

**THE CITY OF KENT, OHIO
REGULAR COUNCIL MEETING
WED., AUG. 20, 2008**

This regular meeting of Kent City Council was called to order at 7:30 p.m. on Wed., August 20, 2008 by John Fender, Mayor & President of Council. Mayor Fender welcomed those present.

PRESENT: MR. AMRHEIN, 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; J. PEACH, POLICE CHIEF AND L. COPLEY, CLERK OF COUNCIL

Mayor Fender called upon Council Member Wallach for her opening remarks.

Ms. Wallach said she has been visiting different departments to be educated on what they do and the types of duties executed by the departments. She said she wanted to thank a few of the departments heads who have given her time and expertise, and she appreciates what they have done.

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

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF JULY 16, 2008; THE SPECIAL COUNCIL MEETING OF AUGUST 6, 2008; AND THE WORK SESSION OF AUGUST 6, 2008.

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

Mayor Fender said he wanted to call upon **Chief James Peach**, adding they would be honoring a police chief from Turkey. Chief Peach said it was his distinct honor and privilege to introduce **Chief Mustafa Ozguler, Ph.D.** Chief Peach explained that Chief Ozguler came to Kent State in 1999, and was one of the first few Turkish National Police command officers to pursue a higher education. He said Chief Ozguler introduced himself to the Kent State University Police Department, and told him why he was in Kent. He said that started a fellowship with both the University Police Department and the Kent City Police Department. He said they have exchanged information, and learned more about Turkish culture, policing, and customs. He said they shared American policing ideas, which were innovative to Chief Ozguler, and his country.

Chief Peach said Chief Ozguler is a visionary, adding he is a man that few people could match. He said the chief did more that pursue education, adding he positively affected policing in the United States, particularly in the State of Ohio.

Chief Peach said that during common discussions on policing and other issues of importance, they discovered there were ways the chief could participate in policing in the United States. He said they attended seminars and were accompanied by member of the Turkish command staff also. His said that through the interaction of his brother, John Peach, they had discussions the Attorney General, the Ohio Association of Chiefs of Police, and the Ohio Department of Public Safety about issues they faced.

Chief Peach said that during that time, Governor Director General of Turkey visited Ohio, and met with representatives from various agencies. He said they felt they could learn from the Turkish Police in many ways, related to intelligence gathering, antiterrorist gathering, and knowing more about their culture. He said the Turkish Police could learn about management and community policing, adding such information is difficult to find in their country. Chief Peach said as things progressed, more Turkish officers participated in the KSU internship program. He said Chief Ozguler continued networking and stayed in constant contact.

Chief Peach said that after 911, there was a great need to work closely on world terrorism and intelligence gathering. He said the Vice Interior Minister of Turkey came to Kent. adding he is in charge of all national police. He said they had many things to share. Chief Peach said it was decided to have Ohio delegates go to Turkey, for an exchange of information, and to send a Memorandum of Understanding in terms of learning.

Chief Peach said eleven people traveled to Turkey from Ohio. He said he went to Turkey, as did his brother, who headed the delegation. Chief Peach said they learned many things from the Turkish National Police. He said they saw, foremost, the changes that Chief Ozguler had made to the state and community. Chief Peach said there is no one person in Ohio that has more impact on promoting and enhancing the safety and well being of every resident than Chief Ozguler. He said

the chief is a humble man, and accepts accolades for what he does. He said the Chief has accomplished some things in conjunction with his country's Department of State. He said the Chief has worked with the Ohio Attorney General's Office, the Ohio Department of Public Safety, and the Ohio Association of Chiefs of Police, to help create and establish the Ohio Local Law Enforcement Information Sharing Network (OLLEISN). He said they also have SIMS, which is a contact management system that allows every law enforcement level to have instant information, and contribute anything suspicious as it's related to terrorism. He said it was based on the nationwide Turkish system, adding the Governor General sent top IT people for eight months to work with the Department of Public Safety to set up the system. He said this was the direct result of Mustafa's coordination, facilitation, and communication with his country. He said that now, through the Department of Public Safety, they have a multi-cultural liaison officer who can understand Arab cultures. He said there is training throughout the state so officers know how to deal with Arab and Islamic backgrounds. He said the City is better prepared to deal with anything having to do with Homeland Security. He said that Chief Ozguler had the care and vision to introduce himself. He said he was not content on achieving a Master's degree, and obtained his PhD, so he could do what he could for his new neighbors in Ohio.

Chief asked Mustafa Ozguler to come forward at this time. Mayor Fender read a proclamation honoring him at this time, and also presented him with a pin to the City.

Chief Ozguler said nothing could have been possible without the "Chief Peach brothers." He said his real hero is his wife. At this time, he introduced his wife and family.

Chief Ozguler said that at this time, more than two hundred people from his country have received PhDs, adding this was achieved because of both chiefs. He told the County they are lucky, adding his dissertation was on the quality of police in counter-terrorism activities. He said Kent is one of the most secure cities, and they are very lucky.

At this time, Mayor Fender called for audience comment, reminded those present of Council's guidelines. He said audience members have three minutes to speak, adding that it appears to be a short time, but most people get their message through. He said the Council listens, and does not respond. He said Council may respond at the end of the meeting under "Council member Comments." He asked that people speak to the issue, adding that previously, they have had a few occasions where people have spoken personally to a Council person. He asked they speak to the issue, and not make any remarks to any of the individual Council people. He told them he appreciated their concerns, adding accolades would also be accepted at this time.

Eileen: Eileen explained that she lives in Ward 3. She said that Chief Ozguler is a tough act to follow. She said she presented her reasons on July 16 for opposing reciprocity, as it is a tax increase for 65% of the City's population. Eileen said at the last meeting, she asked for data to demonstrate that all fat has been cut. She asked, again, if that has been done. Eileen asked if those vacancies not intended to be filled had been removed from the budget, and if the \$20,000 for the Bicentennial statute had been removed.

Eileen said after the July 9th Special Council meeting, she asked members why this was no in the most recent Tree City Bulletin, and was told the deadline had passed. She asked that they imagine her surprise when she got the latest issue, with no mention of the decrease in reciprocity. She asked what the excuse would be this time.

Eileen said from where she sits, the only publicity has been in the Record Courier or their website, adding that they have had two of the three meetings in the middle of summer. She said this leaves her with the impression that Council has something to hide, does not want to be forthright and would face opposition if people were aware.

Eileen said she read the City Manager's column in the bulletin, and said that DipTech and Alpha Micron were mentioned in the article. She said that business may be on the rise, but no one has mentioned Ravens, Atlas Engineering, and RB&W. She asked what business would relocate in Kent, other than bars and tattoo parlors, where Council can raise the tax on 65% of the residents without a vote. She said if this passes, should like to suggest that those who are not impacted, adding it is the vast majority of Council, voluntarily donate .5% of the gross salary of their day time job. She told them to stand in solidarity with the rest of them, and reach into their own pocket, taking out their money when they reach in their pockets.

Greg: Greg explained he is the president of R&R sanitation. He said he would like to see the City look into a consolidation of the days instead of looking for one trash hauler in Kent. He said they presently have only three companies in Kent, and there is a proposal that two could possibly merge. He asked that they look at Tallmadge who divided their city into four quadrants. He said that trash haulers are only allowed to pick up on a specific day in those

quadrants.

Gary said he was present seven to eight years ago, and the city was against one hauler. He said he is unsure of their feeling today.

Diane: Diane explained that she lives in Ward 1 and opposed the tax credit decrease. She said it would be fair if the whole city was charged more.

Patti: Patti said she is from Ward 1, and also opposes the tax decrease. She said she is a single parent and cannot afford any more money. She asked if they can give her a job in Kent, other than at a bar or tattoo parlor. She said she cannot get a job at Kent State, as she does not have the education.

John: John said he has been present for two meetings on this issue. He said that everyone who has spoken has been 100% against the issue. He said for a majority of them to not listen is wrong.

Bret: Bret explained he is a Kent resident and is engaged to Council woman Heidi Shaffer. He said nothing makes a person feel stupider than to ask Council to raise their taxes. He said he does not expect many people will say this to them.

Bret said he considers Kent his home. He said he has been a computer programmer since 1980, before PCs. He said it is a good job, and he could have moved to a number of places, but stays in Kent. Bret said this is his home, where he wants to be. He said his employer has been in Middlebury Heights for the last twelve years. He said until recently, their tax rate was 1.75%, which meant he paid one quarter of 1% to Kent. He said they raised their tax rate to 2% a few years ago, and he now pays nothing to Kent. He said everyone would like them to tighten their belt, adding he is unsure how they would do it and provide him services at a zero tax rate. He said with respect to reciprocity, the theory is that for everyone who lives in Kent and works elsewhere, there is someone who lives elsewhere that works in Kent. He said that is not the case, with Kent's demographics. Bret said in an ideal world, all cities could negotiate a more equitable tax sharing arrangement, adding they know that will not happen. He said their options are to tweak the rates. He said if the City gets behind them, they could tweak the actual tax rate and not the reciprocity. He said he knows the Council is doing what they have to do for the city they all love, and he appreciated their courage.

Todd: Todd said this was his third meeting in the last 1.5 months. He said he has voiced his opposition to reciprocity, adding he is still quite angry. He said he wants to pay his fair share, but when 65% live in Kent, and work elsewhere, they are not sharing it across the board and that is wrong. He said Council knows the people cannot do anything about it. He said if they put a tax increase on the ballot, they might see the opposition. He said this (the reciprocity decrease) is under the carpet. He said they are all aware of it but there is nothing they can do. He said he is sure they will declare an emergency, adding there will be nothing they can do about it.

Todd suggested they look at raising the tax rate by .2% across the board, as recommended by the Blue Ribbon Panel so everyone feels it. He said they only have their voice, and cannot vote. He said he was glad to see more community members, and he was sure the majority will oppose this decrease in reciprocity. He thanked them for hearing him out. He urged them to reconsider what they are about to do, adding he would like to see more opposition.

Brian: Brian said he has been attending meetings for more than three years, adding he was a member of the Blue Ribbon Panel. He said here are many things he wants to discuss, but would not do so because of time constraints.

Brian said the Blue Ribbon Panel had a number of things in common with the citizens and felt their pain. He said the committee was composed of people to be affected in many ways. He said they discussed this more than nine months, made presentations to the various wards, and were not attempting to hide anything. He said they tried to cover all of the bases.

Brian said they knew it would be difficult, but knew every member would be equally affected. He said they heard people speak of Council's courage and vision. He said they felt if the pain was spread across a number of people, this would be a good first start.

Brian said the information was distributed to various ward meetings and at Council meetings. He said in the last twenty years, Kent has not done much to create jobs. He said they have crumbling infrastructures, vacant storefronts, etc. He said they now have a convergence of things. Brian said there are a few private property owners are interested in participating in economic development. He said one has invested \$6.5 million to improve a historical section in Kent.

Brian said they have a university who wants to be a major player and be involved. He said a number of other institutions have made great sacrifices to relocate their business. He said that one would be McKay Bricker who is being displaced because of the Crain Avenue bridge. He said they have decided to adjust to the situation.

Brian said that over the last twenty years, households increased by 15%, but by almost the exact same number, the number of people working in Kent has decreased. He said that the latter are where they derive most of their money. He said they have to have money to run the affairs of the City. He said they can only tighten their belt so much, and then they must cut services. He said he commiserates with those who spoke, adding he will feel the pain also. He said he is glad they are engaging in constructive debate.

Dee - Dee explained she is a third generation Kentite. She said she grew up in Kent, as did her parents and grandparents. Dee said that getting a job in Kent's city limits is difficult, and if every resident worked in and lived in Kent, everything would be fine. She said the issue has not been publicized, adding people did not know it was on the ballot. She said she is against the proposal, adding she was unsure all of the residents of Kent are aware of it.

Beth: Beth asked Council and the Administration to find a better way to communicate with their residents. She said her neighborhood has had four break-ins, adding it is frightening and distressing, with no mention by the Administration about the incidents or anything in the paper. She said if they do not talk to each other, they would not know. She said after talking to other neighbors, she found out that with many homes that are broken into, with the burglar going through ladies' underwear. She said nothing is taken, and they just want people to feel violated. Beth said she and her neighbors feel violated, and questioned why the City and the paper do not let people know what is going on. She said the only thing in the paper is about underage drinking, adding as a college town, and they know there is underage drinking. She said they do not print about the break-ins, and have been asked by the police to not do so. She said it is marked somewhere special, adding she verified it with the newspaper. She said she is investing in a security system, which annoys her. She said the lady at the security company verified that the police do not print this information. Beth asked they communicate better with the residents and the paper so residents know to watch out. She said if it is happening in her neighborhood, she is sure it is helping elsewhere.

Beth said she wanted to address the tax credit issue. She said she prides herself on honestly, adding without it they have nothing. She said she was surprised to see the editorial by Mr. Wilson, Ms. Shaffer, Mr. Amrhein, and Mr. Hawksley, trying to discredit her for her opinion, instead of sticking to the facts, and standing up for what they believe. She said the article claimed that both formal Councilmembers participated in the discussions and it was clear that they would not support the change because it would affect their households personally. Beth said that anyone who knows her knows she would not do something that would affect her personally, while on Council. She said she would never do it to benefit herself elsewhere. Beth said that Ms. Shaffer and Mr. Amrhein did not attend the meetings during those discussions, and questioned they could question why they would sign their name to something that they did not know about. She said she was saddened to see it signed by Mr. Hawksley and Mr. Wilson, adding she expected better.

Beth said she feels they do not need to reduce the tax credit, as they have more money than they did six years earlier. She questioned why they would take more money. She said Kent already has a large population of rentals, and this could force more residents to move.

Beth explained that she recently attended Streetsboro's Family Days, and they are going to a 2% tax, and would be given a 2% credit. She said the brochure says the tax credit can only be reduced by voters, and asked why Kent voters cannot do this. She said that some members of the Blue Ribbon Panel do not even live in Kent anymore, and live in other cities and/or Franklin Township. She suggested they wait to see if the development covers the costs.

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

The Clerk reported that carbon copies of emails between Gregg Vilc, Kent Hotel, LLC and city departments were received on July 16 and July 17. She said these emails were distributed to the Mayor and members of Council on the same day they were received.

The Clerk reported that emails were received from Kelby Persons, Paul Maxwell, Nancy Finley, Dan and Kay Cox, Pam Valentine, and Diane Stresing speaking against the tax credit reduction. She said an email was received from the City Manager, responding to issues raised in the emails. The Clerk said these emails were distributed to the Mayor and members of Council on the same day they were received.

The Clerk reported that an email was received from Camille Park on August 7, 2008 with her thoughts on citywide trash service. She said this email was distributed to the Mayor and members of Council on August 8, 2008. The Clerk said that Council member Shaffer's response was received on August 9, 2008, and was distributed to the Mayor and members of Council on the same day.

The Clerk reported that the agenda packet of the Kent Parks and Recreation Board meeting held on July 17, 2008 was placed on file by Council's liaison, Mr. Wilson, on August 6, 2008.

The Clerk reported that the July 2008 Kent Community Dinner report was submitted on August 14, 2008 by Laura Mazur, All Together Now, Inc.

The Clerk reported that an email was received from Council member Kuhar on August 14, 2008, expressing his concerns and making some suggestions regarding citywide trash hauling. She said this email was forwarded to all members of Council on August 15, 2008.

The Clerk reported that after the agenda was printed, a letter was hand delivered on August 18, 2008 from Mark and Kathy Frazier voicing their opposition to the reduction of the City's tax credit.

The Clerk reported that earlier in the day an email was received from Andrew Lombardo. She said the email indicated a letter from his attorney to Mr. Silver was attached, but there were no attachments.

The Clerk reported that prior to the start of this meeting, Council member DeLeone, the City's representative on the Standing Rock Cemetery Board, placed minutes from their July 10, 2008 meeting on file.

Hearing no further written correspondence, Mayor Fender called upon the City Manager for his report at this time.

MOTION TO APPROVE ITEMS #1 THROUGH # 10 OF THE CITY MANAGER'S REPORT.

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 Nos. 08-120, 08-121, and 08-122, appointment of volunteers to boards and commissions
- 2) Authorization, Draft No. 08-114, donation from Davey Tree
- 3) Authorization, Draft No. 08-116, resolution supporting renewal of Clean Ohio Fund Bond on the 11/4/08 ballot.
- 4) Authorization, Draft No. 08-139, donation from Patrick Ray family
- 5) Authorization, Draft Nos. 08-124, 08-129, 08-130, 08-131, and 08-132, Fairchild Avenue bridge project right-of-ways.
- 6) Authorization, Draft No. 08-117, amending 2008-106, Spaulding Ave. Bridge project
- 7) Community Development Committee, September, recommendations from Environmental Commission for Green Building Design ordinance
- 8) Land Use Committee, update from staff on proposed revisions to Property Maintenance Code
- 9) Finance Committee, consideration of city bond note ordinances
- 10) Streets, Sidewalks, and Utilities Committee, allocation of additional OPWC capital funds.

STANDING COMMITTEE REPORTS

Mayor Fender said they had the results from the balloting for vacancies on City boards and commissions. He said the following people were recommended for appointment:

Dee Hawkins	Fair Housing Board/Housing Appeals Board
Dee Hawkins	Income Tax Board of Review
Caroline Arnold & Daniel Schweitzer	Environmental Commission

MOTION TO AUTHORIZE DRAFT NOS. 08-120, 08-121, AND 08-122, 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. 08-120 by title only at this time.

A RESOLUTION APPOINTING DEE HAWKINS TO THE FAIR HOUSING BOARD/HOUSING APPEALS 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. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, 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 on the motion. Voting aye: Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, and Mr. Amrhein. The motion carried by a roll call vote of 9-0.

2008-110: A RESOLUTION APPOINTING DEE HAWKINS TO THE FAIR HOUSING BOARD/HOUSING APPEALS BOARD, 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. 08-121 by title only at this time.

A RESOLUTION APPOINTING DEE HAWKINS TO THE INCOME TAX BOARD OF REVIEW, 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, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, 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 on the motion. Voting aye: Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, and Mr. DeLeone. The motion carried by a roll call vote of 9-0.

2008-111: A RESOLUTION APPOINTING DEE HAWKINS TO THE INCOME TAX BOARD OF REVIEW, 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. 08-122 by title only at this time.

A RESOLUTION APPOINTING CAROLINE ARNOLD AND DANIEL SCHWEITZER TO THE ENVIRONMENTAL COMMISSION, 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. 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. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The motion carried by a roll call vote of 9-0.

2008-112: A RESOLUTION APPOINTING CAROLINE ARNOLD AND DANIEL SCHWEITZER TO THE ENVIRONMENTAL COMMISSION, AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

COMMUNITY DEVELOPMENT COMMITTEE

MOTION TO APPROVE THE WRITTEN REPORT OF AUGUST 6, 2008.

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

Mr. Hawksley said they received information on collaborative grants with other communities that required no action.

MOTION TO APPROVE RECOMMENDED ACTION #2, TO AUTHORIZE THE ADMINISTRATION TO CONTINUE FORWARD WITH THE CITYWIDE TRASH HAULING.

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

Mr. Kuhar said there is a serious problem with trash in Kent, adding there is a way to resolve the problem without putting anyone out of business or hurting the trash haulers. He said the problem with having just one trash hauler is that they are taking away one more freedom for those in Kent. He said there will be a time when business and/or government will make all of the citizen's decisions. He said they need address the trash issue, and there are a lot of suggestions, but going with one hauler is a bad idea.

Ms. Wallach asked if they can refer this back to committee for further discussion, and Mayor Fender told her there was a motion on the floor.

Mr. Wilson said it has to go back to Committee, as this allows them to move forward and get bids. He said it is not a finalized deal.

Mr. Wilson told Mr. Kuhar he felt just like him about ten years ago. He said the only difference now is that the Service Director showed them how people saved money in other communities. He said if he can help the residents save a few dollars, he owes it to them.

Mr. Kuhar said, as a point of order, he did not believe they were to address Council members personally.

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

MOTION TO AUTHORIZE A LEASE, WITH RESTRICTIONS FOR THE FORMER RICCIARDI PROPERTY.

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

FINANCE COMMITTEE

MOTION TO APPROVE THE WRITTEN REPORT OF AUGUST 6, 2008, AND 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 FIVE-YEAR CAPITAL PLAN UPDATE
- 2) TO AUTHORIZE THE REVOLVING LOAN FOR ALPHA MICRON

The Mayor asked the Clerk to read Draft No. 08-108, which stands on first reading, by title only.

AN ORDINANCE AMENDING SECTION 181.18 OF THE CITY OF KENT CODIFIED ORDINANCES ENTITLED “RECIPROCITY”, AND RENAMING SAID SECTION TO “TAX CREDIT”, EFFECTIVE JANUARY 1, 2009.

MOTION TO APPROVE THE SECOND READING.

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

MOTION TO AMEND THE DRAFT ORDINANCE TO STIPULATE A FIVE YEAR SUNSET CLAUSE, WITH A REVIEW AT THE 2.5 YEAR POINT.

Motion made by Ms. Wallach, seconded by Ms. Shaffer.

Ms. Wallach said they are trying to move forward and implement suggestions of the Blue Ribbon Panel. She said that one suggestion was a sunset provision, as well as putting an increase of the City income tax on the ballot. She said she will make a motion to do that at the end of the meeting. Ms. Wallach said she wanted to follow along with the Blue Ribbon Panel recommendations.

Ms. Shaffer said she understood that a sunset clause would tie the future hands of Council, adding they can reverse their decision at any time. She said she is unsure the citizens will know that, adding she had no idea, previously, that by reducing the tax credit they would be raising taxes. She said the reduction is an investment in Kent, adding that they are going to need to use a lot of their reserves for economic development. She said it is irresponsible to not meet the budget and to go into a deficit. Ms. Shaffer said the citizens of Kent need to know this is not a permanent solution, adding a permanent solution is to strengthen the local economy. Ms. Shaffer said that is what they plan to do, adding it is their primary focus. Ms. Shaffer said she wanted to make a promise to the citizens that they are not taking this lightly, and would like to reverse it as soon as possible. She said that five years is a reasonable time, adding the Blue Ribbon Panel mentioned seven years, and she was unsure if that was about the tax credit. She said she thought they were talking about the tax increase. Ms. Shaffer said that five years is a reasonable time, and if they do not do this, they will have to look at cutting their services.

Mr. Kuhar said he has never seen a Public entity receive money that wanted to give it back. He said whenever they look at any entity, they learn how to spend money and ask for more. He said if he is wrong, then he is wrong. He said they restrained themselves for about one year with their spending and hiring. He said in his opinion, Kent delivered good services to the residents of Kent. Mr. Kuhar said it was a struggle, and a lot of people had to work harder and they saved more than \$1 million. He said if they look into the future, they will see a lot is going on that will produce some income. He said they have not done all they can do to save money. He said they can spend more money if they know they are getting more. Mr. Kuhar said that some feel it is an underhanded way to take citizens' money, adding it is not a democracy. He said they have an energy management policy that is not totally enacted. Mr. Kuhar said five years from now, a lot will happen, and they can see more income. He said he would hate to see this happen if they were going to squander the money.

Mr. Kuhar said they had a presentation from Normal, Illinois. He said they were profitable, managing their money much better. He said their average income is very different from Kent, adding that most people in Kent work hard for little money. He said if someone is making \$100,000 to \$200,000, it is not a big deal. He said there is a big difference for those making a minimum wage of \$30,000. He said he was opposed to the amendment.

Mr. Ferrara said that Ms. Shaffer made an excellent point, about the lack of understanding on the part of the citizens that Council is able to rescind something. He said the amendment sends the message that Council is taking a short term measure to positively effect their economic development. He said he would like a two-year sunset provision, as it sends the message they are trying to solve a problem, and not just spend money. He said they have to spend money to make it, and this money will be well spent.

Mr. Turner said he did not support this previously, and will not support it at this time. Mayor Fender asked Mr. Turner to speak to the amendment. Mr. Turner said they do not build trust with the imposition of taxes, adding the approach they are using is not going to build the kind of trust in the community that they need for other things. He said he believed they need to raise revenues, but this approach, at this time, is not in the best interest of what they are trying to accomplish. He said he would hope some of the other members of the body would agree, and that they go back to the drawing board to build the consensus they need.

Mayor Fender asked if he was speaking to the amendment, and Mr. Turner said he is not supportive of the sunset aspect.

He said he did not feel this mechanism would build the consensus they need to be effective.

Mr. Amrhein said he would like to see a sunset provision, adding they all need to step it up. He said that Diane, who spoke, said it should be fair and equitable. He said a sunset provision is necessary.

Ms. Wallach said she wanted to respond to the comment that government never seems to take a tax away. She said that the amendment includes a 2.5 year review of the tax credit. She said the Council members here will be present at that time. Ms. Wallach said if they no longer see a need for it, then they can take it away.

Mr. Hawksley said he recalled a previous discussion where the Law Director indicated they cannot pass legislation with a sunset clause. He said he thought when they discussed this previously, they were told they cannot bind the action of a future Council, especially on a tax matter.

At this time, the amendment passed by a hand count of 5-3-1, with Mr. DeLeone, Mr. Turner, and Mr. Kuhar dissenting. Mr. Hawksley abstained.

Roll call was taken on the motion to adopt the second reading. Voting aye: Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Hawksley. The motion carried by a roll call vote of 7-2, with Mr. Kuhar and Mr. Turner dissenting.

The Mayor asked the Clerk to read Draft No. 08-114 by title only at this time.

AN ORDINANCE ACCEPTING A DONATION TO THE CITY OF KENT ADOPT-A-SPOT FROM DAVEY TREE IN THE AMOUNT OF \$250.00 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: Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, 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. DeLeone.

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

2008-113: AN ORDINANCE ACCEPTING A DONATION TO THE CITY OF KENT ADOPT-A-SPOT FROM DAVEY TREE IN THE AMOUNT OF \$250.00 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. 08-116 by title only at this time.

A RESOLUTION SUPPORTING THE RENEWAL OF THE CLEAN OHIO FUND BOND PACKAGE WHICH WILL BE PLACED ON THE NOVEMBER 4, 2008 BALLOT, IN ORDER TO MEET THE GROWING DEMAND FOR GREEN SPACE CONSERVATION PROJECTS, BROWNFIELD REVITALIZATION, RECREATIONAL TRAIL DEVELOPMENT, FARMLAND PRESERVATION, AND OTHER IMPORTANT PROJECTS RELATED TO THE CLEAN OHIO FUND.

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. Hawksley, 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. DeLeone.

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

2008-114: A RESOLUTION SUPPORTING THE RENEWAL OF THE CLEAN OHIO FUND BOND PACKAGE WHICH WILL BE PLACED ON THE NOVEMBER 4, 2008 BALLOT, IN ORDER TO MEET THE GROWING DEMAND FOR GREEN SPACE CONSERVATION PROJECTS, BROWNFIELD REVITALIZATION, RECREATIONAL TRAIL DEVELOPMENT, FARMLAND PRESERVATION, AND OTHER IMPORTANT PROJECTS RELATED TO THE CLEAN OHIO FUND.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 08-133 by title only at this time.

AN ORDINANCE AMENDING ORDINANCE NO. 2007-109, THE CURRENT APPROPRIATION ORDINANCE, PASSED NOVEMBER 26 2007, AS AMENDED BY ORDINANCE NO. 2008-13, PASSED JANUARY 16, 2008; AS AMENDED BY ORDINANCE NO. 2008-57, PASSED APRIL 16, 2008; AS AMENDED BY ORDINANCE NO. 2008-75, PASSED MAY 21, 2008; AND AS AMENDED BY ORDINANCE NO. 2008-90, PASSED JUNE 18, 2008; SO AS TO INCREASE APPROPRIATIONS IN FUND 128, FIRE AND E.M.S. AND FUND 820, UDAG 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. Amrhein, 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 THE DRAFT ORDINANCE.

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

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

2008-115: AN ORDINANCE AMENDING ORDINANCE NO. 2007-109, THE CURRENT APPROPRIATION ORDINANCE, PASSED NOVEMBER 26 2007, AS AMENDED BY ORDINANCE NO. 2008-13, PASSED JANUARY 16, 2008; AS AMENDED BY ORDINANCE NO. 2008-57, PASSED APRIL 16, 2008; AS AMENDED BY ORDINANCE NO. 2008-75, PASSED MAY 21, 2008; AND AS AMENDED BY ORDINANCE NO. 2008-90, PASSED JUNE 18, 2008; SO AS TO INCREASE APPROPRIATIONS IN FUND 128, FIRE AND E.M.S. AND FUND 820, UDAG AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

Eileen interrupted from the audience at this time. She said she knew she was out of order, and would leave before she is thrown out. She said as she sat there, she has heard how Council wants to everything great for the citizens. Mayor Fender tried to interrupt Eileen at this time, but she continued talking. She said she would ask the Ward 1 Council member to recognize he was on their nickel at Council meetings. She asked that he not read the Daily Kent Stater nor play with his Blackberry. She said it is rude, and tells her that vast majority of Council does not give a rat's butt about the citizens. She suggested they take that under advisement.

The Mayor asked the Clerk to read Draft No. 08-139 by title only at this time.

AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$75.00 TO THE CITY OF KENT EMS DEPARTMENT FROM THE PATRICK RAY FAMILY IN MEMORY OF MILLICENT LOWTHER 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. Wilson, Mr. Amrhein, 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 THE DRAFT ORDINANCE.

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

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

2008-116: AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$75.00 TO THE CITY OF KENT EMS DEPARTMENT FROM THE PATRICK RAY FAMILY IN MEMORY OF MILLICENT LOWTHER AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

HEALTH & SAFETY COMMITTEE

MOTION TO APPROVE THE WRITTEN REPORT OF AUGUST 6, 2008, AND THE RECOMMENDED ACTION, AUTHORIZATION TO REPLACE THE SIDEARMS FOR THE POLICE DEPARTMENT.

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

STREETS, SIDEWALKS & UTILITIES COMMITTEE

At this time, a member of the audience interrupted this meeting. She said she worked for the City for thirty-two years. Mayor Fender tried to explain they were in the middle of the meeting, and she responded that she did not care. She said Council makes more than the rest of them. She asked if they were going to pay their Police Chief more money because he lives outside of the City. She asked if they were going to raise his salary, or have the citizens move outside of the City, taking away income taxes they do have from the citizens.

She said it was said that 65% of the citizens live inside of the City that have to find jobs outside. She said she retired from the City after thirty-two years, and is older than some of the Council members. She said she makes less than Council, and suggested they ask Mr. Lillich or Mr. Peach, as they know. She said they do not give a rat's a** about the citizens. She asked them about the citizens, adding they say they have them on the board and are thinking about them. She said they have been thinking about having more income and businesses for as long as she has known and worked for the City.

She said they have been thinking about a new police department in this City. She said that Mr. Kuhar wants to put it at the old grocery store. She asked what the old grocery store wants to do, adding all they will do is revamp and revamp and revamp, just like they revamped the old city hall. She asked if any of them ever worked in that old building. She said they have not worked, adding they only go and visit, but have not worked there. At this point Ms. Wallach indicated she did, but was unable to respond. The citizen demanded to know how long she worked there, and asked if she worked there thirty-two years. She asked if she visited there, and kept asking how long she had been. She kept asking if any of them visited for more than one month. She said it is a rat hole. She told them to think about what they are doing, adding they are not making any investments and are not trying to do anything for Kent. She asked where most of the income is generated and said it is from the University. She told them to have a good night, and left at this time.

MOTION TO APPROVE THE WRITTEN REPORT OF AUGUST 6, 2008 AND THE RECOMMENDED ACTIONS.

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

The following actions were approved by the aforementioned motion:

- UPDATE ON HIKE/BIKE PATH; NO ACTION NEEDED
- AUTHORIZATION FOR NEFCO GRANT, WATERSHED COORDINATOR
- AUTHORIZATION, RAILROAD AGREEMENTS FOR THE FAIRCHILD/CRAIN AVENUE BRIDGE WITH THE INCLUSION OF THE EMERGENCY CLAUSE.

The Mayor asked the Clerk to read Draft No. 08-124 by title only at this time.

A RESOLUTION AMENDING RESOLUTION NO. 2008-101, PASSED JULY 16, 2008, ENTITLED "A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE IN 10,124 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY CURTISS W. RUCKMAN FOR THE PURPOSE OF CONSTRUCTING THE NEW FAIRCHILD/CRAIN AVENUE BRIDGE, STREET WIDENING, CHANGING THE GRADE, DRIVEWAY, WALK CONSTRUCTION, AND GRADING IN FURTHERANCE OF PUBLIC ROADWAY RECONSTRUCTION OF SR 43, FAIRCHILD AVENUE, CRAIN AVENUE AND NORTH WATER STREET WHICH IS SITUATED ON BOTH SIDES OF THE CUYAHOGA RIVER, NEAR THE INTERSECTIONS OF FAIRCHILD AVENUE AND SR 43; CRAIN AVENUE AND SR 43; AND THE NEW INTERSECTION NEAR NORTH WATER STREET AND CRAIN AVENUE, IN THE CITY OF KENT, OHIO AND DECLARING AN EMERGENCY" SO AS TO CORRECT THE LEGAL DESCRIPTION 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. Amrhein, 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 THE DRAFT ORDINANCE.

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

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

2008-117: A RESOLUTION AMENDING RESOLUTION NO. 2008-101, PASSED JULY 16, 2008, ENTITLED "A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE IN 10,124 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY CURTISS W. RUCKMAN FOR THE PURPOSE OF CONSTRUCTING THE NEW FAIRCHILD/CRAIN AVENUE BRIDGE, STREET WIDENING, CHANGING THE GRADE, DRIVEWAY, WALK CONSTRUCTION, AND GRADING IN FURTHERANCE OF PUBLIC ROADWAY RECONSTRUCTION OF SR 43, FAIRCHILD AVENUE, CRAIN AVENUE AND NORTH WATER STREET WHICH IS SITUATED ON BOTH SIDES OF THE CUYAHOGA RIVER, NEAR THE INTERSECTIONS OF FAIRCHILD AVENUE AND SR 43; CRAIN AVENUE AND SR 43; AND THE NEW INTERSECTION NEAR NORTH WATER STREET AND CRAIN AVENUE, IN THE CITY OF KENT, OHIO AND DECLARING AN EMERGENCY" SO AS TO CORRECT THE LEGAL DESCRIPTION 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. 08-117 by title only at this time.

AN ORDINANCE AMENDING ORDINANCE 2008-106, PASSED JULY 16, 2008, TO CORRECT THE DOLLAR AMOUNTS AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF KENT AND THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE PURPOSE OF CONSTRUCTING THE SPAULDING DRIVE BRIDGE REPLACEMENT TO ALLOW THE USE OF FEDERAL FUNDS IN THE AMOUNT OF \$463,000 WITH THE CITY MATCHING FUNDS OF IN THE AMOUNT OF \$115,750.

MOTION TO SUSPEND THE THREE READINGS.

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

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

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

2008-118: AN ORDINANCE AMENDING ORDINANCE 2008-106, PASSED JULY 16, 2008, TO CORRECT THE DOLLAR AMOUNTS AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF KENT AND THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE PURPOSE OF CONSTRUCTING THE SPAULDING DRIVE BRIDGE REPLACEMENT TO ALLOW THE USE OF FEDERAL FUNDS IN THE AMOUNT OF \$463,000 WITH THE CITY MATCHING FUNDS OF IN THE AMOUNT OF \$115,750.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 08-118 by title only at this time.

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION, PORTAGE COUNTY AND CSX TRANSPORTATION, FOR THE CONSTRUCTION OF A NEW GRADE SEPARATION STRUCTURE CARRYING FAIRCHILD AVENUE OVER THE TRACKS OF CSX TRANSPORTATION, INC., IN THE CITY OF KENT, PORTAGE COUNTY, OHIO, 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. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, 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 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, Mr. Amrhein, and Mr. DeLeone. The motion carried by a roll call vote of 9-0.

2008-119: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION, PORTAGE COUNTY AND CSX TRANSPORTATION, FOR THE CONSTRUCTION OF A NEW GRADE SEPARATION STRUCTURE CARRYING FAIRCHILD AVENUE OVER THE TRACKS OF CSX TRANSPORTATION, INC., IN THE CITY OF KENT, PORTAGE COUNTY, 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. 08-119 by title only at this time.

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION AND CSX TRANSPORTATION, FOR THE CONSTRUCTION OF A NEW GRADE SEPARATION STRUCTURE CARRYING A BIKE PATH AND UTILITIES OVER THE TRACKS OF CSX TRANSPORTATION, INC., IN THE CITY OF KENT, PORTAGE COUNTY, OHIO, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken on the motion. Voting aye: Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, 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. Hawksley.

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

2008-120: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION AND CSX TRANSPORTATION, FOR THE CONSTRUCTION OF A NEW GRADE SEPARATION STRUCTURE CARRYING A BIKE PATH AND UTILITIES OVER THE TRACKS OF CSX TRANSPORTATION, INC., IN THE CITY OF KENT, PORTAGE COUNTY, 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. 08-123 by title only at this time.

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION, PORTAGE COUNTY AND THE AKRON BARBERTON CLUSTER RAILWAY CO., FOR THE CONSTRUCTION OF THE FAIRCHILD AVENUE BRIDGE OVER THE TRACK OF THE AKRON BARBERTON CLUSTER RAILWAY CO., IN THE CITY OF KENT, PORTAGE COUNTY, OHIO, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken on the motion. Voting aye: Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Hawksley. 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. Hawksley.

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

2008-121: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION, PORTAGE COUNTY AND THE AKRON BARBERTON CLUSTER RAILWAY CO., FOR THE CONSTRUCTION OF THE FAIRCHILD AVENUE BRIDGE OVER THE TRACK OF THE AKRON BARBERTON CLUSTER RAILWAY CO., IN THE CITY OF KENT, PORTAGE COUNTY, 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. 08-125 by title only at this time.

AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT OF 771 SQUARE FEET OF REAL PROPERTY FROM ROGER G. THURMAN, 114 CRAIN AVENUE, FOR \$500.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION, AND THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE PROJECT AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken on the motion. Voting aye: Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, and Mr. Kuhar. 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. Hawksley.

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

2008-122: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT OF 771 SQUARE FEET OF REAL PROPERTY FROM ROGER G. THURMAN, 114 CRAIN AVENUE, FOR \$500.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION, AND THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE PROJECT 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. 08-126 by title only at this time.

AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT OF 636 SQUARE FEET OF REAL PROPERTY FROM LEON W. AND CAROL PILLSBURY, 118 CRAIN AVENUE, FOR \$425.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION, AND THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE PROJECT AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken on the motion. Voting aye: Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, 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 THE DRAFT ORDINANCE.

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

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

2008-123: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT OF 636 SQUARE FEET OF REAL PROPERTY FROM LEON W. AND CAROL PILLSBURY, 118 CRAIN AVENUE, FOR \$425.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION, AND THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE PROJECT 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. 08-127 by title only at this time.

AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT OF 718 SQUARE FEET OF REAL PROPERTY FROM RICHARD AND LAURA MAYDAK, 439 FAIRCHILD AVENUE, FOR \$500.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION, AND THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE PROJECT AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken on the motion. Voting aye: Ms. Wallach, Mr. Wilson, Mr. Amrhein, 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 THE DRAFT ORDINANCE.

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

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

2008-124: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT OF 718 SQUARE FEET OF REAL PROPERTY FROM RICHARD AND LAURA MAYDAK, 439 FAIRCHILD AVENUE, FOR \$500.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION, AND THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE PROJECT 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. 08-128 by title only at this time.

AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A PURCHASE AGREEMENT WITH THE CITY OF KENT, OHIO, BUYING AN INTEREST IN 634 SQUARE FEET AND OBTAINING A TEMPORARY EASEMENT OF 4,540 SQUARE FEET OF REAL PROPERTY FROM RICHARD J. AND LAURA L. MAYDAK, 617 NORTH WATER STREET FOR \$5,500.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION, AND THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE PROJECT AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken on the motion. Voting aye: Mr. Wilson, Mr. Amrhein, 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 THE DRAFT ORDINANCE.

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

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

2008-125: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A PURCHASE AGREEMENT WITH THE CITY OF KENT, OHIO, BUYING AN INTEREST IN 634 SQUARE FEET AND OBTAINING A TEMPORARY EASEMENT OF 4,540 SQUARE FEET OF REAL PROPERTY FROM RICHARD J. AND LAURA L. MAYDAK, 617 NORTH WATER STREET FOR \$5,500.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION, AND THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE PROJECT 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. 08-129 by title only at this time.

A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE IN 79 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY PATRICK E. FLANINGAN FOR THE PURPOSE OF CONSTRUCTING THE NEW FAIRCHILD/CRAIN AVENUE BRIDGE, STREET WIDENING, CHANGING THE GRADE, DRIVEWAY, WALK CONSTRUCTION, AND GRADING IN FURTHERANCE OF PUBLIC ROADWAY RECONSTRUCTION OF SR 43, FAIRCHILD AVENUE, CRAIN AVENUE AND NORTH WATER STREET WHICH IS SITUATED ON BOTH SIDES OF THE CUYAHOGA RIVER, NEAR THE INTERSECTIONS OF FAIRCHILD AVENUE AND SR 43; CRAIN AVENUE AND SR 43; AND THE NEW INTERSECTION NEAR NORTH WATER STREET AND CRAIN AVENUE, IN THE CITY OF KENT, OHIO AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken on the motion. Voting aye: Mr. Amrhein, 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 THE DRAFT ORDINANCE.

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

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

2008-126: A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE IN 79 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY PATRICK E. FLANINGAN FOR THE PURPOSE OF CONSTRUCTING THE NEW FAIRCHILD/CRAIN AVENUE BRIDGE, STREET WIDENING, CHANGING THE GRADE, DRIVEWAY, WALK CONSTRUCTION, AND GRADING IN FURTHERANCE OF PUBLIC ROADWAY RECONSTRUCTION OF SR 43, FAIRCHILD AVENUE, CRAIN AVENUE AND NORTH WATER STREET WHICH IS SITUATED ON BOTH SIDES OF THE CUYAHOGA RIVER, NEAR THE INTERSECTIONS OF FAIRCHILD AVENUE AND SR 43; CRAIN AVENUE AND SR 43; AND THE NEW INTERSECTION NEAR NORTH WATER STREET AND CRAIN AVENUE, IN THE CITY OF 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. 08-130 by title only at this time.

A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE IN 6,680 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY LLOYD E. ATKINSON FOR THE PURPOSE OF CONSTRUCTING THE NEW FAIRCHILD/CRAIN AVENUE BRIDGE, STREET WIDENING, CHANGING THE GRADE, DRIVEWAY, WALK CONSTRUCTION, AND GRADING IN FURTHERANCE OF PUBLIC ROADWAY RECONSTRUCTION OF SR 43, FAIRCHILD AVENUE, CRAIN AVENUE AND NORTH WATER STREET WHICH IS SITUATED ON BOTH SIDES OF THE CUYAHOGA RIVER, NEAR THE

INTERSECTIONS OF FAIRCHILD AVENUE AND SR 43; CRAIN AVENUE AND SR 43; AND THE NEW INTERSECTION NEAR NORTH WATER STREET AND CRAIN AVENUE, IN THE CITY OF KENT, OHIO AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

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

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

2008-127: A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE IN 6,680 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY LLOYD E. ATKINSON FOR THE PURPOSE OF CONSTRUCTING THE NEW FAIRCHILD/CRAIN AVENUE BRIDGE, STREET WIDENING, CHANGING THE GRADE, DRIVEWAY, WALK CONSTRUCTION, AND GRADING IN FURTHERANCE OF PUBLIC ROADWAY RECONSTRUCTION OF SR 43, FAIRCHILD AVENUE, CRAIN AVENUE AND NORTH WATER STREET WHICH IS SITUATED ON BOTH SIDES OF THE CUYAHOGA RIVER, NEAR THE INTERSECTIONS OF FAIRCHILD AVENUE AND SR 43; CRAIN AVENUE AND SR 43; AND THE NEW INTERSECTION NEAR NORTH WATER STREET AND CRAIN AVENUE, IN THE CITY OF 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. 08-131 by title only at this time.

A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE IN 7,133 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY TERRY MORMILE (PANCHO VILLA, INC.) FOR THE PURPOSE OF CONSTRUCTING THE NEW FAIRCHILD/CRAIN AVENUE BRIDGE, STREET WIDENING, CHANGING THE GRADE, DRIVEWAY, WALK CONSTRUCTION, AND GRADING IN FURTHERANCE OF PUBLIC ROADWAY RECONSTRUCTION OF SR 43, FAIRCHILD AVENUE, CRAIN AVENUE AND NORTH WATER STREET WHICH IS SITUATED ON BOTH SIDES OF THE CUYAHOGA RIVER, NEAR THE INTERSECTIONS OF FAIRCHILD AVENUE AND SR 43; CRAIN AVENUE AND SR 43; AND THE NEW INTERSECTION NEAR NORTH WATER STREET AND CRAIN AVENUE, IN THE CITY OF KENT, OHIO AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken on the motion. Voting aye: Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, 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 Mr. Hawksley.

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

2008-128: A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE IN 7,133 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY TERRY MORMILE (PANCHO VILLA, INC.) FOR THE PURPOSE OF CONSTRUCTING THE NEW FAIRCHILD/CRAIN AVENUE BRIDGE, STREET WIDENING, CHANGING THE GRADE, DRIVEWAY, WALK

CONSTRUCTION, AND GRADING IN FURTHERANCE OF PUBLIC ROADWAY RECONSTRUCTION OF SR 43, FAIRCHILD AVENUE, CRAIN AVENUE AND NORTH WATER STREET WHICH IS SITUATED ON BOTH SIDES OF THE CUYAHOGA RIVER, NEAR THE INTERSECTIONS OF FAIRCHILD AVENUE AND SR 43; CRAIN AVENUE AND SR 43; AND THE NEW INTERSECTION NEAR NORTH WATER STREET AND CRAIN AVENUE, IN THE CITY OF 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. 08-132 by title only at this time.

A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 1,709 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY PATRICK E. FLANINGAN FOR THE PURPOSE OF CONSTRUCTING THE NEW FAIRCHILD/CRAIN AVENUE BRIDGE, STREET WIDENING, CHANGING THE GRADE, DRIVEWAY, WALK CONSTRUCTION, AND GRADING IN FURTHERANCE OF PUBLIC ROADWAY RECONSTRUCTION OF SR 43, FAIRCHILD AVENUE, CRAIN AVENUE AND NORTH WATER STREET WHICH IS SITUATED ON BOTH SIDES OF THE CUYAHOGA RIVER, NEAR THE INTERSECTIONS OF FAIRCHILD AVENUE AND SR 43; CRAIN AVENUE AND SR 43; AND THE NEW INTERSECTION NEAR NORTH WATER STREET AND CRAIN AVENUE, IN THE CITY OF KENT, OHIO AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken on the motion. Voting aye: Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, 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. Hawksley.

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

2008-129: A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 1,709 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY PATRICK E. FLANINGAN FOR THE PURPOSE OF CONSTRUCTING THE NEW FAIRCHILD/CRAIN AVENUE BRIDGE, STREET WIDENING, CHANGING THE GRADE, DRIVEWAY, WALK CONSTRUCTION, AND GRADING IN FURTHERANCE OF PUBLIC ROADWAY RECONSTRUCTION OF SR 43, FAIRCHILD AVENUE, CRAIN AVENUE AND NORTH WATER STREET WHICH IS SITUATED ON BOTH SIDES OF THE CUYAHOGA RIVER, NEAR THE INTERSECTIONS OF FAIRCHILD AVENUE AND SR 43; CRAIN AVENUE AND SR 43; AND THE NEW INTERSECTION NEAR NORTH WATER STREET AND CRAIN AVENUE, IN THE CITY OF 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. 08-135 by title only at this time.

AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 604 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY ROBERT A. HOSPODOR FOR THE PURPOSE OF CONSTRUCTING THE NEW FAIRCHILD/CRAIN AVENUE BRIDGE, STREET WIDENING, CHANGING THE GRADE, DRIVEWAY, WALK CONSTRUCTION, AND GRADING IN FURTHERANCE OF PUBLIC ROADWAY RECONSTRUCTION OF SR 43, FAIRCHILD AVENUE, CRAIN AVENUE AND NORTH WATER STREET WHICH IS SITUATED ON BOTH SIDES OF THE CUYAHOGA RIVER, NEAR THE INTERSECTIONS OF FAIRCHILD AVENUE AND SR 43; CRAIN AVENUE AND SR 43; AND THE NEW INTERSECTION NEAR NORTH

WATER STREET AND CRAIN AVENUE, IN THE CITY OF KENT, OHIO AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken on the motion. Voting aye: Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, and Mr. Kuhar. 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. Hawksley.

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

2008-130: AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 604 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY ROBERT A. HOSPODOR FOR THE PURPOSE OF CONSTRUCTING THE NEW FAIRCHILD/CRAIN AVENUE BRIDGE, STREET WIDENING, CHANGING THE GRADE, DRIVEWAY, WALK CONSTRUCTION, AND GRADING IN FURTHERANCE OF PUBLIC ROADWAY RECONSTRUCTION OF SR 43, FAIRCHILD AVENUE, CRAIN AVENUE AND NORTH WATER STREET WHICH IS SITUATED ON BOTH SIDES OF THE CUYAHOGA RIVER, NEAR THE INTERSECTIONS OF FAIRCHILD AVENUE AND SR 43; CRAIN AVENUE AND SR 43; AND THE NEW INTERSECTION NEAR NORTH WATER STREET AND CRAIN AVENUE, IN THE CITY OF 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. 08-136 by title only at this time.

AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE IN 1,962 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY ROBERT A. HOSPODOR FOR THE PURPOSE OF CONSTRUCTING THE NEW FAIRCHILD/CRAIN AVENUE BRIDGE, STREET WIDENING, CHANGING THE GRADE, DRIVEWAY, WALK CONSTRUCTION, AND GRADING IN FURTHERANCE OF PUBLIC ROADWAY RECONSTRUCTION OF SR 43, FAIRCHILD AVENUE, CRAIN AVENUE AND NORTH WATER STREET WHICH IS SITUATED ON BOTH SIDES OF THE CUYAHOGA RIVER, NEAR THE INTERSECTIONS OF FAIRCHILD AVENUE AND SR 43; CRAIN AVENUE AND SR 43; AND THE NEW INTERSECTION NEAR NORTH WATER STREET AND CRAIN AVENUE, IN THE CITY OF KENT, OHIO AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken on the motion. Voting aye: Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, 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 THE DRAFT ORDINANCE.

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

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

2008-131: AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE IN 1,962 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY ROBERT A. HOSPODOR FOR THE PURPOSE OF CONSTRUCTING THE NEW FAIRCHILD/CRAIN AVENUE BRIDGE, STREET WIDENING, CHANGING THE GRADE, DRIVEWAY, WALK CONSTRUCTION, AND GRADING IN FURTHERANCE OF PUBLIC ROADWAY RECONSTRUCTION OF SR 43, FAIRCHILD AVENUE, CRAIN AVENUE AND NORTH WATER STREET WHICH IS SITUATED ON BOTH SIDES OF THE CUYAHOGA RIVER, NEAR THE INTERSECTIONS OF FAIRCHILD AVENUE AND SR 43; CRAIN AVENUE AND SR 43; AND THE NEW

INTERSECTION NEAR NORTH WATER STREET AND CRAIN AVENUE, IN THE CITY OF 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. 08-137 by title only at this time.

AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 275 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY KENNETH BELLAMY AND MARTHA W. MCCUTCHEON FOR THE PURPOSE OF CONSTRUCTING THE NEW FAIRCHILD/CRAIN AVENUE BRIDGE, STREET WIDENING, CHANGING THE GRADE, DRIVEWAY, WALK CONSTRUCTION, AND GRADING IN FURTHERANCE OF PUBLIC ROADWAY RECONSTRUCTION OF SR 43, FAIRCHILD AVENUE, CRAIN AVENUE AND NORTH WATER STREET WHICH IS SITUATED ON BOTH SIDES OF THE CUYAHOGA RIVER, NEAR THE INTERSECTIONS OF FAIRCHILD AVENUE AND SR 43; CRAIN AVENUE AND SR 43; AND THE NEW INTERSECTION NEAR NORTH WATER STREET AND CRAIN AVENUE, IN THE CITY OF KENT, OHIO AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken on the motion. Voting aye: Ms. Wallach, Mr. Wilson, Mr. Amrhein, 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 THE DRAFT ORDINANCE.

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

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

2008-132: AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 275 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY KENNETH BELLAMY AND MARTHA W. MCCUTCHEON FOR THE PURPOSE OF CONSTRUCTING THE NEW FAIRCHILD/CRAIN AVENUE BRIDGE, STREET WIDENING, CHANGING THE GRADE, DRIVEWAY, WALK CONSTRUCTION, AND GRADING IN FURTHERANCE OF PUBLIC ROADWAY RECONSTRUCTION OF SR 43, FAIRCHILD AVENUE, CRAIN AVENUE AND NORTH WATER STREET WHICH IS SITUATED ON BOTH SIDES OF THE CUYAHOGA RIVER, NEAR THE INTERSECTIONS OF FAIRCHILD AVENUE AND SR 43; CRAIN AVENUE AND SR 43; AND THE NEW INTERSECTION NEAR NORTH WATER STREET AND CRAIN AVENUE, IN THE CITY OF 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. 08-138 by title only at this time.

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE NORTHEAST FOUR COUNTY REGIONAL PLANNING AND DEVELOPMENT ORGANIZATION (NEFCO) FOR THE PURPOSE OF DEVELOPING A MIDDLE CUYAHOGA RIVER WATERSHED ACTION PLAN, AUTHORIZING ANNUAL FUNDING OF TWO THOUSAND DOLLARS (\$2,000) ANNUALLY FOR A FOUR-YEAR PERIOD, ALL CONTINGENT UPON RECEIPT OF A GRANT FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES TO FUND SAID POSITION; AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken on the motion. Voting aye: Mr. Wilson, Mr. Amrhein, 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 THE DRAFT ORDINANCE.

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

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

2008-133: AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH THE NORTHEAST FOUR COUNTY REGIONAL PLANNING AND DEVELOPMENT ORGANIZATION (NEFCO) FOR THE PURPOSE OF DEVELOPING A MIDDLE CUYAHOGA RIVER WATERSHED ACTION PLAN, AUTHORIZING ANNUAL FUNDING OF TWO THOUSAND DOLLARS (\$2,000) ANNUALLY FOR A FOUR-YEAR PERIOD, ALL CONTINGENT UPON RECEIPT OF A GRANT FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES TO FUND SAID POSITION; 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

Mr. Turner asked if they made both appointments for the Environmental Commission, earlier in the evening, and the Clerk said they approved a resolution appointing Caroline Arnold and Daniel Schweitzer.

Ms. Shaffer said it seems odd to mention snow at this time, but it will be flying soon enough. She said that one of the items under the Streets, Sidewalks and Utilities Committee deals with sidewalk snow removal.

MOTION TO ADVERTISE FOR A CITIZENS' COMMITTEE TO EXAMINE SIDEWALK SNOW REMOVAL, TO MAKE RECOMMENDATIONS ON CODE ENFORCEMENT, EDUCATION, AND PRIORITIES FOR SIDEWALK SNOW REMOVAL.

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

Ms. Shaffer said she has been approached by a number of people who would like to serve on the committee. She said she was very distressed last winter watching people trying to navigate sidewalks where people do not shovel, or where the City should have done snow removal, like on the main streets or bus stop routes. She said they need to get on this, otherwise they will be going into another year without a policy. She said this involves code enforcement, in general, and they can get some feedback from their new code enforcement officer on the ways to encourage people to shovel, and discourage those who do not shovel.

Mr. Hawksley commented that this is a perpetual issue.

Mr. Wilson said he cannot support the motion. He asked how many would be on the Committee, and who would select them. He suggested they put this into a meeting of the Streets, Sidewalks and Utilities Committee so that decision can be made. He said this is the first he has heard of a committee to make recommendations. He suggested they vote against the motion, and schedule the item. He said since it is already on the pending list, a motion could be made to bring it up as quickly as possible.

Mr. Kuhar said he did not know if this was the right avenue, adding there is a problem. He said they cannot make people shovel their sidewalks, but can make people not plow in front of the sidewalks. He said there should be discretionary plowing, adding he has to support Mr. Wilson's comments. He suggested they should put it back in committee, adding he would vote against the motion for that reason.

Ms. Shaffer said it was put on the pending list, but they had other priorities. She said it would be okay with her to put it in committee for a more thorough discussion. She said her idea is to have a group of people making recommendations that they can discuss. She said if they can put this on the agenda for the next committee meeting, she would be happy to withdraw the motion. The Clerk said that once a motion has been seconded, it cannot be withdrawn. Mr. Wilson suggested they vote it down.

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

MOTION TO SCHEDULE DISCUSSION ON IN THE STREETS, SIDEWALKS AND UTILITIES COMMITTEE FOR A PROPOSAL TO CREATE A CITIZENS COMMITTEE FOR REVIEW OF CITY SIDEWALK SNOW REMOVAL AS SOON AS POSSIBLE.

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

Mr. Kuhar said they have been trying to make Kent more financially sound. He said he wished to propose two things for the Administration to do at this time.

MOTION TO ASK THE ADMINISTRATION TO COME BACK WITH A PLAN THAT WILL REDUCE THE CONSUMPTION OF ENERGY OR FUEL BY 20% BY 2013.

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

Mr. Kuhar said this is very doable in a four-year period, and it is a matter of time to get it working. He said they need better planning on how they use their vehicles, the types they purchase, and other relevant issues. He said this is a conservative estimate on what they can say, adding it is not 20% of the cost, but 20% in consumption.

Mr. Hawksley said it would be worthwhile to have the administration take a preliminary look, adding they may need to do substantial work.

Ms. Wallach said she would support this. She agreed with Mr. Kuhar, adding one thing is education on how City employees use the vehicles. She said she had an experience on a hot day, where one employee left a vehicle running for forty-five minutes, while conversing the citizens. She said she pointed out they were wasting the citizens' money, and the employee still left the vehicle running.

Mr. Amrhein agreed with Mr. Kuhar. He said that Kent Schools do it, as do other places. Mr. Amrhein said they need to be conscious of the settings of the room temperatures, etc.

MOTION TO ASK THE CITY TO LOOK INTO THE POSSIBILITIES OF DRILLING GAS AND OIL WELLS FOR THE PURPOSE OF CREATING REVENUES OR TAPPING IN TO GET FREE GAS TO CUT DOWN ON THE COST OF UTILITIES.

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

Mr. Kuhar said they are sitting on a lot of unproductive land. He said they have a lot of land near Powdermill Road and Plum Creek. He said this is a fairly non-invasive process, and a lot of companies are looking for places to put their wells. He said if they capitalize on it, they could save in many ways. He said it is a positive way to think out of the box.

Mr. Hawksley said it is worth looking into, adding he is concerned about the proximity to their wellhead property. He said it is worth looking into the idea to see if it is worthwhile to study it in the future.

Ms. Shaffer shared the same concern about their water and well fields. She said she is all for local energy production, as long as it is responsible. She asked why they do not look at solar energy and geo thermal, also. She said they need to be out front in energy production.

Ms. Wallach asked about the possibility of wind generators, also, and suggested the location where a company has an antenna on the City's property. She asked if they have places to put wind generators.

Mr. Kuhar said with respect to the concerns about the wellheads, there are oil and gas well surrounding their wells on Powdermill Road currently, and are being controlled by the EPA. He said he imagined the standards are quite rigid, adding there is drilling for a new well off Rhodes Road currently. He said it should not be an issue, but should be a concern.

Ms. Wallach suggested they have to be careful with the current EPA standards, as they have changed.

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

MOTION TO REFER TO THE LAND USE COMMITTEE REVISIONS TO THE STANDARDS FOR THE CITY'S SIGN ORDINANCE.

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

Mr. Ferrara said that lately there have been temporary signs in Kent that are ugly, and do not look good. He said there have been neon yellow and red signs, adding they need to set a community standards that they are all proud of.

Mr. Hawksley said their sign ordinance is out of date, as is their zoning ordinance. He said with design standards being reviewed, they could dovetail this with revisions to the current ordinance. He said it would be most welcome with new development on the horizon. Mr. Hawksley said some temporary signs have been up for three to five years, adding it is because of a loophole in the ordinance. He said that loophole needs to be fixed.

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

MOTION TO DISCUSS THE CONTINUANCE WITH THE CITY'S CONTRACT WITH MAIN STREET AS SOON AS POSSIBLE FOR THE NEXT COMMITTEE NIGHT.

Motion made by Ms. Wallach.

Mayor Fender said he and the Manage have been reviewing that item. Mr. Ruller said they were talking about the first or second meeting in September.

Mr. Hawksley seconded the motion at this time, saying he was comfortable discussing it in September.

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

MOTION TO HAVE DISCUSSION OF PRESENTING A .25% INCREASE OF THE CITY INCOME TAX TO THE PUBLIC IN MAY.

Motion made by Ms. Wallach, seconded by Ms. Shaffer.

Ms. Wallach said she has been talking to people in her ward, adding it is taking longer, as she is spending forty-five minutes to one hour with people. She said they are talking about a reduction in the tax credit, and people do not see the whole picture. She said she would like to get it in front of the residents as soon as possible so they can see the plan. She said several people would have felt better if they placed the tax increase on the ballot first.

Mr. Wilson said he was voting against the discussion, as it is on the pending list for the Finance Committee, and they already planned to have that discussion in September. Ms. Wallach said her motion is complimenting that thought.

Mr. Kuhar said they have not had enough discussion on the topic. Mr. Wilson said that is why it is going to be discussed in the Finance Committee.

Mr. Ferrara questioned the purpose of the motion if it is going to be scheduled, and Mr. Hawksley noted it is on their pending list.

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

Ms. Wallach said she would like to speak to an item addressed by Ms. Wallach, regarding a lack of communication. She said as she has spoken to the residents, she has heard about things happening in her ward. She said she would like to know about them.

MOTION TO HAVE A DISCUSSION ON BETTER COMMUNICATION BETWEEN THE POLICE DEPARTMENT AND WARD COUNCIL MEMBERS.

Motion made by Ms. Wallach, seconded by Ms. Shaffer.

Ms. Shaffer said that Ms. Oswitch made a good point, adding she has wondered about the process. She said she would

like clarification on how they are notified in event of an emergency of a crime wave. She said it is important for the Council person to be notified and not be the last one to know.

Ms. Shaffer said they had some break ins in her immediate neighborhood a few months earlier. She said she was "low on the chain" when it came to finding out. Ms. Shaffer said she went from door to door, and told the people this was occurring. She said that once she found out from a neighborhood, they averted more crime.

Ms. Shaffer said that she would like this conversation, as well as the issue of neighborhood councils. She said they need to think of a way to strengthen the neighborhoods, so they get the information out faster. She said she believed that was already on the pending list.

Mr. Amrhein agreed, adding he has had calls from people regarding things that are occurring. He said the ward meetings help, and encouraged his colleagues to have a ward meeting, as they are a good help.

MOTION TO RECESS INTO EXECUTIVE SESSION FOR PENDING LITIGATION.

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

Roll call was taken on the motion. Voting aye: Mr. Wilson, Mr. Amrhein, 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 RECESS THIS MEETING.

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

MOTION TO ADJOURN THIS MEETING.

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

Hearing no further business before this Council, Mayor Fender adjourned this meeting at 10:00 p.m.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council