



CITY OF KENT, OHIO

CITY COUNCIL ■ 320 S. DEPEYSTER STREET ■ KENT, OHIO 44240 ■ 330-678-8007

Wednesday, August 19, 2020
Regular City Council Meeting

AGENDA

7:25 P.M. **BOARD OF CONTROL**

7:30 P.M. **REGULAR COUNCIL**

1. Roll Call
2. Opening Remarks and Pledge of Allegiance (Mr. Turner)
3. Approval of Minutes
 - 3.1 Regular City Council Meeting of July 15, 2020
4. Communications

4.1 Public Comment

- 4.1.1 Anyone wishing to address Council must submit their written comments to the Clerk of Council at councilclerk@kent-ohio.org by **4:30 p.m.** on the day of the meeting. If also requesting to speak at the meeting, comments are limited to three (3) minutes.

4.2 Written Communication (All placed on file in the Clerk of Council's office)

- 4.2.1 Liquor license transfer request from Paying It Forward LLC to Umbrian Hills LLC, 405 E. Main Street, Kent was received July 27, 2020. Chief Shearer had no objections.
- 4.2.2 Civil Service Commission Meeting Agenda for July 20, 2020 was received on July 17, 2020.
- 4.2.3 Resignation letter from Brian Gray from the Portage Area Regional Transit Authority (PARTA) Board effective July 16, 2020.
- 4.2.4 Civil Service exam notice for the Secretary to the Chief of Police position received on July 21, 2020.
- 4.2.5 Letter from Richard and Elizabeth Pryor of 233 Columbus Street regarding Kent State students returning and the enforcement of large gatherings was received and forwarded to Council on August 3, 2020.
- 4.2.6 Standing Rock Meeting Minutes from July 9, 2020 and Agenda for the August 13, 2020 meeting were received on July 29, 2020.
- 4.2.7 Letter from Sally Burnell to City Council members regarding rent-controlled housing was received on August 4, 2020.
- 4.2.8 Planning Commission Agenda and Staff Report for the August 18, 2020 meeting was received on August 7, 2020.

4.3 City Manager's Report

5. Standing Committees & Legislation

5.1 Committee of the Whole (Mayor Fiala)

- 5.1.1 Committee Meeting Minute Approval: August 5, 2020
- 5.1.2 Action Recommended:
 - 1) Authorize a resolution enabling Kent City Schools to withdraw their participation in the City's Civil Service process
- 5.1.3 Voting for Boards and Commissions
- 5.1.4 Authorize Insertion of Names into Legislation
- 5.1.5 **Draft No 2020-71** A RESOLUTION APPOINTING _____ TO THE BOARD OF BUILDING APPEALS, AND DECLARING AN EMERGENCY (Authorized)
- 5.1.6 **Draft No 2020-72** A RESOLUTION APPOINTING _____ TO THE BOARD OF HEALTH, AND DECLARING AN EMERGENCY (Authorized)
- 5.1.7 **Draft No. 2020-73** A RESOLUTION APPOINTING _____ TO THE FAIR HOUSING BOARD, AND DECLARING AN EMERGENCY (Authorized)
- 5.1.8 **Draft No. 2020-74** A RESOLUTION APPOINTING _____ TO THE PARKING ACTION COMMITTEE, AND DECLARING AN EMERGENCY (Authorized)
- 5.1.9 **Draft No. 2020-75** A RESOLUTION APPOINTING _____ TO THE PORTAGE AREA REGIONAL TRANSIT AUTHORITY (PARTA) BOARD, AND DECLARING AN EMERGENCY (Authorized)
- 5.1.10 **Draft No. 2020-76** A RESOLUTION APPOINTING _____ TO THE PORTAGE AREA REGIONAL TRANSIT AUTHORITY (PARTA) BOARD, AND DECLARING AN EMERGENCY (Authorized)
- 5.1.11 **Draft No. 2020- 77** A RESOLUTION SUPPORTING THE REQUEST OF THE KENT CITY SCHOOL DISTRICT TO THE CIVIL SERVICE COMMISSION OF THE CITY OF KENT TO TAKE APPROPRIATE STEPS TO EMPOWER THE KENT CITY SCHOOL DISTRICT TO HANDLE MATTERS RELATED TO CIVIL AND CLASSIFIED SERVICE POSITIONS WITH THE KENT CITY SCHOOL DISTRICT, AND DECLARING AN EMERGENCY (Authorized)

5.2 Community Development (Kuhar/Rosenberg)

- 5.2.1 Committee Meeting Minute Approval: August 5, 2020
- 5.2.2 Action Recommended:
 - 1) Authorize the contract with the Brownfield Restoration Group in the amount up to \$25,000
 - 2) Authorize the proposed new CRA II Agreement with Montrose Mazda
- 5.2.3 **Draft No. 2020-78** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT WITH

BROWNFIELD RESTORATION GROUP (BRG) TO COMPLETE THE UNDERGROUND STORAGE TANK REMEDIATION AT 301 WEST MAIN STREET (FORMER WORLD IMPORTS SITE) AS REQUIRED BY THE DEPARTMENT OF COMMERCE, DIVISION OF STATE FIRE MARSHAL, BUREAU OF UNDERGROUND STORAGE TANK REGULATIONS (BUSTR), AND DECLARING AN EMERGENCY (Authorized)

- 5.2.4 **Draft No. 2020-79** AN ORDINANCE AUTHORIZING AN AGREEMENT WITH KMPH REAL ESTATE, LLC, AND MC AUTOMOTIVE, INC. (AKA MONTROSE MAZDA) PROVIDING FOR A PROJECT AND REAL PROPERTY TAX EXEMPTION PURSUANT TO THE OHIO COMMUNITY REINVESTMENT AREA PROGRAM (CRA), AND DECLARING AN EMERGENCY (Authorized)

5.3 Health & Safety Committee (Amrhein/Sidoti)

- 5.3.1 Committee Meeting Minute Approval: Special Committee on July 15, 2020 and Committee Meeting on August 5, 2020
- 5.3.2 Action Recommended:
 - 1) Authorize the adopting of a HEiAP strategy for ensuring positive health outcomes in the City of Kent
- 5.3.3 **Draft No. 2020-80** A RESOLUTION ADOPTING A “HEALTH EQUITY IN ALL POLICIES” (HEiAP) APPROACH TO PUBLIC POLICY THAT INTENTIONALLY CONSIDERS THE HEALTH IMPACT OF ALL PROPOSED LEGISLATION AND REGULATIONS PRIOR TO THEIR IMPLEMENTATION, AND DECLARING AN EMERGENCY (Authorized)

5.4 Land Use Committee (Ferrara/Schafer)

- 5.4.1 Committee Meeting Minute Approval; August 5, 2020
- 5.4.2 Action Recommended:
 - 1) Authorize the acceptance of the proposed land donation on Fairchild Avenue
- 5.4.3 **Draft No. 2020-81** AN ORDINANCE ACCEPTING A DONATION OF A PARCEL OF LAND (0.377 ACRES) LOCATED ON FAIRCHILD AVENUE ADJACENT TO FOREST LAKES RECREATIONAL AREA APPRAISED IN THE AMOUNT OF \$9,100.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM BILL ARTHUR, TRANSOHIO PROPERTIES, AND DECLARING AN EMERGENCY (Authorized)

5.5 Streets, Sidewalks and Utilities (Sidoti/Wallach)

- 5.5.1 *No Committee Meeting Minutes or Actions to approve*

5.6 Finance Committee (DeLeone/Wallach)

- 5.6.1 Committee Meeting Minute Approval: August 5, 2020
- 5.6.2 Action Recommended:

- 1) Authorize the renewal of the Kent City School Resource Officer
- 2) Certify and authorize the submission of the proposed property tax liens
- 3) Approve the 2020 budget appropriations amendments

- 5.6.3 **Draft No. 2020-82** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO APPROVE AND EXECUTE AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF KENT, OHIO AND THE KENT CITY BOARD OF EDUCATION REGARDING THE SCHOOL RESOURCE OFFICER PROGRAM, EXTENDING THIS AGREEMENT UNTIL MAY 27, 2021, AND DECLARING AN EMERGENCY (Authorized)
- 5.6.4 **Draft No 2020- 83** AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF WATER USE CHARGES, WASTEWATER USE CHARGES, STORM WATER UTILITY CHARGES AND RECYCLING/SOLID WASTE COLLECTION CHARGES TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY FOR THE NON-PAYMENT OF WATER USE CHARGES, WASTEWATER USE CHARGES, STORM WATER UTILITY CHARGES AND RECYCLING/SOLID WASTE COLLECTION CHARGES, AND DECLARING AN EMERGENCY (Authorized)
- 5.6.5 **Draft No 2020-84** AN ORDINANCE AUTHORIZING THE CERTIFICATION OF DELINQUENT MOWING BILLS, PROPERTY MAINTENANCE VIOLATIONS-CITATIONS, ZONING VIOLATIONS-CITATIONS, AND HEALTH DEPARTMENT VIOLATIONS-CITATIONS TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY SERVED BY THE MOWING SERVICES, PROPERTY MAINTENANCE VIOLATION-CITATIONS, ZONING VIOLATIONS-CITATIONS, HEALTH DEPARTMENT VIOLATIONS-CITATIONS, AND DECLARING AN EMERGENCY (Authorized)
- 5.6.6 **Draft No. 2020-85** AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF BILLS FOR RESIDENTS RESULTING FROM THE 2019 ANNUAL CONCRETE REPAIR PROGRAM, TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY FOR THE NON-PAYMENT OF SIDEWALK REPAIRS, AND DECLARING AN EMERGENCY (Authorized)
- 5.6.7 **Draft No. 2020-86** AN ORDINANCE AMENDING ORDINANCE NO. 2019-139, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 18, 2019; SO AS TO ADJUST APPROPRIATIONS, TRANSFERS AND ADVANCES FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020 AND DECLARING AN EMERGENCY (Authorized)

- 5.6.8 **Draft No. 2020-87** AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$250.00 TO THE CITY OF KENT FIRE DEPARTMENT FROM LESLIE TAN, IN THE NAME OF ERIC MARTIN, AND DECLARING AN EMERGENCY (Unauthorized)
- 5.6.9 **Draft No. 2020-88** AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$500.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT TO PURCHASE A WEATHERVANE FOR THE DOWNTOWN GAZEBO, AND DECLARING AN EMERGENCY (Unauthorized)

6. Unfinished Business
7. New Business
8. Councilmembers' Comments
9. Mayor's Report
10. Adjournment

Posted August 12, 2020
Amy Wilkens, Clerk of Council
Visit <http://www.kentohio.org> for up to the minute Agenda Amendments

Any person who requires an auxiliary aid or service for effective communication or a modification of policies and procedures to participate in any City or City Council public meeting or event should contact the Clerk of Council at 330-676-7555 or councilclerk@kent-ohio.org. Any request for auxiliary aid or other accommodation should be made as soon as possible, but no later than forty-eight hours prior to the event.



Boards and Commissions August 2020 Candidates*

Board of Building Appeals – One (1) Vacancy

- Motion to appoint _____ to the Board of Building Appeals.
Second

Candidate: **David Soukenik** New Applicant

Board of Health - One (1) Vacancy

- Motion to appoint _____ to Board of Health
Second

Candidates: **Louise Frederick** Seeking Re-appointment
Lyndsay Nowak New Applicant
Ryan Wood New Applicant

Fair Housing Board- One (1) Vacancy

- Motion to appoint _____ to Fair Housing Board
Second

Candidate: **Andria Blackwood** New Applicant

Parking Action Committee -Three (3) Vacancies

- Motion to appoint _____ to Parking Action Committee
Second

Candidate: **William Arthur** Seeking Re-appointment

Portage Area Regional Transportation Authority (PARTA) ~~One (1)~~ **Two (2)** Vacancies

- Motion to Appoint _____ to PARTA Board
Second
- Motion to Appoint _____ to PARTA Board
Second

Candidates: **Jack Murphy** New Applicant
Karen Beck New Applicant

DRAFT RESOLUTION NO. 2020-71

**A RESOLUTION APPOINTING _____ TO THE BOARD OF BUILDING APPEALS, AND
DECLARING AN EMERGENCY.**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kent, Portage County, Ohio, at least a majority of all members elected thereto concurring:

SECTION 1. That _____ is hereby appointed to the **BOARD OF BUILDING APPEALS.**

NAME

TERM

SECTION 2. As stated in Section 150.01 of the Codified Ordinances of the City of Kent, any person hereby appointed shall forfeit his or her term if he or she is absent from three (3) regular meetings of the Board or Commission to which he or she is appointed, unless one or more of these absences has been excused by the majority of members thereof.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Resolution is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *RESOLUTION No.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT RESOLUTION NO. 2020- 72

A RESOLUTION APPOINTING _____ TO THE BOARD OF HEALTH, AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kent, Portage County, Ohio, at least a majority of all members elected thereto concurring:

SECTION 1. That _____ is hereby appointed to the **BOARD OF HEALTH.**

NAME

TERM

SECTION 2. As stated in Section 150.01 of the Codified Ordinances of the City of Kent, any person hereby appointed shall forfeit his or her term if he or she is absent from three (3) regular meetings of the Board or Commission to which he or she is appointed, unless one or more of these absences has been excused by the majority of members thereof.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Resolution is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *RESOLUTION No.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT RESOLUTION NO. 2020- 73

A RESOLUTION APPOINTING _____ TO THE FAIR HOUSING BOARD, AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kent, Portage County, Ohio, at least a majority of all members elected thereto concurring:

SECTION 1. That _____ is hereby appointed to the **FAIR HOUSING BOARD**.

NAME

TERM

SECTION 2. As stated in Section 150.01 of the Codified Ordinances of the City of Kent, any person hereby appointed shall forfeit his or her term if he or she is absent from three (3) regular meetings of the Board or Commission to which he or she is appointed, unless one or more of these absences has been excused by the majority of members thereof.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Resolution is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *RESOLUTION No.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT RESOLUTION NO. 2020- 74

**A RESOLUTION APPOINTING _____ TO THE PARKING ACTION COMMITTEE, AND
DECLARING AN EMERGENCY.**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kent, Portage County, Ohio, at least a majority of all members elected thereto concurring:

SECTION 1. That _____ is hereby appointed to the **PARKING ACTION COMMITTEE.**

NAME

TERM

SECTION 2. As stated in Section 150.01 of the Codified Ordinances of the City of Kent, any person hereby appointed shall forfeit his or her term if he or she is absent from three (3) regular meetings of the Board or Commission to which he or she is appointed, unless one or more of these absences has been excused by the majority of members thereof.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Resolution is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *RESOLUTION No.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT RESOLUTION NO. 2020-75

A RESOLUTION APPOINTING _____ TO THE PORTAGE AREA REGIONAL TRANSIT AUTHORITY BOARD, AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kent, Portage County, Ohio, at least a majority of all members elected thereto concurring:

SECTION 1. That _____ is hereby appointed to the **PORTAGE AREA REGIONAL TRANSIT AUTHORITY BOARD**.

NAME

TERM

SECTION 2. As stated in Section 150.01 of the Codified Ordinances of the City of Kent, any person hereby appointed shall forfeit his or her term if he or she is absent from three (3) regular meetings of the Board or Commission to which he or she is appointed, unless one or more of these absences has been excused by the majority of members thereof.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Resolution is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *RESOLUTION No.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT RESOLUTION NO. 2020- 76

A RESOLUTION APPOINTING _____ TO THE PORTAGE AREA REGIONAL TRANSIT AUTHORITY BOARD, AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kent, Portage County, Ohio, at least a majority of all members elected thereto concurring:

SECTION 1. That _____ is hereby appointed to the **PORTAGE AREA REGIONAL TRANSIT AUTHORITY BOARD**.

NAME

TERM

SECTION 2. As stated in Section 150.01 of the Codified Ordinances of the City of Kent, any person hereby appointed shall forfeit his or her term if he or she is absent from three (3) regular meetings of the Board or Commission to which he or she is appointed, unless one or more of these absences has been excused by the majority of members thereof.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Resolution is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *RESOLUTION No.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT RESOLUTION NO. 2020-77

A RESOLUTION SUPPORTING THE REQUEST OF THE KENT CITY SCHOOL DISTRICT TO THE CIVIL SERVICE COMMISSION OF THE CITY OF KENT TO TAKE APPROPRIATE STEPS TO EMPOWER THE KENT CITY SCHOOL DISTRICT TO HANDLE MATTERS RELATED TO CIVIL AND CLASSIFIED SERVICE POSITIONS WITH THE KENT CITY SCHOOL DISTRICT, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Ohio Revised Code Chapter 124:011 the Civil Service Commission of a municipality encompassing the largest portion of a local school district shall be the commission for that school district; and

WHEREAS, the City of Kent presently serves as the Civil Service Commission for the Kent City School District; and

WHEREAS, the Kent City School District and the Ohio Association of Public School Employees, Local 176 and Local 4, the Unions representing the employees subject the jurisdiction of the Civil Service Commission have jointly expressed a desire to manage its own civil service matters as they relate to the Kent City School District through the collective bargaining process; and

WHEREAS, the City of Kent, under its home-rule authority, may enact an ordinance limiting the Jurisdiction of its civil service commission to only city employees; and

WHEREAS, the City Council finds it appropriate to support the request from the Kent City School District and the Ohio Association of Public School Employees, Local 176 and Local 4 directs that the City of Kent Civil Service Commission take appropriate steps to limit its jurisdiction to matters pertaining to the City of Kent to the exclusion of matters related to the Kent City School District; and

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That Kent City Council hereby supports the joint request of the Kent City School District and the Ohio Association of Public Employees, Local 176 and Local 4 to the Civil Service Commission of the City of Kent to take appropriate steps to empower the Kent City School District to handle matters related to civil and classified service positions within the Kent City School District.

SECTION 2. That the Clerk of Council is hereby directed to certify a copy of this Resolution to the President of the Civil Service Commission for the City of Kent and to Ryan S. Ferrara, President, Kent City School District Board of Education, 321 N. Depeyster St., Kent, Ohio 44240.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Resolution is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *RESOLUTION No.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

AMY WILKENS
CLERK OF COUNCIL
(SEAL)

DRAFT ORDINANCE NO. 2020-78

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT WITH BROWNFIELD RESTORATION GROUP (BRG) TO COMPLETE THE UNDERGROUND STORAGE TANK REMEDIATION AT 301 WEST MAIN STREET (FORMER WORLD IMPORTS SITE) AS REQUIRED BY THE DEPARTMENT OF COMMERCE, DIVISION OF STATE FIRE MARSHAL, BUREAU OF UNDERGROUND STORAGE TANK REGULATIONS (BUSTR), AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent would like to enter into an agreement with Brownfield Restoration Group (BRG), a qualified environmental consulting firm recognized as a Certified Professional (CP) firm by the State of Ohio Environmental Protection Agency (OEPA) in order to complete the Tier 1 source investigation at 301 West Main Street, including the required monitoring well installations, sampling and reporting BUSTR has specified are needed in order to close the open World Imports file; and

WHEREAS, the anticipated cost will not exceed \$25,000.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That the City Manager, or his designee, is hereby authorized to execute an agreement with Brownfield Restoration Group (BRG) in order to complete the World Imports open case file, in substantial compliance with the terms of Exhibit "A", attached hereto.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *ORDINANCE No.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20____.

AMY WILKENS
CLERK OF COUNCIL
(SEAL)



Department of Commerce

Division of State Fire Marshal
Mike DeWine, Governor
Sheryl Maxfield, Director

June 16, 2020

DAVE RULLER, CITY MANAGER
CITY OF KENT
301 SOUTH DEPEYSTER STREET
KENT, OHIO 44240

SITE: WORLD IMPORTS
301 W MAIN ST
KENT OH
PORTAGE COUNTY
RELEASE #67002010-N00001

RE: SITE STATUS

Dear City Manager Ruller:

The State Fire Marshal, Bureau of Underground Storage Tank Regulations ("BUSTR") has established an enforcement program for resolving non-compliance with underground storage tank ("UST") environmental regulations as quickly and efficiently as possible. Some time ago, the file for the former World Imports facility, located at what was then 301 West Main Street, was referred to my attention in BUSTR's Enforcement Section for potential action. In reviewing the file recently, I discovered that BUSTR has not been in contact with the City of Kent ("City") for several years about this matter; as a result, I believe that it would be more appropriate to send this letter reminding you of the site's status and your legal obligations with respect to it, instead of issuing a Notice of Violation.

Site Background

On September 10, 1996, the City removed two waste oil USTs from the former World Imports property, by then owned by the City. The closure assessment performed at the time indicated that contamination was present; that indication was confirmed by additional environmental investigations performed by the City over the next several years. The most recent report submitted by the City was a Tier 1 Evaluation conducted pursuant to the 1999 version of BUSTR's corrective action rule. It requested that BUSTR issue a finding of No Further Action but upon review BUSTR found that there was no monitoring well placed in the tank cavity and that, in any case, the samples submitted to the laboratory for analysis were above the proper holding temperature and therefore cannot be relied upon to accurately reflect the soil and groundwater conditions. Due to these deficiencies, BUSTR was unable to consider a finding of No Further Action.

Because the corrective action was not complete, in 2009 BUSTR moved the release file to the next version of the corrective action rule, the 2005 rule and required the City to conduct a Tier 1 Source Investigation ("TISI") pursuant to that version and to submit the appropriate report, either a Tier 1 Evaluation or a Tier 1

Bureau of Underground Storage Tank
Regulations
8895 East Main Street
Reynoldsburg, OH 43068 U.S.A.

An Equal Opportunity Employer and Service
Provider

614 | 752 7938
Fax 614 | 752 7942
TTY/TDD 800 | 750 0750
www.com.ohio.gov

Notification (depending on the environmental sampling results). To date, however, none has been received and the City is in violation of the of the following provision of the Ohio Administrative Code:

- 1301:7-9-13(H)(3) Failure to submit a Tier 1 Evaluation or a Tier 1 Notification report.

I would note that the corrective action rule has undergone additional revisions since 2009. The current version of that rule is dated 2017, and the City may elect to perform a TISI under that version if it wishes.

Under ordinary circumstances, a release which has gone unaddressed for such a length of time would be a strong candidate for formal enforcement action. As I noted earlier, though, BUSTR has not been in touch with the City for quite some time and I believe it would be more appropriate to allow the City the opportunity to review this letter and to take steps to initiate the necessary corrective actions.

Finally, BUSTR understands that the current situation surrounding the coronavirus may impact the availability of contractors to address your corrective action obligations. BUSTR does expect, however, that the City will keep us apprised of its compliance efforts.

Thank you in advance for your cooperation. I strongly urge that the City or its consultant contact our site coordinator for Portage County, Mr. Ryan Siath, to discuss the relative merits of a TISI. Mr. Siath can be reached directly at (614) 387-7416. If you have any questions about this letter or the enforcement process in general, please feel free to contact me at david.sauer@com.state.oh.us or by telephone at (614) 752-7096.

Sincerely,



David N. Sauer
Enforcement Coordinator

cc: Hope L. Jones, Law Director, City of Kent
Corrective Action File
Enforcement File

Bureau of Underground Storage Tank Regulations
8895 East Main Street
Reynoldsburg, OH 43068 U.S.A.

614 | 752 7938
Fax 614 | 752 7942
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DRAFT ORDINANCE NO. 2020-79

AN ORDINANCE AUTHORIZING AN AGREEMENT WITH KMPH REAL ESTATE, LLC, AND MC AUTOMOTIVE, INC. (AKA MONTROSE MAZDA) PROVIDING FOR A PROJECT AND REAL PROPERTY TAX EXEMPTION PURSUANT TO THE OHIO COMMUNITY REINVESTMENT AREA PROGRAM (CRA), AND DECLARING AN EMERGENCY.

WHEREAS, the General Assembly of the State of Ohio, by the enactment of Ohio Revised Code Sections 3735.65 et seq. (the Community Reinvestment Area Program, has heretofore authorized municipal corporations to designate Community Reinvestment Areas within the State in order to provide incentives for new residential, commercial or industrial development and/or rehabilitation in such areas, by making available real property tax exemption for such new development or rehabilitation; and

WHEREAS, pursuant to said Community Reinvestment Area Program, this City Council by Ordinance No. 2005-55, approved the designation of the geographic area described in said Ordinance as Community Reinvestment Area II; and

WHEREAS, KMPH Real Estate, LLC (the "Company") owns the property located at 1127 West Main Street on which Montrose Mazda of Kent conducts business. The Company is proposing a real property investment of \$5.85 million which includes \$1.45 million for property acquisition and \$4.5 million for the renovation and expansion of the existing building on the site to improve the customer service experience (the "Project"); and

WHEREAS, KMPH and Montrose Mazda, shall create, within a time period not exceeding thirty-six (36) months after completion of construction and renovation of the facility, ten (10) full-time permanent jobs and retain nineteen (19) full-time permanent jobs at the project a site; and

WHEREAS, the Company has submitted an application to the City requesting a real property tax exemption for the Project, and the City desires to enter into a Community Reinvestment Area Agreement (the "Agreement") with the Company; and

WHEREAS, the Project is located in the Kent City School District and the Board of Education of the Kent City School District, has been notified of the proposed Agreement in accordance with Ohio Revised Code Section 5709.83, and for the reasons stated in Section 2 of this Ordinance and Ohio Revised Code Section 3735.671(A)(2), no Board of Education approval is required; and

WHEREAS, the City Council has determined that it will be in the best interests of the City and its citizens to proceed to enter into the Agreement with the Company, and that fulfillment of such Agreement will carry out the purposes of the Community Reinvestment Area Program.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That this City Council hereby approves the Agreement providing for the Project and for an exemption from real property taxation of 50% of the increase in the assessed valuation of real property resulting from improvements to real property for 12 years. Said Agreement shall be in substantially the form of the Agreement on file with the Clerk of Council, with such revisions as are approved by the Director of Law of the City; and this Council hereby authorizes the City Manager to execute the Agreement on behalf of the City.

SECTION 2. That this Council hereby estimates that for each tax year the real property is exempted from taxation, the amount of any payment by the City to the Kent City School District pursuant to Section 5709.82 of the Ohio Revised Code, together with the amount of taxes charged and payable on any portion of the assessed valuation of the renovation and addition to the property that will not be exempted from taxation under the Agreement, equals or exceeds fifty (50%) percent of the amount of taxes that would have been charged and payable that year upon the real property had that property not been exempted from taxation.

This Council hereby certifies to the Kent City School District Board of Education that this estimate is made in good faith.

SECTION 3. That this Council hereby authorizes the City Manager, Mayor, Director of Law, Finance Director and Community Development Director to take such additional steps, execute such documents and provide such information and certifications as are necessary and appropriate to carry out and implement the terms and conditions of the aforesaid Agreement and the requirements and policies of the Community Reinvestment Area Program.

SECTION 4. That pursuant to Section 3735.671 of the Ohio Revised Code, the Clerk of Council is hereby directed to deliver a copy of the Agreement to the Director of the Department of Development of the State of Ohio within fifteen (15) days after the Agreement is entered into. On or before March 31 of each year that the exemption set forth in Section 1 hereof remains in effect, the Mayor or other authorized officer of this City shall prepare and submit to the Director of the Department of Development of the State of Ohio and to the Kent City School District a status report required under Section 3735.672 of the Ohio Revised Code.

SECTION 5. That it is found and determined that all formal actions of this Council concerning and relating to the passage of this Ordinance were passed in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal actions, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 6. That this Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City and for the further reason that this Ordinance is required to be immediately effective in order to authorize the execution of the Agreement, in order to provide for creation of jobs and economic opportunities in such area, which are vitally needed in order to enhance revenues for the City, and to improve the economic welfare of the people, for which reasons and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____

Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____

Date

ATTEST: _____

Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *ORDINANCE No.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20____.

AMY WILKENS
CLERK OF COUNCIL
(SEAL)

DRAFT RESOLUTION NO. 2020-80

A RESOLUTION ADOPTING A “HEALTH EQUITY IN ALL POLICIES” (HEIAP) APPROACH TO PUBLIC POLICY THAT INTENTIONALLY CONSIDERS THE HEALTH IMPACT OF ALL PROPOSED LEGISLATION AND REGULATIONS PRIOR TO THEIR IMPLEMENTATION, AND DECLARING AN EMERGENCY.

WHEREAS, the HEIAP approach takes a broader view of what creates positive health outcomes, e.g. zoning, transportation, housing, education, public safety or environmental protection; and

WHEREAS, Racism has been declared a public crisis by the Kent City Health Department Board of Health. Acknowledging Racism may be intentional or unintentional, is both systemic and institutional, and weakens our community instead of strengthening it; and

WHEREAS, the Social Determinants of Health which are the conditions in which people are born, grow, live, work, and age are impacted negatively by Racism and racist practices; and

WHEREAS, Racism is a multifactorial problem requiring the combined efforts of many agencies and departments to address the injustices that have been entrenched for decades; and

WHEREAS, the City of Kent is committed to actions to improve disparities, inequalities, and injustices in a thoughtful and methodical approach. A foundation of this work will be “Health Equity in all Policies” Policy. This will focus a lens on all legislation, ordinances, programs and projects to look for and root out unintended consequences which could perpetuate or worsen disparities and correct them to equalize and improve principles and practices allowing for the greater health and well-being of all our community members.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That “Health Equity in all Policies” (HEIAP) be adopted as set forth in the document entitled “Standard Operating Procedure, Health Equity Policy/Guidelines”, attached hereto as Exhibit “A” and incorporated herein by reference.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this resolution is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

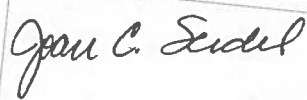
I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN
WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS
OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *RESOLUTION NO.*
_____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL



STANDARD OPERATING PROCEDURE
Health Equity Policy/Guidelines

Subject Category:	Administrative	Related Policies:	NA
Effective Date:	September 12, 2017	Distribution:	All Staff
Review Frequency:	3 Years	Approved By:	Joan C. Seidel 
Revised Dates:	July 14, 2020		

Objective:

To ensure that the health department institutionalizes health equity into all programs, policies, services, and interventions.

Health Equity Values

The Kent City Health Department believes in the following health equity values:

1. Commitment to the elimination of health inequities within the City of Kent
2. Access to socioeconomic and environmental resources for everyone in Kent
3. Apply a health equity view to all programs and services provided by the health department
4. Accountability through measurement and quality management
5. Be a leader for the community in the health equity field.

Health Equity Policy Guidelines

The following are the guidelines for the health department to apply:

1. Consider health equity to current and new programs, policies, services, and interventions to ensure that they consider public health actions that break the cycle of health inequity in Kent.
2. Maintain a demographic profile of the jurisdiction including social determinants of health.
3. Include health equity and social determinants of health in community needs assessments, health improvement planning, surveillance systems, and other monitoring efforts of community health status.
4. Provide health education, health communications, and other public health information about community health status and needs in the context of health equity.
5. Identify opportunities if they exist for staff to learn and understand the social determinants of health for health department clients.
6. Support ongoing, staff professional development in health equity and cultural competency.

"This Agency is an equal provider of services and an equal employment opportunity employer Civil Rights Act 1964 (CRA)"

DRAFT ORDINANCE NO. 2020-81

AN ORDINANCE ACCEPTING A DONATION OF A PARCEL OF LAND (0.377 ACRES) LOCATED ON FAIRCHILD AVENUE ADJACENT TO FOREST LAKES RECREATIONAL AREA APPRAISED IN THE AMOUNT OF \$9,100.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM BILL ARTHUR, TRANSOHIO PROPERTIES, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Parks & Recreation Department has received a donation of a parcel of land (0.377 acres) located on Fairchild Avenue adjacent to Forest Lakes Recreational Area appraised in the amount of \$9,100.00 from Bill Arthur, TransOhio Properties; and

WHEREAS, the City wishes to accept said donation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That Council does hereby authorize the City Manager on behalf of the City of Kent to accept the donation of a parcel of land (0.377 acres) located on Fairchild Avenue adjacent to Forest Lakes Recreational Area appraised in the amount of \$9,100.00 from Bill Arthur, TransOhio Properties.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL
(SEAL)

DRAFT ORDINANCE NO. 2020-82

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO APPROVE AND EXECUTE AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF KENT, OHIO AND THE KENT CITY BOARD OF EDUCATION REGARDING THE SCHOOL RESOURCE OFFICER PROGRAM, EXTENDING THIS AGREEMENT UNTIL MAY 27, 2021, AND DECLARING AN EMERGENCY.

WHEREAS, as of May 21, 2014, the City of Kent, Ohio and the Kent City Board of Education agreed to participate in a School Resource Officer program; and

WHEREAS, a Memorandum of Understanding (MOU) between the parties which clarifies the roles of the parties and how the school resource officer will be utilized was executed by the parties; and

WHEREAS, the Kent City Council wants to grant the City Manager the authority to execute a written amendment to the MOU document, which extends the agreement until May 27, 2021; and

WHEREAS, due to time deadlines in the school year process, time is of the essence in signing the MOU.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That the City Manager, or his designee, be and hereby is authorized to approve and execute a written amendment to the MOU with the City of Kent, Ohio and the Kent City Board of Education which adopted a School Resource Officer program, in order to extend the agreement until May 27, 2021, is fully set forth in Exhibit "A", attached hereto and incorporated herein.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____

Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____

Date

ATTEST: _____

Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *RESOLUTION NO.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

KENT CITY - KENT CITY SCHOOL DISTRICT MEMORANDUM OF UNDERSTANDING FOR THE SCHOOL RESOURCE OFFICER PROGRAM

This agreement made and entered into between the City of Kent, a municipal corporation, organized and existing by virtue of the laws of the State of Ohio and the Kent City Board of Education by its duly acting and qualified Superintendent, George Joseph.

Whereas the City and the Board are interested in entering into a contract for the establishment of a school resource officer to provide a more complete liaison between the City of Kent Police Department and the Kent City School System in a cooperative effort to prevent crime and crisis and provide safety and a law enforcement presence.

Therefore the parties, each in consideration for the mutual promises and obligations assumed by the other, agree as follows:

1. The Primary Function of the School Resource Officer (SRO) is to act as a liaison between the City's Police Department and the Kent City School District, residents and businesses impacted by the educational institutions through development and implementation of Public Education and Awareness Program: and to maintain a healthy and productive working rapport with intermediate and secondary level students, parents, and school administrators in the capacity of law enforcement education.
2. The Objective of the School Resource Officer (SRO) is to provide and instill a sense of safety through officer presence. The School Resource Officer (SRO) will focus on developing a rapport with students primarily at the Roosevelt High School and Stanton Middle school to create and maintain a safe educational environment for the students, faculty and staff.
3. The Duties of the School Resource Officer shall be assigned to one full time officer of the Kent Police Department. The officer's assignment will be to fulfill the outlined objectives and functions outlined above, to carry out his duties as further outlined in the School Resource Officer Program Manual and carry out the duties governed by the City of Kent and State of Ohio as a certified peace officer.
4. The position of the SRO is being funded 100% by the Kent Board of Education during the regular school year (approximately August through May) **unless the school year has been altered or adjusted due to the COVID-19 Pandemic.** The City of Kent will fund 100% of the position during the non-school summer quarter when the officer is not performing SRO duties **or during the non-school times due to the COVID-19 Pandemic.**

If unique circumstances require extending the SRO presence in the schools beyond the regular academic year, the Kent BOE will assume those costs on a pro rata basis. If unique circumstances result in an extended absence (greater than 3 weeks in succession) of the SRO during the regular academic year, the City and Kent City School staff have the authority to negotiate an adjusted pro rata share of funding.

The funding includes base pay, overtime (as requested by the schools) and benefits as listed below and as applicable based on the FOP collective bargaining agreement:

DRAFT ORDINANCE NO. 2020-83

AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF WATER USE CHARGES, WASTEWATER USE CHARGES, STORM WATER UTILITY CHARGES AND RECYCLING/SOLID WASTE COLLECTION CHARGES TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY FOR THE NON-PAYMENT OF WATER USE CHARGES, WASTEWATER USE CHARGES, STORM WATER UTILITY CHARGES AND RECYCLING/SOLID WASTE COLLECTION CHARGES, AND DECLARING AN EMERGENCY.

WHEREAS, there are a number of water use, wastewater use, storm water utility, and recycling/solid waste collection that remain unpaid after attempts to collect have been made; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (7) of all members elected thereto concurring:

SECTION 1. That Kent City Council does hereby authorize the certification of the water use, wastewater use, storm water utility, and recycling/solid waste collection listed in Exhibit "A", attached hereto and made a part hereof, on the real estate tax list and duplicate against the properties listed. It is the intent of Council that the amounts certified to the County Auditor shall be a lien on the property served by the services listed.

SECTION 2. That the amounts shown are hereby assessed upon the properties shown and such assessments shall be certified by the Clerk of Council to the County Auditor for collection in the same manner as general taxes. The Clerk of Council shall also certify that the unpaid charges have arisen pursuant to services made directly with the owner or tenant who occupied the property served.

SECTION 3. Council does hereby find that the certification of the unpaid bills meets all of the requirements of Sections 913.07, 915.72, 921.24 and 935.14 and is further authorized by the Ohio Revised Code.

SECTION 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 5. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *ORDINANCE NO.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

City of Kent: Delinquent Fines and Unpaid Fees Dept: Utility Billing

Owner Name	Address	Parcel #	Amount	Date	Description of
				Delinquent	Fine/unpaid fee
Asad, Megan	1155 Munroe Falls	17-010-10-00-140-000	\$80.86	3/16/2020	water/sewer
Baker, Philip	560 Longcoy	17-030-10-00-139-000	\$185.59	6/11/2019	water/sewer
Bassam, Ahmad	1110 Silver Meadows	17-028-10-00-116-000	\$124.04	6/19/2020	water/sewer
Belfiore, John	539 Cuyahoga	17-030-20-00-237-000	\$130.80	10/15/2019	water/sewer
Camm Investments	120 E School	17-013-20-00-156-000	\$33.74	2/7/2020	water/sewer
Case, William	132 S Pearl	17-025-20-00-094-000	\$44.50	7/9/2020	water/sewer
Dodson, Donald	221 Cherry	17-007-10-00-084-000	\$137.16	5/6/2019	water/sewer
Gardner, Jeffrey	455 Rockwell	17-030-20-00-133-000	\$57.77	5/6/2019	water/sewer
Ginther, Amanda or Greg	123 E Elm	17-013-20-00-053-000	\$89.67	1/8/2020	water/sewer
Glavin, Kevin	732 Stinaff	17-030-20-00-262-000	\$62.03	1/31/2020	water/sewer
Hershiser, William	424 Burns	17-030-20-00-208-000	\$29.21	7/9/2020	water/sewer
Hilton, Lauren	996 Gardenview	17-011-20-00-094-000	\$369.05	9/3/2019	water/sewer
Horowitz, Bradley	1130 Jessie	17-010-10-00-125-000	\$60.58	4/23/2020	water/sewer
Hostetler, Larry	1090 Silver Meadows	17-028-10-00-115-000	\$50.30	8/12/2019	water/sewer
Kegley, David	436 Francis	17-010-20-00-027-000	\$293.12	3/6/2020	water/sewer
Kovolyan, John or Jody	644 S Water	17-012-10-00-066-000	\$2.62	1/8/2020	water/sewer
Langston, Brian	401 Adamle	17-029-10-00-059-000	\$47.28	1/31/2020	water/sewer
Manijak, Francis	1157 W Main	17-010-20-00-011-000	\$164.62	3/6/2020	water/sewer
N & N Portage	1549 Benjamin	17-007-20-00-025-000	\$53.25	6/11/2019	water/sewer
Nemec, Kathryn	626 Ada	17-010-03-00-042-000	\$45.34	8/12/2019	water/sewer
Sahintepe, Mustafa	404 E Summit	17-013-10-00-098-000	\$62.19	7/9/2020	water/sewer
Schasser, John	911 Walnut	17-012-20-00-073-000	\$104.96	1/8/2020	water/sewer
Schlueter, Cheryl	231 W Oak	17-012-20-00-016-000	\$55.74	7/9/2020	water/sewer
Stephanopoulos, George	1575 Athena	17-004-00-00-006-013	\$8.43	7/9/2020	water/sewer
Strickland, Elizabeth	401 Silver Meadows	17-028-20-00-107-000	\$148.58	11/18/2019	water/sewer
Thurman, Roger	114 Crain	17-031-22-00-209-000	\$656.29	9/16/2019	water/sewer
Vance, Nate	426 W Elm B	17-012-20-00-107-000	\$167.06	3/6/2020	water/sewer
Wallach, Tracy	227 Starr	17-031-21-00-025-000	\$129.95	11/18/2019	water/sewer
Waller, Sheri	1530 Franklin	17-007-00-00-032-000	\$153.09	4/6/2020	water/sewer
Wright, Michael	344 Dodge	17-012-20-00-217-000	\$210.83	3/16/2020	water/sewer
Zwolinski, Mark	314 Reilm	17-006-12-00-123-000	\$60.61	8/12/2019	water/sewer
TOTAL			\$3,819.26		

DRAFT ORDINANCE 2020-84

AN ORDINANCE AUTHORIZING THE CERTIFICATION OF DELINQUENT MOWING BILLS, PROPERTY MAINTENANCE VIOLATIONS-CITATIONS, ZONING VIOLATIONS-CITATIONS, AND HEALTH DEPARTMENT VIOLATIONS-CITATIONS TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY SERVED BY THE MOWING SERVICES, PROPERTY MAINTENANCE VIOLATION-CITATIONS, ZONING VIOLATIONS-CITATIONS, HEALTH DEPARTMENT VIOLATIONS-CITATIONS, AND DECLARING AN EMERGENCY.

WHEREAS, there are a number of delinquent mowing bills which have been deemed uncollectible after numerous attempts to collect; and

WHEREAS, there are a number of property maintenance violations-citations that remain unpaid after attempts to collect have been made; and

WHEREAS, there are a number of zoning violations-citations that remain unpaid after attempts to collect have been made; and

WHEREAS, there are a number of Health Department violations-citations that remain unpaid after attempts to collect have been made.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (7) of all members elected thereto concurring:

SECTION 1. That Kent City Council does hereby authorize the certification of the delinquent mowing bills, property maintenance violations-citations, and zoning violations-citations listed in Exhibit "A", attached hereto and made a part hereof, on the real estate tax list and duplicate against the property served by the mowing, property maintenance, and/or zoning. It is the intent of Council that the amounts certified to the County Auditor shall be a lien on the property served by the services listed.

SECTION 2. That the amounts shown are hereby assessed upon the properties shown and such assessments shall be certified by the Clerk of Council to the County Auditor for collection in the same manner as general taxes. The Clerk of Council shall also certify that the unpaid charges have arisen pursuant to services made directly with the owner or tenant who occupied the property served.

SECTION 3. Council does hereby find that the certification of delinquent mowing, property maintenance violations-citations, zoning violations-citations, and Health Department violations-citations meets all of the requirements of Sections 551.03 and 1405.03 and is further authorized by the Ohio Revised Code (including but not limited to Section 731.51).

SECTION 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 5. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN
WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS
OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *ORDINANCE NO.*
_____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

City of Kent: Delinquent Fines/Unpaid Fees: Dept. of Community Development 7/29/20

Owner Name	Address	Parcel Number	Amount	Date Incurred	Description
ANDERSON MATTHEW N	932 W MAIN ST	17-026-20-00-009-000	\$2,400.00	9/4/2019	1410.04(a), 1410.04(f), 1410.04(g), 1411.02, 1411.03, 1411.05, 1411.06, 1411.09
BILLITER ROBERT L	115 W ELM	17-012-20-00-053-000	\$665.00	8/1/19, 5/7/20	mow + fine
BROWN A FRED (SUCCESSOR TRUSTEE)	213 DODGE	17-012-20-00-150-000	\$300.00	7/1/2020	1367.01a rental licensing
CLEGG PATRICK D	1216 MUNROE FALLS	17-010-70-00-046-000	\$1,940.00	7/9/19, 8/1/19, 5/7/20, 5/28/20	mow + fine
COTTON JAMES A & JAMES ALBERT	227 LAKE	17-031-21-00-061-000	\$670.00	7/25/19, 5/7/20	mow + fine
FAMILY DOLLAR STORES OF OHIO INC	1316 S WATER ST	17-006-11-00-003-000	\$335.00	7/25/2019	mow + fine
GLORIOSO ROBERT B & ANNE M (J&S)	520 CRAIN	17-024-33-00-095-000	\$4,500.00	11/27/19, 12/20/19, 1/13/20, 2/28/20, 5/7/20, 6/9/20	1367.01a rental licensing
KEGLEY DAVID BRUCE & MELISSA ANN	436 S FRANCIS ST	17-010-20-00-027-000	\$970.00	5/18/20, 5/28/20	mow + fine
KIERSTEAD MARGARET ROSE	1039 DAVEY	17-032-10-00-065-000	\$335.00	5/28/2020	mow + fine
KORDINAK MARIE M	1070 NORWOOD	17-010-80-00-087-000	\$1,305.00	7/25/19, 9/26/19, 5/28/20	mow + fine
MACINTYRE PROPERTIES LLC	416 STINAFF	17-030-20-00-189-000	\$335.00	7/25/2019	mow + fine
MARKETPLACE RENTALS LLC	1067 GRAHAM	17-041-10-00-048-000	\$900.00	5/27/20, 6/19/20	1367.01a rental licensing
MARKETPLACE RENTALS LLC	1069 GRAHAM	17-041-10-00-048-000	\$900.00	5/27/20, 6/19/20	1367.01a rental licensing
MARKETPLACE RENTALS LLC	1101 S LINCOLN	17-013-20-00-289-006	\$900.00	5/27/20, 6/19/20	1367.01a rental licensing

MARKETPLACE RENTALS LLC	1103 S LINCOLN	17-013-20-00-289-006	\$900.00	5/27/20, 6/19/20	1367.01a rental licensing
MARKETPLACE RENTALS LLC	701 MAE	17-014-10-00-041-000	\$900.00	5/27/20, 6/19/20	1367.01a rental licensing
MARKETPLACE RENTALS LLC	705 MAE	17-014-10-00-041-000	\$900.00	5/27/20, 6/19/20	1367.01a rental licensing
MARKETPLACE RENTALS LLC	814 MAE (up)	17-014-10-00-027-000	\$900.00	5/27/20, 6/19/20	1367.01a rental licensing
MARKETPLACE RENTALS LLC	814 MAE (down)	17-014-10-00-027-000	\$900.00	5/27/20, 6/19/20	1367.01a rental licensing
MARKETPLACE RENTALS LLC	951 MORRIS	17-014-10-00-007-000	\$900.00	5/27/20, 6/19/20	1367.01a rental licensing
MARKETPLACE RENTALS LLC	953 MORRIS	17-014-10-00-007-000	\$900.00	5/27/20, 6/19/20	1367.01a rental licensing
MARKETPLACE RENTALS LLC	551A E SCHOOL	17-013-20-00-291-000	\$900.00	5/27/20, 6/19/20	1367.01a rental licensing
MARKETPLACE RENTALS LLC	551B E SCHOOL	17-013-20-00-291-000	\$900.00	5/27/20, 6/19/20	1367.01a rental licensing
MARKETPLACE RENTALS LLC	215A SHERMAN	17-023-10-00-188-000	\$900.00	5/27/20, 6/19/20	1367.01a rental licensing
MARKETPLACE RENTALS LLC	215B SHERMAN	17-023-10-00-188-000	\$900.00	5/27/20, 6/19/20	1367.01a rental licensing
RISCH JARED M	423 LONGMERE DR	17-026-20-00-021-000	\$347.84	8/27/2019	trash pickup + fine
STANLEY SCOTT	653 ADA	17-010-03-00-120-000	\$300.00	6/11/2020	1129.02 operation of an unlicensed rooming house
SULLIVAN NADINE HULBERT AKA NADINE H	336 SILVER MEADOWS BV	17-028-20-00-112-000	\$670.00	8/7/19, 5/7/20	mow + fine
WOLF DIANE J	1234 N MANTUA ST	17-042-10-00-016-000	\$340.00	5/18/2020	mow + fine
ZHAO JIANKUI & LEI (J&S)	1688 OLYMPUS DR	17-004-00-00-018-002	\$342.42	2/25/2020	bulk trash service

Total for Dept. of Community Development

\$28,355.26

Items: 30

City of Kent: Delinquent Fines/Unpaid Fees: Dept. of Community Development 7/29/20

Owner Name	Address	Parcel Number	Amount	Date Incurred	Description
ANDERSON MATTHEW N	932 W MAIN ST	17-026-20-00-009-000	\$2,400.00	9/4/2019	1410.04(a), 1410.04(f), 1410.04(g), 1411.02, 1411.03, 1411.05, 1411.06, 1411.09
BILLITER ROBERT L	115 W ELM	17-012-20-00-053-000	\$665.00	8/1/19, 5/7/20	mow + fine
BROWN A FRED (SUCCESSOR TRUSTEE)	213 DODGE	17-012-20-00-150-000	\$300.00	7/1/2020	1367.01a rental licensing
CLEGG PATRICK D	1216 MUNROE FALLS	17-010-70-00-046-000	\$1,940.00	7/9/19, 8/1/19, 5/7/20, 5/28/20	mow + fine
COTTON JAMES A & JAMES ALBERT	227 LAKE	17-031-21-00-061-000	\$670.00	7/25/19, 5/7/20	mow + fine
FAMILY DOLLAR STORES OF OHIO INC	1316 S WATER ST	17-006-11-00-003-000	\$335.00	7/25/2019	mow + fine
GLORIOSO ROBERT B & ANNE M (J&S)	520 CRAIN	17-024-33-00-095-000	\$4,500.00	11/27/19, 12/20/19, 1/13/20, 2/28/20, 5/7/20, 6/9/20	1367.01a rental licensing
KEGLEY DAVID BRUCE & MELISSA ANN	436 S FRANCIS ST	17-010-20-00-027-000	\$970.00	5/18/20, 5/28/20	mow + fine
KIERSTEAD MARGARET ROSE	1039 DAVEY	17-032-10-00-065-000	\$335.00	5/28/2020	mow + fine
KORDINAK MARIE M	1070 NORWOOD	17-010-80-00-087-000	\$1,305.00	7/25/19, 9/26/19, 5/28/20	mow + fine
MACINTYRE PROPERTIES LLC	416 STINAFF	17-030-20-00-189-000	\$335.00	7/25/2019	mow + fine
MARKETPLACE RENTALS LLC	1067 GRAHAM	17-041-10-00-048-000	\$900.00	5/27/20, 6/19/20	1367.01a rental licensing
MARKETPLACE RENTALS LLC	1069 GRAHAM	17-041-10-00-048-000	\$900.00	5/27/20, 6/19/20	1367.01a rental licensing
MARKETPLACE RENTALS LLC	1101 S LINCOLN	17-013-20-00-289-006	\$900.00	5/27/20, 6/19/20	1367.01a rental licensing

DRAFT ORDINANCE 2020-85

AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF BILLS FOR RESIDENTS RESULTING FROM THE 2019 ANNUAL CONCRETE REPAIR PROGRAM, TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY FOR THE NON-PAYMENT OF SIDEWALK REPAIRS, AND DECLARING AN EMERGENCY.

WHEREAS, there are a number of concrete sidewalk repair bills that remain unpaid after attempts to collect have been made; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (7) of all members elected thereto concurring:

SECTION 1. That Kent City Council does hereby authorize the certification of the 2019 Annual Concrete Repair Program listed in Exhibit "A", attached hereto and made a part hereof, on the real estate tax list and duplicate against the properties listed. It is the intent of Council that the amounts certified to the County Auditor shall be a lien on the property served by the services listed.

SECTION 2. That the amounts shown are hereby assessed upon the properties shown and such assessments shall be certified by the Clerk of Council to the County Auditor for collection in the same manner as general taxes. The Clerk of Council shall also certify that the unpaid charges have arisen pursuant to services made directly with the owner or tenant who occupied the property served.

SECTION 3. Council does hereby find that the certification of the unpaid bills meets all of the requirements of Section 521.06 and is further authorized by the Ohio Revised Code.

SECTION 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 5. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *ORDINANCE NO.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

2018 ANNUAL CONCRETE REPAIR PROGRAM

Ohio Revised Code 715.261
Kent Codified Ordinance 521.06

<u>PARCEL I.D. #</u>	<u>ADDRESS</u>	<u>PROPERTY OWNER</u>	<u>AMOUNT</u>
17-013-10-00-021-000	500 S. Depeyster St.	Mark & Dee Seaholts	\$1,209.00
17-013-10-00-033-000	531 S. Depeyster St.	Allan Orashan & Gayle Bentley	\$1,154.38
17-013-10-00-034-000	537 S. Depeyster St.	Gayle Bentley & Allan Orashan	\$2,406.90
17-013-10-00-035-000	539 S. Depeyster St.	Clarence & Allison Rader	\$2,651.00
17-012-20-00-151-000	209-209½ Dodge St.	Ritesh Sharma & Trivedi Dharti	\$3,378.30
17-012-20-00-146-000	239 Dodge St.	Forrest Lee Floyd	\$1,738.80
17-012-20-00-128-000	333 Dodge St.	Norman & Vicki Johnson	\$2,727.35
17-012-20-00-217-000	344 Dodge St.	Printillis & Michael Wright	\$4,370.00
17-012-20-00-218-000	348 Dodge St.	Caven McCoughlin & Ann Bauer	\$1,287.50
17-042-10-00-005-000	409 W. Grant St.	Andrea Hauserman	\$604.00
17-043-30-00-031-000	437 W. Grant St.	Brian Murray	\$575.00
17-030-10-00-058-000	444 W. Grant St.	Brian Murray	\$363.90
17-043-30-00-026-000	457 W. Grant St.	Justin P. Harris	\$360.00
17-043-30-00-024-000	469 W. Grant St.	Steven & Carrie Schreckengost	\$138.00
17-043-30-00-004-000	528 W. Grant St.	Pamela Starcher & Sarah Rhodes	\$264.50
17-043-30-00-015-000	583 W. Grant St.	Samuel & Sara Roberts	\$308.00
TOTAL			\$23,536.63

2019 ANNUAL CONCRETE REPAIR PROGRAM

Ohio Revised Code 715.261
Kent Codified Ordinance 521.06

<u>PARCEL I.D. #</u>	<u>ADDRESS</u>	<u>PROPERTY OWNER</u>	<u>AMOUNT</u>
17-024-20-00-076-000	122 Brady St.	HHHC Investment Group LLC	\$3,396.24
17-024-20-00-075-000	126 Brady St.	Jessie Scott	\$2,702.98
17-024-20-00-074-000	326 N. Depeyster St.	Frank D. Hornyak	\$3,581.95
17-013-20-00-117-000	631 S. Depeyster St.	Kevin & Lora Gray	\$341.06
17-013-20-00-013-000	638 S. Depeyster St.	Thomas J. Casterline	\$210.00
17-013-20-00-094-000	707 S. Depeyster St.	Kaleigh Ritter	\$1,549.88
17-013-20-00-098-000	809 S. Depeyster St.	Johnnie & Josephine Hughes	\$1,258.41
17-025-10-00-005-000	216 Lowell Dr.	James & Megan Geldhof	\$1,881.46
17-025-10-00-006-000	222 Lowell Dr.	Tonya L. Hardway	\$1,339.60
17-025-10-00-007-000	226 Lowell Dr.	Sean Ammon & Jenna Baucco	\$765.98
17-031-21-00-010-000	147 Lake St.	Adam & Julie Rubin	\$1,176.76
17-012-20-00-176-000	111 W. School St.	Angela P. Finn	\$1,259.60
TOTAL			\$19,463.92
2018 & 2019 TOTAL			\$43,000.55

DRAFT ORDINANCE NO. 2020-86

AN ORDINANCE AMENDING ORDINANCE NO. 2019-139, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 18, 2019; SO AS TO ADJUST APPROPRIATIONS, TRANSFERS AND ADVANCES FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020; AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to amend current appropriations, transfers and advances for the expenses and other expenditures for the City of Kent, Ohio, for the fiscal year ending December 31, 2020.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That the current appropriations Ordinance No. 2019-139 passed December 18, 2019; as amended by Ordinance No. 2020-14, passed 2/19/2020, as amended by Ordinance No. 2020-23, passed 3/18/2020, as amended by Ordinance No. 2020-29, passed 4/15/2020, as amended by Ordinance No. 2020-42, passed 5/20/2020, as amended by Ordinance No. 2020-55, passed 6/17/2020, as amended by Ordinance No. 2020-69, passed 7/15/2020, be amended as set forth in Exhibit "A", attached hereto and incorporated herein, so as to increase appropriations in Fund 001, General Fund; along with a net zero change in Fund 202, Sewer Fund; and Declaring An Emergency.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formation action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reason manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediate after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *ORDINANCE No.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL



CITY OF KENT, OHIO
DEPARTMENT OF BUDGET AND FINANCE
Rhonda C. Hall, CPA, Director

To: Dave Ruller, City Manager

From: Rhonda C. Hall, CPA, Director of Budget and Finance 

Date: July 29, 2020

Re: FY2020 Appropriation Amendments, Transfers, and Advances

The following appropriation amendments for the August Council Committee Agenda are hereby requested:

Fund 001 – General Fund

Increase	\$ 5,000	General, Urban Renewal/ Other (O&M) – Increase appropriations for O&M related to underground storage tank remediation, per B. Susel 7/15/20 memo.
Increase	3,000	General, City Manager/ Other (O&M) – Increase appropriations for O&M related to a part-time position as Program Coordinator to support the Kent Heart & Soul Project, per D. Ruller 7/29/20 memo.

Fund 202 – Sewer Fund

Decrease	\$ (10,000)	Sewer/ Capital – Decrease appropriations related to the Waterfall/Dam Upkeep, per B. Schesventer 7/21/20 memo.
Increase	10,000	Sewer/ Capital – Increase appropriations related to a new Grease Gun and other misc equipment, per B. Schesventer 7/21/20 memo.



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: July 15, 2020

TO: Rhonda Hall, Budget & Finance Director

FROM: Bridget Susel, Community Development Director *B.S.*

RE: Appropriations Request: BUSTR Case Completion, 301 W. Main Street

The City recently received a notification letter from the Department of Commerce, Division of State Fire Marshal, Bureau of Underground Storage Tank Regulations (BUSTR), regarding an incomplete filing associated with an underground storage tank remediation project that was undertaken at 301 West Main Street (former World Imports site) in 2003.

Subsequent information was sent by the City in 2007 and 2009, but was deemed insufficient by BUSTR. In response to this most recent notice, the City secured three (3) price estimates from qualified environmental consulting firms to ensure the necessary sampling and reporting is completed and submitted to BUSTR in order to close the open case file.

I am respectfully requesting the appropriation of an additional \$5,000.00 to the "Community Development Urban Renewal" account to pay the estimated cost associated with the necessary work.

Please let me know if you need any additional information in order to process this request.

Thank you.



Department of Commerce

Division of State Fire Marshal
Mike DeWine, Governor
Sheryl Maxfield, Director

June 16, 2020

DAVE RULLER, CITY MANAGER
CITY OF KENT
301 SOUTH DEPEYSTER STREET
KENT, OHIO 44240

SITE: WORLD IMPORTS
301 W MAIN ST
KENT OH
PORTAGE COUNTY
RELEASE #67002010-N00001

RE: SITE STATUS

Dear City Manager Ruller:

The State Fire Marshal, Bureau of Underground Storage Tank Regulations ("BUSTR") has established an enforcement program for resolving non-compliance with underground storage tank ("UST") environmental regulations as quickly and efficiently as possible. Some time ago, the file for the former World Imports facility, located at what was then 301 West Main Street, was referred to my attention in BUSTR's Enforcement Section for potential action. In reviewing the file recently, I discovered that BUSTR has not been in contact with the City of Kent ("City") for several years about this matter; as a result, I believe that it would be more appropriate to send this letter reminding you of the site's status and your legal obligations with respect to it, instead of issuing a Notice of Violation.

Site Background

On September 10, 1996, the City removed two waste oil USTs from the former World Imports property, by then owned by the City. The closure assessment performed at the time indicated that contamination was present; that indication was confirmed by additional environmental investigations performed by the City over the next several years. The most recent report submitted by the City was a Tier 1 Evaluation conducted pursuant to the 1999 version of BUSTR's corrective action rule. It requested that BUSTR issue a finding of No Further Action but upon review BUSTR found that there was no monitoring well placed in the tank cavity and that, in any case, the samples submitted to the laboratory for analysis were above the proper holding temperature and therefore cannot be relied upon to accurately reflect the soil and groundwater conditions. Due to these deficiencies, BUSTR was unable to consider a finding of No Further Action.

Because the corrective action was not complete, in 2009 BUSTR moved the release file to the next version of the corrective action rule, the 2005 rule and required the City to conduct a Tier 1 Source Investigation ("TISI") pursuant to that version and to submit the appropriate report, either a Tier 1 Evaluation or a Tier 1

Bureau of Underground Storage Tank
Regulations
8895 East Main Street
Reynoldsburg, OH 43068 U.S.A.

An Equal Opportunity Employer and Service
Provider

614 | 752 7938
Fax 614 | 752 7942
TTY/TDD 800 | 750 0750
www.com.ohio.gov

Notification (depending on the environmental sampling results). To date, however, none has been received and the City is in violation of the of the following provision of the Ohio Administrative Code:

- 1301:7-9-13(H)(3) Failure to submit a Tier 1 Evaluation or a Tier 1 Notification report.

I would note that the corrective action rule has undergone additional revisions since 2009. The current version of that rule is dated 2017, and the City may elect to perform a T1SI under that version if it wishes.

Under ordinary circumstances, a release which has gone unaddressed for such a length of time would be a strong candidate for formal enforcement action. As I noted earlier, though, BUSTR has not been in touch with the City for quite some time and I believe it would be more appropriate to allow the City the opportunity to review this letter and to take steps to initiate the necessary corrective actions.

Finally, BUSTR understands that the current situation surrounding the coronavirus may impact the availability of contractors to address your corrective action obligations. BUSTR does expect, however, that the City will keep us apprised of its compliance efforts.

Thank you in advance for your cooperation. I strongly urge that the City or its consultant contact our site coordinator for Portage County, Mr. Ryan Siath, to discuss the relative merits of a T1SI. Mr. Siath can be reached directly at (614) 387-7416. If you have any questions about this letter or the enforcement process in general, please feel free to contact me at david.sauer@com.state.oh.us or by telephone at (614) 752-7096.

Sincerely,



David N. Sauer
Enforcement Coordinator

cc: Hope L. Jones, Law Director, City of Kent
Corrective Action File
Enforcement File

Bureau of Underground Storage Tank Regulations
8895 East Main Street
Reynoldsburg, OH 43068 U.S.A.

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City of Kent
Department of Public Service
Division of Water Reclamation

Memo

To: Rhonda Hall, Budget Director

From: William Schesventer, WRF Manager

Date: July 21, 2020

RE: Funds transfer Request

I am requesting the transfer of \$10,000.00 from fund line 7680, *Contract*, to line 7630 *Equipment Items* >\$2,500.00 Plant miscellaneous to allow for purchase of items over the \$2,500.00 limit.

Thank you for your consideration.

cc: Melanie Baker, Service Director
File



City of Kent, Ohio

Office of the City Manager

To: Rhonda Hall, Director of Budget & Finance

From: Dave Ruller, City Manager 

Date: July 29, 2020

RE: 2020 Appropriation Revision Request- Part-time Coordinator funding for Community Heart & Soul Project

The City of Kent has used a staffing agency to pay a part-time Program Coordinator to support the Kent Heart & Soul Project for the past 6 months. The project is a community engagement project that is critical for gaining citizen input, establishing future priorities, and defining community goals.

The project has been underway for 18 months and as a volunteer led effort the part time position has proven critical to assisting the volunteers stay organized, on track, and coordinated with the City.

The pandemic and recent national escalations in racial tensions has reaffirmed the importance of engaging the community in conversations about what is important in the community and what programs the City needs to be working on to advance community goals.

The output of the Heart & Soul Project will also be used in the City's Comprehensive Plan update which is currently underway so timing is critical and the part time staff has proven to be an effective way to leverage volunteer efforts.

In light of this, the City Manager's Office is requesting **\$3,000.00** to be appropriated to the following line: 001-09-570-704-7340.

A breakdown of the costs related to the cost of the project

2020-450 Purchase Order previously encumbered:	\$3,000.00
Requested amount:	3,000.00
TOTAL:	<u>\$6,000.00</u>

Please let me know if you have any questions or if you need any additional information.

Thank you.

CC: Brian Huff

301 S Depeyster Street • Kent, Ohio 44240 • 330.676.7500 • Fax 330.678.8033

www.kentohio.org • www.kent360.com

DRAFT ORDINANCE NO. 2020-87

AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$250.00 TO THE CITY OF KENT FIRE DEPARTMENT FROM LESLIE TAN, IN THE NAME OF ERIC MARTIN, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Fire Department has received a donation of \$250.00 from Leslie Tan, in the name of Eric Martin; and

WHEREAS, the City wishes to accept said donation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That Council does hereby authorize the City Manager on behalf of the City of Kent to accept the donation of \$250.00 from Leslie Tan, in the name of Eric Martin and for the Budget and Finance Director to appropriate the donation into the proper fund.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL
(SEAL)

DRAFT ORDINANCE NO. 2020-88

AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$500.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT TO PURCHASE A WEATHERVANE FOR THE DOWNTOWN GAZEBO, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Parks & Recreation Department has received a donation of \$500 from Jerry Fiala (\$100), Jack Amrhein (\$100), Garret Ferrara (\$100), Roger Sidoti (\$100), and Michelle Hartman (\$100), to purchase a weathervane for the downtown gazebo; and

WHEREAS, the City wishes to accept said donation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That Council does hereby authorize the City Manager on behalf of the City of Kent to accept the donation of \$500.00 to purchase a weathervane for the downtown gazebo and for the Budget and Finance Director to appropriate the donation into the proper fund.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL
(SEAL)



City Council Regular Meeting Minutes
The City of Kent, Ohio
Wednesday, July 15, 2020

Special Note: Due to the Covid-19 Pandemic, this meeting was conducted virtually and broadcast live on the City's YouTube Channel.

At 8:00 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; Mr. Roger Sidoti; Mr. Robin Turner and 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. Rhonda Hall, Budget and Finance Director; Ms. Melanie Baker, Service Administration Director; Mr. Gary Bishop, IT Manager; Ms. Joan Seidel, Health Commissioner; Mr. Nick Shearer, Police Chief; Mr. John Tosko, Fire Chief; Mr. Kevin Schwartzhoff, Parks and Recreation Director; and Ms. Amy Wilkens, Clerk of Council.

APPROVAL OF MINUTES:

MOTION TO APPROVE THE MINUTES OF THE PUBLIC HEARING OF JUNE 3, 2020, REGULAR COUNCIL MEETING OF JUNE 17, 2020, SPECIAL COUNCIL MEETING OF JULY 1, 2020 AND PUBLIC HEARINGS OF JULY 1, 2020 made by Mr. Amrhein, seconded by Mr. Kuhar, and CARRIED by a voice vote of 9-0.

COMMUNICATIONS:

Public Communication

Mayor Fiala asked if there were any members of the public joining the meeting. There were no members signed in that wished to address Council.

Written Communication

The following items were received and are in the Clerk of Council's Office:

1. Letter from the Department of Commerce regarding the approval of the operation of the DORA in the City of Kent, Ohio received on June 27, 2020. This letter was forwarded to Council Members on June 29, 2020.
2. Standing Rock Cemetery Meeting Agenda for July 9, 2020 and the Minutes from the June 11, 2020 meeting were received on June 29, 2020.
3. Sustainability Commission Meeting Agenda for July 6, 2020 and Minutes from June 1, 2020 were received on July 1, 2020.
4. Email from Mr. Mercer, resident of Kent Ohio, regarding requiring the use of masks was received on June 29, 2020 and forwarded to City Council Members.
5. Emails from Tony Mosca, Iris Meltzer and Chris Cowles regarding requiring the use of masks were received on July 15, 2020 all forwarded to City Council Members.

The following information was received after the Agenda was posted and are on file in the Clerk of Council's Office:

1. The July Packet from the Parks and Recreation Board was received on July 10, 2020
2. Emails were received between July 9, 2020 and July 15, 2020 and forwarded to Council members. All emails are on file in the Clerk of Council's Office.

In Favor of the Mask Ordinance: Elizabeth Smith- Pryor and Richard E. Pryor; Cynthia Price; Helen and Richard Burdette; Lori Zellefrow; Jennifer Mapes; Jacob Barkly; Kat Holtz; Tara Smith; Melissa Zulla; Anne Jefferson; Kellie Green; Sara Koopman; Linda Miles; Catherine Greenwood; Todd Boyles; Matthew McMinn; Barb Wendel; Jennifer Oettinger; Dr. Enrico Gandolfi; Dr. Matthew Crawford; Christin Vais; Dr. Dana Lawless- Andric; Mary Step; Deborah Smith; Tammy Clewell; Theresa Walton-Fisette; Murali Shanker and Sonia Shanker ; Robin VandeZande; Mark Mistur; Mindy Uhrig; Wesley Raabe; Linda Piccirillo Smith; Pamela Grimm; Chris Carman; Brad and Jody Maxwell; Dave Kaplan; Jennifer Tabor; Mark Bracher; Robert Walker; Christine Gillespie; Ellen Rubin; Tracy Foreman, Sandy Dettis and Dissac Foreman; Vivien Sandlund; Barb Barkley; Sue Roxburgh; Dr. Rebecca Catto; Allen and Maureen Smalley; Michael Davis; Christopher Dum; Chris Myers; Erin, Lance, Elaine and Jerry May; Joyce Snodgrass; Denise and Gary Mote

Concerns/Against Mask Ordinance: Jessica West; Jin- Hyoung Kim; Jesse Gray; Nichole Costa; and Randy Lyle

3. An email was received from Victor Barratt McCartney regarding a push for greater police accountability by creating a civilian oversight committee as well as a new policy for minor drug offenses. This email was forwarded to Council.
4. A letter regarding the appearance of the old police station at 319 S. Water St. was received on July 15, 2020 from Mary L. Kenneley of 1123 Elna Avenue.
5. A Letter from resident Laura Mazur regarding the waste drop off site.
6. A letter from Melissa Clemens regarding traffic speed and a wish to create a community involved program to make streets safer.
7. A letter from Treehugger Mariah Reincarnated regarding lowering the voting age.

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

1. Kevin Schwartzhoff asked for Council's authorization to accept a \$200 donation from Ronald and Judith Swearingen to Kent Parks and Recreation for the purchase of a memorial tree in honor of Rita Thomas. (Draft #2020-70)
2. Melanie Baker has requested Committee of the Whole time to review the latest update on the new City Hall project.
3. Amy Wilkens and Hope Jones have requested Committee of the Whole time to discuss recommendations for membership on City Boards and Commissions.
4. Tom Wilke has requested Community Development Committee time to present a proposed Community Reinvestment Area Agreement for Montrose Mazda.
5. Bridget Susel has requested Community Development Committee time for Council's consideration of an Agreement with the Brownfield Restoration Group for environmental remediation work.
6. Chief Shearer has requested Finance Committee time to seek Council's authorization to renew the Police Department's agreement with Kent City School to share in the cost of a School Resource Officer.
7. Joan Siedel and Rhonda Hall have requested Finance Committee time to create a new line item in the Health Department budget related to tattoo business fees.

8. Rhonda Hall has requested Finance Committee time to provide Council with a status report on City finances in light of the Covid-19 pandemic and to request Council's approval of budget reduction measures required in response to revenue losses.

MOTION TO APPROVE ITEMS #1-8 OF THE CITY MANAGER'S REPORT made by Mr. Amrhein, seconded by Ms. Rosenberg, and CARRIED by a voice vote of 9-0.

STANDING COMMITTEES/ LEGISLATION

1. COMMITTEE OF THE WHOLE:

MOTION TO APPROVE THE COMMITTEE OF THE WHOLE MEETING MINUTES of July 1, 2020 made by Mr. DeLeone, seconded by Mr. Kuhar, and CARRIED by a voice vote of 9-0.

Recommended Actions:

- 1) Authorize the proposed updates of the City Ordinance Book pages.

MOTION TO APPROVE THE COMMITTEE OF THE WHOLE Recommended Actions made by Mr. DeLeone, seconded by Mr. Kuhar, and CARRIED by a voice vote of 9-0.

Draft No. 2020-59 AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE CITY OF KENT CODIFIED ORDINANCES 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. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-59 made by Mr. DeLeone and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-59: AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE CITY OF KENT CODIFIED ORDINANCES AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

Draft No. 2020-60 A RESOLUTION AFFIRMING THAT BLACK LIVES MATTER AND THAT THE CITY OF KENT IS COMMITTED TO CONDEMNING RACISM AND ENCOURAGING A COMMITMENT TO FAIR AND EQUAL TREATMENT FOR ALL was read by title only by Clerk Wilkens per Mayor Fiala's request

MOTION TO SUSPEND THE THREE READINGS made by Ms. Shaffer seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-60 made by Ms. Shaffer and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

RESOLUTION 2020-60: A RESOLUTION AFFIRMING THAT BLACK LIVES MATTER AND THAT THE CITY OF KENT IS COMMITTED TO CONDEMNING RACISM AND ENCOURAGING A COMMITMENT TO FAIR AND EQUAL TREATMENT FOR ALL **PASSED** as stated by Clerk Wilkens

2. COMMUNITY DEVELOPMENT COMMITTEE:

NO MEETING MINUTES OR RECOMMENDED ACTIONS TO APPROVE

3. STREETS, SIDEWALKS & UTILITIES COMMITTEE:

MOTION TO APPROVE THE STREETS, SIDEWALKS & UTILITIES COMMITTEE MEETING MINUTES of July 1, 2020 made by Mr. Sidoti, seconded by Mr. DeLeone, and **CARRIED** by a voice vote of 9-0.

MOTION TO APPROVE THE STREETS, SIDEWALKS & UTILITIES COMMITTEE ACTION ITEMS made by Mr. Sidoti, seconded by Mr. DeLeone, and **CARRIED** by a voice vote of 9-0.

Recommended Actions:

- 1) Consideration of a Water Service Extension Request

Draft No 2020-61 AN ORDINANCE AUTHORIZING LTC BRIMFIELD, LLC A WATER TAP-IN FOR A NEW 96 BED SKILLED NURSING FACILITY LOCATED AT 5075 SR 43 AND MELOY ROAD, 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. Sidoti seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion **CARRIED** by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-61 made by Mr. Sidoti and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion **CARRIED** by a roll call vote of 9-0.

ORDINANCE 2020-61 AN ORDINANCE AUTHORIZING LTC BRIMFIELD, LLC A WATER TAP-IN FOR A NEW 96 BED SKILLED NURSING FACILITY LOCATED AT 5075 SR 43 AND MELOY ROAD, OUTSIDE THE CITY OF KENT, AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

4. LAND USE COMMITTEE:

NO MINUTES OR RECOMMENDED ACTIONS TO BE APPROVED.

5. HEALTH AND SAFETY COMMITTEE:

MOTION TO APPROVE THE HEALTH AND SAFETY COMMITTEE MEETING MINUTES of July 1, 2020 and the Special Meeting Minutes from July 15, 2020 made by Mr. Amrhein, seconded by Ms. Shaffer, and **CARRIED** by a voice vote of 9-0.

MOTION TO APPROVE THE STREETS, SIDEWALKS & UTILITIES COMMITTEE ACTION ITEMS made by Mr. Amrhein, seconded by Ms. Wallach, and **CARRIED** by a voice vote of 9-0.

Draft No 2020-62 AN ORDINANCE REQUIRING FACIAL COVERINGS IN INDOOR AND OUTDOOR AREAS ACCESSIBLE TO THE PUBLIC; 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. Shaffer seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion **CARRIED** by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-62 made by Ms. Wallach and seconded by Ms. Shaffer. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 8-0-1 with Mr. Kuhar abstaining.

ORDINANCE 2020-62 AN ORDINANCE REQUIRING FACIAL COVERINGS IN INDOOR AND OUTDOOR AREAS ACCESSIBLE TO THE PUBLIC; AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

6. FINANCE COMMITTEE:

MOTION TO APPROVE THE FINANCE COMMITTEE MINUTES of July 1, 2020 made by Mr. DeLeone, seconded by Mr. Kuhar, and CARRIED by a voice vote of 9-0.

MOTION TO APPROVE THE FINANCE COMMITTEE ACTION ITEMS made by Mr. DeLeone, seconded by Mr. Kuhar, and CARRIED by a voice vote of 9-0.

Recommended Actions:

- 1) Authorize submission of the City's 2021 Tax Budget to the County
- 2) Authorize the proposed easement agreements required for the SW Sanitary Pump Station Project
- 3) Authorize the City to proceed with the proposed West Side Fire Levy renewal and request the County Board of Elections place the issue on the Fall 2020 ballot
- 4) Approve the Budget Appropriations Amendment

Ms. Rhonda Hall asked to speak before Council regarding the bonds bid to the banks. There were four bids for the bonds approved last month, and the rate received was 1.29% for the next ten years. She thanked Mr. David Coffee for rolling over the notes year after year that enabled the city to obtain this low interest rate.

Draft No 2020- 63 A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF KENT, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2021, SUBMITTING THE SAME TO THE COUNTY AUDITOR, 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. Kuhar. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-63 made by Mr. Kuhar and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

RESOLUTION 2020-63 A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF KENT, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2021, SUBMITTING THE SAME TO THE COUNTY AUDITOR, AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

Draft No. 2020-64 A RESOLUTION DETERMINING TO PROCEED TO SUBMIT TO THE ELECTORS OF THE CITY OF KENT THE QUESTION OF THE RENEWAL OF THE CITY'S EXISTING 0.73-MILL TAX LEVY FOR THE PURPOSE OF PROVIDING SUFFICIENT FUNDS FOR THE CURRENT EXPENSE OF MAINTAINING AND OPERATING A FIRE STATION IN THE CITY OF KENT WEST OF THE ERIE RAILROAD PURSUANT TO SECTIONS 5705.19(I) AND 5705.191 OF THE OHIO REVISED CODE, 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. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION MADE TO ALLOW THE CLERK THE ABILITY TO AMEND THE TITLE OF THE ORDINANCE AMENDING THE NAME OF THE ERIE RAILROAD IF NEEDED made by Mr. DeLeone SECONDED by Ms. Shaffer and CARRIED with a voice vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-64 made by Ms. Shaffer and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

RESOLUTION 2020-64; A RESOLUTION DETERMINING TO PROCEED TO SUBMIT TO THE ELECTORS OF THE CITY OF KENT THE QUESTION OF THE RENEWAL OF THE CITY'S EXISTING 0.73-MILL TAX LEVY FOR THE PURPOSE OF PROVIDING SUFFICIENT FUNDS FOR THE CURRENT EXPENSE OF MAINTAINING AND OPERATING A FIRE STATION IN THE CITY OF KENT WEST OF THE ERIE RAILROAD PURSUANT TO SECTIONS 5705.19(I) AND 5705.191 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens

Draft No 2020-65; AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 679 SQUARE FEET OF REAL PROPERTY FROM JOHN N. REEVES, II, 1250 MIDDLEBURY ROAD FOR \$360.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND 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 seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-65 made by Mr. Kuhar and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-65 AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 679 SQUARE FEET OF REAL PROPERTY FROM JOHN N. REEVES, II, 1250 MIDDLEBURY ROAD FOR \$360.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND THE CONSTRUCTION OF THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

Draft No 2020-66; AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 9,875 SQUARE FEET OF REAL PROPERTY FROM MARK F. COLLINS, 1178 MIDDLEBURY ROAD FOR \$1,310.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND 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 Ms. Shaffer seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-66 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-66 AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 9,875 SQUARE FEET OF REAL PROPERTY FROM MARK F. COLLINS, 1178 MIDDLEBURY ROAD FOR \$1,310.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND THE CONSTRUCTION OF THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

Draft No 2020-67; AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 483 SQUARE FEET OF REAL PROPERTY FROM TONI KUNO, 1234 MIDDLEBURY ROAD FOR \$300.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND 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 seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-67 made by Mr. DeLeone and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-67 AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 483 SQUARE FEET OF REAL PROPERTY FROM TONI KUNO, 1234 MIDDLEBURY ROAD FOR \$300.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND THE CONSTRUCTION OF THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

Draft No 2020-68; AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 579 SQUARE FEET OF REAL PROPERTY FROM GAIL A. NEUBERT nka GAIL A. TUTTLE, 1240 MIDDLEBURY ROAD FOR \$300.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND 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 seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-68 made by Mr. Kuhar and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-68 AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 579 SQUARE FEET OF REAL PROPERTY FROM GAIL A. NEUBERT nka GAIL A. TUTTLE, 1240 MIDDLEBURY ROAD FOR \$300.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND THE CONSTRUCTION OF THE

SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

Draft No 2020-69 AN ORDINANCE AMENDING ORDINANCE NO. 2019-139, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 18, 2019; SO AS TO ADJUST APPROPRIATIONS, TRANSFERS AND ADVANCES FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020; 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 Ms. Shaffer. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-69 made by Mr. DeLeone and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-69 AN ORDINANCE AMENDING ORDINANCE NO. 2019-139, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 18, 2019; SO AS TO ADJUST APPROPRIATIONS, TRANSFERS AND ADVANCES FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020; AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

Draft No 2020-70 AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM RONALD SWEARINGEN AND JUDITH SWEARINGEN TO PURCHASE A MEMORIAL TREE IN MEMORY OF RITA THOMAS, 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. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-70 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-70 AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM RONALD SWEARINGEN AND JUDITH SWEARINGEN TO PURCHASE A MEMORIAL TREE IN MEMORY OF RITA THOMAS, AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

SPECIAL COMMITTEE REPORTS:

UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Ms. Wallach said there was a really good discussion with the police department at the last committee meeting and she is very proud of the department. She asked about moving the discussion into committee to discuss establishing a group to review how to get more money for training and setting up scholarships for people of color to attend Kent State in the Criminal Justice major.

Ms. Shaffer added she thinks it is important to look at strategies to improve recruiting across the entire staff of the city and examining hurdles to hiring. She said there are many impediments and they need to be looked at.

Ms. Wallach added the SAT and ACT scores are discriminatory against minorities and this may be the case for the Civil Service test as well.

Mr. Sidoti added that Chief Shearer mentioned they had candidates who were eligible, pass the Civil Service test, but struggled with passing background checks. He agreed with Ms. Wallach about the SAT and ACT issue and thinks something needs to be done to encourage all minorities to apply to the City of Kent. There are highly qualified people that would be able to qualify and the key is encouraging them in some way. He agrees the police are doing a wonderful job on all other areas of the report and recruitment is everyone's job.

Ms. Rosenberg asked if this was to create a committee and if a report from Lt. Lewis before creating this may help.

Ms. Wallach said this is a motion to create a committee that would meet semi-annually or quarterly to discuss different issues such as recruitment.

Ms. Rosenberg asked if it would be a City Council Committee that would meet.

Ms. Wallach replied that is what needs to be discussed, what type of committee they would like and who would be on this committee.

Ms. Shaffer added that the idea is to have a flushed-out discussion on whether a committee is needed or if there is another strategy. Ms. Shaffer said she would like it on the agenda for a future meeting.

Mr. Turner agreed with Ms. Shaffer that the formation of a committee at this time is premature and the discussion is something that is most important, acknowledging there is a consider they need to sit down and formulate a plan of direction. The discussion should include the administration, the staff, the police and fire chiefs and department heads. There is an issue throughout the city, not just in the safety forces. He supports the concept of discussing and then developing a policy or an action plan.

Ms. Rosenberg asked to expand the scope to include city departments and even Boards and Commissions.

Ms. Wallach and Ms. Shaffer agreed with Ms. Rosenberg.

MOTION to refer to the appropriate committee the discussion of hiring persons of color across all City departments made by Ms. Wallach **SECONDED** by Ms. Shaffer and **CARRIED** by a voice vote of 9-0.

Ms. Wallach concluded by adding the Board of Elections is looking for poll workers.

Mr. Kuhar asked the administration look into adding sanitation stations downtown area and keep them supplied by people to sanitize their hands.

Ms. Wallach said it may be possible to use the COVID funds for this.

Mr. Kuhar said the biggest problem with the coronavirus is people not sanitizing properly. If there is something in front of them when they leave a store or a bar it would help. It would be a small price to pay to keep things safer.

Mr. Turner asked what the implementation would look like and if it is going to be discussed in a committee.

Mr. Amrhein stated it would be put into the Health and Safety Committee for further discussion.

Mr. Kuhar requested administration to expedite this matter, look at the feasibility and implement rather than wait a month.

Mr. Sidoti said the administration should be given the latitude to implement as they see fit and as quickly as possibly and with the DORA starting up the sooner implemented the better. If it warrants it could come back to Council for discussion but the administration should move ahead with implementing if they can find the money in the COVID funding.

Mayor Fiala asked Clerk Wilkens to read the original motion.

Clerk Wilkens read "a motion to have the administration put sanitation stations downtown."

MOTION for the Administration to look into providing sanitation stations in the downtown area for visitors to sanitize their hands by Mr. Kuhar, **SECONDED** by Ms. Wallach and **CARRIED** 9-0.

Mr. Sidoti gave a shout out to Jim Bowling regarding his response to Ms. Clemens letter about people speeding in Kent. She has spoken with him on numerous occasions regarding the 25-mph speed limit in residential areas. Both Mr. Ruller and Mr. Bowling quickly responded to her letter and Ms. Clemens really wants to help the police department in this area. He agreed that most people view this speed limit as a suggestion.

Mr. Ferrara asked to refer to committee or the administration the possibility of vacating 1118 Adrian Ave over in White Oak Hills. A gentleman had wanted to purchase this city owned parcel and is not going forward with the purchase.

Mr. DeLeone clarified they will be vacating the property to the residents that live on either side of the property.

Mr. Ferrara replied that is correct and as he understands it there is no longer interest in the original buyer purchasing the property so the two people who live on either side of the property would like the City to vacate it so it can be split.

Mr. Ruller added he will meet with Bridget Susel and Hope Jones to discuss.

COUNCILMEMBERS' COMMENTS:

Mr. DeLeone said he has talked to Scott Swan, Franklin Twp. Trustee, who notified him of their passing of a similar ordinance to be in step with the City of Kent, depending on what the City did.

Ms. Shaffer thanked all of the citizens, constituents, business owners who wrote, called and texted opinions about the masking ordinance, pro and con. Resident participation is what makes Kent special of the citizenry. She challenged the press who have not reported on the resolution developed by Ms. Wallach, Mr. Turner and herself to support the black lives movement. She encouraged residents to look at the agenda and read the resolution and for the press to print it.

Ms. Rosenberg commended Chief Shearer and the Police Department in locating and bringing back the missing teenager and the concern of the police searching for her. She also thanked the assisting public agencies and the great relationship with the U.S. Marshalls.

Mr. Ferrara clarified that Council affirmed that black lives matter and that all people were created equal and not the *mission* of the organization Black Lives Matter.

Mr. Sidoti agreed with Mr. Ferrara.

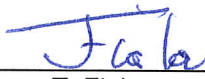
MAYOR'S REPORT:

Mayor Fiala thanked everyone who supported the mask ordinance and referenced the new video created by the Health Department which is very educational and very well done. Tonight's mask ordinance passing shows the concern about the community and their health and safety and what masks can do to control the virus and prevent the spread to enable businesses to remain open.

The Regular Meeting adjourned at 8:55 P.M.



Amy Wilkens
Clerk of Council



Jerry T. Fiala
Mayor and President of Council



Special Public Health and Safety Committee
Meeting Minutes
The City of Kent, Ohio
Wednesday, July 15, 2020

Chair Amrhein called the Special Public Health and Safety Committee to order at 7:00 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Schaffer; Mr. Roger Sidoti; Mr. Robin Turner, Ms. 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; Mr. Jim Bowling, City Engineer; Ms. Rhonda Hall, Budget and Finance Director; Ms. Melanie Baker, Service Administration Director; Mr. Gary Bishop, IT Manager; Ms. Joan Seidel, Health Commissioner; Mr. John Tosko, Fire Chief; Mr. Nick Shearer, Chief of Police; Mr. Kevin Schwartzhoff, Parks and Recreation Director and Ms. Amy Wilkens, Clerk of Council

There was one (1) item on the Agenda.

1. Facial Covering Discussion

Mr. Dave Ruller opened by addressing the fact that the issue of masking started as a national issue and has become more and more local. Numbers of the virus have been rising in Portage County and Kent. The virus has not decided to take a vacation over the summer and because of that there is an expectation of continued exposure and risks. City Council has referred back to staff the discussion of making masks mandatory. Portage County is currently at the State Level "Orange" which does not mandate a mask to be worn but there is a lot of interest in this mandate from residents and from Kent State University.

Ms. Joan Seidel stated the Health Department is wanting to be proactive, which has been their stance since the beginning of the virus. They are doing things that may seem unnecessary to some people to try to stay ahead of the virus and the spread and the havoc that is wreaked in its wake. She asked if everyone had a chance to listen to Governor DeWine's (previous days) address to Ohioans and that he preempted a lot of what she was hoping to say tonight. He is requesting every Ohioan to wear a mask when they are outside of their house regardless of the level their county is currently in (yellow, orange, red or purple) in order to get in front of the virus. The numbers are increasing, some of which is due to increased testing, but the percentage of positive tests within that numbers have increased 200%, which is not just due to more testing, but because there are more cases to be found. Ohio is trying to avoid the situation that Florida, Arizona and Texas are in right now. The numbers of daily new cases in Ohio make it on target to be the next Texas, Arizona or Florida in the next three to four weeks so it needs to be addressed now. There is already a number of people embracing wearing a mask and there are some people sitting on the fence and the hope is to get the approval from Council tonight for a little extra push for everyone to start wearing a mask. This request is being made to protect ourselves and others.

Dr. DeJulius from Axes Pointe Community Health Center reiterated everything that was stated by Ms. Seidel and said the science is solid. Every country that has succeeded in controlling this virus is doing universal masking. It is particularly timely for Kent to implement before the campus reopens and she supports this effort 100%. She opened the floor to questions from Council.

Ms. Tracy Wallach asked if it would be the responsibility of the Health Department to enforce.

Ms. Hope Jones stated the ordinance was written without an enforcement section, as she did not know what Council wanted so it was left open to be discussed. There were some internal discussions on how we are all being stretched to our thinnest and there may need to be an appropriation as some point if there was going to be enforcement.

Ms. Wallach said she thought the City was going to hire a couple of people to handle enforcement and was curious if the CARES Act monies could be used.

Mr. Ruller said that may be an option and the Director of Budget and Finance is reviewing how much money has been spent or accounted for from the CARES Act. They talked to neighboring cities of Stow and Hudson and are planning on mirroring their efforts. The Health Department takes the lead and it is not an effort to criminalize masks, but an effort to educate and inform and continue to push people to wear masks. If things get really bad, we may need to raise the stakes on enforcement but for the most part education will be the goal. A phone number to the Health Department and a web-based form are being established and if things escalate the police will be called. We are following the lead of surrounding communities.

Ms. Wallach said the City of Akron just passed an ordinance and will be penalizing people. She said Governor DeWine originally strongly recommended mask wearing but did not have any enforcement. She also wanted others to know that certain facemasks shouldn't be worn by some people. She asked that this be spelled out in the ordinance.

Mr. Ruller said this will be a part of the education. The ordinance sets the parameters and the details will be up to the Health Department regarding the education and informational items. The plan is to have posters and basic information for businesses around town. The business community does not want to have to fully enforce this but are working towards safety too. Posters would help this effort.

Ms. Wallach asked if reusable masks will be supplied to low income families and to businesses in case someone comes in without a mask.

Mr. Ruller said there has been talk about doing this. It has been suggested that an allotment be given to each business downtown for customers without masks. He mentioned Davey Tree had just donated masks to the City.

Ms. Seidel added she arranged to pick up the donation from Davey Tree. Covid will be here for a while, so this has to be a part of business and part of the cost. She agreed she is not in favor of the disposable masks because of the waste it creates but if that is what is needed to start with, it's better than not having any masks. Masks could also be a great marketing tool for local businesses.

Ms. Wallach asked if the Health Department will have masks available for pickup.

Ms. Seidel said she did not believe so. She has reached out to Kent Social Services regarding a generous donation of masks and they said they have plenty to supply. The Health Department has a small supply but right now their office is not open to the public for walk ins, so it would be difficult for people to stop by and ask for a mask. She passed out quite a few during the Black Lives Matter protest to protesters who were willing to take them.

Mr. Kuhar has been reading up on the different types of masks and the research he is reading says about 60% of the large particles would be trapped in the mask but air and microscopic particles go out. He said the air and particles have to go somewhere. He asked if particles drop to the surface by the person that's emitting.

Ms. Seidel said the mask needs to fit correctly and if there are gaps where you are feeling a lot of air around your face, that is a concern that the mask is not fit properly. The virus isn't independent and is

trapped in the respiratory secretions and that is what is trapped in the mask. A mask will help filter those.

Mr. Kuhar said if you are breathing the virus is still coming out.

Ms. Seidel clarified the CO₂ is coming out, but not necessarily the virus and they are trapped in the respiratory secretions and are trapped in the mask.

Dr. DeJulius added that no one is saying that masks are 100% able to prevent transmission, they are one of many layers of things needed to be done. Where a mask fails and some virus gets around it, the social distancing will be the next layer that prevents a transmission. If we want to bring the number of cases down we need to make sure each individual case does not lead to two, three or four more cases. Anything to reduce the number of transmissions that occur when there is human to human contact is going to help.

Mr. Kuhar said the little that does escape causes two issues- the sanitation of what escapes and the masks.

Ms. Seidel said to treat your mask like you do your underwear, change it frequently and make sure it's clean every day. If the mask becomes overly saturated, change it and put on a fresh dry mask.

Mr. Kuhar then asked what information is out there on copper impregnated masks.

Dr. DeJulius said there is some data on how long the virus survives on certain surfaces but much more information would be needed to know its effectiveness.

Ms. Seidel has heard it may be more effective against micro bacterial not viral. She would need to look into this a little more to be able to respond.

Ms. Shaffer stated she is for mask wearing and wears one herself but the devil is in the details and enforcement needs to be looked at. She doesn't want the expectation of "going after" those without a mask. We need to define public spaces to avoid causing confusion. She asked for clarification of wearing a mask inside and social distancing making it hard for people to eat or drink and wanted to know if it is suggesting everybody wear a mask at all times. How can we ensure the safety and enforce this while also being clear on what is being enforced?

Ms. Seidel said wearing masks is something that is the alternative to lock down and closing down of businesses. It will help businesses remain open. As of right now, you are allowed to dine out and not have a mask on while sitting at the table eating and drinking. When you get up from your table you would need to then put your mask on.

Ms. Shaffer said if there is confusion with the public there would be a lot of questions.

Ms. Hope Jones pointed out Exhibit A which lists the exceptions and she said facemasks could be made at home. She clarified masks are required while on a walk if unable to socially distance from other people walking around. She gave an example of a busy night downtown in the DORA, everyone may have to mask unless taking a drink or seated.

Mr. Ruller cautioned against trying to use the ordinance as the educational tool, these are two separate things. All of the educational material will be included in the posters, brochures and items hanging in businesses. It is such a fluid environment and he does not want to be locked into strict definitions. Enforcement education and information will remain with professional staff. The ordinance creates the framework and then the Health Department will take it from there.

Ms. Jones added that only Council can put definitions in place. She understands educating but it is

Council's decision to mandate masks, it is up to Council to mandate what those would be.

Ms. Shaffer said her concern is the increasing expectation that if people see others without masks, those people are breaking the law. She said it would be helpful to educate everyone what the parameters are and helping everyone understand them. They have been getting a lot of questions from the public.

Ms. Seidel shares the concern of people being ridiculed for not wearing a mask and the Governor said you should have the documentation of your exemption with the person if someone asks.

Mr. Turner said the ability of people to carry around documentation of an exception seems to be a bit problematic.

Ms. Seidel said she could look how other communities are handling these situations. She said if she couldn't wear a mask due to a condition she would have something on her person to show them. She is aware it may not be easy for everyone to do this.

Mr. Turner said the bigger issue is the right of demand of a member of the public as opposed to an official demand. The other issue is that laws need more rigidity and less fluidity. The application of rules and laws is concerning and has to be hard and fast.

Mr. Sidoti added he is deeply disappointed the conversation regarding enforcement has been first rather than that this is something that we need to set an expectation that everyone wears a mask. That is a critical piece. When you start talking about enforcement it is being punitive and we do not want to get to that position. He asked Ms. Jones if this ordinance has control over students going to school wearing a mask, and if Council has this authority.

Ms. Jones replied "Yes, you do." Individuals in public settings including schools and Kent State University, the City Council has the authority to mandate masks.

Mr. Sidoti then asked if the mandating of mask's ultimate goal to protect the residents of the City of Kent.

Ms. Jones replied "Yes".

Mr. Kuhar has noticed while wearing is mask his oxygen levels decrease and could see where this could be an issue with others with similar health problems.

Ms. Seidel said N95 masks may not be the best mask. She is not a physician, but this may be why he is having difficulties. Dr. DeJulius said a cloth facemask will be best concerning oxygen levels.

Mayor Fiala added it is up to the individual as to what works best for them, but if it is the minimum they still are adding to lowering the virus, staying healthy and having the ability to keep businesses open. Businesses downtown are very concerned but have accepted the fact that masks are going to keep them open.

Ms. Rosenberg asked if the ordinance proposed in Kent has anything different than other ordinances in surrounding communities.

Ms. Jones said it is generally the same.

Ms. Rosenberg wanted to make sure this wasn't something drastically different.

Ms. Wallach asked how complaints should be handled.

Ms. Seidel said a hot line will be established as well as a form on the City's website to report concerns.

The Health Department does not have police type authority, but instead their authority is over businesses and operations that are licensed and the ability to provide or revoke a license. Some communities have instituted fines, but she is not sure how this is being implemented. Some of the reporting is going to be time sensitive.

Ms. Shaffer said as the Ward 5 representative she is trying to balance the needs of the businesses as well. Wearing a mask is key to them staying open and avoiding lockdown. She asked Ms. Rosenberg if she is comfortable enforcing a mandatory mask issue and if she's had to.

Ms. Rosenberg said if someone comes into her business she does not make a scene. She would have an employee address it, but not confronting customers. They will rely on residents to know we are in an unprecedented global pandemic and the Governor has asked us to wear a facemask to protect on another. If someone wants to march in and be a jerk, they are not going to confront them. They will get them in and served and get them out as fast as they possibly can. If a resident wants to complain and call the Health Department, that is their prerogative. This ordinance looks like every other ordinance regarding face masks. This is an inevitable outcome and if we can all just get a long and get through this and will not be part of the spread of this virus. She would be willing to hand out masks to customers who do not have one. She has no problem doing this and thinks it would be a good solution. Most customers are reasonable and friendly and willing to work with her. She said more and more customers are wearing masks and there is not a lot of resistance or confusion and likes the idea of having signage on the door to take the pressure off of employees. She does not think the mask mandate is going to have a negative impact on her business and that she is hearing from people they would feel safer if more people were wearing masks.

Mr. Kuhar added if passage of a mask ordinance results in more people wearing a mask it is a good thing.

Mr. Sidoti added it is up to Council to set the expectation as elected leaders in the community to protect at all costs every life of every citizen. There are no guarantees, no one has the answers, but the reality is it's the course that has the best benefit to keep everyone safe. The second point is that if it is not stopped at the local level, eventually businesses will be forced to close down. He believes in the people in the city of Kent. He is also really concerned about the children and is all for the legislation.

Mr. DeLeone said we are all in this together, and that some people are going to wear a mask and some people are not.

Mr. Turner added that you cannot uncouple enforcement from the desire to implement the policy although the priority is the general health and welfare of the community. This should not stop us from moving forward and doing what is best for the residents. He is proud of the proactive actions of the administration which will save lives and he is happy and pleased to be doing this. At the end of the day it is something to be proud of as representatives of the city.

Ms. Shaffer said as elected officials their first duty is public safety but still need to have a clear enforcement strategy and may need to come back to Council for in the future. Businesses need support and the Health Department has been phenomenal by providing education. She thinks people can be changed and is seeing people wearing masks and doing what they can to help everyone in this.

Mr. Kuhar said he is going to wear a mask and believes in social distancing and will abstain from the vote because he is not sure government should tell people what to do with their own body but thinks it is a good ordinance.

Ms. Wallach said she is in support of the ordinance because it is for public safety. The best way to change the culture will be through enforcement. The only way people are going to change is if there are consequences.

MOTION to accept the Ordinance as it has been presented to Council with the codicil that Administration create enforcement policies in the future made by Mr. Sidoti with emergency, **SECONDED** by Mr. DeLeone and **CARRIED** by a voice vote of 8-0-1 with Mr. Kuhar abstaining.

Hearing no further business before this Committee, the meeting adjourned at 8:00 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Accept the ordinance requiring the use of face masks as presented.**



Committee of the Whole Meeting Minutes

The City of Kent, Ohio
Wednesday, August 5, 2020

Mayor Fiala called the Committee of the Whole of Kent City Council to order at 7:00 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner, and Ms. Tracy Wallach

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Mr. Jim Bowling, City Engineer; Ms. Rhonda Hall, Budget and Finance Director; Ms. Melanie Baker, Service Administration Director; Mr. Gary Bishop, IT Manager; Ms. Joan Seidel, Health Commissioner; Mr. John Tosko, Fire Chief; Mr. Kevin Schwartzhoff, Parks and Recreation Director; Ms. Susan Sternock, Human Resources Manager; Mr. Tom Wilke Economic Director; and Ms. Amy Wilkens, Clerk of Council.

At the onset of the meeting a **MOTION TO EXTEND THE SUSPENSION OF FACE TO FACE BOARDS AND COMMISSION INTERVIEWS UNTIL DECEMBER 31, 2020** was made by Mr. Kuhar SECONDED by Ms. Shaffer and CARRIED by a vote of 9-0.

There were four (4) items on the Agenda.

1. Board and Commission Vacancy Applications

Clerk Wilkens introduced the candidate applications for Board and Commission vacancies. **(Attachment #1).**

Ms. Shaffer asked how applicants can be determined to be from a minority group if they do not come before Council to be interviewed. She added diversity is a prioritization on Boards and Commissions. A short discussion ensued regarding the legality of asking this question on the application and it was suggested for Hope Jones look into the legality. Ms. Jones said it may be possible to add on the application a question to be answered that is optional but not required.

Mr. Turner replied that outreach in the community has to be done by going to churches, civic organizations, etc. to encourage participation and that it would be difficult to have a question on the application.

Mr. Kuhar said having the question on the application is irrelevant if the first step of applying isn't accomplished.

Ms. Shaffer added if there is no policy to prioritize minority applications it should be done. She said this is a longer discussion with hiring across the City. Mr. Turner said it is a balancing act and a quota system cannot be used. He encourages more work to be done through the recruiting process. Mr. Kuhar agreed with Mr. Turner.

Ms. Rosenberg added people may feel uncomfortable filling out information about their ethnicity or including a photograph and they may be discouraged to apply. Recruitment, outreach and interviewing would be the way to go. This is a temporary solution during the pandemic and the process should not be changed right now because not interviewing candidates is temporary. She added a motion was

made at the previous meeting that the Boards will look into how to encourage more diverse applicants and is not required at this time because it is being looked at already.

Mr. Sidoti clarified the recruitment process is for candidates, not for a particular person. This is important so they know they will be competing for the position.

Mayor Fiala asked Council if any members used the Tree City Bulletin to recruit applicants and that the recruitment responsibility is partially on their shoulders as well.

2. Boards and Commission Update

Clerk Wilkens reported on the motion from the January 2020 Regular Council meeting for staff to look into two items regarding Boards and Commissions: revisiting how vacancies are advertised and filled; and term limits and consistency of terms. Ms. Jones, Ms. Susel and Ms. Wilkens reviewed and summarized the City of Kent Boards and Commissions and provided a summary to Council **(Attachment #2)**.

Ms. Wilkens reviewed the Council Standing Rules which state vacancies are to be filled using the Tree City Bulletin, the City website and the Record Courier (if needed). Ms. Wilkens suggested the advertising of using *all* available methods of communication available to the Clerk of Council, including but not limited to the following methods: social media, City website, announcement at council meetings, posting on bulletin board at 930 Overholt, posting on the electronic community sign, and the Tree City Bulletin. Ms. Rosenberg commented she is in favor of expanding the means of which vacancies are advertised. Mr. Sidoti suggested putting together a list of where notifications are being sent for vacancies and use a listserv for churches, social and community organizations asked them to let their membership know.

Clerk Wilkens reviewed the specifics of Boards and Commissions term limits, membership, purpose and suggestions. Not all boards have limits, only the Board of Health, Planning Commission and the Sustainability Commission. She suggested the use of universal term limits such as no more than 3 terms or 15 years, whichever comes first.

Ms. Wallach asked about some boards not being able to be changed due to the Charter and Clerk Wilkens reviewed which of those that can be changed.

Regarding term expirations, most terms are currently lined up to expire this December. The timing will make it a little cumbersome to interview, as this year there will be fourteen *positions* opening at the same time to be filled.

Mr. Turner asked about what is done if boards don't meet their quorum and suggested reducing the numbers to be more effective in functioning.

Ms. Jones added at her previous employer, the Equalization Assessment Board was not established unless needed. If there were members on this board, they could go years and years without meeting because there is not a public improvement that needed to be reviewed. She also asked Council to repeal the Cable Television Committee due to many changes in telecommunication since its establishment in 1996. She agreed with Mr. Turner that some board member numbers can be changed to help meet quorums more easily. She added the sheer number of boards may be hampering being able to fill the positions, and suggested looking at combining a few that have similar functions. She added in other communities, members are permitted to sit on only one board at a time.

Mr. Amrhein agreed with Ms. Jones and added residents get discouraged if they are on a board that never meets and then they don't want to volunteer again.

Ms. Wallach asked if there are people on multiple committees and Clerk Wilkens confirmed there are.

Mr. Sidoti suggested turning the less used boards into ad hoc committees and then work to fill the more essential boards and only fill the ad hoc when needed.

Ms. Shaffer revisited the discussion of committees being able to meet their quorums and asked for Community Development to provide information on how many meetings have been cancelled due to not being able to meet the quorum. She added she thinks it is a good idea to change the number of people on the committee to enable them to be able to meet it more easily.

Mr. Kuhar suggested having multiple committees staffed by the same five people.

Mr. Sidoti clarified not to have a pool of people for the ad hoc committees, but not to fill or advertise until there is a need.

Ms. Rosenberg summarized by saying she would like to see all suggestions presented to Council, and that she recommends a two-term limit with a break in between and agrees individuals should not be on more than one board. Ms. Wallach suggested having at least three terms.

A MOTION FOR THE CLERK, LAW DIRECTOR AND COMMUNITY DEVELOPMENT DIRECTOR TO COMPILE A LIST OF RECOMMENDATIONS TO SEND BACK TO COUNCIL TO REVIEW AND ACT ON was made by Mr. Sidoti **SECONDED** by Mr. Kuhar and **CARRIED** by a vote of 9-0.

3. City Administration Building Design Update

Melanie Baker introduced the architects from Brandstetter Carrol who have joined the meeting and began her presentation on the new city administration building. **(Attachment #3)** She began her PowerPoint presentation reviewing the latest pictures of Kent City Hall. She highlighted the brick color choices, the look of the windows with the arch about the windows in Council Chambers. There will be a ground monument sign on the Haymaker Street side of the front of the building. She reviewed the rear entrance, the overhang and brickwork and large cornice areas. At the end of the building there will be a secondary employee entrance and an egress into the parking areas. Parking was reviewed, with 36 parking spaces to accommodate 22 staff and residents visiting the building. There will be ample parking for City Council Meeting nights and handicap parking will be close to the building.

She reviewed the inside plans of the building, starting with the ground level, highlighting the features of the vestibule, council chambers, staff areas and storage. There will be a Council office, conference room for Executive Meetings, restrooms, stairs and elevator access to main level. The main level which is entered off of the parking lot will house the Budget and Finance Department and Civil Service with a view down into Council Chambers on the ground level.

Ms. Wallach asked about having a staff member in the vestibule area to greet visitors. She asked where the Clerk of Council will be located. Ms. Baker explained the Clerk of Council will be located on the third floor. She said immediately upon entering the second floor, there is a wall where a wayfinding board will be located.

Ms. Baker continued by reviewing the third-floor administrative wing which will house the City Manager, the Mayor, Economic Development, Clerk of Council, Human Resources and the Law Department.

Mr. Kuhar asked if metal detectors have been discussed. Ms. Baker said that has not been discussed specifically but security within the office has been reviewed.

Ms. Shaffer asked about the Clerk of Council having two exits in the office, and may want to consider adding a door between their office and the Mayor's Office. Ms. Baker said the main concern was for everyone to have two ways to exit their office.

Ms. Wallach complimented the design on the building and asked if the parking lot will be angled or flat. Ms. Baker said there is an elevation change in the lot. She confirmed the handicapped parking will be next to the building which is the flattest area and is level.

Ms. Rosenberg asked if possible to have steps and/or a ramp for those approaching the building from Haymaker Parkway. Ms. Baker said a set of stairs can be looked at, but it is pretty steep.

Mr. Ferrara asked if there is a possibility of connecting the terraces by stairs that lead to the front and they could become potentially more useful. There was a discussion regarding the set back and Ms. Baker said the width of the bike path needed to be considered due to grant requirements. The elevation and the grade of the land on the Haymaker side dictated why the building was pulled back. It is tighter on the Water Street side to open the front of the building and allow for more space in the back for parking. The architect did not believe the relationship of the architecture effects the symmetry of the space.

Ms. Shaffer asked about having trees in front of the window of Council Chambers and would like the window framed with landscaping instead of in front of it. She also asked about street furniture. The architect said at this point the pictures presented are simply a rendering and will be discussed in greater detail as the project moves on.

Ms. Baker reviewed exterior lighting at night and the sun position throughout daylight hours. LED lights will be used and will be able to be changed throughout the year. She then presented the day lighting study showing sun from 7 am to 7pm and the solar panels.

There was an in-depth discussion regarding the third level expansion space, with a few different options between metal and brick. Use of space was discussed at length and what could be housed in this area of 3200 square feet. Initially looking at building out as a shell and the cost is about \$500,000. If fully outfitted the cost we be approximately \$650, 000 to \$700,000.

Council members provided input as to which style of third floor they would prefer, whether it be brick or metal, and the size and shape of the third-floor windows. Mr. Sidoti mentioned he thought it is important for the look of symmetry and a finished building to put the third floor on during initial construction. Those in favor of the expanded third floor were Mr. Ferrara, Mr. Sidoti, Mr. DeLeone, and Mr. Turner stating the cost with the rates where they are today it makes good financial sense. The cost to add a third-floor years down the road could be five times the cost of doing it today. Mr. Ferrara reviewed the details of financing and compared costs of today to when building the project initially, due to the really low interest rate, costs would be less. He added that it comes down to setting up future leadership to be cost efficient and capitalizing on the interest rates of today and opportunities as they come. Mr. Ferrara said time moves fast and the city may quickly outgrow its space. He also mentioned the field of government expanding and changing and growing. Ms. Shaffer, Ms. Wallach, Mr. Kuhar and Mayor Fiala sited the spending of money with out having a specific use for the space is important to consider and if needed later it could be done. Operation costs were also discussed with Mr. Ferrara adding these would be inconsequential compared to the cost to build it out in the future. Mr. Kuhar mentioned that with technology and telecommuting, less space is needed in many office buildings. Mayor Fiala does not think the floor above council chambers is needed and takes away from the look of the building. Ms.

Rosenberg said it is not needed right now and would be hard to justify at this time and with emerging technology there will be less of a need of storage space.

Ms. Baker said there is space as it currently planned to sufficiently house the twenty-two employees, conference rooms and storage space.

Mr. Sidoti said Council has been promising its residents a new city hall for a long time and the time has come to build it. He said council should be forward thinking and is going to be a one-hundred-year building and to build it now would be the cheapest it may ever be to finance this build out. Mr. Turner added it is smart to do it now as opposed to later and is good leadership.

Mr. Amrhein added he agreed with many of the points made on both sides, and there is no crystal ball to indicate which way to go. On previous building committees he was involved in, they all encountered running out of space, whether it be for classrooms, storage or other unforeseen uses.

Ms. Rhonda Hall, Budget and Finance Director added that in her opinion with the current state of interest rates, building space now will be a lot cheaper than in 5-10 years if it is needed. If another department were to come into the building or other departments were to expand, then what. Perhaps other departments from the Overholt Building could move and that building be sold.

Ms. Baker said she will meet with Ms. Hall to review dollar amounts and will get back to council. Ms. Rosenberg added she would like to decide this in two weeks and get specific dollar amounts before deciding. Mr. Ferrara said it is important to move forward with the construction plans and getting things lined up instead of waiting until they determine what to do about the third floor and urged for action now.

Ms. Baker continued with her presentation and reviewing the inside layout of the building.

4. Kent City School Request to Withdraw from Civil Service

Mr. Dave Ruller said the Superintendent reached out to inform him there is an agreement between the Union and the School Board to no longer use the City of Kent's Civil Service for hiring positions and a resolution is required to move forward. There will be minor savings to the City and is a procedural issue.

Ms. Jones added the Constitution of the State of Ohio does not require school employees to be tested by municipal Civil Service Commissions, and she has never worked for a city that services public schools.

Ms. Suzanne Stemnock said she spoke with Mr. Jim Sawyers of Kent City Schools who confirmed no school in the area still uses Civil Service Commissions.

Mr. Kuhar asked if not using Civil Service would open the door to selective hiring.

Ms. Stemnock replied Civil Service doesn't necessarily stop this from happening, policies do. The School informed her when they were able to not use Civil Service testing, they were able to get more applicants.

Ms. Stemnock confirmed to Mr. Turner that the Unions have signed off on this change.

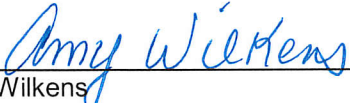
Mr. Sidoti reminded everyone that in 1982 the request the School came to the City during the Charter Review process and asked to be removed from Civil Service, siting a bigger applicant pool is obtained when it is not used. Some good candidates wouldn't apply because they didn't want to take the Civil Service test.

Ms. Stemnock confirmed to Mr. Kuhar that at times there is a lack of applicants to civil service positions, but it is usually due to the requirements for the position.

Mr. Kuhar said he was against this because he feels there is more transparency when Civil Service is involved.

A MOTION TO AUTHORIZE KENT CITY SCHOOLS TO MOVE OUT OF KENT CIVIL SERVICE was made by Mr. Sidoti **SECONDED** by Mr. Amrhein and **CARRIED** by a vote of 6-3 with Mr. DeLeone, Mr. Kuhar and Mr. Turner voting against.

Seeing no further business or questions for this committee, it adjourned at 9:12 p.m.



Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) **Authorize City staff to summarize suggestions regarding Boards and Commissions presented by Council and present suggestions to proceed.**
- 2) **Authorize a resolution enabling Kent City Schools to withdraw participation in the Kent City Civil Service process.**



Boards and Commissions August 2020 Candidates

Board of Building Appeals – Five (5) Vacancies

1. David Soukenik New Applicant (Also applied for Health Board)

Board of Health - One (1) Vacancy

1. Louise Frederick Seeking Re-appointment
2. Lyndsay Nowak New Applicant
3. David Soukenik New Applicant (Also applied for Board of Building Appeals)
4. Ryan Wood New Applicant

Equalization Assessment Board – Twelve (12) Vacancies

No Applicants

Fair Housing Board- One (1) Vacancy

1. Andria Blackwood New Applicant (Also applied for PARTA)

Loan Review Board- One (1) Vacancy

No Applicants

Parking Action Committee -Three (3) Vacancies

1. William Arthur Seeking Re-appointment

Portage Area Regional Transportation Authority (PARTA) One (1) Vacancy

1. Jack Murphy New Applicant
2. Andria Blackwood New Applicant (Also applied for Fair Housing Board)
3. Karen Beck New Applicant

Stormwater District Review and Appeals -Two (2) Vacancies

No applicants

Board or Commission	Term	Members	Authority	Purpose	Meeting Dates/Times	Administrative Department Supporting Board	Notes
Architectural Review Board *	3 years.; staggered	5 Members; Minimum of two practicing professionals in following fields: architecture, planning, landscape architecture, history of historic preservation, urban design	Codified Ordinance 1120.06	Oversight of compliance with requirements of Design Guidelines in Overlay District.	1st Tuesday/Monthly	Community Development	
Board of Building Appeals *	3 years; staggered	6 members; (a) One General Contractor, need not be an elector of the City. (b) One architect, registered in Ohio; need not be an elector of the City. (c) One Registered plumber, need not be an elector of the City. (d) One Registered electrician, need not be an elector of the City. (e) One Registered heating and air conditioning contractor, need not be an elector of the City. (f) One member shall be an elector of the City, selected from the general public, who shall not be actively engaged in any of the above-mentioned trades. (g) Three alternates, need not be electors of the City and not requiring any specific qualifications as listed in (a), (b),(c), (d), and (e).	Codified Ordinance 1309.01	Hear and rule on variance appeal requests for KCO Part 13-Building Code	As Needed	Community Development Dept.	Suggest changing to 5 members
Board of Control		3 Members; City Manager, Chair of Council's Finance Committee and another member of Council	Charter- Article VIII, Section 8.05		1st &3rd Wed.		
Board of Health	4 Years, no more than 2 consecutive terms	6 Members	Charter- Article VIII, Section 8.06	The prevention or restrictions of disease and the prevention, abatement or suppression of nuisances.	2nd Tuesday/Monthly	Health Department	
Board of Tax Review *	2 years	3 Members	Ohio Revised Code 718.11		As Needed	Budget and Finance	
Board of Zoning Appeals *	3 years	5 Members	Codified Ordinance 1109.02	Hear and rule on appeal and variance requests for KCO Part 11-Zoning Code	3rd Monday/Monthly	Community Development Dept.	
Cable Television Committee *	4 years	5 Members	Codified Ordinance 767.03		No members		Suggest Repealing this Board. No members or meetings
Charter Review	Every 10 years	15 members appointed by council	Charter- Article VIII, Section 8.07	Review and Update Charter as needed	Every 10 Years		
Civil Service*	6 years	3 Members	Codified Ordinance Chapter 159.01 ; ORC 737.051		3rd Monday/Monthly	Law	
Committee on Design and Preservation *	3 years	5 Members; staggered three year terms, 2 term limit specified in "Rules & Regulations" (Res. 2012-22)	Codified Ordinance 1393.03	Recommend the designation of properties as local historic and historic preservation under state or federal standards for City's Certified Local Government (CLG) requirements.	Quarterly as specified in Article V Meetings of Res.2012-02, but has been on as needed basis	Community Development Dept.	
Community Reinvestment Area Housing Council *	3 years	7 Members: 2 Members appointed by Mayor, 2 Members appointed by legislative authority, 1 member appointed by Planning Commission, 2 Members appointed by majority of members	Ohio Revised Code 3735.69,	Conducts annual inspections of all properties within a designated community reinvestment areas (CRA) for which a real property tax exemption has been granted.	Once/yr. February	Community Development Dept.	
Equalization Assessment Board *	3 years	6-12 Members	Ordinance No. 1992-46, Codified Ordinance 925.03		No members	Budget and Finance	Suggest changing to filling positions when needed, no continuous members; Model after Cuyahoga Falls
Fair Housing Board *	3 years	7 Members with 1 member appointment from the Kent Board of Health	Codified Ordinance 557.05	Refer incidence of an alleged violatioin of fair housing law to the City's designated fair housing provider agency; ensure information concerning housing discrimination complaints filed with Ohio Civil Rights Commission and federal government are reported in annual performance report to HUD	Twice/Year	Community Development Dept.	
Loan Review Board *	5 years; staggered	5 Members: 3 experienced local bank loan officers, 1 local realtor, one local practicing attorney	Res. 1987-66, Amended with Ord. 2014-115 to establish staggered terms and change requirements of member status,	Review all information submitted by applicants seeking loan through the City's EDA & UDAG funded revolving loan fund	As Needed	Community Development Dept.	
Parking Action Committee *	5 years	9 members: Directors of Service, Safety and Community Dev. & 6 members from the community, including 1 from KACC & 5 geographic and land City based reps	Established 9-17-03 as standing committee as part of the Parking Management Planning Committee Policy recommendations,	Evaluate and make recommendations to Council on parking matters in the downtown area.	As needed	Community Development Dept.	Fold into Traffic Engineering and Safety Administrative Committee?
Parks and Recreation	5 years	5 Members; four appointed by Council, one appt. by BOE	Charter	Supervision, operation and maintenance of all public parks, playgrounds and other recreational facilities; (Ord. 1976-11. Passed 2-4-76.)	3rd Thursday/Monthly	Parks and Rec	

<i>Planning Commission</i>	<i>5 years; staggered; No more than 2 consecutive terms</i>	<i>5 Members</i>	<i>Charter Article VIII, Section 8.04; Community Development Dept.</i>	Review and approval of site plans for permitted and conditionally permitted uses in accordance with the requirements of KCO Part 11-Zoning Code; Make recommendations to Council on proposed text and map amendments under KCO Part 11-Zoning Code.	1st & 3rd Tuesday/Monthly	Community Development Dept.	
Shade Tree Commission *	4 years	5 Members	Codified Ordinance 169.01	Maintain City-owned trees in a healthy and nonhazardous condition through good arboricultural practices.	1st Monday/Alternate Months	Service Department	
Standing Rock Cemetery Board of Trustees *	3 years	3 Members	Codified Ordinance 759.36		2nd Tuesday/Monthly	Administration as needed	
Stormwater District Review and Appeals Board *	2 years	5 Members- City Finance Director, City Engineer, Public Service Director and 2 Members appointed by Council	Codified Ordinance 921.08		As needed- Appointments vacant	Service Department	
Sustainability Commission *	3 years no more than 2 consecutive terms	5 Members (formerly known as the Environmental Commission)	Ordinance No. 1995-103; Amended 2009-38 changing name from Environmental Commission	Create and maintain a sustainable environment in the City.	1st Monday/Monthly	Community Development Dept.	
Treasury Investment Board		City Manager, Law Director, Finance Director, Chairman of Finance Committee of Council	Codified Ordinance 171.02; ORD 1977-167 passed 9/21/77	Investing surplus Municipal Funds		Budget and Finance	Rhonda Hall to Review
Tax Incentive Review Council	none	7 Members: 2 City of Kent representatives, 3 appointed by County Commissioners, 1 County Auditor designee, 1 Board of Education designee	Ohio Revised Code Section 5709.85, Community Development Dept.	Review of all agreements granting exemptions from property taxation under ORC 725, 1728, 3735, sections of 5709		Budget and Finance	
Traffic, Engineering & Safety Committee	Administration	Safety Director, Police Chief, Fire Chief, City Engineer, Service Director, Community Development Director	Administration Technical Review	Review of proposed permanent and temporary changes to public roadway, road signage, alleys, etc.	As needed		
* Can make adjustments now							

Welcome to





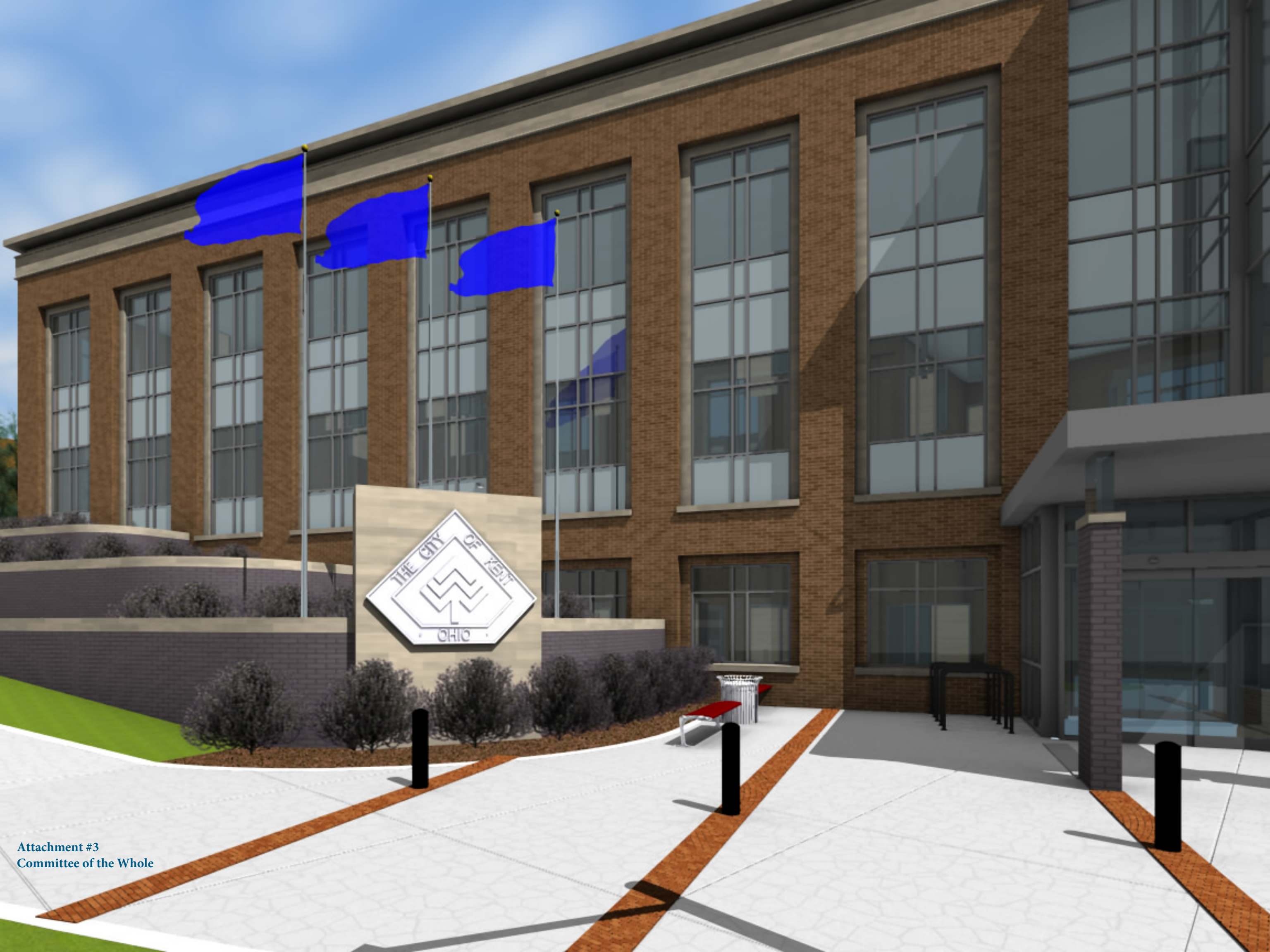


Kent City Hall

Attachment #3 Committee of the Whole











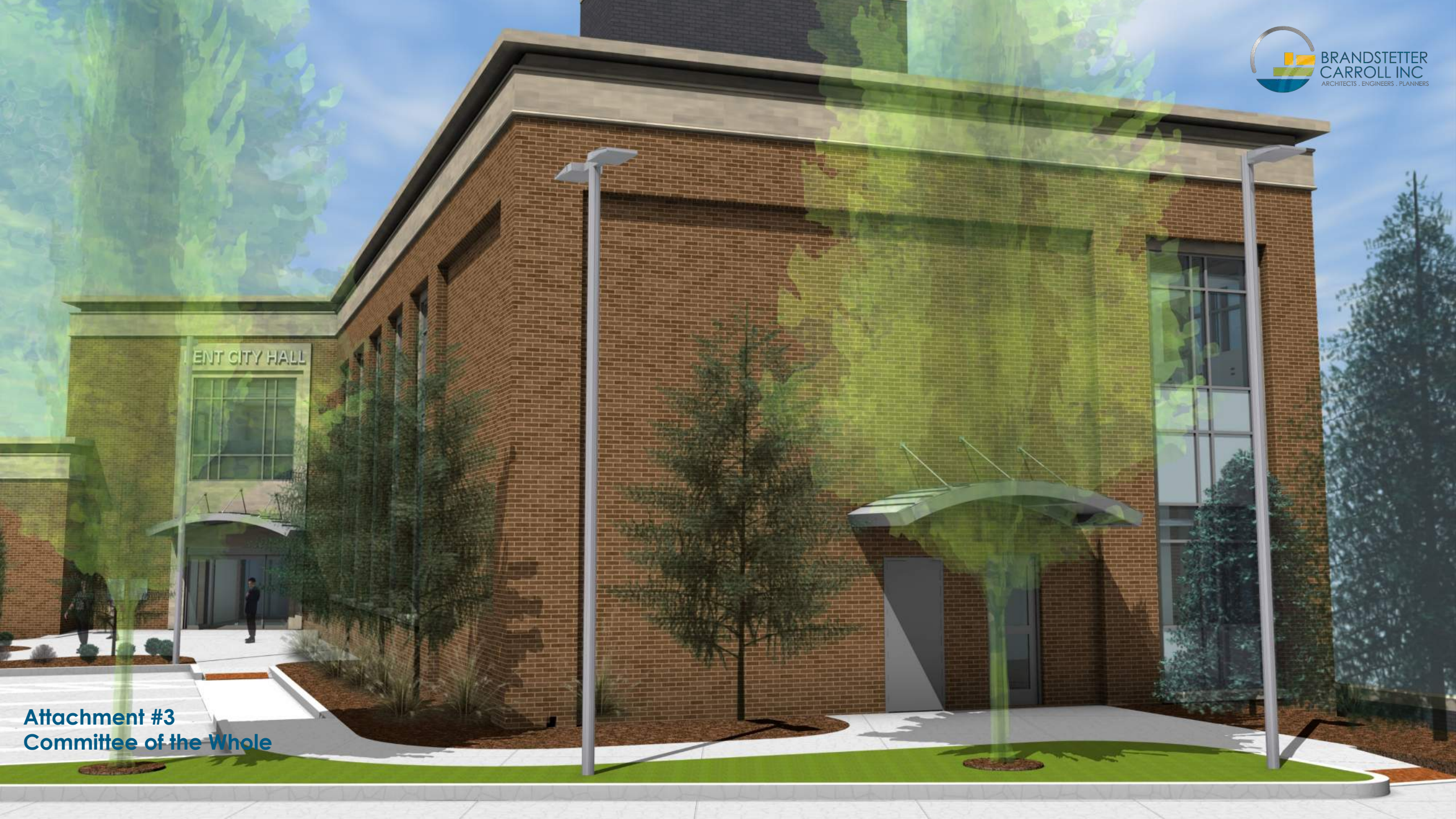






Attachment #3
Committee of the

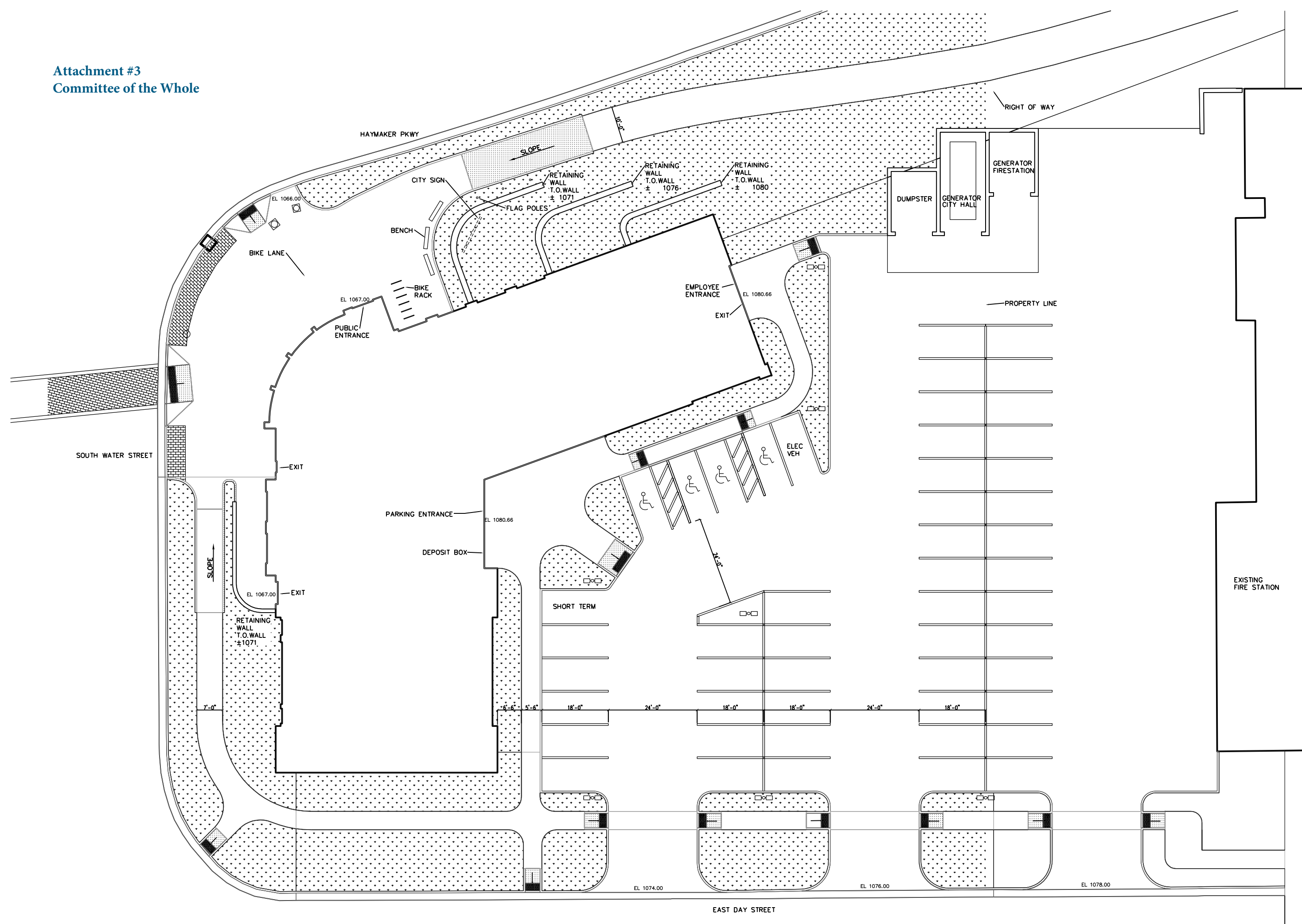




Kent City Hall



Attachment #3
Committee of the Whole



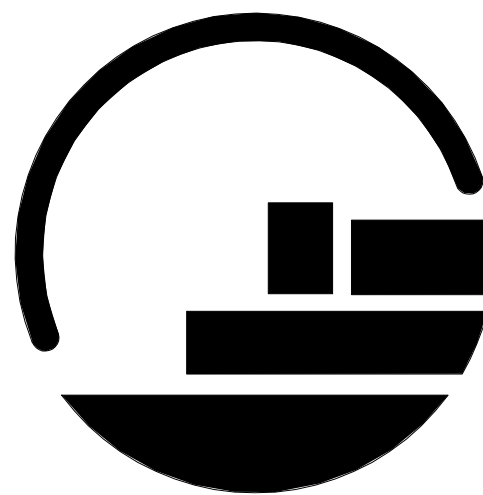
LEVEL 1 PLAN



DEPARTMENT LEGEND

- BUILDING SUPPORT
- CITY MANAGEMENT
- COUNCIL CHAMBERS
- LAW DEPARTMENT
- PUBLIC SPACE
- SHARED SPACES
- UTILITY & FINANCE

Attachment #3
Committee of the Whole



**BRANDSTETTER
CARROLL INC**
ARCHITECTS . ENGINEERS . PLANNERS
Lexington . Cincinnati . Cleveland . Dallas

7/29/2020
Kent City Hall
319 S. Water Street
Kent Ohio 44240

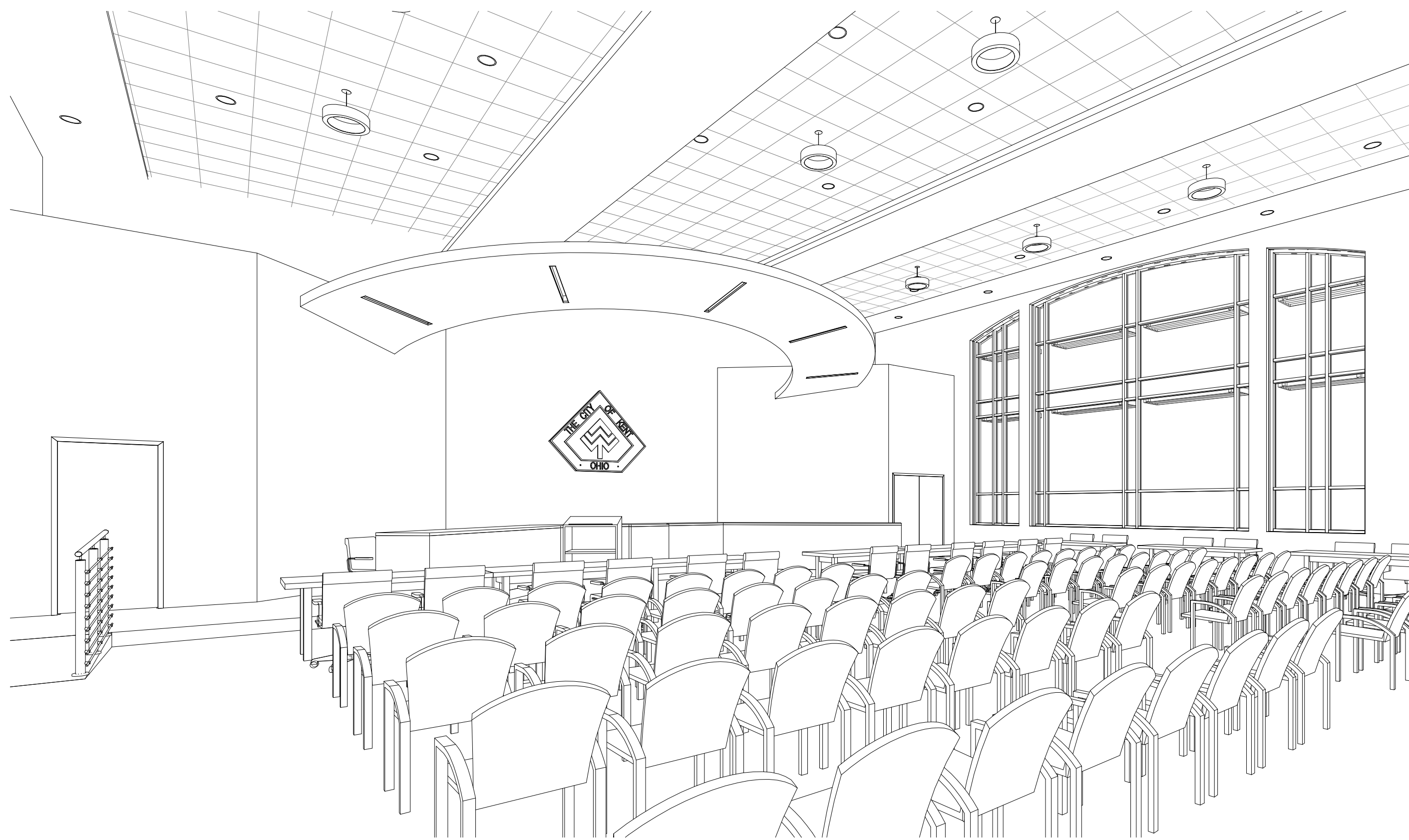
3D INTERIOR VIEWS



LOWER LEVEL PUBLIC LOBBY -SOUTH

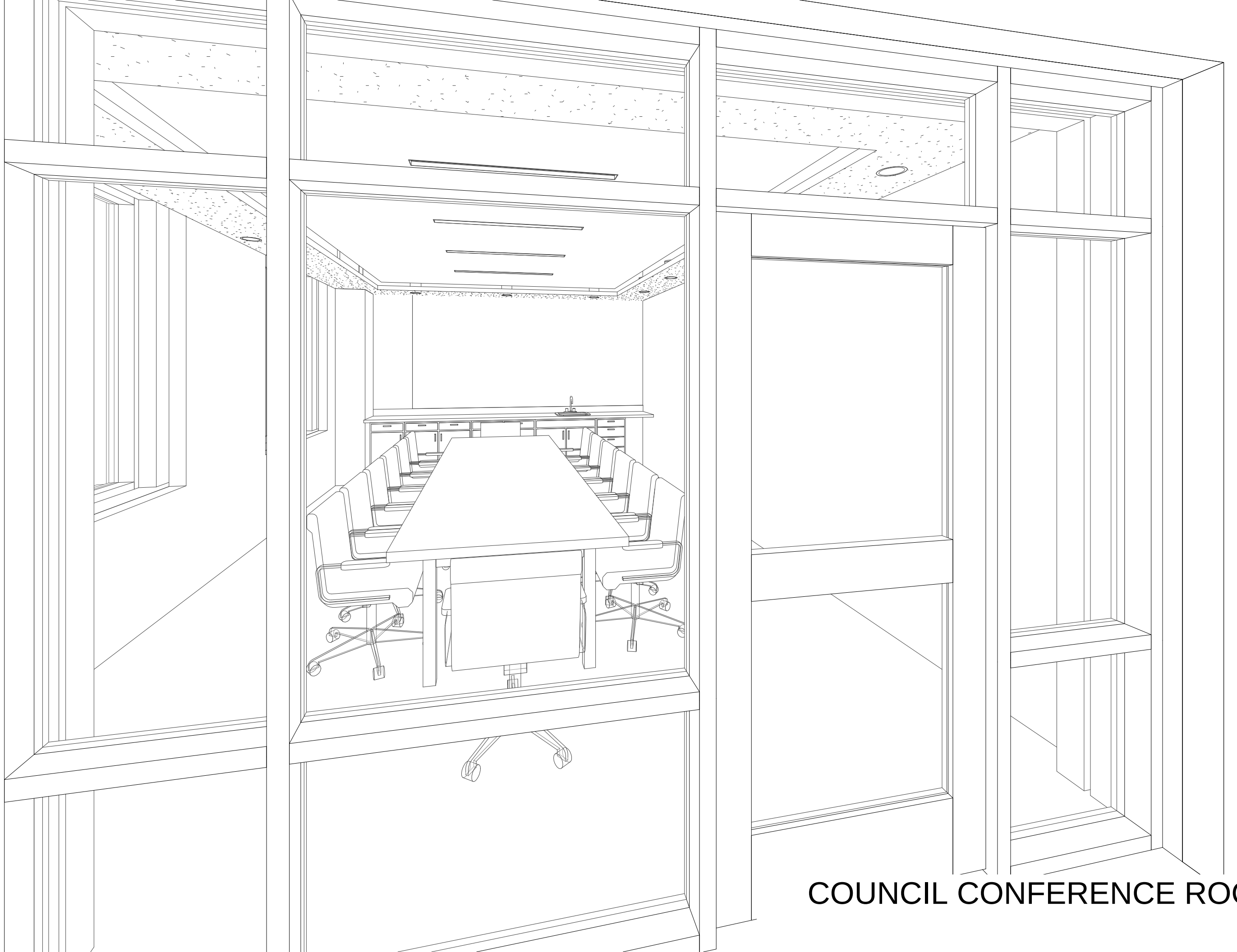


LOWER LEVEL PUBLIC LOBBY - NORTH



LOWER LEVEL COUNCIL CHAMBERS





COUNCIL CONFERENCE ROOM

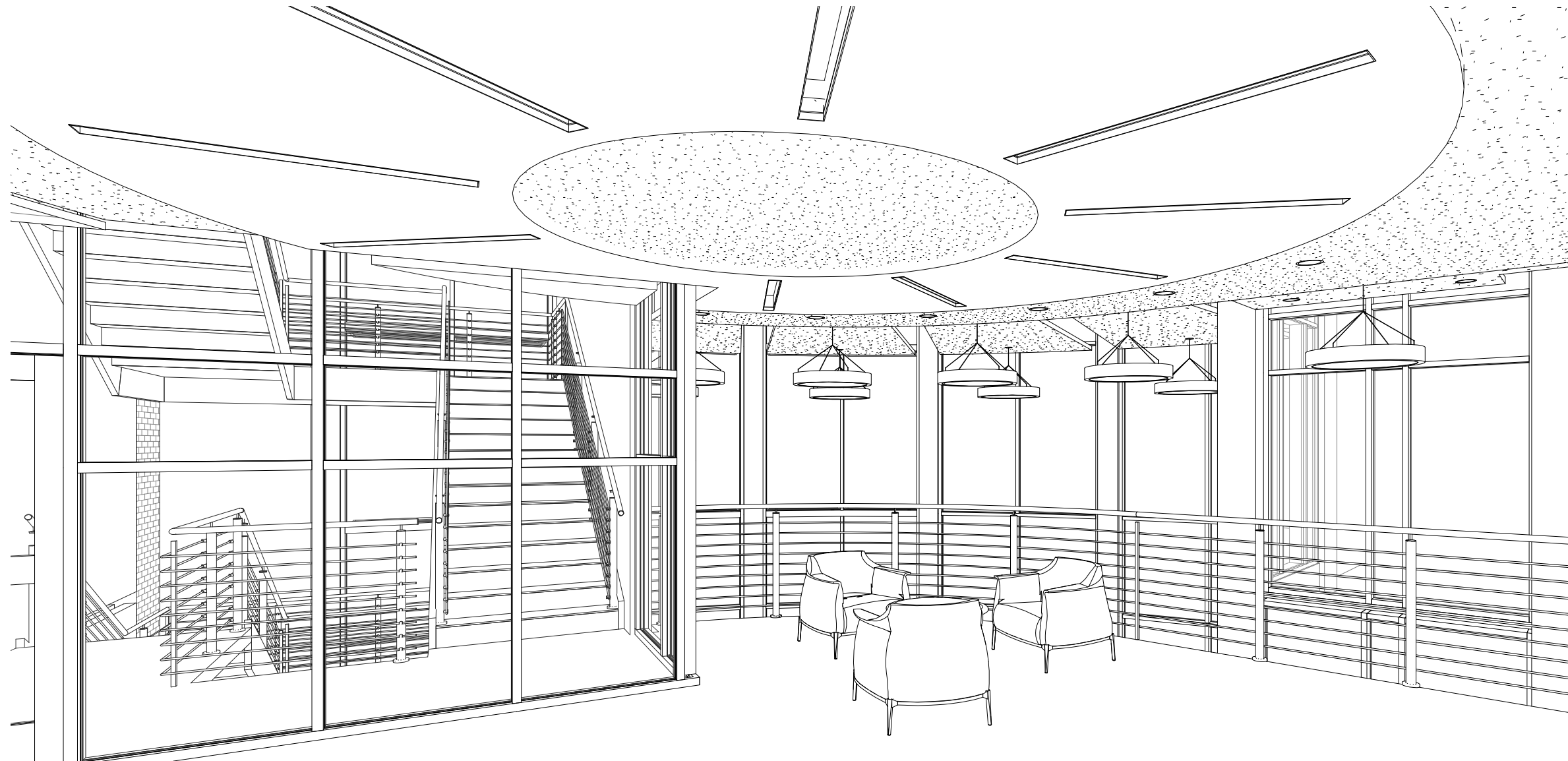
LEVEL 2 PLAN



DEPARTMENT LEGEND

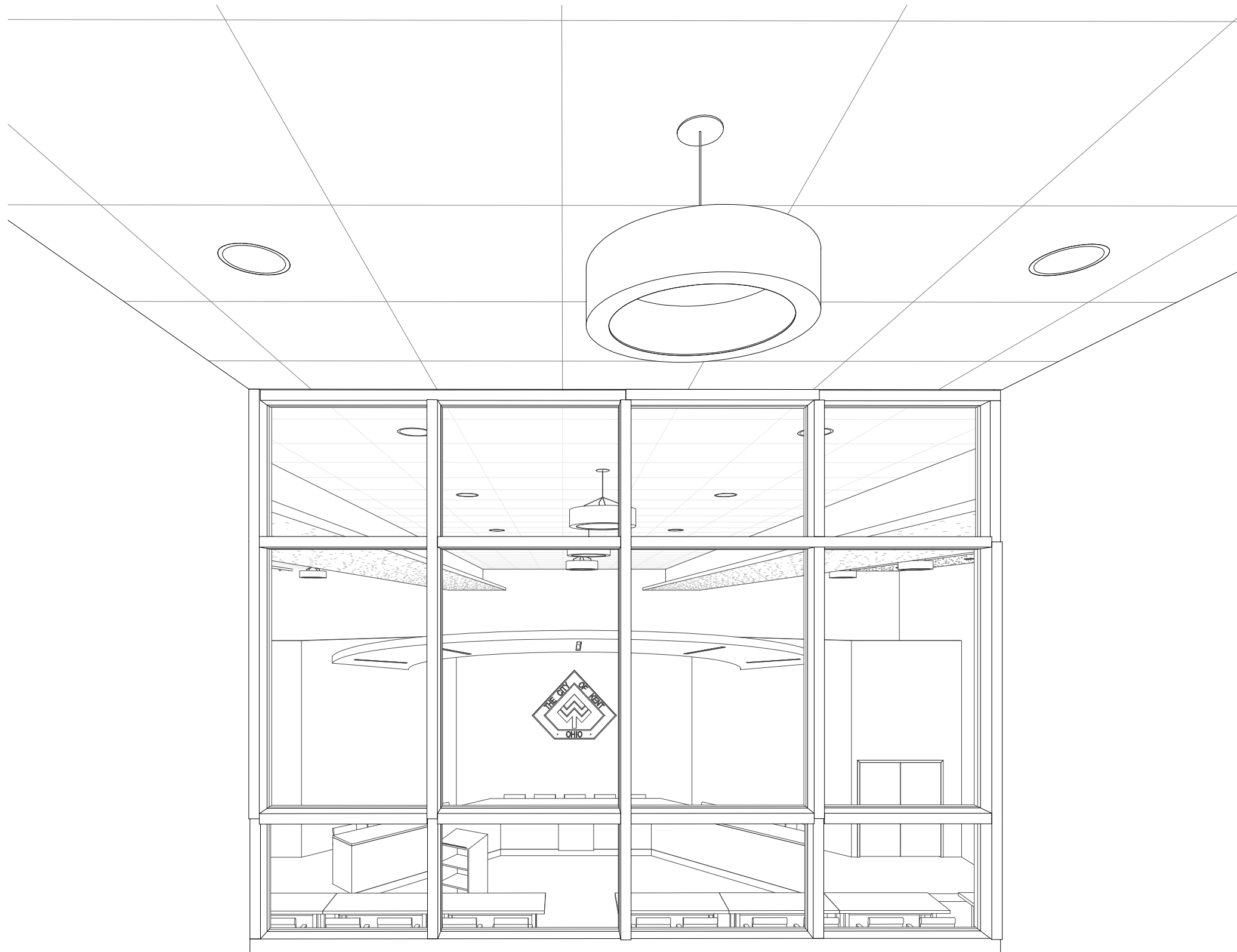
- BUILDING SUPPORT
- CIVIL SERVICE
- PUBLIC SPACE
- SHARED SPACES
- UTILITY & FINANCE

Attachment #3
Committee of the Whole



Attachment #3
Committee of the Whole

LOBBY BALCONY



Attachment #3
Committee of the Whole

VIEW FROM LEVEL TWO INTO COUNCIL CHAMBER

LEVEL 3 PLAN



Attachment #3
Committee of the Whole















Thank you for Visiting









Community Development Committee
Meeting Minutes
The City of Kent, Ohio
Wednesday, August 5, 2020

Chair Kuhar called the Community Development of Kent City Council to order at 9:12 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner, and Ms. Tracy Wallach

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Mr. Jim Bowling, City Engineer; Ms. Rhonda Hall, Budget and Finance Director; Ms. Melanie Baker, Service Administration Director; Mr. Gary Bishop, IT Manager; Ms. Joan Seidel, Health Commissioner; Mr. John Tosko, Fire Chief; Mr. Kevin Schwartzhoff, Parks and Recreation Director; Ms. Susan Stemnock, Human Resources Manager; Mr. Tom Wilke Economic Director; and Ms. Amy Wilkens, Clerk of Council.

There were two (2) items on the Agenda.

1. **Agreement with Brownfield Restoration Group**

Mr. Ruller explained the World Imports Site which was part of the West River redevelopment needs monitoring work to finish up the job and the State of Ohio is requesting completion.

MOTION TO AUTHORIZE THE CONTRACT WITH THE BROWNFIELD RESTORATION GROUP IN THE AMOUNT UP TO \$25,000 made by Mr. Ferrara, **SECONDED** by Ms. Rosenberg and **CARRIED** by a voice vote of 9-0.

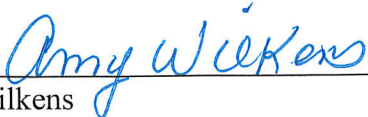
2. **Proposed CRA II Agreement; Montrose Mazda**

Mr. Tom Wilke stated last year Montrose Mazda was purchased and they are now ready to make an investment in the building. This is in a CRA II and requires Council approval. The CRA II Agreements requested a 12-year, 50 % property tax reduction for the improvements only and in return will commit to creating ten full time jobs, each of which making \$35,000/year. The School Board has been notified of this agreement in accordance of Ohio Revised Code requirements. He outlined the CRA II Area and investment numbers.

Mr. Wilke confirmed to Ms. Wallach that if they fail to fill the ten positions outlined in the agreement, they would need to pay full property taxes. He also confirmed the CRA II area extends to the city limits of Stow, Ohio.

MOTION TO AUTHORIZE THE PROPOSED CRA II AGREEMENT WITH MONTROSE MAZDA made by Mr. Ferrara, **SECONDED** by Ms. Shaffer and **CARRIED** by a voice vote of 9-0.

Hearing no further business before this Committee, the meeting adjourned at 9:19 p.m.



Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Authorize the contract with the Brownfield Restoration Group in the amount up to \$25,000 as presented.
- 2) Authorize the proposed new CRA II Agreement with Montrose Mazda as presented.



Public Health & Safety Meeting Minutes
The City of Kent, Ohio
Wednesday, August 5, 2020

Mr. Amrhein called the Public Health and Safety Meeting to order at 9:20p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner, and Ms. Tracy Wallach

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Mr. Jim Bowling, City Engineer; Ms. Rhonda Hall, Budget and Finance Director; Ms. Melanie Baker, Service Administration Director; Mr. Gary Bishop, IT Manager; Ms. Joan Seidel, Health Commissioner; Mr. John Tosko, Fire Chief; Mr. Kevin Schwartzhoff, Parks and Recreation Director; Ms. Susan Stemnock, Human Resources Manager; Mr. Tom Wilke Economic Director; and Ms. Amy Wilkens, Clerk of Council.

There was one (1) item on the agenda:

1. **Health Equity in All Policies**

Ms. Seidel has met with other Health Commissioners about racism as a public health and next steps. The Board of Health made a resolution in June that declared racism as a public health crisis and City Council offered support as well. She said the next step is to include health equity in all policies. When projects and improvements are looked at you add the lens of asking how it would benefit others from a health perspective or how might it unintentionally detract from health equity. It is an opportunity for City Council to use and actions and recommendations were distributed.

MOTION TO ADOPT THE HEALTH EQUITY IN ALL POLICIES (HEIAP) STRATEGY FOR ENSURING POSITIVE HEALTH OUTCOMES IN THE CITY OF KENT made by Mr. Ferrara
SECONDED by Ms. Wallach and **CARRIED** by a vote 9-0.

Hearing no further business before this Committee, the meeting adjourned at 9:25 p.m.


Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) **Authorize adopting a HEIAP strategy for ensuring positive health outcomes in the City of Kent.**



Finance Committee Meeting Minutes

The City of Kent, Ohio
Wednesday, August 5, 2020

Chair DeLeone called the Finance Committee of Kent City Council to order at 9:26 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner, and Ms. Tracy Wallach

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Mr. Jim Bowling, City Engineer; Ms. Rhonda Hall, Budget and Finance Director; Ms. Melanie Baker, Service Administration Director; Mr. Gary Bishop, IT Manager; Ms. Joan Seidel, Health Commissioner; Mr. John Tosko, Fire Chief; Mr. Kevin Schwartzhoff, Parks and Recreation Director; Ms. Susan Sternnock, Human Resources Manager; Mr. Tom Wilke Economic Director; and Ms. Amy Wilkens, Clerk of Council.

There were three (3) items on the Agenda.

1. Renewal of the School Resource Officer Position

Mr. Ruller said this is a routine request and is the same agreement from the past seven years. The only change to the agreement is a sentence or two about being in the middle of a pandemic, and if the school system is not open, they will not need an officer the City will absorb the cost on those days. Any days the high school would be remote, the School Resource Office would work regular patrol.

MOTION TO AUTHORIZE THE RENEWAL OF THE SCHOOL RESOURCE OFFICER WITH AN EMERGENCY CLAUSE made by Mr. Kuhar **SECONDED** by Mr. Ferrara and **CARRIED** by a voice vote of 9 -0.

2. Certification of Liens to the County for Outstanding Payments

Ms. Rhonda Hall said there are three memos in the Council packet in regards to delinquent payments needed to be submitted to Portage County to be added to property taxes; one is for concrete work, one for items such as grass cuttings and the third for utilities. A payment plan has been created that some are using and if anything changes on the list of delinquent payments their name will come off of the list.

Ms. Wallach asked if the payment plan was instituted due to the pandemic. Ms. Hall said this is correct and they will be making payments over a six-month period.

Ms. Wallach asked about help for those who are unemployed and struggling. Ms. Hall said they have actually extended one of the payment plans over a year period of time because of the size of the payment. They have only had one individual request this.

Ms. Shaffer added there is funding for these things, so its important to refer people to the proper resources. Ms. Hall mentioned Ms. Susel had given those resource names and numbers to front line staff to disseminate.

MOTION TO CERTIFY AND AUTHORIZE THE SUBMISSION OF THE PROPOSED PROPERTY TAX LIENS WITH AN EMERGENCY CLAUSE was made by Mr. Ferrara **SECONDED** by Ms. Rosenberg and **CARRIED** by a voice vote of 9-0.

3. 2020 Budget Appropriation Amendment

Ms. Hall asked Council to approve the amended appropriation that was submitted to the City Manager in a memo dated July 29, 2020. There are only a few items that needed increased and one item is moving from one capital project to another in the sewer fund.

MOTION TO AUTHORIZE THE 2020 BUDGET APPROPRIATIONS WITH AN EMERGENCY CLAUSE made by Mr., Kuhar **SECONDED** by Ms. Wallach and **CARRIED** by a voice vote of 9-0.

Hearing no further business, the meeting adjourned at 9:32 p.m.



Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Authorize the renewal of the School Resource Officer
- 2) Certify and Authorize the submission of the proposed property tax liens to Portage County
- 3) Approve the 2020 budget appropriations amendments