



CITY OF KENT, OHIO

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

Wednesday, July 15, 2020

Special Council Committee Meeting 7 p.m.
Followed by Regular City Council Meeting

Under authority granted by House Bill 197 signed by Governor Mike DeWine on Friday March 27, 2020, Kent City Council will be meeting electronically for Committee and Regular Council Meetings. The public may hear and observe this electronic meeting by visiting the City of Kent's YouTube Channel available at: <https://www.youtube.com/channel/UCDZz0s44DJUKhQ3WDWZMqeQ>

*Any members of the public wishing to make a public comment must provide their name, address, and comment in writing to the Clerk of Council (councilclerk@kent-ohio.org) by **4:30 p.m. July 15, 2020** to be read by the clerk during the meeting.*

AGENDA

6:55 P.M. BOARD OF CONTROL

7:00 P.M. SPECIAL PUBLIC HEALTH AND SAFETY COMMITTEE MEETING

Chair Amrhein/Vice Chair Sidoti

- Facial Covering Discussion (Siedel/Jones)

REGULAR COUNCIL (Immediately Following Committee Session)

1. Roll Call
2. Opening Remarks and Pledge of Allegiance (Mr. Amrhein)
3. Approval of Minutes
 - 3.1 Public Hearing of June 3, 2020
 - 3.2 Regular City Council Meeting of June 17, 2020
 - 3.3 Special Council Meeting of July 1, 2020
 - 3.4 Public Hearings of July 1, 2020
4. Communications
 - 4.1 Public Comment
 - 4.1.1 Anyone wishing to address Council must submit their written comments to the Clerk of Council at councilclerk@kent-ohio.org by **4:30 p.m.** on the day of the meeting. If also requesting to speak at the meeting, comments are limited to three (3) minutes.
 - 4.2 Written Communication (All placed on file in the Clerk of Council's office)

- 4.2.1 Letter from the Department of Commerce regarding the approval of the operation of the DORA in the City of Kent, Ohio received on June 27, 2020. This letter was forwarded to Council Members on June 29, 2020.
- 4.2.2 Standing Rock Cemetery Meeting Agenda for July 9, 2020 and the Minutes from the June 11, 2020 meeting were received on June 29, 2020.
- 4.2.3 Sustainability Commission Meeting Agenda for July 6, 2020 and Minutes from June 1, 2020 were received on July 1, 2020.
- 4.2.4 Email from Mr. Mercer, resident of Kent Ohio, regarding requiring the use of masks was received on June 29, 2020 and forwarded to City Council Members.
- 4.2.5 Emails from Tony Mosca, Iris Meltzer and Chris Cowles regarding requiring the use of masks were received on July 15, 2020 all forwarded to City Council Members.

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: July 1, 2020
- 5.1.2 Action Recommended:
 - 1) Authorize the proposed updates of the Codified Ordinance pages as presented.
- 5.1.3 **Draft No 2020-59** AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE CITY OF KENT CODIFIED ORDINANCES AND DECLARING AN EMERGENCY (Authorized)
- 5.1.4 **Draft No. 2020-60** A RESOLUTION SUPPORTING THE MISSION OF BLACK LIVES MATTER, CONDEMNING RACISM AND ENCOURAGING A COMMITMENT TO FAIR AND EQUAL TREATMENT FOR ALL. (Authorized)

5.2 Community Development (Kuhar/Rosenberg)

- 5.2.1 Committee Meeting Minute Approval: None
- 5.2.2 Action Recommended: None

5.3 Streets, Sidewalks and Utilities (Sidoti/Wallach)

- 5.3.1 Committee Meeting Minute Approval: July 1, 2020
- 5.3.2 Action Recommended:
 - 1) Authorize the requested waterline extension along SR43 to Meloy Road.
- 5.3.3 **Draft No 2020- 61** AN ORDINANCE AUTHORIZING LTC BRIMFIELD, LLC A WATER TAP-IN FOR A NEW 96 BED SKILLED NURSING FACILITY LOCATED AT 5075 SR 43 AND MELOY ROAD, OUTSIDE THE CITY OF KENT, AND DECLARING AN EMERGENCY. (Authorized)

5.4 Land Use Committee (Ferrara/Schafer)

- 5.4.1 Committee Meeting Minute Approval: NONE

5.4.2 Action Recommended: NONE

5.5 Health & Safety Committee (Amhrein/Sidoti)

5.5.1 Committee Meeting Minute Approval: July 1, 2020

1) Special Meeting Minutes for July 15, 2020 *In Progress*

5.5.2 Action Recommended:

1) Authorize the requirement of facial coverings

5.5.3 **Draft No 2020- 62** AN ORDINANCE REQUIRING FACIAL COVERINGS IN INDOOR AND OUTDOOR AREAS ACCESSIBLE TO THE PUBLIC; AND DECLARING AN EMERGENCY. (Unauthorized)

5.6 Finance Committee (DeLeone/Wallach)

5.6.1 Committee Meeting Minute Approval July 1, 2020

5.6.2 Action Recommended:

- 1) Authorize submission of the City's 2021 Tax Budget to the County
- 2) Authorize the City to proceed with the proposed West Side Fire Levy renewal and request the County Board of Elections place the issue on the Fall 2020 ballot
- 3) Authorize the proposed easement agreements required for the SW Sanitary Pump Station Project
- 4) Approve the Budget Appropriations Amendment.

5.6.3 **Draft No 2020- 63** A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF KENT, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2021, SUBMITTING THE SAME TO THE COUNTY AUDITOR, AND DECLARING AN EMERGENCY. (Authorized)

5.6.4 **Draft No. 2020-64** A RESOLUTION DETERMINING TO PROCEED TO SUBMIT TO THE ELECTORS OF THE CITY OF KENT THE QUESTION OF THE RENEWAL OF THE CITY'S EXISTING 0.73-MILL TAX LEVY FOR THE PURPOSE OF PROVIDING SUFFICIENT FUNDS FOR THE CURRENT EXPENSE OF MAINTAINING AND OPERATING A FIRE STATION IN THE CITY OF KENT WEST OF THE ERIE RAILROAD PURSUANT TO SECTIONS 5705.19(I) AND 5705.191 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY (Authorized)

5.6.5 **Draft No. 2020- 65** AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 679 SQUARE FEET OF REAL PROPERTY FROM JOHN N. REEVES, II, 1250 MIDDLEBURY ROAD FOR \$360.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND THE CONSTRUCTION OF THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY. (Authorized)

5.6.6 **Draft No 2020-66** AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 9,875 SQUARE FEET OF REAL

PROPERTY FROM MARK F. COLLINS, 1178 MIDDLEBURY ROAD FOR \$1,310.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND THE CONSTRUCTION OF THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY. (Authorized)

5.6.7 **Draft No 2020- 67** AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 483 SQUARE FEET OF REAL PROPERTY FROM TONI KUNO, 1234 MIDDLEBURY ROAD FOR \$300.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND THE CONSTRUCTION OF THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY. (Authorized)

5.6.8 **Draft No. 2020- 68** AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 579 SQUARE FEET OF REAL PROPERTY FROM GAIL A. NEUBERT nka GAIL A. TUTTLE, 1240 MIDDLEBURY ROAD FOR \$300.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND THE CONSTRUCTION OF THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY. (Authorized)

5.6.9 **Draft No. 2020- 69** AN ORDINANCE AMENDING ORDINANCE NO. 2019-139, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 18, 2019; SO AS TO ADJUST APPROPRIATIONS, TRANSFERS AND ADVANCES FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020; AND DECLARING AN EMERGENCY. (Authorized)

5.6.10 **Draft No. 2020- 70** AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM RONALD SWEARINGEN AND JUDITH SWEARINGEN TO PURCHASE A MEMORIAL TREE IN MEMORY OF RITA THOMAS, AND DECLARING AN EMERGENCY. (Unauthorized)

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

Posted July 8, 2020
Amy Wilkens, Clerk of Council
Visit <http://www.kentohio.org> for up to the minute Agenda Amendments

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

ORDINANCE NO. 2020- 59

AN ORDINANCE TO APPROVE CURRENT REPLACEMENT PAGES TO THE CITY OF KENT CODIFIED ORDINANCES AND DECLARING AN EMERGENCY.

WHEREAS, certain provisions within the Codified Ordinances should be amended to conform with current State law as required by the Ohio Constitution; and

WHEREAS, various ordinances of a general and permanent nature have been passed by Council which should be included in the Codified Ordinances; and

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 ordinances of the City of Kent, Ohio, of a general and permanent nature, as revised, recodified, rearranged and consolidated into component codes, titles, chapters and sections within the 2020 Replacement Pages to the City of Kent Codified Ordinances are hereby approved and adopted.

SECTION 2. That the following sections and chapters are hereby added, amended or repealed as respectively indicated in order to comply with current State law:

Traffic Code

303.04	Road Workers, Motor Vehicles and Equipment Excepted (Amended)
313.09	Driver's Duties Upon Approaching Ambiguous Traffic Signal (Amended)
333.01	Driving Under the Influence (Amended)
335.09	Display of License Plates (Amended)
337.28	Use of Sun screening, Nontransparent and Reflectorized Materials (Amended)
351.08	Unattended Vehicles: Duties (Amended)

General Offenses Code

513.09	Controlled Substance or Prescription Labels (Amended)
529.07	Open Container Prohibited (Amended)
529.08	Hours of Sale or Consumption (Amended)
537.15	Temporary Protection Order (Amended)
549.04	Improperly Handling a Firearm in a Motor Vehicle (Amended)

SECTION 3. The complete text of the Traffic and General Offenses Code sections listed above are set forth in full in the current replacement pages to the Codified Ordinances which are hereby on file in the Clerk of Council's Office and can be reviewed during normal business hours.

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 *RESOLUTION No.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT No. 2020-60

A RESOLUTION SUPPORTING THE MISSION OF BLACK LIVES MATTER, CONDEMNING RACISM AND ENCOURAGING A COMMITMENT TO FAIR AND EQUAL TREATMENT FOR ALL

WHEREAS, the City of Kent, Ohio, its Mayor and City Council are deeply saddened by the tragic events that continue to occur across our country between police and people of color; and

WHEREAS, racism and hate have no place in Kent, and we are committed to working actively against all forms of racism and injustice. We are committed to ensuring that the Constitutional rights of every person who lives, works, and visits our great City are protected; and

WHEREAS, the Mayor and City Council vow to work with and support the Kent Police Department in its continuing commitment to fight against racism and treat everyone with respect and dignity regardless of race, creed, religion, sexual orientation, or color; and

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

Section 1. The Mayor and City Council of the City of Kent, Ohio stand steadfast with all citizens of Kent against racism and reaffirm the City's commitment to fighting for racial justice and human and civil rights for all.

Section 2. The Mayor, and City Council are committed to engaging in continuing communication and dialog with the community to address issues of systemic racism and intolerance and their impact on individuals and on the community as a whole.

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

Section 4. This Resolution shall take effect and be in force from and after the earliest period allowed by law.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT ORDINANCE NO. 2020 - 61

AN ORDINANCE AUTHORIZING LTC BRIMFIELD, LLC A WATER TAP-IN FOR A NEW 96 BED SKILLED NURSING FACILITY LOCATED AT 5075 SR 43 AND MELOY ROAD, OUTSIDE THE CITY OF KENT, AND DECLARING AN EMERGENCY.

WHEREAS, LTC Brimfield, LLC is requesting water service outside the City of Kent for a new 96 bed skilled nursing facility located at 5075 SR 43 and Meloy Road, in Brimfield Township (the "Property"); and

WHEREAS, the Property is within the Kent-Brimfield JEDD Contract but will require the extension of a 12" watermain south along SR43 from a waterline that currently terminates at the Meloy/SR43 intersection; and

WHEREAS, per KCO 913.09, the Property is subject to utilization fees estimated to be \$12,650.00; and

WHEREAS, KCO also requires the waterline be extended across the total frontage. Since extending the waterline will create a dead end which the City has to maintain and be in conflict with sanitary isolation requirements, we are requesting Council approval to assess the remaining frontage with an assessment fee of \$14,452.63; and

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, at least three-fourths (3/4) of all members elected thereto concurring:

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 2020-62

AN ORDINANCE REQUIRING FACIAL COVERINGS IN INDOOR AND OUTDOOR AREAS ACCESSIBLE TO THE PUBLIC; AND DECLARING AN EMERGENCY.

WHEREAS, on or about March 17, 2020, City Manager, Dave Ruller declared a state of emergency for the City of Kent as a result of the COVID-19 pandemic; and

WHEREAS, this local and a corresponding statewide State of Emergency continues to exist and along with certain Ohio Department of Health Director's Orders places limits on mass gatherings and strong recommendations to physically distance; and

WHEREAS, Council concludes that additional measures are necessary to help slow the spread of COVID-19 in the community; and

WHEREAS, Council further concludes that the safety of City residents, guests, business owners and patrons is best protected by implementing a facial covering requirement.

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. All persons while within the jurisdictional limits of the City of Kent and

- (a) in indoor areas accessible to the public are required to maintain physical distance of at least six (6') feet of separation from non-group members and wear a facial covering provided expressly for that purpose.
- (b) in outdoor areas accessible to the public are required to maintain physical distance of at least six (6') feet of separation from non-group members; if physical distancing is not possible while in outside areas, persons must wear a facial covering provided expressly for that purpose.
- (c) The requirement to wear a facial covering and the applicable exceptions are attached hereto and incorporated herein as Exhibit "A".
- (d) This Ordinance shall in no way modify any State of Ohio and/or Portage County Health District requirements for workers to wear facial coverings.

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

EXHIBIT A

Facial Covering Requirements

1) Definitions

"Facial Covering" means a covering of the nose, mouth and chin that is secured to the head with ties, straps, or loops over the ears or is simply wrapped around the lower face. A Facial Covering can be made of a variety of synthetic and natural fabrics, including cotton, silk, or linen. Ideally, a Facial Covering has two (2) or more layers. A Face Covering may be factory made, sewn by hand, or can be improvised from household items such as scarfs, bandanas, t-shirts, sweatshirts, or towels. These Facial Coverings are not intended for use by healthcare providers in the care of patients. A face shield that covers the nose, mouth and chin also meets the Facial Covering requirements of this Ordinance.

2) Requirements for facial coverings in any door to door activities in the City and in indoor areas accessible to the public, including but not limited to the following indoor areas accessible to the public:

- a) All customers must wear Facial Coverings when they are inside a retail business establishment, unless the customer states that an exception applies as set forth in Section 3.
- b) All customers in restaurants and bars must wear Facial Coverings when not at their table, unless the customer states that an exception applies as set forth in Section 3.
- c) All customers must wear Facial Coverings in office spaces open to the public when they are inside the establishment, unless the customer states that an exception applies as set forth in Section 3.
- d) All customers of personal care and grooming businesses must wear Facial Coverings when they are inside the establishment, unless the customer states that an exception applies. Customers may take off their Facial Covering if they are receiving a facial treatment, shave, or other services on a part of the head which the Facial Covering covers or by which the Facial Covering is secured.

3) Exceptions

- a) This Ordinance does not require Facial Coverings for, and a Facial Covering does not need to be worn by, a customer or patron who:
 - i) Should not wear a Facial Covering due to any medical or behavioral condition or disability (including, but not limited to, any person who has trouble breathing, or is unconscious or incapacitated, or is otherwise unable to put on or remove the facial covering without assistance);
 - ii) Is actively eating or drinking;
 - iii) Is strenuously exercising;
 - iv) Is seeking to communicate with someone who is hearing-impaired in a way that requires the mouth to be visible;

- v) Is giving a speech for a broadcast or to an audience; vi) Is temporarily removing his or her Facial Covering to secure government or medical services or for identification purposes;
 - vii) Is a child whose parent, guardian, or responsible person has been unable to place the Facial Covering safely on the child's face.
 - viii) For whom facial coverings are prohibited by law or regulation or are inconsistent with industry standards while the customer is on duty;
 - b) Anyone who declines to wear a Facial Covering for any reason is not exempt from the requirement to practice adequate social distancing, keeping a minimum of 6' between them and any other person outside of their household.
- 4) Children under five (5) years of age should not wear a Facial Covering.
- 5) Right to refuse service and provision of masks
- a) Businesses who observe a violation of this Section have a right to refuse service based upon the violation.
 - b) Businesses are encouraged to make face coverings available for customers upon request. The City will facilitate sourcing face coverings on an as-available basis.

DRAFT RESOLUTION NO. 2020-63

A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF KENT, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2021, SUBMITTING THE SAME TO THE COUNTY AUDITOR, AND DECLARING AN EMERGENCY.

WHEREAS, a tentative Tax budget for the City of Kent, Ohio, has been prepared for the fiscal year beginning January 1, 2021 showing detailed estimates of all balances that will be available at the beginning of the year 2021 for the purposes of such year, and of all revenue to be received for such fiscal year including all general and special taxes, fees, costs, percentages, penalties, allowances, prerequisites, and all other types of classes of revenue; also estimates of all expenditures or charges in or for the purpose of such fiscal year to be paid or met from the said revenues or balances; and otherwise conforming with the requirement of law; and

WHEREAS, said budget has been made conveniently available for public inspection for at least ten (10) days, be and having at least two (2) copies thereof on file in the office of the Director of Budget and Finance; and

WHEREAS, the Council has held a hearing on said budget of which public notice was given by publication not less than ten (10) days previous to the date thereof.

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

SECTION 1. That the Tax budget of the City of Kent, Ohio for the fiscal year beginning January 1, 2021, heretofore prepared and submitted to this Council, copies of which have been and are on file in the office of the Director of Budget and Finance, be and it is hereby adopted as the official Tax budget of the City of Kent, Ohio, for the fiscal year beginning January 1, 2021.

SECTION 2. That the Clerk be and is hereby authorized and directed to certify two copies of said budget and two copies of this Resolution and to transmit same to the Auditor of Portage County, Ohio, not later than July 20, 2020.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

DRAFT RESOLUTION NO. 2020-64

A RESOLUTION DETERMINING TO PROCEED TO SUBMIT TO THE ELECTORS OF THE CITY OF KENT THE QUESTION OF THE RENEWAL OF THE CITY'S EXISTING 0.73-MILL TAX LEVY FOR THE PURPOSE OF PROVIDING SUFFICIENT FUNDS FOR THE CURRENT EXPENSE OF MAINTAINING AND OPERATING A FIRE STATION IN THE CITY OF KENT WEST OF THE ERIE RAILROAD PURSUANT TO SECTIONS 5705.19(I) AND 5705.191 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

WHEREAS, on June 17, 2020, this Council adopted Resolution No. 2020-53 pursuant to Section 5705.03 of the Revised Code declaring it necessary to renew the City's existing 0.73-mill tax levy for the purpose of providing sufficient funds for the current expense of maintaining and operating a fire station in the City of Kent west of the Erie Railroad and requesting the Portage County Auditor to certify the total current tax valuation of the City and the dollar amount of revenue that would be generated by that renewal tax levy; and

WHEREAS, on June 18, 2020, the County Auditor certified that the total current tax valuation of the City is \$419,629,880 and the dollar amount of revenue that would be generated by that 0.73-mill renewal levy would be \$256,250 annually during the life of the levy, assuming that the total current tax valuation remains the same throughout the life of the levy.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kent, Portage County, Ohio, not less than two-thirds of all the members elected thereto concurring:

SECTION 1. That this Council finds, determines and declares that the amount of taxes which may be raised by the City of Kent within the ten-mill limitation by levies on the current tax list and duplicate will be insufficient to provide an adequate amount for the necessary requirements of the City, and that it is necessary to levy a tax in excess of that limitation for the purpose of providing sufficient funds for the current expense of maintaining and operating a fire station in the City of Kent west of the Erie Railroad, and specifically that it is necessary to renew in its entirety for a period of five years the existing 0.73-mill tax levy approved by the voters of the City at an election on November 3, 2015, for that purpose.

SECTION 2. That the question of renewing the City's existing 0.73-mill ad valorem tax levy outside the ten-mill limitation for the purpose of providing sufficient funds for the current expense of maintaining and operating a fire station in the City of Kent west of the Erie Railroad for a period of five years, commencing with tax year 2021, the proceeds of which levy first would be due and collected and made available to this City in calendar year 2022, shall be submitted under the provisions of Sections 5705.19(I) and 5705.191 of the Ohio Revised Code to the electors of the City of Kent at an election to be held therein on November 3, 2020, as authorized by law. That election shall be held at the regular places of voting in this City as established by the Board of Elections of Portage County, or otherwise, within the times provided by law and shall be conducted, canvassed and certified in the manner provided by law. A majority vote is required for passage.

SECTION 3. That the Clerk of Council is hereby authorized and directed to give or cause to be given notice of that election as provided by law.

SECTION 4. That the Clerk of Council is hereby further directed to deliver or cause to be delivered to the Board of Elections of Portage County, Ohio, before the close of business on Wednesday, August 5, 2020: (i) a copy of this Resolution, (ii) a copy of Resolution No. 2020-53 adopted by this Council on June 17, 2020, and referred to in the first preamble to this resolution and (iii) a copy of the related County Auditor's certification of current tax valuation and revenue referred to in the second preamble to this Resolution.

SECTION 5. That this Council finds and determines that all formal actions of this Council and of any of its committees concerning and relating to the adoption of this Resolution were taken, and that all deliberations of this Council and of any of its committees that resulted in those formal actions were held, in meetings open to the public, in compliance with the law.

SECTION 6. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City and for the further reason that it is necessary that this Resolution be effective immediately so that it can be timely filed with the Board of Elections in order to submit the question of the levy to the electors at an election on November 3, 2020; for which reason and other reasons manifest to this Council this Resolution shall take effect and be in force immediately upon its adoption.

ADOPTED: _____
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. 2020-__*, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON JULY 15, 2020.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT ORDINANCE NO. 2020- 65

AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 679 SQUARE FEET OF REAL PROPERTY FROM JOHN N. REEVES, II, 1250 MIDDLEBURY ROAD FOR \$360.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND THE CONSTRUCTION OF THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Council desires to obtain a temporary easement in 679 square feet of real property from John N. Reeves, II, 1250 Middlebury Road, Kent, Portage County, Ohio; and

WHEREAS, John N. Reeves, II is willing to grant a temporary easement in said property for \$360.00; and

WHEREAS, the City needs the property for right-of-way purposes for the construction of the Southwest Sanitary Pump Station project.

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

SECTION 1. That Council does hereby accepts and authorizes the City Manager or his designee to execute the agreement for the City of Kent to obtain a temporary easement for a total of 679 square feet of real property from John N. Reeves, II, 1250 Middlebury Road for \$360.00 for right-of-way purposes 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.

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

LPA RE 807
Rev. 10/2017

TE
LPA

TEMPORARY EASEMENT

John N. Reeves II, Single, the Grantor(s), in consideration of the sum of \$360.00, to be paid by City of Kent, the Grantee, does grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 17-009-20-00-034-000 T

CITY OF KENT – SOUTHWEST SANITARY PUMP STATION

SEE EXHIBIT A ATTACHED

Portage County Current Tax Parcel No. 17-009-20-00-034-000

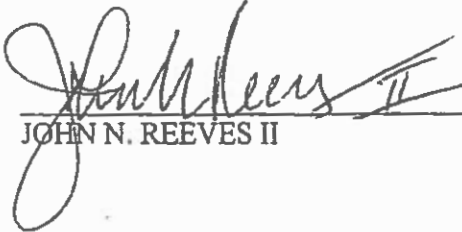
Prior Instrument Reference: Instrument No. 201311734, Portage County Recorder's Office.

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 John N. Reeves II have hereunto set his hand on the 11th
day of April, 2020.


JOHN N. REEVES II

STATE OF OHIO, COUNTY OF Portage ss:

BE IT REMEMBERED that on the 11th day of April, 2020, before me
the subscriber, a Notary Public in and for said state and county, personally came the above
named John N. Reeves II, who acknowledged the foregoing instrument to be his voluntary act
and deed.

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



NOTARY PUBLIC

My Commission expires: No Expiration

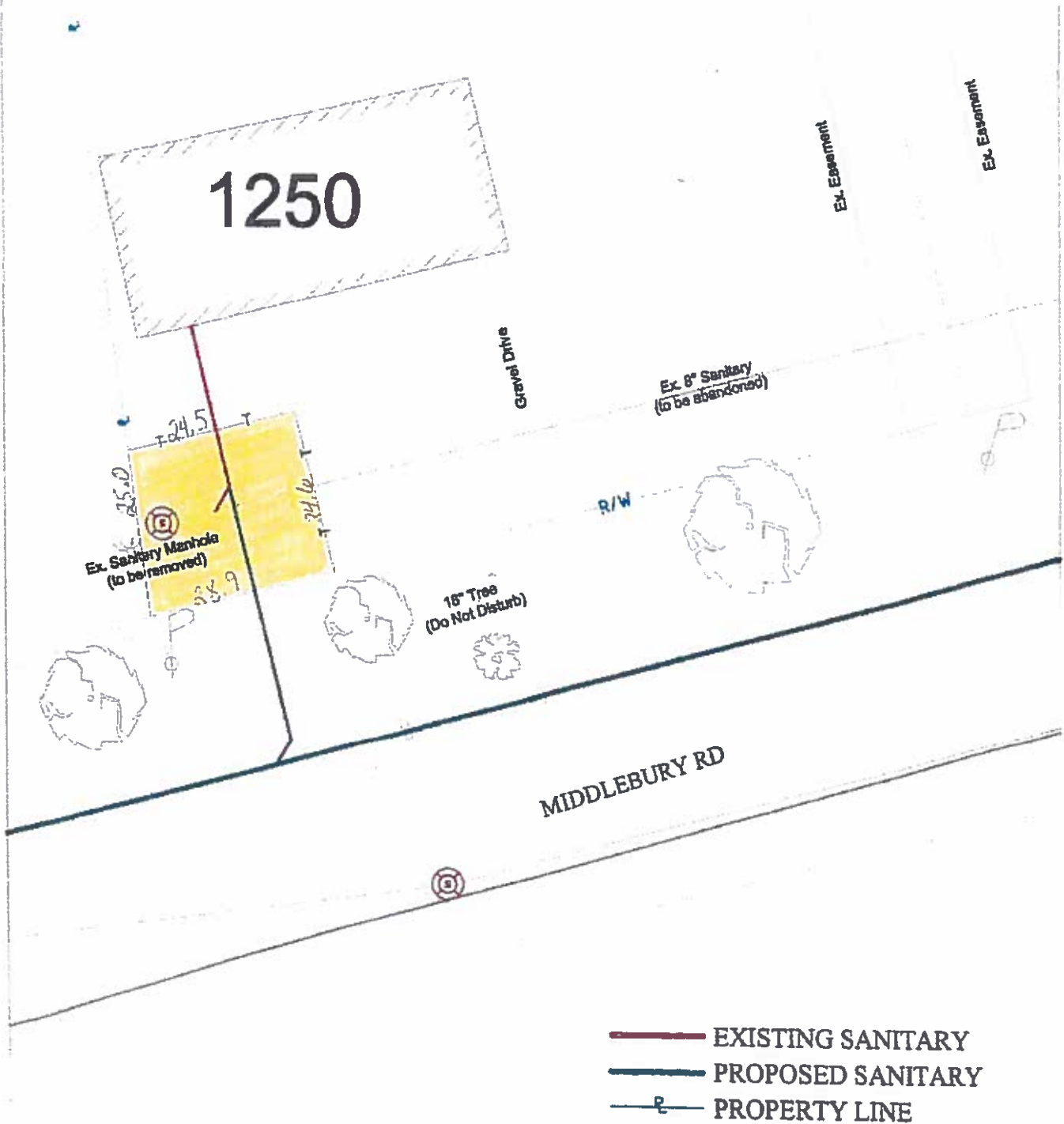
MICHAEL R. LYONS, ATTY.
NOTARY PUBLIC - STATE OF OHIO
My commission has no expiration date
Section 147.03 O.R.C.

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

01-T

034.000

⊕ Temporary Easement = .0156 acres



DATE 1/31/00	1250 MIDDLEBURY RD KENT, OHIO	NOTE: PROPERTY LINES ARE APPROXIMATE. A SURVEY MUST BE PERFORMED FOR ACCURATE PROPERTY LINE LOCATION	SCALE 1" = 20'	
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DRAFT ORDINANCE NO. 2020-66

AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 9,875 SQUARE FEET OF REAL PROPERTY FROM MARK F. COLLINS, 1178 MIDDLEBURY ROAD FOR \$1,310.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND THE CONSTRUCTION OF THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Council desires to obtain a temporary easement in 9,875 square feet of real property from Mark F. Collins, 1178 Middlebury Road, Kent, Portage County, Ohio; and

WHEREAS, Mark F. Collins is willing to grant a temporary easement in said property for \$1,310.00; and

WHEREAS, the City needs the property for right-of-way purposes for the construction of the Southwest Sanitary Pump Station project.

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

SECTION 1. That Council does hereby accept and authorizes the City Manager or his designee to execute the agreement for the City of Kent to obtain a temporary easement for a total of 9,875 square feet of real property from Mark F. Collins, 1178 Middlebury Road for \$1,310.00 for right-of-way purposes 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.

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

LPA RE 807
Rev. 10/2017

TE
LPA

TEMPORARY EASEMENT

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

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

CITY OF KENT – SOUTHWEST SANITARY PUMP STATION

SEE EXHIBIT A ATTACHED

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

Prior Instrument Reference: Instrument No. 200410261, 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.

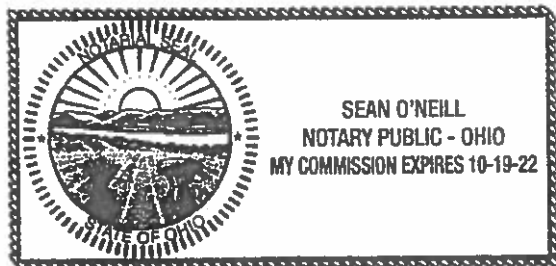
IN WITNESS WHEREOF Mark F. Collins have hereunto set his hand on the 14th
day of May, 2020.

Mark F. Collins
MARK F. COLLINS

STATE OF OHIO, COUNTY OF Portage ss:

BE IT REMEMBERED that on the 14th day of May, 2020, before me
the subscriber, a Notary Public in and for said state and county, personally came the above
named Mark F. Collins, who acknowledged the foregoing instrument to be his voluntary act and
deed.

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



Sean O'Neill

NOTARY PUBLIC

My Commission expires: 10-19-22

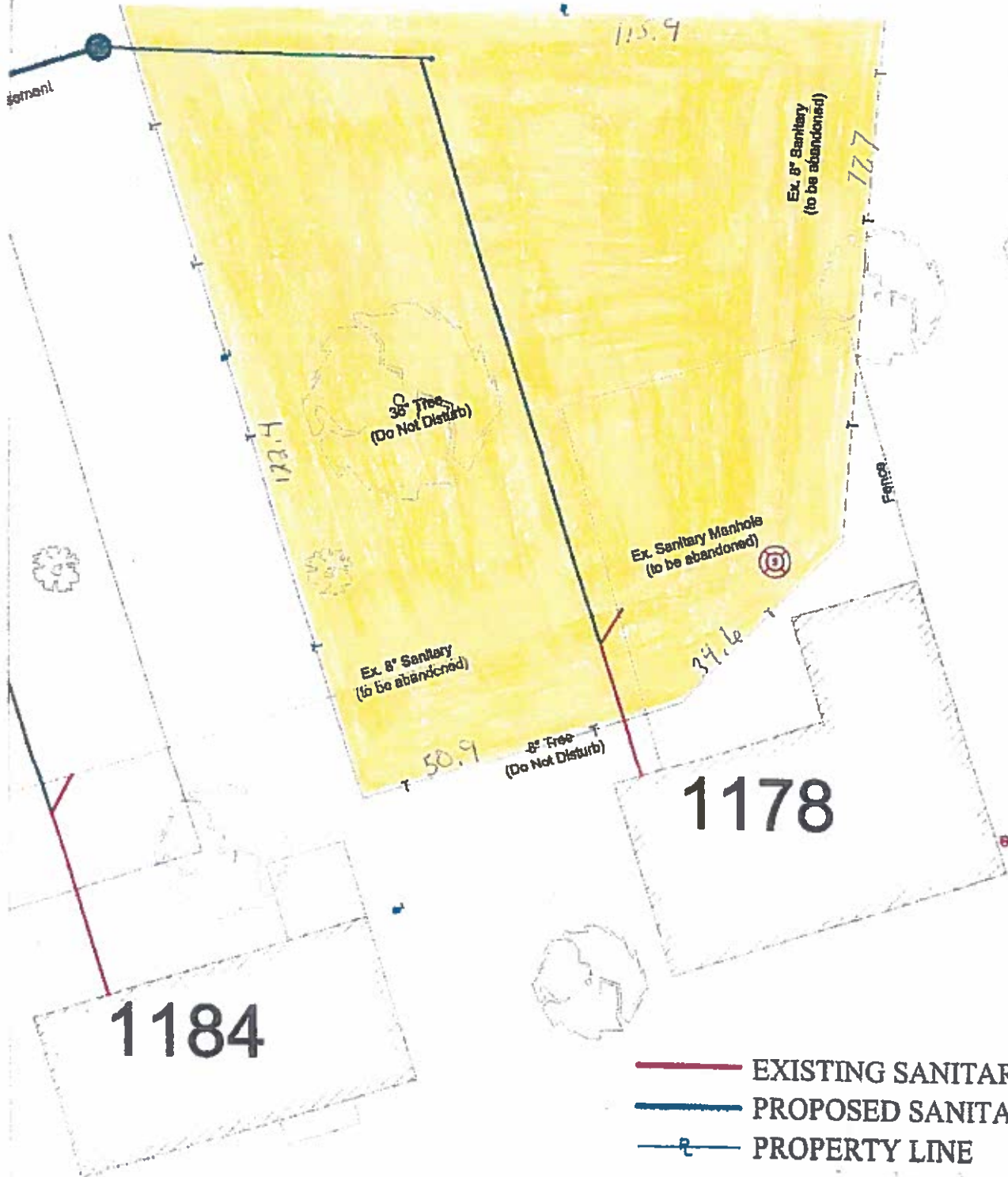
This document was prepared by: The City of Kent, Ohio on forms approved by the Ohio
Attorney General

12-T

064.000

Temporary Easement = 0.2267 acres

Ex. Easement



- EXISTING SANITARY
- PROPOSED SANITARY
- PROPERTY LINE

DATE
1/21/20

1178 MIDDLEBURY RD
KENT, OHIO

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

SCALE: 1" = 40'



DRAFT ORDINANCE NO. 2020-67

AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 483 SQUARE FEET OF REAL PROPERTY FROM TONI KUNO, 1234 MIDDLEBURY ROAD FOR \$300.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND THE CONSTRUCTION OF THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Council desires to obtain a temporary easement in 483 square feet of real property from Toni Kuno, 1234 Middlebury Road, Kent, Portage County, Ohio; and

WHEREAS, Toni Kuno is willing to grant a temporary easement in said property for \$300.00; and

WHEREAS, the City needs the property for right-of-way purposes for the construction of the Southwest Sanitary Pump Station project.

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

SECTION 1. That Council does hereby accepts and authorizes the City Manager or his designee to execute the agreement for the City of Kent to obtain a temporary easement for a total of 483 square feet of real property from Toni Kuno, 1234 Middlebury Road for \$300.00 for right-of-way purposes 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.

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

LPA RE 807
Rev. 10/2017

TE
LPA

TEMPORARY EASEMENT

Toni Kuno, Widow, the Grantor(s), in consideration of the sum of \$300.00, to be paid by City of Kent, the Grantee, does grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 17-009-20-00-036-000 T

CITY OF KENT – SOUTHWEST SANITARY PUMP STATION

SEE EXHIBIT A ATTACHED

Portage County Current Tax Parcel No. 17-009-20-00-036-000

Prior Instrument Reference: Instrument No. 202000922 and Instrument No. 202001345, 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 Toni Kuno have hereunto set her hand on the 5th day of May, 2020.

Toni Kuno
TONI KUNO

*Signed by Toni Kuno
Toni Kuno*

STATE OF OHIO, COUNTY OF Portage ss:

BE IT REMEMBERED that on the 5th day of May, 2020, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Toni Kuno, who acknowledged the foregoing instrument to be her voluntary act and deed.

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



AMY F INCORVATI
NOTARY PUBLIC
STATE OF OHIO
Comm. Expires
06-17-2024
Recorded in
Summit County

Amy F. Incorvati
NOTARY PUBLIC
My Commission expires: 06/17/2024

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

DRAFT ORDINANCE NO. 2020- 68

AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT WITH THE CITY OF KENT, OHIO, OBTAINING A TEMPORARY EASEMENT IN 579 SQUARE FEET OF REAL PROPERTY FROM GAIL A. NEUBERT nka GAIL A. TUTTLE, 1240 MIDDLEBURY ROAD FOR \$300.00 FOR THE PURPOSE OF A TEMPORARY RIGHT-OF-WAY, AND THE CONSTRUCTION OF THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Council desires to obtain a temporary easement in 579 square feet of real property from Gail A. Neubert nka Gail A. Tuttle, 1240 Middlebury Road, Kent, Portage County, Ohio; and

WHEREAS, Gail A. Tuttle is willing to grant a temporary easement in said property for \$300.00; and

WHEREAS, the City needs the property for right-of-way purposes for the construction of the Southwest Sanitary Pump Station project.

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

SECTION 1. That Council does hereby accepts and authorizes the City Manager or his designee to execute the agreement for the City of Kent to obtain a temporary easement for a total of 579 square feet of real property from Gail A. Tuttle, 1240 Middlebury Road for \$300.00 for right-of-way purposes 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.

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

LPA RE 807
Rev. 10/2017

TE
LPA

TEMPORARY EASEMENT

Gail A. Neubert NKA Gail A. Tuttle, Divorced and not remarried, the Grantor(s), in consideration of the sum of \$300.00, to be paid by City of Kent, the Grantee, does grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 17-009-20-00-035-000 T

CITY OF KENT – SOUTHWEST SANITARY PUMP STATION

SEE EXHIBIT A ATTACHED

Portage County Current Tax Parcel No. 17-009-20-00-035-000

Prior Instrument Reference: Instrument No. 201802772, 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.

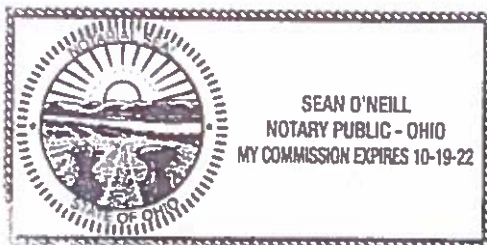
IN WITNESS WHEREOF Gail A. Neubert NKA Gail A. Tuttle have hereunto set her hand
on the 2nd day of April, 2020

Gail A. Tuttle
GAIL A. NEUBERT NKA GAIL
A. TUTTLE

STATE OF OHIO, COUNTY OF Portage ss:

BE IT REMEMBERED that on the 2nd day of April, 2020, before me
the subscriber, a Notary Public in and for said state and county, personally came the above
named Gail A. Neubert NKA Gail A. Tuttle, who acknowledged the foregoing instrument to be
her voluntary act and deed.

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



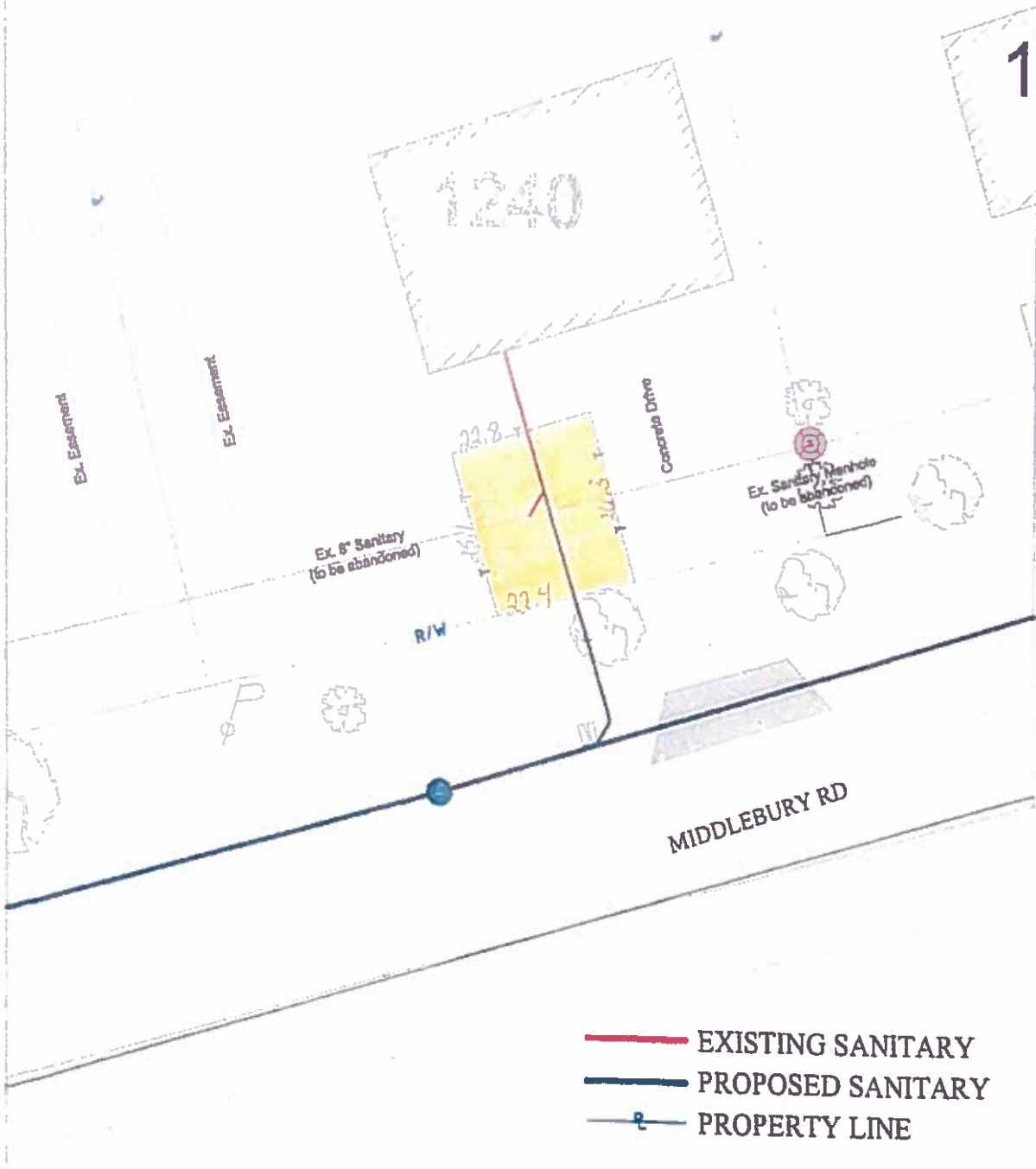
Sean O'Neill
NOTARY PUBLIC
My Commission expires: 10-19-22

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

02-T

035.000

± Temporary Easement = .0133 acres



- EXISTING SANITARY
- PROPOSED SANITARY
- PROPERTY LINE

DATE
12/30

1240 MIDDLEBURY RD
KENT, OHIO

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

SCALE: 1" = 20'



ORDINANCE NO. 2020-69

AN ORDINANCE AMENDING ORDINANCE NO. 2019-139, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 18, 2019; SO AS TO ADJUST APPROPRIATIONS, TRANSFERS AND ADVANCES FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020; AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to amend current appropriations, transfers and advances for the expenses and other expenditures for the City of Kent, Ohio, for the fiscal year ending December 31, 2020.

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

SECTION 1. That the current appropriations Ordinance No. 2019-139 passed December 18, 2019; as amended by Ordinance No. 2020-14, passed 2/19/2020, as amended by Ordinance No. 2020-23, passed 3/18/2020, as amended by Ordinance No. 2020-29, passed 4/15/2020, as amended by Ordinance No. 2020-42, passed 5/20/2020, as amended by Ordinance No. 2020-55, passed 6/17/2020, be amended as set forth in Exhibit "A", attached hereto and incorporated herein, so as to increase appropriations in Fund 137, Local Coronavirus Relief Distribution Fund, Fund 202, Sewer Fund, Fund 301, Capital Projects Fund, Fund 302, MPITIE Fund and Fund 303, Police Facility Fund; along with a net zero change in Fund 106, Parks and Recreation Fund; and Declaring An Emergency.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

2020 AMENDED APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>General Fund (001)</u>						
City Council	\$167,708	\$32,803				\$200,511
Mayor	9,530	5,400				14,930
Community Support		86,500				86,500
City Manager	327,241	63,623				390,864
New City Hall Facility		0				0
Information Technology	85,484	227,968				313,452
Urban Renewal		67,300				67,300
Human Resources	64,790	19,488				84,278
Civil Service	32,425	48,953				81,378
Law	333,967	118,895				452,862
Budget & Finance	220,511	161,662	\$3,254			385,427
Community Development	609,174	268,106				877,280
Economic Development	124,748	40,890				165,638
Health	462,327	201,538				663,865
Public Parking		62,000	135,000			197,000
Main Street Program		70,000				70,000
Service Administration	73,619	503,416				577,035
Shade Tree		89,400	10,000			99,400
Adjunct Facilities		22,692				22,692
Building	315,150	70,272				385,422
Land banking		10,000				10,000
Engineering	240,940	98,442				339,382
Miscellaneous & Sundry		390,250				390,250
Contingency					\$100,000	100,000
Fund Total	\$3,067,614	\$2,659,598	\$148,254	\$0	\$100,000	\$5,975,466
<u>West Side Fire (101)</u>						
Fire	\$278,104	\$27,127				\$305,231
Fund Total	\$278,104	\$27,127	\$0	\$0	\$0	\$305,231
<u>Street Construction Maintenance & Repair (102)</u>						
Service	\$1,182,517	\$1,219,427				\$2,401,944
Contingency					\$25,000	25,000
Fund Total	\$1,182,517	\$1,219,427	\$0	\$0	\$25,000	\$2,426,944
<u>State Highway (103)</u>						
Service		\$70,000				\$70,000
Fund Total	\$0	\$70,000	\$0	\$0	\$0	\$70,000
<u>Recreation (106)</u>						
Parks & Recreation	\$1,427,466	\$699,048	\$249,000			\$2,375,514
Fund Total	\$1,427,466	\$699,048	\$249,000	\$0	\$0	\$2,375,514
<u>Food Service (107)</u>						
Health	\$110,523	\$8,000				\$118,523
Fund Total	\$110,523	\$8,000	\$0	\$0	\$0	\$118,523

2020 AMENDED APPROPRIATIONS

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

2020 AMENDED APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Fire Pension (133)</u>						
Fire	\$120,000					\$120,000
Fund Total	\$120,000	\$0	\$0	\$0	\$0	\$120,000
<u>UDAG / EDA-RLF (134)</u>						
City Manager/C.D.		\$50,000				\$50,000
Fund Total	\$0	\$50,000	\$0	\$0	\$0	\$50,000
<u>CHIP Grant (136)</u>						
CHIP Grant/Comm Development		\$226,000				\$226,000
Fund Total	\$0	\$226,000	\$0	\$0	\$0	\$226,000
<u>Local Coronavirus Relief Dist Fund (137)</u>						
COVID-19		\$500,000				\$500,000
Fund Total	\$0	\$500,000	\$0	\$0	\$0	\$500,000
<u>Water (201)</u>						
Service	\$1,803,555	\$811,998	\$783,000			\$3,398,553
Service (Capital Facilities)			766,024			766,024
Admin. Support	656,481	73,947	6,450			736,878
Budget & Finance (Debt)				\$55,759		55,759
Contingency					\$50,000	50,000
Fund Total	\$2,460,036	\$885,945	\$1,555,474	\$55,759	\$50,000	\$5,007,214
<u>Sewer (202)</u>						
Service	\$2,113,748	\$860,274	\$1,022,592			\$3,996,614
Service (Capital Facilities)			71,359			71,359
Admin. Support	656,481	86,398	6,450			749,329
Budget & Finance (Debt)				\$581,320		581,320
Contingency					\$50,000	50,000
Fund Total	\$2,770,229	\$946,672	\$1,100,401	\$581,320	\$50,000	\$5,448,622
<u>Utility Billing (204)</u>						
Budget & Finance		\$92,586				\$92,586
Fund Total	\$0	\$92,586	\$0	\$0	\$0	\$92,586
<u>Solid Waste (205)</u>						
Service	\$91,128	\$161,790	\$5,000			\$257,918
Fund Total	\$91,128	\$161,790	\$5,000	\$0	\$0	\$257,918
<u>Storm Water Utility (208)</u>						
Service	\$250,308		\$18,000			\$268,308
Service (Capital Facilities)			1,202,868			1,202,868
Admin. Support	332,068	\$62,296	1,450			395,814
Budget & Finance (Debt)				\$9,968		9,968
Fund Total	\$582,376	\$62,296	\$1,222,318	\$9,968	\$0	\$1,876,958
<u>Guaranteed Deposits (230)</u>						
Budget & Finance		\$1,000				\$1,000
Fund Total	\$0	\$1,000	\$0	\$0	\$0	\$1,000

2020 AMENDED APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Capital Projects (301)</u>						
Safety			\$181,900			\$181,900
Service			358,000			358,000
Service (Capital Facilities)			11,716,793			11,716,793
Administrative			51,400			51,400
New Admin. Facility			2,131,000			2,131,000
Budget & Finance (Debt)				\$332,439		332,439
Contingency					\$25,000	25,000
Fund Total	\$0	\$0	\$14,439,093	\$332,439	\$25,000	\$14,796,532
<u>Municipal Public Improvement Tax Increment Equivalent (302)</u>						
Service (Capital Facilities)						\$0
Budget & Finance (Debt)				\$1,391,175		1,391,175
Fund Total	\$0	\$0	\$0	\$1,391,175	\$0	\$1,391,175
<u>Police Facility (303)</u>						
Safety (Capital Facilities)			\$413,500			\$413,500
Budget & Finance (Debt)				\$3,132,525		3,132,525
Fund Total	\$0	\$0	\$413,500	\$3,132,525	\$0	\$3,546,025
<u>Debt Service (402)</u>						
Budget & Finance (Debt)				\$57,620		\$57,620
Fund Total	\$0	\$0	\$0	\$57,620	\$0	\$57,620
<u>Internal Service (807)</u>						
Health Insurance		\$3,700,000				\$3,700,000
Fund Total	\$0	\$3,700,000	\$0	\$0	\$0	\$3,700,000
Total Appropriations	\$25,113,644	\$13,561,602	\$19,731,105	\$5,586,346	\$250,000	\$64,242,697
Original Appropriations	\$24,787,144	\$12,459,693	\$13,787,565	\$5,472,276	\$250,000	\$56,756,678
Amendment #1	326,100		5,859,140			6,185,240
Amendment #2		141,213	100,000			241,213
Amendment #3			106,900			106,900
Amendment #4			50,000			50,000
Amendment #5		451,096	(162,500)			288,596
Amendment #6		510,000	(10,000)	114,070		614,070
Amendment #7						0
Amendment #8						0
	\$25,113,244	\$13,562,002	\$19,731,105	\$5,586,346	\$250,000	\$64,242,697
						\$0

2020 AMENDED APPROPRIATIONS - SCHEDULE OF OPERATING TRANSFERS AND TEMPORARY ADVANCES

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

* Designates Repayment of Advance

2020-69 Exhibit A

DRAFT ORDINANCE NO. 2020-70

AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM RONALD SWEARINGEN AND JUDITH SWEARINGEN TO PURCHASE A MEMORIAL TREE IN MEMORY OF RITA THOMAS, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Parks & Recreation Department has received a donation of \$200 from Ronald Swearingen and Judith Swearingen to purchase a memorial tree in memory of Rita Thomas; and

WHEREAS, the City wishes to accept said donation.

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

SECTION 1. That Council does hereby authorize the City Manager on behalf of the City of Kent to accept the donation of \$200.00 from Ronald Swearingen and Judith Swearingen to purchase a memorial tree in memory of Rita Thomas.

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)

**THE CITY OF KENT, OHIO
PUBLIC HEARING
WEDNESDAY, JUNE 3, 2020**

At 6:50 p.m., Mayor Jerry T. Fiala called the *Public Hearing to allow for public comment and questions regarding the City of Kent's application for a Designated Outdoor Refreshment Area* to order. Roll call was taken.

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

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

ABSENT: Ms. Tracy Wallach

On May 13, 2020 and May 20, 2020, notice was given that the Kent City Council was conducting a Public Hearing to allow for public comment and questions regarding the City of Kent's application for a Designated Outdoor Refreshment Area.

Mr. Tom Wilke, Economic Development Director introduced the hearing to allow the public to comment on the proposed application for a Designated Outdoor Refreshment Area (DORA) in the City of Kent. If approved, it would allow liquor license holding establishments within the DORA boundary to sell alcohol beverages for outdoor consumption also within the DORA boundaries.

Mayor Fiala asked for comments from the audience and asked Clerk Wilkens to call the first public commenter and asked them to give their name and address.

Clerk Wilkens called forth Heather Malarcik from the audience to speak.

Heather Malarcik of 7685 W. Lake Blvd, Kent, OH, is representing Main Street Kent. She shared at Main Street Kent they are seeing first hand the struggle local businesses are having due to COVID-19. They feel it is something that will support businesses in all of downtown. They have been in touch with liquor license holders, business owners, and other stakeholders to develop a plan that is well suited for Kent and feel this is one of the tools to provide help to the downtown business community to help them through this time. Some concerns expressed by one stakeholder, Ron Burbick, were read by Ms. Malarcik. The first concern of his is parking lots and feels both public and private lots should be excluded from the DORA including the PARTA parking facility. His second concern is he believes the North Water Street portion that is part of the DORA is unnecessary because of all of the residences in that area. His third concern is the increase in litter potential and whose responsibility it would be to manage those items. Ms. Malarcik will forward Mr. Burbick's comments to Clerk Wilkens for the record. **(Attachment #1)**

Ms. Wilkens called Josh Rider who had signed in to speak. He said he will be deferring his comments in the interest of time.

Ms. Wilkens called Michelle Sahr who owns Off the Wagon, Red Letter Day and Kent Cheesemonger and resides at 1366 Nicholas Drive, Kent, Ohio. She came to show support for DORA and feels like it will be something different and fun to bring people back down to Kent. With everyone getting in different habits of staying home, she wants to give people a reason to come back downtown and to feel safe. She likes the idea of people being able to buy a meal and a drink and eat outside if that's where they are going to feel safer. She feels this is important. She also wanted to note the restaurants business affects retail, the whole downtown

district is tied together. What's good for restaurants in bringing people downtown to enjoy food and drink does help retail.

Ms. Wilkens called Tim Dean, Director of Operation for College Town Kent. He was in favor of the DORA prior to COVID-19 and believes now more than ever this will help with social distancing. It will provide opportunity for those who are waiting for a table to grab a drink and walk around and enjoy beautiful downtown Kent. He is confident that the local administration, business leaders and safety forces will implement one of the best DORA concepts in the State of Ohio.

Hearing no further business, Mayor Fiala adjourned the Public Hearing at meeting at 6:55 p.m.



Amy Wilkens
Clerk of Council



Jerry T. Fiala
Mayor and President of Council



Wilkens, Amy <wilksa@kent-ohio.org>

Fw: Checking In

3 messages

Heather Malarcik <heather@mainstreetkent.org>
To: "Wilkens, Amy" <wilksa@kent-ohio.org>

Thu, Jun 4, 2020 at 4:31 PM

Amy,

As mentioned in the meeting last night, I am forwarding you Ron Burbick's email comments regarding the DORA in the email below, for the record. Thank you!

Best,

Heather Malarcik
Executive Director
Main Street Kent
330-677-8000

For info about Kent events, visit mainstreetkent.org/events

Mission: Making downtown Kent a fun, vibrant, and thriving place.

From: Ronald Burbick <rlb11@aol.com>
Sent: Tuesday, June 2, 2020 9:12 PM
To: Heather Malarcik <heather@mainstreetkent.org>
Cc: Hartman <mhartman43@aol.com>
Subject: Re: Checking In

I did have a meeting with restaurant/liquor permit holders who are tenants of Acorn Alley. I would call the results mixed with more of a "What the hell approach- anything's worth a try."

There remain a number of concerns that have not been addressed. We do not believe parking lots(public or private) should be included in the area. This includes the PARTA deck since there are no bars or restaurants on that block. We do not believe that the zone should be extended a couple hundred yards up Water St and onto Lake street, especially since there are considerable residential property in the interim.

All tenants are concerned about increased litter and whose responsibility it will be.

In summary, I have agreed to conditionally permit The plan, if modified and clarified per this and other input I provide. I reserve the right to pull the plug at any time. If the City of Kent approves this, they must also accept liability for the thing if it goes bad.

I would request that this email be conveyed to all members of City Council.

Call if you have questions.

Ron

Sent from my iPhone

On Jun 2, 2020, at 4:18 PM, Heather Malarcik <Heather@mainstreetkent.org> wrote:

Hi Ron,

I'm writing to check in with you after our conversations about the proposed DORA for downtown Kent. Michelle let me know you had a tenant meeting and that the group felt it to be worth a try, in the interest of helping bars, restaurants, retailers and the community during this difficult time. Many legitimate concerns have been raised by you and others, and we feel we have addressed those items and set the program up for success. If the DORA is passed by City Council,

we will closely monitor the program during the trial basis. We will look to you, other business owners and stakeholders, city leadership, and law enforcement, to evaluate its success over that period. We value your input and of course your investment in downtown Kent, and certainly do not want to jeopardize that in any way.

If you have questions/concerns as this application goes before City Council, please be in touch. We are working hard to come up with new ways to support our downtown businesses, and if you have other ideas to help drive foot traffic now that we can not host events for a while, I'd love to hear your thoughts. Feel free to call or email me anytime. We appreciate all you have done for Main Street Kent and our city over the years!

Best,

Heather Malarcik
Executive Director
Main Street Kent
330-677-8000

For info about Kent events, visit mainstreetkent.org/events

Mission: Making downtown Kent a fun, vibrant, and thriving place.

Wilkens, Amy <wilkinsa@kent-ohio.org>
To: Heather Malarcik <heather@mainstreetkent.org>

Fri, Jun 5, 2020 at 8:26 AM

Thank you, Heather!

Amy Wilkens | City of Kent | Clerk of Council

301 S. Depeyster St. | Kent, OH 44240

p: 330.676.7555 | e: wilkinsa@kent-ohio.org



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[Quoted text hidden]

Wilkens, Amy <wilkinsa@kent-ohio.org> Fri, Jun 5, 2020 at 8:31 AM
To: Garret Ferrara <ferrara@kent-ohio.org>, Gwen Rosenberg <rosenbergg@kent-ohio.org>, Heidi Shaffer <shaffer@kent-ohio.org>, Jack Amrhein <amrhein@kent-ohio.org>, Jerry Fiala <fialaj@kent-ohio.org>, John Kuhar <kuhar@kent-ohio.org>, Michael DeLeone <deleone@kent-ohio.org>, Robin Turner <turner@kent-ohio.org>, Roger Sidoti <sidoti@kent-ohio.org>, Tracy Wallach <wallach@kent-ohio.org>

Good Friday Morning!

Below is the statement regarding the DORA application from Mr. Ron Burbick that he asked to be shared with you. It will be part of the official record and included in the minutes from the June 3, 2020 meeting.

Have a nice weekend,
Amy

Amy Wilkens | City of Kent | Clerk of Council

301 S. Depeyster St. | Kent, OH 44240



City Council Regular Meeting Minutes

The City of Kent, Ohio
Wednesday, June 17, 2020

Special Note: Due to the Covid-19 Pandemic, this meeting was conducted virtually and broadcast live on the City's YouTube Channel

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

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner and 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. Rhonda Hall, Budget and Finance Director; Ms. Melanie Baker, Service Administration Director; Mr. Gary Bishop, IT Manager; Ms. Joan Seidel, Health Commissioner; Mr. Nick Shearer, Police Chief; Mr. John Tosko, Fire Chief; Mr. Tom Wilke, Economic Development Director; and Ms. Amy Wilkens, Clerk of Council.

APPROVAL OF MINUTES:

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF May 20, 2020 made by Mr. Ferrara, seconded by Mr. Sidoti, and CARRIED by a voice vote of 9-0.

COMMUNICATIONS:

Audience Communication

Mayor Fiala asked if there were any members of the public joining the meeting.

Clerk Wilkens introduced Jason Chicatelli of 1224 Fairview Drive, Kent, who wished to speak to Council regarding the use of masks by citizens of Kent. His verbatim comments were submitted to Clerk Wilkens (**Attachment #1**).

Written Communication

- 1.1. Architecture Review Board Agenda for June 2, 2020 and meeting minutes from May 5, 2020 meeting were received on May 28, 2020.
- 1.2. Planning Commission Agenda and Staff Report for June 2, 2020 was received on May 26, 2020.
- 1.3. Sustainability Commission Meeting Agenda for June 1, 2020 and minutes from February 2, 2020 were received on May 29, 2020.
- 1.4. Board of Health Minutes and Statistical Report from May 12, 2020 and agenda for June 9, 2020 was received on June 4, 2020.
- 1.5. Board of Zoning Appeals Agenda and Staff Report for June 15, 2020 was received on June 5, 2020.
- 1.6. Letter from the Portage Substance Abuse Community Coalition was received and forwarded to Council members email on May 29, 2020
- 1.7. Civil Service Agenda for June 15, 2020 was received on June 11, 2020.
- 1.8. Parks and Recreation Board Packet for June 18, 2020 was received on June 12, 2020.

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

1. Amy Wilkens has requested Committee of the Whole time to request Council's authorization to update the Ordinances pages in the City's Ordinance book.
2. Rhonda Hall has requested Finance Committee time to present the proposed 2021 County Tax Budget and Estimate of Resources.
3. Rhonda Hall and Hope Jones have requested Finance Committee time for Council to take the next administrative step (certifying the tax amount) required to get the West Side Fire levy placed on the Fall ballot.
4. Hope Jones has requested Finance Committee time to present a proposed Ordinance required for the City's participation in the CARES Act funding.
5. Jim has requested Finance Committee time to present easement agreements necessary for the repair of the SW Sanitary Sewer Pump station.
6. Joan Siedel has requested Finance Committee time to request the addition of a new tattoo fee that is required by the State of Ohio.
7. Chief Shearer has requested Finance Committee time to seek Council's authorization to renew the Police Department's agreement with Kent City School to share in the cost of a School Resource Officer.
8. Chief Shearer has requested Health and Safety Committee time to present an overview of police operations, training and equipment related to the 21st Century Policing recommendations.

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

STANDING COMMITTEES/ LEGISLATION

1. COMMITTEE OF THE WHOLE:

NO MINUTES OR RECOMMENDED ACTIONS TO BE APPROVED.

2. COMMUNITY DEVELOPMENT COMMITTEE:

MOTION TO APPROVE THE COMMUNITY DEVELOPMENT MEETING MINUTES of May 20, 2020 and June 3, 2020 made by Mr. Kuhar, seconded by Mr. Ferrara, and CARRIED by a voice vote of 9-0.

Recommended Actions:

- 1) Authorize the proposed amendment to the City's regulations of farm animals in residential areas as presented.
- 2) Authorize submission of the DORA application as presented.

MOTION TO APPROVE THE COMMUNITY DEVELOPMENT MEETING Actions #1 made by Mr. Kuhar, seconded by Mr. Ferrara, and CARRIED by a voice vote of 9-0.

MOTION TO APPROVE THE COMMUNITY DEVELOPMENT MEETING Action #2 made by Mr. Kuhar, seconded by Mr. DeLeone and CARRIED by a voice vote of 9-0.

Draft No. 2020-39 AN ORDINANCE 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, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT NO. 2020-39 made by Ms. Shaffer and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-39: AN ORDINANCE 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, AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

Draft No. 2020-48 AN ORDINANCE AMENDING CHAPTER 505, SECTION 505.19 TITLED "FARM ANIMALS/LIVESTOCK"; AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT NO. 2020-48 made by Mr. Sidoti and seconded by Mr. Kuhar. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-48: AN ORDINANCE AMENDING CHAPTER 505, SECTION 505.19 TITLED "FARM ANIMALS/LIVESTOCK"; AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

Draft No. 2020-49 AN ORDINANCE CREATING A DESIGNATED OUTDOOR REFRESHMENT AREA KNOWN AS THE DOWNTOWN KENT DESIGNATED OUTDOOR REFRESHMENT AREA, ENACTING REGULATIONS, 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 seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO AMEND THE PROPOSED ORDINANCE to limit the DORA on N. Water Street north of Portage Street made by Mr. Kuhar.

Mr. Kuhar asked to make an amendment to the ordinance as it is currently presented. He has been talking with people on N. Water Street, specifically, Larry Wright and Mr. Simon, a couple of other business owners and one resident feel that N. Water Street past Portage Street should be eliminated from the DORA at this present time and through the test period. There are no liquor establishments on N. Water past Portage Street so there is no reason for people to be allowed to be carrying beer around. This includes near St. Patrick's Church on Sunday mornings.

Ms. Rosenberg asked if has anyone reached out to Bent Tree about their feelings on this part of creating the DORA. She would hate to eliminate Bent Tree and has spoken with them about this issue, which they are in favor of. She said she would hate to eliminate them without giving the opportunity to weigh in on whether they would like to be eliminated or not.

Ms. Shaffer's concern is that she has not heard any of this from people in her ward. The only input she's received is positive but hasn't heard from anyone on N. Water, pro or con. Her feeling is to try it and make changes if there are problems. The beer drinking on Sunday doesn't bother her because it is not starting until noon. She doesn't want to handicap any businesses unnecessarily. There are residents there so she would like to put a pause on the amendment and revisit it if needed. She would hope Council would get reports of any incidents that might occur as a result of the DORA.

Mr. Ferrara said he would vote against the amendment. The whole idea was to give this as a test run and he would rather see Council go back and cut things out rather than add things in. The business owners who are trying to establish breweries will give them one less thing to worry about having to come back to Council to try to get added back into the footprint. It keeps it simple, it works right now and if it doesn't it can be fixed.

Mr. Kuhar said three of the four businesses on N. Water are opposed to the DORA completely. By cutting off at Portage Street, Bent Tree would miss out on people drinking beer in their coffee shop. Other than that, there are no beer or wine places north of Portage St. Mr. Wright said he doesn't understand why they have to have the DORA at all and have people walking around with beer. He stated concerns regarding "cleaning up the mess". Mr. Simon is opposed to it and the people that are in that two-block area with the exception of Bent Tree are opposed to it.

Mr. Turner asked Hope Jones if there is a modification of DORA, would it need to be reread and what would be the implementation implications of doing so.

Ms. Jones said there would not be an effect on the implementation. If any amendment were made tonight, and the amendment passed, the ordinance would be amended to reflect and would go into effect if it passed by $\frac{3}{4}$ immediately.

Mr. Turner said he has concerns but the ability to revisit these issues that allows the ability to move forward right now and is the more appropriate direction to move. He is not going to support the modification for changing the legislation.

Ms. Rosenberg said Heather Malarcik said in her presentation she reached out to St. Patrick's and they had no objection.

Mayor Fiala replied that it actually was Mr. Wilke who reached out to St. Patrick's.

Mr. Sidoti added that St. Patrick's did not have any problem with this and Mr. Wilke confirmed this.

Ms. Wallach asked Mr. Wilke if he had talked to the business owners on N. Water.

Mr. Wilke said he did not speak to the "businesses up there".

Ms. Wallach asked what everyone would think about it only going up to Brady St. and then when the businesses came "on line" they would be included automatically without having to come back to Council. The motion would be amended to say that right now while the breweries are not open up to Brady Street and then once they open it automatically expands the brewery at the end of N. Water St.

MOTION to amend the original amendment was made by Ms. Wallach, **SECONDED** by Mr. Turner and **FAILED** by a voice vote of 0-9

Ms. Shaffer asked when the Brewery is opening.

Mr. Wilke said there is no definitive timeline but probably not until the end of the year.

Mr. Kuhar asked about the amendment proposed by Ms. Wallach and said that most of the businesses north of Portage do not want the traffic.

Ms. Rosenberg said she is not going to support either of the amendments, stating a fair amount of research has gone into this by the City and she would never want to rule Bent Tree out of something because they weren't able to represent themselves and their best interest. They are suffering tremendously as all small retailers, restaurants and coffee shops are. It may be beneficial for the brewery to use in advertising and being part of DORA could have value. If the DORA expires after ninety days' time limit, it could be revisited. She would hate to exclude the brewery and deny them the opportunity to promote themselves as a downtown brewery and participate in the novelty and marketing that being part of the DORA could generate.

MOTION to amend the ordinance to end the DORA boundary on N. Water St. north of Portage Street made by Mr. Kuhar, **SECONDED** by Mr. Sidoti and **FAILED** with a vote of 1-9 with Mr. Kuhar voting in favor of the amendment.

MOTION TO ADOPT DRAFT NO. 2020-49 made by Ms. Shaffer and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion **CARRIED** by a roll call vote of 8-1 with Mr. Kuhar voting No.

Ordinance 2020-49; AN ORDINANCE CREATING A DESIGNATED OUTDOOR REFRESHMENT AREA KNOWN AS THE DOWNTOWN KENT DESIGNATED OUTDOOR REFRESHMENT AREA, ENACTING REGULATIONS, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Wilkens.

3. FINANCE COMMITTEE:

MOTION TO APPROVE THE FINANCE COMMITTEE MINUTES of June 3, 2020 made by Mr. DeLeone, seconded by Mr. Sidoti, and **CARRIED** by a voice vote of 9-0.

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

Recommended Actions:

- 1) **Approve the conversion of the City's short-term debt in bank bonds**
- 2) **Authorize the placement of the West Side Fires Operating Levy (.73 MIL) on the November 2020 ballot**
- 3) **Authorize the proposed revolving loan fund**
- 4) **Approve the Budget Appropriations Amendment**

Draft No 2020-50 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN A MAXIMUM PRINCIPAL AMOUNT OF \$2,145,000, TO PROVIDE FUNDS TO PAY COSTS OF CONSTRUCTING A SAFETY CENTER, AND TO RETIRE OUTSTANDING NOTES THAT WERE PREVIOUSLY ISSUED FOR THAT PURPOSE; AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT NO. 2020-50 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-50: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN A MAXIMUM PRINCIPAL AMOUNT OF \$2,145,000, TO PROVIDE FUNDS TO PAY COSTS OF CONSTRUCTING A SAFETY CENTER, AND TO RETIRE OUTSTANDING NOTES THAT WERE PREVIOUSLY ISSUED FOR THAT PURPOSE; AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

Draft No 2020-51 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN A MAXIMUM PRINCIPAL AMOUNT OF \$930,000, TO PROVIDE FUNDS TO PAY A PORTION OF THE COSTS OF RECONSTRUCTING ALLEY 5, ERIE STREET, AND DEPEYSTER STREET AND OTHERWISE IMPROVING NEARBY STREETS, INCLUDING BY RELOCATION OF PUBLIC UTILITIES, LANDSCAPING, AND INSTALLING PARKING PAYMENT DEVICES, STREET SIGNAGE AND SITE IMPROVEMENTS, AND TO RETIRE OUTSTANDING NOTES THAT WERE PREVIOUSLY ISSUED FOR THAT PURPOSE; AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT NO. 2020-51 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-51: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN A MAXIMUM PRINCIPAL AMOUNT OF \$930,000, TO PROVIDE FUNDS TO PAY A PORTION OF THE COSTS OF RECONSTRUCTING ALLEY 5, ERIE STREET, AND DEPEYSTER STREET AND OTHERWISE IMPROVING NEARBY STREETS, INCLUDING BY RELOCATION OF PUBLIC UTILITIES, LANDSCAPING, AND INSTALLING PARKING PAYMENT DEVICES, STREET SIGNAGE AND SITE IMPROVEMENTS, AND TO RETIRE OUTSTANDING NOTES THAT WERE PREVIOUSLY ISSUED FOR THAT PURPOSE; AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

Draft No. 2020-52 AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN A MAXIMUM PRINCIPAL AMOUNT OF \$200,000, TO PROVIDE FUNDS TO PAY COSTS OF REPLACING, UPGRADING AND EXTENDING SANITARY SEWER TRUNK LINES, AND TO RETIRE OUTSTANDING NOTES THAT WERE PREVIOUSLY ISSUED FOR THAT PURPOSE; AND DECLARING AN EMERGENCY. was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT NO. 2020-52 made by Mr. Kuhar and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-52; AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF BONDS IN A MAXIMUM PRINCIPAL AMOUNT OF \$200,000, TO PROVIDE FUNDS TO PAY COSTS OF REPLACING, UPGRADING AND EXTENDING SANITARY SEWER TRUNK LINES, AND TO RETIRE OUTSTANDING NOTES THAT WERE PREVIOUSLY ISSUED FOR THAT PURPOSE; AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens

Draft No 2020-53 A RESOLUTION DECLARING IT NECESSARY TO RENEW THE CITY'S EXISTING 0.73-MILL TAX LEVY FOR THE PURPOSE OF PROVIDING SUFFICIENT FUNDS FOR THE CURRENT EXPENSE OF MAINTAINING AND OPERATING A FIRE STATION IN THE CITY OF KENT WEST OF THE ERIE RAILROAD; REQUESTING THE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT RENEWAL LEVY, PURSUANT TO SECTIONS 5705.03, 5705.19(I) AND 5705.191 OF THE REVISED CODE, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT NO. 2020-53 made by Mr. Kuhar and seconded by Ms. Rosenberg. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-53: A RESOLUTION DECLARING IT NECESSARY TO RENEW THE CITY'S EXISTING 0.73-MILL TAX LEVY FOR THE PURPOSE OF PROVIDING SUFFICIENT FUNDS FOR THE CURRENT EXPENSE OF MAINTAINING AND OPERATING A FIRE STATION IN THE CITY OF KENT WEST OF THE ERIE RAILROAD; REQUESTING THE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT RENEWAL LEVY, PURSUANT TO SECTIONS 5705.03, 5705.19(I) AND 5705.191 OF THE REVISED CODE, AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

4. HEALTH AND SAFETY COMMITTEE:

NO MINUTES OR RECOMMENDED ACTIONS TO BE APPROVED.

5. LAND USE COMMITTEE:

MOTION TO APPROVE THE LAND USE COMMITTEE MINUTES of May 20, 2020 made by Ms. Shaffer, seconded by Mr. Amrhein, and CARRIED by a voice vote of 9-0.

NO RECOMMENDED ACTIONS TO BE APPROVED.

6. STREETS, SIDEWALKS & UTILITIES COMMITTEE:

MOTION TO APPROVE THE STREETS, SIDEWALKS & UTILITIES COMMITTEE MEETING MINUTES of June 3, 2020 made by Mr. Sidoti, seconded by Mr. Kuhar, and CARRIED by a voice vote of 9-0.

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

Draft No 2020-56 AN ORDINANCE ESTABLISHING APPROVING TEMPORARY LICENSE AGREEMENTS FOR OUTDOOR PATIO DINING AREAS, 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 seconded by Mr. Kuhar. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT NO. 2020-56 made by Ms. Shaffer and seconded by Mr. Kuhar. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-56 AN ORDINANCE ESTABLISHING APPROVING TEMPORARY LICENSE AGREEMENTS FOR OUTDOOR PATIO DINING AREAS, AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

Draft No 2020-57 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ALLOW THE HAYMAKER FARMERS' MARKET TO USE A PORTION OF FRANKLIN AVENUE THAT WILL ENSURE SOCIAL DISTANCING CAN BE MAINTAINED FOR VENDORS AND PATRONS IN RESPONSE TO THE STATE OF OHIO'S COVID-19 PANDEMIC HEALTH ADVISORY, AND DECLARING AN EMERGENCY. was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT NO. 2020-57 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-57: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ALLOW THE HAYMAKER FARMERS' MARKET TO USE A PORTION OF FRANKLIN AVENUE THAT WILL ENSURE SOCIAL DISTANCING CAN BE MAINTAINED FOR VENDORS AND PATRONS IN RESPONSE TO THE STATE OF OHIO'S COVID-19 PANDEMIC HEALTH ADVISORY, AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

SPECIAL COMMITTEE REPORTS: NONE

UNFINISHED BUSINESS: NONE

NEW BUSINESS:

Mr. Amrhein received a call regarding the noise ordinance asking why police will not answer calls when the caller refuses to give their name and address. He was not aware this is the case.

Chief Shearer responded he has had several conversations with who he believes is the same gentleman. He listened to the audio recording of his call to dispatch and this person was not told the police would not respond. He was asked specifically if he would like the officers to respond and handle it or if he would like to sign a complaint. The time of day of his call was approximately at 7 pm, so generally speaking if it's between 9pm and 8 am, the officer will issue a citation on behalf of the complainant. Usually prior to 9 pm complainants are asked to sign but Police still respond and deal with the complaint. The caller was not told he needed to sign to generate a response.

Ms. Wallach stated she has three items of new business. Her first item concerned the monthly reports Council receives from Police and Fire and asked if Council could get numbers on the number of COVID-19 cases in Kent.

Ms. Joan Seidel said she did not see why not and that they are posted on social media and updated any time they change.

Ms. Wallach asked to get these in the packets that are sent to them.

Ms. Seidel stated that information can be sent to them.

MOTION to refer to the appropriate committee the discussion on mask wearing in Kent made by Ms. Wallach **SECONDED** by Ms. Shaffer and **CARRIED** by a voice vote of 8-1 with Mr. Kuhar voting NO.

Ms. Wallach said that Mr. Chicatelli (who spoke during public comments) has a point and the City needs to be consistent. Certain businesses people wear masks and in other they do not. She asked if this an ordinance that is to be followed. She would like to have a general discussion on appropriate mask wearing.

Ms. Shaffer is a little confused and concerned at times. She has seen a high degree of compliance of business owners and employees and not as many customers. This is a request (to wear masks) and believes it would be a good discussion to have because we could strengthen what the State (of Ohio) has if desired.

Mr. DeLeone asked Ms. Hope Jones if people could be made to wear masks.

Ms. Jones replied that it is something that could be explored. The Ohio Department of Health cannot be overridden but she would like to get together with Ms. Seidel to discuss.

Mr. Kuhar said out of courtesy when going into a business he wears a mask and gloves. He would be offended if driving in his car or walking down the street to wear a mask. Business owners have a right to tell you to wear a mask.

Ms. Wallach called point of order, this is to get the discussion into committee.

Ms. Wallach read a statement to Council:

"We are currently experiencing historic events playing out around us and as a Council we need to let our residents know that we are paying attention and are sensitive to what's happening. As a first step, I would like to make a **MOTION** to pass a resolution by the City of Kent stating that we support the mission of Black Lives Matter, which is justice and equality." This was **SECONDED** by Ms. Shaffer and **CARRIED** by a voice vote of 9-0.

Ms. Wallach added that Council needs to stand up for equality and justice.

Ms. Shaffer said she is proud of Kent, which is progressive, and if Council doesn't say something, who would. It is incumbent upon us to have this statement and we are saying we support the mission of social justice and equality.

Mr. Ferrara asked for Council to explore a different venue for Council meetings now that Ohio is in the next phase of reopening. The Zoom meetings are inefficient and awkward and are doing the public a disservice not allowing them into the meeting. He added there are plenty of venues where Council could be socially distancing and would like to explore the opportunity. Mr. Ferrara said he didn't need a motion, that he would like to ask the administration to consider different options.

Mayor Fiala added the Governor has not lifted the restriction of having more than ten people at a time in a meeting.

Ms. Seidel said the Governor has not changed this and said you can have gatherings but they have to be grouped (or sub grouped) in such a way to have ten. It would be difficult but could probably be managed.

Mr. Ferrara said we have to follow the letter of the law of the governor so it does not need a motion.

Mayor Fiala added that it may loosen up a little towards the end of July.

Mr. Sidoti asked Clerk Wilkens for the count of YouTube metrics the number of people who actually participated on the average night of City Council being on Zoom.

Ms. Wilkens replied she did not have the exact count but said the first meeting (on Zoom) there were approximately 85 people that watched the City Council meeting, which was a tremendous increase from in person meetings. Even for people listening to YouTube meetings when there were just audio clips. It has been a larger audience.

Mr. Sidoti agreed that having people together is a lot better only because you can have people come in and stand in front of the Council. On the other side, people have access now to see what goes on. He added it is a balancing act, there is benefit to have meetings on Zoom, but he agrees it is frustrating Council is not together and the public is not coming in.

Mr. Ferrara said the inefficiencies amongst the Council members and the difficulty in having a conversation and a discussion doesn't mean the Council couldn't get together and open the meeting up to the public on a Zoom that way. It is hard to communicate and people are stepping on each other and it inhibits conversation and the free flow of ideas because of all of the technical difficulties that present. He would rather meet and close off the building and open up on YouTube as an option.

Ms. Wallach said if it was a motion she would second it. She does not like having meetings on Zoom either.

MOTION to move to discussion the format of future Council meeting either on Zoom or in person or other options made by Mr. Ferrara, **SECONDED** by Ms. Wallach and **CARRIED** 9-0.

Ms. Shaffer added that her yoga studio effectively uses Zoom meetings along with allowing a few people into the meeting. They are getting greater attendance and it is really nice to have options. People have to sign up in advance in order to come into the studio. If someone needed to come speak to Council, that would be something to explore.

Mayor Fiala added that Council is a guest in the Fire Department's building and doesn't want to bring anything into the building or take anything out.

Mr. Sidoti said maybe we could explore the Police Community Room where Council could spread out and be ten feet apart.

COUNCILMEMBERS' COMMENTS:

Mr. Kuhar said he believes sometimes government oversteps its boundaries and steps on people's rights. He is disappointed in the public in some cases in regards to bars and social distancing. He sees people coming and going and not doing what they are supposed to be doing, causing the virus to stick around. It is so simple to try to prevent the virus by just cleaning your hands when you leave and enter your house. Canada's numbers have been decreasing and they are not permitting U.S. citizens in their country because our numbers are not going down. Our numbers will never go down unless we start disciplining ourselves to do what is necessary to keep safe. He believes people in this country are smart enough to know how to do two things. He is very disappointed to see people not doing this. He wears a mask when he goes into businesses and asked why people can't just do the basics so we can get this behind us. Until we do what we are supposed to do as residents, it will be this way for a long time. He encouraged Council to see what can be done to encourage people to do this.

MAYOR'S REPORT:

Mayor Fiala thanked Chief Lee for her 33 years of Service to the City of Kent, and announced her retirement date was June 5, 2020. She was given a plaque with her service dates and a proclamation. Firefighter Steve Smith, retired on the 8th of June will 33 years' service as well. The Mayor welcomes the new Chief (of Police), Nick Shearer, who took duty on the June 8, 2020.

He shared the same feelings regarding masks and sanitation. He has gone downtown and sees servers and bartenders wearing masks but clientele not doing so. He and his wife were the only people with a mask on. The flag burning ceremony at the Legion was similar, with no clientele wearing masks. He's not sure what the answer is but to beat this virus we have to do some simple things and we are not doing it.

The Regular Meeting adjourned at 8:35 P.M.

Amy Wilkens
Clerk of Council

Jerry T. Fiala
Mayor and President of Council



Special Council Meeting Minutes

The City of Kent, Ohio
Wednesday July 1, 2020

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

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner, and 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. Nick Shearer, Chief of Police; Mr. Michael Lewis, Lieutenant; Mr. John Tosko, Fire Chief ;and Ms. Amy Wilkens, Clerk of Council.

Mayor Fiala welcomed everyone to tonight's meeting.

Draft No. 2020-58: AN ORDINANCE AFFIRMING THAT FUNDS FROM THE COUNTY CORONAVIRUS RELIEF DISTRIBUTION FUND WILL BE EXPENDED ONLY TO COVER COSTS OF THE CITY OF KENT, OHIO CONSISTENT WITH THE REQUIREMENTS OF SECTION 5001 OF THE CARES ACT AS DESCRIBED IN 42 U.S.C. 601(D), AND ANY APPLICABLE REGULATIONS AS IS NECESSARY PURSUANT TO H.B. 481 BEFORE RECEIVING SAID FUNDS AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 2020-58 made by Mr. Kuhar and seconded by Ms. Shaffer. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-58 AN ORDINANCE AFFIRMING THAT FUNDS FROM THE COUNTY CORONAVIRUS RELIEF DISTRIBUTION FUND WILL BE EXPENDED ONLY TO COVER COSTS OF THE CITY OF KENT, OHIO CONSISTENT WITH THE REQUIREMENTS OF SECTION 5001 OF THE CARES ACT AS DESCRIBED IN 42 U.S.C. 601(D), AND ANY APPLICABLE REGULATIONS AS IS NECESSARY PURSUANT TO H.B. 481 BEFORE RECEIVING SAID FUNDS AND DECLARING AN EMERGENCY **PASSED** as stated by Clerk Wilkens.

Mr. DeLeone reminded Council Members he is still waiting on some of Dave Ruller's evaluation sheets that were mailed out and due on July 1, 2020.

Mr. Sidoti thanked Ms. Hope Jones for her basketball reference when referring to Mr. Ruller.

Mr. Kuhar said this is the first Fourth of July there is no festival and wished everyone a safe holiday.

The Mayor wished everyone a Happy Fourth of July and the special meeting adjourned at 8:17 p.m.

Amy Wilkens
Clerk of Council

Jerry T. Fiala
Mayor and President of Council

**THE CITY OF KENT, OHIO
PUBLIC HEARING- Annual Tax Budget
WEDNESDAY, JULY 1, 2020**

At 6:50 p.m., Mayor Jerry T. Fiala called the *Public Hearing to allow for public comment and questions regarding the City of Kent's Annual Tax Budget for the fiscal year December 31, 2021* to order. Roll call was taken.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner, and 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. Nick Shearer, Chief of Police; Mr. Michael Lewis, Lieutenant; Mr. John Tosko, Fire Chief ;and Ms. Amy Wilkens, Clerk of Council.

On June 21, 2020 notice was given that the Kent City Council was conducting a Public Hearing to allow for public comment and questions regarding the City of Kent's Annual Tax Budget for the fiscal year December 31, 2021

Ms. Rhonda Hall, Budget and Finance Director, introduced the hearing to allow the public to comment on the proposed Tax Budget.

Mayor Fiala asked for comments from the public and Clerk Wilkens stated that no one is present or submitted comments.

Hearing no further business, Mayor Fiala adjourned the Public Hearing at meeting at 6:53 p.m.

Amy Wilkens
Clerk of Council

Jerry T. Fiala
Mayor and President of Council

**THE CITY OF KENT, OHIO
PUBLIC HEARING- CHIP Grant Allocation
WEDNESDAY, JULY 1, 2020**

AT 7:00 p.m., Mayor Jerry Fiala called the Second *Public Hearing to allow to for comment on the proposed amendment to the City's 2019 Community Housing Impact and Preservation (CHIP) grant allocation to allow for Emergency Housing Assistance in response to the COVID-19* to order. Roll call was taken.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner, and 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. Nick Shearer, Chief of Police; Mr. Michael Lewis, Lieutenant; Mr. John Tosko, Fire Chief ;and Ms. Amy Wilkens, Clerk of Council.

On June 22, 2020 notice was given that the Kent City Council was conducting a Second Public Hearing to allow to for comment on the proposed amendment to the City's 2019 Community Housing Impact and Preservation (CHIP) grant allocation to allow for Emergency Housing Assistance in response to the COVID-19.

Ms. Bridget Susel, Community Development Director, introduced the hearing to allow the public to comment on the proposed CHIP grant allocation.

Mayor Fiala asked for comments from the audience and asked Clerk Wilkens if any public comment had been submitted.

Clerk Wilkens replied there were no public present or comments submitted.

Hearing no further business, Mayor Fiala adjourned the Public Hearing at meeting at 7:02 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, July 1, 2020

Mayor Fiala called the Committee of the Whole of Kent City Council to order at 7:03 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner, and 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. Nick Shearer, Chief of Police; Mr. Michael Lewis, Lieutenant; Mr. John Tosko, Fire Chief ;and Ms. Amy Wilkens, Clerk of Council.

There was one (1) item on the Agenda.

1. Codified Ordinance Book Update

Ms. Hope Jones began by explaining that every year, the code book publisher Walter Drane (now American Legal) puts together a set of replacement pages to put in the Codified Ordinance books. State Law and the Ohio Constitution requires that when certain traffic and criminal laws are changed at the State level, they must be amended at the local level. This ordinance proposes to change six traffic ordinances and five criminal code sections.

A MOTION TO ACCEPT THE REPLACEMENT CODIFIED ORDINANCES was made by Mr. Kuhar **SECONDED** by Ms. Rosenberg and **CARRIED** by a vote of 9-0, with all Council members voting in favor.

Seeing no further business or questions for this committee, it adjourned at 7:05 p.m.



Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Authorize the proposed updates of the City Ordinance pages.



Streets, Sidewalks & Utilities Meeting Minutes

The City of Kent, Ohio
Wednesday, July 1, 2020

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner and 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. Tom Wilke, Economic Development Director; and Ms. Amy Wilkens, Clerk of Council.

Mr. Roger Sidoti called the Streets, Sidewalks & Utilities Committee of Kent City Council to order at 7:10 p.m.

There was one (1) item on the Agenda:

1. Consideration of a Water Service Extension Request

Mr. Ruller prefaced Mr. Bowling's introduction by explaining that Jim (Bowling), Melanie (Baker) and Rhonda (Hall) are asking for approval for water service around Meloy Road and St. Rt. 43. The City would like to be able to expand development in this area and this extension would help with this.
(Attachment #1)

Mr. Bowling said a developer came in 2018 to discuss details in this location. There is a twelve-inch water line that ends at the site and they have requested Kent to service their water. Per the JEDD agreement The City of Kent is required to provide utilities to anyone along this border. The developer is going to build on the northern end but at the south end there are issues with sanitary sewer and other issues that prevent expansion down that side of the road. Instead of mandating they build a line that the City assess them the cost of building the line.

Ms. Shaffer asked if the nursing home operator will be joining the JEDD.

Jim Bowling said they would be joining the JEDD.

Mr. Kuhar asked if the water stub is on the south side of (Rt.) 261.

Mr. Bowling said yes, the water stub is on the south side of Meloy Road.

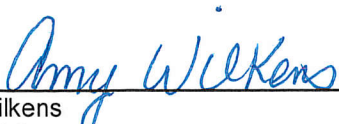
Mr. Kuhar asked if there would be any cost for the City.

Mr. Bowling said the cost would all be on the developer.

MOTION TO AUTHORIZE A WATER LINE EXTENSION ALONG SR 43 TO MELOY ROAD WITH AN EMERGENCY CLAUSE made by Ms. Shaffer, *SECONDED* by Ms. Rosenberg and *CARRIED* by a voice vote of 9-0.

Ms. Shaffer said this is a win-win and would like this to start a domino effect as these properties have been for sale for a long time.

Hearing no further business before this Committee, the meeting adjourned at 7:16 p.m.


Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Authorize the requested waterline extension along SR 43 to Meloy Road.

MEMORANDUM
DIVISION OF ENGINEERING
City of Kent Department of Public Service

DATE: June 23, 2020
TO: David Ruller, City Manager
FROM: Rhonda Boyd, P.E., P.S., Senior Engineer *R. Boyd*
SUBJECT: Water Service Outside the City
5075 SR 43 and Meloy Road

Plans are currently under way to construct a 96 bed nursing home facility in Brimfield at the south-west corner of the intersection of SR43 and Meloy Road. The property is in the JEDD and just outside the City of Kent corporation limits. The property owner has requested water service from the city. The Kent water service area stops at the intersection, but Portage County has agreed verbally to allow the City to serve this property as Kent is the only public water source in the area.

The proposed facility will require the extension of a 12 inch watermain south along SR43 from a waterline that currently terminates at the Meloy / SR43 intersection.

KCO 913.09 Water Service Outside the City and the JEDD agreement outline the fees for properties in Brimfield Township. The Utilization fee is estimated to be \$12,650. KCO also requires the waterline be extended across the total frontage. Since extending the waterline will create a dead end which the City has to maintain and be in conflict with sanitary isolation requirements, we are requesting council approval to assess the remaining frontage. The assessment fee would be \$14,452.63. A copy of the preliminary site plan is attached.

We are requesting water service approval pending the agreement modification with Portage County.

The City has adequate facilities to provide for the demand generated by the development.

C: James Bowling, P.E., City Engineer
File

I:\Address-&-Street-Files\SR_43\5075 Nursing home\5075 SR43 watermemoa.doc



BRENNER KAPROSY
MITCHELL, L.L.P.

ATTORNEYS AT LAW

30050 CHAGRIN BLVD., SUITE 100

PEPPER PIKE, OHIO 44124-5704

PHONE: 216-292-5555

FAX: 216-292-5511

E-MAIL: TDMITCHELL@BRENNER-LAW.COM

June 10, 2020

VIA EMAIL

City of Kent

c/o Rhonda E. Boyd, Senior Engineer

Division of Engineering

930 Overholt Road

Kent, OH 44240

Re: Request for water service at 5075 State Rte. 43 (the "Property") for a new 96-bed skilled nursing facility (the "Project")

Dear Ms. Boyd:

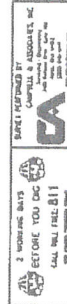
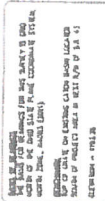
As discussed during our meeting at your offices yesterday, please allow this letter to serve as a formal request on behalf of LTC Brimfield, LLC, owner of the above-referenced Property, to extend water service to the Property for the Project. As further discussed during our meeting, we are simultaneously submitting a request to Portage County Water Resources for extension of County sanitary sewer service to the Property.

Your anticipated consideration of this request is appreciated. Please feel free to contact Mike Wohlwend or the undersigned should you have any questions or require further information.

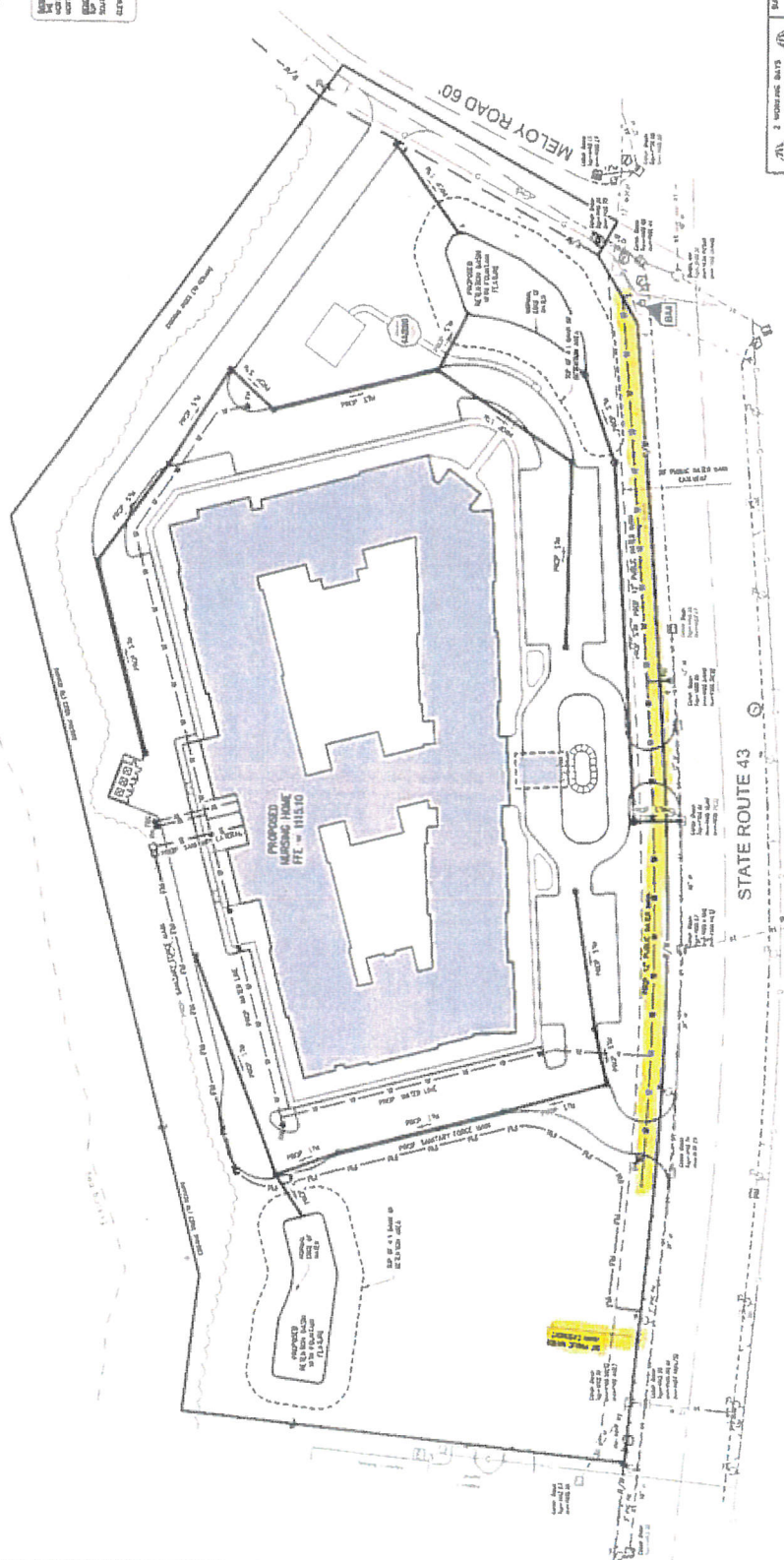
Very truly yours,

T. David Mitchell

cc: R. Chad Brenner (via email)
M. Wohlwend (via email)
T. Rutledge (via email)



PREDIUMARY UTILITY PLAN HERITAGE OF BRUNNEN VALLEY MARSHES (CUMULATIVE) STATE ROUTE 43 AND SECTION ROAD BRUNNEN TOWNSHIP, POLK COUNTY, IOWA		201800701 2018 94E1 - J	
12-29-2018 Drawn By Checked By In Charge		1211 Lakeside Road, N.W. Cedar Rapids, IA 52410 563-477-1400	
Date Description Amount Balance		2018 94E1 - J	





Public Health & Safety Meeting Minutes

The City of Kent, Ohio
Wednesday, July 1, 2020

Mr. Amrhein called the Public Health and Safety Meeting to order at 7:16 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner, and 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. Nick Shearer, Chief of Police; Mr. Michael Lewis, Lieutenant; Mr. John Tosko, Fire Chief ;and Ms. Amy Wilkens, Clerk of Council.

There was one (1) item on the agenda:

1. 21st Century Police Reporting Discussion

Mr. Ruller stated that Council referred this item into committee and would like to give an overview of standards laid out a number of years ago with the 21st Century Report. This is a timely topic, even with Governor DeWine having new things coming out of his office. The good news is this is a topic Ohio has been dealing with and Kent has done its best to stay current on. Kent is proud of its success but always knows it can do better. There are so many conversations going on nationally right now so it is a good time to show what the local police are doing. Kent has a brand-new chief, Chief Shearer and along with Lieutenant Lewis are here to highlight what they do with their small staff. Chief Lee has made great progress with Community Policing and connecting with residents. The community is a really important piece of this and they are hoping to continue the engagement with Council and with the community and provide for public safety.

Chief Shearer opened by saying he and Lieutenant Mike Lewis were here to talk about some of the measures taken within the department to address issues related to the report of 21st Century Policing. President Obama created a task force to investigate police tactics and released a final report. This report identified six pillars to go by within their framework: building trust and legitimacy, policy and oversight, technology and social media, community policing and crime reduction, training and education and officer wellness and safety. The report has 28 recommendations for local police to follow and of all of the 28 recommendations, and he reviewed the three they are not in compliance: gaging public trust is the first and they are currently working on developing a survey for the community to measure. The next item they are not in compliance with is having a diverse police force. Kent has one non-white officer out of forty-one sworn officers. The department has sixty-five total employees, and there are three non-white employees for a total of 3% of workforce being non-white. The community is about 20% non-white. He added that although they are not achieving that, they have undertaken a lot of measures to try to improve. It is something that they have been frustrated with City wide about the lack of diversity in the workforce. Things they have done to address this have been heavy recruiting efforts with Kent State, Akron, Tri-C, Youngstown State and Police academies.

Ms. Wallach asked what the diversity population is like at the local universities they are recruiting from and if there is a good pool of recruits.

Chief Shearer said they have seen a decent amount of diverse audiences from their recruiting. They have gone into classrooms at Kent State University and the police academy at the University of Akron, with more interaction at Kent State because of its location. They have seen an uptick in the diversity in the testing stage, with a 10 % non-white diversity rate in applicants.

Ms. Wallach asked if the applicants are not testing high enough.

Chief Shearer said it is a mixture of things. They certainly do not want to jeopardize hiring practices as they have very high standards. Part of it is due to being bound by Civil Service law and sometimes the background investigation process has bumped some people out as well.

Ms. Wallach asked if now would be the time to discuss suggestions or if it should be done at the Council Meeting. She has a suggestion she would like to share with the Police Department to increase its diversity.

Mr. Amrhein suggested to propose these at the next Council meeting and to let Chief Shearer continue with his presentation.

Mr. Turner asked if the issue is simply a numbers game and asked if they could look at what other communities are doing that are successful with minority recruiting. He added there is also a dearth of minority employees throughout the City and should be focused on.

Chief Shearer said he appreciates the feedback as they are very open for suggestions and for community leaders to provide guidance and support.

Mr. Ferrara asked what percentage of females make up the police force.

Chief Shearer said there are currently six female employees out of 41 officers, at about 14.5 % females. There are thirteen employees working in dispatch, with only two males in that area.

Mr. Ferrara asked in terms of other police, how many officers are female.

Chief Shearer said if he had to guess, about 10 % of police officers overall are female but did not have any exact figures.

Chief Shearer continued by reviewing the last item- civilian oversight. The Police Department has a very strict policy on personnel complaints and a procedure that is followed. They are often asked how rigorously the police are investigated, adding that they believe in transparency. They will take any complaint that comes in any fashion and investigate it rigorously. They provide written feedback in result of the investigation to the person making the complaint. These files are reviewed by multiple people before coming to a final conclusion. Even though there is not a civilian response oversight committee, he feels they do a good job internally with dealing with these issues.

Mr. Kuhar asked about complaints and if an inquiry about something going on is considered a complaint or does it have to be something that is formally written.

Chief Shearer replied that it does not have to be formally written. When he says complaint, he is referring to officer conduct. No matter how it comes in it is investigated. It depends on the nature of the complaint and the resources available to look into it. If a formal complaint is given, then a formal, written response is given.

Ms. Wallach asked about officers in the news and the officers that were involved had many complaints filed against them and she would like to know what Kent's Police Department does if there

is an officer that has multiple complaints.

Chief Shearer said they keep track of how many complaints a police officer has and the most important factor is if there is similar conduct related in the complaints. If there is similar conduct on multiple complaints on one officer, it's time to look more closely. The first thing looked at is to see if it is a pattern and if there are any training opportunities to correct this behavior. They will not allow inappropriate or disrespectful behavior to continue. The first step is to see if there is a pattern and seek training to try to correct.

Ms. Wallach asked what happens if the behavior is not corrected.

Chief Shearer stated they follow a progressive discipline system which is spelled out in their policies. After providing some type of remedial training and if it is not effective, and then move forward into the progressive discipline process. The seriousness of the accusation of the officer's conduct can put them into the system at different places with some conduct being subject to termination on the first offense.

Mr. Sidoti asked about Union contracts and if the City has a great working relationship between the police administration and police officers and if that helps.

Chief Shearer said absolutely. He takes a lot of pride in working with the Union and issues that need to be discussed. He tries to be very open and transparent inside and outside of the department.

Ms. Shaffer stated there is an issue of officer misconduct and then the issue of an officer acting within a policy that may not be working very well. Some complaints she has heard over the years were met with a response of "they were following policy". She asked if the Police Department has a systematic structure of looking at policy and changing it if it no longer works, or is it something that happens when the City gets a new Chief.

Chief Shearer said it is something that is looked at regularly and is spelled out in their policy that it is the Chief's responsibility. Chief Lee did a very, very good job of reviewing policies and updating them. Since taking the position three weeks ago, he has updated three policies.

Lieutenant Lewis stated that when looking at complaints against officers, they are evaluating if they conformed to policy and procedures and within the ninety rules of conduct. When investigating an officer complaint, it's not just necessarily if they are acting within policy, but it's also if they are performing and acting with appropriate rules of conduct. They are not entirely protected by policy and he does not want people to think that is some type of shield that will protect officers that are being rude, discourteous or acting in a manner not representing the police department well. Looking at the number of complaints received against police officers, it's important to note that some officers who are the most active in enforcement are going to get more complaints than the officer that's not pulling their load. They do not want to get into a situation where a police officer is hands off to avoid complaints. It is not purely numbers driven and the behavior of the officer is looked at.

Ms. Shaffer said there could be a policy that is no longer suitable and she would like to know the formal process where if citizen complaints coming in are policy related, how the policy will be looked out and revised. She is aware the Kent Police due not use choke holds, for instance and about other egregious policies people complain about.

Chief Shearer said whenever they get a complaint, part of the investigation is whether the policies related to the investigation are relevant and is part of the final findings. Additionally, it is the Chief's job to constantly review and update policies on a regular basis.

Mr. Kuhar asked how the Chief feels about the proposal Governor DeWine made in regards to licensing police officers similar to driver's licenses and a point structure.

Chief Shearer replied that to an extent, some of the measures proposed by the Governor, they have to wait and see what is being proposed. He would like to see what these ideas look like in practice and the measures of the licensing and what would cause a sanction and what wouldn't.

Mr. Kuhar said with the real estate licensing, if there are complaints, it is looked at by a board and if there is disciplinary action they are dealt with.

Chief Shearer continued discussing the police reform measures from Governor DeWine. They are broken down by things handled at the local level and things dealt with at the State level. The State is agreeing to fund six hours of training on three different topics: use of force, implicit bias and de-escalation.

Ms. Wallach asked if the training is ongoing every year or if it is a one and done type of thing.

Chief Shearer said some of it is done every year and some is done relatively continuously. The use of force policy requires that they train and test all officers on this topic every year. The topic of implicit bias was trained on in 2016. De-escalation has fifteen officers trained and Crisis Intervention Team (CIT) certified who specialize in mental illness and de-escalation. Upcoming training will be held this year for de-escalation in related to mental illness.

Ms. Wallach asked if increasing training from once a year to twice a year would be beneficial.

Chief Shearer said that was a good question that would require more thought. He does not think a reminder about use of force, racial profiling and de-escalation would hurt. Police officers have approximately a month of training over the course of their careers, and compared to mental health counselors and the amount of training they have, the police are not as equipped to deal with these issues. The police are willing to do whatever they can to help, but more training would be extremely beneficial in some of these areas.

Ms. Wallach asked about teaming up with people who are experienced in those matters, and not always immediately referring to police.

Chief Shearer said he could touch on this topic but it would require a much longer discussion. He thinks a team approach is possible and reasonable as long as everyone is on board and trains together and knows how everyone is going to respond and react. Simply referring some instances over to a mental health approach could be difficult from a safety standpoint and that here would need to be a lot of conversations and planning involved.

Mr. Ruller said that even though Kent is a relatively small department, there are counseling resources that a lot of other departments wouldn't have. It is impressive to have this recognition of need and having a staff person devoted to counseling. Mental health services have seen a decrease in funding which has affected services available. There are multiple crisis occurring at this time (opioid, meth, mental health, homelessness) and people may fall through the cracks. At the bottom of those cracks is the police officer who is tasked with challenges that are far bigger than public safety and that is why there is so much distress and they are being asked to solve issues that are way beyond both their training and capability. It is a really complex problem and cautions it is a long process and they are in it for the long haul. We are surrounded by epidemics and pandemics right now.

Chief Shearer said Governor DeWine has asked the General Assembly to pass a law that police departments are not allowed to investigate their own fatal uses of force. Kent has had two fatal uses of force in his career in Kent and they were both investigated independently outside of the department.

He continued with the Governor's report which asks for the banning of choke holds. These are banned in the City of Kent.

Lieutenant Lewis is proud to say they are following so many of these which is tremendous. Understanding that, they know they can always improve and are always looking for ways to improve. They welcome recommendations and suggestions from the public, looking at other police departments and examining their policies. It is such a complicated issue of police training and policies and is so different all over the State of Ohio. The variation is wide even within the state. He read an article recently that pointed out the number hours of training and that police require less hours of training for certification than barbers. Police are required just over 700 hours of training where barbers need 1500 hours. In the City of Kent, training does not stop when leave the police academy. When officers are onboarded, they are then required to go through an in-house training program which lasts for six months or longer. Training dollars and training time is very limited and if everything is a priority then nothing is a priority so it's always a challenge each year what to focus on.

Ms. Shaffer asked Lieutenant Lewis to talk about body camera usage as she has gotten a lot of requests from the public on this topic.

Lieutenant Lewis said this topic is definitely not a quick conversation. The Police Department started looking at body cameras in 2015. He did research and presented his findings around the City, seeking input and feedback from residents. He presented all of the facts, the good and the bad, to the Rotary, the Lion's Club, the Kent Area Chamber of Commerce and a number of other places. He asked residents if they believed they are necessary. Ultimately Kent is not paying for them, it's tax dollars. A lot of research is saying they do not have the impact that was hoped for. A study was done in Washington D.C. where 2600 police officers were equipped with body cameras and showed almost no effect on complaints against officers or the number of use of force incidences. That information needs to be reviewed before the Police Force makes a substantial investment in cameras. He added they welcome the use of body cameras and they always conduct themselves as though they are being recorded because a lot of times they are.

Mr. DeLeone asked if they have cameras in every cruiser that tape almost everything already.

Lieutenant Lewis responded the policy on cruiser cameras has become more stringent, now officers wear a microphone that is always with them to record incidents that happen outside of the camera view as best they can.

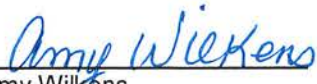
Chief Shearer said the last topic for the night is the Ohio Collaborative. This came out in 2015 by Governor Kasich task force of twenty-four members looking at relevant police reform. From that task force, a set of nine standards related to policy, training, oversight of police reform in community engagement, investigating misconduct, bias free policing, dispatch training standards, body camera standard compliance, use of force, recruiting and hiring and a pursuit policy. Kent is 100% in compliance with these standards.

Chief Shearer encouraged all to reach out to him for further discussion.

Ms. Wallach added that over the years, she has really noticed a change in culture. At first when she called an investigator in to investigate something, she was treated as a criminal herself (this was before Chief Lee). If there is a traffic stop in her Ward, she goes over to make sure everything is ok and the officers have always been courteous and respectful to the people they are working with.

Mayor Fiala said for the past five years Lieutenant Lewis offers a civilian police academy which he brings up at every Council meeting asking each to attend to know what the police department is doing.

Hearing no further business before this Committee, the meeting adjourned at 8:03 p.m.


Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) None



Finance Committee Meeting Minutes

The City of Kent, Ohio

Wednesday, July 1, 2020

Chair DeLeone called the Finance Committee of Kent City Council to order at 8:02 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner, and 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. Nick Shearer, Chief of Police; Mr. Michael Lewis, Lieutenant; Mr. John Tosko, Fire Chief ;and Ms. Amy Wilkens, Clerk of Council.

There were five (5) items on the Agenda.

1. Proposed 2021 Tax Budget

Mr. Ruller said this is a routine request and Council will get a more detailed budget in the September, October, November time frame and that tonight's action is a procedural step.

Ms. Rhonda Hall added this is in compliance with the O.R.C. 5705 we have to pass the tax budget by the 15th of July so it can be submitted to the Auditor by July 20, 2020.

MOTION TO AUTHORIZE SUBMISSION OF THE CITY'S 2021 TAX BUDGET TO THE COUNTY WITH AN EMERGENCY CLAUSE made by Mr. Kuhar **SECONDED** by Mr. Amrhein and **CARRIED** by a voice vote of 9 -0.

2. Consideration of placing the renewal of the West Side Fire Levy on the Fall ballot

Ms. Rhonda Hall said this is an ordinance to proceed so that it can be put on the ballot for the November election. The levy expires in 2020 and we have until 2021 to continue to take back to the ballot to get it passed. This is the next step in the process before we can take it to the County Election Board for the ballot.

Chief Tosko added this levy is to help fund operations of the West Side Fire Station. The monies go towards the 101 Fund which is for personnel operating funds.

MOTION TO AUTHORIZE THE CITY TO PROCEED WITH THE PROPOSED WEST SIDE FIRE LEVY RENEWAL AND REQUEST THE COUNTY BOARD OF ELECTIONS PLACE THE ISSUE ON THE FALL 2020 BALLOT made by Mr. Sidoti **SECONDED** by Mr. Kuhar and **CARRIED** by a voice vote of 9-0.

3. SW Sanitary Pump Station Project Easements

Mr. Ruller said work needs to be done that involves easements needed for work to be done on the SW Sanitary Pump Station.

Mr. Bowling said this project to replace the pump station on Middlebury Road and to run a sewer to Middlebury Rd. Easements are needed where they will be running the sewer. In total, eleven permanent and eleven temporary easements are needed from sixteen parcels. There have been public and private meetings with the owners and currently have four temporary easements that have been agreed to and are asking approval for those four. They are also asking approval if the remaining property owners agree on the values, to bring directly to Council without going into Committee discussion.

MOTION TO AUTHORIZE ALL OF THE PROPOSED EASEMENT AGREEMENTS REQUIRED OF THE SW SANITARY PUMP STATION PROJECT WITH AN EMERGENCY CLAUSE made by Mr., Kuhar **SECONDED** by Mr. Amrhein and **CARRIED** by a voice vote of 9-0.

4. Proposed 2020 Budget Amendment

Ms. Rhonda Hall is requesting approval of the amended appropriation submitted to the city manager in a memo dated June 23, 2020. (**Attachment #1**)

MOTION TO AUTHORIZE 2020 BUDGET APPROPRIATION AMENDMENTS WITH AN EMERGENCY CLAUSE made by Mr. Ferrara **SECONDED** by Mr. Sidoti and **CARRIED** by a voice vote of 9-0.

5. Proposed CARES Act Ordinance

Ms. Hope Jones introduced the ordinance, that if passed there will be a special meeting, is required by the State of Ohio in order for the City to get any funding from the Federal government under the CARES Act. If the ordinance is not approved which says we agree to abide by all of the rules regarding the distribution of funds received, we will not get the money. Once passed it will be presented to the fiscal officer in the Ohio Budget Management Office in order to prove we are complying. We will receive over \$900,000

Ms. Wallach asked if all of the money isn't spent if the remaining funds are sent back.

Ms. Jones said yes.

Ms. Wallach asked if these funds are specifically for the virus and if it includes paying salaries that are due to businesses closing.

Ms. Rhonda Hall said it does not. It does include any lost revenue that it is to cover any COVID-19 related expenditures. There is still discussion on what payroll amounts it will apply to and if someone was redirected to COVID-19 actions, that payroll will be covered, anyone who had to quarantine is covered. Unemployment expenditures and any material, supplies and equipment are covered as well.

Ms. Wallach asked if someone were to run a testing site if it would be covered.

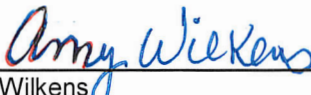
Ms. Hall said there is potential for that to happen but she would need to look into that to be certain.

Mr. Kuhar said from day one City departments have had tracking sheets for Covid expenses.

Mr. Ruller replied that each week a log is submitted by staff committed to COVID to Harrison Wicks. It is then compiled for the entire city and given Ms. Rhonda Hall to make sure which are eligible under the rules.

MOTION TO APPROVE THE CARES ACT ORDINANCE WITH AN EMERGENCY CLAUSE made by Ms. Shaffer **SECONDED** by Ms. Wallach and **CARRIED** by a voice vote of 9-0.

Hearing no further business, the meeting adjourned at 8:15 p.m.



Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Authorize submission of the City's 2021 Tax Budget to the County
- 2) Authorize the City to proceed with the proposed West Side Fire levy renewal and request the County Board of Elections place the issue on the Fall 2020 ballot
- 3) Authorize the all easement agreements required for the SW Sanitary Pump Station Project
- 4) Approve the 2020 budget appropriations amendments
- 5) Approve the CARES Act Ordinance



CITY OF KENT, OHIO
DEPARTMENT OF BUDGET AND FINANCE
Rhonda C. Hall, CPA, Director

To: Dave Ruller, City Manager
From: Rhonda C. Hall, CPA, Director of Budget and Finance
Date: June 23, 2020
Re: FY2020 Appropriation Amendments, Transfers, and Advances

The following appropriation amendments for the July Council Committee Agenda are hereby requested:

Fund 106 – Parks & Recreation Fund

Increase	\$ 10,000	Parks & Rec/ Other (O&M) – Increase appropriations for O&M related to gazebo repairs, per K. Schwartzhoff 5/28/20 memo.
Decrease	(10,000)	Parks & Rec/ Capital – Decrease appropriations for Capital (Moved to O&M) – reclassified to O&M per K. Schwartzhoff 5/28/20 memo.

Fund 137 – Local Coronavirus Relief Distribution Fund (New)

Increase	\$ 500,000	Local Coronavirus Relief Dist Fund/ Other (O&M) – Additional funding to be received from the County for COVID-19, per R. Hall 6/23/20 memo.
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Fund 202 – Sewer Fund

Decrease	\$ (45,000)	Sewer/ Capital – Decrease appropriations related to the Emergency Rehabilitation of #2 Primary Clarifier, per J. Bowling 6/9/20 memo.
Increase	45,000	Sewer/ Capital – Increase appropriations related to the Southwest Sanitary Pump Station, per J. Bowling 6/9/20 memo.
Increase	6,020	Sewer/ Other (O&M) – Increase appropriations for costs related to the issuance of bonds and paying off notes, per B. Huff 6/19/20 memo.

Fund 301 – Capital Improvement Fund

Increase	\$ 28,500	Capital Improvement/ Other (O&M) – Increase appropriations for costs related to the issuance of bonds and paying off notes, per B. Huff 6/19/20 memo.
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930 OVERHOLT RD., KENT, OH 44240
(330) 678-8102 – Director and General Accounting
(330) 678-8103 Income Tax (330) 678-8104 Utility Billing FAX (330) 676-7584

CITY OF KENT, OHIO
DEPARTMENT OF BUDGET AND FINANCE
Rhonda C. Hall, CPA, Director

The following appropriation amendments for the July Council Committee Agenda are hereby requested (Continued):

Fund 302 – MPITIE Fund

Increase \$ 24,525 MPITIE/ Other (O&M) – Increase appropriations for costs related to the issuance of bonds and paying off notes, per B. Huff 6/19/20 memo.

Fund 303 – Police Station Levy Fund

Increase \$ 55,025 Police Station Levy/ Other (O&M) – Increase appropriations for costs related to the issuance of bonds and paying off notes, per B. Huff 6/19/20 memo.

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Memo

TO: Rhonda Hall
FROM: Kevin Schwartzhoff
DATE: May 28, 2020
RE: Budget Transfer

Transfer \$10,000 from 106 530 301 7680 Contracts – Building Renovations to
106 530 301 7350 Maintenance of Equipment & Facility.

PC: Budget & Finance