



CITY OF KENT, OHIO

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

Wednesday, April 21, 2021
Regular City Council Meeting
Executive Session Immediately Following

Due to the COVID-19 pandemic, this meeting will be held virtually using the Zoom platform and live streamed on the City of Kent YouTube Channel.

AGENDA

7:25 P.M. Board of Control

7:30 P.M. Regular Council Meeting

1. Roll Call
2. Opening Remarks and Pledge of Allegiance (Mr. Ferrara)
3. Approval of Minutes
 - 3.1 Regular City Council Meeting of March 17, 2021
 - 3.2 Public Hearing of March 17, 2021
4. Communications
 - 4.1 Public Comment
 - 4.1.1 Anyone wishing to address Council must submit their written comments to the Clerk of Council at councilclerk@kent-ohio.org by **4:30 p.m.** on the day of the meeting. If also requesting to speak at the meeting, comments are limited to three (3) minutes.
 - 4.2 Written Communication (All placed on file in the Clerk of Council's office)
 - 4.2.1 Letter from the Arbor Day Foundation congratulating Kent on earning recognition as a 2020 Tree City USA received March 8, 2021.
 - 4.2.2 Email from Mr. Rick Hawksley regarding lawmakers seeking to limit authority over fossil fuel use received on March 17, 2021 and forwarded to all Council Members.
 - 4.2.3 Letter from PARTA requesting to reappoint or replace a board member whose term is expiring on June 30, 2021 received on March 23, 2021.
 - 4.2.4 Standing Rock Cemetery Board Meeting Minutes from March 11, 2021 received March 24, 2021.

- 4.2.5 New Liquor License request received March 24, 2021 for Kent Diner, LLC, 1225 W. Main Street. Chief Shearer had no objections.
- 4.2.6 Transfer Liquor License request received April 9, 2021 from Riley Hotel Group, LLC DBA Kent State Hotel and Conference Center to Olympia Hotel Management, LLC, DBA Kent State University and Conference Center located at 215 S. Depeyster Street received on April 9, 2021. Chief Shearer had no objections.
- 4.2.7 Email from Lisa Taddei, External Affairs, Ohio Edison regarding a new scholarship program offered to diverse students of First Energy's Power Systems Institute received March 26, 2021 and forwarded to all Council Members.
- 4.2.8 Planning Commission Agenda and Staff Report for April 6, 2021 received on March 26, 2021.
- 4.2.9 Standing Rock Cemetery Agenda for April 8, 2021 received April 1, 2021.
- 4.2.10 Thank you card from Harrison and Chanjuan Wicks received and forwarded to Council on April 9, 2021 thanking Council for the card sent for the birth of their daughter, Charlotte.
- 4.2.11 Parks and Recreation Board Packet for April 15, 2021 received on April 9, 2021.
- 4.2.12 Health Board Agenda and Statistical Report for the April 13, 2021 meeting received on April 12, 2021.

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: April 7, 2021
- 5.1.2 Action Recommended: NONE
- 5.1.3 Voting for Boards and Commissions
- 5.1.4 Authorize Insertion of Names into Legislation
- 5.1.5 **Draft No. 2020- 033** A RESOLUTION APPOINTING _____ TO THE FAIR HOUSING BOARD, AND DECLARING AN EMERGENCY (Unauthorized)

5.2 **Community Development** (Kuhar/Rosenberg)

- 5.2.1 Committee Meeting Minute Approval: April 7, 2021
- 5.2.2 Action Recommended: NONE

5.3 **Health & Safety Committee** (Amrhein/Sidoti)

- 5.3.1 Committee Meeting Minute Approval: NONE
- 5.3.2 Action Recommended: NONE

5.4 **Land Use Committee** (Ferrara/Schafer)

5.4.1 Committee Meeting Minute Approval: April 7, 2021

5.4.2 Action Recommended:

- 1) Continue the discussion and provide updates to the Zoning Code prior to approval

5.5 **Streets, Sidewalks and Utilities** (Sidoti/Wallach)

5.5.1 Committee Meeting Minute Approval: April 7, 2021

5.5.2 Action Recommended:

- 1) Authorize the proposed on-street parking restriction on Middlebury Road
- 2) Authorize the extended street closure for outdoor seating on Franklin Avenue
- 3) Authorize the maintenance agreement with Main Street Kent to support the extended outdoor dining on Franklin Avenue

5.5.3 **Draft No. 2021- 034** AN ORDINANCE AMENDING SECTION 353.02 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED "PARKING REGULATION AUTHORIZATION" TO PROHIBIT ON-STREET PARKING ON MIDDLEBURY ROAD FROM THE CITY LIMITS TO AKRON BOULEVARD, AND DECLARING AN EMERGENCY (Authorized)

5.5.4 **Draft No. 2021- 035** AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO CLOSE FRANKLIN AVENUE FROM ERIE STREET TO MAIN STREET TO ASSIST DOWNTOWN BUSINESSES IN DEALING WITH THE COVID-19 PANDEMIC RESTRICTIONS, AND DECLARING AN EMERGENCY (Authorized)

5.5.5 **Draft No. 2021- 036** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT WITH CITY OF KENT, OHIO (CITY) AND MAIN STREET KENT (MSK) FOR NEEDED MAINTENANCE SERVICES TO KEEP THE "OUTDOOR SEATING AREA" SANITARY AND ORDERLY, AND DECLARING AN EMERGENCY (Authorized)

5.6 **Finance Committee** (DeLeone/Wallach)

5.6.1 Committee Meeting Minute Approval: April 7, 2021

5.6.2 Action Recommended:

- 1) Reconvene a Council and Mayor Salary Review Committee to consider the latest OPERS guidance
- 2) Authorize the extension of the City's fire service contract rates with Franklin Township
- 3) Approve the 2021 budget appropriation amendments

- 5.6.3 **Draft No. 2021- 037** AN ORDINANCE AUTHORIZING THE APPOINTMENT OF A NON-PARTISAN COMMITTEE TO REVIEW AND MAKE RECOMMENDATIONS REGARDING THE SALARIES OF THE MAYOR AND CITY COUNCIL PURSUANT TO ARTICLE V OF THE CHARTER SECTION 5.04, AND DECLARING AN EMERGENCY (Authorized)
- 5.6.4 **Draft No. 2021- 038** AN ORDINANCE AMENDING ORDINANCE 2011-46 TO EXTEND THE FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE AGREEMENT WITH THE FRANKLIN TOWNSHIP, OHIO IN ORDER TO CONTINUE NEGOTIATING A NEW LONG-TERM AGREEMENT, AND DECLARING AN EMERGENCY (Authorized)
- 5.6.5 **Draft No. 2021- 039** AN ORDINANCE AMENDING ORDINANCE NO. 2020-129, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 16, 2020; 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, 2021, AND DECLARING AN EMERGENCY (Authorized)
- 5.6.6 **Draft No. 2021- 040** AN ORDINANCE ACCEPTING A DONATION OF A CONTAINER THAT WILL BE USED TO COLLECT ALUMINUM CANS FOR THE AKRON CHILDREN'S HOSPITAL BURN UNIT, AND DECLARING AN EMERGENCY (*Unauthorized*)

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

EXECUTIVE SESSION: In accordance with ORC §121.22 Section G, Item (1): "To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official " **AND**; Section G, Item (2) "To consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property in accordance with section 505.10 of the Revised Code, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest."

10. Authorize Insertion of Name into Legislation

10.1 **Draft No. 2021-041** AN ORDINANCE CONFIRMING THE APPOINTMENT OF _____ AS PARKS AND RECREATION DIRECTOR FOR THE CITY OF KENT, OHIO, AND DECLARING AN EMERGENCY (*Unauthorized*)

11. Adjournment

Posted April 14, 2021 | 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.

DRAFT RESOLUTION NO. 2021-033

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

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

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

NAME

TERM

Immediately- 12/31/2022

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

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT ORDINANCE NO. 2021-034

AN ORDINANCE AMENDING SECTION 353.02 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED "PARKING REGULATION AUTHORIZATION" TO PROHIBIT ON-STREET PARKING ON MIDDLEBURY ROAD FROM THE CITY LIMITS TO AKRON BOULEVARD, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent wishes to modify Section 353.02 of the Codified Ordinances to prohibit on-street parking on Middlebury Road from the City limits to Akron Boulevard as shown in italics below:

"MIDDLEBURY RD *NO PARKING BOTH SIDES FROM CITY LIMITS TO AKRON BOULEVARD*; NO PARKING RESTRICTIONS *FROM AKRON BOULEVARD TO HAYMAKER PARKWAY*"

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, that:

SECTION 1. Kent City Council does hereby amend Section 353.02 of the Codified Ordinances of the City of Kent titled "Parking Regulation Authorization" to prohibit on-street parking on Middlebury Road from the City limits to Akron Boulevard.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

AMY WILKENS
CLERK OF COUNCIL

DRAFT ORDINANCE NO. 2021- 035

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO CLOSE FRANKLIN AVENUE FROM ERIE STREET TO MAIN STREET TO ASSIST DOWNTOWN BUSINESSES IN DEALING WITH THE COVID-19 PANDEMIC RESTRICTIONS, AND DECLARING AN EMERGENCY.

WHEREAS, the City is requesting the closure of Franklin Avenue from Erie Street to Main Street to assist the downtown businesses in dealing with the Covid-19 pandemic restrictions; and

WHEREAS, the closure will create a socially distant public “park” space which will provide additional outdoor seating for downtown customers to use; and

WHEREAS, the closure will start on May 7, 2021 and tentatively last until October 4, 2021. The success of the closure to aid downtown businesses will be monitored along with the changing COVID restrictions to determine the appropriate time to open Franklin Avenue back up to traffic.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, that:

SECTION 1. The Kent City Council authorizes the City Manager or his designee to close Franklin Avenue from Erie Street to Main Street to assist downtown businesses in dealing with Covid-19 pandemic restrictions.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT ORDINANCE NO. 2021- 036

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT WITH CITY OF KENT, OHIO (CITY) AND MAIN STREET KENT (MSK) FOR NEEDED MAINTENANCE SERVICES TO KEEP THE "OUTDOOR SEATING AREA" SANITARY AND ORDERLY, AND DECLARING AN EMERGENCY.

WHEREAS, the City is planning to establish an "Outdoor Seating Area" on Franklin Avenue, to be situated between East Main Street and West Erie Street beginning on or around May 7, 2021 and keeping the area open daily through and including October 3, 2021; and

WHEREAS, MSK will assist the City to manage the provision of services for the "Outdoor Seating Area" and other outdoor areas in the City of Kent downtown central business district in order to keep said areas sanitary and orderly; and

WHEREAS, MSK agrees to facilitate dialogue and coordinate volunteer efforts for the "Outdoor Seating Area". The City will reimburse MSK in a timely manner for any and all costs associated with the payment of person(s) selected to maintain the "Outdoor Seating Area" on Franklin Avenue, as well as other outdoor areas in the City of Kent. The City can reimburse MSK in an amount not to exceed \$7,500.00.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, that:

SECTION 1. The City Manager, or his designee, is hereby authorized to enter into an agreement with the City and MSK for needed maintenance services to keep the "Outdoor Seating Area" sanitary and orderly an in substantial compliance with the terms of Exhibit "A", attached hereto.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

AMY WILKENS
CLERK OF COUNCIL
(SEAL)

**MEMORANDUM OF AGREEMENT
BETWEEN
CITY OF KENT
AND
MAIN STREET KENT**

This Memorandum of Agreement is by and between the CITY OF KENT, with offices located at 930 Overholt Road, Kent, OH, hereinafter referred to as the "CITY," and MAIN STREET KENT, with offices located at 138 E. Main Street #201b, Kent OH, hereinafter referred to as "MSK."

SECTION 1: BACKGROUND

WHEREAS, the CITY has an "Order of Emergency due to the Coronavirus (COVID-19)" that went into effect on March 17, 2020 with the signing of Executive Order 2020-01 in response to the pandemic; and

WHEREAS, Executive Order 2020-01 will remain in effect until such time as State of Ohio Governor Mike DeWine issues a declaration lifting all Ohio Department of Health orders utilized since March of 2020 to safeguard the public health of all Ohioans; and

WHEREAS, some of the Ohio Department of Health orders specify reduced limits on allowed occupancy requirements inside restaurants, bars, and retail establishments; and

WHEREAS, these health order reduction limits on occupancy are necessary to address the ongoing pandemic, the reductions in the number of allowed patrons inside establishments has adversely affected operations for many of the restaurants, bars, and retail establishments in the City of Kent downtown central business district; and

WHEREAS, the CITY has been committed to implementing programming that can facilitate increased sales activity in order to support the small businesses operating in the City of Kent downtown central business district; and

WHEREAS, the CITY is planning to establish an "Outdoor Seating Area" on Franklin Avenue, to be situated between E. Main Street and W. Erie Street, beginning on or around May 7, 2021 and keeping the area open daily through and including October 3, 2021, or such time as Ohio Governor DeWine lifts all health orders, or any other such event occurs that necessitates removing the "Outdoor Seating Area," and

WHEREAS, the CITY will need assistance from MSK to manage the provision of services for the "Outdoor Seating Area," and other outdoor areas in the City of Kent downtown central business district, during weekly peak periods in order to keep said areas sanitary and orderly;"

NOW, THEREFORE, by mutual agreement, the CITY and MSK enter into this Memorandum of Agreement with the terms as follows:

1. MSK, in support of its mission to support the small businesses operating in the City of Kent downtown central business district, agrees to supervise the management and payment of person(s) selected to maintain the "Outdoor Seating Area" on Franklin Avenue, as well as other outdoor areas in the City of Kent, in a sanitary and orderly manner, while the "Outdoor Seating Area" on Franklin Avenue is operational, and during the following weekly peak periods:
 - Friday evening (5:00-10:00 p.m.)
 - Saturday evening (5:00-10:00 p.m.)
 - Sunday afternoon-early evening (2:00-7:00 p.m.)
2. MSK agrees to facilitate dialogue and coordinate volunteer efforts with area small businesses operating near the "Outdoor Seating Area" to assist with maintaining the area in a sanitary and orderly manner for periods of the week not specified above in "Item 1."
3. The City agrees to reimburse MSK in a timely manner for any and all costs associated with the payment of person(s) selected to maintain the "Outdoor Seating Area" on Franklin Avenue, as well as other outdoor areas in the City of Kent in a sanitary and orderly manner, for the weekly peak periods listed above in "Item 1" at an agreed upon hourly rate not to exceed twelve dollars and no cents (\$12.00) per hour. Documentation needed for such reimbursement will be in a format mutually agreed upon by the CITY and MSK.
4. At no time is any selected person(s) to be considered an employee of the CITY or MSK, but rather, must be paid as independent contractor(s) by MSK. MSK is solely responsible for the issuance of any IRS 1099 form(s) as is required by law.
5. The CITY agrees to reimburse MSK in a timely manner for any other reasonable and customary purchase(s) of necessary supplies or materials as long as both the CITY and MSK agree to such purchase(s) prior to acquisition and the request for reimbursement includes proof of invoice and payment by MSK.
6. The amount the CITY can reimburse MSK under this Memorandum of Agreement will not exceed seven thousand five hundred dollars and no cents (\$7,500.00).
7. This Agreement shall be binding upon the parties, their successors and assigns.

CITY OF KENT, OHIO

David Ruller, City Manager, City of Kent

Date

Approved as to Form:

Hope Jones, Law Director, City of Kent

Date

MAIN STREET KENT

Eric Decker, President,
Main Street Kent Board of Directors

Date

CERTIFICATE OF DIRECTOR OF BUDGET AND FINANCE

It is hereby certified that the required amount of \$7,500.00 to meet the contract, agreement, obligation, payment or expenditure for the above has been lawfully appropriated or authorized or directed for such purposes in the 2021 City of Kent operating budget and is in the City Treasury or in the process of collection to the credit of the General Fund, free from any obligation or certificates now outstanding.

Rhonda Hall,

Date

Director of Budget & Finance, City of Kent

DRAFT ORDINANCE NO. 2021- 037

AN ORDINANCE AUTHORIZING THE APPOINTMENT OF A NON-PARTISAN COMMITTEE TO REVIEW AND MAKE RECOMMENDATIONS REGARDING THE SALARIES OF THE MAYOR AND CITY COUNCIL PURSUANT TO ARTICLE V OF THE CHARTER SECTION 5.04, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent, Charter allow for the review of the Mayor and Council salaries every two (2) years; and

WHEREAS, such review has not taken place since 2015.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, that:

SECTION 1. Council hereby authorized the appointment of a non-partisan committee to review and make recommendations regarding the salaries of the Mayor and City Council pursuant to City Charter Article V, Section 5.04. Such committee shall consist of 3 members and 2 alternates and shall have its recommendations to Council not later than September 1, 2021.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

AMY WILKENS
CLERK OF COUNCIL
(SEAL)

DRAFT ORDINANCE NO. 2021- 038

AN ORDINANCE AMENDING ORDINANCE 2011-46 TO EXTEND THE FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE AGREEMENT WITH THE FRANKLIN TOWNSHIP, OHIO IN ORDER TO CONTINUE NEGOTIATING A NEW LONG-TERM AGREEMENT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent, Ohio and Franklin Township wish to extend the Fire Protection and Emergency Service Agreement for residents of Franklin Township, Portage County, Ohio, adopted in Ordinance #2011-46 on June 15, 2011, in order to continue negotiating a new long-term agreement.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, that:

SECTION 1. The City Manager, or his designee, and Fire Chief are hereby authorized and directed to extend the fire protection and emergency medical service agreement to continue negotiating a new-long term agreement and not to exceed 5 months from the date of the approved legislation.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

AMY WILKENS
CLERK OF COUNCIL
(SEAL)

DRAFT ORDINANCE NO. 2021-039

AN ORDINANCE AMENDING ORDINANCE NO. 2020-129, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 16, 2020; 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, 2021, 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, 2021.

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. 2020-129 passed December 16, 2020; as amended by Ordinance No. 2021-13, passed 2/17/2021, be amended as set forth in Exhibit "A", attached hereto and incorporated herein, so as to increase appropriations in Fund 001, General; Fund 106, Parks & Recreation; Fund 124, Income Tax Safety; Fund 126 CDBG; Fund 136, CHIP; and to decrease appropriations in Fund 201, Water; Fund 208, Storm Water; and Fund 301, Capital; and so as to increase operating transfers from Fund 116, Income Tax to Fund 126, CDBG, Fund 301, Capital, Fund 303, Police Facility; and so as to increase advances from Fund 126, CDBG to Fund 116, Income Tax, and Fund 205 Solid Waste to Fund 116, Income Tax; 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

Exhibit A
2021 AMENDED APPROPRIATIONS

Fund - Department/Division	Personnel & Benefits	Other than Personnel & Benefits	Capital	Reserve/Debt Service	Contingency	Fund & Department Total
General Fund (001)						
City Council	\$ 169,108	\$ 29,775	\$ -	\$ -	\$ -	\$ 198,883
Mayor	9,550	3,900				13,450
Community Support		105,500				105,500
City Manager	335,120	59,175				394,295
New City Hall Facility		0	1,500,000			1,500,000
Information Technology	95,390	226,700				322,090
Urban Renewal		60,250				60,250
Human Resources	101,215	15,510				116,725
Civil Service	32,445	26,325				58,770
Law	336,467	98,905				435,372
Budget & Finance	470,776	138,200				608,976
Community Development	712,873	168,025				880,898
Economic Development	127,589	79,950				207,539
Health	503,772	200,228				704,000
Public Parking		87,638				87,638
Main Street Program		70,000				70,000
Service Administration	244,435	335,425				579,860
Shade Tree		79,375	10,000			89,375
Adjunct Facilities		0				0
Building	387,151	48,975				436,126
Land banking		7,000				7,000
Engineering	95,566	75,800				171,366
Miscellaneous & Sundry		387,250				387,250
Contingency					100,000	100,000
Fund Total	3,621,457	2,303,906	1,510,000	0	100,000	7,535,363
West Side Fire (101)						
Fire	281,690	14,150				295,840
Fund Total	281,690	14,150	0	0	0	295,840
Street Construction Maintenance & Repair (102)						
Service	1,187,484	943,454				2,130,938
Contingency					25,000	25,000
Fund Total	1,187,484	943,454	0	0	25,000	2,155,938
State Highway (103)						
Service		60,000				60,000
Fund Total	0	60,000	0	0	0	60,000
Recreation (106)						
Parks & Recreation	1,380,742	673,000	1,141,000			3,194,742
Fund Total	1,380,742	673,000	1,141,000	0	0	3,194,742
Food Service (107)						
Health	112,882	11,800				124,682
Fund Total	112,882	11,800	0	0	0	124,682

2021 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	\$ 135,446	\$ 491,850	\$ -	\$ -	\$ -	\$ 627,296
Managed Reserve				25,540		25,540
Fund Total	135,446	491,850	0	25,540	0	652,836
<u>Revolving Housing (120)</u>						
Health	155,079	11,550				166,629
Fund Total	155,079	11,550	0	0	0	166,629
<u>State & Local Forfeits (121)</u>						
Police		0				0
Fund Total	0	0	0	0	0	0
<u>Drug Law Enforcement (122)</u>						
Police		11,000				11,000
Fund Total	0	11,000	0	0	0	11,000
<u>Enforcement & Education (123)</u>						
Police		6,000				6,000
Fund Total	0	6,000	0	0	0	6,000
<u>Income Tax Safety (124)</u>						
Police	7,477,318	713,793				8,191,111
Fund Total	7,477,318	713,793	0	0	0	8,191,111
<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	4,400	184,366	257,962			446,728
Fund Total	4,400	184,366	257,962	0	0	446,728
<u>Fire & E.M.S. (128)</u>						
Fire	4,935,536	508,250	752,000			6,195,786
Fund Total	4,935,536	508,250	752,000	0	0	6,195,786
<u>Wireless 911 (129)</u>						
Safety		0				0
Fund Total	0	0	0	0	0	0
<u>Swimming Pool Inspections (130)</u>						
Health	9,281	0				9,281
Fund Total	9,281	0	0	0	0	9,281

2021 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>Police Pension (132)</u>						
Police	\$ 120,000	\$ -	\$ -	\$ -	\$ -	\$ 120,000
Fund Total	120,000	0	0	0	0	120,000
<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.		60,000				60,000
Fund Total	0	60,000	0	0	0	60,000
<u>CHIP Grant Fund (136)</u>						
Community Development	0	195,000				195,000
Fund Total	0	195,000	0	0	0	195,000
<u>Water (201)</u>						
Service	1,804,663	866,133	338,000			3,008,796
Service (Capital Facilities)			766,215			766,215
Admin. Support	436,310	80,260	10,000			526,570
Budget & Finance (Debt)				61,173		61,173
Contingency					50,000	50,000
Fund Total	2,240,973	946,393	1,114,215	61,173	50,000	4,412,754
<u>Sewer (202)</u>						
Service	1,704,055	770,398	2,491,300			4,965,753
Service (Capital Facilities)			2,719,028			2,719,028
Admin. Support	376,444	77,660	10,000			464,104
Budget & Finance (Debt)				365,212		365,212
Contingency					50,000	50,000
Fund Total	2,080,499	848,058	5,220,328	365,212	50,000	8,564,097
<u>Utility Billing (204)</u>						
Budget & Finance		92,500				92,500
Fund Total	0	92,500	0	0	0	92,500
<u>Solid Waste (205)</u>						
Service	69,047	176,925				245,972
Admin Support	357,226	49,900	5,000			412,126
Fund Total	426,273	226,825	5,000	0	0	658,098
<u>Storm Water Utility (208)</u>						
Service	357,226	73,055	163,000			593,281
Service (Capital Facilities)			500,655			500,655
Admin. Support	269,498	34,775	10,000			314,273
Budget & Finance (Debt)				9,968		9,968
Fund Total	626,724	107,830	673,655	9,968	0	1,418,177

2021 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>Guaranteed Deposits (230)</u>						
Budget & Finance	\$ -	\$ 1,000	\$ -	\$ -	\$ -	\$ 1,000
Fund Total	0	1,000	0	0	0	1,000
<u>Capital Projects (301)</u>						
Safety			408,570			408,570
Service			598,000			598,000
Service (Capital Facilities)			4,810,116			4,810,116
Administrative	382,262		166,500			548,762
New Admin. Facility			5,496,500			5,496,500
Budget & Finance (Debt)				541,854		541,854
Contingency					25,000	25,000
Fund Total	382,262	0	11,479,686	541,854	25,000	12,428,802
<u>Municipal Public Improvement Tax Increment Equivalent (302)</u>						
Service (Capital Facilities)						0
Budget & Finance (Debt)				440,622		440,622
Fund Total	0	0	0	440,622	0	440,622
<u>Police Facility (303)</u>						
Safety (Capital Facilities)			400,090			400,090
Budget & Finance (Debt)				819,095		819,095
Fund Total	0	0	400,090	819,095	0	1,219,185
<u>Debt Service (402)</u>						
Budget & Finance (Debt)				0		0
Fund Total	0	0	0	0	0	0
<u>Internal Service (807)</u>						
Health Insurance		4,000,000				4,000,000
Fund Total	0	4,000,000	0	0	0	4,000,000
Total Appropriations						
	\$ 25,298,046	\$ 12,410,725	\$ 22,553,936	\$ 2,263,464	\$ 250,000	\$ 62,776,171
						Check: \$ 62,776,171
Original Appropriations	\$ 24,761,046	\$ 12,201,544	\$ 9,508,070	\$ 2,263,464	\$ 250,000	\$ 48,984,124
Amendment #1	537,000	70,000	14,199,404			14,806,404
Amendment #2		139,181	(1,153,538)			(1,014,357)
Amendment #3						0
Amendment #4						0
Amendment #5						0
Amendment #6						0
Amendment #7						0
Amendment #8						0
	\$ 25,298,046	\$ 12,410,725	\$ 22,553,936	\$ 2,263,464	\$ 250,000	\$ 62,776,171

Check Figures: \$ - \$ - \$ - \$ - \$ - \$ -

2021 ORIGINAL APPROPRIATIONS - SCHEDULE OF OPERATING TRANSFERS AND TEMPORARY ADVANCES

<u>Paying Fund</u>	<u>Original</u>	<u>Request</u>	<u>Change</u>	<u>Receiving Fund</u>
<u>Operating Transfers</u>				
Fund 116 - Income Tax	\$ 3,600,000			Fund 001 - General
Fund 116 - Income Tax	600,000			Fund 102 - St Const Maint & Repair
Fund 116 - Income Tax	3,368,793			Fund 124 - Income Tax Safety
Fund 116 - Income Tax	0	\$ 75,000	\$ 75,000	Fund 126 - CDBG
Fund 116 - Income Tax	3,368,793			Fund 128 - Fire & E.M.S.
Fund 116 - Income Tax	2,616,793	2,840,087	223,294	Fund 301 - Capital Projects
Fund 116 - Income Tax	1,684,396	1,854,946	170,550	Fund 303 - Police Facility
Fund 116 - Income Tax	0			Fund 402 - Debt Service
Total Fund 116 Income Tax	15,238,775	4,770,033	468,844	
Fund 201 - Water	47,318			Fund 204 - Utility Billing
Fund 202 - Sewer	47,318			Fund 204 - Utility Billing
Fund 001 - General	4,381,207			Fund 124 - Income Tax Safety
Fund 001 - General	2,131,207			Fund 128 - Fire & EMS
Subtotal - Total Operating Transfers	6,607,050	0.00	0.00	
Subtotal - All Transfers	21,845,825	4,770,033	468,844	
<u>Temporary Advances</u>				
Fund 126 - CDBG	*	0	75,000	75,000 Fund 116 - Income Tax
Fund 205 - Solid Waste	*	0	12,000	12,000 Fund 116 - Income Tax
Subtotal - Total Advances	0	87,000	87,000	
Grand Total - All Transfers and Advances	\$ 21,845,825	\$ 4,857,033	\$ 555,844	

* - Designates Repayment of Advance

DRAFT ORDINANCE NO. 2021-040

AN ORDINANCE ACCEPTING A DONATION OF A CONTAINER THAT WILL BE USED TO COLLECT ALUMINUM CANS FOR THE AKRON CHILDREN'S HOSPITAL BURN UNIT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Fire Department has been a collecting site for the Aluminum Cans for Burned Children (ACBC) program for a number of years. Monies collected through the program directly benefit the Akron Children's Hospital Burn Unit; and

WHEREAS, the City of Kent Fire Department has partnered with Republic Services, LaMancusa Auto Body, Advanced Display, LLC, and Marci Matthews with the Cynthia Parker Matthews Foundation to update and enhance the collection site of the cans and to locate it between the new City Hall and the Main Fire Station; and

WHEREAS, the City wishes to accept said donation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, that:

SECTION 1. That Council does hereby authorize the City Manager on behalf of the City of Kent to accept the donations of the container, the painting and visual wrapping of the unit and the costs associated with this project not to exceed \$7,500.00.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT ORDINANCE 2021 - 041

AN ORDINANCE CONFIRMING THE APPOINTMENT OF _____ AS PARKS AND RECREATION DIRECTOR FOR THE CITY OF KENT, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Article VIII, Section 8.03 of the Charter, the Parks and Recreation Board has appointed a Parks and Recreation Director and has requested that Council confirm said appointment; and

WHEREAS, Council desires to confirm the Board's appointment of Parks and Recreation Director.

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: The appointment by the Parks and Recreation Board of _____ as Parks and Recreation Director for the City of Kent is hereby confirmed.

SECTION 2: _____ employment shall continue to be subject to all of the provisions of the Administrative Salary Ordinance and Personnel Policy Manual, provided, however, that notwithstanding any other provision of the Ordinance and Policy, _____ employment shall continue to be subject to the authority of the Parks and Recreation Board.

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



City Council Regular Meeting Minutes

The City of Kent, Ohio
Wednesday, March 17, 2021

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

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

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

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

ABSENT: Mr. Robin Turner

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

Mayor Fiala called upon Councilmember Sidoti for opening remarks.

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

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

Approval of Regular Council Meeting Minutes:

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

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

Communication:

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

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

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

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

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

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

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

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

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

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

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

STANDING COMMITTEES/ LEGISLATION

1) COMMITTEE OF THE WHOLE

NO MEETING MINUTES OR COMMITTEE ACTION ITEMS TO APPROVE

2) LAND USE COMMITTEE

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

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

Recommended Actions:

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

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

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

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

ORDINANCE 2021-020 PASSED as stated by Clerk Wilkens.

3) HEALTH AND PUBLIC SAFETY COMMITTEE

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

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

Recommended Actions:

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

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

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

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

ORDINANCE 2021-021 PASSED as stated by Clerk Wilkens.

4) STREETS, SIDEWALKS AND UTILITIES COMMITTEE

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

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

Recommended Actions:

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

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

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

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

ORDINANCE 2021-022 PASSED as stated by Clerk Wilkens.

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

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

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

ORDINANCE 2021-023 PASSED as stated by Clerk Wilkens.

5) FINANCE COMMITTEE

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

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

Recommended Actions:

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

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

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

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

ORDINANCE 2021-024 PASSED as stated by Clerk Wilkens.

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

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

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

ORDINANCE 2021-025 PASSED as stated by Clerk Wilkens.

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

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

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

RESOLUTION 2021-026 PASSED as stated by Clerk Wilkens.

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

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

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

RESOLUTION 2021-027 PASSED as stated by Clerk Wilkens.

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

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

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

ORDINANCE 2021-028 PASSED as stated by Clerk Wilkens.

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

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

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

ORDINANCE 2021-029 PASSED as stated by Clerk Wilkens.

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

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

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

ORDINANCE 2021-030 PASSED as stated by Clerk Wilkens.

6) COMMUNITY DEVELOPMENT COMMITTEE

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

NO COMMITTEE ACTION ITEM TO APPROVE

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

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

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

ORDINANCE 2021-031 PASSED as stated by Clerk Wilkens.

Unfinished Business: NONE

New Business: NONE

Council Comments:

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

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

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

Mayor's Report:

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

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

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

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

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

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

Amy Wilkens
Clerk of Council

Jerry T. Fiala
Mayor and President of Council



**City Council Regular Meeting Minutes
Public Hearing**

The City of Kent, Ohio
Wednesday, March 17, 2021

At 7:25 p.m., Mayor Jerry T. Fiala called the **Public Hearing for Zoning Code Amendments Chapters 1107-1114** to order. Roll call was taken.

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

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

ABSENT: Mr. John Kuhar; Mr. Robin Turner

MOTION to excuse Mr. Turner from the hearing made by Mr. DeLeone SECONDED by Mr. Ferrara and CARRIED with a voice vote of 7-0.

Mr. Susel announced this is the Public Hearing for Zoning Code Amendments for Chapters 1107-1114 which will be presented to Council on April 7, 2021.

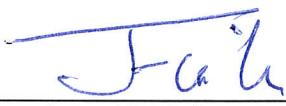
Mayor Fiala asked for comments from the audience.

Clerk Wilkens stated there was no one signed in.

Hearing no further business, Mayor Fiala adjourned the Public Hearing at 7:26 p.m.



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, April 7, 2021

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

Mayor Fiala called the Committee of the Whole of Kent City Council to order at 6:59 p.m.

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

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Service Administration Director; Mr. Jim Bowling, City Engineer; Ms. Rhonda Hall, Budget and Finance Director; Mr. Nick Shearer, Chief of Police; Mr. John Tosko, Fire Chief; Mr. Tom Wilke, Economic Development Director; Ms. Patti Long, Assistant to the City Manager; and Ms. Amy Wilkens, Clerk of Council.

ABSENT: Mr. Garret Ferrara; Mr. Robin Turner

There were two (2) items on the Agenda.

1. Board and Commission Applications

Mayor Fiala introduced the first item on the agenda, the review of applications for Boards and Commissions and asked Clerk Wilkens to review the list of candidates.

Ms. Wilkens stated the following Boards and Commissions have vacancies: Board of Zoning Appeals, Design and Preservation Committee, Fair Housing Board, Loan Review Board and Stormwater District Review and Appeals Board. There were two applicants for the Fair Housing Board; Jennifer Nichols and Kaleigh Veraldo Zuccherro.

Mayor Fiala added the applicants will be discussed during the Executive Session being held after the Committee Meetings. There were no questions from Council.

2. Civic Clerk Software Discussion

Mr. Ruller introduced the topic of adding Civic Clerk to the Civic Plus website tool. He reminded Council of the website being rolled out a year ago and of the modules that can be added to it, one being Civic Clerk Agenda and Minute Meeting Management. Mr. Ruller said everyone on the staff is excited about it and thinks it will streamline processes and improve transparency.

Ms. Wilkens referred Council to the memo dated March 25th in the packet along with the brochure outlining the uses of Civic Clerk. She highlighted the goal of streamlining agenda and minute preparation.

Ms. Rosenberg asked about citizen letters and if those could be uploaded in the portal for all to see. Ms. Wilkens and Ms. Long were not aware of this feature, and Ms. Long added we can upload documents to Civic Clerk so it may be possible. Ms. Wilkens noted this will be explored during implementation and Council will be notified if it can be done.

Mr. Sidoti was curious about what citizens will have access to and stated in order to improve transparency, any letters written to Council and anything Council would like to have on the portal is important. He added citizens would like to see what their fellow citizens are thinking.

Mr. Kuhar asked if the information in the system will be day one forward and if past information would be put in Civic Clerk.

Ms. Wallach asked if this is similar to social media where citizens can leave comments. She said she would hate to have this platform dominated by residents talking back and forth. Clerk Wilkens confirmed the City has control on how we would like it set up and can customize the different features. Ms. Wallach also asked about its affordability, which was confirmed by Mr. Ruller. Ms. Rhonda Hall, Budget and Finance Director, referred Council to review the memo in this evening's Budget Amendment, regarding the funding.

Seeing no further business or questions for this committee, it adjourned at 7:14 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

1) N/A



Community Development Meeting Minutes

The City of Kent, Ohio
Wednesday, April 7, 2021

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

Chair Kuhar called the Community Development Committee of Kent City Council to order at 7:14 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; Ms. Tracy Wallach

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Service Administration Director; Mr. Jim Bowling, City Engineer; Ms. Rhonda Hall, Budget and Finance Director; Mr. Nick Shearer, Chief of Police; Mr. John Tosko, Fire Chief; Mr. Tom Wilke, Economic Development Director; Ms. Patti Long, Assistant to the City Manager; and Ms. Amy Wilkens, Clerk of Council.

ABSENT: Mr. Robin Turner

GUESTS: Ms. Heather Malarcik, Executive Director of Main Street Kent, Ms. Leslie Sickie, Ms. Sage Culley, Mr. Eric Decker and Ms. Robin Spano.

There was one (1) item on the Agenda.

1. Main Street Kent Year in Review

Mr. Kuhar introduced Main Street Kent's Executive Director, Heather Malarcik, to review the Main Street Kent 2020 Year in Review (**Attachment #1**). She reviewed the following activities: February, Chocolate Walk; March Rainbow Weekend, with proceeds from the bar crawl going towards the LGBTQ+ Emergency Fund; Glad to See You Campaign, showcasing altered business models that included online classes, curbside delivery and ways businesses were trying to make customers feel comfortable. The Locals Love Locals campaign was next with a shift hyper local for ways to support local businesses. Next was the Locals Shop Locals campaign and Adopt A Spot and Tulips with positive messaging. Dan Smith Community Park became a popular outdoor destination, so volunteers were recruited to assist with daily park cleanup. Next came Better Days in Kent, which was a spirit lifting art project downtown. DORA was a hit for the entire business community and Kent residents. It has helped with keeping doors open, with excitement building during the pandemic. This helped form the Downtown Picnic Area which was supported by Main Street Kent. July brought the Wizardly Week and all of its activities enjoyed by all in a responsible manner. The back of the Hall Green building was redecorated with a GROW Mural which will continue to phase in more community ideas. Mike Lewis was nominated for Heritage Ohio's Volunteer of the Year and was selected out of the entire state. Story Walk: The Hallo-Weiner was celebrated by the community in business window during Halloween. The Historic Facades of Kent was published, documenting the buildings in the Downtown District, with the proceeds benefiting Main Street Kent and the Kent Historical Society. Employee Appreciation Programs were developed- Blue, Gold and Grateful for Kent State University Employees and Tree

City Thankful for City of Kent Employees. Both programs generated approximately \$37,000 in funds to downtown businesses. Home for this Holiday was created to record a digital concert where people could buy “tickets” to view the concert. The Chamber of Commerce then took the lead with an Adopt a Snowman program; Elf Hits Downtown Kent was introduced; the City offered months of free downtown parking. MSK partnered with Sibling Reverly Brewery to create New Year Ale.

Ms. Malarcik continued by highlighting all of the Friends of Main Street Kent who contribute anywhere from \$500-\$10,000 +, all of the MSK Volunteers with 1400 hours of support which is the equivalent of \$36,000 of assistance.

The Board is very appreciative of continued support, especially during this past year. This year they are operating under a conservative budget with not many events. They are moving slow and steady, taking the advice of the City staff and the Governor and making plans when its safe to do so. They are focusing on getting people out and about and getting people moving.

Ms. Shaffer Bish asked if the Kent Rainbow Weekend will be continuing as an annual event.

Ms. Malarcik said it was not possible to pull this off this year and are planning on continuing it next year.

Mr. DeLeone commented on the book “The Facades of Kent” which he was not able to put down once he began reading it. He said it was a very interesting, good book.

Mr. Sidoti referenced a news story on NPR about non-profits trying to get volunteers back. He asked if the national Main Street organization is providing the local Main Street Kent with ideas about how to get volunteers back. Ms. Malarcik replied she does not see this as a problem for MSK, with a lot of volunteers asking for ways they can help. Comfort levels will steadily increase as things improve.

Seeing no further business, the Community Development Committee Meeting adjourned at 7:37p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED: N/A

MAIN STREET KENT

2020 Year in Review



► Chocolate Walk



► Glad to See You



► Locals Love Local

► Locals Shop Local



SPEND \$20 GET \$5 ON US!

Shop at participating businesses to earn your reward!
Merchandise only; dining/carryout/beverage purchases
DO NOT qualify. One gift card may be earned per purchase,
while supplies last! Spend your reward by Nov. 30, 2020.

Participating Businesses:

Bent Tree Coffee | Empire | Handcrafted | Kent Cheesemonger
Kent Cycle | Kent Natural Foods CoOp | McKay Bricker Framing
Off the Wagon | Popped! | Red Letter Days | Scribbles Coffee
Squirrel City Jewelers | UniversiTees | Woodsy's Music

H **HomeTown** Bank. mainstreetkent.org/kent-up-close/support-our-locals

DESIGN

► Adopt A Spot & Tulips



► Dan Smith Community Park Clean Up Volunteers



► Better Days in Kent



► DORA



► Downtown Picnic Area Support

Enjoy Our Public Seating Area

 **Masks Required**
Unless seated consuming food/beverage

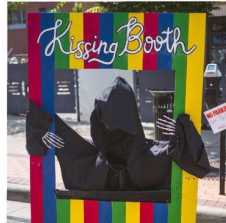
 **Sanitize Tables**
Supplies available @ sanitation station

 **Clean Up**
Dispose of trash & Recycle DORA cups

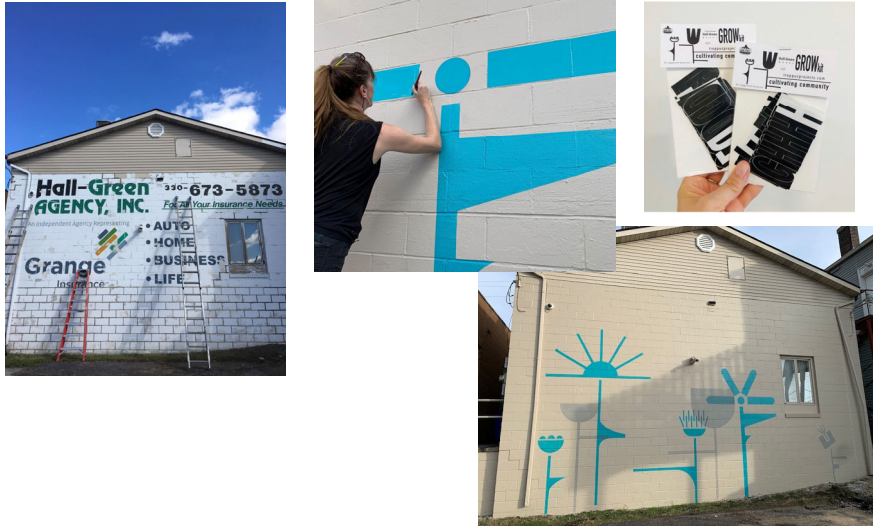
Thank you for supporting local business!




► Wizardly Week



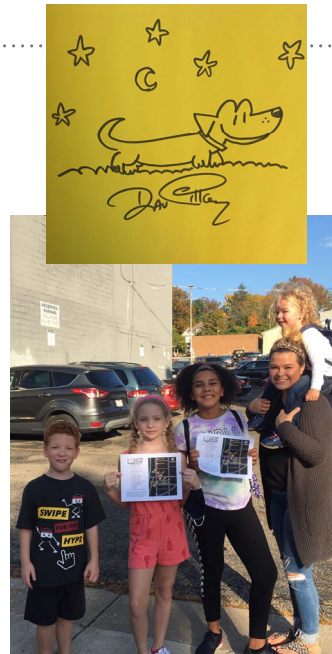
► GROW Mural



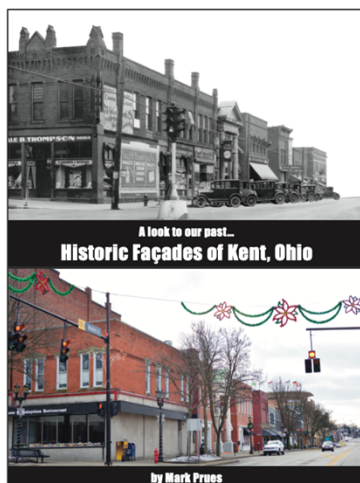
► Heritage Ohio's Volunteer of the Year



► Story Walk: The Hallo-Wiener



► Historic Facades of Kent



► Employee Appreciation Programs

- Blue, Gold & Grateful
- Tree City Thankful



► Home for this Holiday



► Make it Merry! Make it Kent!



► Holiday Window Decorating Contest



► MSK New Year Ale



► Friends of Main Street Kent



► MSK Volunteers

► 1,400+ hours = \$36,000+ in support



THANK YOU





Land Use Committee Meeting Minutes

The City of Kent, Ohio
Wednesday, April 7, 2021

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

Chair Ferrara called the Land Use Committee of Kent City Council to order at 7:38 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; Ms. Tracy Wallach

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Service Administration Director; Mr. Jim Bowling, City Engineer; Ms. Rhonda Hall, Budget and Finance Director; Mr. Nick Shearer, Chief of Police; Mr. John Tosko, Fire Chief; Mr. Tom Wilke, Economic Development Director; Ms. Patti Long, Assistant to the City Manager; and Ms. Amy Wilkens, Clerk of Council.

ABSENT: Mr. Robin Turner

There was one (1) item on the Agenda.

1. Proposed Zoning Code Updates

Ms. Susel prefaced her presentation by stating the zoning code update has been a group effort, giving credit to Jen Barone, Heather Phile and Eric Fink along with consultants that assisted. She added this code is practical and is one that can be used by developers, residents and staff.

Ms. Susel referred to her memo/handout regarding the summary of the changes made to the over 200-page document. They would work on changes in work sessions, take those changes to the Planning Commission to review and then take back to work sessions. It was a slow and methodical process with some delays due to the transition of staff, losing three of primary consultants and then a pandemic.

The code has been rewritten but not the Appendix. The Design Guidelines were not a part of this update. Design Guidelines are a separate project because they are extensive and need reviewed. The plan is to hire a consultant in the future with this process.

Ms. Susel said the new code looks different from the table of contents through to the way the text is laid out. The previous code and all the updates made to it was done by tweaking what they currently had or taking language from other communities, some of which did not translate well to the college town because of the transient nature of

student housing and the unprecedented growth between 2012 and 2016. This new code does contain hyperlinks and an extensive number of tables, images and charts.

Chapter 1102 removed antiquated language and updated legalities arising from court cases. Some improvements were made by using bullets and lists instead of paragraph form. Figures were used for areas where the public were confused, such a “buildable lot”. Depicting this in an image will help anyone new to the zoning code.

Chapter 1103, which is the zoning district land use section, is where the specifications for uses and setbacks per zoning district are listed. These are now listed in tables.

Chapter 1104 concerns the Overlay District which covers the Certificate of Appropriateness which the Architecture Review Board Issues. The map is the same, but the boundaries are clearer. The preservation alternate is included again but is much easier to use. The acreage was decreased to two acres and allows for attached housing now.

Chapter 1105 is the Conditions chapter which can be challenging to understand, so a great deal of time was spent on this chapter. Conditions that were difficult to apply were removed and included in a section called “Potential Concerns” for the Planning Commission to be aware of. It would not be a condition that would force a developer to comply with if it isn’t something that affects the project.

Chapter 1106 General Provisions are covered in this chapter such as substandard lots, line of sight, pools, fences, and accessory buildings. This chapter was organized in a more user-friendly fashion including a lot of figures and images to help with confusion. An issue recently presented itself regarding using a tarp as a fence, so a sentence would be added to this stating it is up to the discretion of the Community Development Department. Solar and wind energy systems were added for the first time to this chapter.

Chapter 1107 did not include a lot of changes, but it was organized better with diagrams of how things can be laid out. IT did include for the first time ever allowing for compact cars.

Ms. Wallach asked if areas around the city would allow for compact cars but are now not allowing and if this was considered. Ms. Susel stated this is for on-site parking to allow for those types of smaller vehicles, such as in a parking deck.

Mr. Kuhar asked about solar and wind regulations and if there are provisions for free standing solar racks. Ms. Susel said they are called ‘ground mounted’ and ‘roof mounted’ in the code, and there are requirements in regards to maximum heights. Ms. Susel will look at the code to verify height requirements. Mr. Fink confirmed height dimensions.

Ms. Shaffer Bish asked if they approve this tonight, if they are approving new regulations. She would like more time to read through these changes.

Ms. Susel continued discussing the Landscape Buffering. This part of the code was improved by updating and adding more landscape requirements, making clearer the number of allowed trees and bushes for site plans.

Chapter 1109 is the chapter on signage in which they used a lot of images to help explain square footage on odd shaped signs. There were not a lot of new definitions added but they organized it in a way where signs are defined. They grouped together prohibited signs and updated the political sign language which reflects the current law. Mr. Fink added that court case law has made it clear that political speech cannot be regulated as far as the content, but limited the timing. Regulations go more toward the condition of the signage. Some challenges in the past were with the use of sheets as signs and this has been updated to say signs made from bed linens, tarps or wood would be prohibited as well as 'feather' signs.

Chapter 1110 deals with Non-Conformity, a condition created once the zoning code is adopted. Language was clarified in this section as well as where it applies.

Mr. Kuhar asked about limitations of mounting solar panels. He would like to bring this up at a different time, but stated ground mounted solar panels are an inefficient use of land that could produce more electricity but take up less space. He would like to show how others are doing this without taking up a lot of space. He asked if this would be allowed to be considered at a later date.

Ms. Susel said absolutely, the code has been amended multiple times and anticipates it will continue. A zoning code is never a static document so it can be amended as needed.

Chapter 1111 covered the Administration of Boards and Commissions. They reviewed the Board of Zoning Appeals and the Architecture Review Board, organizing them into a more consistent manner.

Chapter 1112 was an update to administrative procedures where they cleaned up antiquated language and standards.

Chapter 1113 involved clarifying language in regards to violations and penalties.

Ms. Rosenberg asked about Chapters 1104 and 1111 and said there didn't seem to be many substantive changes made. She has received several complaints from businesses and people in the arts community that the process of getting a Certificate

of Appropriateness is very challenging and too subjective, particularly in regards to public art works. She asked if this has been addressed or how it can be addressed.

Ms. Susel said the Appendix was not a part of this update and provided some historic context. She reviewed how the Design Guidelines were created. She also reviewed the 2012 initiative for historic preservation proposals to establish a district but there were no willing property owners that were willing to do so. This resulted in it being driven by the property owner needing to come in and seek a local designation as historic. This was occurring during the development of downtown and many of the projects were new or were not in a historic preservation initiative. She added it may be worth having staff review these guidelines and address these concerns and come back to Council with ideas.

Ms. Rosenberg asked if we are applying historic guidelines but not in an historic district. Ms. Susel said that is correct. Ms. Rosenberg continued by asking if someone does not get the Certificate of Appropriateness, they cannot proceed. Ms. Susel said this is correct, if they are located in the Overlay District. Ms. Rosenberg said this seems dated to her, with Kent having an eclectic downtown. She did not want to hold up voting on the code tonight but asked if it were possible for staff to come back to Council and amendments could be made regarding some guardrails on some decisions.

Ms. Susel said more time will be needed to discuss all of the zoning changes with Council. She would like to delay approval, and take the time for everyone to review and make recommendations.

Mr. Ferrara asked if they would be approving the Zoning Code tonight but also asking for future committee time to amend what was approved.

Ms. Susel said you would ask for committee time to discuss a potential amendment from ideas generated by staff with the Planning Commission and the Architecture Review Board. Those recommendations would need to be looked at by staff, presented to the Architecture Review Board and Planning Commission and then come back to Council for discussion.

Ms. Susel added this does not need approval this evening, and any changes can be brought back to Council for approval in June or July. Ms. Rosenberg asked if it is preferable to hold off on voting and Ms. Susel agreed.

Mr. Kuhar asked if he was correct in his understanding that no one has looked at the finished product. Ms. Susel said this is the first discussion and a copy was sent via email. Mr. Kuhar would like another copy and Ms. Susel said she would forward the email again.

Mr. Sidoti asked if this should be tabled until everyone has had an opportunity to review the documents.

Mr. Ferrara asked, as Committee Chair, not to table this item, as everyone has the information and it shouldn't prevent the current discussion. He wants to keep it rolling.

Mr. Sidoti asked if they were going to approve it tonight to move it on to next two week's agenda. Mr. Ruller said they were not expecting approval this evening. In his email sent in regards to tonight's discussion, he even mentioned continuing the discussion in future meetings. He does not suggest it be tabled, though, and asked for Council to accept the report and have staff return with any changes in a couple of months. Ms. Susel added this is an important document and they definitely want Council to take their time with this.

Ms. Shaffer Bish added she read the two sections she was interested in and wondered if this could be provided to the community to read.

Ms. Susel added it is public record and would like to put a DRAFT watermark and clean up some of the hyperlinks prior to publishing it to the website. She clarified it is a working DRAFT and not a final and updated code yet.

Mr. Ferrara opened up the floor to audience members. There was one member in the audience who wished to speak.

Heather Malarcik, residing at 7685 West Lake Blvd, commented on the Architecture Review Board's issuing of Certificates of Appropriateness in regards to public art. She asked if other opportunities could be reviewed to run an efficient public art program and feels it is a very important continuing effort.

MOTION TO REVIEW AND CONTINUE THE TOPIC OF UPDATING THE ZONING CODE made by Mr. Kuhar SECONDED by Ms. Rosenberg and CARRIED by a voice vote of 8-0.

Seeing no further business, the Land Use Committee Meeting adjourned at 8:24 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Continue discussion and updates to the Zoning Code prior to approval**



Streets, Sidewalks & Utilities Committee Meeting Minutes

The City of Kent, Ohio
Wednesday, April 7, 2021

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

Chair Sidoti called the Streets, Sidewalks & Utilities Committee of Kent City Council to order at 8:24 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; Ms. Tracy Wallach

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Service Administration Director; Mr. Jim Bowling, City Engineer; Ms. Rhonda Hall, Budget and Finance Director; Mr. Nick Shearer, Chief of Police; Mr. John Tosko, Fire Chief; Mr. Tom Wilke, Economic Development Director; Ms. Patti Long, Assistant to the City Manager; and Ms. Amy Wilkens, Clerk of Council.

ABSENT: Mr. Robin Turner

There were three (3) items on the Agenda.

1. Parking on Middlebury Road

Chair Sidoti introduced Melanie Baker, Jim Bowling and Hope Jones to discuss the topic.

Mr. Bowling stated there are currently no parking restrictions on Middlebury Road. Bike lanes were recently installed, and bridges and curves make it unsafe to have on street parking. They are requesting there to be no parking in this area.

Mr. Kuhar asked if there is pull in parking at the location where canoes were launched.

Mr. Bowling said right now they can drop off but parking is not recommended. This is part of the reason they are requesting this, as last year there were a significant amount of people parking on the roadway. Prior to last year there were no problems with this. He added they are working on long term measures to accommodate off the road parking to enable use of the boat ramp.

Ms. Shaffer Bish asked how the residents feel about this and if they have been informed.

Mr. Bowling said in this stretch there are only two residents and they brought the issue to City.

Ms. Wallach asked if it is for all of Middlebury Road or for a specific section. Mr. Bowling said they are requesting from the city limits to Akron Boulevard.

Mr. DeLeone asked if a portion of Akron Water Works is located here that people have been parking on.

Mr. Bowling said this is true and will be included.

MOTION to approve a parking restriction on a portion of Middlebury Road, with an emergency clause, made by Mr. Kuhar, SECONDED by Mr. Amrhein and CARRIED by a voice vote of 8-0.

2. Proposed Outdoor Seating on Franklin Ave.

Mr. Bowling said in the desire to help downtown businesses, we are looking at different ways to help provide a chance to be successful during this difficult time. This Spring will be better than last Fall and as we were successful in some initiatives and some they were not. They are looking to learn from what was done before and try to bring more people downtown. They are requesting to close Franklin Avenue for an extended period from Erie Street to Main Street. They have identified ways to service the businesses during closure, provide emergency vehicle access and of keeping it clean and sanitized. Other measures to make it look like a park seating area have also been explored. Flexibility is important, as just last week the Governor was discussing changing restrictions due to Covid. The time frame being requested is May 7, 2021 until October 2021. It will be important to continue conversations with business owners to see how this is working with them. He added there is a lot of uncertainty but believe this is a way to help downtown businesses.

Mr. Kuhar asked if Franklin Avenue will be closed all the time. Mr. Bowling said that is correct. He also asked about provisions for the suppliers. Mr. Bowling said on the east side a clear lane will be provided with a moveable barricade to enable loading and unloading.

Ms. Baker said this is what was done last year when it was closed on Thursday afternoons. We are required to have emergency access for firetrucks and rescue vehicles, so they are working on that. They are going to create a nice space by getting nice barriers and planters. The sanitation stations purchased last year will be installed.

Mr. Ruller added Joan Siedel has been involved in these discussions and that safety of the public remains the top priority while trying to help businesses. He said from the City's perspective, the longer road closure will save a fair amount of overtime needed to adjust moving seating and barricades every week.

Ms. Shaffer Bish asked about smoking and trash removal.

Ms. Baker said they have increased trash pickup for the season starting in May to six times a week. A dumpster will be installed at the end of Franklin Ave. so there is direct access to empty trash cans. Cigarette butts will need to be watched. Backpack blowers were used in the past and may be used in future street cleaning.

Ms. Shaffer Bish suggested adding more receptacles.

Ms. Wallach asked if Franklin Avenue will be opened up again once the Covid-19 crisis has passed.

Mr. Bowling said there will be nothing made (structurally), that could not be changed in a day.

Mr. Ruller said even if COVID does not resolve itself as quickly as we hope, if it's not proving helpful to these businesses, it will be stopped. They have talked to the businesses, and they are all interested. If in some way, it takes away business or diminishes it, they will adjust.

Mr. Bowling added when instituting festivals coming back to town, they will need to evaluate how closing Franklin would impact those. It is not the intent to take away from festivals.

Ms. Rosenberg asked if we could have future City Council meetings there, which was an idea many liked.

Mr. Sidoti asked if anyone in the audience had any comments.

Ms. Heather Malarcik from Main Street Kent added that during 2020, the closing of Franklin Avenue was a good idea for businesses and the community. This pandemic is nowhere near over and she believes it is definitely appropriate to continue it but that flexibility and communication will be very important. The perception of the community is important as well. Keeping the thumb on the pulse and if changes are needed, they should be made. It should be considered a work in progress. The semi permanence of it is an important piece. She said for now this is the way to go and that it is what people need.

MOTION to approve the outdoor seating on Franklin Avenue with an Emergency Clause made by Ms. Shaffer Bish, SECONDED by Ms. Rosenberg and CARRIED by a voice vote of 8-0.

Ms. Shaffer Bish said it is so important to support the businesses but to also give people a gathering place. She is fully in favor as long as we keep checking in on businesses.

3. MSK Service Agreement

Ms. Susel said this is a housekeeping item and puts an endcap on the discussion that just occurred in regards to the closing of Franklin Avenue. This is for an agreement of Main Street Kent (MSK) for the maintenance of outdoor seating. After last year, it quickly become apparent we needed to deal with trash and sanitation. MSK worked with the Community Development Department to take care of on an interim basis. They will assist with high volume days of Friday, Saturday and Sunday. Several businesses have volunteered to keep an eye and alert us if attention is needed on the slower days.

MOTION to approve the Main Street Kent Service Agreement, with an Emergency Clause made by Ms. Shaffer Bish, SECONDED by Mr. Kuhar and CARRIED by a voice vote of 8-0.

Seeing no further business or questions for this committee, it adjourned at 8:48 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Authorize the proposed on-street parking restriction on Middlebury Road.**
- 2) Authorize the extended street closure for outdoor seating on Franklin Avenue.**
- 3) Authorize the maintenance agreement with Main Street Kent to support the extended outdoor dining on Franklin Avenue.**

DRAFT



Finance Committee Meeting Minutes

The City of Kent, Ohio
Wednesday, April 7, 2021

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

Chair DeLeone called the Finance Committee of Kent City Council to order at 8:48 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; Ms. Tracy Wallach

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Service Administration Director; Mr. Jim Bowling, City Engineer; Ms. Rhonda Hall, Budget and Finance Director; Mr. Nick Shearer, Chief of Police; Mr. John Tosko, Fire Chief; Mr. Tom Wilke, Economic Development Director; Ms. Patti Long, Assistant to the City Manager; and Ms. Amy Wilkens, Clerk of Council.

ABSENT: Mr. Robin Turner

There were three (3) items on the Agenda.

1. Council Salaries Aligning with OPERS

Ms. Rhonda Hall introduced the agenda item of adjusting Council salaries to coincide with the Ohio Public Retirement System (OPERS) to meet the minimum salary in order to receive a full year of service credit. She stated Council would need to implement a citizen committee to adjust. She is requesting the implementation of a citizen committee and to have the recommendations by this citizen committee be finalized by September.

Mayor Fiala stated in the past, Councilmembers submitted names and asked if this same process would be followed. He added there were five people on the committee with two alternatives and each Councilmember submitted names and they were pulled out of a box.

Mr. Ferrara suggested a group discussion over a list of names. Mr. DeLeone agreed this would be a good method. Mr. Ferrara asked if the discussion would occur during Executive Session.

Ms. Jones confirmed this can be discussed during Executive Session. She added Council should decide how many people they would like on the committee and an ordinance will be submitted. Resumes can be collected and discussed during Executive Session.

Mr. Ferrara asked about offering up the gathering of names publicly and then have the discussion during Executive Session. Ms. Jones replied "yes".

Mr. Ruller added it would be no different than other committees and if they have people they think would be well suited for the committee to encourage them to apply. He encouraged

councilmembers to let community members they think would be particularly good about this opportunity and to apply.

Mr. Sidoti asked if we have to advertise for this committee.

Ms. Jones said she thinks we should and encouraged all councilmembers to encourage people to come forward to sit on this committee.

MOTION made by Mr. Ferrara to have three people on the committee, SECONDED by Ms. Wallach and CARRIED by a voice vote of 8-0.

MOTION TO AMEND the first motion by Ms. Wallach to have three members and two alternates, SECONDED by Ms. Rosenberg and CARRIED by a voice vote of 8-0.

Councilmembers asked about an application, which Ms. Jones confirmed will be created and the committee will be advertised.

2. City/Franklin Township Fire Service Contract Renewal

Chief Tosko said the current contract with Franklin Township expired at the end of December and they are in negotiations currently. Around this time of year, the recalculation of the rate is done, so they are asking the current rate of \$1393 be extended for up to five months. He is confident a contract will be completed before then but would like to get extra time to finalize it.

MOTION to authorize the extension of the City's current fire service contract rates with Franklin Township with an emergency clause, made by Mr. Kuhar, SECONDED by Mr. Amrhein and CARRIED by a voice vote of 8-0.

3. 2021 Budget Appropriation Amendment

Ms. Hall submitted a budget amendment memo to Mr. Ruller dated March 26, 2021 and would like to request Council approve the submitted amendment with emergency.

MOTION to approve the 2021 budget appropriations amendments made by Mr. Kuhar, SECONDED by Mr. Ferrara and CARRIED by a voice vote of 8-0.

Seeing no further business or questions for this committee, Mr. Amrhein read the following statement to move into Executive Session:

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

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

MOTION to move back into Committee was made at 9:08 pm by Mr. Ferrara
SECONDED by Mr. Sidoti and CARRIED by a voice vote of 8-0.

Mr. Kuhar added the COVID pandemic is not over and that on the west side of Canada the variant has tripled in number and they are on lockdown for thirty days. He encouraged all to continue efforts to contain the virus.

A discussion between councilmembers occurred regarding how to get vaccinated.

Seeing no further discussion of this committee, it adjourned at 9:10 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) **Reconvene the Salary Review Committee to consider the latest OPERS guidance.**
- 2) **Authorize the extension of the City's fire service contract rates with Franklin Township.**
- 3) **Approve the 2021 budget appropriation amendments.**