

**THE CITY OF KENT, OHIO
REGULAR COUNCIL
WED., OCT. 15, 2008**

This regular meeting of Kent City Council was called to order at 7:30 p.m. on Wed., Oct. 15, 2008, by John Fender, Mayor and President of Council.

PRESENT: MR. AMRHEIN, MR. DELEONE, MR. FERRARA, MR. HAWKSLEY, MR. KUHAR, MS. SHAFFER, MR. TURNER, MS. WALLACH (ARR. @ 7:32 p.m.), AND MR. WILSON

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

Mayor Fender called upon Council member Amrhein for his opening remarks.

Mr. Amrhein said it was exciting to drive by the Phoenix Project earlier in the week and to see the progress being made. He said he is thankful for the Main Street organization and Ron Burbick.

Following his opening remarks, Mr. Amrhein led those present in the Pledge of Allegiance.

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF SEPT. 17, 2008; WORK SESSION OF SEPT. 24, 2008; AND WORK SESSION OF OCT. 1, 2008.

Motion made by Mr. Amrhein, seconded by Mr. Ferrara, and carried by a voice vote of 8-0. (Ms. Wallach had not yet arrived for the vote).

Mayor Fender called for audience comment at this time. He reminded those wishing to speak to address Council, and to wait until the Clerk calls them forward.

DOUG: Doug said he was disappointed when he read the newspaper about the recall effort. He said he understands where people are coming from, but if the people involved do not believe there is political power in their statement, then they are mistaken. He said the Council has already turned back one item of concern, and is handling things in a highly appropriate fashion. Doug said if people do not believe the City, in the future, has a fiscal problem, then they need to read and study the information available. He said the City has done an in depth analysis, and he felt they were heading in the right direction. He said he understood there are difficult decisions, adding he does not blame them for backing off and reconsidering items. He said he knows they will bring back something that the citizens can vote on in Kent.

Doug said the congratulations to Mr. Burbick by Mr. Amrhein were well-founded. He said Mr. Burbick's project was only meant to be a catalyst in Kent to see the potential in Kent and to produce jobs. He said it is not just about spending money. He said jobs employ people, and those people pay taxes in Kent. Doug said he wanted to tell them they are heading in the right direction, and apologized for not coming more often.

Sue: Sue said she was disappointed when she heard about a possible recall of some Council members, adding she was totally shocked. She told Council they are exciting and fantastic, and she is totally surprised that people were upset with what they are doing. She said they work well together, adding she enjoys this group much more than a group a few years ago. She wished them luck.

Allan: Allan said his comments were similar to the last two speakers. He encouraged Council to continue their efforts to improve Kent's downtown area. He said they need to continue their efforts toward economic development. Allan said for a city to have a downtown that is rotting at the core is not acceptable, adding he hoped they would proceed and keep improving Kent. He said so many people are working hard to make the downtown better. He encouraged them to continue their work.

Allan said for those pursuing the absurd recall effort, he would ask them to reconsider spending about \$15,000 on special elections and putting Kent through the trauma.

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

The Clerk reported that all at-large Council members received an email from Laurel and David Hurst on Sept. 21, 2008 with questions and concerns regarding the proposed Sheetz and other issues. She said that Council member Hawksley responded to them on Sept. 22, 2008, and copies of his response were forwarded to all members of Council on Sept. 23, 2008.

The Clerk reported that an email was received through the Manager's Q&A forum from a resident on Erin Drive with questions about the tax reduction. She said that this was forwarded to all members of Council the same day for their response.

The Clerk reported that an email was received on Sept. 23, 2008 from Dan Smith, Economic Dev. Director, with an email he received from Greg Cowan of Cambia, thanking the Council for their support. She said this email was forwarded to all members of Council the same day.

The Clerk reported that information on recall elections was received from the Law Director on Sept. 23, 2008 and forwarded to all members of Council the same day.

The Clerk reported that an email was received from Kelby Persons with his recommendations on the City's financial issues. She said that this email was forwarded to all members of Council the same day.

The Clerk reported that an email was received from Council member Wallach on Sept. 23, 2008 with information regarding the discussion on Main Street and the use of a City employee as the Director. She said this email was forwarded to all members of Council the same day.

The Clerk reported that a carbon copy of an email sent to the Law Director from Carrie Gavrilloff and Beth Oswitch questioning a neighborhood meeting was received on Sept. 23, 2008. She said the email stated that a quorum of City representatives was present. The Clerk reported that this email was forwarded to all members on Sept. 24, 2008.

The Clerk reported that an email was received from Mike Pfahl with his thoughts on issues facing the City. She said this email was forwarded to all members on Sept. 24, 2008.

The Clerk reported that minutes of the Ward 2 neighborhood meeting of Sept. 23, 2008 were placed on file by Council member Amrhein on Sept. 24, 2008.

The Clerk reported that the agenda packet from the Sept. 18, 2008 Parks and Recreation Board meeting were placed on file by Council's representative, Wayne Wilson, on Sept. 24, 2008.

The Clerk reported that the Health Commissioner delivered an email on Sept. 24, 2008 advising that Thomas Bialke had resigned from the Health Board.

The Clerk reported that Council's Liaison to the Parks and Recreation Board, Mr. Wilson, advised the Clerk that Robert Wolf has moved out of Kent and resigned from the Parks and Recreation Board.

The Clerk reported that a carbon copy of email from James Copley, dated Sept. 25, 2006, to the Parks and Recreation Board was placed on file with the Clerk on Sept. 25, 2008. She said that Mr. Copley resigned as a part time employee with the Parks Department, as he felt there might be a conflict of interest in the future.

The Clerk reported that an email was received on September 25, 2008 from Joyce Barrett of Heritage Ohio, thanking Council for the opportunity to speak to them and for their support of the Main Street

program. She reported that this email was forwarded to all members of Council on Sept. 26, 2008.

The Clerk reported that an email was received on Sept. 27, 2008 from Ian Slaymaker & Tara Goode speaking against changes to the City's income tax credit and the proposed increase to the City's income tax rate. She said this email was forwarded to all members of Council on Sept. 28, 2008.

The Clerk reported that an email was received on Oct. 9, 2008 from Diana McMurtrey urging Council to repeal the tax credit reduction. She said this email was forwarded to all members of Council on Oct. 9, 2008.

The Clerk reported that prior to the start of this meeting, Council's representative on the Standing Rock Cemetery Board, Mr. DeLeone, placed minutes of the Sept. 11, 2008 board meeting on file.

City Manager's Report

MOTION TO APPROVE ITEM #1, AUTHORIZATION OF DRAFT NO. 08-178 AS AMENDED.

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

MOTION TO APPROVE ITEMS #2 THROUGH #11.

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

The following items were approved by the aforementioned motion:

- 1) Authorization of \$700 from Contingency Fund for food for the safety forces during the night of the downtown Halloween festivities.
- 2) Authorization of Draft No. 08-177, donation from Leslein Lawn & Landscaping, Adopt a Spot
- 3) Authorization of Draft No. 08-195, extension of civilian employee unit of FOP through 12/31/08.
- 4) Authorization of Draft No. 08-194, extension of dispatch unit of FOP through 12/31/08.
- 5) Authorization of Draft No. 08-196, extension of police officer unit of FOP through 12/31/08
- 6) Authorization of Draft Nos. 08-179, 08-180, and 08-181, right-of-way agreements for bridge project
- 7) Authorization of agenda time, Health & Safety Committee, recommendations of Parking Action Committee, Erie Street, Gougler Ave., and College Court
- 8) Authorization of agenda time, Streets, Sidewalks & Utilities Committee, request to drill gas well on City-owned property
- 9) Authorization of agenda time, Finance Committee, discussion of equipment grants from Homeland Security and FEMA.
- 10) Authorization to remove Items #2, #3, #4, #5, #7, #8, #11, #12, #13, #15, #17, #20, #21, #22, #26, and #33 from the administrative pending list, as presented on Oct. 1, 2008.

MOTION TO APPROVE AN EXECUTIVE SESSION, PRIOR TO ADJOURNMENT FOR PENDING LITIGATION.

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

STANDING COMMITTEE REPORTS

At this time, Mayor Fender announced the results from the balloting for vacancies on various boards and commissions:

Board of Zoning Appeals: STEVE BALAZS

Cable Television Commission: DAVID WALLACE

Mayor Fender said there was a tie between ELIZABETH HOWARD and PAUL SELLMAN III for the

vacancy on the Board of Zoning Appeals, and they would rebalot at this time.

Following the second ballot, Mayor Fender announced that Elizabeth Howard won as the appointment to the Board of Zoning Appeals.

MOTION TO AUTHORIZE DRAFT NO. 08-174 AND DRAFT NO. 08-175 WITH THE APPROPRIATE NAMES.

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

The Mayor asked the Clerk to read Draft No. 08-174 by title only at this time.

A RESOLUTION APPOINTING STEVE BALAZS AND ELIZABETH HOWARD TO THE BOARD OF ZONING APPEALS, 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.

2008-167: A RESOLUTION APPOINTING STEVE BALAZS AND ELIZABETH HOWARD TO THE BOARD OF ZONING APPEALS, 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. 08-175 by title only at this time.

A RESOLUTION APPOINTING DAVID WALLACE TO THE CABLE TELEVISION COMMITTEE, 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. 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.

2008-168: A RESOLUTION APPOINTING DAVID WALLACE TO THE CABLE TELEVISION COMMITTEE, 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 SEPT. 24, 2008, WITH THE RECOMMENDED ACTION OF AUTHORIZING TWO MORE YEARS FOR MAIN STREET'S FUNDING, WITH A REVIEW AFTER ONE YEAR.

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

Ms. Wallach said she was going to make an amendment, and said she would offer some background information at this time. Ms. Wallach said she has been on the board of Main Street since its beginning, and served on the steering committee that filled out the initial application, which enabled Kent to be accepted as a Main Street community. She said she joined the Design Committee, and still serves on the Committee. She said Main Street has made significant contributions to Kent, having hosted some successful downtown events, and helped to promote others. She said they have obtained new trash cans for downtown. She said as a member of the organization, and seeing it from the inside, she has some concerns.

Mayor Fender asked Ms. Wallach if she made her amendment, and Ms. Wallach said she wanted to give some background before making the amendment.

Mr. Wilson called for a point of order at this time, and asked if this was the appropriate time to make an amendment.

The Clerk, who serves as Council's parliamentarian, said that the motion was approving the written report, as prepared, with the recommended action of the meeting being authorized. She said Ms. Wallach's amendment would be appropriate as she was amending the action they were about to authorize.

Mr. Hawksley told Ms. Wallach she needed to make her amendment first.

MOTION TO AMEND THE AUTHORIZED ACTION, WHICH PROVIDED TWO MORE YEARS OF FUNDING FOR MAIN STREET TO INCLUDE THREE BENCHMARKS, WITH THOSE BENCHMARKS BEING AN EFFECTIVE INTERNAL COMMUNICATION SYSTEM PUT IN PLACE; WITH SUCCESS DEFINED AS THE FOLLOWING: AT THE END OF EVERY COMMITTEE MEETING, MINUTES WILL BE SENT TO THE OTHER THREE COMMITTEES' MEMBERS AND THE BOARD; A SUMMARY OF ALL BOARD MEETINGS WOULD BE SENT TO ALL FOUR COMMITTEES AND THEIR MEMBERS WITHIN TEN DAYS; A NEW VOLUNTEER DEVELOPMENT PROGRAM IS DESIGNED AND IMPLEMENTED; AND OUTSIDE OF THE BURBICK FOUNDATION DONATION, A FUNDRAISING EFFORT PRODUCING \$50,000.

Motion made by Ms. Wallach, and died for want of a second.

The original motion carried by a voice vote of 6-2, with Ms. Wallach and Mr. Kuhar dissenting and Mr. Amrhein abstaining.

MOTION TO APPROVE THE WRITTEN REPORT OF OCT. 1, 2008, WHERE AN UPDATE ON THE COMPREHENSIVE BIKE PLAN WAS PRESENTED AND NO ACTION WAS NEEDED.

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

The Mayor asked the Clerk to read Draft No. 08-176 by title only at this time.

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE MAIN STREET PROGRAM CONTINUING THE RELATIONSHIP BETWEEN THE CITY, MAIN STREET, AND MARY GILBERT.

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, Ms. Shaffer, Mr. Turner, Mr. Wilson, Mr. DeLeone, and Mr. Ferrara. Mr. Kuhar and Ms. Wallach dissented, and Mr. Amrhein abstained. The motion failed by a roll call vote of 6-2-1.

MOTION TO APPROVE FIRST READING.

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

Roll call was taken on the motion. Voting aye: Mr. Hawksley, Ms. Shaffer, Mr. Turner, Mr. Wilson, Mr. DeLeone, and Mr. Ferrara. Mr. Kuhar and Ms. Wallach dissented, and Mr. Amrhein abstained. The motion carried by a roll call vote of 6-2-1.

FINANCE COMMITTEE

MOTION TO APPROVE THE WRITTEN REPORT OF OCT. 1, 2008 AND THE RECOMMENDED ACTION, AUTHORIZING THE CITY TO JOIN REGIONAL INCOME TAX AUTHORITY FOR TWO YEARS, WITH FREQUENT EVALUATIONS, AND THE INCLUSION OF SUBSTANTIAL INFORMATION IN THE TREE CITY BULLETIN.

Motion made by Mr. Wilson, seconded by Mr. Hawksley, and carried by a voice vote of 8-0-1, with Mr. Amrhein abstaining.

MOTION TO APPROVE THE WRITTEN REPORT OF OCT. 9, 2008, WITH THE RECOMMENDATION THAT ORDINANCE NO. 2008-135 BE AMENDED SO AS TO RESTORE THE TAX CREDIT TO 100% OF THE 2% INCOME TAX, WITH THE EMERGENCY CLAUSE.

Motion made by Mr. Wilson, seconded by Mr. DeLeone, and carried by a voice vote of 8-1, with Mr. Hawksley dissenting.

The Mayor asked the Clerk to read Draft No. 08-177 by title only at this time.

AN ORDINANCE ACCEPTING A DONATION TO THE CITY OF KENT ADOPT-A-SPOT FROM LESLEIN LAWN & LANDSCAPING 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: 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. Wilson, seconded by Mr. Ferrara.

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.

2008-169: AN ORDINANCE ACCEPTING A DONATION TO THE CITY OF KENT ADOPT-A-SPOT FROM LESLEIN LAWN & LANDSCAPING IN THE AMOUNT OF \$250.00 AND DECLARING AN EMERGENCY.

The Mayor asked the Clerk to read Draft No. 08-194 by title only at this time.

AN ORDINANCE AUTHORIZING AN EXTENSION OF ORDINANCE NO. 2006-53, PASSED ON MAY 3, 2006, THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL FOR THE DISPATCH EMPLOYEE UNIT, FROM OCTOBER 31, 2008 TO DECEMBER 31, 2008 OR, AT THE DISCRETION OF THE CITY MANAGER, AN ADDITIONAL SIXTY (60) DAYS, FROM DECEMBER 31, 2008, 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. 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.

2008-170: AN ORDINANCE AUTHORIZING AN EXTENSION OF ORDINANCE NO. 2006-53, PASSED ON MAY 3, 2006, THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL FOR THE DISPATCH EMPLOYEE UNIT, FROM OCTOBER 31, 2008 TO DECEMBER 31, 2008 OR, AT THE DISCRETION OF THE CITY MANAGER, AN ADDITIONAL SIXTY (60) DAYS, FROM DECEMBER 31, 2008, 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. 08-195 by title only at this time.

AN ORDINANCE AUTHORIZING AN EXTENSION OF ORDINANCE NO. 2006-54, PASSED ON MAY 3, 2006, THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL FOR THE CIVILIAN EMPLOYEE UNIT, FROM OCTOBER 31, 2008 TO DECEMBER 31, 2008 OR, AT THE DISCRETION OF THE CITY MANAGER, AN ADDITIONAL SIXTY (60) DAYS, FROM DECEMBER 31, 2008, 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. 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. Ferrara.

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

2008-171: AN ORDINANCE AUTHORIZING AN EXTENSION OF ORDINANCE NO. 2006-54, PASSED ON MAY 3, 2006, THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL FOR THE CIVILIAN EMPLOYEE UNIT, FROM OCTOBER 31, 2008 TO DECEMBER 31, 2008 OR, AT THE DISCRETION OF THE CITY MANAGER, AN ADDITIONAL SIXTY (60) DAYS, FROM DECEMBER 31, 2008, 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. 08-196 by title only at this time.

AN ORDINANCE AUTHORIZING AN EXTENSION OF ORDINANCE NO. 2006-52, PASSED ON MAY 3, 2006, THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL FOR THE POLICE OFFICER UNIT, FROM OCTOBER 31, 2008 TO DECEMBER 31, 2008 OR, AT THE DISCRETION OF THE CITY MANAGER, AN ADDITIONAL SIXTY (60) DAYS, FROM DECEMBER 31, 2008, 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.

2008-172: AN ORDINANCE AUTHORIZING AN EXTENSION OF ORDINANCE NO. 2006-52, PASSED ON MAY 3, 2006, THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND THE FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL FOR THE POLICE OFFICER UNIT, FROM OCTOBER 31, 2008 TO DECEMBER 31, 2008 OR, AT THE DISCRETION OF THE CITY MANAGER, AN ADDITIONAL SIXTY (60) DAYS, FROM DECEMBER 31, 2008, 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. 08-197 by title only at this time.

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY OF KENT, OHIO, TG CARPENTER dba "THE BARN" AND LINCOLN BARINGER FOR THE PROPERTY LOCATED AT 200 SOUTH DEPEYSTER STREET, 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. 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. 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.

2008-173: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE A LEASE AGREEMENT BETWEEN THE CITY OF KENT, OHIO, TG CARPENTER dba "THE BARN" AND LINCOLN BARINGER FOR THE PROPERTY LOCATED AT 200 SOUTH DEPEYSTER STREET, 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. 08-198 by title only at this time.

AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A TWO (2) YEAR CONTRACT WITH A REGIONAL COUNCIL OF GOVERNMENTS FOR THE PURPOSE OF ADMINISTRATION AND COLLECTION OF MUNICIPAL INCOME TAX IN THE CITY OF KENT, OHIO 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. 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. Wilson, seconded by Mr. Ferrara.

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.

2008-174: AN ORDINANCE AUTHORIZING AND DIRECTING THE CITY MANAGER TO EXECUTE A TWO (2) YEAR CONTRACT WITH A REGIONAL COUNCIL OF GOVERNMENTS FOR THE PURPOSE OF ADMINISTRATION AND COLLECTION OF MUNICIPAL INCOME TAX 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. 08-199 by title only at this time.

AN ORDINANCE AMENDING SECTION 181.18 OF THE CITY OF KENT CODIFIED ORDINANCES ENTITLED "TAX CREDIT", AND CHANGING THE TAX CREDIT TO AN AMOUNT EQUAL TO 100% OF THE AMOUNT OBTAINED BY MULTIPLYING THE LOWER OF THE TAX RATE OF SUCH OTHER MUNICIPALITY OR THE CITY OF KENT BY THE TAXABLE INCOME EARNED, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

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

Roll call was taken on the motion. Voting aye: Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, and Mr. Amrhein. Mr. Hawksley dissented. The motion carried by a roll call vote of 8-1.

2008-175: AN ORDINANCE AMENDING SECTION 181.18 OF THE CITY OF KENT CODIFIED ORDINANCES ENTITLED "TAX CREDIT", AND CHANGING THE TAX CREDIT TO AN AMOUNT EQUAL TO 100% OF THE AMOUNT OBTAINED BY MULTIPLYING THE LOWER OF THE TAX RATE OF SUCH OTHER MUNICIPALITY OR THE CITY OF KENT BY THE TAXABLE INCOME EARNED, AND DECLARING AN EMERGENCY.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

HEALTH & SAFETY COMMITTEE

The Mayor asked the Clerk to read Draft No. 08-192 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 SUSPEND THE THREE READINGS.

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

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.

2008-176: AN ORDINANCE AMENDING SECTION 353.02 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT ENTITLED "PARKING REGULATION AUTHORIZATION."

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

The Mayor asked the Clerk to read Draft No. 08-193 by title only at this time.

AN ORDINANCE AMENDING SECTION 313.12 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT ENTITLED "TRAFFIC CONTROL DEVICES."

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. 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. Kuhar.

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.

2008-177: AN ORDINANCE AMENDING SECTION 313.12 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT ENTITLED "TRAFFIC CONTROL DEVICES."

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council

STREETS, SIDEWALKS & UTILITIES COMMITTEE

MOTION TO APPROVE THE WRITTEN REPORT OF OCT. 1, 2008, AND THE RECOMMENDATION OF AUTHORIZING THE DEDICATION OF STONEWATER DRIVE

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

The Mayor asked the Clerk to read Draft No. 08-172, which stands on first reading, by title only at this time.

AN ORDINANCE RENAMING SECTION 933 OF THE KENT CODIFIED ORDINANCES ENTITLED "GARBAGE" TO "CITYWIDE REFUSE SERVICE" AND AMENDING THE SAME TO CREATE A SINGLE TRASH HAULER IN THE CITY FOR SINGLE UNIT RESIDENTIAL PROPERTIES TO BE HIRED BY BID AND GOVERNING ALL TRASH HAULERS WITHIN THE CITY, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

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

MOTION TO ADOPT THE DRAFT ORDINANCE

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

Ms. Wallach asked if this puts into play picking the single hauler for trash service in Kent, and the City

Manager said this allows the City to advertise for bids. He said if they choose to go that route, they will return to Council.

Ms. Wallach said she wanted to be sure the education process is done before this program hits the streets. Mayor Fender said it would return to them first.

Mr. Kuhar said he understood that this is not a vote for a single-hauler method of trash pickup, adding it just needs a final zipper and is a done deal. Mr. Kuhar said that voting on this would be the same as participating in the end result that he does not believe in.

Roll call was taken on the motion. Voting aye: Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Hawksley. Mr. Kuhar dissented. The motion carried by a roll call vote of 8-1.

2008-178: AN ORDINANCE RENAMING SECTION 933 OF THE KENT CODIFIED ORDINANCES ENTITLED "GARBAGE" TO "CITYWIDE REFUSE SERVICE" AND AMENDING THE SAME TO CREATE A SINGLE TRASH HAULER IN THE CITY FOR SINGLE UNIT RESIDENTIAL PROPERTIES TO BE HIRED BY BID AND GOVERNING ALL TRASH HAULERS WITHIN THE CITY, 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. 08-173, which stands on first reading, by title only at this time.

AN ORDINANCE AMENDING SECTION 935.99 OF THE CITY OF KENT CODIFIED ORDINANCE TO REFLECT A CHANGE IN CODE SECTION NUMBERS CHANGING (933.08 TO 933.26) NECESSITATED BY THE RESTRUCTURING OF CHAPTER 933 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: 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.

2008-179: AN ORDINANCE AMENDING SECTION 935.99 OF THE CITY OF KENT CODIFIED ORDINANCE TO REFLECT A CHANGE IN CODE SECTION NUMBERS CHANGING (933.08 TO 933.26) NECESSITATED BY THE RESTRUCTURING OF CHAPTER 933 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. 08-178 by title only at this time.

AN ORDINANCE AMENDING ORDINANCE NO. 2008-150, PASSED SEPTEMBER 17, 2008, ENTITLED "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 CONSISTING OF 462 SQUARE FEET AND ONE CONSISTING OF 3,273 SQUARE FEET FOR A TOTAL OF 3,735 SQUARE FEET; AND A PERPETUAL EASEMENT OF 4,995 SQUARE FEET OF REAL PROPERTY FROM SCOTT A. HERSHISER, 425 GOUGLER AVENUE FOR \$26,813.00 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, OHIO IS OBTAINING TWO (2) TEMPORARY EASEMENTS, ONE CONSISTING OF 462 SQUARE FEET AND ONE CONSISTING OF 3,273 SQUARE FEET FOR A TOTAL OF 3,735 SQUARE FEET; AND A PERPETUAL EASEMENT OF 4,995 SQUARE FEET OF REAL PROPERTY FROM SCOTT A. HERSHISER, 425 GOUGLER AVENUE FOR \$41,000.00 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. 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. DeLeone, seconded by Mr. Ferrara,

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.

2008-180: AN ORDINANCE AMENDING ORDINANCE NO. 2008-150, PASSED SEPTEMBER 17, 2008, ENTITLED "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 CONSISTING OF 462 SQUARE FEET AND ONE CONSISTING OF 3,273 SQUARE FEET FOR A TOTAL OF 3,735 SQUARE FEET; AND A PERPETUAL EASEMENT OF 4,995 SQUARE FEET OF REAL PROPERTY FROM SCOTT A. HERSHISER, 425 GOUGLER AVENUE FOR \$26,813.00 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, OHIO IS OBTAINING TWO (2) TEMPORARY EASEMENTS, ONE CONSISTING OF 462 SQUARE FEET AND ONE CONSISTING OF 3,273 SQUARE FEET FOR A TOTAL OF 3,735 SQUARE FEET; AND A PERPETUAL EASEMENT OF 4,995 SQUARE FEET OF REAL PROPERTY FROM SCOTT A. HERSHISER, 425 GOUGLER AVENUE FOR \$41,000.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE 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. 08-179 by title only at this time.

AN ORDINANCE AMENDING ORDINANCE NO. 2008-148, PASSED SEPTEMBER 17, 2008, ENTITLED "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 CONSISTING OF 147 SQUARE FEET OF REAL PROPERTY FROM SCOTT A. HERSHISER, 421 NORTH WATER FOR \$375.00 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, OHIO, IS OBTAINING A TEMPORARY EASEMENT CONSISTING OF 147 SQUARE FEET OF REAL PROPERTY FROM SCOTT A. HERSHISER, WILLIAM A. HERSHISER AND SALLY S. HERSHISER, 421 NORTH WATER FOR \$375.00 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. DeLeone, 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. DeLeone, 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.

2008-181: AN ORDINANCE AMENDING ORDINANCE NO. 2008-148, PASSED SEPTEMBER 17, 2008, ENTITLED "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 CONSISTING OF 147 SQUARE FEET OF REAL PROPERTY FROM SCOTT A. HERSHISER, 421 NORTH WATER FOR \$375.00 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, OHIO, IS OBTAINING A TEMPORARY EASEMENT CONSISTING OF 147 SQUARE FEET OF REAL PROPERTY FROM SCOTT A. HERSHISER, WILLIAM A. HERSHISER AND SALLY S. HERSHISER, 421 NORTH WATER FOR \$375.00 FOR PURPOSES OF RIGHT-OF-WAY ACQUISITION FOR THE CONSTRUCTION OF THE NEW CRAIN AVENUE/FAIRCHILD AVENUE BRIDGE 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. 08-180 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 111 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY RICHARD A. LOWENTHAL 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, FAIRCHLD 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. Ferrara.

Roll call was taken on the motion. Voting aye: Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Ms. Shaffer, Mr. Turner, and Ms. Wallach. Mr. Kuhar abstained. The motion carried by a roll call vote of 8-0-1.

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. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Ms. Shaffer, Mr. Turner, and Ms. Wallach. Mr. Kuhar abstained. The motion carried by a roll call vote of 8-0-1.

2008-182: A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE IN 111 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY RICHARD A. LOWENTHAL 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, FAIRCHLD 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. 08-181 by title only at this time.

A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 1,464 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY RICHARD A. LOWENTHAL 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, FAIRCHLD 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. Ferrara.

Roll call was taken on the motion. Voting aye: Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Ms. Shaffer, Mr. Turner, Ms. Wallach, and Mr. Wilson. Mr. Kuhar abstained. The motion carried by a roll call vote of 8-0-1.

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. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Ms. Shaffer, Mr. Turner, Ms. Wallach, and Mr. Wilson. Mr. Kuhar abstained. The motion carried by a roll call vote of 8-0-1.

2008-183: A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO

APPROPRIATE A TEMPORARY EASEMENT IN 1,464 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY RICHARD A. LOWENTHAL 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, FAIRCHLD 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. 08-182 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 252 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY LARRY R. WRIGHT AND MARY B. WRIGHT 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, FAIRCHLD 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. Ferrara.

Roll call was taken on the motion. Voting aye: Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, and Mr. Amrhein. Mr. Kuhar abstained. The motion carried by a roll call vote of 8-0-1.

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. DeLeone, Mr. Ferrara, Mr. Hawksley, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, and Mr. Amrhein. Mr. Kuhar abstained. The motion carried by a roll call vote of 8-0-1.

2008-184: AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE IN 252 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY LARRY R. WRIGHT AND MARY B. WRIGHT 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, FAIRCHLD 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. 08-183 by title only at this time.

AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 4,773 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY TIMOTHY E. CROCK AND MARY JANE CROCK 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, FAIRCHLD 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. Wilson.

Roll call was taken on the motion. Voting aye: Mr. Ferrara, Mr. Hawksley, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, and Mr. DeLeone. Mr. Kuhar abstained. The motion carried by a roll call vote of 8-0-1.

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, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, and Mr. DeLeone. Mr. Kuhar abstained. The motion carried by a roll call vote of 8-0-1.

2008-185: AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 4,773 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY TIMOTHY E. CROCK AND MARY JANE CROCK 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, FAIRCHLD 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. 08-184 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 1,115 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY TIMOTHY E. CROCK AND MARY JANE CROCK 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, FAIRCHLD 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. Wilson.

Roll call was taken on the motion. Voting aye: Mr. Hawksley, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. Mr. Kuhar abstained. The motion carried by a roll call vote of 8-0-1.

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. Amrhein, Mr. DeLeone, and Mr. Ferrara. Mr. Kuhar abstained. The motion carried by a roll call vote of 8-0-1.

2008-186: AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE IN 1,115 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY TIMOTHY E. CROCK AND MARY JANE CROCK 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, FAIRCHLD 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. 08-185 by title only at this time.

AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 1,449 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY RICHARD A. LOWENTHAL 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, FAIRCHLD 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. Ferrara.

Roll call was taken on the motion. Voting aye: Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Hawksley. Mr. Kuhar abstained. The motion carried by a roll call vote of 8-0-1.

MOTION TO ADOPT THE DRAFT ORDINANCE

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

Roll call was taken on the motion. Voting aye: Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Hawksley. Mr. Kuhar abstained. The motion carried by a roll call vote of 8-0-1.

2008-187: AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 1,449 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY RICHARD A. LOWENTHAL 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, FAIRCHLD 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. 08-186 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 9,765 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY ROBERT MAYFIELD AND KAY M. MAYFIELD 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, FAIRCHLD 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. 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. Ferrara, 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.

2008-188: AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE IN 9,765 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY ROBERT MAYFIELD AND KAY M. MAYFIELD 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, FAIRCHLD 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. 08-187 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 7,102 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY KAY M. MAYFIELD (FKA BRICKER) 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, FAIRCHLD 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 Mr. Ferrara.

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. Ferrara.

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.

2008-189: AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE IN 7,102 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY KAY M. MAYFIELD (FKA BRICKER) 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, FAIRCHLD 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. 08-188 by title only at this time.

AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 1,729 SQUARE FEET OF CERTAIN REAL

PROPERTY OWNED BY STAR OF THE WEST MILLING COMPANY OF OHIO 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, FAIRCHLD 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. 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. DeLeone, 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.

2008-190: AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 1,729 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY STAR OF THE WEST MILLING COMPANY OF OHIO 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, FAIRCHLD 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. 08-189 by title only at this time.

AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A PERPETUAL EASEMENT IN 443 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY STAR OF THE WEST MILLING COMPANY OF OHIO 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, FAIRCHLD 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. Amrhein.

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. 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.

2008-191: AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A PERPETUAL EASEMENT IN 443 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY STAR OF THE WEST MILLING COMPANY OF OHIO 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, FAIRCHLD 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. 08-190 by title only at this time.

AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 101 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY LARRY R. WRIGHT AND MARY B. WRIGHT 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, FAIRCHLD 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. Ferrara.

Roll call was taken on the motion. Voting aye: Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Ms. Shaffer, Mr. Turner, Ms. Wallach, and Mr. Wilson. Mr. Kuhar abstained. The motion carried by a roll call vote of 8-0-1.

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. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Ms. Shaffer, Mr. Turner, Ms. Wallach, and Mr. Wilson. Mr. Kuhar abstained. The motion carried by a roll call vote of 8-0-1.

2008-192: AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 101 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY LARRY R. WRIGHT AND MARY B. WRIGHT 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, FAIRCHLD 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. 08-191 by title only at this time.

AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 1,002 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY LARRY R. WRIGHT AND MARY B. WRIGHT 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, FAIRCHLD 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. Ferrara.

Roll call was taken on the motion. Voting aye: Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, and Mr. Amrhein. Mr. Kuhar abstained. The motion carried by a roll call vote of 8-0-1.

MOTION TO ADOPT THE DRAFT ORDINANCE

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

Roll call was taken on the motion. Voting aye: Mr. DeLeone, Mr. Ferrara, Mr. Hawksley, Ms. Shaffer, Mr. Turner, Ms. Wallach, Mr. Wilson, and Mr. Amrhein. Mr. Kuhar abstained. The motion carried by a roll call vote of 8-0-1.

2008-193: AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 1,002 SQUARE FEET OF CERTAIN REAL PROPERTY OWNED BY LARRY R. WRIGHT AND MARY B. WRIGHT 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, FAIRCHLD 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. 08-199 by title only at this time.

AN ORDINANCE DEDICATING A PARCEL OF CITY OWNED LAND FOR PURPOSES OF ROAD

RIGHT-OF-WAY FOR STONE WATER DRIVE 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.

2008-194: AN ORDINANCE DEDICATING A PARCEL OF CITY OWNED LAND FOR PURPOSES OF ROAD RIGHT-OF-WAY FOR STONE WATER DRIVE 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

MOTION TO HAVE AN ARTICLE IN THE NOVEMBER TREE CITY BULLETIN ABOUT THE PROPOSED CITYWIDE TRASH HAULING, WITH A LIST OF PROS AND CONS.

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

Ms. Wallach said if Council is going to take action on things affecting peoples' lives personally, they need to educate the public on their intention. She said that doing it backwards is not a healthy way to do it.

Mr. Kuhar said he tries to talk to a lot of people about controversial issues. He said a lot of people like to keep their rights and make their own choices. He said the sooner they get information out to the public, the better.

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

Mr. Kuhar said a lot is going in Kent. He said over the last month, they have been alerted to the needs of their residents. He said they need to keep this in mind over the next few months, and adjust some of their thinking over the last few years. He said they need to make some compromises on their own thoughts, and how they do things to make Kent a city that moves forward and one that people like the method they use to move forward.

MOTION TO RECESS THIS MEETING FOR THE PREVIOUSLY AUTHORIZED EXECUTIVE SESSION.

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

Mayor Fender recessed this meeting at 8:15 p.m.

Following Executive Session, Mayor Fender reconvened this meeting at 8:30 p.m.

MOTION TO AUTHORIZE AN ADDITIONAL \$14,900 FOR THE PROPERTIES LOCATED AT 609 N.

MANTUA STREET AND 100 CRAIN AVENUE, OWNED BY THE MAYFIELDS, ALLOWING THEM TO REMOVE THE KITCHEN CABINETS, AIR CONDITIONER AND FURNACE, WITH THE INCLUSION OF THE EMERGENCY CLAUSE.

Motion made by Mr. Ferrara, seconded by Mr. DeLeone, 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 8:32 p.m.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council