

**THE CITY OF KENT, OHIO  
SPECIAL COUNCIL  
WED., MARCH 7, 2012**

This special meeting of Kent City Council was called to order on Wed., March 7, 2012 at 9:23 p.m. by Jerry T. Fiala, Mayor & President of Council.

**PRESENT:** MR. AMRHEIN, MR. DeLEONE, MR. FERRARA, MS. SHAFFER, MR. SIDOTI, MR. TURNER, MS. WALLACH, 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

**ABSENT:** MR. KUCHAR

**MOTION TO EXCUSE MR. KUCHAR.**

Motion made by Mr. Wilson, seconded by Mr. DeLeone, and carried by a voice vote of 8-0.

Mayor Fiala called upon Mr. Wilson for the oral report of the Finance Committee that preceded this meeting.

**MOTION TO APPROVE THE ORAL REPORT OF THE FINANCE COMMITTEE MEETING OF MARCH 7, 2012.**

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

Ms. Wallach asked that they separate the courthouse issues for a separate vote.

**MOTION TO AUTHORIZE EVERYTHING EXCEPT THE THREE ISSUES INVOLVING THE PROPOSED COURTHOUSE.**

Motion made by Mr. Wilson, seconded by Mr. DeLeone, and carried by a voice vote of 8-0.

The following items were approved by the aforementioned motion:

- 1) TO AUTHORIZE \$15,000 FOR RELOCATION OF JIMMY JOHN'S PROVIDED THEY VACATE THEIR CURRENT LOCATION BY JUNE 1, 2012 AND STAY IN KENT.
- 2) TO AUTHORIZE THE AMENDMENT TO THE 2012 APPROPRIATIONS.
- 3) TO AUTHORIZE THE STAFF TO USE THEIR DISCRETION TO TURN DOWN CELL TOWER LEASES IN THE FUTURE.
- 4) TO AUTHORIZE ACCEPTING A \$500,000 GRANT FROM THE OHIO DEPARTMENT OF TRANSPORTATION.

**MOTION TO AUTHORIZE THE THREE ACTIONS INVOLVING THE PROPOSED COURTHOUSE.**

Motion made by Mr. Wilson, seconded by Mr. DeLeone, and carried by a voice vote of 7-1, with Ms. Wallach dissenting.

The following items were approved by the aforementioned motion:

- 1) TO AUTHORIZE THE DKC TO PURCHASE 313 E. MAIN STREET FROM SCHWEIGERT PROPERTIES INC., FOR \$1,080,000, USING THE CITY'S LINE OF CREDIT.
- 2) TO AUTHORIZE THE DKC TO TRANSFER THE PROPERTY LOCATED AT 313 E. MAIN STREET, WITH THE ONLY COSTS INCURRED BEING THE TRANSFER FEES.
- 3) TO AUTHORIZE A LAND SWAP WITH THE COUNTY, TRADING 313 E. MAIN STREET (2+ ACRES) WITH THE CITY RECEIVING THE OLD COURTHOUSE ON S. WATER STREET AND THE PARKING LOT AT THE CORNER OF FRANKLIN AND WEST COLLEGE STREET WITH THE TERMS NEGOTIATED BY STAFF.

The Mayor asked the Clerk to read Draft No. 12-24 by title only at this time.

**A RESOLUTION APPOINTING GLEN DREYER, HOWARD BOYLE II, DOUGLAS FULLER, ALLAN ORASHAN, AND DAVID SOMMERS TO THE COMMITTEE ON DESIGN AND PRESERVATION 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, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Wilson, and Mr. Amrhein. The motion carried by a roll call vote of 8-0.

**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. DeLeone, Mr. Ferrara, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Wilson, and Mr. Amrhein. The motion carried by a roll call vote of 8-0.

**2012-25: A RESOLUTION APPOINTING GLEN DREYER, HOWARD BOYLE II, DOUGLAS FULLER, ALLAN ORASHAN, AND DAVID SOMMERS TO THE COMMITTEE ON DESIGN AND PRESERVATION 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. 12-25 by title only at this time.

**AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF KENT AND THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION, OFFICE OF JOBS AND COMMERCE (ODOT), FOR THE RECONSTRUCTION/IMPROVEMENT OF ERIE STREET, DEPEYSTER STREET, ALLEY #4 AND ALLEY#5, AS PART OF THE REDEVELOPMENT OF DOWNTOWN KENT, IN THE AMOUNT OF \$500,000.00, 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. Ferrara, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, and Mr. DeLeone. The motion carried by a roll call vote of 8-0.

**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. Ferrara, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, and Mr. DeLeone. The motion carried by a roll call vote of 8-0.

**2012-26: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF KENT AND THE STATE OF OHIO, DEPARTMENT OF TRANSPORTATION, OFFICE OF JOBS AND COMMERCE (ODOT), FOR THE RECONSTRUCTION/IMPROVEMENT OF ERIE STREET, DEPEYSTER STREET, ALLEY #4 AND ALLEY#5, AS PART OF THE REDEVELOPMENT OF DOWNTOWN KENT, IN THE AMOUNT OF \$500,000.00, AND DECLARING AN EMERGENCY.**

---

Linda M. Copley, Clerk of Council

---

Jerry T. Fiala, Mayor & President of Council

**MOTION TO ADJOURN THIS MEETING.**

Motion made by Mr. Ferrara, seconded by Mr. Wilson, and carried by a voice vote of 8-0.

Hearing no further business before this Council, Mayor Fiala adjourned this meeting at 9:30 p.m.

---

Linda M. Copley, Clerk of Council

---

Jerry T. Fiala, Mayor & President of Council