

**THE CITY OF KENT OHIO
SPECIAL COUNCIL MEETING
MONDAY, NOV. 26, 2007
7:30 P.M.**

This special meeting of Kent City Council was called to order at 7:30 p.m. on Monday, Nov. 26, 2007 by John Fender, Mayor & President of Council

PRESENT: MR. BARGERSTOCK, MR. DELEONE, MR. FERRARA, MS. GAVRILOFF, MR. HAWKSLEY, MR. KUHAR, MS. OSWITCH, MR. SCHULTZ, AND MR. WILSON

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

MOTION TO AUTHORIZE 07-122.

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

The Mayor asked the Clerk to read Draft No 07-116 by title only at this time.

AN ORDINANCE APPROPRIATING FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2008.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken on the motion. Voting aye: Mr. DeLeone, Mr. Ferrara, Ms. Gavriloff, Mr. Hawksley, Mr. Kuhar, Ms. Oswitch, Mr. Schultz, and Mr. Wilson. Mr. Bargerstock dissented. The motion carried by a roll call vote of 8-1.

MOTION TO ADOPT THE DRAFT ORDINANCE.

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

Ms. Oswitch said she would be voting against adoption. She said she voted for suspension, as the necessary votes were available and she felt there was no point "dragging it out." She thanked those in the audience who came to the meeting.

Ms. Oswitch said she is perplexed. She said in the last three weeks, no one from staff has called her, telling her that there is not \$7 million missing. She said no Council members have called her. Ms. Oswitch said there is a huge difference in what they receive versus the paperwork from the County and the State. She said she did not understand why Council was not questioning the information.

Ms. Oswitch said she was also perplexed how they are not questioning the fact they are not receiving their own mail, adding it is falling through loopholes. She said it is mail fraud. Ms. Oswitch said there are three letters from the State and the County, with one from the Finance Director, all addressed to them, and there is no reason why they could not have received them since June.

Ms. Oswitch said Mr. Wilson is the chair of the Finance Committee, adding he has some of this information. She said that Portage County is a small county, and she talked to people at the County, and knows who received the information.

Ms. Oswitch said she is perplexed why there is a dollar amount of \$18 million on some of the papers, but their budget show a balance of \$11 million. She said she does not understand it.

Ms. Oswitch said she has thought long and hard about the budget, adding she is too honest to vote for it.

She said it is a good thing she will not be on Council the following year if this is how they are going to work.

MOTION TO AMEND TO ACCEPT THE BUDGET, PENDING THE ADMINISTRATION RETURNING WITHIN NINETY DAYS WITH A 2% TO 3% REDUCTION IN THE OVERALL BUDGET, NO AFFECTING THE SAFETY FORCES.

Motion made by Mr. Kuhar, and died for want of a second.

Mr. Bargerstock said he has made the same comments for the last seventeen, almost eighteen years. He said the budget represents a purposeful and willful over-expenditure of city revenues. Mr. Bargerstock said it is not a budget of City Council, but is a budget belonging to special interest groups. He said he feels sorry for the citizens of Kent, because this type of thing has continued to be perpetrated upon them, and forces them into unnecessary tax increases. He said it is not by his hand.

Mr. Kuhar said he cannot support the money either, adding he cannot run his house, spending more money than is coming in. He said they need to look at the actual income versus the monies being spent, adding they are out of balance. He said they need to separate the "I like" from the "I need."

Mr. Kuhar said he sees good things in the future, but they are not happening now. He said he cannot afford to squander taxpayers' money. Mr. Kuhar said everything can look fine on paper, but when they are spending more than they are making, it is wrong. He said they need drastic steps to correct it. He said those drastic steps include not putting money away for a Police Station, nor overspending for economic development, although it is important. He said they need to stretch and pull, and they are not doing that currently.

Mr. Schultz disagreed with all three comments. He said if \$7 million was missing, the Administration would be on it quickly. He said the Administration presented a budget that is close to what is necessary, and takes all issues into consideration.

Mr. Schultz said Mr. Bargerstock is right that he has been complaining for seventeen or eighteen years. He said for the last seventeen or eighteen years, they have not raised taxes, have had good budgets, and have fiscally managed the money of the citizens. He said if they can do that for the last seventeen or eighteen years, something tells him they are doing it right.

Roll call was taken on the motion. Voting aye: Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Mr. Schultz, and Mr. Wilson. Mr. Kuhar, Ms. Oswitch, Mr. Bargerstock, and Ms. Gavrilloff dissented. The motion carried by a roll call vote of 5-4.

2007-109: AN ORDINANCE APPROPRIATING FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2008.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 07-117 by title only at this time.

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.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken on the motion. Voting aye: Mr. Ferrara, Ms. Gavriloff, Mr. Hawksley, Mr. Kuhar, Ms. Oswitch, Mr. Schultz, Mr. Wilson, Mr. Bargerstock, 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. Hawksley.

Roll call was taken on the motion. Voting aye: Mr. Ferrara, Ms. Gavriloff, Mr. Hawksley, Mr. Kuhar, Ms. Oswitch, Mr. Schultz, Mr. Wilson, Mr. Bargerstock, and Mr. DeLeone. The motion carried by a roll call vote of 9-0.

2007-110: 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.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 07-122 by title only.

AN ORDINANCE ESTABLISHING FUND 129, A SPECIAL REVENUE FUND WITHIN THE CITY BUDGET, TO BE ENTITLED "WIRELESS 911 FUND" AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

Roll call was taken on the motion. Voting aye: Ms. Gavriloff, Mr. Hawksley, Mr. Kuhar, Ms. Oswitch, Mr. Schultz, Mr. Wilson, Mr. Bargerstock, 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: Ms. Gavriloff, Mr. Hawksley, Mr. Kuhar, Ms. Oswitch, Mr. Schultz, Mr. Wilson, Mr. Bargerstock, Mr. DeLeone, and Mr. Ferrara. The motion carried by a roll call vote of 9-0.

MOTION TO ADJOURN.

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

Hearing no further business before this Council, Mayor Fender adjourned this meeting at 7:35 p.m.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

