

**THE CITY OF KENT, OHIO
REGULAR COUNCIL MEETING
WED., JANUARY 21, 2009**

This regular meeting of Kent City Council was called to order by John Fender, Mayor & President of Council at 7:33 p.m. on Wed., January 21, 2009. Mayor Fender welcomed those present.

PRESENT: MR. AMRHEIN, MR. DeLEONE, MR. FERRARA, MR. HAWKSLEY, MR. KUHAR, MS. SHAFFER, MR. TURNER, MS. WALLACH, AND MR. WILSON

ALSO PRESENT: J. FENDER, MAYOR; D. RULLER, CITY MANAGER; J. SILVER, LAW DIRECTOR; AND L. COPLEY, CLERK OF COUNCIL.

Mayor Fender called upon Mr. Hawksley for his opening comments at this time.

Mr. Hawksley said this has been a momentous week for their nation. He said he is sure some people are very disappointed in their new president, while others are enthusiastic. Mr. Hawksley said they are all probably inspired by the enthusiasm. He said there is a tendency to let inspiration and enthusiasm let their hearts get ahead of their heads. Mr. Hawksley said it is a good reminder that they do need to have a heart for their city and it's future. He encouraged them to get on the wave, even if they do not agree with where it is going. He said they need to be more inclusive, more conciliatory, and listen more. Mr. Hawksley said they need to move forward in a more peaceful way.

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

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF DECEMBER 17, 2008 AND WORK SESSION OF JANUARY 7, 2009.

Motion made by Mr. Hawksley, seconded by Mr. Wilson, and carried by a voice vote of 9-0.

Mayor Fender introduced Michael Hurst and Stryker Stalk. HE explained they were working on their merit badges.

Mayor Fender also explained they had a number of guests from Kent State University, and introduced Barb Hipsman, their instructor, at this time. Ms. Hipsman said she has been doing this for twenty-two years, adding that the business is changing, so we are trying a few new things, which means the Record Courier will have some helpers. She said this is the smallest class she has taught in a long time. Ms. Hipsman asked all of the students to introduce themselves at this time.

Mayor Fender called for audience comment at this time. He reminded those wishing to address Council should sign up with the Clerk of Council prior to speaking.

John Gwinn: Mr. Gwinn explained his remarks were prompted by the recent recall election. HE said there are many different reasons an individual would subject himself to the scrutiny of being on Council, adding that some of those reasons are the salary, honor, glory, and brief meetings. Mr. Gwinn said the real reason is to serve the community and do the right thing.

Mr. Gwinn said there are going to be many controversial issues, and they are better informed than anyone in the audience. He said that some individuals may be articulate, vocal, or loud, with their thoughts, the Council needs to hear them, but does not have to follow them, unless they have attended every meeting and are sharing the same level of knowledge.

Mr. Gwinn said that five members of Council were subjected to trial by fire, and this recall has brought about personal reflection and insight into the thought of, "What in the world am I doing." Mr. Gwinn said there has been a lot of resolution, as there is no longer the fear of not being reelected or facing a potential recall. He said those members have been tempered by this recall.

Mr. Gwinn said his remarks are directed to those who were not as challenged. He told them to be strong, and asked that they do the right thing for the community. He said their job is not to be reelected, but to do the right thing. He said most of the voters obviously agree with supporting them, and have been behind them. HE said they have support as well as the fresh insight while they are serving on Council.

Todd Abel: Todd said he, too, is grateful to have the recall behind them, adding it is great to not worry about the issue. Mr. Abel said he just read through the City budget, adding it is quite extensive. HE said he recognizes the challenge before Council, and also recognized they are in a deficit spending for 2009. He said it is going to take about \$1.9 million more than what they are going to take in as tax revenues and fees. He said they are in a stark place in their City's history, where they have to start thinking about how to get out of this. He said they probably think they need to plow ahead and do the development. He said the projected income tax in the budget is \$500,000 more in 2009 than in 2008. He said the monies they received in 2008 was nearly the same as 2007. He asked why there is such an influx of income tax for 2009, especially as they see the economy dropping off. He said his fear is that there is an optimism on the amount income tax, with a \$1.9 million deficit.

Mr. Abel said at the last meeting in 2008, there was a motion to reduce their spending by 3%, adding this was flatly rejected by Council. Mr. Abel said that is alarming. He said there is a need to dissect the budget, separating the essential services from the nonessential services. He said they need to prioritize them, and cut back on them.

Mr. Abel asked how much savings the City has, adding if they are into deficit spending, then they are relying on their savings. He asked how long they can delay the inevitable crisis, and asked how long they can sustain their deficit spending. Mr. Abel said Council needs to start the dialogue on essential services, adding that by 2010, they would know what they need to scale back.

Mr. Abel said they increased the license fees, and he presumes they will increase user and use fees. He said they are projecting \$1 million per year for ten years on downtown spending, with \$5 million on a new jail, with another \$4 million in 2010. He said if the savings is being depleted by their budget, and they are looking at their reserve fund being depleted in the next two years, that is alarming. He said they should leave those dollars to pay the salaries if the economy continues.

Mr. Abel said this is very concerning to a citizen, adding he wants them to avoid that crisis. HE said that if Council continues to have this optimism that everything will turn around downtown, they are setting up the City for a huge fall, and will lead to layoffs, cutbacks, and depleted savings. Mr. Abel said he has a few questions and a few challenges. He said he is reading through the budget line by line, and may have suggestions to make. He said that the Blue Ribbon Panel's recommendation is not useful, as it is now outdated.

John Thomas: Mr. Thomas said he has come to them with a suggestion that will assist accountability from a budgetary stand as well as a human resource standpoint. He said that Council, jointly, with the Administration, has to take a serious look at internal controls, specifically, accountability of time by City employees, and where contractually possible, they need to put employees on a time clock. He said those employees who are middle management and management can be on a time clock, and held accountable also. He said it is done in the private sector, and there is no mystery to it. He said he does it in his job every day, and is accountable on the clock and off the clock, when he is working off the clock, before or after he comes into the job. He said his wife has two Masters' degrees, and works a managerial position in Akron. He said she has been on the clock for fifteen years in her present position. He said he has a Master's degree, and is not on the clock now. He said if his boss asked him, tomorrow, to be on a clock, he would say "sure, where is it located?"

Mr. Thomas said he would include, by amending the agreement with Main Street, the employee on loan from the City for the last two years and the next two years. He said they should hold that individual accountable for time she spent on behalf of the City while not within the organization.

Mr. Thomas said there is no rocket science to this. He said it is easy to do, if carried out logically, fairly,

and equally.

Hearing no further audience comment, Mayor Fender called upon the Clerk for the written correspondence at this time.

The Clerk reported that a certified letter was received from Time Warner Cable informing the Mayor that effective Jan. 20, 2009, WVIZ-Create will be added to the channel lineup. She said this letter was distributed to all members of Council on Jan. 4, 2009.

The Clerk reported that a letter was received from Jessica Guilitto and Jake Miller, students at Theodore Roosevelt High School, explaining their community service project, and inviting Council to attend. She said this letter was distributed to all members of Council on Jan. 4, 2009.

The Clerk reported that the agenda packet for the Dec. 18, 2008 Parks and Recreation Board meeting were placed on file by Council's liaison, Wayne Wilson, on Wed., Jan. 7, 2009. She said that the January agenda packet was placed on file earlier in the evening by Mr. Wilson.

The Clerk reported that an email was received from Kelly Douglas on Jan. 9, 2009, thanking Council for the opportunity to interview for the Planning Commission vacancy. This email was forwarded to all members of Council on Jan. 15, 2009.

The Clerk reported that a letter of resignation was received from John Simon of the Parking Action Committee on Jan. 14, 2009.

The Clerk reported that a proposed zoning amendment was received from Planning Commission member John Thomas, via email, on Jan. 15, 2009. She said this amendment would require the Planning Commission to review the Zoning Code, every ten years, beginning in 2009. The Clerk said this email was forwarded to all members of Council on the same day.

The Clerk reported that earlier in the evening, Mr. DeLeone placed the Standing Rock Board meeting from December, on file with the Clerk of Council.

The Clerk reported that after the agenda was printed, two letters were hand delivered by Mary Kenneley on January 20, 2009. She said that one letter asked about snow removal on the bridge between River Street and South Water Street. She also pointed out that none of the sidewalks from S. Chestnut Street to S. Water Street had been cleared of snow, including the bridge, as of Jan. 19, 2009. The Clerk said that Ms. Kenneley's second letter spoke of Council's communication with the citizens. The Clerk said that she reminded them that many people do not have a computer and lose their Tree City Bulletins. The Clerk said that Ms. Kenneley suggested a brief column in the Record Courier monthly, and a magnet with important information for the citizens' refrigerators.

The Clerk reported that a letter was received from Sue Gibbons on Jan. 20, 2009, speaking of the inability to find handicapped parking when wanting to shop on January 17. She said that Ms. Gibbons said she was unable to get on any sidewalks in her wheelchair because of the snow being piled up and the sidewalk ramps not being cleared.

The Clerk reported that a certified letter was received from Time Warner Cable on Jan. 20, 2009 advising of channel changes in the community on or after February 17, 2009.

Hearing no further written correspondence, Mayor Fender called for the City Manager's report at this time.

MOTION TO APPROVE ITEMS #2 THROUGH #12.

Motion made by Mr. Wilson, seconded by Mr. Hawksley, and carried by a voice vote of 9-0.

The following items were approved by the aforementioned motion:

1. Authorization of Draft No. 09-05, application for Ohio Trails Fund grant for Parks and Recreation

2. Authorization of Draft No. 09-08, donation from Christenson Foundation for Adopt-a-Spot
3. Community Development Committee, discussion of citywide trash bid
4. Community Development Committee, review of 2008 Economic Development Year in Review
5. Community Development Committee, Neighborhood Stabilization funds
6. Health & Safety Committee, update/status of walk-n-roll event
7. Finance Committee, 2009 capital reappropriations request
8. Finance Committee, Law Director to report on City's ability to charge a business fee
9. Finance Committee, Additional funding for 2009 festivals
10. Work session, Feb. 11, 2009, neighborhood issues in university cities
11. Work session, February, Strategic Planning update for 2009

MOTION TO RECESS INTO EXECUTIVE SESSION, PRIOR TO THE ADJOURNMENT OF THE STREETS, SIDEWALKS AND UTILITIES COMMITTEE MEETING, FOR PENDING LITIGATION.
 Motion made by Mr. Wilson, seconded by Mr. Hawksley.

Roll call was taken on the motion. Voting aye: Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, and Mr. Amrhein. The motion carried by a roll call vote of 9-0.

STANDING COMMITTEE REPORTS

Mayor Fender said they balloted for vacancies on the Boards and Commissions. At this time, he announced the results.

Jacqueline Loomis	Civil Service Commission	
Susan Roxburgh	Board of Health	
John Gargan Jr.	Full Term	Planning Commission
Melissa Long	Unexpired Term	Planning Commission
Kelly Douglas	(General Public)	Board of Building Appeals
Andrew Kunos	Full Term	Parks and Recreation Board
Debbie Smeiles	Unexpired Term	Parks and Recreation Board

MOTION TO AUTHORIZE THE DRAFT ORDINANCES WITH THE APPROPRIATE NAMES INCLUDED.
 Motion made by Mr. Wilson, seconded by Mr. DeLeone, and carried by a voice vote of 9-0.

The Mayor asked the Clerk to read Draft No. 09-01 by title only at this time:

A RESOLUTION APPOINTING JACQUELINE LOOMIS TO THE CIVIL SERVICE COMMISSION, AND DECLARING AN EMERGENCY.

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

Roll call was taken on the motion. Voting aye: Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, and Mr. Amrhein. The motion carried by a roll call vote of 9-0.

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

Roll call was taken on the motion. Voting aye: Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, and Mr. Amrhein. The motion carried by a roll call vote of 9-0.

2009-01: A RESOLUTION APPOINTING JACQUELINE LOOMIS TO THE CIVIL SERVICE COMMISSION, AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 09-02 by title only at this time.

A RESOLUTION APPOINTING TO SUSAN ROXBURGH TO THE BOARD OF HEALTH, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. DeLeone, seconded by Mr. Kuhar.

Roll call was taken on the motion. Voting aye: Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, and Mr. DeLeone. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. DeLeone, seconded by Mr. Kuhar.

Roll call was taken on the motion. Voting aye: Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, and Mr. DeLeone. The motion carried by a roll call vote of 9-0.

2009-02: A RESOLUTION APPOINTING TO SUSAN ROXBURGH TO THE BOARD OF HEALTH, AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 09-03 by title only at this time.

A RESOLUTION APPOINTING JOHN GARGAN, JR. AND MELISSA LONG TO THE PLANNING COMMISSION, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The motion carried by a roll call vote of 9-0.

2009-03: A RESOLUTION APPOINTING JOHN GARGAN, JR. AND MELISSA LONG TO THE PLANNING COMMISSION, AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 09-04 by title only at this time.

A RESOLUTION APPOINTING TO KELLY DOUGLAS TO THE BOARD OF BUILDING APPEALS, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Kuhar, seconded by Mr. Ferrara.

Roll call was taken on the motion. Voting aye: Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Hawksley. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Ferrara, seconded by Mr. Kuhar.

Roll call was taken on the motion. Voting aye: Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Hawksley. The motion carried by a roll call vote of 9-0.

2009-04: A RESOLUTION APPOINTING TO KELLY DOUGLAS TO THE BOARD OF BUILDING APPEALS, AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 09-06 by title only at this time.

A RESOLUTION APPOINTING ANDREW KUNOS AND DEBBIE SMEILES TO THE PARKS AND RECREATION BOARD, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, and Mr. Kuhar. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Ferrara, seconded by Mr. Kuhar.

Roll call was taken on the motion. Voting aye: Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, and Mr. Kuhar. The motion carried by a roll call vote of 9-0.

2009-05: A RESOLUTION APPOINTING ANDREW KUNOS AND DEBBIE SMEILES TO THE PARKS AND RECREATION BOARD, AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

Mayor Fender asked the Clerk to read Draft No. 09-07 by title only at this time.

A RESOLUTION APPOINTING DOUG FULLER TO THE ARCHITECTURAL ADVISORY BOARD, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Ferrara, seconded by Mr. Wilson.

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

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. DeLeone, seconded by Mr. Wilson.

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

2009-06: A RESOLUTION APPOINTING DOUG FULLER TO THE ARCHITECTURAL ADVISORY BOARD, AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

FINANCE COMMITTEE

MOTION TO APPROVE THE WRITTEN REPORT OF JAN. 7, 2009 AND THE RECOMMENDED ACTIONS.

Motion made by Mr. Wilson, seconded by Mr. Hawksley, and carried by a voice vote of 9-0.

The following actions were approved by the aforementioned motion.

- 1) TO AUTHORIZE A ONE-YEAR LEASE FOR CHRISTIAN EDWARDS SALON, WITH THE INCLUSION OF AN ESCAPE CLAUSE.
- 2) TO AUTHORIZE ACCEPTANCE OF THE OPWC INTEREST FREE LOAN OF \$100,000 AND AUTHORIZATION OF A RESOLUTION OF INTENT.
- 3) TO AUTHORIZE THE ACCEPTANCE OF THE NSP MONIES, DESIGNATING THE COUNTY AS THE LEAD AGENCY.

MOTION TO APPROVE THE ORAL REPORT OF JAN. 21, 2009 AND THE RECOMMENDED ACTION OF AUTHORIZING FUNDS FOR THE FIRE SERVICES BLENDING STUDY.

Motion made by Mr. Wilson, seconded by Mr. DeLeone, and carried by a voice vote of 9-0.

The Mayor asked the Clerk to read Draft No. 09-05 by title only at this time.

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO APPLY FOR A GRANT IN THE AMOUNT OF APPROXIMATELY \$ 150,0000 FROM THE CLEAN OHIO TRAILS FUND PROGRAM THROUGH THE OHIO DEPT. OF NATURAL RESOURCES, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Wilson, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, and Mr. Turner. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Wilson, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, and Mr. Turner. The motion carried by a roll call vote of 9-0.

2009-07: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO APPLY FOR A GRANT IN THE AMOUNT OF APPROXIMATELY \$ 150,000 FROM THE CLEAN OHIO TRAILS FUND PROGRAM THROUGH THE OHIO DEPT. OF NATURAL RESOURCES, AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 09-08 by title only at this time.

AN ORDINANCE ACCEPTING A DONATION TO THE CITY OF KENT ADOPT-A-SPOT FROM THE HENRY V. & FRANCES W. CHRISTENSON FOUNDATION IN THE AMOUNT OF \$1,000.00 AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Wilson, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, and Ms. Wallach. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Wilson, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, and Ms. Wallach. The motion carried by a roll call vote of 9-0.

2009-08: AN ORDINANCE ACCEPTING A DONATION TO THE CITY OF KENT ADOPT-A-SPOT FROM THE HENRY V. & FRANCES W. CHRISTENSON FOUNDATION IN THE AMOUNT OF \$1,000.00 AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 09-18 by title only at this time.

AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AMENDMENT FOR MICHELLE LYNN COBBIN dba CHRISTIAN EDWARDS HAIR SALON FOR THE PREMISES KNOWN AS 203 EAST SUMMIT STREET, KENT, OHIO AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Wilson, seconded by Mr. Kuhar.

Roll call was taken on the motion. Voting aye: Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, and Mr. Wilson. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Wilson, seconded by Mr. Kuhar.

Roll call was taken on the motion. Voting aye: Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, and Mr. Wilson. The motion carried by a roll call vote of 9-0.

2009-09: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER TO EXECUTE A LEASE AMENDMENT FOR MICHELLE LYNN COBBIN dba CHRISTIAN EDWARDS HAIR SALON FOR THE PREMISES KNOWN AS 203 EAST SUMMIT STREET, KENT, OHIO AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

STREETS, SIDEWALKS & UTILITIES COMMITTEE

MOTION TO APPROVE THE WRITTEN REPORT OF JAN. 7, 2009 AND THE RECOMMENDED ACTIONS.

Motion made by Mr. DeLeone, seconded by Mr. Ferrara, and carried by a voice vote of 9-0.

The following items were approved by the aforementioned motion:

- 1) TO AUTHORIZE THE ACQUISITION OF TWO PERMANENT EASEMENTS FOR THE SPAULDING ROAD RIGHT-OF-WAY.
- 2) PRESENTATION RECEIVED ON SNOW REMOVAL OPERATIONS; NO ACTION
- 3) AUTHORIZATION TO BEGIN EMINENT DOMAIN PROCEEDINGS, INCLUDING TWO PIECES OF LEGISLATION, AGAINST THE AKRON BARBERTON CLUSTER RAILROAD FOR RIGHT-OF-WAY ACQUISITION FOR THE CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE.

The Mayor asked the Clerk to read Draft No. 090-12 by title only at this time.

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LICENSE AGREEMENT BETWEEN RLB PHOENIX PROPERTIES AND THE CITY OF KENT AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, and Mr. Amrhein. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, and Mr. Amrhein. The motion carried by a roll call vote of 9-0.

2009-10: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LICENSE AGREEMENT BETWEEN RLB PHOENIX PROPERTIES AND THE CITY OF KENT AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 09-13 by title only at this time.

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LICENSE AGREEMENT BETWEEN RLB PHOENIX PROPERTIES AND THE CITY OF KENT AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, and Mr. DeLeone. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Wilson, seconded by Mr. Ferrara.

Roll call was taken on the motion. Voting aye: Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, and Mr. DeLeone. The motion carried by a roll call vote of 9-0.

2009-11: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LICENSE AGREEMENT BETWEEN RLB PHOENIX PROPERTIES AND THE CITY OF KENT AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 09-14 by title only at this time.

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LICENSE AGREEMENT BETWEEN RLB PHOENIX PROPERTIES AND THE CITY OF KENT AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Ferrara, seconded by Mr. Wilson.

Roll call was taken on the motion. Voting aye: Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Ferrara, seconded by Mr. Wilson.

Roll call was taken on the motion. Voting aye: Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The motion carried by a roll call vote of 9-0.

2009-12: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LICENSE AGREEMENT BETWEEN RLB PHOENIX PROPERTIES AND THE CITY OF KENT AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 09-15 by title only at this time.

AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A PERPETUAL EASEMENT CONSISTING OF 0.012 ACRES OF REAL PROPERTY FROM ANNA H. GREER, 290 SPAULDING DRIVE, PARCEL #170282000006000 FOR \$1,500.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE CONSTRUCTION OF THE SPAULDING DRIVE BRIDGE REPLACEMENT PROJECT AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Wilson, seconded by Mr. Ferrara.

Roll call was taken on the motion. Voting aye: Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Hawksley. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Wilson, seconded by Mr. Ferrara.

Roll call was taken on the motion. Voting aye: Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Hawksley. The motion carried by a roll call vote of 9-0.

2009-13: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A PERPETUAL EASEMENT CONSISTING OF 0.012 ACRES OF REAL PROPERTY FROM ANNA H. GREER, 290 SPAULDING DRIVE, PARCEL #170282000006000 FOR \$1,500.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE CONSTRUCTION OF THE SPAULDING DRIVE BRIDGE REPLACEMENT PROJECT AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 09-16 by title only at this time.

AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A PERPETUAL EASEMENT CONSISTING OF 0.012 ACRES OF REAL PROPERTY FROM ANNA H. GREER, 251 SPAULDING DRIVE, PARCEL #170282000117000 FOR \$1,500.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE CONSTRUCTION OF THE SPAULDING DRIVE BRIDGE REPLACEMENT PROJECT AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. DeLeone, seconded by Mr. Wilson.

Roll call was taken on the motion. Voting aye: Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, and Mr. Kuhar. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. DeLeone, seconded by Mr. Wilson.

Roll call was taken on the motion. Voting aye: Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, and Mr. Kuhar. The motion carried by a roll call vote of 9-0.

2009-14: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS

DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A PERPETUAL EASEMENT CONSISTING OF 0.012 ACRES OF REAL PROPERTY FROM ANNA H. GREER, 251 SPAULDING DRIVE, PARCEL #170282000117000 FOR \$1,500.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE CONSTRUCTION OF THE SPAULDING DRIVE BRIDGE REPLACEMENT PROJECT AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 09-17 by title only at this time.

AN ORDINANCE ACCEPTING, FOR DEDICATION PURPOSES, THE STREET RIGHT-OF-WAY FROM DON JOSEPH, INC. FOR A PORTION OF STONE WATER DRIVE CONSISTING OF 0.1701 ACRES AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. DeLeone, seconded by Mr. Wilson.

Roll call was taken on the motion. Voting aye: Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, and Ms. Shaffer, The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. DeLeone, seconded by Mr. Ferrara.

Roll call was taken on the motion. Voting aye: Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, and Ms. Shaffer, The motion carried by a roll call vote of 9-0.

2009-15: AN ORDINANCE ACCEPTING, FOR DEDICATION PURPOSES, THE STREET RIGHT-OF-WAY FROM DON JOSEPH, INC. FOR A PORTION OF STONE WATER DRIVE CONSISTING OF 0.1701 ACRES AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 09-19 by title only at this time.

A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 202,002 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY AKRON BARBERTON CLUSTER RAILWAY COMPANY (ABC) FOR THE PURPOSE OF CONSTRUCTING THE NEW FAIRCHILD/CRAIN AVENUE BRIDGE, STREET WIDENING, CHANGING THE GRADE, DRIVEWAY, WALK CONSTRUCTION, AND GRADING IN FURTHERANCE OF PUBLIC ROADWAY RECONSTRUCTION OF SR 43, FAIRCHILD AVENUE, CRAIN AVENUE AND NORTH WATER STREET WHICH IS SITUATED ON BOTH SIDES OF THE CUYAHOGA RIVER, NEAR THE INTERSECTIONS OF FAIRCHILD AVENUE AND SR 43; CRAIN AVENUE AND SR 43; AND THE NEW INTERSECTION NEAR NORTH WATER STREET AND CRAIN AVENUE, IN THE CITY OF KENT, OHIO AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Kuhar, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr.

Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, and Mr. Turner. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Kuhar, seconded by Mr. Hawksley.

Roll call was taken on the motion. Voting aye: Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, and Mr. Turner. The motion carried by a roll call vote of 9-0.

2009-16: A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 202,002 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY AKRON BARBERTON CLUSTER RAILWAY COMPANY (ABC) FOR THE PURPOSE OF CONSTRUCTING THE NEW FAIRCHILD/CRAIN AVENUE BRIDGE, STREET WIDENING, CHANGING THE GRADE, DRIVEWAY, WALK CONSTRUCTION, AND GRADING IN FURTHERANCE OF PUBLIC ROADWAY RECONSTRUCTION OF SR 43, FAIRCHILD AVENUE, CRAIN AVENUE AND NORTH WATER STREET WHICH IS SITUATED ON BOTH SIDES OF THE CUYAHOGA RIVER, NEAR THE INTERSECTIONS OF FAIRCHILD AVENUE AND SR 43; CRAIN AVENUE AND SR 43; AND THE NEW INTERSECTION NEAR NORTH WATER STREET AND CRAIN AVENUE, IN THE CITY OF KENT, OHIO AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 09-20 by title only at this time.

A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A PERPETUAL EASEMENT IN 6,040 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY AKRON BARBERTON CLUSTER RAILWAY COMPANY (ABC) FOR THE PURPOSE OF CONSTRUCTING THE NEW FAIRCHILD/CRAIN AVENUE BRIDGE, STREET WIDENING, CHANGING THE GRADE, DRIVEWAY, WALK CONSTRUCTION, AND GRADING IN FURTHERANCE OF PUBLIC ROADWAY RECONSTRUCTION OF SR 43, FAIRCHILD AVENUE, CRAIN AVENUE AND NORTH WATER STREET WHICH IS SITUATED ON BOTH SIDES OF THE CUYAHOGA RIVER, NEAR THE INTERSECTIONS OF FAIRCHILD AVENUE AND SR 43; CRAIN AVENUE AND SR 43; AND THE NEW INTERSECTION NEAR NORTH WATER STREET AND CRAIN AVENUE, IN THE CITY OF KENT, OHIO AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, and Ms. Wallach. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, and Ms. Wallach. The motion carried by a roll call vote of 9-0.

2009-17: A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A PERPETUAL EASEMENT IN 6,040 SQUARE FEET OF CERTAIN REAL

PROPERTY OWNED BY AKRON BARBERTON CLUSTER RAILWAY COMPANY (ABC) FOR THE PURPOSE OF CONSTRUCTING THE NEW FAIRCHILD/CRAIN AVENUE BRIDGE, STREET WIDENING, CHANGING THE GRADE, DRIVEWAY, WALK CONSTRUCTION, AND GRADING IN FURTHERANCE OF PUBLIC ROADWAY RECONSTRUCTION OF SR 43, FAIRCHILD AVENUE, CRAIN AVENUE AND NORTH WATER STREET WHICH IS SITUATED ON BOTH SIDES OF THE CUYAHOGA RIVER, NEAR THE INTERSECTIONS OF FAIRCHILD AVENUE AND SR 43; CRAIN AVENUE AND SR 43; AND THE NEW INTERSECTION NEAR NORTH WATER STREET AND CRAIN AVENUE, IN THE CITY OF KENT, OHIO AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

SPECIAL COMMITTEE REPORTS

UNFINISHED BUSINESS

NEW BUSINESS

MOTION TO AUTHORIZE THE ADMINISTRATION TO LOOK INTO THE POSSIBILITY OF EQUIPMENT THAT IS COST EFFECTIVE FOR SNOW REMOVAL ON THE SIDEWALKS.

Motion made by Mr. Kuhar, seconded by Mr. Hawksley.

Mr. Kuhar said this is an everlasting problem, adding the sidewalks are hard to walk on. He said he drove through Ravenna, and every street had been plowed by something. He said he is sure they do not do it all of the time. Mr. Kuhar said he would like Kent to be user friendly. He said they have three feet of snow on the sidewalks, adding the City is plowing some of the sidewalks closed. Mr. Kuhar said they need to do something about it, adding a volunteer squad will not do something about it.

Mr. Hawksley said he seconded the motion for discussion. He said he went to the Sidewalk Snow Removal Committee's first meeting. He said Ms. Shaffer would be making another motion. Mr. Hawksley said he would vote against this motion, as Ms. Shaffer had a more comprehensive motion. Mr. Turner said he was recently forced to walk in the street, and was almost hit twice. He said there were areas on Water Street that were impassible. Mr. Turner said that money is less of a priority, adding he is concerned that someone is going to get killed. Mr. Turner said he is ambulatory, but noted there are people with limited capabilities who use the roads or are in wheelchairs. He said they are indigent, and are in a great deal of jeopardy. Mr. Turner said they need to look at the health and welfare of the citizens, as it is just a matter of time before something catastrophic occurs with the citizens in the road. He said they have to do something, adding he knows there will be a cost associated, but no money is worth the health and safety of the citizens of the community. He said they have to do something with deliberate speed. He said he is very concerned.

Ms. Shaffer said she believed they have some equipment, and could use it more. She said she is concerned about the complaints she has received from constituents as well as observing the dangerous acts that pedestrians have to go through to navigate the streets. She thanked Ms. Kenneley for bringing the bridge issue to their attention, adding she is not positive that is the City's responsibility. Ms. Shaffer said they need to do a more thorough job of working on their own sidewalks. She said she did not have enough information to agree with the expenditure of more equipment at this time. Mayor Fender said it was a study, and Ms. Shaffer said she could agree with a study.

Mr. Wilson said he was voting against the motion. He said he was sure that someone could come up with the information, adding they have done it about four times since he has been on Council. He said it is somewhere between \$300,000 to \$500,000 each year, and doing another study is not the answer. He said they have done the studies, and they need to come up with the money. He said one speaker spoke about the budget, and told them to cut back. He said if they cut back in order to add a new program, they have not gotten anywhere. Mr. Wilson said this would cost of a lot of money, unless they can get the

machines to clear the sidewalks without people. He said he understood the safety issue, but they did have one opportunity to make it a citable offense by the Code Enforcement Officer. He suggested it be a civil issue to make it a little more enforceable. Mr. Wilson said they are jumping the gun with another study on the sidewalks, and he "does not see it."

Mr. Turner said he would piggyback off Mr. Wilson's comments. He said they have to set a priority of the main roads. He said traffic is moving at different rates, and they are endangering the children. Mr. Turner said those are the issues they have to act on, adding it is the health and safety issues. He said they need to take a leadership role in doing something.

Mayor Fender asked Mr. Turner to speak to whether or not they should do a study, as he was wavering from the motion. Mr. Turner said that is the one issue they need to bring forward. He said whether they look at the possibility of Mr. Loomis citing them, is one aspect of dealing with the matter.

Mr. Kuhar said it seems like everyone was talking about everything but the actual motion, and said he did not know where Robert's Rules went. He said it is possible that people did not understand the motion. He said the motion was to have the Administration advise what equipment is available to do the job and the cost of that equipment. He said that was the entire motion.

Mr. Amrhein said he agreed with Mr. Kuhar. He said as an educator, he sees students tardy as they cannot maneuver the sidewalks. He said they are endangering themselves by walking in the roads. He agreed that they have to do something.

Ms. Shaffer said part of the committee she is facilitating was going to ask the administration what they have now and what is possible. She said it is a good idea to continue studying that issue. She said she did not want to take it off the table, and would support continuing the study.

The motion carried by a voice vote of 7-2, with Mr. Ferrara and Mr. Wilson dissenting.

Mr. Kuhar requested an update on the City's plan for energy savings, with respect to vehicles, buildings, etc.

Ms. Shaffer said she was unclear about the City's sidewalk snow removal ordinance, and whether it is a misdemeanor or civil issue.

MOTION TO REFER TO THE STREETS, SIDEWALKS AND UTILITIES COMMITTEE, A CHANGE IN THE PENALTIES FOR THE SNOW AND ICE REMOVAL ORDINANCES FOR SIDEWALKS AND PUBLIC RIGHT OF WAYS.

Motion made by Ms. Shaffer, seconded by Mr. Hawksley, **WHO INCLUDED THAT IT WOULD BE THEIR NEXT MEETING. THE MAKER OF THE MOTION AGREED.**

Ms. Shaffer said they need to move forward, and in order to move forward, they need to begin enforcement by the Code Enforcement Officer or whomever the City Manager would designate. She said the police are busy, and may be reluctant to issue citations for a criminal offense. Ms. Shaffer said so many people do not bother, and they need to start somehow and some way to develop a more comprehensive plan. She said they need a more comprehensive enforcement policy that citizens can buy into.

Mr. Kuhar said he would like a legal opinion as to whether they could enforce such an ordinance.

Mr. Hawksley said he has been on Council for seven years, and they have discussed this every winter for seven years. He thanked the Lord that no one has been killed. He agreed with Ms. Shaffer that they need to not only change the law, but need to change the spirit of their community. Mr. Hawksley said they need to enforce the law for people to get the picture. He said the committee is a small representation of the pedestrians in town, adding they are very angry.

Mr. Hawksley said they need to discuss how to train people, both private and public, how to not make things worse. He said the snow plow drivers put snow on the sidewalks, as do private plowers. He questioned whether they need sensitivity training. He said these people are clueless and must never walk in life. Mr. Hawksley said a blind person told him there is an iceberg on Depeyster and Haymaker that is three feet tall and will be there until April. He said that is what we need to focus on.

Mr. DeLeone asked how they are going to prioritize who is in compliance or not. He said he would hate to read that Kent is going to start penalizing everyone for not shoveling their sidewalks. He asked if they prioritize with those who pile the snow three feet tall, or senior citizens who cannot do their sidewalks. He said it makes a difference as to whether or not he will support the ordinance.

Mayor Fender restated the motion at this time, adding that all of the other sidebar issues would be discussed at that time.

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

MOTION TO REVIEW HOW COUNCIL DOES THEIR ORDER OF BUSINESS, AND POSSIBLY REORGANIZING IT.

Motion made by Ms. Wallach.

Mayor Fender asked her to explain it further, and Ms. Wallach said they currently have citizen comments at the beginning of the meeting. She said Council is unable to respond until the end, and a lot of citizens do not know that and do not stay for the whole meeting. She wondered if they could have citizen comments, with some responses, with guidelines, that is very brief.

The motion died for lack of a second.

Mr. Wilson said he rode with the plow trucks, adding the men and women work hard, and put their hearts into it. He said the snow does get on the sidewalks, adding they do everything they can to keep it down. He said there was a lot of snow, and the plow drivers had a hard time. He said he was sure Mr. DeLeone could tell them he was doing it also in his job. Mr. Wilson said the workers need to be commended, and asked that they receive a round of applause at this time. Mr. Wilson said he is not on a primary street, but likes the way the streets are done in Kent at this time.

Mayor Fender told the students that were present that all information they handled had been previously discussed in a committee. He said this is a formality, where they adopt that action.

MAYOR'S REPORT None

MOTION TO ADJOURN THIS MEETING.

Motion made by Mr. Ferrara, seconded by Mr. Amrhein, and carried by a voice vote of 9-0.

Hearing no further business before this Council, Mayor Fender adjourned this meeting at 8:25 p.m.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council