



**City Council Regular Meeting Minutes**  
The City of Kent, Ohio  
Wednesday, March 17, 2021

*Due to the COVID-19 pandemic, this meeting was held virtually using the Zoom platform and livestreamed on the City of Kent YouTube Channel.*

At 7:30 p.m., Mayor Jerry T. Fiala called the **Regular Meeting of Kent City Council** to order. Roll was taken.

**PRESENT:** Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer Bish; Mr. Roger Sidoti; Ms. Tracy Wallach

**ALSO PRESENT:** Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Service Director; Mr. Jim Bowling, City Engineer; Ms. Joan Seidel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Gary Bishop, IT Manager; Mr. John Tosco, Fire Chief; Mr. Nick Shearer, Chief of Police; Ms. Amy Wilkens, Clerk of Council

**ABSENT:** Mr. Robin Turner

Motion to excuse Mr. Robin Turner made by Mr. John Kuhar, **SECONDED** by Ms. Gwen Rosenberg and **CARRIED** by a voice vote of 8-0.

Mayor Fiala called upon Councilmember Sidoti for opening remarks.

Mr. Sidoti thanked Mayor Fiala and mentioned that it was a beautiful day today and that he made a point of getting outside and looking for people out and about, especially those who are older and have been confined at home due to the virus. He encouraged all to continue to be careful with the pandemic but to also reach out to other people. He said this is something good about Kent, Ohio, because we do this. He encouraged all to reach out because it is important to everyone's well-being. He also said he has been tracking how many people have been watching Kent City Council Meetings and recalls past discussions on streaming Council Meetings. He says it causes great conversations with more access to all meetings, watching from home and learning. It is very American and very democratic and he hopes to continue to stream even when meetings go back to being in person.

Mr. Sidoti then asked everyone to stand for the Pledge of Allegiance.

**Approval of Regular Council Meeting Minutes:**

**MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF February 17, 2021, Public Hearing of February 17, 2021 and Public Hearing of March 3, 2021 made by Mr.**

Sidoti, SECONDED by Mr. Kuhar and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

**Communication:**

**Public Comment:** There was one visitor signed in, Ms. Angela Smith from Fair Housing Contact Services, Inc. Mayor Fiala read the following statement:

*“While the law does not require Council to provide time for public comment, we have historically invited the public to make comments and we appreciate their input. This is the time where residents and others can comment on matters that concern them. However, we will not engage in debate, and as President of Council, I reserve the right to end any public communication that is disruptive, embarrassment, harassment or otherwise objectionable. We ask that you give your name and address and limit comments to three (3) minutes of discussion.”*

Ms. Angela Smith introduced herself as the Education Outreach Coordinator for Fair Housing Inc. Service and reminded all they are a civil right, nonprofit agency located in Summit County, Akron, Ohio. They have been serving the city of Kent, and Portage County for thirty years. Services provided are: housing discrimination programs, home counseling services such as reverse mortgages, foreclosure prevention counseling, first time home buyer education counseling and refinancing education, and tenant and landlord counseling. She has done several landlord counseling sessions with landlords in Kent. They are planning on conducting two workshops in Kent for its residents to assist those with concerns regarding rent and any other issues they are having due to the pandemic. This agency provides education and outreach to non-profit agencies in the area.

Mr. Sidoti asked if there are any workshops for landlords. Ms. Smith replied “yes”; they recently had an eviction workshop a few months ago and she is in the process of scheduling another one. She does a lot of workshops for landlords.

**Written Communications** were reported by Clerk Wilkens and placed on file in the Clerk’s office as follows:

1. Civil Service Agenda for February 22, 2021 received on February 19, 2021.
2. Civil Service exam notice for Juvenile Counselor received on March 4, 2021.
3. Standing Rock Cemetery Board meeting minutes from February 11, 2021 and Agenda for March 11, 2021 received on March 2, 2021.
4. Board of Health Meeting Agenda and Statistical Report for March 9, 2021 and Health Board Minutes for February 9, 2021 received on March 8, 2021.
5. NAACP Letter in response to March 3<sup>rd</sup> Kent City Council Meeting was received on March 7, 2021 and forwarded to all City Council Members.
6. Letter from Jennifer Mapes regarding comments on March 3, 2021 on the use of PARTA building received on March 8, 2021 and forwarded to all City Council Members.

**Communications Received after Agenda Publication** were reported by Clerk Wilkens and placed on file in the Clerk's office as follows:

7. Parks and Recreation Board Packet for the March 18, 2021 meeting received on March 12, 2021.

**City Manager's Report** was called for by Mayor Fiala.

1. Request for Council's authorization to accept a \$50 donation to the Kent Fire Department from John and Nancy Thomas in memory of former Kent Fire Chief Bud Rhoads. (Draft #2021-029)
2. Request for Council's authorization to accept donated office items from Cass McKay valued at \$600 and from Ryan and Bridget Tipton valued at \$150 for use by the Kent Health Department. (Draft #2021-030)
3. Request for Council's authorization to amend the access agreement approved by Council in 2019 for the remediation at 800 Mogadore Road (former RB&W site) in order to further safeguard the river from possible contamination. (Draft #2021-031)
4. Request for Committee of the Whole time for Council to review candidates for vacancies on City Boards and Commissions.
5. Request for Community Development Committee time for Heather with Main Street Kent to provide Council with the annual report of Main Street activities in 2020, and to provide a preview of plans for 2021.
6. Request for Community Development Committee time to provide a review of the proposed Zoning Code updates being recommended for Council's approval.
7. Request for Streets, Sidewalks & Utilities Committee time to present proposed amendments to the City's trash and recycling contracts to update the number of accounts served under each contract.
8. Request for Streets, Sidewalks & Utilities Committee time for Council's consideration of a request to close a block of Franklin Avenue beginning April 30th through September 26th to allow outdoor dining on Franklin Avenue; and enter into an MOU with Main Street Kent to manage/service the new dining area.
9. Request for Streets, Sidewalks & Utilities Committee time for Council's consideration of a recommendation to impose a temporary moratorium on Food trucks in the downtown district.
10. Request for Streets, Sidewalks & Utilities Committee time for Council to consider a request from the South End Neighborhood to install a new neighborhood monument sign on City property.
11. Request for Finance Committee time for Council to consider a proposed 2021 Budget Appropriations Amendment.

MOTION TO APPROVE ITEMS #1-11 OF THE CITY MANAGER'S REPORT, made by Mr. Amrhein, SECONDED by Ms. Rosenberg, and CARRIED by a voice vote of 8-0.

## **STANDING COMMITTEES/ LEGISLATION**

### **1) COMMITTEE OF THE WHOLE**

NO MEETING MINUTES OR COMMITTEE ACTION ITEMS TO APPROVE

## 2) LAND USE COMMITTEE

MOTION TO APPROVE MEETING MINUTES of March 3, 2021 made by Mr. Ferrara, SECONDED by Mr. DeLeone, and CARRIED by a voice vote of 7-0-1, with Ms. Wallach abstaining.

MOTION TO APPROVE THE LAND USE COMMITTEE ACTION ITEM made by Mr. Ferrara SECONDED by Ms. Shaffer Bish and CARRIED by a voice vote of 8-0.

Recommended Actions:

- 1) Authorize the renewal of the sublease for the Farmer's Market and partial closure of Franklin Avenue

**Draft No. 2021-020** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RENEW THE AGREEMENT WITH THE HAYMAKER FARMERS' MARKET FOR THE SUB-LAND LEASE OF A PARKING LOT LOCATED NORTH OF SUMMIT STREET, WEST OF FRANKLIN AVENUE, AND EAST OF AKRON BARBERTON CLUSTER RAILWAY COMPANY'S MAIN LINE TRACK, CONTAINING 0.168 ACRES, FOR THE PERIOD OF APRIL 3, 2021 THROUGH NOVEMBER 27, 2021; CONTINGENT ON THE CONTINUATION OF THE CITY'S LEASE WITH THE AKRON BARBERTON CLUSTER RAILWAY COMPANY, FOR THE AMOUNT OF \$1.00; AND DECLARING AN EMERGENCY, was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar, SECONDED by Ms. Shaffer Bish. On roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT NO. 2021-020 made by Mr. Kuhar, SECONDED by Ms. Shaffer Bish. On roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach. The Motion CARRIED by a roll call vote of 8-0.

**ORDINANCE 2021-020 PASSED** as stated by Clerk Wilkens.

## 3) HEALTH AND PUBLIC SAFETY COMMITTEE

MOTION TO APPROVE MEETING MINUTES of March 3, 2021 made by Mr. Amrhein SECONDED by Mr. Sidoti, and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE HEALTH AND PUBLIC SAFETY COMMITTEE ACTION ITEM made by Mr. Amrhein SECONDED by Ms. Shaffer Bish and CARRIED by a voice vote of 8-0.

Recommended Actions:

- 1) Authorize the proposed amendments to the City's Tobacco 21 Ordinance

THE CITY OF KENT, OHIO  
REGULAR COUNCIL MEETING  
WEDNESDAY, MARCH 17, 2021

**Draft No. 2021-021** AN ORDINANCE AMENDING CHAPTER 527 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT BY ENACTING SECTION 527.04 REQUIRING ALL TOBACCO RETAILERS WITHIN THE CITY TO POST THE PHONE NUMBER FOR THE TOBACCO QUITLINE AT ALL POINT OF SALE LOCATIONS, AND DECLARING AN EMERGENCY, was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar, SECONDED by Mr. Sidoti. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Amrhein. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT NO. 2021-021 made by Mr. Kuhar, SECONDED by Mr. Sidoti. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Amrhein. The Motion CARRIED by a roll call vote of 8-0.

**ORDINANCE 2021-021 PASSED** as stated by Clerk Wilkens.

#### **4) STREETS, SIDEWALKS AND UTILITIES COMMITTEE**

MOTION TO APPROVE MEETING MINUTES of March 3, 2021 made by Mr. Sidoti SECONDED by Ms. Rosenberg, and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE STREETS, SIDEWALKS AND UTILITIES COMMITTEE ACTION ITEMS made by Mr. Sidoti, SECONDED by Ms. Rosenberg and CARRIED by a voice vote of 8-0.

Recommended Actions:

- 1) Authorize the staff authority to negotiate the private use of City Right of Way for 2021
- 2) Authorize the water extension and tie-in for the new car wash

**Draft No. 2021-022** AN ORDINANCE AMENDING ORDINANCE NO. 2020-54 APPROVING THE TEMPORARY LICENSE AGREEMENTS FOR OUTDOOR PATIO DINING AREAS AND EXTENDING THE DATE UNTIL DECEMBER 31, 2021 OR UNTIL THE LIFTING OF ALL RESTRICTIONS RELATED TO COVID-19, AND DECLARING AN EMERGENCY, was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara, SECONDED by Mr. Sidoti. On roll call, voting "Yes": Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT NO. 2021-022 made by Mr. Ferrara and SECONDED by Mr. Sidoti. On roll call, voting "Yes" Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone. The Motion CARRIED by a roll call vote of 8-0.

**ORDINANCE 2021-022 PASSED** as stated by Clerk Wilkens.

**Draft No. 2021-023** AN ORDINANCE AUTHORIZING THE WATER TAP-IN FOR MOD CAR WASH LOCATED AT 1788 STATE ROUTE 59, OUTSIDE THE CITY OF KENT, AND DECLARING AN EMERGENCY, was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar, SECONDED by Mr. Ferrara. On roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT NO. 2021-023 made by Mr. Ferrara and SECONDED by Mr. DeLeone. On roll call, voting "Yes" Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE 2021-023 PASSED as stated by Clerk Wilkens.

## **5) FINANCE COMMITTEE**

MOTION TO APPROVE THE FINANCE COMMITTEE MEETING MINUTES OF March 3, 2021 made by Mr. DeLeone, SECONDED by Mr. Amrhein, and CARRIED by a voice vote 7-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE FINANCE COMMITTEE ACTION ITEMS made by Mr. DeLeone SECONDED by Mr. Sidoti and CARRIED by a voice vote of 8-0.

Recommended Actions:

- 1) Authorize the Ohio EPA Loan Agreement to fund the Southwest Sanitary Pump Station Project.
- 2) Authorize the MOU for a \$460,000 Parks and Recreation Loan.
- 3) Authorize the easement agreement for the Southwest Sewer Pump Station project.
- 4) Authorize the proposed PARTA lease amendment.
- 5) Authorize the acceptance and appropriation of the NOPEC NEC grant funds.

**Draft No. 2021-024** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LOAN AGREEMENT WITH THE OHIO EPA'S DIVISION OF ENVIRONMENTAL AND FINANCIAL ASSISTANCE (DEFA) TO COMPLETE THE CONSTRUCTION OF THE SOUTHWEST SANITARY SEWER PUMP STATION PROJECT, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. DeLeone, SECONDED by Mr. Ferrara. On roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT NO. 2021-024 made by Mr. Ferrara, SECONDED by Mr. Sidoti. On roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar. The Motion CARRIED by a roll call vote of 8-0.

**ORDINANCE 2021-024 PASSED** as stated by Clerk Wilkens.

**Draft No. 2021-025** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF KENT PARKS & RECREATION DEPARTMENT TO RETURN FUNDS TO THE CITY FOR A LOAN NECESSARY TO COMPLETE THE PORTAGE BIKE & HIKE TRAIL – BRADY'S LEAP SEGMENT PROJECT, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Ms. Rosenberg and SECONDED by Mr. DeLeone. On roll call, voting "Yes": Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2021-025 made by Ms. Rosenberg and SECONDED by Mr. DeLeone. On roll call, voting "Yes": Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg. The Motion CARRIED by a roll call vote of 8-0.

**ORDINANCE 2021-025 PASSED** as stated by Clerk Wilkens.

**Draft No. 202-026** AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A RIGHT OF WAY AGREEMENT FOR THE PURPOSE OF OBTAINING TEMPORARY AND PERMANENT EASEMENTS FOR THE CONSTRUCTION OF THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar and SECONDED by Ms. Rosenberg. On roll call, voting "Yes": Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2021-026 made by Mr. Kuhar and SECONDED by Ms. Rosenberg. On roll call, voting "Yes": Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish. The Motion CARRIED by a roll call vote of 8-0.

**RESOLUTION 2021-026 PASSED** as stated by Clerk Wilkens.

**Draft No. 2021-027** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO AMEND THE LEASE AGREEMENT WITH PARTA AND THE CITY OF KENT HEALTH DEPARTMENT TO CONTINUE TO LEASE 201 EAST ERIE STREET AND ADD TO THE LEASE THE GROUND FLOOR FOR CLINICAL PURPOSES, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and SECONDED by Ms. Rosenberg. On roll call, voting "Yes": Ms. Wallach, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti. The Motion CARRIED by a roll call vote of 7-0-1 with Mr. Amrhein abstaining.

MOTION TO ADOPT DRAFT No. 2021-027 made by Mr. Sidoti and SECONDED by Mr. Ferrara. On roll call, voting "Yes": Ms. Wallach, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti. The Motion CARRIED by a roll call vote of 7-0-1 with Mr. Amrhein abstaining.

**RESOLUTION 2021-027 PASSED** as stated by Clerk Wilkens.

**Draft No. 2021-028** AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SECURE NOPEC GRANT FUNDS THAT ARE AVAILABLE TO THE CITY (UP TO \$49,978.00) TO USE FOR ENERGY SAVING RELATED INVESTMENTS, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar and SECONDED by Ms. Rosenberg. On roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No.2021-028 made by Ms. Shaffer Bish and SECONDED by Ms. Rosenberg. On roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti. The Motion CARRIED by a roll call vote of 8-0.

**ORDINANCE 2021-028 PASSED** as stated by Clerk Wilkens.

**Draft No. 2021- 029** AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$50.00 TO THE CITY OF KENT FIRE DEPARTMENT FROM JOHN AND NANCY THOMAS IN HONOR/MEMORY OF FORMER KENT FIRE CHIEF BUD RHOADS, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and SECONDED by Mr. Sidoti. On roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2021-029 made by Mr. Ferrara and SECONDED by Mr. Sidoti. On roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach. The Motion CARRIED by a roll call vote of 8-0.

**ORDINANCE 2021-029 PASSED** as stated by Clerk Wilkens.

**Draft No. 2021-030** AN ORDINANCE ACCEPTING TWO (2) DONATIONS TO THE CITY OF KENT HEALTH DEPARTMENT, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.



MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and SECONDED by Ms. Rosenberg. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Amrhein. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2021-030 made by Mr. Sidoti and SECONDED by Mr. DeLeone. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Amrhein. The Motion CARRIED by a roll call vote of 8-0.

**ORDINANCE 2021-030 PASSED** as stated by Clerk Wilkens.

## **6) COMMUNITY DEVELOPMENT COMMITTEE**

MOTION TO APPROVE MEETING MINUTES of March 3, 2021 made by Mr. Kuhar, SECONDED by Mr. DeLeone and CARRIED by a voice vote of 7-0-1, with Ms. Wallach abstaining.

NO COMMITTEE ACTION ITEM TO APPROVE

**Draft No. 2021-031** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO AMEND THE RIGHT OF ACCESS AGREEMENT WITH ABB INSTALLATION PRODUCTS INC. (ABB IP) FOR SITE REMEDIATION AT 800 MOGADORE ROAD THAT WAS PASSED IN ORDINANCE 2019-106, TO ALLOW ACCESS TO TWO ADDITIONAL OFF-PROPERTY AREAS OF INTEREST (OPAI-03 AND OPAI-06), AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar and SECONDED by Ms. Rosenberg. On roll call, voting "Yes": Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2021-031 made by Ms. Rosenberg and SECONDED by Mr. Ferrara. On roll call, voting "Yes": Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone. The Motion CARRIED by a roll call vote of 8-0.

**ORDINANCE 2021-031 PASSED** as stated by Clerk Wilkens.

**Unfinished Business:** NONE

**New Business:** NONE

### **Council Comments:**

Ms. Wallach commented when she was in New York City, she was walking down the sidewalk with a friend and as they passed others on the street she would say "hi" to them. Her friend turned to her and said "What do you think, you're in Ohio or something?"

Mr. Amrhein wished to clarify the reason for his abstentions when anything deals with PARTA is due to his wife being the General Manager. He had received calls last week wondering why he abstained. It is due to there being a conflict with her being the General Manager and her being part of the negotiation team with the lease.

Mr. Kuhar said the virus numbers are going down but that some people are thinking the virus has gone away and we no longer have to take the same precautions. He said he was looking out the window in Key West to see a pickup truck with ten people in the back pulling a wagon with twenty-five people with green hats on and he thought he was back home in Kent again. He said we still need to take this seriously to protect ourselves and others until it says zero for the number of cases. He reminder all this whole thing started with just two or three people. He has had two shots but is still cautious.

**Mayor's Report:**

Mayor Fiala reported he was downtown during fake St. Patrick's Day and it was orderly. He noticed people waiting in line to go into the "cocktail lounges" without masks. He was visiting Ray's and he stood up at the table and the manager came over to give him a mask. The downtown establishments are working with the people.

Mayor Fiala announced his grandson Drew Greenwald earned his Boy Scout Eagle award and for someone under 18 years of age, that is quite an achievement and he is very proud of him. Sixty years ago, Drew's grandfather (Mayor Fiala) got his in 1961.

MOTION made by Mr. Amrhein to move into Executive Session, in accordance with ORC §121.22 Section G, Item (1): "To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official." SECONDED by Mr. Kuhar. On roll call voting "Yes": Mr. Amrhein; Mr. DeLeone; Mr. Ferrara; Mr. Kuhar; Ms. Rosenberg; Ms. Shaffer Bish; Mr. Sidoti; and Ms. Wallach.

MOTION to excuse Mr. Turner from the Executive Session made by Mr. Kuhar SECONDED by Mr. DeLeone and CARRIED by a voice vote of 8-0.

MOTION made by Mr. Ferrara to return to the Council Meeting (8:40 pm) SECONDED by Ms. Shaffer Bish and CARRIED by a voice vote of 8-0.

The Regular Meeting adjourned at 8:40 P.M.

  
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Amy Wilkens  
Clerk of Council

  
\_\_\_\_\_  
Jerry T. Fiala  
Mayor and President of Council