



CITY OF KENT, OHIO

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

Wednesday, October 21, 2020
Regular City Council Agenda

7:25 P.M. Public Hearing for the PY2019 Consolidated Annual Performance and Evaluation Report (CAPER) (Public notice given on October 7, 2020)

7:27 P.M. Public Hearing #1 Community Development Block Grant (CDBG) Program and Corona Virus Aid, Relief, and Economic Security Act (CARES Act) Substantial Amendment PY2019 Annual Action Plan (Public notice given October 7, 2020)

Board of Control immediately following Public Hearings

7:30 P.M. REGULAR COUNCIL

1. Roll Call
2. Opening Remarks and Pledge of Allegiance (Mr. DeLeone)
3. Approval of Minutes
 - 3.1 Regular City Council Meeting of September 16, 2020
 - 3.2 Special City Council Meeting of October 7, 2020
 - 3.3 Democracy Day Public Hearing of October 7, 2020
4. Communications
 - 4.1 Public Comment (Visitors wishing to address Council please sign up with the Clerk of Council prior to start of the meeting; limited to three (3) minutes)
 - 4.2 Written Communication (All placed on file in the Clerk of Council's office)
 - 4.2.1 Video from Judge Doherty regarding reelection was received and forwarded to Council on September 23, 2020.
 - 4.2.2 Board of Health Minutes and Statistical report from September 8, 2020 and Agenda for October 13, 2020 and was received on October 8, 2020.
 - 4.2.3 Parks and Recreation Board Packet for the October 15, 2020 meeting was received on October 8, 2020.
 - 4.2.4 Planning Commission Agenda and Staff Report for October 20, 2020 was received on October 12, 2020.
 - 4.2.5 Standing Rock Meeting Minutes from September 10, 2020 and the agenda for the October 8, 2020 meeting were received on October 1, 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: October 7, 2020

5.1.2 Action Recommended: None

5.2 Community Development (Kuhar/Rosenberg)

5.2.1 Committee Meeting Minute Approval: NONE

5.2.2 Action Recommended: NONE

5.3 Health and Public Safety (Amrhein/Sidoti)

5.3.1 Committee Meeting Minute Approval: October 7, 2020

5.3.2 Action Recommended: Previously Authorized at Special Meeting
October 7, 2020

5.4 Streets, Sidewalks and Utilities (Sidoti/Wallach)

5.4.1 Committee Meeting Minute Approval: NONE

5.4.2 Action Recommended: NONE

5.5 Land Use Committee (Ferrara/Schafer)

5.5.1 Committee Meeting Minute Approval: October 7, 2020

5.5.2 Action Recommended:

1) Authorize the vacation of the unused street right of way.

5.5.3 **Draft No 2020-98** AN ORDINANCE AUTHORIZING THE VACATION OF A PARCEL OF CITY OWNED LAND KNOWN AS A "PAPER" STREET AND KNOWN AS WHITEWOOD DRIVE OFF OF ADRIAN AVENUE, AND DECLARING AN EMERGENCY (Authorized)

5.6 Finance Committee (DeLeone/Wallach)

5.6.1 Committee Meeting Minute Approval: October 7, 2020

5.6.2 Action Recommended:

- 1) Approve the submission of the proposed projects for OPWC funding consideration.
- 2) Authorize the staff to proceed with the electric vehicle grant request and if the grant funding is approved, authorize execution of the grant agreement and appropriation of the grant funding.
- 3) Authorize the surplus City property sale.
- 4) Approve the 2020 budget appropriations amendments.

- 5.6.3 **Draft No 2020- 99** AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT TWO (2) FUNDING APPLICATIONS TOTALING \$1,195,000 AND TO EXECUTE THE SUBSEQUENT AGREEMENTS WITH THE OHIO PUBLIC WORKS COMMISSION (OPWC), AND TO ACCEPT THE GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATION OF FUNDS AND DECLARING AN EMERGENCY. AND DECLARING AN EMERGENCY. (Authorized)
- 5.6.4 **Draft No. 2020-100** AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT A GRANT FUNDING APPLICATION REQUEST FOR \$30,000.00 TO THE OHIO ENVIRONMENTAL PROTECTION AGENCY (OEPA) AND TO ACCEPT THE GRANT, IF AWARDED, AND EXECUTE THE SUBSEQUENT GRANT AGREEMENT WITH CORRESPONDING APPROPRIATION OF FUNDS, FOR THE “LEVEL 2 ELECTRIC VEHICLE CHARGING STATION GRANT,” AND DECLARING AN EMERGENCY. (Authorized)
- 5.6.5 **Draft No. 2020-101** AN ORDINANCE AUTHORIZING THE SALE AT PUBLIC AUCTION OF SURPLUS PROPERTY NOT NEEDED FOR MUNICIPAL PURPOSES BY A LIVE AUCTIONEER PURSUANT TO SECTION 721.15 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY (Authorized)
- 5.6.6 **Draft No. 2020-102** 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)
- 5.6.7 **Draft No. 2020-103** AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE RIGHT OF WAY AGREEMENTS FOR THE PURPOSE OF OBTAINING TEMPORARY AND PERMANENT EASEMENTS FOR THE CONSTRUCTION OF THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY (Authorized)

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

Posted October 14,2020

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.

Regular Council Meeting Agenda

October 21, 2020

Page 3 of 3

DRAFT ORDINANCE NO. 2020-98

AN ORDINANCE AUTHORIZING THE VACATION OF A PARCEL OF CITY OWNED LAND KNOWN AS A "PAPER" STREET AND KNOWN AS WHITEWOOD DRIVE OFF OF ADRIAN AVENUE, AND DECLARING AN EMERGENCY.

WHEREAS, the Kent City Council wishes to vacate a parcel of City owned land known as a "paper" street, and known as Whitewood Drive off of Adrian Avenue; and

WHEREAS, pursuant to Ohio Revised Code section 723.04, the City Council of the City of Kent will be receiving a Petition attached hereto as Exhibit "A" from the adjoining property owners to vacate the "paper" street known as Whitewood Drive off of Adrian Avenue; and

WHEREAS, if the property is vacated, the adjacent property owners would get possession of the land to the center of the paper road.

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 "paper" street known as Whitewood Drive off of Adrian Avenue be vacated upon receipt by the City Clerk of Council of a properly executed petition for said vacation; a copy of said agreement is marked as Exhibit "A", attached hereto and incorporated herein.

SECTION 2. That a vacation plat, together with a certified copy of this Ordinance and a survey, if necessary, shall be delivered by the City Engineer to the Portage County Recorder, upon receipt of the petition.

SECTION 3. 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 4. 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

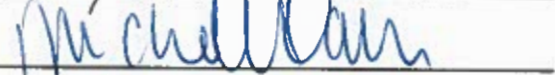
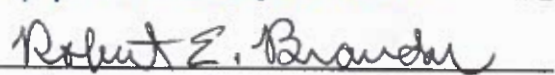
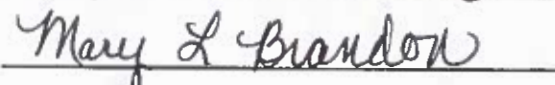
PETITION FOR CITY TO VACATE UNUSED PARK LANDS

CITY OF KENT, OHIO
_____, 2020

TO THE COUNCIL OF THE CITY OF KENT, OHIO:

Pursuant to Ohio Revised Code Section 723.04, We/I the undersigned,
owner(s) of Lot(s) in the City of Kent and adjacent to an unused block of land _____
labeled on the recorded plat of the White Oak Hills Subdivision as "Whitewood
Drive No Construction Block dedicated to the City of Kent" respectfully petition this
honorable body that the unused block be vacated and the ownership of the lands be
equally divided to adjoining property owners subject to any easements.

SIGNATURE(S) OF LOT OWNER(S)

	1366 Nicholas Drive, Kent, Ohio
	1366 Nicholas Drive, Kent, Ohio
	1118 Adrian Avenue, Kent, Ohio
	1118 Adrian Avenue, Kent, Ohio

DRAFT ORDINANCE NO. 2020-99

AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT TWO (2) FUNDING APPLICATIONS TOTALING \$1,195,000 AND TO EXECUTE THE SUBSEQUENT AGREEMENTS WITH THE OHIO PUBLIC WORKS COMMISSION (OPWC), AND TO ACCEPT THE GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATION OF FUNDS AND DECLARING AN EMERGENCY.

WHEREAS, the first application submitted to OPWC will be for the four (4) final clarifiers at the Water Reclamation Facility. The final clarifiers are used to settle our microorganisms from the activated sludge process prior to discharging the effluent to the Cuyahoga River. The clarifiers were constructed in 1964 and their rehabilitation are part of the significant long term improvements required at the Water Reclamation Facility. We are requesting \$650,000 in grant funds and \$150,000 in no interest loans from OPWC; and

WHEREAS, the second application submitted to OPWC will be for the construction of approximately a half mile of waterline on residential streets north of Fairchild Avenue and east of Major's Lane. The existing waterlines in this area are old and undersized. There have been 16 breaks in the last ten (10) years. The completion of this project will not only eliminate a failing waterline, but it will also provide an increase in fire flows up to 138% and increase the redundancy in the water service to the area. We are requesting \$245,000 in grant funds and \$150,000 in no interest loans from OPWC.

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 Kent City Council approves submission of the City's capital project pre-application requests for Ohio Public Works Commission grant and loan funding totaling \$1,195,000 and authorized that the Administration provide all information, funds, and documentation required in said applications for submission.

SECTION 2. That the Kent City Council hereby approves the City's acceptance of the grant(s), if awarded to the City, with corresponding appropriations for its use.

SECTION 3. That the Kent City Council hereby understands and agrees that participation in the OPWC grant program will require compliance with program guidelines and assurances.

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

DRAFT ORDINANCE NO. 2020-100

AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT A GRANT FUNDING APPLICATION REQUEST FOR \$30,000.00 TO THE OHIO ENVIRONMENTAL PROTECTION AGENCY (OEPA) AND TO ACCEPT THE GRANT, IF AWARDED, AND EXECUTE THE SUBSEQUENT GRANT AGREEMENT WITH CORRESPONDING APPROPRIATION OF FUNDS, FOR THE "LEVEL 2 ELECTRIC VEHICLE CHARGING STATION GRANT," AND DECLARING AN EMERGENCY.

WHEREAS, the funding application was submitted to the Ohio Environmental Protection Agency (OEPA) requesting \$30,000.00 in assistance through the "Level 2 Electric Vehicle Charging Station Grant;" and;

WHEREAS, the OEPA funding for the grant is available through the Volkswagen (VW) Mitigation Trust Fund which is part of a court-ordered settlement to offset the excess air pollution emitted by some diesel VW vehicles that violated the Clean Air Act; and

WHEREAS, the City is seeking the grant to assist with the costs associated with the installation of two (2) dual port electric vehicle (EV) charging stations at the new City Administration Building with the City providing \$10,366.00 in match through its capital fund investment for the project.

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 Kent City Council approves submission of the City's application request for OEPA'S grant funding totaling \$30,000.00 and authorized that the Administration provide all information, funds, and documentation required in said applications for submission.

SECTION 2. That the Kent City Council hereby approves the City's acceptance of the grant, if awarded to the City, with corresponding appropriations for its use.

SECTION 3. That the Kent City Council hereby understands and agrees that participation in the OEPA'S grant program will require compliance with program guidelines and assurances.

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.

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(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT ORDINANCE NO. 2020-101

AN ORDINANCE AUTHORIZING THE SALE AT PUBLIC AUCTION OF SURPLUS PROPERTY NOT NEEDED FOR MUNICIPAL PURPOSES BY A LIVE AUCTIONEER PURSUANT TO SECTION 721.15 OF THE OHIO REVISED CODE, 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 Council does hereby authorize the sale at public auction of surplus property from various departments by a live auctioneer pursuant to Section 721.15 of the Ohio Revised Code; said items are no longer needed for municipal purposes, and are described on the attached list, marked "Exhibit A" 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.

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Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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(SEAL)

AMY WILKENS
CLERK OF COUNCIL

Auction / Disposal List - City of Kent - All Departments

9/29/2020

10/2/2020 Updated

Tag #	Dept/Div	Description	Qty.	Year	Manufacture	Model No.	Serial No.	Storage Location	Know Defects	Why Taken Out of Service
2017.000	Example	18 hp Lawn Tractor, 48 inch cut with snow plow with skids, electric start	1	1985	Kubota	ABC123	XYZ567	1220 Mog. Rd.	Missing key, dead battery & plow pins	Unable to obtain parts & Unit replaced in 2009
	Vehicles									
2020.001	CD101	2002 Chevrolet Tahoe	1	2002	Chevrolet	Tahoe	1GNEK13V42J1G2120	890 Plum Street		Beyond useful life. Handed down from the FD.
2020.002	ED123	1998 Ford F-150 Pick up truck	1	1998	Ford	F-150	1FTZF1826WNB36906	890 Plum Street	Does not run	Beyond useful life.
2020.003	CM221	2002 Freightliner F170 - dump truck	1	2002	Freightliner	F170	1FVABPBW62HJ83003	890 Plum Street	Multiple issues	Beyond useful life.
2020.004	CM170	1995 Freightliner F170 - dump truck	1	1995	Freightliner	F170	1FV6HFAA4SL724387	890 Plum Street		Beyond useful life. Parts no longer available.
2020.005	CM101	2003 Ford F-150 Pick up truck	1	2003	Ford	F-150	1FTRX17W93NB91671	890 Plum Street	Multiple issues	Beyond useful life.
2020.006	CM196	2003 Ford F-250 Pick up truck	1	2003	Ford	F-250	3FTNF20L93MB39961	890 Plum Street	Multiple issues	Beyond useful life.
	Large Equipment									
2020.007	CM119	1978 Sullair 185 Air compressor	1	1978	Sullair	185	474322T-4219DF01	890 Plum Street	Does not run. Engine Blown	Beyond useful life.
2020.008	CM071	1960 Galion 440 Grader	1	1960	Galion	440	44C4429	890 Plum Street		Beyond useful life. Parts no longer available.
2020.009	CM094	2000 Briggs & Stratton Generator	1	2000	Briggs	NTE4000V	92134	890 Plum Street	Not running.	Beyond useful life.
	Small Equipment									
2020.010	CD	Troy-Bilt 21" push mower	1		Troy-Bilt	Push Mower	1E288LA0303	930 Overholt	Bent crank shaft	Bag included
2020.011	CD	Troy-Bilt 21" push mower	1		Troy-Bilt	Push Mower	1C174K92365	930 Overholt	Bent crank shaft	Bag included
	Misc.									
2020.012	Health	Metal Folding Chairs	11					930 Overholt		Old / damaged / No longer needed
2020.013	Health	Metal Chairs - Stationary	25					930 Overholt		Old / damaged / No longer needed
2020.014	CD	Small drawing cabinet	1					930 Overholt		No longer needed or used
2020.015	CD	Small card file	1					930 Overholt		No longer needed or used
	Scrap									
2020.016	Health	Filing cabinets	9					930 Overholt		Old / damaged
2020.017	Health	Large map cabinets	7					930 Overholt		Old / damaged
2020.018	Health	Office desks - metal	7					930 Overholt		Old / damaged
2020.019	Health	5' Folding table	1					930 Overholt		Old / damaged
2020.020	CD	Small metal shelf	1					930 Overholt		Old / damaged
	Disposal									
2020.021	Health	Office Desks - wood	3					930 Overholt		Damaged / no value
2020.022	Health	Office Chairs - with wheels	24					930 Overholt		Old / damaged
2020.023	Health	Coffee tables	2					930 Overholt		Old / damaged
2020.024	Health	Magazine rack	1					930 Overholt		Old / damaged
2020.025	Health	End tables	6					930 Overholt		Old / damaged
2020.026	Health	Refrigerator	1					930 Overholt	Does not run.	Damaged
2020.027	Health	Plastic ficus tree	1					930 Overholt		Dirty / old / no value

DRAFT ORDINANCE NO. 2020-102

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, as amended by Ordinance No. 2020-86, passed 8/19/2020, be amended as set forth in Exhibit "A", attached hereto and incorporated herein, so as to increase appropriations in Fund 127, Neighborhood Stabilization Fund, Fund 137, Local CARES Act Fund, Fund 202, Sewer Fund, and Fund 303, Police Facility Fund and to decrease appropriations in Fund 201, Water Fund, Fund 202, Sewer Fund, Fund 208, Storm Fund and Fund 301, Capital 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

2020 AMENDED APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>General Fund (001)</u>						
City Council	\$167,708	\$32,803				\$200,511
Mayor	9,530	5,400				14,930
Community Support		86,500				86,500
City Manager	327,241	66,623				393,864
New City Hall Facility		0				0
Information Technology	85,484	227,968				313,452
Urban Renewal		72,300				72,300
Human Resources	64,790	19,488				84,278
Civil Service	32,425	48,953				81,378
Law	333,967	118,895				452,862
Budget & Finance	220,511	161,662	\$3,254			385,427
Community Development	609,174	268,106				877,280
Economic Development	124,748	40,890				165,638
Health	462,327	201,538				663,865
Public Parking		62,000	135,000			197,000
Main Street Program		70,000				70,000
Service Administration	73,619	503,416				577,035
Shade Tree		89,400	10,000			99,400
Adjunct Facilities		22,692				22,692
Building	315,150	70,272				385,422
Land banking		10,000				10,000
Engineering	240,940	98,442				339,382
Miscellaneous & Sundry		390,250				390,250
Contingency					\$100,000	100,000
Fund Total	\$3,067,614	\$2,667,598	\$148,254	\$0	\$100,000	\$5,983,466
<u>West Side Fire (101)</u>						
Fire	\$278,104	\$27,127				\$305,231
Fund Total	\$278,104	\$27,127	\$0	\$0	\$0	\$305,231
<u>Street Construction Maintenance & Repair (102)</u>						
Service	\$1,182,517	\$1,219,427				\$2,401,944
Contingency					\$25,000	25,000
Fund Total	\$1,182,517	\$1,219,427	\$0	\$0	\$25,000	\$2,426,944
<u>State Highway (103)</u>						
Service		\$70,000				\$70,000
Fund Total	\$0	\$70,000	\$0	\$0	\$0	\$70,000
<u>Recreation (106)</u>						
Parks & Recreation	\$1,427,466	\$699,048	\$249,000			\$2,375,514
Fund Total	\$1,427,466	\$699,048	\$249,000	\$0	\$0	\$2,375,514
<u>Food Service (107)</u>						
Health	\$110,523	\$8,000				\$118,523
Fund Total	\$110,523	\$8,000	\$0	\$0	\$0	\$118,523

2020 AMENDED APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Income Tax (116)</u>						
Budget/Finance/IncTaxAdmin	\$308,391	\$542,233				\$850,624
Managed Reserve				\$25,540		25,540
Fund Total	\$308,391	\$542,233	\$0	\$25,540	\$0	\$876,164
<u>Revolving Housing (120)</u>						
Health	\$157,979	\$10,000				\$167,979
Fund Total	\$157,979	\$10,000	\$0	\$0	\$0	\$167,979
<u>State & Local Forfeits (121)</u>						
Police		\$0				\$0
Fund Total	\$0	\$0	\$0	\$0	\$0	\$0
<u>Drug Law Enforcement (122)</u>						
Police		\$9,000				\$9,000
Fund Total	\$0	\$9,000	\$0	\$0	\$0	\$9,000
<u>Enforcement & Education (123)</u>						
Police		\$11,000				\$11,000
Fund Total	\$0	\$11,000	\$0	\$0	\$0	\$11,000
<u>Income Tax Safety (124)</u>						
Police	\$7,484,419	\$691,110				\$8,175,529
Fund Total	\$7,484,419	\$691,110	\$0	\$0	\$0	\$8,175,529
<u>Law Enforcement Trust (125)</u>						
Police		\$0				\$0
Fund Total	\$0	\$0	\$0	\$0	\$0	\$0
<u>Community Development Block Grant (126)</u>						
Community Development	\$17,875	\$484,996	\$145,165			\$648,036
Fund Total	\$17,875	\$484,996	\$145,165	\$0	\$0	\$648,036
<u>NSP (Neighborhood Stabilization Program) Grant (127)</u>						
Community Development	\$400	\$139,115				\$139,515
Fund Total	\$400	\$139,115	\$0	\$0	\$0	\$139,515
<u>Fire & E.M.S. (128)</u>						
Fire	\$4,925,538	\$503,774	\$452,900			\$5,882,212
Fund Total	\$4,925,538	\$503,774	\$452,900	\$0	\$0	\$5,882,212
<u>Wireless 911 (129)</u>						
Safety		\$0				\$0
Fund Total	\$0	\$0	\$0	\$0	\$0	\$0
<u>Swimming Pool Inspections (130)</u>						
Health	\$9,049	\$0				\$9,049
Fund Total	\$9,049	\$0	\$0	\$0	\$0	\$9,049
<u>Police Pension (132)</u>						
Police	\$120,000					\$120,000
Fund Total	\$120,000	\$0	\$0	\$0	\$0	\$120,000

2020 AMENDED APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Fire Pension (133)</u>						
Fire	\$120,000					\$120,000
Fund Total	\$120,000	\$0	\$0	\$0	\$0	\$120,000
<u>UDAG / EDA-RLF (134)</u>						
City Manager/C.D.		\$50,000				\$50,000
Fund Total	\$0	\$50,000	\$0	\$0	\$0	\$50,000
<u>CHIP Grant (136)</u>						
CHIP Grant/Comm Development		\$226,000				\$226,000
Fund Total	\$0	\$226,000	\$0	\$0	\$0	\$226,000
<u>Local Coronavirus Relief Dist Fund (137)</u>						
COVID-19		\$1,193,645.18				\$1,193,645.18
Fund Total	\$0	\$1,193,645.18	\$0	\$0	\$0	\$1,193,645.18
<u>Water (201)</u>						
Service	\$1,803,555	\$811,998	\$760,000			\$3,375,553
Service (Capital Facilities)			766,024			766,024
Admin. Support	656,481	73,947	6,450			736,878
Budget & Finance (Debt)				\$55,759		55,759
Contingency					\$50,000	50,000
Fund Total	\$2,460,036	\$885,945	\$1,532,474	\$55,759	\$50,000	\$4,984,214
<u>Sewer (202)</u>						
Service	\$2,113,748	\$860,274	949,592.00			\$3,923,614
Service (Capital Facilities)			71,359			71,359
Admin. Support	656,481	86,398	6,450			749,329
Budget & Finance (Debt)				\$581,320		581,320
Contingency					\$50,000	50,000
Fund Total	\$2,770,229	\$946,672	\$1,027,401	\$581,320	\$50,000	\$5,375,622
<u>Utility Billing (204)</u>						
Budget & Finance		\$92,586				\$92,586
Fund Total	\$0	\$92,586	\$0	\$0	\$0	\$92,586
<u>Solid Waste (205)</u>						
Service	\$91,128	\$161,790	\$5,000			\$257,918
Fund Total	\$91,128	\$161,790	\$5,000	\$0	\$0	\$257,918
<u>Storm Water Utility (208)</u>						
Service	\$250,308		\$18,000			\$268,308
Service (Capital Facilities)			1,184,868			1,184,868
Admin. Support	332,068	\$62,296	1,450			395,814
Budget & Finance (Debt)				\$9,968		9,968
Fund Total	\$582,376	\$62,296	\$1,204,318	\$9,968	\$0	\$1,858,958
<u>Guaranteed Deposits (230)</u>						
Budget & Finance		\$1,000				\$1,000
Fund Total	\$0	\$1,000	\$0	\$0	\$0	\$1,000

2020 AMENDED APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Capital Projects (301)</u>						
Safety			\$181,900			\$181,900
Service			320,000			320,000
Service (Capital Facilities)			11,716,793			11,716,793
Administrative			51,400			51,400
New Admin. Facility			2,131,000			2,131,000
Budget & Finance (Debt)				\$332,439		332,439
Contingency					\$25,000	25,000
Fund Total	\$0	\$0	\$14,401,093	\$332,439	\$25,000	\$14,758,532
<u>Municipal Public Improvement Tax Increment Equivalent (302)</u>						
Service (Capital Facilities)						\$0
Budget & Finance (Debt)				\$1,391,175		1,391,175
Fund Total	\$0	\$0	\$0	\$1,391,175	\$0	\$1,391,175
<u>Police Facility (303)</u>						
Safety (Capital Facilities)			\$543,500			\$543,500
Budget & Finance (Debt)				\$3,132,525		3,132,525
Fund Total	\$0	\$0	\$543,500	\$3,132,525	\$0	\$3,676,025
<u>Debt Service (402)</u>						
Budget & Finance (Debt)				\$57,620		\$57,620
Fund Total	\$0	\$0	\$0	\$57,620	\$0	\$57,620
<u>Internal Service (807)</u>						
Health Insurance			\$3,700,000			\$3,700,000
Fund Total	\$0	\$3,700,000	\$0	\$0	\$0	\$3,700,000
Total Appropriations	\$25,113,644	\$14,402,362.18	\$19,709,105	\$5,586,346	\$250,000	#####
Original Appropriations	\$24,787,144	\$12,459,693	\$13,787,565	\$5,472,276	\$250,000	\$56,756,678
Amendment #1	326,100		5,859,140			6,185,240
Amendment #2		141,213	100,000			241,213
Amendment #3			106,900			106,900
Amendment #4			50,000			50,000
Amendment #5		451,096	(162,500)			288,596
Amendment #6		510,000	(10,000)	114,070		614,070
Amendment #7		8,000				8,000
Amendment #8		832,760.18	(22,000)			810,760.18
	\$25,113,244	\$14,402,762.18	\$19,709,105	\$5,586,346	\$250,000	#####
						\$0

2020 AMENDED APPROPRIATIONS - SCHEDULE OF OPERATING TRANSFERS AND TEMPORARY ADVANCES

<u>Paying Fund</u>	<u>Original</u>	<u>Current Request</u>	<u>Change</u>	<u>Receiving Fund</u>
<u>Operating Transfers</u>				
Fund 116 - Income Tax	\$3,600,000	\$3,600,000	\$0	Fund 001 - General
Fund 116 - Income Tax	1,000,000	1,000,000	0	Fund 102 - St Const Maint & Repair
Fund 116 - Income Tax	3,581,444	3,581,444	0	Fund 124 - Income Tax Safety
Fund 116 - Income Tax	3,581,444	3,581,444	0	Fund 128 - Fire & E.M.S.
Fund 116 - Income Tax	3,075,444	3,358,065	282,621	Fund 301 - Capital Projects
Fund 116 - Income Tax	1,790,724	1,889,496	98,772	Fund 303 - Police Facility
Fund 116 - Income Tax	60,000	60,000	0	Fund 402 - Debt Service
Total Fund 116 Income Tax	\$16,689,056	\$17,070,449	\$381,393	
Fund 201 - Water	\$47,000	\$47,000	\$0	Fund 204 - Utility Billing
Fund 202 - Sewer	47,000	47,000	0	Fund 204 - Utility Billing
Fund 001 - General	3,700,000	3,700,000	0	Fund 124 - Income Tax Safety
Fund 001 - General	6,400	6,400	0	Fund 106 - Parks and Rec
Fund 001 - General	1,500,000	1,500,000	0	Fund 301 - Capital Projects (for City Hall)
Fund 001 - General	2,100,000	2,100,000	0	Fund 128 - Fire & EMS
Subtotal - Total Operating Transfers	\$7,400,400	\$7,400,400	\$0.00	
<u>Temporary Advances</u>				
Fund 106 - Recreation	*	\$0	\$0	Fund 001 - General
Fund 201 - Water	*	0	0	Fund 116 - Income Tax
Fund 202 - Sewer	*	0	0	Fund 116 - Income Tax
Fund 205 - Solid Waste	*	56,000	56,000	Fund 001 - General
Fund 205 - Solid Waste	*	53,000	53,000	Fund 116 - Income Tax
Fund 208 - Storm Water	*	16,000	16,000	Fund 116 - Income Tax
Subtotal - Total Advances		\$125,000	\$125,000	\$0
Grand Total - All Transfers & Advances		\$24,214,456	\$24,595,849	\$381,393

* Designates Repayment of Advance

DRAFT ORDINANCE NO. 2020-103

AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE RIGHT OF WAY AGREEMENTS FOR THE PURPOSE OF OBTAINING TEMPORARY AND PERMANENT EASEMENTS FOR THE CONSTRUCTION OF THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Council desires to obtain certain temporary and permanent easements from property owners for the construction of the Southwest Sanitary Pump Station Project ("Project"); and

WHEREAS, the property owners listed below have agreed to sell the easement interests to the City for the Project in the amounts listed; and

WHEREAS, the City needs the property for right-of-way purposes for the construction of said Project.

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:

SECTION 1. That Council does hereby accepts and authorizes the City Manager or his designee to execute the agreements for the City of Kent to obtain temporary and permanent easements for construction of the Southwest Sanitary Pump Station project in substantial conformity with the terms of the Agreement marked as Exhibit "A", attached hereto and incorporated herein for the following properties:

- a) Stephen W. Ryan, 1224 Middlebury Road, temporary easement (5-T), \$2,940.00; 20' sanitary sewer easement (5-S) for \$562.00 for right-of-way purposes.
- b) Kyle D. Veon and Lauren N. Veon, 1230 Middlebury Road, temporary easement (4-T), \$725.00.
- c) John M. Gonos and Jo Marie Gonos, 636 Yacavona Drive, 10' sanitary sewer easement (14-S) for \$420.00 for right-of-way purposes.
- d) William J. Krul and Lucille C. Krul, 1214 Middlebury Road, temporary easement (7-T), \$1,920.00; 10' sanitary sewer easement (7-S) for \$332.00 for right-of-way purposes.
- e) Bonnie M. Droder, 1208 Middlebury Road, temporary easement (8-T), \$1,650.00; 10' sanitary sewer easement (8-S) for \$332.00 for right-of-way purposes.
- f) Henry Ailes, 1204 Middlebury Road, temporary easement (9-T), \$900.00; 10' sanitary sewer easement (9-S) for \$332.00 for right-of-way purposes.
- g) Jacob R. Fargo, 1178 Middlebury Road, temporary easement (12-T), \$1,310.00.
- h) Patrick C. Madonio, 644 Yacavona Drive, 10' sanitary sewer easement (16-S) for \$362.00 for right-of-way purposes

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

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

To: Dave Ruller
Amy Wilkens

From: Cori Finney

Date: September 9, 2020

RE: Southwest Sanitary Pump Station
Temporary Work Agreements and Permanent Sanitary Easements

Engineering is requesting Council time for the approval of payments to four property owners of four parcels needed for the construction of the Southwest Sanitary Pump Station Project. The project is anticipated to start construction in 2021.

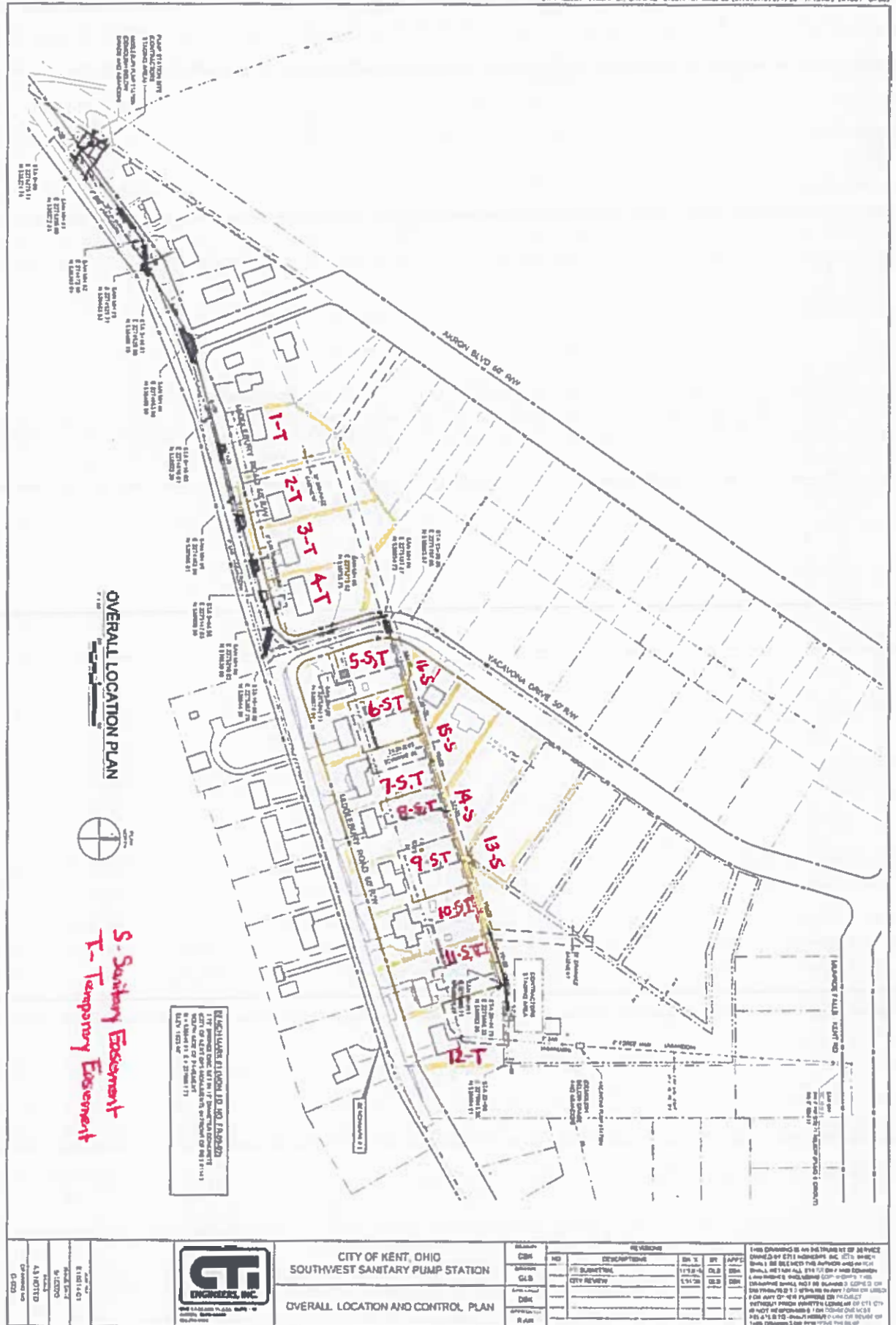
Portions of the existing sanitary sewer upstream of the Middlebury Pump Station and Yacavona Pump Station are located on private property. The new sanitary sewer that will be constructed with the Southwest Sanitary Pump Station project will be either located in the City's right-of-way or in a new sanitary sewer easement. In order to tie the existing laterals into the new sanitary sewer, some temporary work agreements are required. There is also a new sanitary sewer easement that will overlay an existing drainage easement along the rear properties of the east of Yacavona. A total of 11 temporary and 11 permanent easements will be required from 16 parcels. Please see attached map.

The following is a list of parcels and their perspective values included in this request:

<u>Property Owner</u>	<u>Take Number</u>	<u>Take Description</u>	<u>Amount</u>
Stephen W. Ryan	5-T	Temporary	\$2,940
	5-S	Sanitary	<u>\$562</u>
		Combined Total	\$3,502
Kyle D. Veon and Lauren N Veon	4-T	Temporary	\$725
John M Gonos and Jo Marie Gonos	14-S	Sanitary	\$420

The above values were obtained according to the federal right-of-way acquisition process. This process is required for the City to use Federal funds. Negotiation with the remaining twelve property owners is ongoing.

Cc: Melanie A. Baker, Service Director
James Bowling, P.E., City Engineer
Patti Long, Interim Assistant to the City Manager
Hope Jones, Law Director
Rhonda Hall, Budget & Finance Director
file



LPA RE 807
Rev. 10/2017

TE
LPA

TEMPORARY EASEMENT

Stephen W. Ryan, Single, the Grantor(s), in consideration of the sum of \$2,940.00, to be paid by City of Kent, the Grantee, does grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 17-009-20-00-057-000 T

CITY OF KENT – SOUTHWEST SANITARY PUMP STATION

SEE EXHIBIT A ATTACHED

Portage County Current Tax Parcel No. 17-009-20-00-057-000

Prior Instrument Reference: Instrument No. 200229836, Portage County Recorder's Office.

To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is 12 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement(s) interest granted is being acquired by Grantee for a public purpose, namely the construction and maintenance of a sewer and utilities in the name of and for the use of the City of Kent.

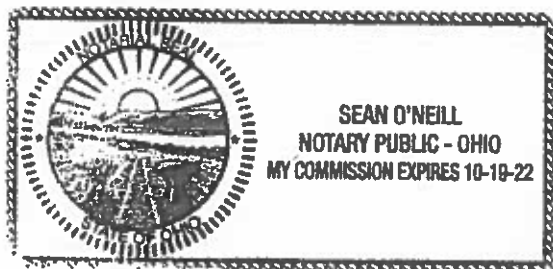
IN WITNESS WHEREOF Stephen W. Ryan have hereunto set his hand on the 27
day of AUGUST, 2020.

SWR
STEPHEN W. RYAN

STATE OF OHIO, COUNTY OF Portage ss:

BE IT REMEMBERED that on the 27th day of August, 2020, before me
the subscriber, a Notary Public in and for said state and county, personally came the above
named Stephen W. Ryan, who acknowledged the foregoing instrument to be his voluntary act
and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official
seal on the day and year last aforesaid.



Sean O'Neill

NOTARY PUBLIC

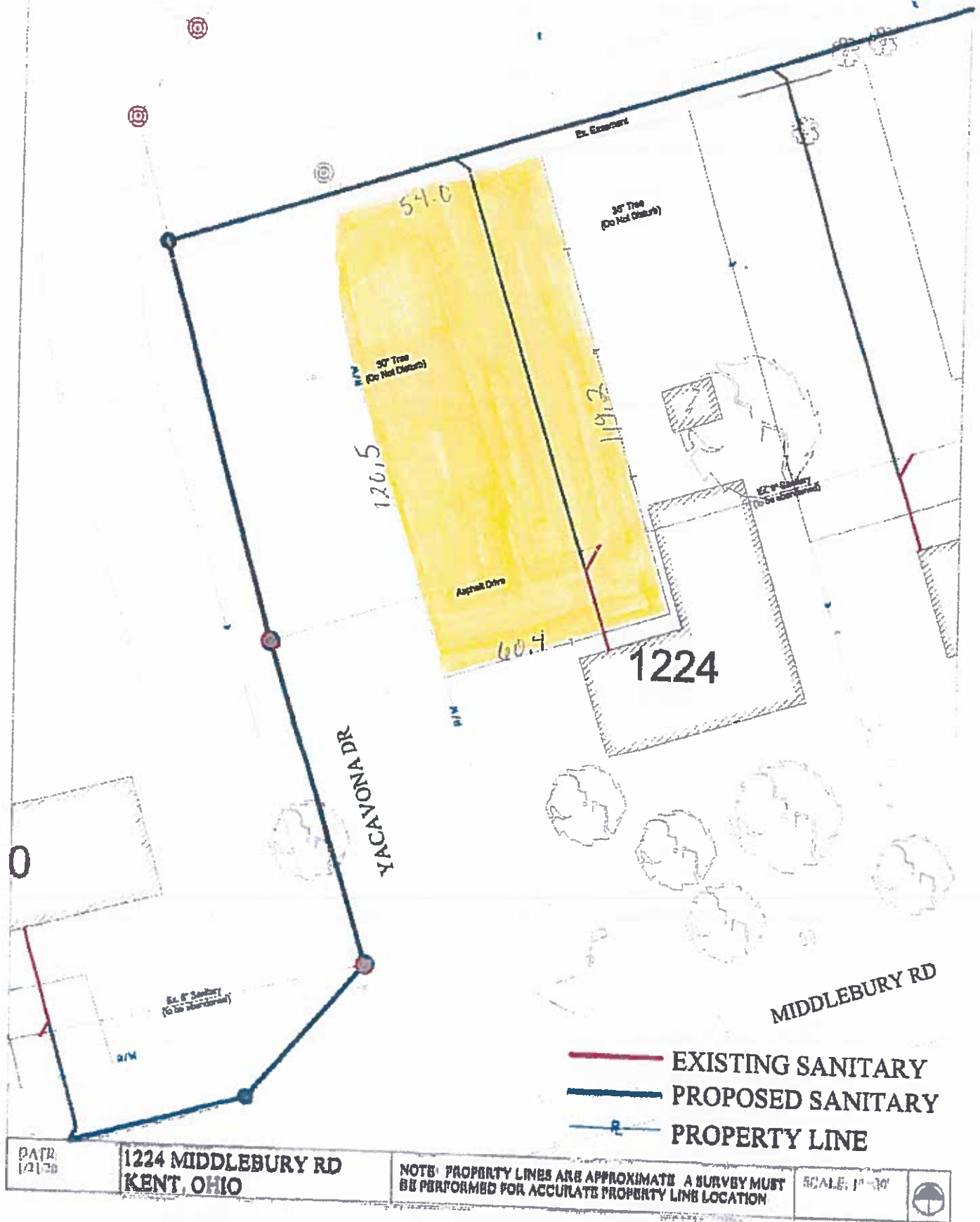
My Commission expires: 10-19-22

This document was prepared by: The City of Kent, Ohio on forms approved by the Ohio
Attorney General

05-T

057.000

Temporary Easement = 0.1636 acres



EASEMENT AND RIGHT-OF-WAY AGREEMENT
GRANTING EASEMENT FOR UTILITY LINE CONSTRUCTION

1224 MIDDLEBURY ROAD

FOR AND IN CONSIDERATION of the sum of \$562.00, the receipt of which is acknowledged, and such other consideration as is herein below set forth, the undersigned Stephen W. Ryan, hereinafter referred to as "Grantor(s)", who claim title to certain real estate by deed recorded in Plat Book 13, Page 24 of the Portage County Recorder's Records, does for their heirs, successors, and assigns, hereby give, devise, grant and convey to the City of Kent, Ohio, a municipal corporation, which is hereinafter referred to as "Grantee," its successors and assigns, the perpetual right to a permanent exclusive easement and right-of-way to lay, maintain, operate, repair, remove and replace sanitary and related necessary appurtenances over and through said real estate situated in the City of Kent, County of Portage, State of Ohio and known as being a part of Lot 9 and further known as being part of Sublot 25 of original Franklin Township, said easement being more fully described as follows:

Marital status: Single

5/28-77-2020

Boundary Description for
1224 Middlebury Road
20 foot Sanitary Sewer Easement
City of Kent, County of Portage, State of Ohio
0.0388 Acre Easement

Situated in the City of Kent, County of Portage and State of Ohio and known as being part of the Original Franklin Township Lot No. 9 and further known as being part of Sublot 25 as shown on Portage Homesites, recorded in Plat Book 13, Page 24 of the Portage County Recorder's Records and is bounded and described as follows: Beginning at the northeasterly corner of Sublot 25 and is the PRINCIPAL PLACE OF BEGINNING of the easement herein to be described:

thence South 17°39'49" East, along the easterly line of Sublot 25, 10.00 feet to a point thereon;

thence South 72°23'11" West, 93.78 feet to a point of non-tangent curvature on the easterly right of way line of Yacavona Drive, 50 feet in width;

thence northeasterly along the easterly right of way line of Yacavona Drive and the arc of a curve deflecting to the right, 22.52 feet to a point of non-tangency thereon, said curve having a radius of 100.00 feet, a central angle of 12°54'10" and a chord that bears North 09°30'51" East, 22.47 feet;

thence North 72°23'11" East, 65.47 feet to a point on the northerly line of Sublot 25;

thence South 78°38'51" East, along the northerly line of Sublot 25, 20.63 feet to the Principal Place of Beginning and containing 1,692 square feet or 0.0388 acres of land according to a survey by Guy P. Haney, P.S. No. S-7631, for TGC Engineering, LLC in July of 2020. Subject to all highways, easements and covenants of legal record.

Bearings are based on Ohio State Plane Coordinate System, North Zone, NAD 1983, ground.

For Drawings see attached Exhibit A

Together with the right of the City of Kent, its agents or employees, to store earth and materials during the period of construction, repair or replacement of such sewers and other utility lines upon the premises of the Grantor within the described easement.

And grantor does agree to keep said easement free of all permanent structures, providing that the City of Kent, Portage County, Ohio shall operate and maintain said improvement as a public facility in accordance with the standards, policies and procedures of other similar public facilities within the City of Kent and shall properly backfill and restore the ground surface and ground cover vegetation to the condition existing immediately prior to such construction, reconstruction, maintenance or repair; except that said City shall not be required to repair any structures (such as buildings, driveways, light poles and appurtenances, catch basins, storm sewers, utility service lines, pavement, curbing or landscape islands) belonging to Grantor and located within the easement and right-of-way, unless such damage was caused by an intentional act of negligence of the City of Kent, its agents, employees, contractors, licensees, or invitees.

IN WITNESS WHEREOF, the Grantor has hereunto set its signature this 27 day of AUGUST, 2020.

WITNESS:

GRANTOR:

By: Stephen W. Ryan

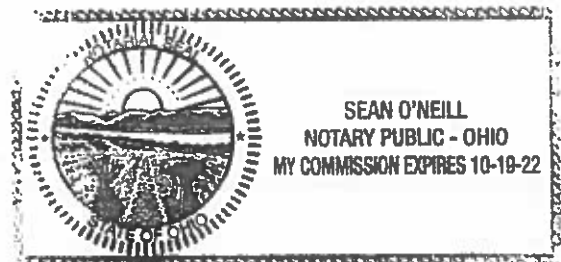
STATE OF OHIO, COUNTY OF PORTAGE, ss.:

This day, before me, a Notary Public of the State and County aforesaid, personally appeared Stephen W. Ryan, to me known to be the person described in and who executed the foregoing instrument and acknowledgment that he executed the same as his free act and deed, for the purposes therein set forth.

Witness my hand official seal this 27th day of August, 2020.

My Commission Expires: 10-19-22

Sean O'Neill
Notary



Accepted by City of Kent Council: _____, 2020.

THIS INSTRUMENT PREPARED BY: CTI Engineers, inc.

LPA RE 807
Rev. 10/2017

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TEMPORARY EASEMENT

Kyle D. Veon and Lauren N. Veon, Husband and Wife, the Grantor(s), in consideration of the sum of \$725.00, to be paid by City of Kent, the Grantee, do grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 17-009-20-00-037-000 T

CITY OF KENT – SOUTHWEST SANITARY PUMP STATION

SEE EXHIBIT A ATTACHED

Portage County Current Tax Parcel No. 17-009-20-00-037-000

Prior Instrument Reference: Instrument No. 201302406, Portage County Recorder's Office.

To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is 12 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement(s) interest granted is being acquired by Grantee for a public purpose, namely the construction and maintenance of a sewer and utilities in the name of and for the use of the City of Kent.

IN WITNESS WHEREOF Kyle D. Veon And Lauren N. Veon have hereunto set their hands
on the 15th day of June, 2020.

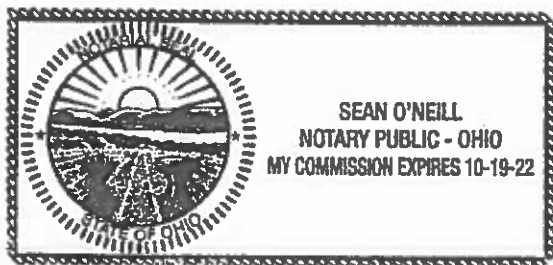

KYLE D. VEON


LAUREN N. VEON

STATE OF OHIO, COUNTY OF Portage. SS:

BE IT REMEMBERED, that on the 15th day of June, 2020, before me
the subscriber, a Notary Public in and for said state and county, personally came the above
named Kyle D. Veon And Lauren N. Veon who acknowledged the foregoing instrument to be
their voluntary acts and deeds.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official
seal on the day and year last aforesaid.



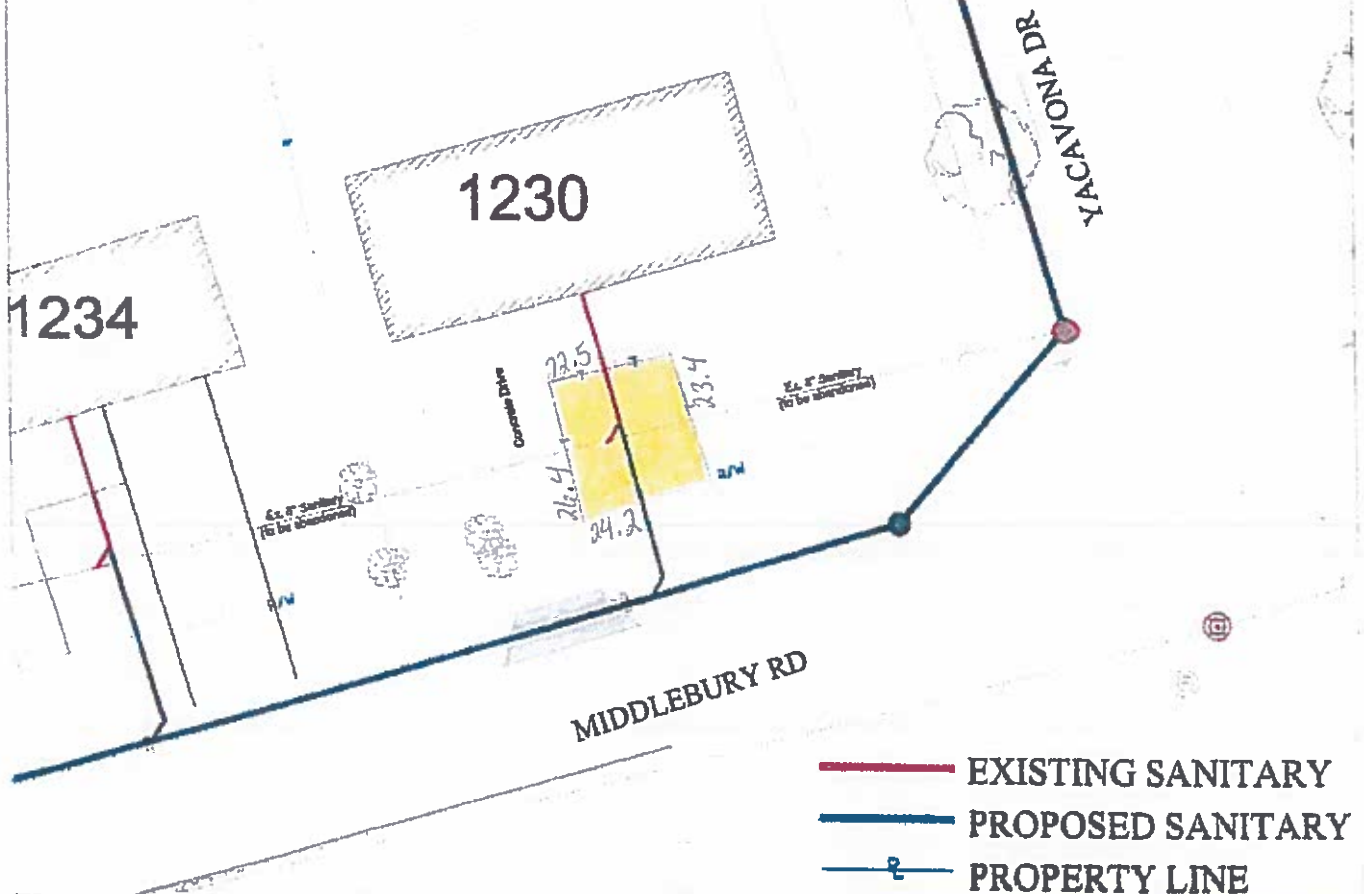

NOTARY PUBLIC
My Commission expires: 10-19-22

This document was prepared by: The City of Kent, Ohio on forms approved by the Ohio
Attorney General

04-T

037.000

— Temporary Easement = 0.0130 acres



DATE
1/21/20

1230 MIDDLEBURY RD
KENT, OHIO

NOTE: PROPERTY LINES ARE APPROXIMATE. A SURVEY MUST
BE PERFORMED FOR ACCURATE PROPERTY LINE LOCATION.

SCALE 1" = 30'



EASEMENT AND RIGHT-OF-WAY AGREEMENT
GRANTING EASEMENT FOR UTILITY LINE CONSTRUCTION

636 YACAVONA DRIVE

FOR AND IN CONSIDERATION of the sum of \$420.00, the receipt of which is acknowledged, and such other consideration as is herein below set forth, the undersigned John M. Gonos, and Jo Marie Gonos, hereinafter referred to as "Grantor(s)", who claim title to certain real estate by deed recorded in Plat Book 13, Page 24 of the Portage County Recorder's Records, does for their heirs, successors, and assigns, hereby give, devise, grant and convey to the City of Kent, Ohio, a municipal corporation, which is hereinafter referred to as "Grantee," its successors and assigns, the perpetual right to a permanent exclusive easement and right-of-way to lay, maintain, operate, repair, remove and replace sanitary and related necessary appurtenances over and through said real estate situated in the City of Kent, County of Portage, State of Ohio and known as being a part of Lot 9 and further known as being part of Sublot 13 of original Franklin Township, said easement being more fully described as follows:

Marital Status:
Husband & Wife

8.27.20

Boundary Description for
636 Yacavona Drive
10 foot Sanitary Sewer Easement
City of Kent, County of Portage, State of Ohio
0.0290 Acre Easement

Situated in the City of Kent, County of Portage and State of Ohio and known as being part of the Original Franklin Township Lot No. 9, and further known as being part of Sublot 13 as shown on Portage Homesites, recorded in Plat Book 13, Page 24 of the Portage County Recorder's Records and is bounded and described as follows: Beginning at the southeasterly corner of Sublot 13 and is the PRINCIPAL PLACE OF BEGINNING of the easement herein to be described:

thence South 72°23'11" West, along the southerly line of Sublot 13, 126.20 feet to the southwesterly corner of Sublot 13;

thence North 55°12'19" West, along the westerly line of Sublot 13, 12.62 feet to a point thereon;

thence North 72°23'11" East, 126.20 feet to a point on the easterly line of Sublot 13;

thence South 55°12'19" East, along the easterly line of Sublot 13, 12.62 feet to the Principal Place of Beginning and containing 1,262 square feet or 0.0290 acres of land according to a survey by Guy P. Haney, P.S. No. S-7631, for TGC Engineering, LLC in July of 2020. Subject to all highways, easements and covenants of legal record.

Bearings are based on Ohio State Plane Coordinate System, North Zone, NAD 1983, ground.

For Drawings see attached Exhibit A

Together with the right of the City of Kent, its agents or employees, to store earth and materials during the period of construction, repair or replacement of such sewers and other utility lines upon the premises of the Grantor within the described easement.

And grantor does agree to keep said easement free of all permanent structures, providing that the City of Kent, Portage County, Ohio shall operate and maintain said improvement as a public facility in accordance with the standards, policies and procedures of other similar public facilities within the City of Kent and shall properly backfill and restore the ground surface and ground cover vegetation to the condition existing immediately prior to such construction, reconstruction, maintenance or repair; except that said City shall not be required to repair any structures (such as buildings, driveways, light poles and appurtenances, catch basins, storm sewers, utility service lines, pavement, curbing or landscape islands) belonging to Grantor and located within the easement and right-of-way, unless such damage was caused by an intentional act of negligence of the City of Kent, its agents, employees, contractors, licensees, or invitees.

IN WITNESS WHEREOF, the Grantor has hereunto set its signature this 27th day of August, 2020.

WITNESS:

GRANTOR: Jo Marie Gonos

By: John M. & Jo Marie Gonos

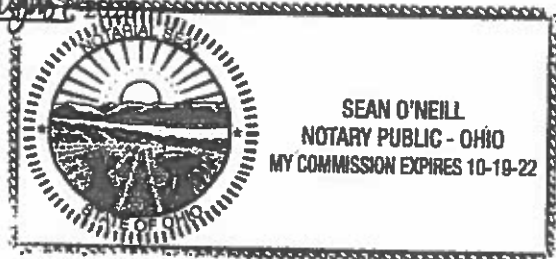
Grantor: [Signature]

STATE OF OHIO, COUNTY OF PORTAGE, ss.:

This day, before me, a Notary Public of the State and County aforesaid, personally appeared John M. Gonos, and Jo Marie Gonos, to me known to be the person described in and who executed the foregoing instrument and acknowledgment that they executed the same as their free act and deed, for the purposes therein set forth.

Witness my hand official seal this 27th day of August, 2020.

My Commission Expires: 10-19-22
Sean O'Neill
Notary



Accepted by City of Kent Council: _____, 2020.

THIS INSTRUMENT PREPARED BY: CTI Engineers, inc.

SKETCH FOR

SANITARY EASEMENT

636 Yacovona Drive

Situated in the City of Kent, County of Portage
and State of Ohio and known as being part of
Original Franklin Township Lot No. 9

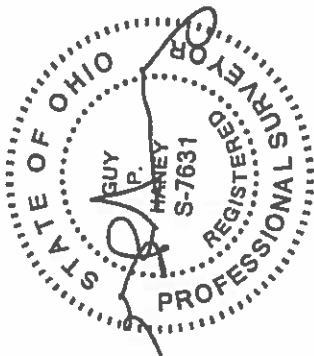


EXHIBIT A

TGC Engineering, LLC
1310 SHAWMUT CIRCLE, SUITE 407A
SPRINGFIELD, MA 01104
(508) 880-8423



636 YACOVONA

KENT SANITARY ESMTS.

PROJECT
NUMBER

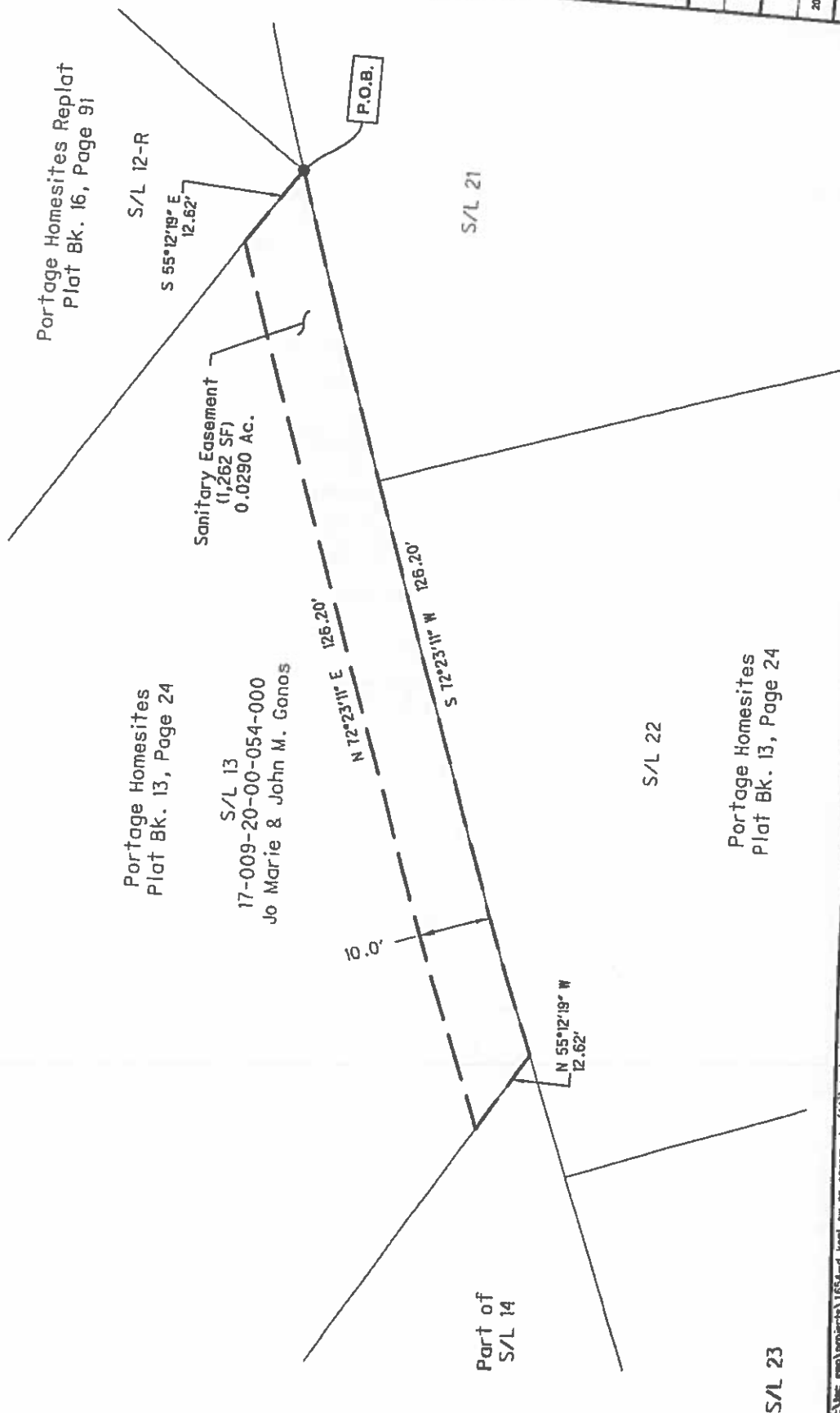
18340

DATE

2020-07-08



Page Setup: (11 BY 8.5 PDF)



LPA RE 807
Rev. 10/2017

TE
LPA

TEMPORARY EASEMENT

William Jacob Krul and Lucille Catherine Krul, Husband and Wife, the Grantor(s), in consideration of the sum of \$1,920.00, to be paid by City of Kent, the Grantee, do grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 17-009-20-00-059-000 T

CITY OF KENT – SOUTHWEST SANITARY PUMP STATION

SEE EXHIBIT A ATTACHED

Portage County Current Tax Parcel No. 17-009-20-00-059-000

Prior Instrument Reference: Deed Volume 725, Page 532, Portage County Recorder's Office.

To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is 12 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement(s) interest granted is being acquired by Grantee for a public purpose, namely the construction and maintenance of a sewer and utilities in the name of and for the use of the City of Kent.

IN WITNESS WHEREOF William Jacob Krul And Lucille Catherine Krul have hereunto set their hands on the 1st day of April, 2020. WK

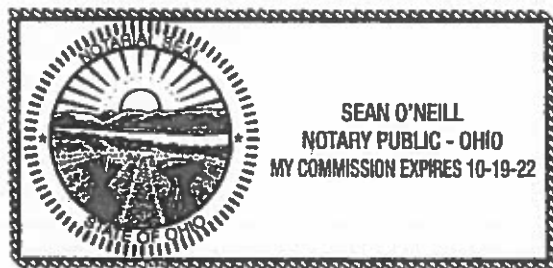
William J. Krul
WILLIAM JACOB KRUL

Lucille Catherine Krul
LUCILLE CATHERINE KRUL

STATE OF OHIO, COUNTY OF Portage. ss:

BE IT REMEMBERED, that on the 1st day of April, 2020, before me the subscriber, a Notary Public in and for said state and county, personally came the above named William Jacob Krul And Lucille Catherine Krul who acknowledged the foregoing instrument to be their voluntary acts and deeds.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



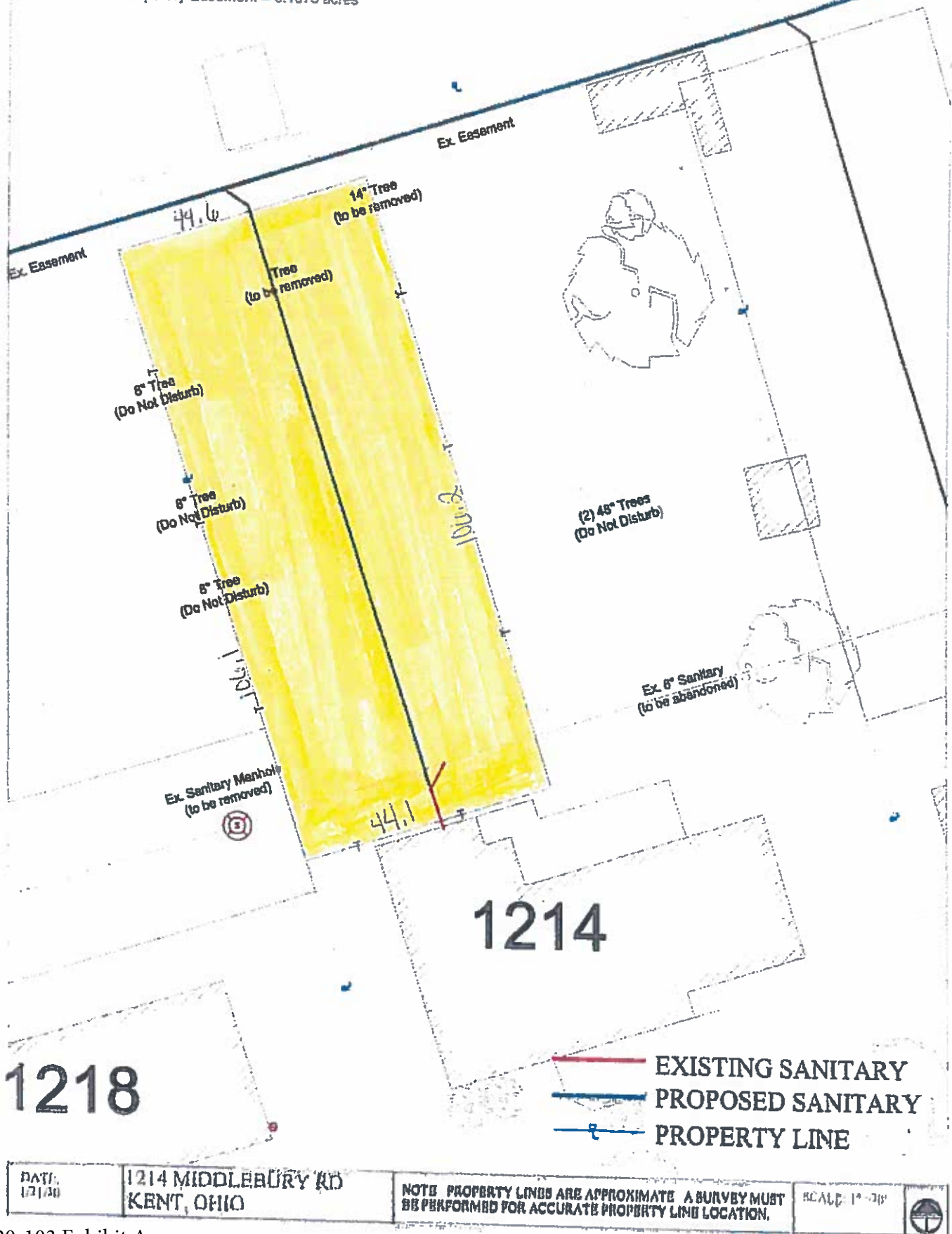
Sean O'Neill
NOTARY PUBLIC
My Commission expires: 10-19-22

This document was prepared by: The City of Kent, Ohio on forms approved by the Ohio Attorney General

07-T

059.000

± Temporary Easement = 0.1075 acres



EASEMENT AND RIGHT-OF-WAY AGREEMENT
GRANTING EASEMENT FOR UTILITY LINE CONSTRUCTION

1214 MIDDLEBURY ROAD

FOR AND IN CONSIDERATION of the sum of \$332.00, the receipt of which is acknowledged, and such other consideration as is herein below set forth, the undersigned William J. Krul, and Lucille C. Krul, hereinafter referred to as "Grantor(s)", who claim title to certain real estate by deed recorded in Plat Book 13, Page 24 of the Portage County Recorder's Records, does for their heirs, successors, and assigns, hereby give, devise, grant and convey to the City of Kent, Ohio, a municipal corporation, which is hereinafter referred to as "Grantee," its successors and assigns, the perpetual right to a permanent exclusive easement and right-of-way to lay, maintain, operate, repair, remove and replace sanitary and related necessary appurtenances over and through said real estate situated in the City of Kent, County of Portage, State of Ohio and known as being a part of Lot 9 and further known as being part of Sublot 23 of original Franklin Township, said easement being more fully described as follows:

Grantors' marital
Status: Husband and wife

L.K.
7-11-2020

WJ
10-11-20

Boundary Description for
1214 Middlebury Road
10 foot Sanitary Sewer Easement
City of Kent, County of Portage, State of Ohio
0.0229 Acre Easement

Situated in the City of Kent, County of Portage and State of Ohio and known as being part of the Original Franklin Township Lot No. 9 and further known as being part of Sublot 23 as shown on Portage Homesites, recorded in Plat Book 13, Page 24 of the Portage County Recorder's Records and is bounded and described as follows: Beginning at the northeasterly corner of Sublot 23 and is the PRINCIPAL PLACE OF BEGINNING of the easement herein to be described:

thence South 17°39'49" East, along the easterly line of Sublot 23, 10.00 feet to a point thereon;

thence South 72°23'11" West, 10 feet from and parallel with the northerly line of Sublot 23, 99.91 feet to a point on the westerly line of Sublot 23;

thence North 17°39'49" West, along the westerly line of Sublot 23, 10.00 feet to the northwesterly corner thereof;

thence North 72°23'11" East, along the northerly line of Sublot 23, 99.91 feet to the Principal Place of Beginning and containing 999 square feet or 0.0229 acres of land according to a survey by Guy P. Haney, P.S. No. S-7631, for TGC Engineering, LLC in July of 2020. Subject to all highways, easements and covenants of legal record.

Bearings are based on Ohio State Plane Coordinate System, North Zone, NAD 1983, ground.

For Drawings see attached Exhibit A

Together with the right of the City of Kent, its agents or employees, to store earth and materials during the period of construction, repair or replacement of such sewers and other utility lines upon the premises of the Grantor within the described easement.

And grantor does agree to keep said easement free of all permanent structures, providing that the City of Kent, Portage County, Ohio shall operate and maintain said improvement as a public facility in accordance with the standards, policies and procedures of other similar public facilities within the City of Kent and shall properly backfill and restore the ground surface and ground cover vegetation to the condition existing immediately prior to such construction, reconstruction, maintenance or repair; except that said City shall not be required to repair any structures (such as buildings, driveways, light poles and appurtenances, catch basins, storm sewers, utility service lines, pavement, curbing or landscape islands) belonging to Grantor and located within the easement and right-of-way, unless such damage was caused by an intentional act of negligence of the City of Kent, its agents, employees, contractors, licensees, or invitees.

IN WITNESS WHEREOF, the Grantor has hereunto set its signature this 11 day of Aug, 2020.

WITNESS:

GRANTOR:

By: William J. & Lucille C. Krul

GRANTOR: Lucille Krul

STATE OF OHIO, COUNTY OF PORTAGE, ss.:

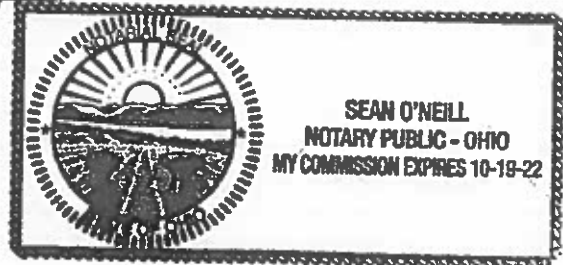
This day, before me, a Notary Public of the State and County aforesaid, personally appeared William J. Krul and Lucille C. Krul, to me known to be the person described in and who executed the foregoing instrument and acknowledgment that they executed the same as their free act and deed, for the purposes therein set forth.

Witness my hand official seal this 11th day of August, 2020.

My Commission Expires: 10-19-22

Sean O'Neill

Notary



Accepted by City of Kent Council: _____, 2020.

THIS INSTRUMENT PREPARED BY: CTI Engineers, inc.

SKETCH FOR

SANITARY EASEMENT

1214 Middlebury Road

Situated in the City of Kent, County of Portage
and State of Ohio and known as being part of
Original Franklin Township Lot No. 9

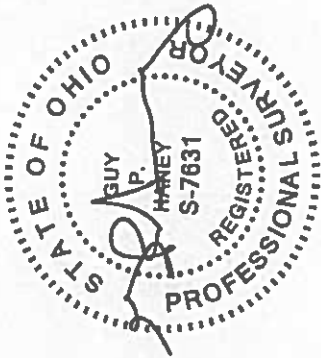


EXHIBIT A

Portage Homesites
Plat Bk. 13, Page 24

Part of
S/L 14

Part of
S/L 14

10.0'

N 17°39'49" W
10.00'

N 12°23'11" E 99.91'

S 12°23'11" W 99.91'

Sanitary Easement
(999 SF)
0.0229 Ac.

P.O.B.

S 17°39'49" E
10.00'

S/L 13

S/L 22

S/L 23
17-009-20-00-059-000
Lucille C. &
William J. Kruel

S/L 24

Portage Homesites
Plat Bk. 13, Page 24

TSC Engineering, LLC
1310 SHAWN CIRCLE ROAD, P.O. BOX 37
SHAWN CENTER, OHIO 44274
(PHONE) 330.550.8000 (FAX) 330.550.8423



1214 MIDDLEBURY

KENT SANITARY ESMTS.

PROJECT
NUMBER

1654-D

DATE

2020-07-08



LPA RE 807
Rev. 10/2017

TE
LPA

TEMPORARY EASEMENT

Bonnie M. Droder, Divorced, the Grantor(s), in consideration of the sum of \$1,650.00, to be paid by City of Kent, the Grantee, does grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 17-009-20-00-060-000 T

CITY OF KENT – SOUTHWEST SANITARY PUMP STATION

SEE EXHIBIT A ATTACHED

Portage County Current Tax Parcel No. 17-009-20-00-060-000

Prior Instrument Reference: Deed Volume 1014, Page 249, Portage County Recorder's Office.

To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is 12 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement(s) interest granted is being acquired by Grantee for a public purpose, namely the construction and maintenance of a sewer and utilities in the name of and for the use of the City of Kent.

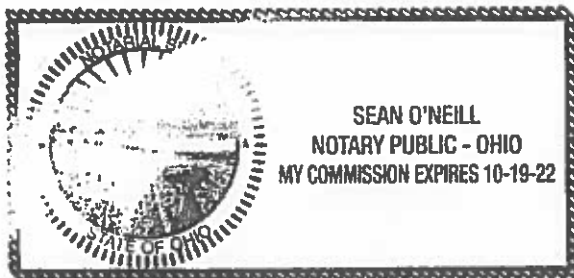
IN WITNESS WHEREOF Bonnie M. Droder have hereunto set her hand on the 18th
day of Sept., 2020.

Bonnie Droder
BONNIE M. DRODER

STATE OF OHIO, COUNTY OF Portage ss:

BE IT REMEMBERED that on the 18th day of September, 2020, before me
the subscriber, a Notary Public in and for said state and county, personally came the above
named Bonnie M. Droder, who acknowledged the foregoing instrument to be her voluntary act
and deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official
seal on the day and year last aforesaid.



Sean O'Neill

NOTARY PUBLIC

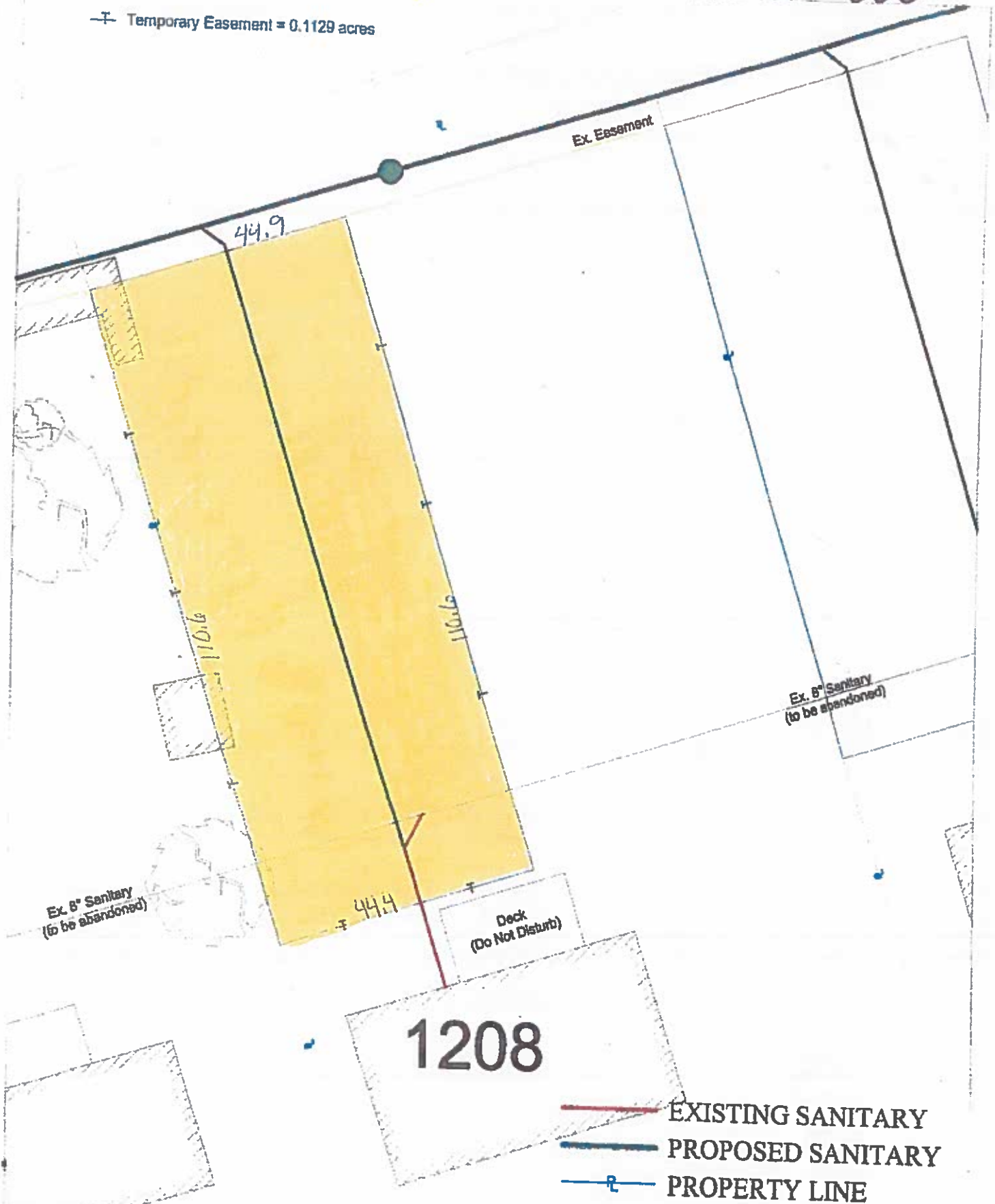
My Commission expires: 10-19-22

This document was prepared by: The City of Kent, Ohio on forms approved by the Ohio
Attorney General

08-T

060.000

Temporary Easement = 0.1129 acres



1208

- EXISTING SANITARY
- PROPOSED SANITARY
- PROPERTY LINE

DATE
1/21/20

1208 MIDDLEBURY RD
KENT, OHIO

NOTE: PROPERTY LINES ARE APPROXIMATE. A SURVEY MUST
BE PERFORMED FOR ACCURATE PROPERTY LINE LOCATION.

SCALE: 1" = 20'



EASEMENT AND RIGHT-OF-WAY AGREEMENT
GRANTING EASEMENT FOR UTILITY LINE CONSTRUCTION

1208 MIDDLEBURY ROAD

FOR AND IN CONSIDERATION of the sum of \$332.00, the receipt of which is acknowledged, and such other consideration as is herein below set forth, the undersigned Bonnie M. Droder, hereinafter referred to as "Grantor(s)", who claim title to certain real estate by deed recorded in Plat Book 13, Page 24 of the Portage County Recorder's Records, does for their heirs, successors, and assigns, hereby give, devise, grant and convey to the City of Kent, Ohio, a municipal corporation, which is hereinafter referred to as "Grantee," its successors and assigns, the perpetual right to a permanent exclusive easement and right-of-way to lay, maintain, operate, repair, remove and replace sanitary and related necessary appurtenances over and through said real estate situated in the City of Kent, County of Portage, State of Ohio and known as being a part of Lot 9 and further known as being part of Sublot 22 of original Franklin Township, said easement being more fully described as follows:

Grantor's Marital
Status: Divorced Ed 9/18/20 Boundary Description for
1208 Middlebury Road
10 foot Sanitary Sewer Easement
City of Kent, County of Portage, State of Ohio
0.0229 Acre Easement

Situated in the City of Kent, County of Portage and State of Ohio and known as being part of the Original Franklin Township Lot No. 9 and further known as being part of Sublot 22 as shown on Portage Homesites, recorded in Plat Book 13, Page 24 of the Portage County Recorder's Records and is bounded and described as follows: Beginning at the northeasterly corner of Sublot 22 and is the PRINCIPAL PLACE OF BEGINNING of the easement herein to be described:

thence South 17°39'49" East, along the easterly line of Sublot 22, 10.00 feet to a point thereon;

thence South 72°23'11" West, 10 feet from and parallel with the northerly line of Sublot 22, 99.91 feet to a point on the westerly line of Sublot 22;

thence North 17°39'49" West, along the westerly line of Sublot 22, 10.00 feet to the northwesterly corner thereof;

thence North 72°23'11" East, along the northerly line of Sublot 22, 99.91 feet to the Principal Place of Beginning and containing 999 square feet or 0.0229 acres of land according to a survey by Guy P. Haney, P.S. No. S-7631, for TGC Engineering, LLC in July of 2020. Subject to all highways, easements and covenants of legal record.

Bearings are based on Ohio State Plane Coordinate System, North Zone, NAD 1983, ground.

For Drawings see attached Exhibit A

Together with the right of the City of Kent, its agents or employees, to store earth and materials during the period of construction, repair or replacement of such sewers and other utility lines upon the premises of the Grantor within the described easement.

And grantor does agree to keep said easement free of all permanent structures, providing that the City of Kent, Portage County, Ohio shall operate and maintain said improvement as a public facility in accordance with the standards, policies and procedures of other similar public facilities within the City of Kent and shall properly backfill and restore the ground surface and ground cover vegetation to the condition existing immediately prior to such construction, reconstruction, maintenance or repair; except that said City shall not be required to repair any structures (such as buildings, driveways, light poles and appurtenances, catch basins, storm sewers, utility service lines, pavement, curbing or landscape islands) belonging to Grantor and located within the easement and right-of-way, unless such damage was caused by an intentional act of negligence of the City of Kent, its agents, employees, contractors, licensees, or invitees.

IN WITNESS WHEREOF, the Grantor has hereunto set its signature this 18th day of Sept, 2020.

WITNESS:

GRANTOR:

Bonnie M. Droder

By: Bonnie M. Droder

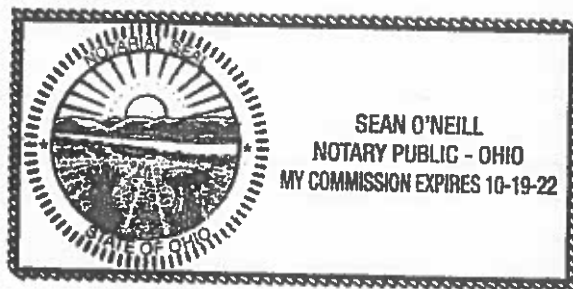
STATE OF OHIO, COUNTY OF PORTAGE, ss.:

This day, before me, a Notary Public of the State and County aforesaid, personally appeared Bonnie M. Droder, to me known to be the person described in and who executed the foregoing instrument and acknowledgment that she executed the same as her free act and deed, for the purposes therein set forth.

Witness my hand official seal this 18th day of Sept, 2020.

My Commission Expires: 10-19-22

Sean O'Neill
Notary



Accepted by City of Kent Council: _____, 2020.

THIS INSTRUMENT PREPARED BY: CTI Engineers, inc.

SKETCH FOR

SANITARY EASEMENT

1208 Middlebury Road

Situated in the City of Kent, County of Portage
and State of Ohio and known as being part of
Original Franklin Township Lot No. 9

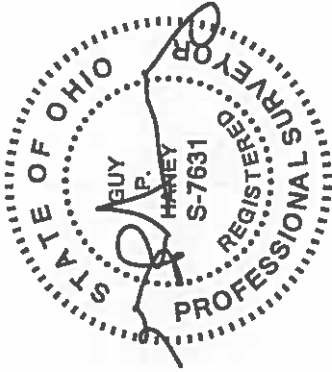


EXHIBIT A

TSC Engineering, LLC
1210 SHARON CORLEY ROAD, P.O. BOX 37
SHARON CENTER, OHIO 44274
(716) 325-5000 FAX (716) 325-5001



1208 MIDDLEBURY

KENT SANITARY ESMTS.

PROJECT
NUMBER

1654-D

DATE

2020-07-08



Portage Homesites Replat
Plat Bk. 16, Page 91

S/L 12-R

S/L 21

P.O.B.

S 17°39'49" E
10.00'

Sanitary Easement
(999 SF)
0.0229 AC.

S/L 13

N 72°23'11" E 99.91'

10.0'

S 12°23'11" W 99.91'

S/L 22

17-009-20-00-060-000
Bonnie M. Droder

Portage Homesites
Plat Bk. 13, Page 24

S/L 23

Portage Homesites
Plat Bk. 13, Page 24

Part of
S/L 14

N 17°39'49" W
10.00'

LPA RE 807
Rev. 10/2017

TE
LPA

TEMPORARY EASEMENT

Henry Ailes, Widower, the Grantor(s), in consideration of the sum of \$900.00, to be paid by City of Kent, the Grantee, does grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 17-009-20-00-061-000 T

CITY OF KENT – SOUTHWEST SANITARY PUMP STATION

SEE EXHIBIT A ATTACHED

Portage County Current Tax Parcel No. 17-009-20-00-061-000

Prior Instrument Reference: Instrument No. 200008602, Portage County Recorder's Office.

To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is 12 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement(s) interest granted is being acquired by Grantee for a public purpose, namely the construction and maintenance of a sewer and utilities in the name of and for the use of the City of Kent.

IN WITNESS WHEREOF Henry Ailes, by and through Patrick Ailes, his Attorney-in-Fact,
has hereunto set his hand on the 29 day of August, 2020

x Henry W. Ailes
HENRY AILES

By: Patrick Ailes, his Attorney-in-Fact

STATE OF OHIO, COUNTY OF Portage ss:

BE IT REMEMBERED that on the 29th day of August, 2020, before me
the subscriber, a Notary Public in and for said state and county, personally came the above
named Patrick Ailes, who acknowledged being the Attorney-in-Fact of Henry Ailes, under a
certain Power of Attorney granted by Henry Ailes, and who signed, or acknowledged signing,
the foregoing instrument as the voluntary act and deed of Henry Ailes.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official
seal on the day and year last aforesaid.



CAROL GIULITTO
Notary Public
State of Ohio
My Comm. Expires
August 13, 2022

Carol Giulitto

NOTARY PUBLIC

My Commission expires: 8/13/2022

This document was prepared by: The City of Kent, Ohio on forms approved by the Ohio
Attorney General

SKETCH FOR

SANITARY EASEMENT

1204 Middlebury Road

Situated in the City of Kent, County of Portage
and State of Ohio and known as being part of
Original Franklin Township Lot No. 9

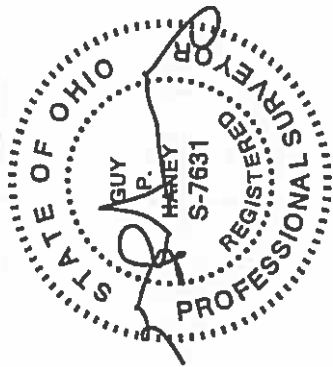
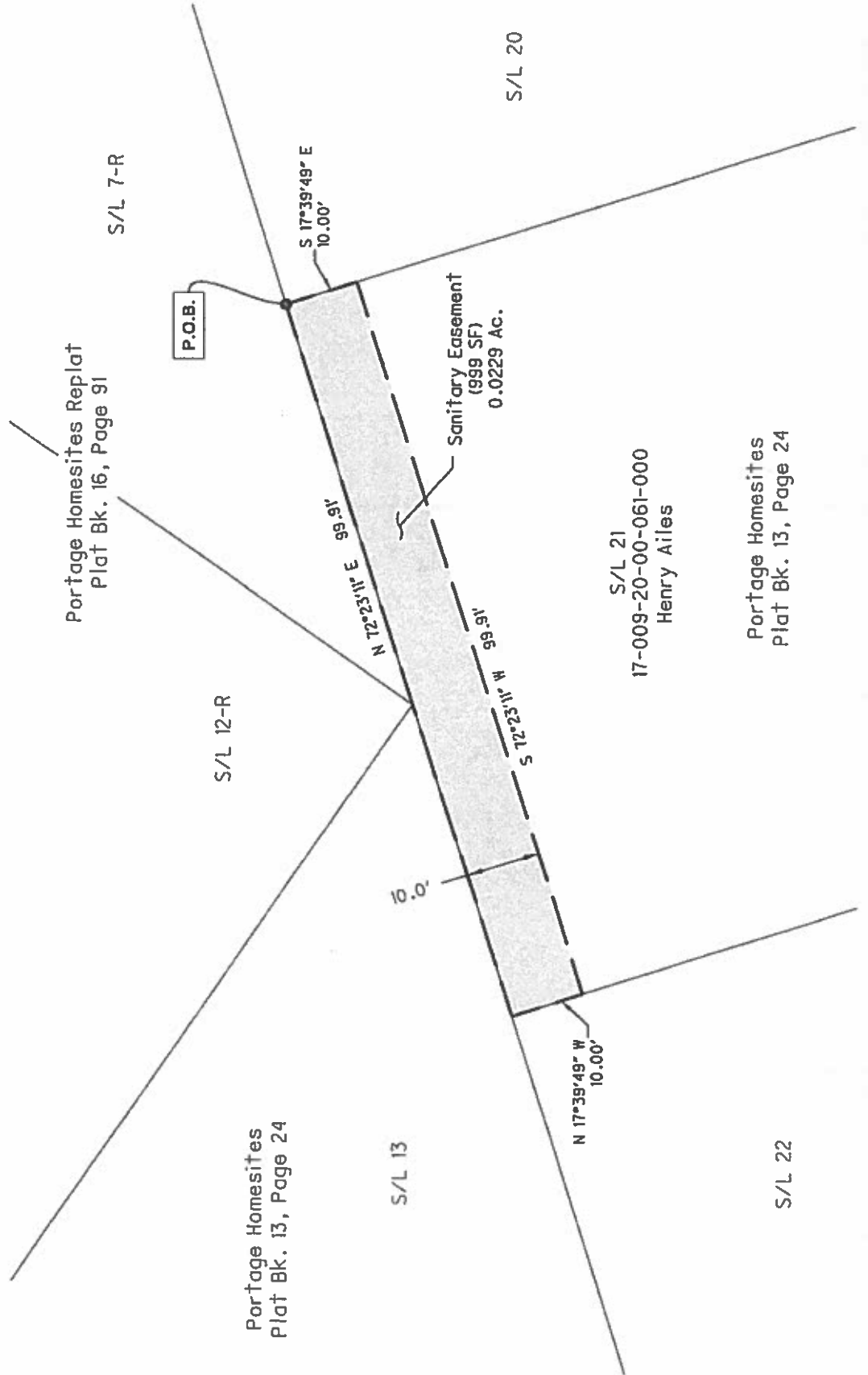


EXHIBIT A



TGC Engineering, LLC
1210 SHAWAN CORP. RD. P.O. BOX 37
SHAWAN, OHIO 44874
(PHONE) 330.550.8004 (FAX) 330.550.8423



1204 MIDDLEBURY

KENT SANITARY ESMTS.

PROJECT NUMBER	1854-D	DATE	2020-07-08

EASEMENT AND RIGHT-OF-WAY AGREEMENT
GRANTING EASEMENT FOR UTILITY LINE CONSTRUCTION

1204 MIDDLEBURY ROAD

FOR AND IN CONSIDERATION of the sum of \$332.00, the receipt of which is acknowledged, and such other consideration as is herein below set forth, the undersigned Henry Ailes, *Widower* hereinafter referred to as "Grantor(s)", who claim title to certain real estate by deed recorded in Plat Book 13, Page 24 of the Portage County Recorder's Records, does for their heirs, successors, and assigns, hereby give, devise, grant and convey to the City of Kent, Ohio, a municipal corporation, which is hereinafter referred to as "Grantee," its successors and assigns, the perpetual right to a permanent exclusive easement and right-of-way to lay, maintain, operate, repair, remove and replace sanitary and related necessary appurtenances over and through said real estate situated in the City of Kent, County of Portage, State of Ohio and known as being a part of Lot 9 and further known as being part of Sublot 21 of original Franklin Township, said easement being more fully described as follows:

Boundary Description for
1204 Middlebury Road
10 foot Sanitary Sewer Easement
City of Kent, County of Portage, State of Ohio
0.0229 Acre Easement

Situated in the City of Kent, County of Portage and State of Ohio and known as being part of the Original Franklin Township Lot No. 9 and further known as being part of Sublot 21 as shown on Portage Homesites, recorded in Plat Book 13, Page 24 of the Portage County Recorder's Records and is bounded and described as follows: Beginning at the northeasterly corner of Sublot 21 and is the PRINCIPAL PLACE OF BEGINNING of the easement herein to be described:

thence South 17°39'49" East, along the easterly line of Sublot 21, 10.00 feet to a point thereon;

thence South 72°23'11" West, 10 feet from and parallel with the northerly line of Sublot 21, 99.91 feet to a point on the westerly line of Sublot 21;

thence North 17°39'49" West, along the westerly line of Sublot 21, 10.00 feet to the northwesterly corner thereof;

thence North 72°23'11" East, along the northerly line of Sublot 21, 99.91 feet to the Principal Place of Beginning and containing 999 square feet or 0.0229 acres of land according to a survey by Guy P. Haney, P.S. No. S-7631, for TGC Engineering, LLC in July of 2020. Subject to all highways, easements and covenants of legal record.

Bearings are based on Ohio State Plane Coordinate System, North Zone, NAD 1983, ground.

For Drawings see attached Exhibit A

Together with the right of the City of Kent, its agents or employees, to store earth and materials during the period of construction, repair or replacement of such sewers and other utility lines upon the premises of the Grantor within the described easement.

And grantor does agree to keep said easement free of all permanent structures, providing that the City of Kent, Portage County, Ohio shall operate and maintain said improvement as a public facility in accordance with the standards, policies and procedures of other similar public facilities within the City of Kent and shall properly backfill and restore the ground surface and ground cover vegetation to the condition existing immediately prior to such construction, reconstruction, maintenance or repair; except that said City shall not be required to repair any structures (such as buildings, driveways, light poles and appurtenances, catch basins, storm sewers, utility service lines, pavement, curbing or landscape islands) belonging to Grantor and located within the easement and right-of-way, unless such damage was caused by an intentional act of negligence of the City of Kent, its agents, employees, contractors, licensees, or invitees.

IN WITNESS WHEREOF, the Grantor has hereunto set its signature this 29 day of August, 2020.

WITNESS:

GRANTOR:

Cheryl Ann Andrews

Henry W. Ailes

By: Henry Ailes

STATE OF OHIO, COUNTY OF PORTAGE, ss.:

This day, before me, a Notary Public of the State and County aforesaid, personally appeared Henry Ailes, to me known to be the person described in and who executed the foregoing instrument and acknowledgment that he executed the same as his free act and deed, for the purposes therein set forth.

Witness my hand official seal this 29th day of August, 2020.

My Commission Expires: 8/13/2022

Carol Giulitto

Notary



CAROL GIULITTO
Notary Public
State of Ohio
My Comm. Expires
August 13, 2022

Accepted by City of Kent Council: _____, 2020.

THIS INSTRUMENT PREPARED BY: CTI Engineers, inc.

SKETCH FOR

SANITARY EASEMENT

1204 Middlebury Road

Situated in the City of Kent, County of Portage
and State of Ohio and known as being part of
Original Franklin Township Lot No. 9

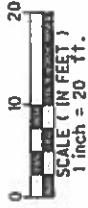
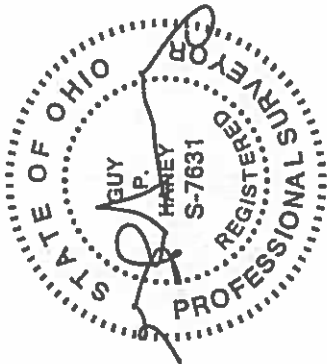
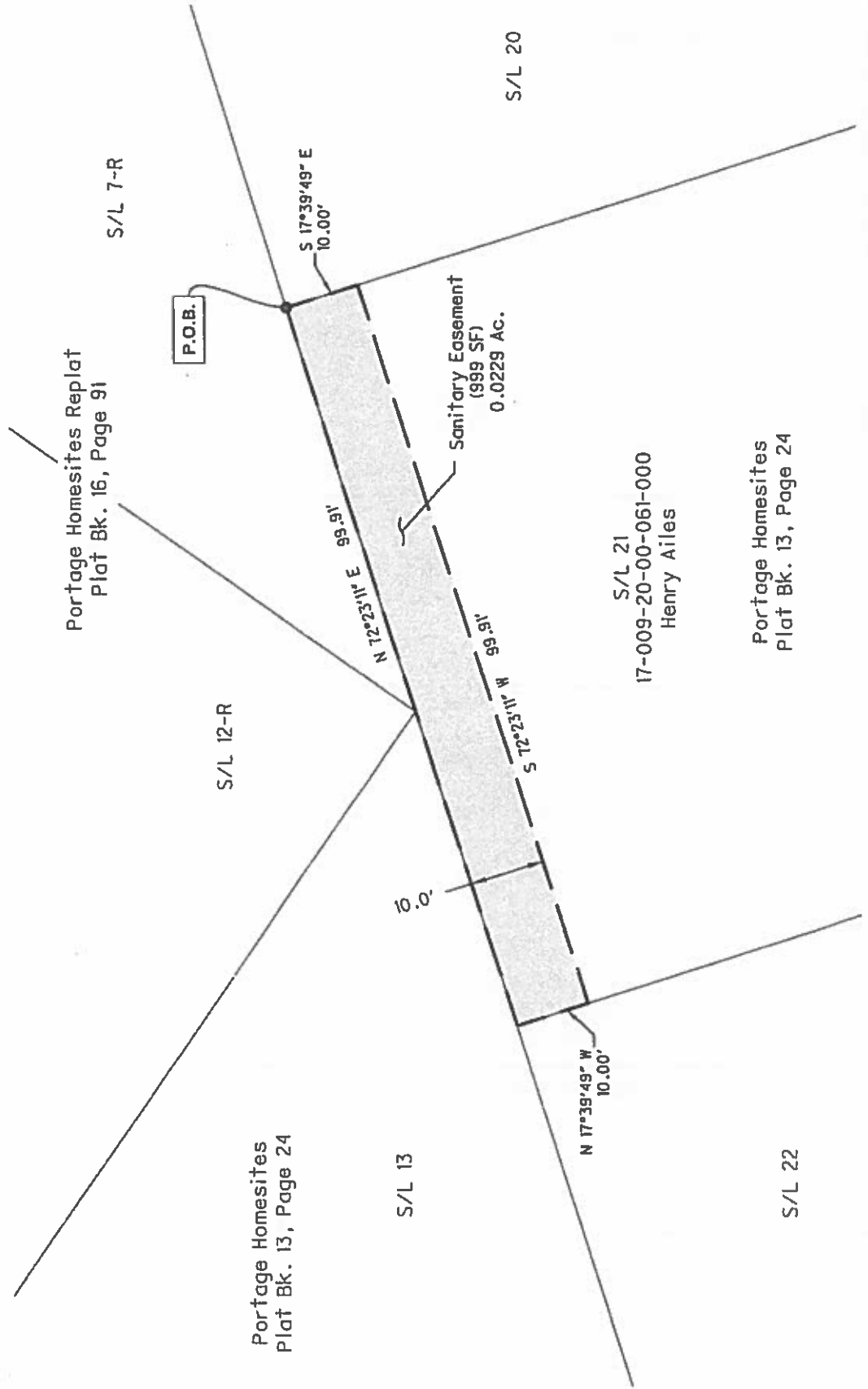


EXHIBIT A



TGC Engineering, LLC
1310 SHAW CORLEY ROAD, P.O. BOX 37
SPRING CENTRAL, OHIO 44274
PHONE 330.590.8000 FAX 330.590.8001



1204 MIDDLEBURY

KENT SANITARY ESMTS.

PROJECT
NUMBER

1154-D

DATE

2020-07-08



SKETCH FOR

SANITARY EASEMENT

1204 Middlebury Road

Situated in the City of Kent, County of Portage
and State of Ohio and known as being part of
Original Franklin Township Lot No. 9

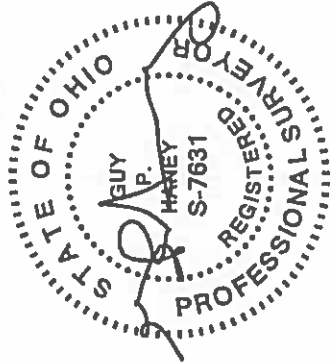
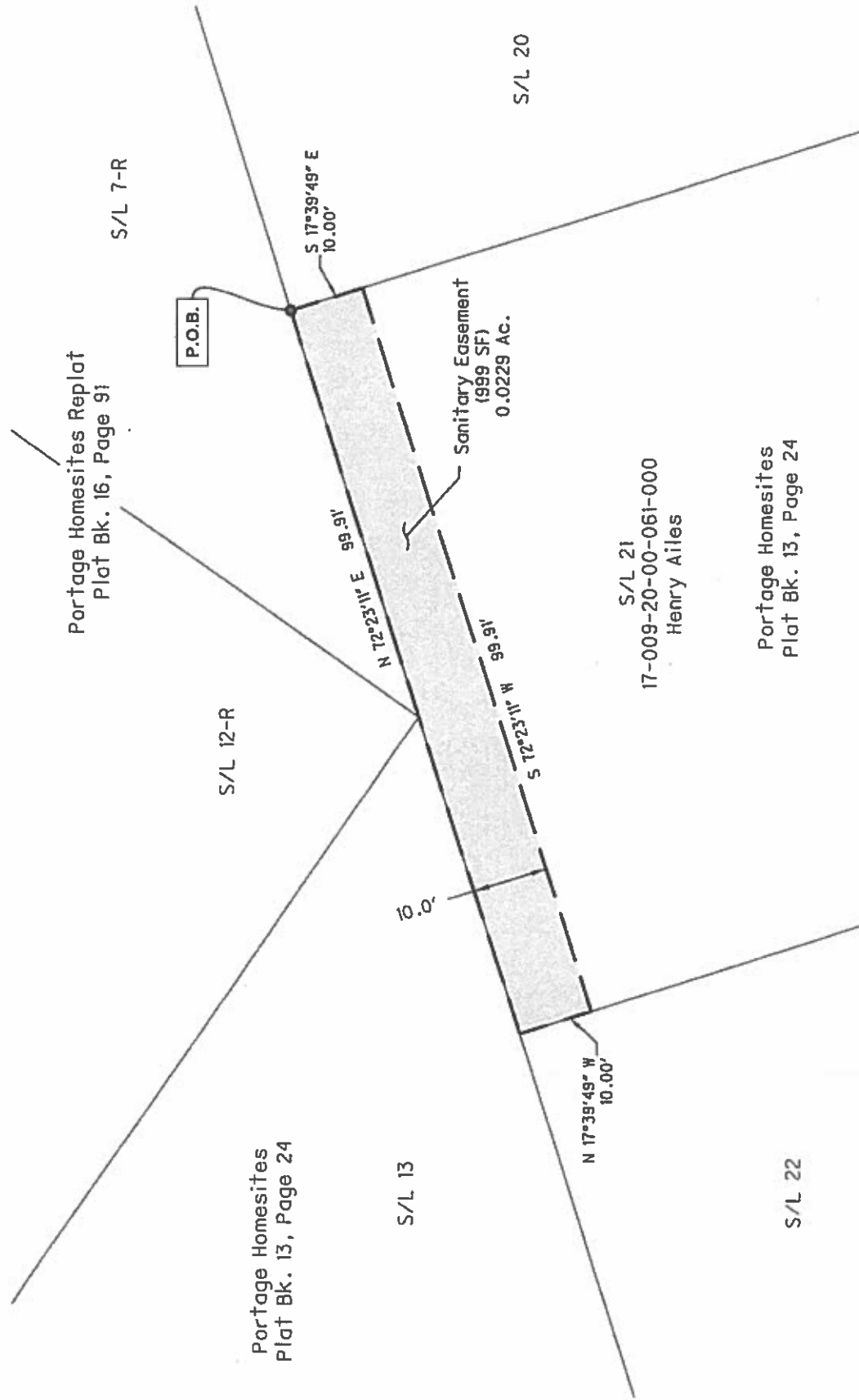


EXHIBIT A



1204 MIDDLEBURY

KENT SANITARY ESMTS.

PROJECT
NUMBER

1654-D

DATE

2020-07-08



TBC Engineering, LLC
1310 SHAWNEE CORP. ROAD, P.O. BOX 37
SHAWNEE, OHIO 44774
(PHONE) 330.999.8004 (FAX) 330.999.8423

LPA RE 807
Rev. 10/2017

TE
LPA

TEMPORARY EASEMENT

Jacob R. Fargo, Single, the Grantor(s), in consideration of the sum of \$1,310.00, to be paid by City of Kent, the Grantee, does grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 17-009-20-00-064-000 T

CITY OF KENT – SOUTHWEST SANITARY PUMP STATION

SEE EXHIBIT A ATTACHED

Portage County Current Tax Parcel No. 17-009-20-00-064-000

Prior Instrument Reference: Instrument No. 202015175, Portage County Recorder's Office.

To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is 12 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement(s) interest granted is being acquired by Grantee for a public purpose, namely the construction and maintenance of a sewer and utilities in the name of and for the use of the City of Kent.

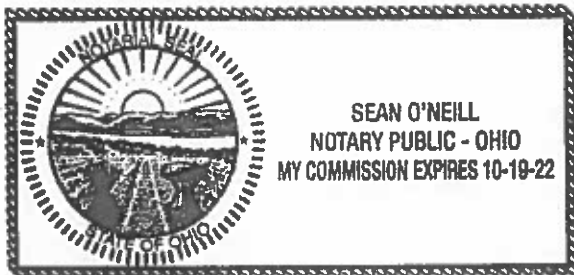
IN WITNESS WHEREOF Jacob R. Fargo have hereunto set his hand on the 18th day
of September, 2020.


JACOB R. FARGO

STATE OF OHIO, COUNTY OF Portage ss:

BE IT REMEMBERED that on the 18th day of September, 2020, before me
the subscriber, a Notary Public in and for said state and county, personally came the above
named Jacob R. Fargo, who acknowledged the foregoing instrument to be his voluntary act and
deed.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official
seal on the day and year last aforesaid.





NOTARY PUBLIC

My Commission expires: 10-19-22

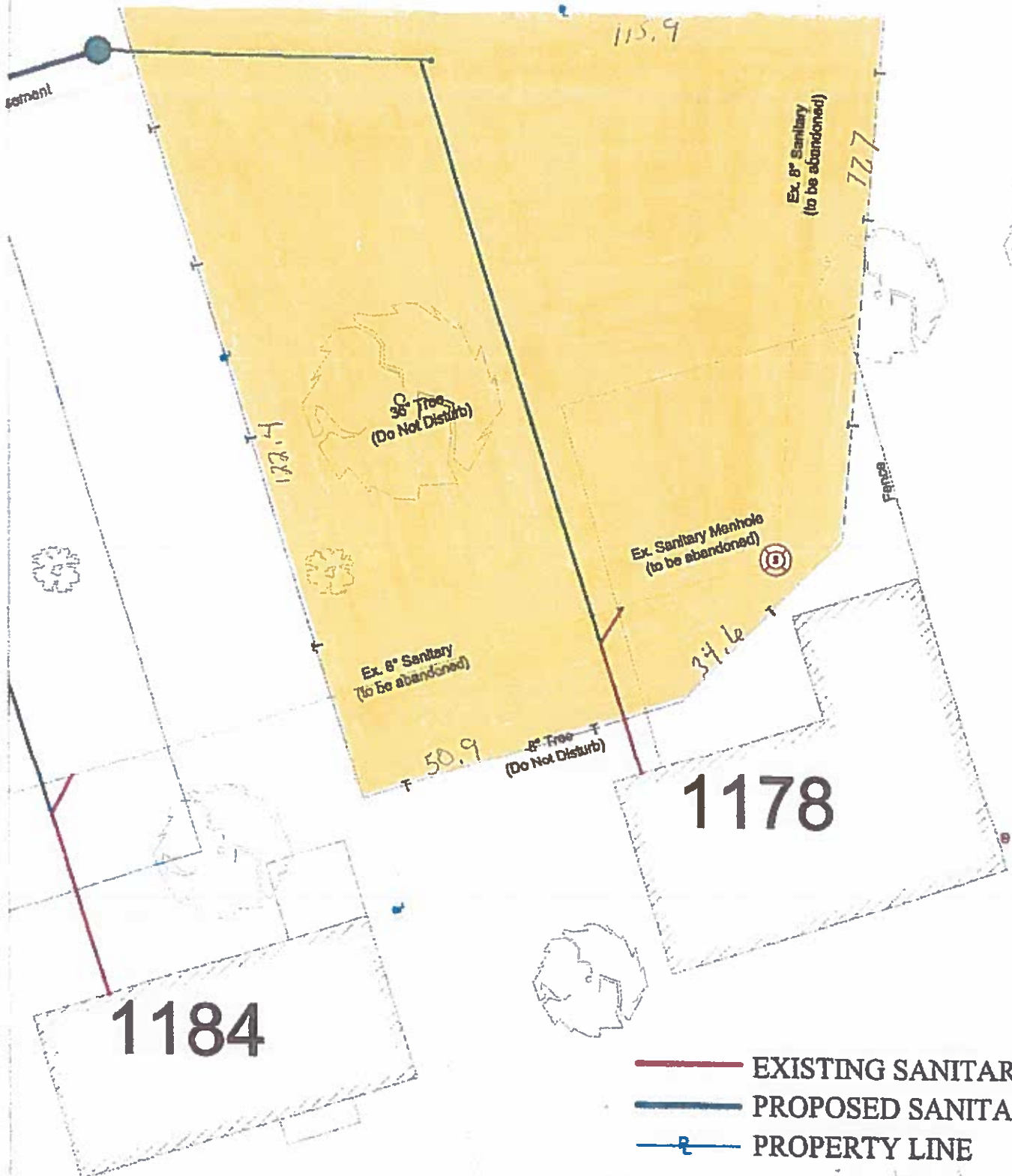
This document was prepared by: The City of Kent, Ohio on forms approved by the Ohio
Attorney General

12-T

064.000

Temporary Easement = 0.2267 acres

Ex. Easement



DATE:
12/24

1178 MIDDLEBURY RD
KENT, OHIO

NOTE: PROPERTY LINES ARE APPROXIMATE. A SURVEY MUST
BE PERFORMED FOR ACCURATE PROPERTY LINE LOCATION.

SCALE: 1" = 20'



EASEMENT AND RIGHT-OF-WAY AGREEMENT
GRANTING EASEMENT FOR UTILITY LINE CONSTRUCTION

644 YACAVONA DRIVE

FOR AND IN CONSIDERATION of the sum of \$362.00, the receipt of which is acknowledged, and such other consideration as is herein below set forth, the undersigned Patrick C. Madonio, hereinafter referred to as "Grantor(s)", who claim title to certain real estate by deed recorded in Plat Book 13, Page 24 of the Portage County Recorder's Records, does for their heirs, successors, and assigns, hereby give, devise, grant and convey to the City of Kent, Ohio, a municipal corporation, which is hereinafter referred to as "Grantee," its successors and assigns, the perpetual right to a permanent exclusive easement and right-of-way to lay, maintain, operate, repair, remove and replace sanitary and related necessary appurtenances over and through said real estate situated in the City of Kent, County of Portage, State of Ohio and known as being a part of Lot 9 and further known as being part of Sublot 14 of original Franklin Township, said easement being more fully described as follows:

Boundary Description for
644 Yacavona Drive
10 foot Sanitary Sewer Easement
City of Kent, County of Portage, State of Ohio
0.0250 Acre Easement

Situated in the City of Kent, County of Portage and State of Ohio and known as being part of the Original Franklin Township Lot No. 9 and further known as being part of the westerly 110 feet of Sublot 14 as shown on Portage Homesites, recorded in Plat Book 13, Page 24 of the Portage County Recorder's Records and is bounded and described as follows: Beginning at the southwesterly corner of Sublot 14 and is the PRINCIPAL PLACE OF BEGINNING of the easement herein to be described:

thence North 78°38'08" West, along the southwesterly line of Sublot 14, 20.63 feet to a point thereon;

thence North 72°23'11" East, 10 feet from and parallel with the southerly line of Sublot 14, 114.05 feet to a point on the easterly line of the westerly 110 feet of Sublot 14;

thence South 55°12'19" East, along the easterly line of the westerly 110 feet of Sublot 14, 12.62 feet to the southeasterly corner thereof;

thence South 72°23'11" West, along the southerly line of Sublot 14, 103.70 feet to the Principal Place of Beginning and containing 1,088 square feet or 0.0250 acres of land according to a survey by Guy P. Haney, P.S. No. S-7631, for TGC Engineering, LLC in July of 2020. Subject to all highways, easements and covenants of legal record.

Bearings are based on Ohio State Plane Coordinate System, North Zone, NAD 1983, ground.

For Drawings see attached Exhibit A

Together with the right of the City of Kent, its agents or employees, to store earth and materials during the period of construction, repair or replacement of such sewers and other utility lines upon the premises of the Grantor within the described easement.

And grantor does agree to keep said easement free of all permanent structures, providing that the City of Kent, Portage County, Ohio shall operate and maintain said improvement as a public facility in accordance with the standards, policies and procedures of other similar public facilities within the City of Kent and shall properly backfill and restore the ground surface and ground cover vegetation to the condition existing immediately prior to such construction, reconstruction, maintenance or repair; except that said City shall not be required to repair any structures (such as buildings, driveways, light poles and appurtenances, catch basins, storm sewers, utility service lines, pavement, curbing or landscape islands) belonging to Grantor and located within the easement and right-of-way, unless such damage was caused by an intentional act of negligence of the City of Kent, its agents, employees, contractors, licensees, or invitees.

IN WITNESS WHEREOF, the Grantor has hereunto set its signature this 9 day of September 2020.

WITNESS:

Jamie Reed

GRANTOR:

Patrick C. Madonio

By: Patrick C. Madonio

STATE OF OHIO, COUNTY OF PORTAGE, ss.:

This day, before me, a Notary Public of the State and County aforesaid, personally appeared Patrick C. Madonio, to me known to be the person described in and who executed the foregoing instrument and acknowledgment that he executed the same as his free act and deed, for the purposes therein set forth.

Witness my hand official seal this 9 day of Sept, 2020.

My Commission Expires: Nov 17, 2023

Samantha Whieldon
Notary



SAMANTHA WHIELDON
Notary Public, State of Ohio
My Comm. Expires Nov. 17, 2023
Recorded in Summit County

Accepted by City of Kent Council: _____, 2020.

THIS INSTRUMENT PREPARED BY: CTI Engineers, inc.

SANITARY EASEMENT

644 Yacavona Drive

Situated in the City of Kent, County of Portage
and State of Ohio and known as being part of
Original Franklin Township Lot No. 9

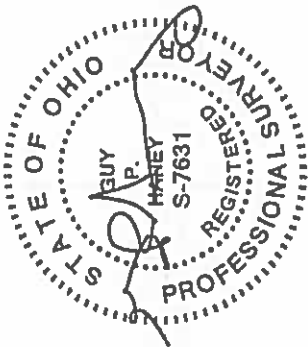


EXHIBIT A

Part of
S/L 14Portage Homesites
Plat Bk. 13, Page 24

Part of
S/L 14
17-00920-00-056-000
Patrick C. Madonio

Yacavona Drive, 50' (A Public Right-of-Way)

EX R/W

N 78°38'08" W
20 63'

49.37.

P.O.B.

S/L 24

5/1 25

Portage Homesites
Plat Bk. 13, Page 24

5 55°12'19" E
12.62'

Sanitary Easement
(1,088 SF)
0.0250 Ac.

S/L 23

644 YACAVONA

KENT SANITARY ESMTS.

PROJECT NUMBER

1154-D

DATE _____

20020-07-03



File: \\pc-enr\projects\1654-d kent sw ps easements (11)\dwg\1654 sanitary easements.dwg Saved: 7/20/2020 4:03 PM (brennan ok) Plotted: 7/20/2020 4:10 PM (brennan ok) PlotStyle: (TGC 2019.ctb) Scale: (1:1) Page Setup: (---)

MEETING MINUTES



City Council Regular Meeting Minutes

The City of Kent, Ohio
Wednesday, September 16, 2020

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

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

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

Mr. John Kuhar led the meeting with his opening remarks. He started by stated that the year 2020 has been a very interesting year, starting with a worldwide pandemic that has changed everyone's lives but feels that working together it can be defeated. The Black Lives Matter movement's message has been heard and many things are in the making. Now is time for them to stand down and for everyone to work together for these changes to happen. He continued by adding some people look for a cause to stand behind so they can spread hatred, great destruction and vandalism and their actions do not benefit anyone or anything. He added that all must work together to stop them. He referenced Julius Caesar whose philosophy was to divide and conquer, and Aesop who said "United we stand, divided we fall". His final idiom of the evening was that freedom is never free. He then led the Pledge of Allegiance.

Approval of Regular Council Meeting Minutes:

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF August 19, 2020 made by Mr. Turner, seconded by Mr. Kuhar, and CARRIED by a voice vote of 8-0-1 with Ms. Wallach abstaining.

Communication:

Public Comment: Mayor Fiala asked the Clerk if anyone was signed in. There were four (4) visitors who signed in with the Clerk and were given permission to talk to Council for three minutes. Mayor Fiala read a statement to the audience: *"While the law does not require Council to provide time for public comment, we have historically invited the public to make comments and we appreciate their input. This is the time where residents and others can comment on matters that concern them. However, we will not engage in debate, and as President of Council, I reserve the right to end any public communication that is disruptive, embarrassing, harassing or otherwise objectionable. We ask that when you begin speaking that you speak clearly, give your name and address and limit comments to three (3) minutes of discussion."*

Dr. Geraldine Hayes Nelson, of 795 Atmore Drive, Kent, Ohio was the first to speak to Council. She had submitted her comments in writing prior to the meeting (**Attachment #1**) and read directly from them.

Rev. Christie Anderson of 1530 South Blvd, Kent, Ohio spoke next from her prepared comments (**Attachment #2**).

Mr. Chris Myers of 220 E. Elm Street, Kent, Ohio, spoke next from his prepared statement (**Attachment #3**).

Ms. Renee Ruchotzke 237 Highland Ave. Kent, Ohio began by stating she has lived in Kent since 1985 and has worked and raised her children here. Her and her husband are invested in the community and currently serves on the City's Sustainability Commission and the League of Women Voters and the Portage County NAACP. She is here today to speak on the need to respond to racial justice. She implored all to heed the call created by the current movement and create the necessary commission and task forces to address systemic oppression and racism. Institutional and systemic racism are showing up in stories from members of the community and we owe it to them to listen and chart a path to healing. She asked City Council to create systems that promote healing in the community.

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

1. Records Commission Meeting Agenda for September 3, 2020 was received on August 28, 2020. Notification of meeting rescheduled for September 24, 2020 was received on September 8, 2020.
2. Standing Rock Meeting Minutes from August 13, 2020 were received on August 24, 2020.
3. Planning Commission Agenda for September 15, 2020 was received on September 8, 2020.
4. Architectural Review Board Meeting Agenda for September 15, 2020 was received on September 8, 2020.
5. Board of Health Minutes and Statistical report from August 2020 and Agenda for September 8, 2020 were received on September 8, 2020.

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

1. Letter from Ms. Debbie Berry of 1002 Lake Street, Kent Ohio regarding the building of new city hall was received on September 11, 2020.
2. Parks and Recreation Board packet for the September 17, 2020 meeting was received on September 11, 2020
3. Notification of Community Development's 9th work session for the City's Zoning Code update scheduled for September 15, 2020 was received on September 11, 2020.

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

1. Mr. Kevin Schwartzhoff asked for Council's authorization to accept a \$100 donation from Pete and Lois Orlando for the purchase of a Memorial Tree in memory of Mary Helen Neuzil. (Draft #2020-096)
2. Ms. Bridget Susel asked for Council's authorization to extend the lease of the Haymaker Farmer's Market property on Franklin Avenue, and the corresponding street closure approval, for an extra month from October 31st to November 30th.
3. Ms. Rhonda Hall has requested Council's certification of the City's tax rates for 2021 and authorization to file the rate schedule with Portage County. (Draft #2020-095)
4. Chief Nick Shearer has requested Council's authorization to renew the City Police/KSU Police Mutual Aid Agreement. (Draft #2020-092)
5. Mr. Tom Wilke has requested Council's authorization to continue the DORA after the first 90 days for the remainder of the first year of operation.
6. Ms. Rhonda Hall has requested Finance Committee time to present the proposed 2021-24 Capital Improvement Plan for Council's consideration.
7. Mr. Jim Bowling has requested Finance Committee time for Council's authorization to submit the City's next round of Ohio Public Works Commission (OPWC) project requests.
8. Mr. Jim has Bowling requested Finance Committee time for Council to consider authorization of the easements required for the Southwest Sanitary Sewer Pump Station project.
9. Ms. Rhonda Hall has requested Finance Committee time for Council's consideration of a 2020 Budget Appropriations Amendment.
10. Ms. Bridget Susel has requested Land Use Committee time for Council's consideration of a request for the dedication of the Riverbend East subdivision, Phase 5.
11. Ms. Hope Jones has requested Land Use Committee time to present Council with a resident request for the City to vacate unused/surplus City owned land on Adrian Avenue.
12. Staff is requesting Committee of the Whole time to discuss the implementation options for the Health Equity in all Policies Resolution in conjunction with social equity and Black Lives Matter initiatives.
13. Ms. Suzanne Stemnock has requested Committee of the Whole time to share an update on the status of advancing diversity hiring in City Departments.

MOTION TO APPROVE ITEMS #1-13 OF THE CITY MANAGER'S REPORT made by Mr. Amrhein, seconded by Mr. DeLeone, and CARRIED by a voice vote of 9-0.

Standing Committees/Legislation

1) Committee of the Whole:

MOTION TO APPROVE MEETING MINUTES of September 2, 2020 made by Mr. Turner, seconded by Mr. DeLeone, and CARRIED by a voice vote of 8-0-1, with Ms. Wallach abstaining.

MOTION TO APPROVE THE COMMITTEE OF THE WHOLE ACTION ITEMS made by Mr. Amrhein, SECONDED by Mr. Sidoti and CARRIED by a voice vote of 9-0.

Recommended Actions:

1. Authorize the changes to Boards and Commissions as proposed and presented.
2. Authorize proceeding with City Hall plans as is without the third floor build out.

Draft No. 2020-89 AN ORDINANCE AMENDING AND ENACTING CERTAIN SECTIONS OF THE CODIFIED ORDINANCES AND STANDING RULES REGARDING BOARDS AND COMMISSIONS, 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 Bish, Mr. Sidoti, Mr. Turner and Ms. Wallach.

MOTION TO ADOPT DRAFT NO. 2020- 89 made by Mr. DeLeone and seconded by Mr. Kuhar. On roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner and Ms. Wallach.

ORDINANCE 2020-89 PASSED as stated by Clerk Wilkens.

2) Community Development Committee:
--

MOTION TO APPROVE THE COMMUNITY DEVELOPMENT MEETING MINUTES OF September 2, 2020 made by Mr. Kuhar, SECONDED by Mr. DeLeone and CARRIED by a voice vote of 8-0-1, with Ms. Wallach abstaining.

MOTION TO APPROVE THE COMMUNITY DEVELOPMENT ACTION ITEM made by Mr. Kuhar, SECONDED by Mr. DeLeone and CARRIED by a voice vote of 9-0.

Recommended Actions:

1. Authorize the City's representation on the newly proposed Hometown Foundation.

Ms. Shaffer Bish said it is really important the City has representation on this Board (Hometown Foundation) and asked for clarification that the vote is to assure the City has representation and is not definitive on who is representing.

Draft No. 2020-90 AN ORDINANCE APPROVING THE CITY'S PARTICIPATION ON THE BOARD OF TRUSTEES FOR THE HOMETOWN FOUNDATION, 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 Bish, Mr. Sidoti, Mr. Turner and Ms. Wallach.

MOTION TO ADOPT DRAFT NO. 2020-90 made by Mr. DeLeone and seconded by Mr. Kuhar. On roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner and Ms. Wallach.

ORDINANCE 2020-90 PASSED as stated by Clerk Wilkens.

3) Streets, Sidewalks and Utilities Committee:

MOTION TO APPROVE THE STREETS AND SIDEWALKS COMMITTEE MEETING MINUTES OF September 2, 2020 made by Mr. Sidoti, seconded by Mr. DeLeone and CARRIED by a voice vote of 8-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE COMMUNITY DEVELOPMENT ACTION ITEM made by Mr. Sidoti, SECONDED by Mr. DeLeone and CARRIED by a voice vote of 7-2, with Ms. Shaffer Bish and Ms. Wallach voting no.

Recommended Actions:

1. Authorize a resolution amendment to the “smoker” unit agreement from Cajun Dave’s to the Water Street Tavern.

Draft No. 2020-91, AN ORDINANCE AMENDING ORDINANCE 2010-70 AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO CHANGE THE LICENSEE FROM R.P.S.1, LLC (dba CAJUN DAVE’S) TO MIKE BEDER AND WATER STREET TAVERN, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara, seconded by Mr. Amrhein. On roll call, voting “Yes”: Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Mr. Sidoti, and Mr. Turner. On roll call, voting “No”: Ms. Shaffer Bish and Ms. Wallach.

MOTION TO ADOPT DRAFT NO. 2020-91 made by Mr. Sidoti and SECONDED by Mr. DeLeone.

Discussion on adopting draft 2020-91 began by Ms. Wallach explaining she will be voting against this ordinance because the last time the smoker was downtown in that spot it caused a lot of problems and a lot of businesses were not happy with the residue of the smoker. She would be fine if it would be in a different position, but the planned position she is opposed to and therefore will oppose the transfer of the license.

Ms. Shaffer Bish added the space downtown is small and the smoke from this smoker goes everywhere and is not looking forward to the complaints from residents who can no longer open their windows and businesses who worry about the smoke damaging the businesses’ façades. The interest of one against the many is prompting her to vote no at this time.

Mr. Kuhar agreed with Ms. Wallach and Ms. Shaffer Bish.

On roll call, voting “Yes”: Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Mr. Sidoti, and Mr. Turner. On roll call, voting “No”: Ms. Shaffer Bish, Mr. Kuhar and Ms. Wallach.

ORDINANCE 2020-91 PASSED as stated by Clerk Wilkens.

4) Health and Safety Committee:

NO MINUTES OR RECOMMENDED ACTIONS TO BE APPROVED.

Draft No. 2020-92: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT WITH KENT STATE UNIVERSITY SO AS TO PROVIDE FOR THE MUTUAL ASSISTANCE, INTERCHANGE, AND USE OF POLICE PERSONNEL AND EQUIPMENT, FROM SEPTEMBER 23, 2020, UNTIL TERMINATED BY EITHER PARTY, AND DECLARING AN EMERGENCY

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara, seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner and Ms. Wallach.

MOTION TO ADOPT DRAFT NO. 2020-92 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner and Ms. Wallach.

Ordinance 2020-92 has PASSED as stated by Clerk Wilkens.

5) Finance Committee:

MOTION TO APPROVE THE FINANCE COMMITTEE MEETING MINUTES OF September 2, 2020 made by Mr. DeLeone, seconded by Mr. Sidoti, and CARRIED by a voice vote of 8-0-1 with Ms. Wallach abstaining.

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

Recommended Actions:

- 1) Authorize the submission of bridge safety repair funds for the necessary safety improvements to the bridge on Sunrise Drive.
- 2) Authorize the donation of the surplus gun locks to the Mogadore Police Department.

Ms. Wallach had a question regarding the gun locks but was referring to different gun locks provided to residents in the lobby of the police station.

Draft No. 2020-93 AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT A FUNDING APPLICATION TOTALING \$612,000 AND TO EXECUTE THE SUBSEQUENT AGREEMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION'S (ODOT) MUNICIPAL BRIDGE PROGRAM, AND TO ACCEPT THE GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATION OF FUNDS FOR THE SUNRISE DRIVE BRIDGE OVER FISH CREEK, 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, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-93 made by Mr. DeLeone and seconded by Mr. Ferrara. On roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-93 PASSED as stated by Clerk Wilkens.

Draft No 2020-94 AN ORDINANCE REQUESTING A DONATION OF TWO (2) GUN LOCKS TO THE MOGADORE POLICE DEPARTMENT FROM THE KENT POLICE DEPARTMENT, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 2020-94 made by Mr. Kuhar and seconded by Mr. Ferrara. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Turner and Mr. Amrhein. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-94 PASSED as stated by Clerk Wilkens.

Draft No. 2020-095 RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 2020-95 made by Mr. DeLeone and seconded by Mr. Ferrara. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Turner and Mr. Amrhein. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020- 95 PASSED as stated by Clerk Wilkens.

Draft No. 2020-096 AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$100.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT TOWARDS THE PURCHASE OF A MEMORIAL TREE IN MEMORY OF MARY HELEN NEUZIL, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 2020-96 made by Mr. Ferrara and seconded by Mr. Kuhar. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Turner and Mr. Amrhein. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-96 PASSED as stated by Clerk Wilkens.

Special Committees Report: NONE

Unfinished Business: NONE

New Business

MOTION TO MOVE INTO COMMITTEE A DISCUSSION OF FORMING A NEW CITY COMMISSION TO PROACTIVELY DEAL WITH RACISM, HATRED AND DIVERSITY made by Ms. Wallach and seconded by Mr. DeLeone and CARRIED by a voice vote of 9-0.

Ms. Wallach said the residents (that spoke at tonight's meeting) brought up good points about implementing a plan to deal with things as they turn up. The Commission could come up with ideas in regards to diversity, which is a thing city government has been struggling with for years.

Ms. Shaffer Bish said there should be further discussion on this and this is a way of not pushing too fast but is also very timely. She added that members want to see Kent be the most welcoming city and to have action items that might create more of that welcoming feel. She is going to wholeheartedly support this future discussion and possibly invite members of the community into the discussion.

Mr. Ferrara said he was going to vote to oppose the motion. He believes Kent has proven time and time again to be an inclusive, caring community and think this may end up causing more divisiveness between the races. The City, the University and the School System has always been an inclusive place and continues to be. He added he thinks it is only relevant because of the issues going on nationally but does not believe there is systemic racism in Kent. He said not that it isn't important, but is extremely important.

Mr. Turner said he supports the motion and that not acknowledging that something exists doesn't mean it doesn't exist. Now is an opportunity for education. He agreed that Kent is not the same city as Los Angeles or Minneapolis, but there are issues that need to be addressed. By putting this topic into committee, it would enable education about needs and deficiencies in the community. It does not mean Kent is a bad community or creates fissures. Acting as though these don't exist doesn't change the reality that there is something there that needs addressed and to have a discussion. We are acknowledging with this there are issues in society that need to be looked at and he supports wholeheartedly.

Mr. Sidoti added he doesn't mind moving this to committee and reminded all there was a similar discussion three years ago when being a compassionate city was discussed. Heart and Soul was developed to have real, honest conversations in the community. He believes there are issues in the community that need to be addressed. He said it's a bit frustrating that after 3.5 years these conversations have not come from the community but he doesn't mind talking about this in committee.

Mr. Kuhar said he is going to support the motion and thinks Kent is great place to live. He sees racism from both black and white people and every time we notice someone is not the same as

we are we are showing some signs of racism. We need to get rid of hatred and to a point where a person is a person. He is open for supporting committee discussion.

Mr. Ferrara added Mr. Turner brought up some great points in his comments and believes it should be discussed in committee and will vote for it. He thanked Mr. Turner for his comments.

Councilmembers' Comments

Mr. DeLeone reminded Councilmembers he is still waiting on evaluation paperwork from some members.

Mr. Turner responded to Mr. Myers comment. He was one of the three council people at the ceremony regarding the rock at Kent State Campus. He believes there is a misunderstanding of what transpired and was reported in the Record Courier. Three council people went to the rally to support the students and to let them know this is a welcoming community. They did not go there to discuss public policy and were totally unprepared for the students viewing it differently. They were spirited and reacted to the City not having established policies regarding an issue Council had no authority to address. That issue related to campus policy. Council members gave students their contact information so there could be further discussion. Council did not misspeak and there was no issue of them speaking out of turn, they were there as individuals and appropriately represented themselves. He is proud of his fellow council people and what has been done as a council and administration. This is a process and is an opportunity to move the community forward and effect a positive change. He addressed Mr. Myers and said he respected his opinion and that he has a right to know what transpired at this event. He thinks he would have been proud of how they behaved at that occurrence.

Mr. Sidoti added that many people at this rally were former students of Kent Roosevelt High School and he heard they could not believe what they read in the paper that City Council created an issue. His reason for being at the rally was to observe, to learn and try to understand where the students were coming from and that they are welcome in the city of Kent. They were all wearing masks and were well behaved. Council members made it clear they were there as citizens and welcomes all to the community.

Mayor's Report:

Mayor Fiala thanked Clerk Wilkens for putting together a proclamation for Lance Kylo and Zach Brown who on August 26, 2020 alerted their family of a fire and got everyone out. He went to St. Patrick's School to present them the proclamations, signed and pens given.

Ms. Wallach wished a happy one-year anniversary with the City of Kent to Clerk Wilkens.

The Regular Meeting adjourned at 8:30 P.M.



Amy Wilkens
Clerk of Council



Jerry T. Fiala
Mayor and President of Council

Kent City Council Meeting:

I am coming to this group because the time has come where we as a community must join together to continue the path of Peace and Unity in Our Beloved Community. I am the President of the Portage County NAACP, but more importantly I am a resident of this community, and my children all attended Kent City Schools and went on to attend and graduate from Kent State University. I have 2 granddaughters who are currently attending Kent City Schools. I have seen our community as it faced many different challenges related to racism and inclusiveness. Our challenges are no different than those faced by many other communities of our size, but one thing that is significant is the rich diversity that is a part of the fabric of our community. We have come a long way, but yet there remains work to be done.

I am proposing that the time has come to move the needle, to the next level. The Portage County NAACP is a vital stakeholder in this community, as well as the oldest civil rights organization in the Nation. We want to partner with the City and its leadership to continuing to promote “Unity” and “respect.” We must recognize and dismantle our own “unconscious biases” and any preconceived perception that exist within ourselves and our community. Together we can begin to dismantle some of the falsehoods (at least recognize that racism exists and work towards dismantling the walls of hatred.) Together as a community we can say proudly, “Not in Our Town” will there be room for the acceptance of hate speech, discrimination, bullying, and various modes of unacceptance. Working together we can build a city where the cycles and systems that oppress and discriminate will not be tolerated. Making the commitment towards equity and anti-racism involves a shift in thinking, changes in practice and removing policies and systems that create barriers.

Today, we have a vibrant and thriving city. Our challenge is to build and look too the future for our children, and our children’s children. We must continue in the struggle to address “freedom, tolerance, and civility. We owe it to the children to continue to provide a Caring City where they feel proud to be a part of a multicultural community. A place where they can grow to become adults who are open-minded, caring, collaborative, and productive citizens, with a pride and love for their community. If not now, then when, I ask. It is time to make some noise, and begin the lifting and, to quote Congressman John Lewis, If you know me- **I**

am never ever afraid to make some noise and get in good trouble, necessary trouble. Thank you for listening.

I represent the Kent InterFaith Alliance for Racial Reconciliation and Justice, known as KIFA. We are a group of leaders and members of 10 faith communities whose efforts are devoted to racial justice.

I am here to urge you to develop a strategy that will prevent and minimize harm – harm caused by hate crimes and serious conflict between groups of people attending protests and rallies.

Kent is certainly not immune to hate crimes. You may recall that the Islamic place of worship on Lake Street was vandalized when a rock was thrown through its glass door. Several years ago, Spellman AME Chapel, home to a predominately Black congregation, was desecrated by graffiti. In both cases, some people in the community stepped up and demonstrated their support for these two congregations.

We can respond to acts of hate more effectively by being proactive, as exemplified by Dayton. In March 2019, a KKK group announced their intent to hold a downtown rally. Think about that. How would we respond? Dayton City leaders organized public meetings inviting citizens to offer their thoughts on how to best respond. There was disagreement, especially between the White and Black residents. Professional mediators facilitated additional meetings, resulting in a strategy that satisfied residents, City leaders and the police. This proactive plan backed by strong support from Dayton residents, was widely publicized and prompted the KKK to cancel their plans.

I am suggesting that Kent prepare intentional strategies for responding to incidents of hate – strategies that goes beyond the use of law enforcement. We can be a proactive community that visibly shows we will not tolerate hate. For example, the bars downtown could have signs in their windows that say, “No shirt, no shoes, no hate.” Or similar to neighborhood crime watch signs, neighborhood groups could post signs that state “This is a hate watch neighborhood.” City leaders should have at their fingertips a phone number list for clergy, mediators, mental health counselors, NAACP leaders, who have pledged their willingness to help with community healing or calling for calm when there's unrest.

I'm calling on you to consider our many community assets that can complement the work of law enforcement. I recommend that under the guidance of the City, a campaign be initiated as soon as possible, to craft ways to be visible and strategic in stating that the residents of Kent will not tolerate hate.

On Sun, Sep 13, 2020 at 3:11 PM Christopher Myers <kitmyers23@yahoo.com> wrote:

13 September 2020

Jerry Fiala, Mayor
City of Kent, Ohio

Hi Jerry!

Who were the Kent City Council attendees at the BLM rally at Kent State this past Thursday. I see by the paper that "...the protest was largely peaceful but there was some unrest when participants felt their concerns were not addressed by Kent City Council members who attended." As a citizen I feel that I and the people of Kent have the right to know who said what in response to participants' concerns that was sufficient to have caused unrest. Did the Council speakers identify and speak as Council members or did they state that what they were saying was personal and not in any way the position of the City of Kent? No matter what a person says, speaking personally is one thing; speaking as a member of government is quite another. Council members' comments may have been quite legitimate and the unrest uncalled for. We don't know, but I feel that all the people of Kent have a right to elaboration from you regarding the matter.

These issues could very well be raised at this Wednesday's virtual Council meeting. If they attend It will be interesting to see how the BUS and Kappa Alpha Psi members feel when they find out that they have but three minutes to speak, that they dare not say anything to embarrass a councilperson, and that there is no back and forth dialogue with full council available to them at the meeting. As I have found out the hard way, the deck is stacked against the citizenry.

Until Wednesday, Cheers!

Christopher M. (Chris) Myers, Citizen
220 E. Elm Street
Kent OH 44240
(330)678-6984
kitmyers23@yahoo.com

**THE CITY OF KENT, OHIO
SPECIAL COUNCIL MEETING for
PUBLIC HEARING "DEMOCRACY DAY"
WEDNESDAY, OCTOBER 7, 2020**

Mayor Fiala called to order the Special Meeting of Kent City Council for purposes of a Public Hearing for "Democracy Day" at 6:00 p.m. A quorum was present.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garrett Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer Bish; Mr. Roger Sidoti; and Mr. Robin Turner.

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. Kevin Schwartzhoff, Parks and Recreation Director; Ms. Suzanne Stemnock, Human Resource Manager; and Ms. Amy Wilkens, Clerk of Council.

ABSENT: Ms. Tracy Wallach

MOTION TO EXCUSE MS. WALLACH'S ABSENCE FROM THE PUBLIC HEARING made by Mr. DeLeone, seconded by Mr. Kuhar, and CARRIED by a voice vote of 8-0.

Mayor Fiala welcomed everyone and read portions of the Charter as outlined below:

In accordance with the Kent City Charter Article XII, Section 12.05 titled "DEMOCRACY DAY PUBLIC HEARING/POLITICAL INFLUENCE":

"Beginning in 2016, City Council shall designate one day a "Democracy Day" during the first week of October each year in which a local, state, or national election is held in Kent. On this day, the Mayor and City Council shall sponsor a Public Hearing in a public space within the City. The public hearing shall be held during the evening or weekend time. The City will publicize the public hearing on its website and in area media at least one month in advance. The Public Hearing shall examine the impact on our City, our state and our nation of political influence resulting from campaign contributions by corporate entities. Corporate entities include business corporations, Political Action Committees, PACS, Super PACs, 501(c)(4) groups and unions. Members of the general public in attendance shall be afforded the opportunity to speak on these matters for up to five minutes per person. The City shall record the minutes of the hearing and make them available to the public no later than November 1 of each year in which it is held by posting them on the City's website.

Within one (1) week following the annual Public Hearing, the Clerk of City Council shall send a letter to every elected state-level representative of the citizens of the City, to the leaders of the Ohio House and Senate, to our U.S. Congressional Representative(s), and to both U.S. Senators from Ohio. The letter shall include a brief summary of the Public Hearing and will state that the citizens of Kent in November 2015 voted in support of a Citizens' Initiative calling for an amendment to the U.S. Constitution declaring the following principles:

1. *Only human beings, not corporations, are legal persons with Constitutional rights, and*
2. *Money is not equivalent to speech, and therefore, regulating political contributions and spending does not equate to limiting political speech.*

The annual Public Hearings will no longer be required if and when a Constitutional Amendment reflecting the principles set forth in Section 02 is ratified by three-quarters (3/4) of the state legislatures."

Mayor Fiala then referred to Clerk Wilkens to read each name, in turn, of the Visitors who signed-in. There were five (5) visitors who wished to speak.

Mr. Bill Wilen of 867 Stonewater Dr., Kent read from a pre-prepared statement. (See Attachment #1)

Ms. Kathy Wilen of 867 Stonewater Dr., Kent read from a prepared statement. (See Attachment #2)

Ms. Deborah Barber of 7531 Diagonal Rd., Kent read from a prepared statement. (See Attachment #3)

Mr. Fred Pierre of 480 Longmere Dr., Kent read from a pre-prepared statement. (See Attachment #4)

Mr. Greg Coleridge of 3016 Somerton Rd., Cleveland Heights, read from a pre-prepared statement. (See Attachment #5)

Mayor Fiala thanked everyone for coming. Meeting adjourned at 6:18 p.m.

Amy Wilkens
Clerk of Council

Jerry T. Fiala
Mayor and President of Council



Council, Clerk of <councilclerk@kent-ohio.org>

Democracy Day

3 messages

William Wilen <wwilen@kent.edu>

Fri, Oct 2, 2020 at 12:44 PM

To: Clerk of Council <councilclerk@kent-ohio.org>

Amy: Here's my DD talk for your records. My understanding is that you will be in touch with the participants with the specific information needed to present our talks "virtually online." When will that be so I can tell people who have asked me about DD? Thanks for your help. Bill

KENT DEMOCRACY DAY - 2020**ESSENTIAL DEMOCRATIC MOVEMENTS AND THE ELECTION**

By Bill Wilen

We're virtually here tonight because of one of the most critical elections in our lifetimes will take place in a month. All the speakers tonight believe that the issue of Move to Amend, which has not even been mentioned by the two presidential candidates, is absolutely important because corporate "big money" and "dark money" will have a major influence on how the citizens vote. But, there are many other important issues that "big and dark money" undemocratically influence. My view is that one of the most essential is the Green New Deal.

I think a little background on how Democracy Day in Kent came about is necessary to support our cause for the proposed 28th Amendment to the US Constitution. Our new townhall Zoom attendees need to know. The national movement is Move to Amend, oftentimes referred to as the We the People Amendment. It developed as a reaction to Citizens United, which was a 2010 Supreme Court decision reaffirming two historical rulings that gave corporations legal personhood and that money is a form of speech. As a result, corporations and other legal entities such as PACS could not be limited in spending money in elections because it would be a violation of the First Amendment.

Democracy Day is all about supporting and promoting Move to Amend to help restore the democracy many of us feel is being eroded. One book I recently read says it all – The Twilight of Democracy. In 2015 a small group of we Move to Amend Kent citizens got the required number of petition signatures and the Ohio Supreme Court ruled in our favor. It was placed on the ballot and it overwhelmingly passed. Our first Democracy Day hearing before City Council was held in 2016 and here we are this evening still fighting for we the people, not we the corporations.

I mentioned that Move to Amend is a national movement with over 800 communities in the United States adopting it. The House of Representatives resolution, HJR 48, has been signed by 72 representatives including Tim Ryan, our representative in Congress. So it is slowly, but too slowly, on its way to becoming a Constitutional Amendment.

There are 2 major components of Move to Amend and HJR 48. First, they establish that the rights protected by the Constitution of the US are the rights of

natural persons only. Artificial entities such as corporations have no constitutional rights and are subject to regulation by federal, state or local law.

Second, federal, state and local governments shall regulate, limit, or prohibit contributions and expenditures, to ensure that all citizens have access to the political process. Campaign contributions and expenditures shall be disclosed. The courts shall not interpret the spending of money to be constitutionally protected speech.

While all of us would hope that this Constitutional amendment should take center stage in the news and in Congress, the COVID 19 pandemic accompanied by the declining economy are priorities along with racial and economic inequalities. And, of course, we have our critical presidential election coming up in a month. Joe Biden states on his website that he would introduce a constitutional amendment to entirely eliminate private dollars from our federal elections. But he has not directly supported the We the People Amendment.

Biden, though, has presented within the last two months a version of the Green New Deal that has been proposed by progressive democrats in the House of Representatives. Biden's plan is calling for the spending of \$2 trillion on areas of energy efficiency and mass transit with the goal of 100% carbon-free electricity production by 2035. His climate proposal would create thousands of jobs in solar and wind energy. Tax incentives and new infrastructure are also a major focus.

Why am I bringing up the global issue of climate warming? Because both the Move to Amend and the Green New Deal are complementary in that they deal with the specific needed areas of reform which are more likely to be implemented if Biden wins the election. But without a constitutional amendment to eliminate corporate constitutional rights and "money equals speech" all of Biden's Green New Deal's reforms could be overruled by the courts or overwhelmed by "big money" and "dark money."

If we continue getting the word out about Move to Amend and the Green New Deal in our democracy, there's hope for a sustainable future.

Sources:

Movetoamend.org. "Do We Need a Constitutional Amendment Now That the Green New Deal Has Been Introduced?"

Wilen, Bill. "Hope for a Sustainable Future." Plain Dealer – Cleveland.com. August, 2020.

Attachment #1
Democracy Day
10/7/20



Council, Clerk of <councilclerk@kent-ohio.org>

DD talk

William Wilen <wwilen@kent.edu>

Wed, Oct 7, 2020 at 1:13 PM

To: Clerk of Council <councilclerk@kent-ohio.org>

Amy: Here's Kathy's DD talk. Thanks for your help. Bill Wilen

I want to continue the focus on Move to Amend, corporate control, the climate crisis and the coming election. I would like to express my view on these issues using a recent movetoamend.org introduction to a televised panel presentation entitled “The Immorality of the Climate Crisis and Corporate Rule” because it fits perfectly with how many of us as citizens in this democracy feel at the moment of this coming election.

The climate crisis is an existence threatening crisis to humans and other living entities. While current attention has understandably been on the pandemic and related economic crises -- the impact of human activities implemented through corporations are directly connected to the increasingly raging fires, hurricanes and other effects of climate change that will only intensify unless we rapidly change direction.

Laws and regulations over decades have permitted corporations to treat nature as a resource to extract (e.g. land, water, trees, plants, minerals, fossil fuels, etc.) and a venue to dump their waste. Decisions by courts inventing constitutional rights are in large part responsible for this legal plundering and destroying of the natural world — as are the inabilities of *We the People* to:

- hold corporate leaders accountable for their pre-knowledge of environmental harms (including climate change), and,
- protect the health, safety and welfare of their communities.

This is politically undemocratic, economically unsustainable and environmentally cataclysmic. It's also profoundly immoral and unethical based on faith and ethical principles. Human rights and rights of nature should be inalienable, not so-called “corporate rights” and the right to

legally destroy the very environment that supports the existence of human beings and other living entities

Join us as we proclaim system change – in what we believe, how we think and how we act to affirm, protect and expand the intrinsic worth of people and nature over corporations and profit maximization.

Source: movetoamend.org

Read by Kathy Wilen

Attachment #2
Democracy Day
10/7/20

Democracy Day
October 7, 2020
City of Kent, Ohio Council Chambers

Statement from Deborah Barber on Behalf of the Kent League of Women Voters

Good evening. I am pleased to represent the Kent League of Women Voters on Democracy Day to speak about making democracy work for everyone.

Members of the LWV of Kent are also members of the Ohio League as well as the national League, LWVUS. We are a nonpartisan grass roots organization whose primary purpose is "to promote political responsibility through informed and active participation in government" Our overall theme for this biennial is "Make Democracy Work."

One area in which we need to direct our attention is the right of every eligible individual to vote. In Ohio, we know that gerrymandering, which does not promote fair and effective representation to all voters, denies maximum opportunity for public participation. We know that eliminating polling places, having drop boxes that are inaccessible to voters who lack access to transportation, or even requiring postage on ballots is a burden to many.

Perhaps even more important is finally enabling the election of the president and vice president by direct popular vote, not by the Electoral College. The LWVUS conducted a study of the National Popular Vote proposal in 2008, and voted to support it as a national position at the 2010 Convention. The effect of such a proposal would allow for the direct popular election of the president and vice president without a constitutional amendment. Those in the compact would pledge that their legislature would award all of the state's electoral votes to the presidential ticket that wins the most popular votes nationwide, regardless of who wins in that particular state. Nationwide, the National Popular Vote Interstate Compact has been adopted by 15 states and the District of Columbia. (It is temporarily suspended now in Colorado). What could be more democratic? In Ohio, this was introduced into the 133rd General Assembly, HB 70. We should ask why this bill isn't moving through the General Assembly..

So, I stand with the League of Women Voters in our goal to "Make Democracy Work." This means every eligible voter has the access and ability to cast their vote, they are not the victim of intimidation, nor do they become the target of disinformation. This means we create fair congressional districts that effectively represent each voter. This means every vote counts in national elections. And this means that our democracy is not distorted by dark money. Our democracy is truly for the people and by the people. Remember the Preamble to the Constitution: We the people....

Thank you.



Council, Clerk of <councilclerk@kent-ohio.org>

Democracy Day

Fred Pierre <fredpierr@gmail.com>

Wed, Oct 7, 2020 at 12:26 PM

To: Clerk of Council <councilclerk@kent-ohio.org>

Can I amend the text to the following? Thanks! - Fred Pierre

Does anyone else think it's weird that when one man sneezes, the economy staggers? When one man coughs, party politics swoons. There's a saying about putting all your eggs in one basket. Have we invested too much in executive authority, and too much faith in a prestidigitator? An "economic miracle" isn't a miracle, if it's built on the suffering of others.

We're caught in the grip of toxic, dark money. Money talks and it's constantly louder. Inequality threatens our lives and our nation when a man's birth determines his outcome in life. If you can't afford health care, leisure and time, you'll work overtime just to survive. Paying rent isn't ownership. Who made the most during quarantine? The world's wealthiest billionaires. The world's first trillionaire will wear the Amazon crown. How does people power compare to vast, inordinate wealth, when propaganda distorts the facts of what's real?

Social media is a wrecking ball, dividing our lives, setting uncles against cousins and nieces. Algorithms render our fears back to us on a platter. Choose your poison. Which rabbit hole will you scroll down today?

We eat up extremes and reflect back divisions, when we should all be working together. Solving big problems requires cooperation. When we help others is when we'll succeed: Save the climate, heal the world, and end hunger. We can do it, with formulas for people-powered solutions: Clean batteries to store power. Solar seed funds for rapid panel deployment. Harvest wind from Lake Erie. We can and we must change the world.

All we need is more love. We're abandoned by government in a plague, insecure due to lack of compassion. Inclusion revitalizes community connection. Our Kent community is the antidote to isolation. Grow community gardens. Close the street, paint a mural, bring the music outside. When we come together we're free.

[Quoted text hidden]

Attachment #4
Democracy Day
10/7/20



KENT “DEMOCRACY DAY” TESTIMONY

October 7, 2020

Greg Coleridge | Outreach Director, National Move to Amend Coalition

Happy Democracy Day in Kent, Ohio!

We wouldn't be here this evening if not for the tireless efforts of Kent residents to place the issue of ending big money in politics and corporate rule on the ballot and to create this annual public hearing -- as well as for Kent voters to pass this initiative.

Much of tonight's testimony focuses on the harms of big money in elections: harms from money invested by the super rich and corporate entities, harms from the local to the global, and harms to people, places and the planet. This includes harms to authentic self governance and to our environment here in Ohio from the legalized bribery, if not actual bribery, of those connected to First Energy corporation, if not the polluting corporation itself, in influencing public policy away from renewable energy to bailing out their polluting and dangerous fossil fuel and nuclear plants.

But we must not forget harms caused by corporations who have hijacked constitutional amendments that go beyond spending/investing money in elections --- **corporate political First Amendment free speech rights** -- that drowns out the political voices of people who aren't corrupting the political process because they are investing huge sums of money in elections.

A few examples of court-invented corporate constitutional rights:

States that have tried to compel the listing of bovine growth hormones on products or list certain chemicals that they feel are cancer causing have been rejected by courts as violations of **corporate First Amendment rights “not to speak.”**

Public regulatory agencies which have tried to protect the health, safety and welfare of workers, consumers and the environment through inspections of corporate factories and other facilities have been rejected by courts as violations of **corporate Fourth Amendment “search and seizure” rights.**

Public regulatory agencies that have passed laws protecting the public from corporate mining and other plundering of the land without compensation have been rejected by courts as violations of **corporate Fifth Amendment “takings” rights.**

As a reminder, the First, Fourth and Fifth Amendments are part of the Bill of Rights -- meant to apply exclusively to human persons. Corporations aren't mentioned in the Constitution.

Finally, among others, are efforts by local communities just like Kent, which value local businesses. Communities and states that have tried to give preferential treatment to local businesses over chain stores have been overruled by courts as violations of **corporate Fourteenth Amendment “equal protection” rights** -- as *discriminatory*. You may recall that the Fourteenth Amendment was intended to apply exclusively to freed black slaves.

The same hijacking of democratic self-rule has occurred when multiple passed citizen-driven state-wide ballot measures have been overturned in court stating that only those who work farms can own farms -- as an effort to repel out-of-state agri-businesses.

These examples merely summarize the breadth and depth of the corporate hijacking of authentic self-governance for more than a century -- **way beyond mere corporate political First Amendment free speech rights**.

I invite you to learn more about the full extent of corporate constitutional rights at <https://www.movetoamend.org/corporate-constitutional-rights>

This is why enactment of the We the People Amendment (HJR 48) is so important, which will abolish ALL never-intended, inalienable constitutional rights for corporate entities. As Section I states, “The rights protected by the Constitution of the United States are the rights of natural persons only....The privileges of artificial entities shall be determined by the People, through Federal, State, or local law, and shall not be construed to be inherent or inalienable.”

Thank you Kent citizens for being part of this growing movement.

I invite Kent City Councilpersons to encourage colleagues in other communities, at the very least, to pass a resolution calling on Congress to enact the We the People Amendment, if not to place a measure directly on the ballot for local voter consideration.

Thank you.

Greg Coleridge (he/him)
Outreach Director, Move to Amend Coalition
(216) 255-2184 (cell - in Ohio)
(916) 318-8040 (office - in Sacramento, CA)
greg@movetoamend.org

End Corporate Rule. Legalize Democracy. Move to Amend!

<https://movetoamend.org/>

Attachment #5
Democracy Day
10/7/20



Special Council Meeting Minutes
The City of Kent, Ohio
Wednesday October 7, 2020

At 8:14 p.m. Mayor Jerry Fiala called the **SPECIAL COUNCIL MEETING** to order. Roll call was taken.

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

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. Kevin Schwartzhoff, Parks and Recreation Director; Mr. Nick Shearer, Chief of Police; Mr. Mike Lewis, Lieutenant of Police; Mr. John Tosko, Fire Chief; Ms. Suzanne Stemnock, Human Resource Manager; Ms. Dawn Bishop, Civil Service Coordinator; and Ms. Amy Wilkens, Clerk of Council.

NOT PRESENT: Ms. Tracy Wallach

MOTION TO EXCUSE MS. TRACY WALLACH FROM THE SPECIAL COUNCIL MEETING was MADE by Mr. DeLeone, SECONDED by Mr. Amrhein and CARRIED with a voice vote of 8-0.

MOTION TO AUTHORIZE ORDINANCE 2020-97 made by Ms. Shaffer and seconded by Mr. DeLeone. After reading of the draft, authorization passed by a voice vote of 6-2.

Draft No. 2020-97 AN ORDINANCE ENACTING THE PROHIBITION OF MASS GATHERINGS OF MORE THAN TEN (10) NON-HOUSEHOLD MEMBERS WITHIN THE CITY OF KENT, OHIO, IN ORDER TO LIMIT THE SPREAD OF COVID-19, ALLOWING FOR CIVIL PENALTIES, 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 Bish, seconded by Mr. Amrhein. On roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, , Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, and Mr. Turner. On roll call, voting "No": Mr. Kuhar

MOTION TO ADOPT DRAFT NO. 2020- 97 made by Ms. Shaffer Bish and seconded by Mr. Sidoti. On roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, and Mr. Turner. On roll call, voting "No": Mr. Ferrara and Mr. Kuhar.

ORDINANCE 2020-97 PASSED as stated by Clerk Wilkens.

The Mayor adjourned at 8:24 p.m.

A MOTION TO MOVE INTO EXECUTIVE SESSION was made by Mr. Amrhein and the following statement was read:

IN ACCORDANCE WITH ORC §121.22 Section G, Item (1). "To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or

official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing.

Roll call was taken with the following members present: Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti and Mr. Turner.

At conclusion of the Executive Session, a **MOTION** was made to return to the Regular Meeting and Adjourn by Mr. Kuhar, **SECONDED** by Mr. Amrhein and **CARRIED** with a voice vote of 8-0.

Amy Wilkens
Clerk of Council

Jerry T. Fiala
Mayor and President of Council



Committee of the Whole Meeting Minutes
The City of Kent, Ohio
Wednesday, October 7, 2020

Mayor Fiala called the Committee of the Whole of Kent City Council to order at 6:20 p.m.

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

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. Kevin Schwartzhoff, Parks and Recreation Director; Mr. Nick Shearer, Chief of Police; Mr. Mike Lewis, Lieutenant of Police; Mr. John Tosko, Fire Chief; Ms. Suzanne Stemnock, Human Resource Manager; Ms. Dawn Bishop, Civil Service Coordinator; and Ms. Amy Wilkens, Clerk of Council.

NOT PRESENT: Ms. Tracy Wallach

There was one (1) item on the Agenda.

1. Update on Diversity Hiring Efforts

Mr. Dave Ruller opened the meeting by introducing the topic and conversations over the past few months on social equity and diversity issues and said those have certainly amplified the City's efforts. Hiring practices are being discussed in staff meetings, especially in regards to Civil Service hiring practices. Suzanne Stemnock said the first thing that can be done is to develop a diversity statement and policy that will be included in recruitment packages.

Ms. Dawn Bishop, Civil Service Coordinator, reviewed in detail the Civil Service hiring process for classified positions, highlighting posting of exams, job descriptions and employment applications. Some positions require a skills test, such as typing, driving or a physical agility test. Passing applicants are then ranked on an eligible list based on their test score. A passing applicant who has an honorable discharge from the uniformed services is eligible for 20% added to passing grade, and this is covered by the Ohio Revised Code and cannot be changed. National Guard members are eligible for 15% extra credit. Other extra credit for police and fire could be changed, such as an education extra credit.

Ms. Suzanne Stemnock, Human Resource Manager, began by discussing city wide initiatives for both Civil Service and Non-Civil Service hiring. A new diversity statement and policy was developed, staff training to encourage inclusion, updating recruitment documents to better represent statements of diversity and looking to expand recruiting efforts. The diversity of the hiring team is being looked at as well as the interview processes to thoroughly evaluate candidates. Lieutenant Lewis will highlight some changes to the Civil Service process, especially involving the safety forces.

Mr. David Ruller added Chief Shearer has been sending weekly updates to Council and has shown an interest and desire to sharpen this aspect of hiring. He has been calling on other communities who have been successful in getting a diverse pool of candidates, and Lieutenant Lewis has been doing a great job in these efforts as well.

Lieutenant Mike Lewis reviewed the possible changes to Civil Service bonus points, reviewing why certain points were developed. They are seeking dedicated applicants and have given bonus credit to those with higher education or police academy training and certification which demonstrates a commitment to the

profession but could also be a detriment to those who may not be able to afford that training. Extra credit has been a hinderance to all candidates, not just minorities. There is evidence that bonus points and extra credit can boost candidates scores who scored poorly on exams. There have been issues with testing and testing companies in the past, with a difficult entrance exam which was corrected in 2019. Assisting someone attending the police academy has been discussed, but they are unsure if they can commit to this expense. Departments across the country are struggling with equal representation and it is not unique to the City of Kent. He added that if people honestly want minorities to apply to become police officers, they need to stop vilifying the profession. It is counterproductive and could prevent the ability to encourage someone from a minority neighborhood to try to join the police department. He referenced a few articles he has read on race and policing. There has been a record rate of police leaving their profession based on the current climate, which is very concerning. He said they need everyone's help in the community to encourage people to join the police department, if interested, as it is a very noble profession.

Ms. Shaffer Bish asked about bonus points for being a member of a minority and if this is illegal now.

Ms. Stemnock said this cannot be done.

Ms. Hope Jones added extra credit cannot be given for minorities, women, etc. but we could encourage people of different races, sex, religion to apply. Ms. Jones added she will provide Ms. Shaffer Bish with the statutes that limit this.

Mr. Kuhar asked if giving a bonus or extra credit would lower the bar on candidates and that perhaps they should focus on marketing and recruiting practices.

Chief Shearer said they are looking into what other cities are doing who have been more successful at hiring diverse officers. He said different things can be done with recruiting and agrees getting rid of bonus points is a good thing.

Mr. Kuhar said he would like to hire people based on their ability to do the job.

Chief Shearer said they need to find a way of reaching these candidates through the recruitment process. The education disparity is hurting applicants by unfairly giving candidates extra points. He added in his research he has read that a college education does not necessarily make for better police officers.

Mr. Turner asked not giving eligible candidates extra points, but basing hiring on specific hiring practices or goals.

Ms. Jones said if they are permitted to pick from the top ten candidates, a decision of hiring those people can be made by the hiring committee.

Mr. Ruller added that department heads do this already during their hiring practice. When they see someone that could help round out diversity, they will pursue the candidate on that list.

Ms. Shaffer Bish said this is what she had in mind, that all things being equal we have a preference and can be backed up by establishing this up front.

Mr. Sidoti added that when hiring for the schools, they always had a strategy and as long as there was consistency, they were safe. If they wanted 25 % of teachers to be former graduates of the school or from a specific area they could try but there was no guarantee they would get candidates to fit this, but it was the model. If they had two great candidates, they would then evaluate them based on the needs of the school. The top one may not have fit and they went for the best candidate. He asked if this could not be used in hiring police.

Chief Shearer said it absolutely could be. It is very rare that candidates are equal in hiring and a decision is hard to make. They have not gotten this far in the hiring of minority candidates but looks forward to seeing adjustments to extra credit and the big hope is an increase in the percentage of minority applicants. He added they would find more minorities in the top 25% when getting rid of extra credit points.

Mr. Kuhar and Lieutenant Lewis discussed the number of qualified applicants and Lieutenant Lewis highlighted that overall there were 102 applicants in 2019, and of those applicants, 10 were black. He added this reflects census data and mirrors the community. Lewis said this was in 2019 and the mass exodus of the profession has happened in 2020. He is unsure of the number of applicants they will get next time.

Mr. Ruller mentioned Lieutenant Lewis has worked specifically at Kent State with African American students and says they will need to widen the search outside of the community. It is hard to recruit from outside of the community, not just in police hires, but in all departments. Chief Shearer added youth engagement has been emphasized as well as developing a police explorers' program to grow relations within the community to have these people to draw from.

Mr. Turner asked Chief Shearer if the neighborhood policing program will help connect young people at an earlier age and create relationships and esteem that is needed to deal with the issues of the day. He suggested creating something unique and different through the community and building upon it.

Chief Shearer agreed this is more so a socioeconomic issue. He now has two community resource officers on every shift. The job of the day shift is to work with the schools, meeting with school administrators, teachers and classes. They have partnered with Kent Parks and Rec Life and Leadership. Covid 19 has caused some issues with plans to partner with youth football. He would like people to know the police when they come to events and for it to be a comforting feeling when seen. This has all been pushed back a bit due to the Covid-19 pandemic.

Ms. Shaffer Bish asked about the City's Strategic Plan and Mr. Ruller said this is already included in the strategic documents that are sent out every year. There are specific goals and objectives developed every year and has been produced for the last ten years. He said diversity is addressed in this document and can be sharpened more if needed. It is the top section of the goals and objectives and it may be a good time to add a few items based on this discussion.

Mr. Kuhar asked if there is a D.A.R.E. program in the City and Lieutenant Lewis said the City has been without this program for quite a while. Youth engagement is a big priority of Chief Shearer and the school resource officers have served very well. More structured programs will be going forward. Lewis said they will be focusing on what is in the pipeline to help recruit for the pool of applicants. Youth engagement is important and that working for the City has good pay and benefits.

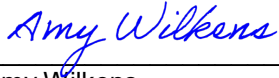
Mr. Turner said there would be push back in both directions when you start using numbers in hiring. The City is doing a better job working to ensure the best job that can be done is being done.

Mr. Ferrara agreed with Mr. Turner's comments and awareness is lacking from the community on what is trying to be done. The Chief and Police Department are doing everything the public is asking and it is Council's job to make sure everyone knows they are trying to meet that criteria. He agreed you cannot vilify the police and then ask why there aren't any diverse police officers. You have to set the tone that the police need to be respected. They are just like you and I and go to work everyday and try to do the best possible job and they protect freedoms.

Fire Chief Tosko said the Fire Department has had similar challenges to diversify their workforce not only with minorities but also women, particularly in EMS. They actively recruit using social media, phone calls, emails, posters and passively recruit using community engagement, but challenges still exist.

Mayor Fiala stressed it is important for Council Members to be aware of the efforts that are being done of the different departments within the City to meet these challenges.

Seeing no further business or questions for this committee, it adjourned at 7:20p.m.



Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) N/A



Public Health & Safety Meeting Minutes

The City of Kent, Ohio
Wednesday, October 7, 2020

Mr. Amrhein called the Public Health and Safety Meeting to order at 7:25. p.m.

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

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. Kevin Schwartzhoff, Parks and Recreation Director; Mr. Nick Shearer, Chief of Police; Mr. Mike Lewis, Lieutenant of Police; Mr. John Tosko, Fire Chief, Ms. Suzanne Stemnock, Human Resource Manager; Ms. Dawn Bishop, Civil Service Coordinator; and Ms. Amy Wilkens, Clerk of Council.

NOT PRESENT: Ms. Tracy Wallach

There was one (1) item on the agenda:

1. Mass Gathering Restriction

Ms. Hope Jones stated that as Kent State University students began returning to campus, the COVID-19 numbers increased. There have been many conversations on the Ohio Department of Health's directive of no more than ten people gathering at one time. Ms. Jones reviewed what Oxford Ohio chose to do when Miami University students returned. They prohibited mass gatherings of more than ten people that are non-household members. If the Health Department is called to a gathering they can choose to civilly site whoever is giving the party, anyone attending, or someone who chooses to maintain a party (which could include whoever owns the property). She cited exceptions to the rule, which include churches, media, first amendment gatherings, restaurants, warehouse and schools. This is being done to curb any Covid outbreak on campus and in the community and to give the Health Department an ability to give a \$500 civil fine.

Ms. Joan Seidel added when she is out doing her rounds, she witnesses parties and, in the past, had no way to ask parties break up. These gatherings are happening and are perpetuating the spread of Covid -19. Having some authority to enforce this might help to prevent spread.

Mr. Kuhar said this is a targeted ordinance against college students. He says you cannot regulate stupidity.

Mr. Jones said students are not being targeted but the students returning is the impetus of this. If there is a complaint about a large gathering where there are no masks and twenty to thirty people, the Health Department will respond. It is trying to educate the college community and prevent these gatherings which spread the disease. She mentioned a college party in Florida with 1,000 people at the party. An enforcement arm is needed when the education provided is not working. It will probably happen more in the downtown and campus area, but complaints will be taken and enforced in any part of the community.

Ms. Seidel confirmed this is not targeting one group of people, but rather any gathering of ten non-household members regardless of where they were. If they don't meet the clearly defined exceptions, anyone can be cited.

Mr. Kuhar asked for clarification of proximity in bars and restaurants versus being at a gathering outside.

Ms. Seidel said that inside a restaurant parties are limited to groups of ten and when compliance checks are done, if there are large groups of people standing around a table consuming, the manager will be told to break the party in two groups to consume. People are socially distanced between tables and are seated to consume, they are not standing around and wandering like you would at a party.

Mr. Turner said this is not an issue of people's Constitutional rights, it is a health and safety issue. There is a science why the Health Department has determined their procedures. This is an issue of passing the virus throughout the community and is in total of support of doing this. He stressed that something needs to be done about the lives that have been lost and the Health Department has come up with a plan to address it and we need to do so for the health and safety of the people that live in Kent.

Mr. Amrhein reminded Council Members they are to be responding in the form of a question.

Ms. Shaffer Bish asked how this is going to actually work out on the weekends and if the Health Department should be called at midnight on a Saturday night. She asked if there will be Police backup and what the process is for people to call and report a gathering.

Chief Shearer said the police would never leave Joan (Seidel) or he staff hanging and if there is a safety issue they will be there. This is an ordinance written for civil enforcement and is not enforceable by the police department as it is not a criminal penalty.

Mr. DeLeone said the Health Department is going to need more people. He noted over 300 people gathering at soccer games being held on Fairchild where people are not social distancing. What can be done there?

Ms. Jones said sanctioned sporting events are excepted from the ordinance. Ms. Seidel said if there are issues of groups on the sideline that are not participating, those concerns can be turned in to the Health Department and they can address these with the individual teams and coaches.

Ms. Rosenberg asked if the fines go specifically to the lease holder, the landlord or participants at the party. Ms. Jones replied it would go to whomever the Health Department decides to cite. They could cite the host, all the people at the party and the national fraternity who owns the property as well.

Ms. Rosenberg then asked if the University has any kind of disciplinary action against students who are participating in or hosting these parties. Mr. Ruller said they do and have taken actions against specific fraternities and sororities. They have a complaint hotline to report problem properties. KSU was anxious for Council to pass this because once a student is cited, they can be processed through the Student Conduct Office, which needs to be triggered by some type of citation. Mr. Ruller said this is an imperfect law but is a step to try to tighten and keep the virus contained. There have not been years to nail this down but feels confident this is a good step forward. Ms. Rosenberg added these house parties are very specifically spreading Covid to the downtown and going into a red or purple state will do significantly more damage than a few fines. Hopefully a threat of a fine will help keep the city safe.

Mr. Ferrara asked if the Health Department is called to a party where there is drinking involved are they prepared to go into these types of situations.

Mr. Ruller replied the police have a zero tolerance policy for nuisance calls and noise complaints so they are the first responders for those type of activities. While they can't enforce ten or more people they will be backing up the Health Department.

Ms. Seidel said she would hope she would not be going to these events alone and if there is a call that comes in, maybe dispatch would get a hold of her. She would hope they would be working together on this and that Chief Shearer said the police would be backup.

Chief Shearer added that if there is a call of a loud party and if there is any type of behavior that would necessitate a police response, that summons will be issued. Additionally, the Health Department can get notice of the criminal citation and issue the civil penalty on top of that with the burden of proof in a civil case being much less than a criminal case.

Mr. Ferrara asked about campaign rallies not being stopped.

Ms. Seidel said campaign rallies would fall under first amendment and allowed, and Ms. Jones clarified religious gatherings are also excluded from the prohibition. Mr. Ferrara said this may be setting the city up for harassment of individuals that becomes a waste of the Health Department's time.

Mr. Kuhar said he received multiple calls of students gathering out front of Roosevelt High School and Stanton Middle School, not social distancing. He asked who he should call. Ms. Jones said schools and University functions and classes are excluded. Ms. Seidel added if there is an issue of people gathering in a way that is unsafe, it can be brought to her attention and be brought to the superintendent's attention. She received an email today regarding this and it was forwarded to Superintendent Joseph and the school nurse and they will be looking into and following up on that. They have heightened awareness and will be monitoring the situations.

MOTION TO APPROVE THE MASS GATHERING ORDINANCE was made by Mr. Turner
SECONDED by Ms. Rosenberg and CARRIED by a voice vote of 6-2.

Mr. Turner said Mr. Ferrara brought up a legitimate concern if someone can claim a certain type of meeting either political or religious. He said this could be problematic but this tool is needed in toolbox.

Ms. Shaffer Bish is going to support the ordinance as she has received multiple calls regarding gatherings in her neighborhood. Gatherings can be done in a respectful way with social distancing and masking and discretion will be used in the enforcement of this.

Ms. Rosenberg said Joan Seidel's judgement so far during this pandemic is sound and reasonable and if she comes across a situation of a large gathering with alcohol in a house or front lawn, the facts support this is the type of an event that spreads the virus and could impact the community outside of just that party. It can impact other residents, downtown businesses, the University, the public-school system. Although imperfect, she believes it warrants action to protect the greater good. She added there is a clearly defined appeals process. The University can review for repeat offenders and if there are people that insist on having these types of parties that have been proven to spread it, the University can step in and act. It helps protect the community at large and she supports it and it's unfortunate to be in a situation where this has to be done.

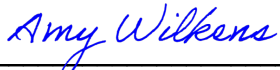
Mr. Ferrara added calls will more than likely be for the noise ordinance and that having the ability to call the Health Department is not necessary.

Mr. Kuhar said he still thinks it is a targeted issue but there are so many exclusions to this ordinance and the only answer to this problem is self-discipline.

Mr. Sidoti says he wears his mask everywhere he goes but often he is the only one. He agreed you cannot legislate common sense to people, as there are many people that still don't believe this is a big deal and still discount Covid. He struggles with the idea of going into homes but that they might as

well throw out all of their efforts if there is no enforcement, if nothing else to try to help the University and the community.

Hearing no further business before this Committee, the meeting adjourned at 7:54 p.m.



Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) **Authorize adopting an ordinance allowing for citations at mass gatherings for public health risks.**



Land Use Committee Meeting Minutes

The City of Kent, Ohio
Wednesday, October 7, 2020

Mr. Garret Ferrara called the Land Use Committee of Kent City Council to order at 7:55 p.m.

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

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. Kevin Schwartzhoff, Parks and Recreation Director; Mr. Nick Shearer, Chief of Police; Mr. Mike Lewis, Lieutenant of Police; Mr. John Tosko, Fire Chief, Ms. Suzanne Stemnock, Human Resource Manager; Ms. Dawn Bishop, Civil Service Coordinator; and Ms. Amy Wilkens, Clerk of Council.

NOT PRESENT: Ms. Tracy Wallach

There was one (1) item on the Agenda.

1. Consideration of a Request to Vacate City Street Right of Way

Mr. Ruller reminded council of a request of a resident trying to buy land off of the back side of Adrian Ave. to build a house and was seeking permission to buy the right of way that was being reserved by the City for a potential future road (Whitewood Drive). The deal to build the house did not happen and the neighbors on either side approached the city to acquire the unused "paper" drive.

Ms. Jones added that since only two parcels were involved both owners have signed a petition the City vacates the paper street. If Council allows, the property will be divided in two and each person would gain ownership of the property. There is no intent for Whitewood Drive to extend and go into Forest Lakes.

Mr. Kuhar asked if it is not required for this to be advertised in the paper. Ms. Jones said no, they just needed to present a petition. If it was a larger road a petition would need to be signed by sixty percent of the property owners, but the City has 100 %. Ms. Jones does not think this is the case but will look into the matter. Ms. Jones said it may depend on who initiates the process.

Mr. Sidoti asked Ms. Jones if easements mentioned were water and sewer easements. She said they would be utility easements and she said they would preserve anything needed in the future for the City to do any utility work on the property.

MOTION TO AUTHORIZE THE VACATION OF THE UNUSED "PAPER" STREET OF WHITEWOOD DRIVE made by Mr. Kuhar **SECONDED** by Mr. Sidoti and **CARRIED** by a voice vote of 8-0.

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

Amy Wilkens

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Authorize the vacation of the unused street right of way.



Finance Committee Meeting Minutes

The City of Kent, Ohio
Wednesday, October 7, 2020

Chair DeLeone called the Finance Committee of Kent City Council to order at 8:00 p.m.

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

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. Kevin Schwartzhoff, Parks and Recreation Director; Mr. Nick Shearer, Chief of Police; Mr. Mike Lewis, Lieutenant of Police; Mr. John Tosko, Fire Chief; Ms. Suzanne Stemnock, Human Resource Manager; Ms. Dawn Bishop, Civil Service Coordinator; and Ms. Amy Wilkens, Clerk of Council.

NOT PRESENT: Ms. Tracy Wallach

There were four (4) items on the Agenda.

1. OPWC Project Applications

Mr. Jim Bowling said this is the annual opportunity to apply for state funding for projects. There are two projects to apply for: 1) Water reclamation repair of the clarifiers which were built in 1964 and need to be replaced. Grants being requested would total \$655,000 and \$150,000 in a no interest loan for this project 2) Water main replacements off of Majors Lane. There have been three water main breaks in this line alone this year. It would replace the old lines that are failing and would be requesting \$240,000 in grants and \$150,000 in loans.

MOTION TO AUTHORIZE THE SUBMISSION OF THE GRANT APPLICATION FOR THE OPWC PROJECTS WITH AN EMERGENCY CLAUSE made by Ms. Shaffer Bish **SECONDED** by Mr. Kuhar and **CARRIED** by a voice vote of 8-0.

2. Electric Vehicle Charging Station Grant

Bridget Susel said they received notification of this grant one week before the application was due and Kathy Petsko (Grants and Neighborhood Programs Coordinator) did an excellent job making sure it was completed on time. The money coming for this is from the EPA class action settlement from the Volkswagen emission lawsuit. Ohio received \$75.3 million from this class action lawsuit. Ohio has committed \$11 million to charging stations and other sustainable energy infrastructure to support alternative energy vehicles. This grant is a request for the maximum of \$30,000 and Kent has request \$15,000 for two dual port units which will allow for electric charges stations at the new Administration building. The EPA has identified key counties and locations they wanted these in and one was Portage County and they wanted it to be at a government facility.

Mr. Kuhar asked if the charging stations would be available for anyone to plug into and how long it would take to charge a car. Ms. Susel stated these would be fast charging stations people could park at with no fee. The slower charging stations would be on the next round of grant applications in 2021.

The State of Ohio has already identified a preferred vendors list, so there would be no bid process. The cost anticipated to be awarded will cover the cost of the units.

Mr. Sidoti asked if this would affect parking in the new City Hall building and what signage would be used. Ms. Susel said they would be signed and the parking provided would be plenty to accommodate everyone. She does not anticipate there being an issue with them being available during the day time.

Ms. Shaffer Bish asked if the charging station could be hooked up to the solar panels that will be on the roof of the City Hall. Ms. Susel said these will be located by the generators and the details will be sorted out by the engineers working on the project. They will probably be tapped in to the power.

Mr. Kuhar asked who is paying for the electric. Ms. Susel said the City is not permitted to charge for the use. The grant spells out that it is to be provided as a service to the public.

MOTION TO AUTHORIZE THE GRANT APPLICATION FOR THE ELECTRIC VEHICLE CHARGING STATION GRANT was made by Mr. Kuhar, **SECONDED** by Ms. Shaffer and **CARRIED** by a voice vote of 8-0.

3. City Property for Auction/Disposal

Ms. Melanie Baker referenced the list of items for disposal by the City which include six vehicles that have been taken out of inventory and most are over ten to fifteen years old. It is a removal of equipment that has been replaced or will be. There is quite a bit of items from the Health Department that came about from their move which included furniture that was well beyond its use.

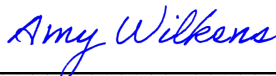
MOTION TO AUTHORIZE THE DISPOSAL OF CITY PROPERTY was made by Ms. Rosenberg, **SECONDED** by Mr. Kuhar and **CARRIED** by a voice vote of 8-0.

4. 2020 Budget Appropriations Amendment

Ms. Rhonda Hall requested approval of the amended appropriations submitted in a memo dated September 29, 2020 to the City Manager.

MOTION TO AUTHORIZE THE SUBMITTED 2020 BUDGET APPROPRIATIONS was made by Ms. Rosenberg, **SECONDED** by Mr. Kuhar and **CARRIED** by a voice vote of 8-0.

Hearing no further business, the meeting adjourned at 8:14 p.m.



Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

THE CITY OF KENT, OHIO
FINANCE COMMITTEE
WEDNESDAY, OCTOBER 7, 2020

- 1) **AUTHORIZE THE SUBMISSION OF THE GRANT APPLICATION FOR THE OPWC PROJECTS**
- 2) **AUTHORIZE THE GRANT APPICATION FOR THE ELECTRIC VEHICLE CHARGING STATION GRANT**
- 3) **AUTHORIZE THE DISPOSAL OF CITY PROPERTY**
- 4) **AUTHORIZE THE SUBMITTED 2020 BUDGET APPROPRIATIONS**