

**THE CITY OF KENT, OHIO
LAND USE COMMITTEE
WED., SEPT. 2, 2009**

This meeting of the Land Use Committee of Kent City Council was called to order on Wed., Sept. 2, 2009, at 7:00 p.m., by Garret Ferrara, Chair. Chair Ferrara explained the only item on the agenda dealt with the removal of David Wise, Planning Commissioner.

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; J. BARONE, DEVELOPMENT ENGINEER; AND L. COPLEY, CLERK OF COUNCIL

Dave Ruller, City Manager, introduced Jennifer Barone, Development Engineer, adding the topic has to do with dealing with attendance issues of one of the Planning Commission members. He said they are looking for guidance on the member's continued membership on the Commission.

Ms. Barone said that Dave Wise has missed a number of meetings. She said the Planning Commission bylaws say that three consecutive unexcused absences or four absences within a single calendar year, can result in the Planning Commission, by a majority vote, asking Council to consider removal. She said the Planning Commission voted to ask Council to consider a replacement for Mr. Wise.

Ms. Shaffer asked if the Planning Commission had a recommendation, and Ms. Barone said there is no recommendation at this time.

Mr. DeLeone asked if they have spoken to Mr. Wise, and Ms. Barone said they have emailed him, called his home, and called his cell phone. She said they also wrote him a letter, and have received no response. Ms. Barone said Mr. Wise is a very good member, they just have not seen him for a while.

Mr. Hawksley asked how long "a while" has been, and Ms. Barone said he is an electrician that does emergency power repair work. She said he gets called out of state to disaster areas, and has told them he would be out of communication. She said he was present on Jan. 20, missed February 3, but was excused, and was present at both meetings in March. She said they have not seen him since. She said Mr. Wise made a blanket statement that when he is not present, he is on an emergency site. She noted Mr. Wise has not even called in.

Mr. Wilson asked Ms. Barone if she felt the Planning Commission was asking Council to remove him, and Ms. Barone said that is the implication.

Ms. Shaffer asked if there has been an instance where no quorum has affected the Commission's work, and Ms. Barone said there are several instances where items have been tabled because there were only three voting members present.

At this time, there were no further comments.

MOTION TO REMOVE MR. WISE FROM THE PLANNING COMMISSION.

Motion made by Mr. Wilson, seconded by Ms. Shaffer.

Mr. Hawksley suggested they ask for his resignation due to the lack of attendance, and Ms. Shaffer agreed with Mr. Hawksley. She said they should state that they appreciate the service he has offered.

Mr. Kuhar said they possibly may not be able to communicate with him to ask for his resignation. He said with today's technology, one would think there would be the courtesy of a phone call if someone is missing a meeting.

Mr. Ferrara asked if the motion was for Mr. Wise's removal, and the maker and seconder of the motion said that was correct.

The motion carried by a voice vote of 7-1-1, with Mr. DeLeone dissenting and Mr. Ferrara abstaining.

Hearing no further business before this Committee, Chair Ferrara adjourned this meeting at 7:05 p.m.

Linda M. Copley, Clerk of Council

ACTION RECOMMENDED:

- 1) TO REMOVE DAVE WISE FROM THE PLANNING COMMISSION**