



CITY OF KENT, OHIO

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

Wednesday, August 18, 2021 **Regular City Council Meeting** **Executive Session Immediately Following**

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 (Ms. Shaffer Bish)
3. Approval of Minutes
 - 3.1 Regular City Council Meeting of July 21, 2021
 - 3.2 Special Council Meeting of August 4, 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 Mr. Christopher Clevenger-Morris, Chair of Planning Commission, received on July 23, 2021 regarding attendance of members of Planning Commission, Architectural Review Board and Board of Zoning Appeals.
 - 4.2.2 Notice to Legislative Authorities received from Department of Commerce Division of Liquor Control regarding the process of yearly renewal of liquor license applications and the legislative authority to object to a renewal received on July 23, 2021.
 - 4.2.3 Email from Marion Brannan regarding feral cats on property received on July 26, 2021.
 - 4.2.4 Letter from Portage County Board of Commissioners regarding Portage County Vision and Comprehension Plans received on July 26, 2021.

- 4.2.5 Standing Rock Cemetery Board of Trustees meeting minutes from July 8, 2021 and agenda for August 12, 2021 received on August 4, 2021.
- 4.2.6 Board of Health meeting minutes from July 13, 2021 meeting and agenda for August 10, 2021 received on August 5, 2021.
- 4.2.7 Email from Mr. John Kuhar regarding an offer made on N. Water Street Properties received and forwarded to Council on August 3, 2021.
- 4.2.8 Email from Valerie Landis from Garage 108, LLC regarding feedback on the Architecture Review Board meeting of August 3, 2021 received and forwarded to Council on August 6, 2021.
- 4.2.9 Email from Marc Kirby regarding the new city flag received and forwarded to Council on August 9, 2021.
- 4.2.10 Notification of Filing of Audit Report from the Ohio Auditor of State received on August 10, 2021.
- 4.2.11 Email from Ms. Stacey Albaugh who resides at the Landmark Building in downtown Kent regarding yelling and loud noises at night in Dan Smith Park received August 11, 2021.
- 4.2.12 Liquor License Transfer request received August 10, 2021 for Kent State University Campus Building 1-9 at 106 Kent Student Center, Kent. Chief Shearer had no objections.

4.3 City Manager's Report

5. Standing Committees & Legislation

5.1 **Committee of the Whole** (Mayor Fiala)

- 5.1.1 Committee Meeting Minute Approval: August 4, 2021
- 5.1.2 Action Recommended: None
- 5.1.3 **Draft No. 2021-075** AN ORDINANCE TO AMEND RESOLUTION 1975-155 THAT PASSED ON OCTOBER 15, 1975 TO ADOPT A NEW DESIGN FOR AN OFFICAL FLAG FOR THE CITY OF KENT, OHIO, AND DECLARING AN EMERGENCY (Unauthorized)

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

- 5.2.1 Committee Meeting Minute Approval: July, 7,2021; August 4, 2021
- 5.2.2 Action Recommended:
 - 1) Authorize shared sign for Portage Bike and Hike Trail with ONUS water bottling plant.
- 5.2.3 **Draft No. 2021- 076** AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE THE INSTALLATION OF A PUBLIC-PRIVATE SHARED USE SIGN ON THE WEST SIDE OF GOUGLER AVENUE, AND DECLARING AN EMERGENCY (Authorized)

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

5.3.1 Committee Meeting Minute Approval: July, 7,2021; August 4, 2021

5.3.2 Action Recommended: None

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

5.4.1 Committee Meeting Minute Approval: July, 7,2021 August 4, 2021

5.4.2 Action Recommended:

- 1) Authorize the change in Portage County Recycling Service from weekly to bi-weekly collection of recycling.
- 2) Authorize the amended street closure plan for Main Street Kent's Oktoberfest event.
- 3) Authorize the updates and clarifications for City trash and recycling accounts.
- 4) Authorize the proposed City/KSU Memorandum of Understanding (MOU) for the community ice rink project.

5.4.3 **Draft No. 2021- 091** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO AMEND THE CITY OF KENT'S RECYCLING SERVICE CONTRACT WITH PORTAGE COUNTY SOLID WASTE MANAGEMENT DISTRICT SPECIFICALLY TO CHANGE THE PICK-UP SCHEDULE; AND DECLARING AN EMERGENCY (Unauthorized)

5.4.4 **Draft No. 2021- 077** AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO AMEND THE APPROVED STREET CLOSURE FOR THE KENT OKTOBERFEST BEING HELD ON SEPTEMBER 25, 2021 TO BEGIN AT THE INTERSECTION OF FRANKLIN AVENUE AND ERIE STREET AND PROCEEDING NORTH TO INCLUDE THE CLOSURE OF A PORTION OF MAIN STREET THAT FRONTS HOMETOWN PLAZA, AND DECLARING AN EMERGENCY (Authorized)

5.4.5 **Draft No. 2021- 078** AN ORDINANCE TO AMEND TITLE 7 OF THE KENT CODIFIED ORDINANCES, TITLED "GARBAGE," CHAPTERS 933, 935 AND 936; AND DECLARING AN EMERGENCY (Authorized)

5.4.6 **Draft No. 2021-079** AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH KENT STATE UNIVERSITY AND THE CITY OF KENT FOR A TEMPORARY OUTDOOR ICE RINK FOR THE 2021-2022 WINTER SEASON, AND DECLARING AN EMERGENCY (Authorized)

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

5.5.1 Committee Meeting Minute Approval: July, 7, 2021; August 4, 2021

5.5.2 Action Recommended:

- 1) Approve community enhancement usage in the Neighborhood Grant program and authorize dividing the funding amount 50% between the subset of community Enhancement and assisting with code violations until end of 2022.
- 2) Authorize the renewal of the School Resource Officer Position.
- 3) Certify and authorize the submission of the proposed property tax liens for outstanding payments.
- 4) Authorize the release and repurposing of the Federal interest in the City's revolving loan fund.
- 5) Approve the Revolving Loan Fund plan amendments.
- 6) Approve the 2021 budget appropriation amendments presented.

5.5.3 **Draft No. 2021- 080** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO APPROVE AND EXECUTE AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF KENT, OHIO AND THE KENT CITY BOARD OF EDUCATION REGARDING THE SCHOOL RESOURCE OFFICER PROGRAM, EXTENDING THIS AGREEMENT UNTIL JUNE 3, 2022, AND DECLARING AN EMERGENCY (Authorized)

5.5.4 **Draft No. 2021- 081** AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF BILLS FOR RESIDENTS RESULTING FROM THE 2018 ANNUAL CONCRETE REPAIR PROGRAM, TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY FOR THE NON-PAYMENT OF SIDEWALK REPAIRS, AND DECLARING AN EMERGENCY (Authorized)

5.5.5 **Draft No. 2021- 082** AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF WATER USE CHARGES, WASTEWATER USE CHARGES, STORM WATER UTILITY CHARGES AND RECYCLING/SOLID WASTE COLLECTION CHARGES TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY FOR THE NON-PAYMENT OF WATER USE CHARGES, WASTEWATER USE CHARGES, STORM WATER UTILITY CHARGES AND RECYCLING/SOLID WASTE COLLECTION CHARGES, AND DECLARING AN EMERGENCY (Authorized)

- 5.5.6 **Draft No. 2021- 083** AN ORDINANCE AUTHORIZING THE CERTIFICATION OF DELINQUENT MOWING BILLS, PROPERTY MAINTENANCE VIOLATIONS-CITATIONS, ZONING VIOLATIONS-CITATIONS, AND HEALTH DEPARTMENT VIOLATIONS-CITATIONS TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY SERVED BY THE MOWING SERVICES, PROPERTY MAINTENANCE VIOLATION-CITATIONS, ZONING VIOLATIONS-CITATIONS, HEALTH DEPARTMENT VIOLATIONS-CITATIONS, AND DECLARING AN EMERGENCY (Authorized)
- 5.5.7 **Draft No. 2021- 084** AN ORDINANCE AUTHORIZING THE CITY TO SUBMIT A REQUEST TO THE DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) FOR THE RELEASE OF FEDERAL INTEREST IN THE CITY OF KENT EDA REVOLVING LOAN FUND (RLF) PROGRAM AND IF APPROVED BY THE EDA, AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SIGN AN AGREEMENT TO RELEASE THE EDA FEDERAL INTEREST IN THE CITY'S ECONOMIC DEVELOPMENT ADMINISTRATION REVOLVING LOAN FUND PROGRAM (EDA RLF), AND DECLARING AN EMERGENCY (Authorized)
- 5.5.8 **Draft No. 2021- 085** AN ORDINANCE AUTHORIZING THE AMENDMENTS OF THE CITY OF KENT ECONOMIC DEVELOPMENT ADMINISTRATION REVOLVING LOAN FUND PLAN (EDA RLF PLAN) TO BE SUBMITTED TO THE EDA FOR APPROVAL, AND DECLARING AN EMERGENCY (Authorized)
- 5.5.9 **Draft No. 2021- 086** 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)
- 5.5.10 **Draft No. 2021- 087** AN ORDINANCE AUTHORIZING RECOMMENDATION TO ACCEPT THE ONE OHIO OPIOID SETTLEMENT AND ENTER INTO THE PARTICIPATION AGREEMENT WITH OPIOID DISTRIBUTORS AMERISOURCEBERGEN, MCKESSON, AND CARDINAL HEALTH; AND DECLARING AN EMERGENCY (Unauthorized)
- 5.5.11 **Draft No. 2021- 088** AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT TOWARDS THE YOUTH TACKLE FOOTBALL PLAYER SPONSOR FUND, AND DECLARING AN EMERGENCY (Unauthorized)
- 5.5.12 **Draft No. 2021-089** AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT TOWARDS THE PURCHASE OF A MEMORIAL TREE FOR THE KENT PARKS, AND DECLARING AN EMERGENCY (Unauthorized)

5.5.13 **Draft No. 2021-090** AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$700.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT TOWARDS THE PLANTING OF A MEMORIAL TREE AND THE ADDITION OF A MEMORIAL BENCH FOR THE KENT PARKS, AND DECLARING AN EMERGENCY (Unauthorized)

6. Unfinished Business
7. New Business
8. Councilmembers' Comments
9. Mayor's Report
10. 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."* Items to be discussed: Boards and Commissions; City Manager Annual Evaluation
11. Adjournment

Posted August 12, 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 ORDINANCE NO. 2021-075

AN ORDINANCE TO AMEND RESOLUTION 1975-155 THAT PASSED ON OCTOBER 15, 1975 TO ADOPT A NEW DESIGN FOR AN OFFICAL FLAG FOR THE CITY OF KENT, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, Kathy Coleman, Secretary to Police Chief of the City of Kent, Ohio, submitted a design for the Kent City flag to the City Flag Committee as requested by Mayor Jerry Fiala; and

WHEREAS, Mayor Fiala thereafter submitted the design to City Council; and

WHEREAS, the members of City Council believe the design to be an excellent symbol and flag for the Municipality.

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 new design of the Kent City Flag from and after the date of this Ordinance, shall be in form of the same design submitted by Kathy Coleman.

SECTION 2. Said design shall be as follows:

The background shall be blue symbolizing the Cuyahoga River trimmed in gold, the City color; within the borders of the flag shall be a line of trees over a bridge symbolizing the tree city motto.

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____.

AMY WILKENS
CLERK OF COUNCIL
(SEAL)

DRAFT ORDINANCE NO. 2021 - 076

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE THE INSTALLATION OF A PUBLIC-PRIVATE SHARED USE SIGN ON THE WEST SIDE OF GOUGLER AVENUE, AND DECLARING AN EMERGENCY.

WHEREAS, in July 2017, Kent City Council authorized the City to enter into a lease agreement with 315 RFK, LLC for six (6) parcels, located on the east and west sides of Gougler Avenue, in order to provide parking for the commercial operations that were planned for the refurbished L.N. Gross building; and

WHEREAS, 315 RFK, LLC (dba ONUS) completely renovated the building for its current business operations and also made a significant financial investment in the two parking areas, including the municipal lot located on the west side of Gougler Avenue; and

WHEREAS, the owners recently proposed installation of public-private shared use signage on the display structure that identifies both the business, ONUS, and the Portage Hike & Bike Trail: Brady's Leap Riverwalk that extends east of the 315 Gougler Avenue building.

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

SECTION 1. Kent City Council authorizes the City Manager or his designee to approve the installation of a public-private shared use signs on the west side of Gougler Avenue.

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 - 077

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO AMEND THE APPROVED STREET CLOSURE FOR THE KENT OKTOBERFEST BEING HELD ON SEPTEMBER 25, 2021 TO BEGIN AT THE INTERSECTION OF FRANKLIN AVENUE AND ERIE STREET AND PROCEEDING NORTH TO INCLUDE THE CLOSURE OF A PORTION OF MAIN STREET THAT FRONTS HOMETOWN PLAZA, AND DECLARING AN EMERGENCY.

WHEREAS, the Kent Oktoberfest will take place on Saturday, September 25, 2021. Main Street Kent would like to amend the street closure to begin at the intersection of Franklin Avenue and Erie Street and proceeding north to include the closure of a portion of Main Street that fronts Hometown Plaza; and

WHEREAS, the temporary closure of the streets will be from approximately 8:00 a.m. until 11:00 p.m., Saturday, September 25, 2021.

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 amend the approved street closure for the Kent Oktoberfest being held on Saturday, September 25, 2021 in substantial conformance with 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

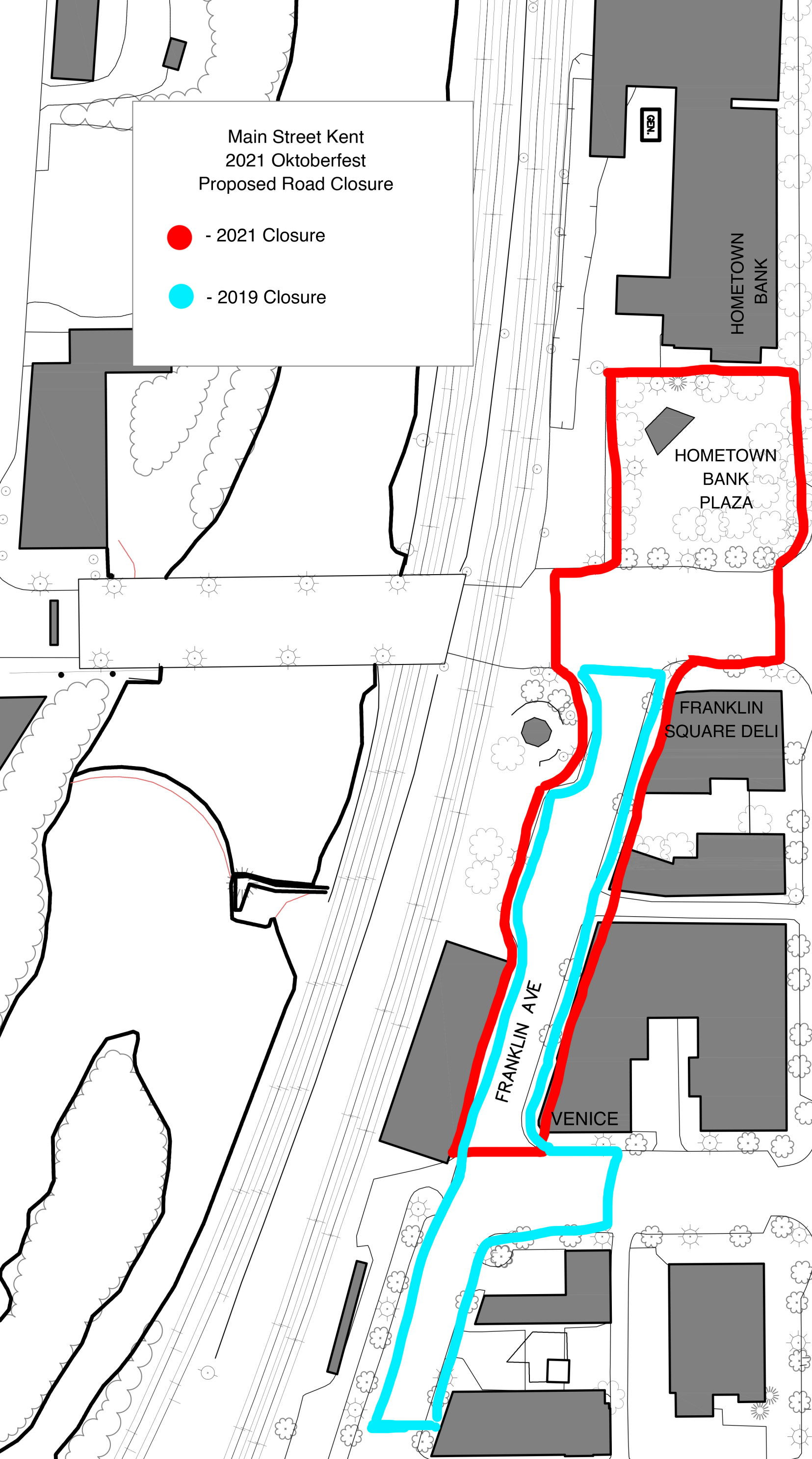
I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *ORDINANCE No.* _____,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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

Main Street Kent
2021 Oktoberfest
Proposed Road Closure

- 2021 Closure
- 2019 Closure



N. WATER STREET



DRAFT ORDINANCE NO. 2021-078

AN ORDINANCE TO AMEND TITLE 7 OF THE KENT CODIFIED ORDINANCES, TITLED "GARBAGE," CHAPTERS 933, 935 AND 936; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent wishes to amend Title 7 of the Kent Codified Ordinances, titled "Garbage", Chapters 933, 935 and 936 in reference to refuse, solid waste and recycling; and

WHEREAS, the majority of changes consist of addressing definitions, clarifying utilities as defined by the chapter, and aligning pick up dates, times, containers and service locations. The changes further define the fees levied for such service and what is covered by all services; and

WHEREAS, additional changes will address the removal of the multi-family recycling collection program from the City of Kent residential recycling program and establish the requirements for the collection of recycling for the multi-family recycling program, which mirrors our commercial, industrial, governmental and institutional programs.

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

SECTION 1. Kent City Council does hereby accept the amendment to Title 7 titled "Garbage", Chapters 933, 935 and 936, of the Kent Codified Ordinances as shown on Exhibit "A", attached hereto and made a part hereof.

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 - 079

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH KENT STATE UNIVERSITY AND THE CITY OF KENT FOR A TEMPORARY OUTDOOR ICE RINK FOR THE 2021-2022 WINTER SEASON, AND DECLARING AN EMERGENCY.

WHEREAS, the Kent State University and the City of Kent would like to install a temporary outdoor ice rink; and

WHEREAS, Kent State University would like to temporarily close Erie Street for the 2021-2022 winter season; and

WHEREAS, the overall budget is estimated at \$375,000 with KSU paying the majority of the costs and the City's out of pocket cost is limited to \$71,000 for the installation of the new power service that will be owned by the City and be available for other festivities and events in the future.

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

SECTION 1. Kent City Council authorizes the City Manager or his designee to execute the agreement with Kent State University and City of Kent, Ohio 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____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

TEMPORARY OUTDOOR ICE RINK AGREEMENT

KENT STATE UNIVERSITY AND THE CITY OF KENT

ALL PARTIES BEING IN THE COUNTY OF PORTAGE, STATE OF OHIO

This Agreement, dated _____ 2021, is an agreement made and entered into between Kent State University ("KSU") and the City of Kent, Ohio, duly formed under the laws of the State of Ohio (the "City"). KSU and the City are collectively referred to herein as the "Parties."

WITNESSETH:

WHEREAS, the Parties desire to improve the recreational opportunities for KSU students, KSU faculty and City residents; and

WHEREAS, the Parties desire to assist the economic vitality of downtown Kent; and

WHEREAS, KSU, in cooperation with the City, has investigated the feasibility of installing a Temporary Outdoor Ice Rink on Erie Street ("Project") as shown in Attachment A; and

WHEREAS, the Project will require construction of permanent infrastructure, including a new electric service to serve the chiller required for the Ice Rink.

NOW THEREFORE, The Parties hereby agree to collaborate on implementation of the Project as follows:

KSU:

- KSU will install, manage and coordinate all services required for the installation of the Project, including the installation of the new electrical service. The Project cost is currently estimated at \$375,000.
- Except as set forth below, KSU will be the primary funding agency during construction of the Project.
- KSU will work with First Energy for the installation of a power source to serve the chiller.
- KSU will obtain an electric easement in the name of the City of Kent from the KSU Hotel and Conference Center to install the power service from First Energy's transformer to City owned property or right-of-way.
- KSU, or their designated representative, will be responsible to obtain all necessary permits from the City for the installation of the new power service.
- KSU, or their designated representative, will provide shop drawings to the City for approval prior to purchasing or installing any improvements in City owned property or Right-of Way.
- KSU will prepare the application for a new electrical service with First Energy, to be signed and submitted by the City in the name of the City.

DRAFT ORDINANCE NO. 2021 - 080

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO APPROVE AND EXECUTE AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF KENT, OHIO AND THE KENT CITY BOARD OF EDUCATION REGARDING THE SCHOOL RESOURCE OFFICER PROGRAM, EXTENDING THIS AGREEMENT UNTIL JUNE 3, 2022, AND DECLARING AN EMERGENCY.

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

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

WHEREAS, the Kent City Council wants to grant the City Manager the authority to execute a written amendment to the MOU document, which extends the agreement until June 3, 2022; and

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

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

SECTION 1. The City Manager, or his designee, be and hereby is authorized to approve and execute a written amendment to the MOU with the City of Kent, Ohio and the Kent City Board of Education which adopted a School Resource Officer program, in order to extend the agreement until June 3, 2022, is fully set forth in Exhibit "A", attached hereto and incorporated herein.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

- KSU will provide invoices to the City requesting reimbursement for the out-of-pocket costs associated with the installation of new electric service for the Project, up to \$71,000.
- Upon receipt of invoices from the City, KSU will pay 50% of the monthly electrical bills from the new electrical service during the time that the Temporary Outdoor Ice Rink is operational.
- KSU will have access to use the new electrical service when holding future events in the area.
- While the Temporary Outdoor Ice Rink is intended to be an annual facility, KSU will operate the Temporary Outdoor Ice Rink for the 2021-2022 season. Operational responsibilities of future years will be determined by mutual agreement of both parties.
- KSU will work with the City to advertise for the Temporary Outdoor Ice Rink.

City:

- The City will expeditiously review all submittals associated with the Project.
- Upon receiving an invoice from the KSU, the City will pay 100% of the out-of-pocket costs for the installation of the new electrical service up to \$71,000.
- The City will execute and own the easement from the KSU Hotel and Conference Center required for installation of the new electrical service.
- The City will execute the application for power service from First Energy provided by KSU.
- The City will own and maintain the new electrical service installed for the Project.
- The City will pay for the monthly electrical bills from the new electric service.
- The City will invoice KSU 50% of the monthly electrical bills from the new electrical service during the time that the Temporary Outdoor Ice Rink is operational.
- City will provide, at its discretion, incidental items associated with the Project. This includes items such as tables, barricades, decorative lighting, in-kind operational assistance, etc.
- City will work with the KSU to advertise for the Temporary Outdoor Ice Rink.

Schedule:

The City and KSU will diligently pursue completion of the Project by November 25, 2021. This date can be adjusted by the mutual agreement of both parties.

In witness whereof, the Parties hereto have agreed and offered their hands and seals:

CITY OF KENT

Approved and Accepted by:

Dave Ruller
City of Kent, City Manager

Date: _____

Approved as to Form:

Hope Jones
City of Kent, Law Director

Date: _____

Witness: _____

Witness: _____

Certificate of Director of Budget and Finance

It is hereby certified that the amount SEVENTY ONE THOUSAND Dollars (\$71,000) required to meet this commitment has been lawfully appropriated or authorized or directed for such purpose and is in the City Treasury or in the process of collection to the credit of the CAPITAL Fund free from any obligation or certificates now outstanding.

Rhonda Hall, Director of Budget and Finance

Date

KENT STATE UNIVERSITY

Approved and Accepted by:

Mark Polatajko,
Senior Vice President
for Administration

Date: _____

Witness: _____

Witness: _____

DRAFT ORDINANCE 2021 –081

AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF BILLS FOR RESIDENTS RESULTING FROM THE 2018 ANNUAL CONCRETE REPAIR PROGRAM, TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY FOR THE NON-PAYMENT OF SIDEWALK REPAIRS, AND DECLARING AN EMERGENCY.

WHEREAS, there is one concrete sidewalk repair bill that remains unpaid after attempts to collect have been made; and

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

SECTION 1. Kent City Council does hereby authorize the certification of the 2018 Annual Concrete Repair Program listed in Exhibit “A”, attached hereto and made a part hereof, on the real estate tax list and duplicate against the properties listed. It is the intent of Council that the amounts certified to the County Auditor shall be a lien on the property served by the services listed.

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

SECTION 3. Council does hereby find that the certification of the unpaid bills meets all of the requirements of Section 521.06 and is further authorized by the Ohio Revised Code **and authorizes the Budget and Finance Director to amend Exhibit A in the event of payment before the actual certification to the County.**

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

Ohio Revised Code 715.261
Kent Codified Ordinance 521.06

Kent Codified Ordinance 521.06

	<u>PARCEL I.D. #</u>	<u>ADDRESS</u>	<u>PROPERTY OWNER</u>	<u>AMOUNT</u>
1	17-012-20-00-129-000	327 Dodge St.	Robin G. Turner	\$ 998.88
TOTAL				\$998.88

DRAFT ORDINANCE NO. 2021 –082

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

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

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

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

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

SECTION 3. Council does hereby find that the certification of the unpaid bills meets all of the requirements of Sections 913.07, 915.72, 921.24 and 935.14 and is further authorized by the Ohio Revised Code and **authorizes the Budget and Finance Director to amend Exhibit A in the event of payment before the actual certification to the County.**

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

Owner Name	Address	Parcel #	Amount	Date Delinquent	Description of Fine/unpaid fee	Loc. ID
Asad, Megan	1157 Munroe Falls	17-010-10-00-140-000	\$ 60.74	11/9/2020	water/sewer	19850
Bosak, Steve	135 W Williams	17-012-10-00-022-000	61.33	12/7/2020	water/sewer	49750
Casto, James	1247 Overbrook	17-010-10-00-006-000	73.05	6/21/2021	water/sewer	25900
Cooper, Terrie	1530 Statesman	17-007-20-00-034-000	154.03	6/21/2021	water/sewer	12740
Delta Bravo Properties, LLC	317 Woodard	17-030-20-00-032-000	59.15	9/17/2020	water/sewer	58420
Delta Bravo Properties, LLC	309 Woodard	17-030-20-00-032-000	24.35	9/17/2020	water/sewer	58380
Doctor Realty	1225 W Main	17-028-20-00-121-000	1,167.77	7/15/2020	water/sewer	81140
Langston, Brian	1535 Statesman	17-007-20-00-037-000	89.88	5/21/2021	water/sewer	12732
Langston, Brian	1545 Statesman	17-007-20-00-039-000	78.77	4/19/2021	water/sewer	12736
Langston, Brian	1540 Statesman	17-007-20-00-031-000	57.02	1/4/2021	water/sewer	12745
Langston, Brian	1538 Statesman	17-007-20-00-032-000	42.47	12/7/2020	water/sewer	12744
Linder, Rebeccah	310 N Willow	17-024-34-00-055-000	141.56	11/25/2020	water/sewer	67470
Mossor, Ronald	602 Longmere	17-010-03-00-096-000	365.23	9/29/2020	water/sewer	17310
Murgatroyd, Craig	347 High	17-013-20-00-180-000	30.34	4/30/2021	water/sewer	48060
Murgatroyd, Craig	120 E School	17-013-20-00-156-000	36.02	6/21/2021	water/sewer	48740
Plymale, Shands	759 Akron	17-009-20-00-021-000	58.23	4/5/2021	water/sewer	22980
Roeder, Bron	403 Louise	17-027-10-00-141-000	86.53	5/21/2021	water/sewer	25450
SHR Lake Street LLC	303 Lake	17-031-21-00-042-000	28.10	6/21/2021	water/sewer	68880
Sweeney, Paul	1062 Graham	17-041-10-00-031-000	80.96	9/17/2020	water/sewer	73070
Trout, Helen	1587 Morris	17-005-20-00-004-000	71.77	6/21/2021	water/sewer	30910
Verma, Sunita	1664 Olympus	17-004-00-00-019-000	189.60	9/1/2020	water/sewer	27970
White, Kathleen	1048 Middlebury	17-009-00-00-004-000	25.56	5/21/2021	water/sewer	23480
Woods, Douglas	303 N Lincoln	17-024-33-00-064-000	68.48	9/29/2020	water/sewer	63260
Wright, Michael	344 Dodge	17-012-20-00-217-000	35.32	2/15/2021	water/sewer	8180
Zhao, Lei	1688 Olympus	17-004-00-00-018-002	56.41	3/12/2021	water	85516
TOTAL			<u>\$ 3,142.67</u>			

DRAFT ORDINANCE 2021 –083

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

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

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

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

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

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

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

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

SECTION 3. Council does hereby find that the certification of delinquent mowing, property maintenance violations-citations, zoning violations-citations, and Health Department violations-citations meets all of the requirements of Sections 551.03 and 1405.03 and is further authorized by the Ohio Revised Code (including but not limited to Section 731.51) and **authorizes the Budget and Finance Director to amend Exhibit A in the event of payment before the actual certification to the County.**

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

City of Kent: Delinquent Fines and Unpaid Fees Dept: Non-Utilities

Owner Name	Address	Parcel Number	Amount	Date(s) Incurred	Description
GUSKA MATTHEW J	134 E OAK ST	17-013-20-00-075-000	\$ 300.00	10/9/20	1133.02 illeg. rooming house
GUSKA MATTHEW J	134 E OAK ST	17-013-20-00-075-000	1,800.00	10/9/20, 11/10/20, 12/10/20	1367.01(a) fail reg. rental
WOLF DIANE J	1234 N MANTUA ST	17-042-10-00-016-000	1,950.00	6/4/20, 9/15/20, 4/27/21, 5/31/21	551.01 grass
WOLF DIANE J	1234 N MANTUA ST	17-042-10-00-016-000	1,800.00	7/15/20, 8/18/20, 6/21/21	1411.06 gutters/downspouts
WOLF DIANE J	1234 N MANTUA ST	17-042-10-00-016-000	1,800.00	7/15/20, 8/18/20, 6/21/21	1411.02 peeling paint
WOLF DIANE J	1234 N MANTUA ST	17-042-10-00-016-000	1,800.00	7/15/20, 8/18/20, 6/21/21	1411.09 porch disrepair
ROEDER BRON S & MAUREEN R MCFARLAND (J&S)	397 LOUISE	17-027-10-00-141-000	1,800.00	4/26/21, 5/26/21, 6/28/21	1367.01(a) fail reg. rental
ROEDER BRON S & MAUREEN R MCFARLAND (J&S)	403 LOUISE	17-027-10-00-141-000	1,800.00	4/26/21, 5/26/21, 6/28/21	1367.01(a) fail reg. rental
ROEDER BRON S & MAUREEN R MCFARLAND (J&S)	206 E SCHOOL	17-013-20-00-162-000	1,800.00	4/26/21, 5/26/21, 6/28/21	1367.01(a) fail reg. rental
PASKO CONNIE (SUC TRUSTEE)	239 CHERRY	17-007-10-00-081-000	335.00	5/31/21	551.01 grass
PASKO CONNIE (SUC TRUSTEE)	239 CHERRY	17-007-10-00-081-000	300.00	1/27/19	1410.04g unsheltered vehicle
LESS JEFFREY H & LAURA J	512 CRAIN	17-024-33-00-097-000	351.72	8/24/20	1414.01 trash pickup
KIERSTEAD MARGARET ROSE	1039 DAVEY	17-032-10-00-065-000	1,240.00	2/22/21, 4/6/21, 5/18/21	1414.01 trash; 551.01 grass
HOPKINS ELIZABETH	424 FAIRHILD	17-030-20-00-147-000	935.00	8/5/20, 9/15/20	1410.04(g) unshelt. veh., 551.01 grass
FLETCHER PATRICIA M	1076 GRAHAM	17-041-10-00-036-000	330.00	10/21/20	1414.01 trash pickup
CARVER MICHAEL ALLEN JR	532 HARRIS ST	17-008-10-00-002-000	450.00	9/28/20	1414.01 trash pickup
HARVEY STREET REAL ESTATE LLC	523 HARVEY	17-032-20-00-066-000	335.00	6/2/20	551.01 grass
SABOL SHIRLEY A	1037 LAKE	17-032-10-00-050-000	600.00	5/14/21, 5/24/21	505.22(a)(4) chickens
MOSSOR RONALD L	602 LONGMERE	17-010-03-00-096-000	2,245.00	6/2/20, 6/29/20, 8/6/20, 5/31/21	551.01 grass
SEAHOLTS J MARK & DEE ANNA (J&S)	819 MAE	17-014-10-00-052-000	1,500.00	7/31/20, 8/21/20	1367.01(a) fail reg. rental
SEAHOLTS J MARK & CHARLES D	830 MAE	17-014-10-00-024-000	2,400.00	7/31/20, 8/21/20, 12/3/20	1367.01(a) fail reg. rental
TROMCZYNSKI MARLENE A	925 W MAIN	17-026-10-00-013-000	1,800.00	3/3/21, 4/26/21, 5/17/21	1367.01(a) fail reg. rental
WALIGA PATRICIA J	317 E COLLEGE	17-024-40-00-038-000	300.00	9/9/20	1367.01(a) fail reg. rental
SULLIVAN NADINE HULBERT	336 SILVER MEADOWS BV	17-028-20-00-112-000	970.00	7/13/20, 4/27/21	551.01 grass
VICA LLC	1175 SILVER MEADOWS BV	17-028-10-00-119-000	338.76	8/17/20	1414.01 trash pickup
HERSHBERGER THOMAS L & BARBARA J (CO-TRUSTEES)	1403 S WATER	17-006-12-00-001-000	335.00	5/10/21	551.01 grass

Total CD Dept.

\$ 29,615.48

City of Kent: Delinquent Fines/Unpaid Fees: Dept. of Health

Address	Parcel Number	Owner Name	Complaint Number	Date Fine Issued	Amount Due
486 Needham Ave	17-043-30-00-045-000	Jacquelyn Lovelace	20-54	6/19/2020	\$ 20.00
222 University Drive	17-024-33-00-091-000	Ohio Lambda Housing Corp	20-56	6/25/2020	40.00
408 Rellim Drive	17-006-12-00-118-000	Shawn Tagliarina	20-77	7/24/2020	20.00
312 S Willow St	17-024-40-00-085-000	Heimans LLC	20-90	8/12/2020	60.00
512 Crain Ave	17-024-33-00-097-000	Laura and Jeffrey Less	20-95	8/20/2020	160.00
5924 Horning Road	17-022-00-00-028-000	Benjamin Veach	20-101	9/1/2020	40.00
126 University Drive	17-024-33-00-084-000	REAS LLC	20-110	9/15/2020	160.00
506 E Summit St	17-013-10-00-105-000	County Kent Properties LLC	21-22	3/26/2021	20.00
Total Dept. of Health					\$ 520.00

DRAFT ORDINANCE NO. 2021 - 084

AN ORDINANCE AUTHORIZING THE CITY TO SUBMIT A REQUEST TO THE DEPARTMENT OF COMMERCE ECONOMIC DEVELOPMENT ADMINISTRATION (EDA) FOR THE RELEASE OF FEDERAL INTEREST IN THE CITY OF KENT EDA REVOLVING LOAN FUND (RLF) PROGRAM AND IF APPROVED BY THE EDA, AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SIGN AN AGREEMENT TO RELEASE THE EDA FEDERAL INTEREST IN THE CITY'S ECONOMIC DEVELOPMENT ADMINISTRATION REVOLVING LOAN FUND PROGRAM (EDA RLF), AND DECLARING AN EMERGENCY.

WHEREAS, on February 2, 2021, the U.S. Department of Commerce Economic Development Administration (EDA) sent a letter to Mayor Fiala inviting the City to request the release of EDA federal interest in the City's economic development Revolving Loan Fund (RLF) under the Reinvigorating Lending for the Future Act (the Act); and

WHEREAS, Kent City Council supports the request to release EDA's federal interest and commits to using the RLF for one or more activities that continue to carry out the economic development purposes of the Public Works and Economic Development Act of 1965 (PWEDA) in compliance with on-going restrictions required by the Act as articulated in the EDA release agreement; and

WHEREAS, after reviewing the information provided on this matter, staff is in support of proceeding with the request for the release of federal interest because it will reduce the City's administrative and reporting responsibilities and allow for amendments to the City's RLF Plan that will enable greater flexibility and support for broader economic development purposes.

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

SECTION 1. Kent City Council does hereby authorize the City to submit a request to the Economic Development Administration (EDA) for the release of federal interest in the City of Kent Economic Development Administration Revolving Loan Fund Program (EDA RLF) and if approved by the EDA, authorizing the City Manager, or his designee, to sign the agreement to release the EDA federal interest in the City's Economic Development Administration Revolving Loan Fund (EDA RLF), as is more fully set forth in Exhibit "A", attached hereto and incorporated herein.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS

AGREEMENT TO RELEASE THE EDA FEDERAL INTEREST IN A REVOLVING LOAN FUND AWARD

THIS AGREEMENT is between the United States Department of Commerce, Economic Development Administration (EDA) and the [City of Kent] .

WHEREAS, EDA, pursuant to its authority under the Public Works and Economic Development Act of 1965 (PWEDA) (42 U.S.C. § 3121 *et seq.*), awarded to Recipient one or more grants to capitalize a Revolving Loan Fund (RLF) bearing EDA award number(s) [NUMBER(S)] (the Award).

WHEREAS, EDA retains a federal interest in the Award and Recipient has submitted a written request that EDA release its federal interest in the Award consistent with the requirements of the Reinvigorating Lending for the Future Act (Pub. L. 116-192), attached hereto as Appendix A (the Request).

WHEREAS, EDA and Recipient agree that the current value of the RLF capital base is \$[AMOUNT], the federal investment rate is [PERCENT]%, and the federal share of the RLF capital base is \$[AMOUNT] (the Award Funds).

WHEREAS, EDA has determined that 1) more than seven years have passed since the final EDA disbursement to Recipient of funds under the Award, 2) Recipient has complied with the terms and conditions of the Award, and 3) Recipient proposes to use the Award Funds for one or more activities that continue to carry out the economic development purposes of PWEDA.

WHEREAS, EDA agrees herein to release its federal interest in the Award and Recipient agrees herein to use Award Funds for one or more activities that continue to carry out the economic development purposes of PWEDA.

NOW THEREFORE, EDA and Recipient agree as follows:

1. EDA's Release. EDA agrees to release its federal interest in the Award. EDA's reversionary interest in the Award will cease to exist as of the effective date of this agreement.
 - a. Recipient's use of Award Funds no longer needs to comply with, among other things, the following authorities:
 - i. OMB regulations at 2 CFR part 200, including the Compliance Supplement at Appendix XI.
 - ii. EDA regulations at 13 CFR chapter III, including the RLF-specific regulations at part 307, subpart B (including the requirement at 13 CFR § 307.14 to submit Form ED-209 RLF Financial Report to EDA).
 - iii. The terms and conditions attached to the Award, including the Department of Commerce's Standard Terms & Conditions, the EDA RLF Standard Terms & Conditions, and any Special or Specific Award Conditions.

- iv. The EDA-approved RLF plan or any related document governing administration of the Award.
 - b. This release of the EDA federal interest in the Award does not extend to or include a release of any other entity's interest in the RLF capital base, including another federal agency's interest in the RLF capital base. More specifically, if Community Development Block Grant funds from the U.S. Department of Housing and Urban Development (HUD) or funds from the U.S. Department of Agriculture (USDA) were used as local share under the Award, this release of the EDA federal interest does not extend to or include a release of any HUD or USDA federal interest in the RLF capital base. If Recipient seeks a release of another entity's interest in the RLF capital base, including another federal agency's interest in the RLF capital base, Recipient must negotiate such a release with the other entity and EDA will not participate in that negotiation.
2. Recipient's Use of Award Funds. Recipient agrees to use Award Funds for one or more activities that continue to carry out the economic development purposes of PWEDA.
- a. Recipient shall not use Award Funds to construct schools, community centers, municipal buildings, or otherwise use Award Funds to carry out activities outside of the economic development purposes of PWEDA, nor shall Recipient use Award Funds to pay general costs of government.
 - b. Recipient shall not transfer Award Funds to a natural person, for-profit entity, or other entity ineligible for award under sections 3(4) and 209 of PWEDA (42 U.S.C. § 3122(4) and § 3149). For the sake of clarity, Award Funds may be used to contract with for-profit entities for goods and services for one or more activities that continue to carry out the economic development purposes of PWEDA and to operate an RLF that makes loans to for-profit organizations.
 - c. Award Funds must be used in a manner consistent with EDA's non-relocation policy. Specifically, Recipient shall not use Award Funds to induce the relocation of existing jobs within the U.S. that are located outside of a jurisdiction to within that jurisdiction in competition with other U.S. jurisdictions for those same jobs.
 - d. Award Funds must be used in accordance with section 602 of PWEDA (42 U.S.C. § 3212). Specifically, Recipient shall ensure that all laborers and mechanics employed by contractors or subcontractors on projects assisted by Award Funds shall be paid wages at rates not less than those prevailing on similar construction in the locality as determined by the Secretary of Labor as provided by section 602 of PWEDA or as it may be amended in the future.
 - e. Recipient shall use Award Funds in accordance with applicable federal, state, and local law, including applicable non-discrimination law. Recipient may not use Award Funds for any purpose that would be prohibited by the Establishment Clause of the U.S. Constitution if the Award Funds were expended directly by the Federal Government.
 - f. Recipient is not required by the terms of this Agreement to seek EDA approval or permission to use Award Funds for one or more activities that continue to carry

out the economic development purposes of PWEDA but that differ from the activities described in the Request, attached hereto as Appendix A.

- g. Recipient shall provide timely and accurate responses to EDA inquiries regarding Recipient's use of the Award Funds. Following the release of EDA's federal interest, EDA remains interested in working with Recipient to promote Recipient's RLF or other activities that continue to carry out the economic development purposes of PWEDA.
3. Enforcement. In the event that EDA determines that Award Funds have been used in a manner inconsistent with this agreement, EDA may require Recipient to return the misspent portion of the Award Funds to the Federal Government, which may include the establishment of a debt with the U.S. Department of the Treasury.
4. Indemnification. To the extent permitted by law, Recipient agrees to indemnify and hold the Federal Government harmless from and against all liabilities that the Federal Government may incur as a result of releasing EDA's federal interest in the Award.
5. Governing Law; Severability. This Agreement is governed by applicable federal law, if any, and if there is no applicable federal law by state law. The terms of this Agreement do not limit the rights EDA, its designees, successors, or assigns are entitled to under applicable federal or state law. In the event that any provision or clause of this Agreement conflicts with applicable law, such conflict shall not affect other provisions of this Agreement that can be given effect without the conflicting provision, and to this end the provisions of this Agreement are declared to be severable.
6. Entire Agreement. This Agreement contains the entire understanding of EDA and Recipient with respect to the subject matter hereof and supersedes all prior agreements and understandings, oral or written, with respect to such matters.
7. Authority. Recipient represents that (a) it has the power and authority to execute and perform this Agreement, (b) the execution and performance of this Agreement by Recipient have been duly authorized by all necessary corporate or other actions, (c) Recipient has duly and validly executed this Agreement, and (d) this Agreement is a legal, valid and binding obligation, enforceable against Recipient.

[Remainder of this page intentionally left blank.]

IN WITNESS WHEREOF, EDA and Recipient have caused this Agreement to be duly executed by their respective officers as of the date indicated.

**DEPARTMENT OF COMMERCE,
ECONOMIC DEVELOPMENT
ADMINISTRATION**

[CITY OF KENT, OHIO]

By:

[Susan Brehm]
Regional Director
[Chicago] Regional Office

Date

By:

[Dave Ruller]
[City Manager, City of Kent]

Date

DRAFT ORDINANCE NO. 2021 - 085

AN ORDINANCE AUTHORIZING THE AMENDMENTS OF THE CITY OF KENT ECONOMIC DEVELOPMENT ADMINISTRATION REVOLVING LOAN FUND PLAN (EDA RLF PLAN) TO BE SUBMITTED TO THE EDA FOR APPROVAL, AND DECLARING AN EMERGENCY.

WHEREAS, on January 16, 2019, Council approved a five year update to the City's U.S. Department of Commerce Economic Development Administration (EDA) Revolving Loan Fund Plan; and

WHEREAS, the EDA does allow for amendments to be made to the Plan and with the City proceeding with the request for release of EDA federal interest in the City's economic development RLF program, staff reviewed the current Plan and identified three (3) proposed amendments that will facilitate greater flexibility in assisting businesses seeking to locate or expand in the community; and

WHEREAS, the amendments are designed to increase access to the RLF and to provide short term relief to borrowers in times of severe economic distress and include:

- 1) Raise the allowable amount to loan from \$10,000 to \$25,000 for every job retained or created;
- 2) In certain instances, allow the jobs to be retained or created either by the owner applicant or a tenant of the owner;
- 3) Formalize the moratorium process to allow for interest only payments for a period up to six months.

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

SECTION 1. Kent City Council does hereby authorize the amendments of the City's Economic Development Administration Revolving Loan Fund Plan (EDA RLF Plan), and is more fully set forth in Exhibit "A", attached hereto and incorporated herein.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

AMY WILKENS; CLERK OF COUNCIL

7. Terms

- a. Because of the nature of the RLF fund, it should suffice to say that the shorter terms are preferred. The term, however, for repayment will basically match the life of the asset to be financed. The maximum number of years to repay a fixed asset loan would be fifteen (15) years. Exceptions may be made to accommodate other public financing agencies or commercial lenders. In most cases, the term of the RLF must be compatible with that of the conventional lender or other public financial assistance agency. The reason for this is that the RLF is subordinate to conventional loans and to public financial assistance agencies. The term of a working capital loan generally will be 12 months. In some cases, due to factors unforeseeable, the RLF Loan Review Committee will make loans at terms which best fit the deal and make it work.

8. Fees

- a. A non-refundable application fee of \$100.00 is to be submitted with the formal application for loan funds. If the loan is approved by the Loan Review Committee, then the borrower will be billed for the full amount of the administrative costs to the City. The application fee of \$100.00 will be applied to the administration costs. Costs include; title searches, recording costs, appraisals and credit bureau reports. Fees are payable at the time of the loan closing.
- b. The loan servicing fee as charged by the bank servicing the loan will be paid by the borrower to the bank on a monthly basis.

9. Equity and Collateral

- a. A 10% minimum of owner equity, as defined by Generally Accepted Accounting Principles, is required for each project.

10. Moratoria

- a. A moratorium on the required minimum monthly principal payment will ~~to~~ be decided on a case-by-case basis by the Loan Review Committee, but is typically not considered as the first mechanism utilized for managing a loan repayment. ~~No moratorium will be granted for the required minimum monthly interest payment. The Committee would consider adjustments to term length prior to moratoria.~~ The Loan Review Committee may authorize a moratorium on the required minimum monthly principal payment for a period not to exceed six (6) months, provided the borrower can document a definite need for interest-only payments. Any borrower seeking a moratorium must provide a copy of the most current financial statements, outstanding debt(s) and debt service payment status, detailed cash flow report, and financial projection for the upcoming 12-month business operations cycle prior to the principal moratorium request being presented to the Loan Review Committee.

- b. If a moratorium for the required minimum monthly principal payment is approved by the Loan Review Committee, the City of Kent staff will notify the financial institution servicing the loan that the borrower has been approved for interest-only payments on the loan for the term specified by the Loan Review Committee.
- c. Upon the expiration of the moratorium period, the principal balance will be re-amortized for the remaining term of the loan to calculate the adjusted required minimum monthly principal payment and new monthly payment (principal + interest).

11. Start-ups

- a. Projects of merit submitted by a new company demonstrating a high probability of success will be considered for RLF financing.

12. Working Capital

- a. Working capital and inventory may be funded up to a maximum of 50% of the total RLF loan amount.

13. Credit Not Otherwise Available

- a. The RLF is not meant to be a substitute for private capital. The loan administrator or Loan Review Committee member can question the applicant or ask the primary lender if they would finance the project without the use of RLF proceeds. The Loan Review Committee will request written documentation from the lender stating that its loan is contingent upon RLF approval.

D. Portfolio Standards and Targets

1. Target Percentages

- a. Land Use: Industrial 40%, Commercial 60%
- b. Business Status: Start-up 30%, Expansion 60%, Retention 10%
- c. Loan Type: Fixed Asset 90%, Working Capital 10%

2. Private Sector Leverage

Each loan is expected to be leveraged on average by at least \$2 to \$1 private sector to RLF Funds, however, the leverage ratio for the whole RLF loan portfolio will be at least \$2 for every \$1 of RLF Funds. To be classified as leveraged, additional investment must be made within 12 months of approval of an RLF loan, as part of the same business development project and may include:

- a) Capital invested by the borrower or others
- b) Financing from private entities
- c) The non-guaranteed portions and 90% of the guaranteed portions of any Federal loan or
- d) Loans from other State or local lending programs
- e) Private investments shall NOT include accrued equity in a borrower's assets.

3. Job Cost Ratio

Each project should create or retain at least 1 full-time job equivalent for each ~~\$10,000~~ \$25,000 that is loaned. The job cost ratio requirement can be fulfilled by either the owner applicant or a tenant of the owner applicant.

E. RLF Loan Selection Criteria

1. The City of Kent RLF Loan program shall be used for purposes that are consistent with the RLF plan or such other purposes approved by the EDA.
2. City of Kent staff and the RLF Committee shall ensure that proposed RLF projects will capitalize on existing regional assets.
3. City of Kent staff and the RLF Committee will consider whether the proposed loan supports and advances innovation and increases productivity in a particular industry or emerging sector of the economy.
4. City of Kent staff and the RLF Committee will consider if the potential borrower is part of an existing industry cluster, and will provide supporting data in the credit analysis.
5. City of Kent staff and the RLF Committee will provide data to support the extent to which the project's private investment would not otherwise come to fruition without the RLF investment.
6. City of Kent staff and the RLF Committee will consider if the proposed loan will result in the creation or retention of higher-skilled, higher-wage jobs.

F. Performance Assessment Process

1. RLF Performance Evaluation

City of Kent staff will monitor the loan portfolio on a monthly basis at minimum to determine the level of consistency with the policies and procedures in this plan and in the strategy. Staff will advise the City Controller and the RLF Committee of actual performance with the policies and procedures, along with any changes in the plan or strategy. Staff will review all reports, EDA monitoring, and audits in assessing the need for changes.

2. Process for Integration

City of Kent staff and the RLF Committee will modify procedures as indicated from the performance reviews, and will update the RLF Plan accordingly. The City will update the RLF Plan as necessary in accordance with changing economic conditions in the region and will submit an updated plan to EDA for approval every five years at a minimum.

Part 2: Revolving Loan Operational Procedures

A. Organization Structure

1. Critical Operational Functions

- h. Signed turn-down letter demonstrating that credit is not otherwise available on terms and conditions that permit the completion or successful operation of the activity to be financed, or a fully documented conventional bank referral;
- i. Copy of private lender loan agreement (as applicable);
- j. Financial statements;
- k. Annual insurance certifications (as applicable);
- l. Annual site visit reports including jobs report;
- m. General correspondence.

The City will also maintain closed loan files and all related documents, books of account, computer data files and other records over the term of the closed loan and for a three year period from the date of final disposition of the closed loan. The date of final disposition of a closed loan is the date:

- a. Principal, interest, fees, penalties, and all other costs associated with the closed loan have been paid in full; or
- b. Final settlement or discharge and cessation of collection efforts of any unpaid amounts associated with the closed loan have occurred.

3. Job Creation or Retention

The initial job creation or retention claims will be reviewed to ensure the project will create or retain at least 1 full time job for every ~~\$10,000~~ \$25,000 that is lent out. The Economic Development Director will certify job data during annual site visits after the loan is disbursed in order to track employment by the borrower. The employment requirement will be documented in the loan agreement.

4. Defaulted Loans

- a) Once a loan payment is 15 days in arrears, a written notice regarding the missed payment and late penalty fee will automatically be generated by the loan servicer and mailed to the borrower. The loan servicer also will notify the City's RLF staff of the late payment.
- b) Once a loan payment is 30 days in arrears, the loan servicer will send a second written notice regarding the missed payment and late penalty fee and the City's RLF staff will call the borrower directly to discuss the circumstances and possible remedies to bring the loan into a current payment status.
- c) In the absence of a moratorium approved by the Loan Review Committee as specified in "Section 10 Moratoria" (see pages 14-15), any ~~Once-a~~ loan payment that is 45 days in arrears, requires the City's RLF staff generate a written notice regarding the delinquent accrued payment(s) and late penalty fee(s) and schedule a visit with the borrower, to discuss possible consequences for non-payment, in person.

DRAFT ORDINANCE NO. 2021-086

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, that:

SECTION 1. the current appropriations Ordinance No. 2020-129 passed December 16, 2020; as amended by Ordinance No. 2021-13, passed 2/17/2021, as amended by Ordinance No. 2021-39, passed 4/21/21, as amended by Ordinance No. 2021-72, passed August 4, 2021 be amended as set forth in Exhibit "A", attached hereto and incorporated herein, so as to increase appropriations in Fund 001, General and Fund 134, UDAG/RLF; 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

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>General Fund (001)</u>						
City Council	\$ 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	19,950				147,539
Health	503,772	200,228				704,000
Public Parking		87,638	38,000			125,638
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	68,975				456,126
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	2,263,906	1,548,000	0	100,000	7,533,363
<u>West Side Fire (101)</u>						
Fire	281,690	14,150				295,840
Fund Total	281,690	14,150	0	0	0	295,840
<u>Street Construction Maintenance & Repair (102)</u>						
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
<u>State Highway (103)</u>						
Service		60,000				60,000
Fund Total	0	60,000	0	0	0	60,000
<u>Recreation (106)</u>						
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
<u>Food Service (107)</u>						
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.		210,000				210,000
Fund Total	0	210,000	0	0	0	210,000
<u>CHIP Grant Fund (136)</u>						
Community Development	0	195,000				195,000
Fund Total	0	195,000	0	0	0	195,000
<u>ARPA Fund (138)</u>						
Service (Capital Facilities)	0	0	250,000			250,000
Fund Total	0	0	250,000	0	0	250,000
<u>Water (201)</u>						
Service	1,804,663	873,133	338,000			3,015,796
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	953,393	1,114,215	61,173	50,000	4,419,754
<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		183,500			565,762
Community Development			13,995			13,995
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	11,510,681	541,854	25,000	12,459,797
<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	\$ 12,527,725	\$ 22,872,931	\$ 2,263,464	\$ 250,000	\$ 63,212,166
						Check: \$ 63,212,166
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)
Donation 6/16/2021			13,995			13,995
Amendment #3		27,000	267,000			294,000
Amendment #4		90,000	38,000			128,000
Amendment #5						0
Amendment #6						0
Amendment #7						0
Amendment #8						0
	\$ 25,298,046	\$ 12,527,725	\$ 22,872,931	\$ 2,263,464	\$ 250,000	\$ 63,212,166

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. 2021-087

AN ORDINANCE AUTHORIZING RECOMMENDATION TO ACCEPT THE ONEOHIO OPIOID SETTLEMENT AND ENTER INTO THE PARTICIPATION AGREEMENT WITH OPIOID DISTRIBUTORS AMERISOURCEBERGEN, MCKESSON, AND CARDINAL HEALTH, AND DECLARING AN EMERGENCY.

WHEREAS, opioid distributors AmerisourceBergen, McKesson and Cardinal Health (“the Distributors”) have proposed a joint settlement (“the Settlement”) to the State of Ohio and its political subdivisions pertaining to the Distributors’ share of the distribution of opioids that was a significant cause of the national opioid crisis that lead to mass addiction and overdose deaths that affected both the State of Ohio and the City of Kent; and

WHEREAS, under the Settlement, the Distributors will pay up to \$829,000,000 to the State of Ohio and its political subdivisions over 18 years, with most of the money received being restricted in use and earmarked for abatement of the opioid epidemic; and

WHEREAS, the Ohio Attorney General has recommended the political subdivisions of the State of Ohio accept the Settlement; and

WHEREAS, the Law Director and the City Manager recommend that Council vote to accept the Settlement and enter into the Participation Agreement (“the Agreement”) with the Distributors as described and incorporated by reference herein.

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

SECTION 1: Council hereby accepts the recommendation of the City Manager and the Law Director and authorizes approval of the Settlement and execution of the Agreement on behalf of the City.

SECTION 2: The City Manager and the Law Director recommend that City Council authorize settlement of any potential claims against the Distributors pursuant to the terms set forth in the Settlement summary.

SECTION 3: The Kent Council hereby directs the Law Director to enter into the Agreement on behalf of the City on or before any Settlement deadline.

SECTION 4: The Law Director is hereby authorized to take all steps necessary to resolve these matters in accordance with the terms of the Settlement and Agreement.

SECTION 5. 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 6. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after

passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL
(SEAL)

DRAFT ORDINANCE NO. 2021-088

AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT TOWARDS THE YOUTH TACKLE FOOTBALL PLAYER SPONSOR FUND, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Parks & Recreation Department has received a donation of \$200 towards the Youth Tackle Football Player Sponsor Fund from Danita Brown Young; 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. Council does hereby authorize the City Manager on behalf of the City of Kent to accept the donation of \$200.00 towards the Youth Tackle Football Player Sponsor Fund and for the Budget and Finance Director to appropriate the donation into the proper fund.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL
(SEAL)

DRAFT ORDINANCE NO. 2021-089

AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT TOWARDS THE PURCHASE OF A MEMORIAL TREE FOR THE KENT PARKS, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Parks & Recreation Department has received a donation of \$200 towards the purchase of a memorial tree for the Kent Parks from Peter J. and Lois A. Orlando; 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. Council does hereby authorize the City Manager on behalf of the City of Kent to accept the donation of \$200.00 towards the purchase of a memorial tree for the Kent Parks and for the Budget and Finance Director to appropriate the donation into the proper fund.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL
(SEAL)

DRAFT ORDINANCE NO. 2021-090

AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$700.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT TOWARDS THE PLANTING OF A MEMORIAL TREE AND THE ADDITION OF A MEMORIAL BENCH FOR THE KENT PARKS, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Parks & Recreation Department has received a donation of \$700 towards the planting of a memorial tree and the addition of a memorial bench for the Kent Parks from Judi Coteff; 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. Council does hereby authorize the City Manager on behalf of the City of Kent to accept the donation of \$700.00 towards the planting of a memorial tree and the addition of a memorial bench for the Kent Parks and for the Budget and Finance Director to appropriate the donation into the proper fund.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL
(SEAL)

DRAFT ORDINANCE NO. 2021 -091

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO AMEND THE CITY OF KENT'S RECYCLING SERVICE CONTRACT WITH PORTAGE COUNTY SOLID WASTE MANAGEMENT DISTRICT SPECIFICALLY TO CHANGE THE PICK-UP SCHEDULE; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent wishes to amend the City's recycling service contract with Portage County Solid Waste Management District, specifically to change the pick-up schedule and pricing; and

WHEREAS, the County is asking the City to amend that contract to allow the County to transition to every other week curbside collection through December of 2021; and

WHEREAS, the City of Kent acknowledges the concerns that the Portage County Solid Waste Management District is experiencing and understands this is a temporary measure for the good of the County.

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

SECTION 1. Council does hereby authorize the City Manager, or his designee to amend the City of Kent's recycling service contract with Portage County Solid Waste Management District to change their pick-up schedule from weekly curbside recycling to every other week curbside collection through December of 2021 and to adjust pricing accordingly.

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

AGREEMENT BETWEEN
BOARD OF COMMISSIONERS FOR THE PORTAGE COUNTY SOLID WASTE DISTRICT
AND THE CITY OF KENT
AMENDMENT NO. 1

THIS AGREEMENT is entered into this _____ day of _____, 2021, by and between the District Commissioners of the Portage County Solid Waste Management District (hereinafter "District Commissioners") and the City of Kent (hereinafter "City")

WHEREAS, an agreement between the parties was entered into and known as the Portage County Contract No. _____ (the "Original Contract"); and

WHEREAS, the Parties desire to amend the Original Contract and, **WHEREAS**, the District Commissioners, by Resolution No. 2021- _____, attached hereto as Exhibit "A", has accepted the amended agreement; and

WHEREAS, the City, by Resolution No. 2021- _____, attached hereto as Exhibit "B", has accepted the amended agreement; and

NOW, THEREFORE, with the intent to be legally bound, and in consideration of the covenants and promises hereinafter made, the parties hereto agree as follows:

The Original Contract section(s) shall be amended to read as follows:

SECTION 4 – Collection Service

- 4.1 Service Provided - The District shall provide ~~weekly~~ **every other week** curbside collection service **on a temporary basis** from each residential dwelling unit for each of the following recyclable materials: that are designated annually by the District and the District's contracted processor. The list will be published on the District website www.portagerecycles.com by January 15th of each calendar year. Written explanation for any changes shall be given to the City thirty (30) days prior to the effective changes and the District is responsible for notification to the residents of the changes.

SECTION 9 – Basis and Method of Payment

9.1 Unit Prices Bid

The District and the City agree to convert to every other week service schedule **on a temporary basis** starting September 6, 2021, until December 31, 2021. The weeks of service shall be as follows:

Week of August 23 service

Week of August 30 service

~~Week of September 6 no service~~

Week of September 13 service

~~Week of September 20 no service~~

Week of September 27 service

~~Week of October 4 no service~~

Week of October 11 service

~~Week of October 18 no service~~

Week of October 25 service

~~Week of November 1 no service~~

Week of November 8 service

~~Week of November 15 no service~~

Week of November 22 service

~~Week of November 29 no service~~

Week of December 6 service

~~Week of December 13 no service~~

Week of December 20 service

~~Week of December 27 no service~~

Service fee from March 1, 2019 to February 28, 2020	\$5.50 per month
Service fee from March 1, 2020 to February 28, 2021	\$5.67 per month
Service fee from March 1, 2021 to February 28, 2022	\$5.83 per month
Service fee from September 6, 2021 to December 27, 2021	\$2.92 per month EOW svc
Service fee from March 1, 2022 to February 28, 2023	\$6.05 per month
Service fee from March 1, 2023 to February 28, 2024	6.19 per month

All other terms of the Original Contract shall remain in effect unless otherwise agreed to by this Amendment No. 1

The beginning and ending dates of the Agreement still remain in effect from September 6, 2021, to December 31, 2021.

IN WITNESS WHEREOF, the parties have caused this Agreement to be executed by their duly authorized representatives as of the day and year first written above.

SOLID PORTAGE COUNTY WASTE MANAGEMENT DISTRICT BOARD OF COMMISSIONERS:

Sabrina Christian-Bennett, President

Date: _____

Anthony J. Badalamenti, Vice -President

Date: _____

Vicki A. Kline, Board Member

Date: _____

City of Kent

David Ruller, City Manager

Date: _____

APPROVED AS TO CONTENT:

William G. Steiner, II Director Portage County Solid Waste Management District

Date: _____

APPROVED AS TO FORM:

Assistant Prosecuting Attorney

Date: _____

APPROVED AS TO FORM:

Hope Jones, Law Director

Date: _____



City Council Regular Meeting
The City of Kent, Ohio
Wednesday, July 21, 2021

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. Heidi Shaffer Bish; Mr. Roger Sidoti

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; Ms. Joan Seidel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Gary Bishop, IT Manager; Mr. John Tosko, Fire Chief; Ms. Angela Manley, Parks and Recreation Director; Ms. Amy Wilkens, Clerk of Council

ABSENT: Ms. Gwen Rosenberg; Ms. Tracy Wallach; Mr. Robin Turner

MOTION TO EXCUSE Ms. Rosenberg, Ms. Wallach and Mr. Turner made by Mr. Ferrara
SECONDED by Mr. Sidoti and CARRIED by a voice vote of 6-0-0.

Mayor Fiala called upon Councilmember Kuhar for opening remarks.

Mr. Kuhar asked everyone to stand for the Pledge of Allegiance.

Approval of Regular Council Meeting Minutes:

MOTION TO APPROVE THE MINUTES OF THE PUBLIC HEARINGS OF July 7, 2021 THE REGULAR COUNCIL MEETING OF June 16, 2021, AND SPECIAL CITY COUNCIL MEETING OF July 7, 2021 made by Mr. Kuhar, SECONDED by Mr. Ferrara and CARRIED by a voice vote of 6-0-0.

Communication:

Public Comment: There were two visitors signed in to speak at the meeting.

- 1) Mr. Christopher Myers of 220 E. Elm Street spoke on topics regarding neighborhood fireworks, racism as a public health crisis and police helping end loud music in cars. He submitted notes on his comments to Council (Attachment #1).
- 2) Mr. Allan Orashan of 531 S. Depeyster Street introduced himself and added he is also on the Board of the Kent Wells Sherman House. He sincerely thanked City Council on saving the Wells Sherman House as well as for the loan of \$10,000. He wanted to clarify the project was not funded by public money. Kent State University contributed \$40,000 to move the house instead of paying \$40,000 to tear the house down. The other public money is a loan. There is no profit being made on the property and it is being sold to pay off

obligations. There have been thousands of volunteer hours put into this project. He added he is very grateful to Council for their part in the project.

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

1. Civil Service Commission Regular Meeting Agenda for June 21, 2021 received June 18, 2021.
2. May Statistical Report for the Kent Police Department was received from Chief Shearer on June 24, 2021.
3. Standing Rock Cemetery Board Agenda for July 8, 2021 and the meeting minutes from June 10, 2021 received June 24, 2021.
4. Copy of letter from Mr. Dave Ruller and Fire Chief John Tosko to Dr. Megerian, CEO of University Hospitals, regarding the possible closure of the free standing UH emergency room in Kent received and forwarded to Council on June 25, 2021.
5. Planning Commission and Staff Report for July 6, 2021 received on June 29, 2021.
6. Twenty-two letters from local residents, encouraging Kent to make a minimum goal of reducing carbon emissions at least 30% by 2030 in support of Power A Clean Future Ohio were sent to Mayor Fiala. These were received on July 2, 2021 and are on file in the Clerk of Council's Office.
7. Board of Health Agenda and Statistical Reports for the July 13, 2021 meeting and May meeting minutes received on July 9, 2021.
8. Parks and Recreation Board packet for July 15, 2021 received July 8, 2021.
9. July meeting cancellation notice from the Civil Service Commission received July 16, 2021.
10. Planning Commission Agenda and Staff report for July 20, 2021 received on July 16, 2021.

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

1. Request for Council's authorization to accept and allocate \$2,000 in NOPEC sponsorship funds that would go to Main Street Kent to support Main Street's Oktoberfest event. (Draft #2021-073)
2. Request for Council's authorization to accept and allocate 3 donations to Kent Parks & Recreation in the amount of \$5,450 to support the youth tackle football player sponsorship fund. (Draft #2021-074)
3. Request for Committee of the Whole time to allow Ohio State Representative Gail Pavlika (District 75) an opportunity to introduce herself to City Council.
4. Request for Health and Safety Committee time to provide Council with an update on the Kent Police Department activities.
5. Request for Streets, Sidewalks and Utilities Committee time to present a request from Main Street for changes to the street closure and DORA for their 2021 Oktoberfest.
6. Request for Streets, Sidewalks and Utilities Committee time obtain Council's authorization to update the numbers of accounts for trash and recycling.
7. Request for Streets, Sidewalks and Utilities Committee time for Council to consider approval of a Memorandum of Understanding (MOU) with Kent State University for the

- inaugural outdoor community ice rink.
8. Request for Finance Committee time for Council to consider certification of the list of delinquent property bills for submission to the County as property tax liens.
 9. Request for Finance Committee time for Council to consider certification of the list of delinquent utility bills for submission to the County as property tax liens.
 10. Chief Shearer has requested Finance Committee time for Council to consider the renewal of the School Resource Officer agreement with Kent City Schools for the 2021-22 academic year.
 11. Request for Finance Committee time for Council to consider proposed amendments to the City's EDA Revolving Loan Fund Plan that was adopted on 1/16/2019.
 12. Request for Finance Committee time for Council to consider the staff request to release the EDA's federal interest in the EDA Revolving Loan Fund.

MOTION TO APPROVE ITEMS #1-12 OF THE CITY MANAGER'S REPORT, made by Mr. Amrhein, SECONDED by Mr. Ferrara, and CARRIED by a voice vote of 6-0-0.

STANDING COMMITTEES/ LEGISLATION

Clerk of Council, Ms. Amy Wilkens, started the legislation portion of the meeting by announcing only six members were present tonight, therefore the requirement of having 2/3 members (7) to suspend the rules of three readings of ordinances, all readings of legislation will be a first reading. Members present will vote on the first reading and a second reading will occur at the next council meeting.

1) COMMITTEE OF THE WHOLE

No Minutes or Recommended Actions to approve.

2) COMMUNITY DEVELOPMENT COMMITTEE

Committee Meeting Minutes in Progress

MOTION TO APPROVE RECOMMENDED ACTIONS of July 7, 2021 made by Mr. Kuhar, SECONDED by Mr. Ferrara and CARRIED by a voice vote of 6-0-0.

RECOMMENDED ACTION:

- 1) Authorize the proposed Code modifications that would enable civil enforcement of garage and yard sale violations

Draft No. 2021- 065 AN ORDINANCE AMENDING SECTION 769.03 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED "PENALTY" TO CHANGE ITS CURRENT MINOR MISDEMEANOR STATUS TO A CIVIL OFFENSE; AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE FIRST READING made by Mr. Ferrara and SECONDED by Mr. DeLeone. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer Bish, Mr. Sidoti, Mr. Amrhein. The Motion CARRIED by a roll call vote of 6-0-0.

DRAFT ORDINANCE 2021-065 FIRST READING PASSED as stated by Clerk Wilkens.

3) HEALTH AND PUBLIC SAFETY COMMITTEE

Committee Meeting Minutes in Progress

MOTION TO APPROVE RECOMMENDED ACTIONS of July 7, 2021 made by Mr. Amrhein, SECONDED by Mr. Ferrara and CARRIED by a voice vote of 6-0-0.

RECOMMENDED ACTION:

- 1) Approve the updated Portage County Hazardous Mitigation Plan

Draft No. 2021-066 A RESOLUTION OF THE CITY OF KENT, OHIO AUTHORIZING THE ADOPTION OF THE PORTAGE COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE FIRST READING made by Mr. Ferrara and SECONDED by Mr. Mr. Kuhar. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer Bish, Mr. Sidoti, Mr. Amrhein. The Motion CARRIED by a roll call vote of 6-0-0.

DRAFT ORDINANCE 2021-066 FIRST READING PASSED as stated by Clerk Wilkens.

4) LAND USE COMMITTEE

Committee Meeting Minutes in Progress

MOTION TO APPROVE RECOMMENDED ACTIONS of July 7, 2021 made by Mr. Ferrara, SECONDED by Mr. DeLeone and CARRIED by a voice vote of 6-0-0.

RECOMMENDED ACTIONS:

- 1) Approve Zoning Change from Commercial to Commercial High Density Multifamily Residential

Draft No. 2021-067 AN ORDINANCE AMENDING THE CITY'S ZONING DISTRICTS MAP FOR PARCEL #45-004-00-00-053-000 (CORNER OF SR43 & SR261) TO BE REZONED FROM ITS CURRENT C: COMMERCIAL ZONING DISTRICT (CH1141) TO C-R: COMMERCIAL HIGH DENSITY MULTIFAMILY RESIDENTIAL ZONING DISTRICT (CH1145), AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE FIRST READING made by Mr. Ferrara and SECONDED by Ms. Shaffer Bish. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer Bish, Mr. Sidoti, Mr. Amrhein. The Motion CARRIED by a roll call vote of 6-0-0.

DRAFT ORDINANCE 2021-067 FIRST READING PASSED as stated by Clerk Wilkens.

5) STREETS, SIDEWALKS AND UTILITIES COMMITTEE

Committee Meeting Minutes in progress

THE CITY OF KENT, OHIO
REGULAR COUNCIL MEETING
WEDNESDAY, JULY 21, 2021

MOTION TO APPROVE RECOMMENDED ACTIONS of July 7, 2021 made by Mr. Sidoti, SECONDED by Mr. DeLeone and CARRIED by a voice vote of 6-0-0.

RECOMMENDED ACTIONS:

1. Approve the proposed agreement with KSU to share the costs of the proposed pedestrian improvements
2. Authorize the extended closure of a section of Erie Street to support the new outdoor ice rink

Draft No. 2021- 068 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A PEDESTRIAN SAFETY IMPROVEMENT AGREEMENT BETWEEN THE CITY OF KENT AND KENT STATE UNIVERSITY TO JOINTLY IMPROVE THE SAFETY FOR PEDESTRIANS WITHIN THE CITY AND KSU CAMPUS, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE FIRST READING made by Mr. Ferrara and SECONDED by Ms. Shaffer Bish. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer Bish, Mr. Sidoti, Mr. Amrhein. The Motion CARRIED by a roll call vote of 6-0-0.

DRAFT ORDINANCE 2021-068 FIRST READING PASSED as stated by Clerk Wilkens.

Draft No. 2021-069 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE A NEW SPECIAL EVENT APPLICATION FOR KENT STATE UNIVERSITY AND THE CITY OF KENT FOR AN ICE RINK THAT WILL START ON NOVEMBER 25, 2021 AND RUN THROUGH FEBRUARY 28, 2022, AND DECLARING AN EMERGENCY, was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE FIRST READING made by Mr. Ferrara and SECONDED by Mr. Sidoti. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer Bish, Mr. Sidoti, Mr. Amrhein. The Motion CARRIED by a roll call vote of 6-0-0.

DRAFT ORDINANCE 2021-069 FIRST READING PASSED as stated by Clerk Wilkens.

6) FINANCE COMMITTEE

Committee Meeting Minutes in Progress

MOTION TO APPROVE RECOMMENDED ACTIONS of July 7, 2021 made by Mr. DeLeone, SECONDED by Mr. Ferrara and CARRIED by a voice vote of 6-0-0.

RECOMMENDED ACTIONS:

1. Authorize the transfer of the outstanding loan balance, and payment terms, to the new property owner of the Kent Wells Sherman House Loan
2. Authorize the acceptance and allocation of grant funding to be used for the replacement of police ballistic vests
3. Approve the 2021 budget appropriations amendments

Draft No. 2021-070 AN ORDINANCE AMENDING ORDINANCE NO. 2012-57, ADOPTED ON JUNE 20, 2012, AS AMENDED BY ORDINANCE NO. 2012-69, ADOPTED ON JULY 18, 2012, SO AS TO ISSUE A NEW PROMISSORY NOTE TO 257 NORTH WATER, LTD IN THE AMOUNT OF \$8,463.00 AS THE NEW OWNER OF 247 NORTH WATER STREET; AND DECLARING AN EMERGENCY KWSH Loan was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE FIRST READING made by Mr. Ferrara and SECONDED by Mr. DeLeone. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer Bish, Mr. Sidoti, Mr. Amrhein. The Motion CARRIED by a roll call vote of 6-0-0.

DRAFT ORDINANCE 2021-070 FIRST READING PASSED as stated by Clerk Wilkens.

Draft No. 2021-071 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT GRANT FUNDING IN THE AMOUNT OF \$17,786.25 FOR REIMBURSEMENT FOR THE PURCHASE OF BALLISTIC VESTS, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE FIRST READING made by Ms. Shaffer Bish and SECONDED by Mr. Sidoti. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer Bish, Mr. Sidoti, Mr. Amrhein. The Motion CARRIED by a roll call vote of 6-0-0.

DRAFT ORDINANCE 2021-071 FIRST READING PASSED as stated by Clerk Wilkens.

Draft No. 2021-072 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 was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE FIRST READING made by Mr. Ferrara and SECONDED by Mr. DeLeone. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer Bish, Mr. Sidoti, Mr. Amrhein. The Motion CARRIED by a roll call vote of 6-0-0.

DRAFT ORDINANCE 2021-072 FIRST READING PASSED as stated by Clerk Wilkens.

Draft No. 2021-073 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCEPT THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2021 COMMUNITY EVENT SPONSORSHIP PROGRAM AWARD IN THE AMOUNT OF \$2,000.00, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE FIRST READING made by Mr. Ferrara and SECONDED by Mr. DeLeone. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer Bish, Mr. Sidoti, Mr. Amrhein. The Motion CARRIED by a roll call vote of 6-0-0.

DRAFT ORDINANCE 2021-073 FIRST READING PASSED as stated by Clerk Wilkens.

Draft No. 2021-074 AN ORDINANCE ACCEPTING THREE (3) DONATIONS TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FOR THE YOUTH TACKLE FOOTBALL PLAYER SPONSOR FUND, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE FIRST READING made by Mr. Ferrara and SECONDED by Mr. Sidoti. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Shaffer Bish, Mr. Sidoti, Mr. Amrhein. The Motion CARRIED by a roll call vote of 6-0-0.

DRAFT ORDINANCE 2021-074 FIRST READING PASSED as stated by Clerk Wilkens.

Mayor Fiala made the announcement that there will be a Special Council Meeting at 7:00 P.M. August 4, 2021. The Special Council Meeting will be held and then Council will move into Committee Meetings.

Unfinished Business: NONE

New Business:

Ms. Shaffer Bish said at the next Committee Meeting she will be coming to Council to ask for approval of the use of funds for events. There is a block party in her neighborhood and wants to find ways to support these. She would like to donate some of her unused funds. She added there used to be a Neighborhood Grant Program that did not continue. She would like Council to come together and find a way to grow and encourage these kinds of events.

MOTION TO BRING TO COMMITTEE A DISCUSSION OF WHAT COUNCIL CAN DO TO ASSIST NEIGHBORHOOD EVENTS, including Community Development in the discussion, made by Ms. Shaffer Bish, SECONDED by Mr. Ferrara and CARRIED by a voice vote of 6-0-0.

Council Comments:

Mr. Kuhar commented that City Council makes laws that form and mold the community. He is wondering if some of the actions and laws passed are taking away some of our fundamental freedoms this country was founded on.

Mr. Ferrara received a tour of the South End Community Gardens by Doria Daniels and said they are quite impressive. He encouraged all to visit. He then acknowledged Chief John Tosko upon his retirement from the Fire Department, and thanked and congratulated him on all he has done for the Kent community.

Mr. Jack Amrhein referenced Mr. Meyers' comments at the beginning of the meeting in regards to racism being a public health crisis. He clarified this is not saying people in Kent are racist, rather there seems to be social and cultural injustices that create a problem for minorities receiving health care. During COVID, more minorities were affected by COVID than any other group. They were not talking about Kent overtly, more of a covert type of situation.

Mr. Sidoti thanked the Engineering and Service Department on the work done on N. Water Street. He was gone for ten days and was so impressed upon the work completed upon his return.

Ms. Shaffer Bish said she attended Blues Fest last week and was impressed at how improved the infrastructure has been improved on N. Water Street. She is looking forward to more businesses occupying vacant building. Mr. Sidoti added thanks should go to Harrison Wicks and his work done with the Better Block project.

Mayor's Report:

Mayor Fiala said he has visited the Community Gardens and thanked Ms. Joan Seidel for all of her hard work helping out. He encouraged all to visit. He added there were a lot of people downtown last weekend for Blues Fest.

Mayor Fiala continued by adding he has been working on redesigning the City's flag for the past three years. He put together a committee and designed a new flag. The next step is for Council to approve to proceed with the created design and to adjust the ordinance to match its new design.

MOTION TO APPROVE THE NEW CITY FLAG AND REVISE THE RESOLUTION 1975-155 made by Mr. Ferrara SECONDED by Mr. Sidoti and CARRIED by a voice vote of 6-0-0.

MOTION TO MOVE INTO EXECUTIVE SESSION made by Mr. Amrhein SECONDED by Mr. DeLeone and CARRIED by a voice vote of 6-0-0.

MOTION TO MOVE BACK INTO THE REGULAR COUNCIL MEETING made by Mr. Kuhar SECONDED by Mr. Ferrara and CARRIED by a voice vote of 6-0-0.

The Regular Meeting adjourned at 8:45 P.M.

Amy Wilkens
Clerk of Council

Jerry T. Fiala
Mayor and President of Council

TO: Amy Wilkins

Annex notes

1. Please no fireworks back yard or front yard or in the street.

2. As I ^{demonstrate} ~~protest~~ on the street I show the police report against me with Bullock's comment & ~~people~~ people think it's just nuts, like, is he crazy?

3. Kent Racism a public health crisis
A crisis is something really bad...
on steroids.

Health Board

Who is doing something detrimental to persons of another race. It's action on somebody's part.
Kleber Ford?
Hudson Bank?
Rotary Club?

Health Board

Who is getting ~~hurt~~ hurt?

Who has filed complaints?

What is the outcome?

How many in the last five years?

4. Thanks to the Police Dept. ~~to~~ for tolerating all my calls & helping to get a loud music car woofer man found guilty

Racism: A person, persons, or entity ~~doing~~ of one race doing something detrimental to a person, persons, or entity to the detriment of the God-given right to life, liberty, and pursuit of happiness of those affected simply because of their race.

Documentation ~~the~~ of the claim is necessary.



Community Development Meeting Minutes

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

Chair Kuhar called the Community Development Committee of Kent City Council to order at 7:08 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer Bish; 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; Mr. Nick Shearer, Chief of Police; Ms. Angela Manley, Parks and Recreation Director; and Ms. Amy Wilkens, Clerk of Council.

ABSENT: Mr. Robin Turner; Mr. Roger Sidoti

There was one (1) item on the Agenda.

1. Garage/Yard Sale Violation Change to Civil Offense

Chair Kuhar introduced Ms. Bridget Susel, Community Development Director to address the topic of tonight's discussion.

Ms. Susel said the Community Development Department has recently received complaints about ongoing garage sales which are controlled in the code but the penalty is criminal, a misdemeanor. This makes it very difficult to enforce. They are requesting the penalty be changed to a civil offense, which would result in a fine or the threat of a fine to bring them into compliance.

Mr. Ferrara asked if this would make it easier to make them stop the perpetual sales. Ms. Susel said that is correct, they can issue warnings and if they don't comply they would receive a \$100 fine. Code enforcers would be able to issue these instead of having the Law Department file them in court, which takes time and effort.

Mr. Ferrara asked about a specific sale on Park Ave. where they move the sale from the driveway to the porch and if this assists in handling this. Ms. Susel said it is one of two in the area that they have received complaints on. Code Enforcers stop at these properties multiple times a week and warnings are not working.

Ms. Wallach asked if as soon as the law goes into effect if they would be fined. Ms. Susel said they have been documenting if they have been in non-compliance, however, the goal is compliance, not punitive. They will get a verbal warning, then a written warning and then a fine.

Mr. Ferrara asked if they could be fined perpetually. Ms. Susel said if they do not comply then every ten days the fine is doubled. Fines will then be assigned to property taxes. Usually, once they see the letter, they remedy this situation. The goal is compliance.

There were no questions from City Council members and no questions from the public.

MOTION TO APPROVE THE VIOLATION CHANGE TO A CIVIL OFFENSE made by Mr. Ferrara SECONDED by Ms. Shaffer Bish and CARRIED by a voice vote of 7-0-0.

Ms. Shaffer Bish said this has happened in her ward and it does tend to bring the neighborhood down to have a perpetual sale. It reduces property value when it turned into a business without a license.

Mr. Ferrara said it is a case when it's the government's responsibility to protect the many from the few and the few have been able to skirt the law. It goes back to property value and city pride and he is all in favor of maintaining the highest possible standard.

Seeing no further business, the Community Development Committee Meeting adjourned at 7:13 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Authorize the proposed Code modifications that would enable civil enforcement of garage and yard sale violations.



Health and Safety Committee Meeting Minutes

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

Mr. Amrhein called the Health and Safety Committee Meeting 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; 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; Mr. Nick Shearer, Chief of Police; Ms. Angela Manley, Parks and Recreation Director; and Ms. Amy Wilkens, Clerk of Council.

ABSENT: Mr. Robin Turner; Mr. Roger Sidoti

There was one (1) item on the Agenda.

1. Authorization of Updated Portage County Mitigation Plan

Mr. Amrhein started the meeting by introducing Ms. Melanie Baker, Service Director, to speak on the topic.

Ms. Melanie Baker started by stating she is here to ask approval from Council for the Portage County Mitigation Plan, which was started in 2019. The old plan was last approved in 2015. Chief Tosko, Chief Shearer and Health Commissioner Joan Siedel assisted in creating this plan. One thing that became clear in 2020 was the unpreparedness for pandemics and epidemics, so it became a high priority. NIMS training was addressed and will be adjusted with staff and new staff will need to be brought up to date. Mutual aid was also reviewed and will be reviewed with neighboring communities over the next year. Disaster notifications were discussed and will be reviewed as well. Once approved and accepted, we will be eligible for future funding from FEMA.

Ms. Heidi Shaffer Bish asked what NIMS stood for. Ms. Baker answered National Incident Management System.

MOTION TO AUTHORIZE THE UPDATED PORTAGE COUNTY MITIGATION PLAN
made by Mr. Ferrara, SECONDED by Mr. Kuhar and CARRIED with a voice vote of 7-0-0.

Ms. Rosenberg thanked Ms. Baker and all involved in putting this together and making sure we are prepared.

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

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Approve the updated Portage County Hazardous Mitigation Plan



Land Use Committee Meeting Minutes

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

Chair Ferrara called the Land Use Committee of Kent City Council to order at 7:20 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer Bish; 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; Mr. Nick Shearer, Chief of Police; Ms. Angela Manley, Parks and Recreation Director; and Ms. Amy Wilkens, Clerk of Council.

ABSENT: Mr. Robin Turner; Mr. Roger Sidoti

There was one (1) item on the Agenda.

1. Proposed Zoning Map Amendment for property at SR43/261

Ms. Bridget Susel said the Community Development Department received an application from a developer with the support of the property owner for a map amendment for the parcel located at the NW corner of SR261 and SR 43. The Planning Commission previously approved the amendment to be presented to Council. This map amendment would allow for all proposed uses; the commercial uses would be allowed as well if approved but would also allow for multi-family high density residential. She added this is not spot zoning, it adjoins a similar parcel and all variables are verified before bringing to Planning Commission. The property owner and the developer are present to answer any questions.

Ms. Heidi Shaffer Bish asked if this is in an environmentally sensitive area. Ms. Susel said it is not.

Mr. Kuhar asked if any particular age group of people are being targeted. Ms. Susel said the map amendment is for all proposed uses. The low-income tax credit project that may be discussed is one option of many if a multi-unit housing was allowed.

Mr. Pete Schwiegeraht with MVAH Partners located in West Chester, Ohio approached the microphone. He gave his company's history and background, with most development

in Ohio and Indiana. The application they hope to make for tax credits would be a multigenerational development. Multifamily and mixed commercial is a great opportunity for housing next to services and amenities. They need to apply for financing, but first need zoning approval. They are excited to make application to the State and targeting households with 80% AMI and under. This is not Section 8, there is no rent subsidy or involvement with HUD. This will be for working class individuals making up to \$69,000 and under who maybe can't find a high-quality apartment. More importantly, this is a proper zone change for the site and if approved, the City will be able to find a better user for the site.

Mr. Kuhar asked if there would be designated senior units and how many units would be designated as such. Mr. Schwiegeraht answered they are currently in design phase but they are hoping for a relatively denser site with upwards of 150+ units, with two multistory units, each with its own individual entrances and amenities.

Ms. Shaffer Bish asked if this is consistent with the City's housing code. Ms. Susel said there is a shortage of affordable work force housing and is consistent with findings.

MOTION TO AUTHORIZE THE PROPOSED ZONING CODE CHANGE FROM made by Ms. Shaffer Bish **SECONDED** by Mr. Kuhar and **CARRIED** by a voice vote of 7-0-0.

Ms. Shaffer Bish said the rezoning is necessary and that we do need additional housing and is excited about drawing more people into Kent and offering additional housing. She thinks it is an appropriate location and not in a more sensitive environmental area.

Mr. Kuhar says this is a good fit for the piece of property that has been sitting vacant for too long. It makes the property more marketable.

Seeing no more actions from this Committee, it adjourned at 7:32 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Approve zoning change from Commercial to Commercial High Density Multifamily Residential



Streets, Sidewalks & Utilities Committee Meeting Minutes

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

Vice Chair Wallach called the Streets, Sidewalks & Utilities Committee of Kent City Council to order at 7:32 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer Bish; 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; Mr. Nick Shearer, Chief of Police; Ms. Angela Manley, Parks and Recreation Director; and Ms. Amy Wilkens, Clerk of Council.

ABSENT: Mr. Robin Turner; Mr. Roger Sidoti

There were Two (2) items on the Agenda.

1. Pedestrian Safety Updates with KSU

Mr. Jim Bowling started by saying the City and Kent State University have always been interested in pedestrian safety. KSU hired a consultant to look at 28 different intersections in and around campus. Recommendations were made on 17 locations, 16 of those are on the City's Right of Way. An agreement was drafted between to split the costs and they are asking for Council's approval to execute the agreement.

Ms. Rosenberg asked if this included the intersection of Erie St. and Depeyster. Mr. Bowling said it does not include that intersection.

Mr. DeLeone asked if these changes all border Kent State University. Mr. Bowling said it does, and is typical of larger college towns. There is a larger pedestrian population and roadways which cause issues.

Mr. Ruller added the work on Summit Street has significantly improved safety (in terms of number of accidents). This will build on the good work accomplished there. Mr. Bowling said the full benefit is more than just signs, you need to narrow the roadway so that people can cross safely, and other things as well. Mr. Ruller said that although the Covid Pandemic put a "dent" in the Capital Plans at Kent State, they are still very much committed to redesigning the campus transportation network to emphasize more pedestrian traffic.

MOTION TO APPROVE THE PEDESTRIAN SAFETY PLAN, with an emergency clause, made by Ms. Shaffer Bish SECONDED by Mr. Ferrara and CARRIED by a voice vote of 7-0-0.

Ms. Shaffer Bish said this is consistent with making Kent a more walkable city and she is looking forward to it all coming together.

2. Proposed Erie Street Closure for Holiday Ice Rink

Ms. Melanie Baker worked with Kent State University to present a road closure October 18, 2021 until February 29, 2022. Quite a bit of building will need to take place, and will be located on Erie Street between Depeyster and Haymaker. Kent State has begun purchasing and design.

Ms. Rosenberg asked if this is something that will reoccur every year. Ms. Baker said she believes that is Kent State's intent. Ms. Rosenberg asked about the operating plan, which Ms. Baker replied is currently being developed. All partners will be meeting the end of July to discuss all of the details and has verified the new Parks and Recreation Director has been looped into the discussions.

Mr. Ruller added KSU is also working on advertising and sponsorship opportunities for fund raising.

MOTION TO AUTHORIZE THE ERIE STREET ROAD CLOSURE FOR THE HOLIDAY ICE RINK made by Mr. Ferrara and SECONDED by Mr. Amrhein and CARRIED by a voice vote of 7-0-0.

Mr. Ferrara commented this is a great idea and collaboration with Kent State University is appreciated.

Seeing no further business or questions for this committee, it adjourned at 7:43 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Approve the proposed agreement with KSU to share the costs of the proposed pedestrian improvements
- 2) Authorize the extended closure of a section of Erie Street to support the new outdoor ice rink



Finance Committee Meeting Minutes

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

Chair DeLeone called the Finance Committee of Kent City Council to order at 7:42 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer Bish; 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; Mr. Nick Shearer, Chief of Police; Ms. Angela Manley, Parks and Recreation Director; and Ms. Amy Wilkens, Clerk of Council.

ABSENT: Mr. Robin Turner; Mr. Roger Sidoti

There were four (4) items on the Agenda.

1. Transfer of KWSH Loan

Ms. Bridget Susel presented a request to transfer a loan the City issued to Kent Wells Sherman House which is changing ownership.

Mr. Ferrara asked what the projected use would be of the building. Ms. Susel said they have not indicated the use of the property, however indicated it has limited square footage. The new owner anticipates office space but has not firmly determined this. The owner also owns a business, Lucci's Pizza, which will be moving in next door. This house will allow the owner to have office space strategically located.

Mr. Kuhar asked if the non-profit made a profit off of the house. Ms. Susel replied she is not a part of the private transaction of the property but stated Kent State paid roughly \$40,000 to move the house and the additional work was done by private resources. Selling the property is to alleviate some ongoing debt service for them and to transition them out of the responsibility of the promissory note.

MOTION TO APPROVE THE TRANSITION OF THE LOAN, WITH EMERGENCY STATUS, made by Mr. Ferrara **SECONDED** by Mr. Amrhein and **CARRIED** by a voice vote of 7-0-0.

2. Funding for Ballistic Vest Replacement

Chief Shearer spoke to Council requesting approval of funding for replacing over 20 ballistic vests, which is the largest project of the year. The State Attorney General's Office has a grant that pays 75%. Kent PD needs to fund the project up front and then receive reimbursement. The grant will award \$17,786.25 leaving a balance of \$5,000 to replace the vests.

Chief Shearer explained that each vest is custom fit and once a vest is shot, it needs to be replaced. Fortunately, the company where the vests are purchased has a program where if an officer is shot in the vest, and the vest saves them, it is replaced for free. The officers do not pay for their own vests, which is a pretty standard procedure.

Mr. Kuhar asked if there are different grades of vests, therefore differing costs. Chief Shearer said there is, with the average cost about \$850 per vest. The vests Kent Police wear will stop anything up to a rifle round, which is pretty standard.

MOTION TO APPROVE BALLISTIC VEST FUNDING made by Mr. Kuhar, SECONDED by Ms. Rosenberg and CARRIED by a voice vote of 7-0-0.

Mr. Kuhar added with the way the world is, you never know when something is going to happen. Police officers are out to protect us, so we should do everything we can to protect them.

Mr. Ferrara added he hopes he never sees a day where Council asks the Police to buy the cheapest vests they can buy. We should always provide our officers with the best that is out there, regardless of cost.

3. Annual Tax Budget

Ms. Rhonda Hall presented the annual tax budget to Council for approval. She requested Council approve the tax budget for 2022 in accordance with ORC 5705.

Ms. Shaffer Bish asked for the total expenses amount for the City. Ms. Hall said there isn't a summary page but that for the General Fund it is approximately \$11 million. Each fund is spelled out separately within the tax budget. She added this budget is the start of the budgeting process and is to show there are no tax increases and to show the 2022 revenue. The expenditure budget will be presented to Council later in the year.

MOTION TO APPROVE THE ANNUAL TAX BUDGET made by Mr. Ferrara, SECONDED by Ms. Rosenberg and CARRIED by a voice vote of 7-0-0.

4. Proposed 2021 Budget Appropriation Amendment

Ms. Rhonda Hall requested Council's approval for the amended budget items included in a memo to the City Manager date June 22, 2021.

MOTION TO APPROVE THE 2021 BUDGET APPROPRIATION AMENDMENT was made by Mr. Ferrara, SECONDED by Ms. Rosenberg and CARRIED by a voice vote of 7-0-0.

Seeing no further discussion of this committee, it adjourned at 7:53 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Authorize the transfer of the outstanding loan balance, and payment terms to the new property owner of the Kent Wells Sherman House Loan
- 2) Authorize the acceptance and allocation of grant funding to be used for the replacement of police ballistic vests
- 3) Approve the 2021 budget appropriation amendments



CITY OF KENT, OHIO

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

Committee of the Whole Meeting Wednesday, August 4, 2021

Mayor Fiala called the Committee of the Whole of Kent City Council to order at 7:13 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. Melanie Baker, Service Director; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Ms. Joan Seidel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Gary Bishop, IT Manager; Ms. Angela Manley, Parks and Recreation Director; Mr. Nick Shearer, Chief of Police; Mr. Bill Myers, Fire Chief; Ms. Amy Wilkens, Clerk of Council

ABSENT: Mr. Robin Turner

There was one (1) item on the Agenda.

1) State Representative Gail Pavliga

Mayor Fiala introduced State Representative Gail Pavliga to the audience and welcomed her to the meeting.

Dr. Gail Pavliga, from Atwater Ohio, addressed City Council and said it has been her mission to learn how the communities in her district work and to get to know everyone. The 75th District goes into Streetsboro, Brimfield, and extends into Palmyra. She is here to give Council an update on bills she is working on.

She continued by reviewing eight bills that are in the works. She has been working on the following:

- 1) Presented a bill to honor a fallen hero and have a highway dedicated in his name
- 2) Working on the issue of opioid addiction; Working on Bill 193 to require certain prescriptions be sent electronically
- 3) Working with Judge Smith regarding juvenile courts on Bill 226 which gives protection for Guardian Ad Litem and CASA (Court Appointed Special Advocates) workers

- 4) Looking at Adverse Childhood Experiences (ACE) and how to cut back on trauma
- 5) She is working on implementing a 988-call hotline for mental health, addiction and overdoses situations. This is to help in certain situations where a hospital visit is not needed.
- 6) Higher education- passing a bill allowing for school district to decide if they want to rate AP classes higher than College Credit Plus which, she added, is a huge drain on local school district budgets.
- 7) Working on a rehabilitation program to help at juvenile court and recidivism in teens.
- 8) She has fought for Health Department to remain in Kent.

Ms. Wallach asked if she is going to support the income tax bill for those working from home. Dr. Pavliga said the bill is still in the Senate and is looking at a specific time period. Ms. Wallach asked if she would vote for this to be permanent and Dr. Pavliga said that is not in the discussion. She said it would need to be reviewed in each situation.

Ms. Wallach asked if Dr. Pavliga supports the bill that does not allow businesses to require vaccinations if they want to. Dr. Pavliga said Ms. Wallach is referring to HB 248 which is a very vast bill that has been continually changing. She said until she sees the final language of the bill as it comes out on the house floor, she keeps an open mind about things. Ms. Wallach asked if Kent State could still require students and staff to get vaccinated. Dr. Pavliga said she did not believe so, that it would become a constitutional issue.

Dr. Pavliga encouraged those who wanted to continue a discussion on issues to visit her at Honey Baked Ham on August 25, 2021 and to email rep75@ohiohouse.gov to make a reservation.

There were no questions from City Council members and no questions from the public.

Seeing no further business, the Committee of the Whole adjourned at 7:31 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) None

Council Committee Meeting
Committee of the Whole
August 4, 2021



CITY OF KENT, OHIO

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

Community Development Committee Meeting Wednesday, August 4, 2021

Chair Kuhar called the Community Development Committee of Kent City Council to order at 7:31p.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. Melanie Baker, Service Director; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Ms. Joan Seidel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Gary Bishop, IT Manager; Ms. Angela Manley, Parks and Recreation Director; Mr. Nick Shearer, Chief of Police; Mr. Bill Myers, Fire Chief; Ms. Amy Wilkens, Clerk of Council

ABSENT: Mr. Robin Turner

There was one (1) item on the Agenda.

1) Shared Sign Approval for Portage Hike & Bike Trail

Chair Kuhar introduced Ms. Bridget Susel, Community Development Director, to address the topic of tonight's discussion.

Ms. Susel said the owners of the property of 315 Gougler have constructed a sign but it is located on a municipal lot. Since it is a private sign on a public lot it posed a bit of a challenge. The owners approached the City to do a public/private shared use sign that would allow advertisement of the business and the Bike and Hike Trail. It is outside the purview of the Architectural Review Board but it seemed like a circumstance that Council should authorize.

Ms. Rosenberg asked the reason why it was before Council. Ms. Susel said they have never had a situation as this and has not seen any instance of this occurring before in the City, so it seemed the best way to handle the situation.

Mr. Sidoti asked about funding and Ms. Susel confirmed the business is paying for the sign.

There were no further questions from City Council members and no questions from the public.

MOTION TO APPROVE THE SHARED SIGN made by Ms. Shaffer Bish **SECONDED** by Ms. Rosenberg and **CARRIED** by a voice vote of 8-0-0.

Seeing no further business, the Community Development Committee Meeting adjourned at 7:36 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Approve the private/public sign proposal for the Portage Hike and Bike trailhead and the ONUS water bottling plant on Gougler Avenue.



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Health and Safety Committee Meeting Wednesday, August 4, 2021

Chair Amrhein called the Health and Public Safety Committee of Kent City Council to order at 7:36 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. Melanie Baker, Service Director; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Ms. Joan Seidel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Gary Bishop, IT Manager; Ms. Angela Manley, Parks and Recreation Director; Mr. Nick Shearer, Chief of Police; Mr. Bill Myers, Fire Chief; Ms. Amy Wilkens, Clerk of Council

ABSENT: Mr. Robin Turner

There was one (1) item on the Agenda.

1) Kent Police Department Update

Chair Amrhein introduced Police Chief, Nicholas Shearer to address the topic of tonight's discussion.

Chief Shearer thanked City Council for the opportunity to speak this evening and provide an update. He has been in his position for year and the past year has been a little different than expected. Some of what he wanted to accomplish was interrupted a little by the COVID pandemic but added it is important to speak about some things they have accomplished.

A big accomplishment this past year has been updating their Policies and Procedures, contracting with Lexipol, which is the largest policy writing company for city governments. Lexipol researches best practices working with the Ohio Collaborative, the Attorney General's Office and many other professional organizations around the country to get the best industry standard. Kent Police have worked to convert all policies to this new system, one by one, which was quite an undertaking. This process helped refine procedures in

the department and resulted in changes. All of the policies and procedures have been moved to the website which helps with transparency.

Lexipol also provides Daily Training Bulletins which are scenario-based testing of officer knowledge on policies. There are thirty of these distributed per month. Every time a policy is issued or updated, officers are now required to read and sign them. Lexipol tracks the log in, and that the officer looked at it and checked and signed they have read it.

Chief Shearer continued by highlighting another goal of youth engagement. The School Resource Office is very helpful at the middle and high school age, but they struggle with engagement at a younger age. A goal is to reach out to younger children. There are now community engagement officers on every shift. Outreach has begun in Elementary Schools, working with principals and teachers to have police come into the classroom, working them into different lessons and teaching points. They have also gotten involved in the Parks and Recreation Summer Day Camps, playing sport with those enrolled. They are also working on a program called The Police Explorer Program which is through the Boy Scouts, using career surveys to match up those with the skill set in law enforcement.

He transitioned to talking about body camera usage, which officers are embracing. They believe it is a tool to protect them. They selected a vendor, have a product list and quote. They will purchase the equipment but have been waiting on a body cam grant program. Chief Shearer has submitted a Federal Grant Application for \$83,000. If they are awarded this grant they will be ready to go.

Chief Shearer highlighted training that has been occurring. He said there is a huge discrepancy in police training, even within the State of Ohio. The State requires a police candidate complete a Police Academy, conduct annual firearms qualification and when promoted to Chief there is a one-week training. The police academy is 600 hours of training. The City of Kent then requires every new officer to go through a field training program, regardless of their past experience. This program is sixteen weeks. Veteran officers can struggle with this program but come to realize they have to change mentality and embrace training. There is also a forty-hour annual in service training every year which cover firearms, use of force, defensive tactics, taser training, de-escalation training, scenario-based training and investigations. This year, Kent has the highest percentage of CIT (Crisis Intervention Team) trained officers of any department in the County. Promotions also require supervisor training and a newly promoted sergeant to go through a two-and-a-half-week management/leadership course. These training programs focus on leadership, management and are reading and writing intensive. The State of Ohio laid off police officer trainers last year and Chief Shearer is now on a state-wide Committee on training programs.

Ms. Shaffer Bish asked how officers have been trained in cultivating a deeper cultural sensitivity in officers. Chief Shearer said they are in discussions with Kent State who is

working on a training program specific to law enforcement on cultural competencies. Once the course is developed, Kent Police Officers will be attending the course. He added Lieutenant Lewis and the Chief have met on a regular basis with Black United Students, community members, NAACP and also the CCC- Collaborative Community Coalition.

Mr. Ferrara asked what they could do to help dispel rumors that not much is changing. Chief Shearer said communicating what is being done is important. Platforms such as Council meetings and building relationships throughout the community is vitally important.

There were no further questions from City Council members and no questions from the public.

Seeing no further business, the Health and Public Safety Committee Meeting adjourned at 8:03 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) None



CITY OF KENT, OHIO

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Streets, Sidewalks and Utilities Committee Meeting Wednesday, August 4, 2021

Chair Sidoti called the Streets, Sidewalks and Utilities Committee of Kent City Council to order at 8:03 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. Melanie Baker, Service Director; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Ms. Joan Seidel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Gary Bishop, IT Manager; Ms. Angela Manley, Parks and Recreation Director; Mr. Nick Shearer, Chief of Police; Mr. Bill Myers, Fire Chief; Ms. Amy Wilkens, Clerk of Council

ABSENT: Mr. Robin Turner

There were five (5) items on the Agenda.

1) Proposed County Recycling Service Changes

Chair Sidoti introduced Ms. Melanie Baker to speak to Council on behalf of the agenda item on changes to recycling services. Ms. Baker introduced Mr. Bill Steiner from Portage County Recycling. There has been a list of issues that have affected this industry and Mr. Steiner approached the City requesting collection be changed from weekly recycling to every other week.

Mr. Steiner said his industry is struggling finding qualified workers. They have been hit over the past two years by the pandemic by removing a lot of workers out of the work force who have not returned. They are getting many short notice resignations due to people leaving for higher pay and better benefits. They are down 50% of their drivers.

He added they are hoping to make this request a temporary change and nothing permanent. Drivers right now are working 60+ hours a week. By changing to every other week service, the rate will be adjusted accordingly.

Mr. Kuhar asked if by going to every other week it will help get the job done, reduce vehicle maintenance and the cost will be reduced to the citizens. Mr. Steiner said that was correct. They still want to provide the service and the main drive behind this change is the safety of the drivers. They cannot continue to work week after week for more than 60 + hours. A discussion continued on how the routes would be distributed and work load reduced for drivers throughout the county. These changes are needed as soon as possible and they will work hard to get the word out to residents. He added that hiring and training of new drivers is time consuming.

Ms. Shaffer Bish asked about duplexes and student households which is a concern, and asked if there are extra containers. Mr. Steiner said there are very few extra containers, but each side of a duplex gets its own container. They are also working on educating customers on contamination by placing stickers on the outside of containers.

Mr. Ferrara asked if the cost will be reduced. Mr. Steiner confirmed this.

Ms. Baker interrupted voting and stated there is no request for approval and authorization and has received good information on how she should move forward, which will require an amendment to the contract. Ms. Baker would like to make sure they have all of the changes in writing and available for Council review.

Mr. Sidoti asked if this would be before Council in two weeks (at the Regular Council Meeting). She said she would try to but it has a few steps to go through.

Mr. Ferrara added the last time they did this, they ran into problems with billing and cost and said the more definitive information that could be given to residents would help everyone. He said if service is cut in half, people are going to expect their bill to be cut in half.

Ms. Wallach asked if phones could be used to notified residents. Ms. Baker said phones, billboard, social media and a note in the utility bill will all be employed to get the message out.

Ms. Shaffer Bish asked about moving out of committee and the next steps. Ms. Jones said it can be brought forward as an unauthorized piece of legislation if it is ready by next week.

2) Oktoberfest Road Closure Request

Mr. Wilke introduced Heather Malarcik from Main Street Kent and the topic of the road closure of September 25, 2021. The footprint of the road closure is different this year, not closing a portion of Franklin Ave, but adding Hometown Plaza to the railroad tracks. This will allow for a free stage versus a rented stage and allow for a third beer truck. This will also bring visibility to the event.

Ms. Wallach asked if residents will be notified sooner due to a main intersection being closed. Ms. Malarcik said they do a press release 45-60 days prior to events. Ms. Wallach asked if there are some way residents can be informed of this street closure. Mr. Wilke said he can work with Central Maintenance on signage.

Mayor Fiala asked if there is any concern with closing the street has any effect on Fire and Police. Ms. Malarcik said it will be completely accessible for Fire and Police to get through the area.

Mr. Kuhar said there really aren't any businesses other than bars that will be affected by this road closure. Mr. Wilke confirmed this is true.

MOTION TO APPROVE THE STREET CLOSURE FOR OKTOBERFEST made by Ms. Rosenberg, SECONDED by Ms. Heidi Shaffer Bish and CARRIED by a voice vote of 8-0-0.

3) **Oktoberfest DORA Suspension Request**

Mr. Wilke is before Council to make a request to suspend the Designated Outdoor Refreshment Area (DORA) on the night of Oktoberfest. Mr. Wilke informed City Council they have the authority to make changes to the terms of the DORA at any time. This request is being made for fundraising event for Main Street Kent who has been tremendously affected from the COVID Pandemic. They are counting on this event to offset losses experienced over the past year and a half. A twist to the request has been added though as Mr. Wilke said he got a phone call from the Kent Hotel and Conference Center regarding an event being held the same day as Oktoberfest. They were planning on having an outdoor tent to serve alcohol beverages as DORA drinks. Due to this, they are modifying the request to suspend the DORA for the downtown area except for the Hotel property.

Mr. Kuhar said it did not make sense to be bringing in beer trucks for an event but then tell local bar owners they cannot continue the DORA. Mr. Wilke said he reached out to a sampling of the bar owners who indicated their revenue has been higher on this day from the overflow of the event. They all expressed their appreciation of Main Street Kent and are willing to do this to make Main Street Kent stronger. Ms. Malarcik added there are three reasons for MSK events: 1) to support businesses 2) lift up community 3) to make money to continue doing their work. Mr. Wilke said many DORA communities in Ohio have this same clause for reasons just as this.

Mayor Fiala asked why the two cannot work together. He said the DORA was established to help the downtown businesses. He said he has spoken to downtown businesses and has been asked why they can't both occur together. He doesn't understand why they cannot work together and have both.

Ms. Malarcik added having DORA may affect sponsorship. She said it is not a matter of not working together, rather a matter of this being a fundraising event. Mayor Fiala said they are supposed to be helping each other but doesn't understand why a sponsor would pull out.

Ms. Malarcik said it is due to sponsors wanting exclusivity. Ms. Malarcik added the businesses that use the most DORA cups are the businesses on Franklin Ave.

Ms. Rosenberg asked if the DORA is not suspended, if Main Street Kent would lose the sponsor and the event completely. Ms. Malarcik responded that she is 90% sure they would not get the sponsor if they do not have exclusivity. Ms. Rosenberg asked if this event were to be cancelled if MSK would need to increase fees to businesses downtown or have the potential to have to come back to Council and ask for financial support. Ms. Malarcik said one fund raising event after a two-year hiatus will really help. Ms. Rosenberg asked if Oktoberfest is a very important fund-raising event for the future success of Main Street Kent which would ultimately help businesses. Ms. Malarcik and Tom Wilke said it would.

Ms. Shaffer Bish asked if the event gets crowded would it be too late to block off a portion of Franklin Avenue. Ms. Malarcik said it would be too late, as the liquor permit is based on the footprint which is due thirty days before the event. Ms. Shaffer Bish thanked them for expanding the footprint as she knows how popular the event is.

MOTION TO NOT SUSPEND THE DORA made by Mr. Ferrara SECONDED by Mr. DeLeone and CARRIED by a voice vote of 5-4, with the following members voting YES: Mr. Ferrara, Mr. Kuhar, Mr. DeLeone and Mr. Sidoti. Voting NO: Mr. Amrhein, Ms. Shaffer Bish, Ms. Wallach and Ms. Rosenberg. Due to the vote ending in a tie, Mayor Fiala cast the deciding vote in favor of the motion.

Council Comments:

Mr. Ferrara said he is the biggest supporter of Main Street Kent and the work Ms. Malarcik has done has been phenomenal but at the same time have to consider businesses and what they are going through. He thinks the two can coexist together and having extra beer stations will help with beer sales. He said there is a risk of more confusion and the animosity of downtown businesses and thinks it will work out fine.

Mr. DeLeone said he thinks people who come down for the DORA are going to come down for the DORA and the same for the Oktoberfest. He believes they can coexist together.

Mr. Amrhein said he is not thrilled with closing DORA but wants to support Main Street Kent.

Ms. Wallach is supporting closing DORA because businesses are willing to support this event.

Mr. Kuhar supports the motion on the floor. He said there will be beer trucks and crowds. It will give the festival more width. He doesn't think it will hurt Main Street Kent.

Ms. Rosenberg does not support the motion, as it jeopardizes the event happening at all. She is voting against the motion.

Ms. Shaffer Bish said she is really on the fence as the reason for DORA is for those to walk around and be safe during COVID. She is concerned about settling a precedent with other events. She is really concerned about Main Street Kent but wishes they could work together. She said if there is any reason this doesn't work out, they will need to evaluate this action. She is going to vote against the motion.

Mr. Ferrara said if it was so important to business owners, they should have come prepared with a list and signatures of people who are ok with this. They are trying to be the most efficient for the greatest number of businesses. He doesn't want to set a precedent.

After asking council members to vote again, Mayor Fiala said he understands both sides of the issue but is concerned about setting a precedent. He wondered if Council would be asked multiple times throughout the year to turn the DORA "on" or "off" like a light switch. He still thinks they can coexist and votes in favor of the motion.

4) **Updates to City Trash and Recycling Accounts**

Melanie Baker presented the amendments to Chapters 933, 935 and 936 of Kent Codified Ordinances, which addresses refuse, solid waste and recycling. The discrepancy was due to trash covering three or less in the household and recycling covering four or more, so there was confusion over who was covered. The multi family program will be continued to be monitored for future changes.

MOTION to APPROVE UPDATES TO CITY TRASH AND RECYCLING ACCOUNT made by Ms. Shaffer Bish SECONDED by Ms. Wallach and CARRIED by a voice vote of 8-0-0.

5) **Temporary Outdoor Ice Rink Agreement**

Ms. Melanie Baker and Mr. Jim Bowling presented to Council the Memorandum of Understanding with Kent State University for a temporary outdoor ice rink. The agreement establishes the responsibilities of both parties to make it happen. The major elements of

the agreement include Kent State running operations, a new electrical service, and KSU operating through the 2021-2022 season.

Mr. Kuhar asked who would pay for the electricity.

Mr. Bowling replied that the City of Kent and KSU would pay the electricity during hours of operation.

Mr. Kuhar asked approximately how much it would cost.

Mr. Bowling replied they are unsure of exact costs, as much of the cost will depend on the weather and how cold the winter is. The electric service would be exclusively for the chiller of the ice rink.

Ms. Shaffer Bish asked if Kent State will be renting out skates. Mr. Bowling said the plans for skate rental and food and beverages will all be handled by Kent State in its operating plan.

Mr. DeLeone asked if any sign approval is going to be needed. Mr. Bowling said it should not be an issue.

Mr. Kuhar asked about liability issues with injuries. Mr. Bowling said Kent State General Counsel is reviewing waivers people would sign to use the facility. Mr. Ruller added one of the first courses of action when deciding on this project was to reach out to Cuyahoga Falls and other communities with rinks. They said it is one of the most popular things that cities do all year and have worked through all of these issues. Ms. Jones said is anything happen that is so reckless of wanton on the City's part, there is always a possibility of law suits. She said they never had any issues with this in Cuyahoga Falls.

There were no further questions from City Council members and no questions from the public.

MOTION TO APPROVE THE MOU with KENT STATE UNIVERSITY FOR THE TEMPORARY ICE RINK made by Ms. Shaffer Bish **SECONDED** by Ms. Rosenberg and **CARRIED** by a voice vote of 8-0-0.

Ms. Shaffer Bish said this is a great partnership and she is very happy to see Kent State stepping up to do this and would like to do our part to make it happen. It will be a great amenity for residents and will draw people to visit.

Mr. Kuhar added that this will be a good thing as it will bring both young and old people downtown to have something fun to do.

Seeing no further business, the Streets, Sidewalks and Utilities Committee Meeting adjourned at 9:06 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Authorize the amended street closure plan for Main Street Kent's Oktoberfest event.
- 2) Authorize the updates and clarification for City trash and recycling accounts.
- 3) Authorize the MOU with Kent State University for the community ice rink project.



CITY OF KENT, OHIO

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Finance Committee Meeting Wednesday, August 4, 2021

Chair DeLeone called the Finance Committee of Kent City Council to order at 9:06 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. Melanie Baker, Service Director; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Ms. Joan Seidel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Gary Bishop, IT Manager; Ms. Angela Manley, Parks and Recreation Director; Mr. Nick Shearer, Chief of Police; Mr. Bill Myers, Fire Chief; Ms. Amy Wilkens, Clerk of Council

ABSENT: Mr. Robin Turner

There were six (6) items on the Agenda.

1) Council Review of Neighborhood Grant Funding

Ms. Susel approached the microphone to answer questions from Ms. Shaffer Bish and City Council regarding the Neighborhood Grant Program. She reviewed past funding and requirements of using the grant for block parties, which had only been utilized two times, once in 2014 and 2015. This grant was for reimbursement only. Ms. Susel said there have been fifteen block party road closures since 2014 and only one was funded through the grant.

Ms. Shaffer Bish asked if there was a window to apply for the grant. Ms. Susel replied that applications were taken on a rolling basis. The grant supported community enrichment programs such as neighborhood signage and trees. The neighborhood would need to define the project, develop a budget, get the required signatures to receive reimbursement. It was not getting a lot of buy in, so 2 years ago the program switched to assisting resident who cannot afford to comply with changes needed for code violations.

Ms. Shaffer Bish asked what it would take to bring the Neighborhood Grant Program back and wondered if it was not well utilized because it was not known about. Ms. Susel replied

it was promoted heavily but the problem seemed to be neighborhood buy in and the funding being on a reimbursement basis. Neighborhoods in the South End gave feedback saying the grant program was difficult to use and have gone to a strictly volunteer/potluck model of event.

Mr. Sidoti asked what year the grant program began and Ms. Susel replied “2014”. It ran through 2018 when it transitioned to being a program to help low income households with code enforcement issues. It took affect in 2020 but due to COVID, there were no code enforcement issues.

Mr. Sidoti asked how neighborhoods were defined. Ms. Susel said the neighborhood had to define themselves. The petition would need to be signed by 70 % of the residents in the area defined.

Mr. Kuhar said he approached residents on his street to place a sign and thought the residents were required to participate in its construction. Ms. Susel replied that the Neighborhood Grant program only required buy in, pricing and proof of payment to receive reimbursement.

Ms. Shaffer Bish asked if the program was changed due to being underutilized. Ms. Susel said that is the reason as many people were under the impression they would receive a check up front, but instead they were required to invest time in petitioning, estimates and paying up front.

Ms. Shaffer Bish asked if there is any program to assist with defining neighborhoods with signage. Ms. Susel said there currently is not due to the changes made to the program, but Council could change it back if they wish. Ms. Susel said two homeowners have been working to use the fund for code violations in 2021. She would like some of the funding to remain in use for code violations as there is a need.

Ms. Shaffer Bish said street festivals are a draw and asked if this Neighborhood Grant program could be made flexible to accommodate requests from the community and this tool would be available to use.

Ms. Susel said options would be to either switch the program back to its previous setup or a portion allotted for community enrichment and a portion for code enforcement.

Ms. Wallach asked if the program be expanded to cover both. Ms. Susel said that right now it is only approved for code enforcement. She said if tonight a change is requested, Ms. Susel would like to review the details.

Mr. Sidoti suggested splitting the funding between the two for a specific amount of time. Ms. Susel said she would consider this and could be updated in 2021 and run through 2022. He asked if 50% of the money be used for one portion and 50% to the other. Ms.

Susel said she believes this seems reasonable but would appreciate flexibility of managing as it is needed. Ms. Susel clarified in response to a question posed by Ms. Rosenberg that it will be important to define the split of funding to make sure there be enough funding in each.

Mayor Fiala said his neighborhood has block parties and the only thing that is asked for is road closures. He does not understand why funding is needed for these parties. Mr. Sidoti said he was inspired by the activities in the South End with its signage and Community Garden and believes this could inspire other areas in the City to follow suit.

MOTION TO BRING BACK COMMUNITY ENHANCEMENT/ENGAGEMENT TO THE NEIGHBORHOOD GRANT PROGRAM AND DIVIDE IT 50/50 WITH CODE VIOLATION ASSISTANCE THROUGH 2022 made by Ms. Shaffer Bish SECONDED by Mr. Sidoti and CARRIED by a voice vote of 8-0-0.

2) Renewal of the School Resource Officer Position

Chief Shearer requested renewal of the contract with Kent City Schools for the School Resource Officer. The terms of the contract have been discussed and the only change from last year's contract are the dates.

Mr. Sidoti asked if the officers have been selected. Chief Shearer said it would be the same officers.

Mr. Kuhar asked if Federal money has been given for this program. Chief Shearer is not aware if this is the case. Mr. Ruller confirmed this.

MOTION TO APPROVE RENEWAL of the SCHOOL RESOURCE OFFICER POSITION made by Mr. Kuhar SECONDED by Mr. Amrhein and CARRIED by a voice vote of 8-0-0.

3) Certified Liens to the County for Outstanding Payments

Ms. Rhonda Hall referenced the list of debtors being released to Portage County for utilities, unpaid concrete sidewalk repair bills and non-utility debtors.

MOTION to CERTIFY LIENS TO THE COUNTY FOR OUTSTANDING PAYMENTS MADE by Ms. Rosenberg SECONDED by Mr. Amrhein and CARRIED by a voice vote of 7-0-1 with Mr. Kuhar abstaining.

4) Release of EDA's Federal Interest in EDA Revolving Loan Fund

Mr. Wilke referenced the memo to the City Manager in regards to the release of EDA's Federal interest in the EDA Revolving Loan Fund. The government passed the

Reinventing Lending for the Future Act which allows cities to request the release of the federal interest, relinquishing administrative oversight to the city. The City RLF Committee voted unanimously to recommend to City Council the release from this program. Records would still need to be kept in the same fashion they currently are for auditing purposes.

MOVE TO ALLOW CITY TO SUBMIT A REQUEST TO RELEASE THE EDA FEDERAL INTEREST IN THE EDA REVOLVING LOAN FUND made by Mr. Sidoti SECONDED BY Ms. Rosenberg AND CARRIED by a voice vote of 8-0-0.

5) Amendments to the City's EDA RLF Plan

Mr. Wilke said staff has reviewed the current RLF Plan and developed three amendments they would like to make to the RLF Plan which include: raising allowable amount of loan from \$10,000 to \$25,000, allowing jobs to be retained by owner or a tenant of the owner, and formalizing interest only payments during economic hardships for up to six months. The City RLF Committee voted unanimously to recommend to City Council these amendments

MOVE TO APPROVE AMENDMENT TO THE CITY'S EDA RLF PLAN MADE BY Mr. Amrhein SECONDED BY Ms. Rosenberg and CARRIED by a voice vote of 8-0-0.

6) Budget Appropriation Amendment

Ms. Rhonda Hall introduced the fourth budget appropriation amendment for the year.

MOTION TO APPROVE THE BUDGET APPROPRIATION AMENDMENT MADE BY Ms. Rosenberg SECONDED BY Mr. Amrhein and CARRIED by a voice vote of 8-0-0.

There were no questions from City Council members and no questions from the public.

Seeing no further business, the Finance Committee Meeting adjourned at 10:00 p.m.

Mayor Fiala announce the Executive Session will be moved to August 18, 2021.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Approve community enhancement usage in the Neighborhood Grant program and authorize dividing the funding amount 50% between the subset of community Enhancement and assisting with code violations until end of 2022.
- 2) Authorize the renewal of the School Resource Officer position.
- 3) Certify and authorize the submission of the proposed property tax liens to Portage County.
- 4) Authorize the release and repurposing of the Federal interest in the City's revolving loan fund.
- 5) Approve the proposed RLF Plan Amendments.
- 6) Approve the 2021 budget appropriations amendments.

DRAFT