



CITY OF KENT, OHIO

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

Wednesday, May 19, 2021 **CDBG Public Hearing #2** **Regular City Council Meeting**

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

AGENDA

7:25 P.M. Public Hearing: *On May 5, 2021, notice was given that the Kent City Council will conduct the second of two required public hearings to allow for public comment and questions on the Community Development Block Grant (CDBG) Program Year (PY) 2021 Action Plan and 2020-2024 CDBG Consolidated Plan.*

Board of Control Immediately Following Public Hearing

7:30 P.M. Regular Council Meeting

1. Roll Call
2. Opening Remarks and Pledge of Allegiance (Mr. Amrhein)
3. Approval of Minutes
 - 3.1 Regular City Council Meeting of April 21, 2021
 - 3.2 Joint Franklin Township/City Council Meeting May 5, 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 Email from Councilman John Kuhar regarding parking for senior citizens visiting Dr. Robert Smuts Chiropractic Practice received on April 21, 2021 and forwarded to Council.

- 4.2.2 Transfer Liquor License request received April 26, 2021 from Kent Fuel and Minimart, Inc. located at 1337 S. Water Street to 1337 Water Street Inc. located at the same address. Chief Shearer had no objections.
- 4.2.3 Planning Commission Agenda and Staff Report for the May 4, 2021 meeting received on April 27, 2021.
- 4.2.4 Email from Rick Hawksley regarding the West Side Fire Station Roof received and forwarded to Council on April 28, 2021.
- 4.2.5 Affidavit of Petitioner's Committee regarding a Sensible Marihuana Ordinance received April 29, 2021. A copy was forwarded to Council on May 3, 2021.
- 4.2.6 2020 Annual Report of the Kent Police Department received and forwarded to Council on May 3, 2021.
- 4.2.7 Letter from Julie Kenworthy, Director of the Kent Historical Society, regarding its Trustees voting against an architectural change to the West Side Fire Station was received and forwarded to Council on May 3, 2021.
- 4.2.8 Standing Rock Cemetery Board of Trustees Minutes from the April 8, 2021 meeting and Agenda for the May 13, 2021 meeting received on May 4, 2021.
- 4.2.9 Planning Commission Agenda and Staff Report for the May 18, 2021 meeting received on May 10, 2021.
- 4.2.10 Board of Health meeting agenda and statistical report for the May 11, 2021 meeting and the minutes from the April 13, 2021 meeting received on May 11, 2021.
- 4.2.11 Notice from the Board of Elections concerning the new capability to electronically file Resolutions of Necessity, Auditor's Certification and Resolutions to Proceed received on May 11, 2021 and forwarded to Council and Administration.

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: NONE

5.1.2 Action Recommended: NONE

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

5.2.1 Committee Meeting Minute Approval: May 5, 2021

5.2.2 Action Recommended: NONE

- 5.2.3 **Draft No. 2021- 045** AN ORDINANCE APPROVING A REQUEST FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ASSISTANCE FOR FISCAL YEAR 2021 UNDER TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED, INCLUDING THE PY2021 ANNUAL ACTION PLAN AND AUTHORIZING THE EXECUTION AND FILING OF THE PY2021 ANNUAL ACTION PLAN, INCLUDING RELATED CERTIFICATIONS, AND UPON AWARDING OF THE GRANT, AUTHORIZING APPROPRIATION OF FUNDS AND DECLARING AN EMERGENCY (Authorized)

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

5.3.1 Committee Meeting Minute Approval: NONE

5.3.2 Action Recommended: NONE

- 5.3.3 **Draft No. 2021-046** A RESOLUTION BY THE COUNCIL OF THE CITY OF KENT, OHIO STRONGLY OPPOSING ANY EFFORT BY THE STATE OF OHIO TO ABOLISH THE LOCAL KENT CITY HEALTH DEPARTMENT, WHICH HAS PROVEN INVALUABLE IN PROTECTING THE HEALTH, SAFETY, AND WELFARE OF THE ENTIRE CITY AND SURROUNDING COMMUNITIES DURING A TIME OF GLOBAL PANDEMIC, AND DECLARING AN EMERGENCY (Unauthorized)

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

5.4.1 Committee Meeting Minute Approval: NONE

5.4.2 Action Recommended: NONE

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

5.5.1 Committee Meeting Minute Approval: May 5, 2021

5.5.2 Action Recommended:

- 1) Authorize the license agreement for outdoor seating at 211 Franklin Ave.

- 5.5.3 **Draft No. 2021-047** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LICENSE AGREEMENT BETWEEN THE CITY OF KENT AND THE TULIPS, LLC TO CONSTRUCT, MAINTAIN AND OPERATE AN OUTDOOR PATIO AT 211 FRANKLIN AVENUE, AND DECLARING AN EMERGENCY (Authorized)

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

5.6.1 Committee Meeting Minute Approval: May 5, 2021

5.6.2 Action Recommended:

- 1) Proceed with the project of a pitched roof on the West Side Fire Station
- 2) Authorize the surplus City Property Sale, Auction or Trade In
- 3) Extend the moratorium on the City match of development fees through August 30, 2021

5.6.3 **Draft No. 2021-048** AN ORDINANCE AUTHORIZING THE TRADE IN / AUCTION/ DISPOSAL OF VEHICLES, LARGE EQUIPMENT AND TRAILERS NOT NEEDED FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY (Authorized)

5.6.4 **Draft No. 2021-049** AN ORDINANCE AMENDING ORDINANCE 2021-004 TO EXTEND IMPOSING A TEMPORARY MORATORIUM ON THE APPLICABILITY OF SECTION 1191.13 OF CHAPTER 1191, TITLED "CAPITAL IMPROVEMENT FUND; MATCHING AMOUNT" AS IT PERTAINS TO THE CITY'S OBLIGATION TO MATCH DEVELOPER FEES PAID INTO THE PARKS AND RECREATION DEVELOPMENT FUND UNTIL AUGUST 30, 2021, AND DECLARING AN EMERGENCY (Authorized)

5.6.5 **Draft No. 2021-050** AN ORDINANCE ACCEPTING FOUR (4) DONATIONS AND ONE (1) GRANT TOTALING \$3,140.00 TO THE CITY OF KENT FOR THE CHIMNEY SWIFT PROJECT, AND DECLARING AN EMERGENCY (Unauthorized)

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

Posted May 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.

Regular Council Meeting Agenda

May 19, 2021

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DRAFT ORDINANCE NO. 2021-045

AN ORDINANCE APPROVING A REQUEST FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ASSISTANCE FOR FISCAL YEAR 2021 UNDER TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED, INCLUDING THE PY2021 ANNUAL ACTION PLAN AND AUTHORIZING THE EXECUTION AND FILING OF THE PY2021 ANNUAL ACTION PLAN, INCLUDING RELATED CERTIFICATIONS, AND UPON AWARDING OF THE GRANT, AUTHORIZING APPROPRIATION OF FUNDS AND DECLARING AN EMERGENCY.

WHEREAS, under provisions of Title I of the Housing and Community Development Act of 1974, as amended (which title is hereinafter referred to as the "Act") and the regulations promulgated there under (24 CFR Parts 58 and 570, hereinafter referred to as the "Regulations"), the Secretary of the Department of Housing and Urban Development (hereinafter referred to as the "Secretary") is authorized to make grants to units of general local government to help finance community development programs (as that term is defined in the Act and Regulations); and

WHEREAS, the Secretary has notified the City of Kent of its eligibility to apply for HUD/CDBG funds in the amount of \$302,337 for Program Year 2021; and

WHEREAS, the City proposes to apply for such a grant for Program Year 2021 and has, in that connection and as required by and pursuant to the Act and Regulations, prepared its PY2021 Annual Action Plan marked Exhibit "A" and on file in the City Council office, which contains local objectives, identification of housing, homeless and non-housing community development priorities, a description of activities to be undertaken, a local community development budget, and certifications in the form of assurances; and

WHEREAS, this Council has duly reviewed and considered the PY2021 Annual Action Plan, as well as the comments and recommendations of the public and City administrative and planning officials.

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

SECTION 1. This Council hereby finds and determines that the PY2021 Action Plan gives maximum feasible priority to activities which benefit low-to-moderate income persons or aids in the elimination or prevention of slum and blight and the PY2021 Action Plan includes those activities to be undertaken by the City with the funds provided for the 2021 Program Year that meet the housing and community development needs and objectives allowed by the Act and Regulations and identified in the City's 2020-2024 Five Year Consolidated Plan.

SECTION 2. That the City Manager, being the chief executive officer of the City as that term is defined in the Act and Regulations, is hereby designated as the authorized representative of the City to act in connection with the grant request and to provide such additional documentation or certifications as may be required by the Secretary or by other responsible agencies.

SECTION 3. That this Council hereby finds and determines that the City, in preparing its PY2021 Annual Action Plan, has complied with the applicable requirements of the Act and Regulations, and this Council hereby approves the PY2021 Annual Action Plan, together with all related documentation for submission to the Secretary.

SECTION 4. That this Council hereby directs that the City in carrying out the Program shall continue to comply with applicable requirements of the Act and Regulations and of other applicable laws, including, among others, requirements with respect to civil rights and anti-discrimination, citizen participation, relocation and land acquisition, environmental protection, cost accounting and administration, federal labor standards, flood control, conflicts of interest, political activity of employees, access to books and records and the requirements of giving maximum feasible priority to activities which will benefit low and moderate-income families or aid in the prevention or elimination of slums or blight, and this Council hereby authorizes the City Manager to execute and file with the Secretary certifications in such forms as the Secretary may prescribe, which will provide assurances concerning the foregoing matters, and concerning such other

matters as may be required by the Secretary in connection with carrying out the Community Development and Housing Program.

SECTION 5. That this Council hereby authorizes the City Manager to consent to assume the status of a responsible federal official under the National Environmental Policy Act of 1969, insofar as the provisions of such act apply to the Secretary's responsibilities for environmental review, decision making and action to be assumed and carried out by the City Manager and authorizes the City Manager to consent on behalf of the City to accept the jurisdiction of the Federal courts for the purpose of carrying out the program. The City Manager is authorized to execute and file requests for release of funds and related certifications and prepare and file such other documents and take such other actions in connection with the environmental review process as may be required by the Act, the Regulations, particularly the regulations contained in 24 CFR Part 58, and by the National Environmental Policy Act of 1969.

SECTION 6. 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 7. 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



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

Date: February 23, 2021

To: Dave Ruller, City Manager

Cc: Bridget Susel, Community Development Director; Amy Wilkens, Clerk of Council, Patti Long, Assistant to the City Manager, PY2021 CDBG Action Plan File

From: Kathy Petsko, Grants & Neighborhood Program Coordinator

Re: PY2021 CDBG Funding & Project Recommendations

The City is preparing its funding request for the PY2021 Community Development Block Grant Program (CDBG). The funding request is submitted to the U.S. Department of Housing and Urban Development (HUD) on an annual basis and must include a list of proposed programs that will be implemented with CDBG funding during the year. The City's PY2021 CDBG allocation as determined by HUD, is estimated to be \$303,766. A total of six (6) project proposals were received this year seeking CDBG funding assistance and the total amount of funding requested was \$328,582. Based on a review of these proposals and in consideration of all applicable CDBG regulatory requirements, staff is recommending Council approval of the below projects and amounts at its May meeting. Formal approval in May allows time for a public comment period and a second public hearing to take place prior to authorization.

1. City of Kent, Engineering Department – Walnut Street Reconstruction

This activity provides funding to assist with the design and full depth reconstruction of Walnut Street from Cherry Street to Dodge Street. The work involves new sidewalks, concrete curb and gutter, a waterline replacement and storm sewers to improve drainage along the roadway. This is a multi-year project and construction is scheduled for 2020 (Phase 1 – Cherry to Harris) and 2021 (Phase 2 – Harris to Dodge).

Funding Requested: \$170,000

PY 2021 Funding Recommended: \$160,000

PY2020 CDBG Funding: \$160,000

Phase I

3. City of Kent, Police Department – Neighborhood Policing Program

The Neighborhood Policing Program provides additional patrols and police visibility primarily in low-to-moderate income neighborhoods and in assisted housing complexes. The program has a goal of improving communication, trust and understanding between residents and the Police Department. Funding for this activity is counted toward the Public Service 15% funding limitation.

Funding Requested: \$18,000
PY2020 CDBG Funding: \$18,000

PY 2021 Funding Recommended: \$18,000

4. CAC of Portage County – Furnace Inspection/Targeted Replacement Program

The applicant is requesting funding from the CDBG program to continue its “Kent Furnace Inspection/Targeted Replacement Program” that provides the services of furnace inspections, tune-ups, or the replacement of failing or inefficient furnaces and/or hot water tanks for low-to-moderate income Kent households.

Funding Requested: \$35,000
PY2020 CDBG Funding: \$35,000

PY 2021 Funding Recommended: \$35,000

5. Family & Community Services – Homeless Shelter Services

The Homeless Shelter Services program provides services at Miller Community House an emergency homeless shelter. Funding helps pay for shelter nights spent by Kent residents including needed case management, counseling and housing placement. Funding for this activity is counted toward the Public Service 15% funding limitation.

Funding Requested: \$15,000
PY2020 CDBG Funding: \$15,000

PY 2021 Funding Recommended: \$15,000

6. Family & Community Services – HVAC Replacements at Safe Path & Currie Hall

Family & Community Services is requesting CDBG funds to replace fourteen (14) aging heating and cooling units at two of their housing locations – Safe Path, a transitional housing facility for individuals and families experiencing domestic violence, and Currie Hall, a transitional housing facility for individuals experiencing homelessness. The project will benefit low- to moderate-income residents of the city of Kent.

Funding Requested: \$55,000.52
PY2020 CDBG Funding: \$40,000
Unprogrammed Prior Year Funds: \$10,000

PY 2021 Funding Recommended: \$45,000
Unprogrammed Prior Year Funds: \$5,000

7. Ohio Small Business Development Center – Small Business Counseling

Funds will be used to provide one-to-one business counseling, as well as business workshops/training, to low- to moderate-income residents of the City of Kent.

Funding Requested: \$5,000
PY2020 CDBG Funding: \$5,000

PY 2021 Funding Recommended: \$5,000

8. City of Kent, Community Development – Administration

These funds are used to cover grant administration costs such as the cost of staff, supplies, advertising, postage, copying, travel costs for trainings, and other related costs. Funding for this activity is counted toward the Planning and Administration 20% funding limitation.

Funding Requested: N/A
PY2020 CDBG Funding: \$6.766

PY 2021 Funding Recommended: \$6,500

9. Fair Housing Consultant– Fair Housing Services

These funds will be used to cover the cost associated with the provision of fair housing service. The consultant will provide counseling in the areas of housing discrimination and landlord-tenant issues. They'll investigate fair housing complaints and provide a variety of public education and outreach services in the City. Funding for this activity is counted toward the Planning and Administration 20% funding limitation.

Funding Requested: \$19,000
PY2020 CDBG Funding: \$19,000

PY 2021 Funding Recommended: \$19,000

A spreadsheet summarizing the requested and recommended funding amounts has been attached for review. Copies of all submitted PY2021 CDBG proposals also are available for review at the Community Development Department.

PY2021 CDBG Allocation (8-1-21 to 7-31-22)

Applicant	Project	CDBG Request	2021 Funding Recommended	Funds Awarded in PY2020
CAC	Targeted Furnace Replacement	\$ 35,000	\$ 35,000	\$ 35,000
Engineering Department	Walnut St. Phase I and II	\$170,000	\$170,000	\$160,000
F&CS	HVAC Replacement	\$ 50,000	\$ 50,000	\$ 10,000
F&CS	Homeless Shelter Services	\$ 15,000	\$ 15,000	\$ 15,000
Kent Police Department	Neighborhood Policing	\$ 24,000	\$ 18,000	\$ 18,000
Ohio Small Business Dev. Center	Small Business Counseling	\$ 5,000	\$ 5,000	\$ -
Administration (2011-07)	Administration		\$ 16,582	\$ 30,000
Fair Hsg Contact Serv. (2011-08)	Fair Housing		\$ 19,000	\$ 19,000
TOTAL		\$ 299,000	328,582	
Anticipated 2021 Allocation:	\$ 303,720			
Public Service Cap (15%):	\$ 45,558		\$ 38,000	33000
Administration Cap (20%):	\$ 60,744		\$ 35,582	30766

DRAFT RESOLUTION NO. 2021-046

A RESOLUTION BY THE COUNCIL OF THE CITY OF KENT, OHIO STRONGLY OPPOSING ANY EFFORT BY THE STATE OF OHIO TO ABOLISH THE LOCAL KENT CITY HEALTH DEPARTMENT, WHICH HAS PROVEN INVALUABLE IN PROTECTING THE HEALTH, SAFETY, AND WELFARE OF THE ENTIRE CITY AND SURROUNDING COMMUNITIES DURING A TIME OF GLOBAL PANDEMIC, AND DECLARING AN EMERGENCY.

WHEREAS, the Mayor and City Council have been advised of the proposed state budget, House Bill 110, which includes language that requires " ... a study examining the efficiency and effectiveness of the city health district merging with the general health district of the county in which the city is located."; and

WHEREAS, the proposal is likely the first step in an effort by the State of Ohio to abolish the local Kent City Health Department so as to give greater control and authority to a centralized government in Columbus without regards to local needs; and

WHEREAS, the State of Ohio only contributes \$10,000 per year for the operation of the Kent City Health Department; and

WHEREAS, the Kent City Health Department is currently completing the Public Health Accreditation Board process which is in and of itself an effectiveness and efficiency survey eliminating the need for the State to duplicate this process; and

WHEREAS, the Kent City Health Department has proven invaluable in protecting the health, safety, and welfare of the entire City of Kent and surrounding communities during a time of global pandemic; and

WHEREAS, the City of Kent **strenuously** objects to any effort by the State of Ohio to abolish the local Kent City Health Department, and moves that any effort to study the feasibility of dissolving the same or otherwise abolish it be immediately stricken from any State Budget proposals.

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

SECTION 1. The Ohio General Assembly should immediately remove all language pertaining to House Bill 110 requiring "...a study examining the efficiency and effectiveness of the city health district merging with the general health district of the county in which the city is located." and oppose any effort in the State Budget that would abolish local city health departments in general and the Kent City Health Department specifically.

SECTION 2. The Kent City Health Department has proven invaluable to protecting the health, safety, and welfare of the entire City of Kent and surrounding communities during a time of global pandemic, and the City opposes any efforts by the Governor or the Ohio General Assembly to abolish the same and deprive the local community of such a valuable and necessary asset to its citizens.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT ORDINANCE NO. 2021-047

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LICENSE AGREEMENT BETWEEN THE CITY OF KENT AND THE TULIPS, LLC TO CONSTRUCT, MAINTAIN AND OPERATE AN OUTDOOR PATIO AT 211 FRANKLIN AVENUE, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent desires to enter into a License Agreement with The Tulips, LLC to construct, maintain and operate an outdoor patio at 211 Franklin Avenue, which is located at the southeast corner of the intersection of Erie and Franklin Streets; and

WHEREAS, the owner is constructing a curb extension at that corner, which will provide the space necessary for the patio as well as improve the pedestrian crossing at Erie Street.

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 enter into a License Agreement between the City of Kent and The Tulips, LLC to construct, maintain and operate an outdoor patio at 211 Franklin Avenue, and is more fully described 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 ORDINANCE No. _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

CITY OF KENT, OHIO
LICENSE AGREEMENT

THIS AGREEMENT is made by and between the CITY OF KENT, OHIO, hereinafter called "City" and _____, hereinafter called the "Licensee."

The City is the owner, in fee simple, of land, hereinafter known as the "Property." For and in consideration of the covenants, conditions, agreements and stipulations of the License expressed herein, the City does hereby agree the Property may be used by the Licensee for the purpose as outlined in Part 1 below, in accordance with the laws and Charter of the City of Kent. The Property is more particularly described in the attached exhibits listed below.

Exhibit "A" – Dimensioned Site Plan – Sheet C2.0

The parties hereto covenant and agree as follows:

1. NATURE OF INTEREST:

The Licensee understands that by issuing this license, the City has merely granted the Licensee the right to occupy the right-of-way and this license does not grant or convey to the Licensee any interest in the Property.

2. USE:

2.1 The Property shall be used for the purpose of: Constructing and
operating an outdoor patio space, with fencing if desired, for
restaurant use.

and for no other purpose.

2.2 No structural alterations may be made to the City's property, except as permitted herein, without the express written permission of the City of Kent, Director of Public Service.

3. TERM:

The City does hereby agree the Property may be used by the Licensee for a term of one (1) year commencing on _____, 2021, and ending on _____, 2022 unless terminated earlier by either party. This license will automatically renew yearly unless one (1) month before expiration either party notifies the other of its intention to terminate per Paragraph 1.

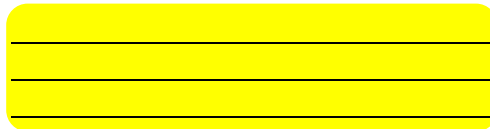
4. NECESSARY LICENSES AND PERMITS:

- 4.1** Licensee shall be licensed to do business in the State of Ohio and City of Kent, and upon request, Licensee shall demonstrate to the City that any and all such licenses are in good standing. Correspondence shall be addressed as follows:

All correspondence to the City shall be addressed:

Service Director
City of Kent
930 Overholt Road
Kent, Ohio 44240

All correspondence to the Licensee shall be addressed:



- 4.2** Licensee shall secure all necessary permits required in connection with the use of the Property and shall comply with all federal, state and local statutes, ordinances, rules, or regulations which may affect, in any respect, Licensee's use of the Property. Licensee shall, prior to the commencement of any work, obtain and thereafter maintain, at its sole cost and expense, all licenses, permits, etc., required by law with respect to its business use of the Property.

5. STORAGE AND VENDING:

No storage of materials or supplies of any nature will be permitted on the Property except as directly related to the agreed business use of the Property.

6. TAXES:

Licensee agrees to be responsible for and to timely pay all taxes and/or assessments that may be legally assessed on Licensee's interest, or on any improvements placed by Licensee on said Property, during the continuance of the license hereby created, including any real estate taxes. The Licensee must provide written notice to the City, at the address referenced in Paragraph 4.1, within thirty (30) days of payment of all taxes and/or assessments.

7. DIRECTOR OF PUBLIC SERVICE TO ACT FOR CITY:

The granting of this permit shall not be construed as an abridgment or waiver of any rights which the Director of Public Service has in exercising his jurisdictional powers over the City highway system. The City Director of Public Service shall act for and on behalf of the City of Kent in the issuance of and carrying out the provisions of this permit.

8. CITY USE OF PROPERTY:

If for any reason the Director of Public Service or his duly appointed representative deems it necessary to order the removal, reconstruction, relocation or repair of the Licensee's changes to the City's property, then said removal, reconstruction, relocation or repair shall be promptly undertaken at the sole expense of the Licensee's thereof. Failure on the part of the Licensee to conform to the provisions of this permit will be cause for suspension, revocation or annulment of this permit, as the Director of Public Service deems necessary.

9. MAINTENANCE OF PROPERTY:

Licensee shall, at its sole expense, keep and maintain the Property free of all weeds, debris, and flammable materials of every description, and at all times in an orderly, clean, safe, and sanitary condition consistent with neighborhood standards. A high standard of cleanliness, consistent with the location of the area as an adjunct of the City, will be required. Defoliant, noxious, or hazardous materials or chemicals shall not be used or stored on the Property.

10. MAINTENANCE OF IMPROVEMENTS:

10.1 Licensee, at Licensee's own cost and expense, shall maintain all of his/her improvements to the Property. Licensee shall take all steps necessary to effectively protect the Property from damage incident to the Licensee's use of such Property, all without expense to the City.

10.2 Licensee shall be liable to, and shall reimburse the City for, any damage to City owned property that in any way results from or is attributable to the use of said Property by the Licensee or any person entering upon the same with the consent of the Licensee, expressed or implied.

11. HOLD HARMLESS:

Licensee shall occupy and use Property at its own risk and expense and shall save the City, its officers, agents, and employees, harmless from any and all claims for damage to property, or injury to, or death of, any person, entering upon same with Licensee's consent, expressed or implied, caused by any acts or omissions of the Licensee.

12. INSURANCE:

12.1 At the time of the execution of this Agreement, Licensee shall, at its own expense, take out and keep in force during the terms of this Agreement:

(a) Liability insurance, in a company or companies to be approved by the City to protect against any liability to the public incident to the use of, or resulting from injury to, or death of, any person occurring in or about, the Property, in the amount of not less than ***Two Million Dollars (\$2,000,000.00)***, to indemnify against the claim of one person, and in the amount of not less than ***Four Million Dollars (\$4,000,000.00)*** against the claims of two (2) or more persons resulting from any one (1) accident.

(b) Property damage or other insurance in a company or companies to be approved by the City to protect Licensee, and the City against any and every liability incident to the use of or resulting from any and every cause occurring in, or about, the Property, including any and all liability of the Licensee, in the amount of not less than ***One Million Dollars (\$1,000,000)***. Said policies shall inure to the contingent liabilities, if any, of the Licensee and the City, and shall obligate the insurance carriers to notify Licensee and the City, in writing, not less than thirty (30) days prior to cancellation thereof, or any other change affecting the coverage of the policies. If said policies contain any exclusion concerning property in the care, custody or control of the insured, an endorsement shall be attached thereto stating that such exclusion shall not apply with regard to any liability of the Licensee and the City.

12.2 A copy of the "Certificate of Insurance" will be submitted to the City at the time of execution of license and annually thereafter.

13. MODIFICATION:

The terms of this Agreement may be modified upon agreement of the parties.

14. REVOCATION AND TERMINATION:

14.1 The City may revoke this license at any time. The Licensee may terminate this Agreement at any time.

14.2 In the event this license is revoked or the Agreement is terminated the Licensee will peaceably and quietly leave, surrender, and yield up to the City the Property. The Property will be restored to its previous condition at the expense of the Licensee and no costs for removal will be reimbursed by the City.

14.3 Upon revocation of the license or upon termination or expiration of Agreement, any personal property, or other appurtenances, including all footings, foundations, fencing and utilities, placed on the City property will be removed by Licensee. If any such appurtenances are not so removed after ninety (90) days written notice from the City to the Licensee, the City may proceed to remove the same and to restore the Property and the Licensee will pay the City, on demand, the reasonable cost and expense of such removal and restoration.

15. RELOCATION:

A Licensee who licenses property from the City shall not be eligible for relocation payments.

16. UTILITIES

Nothing in this License Agreement is intended, nor shall it, limit the authority granted to private and public utilities from using the right-of-way to maintain their existing infrastructure as granted in the Ohio Revised and Administrative Codes.

IN WITNESS WHEREOF, this Agreement has been executed in duplicate by the parties hereto as of the date herein last written below. Licensee acknowledges receipt of a copy of this Agreement and agrees to comply with the provisions herein contained.

LICENSEE(S):

Signature

Signature

Mailing Address

Telephone

Date

CITY OF KENT, OHIO

Director of Public Service

Date

APPROVED AS TO FORM:

Hope Jones, Law Director
City of Kent

DRAFT ORDINANCE NO. 2021-048

AN ORDINANCE AUTHORIZING THE TRADE IN / AUCTION/ DISPOSAL OF VEHICLES, LARGE EQUIPMENT AND TRAILERS NOT NEEDED FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY.

WHEREAS, the City has vehicles and large equipment that will be replaced as per the approved Capital Plan already approved; and

WHEREAS, some of the vehicles and equipment are being traded in to help offset the cost of new vehicles and equipment; and

WHEREAS, two (2) vehicles are going to auction.

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

SECTION 1. Council does hereby authorize the City to trade in / auction/ dispose of vehicles, large equipment and trailers no longer needed for municipal purposes and are described on the attached list, marked "Exhibit A" and incorporated herein.

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

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

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

Trade In / Auction / Disposal List - City of Kent - All Departments

4/26/2021

Tag #	Dept/Div	Description	Qty.	Year	Manufacturer	Model No.	Serial No.	Storage Location	Known Defects	Why Taken Out of Service	Auction / Trade in.
2017.000	Example	18 hp Lawn Tractor, 48 inch cut with snow plow with skids, electric start	1	1985	Kubota	ABC123	XYZ567	220 Mog. Rd	Missing key, dead battery & plow pins	Unable to obtain parts & Unit replaced in 2009	
	Vehicles										
2021.001	CM68	Fored 655D Back Hoe	1	1996	Fored	655D	A437482	0 Plum Str	Mechanical issues	Beyond useful life. Multiple mechanical issues.	Trade in
2021.002	CM192	Vermeer 665B Stump Grinder	1	1995	Vermeer	665B	131G6R100	Plum Str	Mechanical issues	Beyond useful life. Multiple mechanical issues.	Trade in
2021.003	CM208	Ford 655d Back Hoe	1	1994	Ford	665d	A428973	0 Plum Str	Multiple issues	Beyond useful life. Multiple mechanical issues.	Trade in
	Large Equipment										
2021.004	CM070	Dynaweld Trailer	1	1996	Dynaweld	4U161Ae6T1X10		Plum Street		Beyond useful life.	Trade in
2021.005	CM066	International Trailer	1	1998	International	1ZFCF2021WB00		Plum Street		Beyond useful life.	Trade in
	Small Equipment										
	Misc.										
	Scrap										
	Disposal										

DRAFT ORDINANCE NO. 2021-049

AN ORDINANCE AMENDING ORDINANCE 2021-004 TO EXTEND IMPOSING A TEMPORARY MORATORIUM ON THE APPLICABILITY OF SECTION 1191.13 OF CHAPTER 1191, TITLED “CAPITAL IMPROVEMENT FUND; MATCHING AMOUNT” AS IT PERTAINS TO THE CITY’S OBLIGATION TO MATCH DEVELOPER FEES PAID INTO THE PARKS AND RECREATION DEVELOPMENT FUND UNTIL AUGUST 30, 2021, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent, Ohio (the “City”) is a legally and regularly created, established, organized and existing municipal corporation under the provisions of the Constitution of the State of Ohio and the home rule charter of the City (the “Charter”); and

WHEREAS, Sections 5.12(8) and 5.13 of the Charter authorize the City Council to enact emergency ordinances for the preservation of public, health, peace, or safety upon the vote of seven (7) members of City Council; and

WHEREAS, the City of Kent currently regulates land uses within the City limits in accordance with Chapter 11 of the Kent Municipal Code pursuant to its Home Rule Constitutional authority and the Ohio Constitution; and

WHEREAS, the fees required by the Chapter 1191 may require amendment to comply with current law and the economic realities of the City; and

WHEREAS, the Kent City Council desires that the staff of the Law and Community Development Departments conduct a thorough analysis and assessment of the Chapter 1191, titled “Parks and Recreation Fees “and regulations affecting those fees until August 30, 2021; and

WHEREAS, a moratorium through an emergency ordinance suspending the applicability of Section 1191.13 of Chapter 1191, titled “Capital Improvement Fund; Matching Amount” as it pertains to the City’s obligation to match developer fees paid into the Parks and Recreation Development Fund will enable a reasoned discussion and consideration of desired amendments to that Chapter; and

WHEREAS, the City Council has determined that it is necessary to declare an emergency for the preservation of public property, health, peace, and safety with the imposition of a temporary moratorium on the applicability of the provisions of Chapter 1193 *in toto*.

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

SECTION 1. That Kent City Council hereby authorizes a temporary moratorium suspending the applicability of Section 1191.13 of Chapter 1191, titled “Capital Improvement Fund; Matching Amount” as it pertains to the City’s obligation to match developer fees paid into the Parks and Recreation Development Fund to enable a reasoned discussion and consideration of desired amendments to that Chapter until August 30, 2021.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

AN ORDINANCE ACCEPTING FOUR (4) DONATIONS AND ONE (1) GRANT TOTALING \$3,140.00 TO THE CITY OF KENT FOR THE CHIMNEY SWIFT PROJECT, AND DECLARING AN EMERGENCY.

Robert Riggie & Chrystal Shook - \$100.00	Howard & Linda Boyle - \$500.00
Brian & Marsha Raymond - \$40.00	Hometown Bank - \$500.00
Henry V. & Frances W. Christenson Foundation (Grant) - \$2,000.00	

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.

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



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

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

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

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

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

ABSENT: Mr. Robin Turner

MOTION TO EXCUSE MR. TURNER FROM THE COUNCIL MEETING made by Mr. Sidoti SECONDED by Ms. Wallach and CARRIED by a voice vote of 8-0.

Mayor Fiala called upon Councilmember Ferrara for opening remarks. Mr. Ferrara read the attached statement (**Attachment #1**).

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

Approval of Regular Council Meeting Minutes:

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF March 17, 2021 and the Public Hearing of March 17, 2021 made by Mr. Ferrara, SECONDED by Mr. DeLeone and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

Communication:

Public Comment: There were four (4) visitors signed in to speak to Council. Mayor Fiala read the following statement:

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

Mr. Doug Fuller who resides at 1431 River Edge Drive, Kent Ohio, was the first person signed in. He read the following statement to Council (**Attachment #2**).

Ms. Paula Treckel who resides at 1244 Woodhill Drive, Kent, Ohio, spoke to Council next and read the following statement to Council. (**Attachment #3**)

Mr. David Sommers who resides 1351 Greenwood Ave., Kent, Ohio, spoke to Council next and his comments are summarized in the following attachment. (**Attachment #4**)

Mr. Howard Boyle who resides at 1485 River Edge Drive, Kent, Ohio, addressed the importance of history in the City of Kent. He said the architecture in the City has described the fabric that makes up the city since the 1860's. He emphasized some of the detail work on the buildings and how lucky we were to have [Charles] Kistler live in the city. He referenced the gabled roof removal on a building downtown being replaced by a flat roof. He said a gabled roof that was not designed with the building is not the best option. He said it's not too late to change and the building has a tremendous interest by many people and would like to see it remain, as much as possible, as it was designed.

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

1. Letter from the Arbor Day Foundation congratulating Kent on earning recognition as a 2020 Tree City USA received March 8, 2021.
2. Email from Mr. Rick Hawksley regarding lawmakers seeking to limit authority over fossil fuel use received on March 17, 2021 and forwarded to all Council Members.
3. Letter from PARTA requesting to reappoint or replace a board member whose term is expiring on June 30, 2021 received on March 23, 2021.
4. Standing Rock Cemetery Board Meeting Minutes from March 11, 2021 received March 24, 2021.
5. New Liquor License request received March 24, 2021 for Kent Diner, LLC, 1225 W. Main Street. Chief Shearer had no objections.

MOTION TO RETURN WITH NO OBJECTIONS made by Mr. Kuhar SECONDED BY Mr. Ferrara and CARRIED by a voice vote of 8-0.

6. Transfer Liquor License request received April 9, 2021 from Riley Hotel Group, LLC DBA Kent State Hotel and Conference Center to Olympia Hotel Management, LLC, DBA Kent State University and Conference Center located at 215 S. Depeyster Street received on April 9, 2021. Chief Shearer had no objections.

MOTION TO RETURN WITH NO OBJECTIONS made by Mr. Kuhar SECONDED by Mr. Ferrara and CARRIED by a voice vote of 8-0.

7. Email from Lisa Taddei, External Affairs, Ohio Edison regarding a new scholarship program offered to diverse students of First Energy's Power Systems Institute received March 26, 2021 and forwarded to all Council Members.
8. Planning Commission Agenda and Staff Report for April 6, 2021 received on March 26, 2021.
9. Standing Rock Cemetery Agenda for April 8, 2021 received April 1, 2021.
10. Thank you card from Harrison and Chanjuan Wicks received and forwarded to Council on April 9, 2021 thanking Council for the card sent for the birth of their daughter, Charlotte.
11. Parks and Recreation Board Packet for April 15, 2021 received on April 9, 2021.
12. Health Board Agenda and Statistical Report for the April 13, 2021 meeting received on April 12, 2021.

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

1. Email received from Andria Blackwood regarding her resignation from the Fair Housing Board effective immediately received April 16, 2021.

MOTION TO ACCEPT THE RESIGNATION made by Mr. Sidoti SECONDED by Mr. Kuhar and CARRIED with a voice vote of 8-0.

2. Civil Service Commission Meeting Agenda for April 19, 2021 received on April 16, 2021.
3. Memorandum of Understanding from Kent Chamber of Commerce regarding the Kent Heritage Fireworks to be held on June 26, 2021 was received on April 19, 2021.
4. Email from Allyson Chicoski regarding her resignation from the Civil Service Commission received April 20, 2021.

MOTION TO ACCEPT RESIGNATION made by Mr. Kuhar SECONDED by Mr. Sidoti and CARRIED with a voice vote of 8-0.

5. Email from Allan Orashan regarding replacing the west side fire station roof, asking to keep the front façade as is, was received and forwarded to Council on 4/21/2021.

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

1. Request for Council's authorization to accept multiple donations for the replacement and

upgrade of the container used for the Aluminum Cans for Burned Children project. (Draft #2021-040)

2. Request for Council's authorization to schedule the annual Joint City of Kent – Franklin Township Trustees meeting at the May 5th Committee meeting.
3. Request for time at the May 5th Committee Meeting to hold the second public hearing on the 2021 CDBG program.
4. Requested Streets, Sidewalks & Utilities Committee time to present a request to authorize an area of the City sidewalk to be used for outdoor dining at the corner of Erie Street and Franklin Avenue.
5. Requested Streets, Sidewalks & Utilities Committee time to present a request to authorize the placement of a new South End Neighborhood Monument sign on City right of way.
6. Requested Streets, Sidewalks & Utilities Committee time to request Council's approval of proposed changes to the City's trash and recycling contracts related to the number of households served and billed to the City.
7. Requested Streets, Sidewalks & Utilities Committee time to present a proposed moratorium on food trucks in downtown Kent.
8. Requested Finance Committee time to present an update from the EDA regarding federal interest and the City's Revolving Loan Fund.
9. Requested Community Development Committee time to request Council's authorization to extend the DORA for 2021-22.

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

STANDING COMMITTEES/ LEGISLATION

1) COMMITTEE OF THE WHOLE

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

NO COMMITTEE ACTION ITEM TO APPROVE

MOTION TO APPOINT KELEIGH VERALDO-ZUCCHERO AND JENNIFER NICHOLS to the Fair Housing Board made by Mr. Kuhar SECONDED by Mr. Sidoti and CARRIED by a voice vote of 8-0.

MOTION to insert names into legislation made by Mr. Kuhar SECONDED by Mr. Sidoti and CARRIED by a voice vote of 8-0.

Draft No. 2021-033 A RESOLUTION APPOINTING KELEIGH VERALDO-ZUCCHERO AND JENNIFER NICHOLS TO THE FAIR HOUSING BOARD, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT NO. 2021-033 made by Mr. DeLeone and SECONDED by Mr. Sidoti. On roll call, voting “Yes” Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach. The Motion CARRIED by a roll call vote of 8-0.

RESOLUTION 2021-033 PASSED as stated by Clerk Wilkens.

2) COMMUNITY DEVELOPMENT COMMITTEE

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

NO COMMITTEE ACTION ITEM TO APPROVE

3) HEALTH AND PUBLIC SAFETY COMMITTEE

NO MEETING MINUTES OR ACTION ITEMS TO APPROVE

4) LAND USE COMMITTEE

MOTION TO APPROVE MEETING MINUTES of April 7, 2021 made by Mr. Ferrara, SECONDED by Mr. Kuhar and CARRIED by a voice vote of 8-0.

MOTION TO APPROVE THE LAND USE COMMITTEE ACTION ITEMS made by Mr. Ferrara, SECONDED by Mr. Kuhar and CARRIED by a voice vote of 8-0.

Recommended Actions:

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

5) STREETS, SIDEWALKS AND UTILITIES COMMITTEE:

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

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

Recommended Actions:

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

Draft No. 2021-034 AN ORDINANCE AMENDING SECTION 353.02 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED "PARKING REGULATION AUTHORIZATION" TO PROHIBIT ON-STREET PARKING ON MIDDLEBURY ROAD FROM THE CITY LIMITS TO AKRON BOULEVARD, AND DECLARING AN EMERGENCY, was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT NO. 2021-034 made by Mr. Ferrara and SECONDED by Ms. Rosenberg. On roll call, voting "Yes" Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Amrhein. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE 2021-034 PASSED as stated by Clerk Wilkens.

Draft No. 2021-035 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO CLOSE FRANKLIN AVENUE FROM ERIE STREET TO MAIN STREET TO ASSIST DOWNTOWN BUSINESSES IN DEALING WITH THE COVID-19 PANDEMIC RESTRICTIONS, AND DECLARING AN EMERGENCY, was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT NO. 2021-035 made by Ms. Rosenberg and SECONDED by Mr. Ferrara. On roll call, voting "Yes" Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE 2021-035 PASSED as stated by Clerk Wilkens.

Draft No. 2021-036 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT WITH CITY OF KENT, OHIO (CITY) AND

MAIN STREET KENT (MSK) FOR NEEDED MAINTENANCE SERVICES TO KEEP THE “OUTDOOR SEATING AREA” SANITARY AND ORDERLY, AND DECLARING AN EMERGENCY, was read by title only by Clerk Wilkens per Mayor Fiala’s request.

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

MOTION TO ADOPT DRAFT NO. 2021-036 made by Ms. Shaffer Bish and SECONDED by Mr. Kuhar. On roll call, voting “Yes” Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE 2021-036 PASSED as stated by Clerk Wilkens.

6) FINANCE COMMITTEE:

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

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

Recommended Actions:

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

Draft No. 2021-037 AN ORDINANCE AUTHORIZING THE APPOINTMENT OF A NON-PARTISAN COMMITTEE TO REVIEW AND MAKE RECOMMENDATIONS REGARDING THE SALARIES OF THE MAYOR AND CITY COUNCIL PURSUANT TO ARTICLE V OF THE CHARTER SECTION 5.04, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala’s request.

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

MOTION TO ADOPT DRAFT NO. 2021-037 made by Mr. Kuhar SECONDED by Mr. Ferrara. On roll call, voting “Yes”: Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE 2021-037 PASSED as stated by Clerk Wilkens.

Draft No. 2021-038 AN ORDINANCE AMENDING ORDINANCE 2011-46 TO EXTEND THE FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE AGREEMENT WITH THE FRANKLIN TOWNSHIP, OHIO IN ORDER TO CONTINUE NEGOTIATING A NEW LONG-TERM AGREEMENT, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala’s request.

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

MOTION TO ADOPT DRAFT No. 2021-038 made by Mr. Kuhar and SECONDED by Ms. Rosenberg. On roll call, voting “Yes”: Ms. Shaffer Bish, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE 2021-038 PASSED as stated by Clerk Wilkens.

Draft No. 2021-039 AN ORDINANCE AMENDING ORDINANCE NO. 2020-129, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 16, 2020; SO AS TO ADJUST APPROPRIATIONS, TRANSFERS AND ADVANCES FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala’s request.

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

MOTION TO ADOPT DRAFT No. 2021-039 made by Mr. Kuhar and SECONDED by Mr. DeLeone. On roll call, voting “Yes”: Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish. The Motion CARRIED by a roll call vote of 8-0.

RESOLUTION 2021-039 PASSED as stated by Clerk Wilkens.

Draft No. 2021-040 AN ORDINANCE ACCEPTING A DONATION OF A CONTAINER THAT WILL BE USED TO COLLECT ALUMINUM CANS FOR THE AKRON CHILDREN'S HOSPITAL BURN UNIT, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 2021-040 made by Mr. Kuhar and SECONDED by Mr. DeLeone. On roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti. The Motion CARRIED by a roll call vote of 8-0.

RESOLUTION 2021-040 PASSED as stated by Clerk Wilkens.

Unfinished Business: NONE

New Business:

MOTION to move to committee a discussion to review the flat roof on the West Side Fire Station made by Ms. Wallach SECONDED by Mr. Ferrara and CARRIED by a voice vote of 5-2-1 with Mr. Kuhar and Ms. Rosenberg voting "No" and Mr. Amrhein abstaining (due to being President of the Historical Society).

Ms. Wallach added that Kent has lost of wonderful buildings and we should strive to preserve the historical accuracy of as many buildings as possible.

Mr. Ferrara added he hated lengthening the process and is not second-guessing staff but the individuals who spoke brought up a good point that City Council has been good stewards and set high standards with old and new buildings. He in favor of readdressing this issue.

Mayor Fiala asked Mr. Ruller where the City is concerning logistics of the project.

Mr. Ferrara called point of order, a motion is on the floor.

Mayor Fiala said this pertains to the motion.

Mr. Ruller said it has been bid with a gabled roof and they came in under bid. Chief Tosko said the building is borderline uninhabitable. The historical significance is the issue here and half of the building has already been changed. The building does not have the typical significance, it is more the name of the architect on the building.

Ms. Shaffer Bish needed clarification on when this would be discussed and Mayor Fiala clarified the motion is to move this back to committee to discuss.

Ms. Rosenberg added she is concerned that postponing this is going to lead to further damage to the building. She appreciates the comments of the residents who came to speak but the roof line has already been changed. She is voting “No” because we need to proceed on this project.

Council Comments:

Mr. Sidoti asked about the liquor license for the old Longhitano’s and what business was going in there.

Ms. Bridget Susel said the owner is trying to lease it full package. There is a viable candidate for the restaurant as a Mexican establishment.

Chief Shearer has seen a transfer of a liquor permit from the State on the liquor permit as well.

Mayor’s Report:

Mayor Fiala reported on the “Put Around Town” held in downtown Kent last weekend. Everyone was using social distancing and masks and a lot of people attended and enjoyed themselves.

He said today is Administrative Professional Day and thanked Clerk Wilkens for a job well done.

MOTION made by Mr. Amrhein to move into Executive Session, In accordance with ORC §121.22 Section G, Item (1): “To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official “ **AND**; Section G, Item (2) “To consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit-for-use property in accordance with section [505.10](#) of the Revised Code, if premature disclosure of information would give an unfair competitive or bargaining advantage to a person whose personal, private interest is adverse to the general public interest” **SECONDED** by Mr. DeLeone. On roll call voting “Yes”: Mr. Amrhein; Mr. DeLeone; Mr. Ferrara; Mr. Kuhar; Ms. Rosenberg; Ms. Shaffer Bish; Mr. Sidoti; and Ms. Wallach.

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

Mr. Ferrara excused himself from the Executive Session to avoid a possible conflict of interest.

MOTION made by Mr. Sidoti to return to Committee Meeting (9:11 pm) **SECONDED** by Mr. Kuhar and **CARRIED** by a voice vote of 7-0.

Motion to Authorize Insertion of Names into Legislation made by Mr. Kuhar **SECONDED** by Ms. Rosenberg and **CARRIED** by a voice vote of 7-0.

Draft No. 2021-041 AN ORDINANCE CONFIRMING THE APPOINTMENT OF ANGELA MANLEY AS PARKS AND RECREATION DIRECTOR FOR THE CITY OF KENT, OHIO, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No.2021-041 made by Mr. Kuhar and SECONDED by Ms. Rosenberg. On roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti. The Motion CARRIED by a roll call vote of 7-0.

ORDINANCE 2021-041 PASSED as stated by Clerk Wilkens.

The Regular Meeting adjourned at 9:15 P.M.

Amy Wilkens
Clerk of Council

Jerry T. Fiala
Mayor and President of Council

Good evening, let me start tonight by welcoming and congratulating Randale Richmond as Kent State's newest Director of Athletics. The Town Gown relationship is an integral part of Kent and Kent State and I look forward to a renewed and mutually productive re-engagement of these two entities. We all wish Randale and Kent State the best.

Yesterday, we all were waiting nervously to see if justice would be served or if our cities would fall further into the abyss of racial divide.

Fortunately justice was served. I hope we as a Nation can look at this verdict as proof that our justice system works and that criminals will be punished.

I also hope that society as a whole sees Dennis Chauvin's actions as those of an individual and do not condemn the police forces around the country in general.

If anyone present feels that way I'd ask you to look at our own police force here in the City of Kent and the job that they do and how well they do it. Fortunately we do not have the accusations thrown at them that some police forces do. For that we all should be proud. But we should also remain vigilant in our leadership and make sure we keep the high standards and expectations. We have to make sure we provide them with the resources and training to maintain those high standards we expect --- and that they exhibit day in and day out in an extremely dangerous job.

Justice has been served and we should all be proud of that ----and we all need to continue to be vigilant and make sure that justice will always, always be served --- ---for everyone.

Outline of presentation by Doug Fuller

Copy Outline of Presentation for Kent City Council in Wednesday April 21, 2021

- Hello my name is Doug Fuller I am a retired architect in Kent
- Several of us are here tonight to talk about historic preservation of the West Side Fire Station and the facts that our efforts have not worked out so far.
- **PART ONE - Historic Preservation**
- In the past council has always supported the preservation of Kent historical buildings.
 - (1.) The old jail when we moved is from the Walgreens site to Fred Fuller Park
 - (2.) The moving of the Wells Sherman House to North Water Street
 - (3.) Support for the L.N. Gross Building and the Old Franklin Hotel's Nomination to the National Register of Historic Places,
 - (4.) Most recently the sale of the old Post Office to John Flynn, where it was the city's wish that the exterior of the building would be preserved.
 - (5) and lastly your support of Main Street Kent which part of its missing in the preservation and adaptive reuse of historic buildings.
- So we do not understand why things would change regarding the historic West Side Fire Station
- So, we are here to talk about the roof modifications that have been proposed for the West Side Fire Station (station number #2)
 - We hope the outcome of this meeting will be that you would ask the administration to do whatever is necessary to correct the roof design from what is proposed (a high gable roof) and to maintain the historic roof line.
- As you know the city is bidding to put a large gabled roof on the building.
- This is both not needed and most likely more expensive than it needs to be.
- Replacing the roof with a new insulated "flat roof" will serve the building well and most likely be less expensive.
 - When it comes to preservation we would hope that the cost would not be the only thing considered.
- We hope that the general Kent community would become a Preservation Community, that is we would consider first how we can help save a historic building.
- **PART TWO - Efforts to work with Community Development**

- I would like to go through a timeline of how we came to be here using a series of emails and documents, in each case I have underlined the information in the documents in red that are pertinent to this conversation.
 - Meeting and conversation December 17, 2019 with Melanie Baker regarding the Fire Station roof design.
 - ARB minutes from February 4, 2020. (Page 1-4 of att.)
 - I asked by email on March 17, 2020 to Briget Susel for an update on what the city was anticipating to do after the ARB review. (can't find this email)
 - Email of March 18, 2020 - Bridget Susel to Doug Fuller (Page 5 of att.)
 - Email of March 18, 2020 - Doug Fuller to Bridget Susel (Page 5 of att.)
 - Email of May 21, 2020 - Doug Fuller to Bridget Susel (Page 6 of att.)
 - Email of June 1, 2020 - Bridget Susel to Doug Fuller (Page 6 of att.)
 - Email of April 1, 2021 - Doug Fuller to Briget Susel (Page 7 of att.)
 - Email of April 2, 2021 - Hope Jones (City Law Director) to Doug Fuller (Page 8 of att.)
 - After ARB meeting the city had much internal deliberation which was quite spirited.
 - **Reasons why the Community Development Office did not consider the ARB recommendations (from Law Director's email.)**
 - 1. The pitched roof is more optimal from an economic standpoint.
 - 2. The pitched roof is more optimal because of future maintenance.
 - 3. The pitched roof has more "fans" from an aesthetic perspective.
 - 4. The cost of the architectural drawings can't be ignored.
- Also, You may hear from people in Community Development that the building is not in the design review area therefore the city is not required to follow ARB's recommendation.
 - 1. However this building was in the boundaries of the design guideline district (Page 9 att.) until the CD dept. Decided to change the boundaries (Page 10 att.) with no explanation or involvement from the committee and professionals the city hired to develop the guidelines.
- Also again, (page 11 att.) shows the east elevation of the proposed change to the fire station along with a photo of how it looks today.

Many Thanks, Doug

CITY OF KENT
ARCHITECTURAL REVIEW BOARD
FEBRUARY 4, 2020

MEMBERS PRESENT: Howard Boyle
 David Basista
 Dennis Saxe
 Bridget Tipton

SEE PAGES 3 & 4

STAFF PRESENT: Eric Fink, Assistant Law Director
 Bridget Susel, Director
 Heather Heckman, Development Planner
 Kim Brown, Administrative Assistant

I. CALL TO ORDER

The meeting was called to order by Mr. Boyle at 4:00 p.m.

II. ROLL CALL

Howard Boyle, Dennis Saxe, David Basista, and Bridget Tipton were present. Kevin Koogle was absent.

III. ADMINISTRATION OF OATH

Mr. Fink instructed members of the audience wishing to be heard on any of the cases presented at this meeting to rise and raise their right hand. Mr. Fink administered the oath, "Do you swear or affirm that the testimony that you are about to give this evening is the truth, the whole truth, and nothing but the truth, so help you God? Please say "I do". The participants responded, "I do".

IV. PROJECT REVIEW

A. ARB20-002 Montrose Mazda
 1127 West Main Street

The applicant is requesting a review of the proposed building addition.

Bruce Taylor, Arkenetics, presented the project as shown in the documents provided to the Board. Mr. Taylor also provided samples of the materials and colors; black, silver, and white metal and split face block. He stated that the existing areas will be painted to match.

Mr. Boyle questioned the furniture store to the west of the proposed project

John Mastrantoni stated that they have an option on the property but do not currently own it.

Mr. Taylor stated that they will be putting a landscape area out at the curb.

Mr. Saxe stated that he applauds that decision.

Mr. Taylor described where the new materials would fit into the project.

Mr. Basista asked if these are corporate colors.

Mr. Taylor responded affirmatively that they are.

PUBLIC COMMENT:

None

BOARD DISCUSSION:

Mr. Boyle stated that he feels that it is a very attractive building and fits with the neighborhood. Mr. Boyle added that the grass at the curb is an attractive piece.

Mr. Saxe stated that it's fine.

Mr. Basista stated that it is a great improvement and will look nice. He also likes the grassed area.

Ms. Tipton stated that she is fine with the project.

MOTION: *In case ARB20-002, Montrose Mazda, 1127 West Main St., Mr. Saxe moved to recommend to Planning Commission approval of the addition as presented.*

Ms. Tipton seconded the motion. The motion carried 4-0.

**B. ARB20-003 City of Kent
North Water Street Improvements**

Courtesy review of the North Water Street Improvements.

Mr. Bowling and Mr. Giaquinto provided the Board with an overview of the upcoming changes to the North Water Street corridor from Main Street to Brady Street. The changes include narrowing the road by reconfiguring parking spaces, adding designated crosswalks with in-street signage, streetscapes, lighting, and curb extensions at the side streets. Mr. Bowling asked for the Board's comments.

PUBLIC COMMENT:

Doug Fuller, 1431 River Edge, asked about the alley between the old mill and Each + Every.

Mr. Giaquinto stated that there will still be a dropped curb area.

Mr. Fuller asked when the project will be completed.

Mr. Bowling stated that they should have a contractor by June/July to begin work but will probably need to finish in 2021 due to weather.

BOARD DISCUSSION:

Mr. Boyle stated that he thinks it is an attractive plan and suggested changing to underground utilities if at all possible. Mr. Boyle stated that benefits of the project are evident and commended staff on the project.

The other Board members agreed with Mr. Boyle.

V. MEETING SUMMARIES

A. January 7, 2020

MOTION: *Mr. Basista moved to approve the January 7, 2020 Meeting Summary, as presented. Mr. Saxe seconded the motion. The motion carried 4-0.*

VI. OTHER BUSINESS

West Side Fire Station:

Fire Chief Tosko presented the plans for the renovations and addition to the West Side Fire Station. Chief stated that the changes were initiated as a result of a leaking roof, ice, and needed repairs. He explained that the northern portion of the structure already has a pitched roof that has served them well and they have decided to install a pitched roof over the remainder of the structure including the proposed addition. Chief Tosko stated that they feel that a pitched roof would also blend with the surrounding residential neighborhood.

PUBLIC COMMENT:

Doug Fuller, retired architect, reviewed the history of the building and its architect, C.G. Kistler, and presented pictures of other buildings in Kent that were designed by C.G. Kistler to the Board. Mr. Fuller asked that the Fire Department consider installing a flat roof over the structure that would be properly installed and function well.

Dave Sommers, architect, stated that he is the architect that designed the pitched roof for the northern part of the structure and probably wouldn't have done so had he known the historical significance of the building's original architect. Mr. Sommers concurred with Mr. Fuller and stated that he feels there are other options to help alleviate some of the drainage problems.

Allan Orashan stated that he feels that the proposed new roof looks odd to him. Mr. Orashan stated that he would like to see another option such as a hip roof or better yet, a properly installed flat roof, as had been suggested by Mr. Fuller and Mr. Sommers.

BOARD DISCUSSION:

Mr. Basista stated that it never looks good to add a pitched roof onto an older building. He explained that while it is the best way to eliminate roof maintenance, a properly installed flat roof will give many years of good service and also maintain the integrity of the building. Mr. Basista stated that he was unaware of the historical background of the structure.

Mr. Saxe stated that he would also like to see the building retain a flat roof.

Ms. Tipton asked why the project was before the Board. Ms. Susel explained the project is not located in the Overlay District and is not subject to review by the Planning Commission so, legislatively, it is not required to be before the ARB, but it is being presented today in order to gather comments from the ARB in response to a request from a member of the Board and representatives from the public. The comments and recommendations on the project will be forwarded to the Service Director for consideration.

Mr. Boyle stated that they are defending the integrity of the building.

MOTION: *Mr. Boyle moved to recommend that the Service Director strongly consider reviewing the plans to preserve the architectural integrity of the original building with a flat roof.*

Mr. Saxe seconded the motion. The motion carried 4-0.

VII. ADJOURNMENT

MOTION: *Mr. Saxe moved to adjourn the meeting. Mr. Basista seconded the motion. The motion carried 4-0.*

The meeting adjourned at 5:00 p.m.

Susel, Bridget <suselb@kent-ohio.org>

Wed, Mar 18, 2020 at 5:19 PM

To: Douglas Fuller <dfuller161@gmail.com>

Cc: Paula Treckel <paula.treckel@gmail.com>, Jennifer Hunter <JHunter@dsarchitecture.com>, David Sommers <dsommers@dsarchitecture.com>, Howard Boyle <hboyle@htbnk.com>, Julie Kenworthy <julie_kenworthy@yahoo.com>, Allan Orashan <aorashan@aol.com>, Heather Malarcik <heather@mainstreetkent.org>, Melanie Baker <mbaker@kent-ohio.org>, Dave Ruller <rullerd@kent-ohio.org>, Hope Jones <jonesh@kent-ohio.org>

Good Afternoon,

I received your email yesterday as well as this one today. In case you are not aware, the City of Kent is operating under an "Executive Order of Emergency" that was issued yesterday by the City Manager in response to the COVID-19 health crisis. Staff is committing all of its time to developing protocols and implementing measures that will ensure the safety of the City's employees and the public, while still providing critical City services.

Per the ARB's request, the Service Director had planned to request 2-3 pricing estimates for a flat roof to compare those estimates to the bid price of the pitched roof the City had already secured. This comparison was to be discussed internally and potentially with Council, but with the current situation and the demands on all of the City Departments, especially the Fire Department, getting that pricing and scheduling any type of construction work at the West Side Fire Station is not a priority issue at present. Considering the rapidly changing aspects of managing the COVID-19 health crisis that is expected in the coming weeks and potentially even months, it will not be addressed any time in the near future.

Once the City is no longer operating under an Emergency Order and things settle back to some semblance of normal business the West Side Fire Station issue will be revisited.

Please let me know if you have any additional questions.

Thanks.

Bridget

[Quoted text hidden]

- > PLEASE NOTE: This message and any response to it may
- > constitute a public record, and therefore may be available
- > upon request in accordance with Ohio public records law.
- > (ORC 149.43)

Douglas Fuller <dfuller161@gmail.com>

Wed, Mar 18, 2020 at 6:15 PM

To: "Susel, Bridget" <suselb@kent-ohio.org>

Cc: Paula Treckel <paula.treckel@gmail.com>, Jennifer Hunter <JHunter@dsarchitecture.com>, David Sommers <dsommers@dsarchitecture.com>, Howard Boyle <hboyle@htbnk.com>, Julie Kenworthy <julie_kenworthy@yahoo.com>, Allan Orashan <aorashan@aol.com>, Heather Malarcik <heather@mainstreetkent.org>, Melanie Baker <mbaker@kent-ohio.org>, Dave Ruller <rullerd@kent-ohio.org>, Hope Jones <jonesh@kent-ohio.org>

Bridget,

Thanks for the update..... I did not know about "Executive Order of Emergency" and I understand the added time commitment for city staff.

I also appreciate the update on the fire department roof. As things get back to "normal" we look forward to working with you on this important project.

Also, the folks on the committee are willing to work with you on any topics that include the preservation of important buildings, the establishment of reasonable boundaries of historic areas, review of design guidelines and other related codes.

Many thanks for you assistance.

Doug

[Quoted text hidden]



Douglas Fuller <dfuller161@gmail.com>

West Side Firestation - Plus

5 messages

Douglas Fuller <dfuller161@gmail.com>
To: **Bridget Susel** <suselb@kent-ohio.org>

Thu, May 21, 2020 at 12:28 PM

Hi Bridget,
I hope things are going well with you.
I am checking on a couple of questions:

1. Is there any news on the roof design of the West Side Fire station?
2. Also, regarding a Planning Commission Meeting late last year, there was discussion about the Design Guidelines and their application to downtown projects and discussion about the boundaries of the district. Can you tell me when that is likely to come before the Planning Commission again and what might actually be on the agenda when it does come back.

I understand there may delay in all of this but I thought I would check nonetheless.
Thanks
Doug

Susel, Bridget <suselb@kent-ohio.org>
To: **Douglas Fuller** <dfuller161@gmail.com>

Mon, Jun 1, 2020 at 11:58 AM

Good Morning Doug,

Sorry for my delayed response. It has been extremely busy trying to get COVID-19 operating protocols in place for the various services that are offered here in the CD Department and I have been receiving an extremely high volume of emails on a daily basis covering a multitude of topics. In response to your questions:

1. As a result of the anticipated budget shortfall the City is anticipating from the reduction in income tax collections this budget year, the West Side Station project has been delayed.
2. The discussion of the boundaries will be part of the Zoning Code update process and I will let you know when that work session will be scheduled with ARB and the Planning Commission. The planning staff has just re-started the update process and it is not expected to occur for at least another 2-4 months.

Thanks and I will let you know on item #2 above once I have more information.

Bridget

6.

From: Douglas Fuller <dfuller161@gmail.com>

Date: Thu, Apr 1, 2021 at 12:00 PM

Subject: West Side Fire Station

To: Bridget Susel <suselb@kent-ohio.org>

Cc: Paula Treckel <paula.treckel@gmail.com>, David Sommers <dsommers@dsarchitecture.com>, Allan Orashan <aorashan@aol.com>, Howard Boyle <hboyle@htbnk.com>, Heather Malarcik <heather@mainstreetkent.org>, Julie Kenworthy <julie_kenworthy@yahoo.com>, Dylan Ball <dylan.ball.721@gmail.com>, Douglas Fuller <dfuller161@gmail.com>, David Ruller <rullerd@kent-ohio.org>

Bridget,

It has come to my attention that the City is moving ahead with the additions and roof replacement of the West Side Fire Station (a Kent architect Charles Kistler design) as you had originally planned. About a year ago the ARB reviewed the building, at that time several people made comments about the building all of them hoping the city would reconsider the design on the new pitched roof and use the original design. The ARB members (I think unanimously) also supported the idea of using Kistler's original design and the minutes of the meeting indicate that the City was going to take that recommendation into consideration.

Additionally on March 18th 2020 (just as the pandemic was hitting the city) you sent an email to me and copied several others regarding what the City was going to do. I have included that email here:

Susel, Bridget <suselb@kent-ohio.org>

MARCH 18, 2020 EMAIL

Wed, M

to Jennifer, David, Howard, Julie, Allan, Heather, Melanie, Dave, Hope, me, Paula

Good Afternoon,

I received your email yesterday as well as this one today. In case you are not aware, the City of Kent is operating under an "Executive Order of Emergency" that was issued yesterday by the City Manager in response to the COVID-19 health crisis. Staff is committing all of its time to developing protocols and implementing measures that will ensure the safety of the City's employees and the public, while still providing critical City services.

* Per the ARB's request, the Service Director had planned to request 2-3 pricing estimates for a flat roof to compare those estimates to the bid price of the pitched roof the City had already secured. This comparison was to be discussed internally and potentially with Council, but with the current situation and the demands on all of the City Departments, especially the Fire Department, getting that pricing and scheduling any type of construction work at the West Side Fire Station is not a priority issue at present. Considering the rapidly changing aspects of managing the COVID-19 health crisis that is expected in the coming weeks and potentially even months, it will not be addressed any time in the near future.

Once the City is no longer operating under an Emergency Order and things settle back to some semblance of normal business the West Side Fire Station issue will be revisited.

Since the original secured bids are not being used it is the perfect time to see what the cost comparison would be so, I hope you could follow up with me on the two specific things you said in the email regarding the roof design. (1) regarding the costs estimates for the original flat roof design and how much money could be saved (or not) by using the original design, and (2) If you discussed the proposal with Council.

Please let me know what the progress has been.

Many thanks for all the work you do.

Doug



Douglas Fuller <dfuller161@gmail.com>

West Side Fire Station

11 messages

Jones, Hope <jonesh@kent-ohio.org>

Fri, Apr 2, 2021 at 1:14 PM

To: dfuller161@gmail.com

Cc: Bridget Susel <suselb@kent-ohio.org>, Dave R <rullerd@kent-ohio.org>, John Tosko <toskoj@kent-ohio.org>, Melanie Baker <mbaker@kent-ohio.org>

Mr. Fuller,

I have been asked to respond to your question regarding the West Side Fire Station moving forward with a pitched roof rather than a flat roof. After hearing from the ARB and much internal deliberation which was quite spirited, it has been decided that the pitched roof is optimal from both an economic standpoint and future maintenance. The administration appreciates the recommendations of the ARB on this issue, but in the end, the pitched roof has more fans from an aesthetic perspective and the costs of redesigning the architectural drawings can't be ignored.

The City will be placing this project out for bid soon.

- > PLEASE NOTE: This message and any response to it may
- > constitute a public record, and therefore may be available
- > upon request in accordance with Ohio public records law.
- > (ORC 149.43)

DISTRICT BOUNDARIES

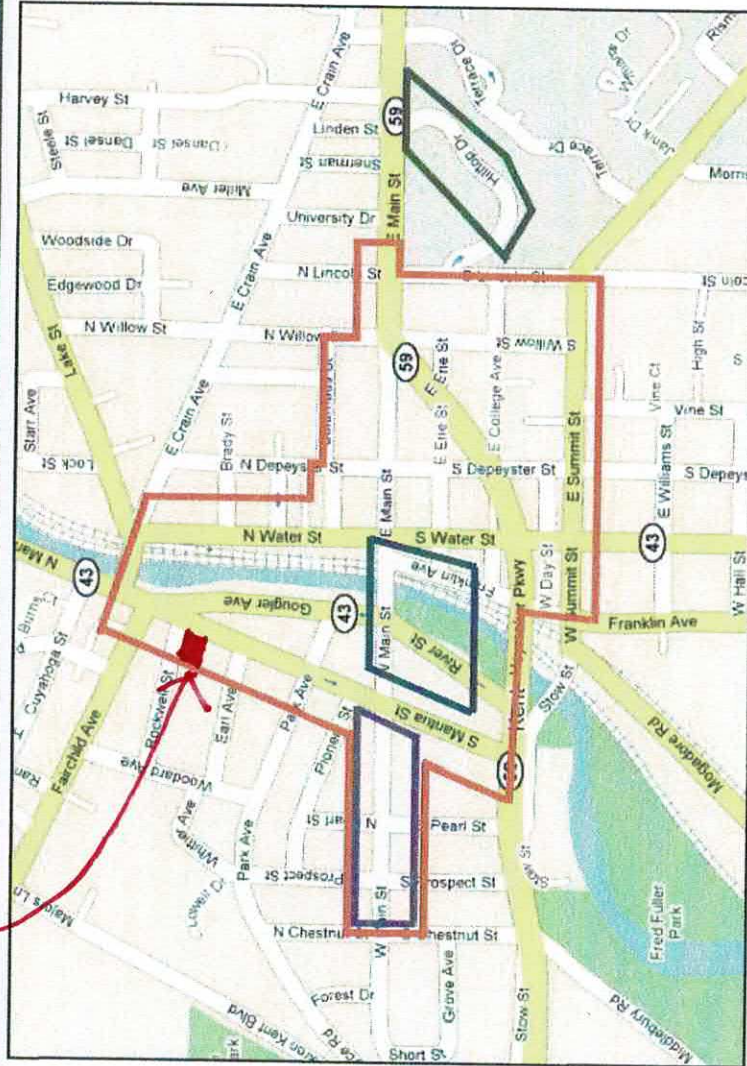
The western boundary of the Kent Design Overlay District runs along the west side of South Mantua Street from Haymaker Parkway to East Crain Avenue jutting out to the west to include both sides of Main Street to Chestnut Street.

At East Crain Avenue, the boundary turns east and continues making a series of jogs which become the northern boundary of the overlay area. The northern boundary goes east on East Crain Street, south down the east side of North Water Street, east one half a block north of Columbus Street, south on Depeyster Street, east along Columbus Street, south on North Willow Street, east along the north side of East Main Street to the east side of North Lincoln Street, the eastern boundary of the overlay area.

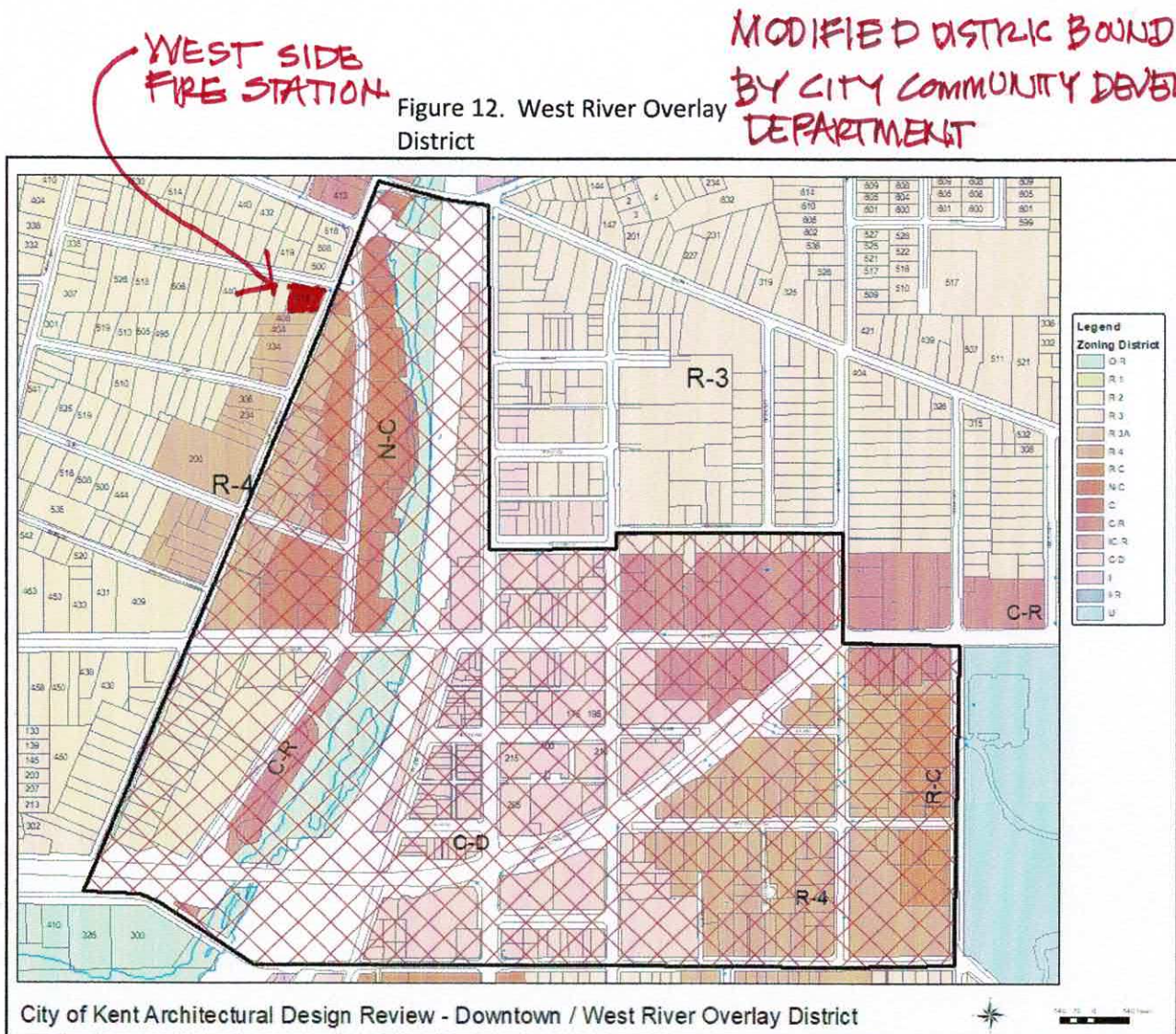
Here the eastern boundary runs south across Main Street returning west to the South Lincoln Street where it turns south continuing to the south side of East Summit Road, the southern boundary of the Kent Design Overlay District.

The southern boundary in turn, runs west along the southern side of East Summit Street, turns north on Franklin Avenue, then west on Haymaker Parkway where it meets the western boundary at South Mantua Street, completing the loop.

WEST SIDE FIRE STATION
ORIGINAL DISTRICT BOUNDARIES



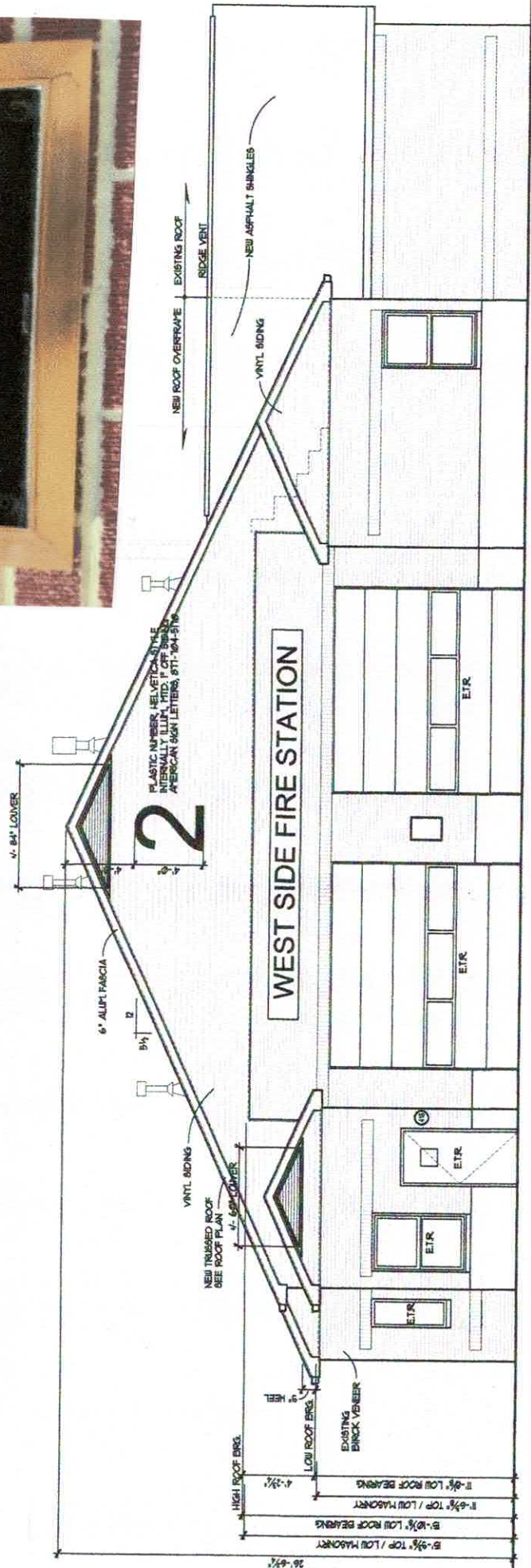
- Kent Design Overlay District
- Kent Industrial District (National Register of Historic Places District)
- West Main Street District (National Register of Historic Places District)
- Ohio State Normal College at Kent (National Register of Historic Places District)



(E) Amendments/Additional Districts.

- (1) Any overlay district may be amended upon the approval of Kent City Council;
- (2) Additional overlay districts may be created upon approval of Kent City Council, pursuant to the procedures in [Section 1112.01](#);
- (3) The following entities may propose an amendment to an existing overlay district or the creation of a new overlay district:
 - (a) The Architectural Review Board;
 - (b) Planning Commission; City staff; or
 - (c) Property owners within the geographic area of an existing or proposed overlay district providing that the property owners have obtained signatures supporting the proposal of no less than 51% of the properties in the overlay district.

10.



EAST ELEVATION

My name is Paula Treckel.

I live at 1244 Woodhill Drive, Kent, OH.

I have been a resident of Kent for over 60 years.

I am a professionally trained historian, who recently retired after 35 years as Professor of American History from Allegheny College in Meadville, PA.

Since my retirement, I have become deeply involved in the preservation of Kent's neighborhoods and its historic structures.

What brings me here today? The future of Kent's West Side Fire Station.

Why? Because this building is an important structure in our City's history and deserves preservation. And you, as Council, have been leaders in your support of preservation in the City of Kent.

The West Side Fire Station was designed by famed Architect Charles Kistler. It is ONE of only TWO structures designed by Kistler, still owned by the City of Kent. The other Kistler structure that the City owns is what was once the City's only Fire Station, built in 1922. Buried beneath decades of horribly designed renovations and ugly additions, that structure now serves as Kent's City Hall.

Why is it important to preserve the historical integrity of this last, City-owned Kistler structure? A History lesson...

Charles Kistler was born in 1885 in Newton Falls, OH. A native son of Portage County, poverty demanded that he leave school before he entered high school. His life is truly a "boot strap" tale, the story of a "self-made man."

Kistler was drawn to the building trades. As a young man, he worked every job in construction. His knowledge of each phase of the construction process stood him in good stead as he eventually became an architect, learning his craft through apprenticeship.

When Kistler applied for his license from the Board of Examiners of Architects from the State of Ohio in 1932, he had been a practicing architect for nearly 20 years. He was one of the first licensed architects in the State of Ohio, the first registered Architect in the City of Kent, and, we believe, the first person without a high school diploma ever to receive his license in the State.

Moving to Kent in 1915, Kistler began a successful career as the City's most prolific architect. The list of his designs is long and still growing as we continue to document his work. From modest homes to country estates, from factory buildings

to courthouses, from schools to movie theatres, his range as an architect was wide and deep. And the “language” of styles that he used was rich, as well.

The gothic façade of the Kent Theatre, the Moroccan influence in the Ferrara Market, the Tudor revival style of the beloved Captain Brady’s Café and the tragically destroyed Robin Hood Inn. You are all familiar with the original Kent High School, now Davey Elementary School, and the elegant L. N. Gross factory building which Council granted historic status to aid its preservation and reconstruction.

Charles Kistler’s finger prints are on countless major buildings in Kent’s historic center; his blue prints gave them life.

The West Side Fire Station, designed by Kistler in 1949 is a modest building, crafted to effortlessly fold into the neighborhood that it serves. Designed in the International Style, its “rational construction” includes the use of brick, concrete, steel, and cubist forms. A FLAT ROOF is a KEY design element of this mid century modern style. The structure has served our City well for nearly three quarters of a century, and...now it requires a new roof.

The City only requested bids be submitted for construction of a Gabled Roof for the West Side Fire Station. Why? Why not embrace Charles Kistler’s original design and request bids for a Flat Roof for the structure?

Like Kistler’s much-mourned Robin Hood Inn, the West Side Fire Station stands outside of the boundaries of Kent’s “Historic Overlay District.” These boundaries, for no apparent reason, diverge from those mapped by Chambers, Murphy & Burge Restoration Architects, commissioned to create them by the City of Kent. Consequently, this Kistler building is vulnerable to random alteration, even destruction, with no consideration of its historic value to the City of Kent.

Council, YOU now control the fate of the West Side Fire Station. In the past, you have taken a leadership role in preserving many of our City’s historic structures.

We ask you now to preserve architect Charles Kistler’s flat roof design for the West Side Fire Station.

Thank you.

My name is Dave Sommers. I am an architect. My office was in downtown Kent for 37 years. I would like to comment on the current West Side Fire station renovation. I am the last architect of record for the small 1990's addition to the north of the fire station prior to the current renovation. That addition has a sloped, shingled roof which was done at the request of the then city manager. Had I known then what I know now that the existing building is a wonderful example of Charles Kistler's work of that era, I would have protested more strenuously the instructions to add a sloped roof to that addition.

I believe that you as a City should hold yourselves to a higher responsibility than you hold the public. That building should remain with a flat roof to retain the integrity of the original design. Many of you have heard inhabitants of the city voice their sorrow and despair that the building on the corner of main and water has, since the 1960's, been clad in green glass, covering up a wealth of historic details. Maybe many of you have felt the same way. Why was it done? It was done because that was what was in vogue at the time and because it was the least expensive route. Putting it back today would be very expensive and unfortunately a portion of the historic details under the glass have been likely permanently destroyed.

The common perception is that all flat roofs leak. If a flat roof is installed correctly and maintained, it will outlast a sloped shingled roof. You have a good architect on board for this renovation. Ted Manfrass is very capable of specifying a quality flat roof membrane.

I respectfully request that you please consider retaining the flat roof of the West Side Fire Station.

**THE CITY OF KENT, OHIO
SPECIAL JOINT COUNCIL MEETING WITH FRANKLIN TOWNSHIP TRUSTEES
WEDNESDAY, MAY 5, 2021**

At 7:00 p.m., Mayor Jerry T. Fiala called the **SPECIAL JOINT COUNCIL MEETING WITH FRANKLIN TOWNSHIP TRUSTEES** to order. Roll call was taken.

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

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Ms. Ann Hanna, Franklin Township Trustee; Mr. Keith Benjamin, Franklin Township Trustee; Mr. Scott Swan, Franklin Township Trustee; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Mr. Jim Bowling, City Engineer; Ms. Rhonda Hall, Finance Director; Ms. Melanie Baker, Public Service Director; Police Chief Nick Shearer; Fire Chief John Tosko; Mr. Gary Bishop, IT Manager, Ms. Joan Seidel, Health Commissioner; Ms. Angela Manley, Parks and Recreation Director; Mr. Tom Wilke, Economic Development Director and Ms. Amy Wilkens Clerk of Council.

Mayor Fiala welcomed everyone to tonight's meeting.

MOTION TO APPOINT LEO LUX AS AN AT LARGE TRUSTEE OF THE STANDING ROCK CEMETERY made by Mr. Benjamin, seconded by Mr. DeLeone and carried by a voice vote of 12-0.

Mayor Fiala said next there needed to be a discussion on Joint Resolution 2021-042 regarding the millage increase.

Mr. Benjamin said they have asked for an increase in the millage due to the excellent work that is done at the cemetery and the pay which is \$4 below the national average for cemetery workers. He referenced a statement that was given to Council members prior to the meeting which outlines the reason for the modest increase. There has not been a raise since 2013. Mr. Benjamin also added the cemetery is looking into if CARES Act funding could be used. The Board is very proud of the work done by its workers, much of the work being done on Saturdays. The increase in the millage will help with repair of the roads, waterlines, and tree maintenance.

Mr. DeLeone said he voted for this increase because it is needed.

Ms. Shaffer Bish clarified the process of bringing this forward, and if the tax payers NOT vote on this. This was confirmed by Mr. DeLeone and Mr. Benjamin.

Ms. Shaffer Bish asked for a \$100,000 house what it would cost. Ms. Rhonda Hall clarified the process of the City contributing almost \$200,000 to the cemetery and Franklin Township would do the same. She confirmed this would not affect the tax payers, but would come from the City's and Franklin Township's budget. This request is asking for almost an additional \$80,000. If the assessment values of properties increase, so does the amount that is contributed to the cemetery.

Ms. Rhonda Hall continued by adding the last increase was done in 2017 and went into effect in 2018. Mr. Ferrara asked if the increase was done for the cemetery and Ms. Hall confirmed this.

Mr. Kuhar reviewed the hourly wage increases, which he said look reasonable. He asked if there is some way to meet the wage increases without increasing the millage drastically.

Mr. Benjamin said the last time the millage was raised, they asked for a .1 increase and today they are asking for a .2 increase. Mr. Benjamin said they would even be agreeable to increase by .1 if a .2 increase cannot be done. Mr. Benjamin said that due to the COVID-19 pandemic, the amount of burials has remained constant, the difference being there have been a lot more cremations which brings in less money.

Mr. Kuhar asked if a compromise could be done by increasing the price in cremations.

Mr. Benjamin said the rates of cremations have not been raised since 2013, so perhaps a combination of both a raise in rates and a millage increase could work. A discussion continued about outpricing and location preference for burials.

Mr. Sidoti asked what a .1 millage increase would look like. Ms. Hall clarified the increase in the cost to the City would be anywhere from \$40- 45,000. Ms. Hall said if the assessed property values increase, it would go up even more.

Mr. Ferrara asked if the money is collected from property taxes and put into the City's General Fund. Ms. Hall said it could go into other funds as well, wherever they have it stipulated to go. He asked if those dollars are earmarked. She said it is already included in the budget in the Governmental Section.

Mr. Ferrara asked about pricing at the cemetery and where people choose to be buried. He asked if they should try a millage increase and price increase to see if that would help. Mr. DeLeone said they have talked about raising their pricing but they are very cognizant of what other cemeteries in the area are charging.

Mr. Ferrara asked about seasonal employee pay and if we can hire locally. Mr. Benjamin said all things being equal, they try to hire local.

Mr. Turner asked Ms. Rhonda Hall about the implications from the housing boom and property taxes. He also wanted to know from the cemetery board any implications to the function of the cemetery.

Mr. Benjamin said their services will remain as high as they have been because of its dedicated staff.

Mr. Turner asked how "backing down" the funding would affect operations.

Mr. DeLeone added the roads are in terrible shape and the items needing funding were outlined in the attachment to the agenda. He said they may be able to keep up with the tree removal, but the roads and other items may take a hit.

Mr. Turner asked Ms. Hall if the next property tax evaluation increases, would that benefit the cemetery. She said it would, when taxes increase, an additional contribution would increase from the City.

Ms. Rosenberg asked if the millage being discussed pays the wage increases. She asked why there are two separate motions to consider. Mr. DeLeone said the employees are not employed by the City. Mayor Fiala added this is brought to this meeting every year for City Council and the Franklin Township Trustees to decide.

MOTION TO APPROVE A .100 MILLAGE INCREASE MADE BY Mr. Kuhar, SECONDED by Mr. Benjamin and CARRIED by a voice vote of 12-0.

MOTION TO AUTHORIZE DRAFT Nos. 2021-042, 2021-043 and 2021-044 made by Mr. DeLeone, seconded by Mr. Kuhar, and CARRIED by a voice vote of 12-0.

AMENDED JOINT RESOLUTION NO. 2021-042: A JOINT RESOLUTION OF THE BOARD OF TRUSTEES OF FRANKLIN TOWNSHIP AND THE COUNCIL OF THE CITY OF KENT, OHIO, PURSUANT TO OHIO REVISED CODE SECTION 759.34 DETERMINING THAT THE RATE OF TAXES TO BE LEVIED UPON ALL THE TAXABLE PROPERTY OF SAID MUNICIPALITY AND SAID TOWNSHIP FOR CEMETERY PURPOSES FOR THE TAX YEAR OF 2021 SHALL BE AND HEREBY IS FIXED IN AN AMOUNT EQUAL TO .60 MILLS FOR THE CITY OF KENT AND .60 MILLS FOR FRANKLIN TOWNSHIP, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. DeLeone and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Ms. Hanna, Mr. Benjamin, Mr. Swan. The Motion CARRIED by a roll call vote of 12-0.

MOTION TO ADOPT DRAFT No. 2021-042 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Ms. Hanna, Mr. Benjamin, Mr. Swan. The Motion CARRIED by a roll call vote of 12-0.

JOINT RESOLUTION No. 2021-042 PASSED as stated by Clerk Wilkens.

JOINT RESOLUTION No. 2021-043: A JOINT RESOLUTION APPOINTING LEO LUX, AN AT-LARGE TRUSTEE, TO THE STANDING ROCK CEMETERY BOARD OF TRUSTEES, IN ACCORDANCE WITH THE PROVISIONS OF THE OHIO REVISED CODE SECTION 759.36, EFFECTIVE JANUARY 1, 2022 AND ENDING DECEMBER 31, 2024, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar and seconded by Mr. Kuhar. On Roll call, voting “Yes”: Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Ms. Hanna, Mr. Swan, Mr. Amrhein. The Motion CARRIED by a roll call vote of 12-0.

MOTION TO ADOPT DRAFT No. 2021-043 made by Mr. DeLeone and seconded by Mr. Kuhar. On Roll call, voting “Yes”: Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Ms. Hanna, Mr. Benjamin, Mr. Swan, Mr. Amrhein. The Motion CARRIED by a roll call vote of 12-0.

JOINT RESOLUTION No. 2021-043 PASSED as stated by Clerk Wilkens.

JOINT RESOLUTION No. 2021-044: A JOINT RESOLUTION GRANTING SALARY AND HOURLY PAY RAISES TO THE PERSONNEL OF THE STANDING ROCK CEMETERY, AND DECLARING AN EMERGENCY. was read by title only by Clerk Wilkens per Mayor Fiala’s request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting “Yes”: Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Ms. Hanna, Mr. Benjamin, Mr. Swan, Mr. Amrhein, Mr. DeLeone. The Motion CARRIED by a roll call vote of 12-0.

MOTION TO ADOPT DRAFT No. 2021-044 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting “Yes”: Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Ms. Hanna, Mr. Benjamin, Mr. Swan, Mr. Amrhein, Mr. DeLeone. The Motion CARRIED by a roll call vote of 12-0.

Ms. Shaffer Bish said the salary issue is important and this is a question of fairness.

JOINT RESOLUTION No. 2021-044 PASSED as stated by Clerk Wilkens.

Mr. Ferrara said the cemetery is an asset to the City and the Township and is something to be proud of and worth putting resources toward.

The Special Joint meeting adjourned at 7:38 p.m.

Amy Wilkens
Clerk of Council

Jerry T. Fiala
Mayor and President of Council



Finance Committee Meeting Minutes
The City of Kent, Ohio
Wednesday, May 5, 2021

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

Chair DeLeone called the Finance Committee of Kent City Council to order at 7:39 p.m.

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

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

There were three (3) items on the Agenda.

1. West Side Fire Station Roof

Mr. DeLeone said the first item on the agenda is a discussion on a pitched versus flat roof on the West Side First Station.

Mr. Ruller said we are back to talk tonight about the roof, a topic that was first discussed six years ago. He wants all to know there has been a lot of thought and discussion in all aspects of this and doesn't want anyone to think this has been a rushed job. The prominent issue related to the roof is related to its historical relevance. He said the City is a big fan of historic preservation and is proud of the fact it's one of a select few communities in Ohio that has gone through the certification process and its efforts to save buildings. In no part are we in any way trying to diminish these. There are three areas that needed to be addressed as staff: 1) historical value, 2) stewardship of public dollars and 3) the functional value of the structure to those who live and work in the building. All three of these factors were considered in total which led to the decision of constructing a pitched roof.

Ms. Melanie Baker said she was marked this evening to go over the history of the decision-making process that went into this decision. She provided a detailed account of those involved in the initial and ongoing discussions over the past six years. A request was made to Council in 2016 for funding approval, and approximately \$450,000 was approved for the project, and a contract was entered into with Corcoran as the architect. From the very beginning, a sloped roof was requested by staff and designed by the architect. Long term maintenance and the needs of

the fire fighters were key considerations in making the decision on the design. The peaked roof would also provide space for the HVAC units, which currently sit outside on top of the current flat roof. In 2017 we changed architects, and in 2019 received Building Department approval. November 5, 2019 opened the bids, only received one bid which was over the estimate and were unable to award. We reviewed the cost of the project, went back to Council for approval for more funding and was approved. In February 2020 the Architecture Review Board requested to look at this and a motion was made to preserve the original architecture of the building with a flat roof. She took this information back to the Fire Chief, staff and architect to review. An environmental study was conducted regarding the excessive moisture in the living space of the station. After a lengthy review of the needs of the personnel, the cost of the roof and additional expenses of a change in design plus added expense for a new HVAC system it was agreed by the Chief, the Department and those involved that staying the course was the most financially response to save tax payer dollars and the health and safety of its personnel. March 2020 it was put on hold due to the COVID 19 pandemic and in 2021 the drawings were finalized. A redesign of the roof would cost the City an additional \$12,000-15,000. March 2021, we went out to bid and received a bid which was approximately 5% less than the architects estimate. A very serious consideration of what was proposed by the Architectural Review Board was given but we do feel that due to the financial responsibility to the residents, we need to look at using the pitched roof.

Fire Chief Tosko added he appreciates all points of view but speaks specifically for his firefighters and the stewardship of the budget. A fire department has very specific needs to be housed in, including location and function. It has to be low maintenance and durable. Maintenance of the station has been in every conversation since the beginning and is one of his concerns. The station is in a heavily treed residential location with a lot of leaves and branches landing on the roof which require removal by hand. Ice and snow build up in the winter which requires removal to help with drainage. There is a high rate of mold in the building due to high moisture levels. There are issues with constant leaking in the building and there is asbestos present in the flat roof assembly. He is worried about continued leakage in the flat roof to affect the asbestos and enter in the atmosphere. He needs to look at the overall picture to make it as maintenance free and durable as possible for the health and safety of the firefighters.

Mr. Kuhar asked Ms. Baker if there is any expansion to the perimeter of this project. Ms. Baker said there is, in the rear a small pushout is planned to meet the needs of the firefighter's gear maintenance. Right now, they do not have proper ventilation to get rid of carcinogens as well as a safe and secure area for the medical equipment they carry.

Mr. Kuhar asked if the bids received for the pitched roof were designed in a way not to increase due to increase cost of building materials. Ms. Baker said they are locked in until May 18, 2021. Mr. Kuhar asked if they were aware that most building material has gone up at least 30-40% in the last three to four months. Ms. Baker said they are aware of that.

Ms. Shaffer Bish asked if once the bid is accepted if they will be able to complete the project within a reasonable time frame. Ms. Baker said they should be able to begin immediately once

the necessary documents are signed and bonds are verified as being in place. They anticipate construction to start mid-June with a four to five-month time period to complete.

Ms. Shaffer Bish asked if a flat roof is done, how much time that would take. Ms. Baker said they would have to go back and have the drawings redone and anticipate that being at least a two-month process with the changes that would be needed.

Mr. Ruller asked Chief Tosko to provide input to the importance of timing in regards to the needs of the firefighters.

Chief Tosko said things slow down when school is not in session, so they were hoping to have construction start in June. There may be times where the station would need to be temporarily closed when all the equipment is moved. If this project is pushed back into the Fall, they will begin to get busier, and the current timeline with construction starting in June would be preferred.

Ms. Wallach asked why we keep using flat roofs if they are not good. She asked if there will be a flat roof on the new City Hall. Ms. Baker said they are looking at putting a slight pitch on the roof of the new City Hall where it can be done.

Ms. Wallach asked if the duct work would need to be replaced whether there is a pitched roof or a flat roof and if the inside duct work is less expensive. Ms. Baker said outside duct work would need to be designed to be self-insulating. If inside, it would be protected from the elements.

Mayor Fiala added the view from his office in the Police Station is overlooking its flat roof. Right now, there is a pool of water on the roof that doesn't drain properly and is something he sees when it rains.

Mr. Sidoti asked when the last time the roof was replaced. Ms. Baker did not have that information. He asked if there are metal trusses with a roof placed on top and how we would know if structurally those things are still good. Ms. Baker said they would not know if its condition unless everything is removed.

Mr. Turner asked what the life expectancies of a flat and a pitched roof. Ms. Baker said they looked at the cost of a pitched roof of \$98,000 and a flat roof costing between \$94,000 and \$113,000. A pitched roof can last anywhere from 25-50 years. The flat roof of the police department is supposed to last 20-25 years.

Mayor Fiala said this building was built in the style of its time and was a joint building between the township trustees and the City of Kent. Right now, there is a plaque with the architect and the history of the building to commemorate it. Streetsboro, Shalersville and Cuyahoga Falls all have a pitched roof on their fire stations.

Ms. Baker commended Council for taking a look at this and is impressed with their concern for historic preservation. She added they looked long and hard at this to make sure they were doing

what was right for the city as a whole. She thanked them for the opportunity to present this to them tonight.

Mr. DeLeone went to the public in the audience and called first on Mr. Doug Fuller.

Mr. Fuller thanked Council and asked them to think of preserving the historic nature of the building. He wished the community would have been approached when this was originally discussed and a partnership could have developed to work together. He added many things presented tonight were a “worse case scenario”. He wanted them to consider that this would be a win for the city if it were to remain in its historic form, with many lessons to be learned. He said keeping the flat roof could save money over the long term. A full redraw of the building should not be necessary and could be done rapidly. This was brought up eighteen months ago and the City said they would get alternate pricing and would possibly bring back to Council. He added we would not be here tonight if city administration did what it said it was going to be doing and logical decisions could have been made. He added Mr. Sommers comments about not putting a pitched roof on the way it was done. He said the original line that would have required architectural review included this site, but was changed six years ago. He hopes they will consider what was presented tonight and say to the City “let’s do it right”. He said it’s part of the fabric of the city and to start to lose smaller buildings would be a loss of architectural integrity.

Mr. DeLeone then introduce Ms. Paula Treckel from the audience.

Ms. Treckel thanked the administration for discussing a functional fire station on the west side. She was struck by the historical responsibility, stewardship of tax payers funding and the functionality all being mentioned this evening. She said perhaps the best solution would be to build a new fire station for the west side. If the building is in such bad condition then perhaps we need a new fire station and this building could be preserved. The preservation of the building might mean change and perhaps this is the solution. She asked Chief Tosko if this is what is needed.

Mr. Ruller said Ms. Treckel is spot on long term. This project was started in 2015 when a levy for a new police station was being looked at, a new city hall as well as the west side fire station. The Chief at the time wanted something to get them through the next twenty to thirty years. The community’s expectation is a professional fire department and there is only so many projects they could take on at one time.

Chief Tosko added there are deficiencies in the west side station, but one of the biggest things we need to look at would be its location. We would need to do a study to see where the best location would be. If the studies show it should be in its current location, Council would then need to decide what to do with the current building.

MOTION made to move forward with a pitched roof made by Mr. Ferrara, SECONDED by Ms. Rosenberg and CARRIED by a voice vote of 8-0-1 with Mr. Amrhein abstaining.

Mr. Ferrara said it speaks to everyone's commitment to maintaining Kent's historic value in its buildings. What it boils down to is efficient use of space, time, money and safety. We clearly need a new fire station building and realistically won't see a new building there for five to ten years. To ask firefighters to sleep in its current conditions is disgraceful. We need to give them the best we can in a cost-efficient way and take this action right now. He has had many conversations with many people and believes this is the best decision.

Ms. Rosenberg thanked the city staff for putting together the comprehensive presentation on this decision. She appreciates the efforts to be great stewards for tax payers. The community priority is tax payer dollars and we need to make sure our first responders are in safe and dry conditions and to get moving on this right away.

Mr. Kuhar added the first change was done to the original building years ago, it is no longer the original building and he looks at it like an upgrade. He said there is no question that it needs a new roof. He said it has historical significance but believes they are making the right decision for the tax payers.

Mr. Sidoti added he went into the fire station to look at it and his first reaction was that it needs torn down and a new one built. He said we can't afford to build a new station now and we do not have the land. He respects the local architects, but in the end the fire station needs to be functional and believes we need to move forward.

Mr. Turner thanked Mr. Fuller for making us think of things we might not have thought of, but at the end of the day it comes down to efficiency and safety. He agrees with Mr. Ferrara and Mr. Sidoti that the building is deficient as it is now. He wonders if a pitched roof might actually fit in the neighborhood better. He said this is a tough decision but have to do what is best for the community and believes this is the most logical avenue to take at this time.

Mr. Kuhar said we may be saving more than we know by having the price locked in. Steel and lumber prices have increased significantly and we don't know what the new bids would look like.

2. City Property for Auction and Trade In

Mr. Ruller said this is the annual time when the surplus property list is brought to Council by the Service Director and asked for authorization to trade it in or sell it.

Ms. Baker said they will probably do this again in the fall, as what they are doing right now is trying to get large equipment in and have several trade ins to do so, and only two are going to auction.

There were no further questions from Council or the public.

MOTION to approve the sale or trade in of city property made by Mr. Kuhar, SECONDED by Mr. Amrhein and CARRIED by a voice vote of 9-0.

3. Extension of the Park Fee Moratorium

Ms. Hope Jones said they had met with the outside attorney regarding the moratorium ordinance and they said it was constitutional, but a couple of changes need to be made. They are requesting the moratorium stay in place until August 30th to enable these changes to be completed.

MOTION to extend the park fee moratorium until August 30, 2021 was made by Mr. Sidoti, SECONDED by Ms. Shaffer Bish and CARRIED by a voice vote of 9-0.

Seeing no further discussion of this committee, it adjourned at 8:40 p.m.

Amy Wilkens
Clerk of Council

DRAFT

ACTION RECOMMENDED:

- 1) Proceed with the project of a pitched roof on the West Side Fire Station.**
- 2) Authorize the surplus City property sale at auction or trade in**
- 3) Extend the moratorium on the City match on development fee through August 30, 2021**



Community Development Meeting Minutes
The City of Kent, Ohio
Wednesday, May 5, 2021

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

Chair Kuhar called the Community Development Committee of Kent City Council to order at 8:43 p.m.

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

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

There was one (1) item on the Agenda.

1. Designated Outdoor Refreshment Area (DORA) Update

Mr. Kuhar introduced the Economic Development Director, Mr. Tom Wilke.

Mr. Wilke reminded everyone about the establishment of the DORA in July 2021 and that it will stay in effect until Council acts to do something different. There have been no negative incidents in relation to the DORA as reported by the Health Department or Police. There has been no disorderly conduct associated with DORA drinks. Businesses still had financial hardship but having the DORA did generate additional revenue. There were over \$300,000 of additional sales that would not have occurred if people did not have the opportunity to purchase a DORA drink. Businesses do not have to go through the process of putting a fence up or going to liquor control to extend their liquor license.

He continued by adding there has not been any large events since this was put in place, so we don't know what will happen when we do have one, but we have had a couple of small events. This Friday is when Franklin Avenue will be closed and having the DORA will really enhance the outdoor dining experience. He has not received any negative feedback.

They have made some small changes which include more durable recycle containers and insulated cups for hot beverages. They will also be introducing a larger cup, as many establishments asked for an increase from 12 to 16 oz. for beer sales.

Ms. Wallach asked if the North Water Brewery was in the original boundaries for the DORA. Mr. Wilke said it was.

Mr. Wilke said they may come to Council to ask for an expansion of the DORA in the future to include the Bell Tower Brewery on Gougler Avenue.

Ms. Wallach added the Bike Shop on N. Water Street would like to be included in the district as well.

Mr. Wilke said we will not have the same large events this year as we have in the past, but a couple are coming up, one being the Blue's Festival in July. Main Street Kent has been in discussion with the Health Department about a Wizardly World event possibly being held at the end of July. The Craft Beer Fest and October Fest are also being considered.

He said he is assuming there will be a post pandemic time, and they will need to consider if the DORA will continue. The business owners he talked to have indicated even when occupancy levels go back to where it was before, they would like for it to continue.

He said the great news of the DORA is that there has been very little news and it has been mostly an enhancement to downtown.

Ms. Shaffer Bish asked if there has been any official encouragement of "pop up" musicians.

Mr. Wilke said they have not been discouraging musicians but have not been actively encouraging them based on advice from the Health Department because it does encourage congregation.

Ms. Rosenberg said she spoke with Heather Malarcik of Main Street Kent who said she has hired local teens from Kent Roosevelt High School to clean up Franklin Ave and that there was a lot of interest and high schoolers who applied.

Mr. Ruller said the Governor will leaving it up to communities to apply any restrictions and the Health Department is talking with community leaders regarding the future of festivals.

Mayor Fiala said he went downtown during the "Putt Around Downtown" Event and saw many families walking around with their DORA beverages and it worked out really well. He agreed that bigger cups are needed to accommodate beverages. He stated there will not be a Heritage Festival this year, but there will be fireworks on June 26, 2021.

Mr. Amrhein said he received a notification that the Heritage Fest would occur with music. Mayor Fiala said there is no Festival whatsoever, but they are working with Woodsy's Music to have music downtown during the fireworks.

Mr. Ferrara said residents are being careful and socially responsible. It comes down to the fundamental question of whether government tells people what to do or does it give them the

framework within to work. He thinks it should be the latter. We need to support our businesses and make the downtown inviting. He said a local band did a pop up this past weekend and he noticed people being socially responsible. He said everyone can get vaccinated right now and has a choice to do so. If you choose not to vaccinate, it should not restrict me or anybody else who wants to be responsible. The less rules the City tries to impose on its residents, the better off we are going to be.

Seeing no further business, the Community Development Committee Meeting adjourned at 9:00 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED: N/A

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Streets, Sidewalks & Utilities Committee Meeting Minutes
The City of Kent, Ohio
Wednesday, May 5, 2021

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

Chair Sidoti called the Streets, Sidewalks & Utilities Committee of Kent City Council to order at 9:00 p.m.

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

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

There was one (1) item on the Agenda.

1. Franklin and Erie Street Licensing Agreement

Chair Sidoti introduced Mr. Jim Bowling to talk about the first agenda item.

Mr. Bowling said the developer of the property on the corner of Franklin Avenue and Erie Street, is asking for an outdoor patio they will operate and maintain and will be putting in a curb extension and improved the pedestrian walkability. The plans were reviewed and they do not see any problems with the request.

Ms. Wallach asked if it will go into the street or make any turns harder.

Mr. Bowling said it would not, as it is currently excess pavement and compared it to how the patio on the corner of Erie and Depeyster Streets sits.

Ms. Wallach asked if any parking spaces would be lost, and Mr. Bowling replied there would not.

MOTION to approve Franklin and Erie Street Licensing Agreement, with an emergency clause, made by Ms. Shaffer Bish, SECONDED by Mr. Amrhein and CARRIED by a voice vote of 9-0.

Ms. Shaffer Bish added this is consistent with what other businesses have been permitted to do and would be perhaps a way to have a safer crossing.

Seeing no further business or questions for this committee, it adjourned at 9:07 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Authorize the license agreement for outdoor seating at 211 Franklin Avenue**

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