



CITY OF KENT, OHIO

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

Wednesday, February 17, 2021
Regular City Council Meeting
Community Development Block Grant (CDBG) Public Hearing #1

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 February 3, 2021, notice was given that the Kent City Council was conducting a Public Hearing to allow for public comment on the Community Development Block Grant (CDBG) Program Year (PY) 2021 Action Plan and 2020-2025 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 (Ms. Rosenberg)
3. Approval of Minutes

3.1 Regular City Council Meeting of January 20, 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 Cancellation of Architecture Review Board Meeting for February 2, 2021 received on January 27, 2021.
- 4.2.2 Special Planning Commission meeting notice for February 9, 2021 received on January 28, 2021
- 4.2.3 Planning Commission Agenda and Staff Report for February 9, 2021 meeting received February 2, 2021.
- 4.2.4 Planning Commission Agenda and Staff Report for February 16, 2021 meeting received on February 9, 2021.
- 4.2.5 Request from Ohio Dept. of Liquor Control was received on January 28, 2021 to transfer the liquor license from Pacific East Kent, Inc. DBA Pacific East to TT1108 2 Inc. DBA Pacific East. Chief Shearer has no objections.

4.3 City Manager's Report

5. Standing Committees & Legislation

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

5.1.1 Committee Meeting Minute Approval: February 3, 2021

5.1.2 Action Recommended:

- 1) Authorize and Amend the Pending List

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

5.2.1 Committee Meeting Minute Approval: February 3, 2021

5.2.2 Action Recommended: NONE

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

5.3.1 Committee Meeting Minute Approval: February 3, 2021

5.3.2 Action Recommended:

- 1) Authorize the acceptance of the dedication for Phase 5 of Riverbend East

5.3.3 **Draft No. 2021-011** AN ORDINANCE ACCEPTING, FOR DEDICATION PURPOSES, THE STREETS, EASEMENTS AND DEDICATED OPEN SPACES OF RIVER BEND EAST SUBDIVISION PHASE V, AND DECLARING AN EMERGENCY (Authorized)

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

5.4.1 Committee Meeting Minute Approval: February 3, 2021

5.4.2 Action Recommended:

- 1) Authorize the water extension and tie-in for the new Express Wash Concepts

5.4.3 **Draft No. 2021-012** AN ORDINANCE AUTHORIZING THE WATER TAP-IN FOR EXPRESS WASH CONCEPTS LOCATED AT 1811 STATE ROUTE 59, OUTSIDE THE CITY OF KENT, AND DECLARING AN EMERGENCY (Authorized)

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

5.5.1 Committee Meeting Minute Approval: February 3, 2021

5.5.2 Action Recommended: NONE

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

5.6.1 Committee Meeting Minute Approval: February 3, 2021

5.6.2 Action Recommended:

- 1) Approve the 2021 budget appropriations amendments
- 2) Authorize the acceptance and allocation of a \$1,000 grant from ODNR and authorize the staff to submit a \$1,000 grant to the KEC (and if approved, authorize the acceptance and allocation of KEC grant funds) as presented

5.6.3 **Draft No. 2021- 013** AN ORDINANCE AMENDING ORDINANCE NO. 2020-129, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 16, 2020; SO AS TO ADJUST APPROPRIATIONS, TRANSFERS AND ADVANCES FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021; AND DECLARING AN EMERGENCY (Authorized)

5.6.4 **Draft No. 2021-014** AN ORDINANCE ACCEPTING A GRANT FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) IN THE AMOUNT OF \$1,000 TO BE USED FOR THE CONSTRUCTION OF A CHIMNEY SWIFT TOWER, WHICH WOULD INCLUDE INTERPRETIVE SIGNAGE; AND DECLARING AN EMERGENCY (Authorized)

5.6.5 **Draft No. 202-015** AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT A GRANT FUNDING APPLICATION REQUEST FOR \$1,000.00 TO THE KENT ENVIRONMENTAL COUNCIL (KEC) AND TO ACCEPT THE GRANT, IF AWARDED, AND EXECUTE THE SUBSEQUENT GRANT AGREEMENT WITH CORRESPONDING APPROPRIATION OF FUNDS, FOR "THE CHIMNEY SWIFT TOWER PROJECT", AND DECLARING AN EMERGENCY (Authorized)

5.6.6 **Draft No. 2021-016** AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A RIGHT OF WAY AGREEMENT FOR THE PURPOSE OF OBTAINING TEMPORARY AND PERMANENT EASEMENTS FOR THE CONSTRUCTION OF THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY (Authorized)

5.6.7 **Draft No. 2021- 017** AN ORDINANCE AUTHORIZING THE KENT FIRE DEPARTMENT TO APPLY FOR THE FY 2020 ASSISTANCE TO FIREFIGHTER – FIRE PREVENTION AND SAFETY GRANT, AND TO ACCEPT ANY GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATIONS OF FUNDS WHICH PROVIDES FUNDING FOR THE PURCHASE OF SOFTWARE AND RELATED HARDWARE TO IMPROVE EFFICIENCY IN PERFORMING AND RECORDING FIRE SAFETY INSPECTIONS, AND DECLARING AN EMERGENCY (Unauthorized)

- 5.6.8 **Draft No. 2021- 018** AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$50.00 TO THE CITY OF KENT FIRE DEPARTMENT FROM ROBERTA AND GEORGE NEHRENZ IN MEMORY OF FORMER KENT FIRE CHIEF BUD RHOADS, AND DECLARING AN EMERGENCY (Unauthorized)
- 5.6.9 **Draft No. 2021-019** AN ORDINANCE AUTHORIZING FIVE (5) DAYS TO BE ADDED TO EACH FULL-TIME EMPLOYEES' PAID TIME OFF BANK TO RECOGNIZE THE CITY'S WORKFORCE FOR IT'S EXTRAORDINARY EFFORTS IN THE FACE OF THE PANDAMIC, AND DECLARING AN EMERGENCY. (Authorized)

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

Posted February 10,2021 | Amy Wilkens, Clerk of Council | Visit <http://www.kentohio.org> for up to the minute Agenda Amendments

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

DRAFT ORDINANCE NO. 2021-011

AN ORDINANCE ACCEPTING, FOR DEDICATION PURPOSES, THE STREETS, EASEMENTS AND DEDICATED OPEN SPACES OF RIVER BEND EAST SUBDIVISION PHASE V, AND DECLARING AN EMERGENCY.

WHEREAS, the Developer for Phase V of River Bend East Subdivision has substantially completed the phases, and has made arrangements to escrow funds sufficient to cover the costs of completing the remaining items listed on the punch list marked Exhibit "A", attached hereto and incorporated herein; and

WHEREAS, the Developer has delivered to the City the necessary dedication plat for the subdivision, a copy of which is marked Exhibit "B", and placed on file with the Clerk of Council.

WHEREAS, the Developer has further delivered to the City a title insurance policy in compliance with Section 1189.04(f) of the Codified Ordinances; and

WHEREAS, the Development Engineer for the City has given her opinion that Phase V of the River Bend East Subdivision should be accepted for dedication purposes; and

WHEREAS, the Developer has posted a maintenance bond in the amount of \$36,357.88.

WHEREAS, the Developer has posted a performance completion bond in the amount of \$7,619.00 marked Exhibit "C", attached hereto and incorporated herein; and

WHEREAS, in accordance with Section 1181.09(a) of the Codified Ordinances, a committee of Council has reviewed whether the requirements of the Subdivision Regulations of the City have been met by the Developer for the subject phases of the Subdivision and has recommended to Council that the City accept the streets, easements and dedicated open spaces as contained in these phases of the Subdivision.

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

SECTION 1. That Council does hereby accept for dedication purposes, Phase V of the River Bend East Subdivision as the same is shown upon the copy of the dedication plat marked Exhibit "B", attached hereto and incorporated herein.

SECTION 2. That Council does hereby direct the President and Clerk of Council to sign the original dedication plat, evidencing the dedication approval as authorized herein.

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

SECTION 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City for the reason that it is immediately necessary to allow for the conclusion of the dedication process for this phase of the subject subdivision, 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

EXHIBIT A
RIVERBEND EAST S/D PHASES 4
08/12/20
PUNCH LIST

Pay Item No.	Description	Unit	Unit Price	Design Qty.	Design Amount
1	Concrete City Sidewalk, Per Plan	S.F.	\$4.00	239.48	\$957.92
2	Trees	EA	\$250.00	11.00	\$2,750.00

Original Project Construction Amount: \$3,707.92
Original Project Contingency Amount (10%): \$370.79
Original Project Budget Amount: \$4,078.71

Maintenance Bond (10% of original cost budget amount) \$41,577.61

EXHIBIT A
RIVERBEND EAST S/D PHASES 5
08/12/20
PUNCH LIST

Pay Item No.	Description	Unit	Unit Price	Design Qty.	Design Amount
1	Concrete City Sidewalk, Per Plan	S.F.	\$4.00	367.11	\$1,468.44
2	Trees	EA	\$250.00	7.00	\$1,750.00

Original Project Construction Amount: \$3,218.44
Original Project Contingency Amount (10%): \$321.84
Original Project Budget Amount: \$3,540.28

Maintenance Bond (10% of original cost budget amount) \$36,357.88

[illegible]



9100 SOUTH HILLS BLVD, SUITE 350 BROADVIEW HEIGHTS, OH 44147
P: E: contract.surety@rlcorp.com
RLISURETY.COM

Ex. C

CONTINUATION CERTIFICATE

RLI Insurance Company hereby continues in force Bond No. SSB0388179
briefly described as River Bend E. Subdivision Phases 4 & 5. Earthwork, Sanitary Storm Sewer
bound unto the The City of Kent
on behalf of OTTO FALKENBERG EXCAVATING INC

Location Name & Address: <u>OTTO FALKENBERG EXCAVATING INC</u> <u>9350 Coit Road</u> <u>Mantua, OH 44255</u>	Bill To Name & Address (if different): _____ _____ _____ _____ _____
--	--

in the sum of \$ 7,619.00 Dollars, for the term beginning 07/17/2020
and ending 07/17/2021 subject to all the covenants and conditions of the original bond referred to above.

This Continuation Certificate is executed upon the express condition that the undersigned company's liability under said bond and under this and all Continuation Certificates issued in connection therewith shall not be cumulative and shall not in any event exceed the amount of said bond as hereinbefore set forth.

Dated this 23rd day of October, 2020.



RLI Insurance Company

By

Cheryl May

Attorney in Fact

THIS MUST BE FILED WITH THE OBLIGEE.

POWER OF ATTORNEY

RLI Insurance Company Contractors Bonding and Insurance Company

9025 N. Lindbergh Dr. Peoria, IL 61615
Phone: 800-645-2402

Know All Men by These Presents:

That this Power of Attorney is not valid or in effect unless attached to the bond which it authorizes executed, but may be detached by the approving officer if desired.

That RLI Insurance Company and/or Contractors Bonding and Insurance Company, each an Illinois corporation, (separately and together, the "Company") do hereby make, constitute and appoint:

Bruce W. Lockhart, David J. Black, Louis A. Colagrossi, Mark N. Coleman, Mary Ann Copley, Lori A. Proch, Gary E. Roadruck,
Stephanie A. Rook, Kyp L. Ross, Sue A. Brandal, Nicole Green, Kristine M. Heinrich, Cheryl C. May, Sharon Holland, Sarah Poling,
Matt DeVenne, Annette Meredith, John Mitchell, Robin A Miller, jointly or severally

in the City of Richfield, State of Ohio its true and lawful Agent(s) and Attorney(s) in Fact, with full power and authority hereby conferred, to sign, execute, acknowledge and deliver for and on its behalf as Surety, in general, any and all bonds and undertakings in an amount not to exceed Twenty Five Million Dollars (\$25,000,000.00) for any single obligation.

The acknowledgment and execution of such bond by the said Attorney in Fact shall be as binding upon the Company as if such bond had been executed and acknowledged by the regularly elected officers of the Company.

RLI Insurance Company and/or Contractors Bonding and Insurance Company, as applicable, have each further certified that the following is a true and exact copy of a Resolution adopted by the Board of Directors of each such corporation, and is now in force, to-wit:

"All bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation shall be executed in the corporate name of the Company by the President, Secretary, any Assistant Secretary, Treasurer, or any Vice President, or by such other officers as the Board of Directors may authorize. The President, any Vice President, Secretary, any Assistant Secretary, or the Treasurer may appoint Attorneys in Fact or Agents who shall have authority to issue bonds, policies or undertakings in the name of the Company. The corporate seal is not necessary for the validity of any bonds, policies, undertakings, Powers of Attorney or other obligations of the corporation. The signature of any such officer and the corporate seal may be printed by facsimile."

IN WITNESS WHEREOF, the RLI Insurance Company and/or Contractors Bonding and Insurance Company, as applicable, have caused these presents to be executed by its respective Vice President with its corporate seal affixed this 19th day of October, 2020.



RLI Insurance Company
Contractors Bonding and Insurance Company

By: B. W. Davis
Barton W. Davis Vice President

State of Illinois }
County of Peoria } SS

CERTIFICATE

On this 19th day of October, 2020, before me, a Notary Public, personally appeared Barton W. Davis, who being by me duly sworn, acknowledged that he signed the above Power of Attorney as the aforesaid officer of the RLI Insurance Company and/or Contractors Bonding and Insurance Company and acknowledged said instrument to be the voluntary act and deed of said corporation.

I, the undersigned officer of RLI Insurance Company and/or Contractors Bonding and Insurance Company, do hereby certify that the attached Power of Attorney is in full force and effect and is irrevocable; and furthermore, that the Resolution of the Company as set forth in the Power of Attorney, is now in force. In testimony whereof, I have hereunto set my hand and the seal of the RLI Insurance Company and/or Contractors Bonding and Insurance Company this 23rd day of October, 2020.

By: Catherine D. Glover
Catherine D. Glover Notary Public

RLI Insurance Company
Contractors Bonding and Insurance Company

By: Jeffrey D. Fick
Jeffrey D. Fick Corporate Secretary



DRAFT ORDINANCE NO. 2021-012

AN ORDINANCE AUTHORIZING THE WATER TAP-IN FOR EXPRESS WASH CONCEPTS LOCATED AT 1811 STATE ROUTE 59, OUTSIDE THE CITY OF KENT, AND DECLARING AN EMERGENCY.

WHEREAS, Clean Express Auto Wash, LLC requests water service outside the City of Kent at 1811 State Route 59 located in Franklin Township (the "Property");

WHEREAS, the Property is within the Kent-Franklin JEDD Contract area and the owner has not signed the contract, therefore, per KCO 913.09, the Property is subject to a 50% water surcharge;

WHEREAS, the City Division of Engineering recommends approving the water tap-in;

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

SECTION 1: Council does hereby authorize the water tap-in to the Property subject to KCO 913.09 and the City water rules and regulations.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT ORDINANCE NO. 2021-013

AN ORDINANCE AMENDING ORDINANCE NO. 2020-129, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 16, 2020; SO AS TO ADJUST APPROPRIATIONS, TRANSFERS AND ADVANCES FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021; AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to amend current appropriations, transfers and advances for the expenses and other expenditures for the City of Kent, Ohio, for the fiscal year ending December 31, 2021.

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

SECTION 1. That the current appropriations Ordinance No. 2020-129 passed December 16, 2020 be amended as set forth in Exhibit "A", attached hereto and incorporated herein, so as to increase appropriations in Fund 001, General; Fund 101, West Side Fire; Fund 102, SCM&R; Fund 106, Parks & Recreation; Fund 120, Revolving Housing; Fund 124, Income Tax Safety; Fund 126 CDBG; Fund 201, Water; Fund 202, Sewer; Fund 208, Storm Water; Fund 301, Capital; and Fund 303, Police Facility; and decrease appropriations in Fund 205, Solid Waste and Declaring An Emergency.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

Exhibit A
2021 AMENDED APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>General Fund (001)</u>						
City Council	\$ 169,108	\$ 24,825	\$ -	\$ -	\$ -	\$ 193,933
Mayor	9,550	3,900				13,450
Community Support		105,500				105,500
City Manager	335,120	59,175				394,295
New City Hall Facility		0	1,500,000			1,500,000
Information Technology	95,390	226,700				322,090
Urban Renewal		60,250				60,250
Human Resources	101,215	15,510				116,725
Civil Service	32,445	26,325				58,770
Law	336,467	98,905				435,372
Budget & Finance	470,776	138,200				608,976
Community Development	712,873	168,025				880,898
Economic Development	127,589	79,950				207,539
Health	503,772	178,278				682,050
Public Parking		60,650				60,650
Main Street Program		70,000				70,000
Service Administration	244,435	335,425				579,860
Shade Tree		79,375	10,000			89,375
Adjunct Facilities		0				0
Building	387,151	48,975				436,126
Land banking		7,000				7,000
Engineering	95,566	75,800				171,366
Miscellaneous & Sundry		387,250				387,250
Contingency					100,000	100,000
Fund Total	3,621,457	2,250,018	1,510,000	0	100,000	7,481,475
<u>West Side Fire (101)</u>						
Fire	281,690	14,150				295,840
Fund Total	281,690	14,150	0	0	0	295,840
<u>Street Construction Maintenance & Repair (102)</u>						
Service	1,187,484	943,454				2,130,938
Contingency					25,000	25,000
Fund Total	1,187,484	943,454	0	0	25,000	2,155,938
<u>State Highway (103)</u>						
Service		60,000				60,000
Fund Total	0	60,000	0	0	0	60,000
<u>Recreation (106)</u>						
Parks & Recreation	1,380,742	673,000	1,129,000			3,182,742
Fund Total	1,380,742	673,000	1,129,000	0	0	3,182,742
<u>Food Service (107)</u>						
Health	112,882	11,800				124,682
Fund Total	112,882	11,800	0	0	0	124,682

2021 AMENDED APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Income Tax (116)</u>						
Budget/Finance/IncTaxAdmin	\$ 135,446	\$ 491,850	\$ -	\$ -	\$ -	\$ 627,296
Managed Reserve				25,540		25,540
Fund Total	135,446	491,850	0	25,540	0	652,836
<u>Revolving Housing (120)</u>						
Health	155,079	11,550				166,629
Fund Total	155,079	11,550	0	0	0	166,629
<u>State & Local Forfeits (121)</u>						
Police		0				0
Fund Total	0	0	0	0	0	0
<u>Drug Law Enforcement (122)</u>						
Police		11,000				11,000
Fund Total	0	11,000	0	0	0	11,000
<u>Enforcement & Education (123)</u>						
Police		6,000				6,000
Fund Total	0	6,000	0	0	0	6,000
<u>Income Tax Safety (124)</u>						
Police	7,477,318	696,500				8,173,818
Fund Total	7,477,318	696,500	0	0	0	8,173,818
<u>Law Enforcement Trust (125)</u>						
Police		0				0
Fund Total	0	0	0	0	0	0
<u>Community Development Block Grant (126)</u>						
Community Development	4,400	209,366	175,000			388,766
Fund Total	4,400	209,366	175,000	0	0	388,766
<u>Fire & E.M.S. (128)</u>						
Fire	4,935,536	508,250	752,000			6,195,786
Fund Total	4,935,536	508,250	752,000	0	0	6,195,786
<u>Wireless 911 (129)</u>						
Safety		0				0
Fund Total	0	0	0	0	0	0
<u>Swimming Pool Inspections (130)</u>						
Health	9,281	0				9,281
Fund Total	9,281	0	0	0	0	9,281

2021 AMENDED APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Police Pension (132)</u>						
Police	\$ 120,000	\$ -	\$ -	\$ -	\$ -	\$ 120,000
Fund Total	120,000	0	0	0	0	120,000
<u>Fire Pension (133)</u>						
Fire	120,000					120,000
Fund Total	120,000	0	0	0	0	120,000
<u>UDAG / EDA-RLF (134)</u>						
City Manager/C.D.		60,000				60,000
Fund Total	0	60,000	0	0	0	60,000
<u>CHIP Grant Fund (136)</u>						
Community Development	0	150,000				150,000
Fund Total	0	150,000	0	0	0	150,000
<u>Water (201)</u>						
Service	1,804,663	818,133	338,000			2,960,796
Service (Capital Facilities)			1,656,215			1,656,215
Admin. Support	436,310	80,260	10,000			526,570
Budget & Finance (Debt)				61,173		61,173
Contingency					50,000	50,000
Fund Total	2,240,973	898,393	2,004,215	61,173	50,000	5,254,754
<u>Sewer (202)</u>						
Service	1,704,055	770,398	2,491,300			4,965,753
Service (Capital Facilities)			2,719,028			2,719,028
Admin. Support	376,444	77,660	10,000			464,104
Budget & Finance (Debt)				365,212		365,212
Contingency					50,000	50,000
Fund Total	2,080,499	848,058	5,220,328	365,212	50,000	8,564,097
<u>Utility Billing (204)</u>						
Budget & Finance		92,500				92,500
Fund Total	0	92,500	0	0	0	92,500
<u>Solid Waste (205)</u>						
Service	69,047	176,925				245,972
Admin Support	357,226	49,900	5,000			412,126
Fund Total	426,273	226,825	5,000	0	0	658,098
<u>Storm Water Utility (208)</u>						
Service	357,226	73,055	163,000			593,281
Service (Capital Facilities)			550,655			550,655
Admin. Support	269,498	34,775	10,000			314,273
Budget & Finance (Debt)				9,968		9,968
Fund Total	626,724	107,830	723,655	9,968	0	1,468,177

2021 AMENDED APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Guaranteed Deposits (230)</u>						
Budget & Finance	\$ -	\$ 1,000	\$ -	\$ -	\$ -	\$ 1,000
Fund Total	0	1,000	0	0	0	1,000
<u>Capital Projects (301)</u>						
Safety			408,570			408,570
Service			598,000			598,000
Service (Capital Facilities)			5,135,116			5,135,116
Administrative	382,262		150,000			532,262
New Admin. Facility			5,496,500			5,496,500
Budget & Finance (Debt)				541,854		541,854
Contingency					25,000	25,000
Fund Total	382,262	0	11,788,186	541,854	25,000	12,737,302
<u>Municipal Public Improvement Tax Increment Equivalent (302)</u>						
Service (Capital Facilities)						0
Budget & Finance (Debt)				440,622		440,622
Fund Total	0	0	0	440,622	0	440,622
<u>Police Facility (303)</u>						
Safety (Capital Facilities)			400,090			400,090
Budget & Finance (Debt)				819,095		819,095
Fund Total	0	0	400,090	819,095	0	1,219,185
<u>Debt Service (402)</u>						
Budget & Finance (Debt)				0		0
Fund Total	0	0	0	0	0	0
<u>Internal Service (807)</u>						
Health Insurance		4,000,000				4,000,000
Fund Total	0	4,000,000	0	0	0	4,000,000
Total Appropriations						
	\$ 25,298,046	\$ 12,271,544	\$ 23,707,474	\$ 2,263,464	\$ 250,000	\$ 63,790,528
						Check: \$ 63,790,528
Original Appropriations	\$ 24,761,046	\$ 12,201,544	\$ 9,508,070	\$ 2,263,464	\$ 250,000	\$ 48,984,124
Amendment #1	537,000	70,000	14,199,404			14,806,404
Amendment #2						0
Amendment #3						0
Amendment #4						0
Amendment #5						0
Amendment #6						0
Amendment #7						0
Amendment #8						0
	\$ 25,298,046	\$ 12,271,544	\$ 23,707,474	\$ 2,263,464	\$ 250,000	\$ 63,790,528

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

2021 ORIGINAL APPROPRIATIONS - SCHEDULE OF OPERATING TRANSFERS AND TEMPORARY ADVANCES

<u>Paying Fund</u>	<u>Original</u>	<u>Receiving Fund</u>
<u>Operating Transfers</u>		
Fund 116 - Income Tax	\$ 3,600,000	Fund 001 - General
Fund 116 - Income Tax	600,000	Fund 102 - St Const Maint & Repair
Fund 116 - Income Tax	3,368,793	Fund 124 - Income Tax Safety
Fund 116 - Income Tax	3,368,793	Fund 128 - Fire & E.M.S.
Fund 116 - Income Tax	2,616,793	Fund 301 - Capital Projects
Fund 116 - Income Tax	1,684,396	Fund 303 - Police Facility
Fund 116 - Income Tax	0	Fund 402 - Debt Service
Total Fund 116 Income Tax	<u>15,238,775</u>	
Fund 201 - Water	47,318	Fund 204 - Utility Billing
Fund 202 - Sewer	47,318	Fund 204 - Utility Billing
Fund 001 - General	4,381,207	Fund 124 - Income Tax Safety
Fund 001 - General	2,131,207	Fund 128 - Fire & EMS
Subtotal - Total Operating Transfers	<u>6,607,050</u>	
Grand Total - All Transfers	<u><u>\$ 21,845,825</u></u>	

DRAFT ORDINANCE NO. 2021-014

AN ORDINANCE ACCEPTING A GRANT FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) IN THE AMOUNT OF \$1,000 TO BE USED FOR THE CONSTRUCTION OF A CHIMNEY SWIFT TOWER, WHICH WOULD INCLUDE INTERPRETIVE SIGNAGE, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent received a grant from the ODNR in the amount of \$1,000 to be used for the construction of a Chimney Swift Tower; and

WHEREAS, the City is requesting the grant funds be accepted and appropriated to be used with the costs associated with the removal of the chimneys used for nesting sites of the Chimney Swifts that would breed in Kent and then migrate to South America for the winter; and

WHEREAS, with the deterioration of brick chimneys, capping of residential chimneys and modern chimneys being unsuitable for nest sites the available habitat for the Chimney Swifts is being eliminated.

WHEREAS, the City wishes to accept said grant in the amount of \$1,000.00.

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

SECTION 1. That Council does hereby authorize the City Manager, or his designee, to accept the grant from the ODNR in the amount of \$1,000.00 that will be used for the construction of a Chimney Swift Tower.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT ORDINANCE NO. 2021-015

AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT A GRANT FUNDING APPLICATION REQUEST FOR \$1,000.00 TO THE KENT ENVIRONMENTAL COUNCIL (KEC) , ACCEPT THE GRANT, IF AWARDED, AND EXECUTE THE SUBSEQUENT GRANT AGREEMENT WITH CORRESPONDING APPROPRIATION OF FUNDS, FOR “THE CHIMNEY SWIFT TOWER PROJECT”, AND DECLARING AN EMERGENCY.

WHEREAS, the funding application was submitted to the Kent Environmental Council (KEC) requesting \$1,000.00 in assistance for the “Chimney Swift Tower Project” Grant;” and;

WHEREAS, the City is seeking the grant to assist with the costs associated with the removal of the chimneys used for nesting sites of the Chimney Swifts that would breed in Kent and then migrate to South America for the winter; and

WHEREAS, with the deterioration of brick chimneys, capping of residential chimneys and modern chimneys being unsuitable for nest sites the available habitat for the Chimney Swifts is being eliminated.

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

SECTION 1. That Kent City Council approves submission of the City’s application request for grant funding totaling \$1,000.00 and authorized that the Administration provide all information, funds, and documentation required in said applications for submission.

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

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

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT ORDINANCE NO. 2021-016

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

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

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

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

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

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

- a) William A. Lewis, Jr. and Shauna M. Lewis, 1198 Middlebury, temporary easement (10-T) and sanitary sewer easement (10-S), \$1,752.00.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

To: Dave Ruller
Amy Wilkens

From: Cori Finney

Date: January 19, 2021

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

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

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

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

<u>Property Owner</u>	<u>Take Number</u>	<u>Take Description</u>	<u>Amount</u>
William A. Lewis Jr. and Shauna M. Lewis	10-T	Temporary	\$1,420
	10-S	Sanitary	<u>\$332</u>
		Combined Total	\$1,752

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

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

LPA RE 807
Rev. 10/2017

TE
LPA

TEMPORARY EASEMENT

William A. Lewis Jr. and Shauna M. Lewis, Co-Trustees of the Lewis Family Trust
Dated November 25, 2019, the Grantor(s), in consideration of the sum of \$1,420.00, to be paid
by City of Kent, the Grantee, do grant to Grantee the temporary easement(s) to exclusively
occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 17-009-20-00-062-000 T

CITY OF KENT – SOUTHWEST SANITARY PUMP STATION

SEE EXHIBIT A ATTACHED

Portage County Current Tax Parcel No. 17-009-20-00-062-000
Prior Instrument Reference: Instrument No. 201920445, Portage County Recorder's Office.

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

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

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

IN WITNESS WHEREOF The Lewis Family Trust Dated November 25, 2019 by and through William A. Lewis Jr., the Co-Trustee of The Lewis Family Trust Dated November 25, 2019, has hereunto subscribed his name on the 23 day of NOV, 2020.

THE LEWIS FAMILY TRUST DATED
NOVEMBER 25, 2019

By: William A. Lewis Jr.
WILLIAM A. LEWIS JR.
CO-TRUSTEE

STATE OF OHIO, COUNTY OF Portage ss:

BE IT REMEMBERED, that on the 23 day of NOV, 2020, before me the subscriber, a Notary Public in and for said state and county, personally came the above named William A. Lewis Jr., who acknowledged being the Co-Trustee of The Lewis Family Trust Dated November 25, 2019, and who acknowledged the foregoing instrument to be the voluntary act and deed of said The Lewis Family Trust Dated November 25, 2019.

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



KIMBERLY GEMBAR
Notary Public
In and for the State of Ohio
My Commission Expires
November 07, 2022

Kimberly Gembar
NOTARY PUBLIC
My Commission expires: 11.7.22

IN WITNESS WHEREOF The Lewis Family Trust Dated November 25, 2019 by and through Shauna M. Lewis, the Co-Trustee of The Lewis Family Trust Dated November 25, 2019, has hereunto subscribed her name on the _____ day of _____, _____.

THE LEWIS FAMILY TRUST DATED
NOVEMBER 25, 2019

By: _____
SHAUNA M. LEWIS
CO-TRUSTEE

STATE OF OHIO, COUNTY OF Portage SS:

BE IT REMEMBERED, that on the _____ day of _____, _____, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Shauna M. Lewis, who acknowledged being the Co-Trustee of The Lewis Family Trust Dated November 25, 2019, and who acknowledged the foregoing instrument to be the voluntary act and deed of said The Lewis Family Trust Dated November 25, 2019.

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

NOTARY PUBLIC
My Commission expires: _____

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

SKETCH FOR

SANITARY EASEMENT

1198 Middlebury Road

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

Portage Homesites Replat
Plat Bk. 16, Page 91

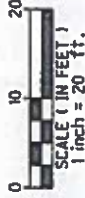
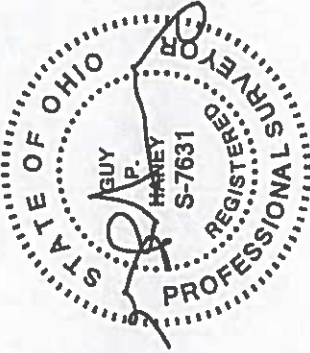
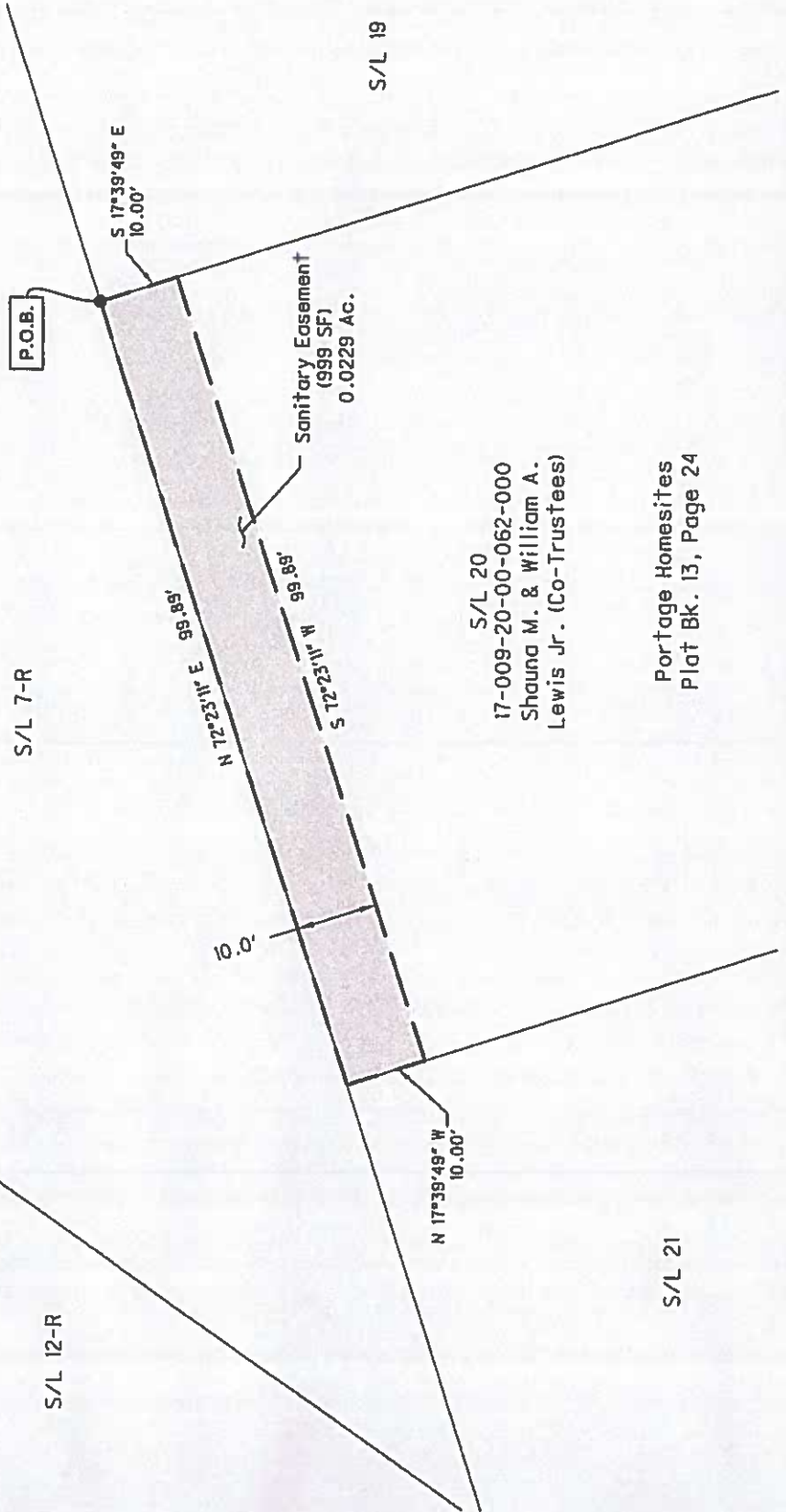


EXHIBIT A



TBC Engineering, LLC
1310 BROADWAY, SUITE 400, P.O. BOX 11
SHARON, OHIO 44120
PHONE: 330.550.8004 FAX: 330.550.8423



1198 MIDDLEBURY

KENT SANITARY ESMTS.

PROJECT NUMBER	164-0	DATE	2022-07-08
1			

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

1198 MIDDLEBURY ROAD

FOR AND IN CONSIDERATION of the sum of \$332.00, the receipt of which is acknowledged, and such other consideration as is herein below set forth, the undersigned William A. Lewis Jr., and Shauna M. Lewis, hereinafter referred to as "Grantor(s)", who claim title to certain real estate by deed recorded in Plat Book 13, Page 24 of the Portage County Recorder's Records, does for their heirs, successors, and assigns, hereby give, devise, grant and convey to the City of Kent, Ohio, a municipal corporation, which is hereinafter referred to as "Grantee," its successors and assigns, the perpetual right to a permanent exclusive easement and right-of-way to lay, maintain, operate, repair, remove and replace sanitary and related necessary appurtenances over and through said real estate situated in the City of Kent, County of Portage, State of Ohio and known as being a part of Lot 9 and further known as being part of Sublot 20 of original Franklin Township, said easement being more fully described as follows:

Boundary Description for
1198 Middlebury Road
10 foot Sanitary Sewer Easement
City of Kent, County of Portage, State of Ohio
0.0229 Acre Easement

Situated in the City of Kent, County of Portage and State of Ohio and known as being part of the Original Franklin Township Lot No. 9 and further known as being part of Sublot 20 as shown on Portage Homesites, recorded in Plat Book 13, Page 24 of the Portage County Recorder's Records and is bounded and described as follows: Beginning at the northeasterly corner of Sublot 20 and is the PRINCIPAL PLACE OF BEGINNING of the easement herein to be described:

thence South 17°39'49" East, along the easterly line of Sublot 20, 10.00 feet to a point thereon;

thence South 72°23'11" West, 10 feet from and parallel with the northerly line of Sublot 20, 99.89 feet to a point on the westerly line of Sublot 20;

thence North 17°39'49" West, along the westerly line of Sublot 20, 10.00 feet to the northwesterly corner thereof;

thence North 72°23'11" East, along the northerly line of Sublot 20, 99.89 feet to the Principal Place of Beginning and containing 999 square feet or 0.0229 acres of land according to a survey by Guy P. Haney, P.S. No. S-7631, for TGC Engineering, LLC in July of 2020. Subject to all highways, easements and covenants of legal record.

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

For Drawings see attached Exhibit A

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

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

IN WITNESS WHEREOF, the Grantor has hereunto set its signature this 23 day of NOV, 2020.

WITNESS:

Kim Gembler

GRANTOR:

William A. & Shauna M. Lewis Jr.
By: William A. & Shauna M. Lewis Jr.

STATE OF OHIO, COUNTY OF PORTAGE, ss.:

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

Witness my hand and official seal this 23 day of NOV, 2020.

My Commission Expires: 11.7.22

Kimberly Gembler
Notary



KIMBERLY GEMBLER
Notary Public
In and for the State of Ohio
My Commission Expires
November 07, 2022

Accepted by City of Kent Council: _____, 2020.

THIS INSTRUMENT PREPARED BY: CTI Engineers, inc.

SKETCH FOR

SANITARY EASEMENT

1198 Middlebury Road

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

Portage Homesites Replat
Plat Bk. 16, Page 91

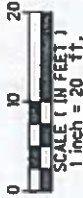
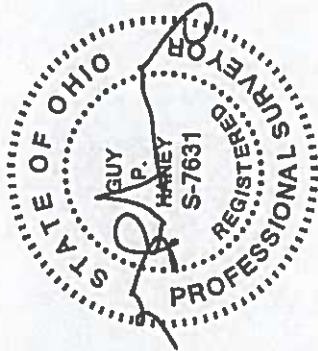


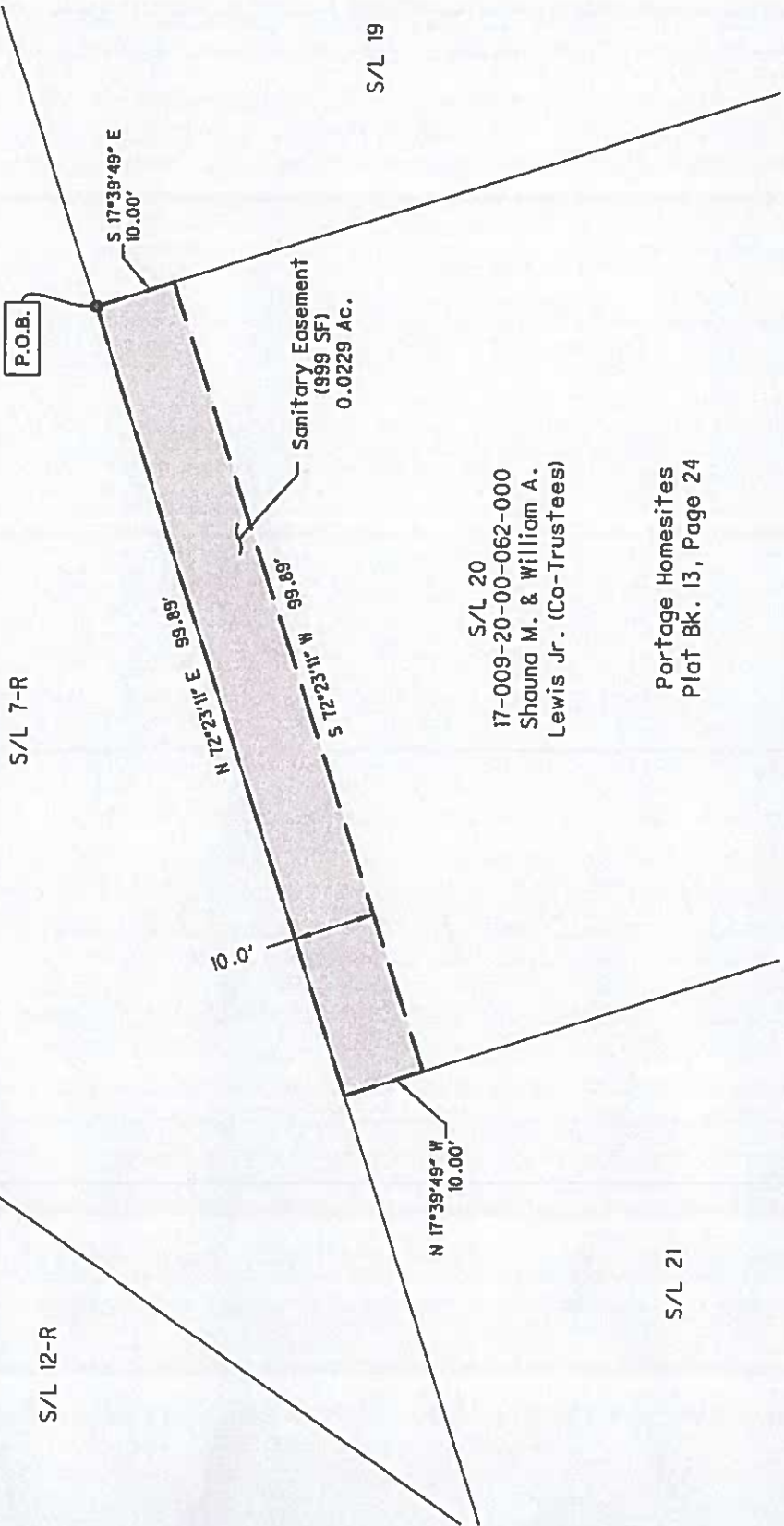
EXHIBIT A

S/L 12-R

S/L 7-R

S/L 19

S/L 21



S/L 20
17-009-20-00-062-000
Shauna M. & William A.
Lewis Jr. (Co-Trustees)

Portage Homesites
Plat Bk. 13, Page 24

TBC Engineering, LLC
1310 SHAWAN CORLEY ROAD, P.O. BOX 37
SHAWAN, OHIO 44874
PHONE: 330.590.8000 FAX: 330.529.8023



1198 MIDDLEBURY

KENT SANITARY ESMTS.

PROJECT
NUMBER

1694-D

DATE

2020-07-06



DRAFT ORDINANCE NO. 2021-017

AN ORDINANCE AUTHORIZING THE KENT FIRE DEPARTMENT TO APPLY FOR THE FY 2020 ASSISTANCE TO FIREFIGHTER – FIRE PREVENTION AND SAFETY GRANT, AND TO ACCEPT ANY GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATIONS OF FUNDS WHICH PROVIDES FUNDING FOR THE PURCHASE OF SOFTWARE AND RELATED HARDWARE TO IMPROVE EFFICIENCY IN PERFORMING AND RECORDING FIRE SAFETY INSPECTIONS, AND DECLARING AN EMERGENCY.

WHEREAS, the Kent Fire Department would like to apply for the FY 2020 Assistance to Firefighter – Fire Prevention and Safety Grant; and

WHEREAS, this grant will provide funding for the purchase of software and related hardware to improve efficiency in performing and recording fire safety inspections; and

WHEREAS, this is a two (2) year grant for a total of \$17,156.00. Year one (2021) will include the purchase of software licensure and set-up fees, plus related hardware costs for a total of \$12,558.00. Year two (2022) will include software licensure and related cell charges of \$4,598.00. The local matching percentage is five percent (5%) to be paid by the City in the event we are awarded the grant.

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

SECTION 1. That Kent City Council authorizes the Kent Fire Department to apply for the FY 2020 Assistance to Firefighter – Fire Prevention and Safety Grant.

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

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT ORDINANCE NO. 2021-018

AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$50.00 TO THE CITY OF KENT FIRE DEPARTMENT FROM ROBERTA AND GEORGE NEHRENZ IN MEMORY OF FORMER KENT FIRE CHIEF BUD RHOADS, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Fire Department has received a donation of \$50.00 from Roberta and George Nehrenz in memory of former Kent Fire Chief Bud Rhoads who passed away on January 10, 2021;

WHEREAS, the City wishes to accept said donation.

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

SECTION 1. That Council does hereby authorize the City Manager on behalf of the City of Kent to accept the donation of \$50.00 from Roberta and George Nehrenz in memory of former Kent Fire Chief Bud Rhoads who passed away on January 10, 2021 and for the Budget and Finance Director to appropriate the donation into the proper fund.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL
(SEAL)

DRAFT ORDINANCE NO. 2021-019

AN ORDINANCE AUTHORIZING FIVE (5) DAYS TO BE ADDED TO EACH FULL-TIME EMPLOYEES' PAID TIME OFF BANK TO RECOGNIZE THE CITY'S WORKFORCE FOR IT'S EXTRAORDINARY EFFORTS IN THE FACE OF THE PANDAMIC, AND DECLARING AN EMERGENCY.

WHEREAS, the Administration and City Council appreciate all the hard work and changing circumstances that City employees have undertaken during the COVID-19 pandemic; and

WHEREAS, City Council would like to show its appreciation to City employees by providing additional paid time off to each full-time employee.

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

SECTION 1. Council authorizes that each full-time employee who works a 40-hour week be given five (5) additional paid days off and firefighters who work 24/48 shifts will be given 49 hours to coincide with their 49-hour work week. This time off shall not generate overtime situations, if at all possible. This additional time shall be used in 2021 and will not be eligible for either cash out benefits or carry over. The City manager shall issue any policy or directive needed for the use of this additional time.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL
(SEAL)



City Council Regular Meeting Minutes

The City of Kent, Ohio
Wednesday, January 20, 2021

Due to the COVID-19 pandemic, this meeting will be 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. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer Bish; Mr. Roger Sidoti; Mr. Robin Turner; Ms. Tracy Wallach

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

ABSENT: Mr. Garret Ferrara

Mayor Fiala called upon Councilmember DeLeone for his opening remarks.

Mr. DeLeone commented that what a difference two weeks makes from January 6, 2021 until today. He watched some of the inauguration activities on television and believes the country is moving in the right direction. He then led all in the Pledge of Allegiance.

Approval of Regular Council Meeting Minutes:

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING MINUTES of December 16, 2021, SPECIAL MEETING MINUTES of December 30, 2021 and PUBLIC HEARING MEETING MINUTES of January 6, 2021 made by Mr. DeLeone seconded by Mr. Sidoti, and CARRIED by a voice vote of 7-0-1, with Ms. Wallach abstaining.

Communication:

Public Comment: There were no visitors signed in to speak with Council.

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

1. Civil Service Meeting Agenda for December 21, 2020 meeting received December 18, 2020.
2. Special Meeting notification for the Planning Commission for January 26, 2021 received on January 7, 2021.

3. Board of Health Minutes and Statistical report for January 12, 2021 meeting received on January 11, 2021.
4. Standing Rock Cemetery Board Meeting Minutes from December 10, 2020 and Agenda for January 14, 2021 received on January 11, 2021.

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

1. Cancellation of the January Civil Service Meeting received on January 15, 2021. The next regular meeting is scheduled for Tuesday February 16, 2021 at 5:30 pm.
2. Parks and Recreation Board Packet for the January 21, 2021 meeting received on January 15, 2021.

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

1. Request for Council's authorization to accept a \$1,500 donation to Kent Parks and Recreation from the Henry V and Frances W Christenson Foundation. (Draft #2021-009)
2. Request for Council's authorization to accept a \$50 donation to Kent Parks and Recreation from Susan and Douglas Smith on behalf of their granddaughter Ivy Liedel. (Draft #2021-009)
3. Request for Council's authorization to accept a \$40 donation to Kent Parks and Recreation from Jim and Nancy Arthur in memory of Charlie Beckwith. (Draft #2021-009)
4. Request for Council's authorization to accept a \$100 donation to Kent Parks and Recreation from the Kent Lions Club. (Draft #2021-009)
5. Request for Council's authorization to submit an Assistance to Firefighters grant application through FEMA (and allocate the grant funds if approved) in the amount of \$265,000 for the replacement of self-contained breathing units. (Draft# 2021-010)
6. Request Committee of the Whole time to review and update the items on the Pending list.
7. Request Health & Safety Committee time to provide Council with an update on COVID19 and the vaccine distribution.
8. Request Streets, Sidewalks & Utilities Committee time to request Council's authorization to connect the new Express Wash business located in the Franklin Township on SR59 to the City's water line.
9. Request Land Use Committee time for Council's authorization of the River Bend East Dedication (Phase 5).
10. Request Community Development Committee time to present the City's annual Economic Development report for 2020.
11. Request Finance Committee time to request a 2021 Budget Appropriations Amendment.
12. Request Finance Committee time to ask for Council's authorization to submit a grant request to the Ohio Department of Natural Resources and the Kent Environmental Commission to support the construction of a nesting habitat for Chimney Swifts in Kent.

MOTION TO APPROVE ITEMS #1-12 OF THE CITY MANAGER'S REPORT, made by Mr. Amrhein, SECONDED by Ms. Rosenberg, and CARRIED by a voice vote of 8-0.

STANDING COMMITTEES/ LEGISLATION

1) Committee of the Whole:

MOTION TO APPROVE MEETING MINUTES from January 6, 2021 made by Mr. DeLeone, SECONDED by Ms. Rosenberg and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

NO RECOMMENDED ACTIONS TO APPROVE

Voting for Boards and Commissions

MOTION TO APPOINT RICK HAWKSLEY and MARYJANE STONE TO THE Sustainability Commission made by Ms. Shaffer Bish SECONDED by Mr. Sidoti and CARRIED by a voice vote of 8-0.

Discussion:

Ms. Shaffer Bish stated both candidates are very capable people, with Mr. Hawksley being a previous councilmember having a strong interest and knowledge in regards to sustainability. She also knows MaryJayne Stone who is very excited to potentially serve on this committee and this will help bring back some enthusiasm to the Sustainability Commission.

MOTION TO MOVE NAMES INTO LEGISLATION made by Mr. Amrhein SECONDED by Mr. Kuhar and CARRIED by a voice vote of 8-0.

Draft No. 2021-001 A RESOLUTION APPOINTING RICK HAWKSLEY AND MARYJAYNE STONE TO THE SUSTAINABILITY COMMISSION, AND DECLARING AN EMERGENCY Y, 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. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT NO. 2021-001 made by Mr. Kuhar and SECONDED by Ms. Shaffer Bish. On roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 8-0.

RESOLUTION 2021-001 PASSED as stated by Clerk Wilkens.

2) Community Development Committee:

MOTION TO APPROVE MEETING MINUTES of January 6, 2021 made by Mr. Kuhar SECONDED by Mr. DeLeone and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE COMMUNITY DEVELOPMENT ACTION ITEM made by Mr. Kuhar, SECONDED by Mr. DeLeone and CARRIED by a voice vote of 8-0.

Recommended Actions:

- 1) Authorize the proposed 10-year Enterprise Zone Agreement between the City and Davey Tree.

Draft No. 2021-002 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN ENTERPRISE ZONE AGREEMENT WITH THE DAVEY TREE EXPERT COMPANY PROVIDING FOR A PROJECT AND REAL PROPERTY TAX EXEMPTION PURSUANT TO THE OHIO ENTERPRISE ZONE PROGRAM (EZ), AND DECLARING AN EMERGENCY, was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT NO. 2021-002 made by Ms. Kuhar and SECONDED by Ms. Shaffer Bish. On roll call, voting "Yes": Mr. DeLeone, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Ms. Wallach and Mr. Amrhein. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE 2021-002 PASSED as stated by Clerk Wilkens

3) Land Use Committee:

MOTION TO APPROVE MEETING MINUTES of January 6, 2021 made by Ms. Shaffer Bish SECONDED by Mr. DeLeone, and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

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

Recommended Actions:

- 1) Authorize acceptance of the proposed street right of way for the new Dunkin' Donuts at 1625 S. Water Street

Draft No. 2021-003 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ACCEPT A STREET RIGHT OF WAY DEDICATION AT 1625 SOUTH WATER STREET (DUNKIN' DONUTS), AND DECLARING AN EMERGENCY, was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT NO. 2021-003 made Mr. Kuhar and SECONDED by Mr. DeLeone. On roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein and Mr. DeLeone. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE 2021-003 PASSED as stated by Clerk Wilkens.

4) Streets, Sidewalks and Utilities Committee

NO COMMITTEE MEETING MINUTES OR RECOMMENDED ACTIONS TO APPROVE

5) Health and Public Safety Committee:

NO COMMITTEE MEETING MINUTES OR RECOMMENDED ACTIONS TO APPROVE

6) Finance Committee:

MOTION TO APPROVE THE FINANCE COMMITTEE MEETING MINUTES OF January 6, 2021 made by Mr. DeLeone, seconded by Ms. Rosenberg, 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 Ms. Rosenberg and CARRIED by a voice vote of 8-0.

Recommended Actions:

- 1) Authorize the extension of the suspension of the City's share of the Kent parks and recreation development fees for another 6 months.
- 2) Approve the acceptance and appropriation of the Ohio grant funds in the amount of \$5,287.71.
- 3) Authorize the "necessity and intent" procedures for the SW Sanitary Pump Station.

Draft No. 2021-004 AN ORDINANCE AMENDING ORDINANCE 2020-39 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 FOR SIX (6) MONTHS, 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. Sidoti. On roll call, voting "Yes": Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, and Ms. Rosenberg. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT NO. 2021-004 made by Mr. DeLeone, SECONDED by Ms. Shaffer Bish. On roll call, voting "Yes": Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, and Ms. Rosenberg. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE 2021-004 PASSED as stated by Clerk Wilkens.

Draft No. 2021-005 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT GRANT FUNDING IN THE AMOUNT OF \$5,287.71 FOR REIMBURSEMENT FOR THE PURCHASE OF BALLISTIC VESTS, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 2021-005 made by Ms. Rosenberg and SECONDED by Mr. Kuhar. On roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Rosenberg, and Ms. Shaffer Bish. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE 2021-005 PASSED as stated by Clerk Wilkens.

Draft No. 2021-006 A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 0.1054 ACRES AND A SANITARY SEWER EASEMENT IN 0.0229 ACRES OF CERTAIN REAL PROPERTY FROM JOZEF NEUZIL FOR THE PURPOSE OF COMPLETING THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 2021-006 made by Mr. DeLeone 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, and Mr. Turner. The Motion CARRIED by a roll call vote of 8-0.

RESOLUTION 2021-006 PASSED as stated by Clerk Wilkens.

Draft No. 2021-007 A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 0.1546 ACRES AND A SANITARY SEWER EASEMENT IN 0.0229 ACRES OF CERTAIN REAL PROPERTY FROM STEVEN J. SMITH FOR THE PURPOSE OF COMPLETING THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 2021-007 made by Mr. DeLeone and seconded by Ms. Rosenberg. On roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, and Mr. Sidoti. The Motion CARRIED by a roll call vote of 8-0.

RESOLUTION 2021-007 PASSED as stated by Clerk Wilkens.

Draft No. 2021-008 AN ORDINANCE AMENDING ORDINANCE NO. 2020-126, PASSED ON DECEMBER 16, 2020, THE POSITION ALLOCATION AND GENERAL COMPENSATION PLAN 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. Wallach 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, and Mr. Turner. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No.2021-008 made by Mr. DeLeone 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, and Mr. Turner. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE 2021-008 PASSED as stated by Clerk Wilkens.

Draft No. 2021-009 AN ORDINANCE ACCEPTING FOUR (4) DONATIONS TO THE CITY OF KENT PARKS AND RECREATION DEPARTMENT, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 2021-009 made by Mr. DeLeone and SECONDED by Ms. Shaffer Bish. On roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, and Ms. Wallach. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE 2021-009 PASSED as stated by Clerk Wilkens.

Draft No. 2021-010 AN ORDINANCE AUTHORIZING THE KENT FIRE DEPARTMENT TO APPLY FOR THE FY 2020 AFG GRANT THROUGH FEMA, AND TO ACCEPT ANY GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATIONS OF FUNDS WHICH PROVIDES FUNDING FOR THE REPLACEMENT OF THE FIRE DEPARTMENT'S SELF-CONTAINED BREATHING APPARATUS, 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. Shaffer Bish. On roll call, voting "Yes": Mr. DeLeone, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Mr. Amrhein, and Ms. Wallach. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2021-010 made by Mr. Kuhar and seconded by Mr. Sidoti. On roll call, voting "Yes": Mr. DeLeone, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti, Mr. Turner, Mr. Amrhein, and Ms. Wallach The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE 2021-010 PASSED as stated by Clerk Wilkens.

Unfinished Business: NONE

New Business:

Ms. Wallach stated there is a new business in her ward that has just added a new piece of equipment and it is making low frequency noises. She would like to put into the appropriate committee a review of these low frequency noises and setting up parameters. She added low frequency noises can cause headaches, sleeplessness, irritability and lack of concentration. These noises go through windows and houses so it is harder to shut them out. She would like to have a discussion to set some parameters for low frequency noises.

MOTION TO MOVE TO A COMMITTEE A DISCUSSION REGARDING LOW FREQUENCY NOISES made by Ms. Wallach SECONDED by Ms. Shaffer Bish and CARRIED by a voice vote of 7-1-0 with Mr. Kuhar voting "No".

Discussion:

Ms. Wallach said she had walked around the business and equated it to when cars are driving by with the bass turned up. She said this is detrimental to your health.

Ms. Shaffer Bish said there are different kinds of pollution and noise is one. It is worthy of investigation.

Mr. Kuhar does not support the motion because if the apparatus is in the industrial zone, they are exempt from the noise ordinance.

Council Comments:

Ms. Shaffer Bish stated today is a historical day and she is wearing her pearls in honor of Kamala Harris' swearing in as the first woman in the Executive Office of the United States of America as the Vice President. Ms. Shaffer Bish added Kamala Harris is also the first person of color in that office. She feels very proud of the nation and its transition of power and for this historic time.

Mr. Turner commented on the inauguration of the new President (of the United States) and said he is hopeful we have an opportunity now to focus on the business of the people, unify and attempt to start moving forward. These have been four very contentious years, whether or not you have one view or another. We really have to move this country together and forward, irrespective of your views, and focus on the best interest of this nation. He prays the new President will be given the wisdom to make the correct decisions on how to make life better for ourselves and future generations. He is prayerful that we can become America again.

Mr. Sidoti said that there was a presentation at Rotary by Dr. Ellie Yanchar who graduated from Roosevelt High School who was on the front lines in New York City helping with Covid. Right now, she is serving the homeless. After her talk, a lot of people approached her because of concern in the community about how to take a more proactive approach. A lot of people do not understand homelessness and the reasons for it and there are enough people in the community to get some support for the Miller House or other organizations and to take a closer look. Mr. Sidoti asked

what could the community do to raise awareness and figure out how to help those “under the bridge” and for whatever reason are homeless. He encouraged all to watch the Rotary meeting on YouTube.

Mr. Kuhar commented that we have a new President, which would not have been his first choice, but that he thinks he is a good man and will hopefully be a good President. He adds he wanted to thank the last president because of his accomplishments. It's obvious he has a colorful personality which he did not always agree with, but if you look at all of his accomplishments, regardless of your race, gender, etc., he did something for you. Mr. Kuhar said he will respect the office of whoever is that office and will respect the new choice and will continue to be a better nation.

Ms. Wallach added she visited Ms. Rosenberg at Popped! and that it was nice to see someone in person.

Mr. Amrhein said he wanted to give a shout out to the City's Health Board, of which he sits on. He is in awe of Joan Siedel and her staff. They are being slammed right now and are the utmost professional. He sits on the Board with an epidemiology professor, two registered nurses, a pharmacist and a health sociologist and is very proud of the Health Department.

Ms. Rosenberg acknowledged it was good to see Ms. Wallach in the store. She then extended a most heartfelt gratitude to the Kent Police Officers who were injured in the line of duty this week. Words cannot not express the gratitude of the Kent Police risking their lives to save residents, especially in a situation where we are dealing with children. Her absolute heartfelt gratitude and thanks go to them and she wishes the officers a speedy recover. She also thanked dispatch and the Kent Fire Department and the huge coordinated effort and she is so pleased with the outcome that everyone survived.

Mayor's Report:

Mayor Fiala mentioned a documentary “Under Fire; Strike Breaker in Kent, Ohio” he saw on PBS regarding the strike breakers at the Black and Decker company in 1935. It was a really good show that showcased history of the Kent industrial area and encouraged all to see it.

Mr. Kuhar added there was also a truck strike back in the 1970's.

The Regular Meeting adjourned at 8:15 P.M.

Amy Wilkens
Clerk of Council

Jerry T. Fiala
Mayor and President of Council



Committee of the Whole Meeting Minutes

The City of Kent, Ohio
Wednesday, February 3, 2021

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

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

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

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

There was one (1) item on the Agenda.

1. Pending List Update

Mayor Fiala introduced the meeting topic of the Pending List Update.

Mr. Ruller referenced his document distributed in the City Manager Communication regarding the current City Council Pending List. Three items were voted to be removed from the Administration and Council Committee Lists as follows:

Administration

- 1) Study of pedestrians and vehicles with consideration of a four way stop sign or a method for making pedestrians cross safer in the downtown area.
 - a. Mr. Kuhar stated he is unsure if it is necessary to keep on the list. The main purpose of this was concerning N. Water Street which is currently a construction project.
 - b. Ms. Shaffer Bish stated there should be an ongoing evaluation of the Erie and Depeyster Street intersections. She still sees confusion at those intersections with cars and pedestrians and would like to keep monitoring.
 - c. This item will remain on the Pending List.
- 2) Sustainability Commission creating ten actions items to fend off global warming.
 - a. Mr. Ruller stated this was completed in different formats. The Sustainability Commission has been busy working on the Climate Action Plan which was a piece of the global warming protections.
 - b. This item will remain on the Pending List
- 3) **REMOVE:** City Checkbook Online
 - a. Mr. Ruller explained this was a priority of a previous administration in the State Auditor's Office and he is not sure if the format is still available. There were many quirks in the system that didn't make it very useful. He said if anyone would want to see any financial reports we would be happy to share and it would be in a more user-friendly format.
 - b. Mr. Sidoti added it is a moot point and should be taken off of the list.

MOTION to remove the City Checkbook Online from the Administration Pending List made by Mr. Sidoti, SECONDED by Mr. Amrhein and CARRIED with a voice vote of 9-0-0.

- 4) **REMOVE:** Possible Sponsorship for Syrian Refugee Families
- Mr. Ruller said a lot changed during the last administration and the Akron agency is no longer in existence. He added the Syrian crisis has passed. Kent certainly wants to be a welcoming and immigrant friendly city and he believes Kent has accomplished the mission of this item.

MOTION to remove the Possible Sponsorship for Syrian Refugee Families from the Administration Pending List made by Ms. Wallach SECONDED by Mr. Kuhar and CARRIED by a voice vote of 9-0-0.

- 5) Explore Senior Center Advisory Committee
- Mr. Ruller said this was a very active discussion in year's past and suggested possibly integrating into the future Parks and Recreation Master Plan.
 - This item will remain on the Pending List
- 6) Conflict of Interest for Boards and Commissions
- Mr. Ruller said Ms. Hope Jones was reviewing this prior to when the COVID 19 pandemic hit.
 - This item will remain on the Pending List
- 7) Review and Discuss Unattended Vehicle Idling in the City
- Mr. Ruller said findings were shared with Council one year ago and Council asked to continue this discussion.
 - Mr. Kuhar said there are already State laws in effect for this both for idling unattended vehicles and temperature guidelines.
 - Mr. Ruller added for Public Safety reasons you cannot leave your car running while running into the drugstore to shop. This was originally brought forward from an air quality perspective.
 - Chief Shearer added there are both city and state laws for vehicles left unattended and is a citable offense.
 - Ms. Rosenberg asked if this item could be combined with the Sustainability Commission item.
 - Mr. Sidoti added a strategy is needed to get this important information out to residents. Ms. Wallach suggested leaving in Committee to discuss these methods. Ms. Wallach said it would be worth keeping in committee to continue the discussion on education.
 - Mr. DeLeone said many people leave their car running while going into businesses and would be hard to educate people not to do this. Many do not care because it is cold outside and they want to keep their cars warm.
 - This item will remain on the Pending List
- 8) Sale/Lease of City Parcel off Ivan Drive
- This item will remain on the Pending List

Council Committees

- 1) Discussion on proactively dealing with racism and diversity in Kent
- Mayor Fiala recommended keeping this item on this list for a future in person discussion
 - Ms. Schaffer Bish added we should say we are going to meet on this item until Council meets in person. She added there may be a situation when there may be a time needed to

discuss prior to when Council is able to meet in person. She does not want to make it contingent upon meeting in person.

- c. Mr. Ruller reminded all that just because Council has not had a meeting on this, there is ongoing meetings on this between the police department, local groups; ongoing meetings with the Portage Collaborative, Kent State, and updates from Chief Shearer regarding efforts with diversity and social equity. He does not want anyone to think staff is waiting for Zoom to end and that it is ongoing and a lot of groups have momentum.
- d. This item will remain on the Pending List

2) Senior Housing Discussion

- a. Mr. Ruller said an ongoing project at this time is working with KSU to redevelop Allerton Apartment Complex into a mutigenerational facility. Ms. Susel said there were a couple meetings regarding the sale of land off of (route) 261.
- b. Mr. Kuhar suggested keeping this on the list.
- c. This item will remain on the Pending List

3) **REMOVE:** Simple Recycling

- a. Mr. Ruller said the timing of this has passed and recommended this be removed from the list.

MOTION to remove Simple Recycling from the Pending List made by Ms. Rosenberg, **SECONDED** by Mr. Ferrara and **CARRIED** by a voice vote of 8-1-0 with Ms. Wallach voting NO.

Ms. Rosenberg agreed the time has passed but clarified it could be brought back in the future.

Mr. Ferrara agreed it makes sense to take it off at this time and that it could always be looked at in the future.

Mr. Kuhar said in the future there may be new avenues to explore.

4) Sidewalk upkeep

- a. Mr. Ruller said much has been done on ways residents can have their sidewalks replaced. He doesn't believe there will ever be a time where sidewalks are not a priority in the community and it should remain on the list.
- b. Ms. Shaffer Bish said the administration has made great progress on this item but that sidewalk upkeep continues to be a problem in the city. She would like the conversation ongoing.
- c. This item will remain on the Pending List

5) Low Frequency Noise from Business

- a. This item was recently added to the Pending List and will remain on for discussion.

Seeing no further business or questions for this committee, it adjourned at 7:30 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) **Authorize and amend the pending list.**

Council Committee Meeting
Committee of the Whole
February 3, 2021



Community Development Meeting Minutes

The City of Kent, Ohio
Wednesday, February 3, 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 8:04 p.m.

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

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

There was one (1) item on the Agenda.

1. Economic Development Projects Update

Mr. Kuhar introduced Mr. Tom Wilke, Economic Development Director, who shared his presentation regarding the Economic Development Update. He mentioned he did not want to seem callous as he will not be discussing the human suffering this past year due to COVID but will be focusing on its economic impact. He discussed the following topics:

- Completion of Last Year's Projects
- New Dining and Shopping Options
- Projects on the Horizon
- COVID-19 Pandemic
- Economic Measures

Completion of Projects: Completion of The Battleground Restaurant, The River Merchant, Pho King, Coyotes Mexican Grill, Akron Children's Hospital, the Crystal Clinic Expansion and the Pita Pit opened in Acorn Alley. North Water Brewing company opened on 100 Crain Ave. and is exceeding. The Tropical Smoothly Café opened next to Starbucks on East Main and offers much more than tropical smoothies, they also offer sandwiches, wraps and lunch items. The Twin Lakes Tavern opened under new ownership.

Ms. Wallach asked if when the DORA is revisited in June, if it can be expanded. Mr. Wilke said that is correct.

The Fruit Stand is opening where Popped! was previously located. Their business is strong, in fact they ran out of product during the first week of operation

Closures:

Longhitano's Gallery Pub and Grill; Peace, Love and Little Donuts; Carnaby Street Style and Gracy Lane (not Covid related); Rush; Cheese monger; and Burger King on E. Main Street all closed in the year 2020. The District Manager of the Burger King said they have been in discussion for years about closing one of the two locations in Kent, with the one located on S. Water Street outperforming the one on E. Main Street. There have already been several national chains asking about the property.

New Dining Options:

Kwench Juice Café, Barrio expansion; Uncle Maddio's Pizza have all been added to the dining scene for 2021.

The Hasawi Building construction at the corner of Erie Street and Franklin Avenue has begun. It will be a six-story building with a coffee/wine bar on the first floor, a restaurant on the second floor and sixteen upscale apartments on the top four floors. Next door where the BW-3 used to be will be the Kent West Apartments which will be purely residential and have a total of 47 units, seven which are micro-units, 30 one bedroom and 10 two-bedroom apartments.

Mayor Fiala asked about parking for the two complexes. Dedicated parking spots for the second building will be provided once combined with the City parking lot, and the residents in the Hasawi Building will park in the parking garage. Mr. Bowling explained there will be more efficient parking with a net gain of parking spots. Alleys 8 and 10 will also be fixed.

The building located at 257 N. Water Street will house a beer and pizza place with an arcade format.

Dunkin Donuts will be opening on S. Water Street across from the Marc's plaza.

The Bell Tower Brewing Company will be opening on Gougler Ave. and the Montrose Mazda expansion is well under way.

The Davey Tree Expansion is moving forward and plan to break ground in late February or March (2021).

Two car washes will be built in Franklin Township at the city limit.

COVID-19 Impact

Mr. Wilke reviewed the COVID-19 pandemic's economic impact, which really affected the 2nd quarter with a 12% unemployment rate and a 17% decrease in income tax collections. He also discussed the indefinite closure of the Kent Stage, the cancellation of all special events, and the extraordinary impact on the hospitality business.

Mr. Wilke concluded his presentation by highlighting the effect of the COVID-19 pandemic, the 2nd quarter crater, the devastation to small business, the disproportionate impact on low-income workers, selective impact on manufacturing, the KSU downsizing and still much to be determined. He is hopeful the second half of the year will be more positive and will be reflective of what is going to happen in 2022 going forward.

Ms. Wallach asked if the Escape Room was still open. Mr. Wilke said it was still in business but is not currently open due to the State of Ohio restrictions.

Mr. Sidoti asked if the Klaben property has a SOLD sign on the property. Mr. Wilke said that reflects the fact that Klaben purchased the property.

Ms. Shaffer Bish asked if anyone is inquiring about the Longhitano's property and also what is going on with the Record Courier property. Mr. Wilke confirmed there has been some interest in the Longhitano's property but the biggest issue is the liquor license which requires 75% of revenue come from food. He said the Record Publishing Building is still for sale and there has been a little bit of interest. The good news is it is owned by Gannet Publishing and they plan to maintain a presence in the building and lease the rest out.

Mr. Kuhar asked about the Wendy's construction. Mr. Wilke said they are going through a total remodel and will have a driveway installed on Lincoln Street which will improve accessibility.

Seeing no further business, the Community Development Committee Meeting adjourned at 8:43 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) N/A



Land Use Committee Meeting Minutes

The City of Kent, Ohio
Wednesday, February 3, 2021

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

Chair Ferrara called the Land Use Committee of Kent City Council to order at 8:03 p.m.

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

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

There was one (1) item on the Agenda.

1. Request to Accept the Riverbend East Dedication

Ms. Bridget Susel said this is the acceptance and dedication of Phase 5 of the Riverbend Subdivision. Jenn (Barone) shared the map and the punch list that will finish up the project. She offered to take any questions. She also added this is Ms. Barone's official last memo to Council as she is retiring effective March 5, 2021. (Ms. Barone) is fortunate to retire at age sixty and already has travel plans in the coming months. She said she will be missed greatly and has done a majority of the phases in this project and managed the whole process.

MOTION to accept the Riverbend East Dedication made by Mr. Amrhein SECONDED by Ms. Wallach and CARRIED with a voice vote of 9-0-0.

Mr. Amrhein added that Ms. Barone is a great employee, as he has worked with her on many things and she will be greatly missed.

Seeing no further business or questions for this committee, it adjourned at 8:04 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) **Authorize the acceptance of the dedication for Phase 5 of Riverbend East.**



Streets and Sidewalks Committee Meeting Minutes

The City of Kent, Ohio
Wednesday, February 3, 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 and Sidewalks Committee of Kent City Council to order at 8:01 p.m.

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

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

There was one (1) item on the Agenda.

1. Consideration of a Request for Water Line Tie-In

Mr. Bowling introduced the request to tie into City water behind Raising Cane's for a car wash. They are required to come to Council and seek approval. Unfortunately, they are declining to participate in the JEDD and will be paying 50% surcharge on their water usage.

MOTION to approved the consideration for a water line tie-in made by Mr. Kuhar, SECONDED by Ms. Rosenberg and CARRIED by a voice vote of 9-0.

Mr. Kuhar said he would do anything to get more customers and help the City. He thinks it's a good thing.

Seeing no further business or questions for this committee, it adjourned at 8:02 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) **Authorize the water extension and tie-in for the new Express Wash Concepts.**



Health and Safety Committee Meeting Minutes

The City of Kent, Ohio
Wednesday, February 3, 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.

Mr. Amrhein called the Health and Safety Committee Meeting of Kent City Council to order at 7:30 p.m.

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

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

There was one (1) item on the Agenda.

1. COVID 19 Update

Ms. Joan Seidel said the Health Department now has a Kent State University Master's Epidemiology student as an intern who prepared a portion of her presentation. **(Attachment #1)** The topics discussed included:

- COVID -19 Epidemiologic update
- Waste water monitoring
- COVID-19 vaccination
- Needlepoint Bipolar Ionization

Highlights of her report included the COVID 19 statistics over the past year with cases increasing August through November 2020. As the number of cases increased, the number of people affected were younger with 50% of the cases being in the age bracket 20-29 which might reflect the population of the college aged student. She also reviewed effects of COVID by race with a higher percentage of black people being affected. Cases were reviewed by zip code with the highest number of cases in the Kent zip code in comparison to other zip codes that make up Portage County.

COVID-19 can make its way into the GI tract and if wastewater is tested we can see if there is a rise in the number of particles in the finding. It would give a three to seven day "heads up" to the virus being spread in the community. It does not provide data down to the individual layer but can show certain housing groups. Kent State is working on testing both on campus and off campus housing units that are student related. There are two committees at KSU that look at the data collected and then share it with the State of Ohio. This is a great tool to utilize for containment and control.

Vaccine rollout is still early in Phase 1 with limited supply. Kent Health Department is still working on gaining vaccine providership and are making progress on being able to safely store and provide vaccine to Kent City residents. Portage County Health District is the lead agency in the area providing vaccines. They are not getting as much vaccine as they would like to have.

Mr. Kuhar asked if there is any chance those vaccinated in phase 1 will not have enough vaccine for the second shot.

Ms. Seidel said when the State sends out an allocation for the first dose, they have already stored the allocation for that group's second dose. Everything that ships out will be used at that time and the State is keeping very close record and all doses are being used within the week's allotment.

Mr. Kuhar added they are doing a terrific job.

Mr. Turner asked how outreach is being done to identify people at risk and to make them a priority.

Mr. Seidel said it is a goal to get more vaccine available and easy to access. The Government has set the approach to the most vulnerable and also those to get children back in school. There is a registration form on the Portage County Health District's website and her concern is that we may need to go to some 55+ communities and give vaccine. A lot of elderly stay at home or stay with family in a single dwelling but they are home bound and it makes it very difficult. There is no preservative in the vaccine which limits its distribution.

Ms. Wallach asked if you need to be a resident of Portage County to receive the vaccine through them.

Ms. Seidel said the Governor said if you are an Ohioan or even living on the border you can come and get a vaccine here. Right now, because of the limited supply, Portage County is watching to make sure you are a Portage County resident and it is a part of the registration process.

Mr. Kuhar asked about a news report regarding possible "tainted" doses and if you have to get multiple shots what that would do to your health.

Ms. Seidel thanked Mr. Kuhar for asking this question and clarified those doses were not tainted in any way, they were just stored improperly with the cold chain not maintained which lowered its effectiveness. They were able to identify the locations where this occurred.

Ms. Seidel reviewed in detail the tiers of Phase 1a and 1b.

Ms. Wallach asked if when the age groups open up, if you are older that the group getting vaccinated if you would go to the head of the line or if it is first come first served.

Ms. Seidel said it depends on the agency and she is not familiar with each distribution site. She does know that as the weeks go on, if you did not get an appointment you can continue to try.

Ms. Seidel continued her presentation by reviewing part of the multifaceted approach to safety being used, the needlepoint bipolar ionization. Kudos to Chief Tosko who worked closely with Kent State University who used these units for their quarantine units on campus to help to try to purify the air. This has been around for a while, several decades ago trying to help restaurants with Norovirus outbreaks. These units are now running and keeping staff safe.

Mr. Kuhar asked if the ionization units are dangerous if the virus is trapped in there. Ms. Seidel replied they destroy the Covid virus protein outer layer and it would no longer be transmissible from the filter.

Ms. Wallach asked about current safety methods being used (mask wearing, social distancing, etc.) and what behavior should occur after the more contagious versions appear. Ms. Seidel replied that one thing that has shown to be effective is to continue doing everything currently being done and to use a double mask (using a surgical mask and a cloth mask over top).

Mr. Sidoti thanked Ms. Seidel for her presentation and asked about reinfection chances. Ms. Seidel said right now the rule of thumb is 90 days. If you have had Covid infection you would still want to be careful and get the vaccine.

Seeing no further business or questions for this committee, it adjourned at 8:00 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

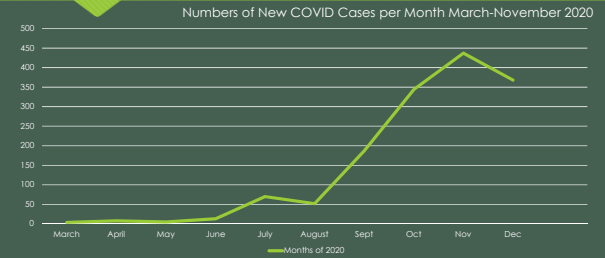
- 1) N/A

Kent City Council COVID-19 March –December 2020 Presented 02/03/2021



Joan C. Seidel MA, BSN, RN, CIC, FAPIC
Health Commissioner

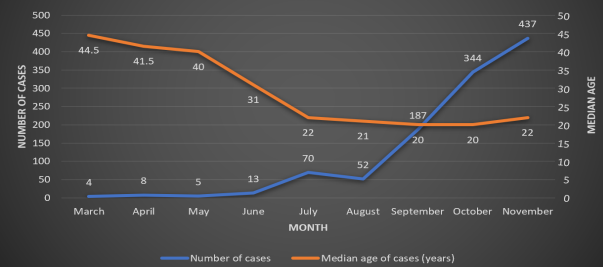
COVID Statistics



Topics to Discuss

- COVID -19 Epidemiologic update
- Waste Water Monitoring
- COVID -19 Vaccination
- Needlepoint Bipolar Ionization

Graph showing the relationship between number of cases and Median age of cases per month from March to November 2020

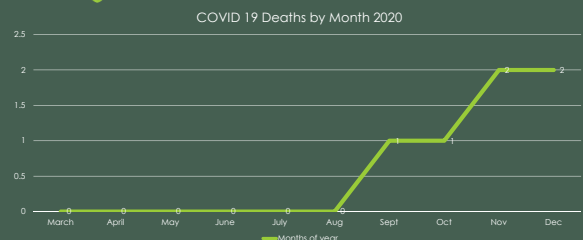


COVID 19 Statistics

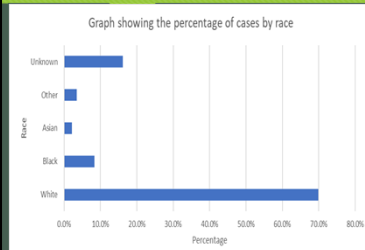


- Since the start of Pandemic we have a total of 1240 cases
- First case was March 6, 2020
- Age range of those infected are 1-94 years
- 6 people have died from COVID 19
- Positivity rate =13.9%

COVID 19 Statistics



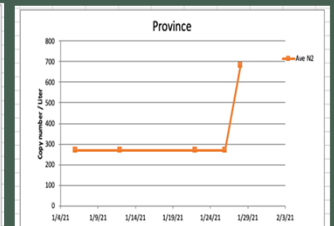
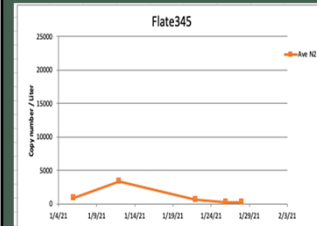
Disproportionate effects of COVID by Race



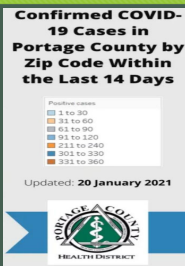
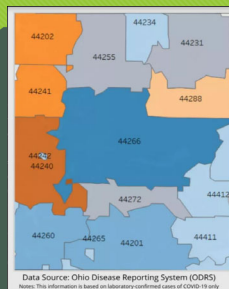
○ Comparing number of cases by the percentage of the race within the community shows a different perspective

- 3.3% of Whites are effected
- 3.6% of Blacks are effected
- 1.6% of Asians are effected

COVID-19 Waster Water Trends Off Campus Housing January 2021



Portage County COVID Cases by Zip Code



Vaccine Rollout

Ohio's Vaccination Program – A Phased Approach

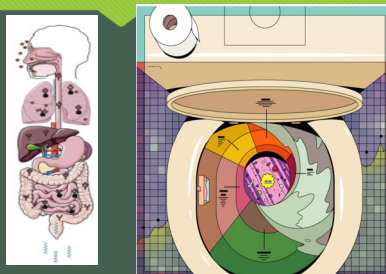
GOALS Save lives and slow the spread of the virus. In the early vaccination phase, supply will be limited. The speed at which Ohio will move through the phases is largely dependent upon the number of vaccine doses available.

PHASE 1	PHASE 2	PHASE 3 - 4
Supply Limited Vaccine is available in limited supply for specific critical populations. Ohio will focus on vaccinating those most at risk, as well as essential healthcare workers and personnel caring for COVID-19 patients. Vaccines will not yet be available for all Ohioans.	Supply Increasing Vaccine is increasing and available for other specific critical populations who choose to be vaccinated. Vaccines will not yet be available for all Ohioans.	Widely Available Once the vaccine is widely available, Ohio will continue to strategically vaccinate Ohioans if they choose. During these phases, vaccines will begin to be available to all Ohioans.

As supply increases, COVID-19 vaccines will be available to all Ohioans who choose to be vaccinated.

MIKE DEWINE GOVERNOR OF OHIO | Ohio DEPARTMENT OF HEALTH | coronavirus.ohio.gov

The Predictive Value of Waster Water in Pandemic



- COVID virus once ingested can make their way into the GI tract. Viral RNA particles can survive the acidity of the GI tract.
- Monitoring Waste Water provides 3-7 days advance warning of increasing illness.
- Cannot provide data to the individual level, but could provide information on areas within our community.

Phase 1b Now in Progress

Ohio's Vaccination Program – Phase 1B Vaccination Start Dates

January 19 Ages 80 and older.	January 25 Ages 75 and older. Those with severe congenital, developmental, and early onset medical disorders.
February 1 Ages 70 and older. Employees of K-12 schools that wish to remain or return to in-person or hybrid learning.	February 8 Ages 65 and older.

All available vaccines will be administered to those who choose to receive it.

MIKE DEWINE GOVERNOR OF OHIO | Ohio DEPARTMENT OF HEALTH | coronavirus.ohio.gov

Needlepoint Bipolar Ionization Kent City



Questions/Comments



Together Ohio

seidel@kent-ohio.org



Finance Committee Meeting Minutes

The City of Kent, Ohio
Wednesday, February 3, 2021

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

Chair DeLeone called the Finance Committee of Kent City Council to order at 8:42 p.m.

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

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

There were two (2) items on the Agenda.

1. 2021 Budget Appropriations Amendment

Ms. Rhonda Hall submitted a memo for a budget amendment for the appropriations to the City Manager dated January 26, 2021 and was asking for Council to approve this amendment.

MOTION was made by Mr. Kuhar to approve the budget amendment, SECONDED by Mr. Turner and CARRIED by a voice vote of 9-0.

2. Chimney Swift Nesting Habitat Grants

Mr. Bowling introduced the topic stating this is new and something really different and they are very excited about it. In looking at the demolition of the former police station, that building's chimney was used as a habitat for these birds. The 4H Club would come in the fall and the spring and watch the swifts swarm into and out of the chimney. They have been investigating stand alone towers. They will be placed on the hike and bike trail between the University and the Police Station. There has been research done on the swifts by a Kent State Professor in the past. The Ohio Department of Natural Resources has provided a small \$1,000 grant and they are looking to submit a grant application to the Kent Environmental Council for another \$1,000. It is an exciting, small project but would be great addition to the community.

Ms. Wallach asked if there will be more planned to be built around the city. Mr. Bowling said there has been some discussions about this and will depend on the success of the first chimney.

Ms. Shaffer Bish asked about the time table and coordination with the demolition of the police station. Mr. Bowling confirmed they are looking to be built Spring 2021. They are going to try to make sure the existing chimney is capped off before nesting season this year.

Ms. Rosenberg asked if these birds are a threatened species and have federal protection. Mr. Bowling said they are an international threatened species since it migrates from South American all the way up to Canada. She also said their habitat is near the waterways because they consume

a large number of insects, so we would need to make sure the Health Department does not spray near this nest. Ms. Rosenberg is very excited about this project and she understands there are people in Mr. Bowling's department that have worked very hard to see this come to fruition and asked if there are other communities that have unique and special animals that are celebrated.

Mr. Bowling said yes and this is one of the driving factors.

Ms. Rosenberg added this may make us cooler than Austin with their bats and Hinkley with the buzzards.

MOTION to authorize the request of the grant money for the Swift Chimney Project made by Ms. Rosenberg SECONDED by Ms. Wallach and CARRIED by a voice vote of 9-0-0.

Ms. Rosenberg added there are studies that have looked at the economic impact of bird watching on the community and that Kent has a special opportunity with this threatened species to provide a habitat and protect the survival of their species, but also create a driver for tourism dollars. This is a rare occurring phenomenon where these birds form a huge "tornado" and it dovetails nicely with some event plans for downtown, having chimney swifts flying around at dusk as people are out enjoying their DORA drinks during the summer months and perhaps privately-owned towers on some of the downtown businesses would be really exciting.

Ms. Shaffer Bish added they have had experiences enjoying the DORA and the chimney swifts and it is really quite magical and delightful. She was surprised to learn there is a swift on the Kent State Seal.

MOTION to move into an Executive Session made by Mr. Amrhein SECONDED by Ms. Rosenberg and roll call was taken. Voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Turner, Mr. Kuhar, Ms. Shaffer Bish, Ms. Wallach, Mr. Turner and Ms. Wallach. The motion CARRIED.

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

MOTION to accept the recommendation made by the City Manager to grant all City employees five personal days to be used in the year 2021 was made by Mr. Sidoti SECONDED by Ms. Wallach and CARRIED by a voice vote of 9-0-0.

Seeing no further business or questions for this committee, it adjourned at 9:09 P.M.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Approve the 2021 budget appropriations amendment.**
- 2) Authorize the acceptance and allocation of a \$1,000 grant from ODNR and authorize the staff to submit a \$1,000 grant to the KEC (and if approved, authorize the acceptance and allocation of KEC grant funds).**
- 3) Authorize the approval of five personal days for City employees to use in the year 2021**