

**THE CITY OF KENT, OHIO
REGULAR COUNCIL MEETING
WED., JANUARY 2, 2008**

This regular meeting of Kent City Council was called to order on Wed., Jan. 2, 2008 at 7:30 p.m. by John Fender, Mayor & President of Council.

PRESENT: MR. AMHREIN, MR. DELEONE, MR. FERRARA, MR. HAWKSLEY, MR. KUCHAR, MS. SHAFFER, MS. WALLACH, & MR. WILSON

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

ABSENT: MR. SCHULTZ

Mayor Fender called upon Mr. Wilson for his opening remarks.

Mr. Wilson welcomed the new members, and wished all present a "Happy New Year." Following his opening remarks, Mr. Wilson led those present in the Pledge of Allegiance.

MOTION TO RECESS THIS MEETING.

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

Mayor Fender recessed this meeting at 7:31 p.m.

Mayor Fender reconvened this meeting at 7:41 P.M.

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF DEC. 12, 2007.

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

Ms. Wallach asked how they make corrections to the minutes. Mr. Wilson said he would suggest they call the Clerk ahead of time. He said they allow her to clean up typos. The Clerk said if they call her, she can review the tape.

The motion carried by a voice vote of 8-0.

Mayor Fender called for audience comment at this time. He explained that those members wishing to address Council should sign up with the Clerk of Council who will call them forward.

Hearing no audience comment, Mayor Fender called upon the Clerk to present the written correspondence.

The Clerk reported that the Dec. 20, 2007 agenda packet for the Kent Parks and Recreation Board meeting were placed on file by Council's representative, Wayne Wilson, on Dec. 21, 2007.

The Clerk reported that notification was received on Dec. 14, 2007 from the Ohio Dept. of Liquor Control. She said a transfer request was received from Bar Code Holdings, LLC to Inspirations and Attitudes, LLC dba The Barn, 200 S. Depeyster St., 1st Floor & Loft, for a D5 liquor license. The Clerk said that objections must be postmarked no later than Jan. 10, 2008, and Safety Director Lillich has no objections to this transfer.

MOTION TO RETURN WITH NO OBJECTIONS.

Motion made by Mr. Wilson, seconded by Mr. DeLeone, and carried by a voice vote of 8-0.

The Clerk reported that after the agenda was printed, an email was carbon-copied to Council and sent to the Service Director from Gregg Vilc, Kent Hotel LLC, requesting the engineering report on the building.

This email was forwarded to all members of Council on Dec. 28, 2007.

The Clerk reported that an email was carbon-copied to Council and sent to the Law Department from Gregg Vilck, Kent Hotel LLC, acknowledging he failed to pick up his requested documents on Dec. 21, 2007 and wanted to arrange another date. The Clerk said that Mr. Vilck further notified the City that he felt his constitutional rights regarding censorship, freedom of press and freedom of speech, were violated. This email was forwarded to all members of Council on Dec. 31, 2007.

The Clerk reported that earlier in the day, a bulletin was received from Mary Taylor, Auditor of the State of Ohio, with information on the new Public Records Law.

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

MOTION TO APPROVE ITEM #1, AUTHORIZATION OF DRAFT NO. 08-01.

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

MOTION TO RECESS INTO EXECUTIVE SESSION PRIOR TO THE ADJOURNMENT OF THIS MEETING FOR PENDING LITIGATION AND LAND ACQUISITION.

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

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

Mr. Ruller said that although many people were not present, he wished to thank the public service crews who were busy on New Year's Eve and New Year's Day, plowing streets, so those of them who were out could get home safely. He offered a big thanks to Mr. Roberts, Service Director.

STANDING COMMITTEE REPORTS

POLICY & PROCEDURES COMMITTEE

MOTION TO APPROVE THE ORAL REPORT OF JAN. 2, 2008

Motion made by Mr. Hawksley, seconded by Mr. DeLeone, and carried by a voice vote of 8-0.

ACTIONS RECOMMENDED:

- 1) Recommended committee chairs and vice chairs for committees, eliminating the Policy & Procedure Committee for a two-year trial period, and authorized changes to the standing rules.

HEALTH & SAFETY COMMITTEE

The Mayor asked the Clerk to read Draft No. 08-01 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", AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS.

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

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

MOTION TO ADOPT THE DRAFT ORDINANCE.

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

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

Shaffer, Ms. Wallach, Mr. Wilson, and Mr. Amhrein. The motion carried by a roll call vote of 8-0.

2008-01: AN ORDINANCE AMENDING SECTION 313.12 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT ENTITLED "TRAFFIC CONTROL DEVICES", 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 None

MAYOR'S REPORT None

MOTION TO RECESS THIS MEETING INTO EXECUTIVE SESSION.

Motion made by Mr. Ferrara, seconded by Mr. Wilson, and carried by a voice vote of 8-0.

Mayor Fender recessed this meeting at 8:26 p.m. for the previously authorized Executive Session.

Mayor Fender reconvened this meeting at 9:13 p.m.

MOTION TO ADJOURN THIS MEETING.

Motion made by Mr. Wilson, seconded by Mr. Ferrara, and carried by a voice vote of 8-0.

Hearing no further business before this Council, Mayor Fender adjourned this meeting at 9:13 p.m.

Linda M. Copley, Clerk of Council

John Fender, Mayor & President of Council