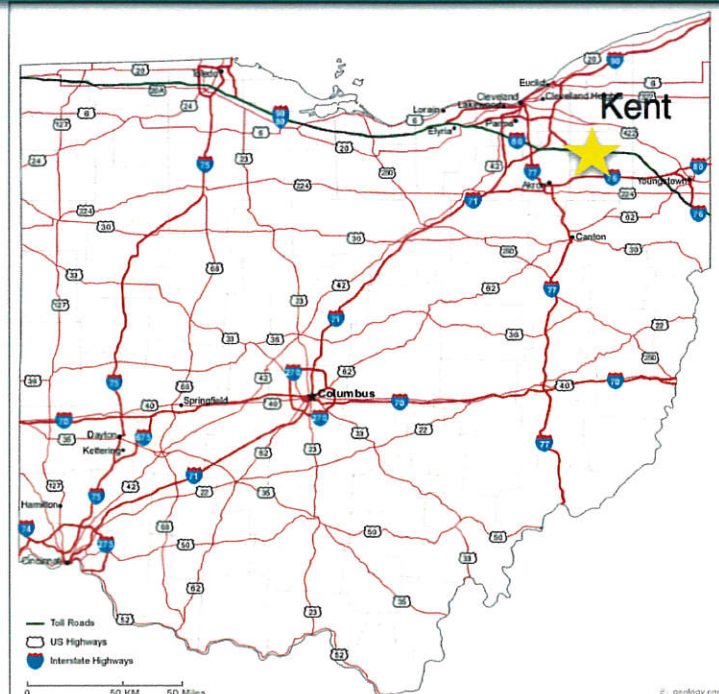
Pittsburgh 102 mi.

St. Louis 553 mi.

Toledo 136 mi.

Toronto 311 mi.

Washington D.C. 341 mi.



DESTINATION !KENT

Experience the flavors, sights, sounds & traditions of uncommon, unmistakable Kent!

www.destinationkent.com



- Shop in Numerous Locally Owned Retailers in Kent's Walkable Downtown
- Choose from a Wide Variety of Delicious Flavors for your Dining Experience
- Hike, Bike & Kayak Through the City on the Cuyahoga River & Trails
- Experience an Abundance of Live Entertainment Every Night of the Week
- Enjoy Numerous Public Art Works Throughout the Downtown



- Full Service Boutique Hotel Serving the Public with 94 Guest Rooms & Suites
- Elegant Banquet Space to Accommodate up to 250 Guests
- Walkable Downtown Location
- Fine Dining & Signature Cocktails at Nineteen10 Restaurant & Lounge
- Nominated as one of the "25 Most Impressive University Conference Centers"





DESTINATION **kent**

VISIT OUR
VIBRANT DOWNTOWN FEATURING

- ▶ SPECIALTY SHOPS
- ▶ RESTAURANTS
- ▶ GALLERIES
- ▶ ABUNDANT NIGHTLIFE
- ▶ LIVE MUSIC
- ▶ THEATRE
- ▶ HOLIDAY LIGHTS
- ▶ FESTIVALS
- ▶ AND MORE!

DESTINATIONKENT.COM

The Magpie Salute

\$30.00 -
\$55.00

THU SEPTEMBER 6

8:00 pm

11.8

Rocky Horror Picture
Show - Sat 9.8

David Crosby &
Friends - Wed 11.28

Leftover Salmon w/
Rumpke Mountain
Boys - Wed 10.5

John Medeski's Mad
Skillet - Sat 11.10



SCHOOL OF ROCKY PRESENTS

Rocky Horror Picture Show

TICKETS

\$5.00 - \$8.00

SAT SEPTEMBER 8

Doors: 11:00 pm / Show: 11:59 pm



WESTERN RESERVE FOLK ARTS
ASSOCIATION PRESENTS

Ani DiFranco with Special Guest Peter Mulvey Peter Mulvey

TICKETS

\$45.00 -
\$65.00

TUE SEPTEMBER 11

Doors: 7:00 pm / Show: 8:00 pm

The Magpie
Salute - Comin'
Home

The Magpie
Salute
"Omission"



WESTERN RESERVE FOLK ARTS
ASSOC. PRESENTS

An Acoustic Evening with Keb Mo

**SOLD
OUT**

\$38.00
RESERVED,
\$55.00 GOLD
CIRCLE,
\$149.00 VIP
PACKAGE

FRI SEPTEMBER 14

Doors: 7:00 pm / Show: 8:00 pm

- PREFERRED HOTEL -

— Make a Night of it! —

KENT STATE
UNIVERSITY

HOTEL AND CONFERENCE CENTER

One Block from The Kent Stage



WESTERN RESERVE FOLK ARTS
ASSOCIATION PRESENTS

Michael Nesmith & The First National Band

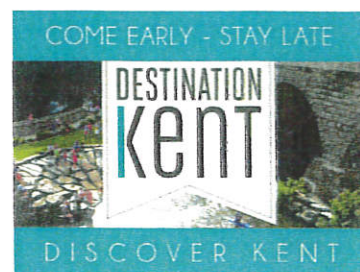
SAT SEPTEMBER 15

Doors: 7:00 pm / Show: 8:00 pm

TICKETS

\$52.00 -
\$150.00

- DESTINATION KENT -



- PARTNERS -



FRANKLIN HOTEL
BAR



RAW SUGAR

aroundkent



WESTERN RESERVE FOLK ARTS
ASSOCIATION

The High Kings

WED SEPTEMBER 19

Doors: 7:00 pm / Show: 8:00 pm

TICKETS

\$55.00



WESTERN RESERVE FOLK ARTS
ASSOCIATION

Five For Fighting with String Quartet

THU SEPTEMBER 20

Doors: 7:00 pm / Show: 8:00 pm

TICKETS

\$32.00 -
\$42.00



The Speedbumps - 10th Anniversary Concert

SAT SEPTEMBER 22

Doors: 7:00 pm / Show: 8:00 pm

TICKETS

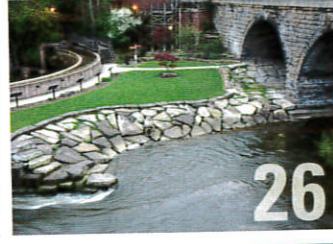
\$17.00
ADVANCE &
\$20.00 AT
THE DOOR

2018-2019

DESTINATION Kent

KENT, OHIO

VISITOR GUIDE



LOOK INSIDE TO SEE WHAT MAKES KENT UNCOMMON AND UNMISTAKABLE

**THE CITY OF KENT, OHIO
COMMUNITY DEVELOPMENT COMMITTEE
WEDNESDAY, SEPTEMBER 5, 2018**

Chair John Kuhar called the meeting of the Community Development Committee of the Kent City Council to order at 7:05 p.m.

PRESENT: 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; Mr. David Coffee, Budget and Finance Director; Mr. Tom Wilke, Economic Development Director; Mr. Jeff Neistadt, Health Department Director; Ms. Melanie Baker, Public Service Director; Mr. Jim Bowling, City Engineer; Police Chief Michelle Lee; and Ms. Tara Grimm, MMC, Clerk of Council.

ABSENT: Mr. Jack Amrhein

There was 1 item on the Agenda.

1. Update from the Kent Convention and Visitor's Bureau

Mr. Ruller stated how Mr. Wilke was here as well as members of the Kent Convention and Visitors' Bureau to provide Council with an update of the behind the scenes work they have been doing. The hotel tax is their budget and they have been marketing Kent as far up as Cleveland.

Mr. Wilke added how in 2016 we opened the Kent Convention and Visitors' bureau "Destination Kent" which is comprised of volunteer board of director members from Main Street Kent, Kent Area Chamber of Commerce, Burbick Foundation, Collegetown, Kent State University, a representative from the hotel, and the City. Both Michelle Hartman and Heather Malarcik are her tonight to give an overview.

Ms. Hartmann and Ms. Malarcik handed out marketing materials to Council (**See Attachments #1 & #2**) which contained the new visitor's guide as well as Destination Kent flyers and Day Tour flyers, as well as pictures of the banners for Destination Kent, and a print out of The Kent Stage website and how it links to Destination Kent. The marketing committee is comprised of Ms. Leslie Sickie, who is the creative brain, and Mr. Tom Simpson from The Kent Stage. The Board meets once a month at the visitor's center on Erie Street across from the hotel. Their budget is based on the 6% hotel tax collected, which is about \$40,000 to \$45,000 annually. The do radio advertising during the holidays, work with the American Bus Association (ABA) on bus tours and also travel and tourism shows like the recent food show.

Ms. Hartman then referred to the first ever visitor's guide (**See Attachment #1**).

Ms. Malarcik added that this guide was printed at the end of May and contains the tourist attractions and more content towards tourism.

Ms. Wallach asked if the ads and the listings were paid.

Ms. Malarcik replied that the ads are paid ads, but the listings are not. The visitor's guides can be found in the KSU orientation packets, turnpike locations and other area locations as well as at the visitor's center. They recently placed a ½ page ad with the Akron Civic Theater Co. to expand their reach.

Ms. Wallach questioned if this guide is published once a year.

Ms. Malarcik stated yes, we need more already as they have gone through 5,000 of them with the new company they hired to stock them in the rack at other area hotels, destinations and locations. The company keeps track of the amount of brochures utilized in these new locations.

Ms. Wallach rephrased and asked if they will be printing a different guide each year.

Ms. Malarcik replied "yes".

Ms. Shaffer questioned if the guide is distributed at rest stops.

Both Ms. Hartman and Ms. Malarcik replied "yes, at the turnpike rest stops."

Ms. Shaffer commented on how she has seen the ad in "Around Town".

Ms. Malarcik stated that ad is from Crooked River, which is getting people to come from further away.

Ms. Hartman added how the city is very fortunate to have a great downtown to promote as a destination. We are trying to broaden our reach to our target market, which is evident by their people watching at the events. There are more and more people they are not recognizing, which is exciting. The visitor's center was designed with growth in mind, including an office that one day can be staffed regularly. They have been collaborating with Destination Kent, KSU, and the City, in trying to find some B&B's to offer more options to visitors. They are on the right track with an entirely volunteer effort. "We love the people, the sites, the flavors and the sounds of Kent."

Ms. Shaffer asked if somehow a sign can be placed out on the freeway for "Destination Kent" or "Historic Downtown Kent" because she has found herself visiting places she wouldn't normally because of those types of signs she has seen when driving.

Ms. Hartman thought that was a great idea and will look into it with the city.

Hearing no further business before this Committee, Chair Kuhar adjourned the meeting at 7:20 p.m.

Tara Grimm, MMC
Clerk of Council

ACTION RECOMMENDED: NONE

**THE CITY OF KENT, OHIO
COMMITTEE OF THE WHOLE
WEDNESDAY, SEPTEMBER 5, 2018**

Mayor Fiala called the Committee of the Whole meeting of Kent City Council to order at 7:20 p.m.

PRESENT: 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; Mr. David Coffee, Budget and Finance Director; Mr. Tom Wilke, Economic Development Director; Mr. Jeff Neistadt, Health Department Director; Mr. Jim Bowling, City Engineer; Police Chief Michelle Lee; and Ms. Tara Grimm, MMC, Clerk of Council.

ABSENT: Mr. Jack Amrhein

There were 2 items on the Agenda.

1. Approval of the Title VI Policy

Mr. Ruller explained this is a procedural item needing to be affirmed in written form. It can be adopted administratively, but would like Council's approval. Title VI policies are required in order to be eligible for federal and state funding.

Ms. Jones informed Council how this came to her through Mr. Bowling since we accept federal money for transportation, transit authority, HUD, we are required to have a Title VI Policy in place. Recently Ohio Department of Transportation, as a sub-recipient of federal funding, is requiring the Title VI Policy as well. This is a general policy, although some of our individual departments have specific Title VI policies which are more specific. This came about from the 1964 Civil Rights Act and is a complaint driven procedure put in place to protect from discrimination. The Law Director was chosen as the coordinator and there is a lengthy complaint form and all complaint must be logged. Staff will need training, especially for those with limited English proficiencies. We will need to educate the community and gather their input into programs for federal money by using questionnaires and flyers. Training is required under this policy within all departments.

Ms. Shaffer stated the policy is not consistent and is missing "gender orientation" as it is only mentioned on page 1, section 2, but not anywhere else.

Ms. Jones clarified that the form is a federal form and geared toward the 1st step of a complaint. We would have to include out City's language for gender identity and sexual orientation.

Mr. Turner questioned the minorities of the people who are on our boards and commissions.

Ms. Jones referred Council to Appendix D "Board Members" and how we do not currently have any minorities.

Mr. Turner added that we understand we need to do more when it comes to minorities and appreciates the current efforts. He wanted to know the expectations and things we can't do. Diversity is experienced and we are doing better. He'd like greater focus put on minorities and get them involved.

Ms. Jones agreed with Mr. Turner. Any money received from the federal government, there has never been discriminations; and "Any steps forward is taking a step forward."

Ms. Shaffer wanted to piggyback Mr. Turner's comments and would like to have outreach to minorities and have other preferences, like an invitation for them to join our boards and commissions.

Mr. Sidoti added how we have spent 2 years on umbrella initiatives to increase civic engagement and have them understand the process of decision making. We are and continue to work on being a compassionate community that includes everyone. We need to go out and find candidates, and not just based on race or ethnicity. We need to make a firm commitment.

Mr. Kuhar questioned if we can really be a city of equality if we point out minorities as separatists.

Ms. Jones clarified "It is what the law requires."

Mr. Turner spoke about this being reality and this is what society has determined for us. We need to build on being distinct, but not punished for it and lift the community up. This discussion we are having right now moves us ahead as an entity. We need to energize these types of discussions.

Mr. Sidoti felt Mr. Kuhar and Mr. Turner are making the same point, but in different ways. Ms. Jones says there are legalities we have to follow; but there is the "soft stuff" and interpersonal relationships. We need to find our voice as a community and be a part of the social fabric of Kent. We all have different experiences and that is normal. Let's get the legal part done.

Mayor Fiala commented "Good points", then turned to the audience for comments.

Mr. Chris Todd, who owns a business at 1108 S. Water St. has lived here since 1985 when he was in college. The best thing to do is go downtown and see all the different ethnic restaurants. Trying and liking their foods may inspire others to see what else is going on in their cultures. The day we decide pigment is not the biggest deal and we would truly get along and become one, will be a great day.

MOTION TO AUTHORIZE THE TITLE VI POLICY made by Mr. DeLeone, seconded by Mr. Ferrara.

MOTION TO AMEND THE ORIGINAL MOTION TO ADD LANGUAGE TO ACTIVELY PROMOTE MINORITY CANDIDATES TO BOARDS AND COMMISSIONS made by Ms. Shaffer, seconded by Ms. Wallach.

Ms. Shaffer referred to Appendix D and how out of 92 individuals, which includes Council, there is only 1 minority member. We need to take conscious deliberate action.

Ms. Wallach asked Ms. Jones if this is even OK to do.

Ms. Jones replied "Yes."

Mr. Ferrara called a POINT OF ORDER on Ms. Wallach and Ms. Jones as they are in the middle of a Motion.

Ms. Rosenberg asked if the Law Department can amend this motion or if there should be a 2nd Motion.

Mr. Turner felt the same way as Ms. Wallach and Ms. Rosenberg on the amendment to the Motion to mandate this.

Ms. Shaffer clarified that her Motion is not a mandate, just a request we formally and actively promote minorities.

Mr. Kuhar stated he was not going to support the amendment because it says "you're different, we want you. This should be separate from Title VI."

Mr. Ferrara commented he supports the intent but it is not in the appropriate place. The compliance with Title VI is a separate issue.

Mr. Sidoti agrees with Mr. Ferrara and will not support the amendment. It should be separate.

Ms. Shaffer didn't want to withdraw her amendment as she felt it would be "powerful to pass an action item with the statement of our beliefs."

MOTION TO AMEND *FAILED* BY A VOICE VOTE 1-7.

ORIGINAL MOTION TO APPROVE THE UPDATED CITY'S TITLE VI POLICY made by Mr. DeLeone, seconded by Mr. Ferrara CARRIED by a voice vote of 8-0.

Ms. Jones asked Council to look at page 10, and she can craft something to add "aggressive measures to recruit minorities".

Mr. Ferrara stated that wording is already in the policy. We should direct administration to recruit and solicit.

2. Discussion on visitor's comments transcribed verbatim

Mayor Fiala referred to the Memo Council received in the packet from the Clerk and then referred to Mr. Sidoti.

Mr. Sidoti wanted to make sure the conversation stayed on topic. He talked about civic engagement, where real democracy takes place, and how he feels that when people take the time to come to City Council, and take their 3 minutes that we need to figure out a way so other people can see exactly what they had to say. Mr. Sidoti was not sure how to do that, and thanked Clerk Grimm for all the effort she made in putting together the Memo and spreadsheet, which he held up and showed the audience. Mr. Sidoti then asked Clerk Grimm how many cities she was able to reach out to and for her to provide Council a copy of the original email she sent through her Clerks Association so he may attach it to his materials. Mr. Sidoti was also curious as to how much time it took Clerk Grimm to prepare the Memo and spreadsheet.

Clerk Grimm referred to her Memo to Council incorporated into the City Manager's Communication packet dated August 22, 2018 providing 8 points containing information, statistics and her professional opinion against verbatim transcription of the visitors' portion at regular council meetings. She replied to Mr. Sidoti stating she is able to reach out to her entire Clerks Association via one email tool and received responses from 37 municipalities on the types of minutes they prepare and their justification for preparing them the way they do. Clerk Grimm stated that the preparation of the Memo and spreadsheet did not take long at all; usually many responses come in from her association within a half an hour and once she had all of the responses, she already had all the other information gathered, as this is not the first time we have visited this subject. She is well versed in the Council Standing Rules, especially the visitors' portion, what is required by the Sunshine Laws, the Ohio Revised Code, and the newly adopted Records Retention Schedule which now allows up to keep the audio recordings of our meetings for one year. These are items she works with every day and are at the forefront of her mind. Clerk Grimm also pointed out that if we were to go to court, a verbatim transcription of the minutes would need to be done by a professional court reporter hired as a third party.

Mr. Sidoti asked Clerk Grimm if that was because she is not certified as a court reporter.

Clerk Grimm replied "Yes, a clerk is not a court reporter and a court reporter is not a clerk." She informed Council that she had an excerpt she would like to read from that she did not have the chance to pass out to Council.

Mayor Fiala interrupted Clerk Grim and asked Mr. Sidoti if he was done.

Mr. Sidoti stated he had more questions and Clerk Grimm saved the excerpt for later.

Mr. Sidoti then asked "How long verbatim minutes take for one 3 minute conversation."

Clerk Grimm had broken it down a little differently than one 3 minute conversation because we do not necessarily keep within those 3 minutes. The last meeting we had 7 visitors, who spoke for a total of 36 minutes, not 21 minutes. Those 36 minutes could easily convert to a full 7.5 hour of verbatim transcription because of all the cross-talk and background noise. Every "I", "um", "uh", "let me back track", completely starting a thought over, incomplete sentences, people talking over each other, can't hear what some are saying because they don't speak directly into the microphone, laughing, sidebar comments, audience interruptions, has to be accounted for and transcribed when minutes are verbatim.

Mr. Sidoti asked for clarification that when someone is standing at the microphone, and there's someone else speaking, you still have to include any comments that anyone is making or in the audience.

Clerk Grimm responded "Absolutely". Council starts engaging; sometimes the Mayor has to remind Council which member has the floor; and they are consistent interruptions to the flow of the conversations. Verbatim has to reflect that. It is every single word that is spoken at a meeting.

Mr. Sidoti further asked "so if someone makes a presentation and we say we want that verbatim, that presentation has to include everything, like someone coughing in the back."

Clerk Grimm replied that if someone was to call out from the back, like we had happen at the last meeting, would have to be included.

Mr. Sidoti asked what the "term" would be if all Council wanted was a "verbatim transcript" of what the person said standing at the microphone of what that person said.

Clerk Grimm explained if Council wanted a "verbatim transcript" of ONLY what that person said, it is not verbatim, and that would be a "detailed" transcript, which we do sometimes depending on the nature of the topic. The spreadsheet given to Council describes the different types of minutes: Summary; Summary with detail hybrid; Summary, detailed and verbatim hybrid because then verbatim statements are put in quotation marks; Highly detailed, which would not include all the "I", "um", "uh" but captures almost every single coherent word where it sounds like proper English is being utilized by the speaker – the way we speak and the way we write are 2 different things; and then there are verbatim minutes. Only 2 cities that responded do verbatim minutes – The City of Independence is by Ordinance and they have a deputy clerk to assist with the preparation minutes – the deputy Clerk and the Clerk of Council switch off transcribing minutes and preparing all the other work required of the office, as verbatim minutes can be a full-time job; and the new clerk for City of Eastlake was told to do them that way by her predecessor, but is petrified of her Council to even ask to do them any other way.

Clerk Grimm continued with how she reached out to the National Association of Parliamentarians as well. She received back an excerpt from a book called *"Mastering Council Meetings for Elected Officials and Local Governments"* written by Ann G. Macfarlane, PRP, CAE and Andrew L. Estes, CAE *Jurassic Parliament*. The excerpt is from the chapter titled "Minutes":

"The purpose of minutes is to preserve an accurate record of a council's actions. Council minutes are not intended to inform absent members of all that went on at the meeting they missed, to create

a record of the reasons for a council's decision, nor to demonstrate the eloquence and brilliance of elected officials to their public.

Councils should use "action minutes," in which actions are noted briefly and simply. Minutes of this type will include the following items:

- Place of the meeting;
- Time the meeting started and ended;
- Which members of the council were present and, if relevant, any absences;
- The fact that a quorum was present;
- Text of all main motions taken up by the council and their disposition (passed, failed, referred to a committee, postponed etc.);
- If amendments were made, the final version of the motion as amended;
- Any points of order that were made and their resolution; and
- If the council went into executive (secret) session, the time of entering and the time of leaving such session.

If public comment is made, it is ordinarily sufficient to note the fact. Some councils include the names and addresses of those who spoke and some go even further, summarizing the remarks that members of the public make. (At a public hearing, which is a different type of meeting, including the content of remarks is appropriate.)

If council members wish to have more detail in their minutes, another option is "summary minutes." These minutes include a brief listing of the chief arguments that are made for and against different Motions, without attribution to any individual. The clerk or secretary must have the capacity to extract those key points from what is said, which can be a challenging task.

Mr. Sidoti interrupted because he thought Clerk Grimm was getting off track and not referring to the visitors.

Clerk Grimm asked to finish the excerpt and specifically referred to the underlined sentences below and stated Ms. Jones can speak to the legalities that arise from verbatim transcription:

The least desirable option is "detailed minutes." This type of minutes is sometimes called "verbatim minutes," which really: should apply only to minutes taken by a court recorder who captures every word. In this type of minutes, individual remarks are included along with the name of the person who made them. Detailed minutes are undesirable for several reasons:

- If legal questions arise, delving into the remarks that were made can complicate the council's defense its actions.
- Clerks must spend substantial time on recording such minutes, which represents an expense that many jurisdictions can ill afford
- Reviewing, amending and approving detailed minutes can take up great swaths of the council's time; time that would be better spent on more productive activity.
- In searching earlier records, it is hard to extract the key items from among the acres of verbiage included in detailed minutes.

The prevalence of audio and video recording today makes it even more wasteful for councils to invest time and energy in preparing detailed written records of "who said what to whom." Sometimes it seems that the main purpose of such records is to gratify the egos of the speakers. (Note that audio and video recording cannot substitute for written minutes.)

Minutes as prepared by the clerk should be clearly identified as "DRAFT" in the text and the file name. Once they are approved by the body, a clean copy can be prepared that omits the word "draft" and includes the date of approval and appropriate signatures.

Mr. Sidoti asked if we currently have the ability to take the audio recordings and place them on our website, so that each month someone can just listen.

Clerk Grimm commented that we will have that ability once we have the new website. We do not have the storage space through our current website, which is also why the former clerk, Linda Jordan, did not put the recordings on the website. The audio recordings maxed out the memory on our website.

Mr. Sidoti questioned if it was the memory of our main server.

Ms. Grimm clarified, "No, the websites memory does not come from our server. It comes from the webmaster."

Mr. Sidoti asked if we could figure out a way to somehow post the audio on the website or get the audio to the people.

Clerk Grimm stated she can email a copy of the audio anyone who would like a copy.

Mr. Sidoti thinks that is a minimal and appreciates all the work she has done and even spoke to Ms. Jones about this topic and appreciates the fact that we are meeting the standards. He feels we are too comfortable trying to hide behind the standards and not trying to excel.

Clerk Grimm added how "we actually meet more than the standards."

Mr. Sidoti felt it was important for all of Council to hear what the ramifications of taking minutes looks like. He would personally still argue this, but doesn't have any more questions.

Mr. Kuhar stated he is not the most savvy when it comes to computers then asked if it were possible, after he has looked at hundreds of websites that have meetings listed with topics highlighted and you push a button if you want to hear a topic, to have the information stored somewhere else, like a cloud, and we can go back years to look at stuff that they have. Is it possible we could look into that kind of technology?

Clerk Grimm asked for permission to answer that question. She stated there are 3rd party software companies that can perform that and so much more, even linking specific times in the minutes to the place in the audio recording or even video recording so you can not only hear, but see someone's actions. In cities with "Summary" minutes, if you click on the action, it takes you to the entire section of audio/video for that meeting so you hear every detail.

Mr. Kuhar felt that would be very simple and transparent.

Mr. Sidoti then tried to understand Clerk Grimm's feeling. The minutes that they get are a hybrid between detailed and summary.

Clerk Grimm clarified how what she transcribes is a hybrid of summary *and* detailed *and* sometimes use verbatim.

Mr. Sidoti asked if we have the ability to ask for "verbatim."

Mayor Fiala interrupted stating "I think the word verbatim is wrong. What he is hearing is that when people come to Council, and give their 3 minutes, then look at the minutes, 'it doesn't reflect what I said.' Maybe they should be detailed"; and sometimes the visitors' portion are not detailed.

Mr. Sidoti agreed and asked if they could ask for detailed minutes to be done at a meeting.

Clerk Grimm replied yes, on an individual basis, and it has been done that way in the past. The Mayor has requested her to transcribe the visitors' portion verbatim a few times before she begins to draft them.

Mr. Sidoti asked if Clerk Grimm "hadn't said before that anyone on Council could ask for that."

Clerk Grimm and the Mayor both replied "Yes" and Clerk Grimm continued with how the Mayor has asked during the specific meeting. A council member has to ask on the spot for that specific meeting, just like Ms. Shaffer has expressed a few times before during her comments, how she wants to be officially on the record as saying something verbatim.

Clerk Grimm continued how this is basically a trust in your Clerk to know what she is doing and to have the public understand the legislative actions that happened at your meeting. What the visitors have to say does not have anything to do with the roll calls or legislative actions. It is her job to bring forward a draft set of minutes that Council approves, and has been approving every month for the past 2 years she has been Clerk. To change the way to prepare minutes is Council's prerogative; however, it is going to take an inordinate amount of the Clerk's time she devotes to her other duties to change to verbatim minutes.

Mr. Sidoti asked that as the role of Clerk, are Clerks allowed to editorialize or report whatever that person said.

Clerk Grimm clarified that as a Clerk, you can editorialize as long as it has all of the points summarized.

Mr. Sidoti asked if Clerk Grimm is "put under the gun" and gave an example of a "blue car pulling into a council meeting, but someone might see a teal blue car, some might see a certain type of blue car. How do you guard yourself against making sure that you summarized?" He is blurry from reading all these minutes.

Clerk Grimm asked for permission read an example to Council and use one of Mr. Sidoti's closing comments from the last meeting as the example. She drafted his comments both ways: detailed - which is as close to verbatim as we can get, and then the way she would normally - detailed summary hybrid with anything verbatim in quotation marks:

- Verbatim:
 - o Mr. Sidoti commented "I will tell you what, I really got to, West Main Street is a miracle. They, I, no one has been killed out there thank God or injured cause of these crazy drivers, but the City has been working really hard to do the State's job the State should be doing and I've heard people, people have actually called me and the efforts of our crew out there are repairing. I know it is almost an impossibility they are doing the best they can and I almost, I couldn't believe how people drive around our workers. They've done a great job."

Mr. Sidoti asked "That's what I said, that's verbatim?" and joked that it is better than what he thought.

Ms. Grimm stated "Yes, that's verbatim, but here is how I would summarize it."

- Summary/Detailed Hybrid:
 - o Mr. Sidoti commented on how he has heard from a few people about the great job our City employees are doing on W. Main St., even though it is the State's job – It is a "miracle" even with them having to deal with the safety issues with all the crazy drivers out there.

Mr. Sidoti added "So basically you are saying the same thing."

Clerk Grimm stated she is "saying exactly the same thing that is summarized in a sentence and a half versus 8 broken sentences."

Mr. Sidoti had no more questions.

Mr. Turner felt “the Mayor hit the nail on the head. The issue is not as important as they, as Council, think or feel, it is how the person who comes to the microphone. That person may not agree with the summary at the end of the day. That’s the problem. It goes to the integrity of the process. Council, as a body has to understand that the emphasis of the words summarized could be one way or another way. Summarizing can change the overall thrust of the meaning to them of what they were trying to express. He has to go with Roger.” Most of the visitors’ comments are “adversarial” and not going to really hear a big deal about them. It’s when someone has an issue with the summary and say that is not what I said or meant. We have to be able to ensure the integrity of this process is right to them and that will make what we do have greater integrity.”

Ms. Wallach questioned “if we can just ask the person if they want detailed or summary?”

Clerk Grimm replied “we cannot ask the person that question, the direction has to come from Council. We already have a whole Visitors’ comments section in the Standing Rules that says anyone can submit their verbatim written statement. It is their words, the way they wrote them, the way they wanted them heard. A lot of people do not get to finish their 3 minutes, and if they don’t finish their 3 minutes, their entire 8 page statement is still in our minutes”. After the last meeting, Mr. Noble emailed me his 8 page statement. He did not get to read all 8 pages, but every ounce of that statement is included as an attachment to the minutes. Council has had many people submit statements and it is referred to as “See Attachment #1...” It is how we do the minutes for Democracy Day and not one person’s statement has to be summarized because they want to be heard, in their words, the way they wrote it. That is why we provide that provision in the visitors’ portion of Council Standing Rules. We have not had an issue with this until recently, but Council continues to approve the minutes as submitted. Clerk Grimm stated she is torn and shocked with how this is the way it has been done since she started, it was done that way when the previous clerk was here, and now it is an issue.

Mr. DeLeone asked how long we keep the tapes of the audio recordings for.

Clerk Grimm responded that the Records Retention Schedule increased that time frame to one year back in May because we use to destroy the recordings after the minutes were adopted, as the recording was used for “transcription purposes only.”

Mr. DeLeone asked why did we destroy them and not keep them, it’s not like they are reel-to-reel, and they are being put on a little disc?

Clerk Grimm explained how we do not put them on a disc, they are a digital file in the memory of our server when they download from the little dictation recorder plugged into the microphone system. The file is not in a format that someone without the software can listen to without conversion software.

Mr. DeLeone asked why we do not burn them onto a CD.

Clerk Grimm replied she could if she had to, but why if it is already in the memory of the server.

Mr. DeLeone asked if she has ever had the question come up of someone asking for a copy of the meeting.

Clerk Grimm stated “only 3 times” has a request happened; she has been brought a flash drive once, someone brought in their own recording device, and has emailed a recording.

Mr. DeLeone asked “So it is available?”

Clerk Grimm responded “Yes, it is available.”

Ms. Rosenberg had a couple of points she wanted to bring up about residents not coming to meetings very often and they show up not necessarily planning on speaking, so they may not have a statement prepared and we should account for that fact. She feels it should be reflected in enough detail so that others who would read the minutes would have an understanding of what happened at the meeting and they understand what was conveyed. She had requested an audio recording once, and was given that audio and thanked Clerk Grimm, but it didn't include any kind of conversion software which is required in order to listen to the audio. We are putting the onus on our residents, after they request the audio, to find a conversion software online. We should be providing a conversion software for residents at our costs. She feels, with certainty, having the audio on the website is a good thing and provides transparency.

Mayor Fiala stated "I agree wholeheartedly."

Mr. DeLeone had another question about the audio and how "when you are listening to something, you do get the tone... you can tell if someone raises their voice or temper. You can't tell that by reading minutes. But if you have that audio, you can tell if someone is getting out of control or raising their voices or pointing fingers. You can't see that on audio, but you know what I mean."

Clerk Grimm agreed because you can't reflect someone's tone in writing.

Ms. Shaffer asked Clerk Grimm "how often Council members have asked for changes in the minutes because they thought your interpretation wasn't accurate?"

Clerk Grimm replied "None."

Ms. Shaffer asked "Zero?"

Clerk Grimm started to respond "Correct" and Mayor Fiala interrupted "You can't, it has to be a Motion from the floor. Am I right Tara?"

Clerk Grimm clarified how we adopt several sets of minutes each time at each meeting, which is when Council has the opportunity to ask for a change to be made to the draft minutes *before* those minutes are adopted. Only once has someone come to her with a typographical error of a word she spoke, and that was Ms. Wallach. She has also brought some minor typographical errors, but not once has anyone come to me to."

Mayor Fiala commend on "That's typographical, I understand that, but you people vote on the minutes, they pass, I sign them on your behalf. That's my job."

Ms. Shaffer stated "by that, we are exhibiting trust in the professionalism of our Clerk of Council. Her concern is actually "what is the concern for visitors and they should have the options to check what has been said and talk to a council person to object to how they have been interpreted when the meeting minutes are adopted. Is that it? Because we still need the official record no matter what we do, whether we do CD's, put on the website. Very few people want to listen through all of the ayes, ayes, ayes of when we go through our typical Council meeting. But the minutes are the official record of what has happened. So when a Council person or a visitor who has spoken, they have the right to see the minutes because they are posted a week early and they can approach a Council person. Is that the process to say 'I don't like how I was portrayed'? What would be the procedure for a citizen to ask for a change? Is that the real concern here?"

Mayor Fiala stated what his understanding of it is. "We have a committee meeting, like we are having tonight, and the Clerk is going to do the minutes and they are going to be posted. They are on-line. If somebody does not agree with what was said, before the Council meeting, before we accept those minutes,

they have 3 minutes to come to the microphone to say something.” He asked if that answered Ms. Shaffer’s question.

Ms. Shaffer stated it does, however we as Council would have to ask Tara to go back and listen to the tape again. “What is the process for the official record to be changed if somebody disagrees with it?”

Clerk Grimm corrected a bit of Mayor Fiala’s understanding and stated “it would have to be reported by the person complaining to a Councilmember, the Councilmember would then have to bring it in front of Council, and it would have to be a consensus of Council to change those minutes, meaning more than half of Council, then the minutes could not be adopted because I would have to go back and re-draft and would have to wait a whole other month to be approved.” Minutes *cannot* be changed after they have been approved.

Ms. Shaffer stated “We have this in place for anyone to do that.”

Clerk Grimm responded “Yes, we do.”

Ms. Shaffer added how this is the main concern, because Council has not sent back or raised objections.

Clerk Grimm also informed Council that “certain sections of the minutes are reviewed by the Law Director as they are drafted”. Council and the public receives those minutes a full week before the meeting. Sometimes minutes have been sent out sooner when a topic is so involved, like the LGBTQ discussions; we do have that ability if the drafts are done early.

Ms. Shaffer continued we have only had maybe a couple people say they do not like the way they have been interpreted in our official record, why would we now change our whole way of doing things versus us just allowing there to be a chance at a 2nd attempt? We just need to clarify what the process is because it does not come up very often.

Mr. Sidoti offered that in light of the fact that we are going to be talking about the New City Hall capabilities of being able to video, live stream that maybe we should TABLE this discussion and circle back around in terms of what Council really wants.

Mayor Fiala added “Better technology is what you are saying.”

Mr. Sidoti agreed, and that maybe it would help with the situation.

Mr. Kuhar asked Clerk Grimm if he was understanding correctly, “if we start a Council meeting, the public will always get their three minutes before we approve the minutes, is that correct?”

Mayor Fiala answered before Clerk Grimm “It comes under public communication, that’s my understanding.”

Mr. Kuhar asked again, so the public can speak before we approve any minutes?

Clerk Grimm stated “No, regular, special, work session and public hearing minutes are adopted BEFORE public communications, but all your other committee meeting minutes are adopted after that.”

Mr. Kuhar clarified his point how anyone can come up to them, prior to a meeting and accepting the minutes, and if we hear the objection, we can make the choice of not accepting the minutes.

Clerk Grimm agreed and stated how anyone can walk up to a Council member before the meeting even starts, say something, then it would be on that Council member to bring it forward.

Mr. Kuhar said the person would have to complain before, not after we vote.

Clerk Grimm agreed.

Ms. Wallach asked how the public accesses the minutes; they used to be up on-line in draft form.

Clerk Grimm stated they still are as part of the Council packet that she has Harrison upload to the website.

Ms. Wallach asked if we can't give people a piece of paper that says 'if you're not happy with your comments, go see so and so'; wouldn't that solve the problem?

Clerk Grimm replied if someone has a complaint, they need to inform a Council person before the meeting, or her up to the week prior when they are drafted and posted; that's normally how that happens.

Ms. Wallach added, "but they do not know the process."

Mr. Kuhar asked if maybe the Mayor can say something when he opens.

Clerk Grimm continued how we have a visitors' sign-in sheet and with it, we have the Visitors' portion of Standing Rules next to the sign-in sheet, so if anybody has a question, they are there to refer to. We only use the sign-in sheet though for the regular meetings and special meetings, we do not use them for committee meetings. Therefore, she has to keep track of the person(s) speaking at the microphone separately. We can have the Visitor portion of Standing Rules posted permanently right here on her desk next to the sign-in sheet.

Ms. Wallach liked the idea.

Mr. Ferrara wanted to move to TABLE the topic, but the Mayor needs to refer to the audience.

Mayor Fiala feels Council is doing an adequate job, but we can always do better. He referred to Ohio Open Meetings Act handout from the packet that he thought was sent out by the City Manager, but it was actually part of the Memo from the Clerk.

Mayor Fiala then referred to the audience.

Mr. Christopher Myers of 220 E. Elm St., Kent stated that at a previous meeting, he suggested that because he was unhappy with the Clerk summarizing what he said, that prior to the minutes being approved that a person should be able to make an objection if they have an objection. He feels it doesn't work that way. When he made that suggestion, the Law Director informed him that he does not have a vote, which he thought was strange. He stated "the Clerk gets everything wrong that I say." He referred to a time when he made a formal complaint against Heidi Shaffer and the Clerk reflected it as he was "unhappy with Ms. Shaffer." He stated "it does not reflect his chagrin." He also referred to a time where he talked about founding fathers and then talked about fascists and was referred to as making an oration. "I don't trust her at all."

Mayor Fiala interrupted and stated "let's keep this civil."

Mr. Myers replied "I am being civil, I'm saying I don't trust her."

Mayor Fiala added "Well then don't trust me, leave her alone."

Mr. Myers continued "No I can't leave her alone. She filed a criminal police report against me."

Mayor Fiala interrupted again "That is not the subject, we are talking about minutes."

Mr. Myers stated "That's what I am talking about. Because of the way her minutes are, it got to the point where there's a criminal police report against me by her, backed by Hope Jones and all the rest of you by saying nothing. And I have gone ahead now with my lawsuit in federal court. It's happened, so good luck. Thank you."

Mayor Fiala clarified since Mr. Myers informed us that "We are in litigation, then we are done. If you are going to litigation, then we are done with this."

Mr. Myers was commenting from the back of the room "Absolutely".

Mr. Jason Noble of 7803 Birchwood, Kent stated "First off, I'd like to say all my interactions with Ms. Grimm have been fantastic, extremely professional." He already stated his case to Council at the last meeting, but had the audio been available right after the previous meetings on the City Council website, he could have listened to exactly what was said to better prepare for his chance to speak with Council. That would have alleviated him having created an 8 page speech that he had to condense down to 3 quick minutes, which he forwarded to the Clerk for inclusion in the minutes. Technology is there and we have some of the most brilliant minds in the world right next door. He feels it is a fantastic idea, from a community and business owner standpoint, to put the audio on the website.

MOTION TO TABLE THE DISCUSSION ON VERBATIM VISITORS COMMENTS UNTIL NEW CITY HALL TECHNOLOGY IS DISCUSSED made by Mr. Sidoti, seconded by Mr. Ferrara.

Mr. Sidoti had no further comments.

Mr. Ferrara felt this is a good motion as the intent should focus more on implementing technology to define what we are trying to do and provide ideas and information "instead of worrying about verbatim minutes."

Ms. Wallach "agrees with tabling this. The problem is right now that we have antiquated technology. We can't get it on our website."

MOTION TO TABLE PASSED by a voice vote of 8-0.

Hearing no further business before this Committee, Mayor Fiala adjourned the meeting at 8:41 p.m.

Tara Grimm, MMC
Clerk of Council

ACTION RECOMMENDED:

- 1) APPROVE THE UPDATED CITY'S TITLE VI POLICY**
- 2) TABLE DISCUSSION ON VERBATIM VISITORS COMMENTS UNTIL NEW CITY HALL TECHNOLOGY IS DISCUSSED**

**THE CITY OF KENT, OHIO
FINANCE COMMITTEE
WEDNESDAY, SEPTEMBER 5, 2018**

Chair Michael DeLeone called the meeting of the Finance Committee of Kent City Council to order at 7:03 p.m.

PRESENT: 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; Mr. David Coffee, Budget and Finance Director; Mr. Tom Wilke, Economic Development Director; Mr. Jeff Neistadt, Health Department Director; Mr. Jim Bowling, City Engineer; Police Chief Michelle Lee; and Ms. Tara Grimm, MMC, Clerk of Council.

ABSENT: Mr. Jack Amrhein

MOTION TO MOVE THE FINANCE COMMITTEE PRESENTATION TO BE FIRST TONIGHT BECAUSE OF THE WONDERFUL JOB MR. COFFEE DID WITH THE LOCAL GOVERNMENT FUNDS COMMITTEE made by Ms. Wallach, seconded by Ms. Shaffer and CARRIED by a voice vote of 8-0.

There was one (1) item on the Agenda.

1. 2018 Budget Appropriations Amendment

Mr. Coffee referred to his Memo to the City Manager dated August 29, 2018, with attachments, outlining the requested budget appropriations.

Council nor the audience had questions.

MOTION TO AUTHORIZE THE 2018 PROPOSED APPROPRIATIONS AMENDMENT AS SUBMITTED WITH AN EMERGENCY CLAUSE made by Mr. Kuhar, seconded by Ms. Shaffer, and CARRIED by a voice vote of 8-0.

Chair DeLeone adjourned the meeting at 7:05 p.m.

Tara Grimm, MMC
Clerk of Council

ACTION RECOMMENDED:

- 1) AUTHORIZE THE 2018 PROPOSED APPROPRIATIONS AMENDMENT AS SUBMITTED WITH AN EMERGENCY CLAUSE**

10 Things School Principals Need to Know About JUUL

JUULing is a teen phenomenon happening outside the adult radar screen. This craze is something that school principals need to know about, and many of them already do. It's a pervasive trend that happens in school bathrooms and as groups walk down the halls. It's a new way to consume—and get the buzz of—nicotine without the mess and tell-tale signs of smoking a cigarette. But, whether adults realize it or not, this trend can have serious negative effects on the teenagers around us.

These are the top ten things school administrators need to know about JUUL, which they should also pass on to parents.



E-nicotine is marketed in popular flavors like lemon or bubble gum

1. What is a JUUL?

A JUUL, pronounced “jewel,” is an e-cigarette that looks like a computer flash drive and charges in a USB outlet. Once powered you load the JUUL with tiny, refillable pods of liquid nicotine. A JUUL pod is no bigger than a soda can tab. The e-nicotine comes in appealing flavors such as crème brulee, mango and bubble gum.

2. How prevalent is JUULing?

Using the JUUL has its own verb, “JUULing.” CNN called JUULing an “[epidemic.](#)” Within the last year, [19% of 12th graders](#) reported using an e-cigarette, compared to 16% of 10th graders and 8% of 8th graders. According to the National Youth Tobacco Survey, [11.7 percent of high school students](#) and 3.3 percent of middle school students—over 2.1 million youth—were current e-cigarette users in 2017.

3. Why is it so popular?

Three words: Marketing and Peer Pressure. E-juice and the gadgets that go with it are strategically sold with a very young audience in mind. One example is that the JUUL can be customized with a “skin” or decal of which there are hundreds on the market. Do you like TV shows? Get the skin dedicated to “Stranger Things.” Are you a fashionista? Amazon sells a Louis Vuitton skin for \$10.99. There's also the flavoring and the sweet odors which mask the dangers of using a JUUL. Many kids are unaware that JUUL has many of the qualities that make smoking cigarettes dangerous. While JUULing doesn't include the intake of tar, it still involves consuming addictive nicotine and chemicals.



Vaping entrepreneurs have been using marketing techniques to reach a young audience, borrowing techniques from tobacco companies to market JUUL products directly to children. Add-on products, such as skins, phone holders and fun flavors make the product very appealing to teenagers. Once a few older teenagers start using a JUUL, it [spreads like wildfire](#) in a school. Friends and younger siblings are eager to try a new cool activity, and it becomes the next “thing to do.” At its heart, JUULing is a social activity for teenagers, and those who aren't part of a JUULing social circle can feel left out. This underlying social pressure may also contribute in a teen's decision to JUUL.

4. Don't you have to be 21 to buy a JUUL and e-juice?

As of August 2017, JUUL's website has required people to be 21 to purchase items online. They have age verification software that utilizes public records and requires an ID upload if records are unavailable.

Instead of buying directly from JUUL, teenagers often get older friends or siblings to buy JUUL products for them. Teenagers commonly buy refill pods through school networks. In some states people who are 18 can buy JUUL pods from authorized retailers, such as gas stations or convenience stores.

Many other websites sell JUUL-like products, which are not JUUL manufactured, but are compatible with a JUUL. There are reports of the ability to buy e-juice on Facebook, Instagram and other websites. These sites only require a check box indicating that you are 18. Many kids have their own credit card or can gain easy access to their parent's credit card. Kids are so savvy that the age checks can be evaded.

5. How do kids normally use JUUL in school?

Cigarette smoking is hard to hide. There's the flick of a lighter, the smoke and its aroma. A JUUL is stealthier: a single puff of vapor and sweet scent are the only evidence. The most frequent JUULing location is the school bathroom, but there are reports of kids passing around JUULs in hallways, the lunchroom and other places. Student also use JUULs in class, waiting for the teacher to turn around or hiding the vapor in a sweatshirt sleeve. The thrill of concealing a JUUL becomes part of its allure.



6. What are the dangers of the JUUL to teenagers?

There are many dangers associated with nicotine and chemical exposure. One JUUL pod contains the same amount of nicotine as a pack of cigarettes. Nicotine is addictive, and exposure in teenagers has been associated with working memory and attention deficits. A [2015 study](#) found that nicotine has been shown to negatively affect the cardiovascular, respiratory and reproductive systems, and may be a carcinogenic. A [study](#) by the American Academy of Pediatrics conducted in 2017 revealed that teenage e-cigarette use is closely associated with future cigarette use. Other dangers include exposure to poisonous chemicals, which are potentially cancerous and cause bronchitic infections.

These dangers are heightened by a widespread perception that vaping and JUULing is inoffensive, even healthy and a way to wean off cigarettes. A [2018 study](#) survey-based reported that 63 percent of young adult JUUL users did not know the substance contains nicotine.



7. In advising faculty and parents, what are possible signs that a child is using a JUUL?

There are signs that a child is using a JUUL even without ever seeing a device or smelling the sweet scent. Users are subject to dehydration and nosebleeds due to a chemical that retains water molecules in e-nicotine. Also, users can experience a strong aversion to caffeine. Other potential indicators include changing habits, especially in grades or behavior, or disappearing regularly to take a hit.

8. What can government do about it?

Policy makers are becoming aware of the dangers of JUULing. At least five states (CA, NJ, OR, HI, ME) have recently raised the age of buying e-cigarette products to 21—including cigarette delivery devices like the JUUL—even though the federal age is 18. Other states and localities have imposed high taxes on vapor and products, which are driving some vape shops out of business. Two states (NJ and NY) have banned vaping in all public spaces where cigarette use is banned. In Connecticut, Governor Malloy signed a law saying that vaping products must be sold in person-to-person transactions, though it's hard for state laws to effectively impact online purchases. In San Francisco, citizens overwhelmingly voted to support a ban on the sale of flavored e-nicotine in the city. The ban was upheld by a mighty 36 percent margin despite a \$12 million campaign against the ban funded by tobacco company RJ Reynolds.

9. What can schools do about it?

Many schools have implemented school-wide policies aimed at reducing JUULs in school. One school installed sensors to detect vapor in bathrooms to alert administrators. Other schools now employ bathroom monitors and only allow a certain number of students in at a time to regulate e-cigarette use. Many schools have imposed restrictions for JUULing including suspension and even expulsion.

At school, education programs can be initiated to reduce the use of JUUL. One idea to discourage JUULing is an assembly discussing the dangers of nicotine and the chemicals found in a JUUL. High school students may be more receptive to a younger group of presenters, particularly former JUUL users who share their experiences and long-term impacts of using. Anti-drug student clubs can also be helpful to increase student opposition to the practice. Schools can also restrict school computers from purchasing JUUL or JUUL products.

10. What should parents with small kids know about JUUL?

Parents should know that e-nicotine, even in small quantities, is poisonous to small children. Children under 6 are at risk of ingesting e-nicotine, which is especially attractive to small children because of candy-like packaging and flavors. According to the American Association of Poison Control Center ([AAPCC](#)), between 2012 and 2017, over 8,200 American children under age 6 were poisoned from e-nicotine; 84 percent were under age 3. If teenagers are secretly storing their JUUL in the house, parents could be unaware of this lurking danger to small children.

**THE CITY OF KENT, OHIO
HEALTH & SAFETY COMMITTEE
WEDNESDAY, SEPTEMBER 5, 2018**

Vice-Chair Roger Sidoti called the meeting of the Health & Safety Committee of Kent City Council to order at 8:41 p.m.

PRESENT: 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; Mr. David Coffee, Budget and Finance Director; Mr. Tom Wilke, Economic Development Director; Mr. Jeff Neistadt, Health Department Director; Ms. Melanie Baker, Public Service Director; Mr. Jim Bowling, City Engineer; Police Chief Michelle Lee; and Ms. Tara Grimm, MMC, Clerk of Council.

ABSENT: Mr. Jack Amrhein

There was one (1) item on the Agenda.

1. Review of Tobacco 21 Legislation

Mr. Sidoti referred to Mr. Neistadt to give his brief presentation.

Mr. Neistadt began with how Council has the ability tonight, by re-visiting this, to eliminate the exemptions and do what is right by the youth of Kent. This law not only affects 18 to 20 year olds, which is the nexus of the Tobacco 21 Ordinance, but also the fact that Council is protecting the younger family members and friends. A recent Record Courier article mentions that a local business says products are sold to 18-20 year olds because they think it is cool. It is a true and tried marketing strategy from the cigarette companies. What wasn't cool was when we found out this gave people cancer and affected their lives forever. He gave some real facts about vaping: 1 in 3 people in this country vape daily - that is an addiction; E-cigarettes contain levels of nicotine that can be 4 times higher than cigarettes; Some vapes do not contain nicotine or vary in the levels of nicotine; Nicotine is addictive; There are nearly 500 brands and 7,700 different flavors of these products and if we are mixing them, we can have even more flavors; Not one of these has been evaluated by the FDA for safety. In the last month there has been a lot of research, especially by John Hopkins University, NIH and the CDC that vaping leads to health consequences – damage to the brain, heart and lungs, cancerous tumor development. They know this because vapor products contain over 10 different carcinogens that we know of today and we haven't even tested them all. There are pre-term deliveries and stillborns, poor brain development when use occurs during fetal development and later in adolescence. This is very similar to what cigarettes do. There is no truth to what Council may have heard at the last meeting that vaping is used to "get people off of cigarettes." E-cigarettes and vaping devices are not a proven method for quitting. If it was, they would be in smoking cessation programs. Not one smoking cessation program in our country uses vapor products to wean people off of cigarettes. These products are now used in addition to smoking cigarettes, so now there are dual addictions. In 2015, 59% of people who used vape products also smoke cigarettes. There is zero evidence that the aerosol from these vape products is safe, as the vapor contains carcinogens. Mr. Neistadt referred to a comment Mr. Sidoti made, "We should never do just the minimum" and by providing exemptions, we are doing the bare minimum. We need to give people what they want and our Health Department has done extensive research with the public on this. 76% of Council's constituents want Tobacco 21. There have been community forums. This is why the legislation was brought forward. The FDA recently pulled a lot of these types of vape products from the shelves because they are marketed as juice boxes and other items that kids want in flavors like cotton candy.

Mr. Sidoti asked if there was anyone in the audience to speak in favor of the Ordinance.

Mr. George Joseph of 321 N. Depeyster and Superintendent of Kent City Local Schools stated he was going to be brief and discussed how he had just had a conversation with his school principals. He referred

to the handout provided to Council titled "10 Things School Principals Need to Know About JUUL" (**See Attachment #1**) Part of the Superintendent's job is to deal with expulsions, which he doesn't enjoy, but takes very seriously. All expulsions are a learning experience for our kids. An expulsion happens after 10 days of a suspension. There has been an increase of suspensions and expulsions due to e-cigarettes. Last week he had a Record Courier reporter ask him 3 specific questions, which he was able to answer way too easily. The 3rd question was "Have you noticed an increase?" There has been an increase and it is not with our 18 year olds. The increase is with our middle schoolers and younger. The products are being marketed to younger than the 18-20 year olds, hence the cotton candy and bubble gum flavors which are enticing to teenagers and tweeners. He also brought with him Jackie Peoples Zukes who works with the high schoolers at Roosevelt, and Aaron Hido who is the Dean of Students at Stanton Middle School, which can attest to the increase at both schools. His very first suspension took place in July at summer camp for a student with an e-cigarette that set off an alarm off campus, which created a big issue.

Mr. Ferrara asked if there was any difference in the e-cigarettes or any other form of tobacco like dip or cigarettes in terms of what is classified as allowed or not allowed and susceptible to suspension.

Mr. Joseph stated e-cigarettes are looked at as tobacco products in their policy. E-cigarettes are missing the tar, but as Mr. Neistadt stated, sometimes the nicotine is 4 times the amount than a regular cigarette.

Mr. Ferrara asked if it is a zero tolerance policy, what percentage of suspensions are from e-cigarettes, and are they looked at equally.

Mr. Joseph replied "Correct." It is hard to put his finger on it, but he would say 1/3 would be close. He referred to Ms. Jackie Peoples Zukes, but her comments were inaudible from the back of the room.

Mr. Joseph reminded Council they are a smoke-free campus and when they go on a field trip, that policy goes with them.

Mayor Fiala asked if when being referred to as a smoke-free campus, he means vapor.

Mr. Joseph replied "Yes."

Ms. Wallach asked "Since Kent adopted this policy, what is going to keep students from going outside of Kent? Are you working to get all the other communities in the area to adopt a Tobacco21 legislation too, or just Kent? It is not going to help if Kent has 21 and everybody around us is not going to have 21."

Mr. Joseph can only speak for the school district. The Ohio Department of Health, for the 2nd year, gave a rating of "A+" to their Tobacco policy. Unfortunately, they are the only school district in Portage County to have even submitted their policy.

Mayor Fiala added that this topic generated from their Mayor's meeting in Akron and it is moving outwards. It is going to hit everyone sooner or later.

Mr. Neistadt agreed, because as soon as we passed the legislation, the Sheetz, Acme and even Drug-mart are already raising their age to 21 because it is the right thing to do as it is looked at by corporate.

Ms. Shaffer asked how this is going to affect on-line sales.

Mr. Neistadt replied that as a Health Department they can only regulate what goes on in our stores, not on-line.

Ms. Shaffer asked at what point or age does it become illegal to actually possess a vapor product.

Mr. Neistadt commented on how you have to be 18 to purchase, but age to use is unlimited.

Ms. Shaffer continued "So you can be of any age to use it?"

Mr. Neistadt replied "Yes."

Ms. Wendy Hyde with Tobacco21, which is an organization working nationally to raise that age from 18 to 21. They have worked in over 330 communities and 6 states that have already raised the legal age from 18 to 21. In Ohio, they are actively working with 14 communities. This is a civil ordinance, it is not a criminal ordinance. As an organization, they do not support any type of criminal ordinance criminalizing the possession or use of a tobacco or nicotine product. This is strictly on the retail sales. There are 3 forms of addiction to nicotine: physical, psychological and social norming. They are trying to restrict the social norming and youth access by raising the age from 18 to 21. She reminded Council how when she presented in July, she brought a JUUL to demonstrate. Over 72% of all sales is now JUUL; 51% of e-cigarettes is under age 35; 41% is single use and were not product users trying to break a nicotine addiction. Their hope is the ordinance will help to prohibit the 14 year olds access to 18 year olds. In Needingham, MA, the first to adopt this ordinance, within 2 years the rate of addiction and use has been lowered by 50%. Even without the surrounding communities adopting the same language, it is an effective measure. It won't solve all usage and addiction, but it is productive way to protect youth access.

Ms. Wallach asked if Ms. Hyde was focusing on 18 year olds because there are still 18 year olds in high school as seniors.

Ms. Hyde replied "Yes, 18 and 19 year olds are still seniors. Her 14 year old gets on the bus with these 18 year olds. They have social groups, have gatherings together. That's why the availability takes place at that age." 18 to 20 year olds only purchase 2% of all tobacco sales, but they provide 90% of the use by those under the age of 18. She also stated the exemption needs to be removed. She compared it to her taking a 20 year old to a local pub and purchasing alcohol, taking it to the table and sharing, and allowing it to be consumed by the 20 year old. That is what the exemption for a hookah bar is.

Mr. Christopher Woolverton of 1203 Windward and professor at the College of Public Health at KSU who teaches 2 primary courses: "Risk Assessment" and "Biological Basis of Public Health". Both classes have taught him very important facts that are pertinent to this conversation. It is well documented what the effects of nicotine and the carcinogens are that are produced when tobacco, of any kind, and organic materials of any kind are heated to the temperatures to generate a vapor. Those chemicals, including pure flavoring like vanilla extract, will create carcinogens if heated to 300 degrees. It is the way biology works and what we call pollution rather than saying we are creating carcinogens like when we burn leaves in the back yard. As an educator, what is critically important to him comes from his Risk Assessment course. He told the story about many years ago how the car rental companies refused to rent cars to those under the age of 25. Hard data shows they are the greatest risk at causing an accident. The cause of that risk stems to one biological fact: the decision making parts of our brain, called the prefrontal cortex, and does not fully develop until the age of 25-27. If you transition that biological fact to this conversation, anyone under the age of 25, biologically, does not have the capacity to make a full decision basis on probability and consequence that would lead to rational and logical decision making. When the age lowers from 25 to 21, to 18, to 12, there is no rational decision making process that is suitable at age 12 for protecting themselves or the people they associate with. He could quote all kinds of negative statistics on burning materials and inhaling them. The consequences go far beyond the lungs, bloodstream and throughout the body which not only cause cancer but acute toxicities that result in all types of damage. All you have to do is talk to one person who has to speak through a synthetic voice maker because of the consequence of smoking 20 years, then you will understand the risk of using vapor generated products.

Ms. Shaffer asked if, in his opinion, he thought that vapes and tobacco products should be illegal to use.

Mr. Woolverton did not feel competent enough to answer that question as it is out of his purview. He looks at scientific data and interprets the data so he can educate his students.

Ms. Shaffer added that she heard or read that the FDA has not looked at vapes or JUULs yet.

Mr. Woolverton, in his opinion, does not see the FDA using the tax base to do this type of work. They rely on universities researchers and private foundations to generate the data. As Mr. Neistadt referred to, and at his last count, in the last month there were 8 papers published on new information related to vapor

products and 2 additional carcinogens were just named to the list that are generated in vaping because of the high temperature of the materials that are being produced.

Mr. Sidoti asked if there was anyone else for the ordinance, and if anyone against the ordinance wished to speak.

Mr. Jason Noble of 7803 Birchwood, Kent stated he can help the 20 year smoker with a voice box put the cigarettes down. Where does that put vaping and does it still keep it in the negative aspect? He loves Kent because it is a cool, progressive, cultural melting pot. His small business hand makes the products that go into vapes. As a business, he hates JUUL; big tobacco is ruining the industry. He does not want to have to discriminate against his existing customers. 18 is the legal age to vote, go fight, get married, do anything you want. He compared age groups then asked who we are to discriminate against this person because the age was raised. The biggest target demographic lives at the university. They can walk across the street to outside the lines or to Ravenna. We agree smoking is bad, vaping is better and "is not 100% hallelujah" but is proud he is no longer a cigarette smoker. He asked "anyone who has quit smoking because of vaping to raise their hands." 5 people in the audience raised their hands. Vaping works. He has pages and pages of documentation and brought a box of products, which another audience member began displaying, that contain propylene glycol. There are 4 ingredients in a vape or e-cigarette liquid: nicotine, which is a variable amount; propylene glycol; vegetable glycerin, which is consumed every day in beverages and food and dedicated as safe for consumption by the FDA; and the final is food flavoring. To restrict them from selling to age 18 to 20, but allowed to be sold to everywhere else or on-line, is discrimination. We seem to be passing laws because his 14 year old knows 18 years olds. What is an adult and what do you want to tell the 40,000 students at KSU that they are an adult, but really you are not? Ohio will eventually raise the age to 21, but please do not put him out of business, and to wait until Ohio does it. It makes Kent look bad and tells the students to stay out of downtown.

Mr. Kuhar stated, based on all the audience input, he has a 50 year old acquaintance who has been vaping for about 2 years, reduced his cigarette smoking by 75, then asked how does Mr. Noble think his friend is going to react when he tells him that the propylene glycol in his soda pop when burned creates a carcinogens and his vape that he chain smokes has 4 times the nicotine than his cigarettes?

Mr. Noble stated Mr. Kuhar would be feeding him misinformation. There is always going to be a grey area in the studies that have been quoted. He has the paperwork to show the other side of the argument. The small release of formaldehyde is burned at such a high level at 450 degrees Celsius, which is hotter than any product available on the market. No one who vapes wants that burnt taste. That means it is time to change your coil. They were using electronics to simulate puffing to achieve these levels.

Ms. Shaffer asked if Mr. Noble does on-line sales and how they are going to determine if someone is a Kent resident or not.

Mr. Noble stated they have on-line sales and it is going to be tricky because currently they have the federally mandated H-Check verifications software called "Blue check". The FDA has been coming at the vapor industry for the last 3 ½ years. There are a set of guidelines and regulations that all of the vape shops have to follow and is set up with deadlines that have to be met. His shop has met and complies with all of the regulations. The on-line market can still sell JUUL's to kids. Who is checking that stuff?

Ms. Shaffer asked a legal question "Now that our Ordinance is in effect, when Mr. Noble does an on-line sale to someone with a Kent zip code, he has to determine whether or not they are living inside the City of Kent and their age. Is that correct?

Ms. Jones replied the Ordinance prevents the retail sales in Kent. If we possibly considered the sale of 18 to 21 year olds in Kent, he couldn't sell to 18 to 21 year olds anywhere if the sale is supposedly happening in Kent.

Mr., Noble asked if City regulation trumps federal regulation.

Ms. Jones clarified "If you are selling in Kent, it does. If that is how we look at this law and she does." She suggested Mr. Noble get his own legal advice and should be more worried about where you are selling, not who you are selling to.

Mr. Noble asked about the penalties because now he has just woken up to the fact that he can't sell to 40% of his customer base. Will there be repercussions for selling an on-line order to a 20 year old in Austin, TX? From a business perspective there are so many questions.

Ms. Jones was unsure how we would even find that out.

Mr. Noble asked if he is allowed to sell the battery for the vapes to someone under the age of 21 that they can go to Walmart to buy.

Ms. Jones stated is it just the tobacco products, not the accessories.

Mr. Neistadt agreed.

Mr. Noble asked if someone would come to the shop, like he asked at the last meeting, so he can go through the 500 different products they sell to ensure they are complying on the City and federal level.

Ms. Shaffer asked if some of the people in the audience were his employees, how many employees he has and how many full-time equivalents.

Mr. Noble replied "Yes, we have 10 employees, with 2 fulltime and 8 part-time."

Ms. Shaffer commented that the stakes are pretty high for his business here in Kent, but would be less so if everyone does it by leveling the playing field.

Mr. Noble agreed and he is not opposed to keeping these out of the hands of middle and high school kids. There is so much more to it than just that. Kids are creative, like Tide Pods; It's just going to be something else.

Mayor Fiala asked what the percentage is of his customers are under the age of 21 and why he feels it is discrimination; It is a law.

Mr. Noble responded 35-40% and he has to now turn them away from his shop.

Mayor Fiala said they can't go to Giant Eagle and buy Crown Royal.

Mr. Noble replied "they can go next door to the Firefly and smoke hookah until they are throwing up. Or they go to Sheetz on 59 and buy all the JUULs and packs of cigarettes they want. They don't even have to drive there, they can walk there."

Mr. Kyle Kelly with the Kent Health Department, who doesn't live in Kent, rebutted Mr. Noble that the Sheetz on 59 in Franklin Township has chosen to voluntarily abide by the T21 laws. The vape shop he referred to next to Acme has elected to go out of business. He answered Ms. Wallach's question about "how this is going to work if it is only in Kent." It is already working in the last 6 weeks it has been in effect. There are already 2 places on the township border that have elected to do the right thing and enforce this law. He does not feel that there are many 19 year olds using e-cigarettes to get off of regular cigarettes. Studies show that you are 6 times more likely to get addicted to regular cigarettes if you use e-cigarettes. The Health Department has been working on this for a long time and our 76% community approval rating matches the national rating of 75%. He feels bad there are businesses that might lose some of their revenue; but he is sure there are vape shops in other cities with this law that have survived. This is a big opportunity to save lives versus a couple of businesses.

Mr. DeLeone asked if the Campus Wine Cellar sells cigarettes, or the Sunoco at Rhodes and 59. There was multiple inaudible conversations at once.

Mr. Kelly was unsure. If we have high school kids using at a 30% rate and we can reduce it to 5%, he will be happy.

Mr. Ferrara asked what they are doing to work with the township.

Mr. Kelly stated they are in contact with Portage County Health Department which regulates outside of Kent and we are encouraging them. The state is offering grants and incentives for more active approaches to restricting tobacco. This is not just being done by Kent. We are seeing that it is being done successfully in other communities, like Cleveland, Columbus or Akron. He would like to see the Firefly exemption wiped away and advises not to add any additional exemptions.

Mr. Adam Ocarma who works at 132B S. Water St., Kent part-time as the general manager at the vape shop and was Mr. Noble's first employee. He spends 90% of his time on the floor because he likes to help the customers and encourages them to lower their nicotine. JUUL is causing a horrible year for vaping. It is double the nicotine 50 mils versus the highest standard of 24 mils. Their shop refuses to order the JUULs. He would think the other vape shop that went out of business would actually do more business because they are outside of the city limits.

Ms. Shaffer asked if their product was developed by Jason, if it is outsourced and if it is different or unusual.

Mr. Ocarma stated they do not carry outsourced liquids. They make their bottles in front of the customer. He has been vaping the same flavor for 2 years and vaped another flavor for 2 years before that. Once you find a flavor that works for you, and then start weaning yourself off the nicotine, it works. They've had 80 year old customers come in who had smoked their whole lives actually quit smoking with their product. They have worked so hard to be the best in this town, be the best around.

Mr. Turner asked if people quit smoking, do they every quit vaping.

Mr. Ocarma explained they were the only shop and moved from over the Pufferbelly. Some of the older customers quit coming, we talk to our customers. We do help them.

Mr. Turner stated "but you are still vaping."

Mr. Ocarma stated how he has been sitting here since 6:00 p.m. and hasn't thought about needing to vape. He also does not use it around his children. "I do it because I enjoy it. Why do people drink, because they enjoy it. If he's stressed out and goes home and drinks a beer, he's not drinking a twelve-pack every night. He's not addicted to the alcohol but he still enjoys it."

Mr. Sidoti stated Mr. Turner was getting a little off track.

Mr. Brian Docenie of 1639 E. Main St. #9, Kent felt obligated to speak tonight because he is that unique person who is 20 years old and would be directly affected by this as a KSU student. Eventually the age of 21 is going to be federally implemented. He feels it would be more of an opportunity for the vaping businesses. We are prolonging the inevitable. This allows the businesses to get ahead in advertising and target other age groups. He wants to know how we are going to keep these products away from middle schoolers. Kids are going to find a way to get it whether we increase the age or not. We need to inform kids about e-cigarettes and JUUL's and their health, like the health classes that provided visuals to show the impact of nicotine on your body. We need to educate the kids. This is putting a band-aid on the issue and not helping anything. What are we going to do about this?

Mr. Sidoti appreciated the question, but explained Council can't answer that.

Ms. Jackie Peoples Zukes of 515 Harris St, Kent and Student Assistance Coordinator at Kent City Schools works mainly at the high school and as needed at the middle school. She does early intervention. Due to the increase that they have noticed, she incorporates information about e-cigarettes, JUULs and things of that nature into the curriculum. The increase has spurred that need. The health teachers have also

incorporated it. They are also trying to educate parents and teachers. Many of their teachers did not know what a JUUL was. Kids were taking advantage of that little bit of time of ignorance. The state has really wonderful resource, the web has wonderful resources to help educate parents as sometimes kids are a step ahead. Parents are the best deterrents when they are the most informed. The consistent message through multiple channels is what is going to happen. She also works with the 6th District Compact which is an educational compact with Woodridge, Stowe, Hudson as well as other schools and they are looking at adding tobacco intervention classes. They refer parents to other intervention classes as well. They are working as a school community, hopefully in conjunction with the community here as well, in trying to be progressive and proactive as well as reactive.

Mr. Chris Todd of 1108 Water St., Kent stated he is 52 years old and was able to drink at the age of 18 in 1985. The state grandfathered in people when they raised the age to 21 and thinks maybe we should do that with this. Maybe it should be 18 this year, 19 next year and 20 the following year and when everyone else catches up, then it would be 21 by then for everyone. It would be a slow, acceptable change. A lot of the college kids age 18 to 20, who may have been smoking for a couple years can no longer buy cigarettes in the City of Kent, and he doesn't feel that is right and Council should consider.

Mr. Alexander Ross of 792 Kennebeck Ave., Kent is not an employee of Mr. Noble's, nor did he ask him to be here. He is here on his own accord as he is proof. At the age of 14 he had his first cigarette and firmly regrets it. He smoked regularly at age 17 and at age 18, in 2014 he walked into Mr. Noble's shop for the first time. He left the shop with a caramel coffee flavor, and was the last time he had a cigarette. Vaping saved his life and Jason's shop saved his life. He asks Council to think about the feel good measures in rolling this out because kids are just going to go to the next store in the next city, does Council want to kill his business? According to all kinds of studies, including those out of the U.K., vaping is safer than cigarettes, plain and simple. He's not saying it is safe, but it is better than cigarettes. He hopes Council can see more than the "crap" they are bringing as statistics and numbers as they are telling you what they want you to hear with citing statistics of studies without numbers.

There were no further comments from Council or the audience.

MOTION TO CONTINUE TO ADOPT THE T21 LEGISLATION AS WRITTEN made by Mr. Kuhar, seconded by Ms. Rosenberg.

Mr. Kuhar stated there is enough evidence that both items are bad for you. If we can save or delay people with our actions, then it is the route to go.

Mr. Sidoti asked for a clarification on Mr. Kuhar's Motion because the law already exists.

Ms. Jones commented since a Motion can't be made in the negative, it was not crafted correctly.

Clerk Grimm added that this Motion is a moot point as the Legislation was already adopted and has been in effect.

MOTION FOR LEGISLATION TO BE IMPLEMENTED FOR A GRANDFATHER CLAUSE TO INCREASE THE AGES EACH YEAR FROM 18 THIS YEAR, TO 19 NEXT YEAR, TO 20, THEN 21 made by Ms. Wallach, seconded by Ms. Shaffer.

Ms. Shaffer asked if she could amend the Motion.

Mayor Fiala stated "No, you seconded the Motion, you cannot amend it but ask our professional.

Clerk Grimm stated they have to vote on this Motion first.

Mr. Sidoti asked if Ms. Wallach had any other comments.

Ms. Wallach stated this is logical and a reasonable compromise to roll it out slowly as expressed by one of the visitors, which is how we did alcohol, which is very addictive also.

Ms. Shaffer requested an exemption for vapes.

Mr. Sidoti asked Ms. Shaffer to speak to the Motion on the floor.

Ms. Shaffer feels that as heinous tobacco is and the addiction to nicotine, she questions making it so broad and all at once is the best way to do it.

Mr. Kuhar stated he will not support this Motion because it is totally going to confuse people.

MOTION FAILED by a voice vote of 2-6.

MOTION TO CREATE A VAPES AN EXCEPTION AND GRADUALLY GRANDFATHER THE PRODUCT INTO LEGISLATION made by Ms. Shaffer, second by Ms. Wallach.

Ms. Shaffer commented on how easy vapes are easy to get anyways, especially on-line. We are a college town and adults are adults at the age of 18. Her biggest concern is that this business, the vape shop, is a good business, who provide a service who tries to work hard within the laws.

Ms. Wallach agreed with Ms. Shaffer.

Mr. Kuhar was against the Motion. It should be straightforward.

MOTION FAILED by a voice vote of 3-5.

Hearing no further business before this Committee, Vice-Chair Sidoti adjourned the meeting at 9:57 p.m.

Tara Grimm, MMC
Clerk of Council

ACTION RECOMMENDED: NONE

**THE CITY OF KENT, OHIO
STREETS, SIDEWALKS, AND UTILITIES COMMITTEE
WEDNESDAY, SEPTEMBER 5, 2018**

Chair Roger Sidoti called the meeting of the Streets, Sidewalks, and Utilities Committee of Kent City Council to order at 9:57 p.m.

PRESENT: 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; Mr. David Coffee, Budget and Finance Director; Mr. Tom Wilke, Economic Development Director; Mr. Jeff Neistadt, Health Department Director; Ms. Melanie Baker, Public Service Director; Mr. Jim Bowling, City Engineer; Police Chief Michelle Lee; and Ms. Tara Grimm, MMC, Clerk of Council.

ABSENT: Mr. Jack Amrhein

There was one (1) item on the Agenda.

1. Authorize Parking Ordinance Revisions

Mr. Ruller explained Chief Lee and Ms. Susel have been working on this project; it is a procedural and a housekeeping item to correct the inconsistencies between the on-street signage and Code references as well as modifying the City's permit parking to accommodate residents overnight parking needs in parts of the downtown.

Mr. Kuhar questioned if this includes the adjustments from his parking concerns.

Ms. Susel replied, "No" and that information will be presented next month.

There were no further questions from Council or the audience.

MOTION TO 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 made by Mr. Ferrara, seconded by Mr. Kuhar, and CARRIED by a voice vote of 8-0.

At 9:59, after hearing no further business before this Committee, Council moved into Executive Session.

MOTION TO MOVE INTO EXECUTIVE SESSION IMMEDIATELY FOLLOWING IN ACCORDANCE WITH ORC §121.22 (G)(1): *(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"* made by Mr. Ferrara, seconded by Mr. DeLeone. On Roll call voting "Yes": Mr. Kuhar, Ms. Rosenberg, Mr. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. DeLeone, and Mr. Ferrara. Motion CARRIED 8-0.

At 10:20 p.m., Council came out of Executive Session and reconvened the regular meeting in open forum.

No action was taken.

Hearing no further business before this Committee, Chair Sidoti adjourned the meeting at 10:20 p.m.

Tara Grimm, MMC
Clerk of Council

ACTION RECOMMENDED:

- 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**