

**THE CITY OF KENT, OHIO
REGULAR COUNCIL MEETING
WED., AUG. 15, 2012**

This regular meeting of Kent City Council was called to order by Jerry T. Fiala, Mayor & President of Council on Wed., August 15, 2012 at 7:30 p.m.

PRESENT: MR. AMRHEIN, MR. DeLEONE, MR. FERRARA, MR. KUJAR, 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. JORDAN, CLERK OF COUNCIL

Mayor Fiala welcomed those present, and called upon Council member Shaffer for her opening remarks.

Ms. Shaffer said it is exciting to watch the transformation of Kent, including the Esplanade neighborhood, which was her old neighborhood. She said she is honored to be part of a team that extends back in time that had vision and resolve to move things forward in Kent to make it great. She said it is a large group of people, not just Council. She said there is plenty of time for more people to get involved.

Following her opening remarks, Ms. Shaffer led those present in the Pledge of Allegiance.

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF JULY 18, 012.

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

MOTION TO APPROVE THE SPECIAL COUNCIL MEETING OF AUG 1, 2012.

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

MOTION TO APPROVE THE PUBLIC HEARING OF JULY 18, 2012.

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

MOTION TO APPROVE THE WORK SESSION OF AUGUST 1, 2012.

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

COMMUNICATIONS

Mayor Fiala acknowledged the new signs that had been posted, advising those people wishing to speak to sign up with the Clerk and to limit their comments to three minutes. He thanked **Gene Roberts, Service Director**, for posting the signs with that information. He called for audience comment at this time.

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

The Clerk reported the following:

- 1) The Fiscal Officer Certificates were placed on file for the issuance of notes by the Budget & Finance Director on August 1, 2012.
- 2) Emails were received on July 31, 2012 from Lisa Regula Meyer, Jeff Ingram, and Tina Plunkett expressing various concerns about the planned location of the Wells Sherman house. These emails were forwarded to the Mayor and all members of Council the same day. A revision was sent by Mr. Ingram on August 1, and this was also forwarded to the Mayor and all members of Council.

- 3) An email was forwarded to the Mayor and all members of Council on August 8, 2012, from Council member Kuhar expressing his concerns about the Architectural Review Board and their review of the proposed court house.

The Clerk reported that after the agenda was printed, the following correspondence was received:

- 1) The agenda packet for the August 2012 Parks and Recreation Committee was placed on file by Council's liaison, Council member Wilson, prior to the start of this meeting.
- 2) The minutes of the July 2012 Standing Rock Cemetery meeting were placed on file by Council's representative, Mr. DeLeone, prior to the start of this meeting.
- 3) Mayor Fiala received an email on August 10, from Principal Mancini at St. Patrick's school requesting six day time parking passes for teachers at the school. This email was forwarded to all members of Council on August 13, 2012. Council member Shaffer responded the same day, suggesting that there should possibly be a cost, comparing it to the Unitarian Church. This email was also forwarded to the Mayor & all members of Council.
- 4) A notice was received on August 13, 2012, from the Ohio Division of Liquor Control, for a new "C" Permit for Bricco Kent LLC dba Bricco, 210 S. Depeyster St., Suite 108, Kent. Objections must be postmarked no later than Sept. 10, 2012, and the Safety Director has no objections, and has indicated this license was previously returned with no objections from Council in June.

MOTION TO RETURN THE NOTICE TO THE OHIO DIVISION OF LIQUOR CONTROL FOR BRICCO KENT LLC WITH NO OBJECTIONS.

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

- 5) A letter was hand delivered on August 14, 2012 from Halim El-Dabh asking Council to consider another location for the Kent Wells Sherman House. This letter was distributed to the Mayor and Council prior to the start of this meeting.
- 6) An email was received earlier in the day from Joseph Hughes, urging Council to find another location for the Kent Wells Sherman House. This letter was distributed to the Mayor and Council prior to the start of this meeting.

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

MOTION TO APPROVE ITEMS #1 THROUGH #11

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) Streets, Sidewalks, and Utilities Committee, agenda time, authorization of ODOT agreement for three resurfacing projects and the next phase of the hike and bike trail construction.
- 2) Finance Committee, agenda time, City's business incubator tenant agreements
- 3) Community Development Committee, agenda time, proposed policy recommendations regarding the transfer of state liquor licenses
- 4) Health & Safety Committee, agenda time, street closing for Festival of Lights event
- 5) Health & Safety Committee, agenda time, modifications to the City's second hand retail ordinance

- 6) Streets, Sidewalks, and Utilities Committee, modifications to City ordinances that allow outstanding water/recycling payments to be included in a lien against the property and to correct surcharge language for properties within the JEDD
- 7) Finance Committee, agenda time, sale of surplus property at 1277 W. Main St.
- 8) Finance Committee, agenda time, modifications to 2012 Appropriations Ordinance
- 9) Finance Committee, agenda time, consideration of updating City fees for various City services
- 10) Finance Committee, agenda time, proposed 2013 Capital Plan
- 11) Community Development Committee, amendment to the City-PARTA lease agreement for the new Veterans Memorial.

STANDING COMMITTEES

Mayor Fiala announced the results of the balloting for the vacancies on City boards and commissions at this time.

Fair Housing Board/Housing Appeals Board Rouven R. Cyncynatus

Income Tax Board of Review Erik J. Clarke

Parking Action Committee Bob Mayfield

Stormwater District Review and Appeals Board Erik J. Clarke

Sustainability Commission Erik Zemljic

Mayor Fiala announced that Howard T. Boyle, II; Glen D. Dreyer; Elizabeth Eaken; and Allan Orashan received sufficient votes for the **Architectural Review Board**. He said they would have a second ballot between Douglas Fuller, Zackary Jewell, and Mary L. Kenneley at this time.

Following the tally of the second ballot by the Law Director, Mayor Fiala said they would have a third ballot between the two top vote getters, Douglas Fuller and Zackary Jewell.

Following the tally of the third ballot, Mayor Fiala announced that Douglas Fuller had enough votes to be appointed.

MOTION TO AUTHORIZE DRAFT NOS. 12-75 THROUGH 12-79, WITH THE APPROPRIATE NAMES INSERTED.

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. 12-75 by title only:

A RESOLUTION APPOINTING ROUVEN CYNCYNATUS TO THE FAIR HOUSING BOARD/HOUSING APPEALS BOARD AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken on the motion. Voting aye: and Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, Mr. Sidoti, 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. Ferrara, seconded by Mr. DeLeone.

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

2012-72: A RESOLUTION APPOINTING ROUVEN CYNYNATUS TO THE FAIR HOUSING BOARD/HOUSING APPEALS BOARD AND DECLARING AN EMERGENCY.

Linda M. Jordan, Clerk of Council

Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 12-76 by title only:

A RESOLUTION APPOINTING ERIK J. CLARKE TO THE INCOME TAX BOARD OF REVIEW, 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. Kuhar, Ms. Shaffer, Mr. Sidoti, 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. Ferrara, seconded by Mr. DeLeone.

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

2012-73: A RESOLUTION APPOINTING ERIK J. CLARKE TO THE INCOME TAX BOARD OF REVIEW, AND DECLARING AN EMERGENCY.

Linda M. Jordan, Clerk of Council

Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 12-77 by title only:

A RESOLUTION APPOINTING BOB MAYFIELD TO THE PARKING ACTION COMMITTEE 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. Kuhar, Ms. Shaffer, Mr. Sidoti, 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. Wilson, seconded by Mr. DeLeone.

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

2012-74 A RESOLUTION APPOINTING BOB MAYFIELD TO THE PARKING ACTION COMMITTEE AND DECLARING AN EMERGENCY.

Linda M. Jordan, Clerk of Council

Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 12-78 by title only:

A RESOLUTION APPOINTING ERIK J. CLARKE TO THE STORMWATER DISTRICT REVIEW & APPEALS 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. Sidoti, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, 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. DeLeone.

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

2012-75 A RESOLUTION APPOINTING ERIK J. CLARKE TO THE STORMWATER DISTRICT REVIEW & APPEALS BOARD AND DECLARING AN EMERGENCY.

Linda M. Jordan, Clerk of Council

Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 12-79 by title only:

A RESOLUTION APPOINTING ERIK ZEMLJIC TO THE SUSTAINABILITY 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. Sidoti, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, 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. Wilson, seconded by Mr. Ferrara.

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

2012-76: A RESOLUTION APPOINTING ERIK ZEMLJIC TO THE SUSTAINABILITY COMMISSION AND DECLARING AN EMERGENCY.

Linda M. Jordan, Clerk of Council

Jerry T. Fiala, Mayor & President of Council

MOTION TO AUTHORIZE DRAFT NO. 12-80.

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. 12-80 by title only:

A RESOLUTION APPOINTING HOWARD T. BOYLE, II; GLEN D. DREYER; ELIZABETH EAKEN; ALLAN ORASHAN; AND DOUGLAS FULLER TO THE ARCHITECTURAL REVIEW BOARD 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. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, and Mr. Sidoti. 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. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, and Mr. Sidoti. The motion carried by a roll call vote of 9-0.

2012-77: A RESOLUTION APPOINTING HOWARD T. BOYLE, II; GLEN D. DREYER; ELIZABETH EAKEN; ALLAN ORASHAN; AND DOUGLAS FULLER TO THE ARCHITECTURAL REVIEW BOARD AND DECLARING AN EMERGENCY.

Linda M. Jordan, Clerk of Council

Jerry T. Fiala, Mayor & President of Council

Mayor Fiala thanked everyone for applying, and urged those who were not successful, to keep trying.

COMMUNITY DEVELOPMENT COMMITTEE

MOTION TO APPROVE THE WRITTEN REPORT OF AUGUST 1, 2012, WHERE THE RECOMMENDED ACTION WAS TO AUTHORIZE AN AGREEMENT FOR THE TEMPORARY MOVE OF THE WELLS SHERMAN HOUSE.

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

FINANCE COMMITTEE

MOTION TO APPROVE AND THE WRITTEN REPORT OF JULY 18, 2012 (ORAL REPORT/ACTION APPROVED ON JULY 18, 2012) AND THE WRITTEN REPORT OF AUGUST 1, 2012.

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

MOTION TO APPROVE THE RECOMMENDED ACTIONS.

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

The following actions were approved by the aforementioned motion:

- 1) TO AUTHORIZE THE SEVEN DEBT RELATED ORDINANCES
- 2) TO AUTHORIZE AN APPLICATION FOR OPWCC FUNDING FOR SUMMIT STREET, INCLUDING \$700,000 AS A GRANT AND \$150,000 AS A LOAN.
- 3) TO AUTHORIZE ACCEPTANCE OF THE ODOD GRANT FOR \$300,000 FOR DOWNTOWN STREET RECONSTRUCTION

- 4) TO AUTHORIZE THE AMENDMENTS TO THE THOMAS & BETTS AGREEMENT, WITH THE EMERGENCY CLAUSE

The Mayor asked the Clerk to read Draft No. 12-81 by title only at this time:

A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SUBMIT ON BEHALF OF THE CITY OF KENT, AN APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION FOR THE SUMMIT STREET TRAFFIC SIGNAL COORDINATION PROJECT FOR A GRANT UP TO \$700,000 AND A NO-INTEREST LOAN IN THE AMOUNT OF \$150,000; AND FURTHER AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, IN THE EVENT THE APPLICATION IS APPROVED, TO AUTHORIZE APPROPRIATION THERETO, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken. Voting aye: Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, Mr. Sidoti, 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. DeLeone, seconded by Mr. Ferrara.

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

2012-78: A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SUBMIT ON BEHALF OF THE CITY OF KENT, AN APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION FOR THE SUMMIT STREET TRAFFIC SIGNAL COORDINATION PROJECT FOR A GRANT UP TO \$700,000 AND A NO-INTEREST LOAN IN THE AMOUNT OF \$150,000; AND FURTHER AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, IN THE EVENT THE APPLICATION IS APPROVED, TO AUTHORIZE APPROPRIATION THERETO, AND DECLARING AN EMERGENCY.

Linda M. Jordan, Clerk of Council

Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 12-82 by title only at this time:

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ACCEPT A GRANT AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF KENT AND THE STATE OF OHIO, DEPARTMENT OF DEVELOPMENT (ODOD), FOR THE RECONSTRUCTION/IMPROVEMENT OF ERIE STREET, AS PART OF THE REDEVELOPMENT OF DOWNTOWN KENT, IN THE AMOUNT OF \$300,000.00, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken. Voting aye: Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, Mr. Sidoti, 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. Wilson, seconded by Mr. DeLeone.

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

2012-79: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ACCEPT A GRANT AND EXECUTE AN AGREEMENT BETWEEN THE CITY OF KENT AND THE STATE OF OHIO, DEPARTMENT OF DEVELOPMENT (ODOD), FOR THE RECONSTRUCTION/IMPROVEMENT OF ERIE STREET, AS PART OF THE REDEVELOPMENT OF DOWNTOWN KENT, IN THE AMOUNT OF \$300,000.00, AND DECLARING AN EMERGENCY.

Linda M. Jordan, Clerk of Council

Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 12-83 by title only at this time:

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,200,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PROVIDE THE FUNDS NECESSARY TO REDEEM THE OUTSTANDING PRINCIPAL AMOUNT OF THE CITY'S VARIOUS PURPOSE BONDS, SERIES 1998, WHICH WERE ISSUED TO PAY COSTS OF ACQUIRING THE EXISTING BUILDING LOCATED AT 930 OVERHOLT ROAD TO BE USED AS THE CITY'S SERVICE CENTER, AND TO PAY THE CITY'S PORTION OF THE COSTS OF IMPROVING FAIRCHILD AVENUE, MAJORS AVENUE AND NEWCOMER ROAD AND CERTAIN EASEMENTS BETWEEN CERTAIN TERMINI BY CONSTRUCTING, RECONSTRUCTING AND WIDENING THE PAVEMENT, DRAINING, GRADING, CONSTRUCTING, RECONSTRUCTING AND REPLACING CURBS, SIDEWALKS, DRIVEWAY APPROACHES, STORM SEWERS, ROOF DRAIN PIPES, AND A DRAINAGE OUTLET CHANNEL, INSTALLING NEW WATER MAINS, WATER SERVICE CONNECTIONS, SANITARY SEWERS, AND SANITARY SEWER HOUSE CONNECTIONS ALONG THOSE PORTIONS OF FAIRCHILD AVENUE NOT CURRENTLY SERVED, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, ACQUIRING ANY NECESSARY INTERESTS IN REAL PROPERTY, AND OTHERWISE IMPROVING THE SAME, AUTHORIZING THE CALL FOR REDEMPTION OF THOSE BONDS, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken. Voting aye: Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, Mr. Sidoti, 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. DeLeone.

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

2012-80: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,200,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PROVIDE THE FUNDS NECESSARY TO REDEEM THE OUTSTANDING PRINCIPAL AMOUNT OF THE CITY'S VARIOUS PURPOSE BONDS, SERIES 1998, WHICH WERE ISSUED TO PAY COSTS OF ACQUIRING THE EXISTING BUILDING LOCATED AT 930 OVERHOLT ROAD TO BE USED AS THE CITY'S SERVICE CENTER, AND TO PAY THE CITY'S PORTION OF THE COSTS OF IMPROVING FAIRCHILD AVENUE, MAJORS AVENUE AND NEWCOMER ROAD AND CERTAIN EASEMENTS BETWEEN CERTAIN TERMINI BY CONSTRUCTING, RECONSTRUCTING AND WIDENING THE PAVEMENT, DRAINING, GRADING, CONSTRUCTING, RECONSTRUCTING AND REPLACING CURBS, SIDEWALKS, DRIVEWAY APPROACHES, STORM SEWERS, ROOF DRAIN PIPES, AND A DRAINAGE OUTLET CHANNEL, INSTALLING NEW WATER MAINS, WATER SERVICE CONNECTIONS, SANITARY SEWERS, AND SANITARY SEWER HOUSE CONNECTIONS ALONG THOSE PORTIONS OF FAIRCHILD AVENUE NOT CURRENTLY SERVED, ALL TOGETHER WITH THE NECESSARY APPURTENANCES

THERETO, ACQUIRING ANY NECESSARY INTERESTS IN REAL PROPERTY, AND OTHERWISE IMPROVING THE SAME, AUTHORIZING THE CALL FOR REDEMPTION OF THOSE BONDS, AND DECLARING AN EMERGENCY.

Linda M. Jordan, Clerk of Council

Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 12-84 by title only at this time:

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$4,000,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF CONSTRUCTING A DOWNTOWN PUBLIC PARKING FACILITY, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken. Voting aye: Mr. Kuhar, Ms. Shaffer, Mr. Sidoti, 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. Wilson, seconded by Mr. DeLeone.

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

2012-81: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$4,000,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF CONSTRUCTING A DOWNTOWN PUBLIC PARKING FACILITY, AND DECLARING AN EMERGENCY.

Linda M. Jordan, Clerk of Council

Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 12-85 by title only at this time:

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$195,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, 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. Voting aye: Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Kuhar. 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. Voting aye: Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Kuhar. The motion carried by a roll call vote of 9-0.

2012-82: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$195,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, 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. Jordan, Clerk of Council

Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 12-86 by title only at this time:

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,650,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF RECONSTRUCTING ALLEY 5, ERIE STREET, AND DEPEYSTER STREET AND OTHERWISE IMPROVING NEARBY STREETS, INCLUDING BY RELOCATION OF PUBLIC UTILITIES, LANDSCAPING, AND INSTALLING PARKING PAYMENT DEVICES, STREET SIGNAGE AND SITE IMPROVEMENTS, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken. Voting aye: Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, 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. Wilson, seconded by Mr. Ferrara.

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

2012-83: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,650,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF RECONSTRUCTING ALLEY 5, ERIE STREET, AND DEPEYSTER STREET AND OTHERWISE IMPROVING NEARBY STREETS, INCLUDING BY RELOCATION OF PUBLIC UTILITIES, LANDSCAPING, AND INSTALLING PARKING PAYMENT DEVICES, STREET SIGNAGE AND SITE IMPROVEMENTS, AND DECLARING AN EMERGENCY.

Linda M. Jordan, Clerk of Council

Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 12-87 by title only at this time:

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,230,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED AND TO PROVIDE ADDITIONAL FUNDING, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF IMPROVING ALLEY 4, ERIE STREET, DEPEYSTER STREET AND ADJOINING CITY STREETS AND CITY PROPERTY, INCLUDING THE RELOCATION OF WATER, SANITARY AND STORM SEWER LINES AND OTHER PUBLIC UTILITIES THEREIN, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

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

2012-84: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,230,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED AND TO PROVIDE ADDITIONAL FUNDING, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF IMPROVING ALLEY 4, ERIE STREET, DEPEYSTER STREET AND ADJOINING CITY STREETS AND CITY PROPERTY, INCLUDING THE RELOCATION OF WATER, SANITARY AND STORM SEWER LINES AND OTHER PUBLIC UTILITIES THEREIN, AND DECLARING AN EMERGENCY.

Linda M. Jordan, Clerk of Council

Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 12-88 by title only at this time:

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$675,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, 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. DeLeone.

Roll call was taken. Voting aye: Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, Mr. Sidoti, 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. Ferrara.

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

2012-85: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$675,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, 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. Jordan, Clerk of Council

Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 12-89 by title only at this time:

AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$2,020,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, 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. Voting aye: Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, Mr. Sidoti, 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. Ferrara.

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

2012-86: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$2,020,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, 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. Jordan, Clerk of Council

Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 12-90 by title only at this time:

AN ORDINANCE AMENDING ORDINANCE NO. 2012-15, PASSED ON JANUARY 18, 2012, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE MATCHING ENVIRONMENTAL GRANT AGREEMENT WITH THE THOMAS & BETTS COMPANY, THE GRANTEE, FOR UP TO \$75,000.00 FOR THE ASSESSMENT OF A LEAKING SLURRY WALL LOCATED AT 800 MOGADORE ROAD, KENT, OHIO, AND ALLOCATING FUNDS FOR SAID GRANT AND ASSESSMENT, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken. Voting aye: Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, Mr. Sidoti, 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. Ferrara.

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

2012-87: AN ORDINANCE AMENDING ORDINANCE NO. 2012-15, PASSED ON JANUARY 18, 2012, AUTHORIZING THE CITY MANAGER TO EXECUTE AN AMENDMENT TO THE MATCHING ENVIRONMENTAL GRANT AGREEMENT WITH THE THOMAS & BETTS COMPANY, THE GRANTEE, FOR UP TO \$75,000.00 FOR THE ASSESSMENT OF A LEAKING SLURRY WALL LOCATED AT 800 MOGADORE ROAD, KENT, OHIO, AND ALLOCATING FUNDS FOR SAID GRANT AND ASSESSMENT, AND DECLARING AN EMERGENCY.

Linda M. Jordan, Clerk of Council

Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 12-93 by title only at this time:

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT BETWEEN TODD M. AND CARRIE L. GAVRILOFF AND THE CITY OF KENT TO PURCHASE 5 ACRES OF LAND (WETLANDS) AND 5.0020 ACRES OF LAND DONATED (TOTAL 10.0020) FOR UP TO \$45,000 WHICH INCLUDES ANY CLOSING COSTS, FOR PUBLIC PARK PURPOSES AND WETLAND MITIGATION FOR A CITY PROJECT, AND AUTHORIZING ALLOCATIONS OF FUNDS FROM LINE #106 TO PAY FOR SAID PURCHASE AND WETLAND MITIGATION, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken. Voting aye: Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, Mr. Sidoti, 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. Wilson, seconded by Mr. Ferrara.

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

2012-88: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT BETWEEN TODD M. AND CARRIE L. GAVRILOFF AND THE CITY OF KENT TO PURCHASE 5 ACRES OF LAND (WETLANDS) AND 5.0020 ACRES OF LAND DONATED (TOTAL 10.0020) FOR UP TO \$45,000 WHICH INCLUDES ANY CLOSING COSTS, FOR PUBLIC PARK PURPOSES AND WETLAND MITIGATION FOR A CITY PROJECT, AND AUTHORIZING ALLOCATIONS OF FUNDS FROM LINE #106 TO PAY FOR SAID PURCHASE AND WETLAND MITIGATION, AND DECLARING AN EMERGENCY.

Linda M. Jordan, Clerk of Council

Jerry T. Fiala, Mayor & President of Council

HEALTH & SAFETY COMMITTEE

MOTION TO APPROVE THE WRITTEN REPORT AND RECOMMENDED ACTIONS OF AUGUST 1, 2012.

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

The following actions were approved by the aforementioned motion:

- 1) TO AUTHORIZE THE PROPOSED TEN-MINUTE PARKING SPACES AS PRESENTED
- 2) TO ASK THE ADMINISTRATION TO WORK ON A DRAFT FOR PROPOSED PENALTIES FOR THE FAILURE TO REMOVE SOLID WASTE, RETURNING TO COMMITTEE FOR REVIEW.

STREETS, SIDEWALKS & UTILITIES COMMITTEE

MOTION TO APPROVE THE WRITTEN REPORT OF AUGUST 1, 2012 AND THE RECOMMENDED ACTION, AUTHORIZING THE CHANGES TO THE SEWER AND STORMWATER ORDINANCES.

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

The Mayor asked the Clerk to read Draft No. 12-91 by title only at this time.

AN ORDINANCE REPLACING CHAPTER 921 STORMWATER UTILITY USE OF THE KENT CODIFIED ORDINANCES SO AS TO COMPLY WITH OHIO AND FEDERAL ENVIRONMENTAL PROTECTION AGENCY GUIDELINES AND REGULATIONS AND TO PROTECT THE CITIZENS 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. Voting aye: Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, Mr. Sidoti, 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 Ms. Wallach.

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

2012-89: AN ORDINANCE REPLACING CHAPTER 921 STORMWATER UTILITY USE OF THE KENT CODIFIED ORDINANCES SO AS TO COMPLY WITH OHIO AND FEDERAL ENVIRONMENTAL PROTECTION AGENCY GUIDELINES AND REGULATIONS AND TO PROTECT THE CITIZENS OF KENT, OHIO, AND DECLARING AN EMERGENCY.

Linda M. Jordan, Clerk of Council

Jerry T. Fiala, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 12-92 by title only at this time.

AN ORDINANCE REPLACING CHAPTER 915 SEWER USE OF THE KENT CODIFIED ORDINANCES SO AS TO COMPLY WITH OHIO AND FEDERAL ENVIRONMENTAL PROTECTION AGENCY GUIDELINES AND REGULATIONS AND TO PROTECT THE CITIZENS 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. Voting aye: Mr. Kuhar, Ms. Shaffer, Mr. Sidoti, 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. DeLeone, seconded by Mr. Ferrara.

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

2012-90: AN ORDINANCE REPLACING CHAPTER 915 SEWER USE OF THE KENT CODIFIED ORDINANCES SO AS TO COMPLY WITH OHIO AND FEDERAL ENVIRONMENTAL PROTECTION AGENCY GUIDELINES AND REGULATIONS AND TO PROTECT THE CITIZENS OF KENT, OHIO, AND DECLARING AN EMERGENCY.

Linda M. Jordan, Clerk of Council

Jerry T. Fiala, Mayor & President of Council

SPECIAL COMMITTEE REPORTS

None

UNFINISHED BUSINESS

Mr. Kuhar said he had asked, a few months earlier, for the City Manager to research the possibility of selling water to Rootstown, and asked if he had any information. Mr. Ruller said Mr. Roberts had some

discussions. He said Mr. Roberts had some information, adding that they did not have a formal report, as they did not know he was going to bring up the issue.

Mr. Roberts said they have not done a complete analysis, but without Ravenna accepting the water through their lines, Rootstown would have to build the infrastructure from Powdermill Road to Rootstown. He said it would be cost prohibitive for them, unless the City absorbs a large portion of the cost. He said he had some discussions with their water superintendent, adding they are in negotiations with the city of Ravenna also. Mr. Roberts said that Ravenna has supplied water to Rootstown for multiple decades, adding he thought Rootstown may be trying to leverage the best deal.

Mr. Kuhar said he was told they wanted to buy from Kent, but Kent did not want to sell the water to them because Kent did not want to make Ravenna mad. He said they told him they were close enough for the hook up, but did not say anything about who would pay for it. Mr. Roberts said he could research the cost, if he was directed to do so. Mr. Kuhar asked if it was cost prohibitive, and Mr. Ruller said it appeared to be. Mr. Roberts said the water for Rootstown is on the SR 44 corridor, and do not come west very far. He said it would be a major expense, even if they went through the land. Mr. Kuhar said they may not be as close as they thought, and Mr. Roberts said from what he saw from the County map, it would require an agreement to transmit the water through Ravenna's line. He said he cannot imagine Ravenna agreeing to this, as Rootstown is their current customer.

Mr. Ruller said they talked to Ravenna's Mayor on that issue, and he expressed a lack of desire to see that happen. He said they are not interested in Kent using their line to service their customer. Mr. Kuhar commented that this piece of the puzzle was left out of the conversation he had. Mr. Roberts said when Ravenna upgraded their plant; they did so to accommodate Rootstown. He also pointed out that the County has since gone to Cleveland to connect through Remindersville and Streetsboro.

NEW BUSINESS

MOTION TO GIVE SIX PARKING PASSES TO ST. PATRICK'S SCHOOL.

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

Ms. Shaffer asked if they were giving them or charging \$5.00 per month like anyone else. She said their parking is worth more to them now than to give it to anyone. Ms. Shaffer said it seems like they are giving favoritism to an entity, and suggested they work out a fair price.

Mayor Fiala said this is nothing new, adding they have been doing this in the past.

Mr. Wilson said they are giving them to school teachers who are already underpaid. He said it is not costing them anything to give those spaces to the teachers, as they are street spaces. He said in the situation Ms. Shaffer referenced in her email, they pay rent for the lot that they rent to the church. He said there is a cost factor of \$350 per month that the City pays to rent those spaces to the church. Mr. Wilson said the school pays taxes.

Mr. Kuhar said he is a parishioner, but said that since they have shuffled parking, North Water Street has been full. He said he would imagine that Portage Street could be another avenue for downtown parking. Mr. Kuhar said they fought for all night spaces, and those people pay to park. He said that the church has a large parking lot, about three hundred feet away from the school. He said it would only be prudent for them to use their own lot, adding they offered their parking lot to Mr. Hawksley to use for his building. He said they do not use their own lot, but want to utilize City parking at no fee. He said they are showing priority treatment when it is not necessary. Mr. Kuhar said it would be different if there was no place to park, but there are places to park.

Ms. Wallach asked why they do not use their church's parking, and Mayor Fiala said it is quite a distance. Mr. Wilson said the way it was explained to him is that it can be very icy and slippery going up and down

the hill in the winter. He said everything would be an uphill or downhill walk, and they felt it was dangerous for the teachers to walk there during the winter.

Mr. Turner said he did not see this as being that important to draw a line in the sand over teachers parking in those spaces. He said this would allow them to park in an area that is convenient, adding this is not budget breaking situation. Mr. Turner said there may be some preferences shown, adding these are teachers. He said he did not see it as a huge issue and would support the motion.

Mr. Kuhar said in the aspect of fairness, he was thinking about the underpaid minimum wage workers that have to walk up a big hill and will be parking at the multi modal facility because of the lack of parking. He said they must be equal to everyone.

Mr. Sidoti said a lot of churches in a lot of communities do not allow the public to use their parking lot and gate them. He said he has parked at St. Patrick's church for many years, and walked downtown. He said he has never heard about them calling and complaining about citizens using their parking area. Mr. Sidoti said it would appear they are good neighbors and generous with the use of their lot. He said he did not believe they have people towed, adding it would seem they can reciprocate and acknowledge that during the school year that the area could be used. Mr. Sidoti said it appears to be quid pro quo, adding that the church does not gate their lot.

Ms. Shaffer disagreed with Mr. Sidoti. She said they frown on people using their lot. She said this has occurred with the Highland Street neighborhood.

MOTION TO AMEND THE MOTION TO REQUEST ST. PATRICK'S ALLOW PEOPLE TO USE THEIR LOT.

Motion made by Ms. Shaffer.

Mr. Turner said the church is on private property, adding it is their business.

Ms. Shaffer said her amendment would be to EXPLORE AN AGREEMENT WITH ST. PATRICK'S CHURCH TO ALLOW THEIR LOT TO BE USED ON LARGE OCCASIONS. The amendment died for want of a second.

The original motion carried by a voice vote of 7-2, with Ms. Shaffer and Mr. Kuhar dissenting.

MOTION TO ASK COUNCIL FORMALLY ACCEPT THE LETTER OF COMMENDATION FOR THE CITY MANAGER.

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

At this time, Mr. Ferrara read the letter in its entirety. The letter was signed by the Mayor and all members of Council

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

MOTION TO ASK THE ADMINISTRATION TO OBTAIN AN EVALUATION FROM THE OHIO ARTS COUNCIL ON THE AMOUNT OF MONEY SPENT FOR ART EXPENDITURES.

Motion made by Mr. Kuhar, seconded by Ms. Wallach.

Mr. Kuhar said he has been approached by a few artists who have spoken with people from the Ohio Arts Council. He said that organization goes to cities and evaluates what they are doing with funding for art programs and projects. He said they make suggestions on how a city will get the best return for what is invested.

Ms. Wallach supported the motion. She suggested if they can get more money for the arts, they should "go for it." Mr. Kuhar noted it is just an evaluation.

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

Mr. Sidoti said he knew the Service Director would not want to hear his next comment. He said the Wells Sherman House is not a bad thing where it is sitting temporarily. He said it seemed to him if this house was reconstituted; they could use it to serve as a welcome center for the City. He said he thought Kent State University had control of the property, adding they should explore all options. Mr. Sidoti said he was unsure what else could go on that corner, adding it appeared to be a possibility. He said he wanted to try it out as something to think about, adding it could work if it was done right, as a historical visitor's center. He said they could still have public restrooms and could do something with the upper floors to generate income to sustain it. Mr. Sidoti said it was just a thought, adding he wanted to plant a seed.

Mr. Turner said if Mr. Sidoti wanted to make that a motion, he would support it. He said with all of the issues confronting them, and with the anxiety created by the current area they are looking at, he would support anything to create other opportunities. Mr. Sidoti declined to make a motion at this time.

MAYOR'S REPORT

Mayor Fiala said that Davey Tree is operation in downtown Kent with all new jobs. He said he paid them a visit with Economic Development Director, Dan Smith. He said the employees were still in the process of moving, but were thrilled that the City stopped to welcome them.

Hearing no further business before this Council, Mayor Fiala adjourned this meeting at 8:26 p.m.

Linda M. Jordan, Clerk of Council

Jerry T. Fiala, Mayor & President of Council