

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

This regular meeting of Kent City Council was called to order by Wayne Wilson, President Pro Tem, in the absence of John Fender, Mayor & President of Council, at 6:30 p.m.

PRESENT: MR. DELEONE, MR. FERRARA, MR. HAWKSLEY, MR. KUCHAR (ARR. @ 6:55 P.M.), MS. SHAFFER, MR. TURNER (ARR. @ 6:47 P.M.), MS. WALLACH, AND MR. WILSON

ALSO PRESENT: D. RULLER, CITY MANAGER; J. SILVER, LAW DIRECTOR; AND S. CHESTNUTWOOD, ACTING CLERK

ABSENT: J. FENDER, MAYOR; MR. AMRHEIN, COUNCIL; AND L. COPLEY, CLERK OF COUNCIL

MOTION TO EXCUSE MR. AMRHEIN

Motion made by Mr. Hawksley, seconded by Mr. DeLeone, and carried by a voice vote of 5-0-1, with Mr. Wilson abstaining

President Pro Tem called upon Mr. DeLeone for opening remarks at this time. Mr. DeLeone had no opening remarks, and led those present in the Pledge of Allegiance.

MOTION TO APPROVE THE MINUTES OF REGULAR COUNCIL MEETING OF JANUARY 16, 2008; WORK SESSIONS OF JANUARY 23, 2008, JANUARY 30, 2008, AND FEBRUARY 13, 2008; SPECIAL COUNCIL MEETINGS OF JANUARY 23, 2008 AND JANUARY 28, 2008; AND PUBLIC HEARING OF FEB. 6, 2008.

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

Ms. Shaffer asked if that also included the Health & Safety Committee minutes of Feb. 6, and Mr. Wilson said they were only approving the minutes listed on the agenda for approval.

The motion carried by a voice vote of 5-0-1, with Mr. Wilson abstaining.

Mr. Wilson called for audience comments at this time. Hearing none, he called upon the Acting Clerk for written correspondence at this time.

The Acting Clerk reported that notification was received on January 18, 2008 of the newly elected officers for the Kent Fire Fighters Association.

The Acting Clerk reported that a letter was received on January 24, 2008 from Fairmount Properties clarifying issues regarding their company and their involvement in other projects. She said that all members of Council received this letter on the same day.

The Acting Clerk reported that letters were received on January 28, 2008 from students in Windham with their thoughts on solving graffiti issues in Kent.

The Acting Clerk reported that notification was received from the Ohio Division of Liquor Control advising they have received a notice of a transfer for a D5 and D6 liquor license. She said the transfer request is from Atlantic & Great Western Depot, a Lt. Partnership, 152 Franklin Avenue, Kent to Kent Station LTD., dba Pufferbelly Restaurant. The Acting Clerk said that objections must be postmarked no later than January 29, 2008 and the Safety Director has no objections to this transfer.

The Acting Clerk reported that an agenda packet from the Jan. 17, 2008 Parks and Recreation Board

meeting were placed on file by Council's liaison, Wayne Wilson, on January 30, 2008.

The Acting Clerk reported that minutes of the Dec. 13, 2007 and Jan. 10, 2008 Standing Rock Cemetery Trustees meeting were placed on file by Council's representative, Mike DeLeone, on Feb. 6, 2008.

The Acting Clerk reported a letter was received, by certified mail, on Feb. 7, 2008 from Time Warner Cable advising of the new alignment to their channels to take effect in March, 2008.

The Acting Clerk reported that John Gargan, Jr. submitted his resignation to the Planning Commission effective March 31, 2008.

The Acting Clerk reported that a letter was received from the Kent Licensed Beverage Association and the Kent Area Chamber of Commerce on Feb. 7, 2008, requesting the City consider a moratorium on two-hour parking in the downtown area on Monday, March 17, 2008.

The Acting Clerk reported that carbon copies of emails were received to Council and/or various members of the Administration from Gregg Vilc, Kent Hotel, LLC between Jan. 30 through today, Feb. 20, 2008. She said these emails were previously distributed to Council. She said that a carbon copy of Mr. Hawksley's response was received on Feb. 17, 2008, and was forwarded to all members of Council.

The Acting Clerk reported that an application for placement of farmland in an Agricultural District was received from the Portage County Auditor for Newcomer Dev. Grp., LLC for two parcels located at the intersections of Newcomer Rd. and Johnson Rd. She said that by State law, the Council must have a public hearing within thirty days from the receipt of this application, and that public hearing will be on March 5, 2008.

The Acting Clerk reported that after the agenda was printed, an email was received from Beth Wellington of Blacksburg Virginia, asking Council to review information on their City regarding one of the potential developers for the downtown redevelopment. She said this email was forwarded to all members of Council on Feb. 16, 2008.

MOTION TO ACCEPT THE RESIGNATION WITH MR. GARGAN, SENDING HIM A LETTER OF THANKS.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone, and carried by a voice vote of 5-0-1, with Mr. Wilson abstaining.

MOTION TO RETURN THE LIQUOR LICENSE REQUEST WITH NO OBJECTIONS.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone, and carried by a voice vote of 5-0-1, with Mr. Wilson abstaining.

Hearing no further audience comment, President Pro Tem Wilson called for the City Manager's report.

MOTION TO AUTHORIZE ITEM #1, RENEWING THE CITY'S COMMITMENT TO WORK WITH THE KENT UNITED SERVICES ORGANIZATION (KUSO) FOR THE PLANNING AND OPERATION OF KUSO FOR ANOTHER FIVE-YEAR TERM.

Motion made by Mr. DeLeone, seconded by Mr. Ferrara, and carried by a voice vote of 5-0-1, with Mr. Wilson abstaining.

MOTION TO AUTHORIZE ITEMS #2 THROUGH 12 OF THE CITY MANAGER'S REPORT.

Motion made by Mr. DeLeone, seconded by Mr. Hawksley, and carried by a voice vote of 5-0-1, with Mr. Wilson abstaining.

The following items were approved by the aforementioned motion:

- 1) To appoint Jonathan Bey of the Kent State Senate to fill the student vacancy on the University

- Area Project and Traffic Planning Citizen Advisory Committee
- 2) To authorize eight amendments to ordinances passed in January for easement agreements, as they relate to the Crain/Fairchild Avenue Bridge project.
 - 3) To authorize a public hearing for March 5, 2008 for the Agricultural District request for the placement of farmland at Newcomer Road and Johnson Road.
 - 4) Health & Safety Committee, March, request to suspend two-hour parking on St. Patrick's Day by the Licensed Beverage Association.
 - 5) Streets, Sidewalks, and Utilities Committee, March, staff update on the Crain/Fairchild Avenue Bridge Project
 - 6) Community Development Committee, March, update on the progress of Summa/Robinson expansion at Devon Place
 - 7) Community Development Committee, to review proposed changes to the incubator policy
 - 8) Community Development Committee, development of an economic development incentive policy
 - 9) Community Development Committee, staff presentation for 2008 CDBG Action Plan

STANDING COMMITTEE REPORTS

COMMUNITY DEVELOPMENT COMMITTEE

MOTION TO APPROVE THE WRITTEN REPORT OF FEBRUARY 6, 2008 AND RECOMMENDED ACTION.

Motion made by Mr. Hawksley, seconded by Mr. DeLeone, and carried by a voice vote of 5-0-1, with Mr. Wilson abstaining.

The following action was approved by the aforementioned motion:

- 1) TO AUTHORIZE THE ADMINISTRATION TO FURTHER INVESTIGATION CITYWIDE TRASH PICKUP OPTIONS.

FINANCE COMMITTEE

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

Motion made by Mr. Ferrara, seconded by Mr. Hawksley, and carried by a voice vote of 5-0-1, with Mr. Wilson abstaining.

The following actions were approved by the aforementioned motion:

- 1) TO RECOMMEND A ONE-STEP INCREASE FOR THE CIVIL SERVICE COMMISSION'S EMPLOYEE
- 2) TO AUTHORIZE THE RECOMMENDED AMENDMENT TO THE DKC OPERATING AGREEMENT, INCLUDING THE EMERGENCY CLAUSE
- 3) TO AUTHORIZE LEGISLATION REQUESTING THE CONTINUATION OF FEES FROM AT & T AND TIME WARNER, INCLUDING THE EMERGENCY CLAUSE
- 4) TO AUTHORIZE THE ACQUISITION OF PROPERTIES FOR THE MIDDLEBURY ROAD BRIDGE, INCLUDING THE EMERGENCY CLAUSE.

President Pro Tem Wilson asked the Acting Clerk to read Draft No. 08-29 by title only at this time.

AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A PURCHASE AGREEMENT FOR THE CITY OF KENT, OHIO, BUYING AN EASEMENT IN .049 ACRES OF REAL PROPERTY FROM THE AKRON METRO REGIONAL TRANSIT AUTHORITY FOR \$1,050.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE CONSTRUCTION, MAINTENANCE, AND REPAIR OF THE NEW 12 INCH WATER TRANSMISSION PIPELINE AND DECLARING AN EMERGENCY.

MOTION TO APPROVE FIRST READING.

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

Roll call was taken on the motion. Voting aye: Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Ms. Shaffer, Ms. Wallach, and Mr. Wilson. The motion carried by a roll call vote of 6-0. The draft ordinance stands on first reading.

The President Pro Tem asked the Acting Clerk to read Draft No. 08-46 by title only at this time.

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT BETWEEN LEONARD TOMPKINS AND THE CITY OF KENT TO PURCHASE 0.0347 ACRES OF LAND FOR \$2,867.50 FOR IMPROVEMENTS TO THE MIDDLEBURY ROAD BRIDGE PROJECT AND DECLARING AN EMERGENCY.

MOTION TO APPROVE FIRST READING.

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

Roll call was taken on the motion. Voting aye: Mr. Ferrara, Mr. Hawksley, Ms. Shaffer, Ms. Wallach, Mr. Wilson, and Mr. DeLeone. The motion carried by a roll call vote of 6-0. The draft ordinance stands on first reading.

The President Pro Tem asked the Acting Clerk to read Draft No 08-47 by title only at this time.

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT BETWEEN THE CARTER JONES LUMBER COMPANY AND THE CITY OF KENT TO PURCHASE 0.2975 ACRES OF LAND FOR \$9,437.50 FOR IMPROVEMENTS TO THE MIDDLEBURY ROAD BRIDGE PROJECT AND DECLARING AN EMERGENCY.

MOTION TO APPROVE FIRST READING.

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

Roll call was taken on the motion. Voting aye: Mr. Hawksley, Ms. Shaffer, Ms. Wallach, Mr. Wilson, Mr. DeLeone, and Mr. Ferrara. The motion carried by a roll call vote of 6-0. The draft ordinance stands on first reading.

The Pro Tem Wilson asked the Acting Clerk to read Draft No. 08-48 by title only at this time.

A RESOLUTION AMENDING THE OPERATING AGREEMENT BETWEEN THE CITY OF KENT, OHIO AND THE KENT DOWNTOWN COMMUNITY URBAN REDEVELOPMENT CORPORATION, INC. ("DKC") DATED APRIL 10, 1995 AND ADOPTED BY KENT CITY COUNCIL TO CLARIFY THAT DKC IS ALLOWED TO ACQUIRE PROPERTIES ANYWHERE IN THE CITY WITH OR WITHOUT USING CITY OF KENT LOAN PROCEEDS, AND DECLARING AN EMERGENCY.

MOTION TO APPROVE FIRST READING.

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

Roll call was taken on the motion. Voting aye: Ms. Shaffer, Ms. Wallach, Mr. Wilson, Mr. DeLeone, Mr. Ferrara, and Mr. Hawksley. The motion carried by a roll call vote of 6-0. The draft ordinance stands on first reading.

The President Pro Tem asked the Acting Clerk to read Draft No. 08-49 by title only at this time.

A RESOLUTION REQUESTING THE PAYMENT OF CABLE VIDEO SERVICE PROVIDER FRANCHISE FEES FROM TIME WARNER CABLE TO THE CITY OF KENT, OHIO, IN THE AMOUNT OF 5% OF GROSS REVENUES AS DEFINED BY THE STATE OF OHIO, GENERATED BY TIME WARNER CABLE, EFFECTIVE IMMEDIATELY, AND DECLARING AN EMERGENCY.

MOTION TO APPROVE FIRST READING.

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

Roll call was taken on the motion. Voting aye: Ms. Shaffer, Ms. Wallach, Mr. Wilson, Mr. DeLeone, Mr. Ferrara, and Mr. Hawksley. The motion carried by a roll call vote of 6-0. The draft ordinance stands on first reading.

The President Pro Tem asked the Acting Clerk to read Draft No. 08-50 by title only at this time.

A RESOLUTION REQUESTING THE PAYMENT OF CABLE VIDEO SERVICE PROVIDER FRANCHISE FEES FROM AT & T OHIO TO THE CITY OF KENT, OHIO, IN THE AMOUNT OF 5% OF GROSS REVENUES AS DEFINED BY THE STATE OF OHIO, GENERATED BY AT & T OHIO, EFFECTIVE IMMEDIATELY, AND DECLARING AN EMERGENCY.

MOTION TO APPROVE FIRST READING.

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

Roll call was taken on the motion. Voting aye: Ms. Wallach, Mr. Wilson, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, and Ms. Shaffer. The motion carried by a roll call vote of 6-0. The draft ordinance stands on first reading.

The President Pro Tem asked the Acting Clerk to read Draft No. 08-52 by title only at this time.

AN ORDINANCE AMENDING THE GENERAL COMPENSATION PLAN FOR ALL UNCLASSIFIED AND VARIOUS CLASSIFIED EMPLOYEES OF THE CITY OF KENT, EXCEPT THE CITY MANAGER, FROM JANUARY 1, 2006 THROUGH DECEMBER 31, 2008 AS ADOPTED BY ORDINANCE 2006-61, PASSED MAY 17, 2006; AS AMENDED BY ORDINANCE NO. 2006-74, PASSED JUNE 14, 2006; AS AMENDED BY ORDINANCE NO. 2006-128, PASSED NOVEMBER 15, 2006; AS AMENDED BY ORDINANCE NO. 2007-33, PASSED APRIL 18, 2007; AND AS FURTHER AMENDED BY ORDINANCE NO. 2008-15, PASSED JANUARY 16, 2008; SO AS TO CHANGE THE NAME OF THE ADMINISTRATIVE ASSISTANT TO THE CIVIL SERVICE COORDINATOR AND UPGRADING THE PAY OF THE POSITION TO PAY CLASSIFICATION VI, PROFESSIONAL.

MOTION TO APPROVE FIRST READING.

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

Roll call was taken on the motion. Voting aye: Ms. Wallach, Mr. Wilson, Mr. DeLeone, Mr. Hawksley, and Ms. Shaffer. Mr. Ferrara dissented. The motion carried by a roll call vote of 5-1. The draft ordinance stands on first reading.

The President Pro Tem asked the Acting Clerk to read Draft No. 08-53 by title only at this time.

AN ORDINANCE AMENDING ORDINANCE NO. 2007-110, PASSED NOV. 26, 2007, ENTITLED "AN ORDINANCE ALLOCATING THE NUMBER OF PERSONS WHO MAY BE EMPLOYED BY THE CITY FOR THE YEAR 2008 WITH RESPECT TO EACH POSITION, TITLE AND WORK CLASSIFICATION RECOGNIZED BY THE CITY, DESIGNATING THE TREATMENT OF SUCH POSITIONS AS FULL OR PART-TIME POSITIONS AND DESIGNATING THE FUND OR FUNDS FROM WHICH EACH SUCH POSITION SHALL BE PAID." AS AMENDED BY ORDINANCE NO. 2008- 14, PASSED JANUARY 16, 2008, SO AS TO CHANGE THE TITLE OF ADMINISTRATIVE ASSISTANT TO THE CIVIL SERVICE COMMISSION TO CIVIL SERVICE COORDINATOR.

MOTION TO APPROVE FIRST READING.

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

Roll call was taken on the motion. Voting aye: Mr. Wilson, Mr. DeLeone, Mr. Hawksley, Ms. Shaffer, and Ms. Wallach. Mr. Ferrara dissented. The motion carried by a roll call vote of 5-1. The draft ordinance stands on first reading.

HEALTH & SAFETY COMMITTEE

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

Motion made by Mr. Hawksley, seconded by Mr. DeLeone, and carried by a voice vote 5-0-1.

Ms. Shaffer noted a correction in the minutes of Feb. 6, 2008, wherein Mr. Ferrara called a point of order and told Mr. Kuhar he had to step down if he wished to discuss the subject. She said the minutes indicated it was Mr. Amrhein, and should be corrected.

MOTION TO CORRECT THE MINUTES TO REFLECT MR. KUHAR, INSTEAD OF MR. AMRHEIN.

Motion made by Mr. Hawksley, seconded by Mr. Ferrara, and carried by a voice vote of 5-0-1, with Mr. Wilson abstaining.

The following actions were approved by the aforementioned motion:

- 1) **TO AUTHORIZE THE MODIFICATION TO PARKING PERMITS ON PORTAGE STREET, AS PRESENTED**
- 2) **TO AUTHORIZE THE STREET CLOSURE PERMIT FOR THE EARTH DAY FESTIVITIES ON APRIL 19 AND APRIL 20**

The President Pro Tem asked the Acting Clerk to read Draft No. 08-51 by title only at this time.

AN ORDINANCE AMENDING SECTION 353.02 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT ENTITLED "PARKING REGULATION AUTHORIZATION".

MOTION TO APPROVE THE FIRST READING.

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

Roll call was taken on the motion. Voting aye: Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Ms. Shaffer, Ms. Wallach, and Mr. Wilson. The motion carried by a roll call vote of 6-0. The draft ordinance stands on first reading.

LAND USE COMMITTEE

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

Motion made by Mr. Ferrara, seconded by Mr. DeLeone, and carried by a voice vote of 5-0-1, with Mr. Wilson abstaining.

The following action was approved by the aforementioned motion:

- 1) **TO AUTHORIZE THE MODIFICATION TO THE THOROUGHFARE PLAN, CONNECTING FOREST LAKES TO NEWCOMER ROAD.**

STREETS, SIDEWALKS & UTILITIES COMMITTEE

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

Motion made by Mr. DeLeone, seconded by Mr. Ferrara, and carried by a voice vote of 5-0-1, with Mr. Wilson abstaining.

- 1) **TO AUTHORIZE LEGISLATION SUPPORTING NOPEC, AND TO AUTHORIZE THE USE OF MONIES FOR ENERGY CONSERVATION.**
- 2) **TO AUTHORIZE BOTH AMATS APPLICATIONS, INCLUDING THE EMERGENCY CLAUSE.**
- 3) **TO AUTHORIZE THE RIGHT-OF-WAY EASEMENTS THAT WERE PRESENTED, AND ALLOWING THE ADMINISTRATION TO BRING FORWARD FUTURE LEGISLATION WITHOUT COMMITTEE TIME.**
- 4) **TO ADOPT THE COMPOSITION FOR THE CRAIN AVENUE BRIDGE COMMITTEE, WITH THE ELIMINATION OF CAROL NEFF.**

- 5) TO APPROVE THE CHANGES TO THE STORM WATER ORDINANCE, WITH THE INCLUSION OF THE EMERGENCY CLAUSE.

The President Pro Tem asked the Acting Clerk to read Draft No. 08-30 by title only at this time.

A RESOLUTION SUPPORTING THE PRESERVATION OF CUSTOMER CHOICE THROUGH OHIO ELECTRIC GOVERNMENTAL AGGREGATION.

MOTION TO APPROVE FIRST READING.

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

Roll call was taken on the motion. Voting aye: Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Ms. Shaffer, Ms. Wallach, and Mr. Wilson. The motion carried by a roll call vote of 6-0. The draft ordinance stands on first reading.

The President Pro Tem asked the Acting Clerk to read Draft No. 08-27 by title only at this time.

A RESOLUTION ALLOWING THE CITY MANAGER, OR HIS DESIGNEE TO APPLY FOR FEDERAL TRANSPORTATION ENHANCEMENT PROGRAM, (TEP) FUNDS PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) TO CONSTRUCT THE PORTAGE HIKE & BIKE TRAIL – TANNERY PARK SECTION, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS

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

Roll call was taken on the motion. Voting aye: Mr. Ferrara, Mr. Hawksley, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, and Mr. DeLeone. The motion carried by a roll call vote of 7-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

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

Roll call was taken on the motion. Voting aye: Mr. Ferrara, Mr. Hawksley, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, and Mr. DeLeone. The motion carried by a roll call vote of 7-0.

2008-26: A RESOLUTION ALLOWING THE CITY MANAGER, OR HIS DESIGNEE TO APPLY FOR FEDERAL TRANSPORTATION ENHANCEMENT PROGRAM, (TEP) FUNDS PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) TO CONSTRUCT THE PORTAGE HIKE & BIKE TRAIL – TANNERY PARK SECTION, AND DECLARING AN EMERGENCY.

Sheri Chestnutwood, Acting Clerk of Council

Wayne Wilson, President Pro Tem

President Pro Tem Wilson asked the Law Director if they could go back and reconsider all of the previous ordinances that are standing on First Reading, and the Law Director said that would only be possible if someone voted against them. Mr. Wilson commented that would not work.

The President Pro Tem asked the Acting Clerk to read Draft No. 08-28 by title only at this time.

A RESOLUTION ALLOWING THE CITY MANAGER, OR HIS DESIGNEE TO APPLY FOR FEDERAL SURFACE TRANSPORTATION PROGRAM, (STP) AND CONGESTION MITIGATION/AIR QUALITY (CMAQ) FUNDS PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) TO IMPROVE SUMMIT STREET, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS

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

Roll call was taken on the motion. Voting aye: Mr. Hawksley, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. DeLeone, and Mr. Ferrara. The motion carried by a roll call vote of 7-0.

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. Hawksley, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. DeLeone, and Mr. Ferrara. The motion carried by a roll call vote of 7-0.

2008-27: A RESOLUTION ALLOWING THE CITY MANAGER, OR HIS DESIGNEE TO APPLY FOR FEDERAL SURFACE TRANSPORTATION PROGRAM, (STP) AND CONGESTION MITIGATION/AIR QUALITY (CMAQ) FUNDS PROGRAMMED BY THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) TO IMPROVE SUMMIT STREET, AND DECLARING AN EMERGENCY.

Sheri Chestnutwood, Acting Clerk of Council

Wayne Wilson, President Pro Tem

The President Pro Tem asked the Acting Clerk to read Draft No. 08-31 by title only at this time.

AN ORDINANCE ADOPTING THE PROPOSED AMENDMENTS TO CHAPTER 1199 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT ENTITLED "EROSION CONTROLS", AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS

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

Roll call was taken on the motion. Voting aye: Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. DeLeone, Mr. Ferrara, and Mr. Hawksley. The motion carried by a roll call vote of 7-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

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

Roll call was taken on the motion. Voting aye: Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. DeLeone, Mr. Ferrara, and Mr. Hawksley. The motion carried by a roll call vote of 7-0.

2008-28: AN ORDINANCE ADOPTING THE PROPOSED AMENDMENTS TO CHAPTER 1199 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT ENTITLED "EROSION CONTROLS", AND DECLARING AN EMERGENCY.

Sheri Chestnutwood, Acting Clerk of Council

Wayne Wilson, President Pro Tem

The President Pro Tem asked the Acting Clerk to read Draft No. 08-32 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 1,430 SQUARE FEET OF REAL PROPERTY FROM DAVID R. AND SUSAN L. HELMING, 802 NORTH MANTUA, FOR \$1,450.00 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. Ferrara.

Roll call was taken on the motion. Voting aye: Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. DeLeone, Mr. Ferrara, and Mr. Hawksley. The motion carried by a roll call vote of 7-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

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

Roll call was taken on the motion. Voting aye: Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. DeLeone, Mr. Ferrara, and Mr. Hawksley. The motion carried by a roll call vote of 7-0.

2008-29: 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 1,430 SQUARE FEET OF REAL PROPERTY FROM DAVID R. AND SUSAN L. HELMING, 802 NORTH MANTUA, FOR \$1,450.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION, AND THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE PROJECT AND DECLARING AN EMERGENCY.

Sheri Chestnutwood, Acting Clerk of Council

Wayne Wilson, President Pro Tem

The President Pro Tem asked the Acting Clerk to read Draft No. 08-33 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 174 SQUARE FEET; OBTAINING A TEMPORARY EASEMENT OF 1,514 SQUARE FEET; AND A PERPETUAL EASEMENT OF 116 SQUARE FEET OF REAL PROPERTY FROM SYLVESTER W. AND REBECCA A. MOYSEENKO, 432 FAIRCHILD AVENUE, FOR \$4,996.00 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. Ferrara, seconded by Mr. Hawksley.

Roll call was taken on the motion. Voting aye: Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, and Ms. Shaffer. The motion carried by a roll call vote of 7-0.

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. Turner, Ms. Wallach, Mr. Wilson, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, and Ms. Shaffer. The motion carried by a roll call vote of 7-0.

2008-30: 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 174 SQUARE FEET; OBTAINING A TEMPORARY EASEMENT OF 1,514 SQUARE FEET; AND A PERPETUAL EASEMENT OF 116 SQUARE FEET OF REAL PROPERTY FROM SYLVESTER W. AND REBECCA A. MOYSEENKO, 432 FAIRCHILD AVENUE, FOR \$4,996.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION, AND THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE PROJECT AND DECLARING AN EMERGENCY.

Sheri Chestnutwood, Acting Clerk of Council

Wayne Wilson, President Pro Tem

The President Pro Tem asked the Acting Clerk to read Draft No. 08-34 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 TWO (2) TEMPORARY EASEMENTS, ONE OF 2,479 SQUARE FEET AND ONE OF 287 SQUARE FEET FOR A TOTAL OF 2,766 SQUARE FEET OF REAL PROPERTY FROM R.R.M.J. PROPERTIES OF OHIO, LLC, 107 LAKE, FOR \$2,500.00 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. Ferrara, seconded by Mr. Hawksley.

Roll call was taken on the motion. Voting aye: Ms. Wallach, Mr. Wilson, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Ms. Shaffer, and Mr. Turner. The motion carried by a roll call vote of 7-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

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

Roll call was taken on the motion. Voting aye: Ms. Wallach, Mr. Wilson, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, and Mr. Turner. The motion carried by a roll call vote of 8-0.

2008-31: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING TWO (2) TEMPORARY EASEMENTS, ONE OF 2,479 SQUARE FEET AND ONE OF 287 SQUARE FEET FOR A TOTAL OF 2,766 SQUARE FEET OF REAL PROPERTY FROM R.R.M.J. PROPERTIES OF OHIO, LLC, 107 LAKE, FOR \$2,500.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION, AND THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE PROJECT AND DECLARING AN EMERGENCY.

Sheri Chestnutwood, Acting Clerk of Council

Wayne Wilson, President Pro Tem

The President Pro Tem asked the Acting Clerk to read Draft No. 08-35 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 769 SQUARE FEET OF REAL PROPERTY FROM JOSETTE L. AND LLOYD E. ATKINSON, 133 LAKE, FOR \$800.00 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. Hawksley, seconded by Mr. Ferrara.

Roll call was taken on the motion. Voting aye: Mr. Wilson, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, and Ms. Wallach. The motion carried by a roll call vote of 8-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

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

Roll call was taken on the motion. Voting aye: Mr. Wilson, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, and Ms. Wallach. The motion carried by a roll call vote of 8-0.

2008-32: 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 769 SQUARE FEET OF REAL PROPERTY FROM JOSETTE L. AND LLOYD E. ATKINSON, 133 LAKE, FOR \$800.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION, AND THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE PROJECT AND DECLARING AN EMERGENCY.

Sheri Chestnutwood, Acting Clerk of Council

Wayne Wilson, President Pro Tem

The President Pro Tem asked the Acting Clerk to read Draft No. 08-36 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 IN 1449 SQUARE FEET OF REAL PROPERTY FROM RICHARD LOWENTHAL, 440 FAIRCHILD AVENUE FOR \$1,020.00 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. Hawksley, seconded by Mr. Ferrara.

Roll call was taken on the motion. Voting aye: 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 8-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Ferrara, 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, and Mr. Wilson. The motion carried by a roll call vote of 8-0.

2008-33: 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 IN 1449 SQUARE FEET OF REAL PROPERTY FROM RICHARD LOWENTHAL, 440 FAIRCHILD AVENUE FOR \$1,020.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION, AND THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE PROJECT AND DECLARING AN EMERGENCY.

Sheri Chestnutwood, Acting Clerk of Council

Wayne Wilson, President Pro Tem

The President Pro Tem asked the Acting Clerk to read Draft No. 08-37 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 111 SQUARE FEET AND OBTAINING A TEMPORARY EASEMENT OF 1464 SQUARE FEET OF REAL PROPERTY FROM RICHARD LOWENTHAL, 433 AND 435 FAIRCHILD AVENUE FOR \$1,725.00 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. Hawksley, seconded by Mr. Ferrara.

Roll call was taken on the motion. Voting aye: 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 8-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Ferrara, 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, and Mr. Wilson. The motion carried by a roll call vote of 8-0.

2008-34: 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 111 SQUARE FEET AND OBTAINING A TEMPORARY EASEMENT OF 1464 SQUARE FEET OF REAL PROPERTY FROM RICHARD LOWENTHAL, 433 AND 435 FAIRCHILD AVENUE FOR \$1,725.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION, AND THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE PROJECT AND DECLARING AN EMERGENCY.

Sheri Chestnutwood, Acting Clerk of Council

Wayne Wilson, President Pro Tem

The President Pro Tem asked the Acting Clerk to read Draft No. 08-38 by title only at this time.

AN ORDINANCE AMENDING ORDINANCE NO. 2008-21, PASSED JANUARY 16, 2008, ENTITLED “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 651 SQUARE FEET OF REAL PROPERTY FROM TIMOTHY J. SURGEN FOR \$675.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE AND DECLARING AN EMERGENCY”... (Clerk was interrupted).

MOTION TO SUSPEND THE THREE READINGS

Motion made by Mr. Hawksley, 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, and Mr. DeLeone. The motion carried by a roll call vote of 8-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Hawksley, 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, and Mr. DeLeone. The motion carried by a roll call vote of 8-0.

2008-35: AN ORDINANCE AMENDING ORDINANCE NO. 2008-21, PASSED JANUARY 16, 2008, ENTITLED “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 651 SQUARE FEET OF REAL PROPERTY FROM TIMOTHY J. SURGEN FOR \$675.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE AND DECLARING AN EMERGENCY” SO AS TO CLARIFY THE CITY OF KENT IS OBTAINING A TEMPORARY EASEMENT OF 651 SQUARE FEET OF REAL PROPERTY FROM TIMOTHY J. SURGEN, 814 NORTH MANTUA, FOR \$675.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION, AND THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE PROJECT AND DECLARING AN EMERGENCY.

Sheri Chestnutwood, Acting Clerk of Council

Wayne Wilson, President Pro Tem

The President Pro Tem asked the Acting Clerk to read Draft No. 08-39 by title only at this time.

AN ORDINANCE AMENDING ORDINANCE NO. 2008-22, PASSED JANUARY 16, 2008, ENTITLED “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 698 SQUARE FEET OF REAL PROPERTY FROM ANNE M. HOPKINS FOR \$2,242.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE AND DECLARING AN EMERGENCY”.....

MOTION TO SUSPEND THE THREE READINGS

Motion made by Mr. Ferrara, 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. DeLeone, and Mr. Ferrara. The motion carried by a roll call vote of 8-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Hawksley, 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. DeLeone, and Mr. Ferrara. The motion carried by a roll call vote of 8-0.

2008-36: AN ORDINANCE AMENDING ORDINANCE NO. 2008-22, PASSED JANUARY 16, 2008, ENTITLED “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 698 SQUARE FEET OF REAL PROPERTY FROM ANNE M. HOPKINS FOR \$2,242.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE AND DECLARING AN EMERGENCY” SO AS TO CLARIFY THE CITY OF KENT IS BUYING AN INTEREST IN 90 SQUARE FEET; OBTAINING A TEMPORARY EASEMENT OF 490 SQUARE FEET; AND A PERPETUAL EASEMENT OF 118 SQUARE FEET OF REAL PROPERTY FROM ANNE M. HOPKINS, 424 FAIRCHILD AVENUE FOR \$2,242.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION, AND THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE PROJECT AND DECLARING AN EMERGENCY.

Sheri Chestnutwood, Acting Clerk of Council

Wayne Wilson, President Pro Tem

The Mayor asked the Clerk to read Draft No. 08-40 by title only at this time.

AN ORDINANCE AMENDING ORDINANCE NO. 2008-23, PASSED JANUARY 16, 2008, ENTITLED “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 578 SQUARE FEET OF REAL PROPERTY FROM SUSAN AND JOHN K. LACY FOR \$300.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE AND DECLARING AN EMERGENCY” . . .

MOTION TO SUSPEND THE THREE READINGS

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

Roll call was taken on the motion. Voting aye: Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. DeLeone, Mr. Ferrara, and Mr. Hawksley. The motion carried by a roll call vote of 8-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

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

Roll call was taken on the motion. Voting aye: Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. DeLeone, Mr. Ferrara, and Mr. Hawksley. The motion carried by a roll call vote of 8-0.

2008-37: AN ORDINANCE AMENDING ORDINANCE NO. 2008-23, PASSED JANUARY 16, 2008, ENTITLED "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 578 SQUARE FEET OF REAL PROPERTY FROM SUSAN AND JOHN K. LACY FOR \$300.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE AND DECLARING AN EMERGENCY" SO AS TO CLARIFY THE CITY OF KENT IS OBTAINING A TEMPORARY EASEMENT OF 578 SQUARE FEET OF REAL PROPERTY FROM SUSAN AND JOHN K. LACY, 500 MANTUA, FOR \$300.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION, AND THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE PROJECT AND DECLARING AN EMERGENCY.

Sheri Chestnutwood, Acting Clerk of Council

Wayne Wilson, President Pro Tem

The President Pro Tem asked the Acting Clerk to read Draft No. 08-41 by title only at this time.

AN ORDINANCE AMENDING ORDINANCE NO. 2008-25, PASSED JANUARY 16, 2008, ENTITLED "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 1,165 SQUARE FEET OF REAL PROPERTY FROM SUSAN AND JOHN K. LACY FOR \$600.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE AND DECLARING AN EMERGENCY" . . .

President Pro Tem Wilson asked the Acting Clerk why she did not read the entire title, and she explained that they interrupted her on the first ordinance. Mr. Wilson asked her to read the balance of the title, and she did so at this time.

SO AS TO CLARIFY THE CITY OF KENT IS OBTAINING A TEMPORARY EASEMENT OF 1,165 SQUARE FEET OF REAL PROPERTY FROM SUSAN AND JOHN K. LACY, 508-510 MANTUA, FOR \$600.00 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. Hawksley, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, and Mr. Kuhar. The motion carried by a roll call vote of 8-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

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

Roll call was taken on the motion. Voting aye: Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, and Mr. Kuhar. The motion carried by a roll call vote of 8-0.

2008-38: AN ORDINANCE AMENDING ORDINANCE NO. 2008-25, PASSED JANUARY 16, 2008, ENTITLED "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 1,165 SQUARE FEET OF REAL PROPERTY FROM SUSAN AND JOHN K. LACY FOR \$600.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE AND DECLARING AN EMERGENCY" SO AS TO CLARIFY THE CITY OF KENT IS OBTAINING A TEMPORARY EASEMENT OF 1,165 SQUARE FEET OF REAL PROPERTY FROM SUSAN AND JOHN K. LACY, 508-510 MANTUA, FOR \$600.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION, AND THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE PROJECT AND DECLARING AN EMERGENCY.

Sheri Chestnutwood, Acting Clerk of Council

Wayne Wilson, President Pro Tem

The President Pro Tem asked the Acting Clerk to read Draft No. 08-42 by title only at this time.

AN ORDINANCE AMENDING ORDINANCE NO. 2008-24, PASSED JANUARY 16, 2008, ENTITLED "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 990 SQUARE FEET OF REAL PROPERTY FROM MARGARET LONGENBERGER FOR \$842.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE AND DECLARING AN EMERGENCY" SO AS TO CLARIFY THE CITY OF KENT IS BUYING AN INTEREST IN 120 SQUARE FEET AND OBTAINING A TEMPORARY EASEMENT OF 870 SQUARE FEET OF REAL PROPERTY FROM MARGARET LONGENBERGER, 416 FAIRCHILD AVENUE FOR \$842.00 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. Hawksley, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, and Ms. Shaffer. The motion carried by a roll call vote of 8-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

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

Roll call was taken on the motion. Voting aye: Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, and Ms. Shaffer. The motion carried by a roll call vote of 8-0.

2008-39: AN ORDINANCE AMENDING ORDINANCE NO. 2008-24, PASSED JANUARY 16, 2008, ENTITLED "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 990 SQUARE FEET OF REAL PROPERTY FROM MARGARET LONGENBERGER FOR \$842.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE AND DECLARING AN EMERGENCY" SO AS TO CLARIFY THE CITY OF KENT IS BUYING AN INTEREST IN 120 SQUARE FEET AND OBTAINING A TEMPORARY EASEMENT OF 870 SQUARE FEET OF REAL PROPERTY FROM MARGARET LONGENBERGER, 416 FAIRCHILD AVENUE FOR \$842.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION, AND THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE PROJECT AND DECLARING AN EMERGENCY.

Sheri Chestnutwood, Acting Clerk of Council

Wayne Wilson, President Pro Tem

The President Pro Tem asked the Acting Clerk to read Draft No. 08-43 by title only at this time.

AN ORDINANCE AMENDING ORDINANCE NO. 2008-19, PASSED JANUARY 16, 2008, ENTITLED "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 626 SQUARE FEET OF REAL PROPERTY FROM KAREN A. SHAW FOR \$625.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE AND DECLARING AN EMERGENCY" SO AS TO CLARIFY THE CITY OF KENT IS OBTAINING A TEMPORARY EASEMENT OF 626 SQUARE FEET OF REAL PROPERTY FROM KAREN A. SHAW, 820 NORTH MANTUA, FOR \$625.00 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. Hawksley, seconded by Mr. DeLeone.

Roll call was taken on the motion. Voting aye: Ms. Wallach, Mr. Wilson, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, and Mr. Turner. The motion carried by a roll call vote of 8-0.

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

2008-40: AN ORDINANCE AMENDING ORDINANCE NO. 2008-19, PASSED JANUARY 16, 2008, ENTITLED "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 626 SQUARE FEET OF REAL PROPERTY FROM KAREN A. SHAW FOR \$625.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE AND DECLARING AN EMERGENCY" SO AS TO CLARIFY THE CITY OF KENT IS OBTAINING A TEMPORARY EASEMENT OF 626 SQUARE FEET OF REAL PROPERTY FROM KAREN A. SHAW, 820 NORTH MANTUA, FOR \$625.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION, AND THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE PROJECT AND DECLARING AN EMERGENCY.

Sheri Chestnutwood, Acting Clerk of Council

Wayne Wilson, President Pro Tem

The President Pro Tem asked the Acting Clerk to read Draft No. 08-44 by title only at this time.

AN ORDINANCE AMENDING ORDINANCE NO. 2008-18, PASSED JANUARY 16, 2008, ENTITLED "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 1,323 SQUARE FEET OF REAL PROPERTY FROM JASON RAMSEY FOR \$1,130.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE NEW CONSTRUCTION OF THE CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE AND DECLARING AN EMERGENCY" SO AS TO CLARIFY THE CITY OF KENT IS BUYING AN INTEREST IN 120 SQUARE FEET AND OBTAINING A TEMPORARY EASEMENT OF 1,203 SQUARE FEET OF REAL PROPERTY FROM JASON RAMSEY,

414 FAIRCHILD AVENUE FOR \$1,130.00 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. Hawksley, seconded by Mr. Kuhar.

Roll call was taken on the motion. Voting aye: Mr. Wilson, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, and Ms. Wallach. The motion carried by a roll call vote of 8-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

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

Roll call was taken on the motion. Voting aye: Mr. Wilson, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Kuhar, Ms. Shaffer, Mr. Turner, and Ms. Wallach. The motion carried by a roll call vote of 8-0.

2008-41: AN ORDINANCE AMENDING ORDINANCE NO. 2008-18, PASSED JANUARY 16, 2008, ENTITLED "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 1,323 SQUARE FEET OF REAL PROPERTY FROM JASON RAMSEY FOR \$1,130.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE NEW CONSTRUCTION OF THE CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE AND DECLARING AN EMERGENCY" SO AS TO CLARIFY THE CITY OF KENT IS BUYING AN INTEREST IN 120 SQUARE FEET AND OBTAINING A TEMPORARY EASEMENT OF 1,203 SQUARE FEET OF REAL PROPERTY FROM JASON RAMSEY, 414 FAIRCHILD AVENUE FOR \$1,130.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION, AND THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE PROJECT AND DECLARING AN EMERGENCY.

Sheri Chestnutwood, Acting Clerk of Council

Wayne Wilson, President Pro Tem

The President Pro Tem asked the Acting Clerk to read Draft No. 08-45 by title only at this time.

AN ORDINANCE AMENDING ORDINANCE NO. 2008-20, PASSED JANUARY 16, 2008, ENTITLED "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 718 SQUARE FEET OF REAL PROPERTY FROM KAREN A. SHAW FOR \$790.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE AND DECLARING AN EMERGENCY" SO AS TO CLARIFY THE CITY OF KENT IS OBTAINING A TEMPORARY EASEMENT OF 718 SQUARE FEET OF REAL PROPERTY FROM KAREN A. SHAW, 824 NORTH MANTUA, FOR \$790.00 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. Hawksley, 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, and Mr. DeLeone. The motion carried by a roll call vote of 8-0.

MOTION TO ADOPT THE DRAFT ORDINANCE.

Motion made by Mr. Hawksley, 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, and Mr. DeLeone. The motion carried by a roll call vote of 8-0.

2008-42: AN ORDINANCE AMENDING ORDINANCE NO. 2008-20, PASSED JANUARY 16, 2008, ENTITLED "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 718 SQUARE FEET OF REAL PROPERTY FROM KAREN A. SHAW FOR \$790.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE AND DECLARING AN EMERGENCY" SO AS TO CLARIFY THE CITY OF KENT IS OBTAINING A TEMPORARY EASEMENT OF 718 SQUARE FEET OF REAL PROPERTY FROM KAREN A. SHAW, 824 NORTH MANTUA, FOR \$790.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION, AND THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE PROJECT AND DECLARING AN EMERGENCY.

Sheri Chestnutwood, Acting Clerk of Council

Wayne Wilson, President Pro Tem

SPECIAL COMMITTEE REPORTS None

UNFINISHED BUSINESS None

NEW BUSINESS

MOTION TO APPOINT ROBIN TURNER AS VICE CHAIR OF THE COMMUNITY DEVELOPMENT COMMITTEE

Motion made by Mr. Hawksley, seconded by Ms. Shaffer, and carried by a voice vote of 7-0-1, with Mr. Wilson abstaining.

Mr. Kuhar noted that Frank Stalnaker, a member of the community and his special friend, passed away. He said that Mr. Stalnaker devoted more than thirty years to the City of Kent Parks and Recreation Board. He called for a moment of silence at this time.

MOTION TO SCHEDULE A SPECIAL COUNCIL MEETING ON FEB. 27 TO CONSIDER ALL ORDINANCES STANDING ON A FIRST READING.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone, and carried by a voice vote of 6-1-1, with Ms. Wallach dissenting and Mr. Wilson abstaining.

President Pro Tem Wilson adjourned this meeting at 7:21 p.m.

Sheri Chestnutwood, Acting Clerk of Council

Wayne A. Wilson, President Pro Tem