

**THE CITY OF KENT, OHIO
REGULAR COUNCIL MEETING
WED., SEPT 16, 2009**

This regular meeting of Kent City Council was called to order by John Fender, Mayor & President of Council on Wed., Sept. 16, 2009 at 7:30 p.m. Mayor Fender welcomed those present.

PRESENT: MR. DELEONE, MR. FERRARA, MR. HAWKSLEY, MR. KUCHAR, 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

ABSENT: MR. AMRHEIN

MOTION TO EXCUSE MR. AMRHEIN.

Motion made by Mr. Wilson, seconded by Mr. Ferrara, and carried by a voice vote of 8-0 (Ms. Shaffer was out of the room during the vote).

Mayor Fender called upon Mr. Ferrara for opening remarks.

Mr. Ferrara welcomed Kent State back for this session, adding that the City is glad to have them back. He welcomed the new class of journalism students.

Mr. Ferrara said that twelve years earlier, a younger Mr. Fender called him to tell him he was running for Mayor. He said that during his ten years on Council, Mayor Fender has done a great job representing the City and being a consensus building. He thanked Mayor Fender for his service at this time.

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

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF AUGUST 19, 2009.

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

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

Becky: Becky explained she is running for the Portage County Municipal Court for the seat currently occupied by Judge Plough. She explained that she has lived in Suffield since 1992, and worked for the Prosecutor's office in Summit County for seventeen years. She said she has handled all types of cases, from capital to juvenile, and prosecuted more than two hundred felony trials. She said she currently has a private practice, and also is the solicitor for Lakemore.

Becky said that trial background and experience are important for one wanting to be a judge. She said she understands what happens in the court room, understands the rules and the laws. She said she knows what a lawyer should be doing, as she has tried enough cases.

Becky said she is running as an Independent, adding that judges should be non-partisan. She said that if one is supported by a political party as a judge, at some time they will owe the party. She said as an Independent, she will owe no one.

Becky said a lot of people have said they do not care who is the Municipal Court judge, but that is wrong as it is a People's Court. She said that generally if people go to court, it is the Municipal Court, as that court handles traffic cases, misdemeanor cases, and some civil cases. She encouraged everyone to

look at the candidates.

Becky said that last year, during the presidential election, a lot of people voted, and she said she hoped they would care again this year. She asked that they keep her in mind, as she has the experience to do the job, and can do the job.

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

The Clerk reported that the agenda packet for the August 20, 2009 Park Board meeting was placed on file by Council's liaison, Mr. Wilson on Sept. 2, 2009.

The Clerk reported that the Fiscal Officer's Certificate for the issue of notes was signed and placed on file by the Director of Budget & Finance on Sept. 2, 2009.

The Clerk reported that minutes from the August Standing Rock Cemetery Board meeting were placed on file by Council's representative, Mr. DeLeone, prior to the start of this meeting.

The Mayor called upon the Manager for his written report at this time.

MOTION TO APPROVE ITEMS #1 THROUGH #7.

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

The following items were approved by the aforementioned motion:

1. Authorization of Draft No. 09-114, accepting a grant from Homeland Security
2. Authorization of Draft No. 09-115, accepting donations for the Bicentennial Art Project
3. Finance Committee agenda time, appropriation amendment changes
4. Land Use Committee agenda time, modification to the Zoning Code
5. Health & Safety Committee agenda time, discuss the status of the emergency broadcast system
6. Community Development Committee agenda time, approval of design guidelines for downtown Kent.
7. Finance Committee agenda time, proposed 2010 operating budget.

MOTION TO AUTHORIZE AN EXECUTIVE SESSION FOR PENDING LITIGATION.

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, and Mr. DeLeone. The motion carried by a voice vote of 9-0.

STANDING COMMITTEE REPORTS

FINANCE COMMITTEE

MOTION TO APPROVE THE WRITTEN REPORT OF SEPT. 2, 2009.

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

Mr. Turner requested Item #4 be handled separately.

MOTION TO APPROVE THE WRITTEN REPORT OF SEPT. 2, 2009, AND RECOMMENDED ITEMS #1 THROUGH #3.

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

The following actions were approved by the aforementioned motion:

- 1) TO AUTHORIZE THE LEASE FOR INCUBATOR SPACE WITH DORAN KUTASH
- 2) TO AUTHORIZE THE CAPITAL PLAN
- 3) TO APPROVE THE TWO-YEAR NEGOTIATED CONTRACT WITH THE FIREFIGHTERS

MOTION TO APPROVE ITEM #4, TO AMEND THE RESIDENCY REQUIREMENT TO BE PORTAGE

COUNTY AND ADJOINING COUNTIES.

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

Mr. Turner said he understood this action was a mandate from the Supreme Court decision. He asked if the language was also a mandate, and it was noted that since there was a motion on the floor, Mr. Silver could not respond at this time.

Mr. Turner said when he looked at the actual language, it spoke of other political subdivisions that abut the City. He said he was questioning the use of any language that would indicate any other political subdivisions be incorporated into the Charter, unless mandated by the Supreme Court.

Mr. Wilson commented that since the legislation came through the Law Director, he assumed it met the legal requirements.

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

The Mayor asked the Clerk to read Draft No. 09-106 by title only at this time.

AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND LOCAL UNION #721, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS FOR THE PERIOD OF SEPT. 1, 2009 THROUGH AUGUST 31, 2011, 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. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. DeLeone, and Mr. Ferrara. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THIS DRAFT ORDINANCE.

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

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

2009-97: AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND LOCAL UNION #721, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS FOR THE PERIOD OF SEPT. 1, 2009 THROUGH AUGUST 31, 2011, 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. 09-107 by title only at this time.

AN ORDINANCE AMENDING CHAPTER 137 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT, ENTITLED "DEPARTMENT OF SAFETY", SO AS TO AMEND SECTION 137.18 ENTITLED "RESIDENCY REQUIREMENTS", AND DECLARED 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. DeLeone, Mr. Ferrara, and Mr. Hawksley. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THIS 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. DeLeone, Mr. Ferrara, and Mr. Hawksley. The motion carried by a roll call vote of 9-0.

2009-98: AN ORDINANCE AMENDING CHAPTER 137 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT, ENTITLED "DEPARTMENT OF SAFETY", SO AS TO AMEND SECTION 137.18 ENTITLED "RESIDENCY REQUIREMENTS", AND DECLARED AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 09-108 by title only at this time.

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$855,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF REPLACING, UPGRADING AND EXTENDING SANITARY SEWER TRUNK LINES, 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: Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, and Mr. Kuhar. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THIS DRAFT ORDINANCE.

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

Ms. Wallach said that the bonds are being reissued for actions that already have occurred. She said that with the current language, it did not look like it was for past actions. She said some members of Council received calls on this issue.

Mr. Wilson said they had a meeting two weeks earlier, adding he thought it was clear and open. He said they are not trying to hide anything. Mr. Wilson said the bond counsel from Cleveland writes the ordinances, following the law. He said they are not doing something wrong, and discussed it in a public meeting a few weeks earlier.

Mr. Turner said that while that is true, if they could change the language for further clarification, he would support that motion.

Ms. Wallach said she knew they had discussed these previously.

Mr. Wilson said he would support a language change, if it was included in the ordinance by the bond counsel. He said the Administration could talk to bond counsel the next time.

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

2009-99: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$855,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF REPLACING, UPGRADING AND EXTENDING SANITARY SEWER TRUNK LINES, 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. 09-109 by title only at this time.

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$2,700,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF RENOVATING AND EXPANDING THE CITY'S MAIN FIRE STATION, INCLUDING ACQUISITION OF NECESSARY REAL ESTATE, 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. Turner, Ms. Wallach, Mr. Wilson, 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 THIS DRAFT ORDINANCE.

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

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

2009-100: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$2,700,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF RENOVATING AND EXPANDING THE CITY'S MAIN FIRE STATION, INCLUDING ACQUISITION OF NECESSARY REAL ESTATE, 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. 09-110 by title only at this time.

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$265,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF RENOVATING THE CITY'S ADMINISTRATIVE OFFICE BUILDING AND RECONSTRUCTING AND EXPANDING THE RELATED PARKING FACILITIES, 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: Ms. Wallach, Mr. Wilson, 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 THIS 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. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, and Mr. Turner. The motion carried by a roll call vote of 9-0.

2009-101: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$265,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF RENOVATING THE CITY'S ADMINISTRATIVE OFFICE BUILDING AND RECONSTRUCTING AND EXPANDING THE RELATED PARKING FACILITIES, 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. 09-112 by title only at this time.

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LEASE AGREEMENT WITH DORON KUTASH dba KUTASH, LLC FOR PROPERTY LOCATED AT 205 EAST SUMMIT STREET, KENT, OHIO 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. Wilson, 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 THIS DRAFT ORDINANCE.

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

Roll call was taken on the motion. Voting aye: Mr. Wilson, 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.

2009-102: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LEASE AGREEMENT WITH DORON KUTASH dba KUTASH, LLC FOR PROPERTY LOCATED AT 205 EAST SUMMIT STREET, 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. 09-115 by title only at this time.

AN ORDINANCE ACCEPTING DONATIONS FROM KENT UNITED SERVICE ORGANIZATION "KUSO" (BICENTENNIAL COMMITTEE) IN THE AMOUNT OF \$19,183.91, FOR PURPOSES OF PAYING GEORGE DANHIRES FOR THE CONSTRUCTION OF AN ART PROJECT COMMEMORATING THE CITY OF KENT'S BICENTENNIAL 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. 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 THIS DRAFT ORDINANCE.

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

Roll call was taken on the motion. Voting aye: 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.

2009-103: AN ORDINANCE ACCEPTING DONATIONS FROM KENT UNITED SERVICE ORGANIZATION "KUSO" (BICENTENNIAL COMMITTEE) IN THE AMOUNT OF \$19,183.91, FOR PURPOSES OF PAYING GEORGE DANHIRES FOR THE CONSTRUCTION OF AN ART PROJECT COMMEMORATING THE CITY OF KENT'S BICENTENNIAL AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

HEALTH & SAFETY COMMITTEE

The Mayor asked the Clerk to read Draft No. 09-114 by title only at this time.

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ACCEPT A GRANT IN THE AMOUNT OF \$ 17,982 FROM THE OFFICE OF HOMELAND SECURITY FOR THE PURPOSE OF IMPROVING AND EXPANDING SOME COMMUNITY EDUCATION PROGRAMS PRESENTED BY THE FIRE PREVENTION BUREAU, 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. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, and Mr. DeLeone. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THIS 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, and Mr. DeLeone. The motion carried by a roll call vote of 9-0.

2009-104: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ACCEPT A GRANT IN THE AMOUNT OF \$ 17,982 FROM THE OFFICE OF HOMELAND SECURITY FOR THE PURPOSE OF IMPROVING AND EXPANDING SOME COMMUNITY EDUCATION PROGRAMS PRESENTED BY THE FIRE PREVENTION BUREAU, AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

LAND USE COMMITTEE

MOTION TO APPROVE THE WRITTEN REPORT OF SEPT. 2, 2009 AND THE RECOMMENDED ACTION, AUTHORIZING THE REMOVAL OF DAVE WISE FROM THE PLANNING COMMISSION.

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

The Mayor asked the Clerk to read Draft No. 09-113 by title only at this time.

A RESOLUTION REMOVING DAVID WISE AS A MEMBER OF THE PLANNING COMMISSION 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. DeLeone, and Mr. Ferrara. The motion carried by a roll call vote of 9-0.

MOTION TO ADOPT THIS DRAFT ORDINANCE.

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

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

2009-105: A RESOLUTION REMOVING DAVID WISE AS A MEMBER OF THE PLANNING COMMISSION 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 SEPT. 2, 2009

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

The following actions were approved by the aforementioned motion:

- 1) TO APPROVE THE MODIFIED EASEMENT FOR THE LAKES AT FRANKLIN MILLS, PHASE I.
- 2) TO APPROVE ALTERNATE #3 FOR PLUM CREEK, WITH THE EMERGENCY CLAUSE.

Mayor Fender asked the Clerk to read Draft No. 09-111 by title only at this time.

AN ORDINANCE ACCEPTING, FOR DEDICATION PURPOSES, A WATERLINE THAT WAS EXTENDED AND UTILITY EASEMENT MODIFICATION IN LAKES OF FRANKLIN MILLS SUBDIVISION PHASE 1, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

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

MOTION TO ADOPT THIS DRAFT ORDINANCE.

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

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

2009-106: AN ORDINANCE ACCEPTING, FOR DEDICATION PURPOSES, A WATERLINE THAT WAS EXTENDED AND UTILITY EASEMENT MODIFICATION IN LAKES OF FRANKLIN MILLS SUBDIVISION PHASE 1, AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

SPECIAL COMMITTEE REPORTS - None.

UNFINISHED BUSINESS - None.

NEW BUSINESS

MOTION TO REFER TO THE APPROPRIATE COMMITTEE A STUDY AS TO WHETHER IT WOULD BE FEASIBLE TO REQUIRE A RESIDENCY PREFERENCE ON THE HIRING OF CONTRACTS OVER \$100,000 RELATED TO CONSTRUCTION PROJECTS WITH CITY INVOLVEMENT.

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

Mr. Turner explained that some projects may have developers requesting the City's involvement with financial assistance over \$100,000. He said this would determine whether it would be beneficial for the City to require a preference of hiring 1/3 or 1/4 of their employees as long residents. He said the benefit would be derived by citizens of Kent, providing training, revenue, and quality of life. He said he felt it would be extremely beneficial, and would at least like it reviewed and studied.

Mr. Hawksley said he supported the referral to Committee, as other communities do something similar. He said he and Mr. Turner met with Mr. Silver and Mr. Ruller previously. He said it would not affect a huge amount of their projects, and would be something worth looking into.

Mr. Wilson said he was going to suggest a meeting with the Administration, with the Administration returning with a cost estimate. He said if a contractor wants to build a building and hire Kent residents, there may be extra costs associated with that project. Mr. Wilson suggested they let the Administration see what effects this could have, adding they may not have anyone in town qualified to a particular job or who may want the job. He said the Administration should have a chance to come back with information pro and con.

Mr. Kuhar said from what the information he has received thus far, they are just asking for a preference for Kent residents. He said he would hope if they have two bids on a project, and one would hie Kent residents, that they would look favorably upon that bid. He said he is unsure where that is mandated anywhere, and would support referring it to Committee.

Mr. Ferrara said that although it appeared to be well-intentioned, it will create bigger problems. He agreed with Mr. Wilson that the Administration should bring back more information.

Mr. Wilson said they already have a system that gives preference to those companies with Kent residents.

Mr. Turner said he was only speaking of those companies that are asking for a sizeable amount of City involvement. He said they have an opportunity to bring in greater opportunities for Kent residents. He said it could be for Kent residents first, followed by those in the JEDDs, and then expanded to residents of Portage County. He said it creates a level of participation for those individuals from those areas. Mr. Turner said this would benefit the community, and localize the monies that the City is putting forth.

Mayor Fender reminded them the motion was whether or not to refer this to Committee.

Ms. Shaffer said she would support the motion, adding that other communities are doing this currently. She said she would support the motion to have discussion on this issue.

The motion carried by a voice vote of 8-1, with Mr. Wilson dissenting.

Ms. Wallach requested that any budgetary items be presented to them two weeks in advance of the discussion.

Mr. Kuhar said he is receiving a number of calls for target areas with trash problems. He asked that the Administration address those areas more aggressively. Mr. Kuhar said he realized they are trying to resolve the problems by mandating trash pickup, but that has not been good enough. Mr. Ruller asked where the problem areas were, and he said that University Drive and Summit Street were two that he heard about.

MAYOR'S REPORT - None

MOTION TO ADJOURN.

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

Hearing no further business before this Council, Mayor Fender adjourned this meeting at 8:03 p.m.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council