

**THE CITY OF KENT, OHIO
SPECIAL COUNCIL MEETING
TUESDAY, OCTOBER 25, 2011**

This special meeting of Kent City Council was called to order at 7:00 p.m. on Tuesday, October 25, 2011, by Jerry T. Fiala, Mayor & President of Council

PRESENT: MR. AMRHEIN, MR. DeLEONE, MR. FERRARA, MR. KUHAR, MS. SHAFFER, MR. TURNER, MR. VALENTA, MS. WALLACH (ARR. @ 7:02 p.m.), AND MR. WILSON

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

Mayor Fiala called upon Mr. Wilson for the partial oral report of the Finance Committee meeting of Oct. 19, 2011.

MOTION TO APPROVE THE PARTIAL ORAL REPORT OF FINANCE COMMITTEE OF OCT. 19, 2011 AND THE RECOMMENDED ACTIONS.

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

The following actions were approved by the aforementioned motion:

- 1) TO AUTHORIZE A PURCHASE AGREEMENT WITH VILCO INC. FOR 176 E. MAIN ST. FOR \$735,000, SETTLING ALL LAWSUITS WITH KENT HOTEL LLC/VILCO LLC
- 2) TO SCHEDULE A SPECIAL COUNCIL MEETING ON TUESDAY, OCT. 25, 2011 AT 7:00 P.M.
- 3) TO AUTHORIZE ADDITIONAL APPROPRIATIONS OF \$760,000 TO COVER THE PURCHASE PRICE OF \$735,000 FOR 176 E. MAIN STREET AND THE CLOSING COSTS

MOTION TO AUTHORIZE DRAFT NOS. 11-109 AND 11-110.

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

The Mayor asked the Clerk to read Draft No. 11-109 by title only at this time.

AN ORDINANCE AMENDING ORDINANCE NO. 2010-109, THE CURRENT APPROPRIATION ORDINANCE, PASSED NOVEMBER 17, 2010, AS AMENDED BY ORDINANCE NO. 2011-06, PASSED JAN. 19, 2011; AS AMENDED BY ORDINANCE NO. 2011-14, PASSED MARCH 16, 2011; AS AMENDED BY ORDINANCE NO. 2011-37, PASSED MAY 18, 2011; AS AMENDED BY ORDINANCE NO. 2011-43, PASSED JUNE 15, 2011; AS AMENDED BY ORDINANCE NO. 2011-65, PASSED AUGUST 17, 2011; AND AS AMENDED BY ORDINANCE NO. 2011-83, PASSED SEPT. 21, 2011, SO AS TO INCREASE APPROPRIATIONS IN FUND 301, CAPITAL; AND SO AS TO ADVANCE FUNDS FROM FUND 001, GENERAL TO FUND 301, CAPITAL; 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. Kuhar, Ms. Shaffer, Mr. Turner, Mr. Valenta, 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. Wilson, seconded by Mr. Ferrara.

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

2011-104: AN ORDINANCE AMENDING ORDINANCE NO. 2010-109, THE CURRENT APPROPRIATION ORDINANCE, PASSED NOVEMBER 17, 2010, AS AMENDED BY ORDINANCE NO. 2011-06, PASSED JAN. 19, 2011; AS AMENDED BY ORDINANCE NO. 2011-14, PASSED MARCH 16, 2011; AS AMENDED BY ORDINANCE NO. 2011-37, PASSED MAY 18, 2011; AS AMENDED BY ORDINANCE NO. 2011-43, PASSED JUNE 15, 2011; AS AMENDED BY ORDINANCE NO. 2011-65, PASSED AUGUST 17, 2011; AND AS AMENDED BY ORDINANCE NO. 2011-83, PASSED SEPT. 21, 2011, SO AS TO INCREASE APPROPRIATIONS IN FUND 301, CAPITAL; AND SO AS TO ADVANCE FUNDS FROM FUND 001, GENERAL TO FUND 301, CAPITAL; AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 11-110 by title only at this time.

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT BETWEEN KENT HOTEL, LLC AND/OR VILCO, LLC AND THE CITY OF KENT TO PURCHASE THE KENT HOTEL FOR UP TO \$735,000 AND SETTLE ALL LITIGATION BETWEEN THE PARTIES AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THEE READINGS.

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

Roll call was taken on the motion. Voting aye: Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, Mr. Turner, Mr. Valenta, 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 Ms. Shaffer, seconded by Mr. Ferrara.

Mr. Kuhar said he never thought he would see the day when he would vote to give that amount of money for that piece of real estate. He said he has spoken to a lot of people, and everyone feels they need to move on and get this behind them. He said it is one step in the right direction.

Ms. Wallach said that everyone she has spoken to has not mentioned the price. She said they have asked about the future plans, and are excited about renovating the hotel.

Mayor Fiala commented that he was asked what took so long.

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

2011-105: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT BETWEEN KENT HOTEL, LLC AND/OR VILCO, LLC AND THE CITY OF KENT TO PURCHASE THE KENT HOTEL FOR UP TO \$735,000 AND SETTLE ALL LITIGATION BETWEEN THE PARTIES AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

Jerry T. Fiala, Mayor & President of Council

MOTION TO ADJOURN

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

Hearing no further business before this Council, Mayor Fiala adjourned this meeting at 7:10 p.m.

Linda M. Copley, Clerk of Council

Jerry T. Fiala, Mayor & President of Council