



CITY COUNCIL AGENDA

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

Wednesday, September 16, 2020
Regular City Council Meeting

7:25 P.M. **BOARD OF CONTROL**

7:30 P.M. **REGULAR COUNCIL**

1. Roll Call
2. Opening Remarks and Pledge of Allegiance (Mr. Kuhar)
3. Approval of Minutes
 - 3.1 Regular City Council Meeting of August 19, 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 Records Commission Meeting Agenda for September 3, 2020 was received on August 28, 2020. Notification of meeting rescheduled for September 24, 2020 was received on September 8, 2020.
 - 4.2.2 Standing Rock Meeting Minutes from August 13, 2020 were received on August 24, 2020.
 - 4.2.3 Planning Commission Agenda for September 15, 2020 was received on September 8, 2020.
 - 4.2.4 Architectural Review Board Meeting Agenda for September 15, 2020 was received on September 8, 2020.
 - 4.2.5 Board of Health Minutes and Statistical report from August 2020 and Agenda for September 8, 2020 were received on September 8, 2020.
 - 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: September 2, 2020
 - 5.1.2 Action Recommended:

- 1) Authorize the changes to Boards and Commissions as proposed and presented.
- 2) Authorize proceeding with City Hall plans as is without the third floor build out.

5.1.3 **Draft No 2020- 089** AN ORDINANCE AMENDING AND ENACTING CERTAIN SECTIONS OF THE CODIFIED ORDINANCES AND STANDING RULES REGARDING BOARDS AND COMMISSIONS, AND DECLARING AN EMERGENCY. *(Authorized)*

5.2 Community Development (Kuhar/Rosenberg)

5.2.1 Committee Meeting Minute Approval: September 2, 2020

5.2.2 Action Recommended:

- 1) Authorize the City's representation on the newly proposed Hometown Foundation.

5.2.3 **Draft No. 2020-090** AN ORDINANCE APPROVING THE CITY'S PARTICIPATION ON THE BOARD OF TRUSTEES FOR THE HOMETOWN FOUNDATION, AND DECLARING AN EMERGENCY. *(Authorized)*

5.3 Streets, Sidewalks and Utilities (Sidoti/Wallach)

5.3.1 Committee Meeting Minute Approval: September 2, 2020

5.3.2 Action Recommended:

- 1) Authorize a resolution amendment to the "smoker" unit agreement from Cajun Dave's to the Water Street Tavern.

5.3.3 **Draft No 2020-091** AN ORDINANCE AMENDING ORDINANCE 2010-70 AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO CHANGE THE LICENSEE FROM R.P.S. 1, LLC (dba CAJUN DAVE'S) TO MIKE BEDER AND WATER STREET TAVERN, 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 (Amrhein/Sidoti)

5.5.1 Committee Meeting Minute Approval: NONE

5.5.2 Action Recommended: NONE

5.5.3 **Draft No 2020-092** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT WITH KENT STATE UNIVERSITY SO AS TO PROVIDE FOR THE MUTUAL ASSISTANCE, INTERCHANGE, AND USE OF POLICE PERSONNEL AND EQUIPMENT,

FROM SEPTEMBER 23, 2020, UNTIL TERMINATED BY EITHER PARTY,
AND DECLARING AN EMERGENCY (*Unauthorized*)

5.6 Finance Committee (DeLeone/Wallach)

5.6.1 Committee Meeting Minute Approval: September 2, 2020

5.6.2 Action Recommended:

- 1) Authorize the submission of bridge safety repair funds for the necessary safety improvements to the bridge on Sunrise Drive.
- 2) Authorize the donation of the surplus gun locks to the Mogadore Police Department.

5.6.3 **Draft No 2020-093** AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT A FUNDING APPLICATION TOTALING \$612,000 AND TO EXECUTE THE SUBSEQUENT AGREEMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION'S (ODOT) MUNICIPAL BRIDGE PROGRAM, AND TO ACCEPT THE GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATION OF FUNDS FOR THE SUNRISE DRIVE BRIDGE OVER FISH CREEK, AND DECLARING AN EMERGENCY (*Authorized*)

5.6.4 **Draft No 2020- 094** AN ORDINANCE REQUESTING A DONATION OF TWO (2) GUN LOCKS TO THE MOGADORE POLICE DEPARTMENT FROM THE KENT POLICE DEPARTMENT, AND DECLARING AN EMERGENCY (*Authorized*)

5.6.5 **Draft No. 2020-095** RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR (*Unauthorized*)

5.6.6 **Draft No. 2020-096** AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$100.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT TOWARDS THE PURCHASE OF A MEMORIAL TREE IN MEMORY OF MARY HELEN NEUZIL, AND DECLARING AN EMERGENCY (*Unauthorized*)

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

Posted September 9, 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.

DRAFT ORDINANCE NO. 2020-089

AN ORDINANCE AMENDING AND ENACTING CERTAIN SECTIONS OF THE CODIFIED ORDINANCES AND STANDING RULES REGARDING BOARDS AND COMMISSIONS, AND DECLARING AN EMERGENCY.

WHEREAS, Council wishes to amend and enact certain language regarding Boards and Commissions in the Codified Ordinances and Standing Rules of Council to reflect discussions and recommendations made by staff to Council had on September 2, 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. The Council does hereby approve the recommended additions and changes to the Boards and Commissions language to the Codified Ordinances and Standing Rules of Council as set forth in Exhibit "A" attached hereto and incorporated herein.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL
(SEAL)

EXHIBIT “A”

Deletions in ~~striketrough~~; additions in **bold**

FILLING OF VACANCIES-COUNCIL STANDING RULES

All announcements or notices for openings on Boards and Commissions shall be made by the Clerk of Council ~~in the Tree City Bulletin, on the City’s website, and in the Record Courier~~, when necessary, with a stated deadline that will be imposed **advertised using all available methods of communication to the Clerk of Council, including but not limited to the following methods:**

1. **Announcement on Social Media**
2. **Post on City of Kent website**
3. **Announcement made by President of Council at City Council Meeting**
4. **Posting on the Service Administration Complex Bulletin Board**
5. **Posting on Electronic Community Sign**
6. **Notify residents in Tree City Bulletin to view vacancies on website and apply there**

~~Applicants will be given approximately two weeks after such notice is published to submit applications to the Clerk of Council. When a vacancy occurs on a board or commission, and said vacancy may hamper the ability to assemble a quorum, the Clerk and the assigned staff member of that board or commission is authorized to advertise said vacancy in the Record Courier and on the City’s website only.~~ **Applications will be accepted for 30 days. Applicants will be made aware of the deadline to apply and the date when a mandatory in person interview will take place, during Committee Meetings.**

TERM EXPIRATION DATE

Terms were recently all updated to expire in December of the year of term ending; **no changes to this**

- Change of internal process only; Clerk will begin advertising for vacant December posts in August (using the above methods) and interviews will be conducted in September, October and November to avoid a crushing number of interviews to be conducted in December. Appointees will be notified their term will begin January 1st.

MEMBERSHIP AND TERM LIMITS-CHAPTER 150 TITLED “BOARDS AND COMMISSIONS” (NEW ENACTMENTS)

151.02 MEMBERSHIP ON BOARDS AND COMMISSIONS

Members of Boards and Commission appointed by Council shall hold no other municipal office or employment.

151.03 REMOVAL OF MEMBERS OF BOARDS AND COMMISSIONS

Except as otherwise provided, a member of any Board or Commission may be removed by the Council for neglect of duty, incapacity, incompetency, or malfeasance but only after opportunity has been given for a public hearing before the Council, to be held at least ten (10) days after written charges have been made and notice thereof has been given to the accused member. Such member may be heard in person or by counsel; and such decision shall be final.

151.04 TERM LIMITS

Unless otherwise provided for in the Charter, no member of any Board or Commission shall serve more than three (3) consecutive terms or twelve (12) consecutive years, whichever occurs first. Once the term limit is met, the member may not reapply for the board or commission term limited out of for one full term. The term limited member may apply to serve on any other board or commission.

SPECIFIC BOARD CHANGES

1. BOARD OF BUILDING APPEALS:

1309.01 ESTABLISHED; COMPOSITION AND TERMS.

There is hereby established a Municipal Board of Building Appeals which shall consist of ~~six~~ **five** members as follows:

- (a) One General Contractor, need not be an elector of the City.
- (b) One architect, registered in Ohio; need not be an elector of the City.
- (c) **Two members who are registered as** ~~One Registered plumbers, need not be an elector of the City,~~

~~—(d) One Registered electricians, need not be an elector of the City. or~~

~~—(e) One Registered heating and air conditioning contractors, none of which need not be an elector of the City.~~

(f) One member shall be an elector of the City, selected from the general public, who shall not be actively engaged in any of the above-mentioned trades.

(g) ~~Three alternates, need not be electors of the City and not requiring any specific qualifications as listed in (a), (b), (c), (d), and (e). Alternates may attend and participate~~

~~in all meetings, but may only vote when one of the positions listed in (a), (b), (c), (d), and (e) is vacant or absent.~~

~~—(h) Members shall be appointed for three year terms, except that original appointments shall be for terms of one year for the general contractor, plumber, and one alternate; two years for the architect, electrician, and one alternate; and three year terms for the heating and air conditioning contractor, general public, and one alternate.~~

~~—A member shall hold office from date of appointment until the end of the appointed term; however, he shall continue in office following the term expiration date until his successor takes office or until sixty days have elapsed, whichever occurs first.~~

~~—Any member appointed to fill a vacancy occurring before the expiration of a term shall hold office for the remainder of that term~~

2. PARKING ACTION COMMISSION; REPEAL

Council hereby repeals the Parking Action Commission.

3. CABLE TELEVISION COMMISSION; REPEAL

Council hereby repeals the Cable Television Commission as provided for in Section 767.03 of the Codified Ordinances.

4. SPECIAL ASSESSMENT EQUALIZATION BOARD;

925.03 PROCEDURE.

The procedures as set forth in this section are those applicable to special assessments for public improvements, except those undertaken pursuant to Ohio Revised Code Chapter 729:

(1) Prior to the consideration of any resolution of necessity providing for a public improvement; plans, specifications and profiles of the proposed improvement and an estimate of the cost of the improvement shall be prepared by the Deputy Service Director/Superintendent of Engineering and filed in the office of the Clerk of Council and shall remain open to the inspection of all interested persons. Those plans, specifications and profiles shall conform to the requirements of Ohio Revised Code Chapter 727. Generally, the plans shall be sufficient to show the locations of the streets or other public property to be improved and the specifications shall be sufficient to describe the improvement to be made.

(2) After those plans, specifications, profiles and estimate of cost have been so filed, Council may declare, by resolution, the necessity of the improvement by resolution. The resolution of necessity shall conform to the requirements of Ohio Revised Code Chapter 727. The resolution of necessity shall be published as other resolutions. If Council intends that this Chapter, including the uniform assessment methodology described in Section 925.04, apply to an improvement, the resolution of necessity shall so indicate.

(3) After the adoption of the resolution of necessity, the Deputy Service Director/Superintendent of Engineering shall prepare the estimated special assessments for the improvement and file them as required by Ohio Revised Code Chapter 727. Unless otherwise provided in the resolution of necessity, the estimated special assessments shall be prepared consistent with the uniform assessment methodology described in Section 925.04 and the applicable rates set forth in Section 925.05, however, with such deviations that the Deputy Service Director/Superintendent of Engineering believes are necessary so that the assessments are levied in proportion to the benefits resulting from the improvement. Notice of the adoption of the resolution of necessity and the filing of the estimated special assessments shall be given to affected property owners in accordance with Ohio Revised Code Section 727.13, provided that the notice of the adoption of the resolution of necessity and the filing of the estimated special assessments for the improvement of streets and other public property by treating the surface of the same with dust laying or preservative substances also known as Sealing Surface Treatment or by providing lighting shall be given by publication in accordance with Ohio Revised Code Section 727.14 and the publication of that notice may be made in conjunction with, and may incorporate as part of that notice, the resolution of necessity required to be published pursuant to paragraph (2) above. Publication of that notice with the resolution of necessity shall constitute the publication of that resolution.

(4) ~~Proceedings for the hearing of objections of property owners to the estimated special assessments and the equalization thereof shall be taken as prescribed by Ohio Revised Code Chapter 727, except that in addition to said chapter,~~ **In the event the owner of any lot or parcel of land to be assessed objects to the amount or apportionment of the estimated assessment or to the assessment against such lot or parcel, as provided in section 727.15 of the Revised Code, Council shall appoint an assessment equalization board, consisting of three disinterested freeholders of the City of Kent, and shall fix the time and place for the hearing by such board of such objections, and the Clerk of Council shall notify, by certified mail, the persons so objecting of the time and place of such hearing. Such notice shall be mailed at least five days before the date of such hearing. In addition to the requirements of Ohio Revised Code Chapter 727, the following shall apply:**

(a) The Deputy Service Director/Superintendent of Engineering shall attempt to resolve the objection of the property owner prior to the hearing by a board of equalization.

(b) Issues resolved by the Deputy Service Director/Superintendent of Engineering shall result in the property owner withdrawing his/her objection and shall require no action by the Board of Equalization.

(c) In the event of an objection of a property owner being heard by a board of equalization, the Deputy Service Director/Superintendent of Engineering shall forward a report, explaining the justification for the assessment, to the Board of Equalization which shall be considered by the Board together with the property owner's objection. The Deputy Service Director/Superintendent of Engineering, or a

representative thereof, shall attend the Board of Equalization hearing to provide testimony and answer questions. The Deputy Service Director/Superintendent of Engineering's report shall provide any data necessary to support the calculation of the assessment and the basis thereof.

(d) The Board of Equalization shall act upon all assessment objections presented to it that are filed prior to the legal deadline regardless of representation of the owner at the hearing. Objections filed after the legal deadline shall not be heard by the Board.

(e) A secretary shall be provided by the City to assist the Board of Equalization in preparation of reports and to take minutes and notes of the proceedings.

(f) If any assessment is adjusted, the report of the Board of Equalization shall clearly state the specific item or items being adjusted and the amount and value of adjustment of each item. This information is necessary so that the Deputy Service Director/Superintendent of Engineering can properly adjust the final assessment once the project is completed.

(g) The Board of Equalization shall file its report with the City within sixty (60) days of the date the first hearing of objections is held, which time period may be extended by Council.

(5) Council shall determine to proceed with an improvement as provided by Ohio Revised Code Chapter 727.

(6) After the completion of any public improvement and after the actual cost of the improvement has been ascertained, the Deputy Service Director/Superintendent of Engineering shall prepare a final special assessment list showing the amount of the special assessment against each lot or parcel of land to be assessed as shown on the estimated special assessment list and reflecting the actual cost of the improvement. To the extent that the rate or amount of the special assessment is not established in the resolution of necessity and to the extent consistent with the uniform special assessment rates established in this Chapter, the final special assessment shall be increased or decreased in the same proportion to the estimated special assessment as the actual total cost of the improvement bears to the estimated total cost of the improvement upon which the estimated special assessments were based. The final special assessment list shall also take into account the report of any assessment equalization board approved by Council in connection with the improvement. The final special assessment list shall be filed with the Clerk of Council and the Director of Finance and a copy thereof shall be retained by the Deputy Service Director/Superintendent of Engineering.

(7) After the special assessment list has been filed with the Clerk of Council, Council may enact an ordinance levying the special assessments in accordance with Ohio Revised Code Chapter 727. Upon the expiration of the cash payment period, if any, specified in that ordinance, the special assessments shall be certified by the Director of Finance to the County Auditor for collection in the manner provided by law.

(8) After the enactment of the ordinance levying the special assessments, the Clerk of Council shall publish notice of that enactment in accordance with Ohio Revised Code Chapter 727. For those improvements having a life usefulness of five years or more, as determined by the Deputy Service Director/Superintendent of Engineering, the Clerk of Council shall mail notice letters to the owners of property to whom notice of the passage of the resolution of necessity and filing of estimated special assessments was given pursuant to paragraph (3) above. The notice letters shall be addressed to the owners at the same address at which service of such prior notice was made or to which such prior notice was mailed. No notice letters shall be mailed to any owner to whom such prior notice was published. The notice letters shall be mailed within ten days after enactment of the ordinance levying the special assessments. The notice letters shall

(a) Advise owners of their option to pay in cash the special assessments levied by the ordinance, if they so desire, and

(b) Notify owners of the availability of the method of paying the special assessments as provided in Sections 925.08, 925.09, and 925.10 and that the necessary forms to make application for such method may be obtained from the office of the Director of Finance.

DRAFT ORDINANCE NO. 2020-090

AN ORDINANCE APPROVING THE CITY'S PARTICIPATION ON THE BOARD OF TRUSTEES FOR THE HOMETOWN FOUNDATION, AND DECLARING AN EMERGENCY.

WHEREAS, the Hometown Foundation has been formed as a non-profit property improvement corporation with the purpose to turn depressed properties into community assets; and

WHEREAS, lifelong resident Howard T. Boyle, who has been involved in the city's growth and success, has led the formation of the Hometown Foundation with a vision to make a positive impact on the City's housing stock through renovation and preservation of homes; and

WHEREAS, the Hometown Foundation is the result of three years of strategic planning and community involvement with the goal to revitalize neighborhoods by purchasing and rehabilitating substandard housing; and

WHEREAS, Mr. Boyle believes that the Hometown Foundation will function best with City official sitting on its Board of Trustees. These City officials would consist of the City Manager, the Mayor and the Community Development Director.

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

SECTION 1. That Council does hereby approve the City's participation on the Board of Trustees for the Hometown Foundation.

SECTION 2. That Council does hereby extend its appreciation to Howard T. Boyle for his vision and leadership in the creation of the Hometown Foundation.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL
(SEAL)

DRAFT ORDINANCE NO. 2020-091

AN ORDINANCE AMENDING ORDINANCE 2010-70 AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO CHANGE THE LICENSEE FROM R.P.S. 1, LLC (dba CAJUN DAVE'S) TO MIKE BEDER AND WATER STREET TAVERN, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent entered into a License Agreement with R.P.S. 1, LLC (DBA Cajun Dave's) in 2010 for the purpose of food preparation with a trailer mounted charcoal cooker (a smoker) in front of 138 S. Water Street; and

WHEREAS, as of today's date, R.P.S. 1, LLC (DBA Cajun Dave's) is no longer a tenant at 138 S. Water Street, but the smoker is actually owned by the Water Street Tavern; and

WHEREAS, the License Agreement needs to be amended to remove R.P.S. 1, LLC (DBA Cajun Dave's) and replace it with Mike Beder and the Water Street Tavern, the owner of the smoker, as the new Licensee.

NOW, THEREFORE, BE IT RESOLVED 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, or his designee, to amend the License Agreement with R.P.S. 1, LLC (dba Cajun Dave's) and add Mike Beder and the Water Street Tavern as the new Licensee for the purpose of food preparation with a trailer mounted charcoal cooker (a smoker) in front of 138 S. Water Street; in substantial compliance with Exhibit "A" attached hereto and incorporated herein.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL
(SEAL)

CITY OF KENT, OHIO
LICENSE AGREEMENT

THIS AGREEMENT is made by and between the CITY OF KENT, OHIO, hereinafter called "City" and Mike Beder (d.b.a. Water Street Tavern), hereinafter called the "Licensee."

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

Exhibit "A" – Location and Use Description
Exhibit "B" – Site Plan showing area being leased.

The parties hereto covenant and agree as follows:

1. NATURE OF INTEREST:

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

2. USE:

2.1 The Property shall be used for the purpose of: food preparation (cooking) with a trailer mounted charcoal cooker no greater in size than 18-feet long and 8-feet wide contained within a temporary fence located within one of three parking spaces in front of 138 South Water Street (aka Water Street Tavern) for a period of no more than two days per week and no longer than 16-hours per day and for no other purpose.

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

2.3 This License to occupy City space is not valid on days when this block of South Water Street is closed for festivals, parades, or other City sanctioned events.

3. TERM:

The City does hereby agree the Property may be used by the Licensee for a term of one (1) year commencing on September 17, 2020, and ending on September 17, 2021 unless terminated earlier by either party. This license will automatically renew yearly unless one (1) month before expiration either party notifies the other of its intention to terminate.

4. NECESSARY LICENSES AND PERMITS:

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

All correspondence to the City shall be addressed:

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

All correspondence to the Licensee shall be addressed:

Mike Beder, Owner
Water Street Tavern
138 South Water Street
Kent, Ohio 44240

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

5. STORAGE AND VENDING:

No storage of materials or supplies of any nature will be permitted on the Property except as directly related to the agreed business use of the Property and such storage shall be within fenced area.

6. TAXES:

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

7. DIRECTOR OF PUBLIC SERVICE TO ACT FOR CITY:

The granting of this permit shall not be construed as an abridgment or waiver of any rights which the Director of Public Service has in exercising his jurisdictional powers over the City highway system. The City Director of Public Service shall

act for and on behalf of the City of Kent in the issuance of and carrying out the provisions of this permit.

8. CITY USE OF PROPERTY:

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

9. MAINTENANCE OF PROPERTY:

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

10. MAINTENANCE OF IMPROVEMENTS:

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

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

11. HOLD HARMLESS:

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

12. INSURANCE:

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

(a) Liability insurance, in a company or companies to be approved by the City to protect against any liability to the public incident to the use of, or resulting from injury to, or death of, any person occurring in or about, the Property, in the amount of not less than ***Five Hundred Thousand Dollars (\$500,000.00)***, to indemnify against the claim of one person, and in the amount of not less than ***One Million Dollars (\$1,000,000.00)*** against the claims of two (2) or more persons resulting from any one (1) accident.

(b) Property damage or other insurance in a company or companies to be approved by the City to protect Licensee, and the City against any and every liability incident to the use of or resulting from any and every cause occurring in, or about, the Property, including any and all liability of the Licensee, in the amount of not less than ***One Hundred Thousand Dollars (\$100,000.00)***. Said policies shall inure to the contingent liabilities, if any, of the Licensee and the City, and shall obligate the insurance carriers to notify Licensee and the City, in writing, not less than thirty (30) days prior to cancellation thereof, or any other change affecting the coverage of the policies. If said policies contain any exclusion concerning property in the care, custody or control of the insured, an endorsement shall be attached thereto stating that such exclusion shall not apply with regard to any liability of the Licensee and the City.

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

13. **MODIFICATION:**

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

14. **REVOCATION AND TERMINATION:**

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

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

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

will pay the City, on demand, the reasonable cost and expense of such removal and restoration.

15. RELOCATION:

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

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

LICENSEE(S):

Signature

Signature

Mailing Address

Telephone

Date

CITY OF KENT, OHIO

Director of Public Service

Date

APPROVED AS TO FORM:

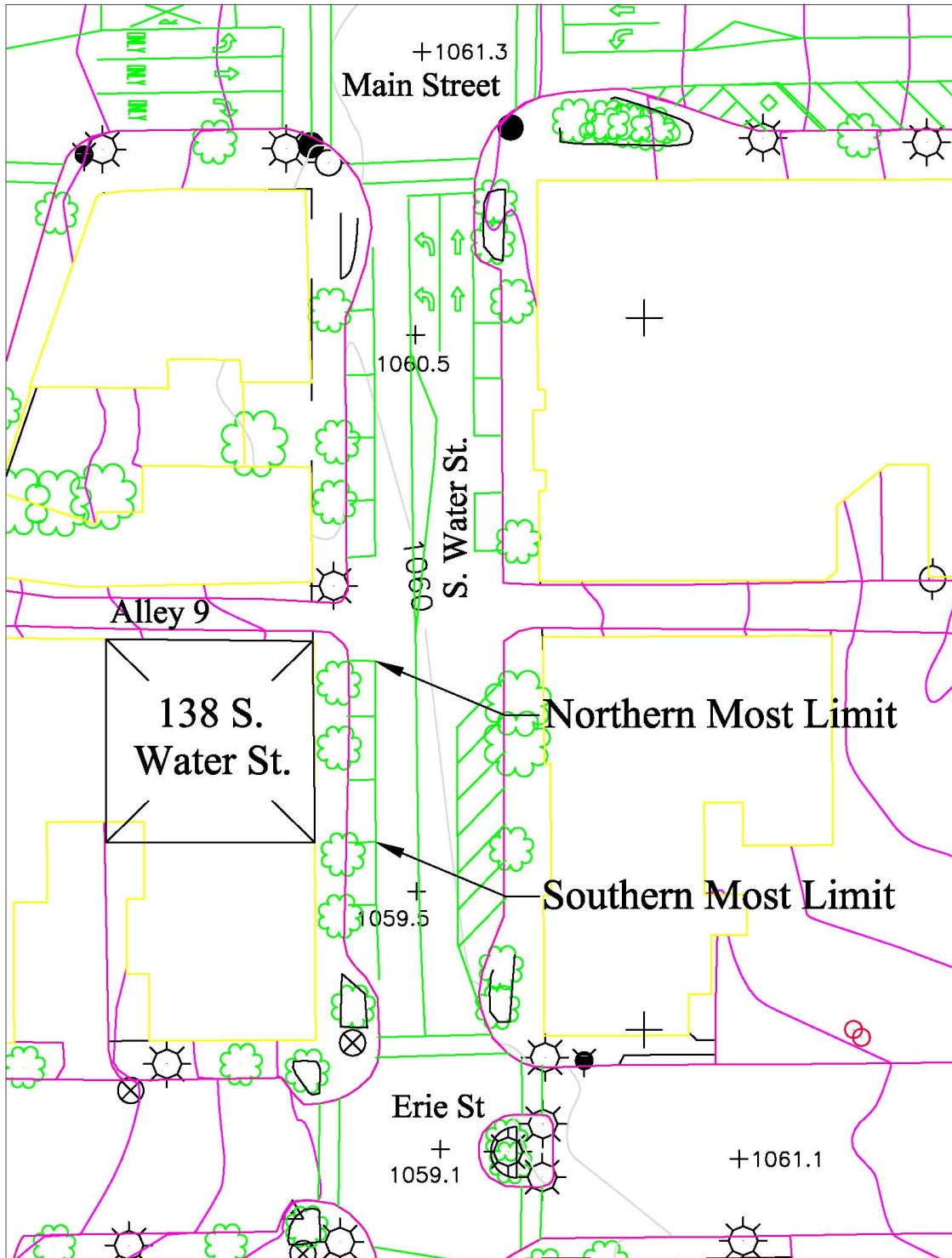
Hope Jones, Law Director
City of Kent

EXHIBIT "A"
LEGAL DESCRIPTION

This License Agreement shall apply to only one of three public parking spaces as identified in Exhibit "B" generally located in front of 132 & 138 South Water Street and further described as the first three parking spaces south of Alley 9 along the west side of South Water Street, only one parking space to be used at a time.

Said location shall only be used for the purpose of: food preparation (cooking) with a trailer mounted charcoal cooker, said trailer shall be no greater in size than 18-feet long and 8-feet wide. The trailer mounted cooker shall be contained within a temporary fence placed around the trailer and maintained at all times the cooker is operational or cooling down. The fence shall be placed by means of temporary fence posts as no penetration of the pavement surface shall be permitted. The trailer shall be located within one of three parking spaces in front of 138 South Water Street (aka Water Street Tavern) for a period of no more than two days per week and no longer than 16-hours per day. At the end of each use the Licensee shall clean any and all food product that may have dropped onto the City's property at the end of each day.

EXHIBIT "B"
SITE MAP



DRAFT ORDINANCE NO. 2020-092

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT WITH KENT STATE UNIVERSITY SO AS TO PROVIDE FOR THE MUTUAL ASSISTANCE, INTERCHANGE, AND USE OF POLICE PERSONNEL AND EQUIPMENT, FROM SEPTEMBER 23, 2020, UNTIL TERMINATED BY EITHER PARTY, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent found it to be beneficial for the health, safety, and welfare of its citizens to enter into a mutual aid agreement with Kent State University for police protection; and

WHEREAS, the City of Kent wishes to expand that mutual aid agreement with Kent State University to allow for interactive law enforcement efforts in certain areas of town as described in the agreement attached hereto as Exhibit "A"; and

WHEREAS, time is of the essence. The sooner the ordinance is adopted, the sooner the additional police interaction will be available, making the City a safer place to live.

NOW, THEREFORE, BE IT RESOLVED 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 City Manager, or his designee, is hereby authorized to execute an agreement with Kent State University so as to provide for the mutual assistance and interchange and use of police personnel and equipment from September 23, 2020 until terminated by either party; a copy of said agreement is 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 ORDINANCE No. _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL
(SEAL)

CITY OF KENT AND KENT STATE UNIVERSITY MUTUAL AID AGREEMENT FOR EMERGENCY POLICE SERVICES AND JOINT POLICE PATROL AUTHORITY

THIS AGREEMENT made this _____ day of _____ 2020, by and between the City of Kent, Ohio, hereinafter called the "CITY", acting pursuant to Ordinance No. _____, passed _____, and Kent State University, hereinafter called the "UNIVERSITY", acting pursuant to Board of Trustees resolution 2009-38.

WITNESSETH:

WHEREAS, the CITY and the UNIVERSITY maintain separate police departments pursuant to Sections 3 and 7 of Article XVIII of the Ohio Constitution and the Ohio Revised Code Section 3345.04 AND 3345.041 respectively; and

WHEREAS, the CITY and the UNIVERSITY desire to provide for the mutual assistance and interchange and use of their police personnel and equipment in situations where one department needs and requests the assistance of the other; and

WHEREAS, the CITY, by virtue of Article XVIII of the Ohio Constitution, and the UNIVERSITY, by virtue of Ohio Revised Code Section 3345.041, are empowered to provide such mutual assistance by means of this Agreement;

NOW, THEREFORE, in consideration of the promises and obligations which are hereinafter set forth, the parties hereto agree as follows:

- 1) The law enforcement officers of the University shall have full authority to enforce both state laws and municipal ordinances while outside the jurisdiction of the University and in the Jurisdiction of the City if:
 - a) University officers observe violations or are responding to calls for services within the geographical boundaries of the joint patrol district, within the City of Kent. The joint patrol district is defined by the area described within the perimeter of the following streets: South Lincoln St. from Main St. southward to Summit St., west to S. Depeyster St., north to Haymaker Parkway, northeast to E. Main St., east to N. Lincoln St., north to Crain Ave., southeast to Wilson Ave., and southward to E. Main St., and westward on E. Main St. to the beginning point. The full right-of-way of each of these streets shall be included in the district; or
 - b) They are participating in a cooperative enforcement effort that has been approved in advance by the officers in charge of both jurisdictions; OR
 - c) Their assistance is requested by the police officer in charge of the city staff, and such assistance is approved by the police officer in charge of the University unless exigent circumstances necessitates the on-scene officer(s) to request the approval for assistance without delay.

- 2) The law enforcement officers of the City shall have the same authority provided to officers of the University within the same geographical boundaries of the joint patrol district, in other areas of the university upon approval as provided for in Section 1(b), or when their assistance is requested by the police officer in charge of the university staff and such assistance is approved by the police officer in charge of the City unless exigent circumstances necessitates the on-scene officer(s) to request the approval for assistance without delay.
- 3) The necessity, availability, and use of police equipment or personnel requested shall be subject to priority of use by the responding party within its own territorial limits. The discretion as to what police resources are necessary or available to the responding party for use in the emergency or disaster, lies solely with the Chief of Police of the responding party's police department, or designate. It is agreed there shall be no reimbursement by either party for loss or damage to equipment of the other while engaged in activity pursuant to this agreement.
- 4) Further, the parties may enter into mutual assistance for criminal investigations, or other public safety related functions which transcend the individual jurisdictional boundaries of the individual agencies. In such a circumstance, the parties may agree to enter into written memoranda of agreement regarding the nature and scope of such a joint operation.
- 5) When the UNIVERSITY's police officers are rendering assistance to the CITY in areas within the corporate limits of the CITY and not on UNIVERSITY property, they shall have full police authority commensurate with the authority enjoyed by the CITY's police officers.
- 6) In the event police resources are actively engaged within the territorial limits of the requesting party and such responding resources are required in the home area, the right is reserved to withdraw any and all of such police personnel and equipment for servicing the home area. It is agreed that no liability shall arise in any event for a failure to respond to a police emergency from a requesting party or for the necessary withdrawal of police facilities by either hereto.
- 7) A reasonable charge, as mutually agreed upon by the parties, may be made or levied for the services furnished in non-emergency situations by either party pursuant to the Agreement. Each party shall assume the expense of loss or damage to equipment or apparatus that may occur while in the requesting party's territorial limits or while responding to a call pursuant to this Agreement. The CITY will not indemnify and hold harmless the UNIVERSITY for any damages awarded by the Court of Claims in any civil action arising from any action or omission of any UNIVERSITY law enforcement officer acting pursuant to the Agreement. The UNIVERSITY will not indemnify and hold harmless the CITY for any damages awarded by the Court of Claims in any civil action arising from any action or omission of any CITY law enforcement officer acting pursuant to the Agreement. In addition, to the extent provided for in Ohio law, each party expressly waives any and all claims against the other party for compensation for any loss, damage, personal injury or death occurring as a result of or in connection with the performance of this Agreement. Nothing in this Agreement is intended to interfere with or waive the statutory rights and protections provided to each party including but not limited to immunity and indemnities provided by Ohio law.
- 8) All personnel of the responding agency, when responding to a call from a requesting agency, shall be acting within the scope of their employment of the responding party while en route to, en route from and while acting within the territory of the requesting party and shall report promptly to the senior ranked officer of the requesting party or other officer requesting assistance.

- 9) When additional assistance is called, pursuant to the terms of this contract, the senior police officer of the requesting party present and in charge of the department of such party shall have full charge of and authority over any assisting equipment and personnel responding pursuant to such a call.
- 10) Police officers who are rendering emergency assistance to the other department shall be entitled to all the rights and benefits of the Chapter 4123 of the Ohio Revised Code and the police pension fund, as applicable, to the same extent as when performing services within their respective territories.
- 11) Radio communication between parties shall be conducted on radio frequencies shared by both parties.
- 12) Neither of the parties hereto shall be liable for any damages to the other party for failure to answer, neglect in answering any call for additional police protection, for inadequacy, negligent operation of equipment and apparatus, for any cause whatsoever growing out of such use of said equipment and apparatus, or lack of performance of duties by police department members. Neither of said parties shall be liable in any manner or event for damages for personal injuries suffered by any member of said police department of the other contracting party hereto.
- 13) This Agreement shall be in effect for the period beginning _____ through _____, provided however, that either party may withdraw from such mutual aid agreement upon giving the other party at least sixty (60) days prior written notice to such effect.
- 14) The parties agree herewith to an annual review of administrative procedures, policies, and their effects as may relate to the operation of this Agreement.
- 15) This Agreement contains the entire agreement between the parties hereto and shall not be modified, amended or supplemented or any rights herein waived, unless such amendment or modification to this Agreement is (1) in writing; (2) refers to this Agreement and (3) executed by an authorized representative of each party. This Agreement supersedes any and all previous agreements, whether written or oral, between the parties.

Signatures on the following page

INTENDING TO BE LEGALLY BOUND, said parties hereby have, upon the dates hereinafter set forth, caused this Agreement to be executed.

KENT STATE UNIVERSITY:

BY: _____
Mark Polatajko
Senior Vice President
Finance & Administration

DATE: _____

CITY OF KENT, OHIO:

BY: _____
David Ruller
City Manager

DATE: _____

APPROVED AS TO FORM:

Hope Jones
Law Director, City of Kent, Ohio

DRAFT ORDINANCE NO. 2020-093

AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT A FUNDING APPLICATION TOTALING \$612,000 AND TO EXECUTE THE SUBSEQUENT AGREEMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION'S (ODOT) MUNICIPAL BRIDGE PROGRAM, AND TO ACCEPT THE GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATION OF FUNDS FOR THE SUNRISE DRIVE BRIDGE OVER FISH CREEK, AND DECLARING AN EMERGENCY.

WHEREAS, the funding application submitted to the Ohio Department of Transportation's (ODOT) Municipal Bridge program will be for the Sunrise Bridge over Fish Creek and is requesting \$612,000; and

WHEREAS, the existing bridge was constructed in 1968 and received a general appraisal of 5A as part of the 2019 Bridge Inspection and makes the bridge eligible for funding; and

WHEREAS, the rehabilitation of the bridge is necessary to maintain access to the properties north of the bridge on Sunrise Boulevard and Gale Drive.

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 Kent City Council approves submission of the City's application request for ODOT's Municipal Bridge program grant funding totaling \$612,000 and authorized that the Administration provide all information, funds, and documentation required in said applications for submission.

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

SECTION 3. That the Kent City Council hereby understands and agrees that participation in the ODOT's Municipal Bridge grant program will require compliance with program guidelines and assurances.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *ORDINANCE No.*
_____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT ORDINANCE NO. 2020-94

AN ORDINANCE REQUESTING A DONATION OF TWO (2) GUN LOCKS TO THE MOGADORE POLICE DEPARTMENT FROM THE KENT POLICE DEPARTMENT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Police Department has purchased new gun locks for their police cars when transitioning to a new fleet of cars; and

WHEREAS, this left the Police Department with old gun locks that are no longer needed; and

WHEREAS, the Kent Police Department would like to donate two (2) gun locks to the Mogadore Police Department.

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 Police Department to donate two (2) gun locks to the Mogadore Police Department.

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)

RESOLUTION NO. 2020-95

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY
THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX
LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR
(CITY COUNCIL)**

Revised Code, Secs. 5705.34 & 5705.35

The Council of the City of Kent, Portage County, Ohio, met in
Regular session on the 16th day of September, 2020 at the
office of Kent City Council with the following members present:

Mr. _____ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously
adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2021 ;
and

WHEREAS, The Budget Commission of Portage County, Ohio has certified its
action thereon to this Council together with an estimate by the County Auditor of the rate of each
tax necessary to be levied by this Council, and what part thereof is without, and what part within,
the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of _____, Portage County,
Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be
and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City
the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES

Rev. Code Sec. 5705.34 & 5705.35

Office of the Budget Commission, Portage County, Ravenna, Ohio

To the Taxing Authority of:

KENT CITY

SCHEDULE A

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED
BY BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

FUND	AMOUNT APPROVED BY BUDGET COM- MISSION INSIDE 10 M. LIMITATION	AMOUNT APPROVED BY BUDGET COM- MISSION OUTSIDE 10 M. LIMITATION	COUNTY ESTIMATE RATE TO INSIDE 10 M. LIMIT	AUDITOR'S OF TAX BE LEVIED OUTSIDE 10 M. LIMIT
	Column I	Column II	III	IV
General	\$1,460,547	\$325,326	3.6 & 0.9	1.16
Police Pension	\$125,889		0.30	
Fire Pension	\$125,889		0.30	
West Side Fire Station		\$256,250		0.73
Recreation		\$1,179,475		3.45
TOTAL	\$1,712,325	\$1,761,051	4.2 & 1.5	5.34

\$3,473,376

COUNTY AUDITOR'S ESTIMATE

419,629,880

COUNTY AUDITOR'S ESTIMATE Kent City	OF RATE IN MILLS Field LSD	Kent CSD
LEVIES INSIDE OF 10 MILL	LIMITATION	
County	2.00	2.00
City	1.50	4.20
School	6.50	3.80
JVS		
TOTAL:	10.00	10.00
LEVIES OUTSIDE OF 10 MILL	LIMITATION	
County	11.62	11.62
City	5.34	5.34
School	59.87	108.97
JVS	4.00	0.00
Library	0.00	1.80
Portage Park District	0.50	0.50
TOTAL:	81.33	128.23
TOTAL LEVIES:	91.33	138.23

Tax estimates as they will appear on the 2021 Official Certificate of Estimated Resources.

General Fund	\$1,785,873
Police Pension	125,889
Fire Pension	125,889
Westside Fire Station	256,250
Recreation	1,179,475
Tax Revenue Estimate	<u>\$3,473,376</u>

SCHEDULE B

LEVIES OUTSIDE 10 mill limitation

Levy Purpose	Date of Vote & Duration of Levy		Maximum Rate Authorized to be Levied	County Auditor's Estimate of Yield of Levy
General	03/17/20	5 years	1.16	\$325,326
West Side Fire Station	11/03/15	5 years	0.73	\$256,250
Recreation	11/03/15	Cont	1.00	\$351,027
Recreation	11/03/15	Cont	0.43	\$150,942
Recreation	11/03/09	Cont	0.50	\$176,473
Recreation	11/07/06	Cont	1.52	\$501,032

and be it further RESOLVED, That the Clerk of this Council be, and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Mr. _____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr. _____ , _____

Mr. _____ , _____

Mr. _____ , _____

Mr. _____ , _____

Mr. _____ , _____

Mr. _____ , _____

Mr. _____ , _____

Mr. _____ , _____

Mr. _____ , _____

Adopted the _____ day of _____, _____

President of Council

Clerk of Council

CERTIFICATE OF COPY
ORIGINAL ON FILE

The State of Ohio, Portage County.

I, _____, Clerk of the Council of the City of _____,
in said County, and in whose custody the Files and Records of said Council are required by the
laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from
the original _____

now on file, that the foregoing has been compared by me with said original document, and that the
same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, _____

Clerk of Council

Portage County, Ohio

City

RESOLUTION ACCEPTING THE
AMOUNTS AND RATES AS DETERMINED
BY THE BUDGET COMMISSION AND
AUTHORIZING THE NECESSARY TAX
LEVIES AND CERTIFYING THEM TO THE
COUNTY AUDITOR.

(City Council)

Filed _____, _____

County Auditor

DRAFT ORDINANCE NO. 2020-096

AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$100.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT TOWARDS THE PURCHASE OF A MEMORIAL TREE IN MEMORY OF MARY HELEN NEUZIL, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Parks & Recreation Department has received a donation of \$100 towards the purchase of a memorial tree in memory of Mary Helen Neuzil. The tree was purchased by Peter J. and Lois A. Orlando; and

WHEREAS, the City wishes to accept said donation.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, 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 \$100.00 towards the purchase of a memorial tree in memory of Mary Helen Neuzil and for the Budget and Finance Director to appropriate the donation into the proper fund.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL
(SEAL)



City Council Regular Meeting Minutes

The City of Kent, Ohio
Wednesday, August 19, 2020

At 7:30 p.m., Mayor Jerry 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; Ms. Tracy Wallach

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

Mr. Robin Turner opened the meeting by leading the Pledge of Allegiance.

Approval of Regular Council Meeting Minutes:

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF July 15, 2020 made by Mr. Turner, seconded by Mr. DeLeone, and CARRIED by a voice vote of 9-0.

Communication:

Public Comment: Mayor Fiala asked the Clerk if anyone had requested to speak before Council. There were no members of the public present at the meeting.

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

1. Liquor license transfer request from Paying It Forward LLC to Umbrian Hills LLC, 405 E. Main Street, Kent was received July 27, 2020. Chief Shearer had no objections.
MOTION TO RETURN WITH NO OBJECTIONS was made by Mr. Kuhar, **SECONDED** by Mr. DeLeone and **CARRIED** with a voice vote of 9-0.
2. Civil Service Commission Meeting Agenda for July 20, 2020 was received on July 17, 2020.
3. Resignation letter from Brian Gray from the Portage Area Regional Transit Authority (PARTA) Board effective July 16, 2020 was received on that date.
4. Civil Service exam notice for the Secretary to the Chief of Police position received on July 21, 2020.

5. Letter from Richard and Elizabeth Pryor of 233 Columbus Street regarding Kent State students returning and the enforcement of large gatherings was received and forwarded to Council on August 3, 2020.
6. Standing Rock Meeting Minutes from July 9, 2020 and Agenda for the August 13, 2020 meeting were received on July 29, 2020.
7. Letter from Sally Burnell to City Council members regarding rent-controlled housing was received on August 4, 2020.
8. Planning Commission Agenda and Staff Report for the August 18, 2020 meeting was received on August 7, 2020.

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

9. The Kent Parks and Recreation minutes from July 16, 2020 and the agenda for the August 20, 2020 meeting was received on August 13, 2020.

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

1. Chief Tosko asked for Council's authorization to accept a \$250 donation from Leslie Tan in honor of Eric Martin for use by the Kent Fire Department. (Draft #2020-87)
2. Mr. Kevin Schwartzhoff asked for Council's authorization to accept a \$500 donation from a few Council and community members to Kent Parks and Recreation for the purchase of a weathervane for the downtown Gazebo. (Draft #2020-88)
3. Ms. Amy Wilkens has requested Committee of the Whole time for consideration of fall 2020 Boards and Commission applications.
4. Ms. Amy Wilkens and Ms. Hope Jones have requested Committee of the Whole time to review suggestions for membership guidelines on City Boards and Commissions.
5. Ms. Melanie Baker and Ms. Rhonda Hall have requested Committee of the Whole time to finalize recommendations for the new City Hall building, including a discussion of the recommended financing strategy.
6. Ms. Bridget Susel has requested Community Development Committee time to present a request for the City to vacate unused/surplus City owned land on Adrian Avenue.
7. Ms. Bridget Susel and Ms. Hope Jones have requested Community Development Committee time to present a new "Hometown Foundation" and discuss the proposed articles of incorporation.
8. Mr. Jim Bowling has requested Finance Committee time for Council's authorization to submit the City's next round of Ohio Public Works Commission (OPWC) project requests.
9. Mr. Jim Bowling has requested Finance Committee time for Council's authorization to submit a bridge safety grant request for the rehabilitation of the Sunrise Drive bridge.

10. Chief Nick Shearer has requested Finance Committee time for Council's consideration of a request to donate surplus Kent Police equipment (2-gun locks) to the Mogadore Police Department.

11. Ms. Rhonda Hall has requested Finance Committee time for Council's consideration of a 2020 Budget Appropriations Amendment.

MOTION TO APPROVE ITEMS #1-11 OF THE CITY MANAGER'S REPORT made by Mr. Amrhein, seconded by Ms. Shaffer, and CARRIED by a voice vote of 9-0.

Standing Committees/Legislation

1) Committee of the Whole:

MOTION TO APPROVE MEETING MINUTES of August 5, 2020 made by Mr. Sidoti, seconded by Mr. Kuhar and CARRIED by a voice vote of 9-0.

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

Voting for Boards and Commissions

MOTION TO APPOINT DAVID SOUKENIK to the Board of Building Appeals made by Mr. Kuhar, SECONDED by Ms. Wallach and CARRIED by a voice vote of 9-0.

MOTION TO APPOINT LOUISE FREDERICK to the Board of Health was made by Ms. Wallach, SECONDED by Mr. DeLeone and CARRIED by a voice vote on 9-0.

MOTION TO APPOINT ANDRIA BLACKWOOD to the Fair Housing Board was made by Mr. Kuhar, SECONDED by Ms. Wallach and CARRIED by a voice vote of 9-0.

MOTION TO APPOINT WILLIAM ARTHUR to the Parking Action Commission was made by Mr. Kuhar, SECONDED by Ms. Shaffer and CARRIED by a voice vote of 9-0.

MOTION TO APPOINT KAREN BECK to the Portage Area Regional Transportation Authority Board was made Ms. Rosenberg, SECONDED by Ms. Wallach and CARRIED by a voice vote of 8-0-1, with Mr. Amrhein abstaining.

MOTION TO APPOINT JACK MURPHY to the Portage Area Regional Transportation Authority Board was made by Mr. Kuhar, SECONDED by Mr. Turner and CARRIED by a voice vote of 8-0-1 with Mr. Amrhein abstaining.

MOTION TO INSERT APPOINTED NAMES INTO DRAFT LEGISLATION was made by Mr. Kuhar, SECONDED by Mr. Sidoti and CARRIED by a voice vote of 9-0.

Draft No. 2020-71 A RESOLUTION APPOINTING DAVID SOUKENIK TO THE BOARD OF BUILDING APPEALS AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. DeLeone, seconded by Mr. 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.

MOTION TO ADOPT DRAFT NO. 2020-71 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.

RESOLUTION 2020- 71 PASSED as stated by Clerk Wilkens.

Draft No. 2020-72 A RESOLUTION APPOINTING LOUISE FREDERICK TO THE BOARD OF HEALTH, 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.

MOTION TO ADOPT DRAFT NO. 2020-72 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.

RESOLUTION 2020-72 PASSED as stated by Clerk Wilkens.

Draft No. 2020-73 A RESOLUTION APPOINTING ANDRIA BLACKWOOD TO THE FAIR HOUSING BOARD, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Ms. Shaffer, 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.

MOTION TO ADOPT DRAFT NO. 2020-73 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.

RESOLUTION 2020-73 PASSED as stated by Clerk Wilkens.

Draft No. 2020-74 A RESOLUTION APPOINTING WILLIAM ARTHUR TO THE PARKING ACTION COMMISSION, 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. 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.

MOTION TO ADOPT DRAFT NO. 2020-74 made by Ms. Shaffer 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.

RESOLUTION 2020-74 PASSED as stated by Clerk Wilkens

Draft No. 2020-75 A RESOLUTION APPOINTING JACK MURPHY TO THE PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY BOARD, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar, SECONDED by Mr. 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.

MOTION TO ADOPT DRAFT NO. 2020-75 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. Mr. Amrhein abstained.

RESOLUTION 2020-75 PASSED as stated by Clerk Wilkens

Draft No. 2020-76 A RESOLUTION APPOINTING KAREN BECK TO THE PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY BOARD, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Ms. Shaffer, 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.

MOTION TO ADOPT DRAFT NO. 2020-76 made by Ms. Shaffer and SECONDED by Mr. DeLeone. On Roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. Mr. Amrhein abstained.

RESOLUTION 2020-76 PASSED as stated by Clerk Wilkens.

Draft No. 2020-77 A RESOLUTION SUPPORTING THE REQUEST OF THE KENT CITY SCHOOL DISTRICT TO THE CIVIL SERVICE COMMISSION OF THE CITY OF KENT TO TAKE APPROPRIATE STEPS TO EMPOWER THE KENT CITY SCHOOL DISTRICT TO HANDLE MATTERS RELATED TO CIVIL AND CLASSIFIED SERVICE POSITIONS WITH THE KENT CITY SCHOOL DISTRICT, 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. Sidoti, SECONDED by Ms. Rosenberg. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach.

MOTION TO ADOPT DRAFT NO. 2020-77 made by Mr. Sidoti and SECONDED by Mr. Amrhein. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach. On roll call voting "No": Mr. Kuhar and Mr. Turner.

Mr. Kuhar stated he opposed the resolution because he thinks it takes away transparency and there should be an outside voice in the process.

RESOLUTION 2020-77 PASSED as stated by Clerk Wilkens.

2) Community Development Committee:

MOTION TO APPROVE THE COMMUNITY DEVELOPMENT MEETING MINUTES OF August 5, 2020 and the TWO (2) RECOMMENDED ACTIONS made by Mr. Kuhar, seconded by Mr. Amrhein, and CARRIED by a voice vote of 9-0.

Draft No. 2020-78, AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT WITH BROWNFIELD RESTORATION GROUP (BRG) TO COMPLETE THE UNDERGROUND STORAGE TANK REMEDIATION AT 301 WEST MAIN STREET (FORMER WORLD IMPORTS SITE) AS REQUIRED BY THE DEPARTMENT OF COMMERCE, DIVISION OF STATE FIRE MARSHAL, BUREAU OF UNDERGROUND STORAGE TANK REGULATIONS (BUSTR) AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar, SECONDED by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach.

MOTION TO ADOPT DRAFT NO. 2020-78 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.

ORDINANCE 2020- 78 PASSED as stated by Clerk Wilkens.

Draft No. 2020-79 AN ORDINANCE AUTHORIZING AN AGREEMENT WITH KMPH REAL ESTATE, LLC, AND MC AUTOMOTIVE, INC. (AKA MONTROSE MAZDA) PROVIDING FOR A PROJECT AND REAL PROPERTY TAX EXEMPTION PURSUANT TO THE OHIO COMMUNITY REINVESTMENT AREA PROGRAM (CRA), 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. 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.

MOTION TO ADOPT DRAFT NO. 2020-79 made by Ms. Shaffer, 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.

ORDINANCE 2020- 79 PASSED as stated by Clerk Wilkens.

3) Health and Safety Committee:

MOTION TO APPROVE THE HEALTH AND SAFETY MEETING MINUTES from the Special Committee Meeting of July 15, 2020, THE COMMITTEE MEETING MINUTES of August 5, 2020 and the ONE (1) RECOMMENDED ACTION made by Mr. Amrhein, SECONDED by Mr. Kuhar and CARRIED by a voice vote of 9-0.

Draft No. 2020-80 A RESOLUTION ADOPTING A "HEALTH EQUITY IN ALL POLICIES" (HEIAP) APPROACH TO PUBLIC POLICY THAT INTENTIONALLY CONSIDERS THE HEALTH

IMPACT OF ALL PROPOSED LEGISLATION AND REGULATIONS PRIOR TO THEIR IMPLEMENTATION, 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. 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.

MOTION TO ADOPT DRAFT NO. 2020-80 made by Ms. Shaffer, 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.

RESOLUTION 2020- 80 PASSED as stated by Clerk Wilkens.

4) Land Use Committee:

MOTION TO APPROVE THE LAND USE COMMITTEE MEETING MINUTES of August 5, 2020 and the ONE (1) RECOMMENDED ACTION made by Mr. Ferrara, SECONDED by Ms. Shaffer and CARRIED by a voice vote of 9-0.

Draft No. 2020-81 AN ORDINANCE ACCEPTING A DONATION OF A PARCEL OF LAND (0.377 ACRES) LOCATED ON FAIRCHILD AVENUE ADJACENT TO FOREST LAKES RECREATIONAL AREA APPRAISED IN THE AMOUNT OF \$9,100.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM BILL ARTHUR, TRANSOHIO PROPERTIES, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. DeLeone, SECONDED by 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.

MOTION TO ADOPT DRAFT NO. 2020-81 made by Ms. Shaffer and SECONDED by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach.

ORDINANCE 2020- 81 PASSED as stated by Clerk Wilkens.

5) Finance Committee:

MOTION TO APPROVE THE FINANCE COMMITTEE MEETING MINUTES OF August 5, 2020 made by Mr. DeLeone, seconded by Mr. Sidoti, and CARRIED by a voice vote of 9-0.

MOTION TO APPROVE THE THREE (3) FINANCE COMMITTEE ACTION ITEMS made by Mr. DeLeone, seconded by Mr. Sidoti and CARRIED by a voice vote of 9-0.

Draft No. 2020-82 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO APPROVE AND EXECUTE AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF KENT, OHIO AND THE KENT CITY BOARD OF EDUCATION REGARDING THE SCHOOL RESOURCE OFFICER PROGRAM, EXTENDING

THIS AGREEMENT UNTIL MAY 27, 2021, AND DECLARING AN EMERGENCY, was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar, seconded by Ms. Rosenberg. 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. 2020-82 made by Mr. Kuhar and 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.

ORDINANCE 2020- 82 PASSED as stated by Clerk Wilkens.

Draft No. 2020-83 AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF WATER USE CHARGES, WASTEWATER USE CHARGES, STORM WATER UTILITY CHARGES AND RECYCLING/SOLID WASTE COLLECTION CHARGES TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY FOR THE NON-PAYMENT OF WATER USE CHARGES, WASTEWATER USE CHARGES, STORM WATER UTILITY CHARGES AND RECYCLING/SOLID WASTE COLLECTION CHARGES AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Amrhein and seconded by Ms. Rosenberg. 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. 2020-83 made by Mr. DeLeone and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-83 PASSED as stated by Clerk Wilkens.

Draft No. 2020-84 AN ORDINANCE AUTHORIZING THE CERTIFICATION OF DELINQUENT MOWING BILLS, PROPERTY MAINTENANCE VIOLATIONS-CITATIONS, ZONING VIOLATIONS-CITATIONS, AND HEALTH DEPARTMENT VIOLATIONS-CITATIONS TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY SERVED BY THE MOWING SERVICES, PROPERTY MAINTENANCE VIOLATION-CITATIONS, ZONING VIOLATIONS-CITATIONS, HEALTH DEPARTMENT VIOLATIONS-CITATIONS AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Ms. Rosenberg and seconded by Mr. 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.

MOTION TO ADOPT DRAFT No. 2020-83 made by Ms. Rosenberg 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 2020-84 PASSED as stated by Clerk Wilkens.

Draft No. 2020-85 AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF BILLS FOR RESIDENTS RESULTING FROM THE 2019 ANNUAL CONCRETE REPAIR PROGRAM, TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY FOR THE NON-PAYMENT OF SIDEWALK REPAIRS AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Ms. Shaffer and seconded by Mr. Amrhein. 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. 2020-85 made by Mr. DeLeone and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner and Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2020-85 PASSED as stated by Clerk Wilkens.

Draft No. 2020-86 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 was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Amrhein and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. 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. 2020-86 made by Mr. DeLeone and seconded by Ms. Rosenberg. 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 2020-86 PASSED as stated by Clerk Wilkens.

Draft No. 2020-87 AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$250.00 TO THE CITY OF KENT FIRE DEPARTMENT FROM LESLIE TAN, IN THE NAME OF ERIC MARTIN, AND DECLARING AN EMERGENCY 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. 2020-87 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 2020-87 PASSED as stated by Clerk Wilkens.

Draft No. 2020-88 AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$500.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT TO PURCHASE A WEATHERVANE FOR THE DOWNTOWN GAZEBO, 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. 2020-88 made by Mr. Kuhar and seconded by Ms. Rosenberg. 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 2020-88 PASSED as stated by Clerk Wilkens.

Unfinished Business: NONE

New Business

New Business for Mr. Kuhar

Mr. Kuhar introduced two items to of new business. He asked the Administration to review the upcoming construction on N. Water Street which will affect the overnight parking permits. He asked for a solution for a place for permit holders to park.

MOTION FOR COUNCIL MEMBERS TAKE A REDUCTION OF 20% OF PAY FOR THE LAST FEW MONTHS OF THE YEAR made by Mr. Kuhar and seconded by Ms. Rosenberg and FAILED by a voice vote of 3-6.

Mr. Kuhar added the City is in a tight spot with the Covid virus and this would be a small donation that City Council could make and thinks it is the right thing to do.

Ms. Rosenberg added she thinks it is appropriate and the City has been very responsible in handling the budget during this pandemic and she supports Council helping.

Ms. Shaffer is against this motion stating Council fought for years and years for an increase in pay and are the worst paid Council in Portage County with no benefits. She has gotten a larger

amount of calls from residents and is dealing with a lot more issues and feels she is earning her money. This amount would be a drop in the bucket and more just symbolic. She said if you want to donate money, donate to things that matter, charitable causes and that this action would not make enough of a significant impact.

Ms. Wallach says this should be voluntary and not mandatory.

Mr. Turner agreed and thinks if a council person would like to do this, it should be voluntary. He said taking a cut would impact him significantly and may decide to do something a little less, but something to contribute. He respects Mr. Kuhar's motion but would like this to be voluntary.

Mr. Amrhein added he does not personally have a problem with a 20% cut in pay, but he is not going to push it on other people. He is more than happy to give up the 20% but is not going to make this decision for another member.

Mr. Fiala added members can not give themselves a raise. If you vote to cut pay it would affect the next person who holds office pay as well. He asked Ms. Hope Jones to look into this.

Ms. Jones said she is not sure a decrease in pay can be authorized by a vote. If members would like to donate money back to the City, that can be done.

Mr. Fiala said most do something special with their paychecks and the motion has failed.

New Business for Ms. Shaffer

Ms. Shaffer asked about what could be done about noise in the neighborhood from loud cars. She is receiving a lot of complaints and asked how this would be enforced.

Chief Shearer said there is a city noise ordinance regarding any noise that can be heard 30 ft. beyond the right of way and one for squealing tires that are enforceable. It would need to be something observed by the officer. The police can enforce a noise violation if the person is willing to sign a charge against someone who is making that as long as the police can identify who is making noise.

New Business for Ms. Wallach

Ms. Wallach wanted to make an argument against putting on the third story above Council chambers in the new city hall. She reviewed the old council chambers and storage needed and pointed out after being there for twenty years, no additional space was needed.

Mr. Ruller said storage was okay, but functionality of the space was the problem.

She continued by reviewing the new city hall square footage and said she does not believe it is needed.

Mr. Ruller said this is scheduled for discussion in two weeks.

Her second item of new business was in regards to the book White Fragility. She would like to buy a copy for everybody to read and she is going to try to have the author facilitate a workshop.

Mr. Kuhar relayed a story about Amway Corporation's new office building built in the 70's. He said they had prepared for technology fifty years out but by the 1980's technology had advanced and they needed nowhere near the space they planned for.

Mayor Fiala suggested he bring that information to the next Council Meeting when the discussion is planned.

Councilmembers' Comments

Mr. Kuhar said he was pleased with the amount of people he sees in the community wearing a mask. If everyone would talk to people they know to carry on the precautions in the home, it would help out tremendously.

Ms. Wallach said she is pleased with the mask wearing but there are still people wearing incorrect types with the vents on them and unusual versions of masks. She is also concerned with the return of Kent State University students moving back to campus and has seen a lot of students around town without masks. She asked for the current numbers in the city. Dave Ruller said they would get those numbers to Council. He said the one good thing is there have been no deaths in Kent. The City is in daily conversations with Kent State Administrators to help get compliance.

Mr. Amrhein said he has started going back to the Wellness Center and has felt very safe. They require masks worn correctly. He attends at 6:00 a.m. and there are only a few people in attendance.

Mr. Sidoti said there was nice television coverage on students moving back to campus. He believes modeling is important and everyone in the video was wearing masks.

Mayor Fiala added he was in downtown Kent at 8:30 p.m. and there was no social distancing between people standing in line to get into the bars. He said they were not wearing masks while waiting in line. He added that education is key.

Ms. Wallach added if students do not wear their masks on campus they could be punished.

Mr. Turner wanted to acknowledge the passing of Kelvin Berry who passed away this week. He was a good man, and a great associate from the University to the City of Kent and will be missed greatly.

Mayor's Report:

Mayor Fiala encouraged members to go downtown and introduce selves to students exploring what Kent has to offer. It is not the usual Discover Downtown Kent due to the virus, but everyone is doing the best they can in these times.

The Regular Meeting adjourned at 8:06 P.M.

Amy Wilkens
Clerk of Council

Jerry Fiala
Mayor and President of Council



Committee of the Whole Meeting Minutes
The City of Kent, Ohio
Wednesday, September 2, 2020

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

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

There were two (2) items on the Agenda.

1. Boards and Commission Update

Clerk Wilkens introduced the first item on the agenda, a compiled list of recommendations from City Council and Staff members updating Boards and Commissions for the City of Kent. She reviewed the following: filling vacancies, term expiration dates, membership and term limits and specific board changes.

Mr. Kuhar asked if three terms would be too long and if it should be two instead. Ms. Susel said sometimes the turnover is too quick, and three terms is a good length of time considering some boards are harder to fill. Once a term limit is met, the member cannot apply to the same board for the length of a term.

Mr. Sidoti asked about the Assessment Board and the time period needed to do assessments before the project starts. His concern is having enough time to advertise appropriately to recruit members.

Ms. Jones said during her time working at the City of Cuyahoga Falls, they did not have a hard time filling these positions for the Assessment Board. Applicants knew they were going to be serving just for that project so were willing to apply. The intent of the language in the Revised Code is to have uninterested people serve on the board and the best way to do that would be to recruit as needed.

Ms. Wallach asked about the Parking Action Commission and how downtown businesses would be consulted before decisions are to be made. Ms. Susel said this would definitely be done and that most items moved before the committee are brought from downtown business owners as a request and now would be discussed with the Traffic Engineering and Safety Committee, which is comprised of city staff. Any changes that require legislation would come before Council.

Ms. Shaffer asked if any downtown residents sit on the Parking Action Committee. Ms. Susel stated there was a position for a resident from downtown that was vacant for some time. It was primarily business owners and city staff. Ms. Shaffer thought it a good idea to have a resident on this commission. Mr. Kuhar clarified this would not be an issue as the suggestion was to repeal this commission.

A MOTION to ACCEPT CHANGES TO BOARDS AND COMMISSIONS AS WRITTEN was made by Ms. Rosenberg **SECONDED** by Mr. Sidoti and **CARRIED** by a vote of 9-0.

2. City Administration Building Design Update

Dave Ruller reminded Council the old property was sold in 2015 and the delay in building has worked in the City's favor due to interest rates now versus then. It is now approximately \$100,000 in savings per year. Mr. Ruller is hopeful that tonight is the last discussion and will be moving forward with the architect. The only outstanding item is the third floor over the Council Chambers, financing and solar panels. He is hopeful the City will be able to move forward and go to bid on this project.

Melanie Baker reviewed her report to Council in regards to staff in the building and its size. The third story over Council chambers became the discussion and the fact that Community Development, Service Engineering and the Health Department will not be moving into the new building for various reasons. She said Council has been a good checks and balance in regards to the size of the building. She said if the third floor extension would be built, she considered who would go into this space, reviewing expansion of Council, City Manager, Economic Development and if there would be any expanse this could be used. HR may need additional space in the future, but there is additional office space on the ground floor that could be used. Budget and Finance has room at this time for additional employees and has plenty of room for growth. She said Council did an excellent job looking at what needs are today and considering future growth. She said taking a look at true needs of the city need to be considered before beginning the build.

Ms. Wallach asked about the old building, being occupied for twenty years and running out of space. The new building is 50% bigger than the old and she is understanding after Ms. Baker's presentation there is plenty of room for growth. She clarified Service and Engineering will stay in the Overholt Building.

Ms. Baker clarified Community Development will more than likely stay in the same area as Service and Engineering due to the close work they do together on certain projects.

Ms. Baker continued her presentation, turning to the solar panel idea. It will cost \$50,000 to install the panels, so the hard part is the building requiring over 700,000 kilowatt hours for an entire year. These panels will only supply approximately 36,000 kilowatt hours, which is less than 5% of the need. The water treatment plant may be a better location for panels. She stated she is looking for direction from Council in regards to justifying spending the \$50,000 for less than 5% of what would be needed to run the building.

Mr. Kuhar asked about demand of domestic water in the new facility and if a small domestic water service in the building would be something to be reviewed. Ms. Baker said approximately 700,000 to 800,000 gallons a day. Mr. Kuhar said maybe a small ten panel system would be good for this use.

Ms. Shaffer brought up the fact that in Puerto Rico, after the hurricane hit, those structures with solar panels became "hubs" or community centers, a place where people could go. They are very important in an emergency situation. She added that maybe city vehicles could be charged. She is in favor of the charging station idea. She suggested also using solar to help power a generator.

Mr. Kuhar said using solar for electric savings would be minuscule other than looking good in the public eye. He asked about the domestic water use of solar is a different idea and the cost effectiveness might be better.

Mr. Sidoti asked about the number of panels and who recommended the number of panels. Ms. Baker replied the limited number of panels are due to square footage available. Mr. Sidoti said 5% is very small and a struggle to justify.

Ms. Rosenberg asked how soon it would pay for itself before the next generation of solar is available and asked if there would be another generation before it would pay for itself. She would be inclined to wait for that.

Ms. Baker clarified no city staff located in the building would have a vehicle that could benefit from a charging station.

Ms. Shaffer added that Brimfield Township has solar panels on either their fire station or town hall and would like to talk with them about what they are using it for.

Mr. Sidoti said the problem of needing over 700,000 kilowatts per year and only being able to generate 5% of that is the problem. He would like to hear more about what could be done to make it more economically and environmentally safe before a final decision is made.

Ms. Rhonda Hall reviewed the financing of the building, with and without building out the third floor above Council Chambers. **(Attachment #1)**. She reviewed rates now versus five years ago and explained rates are historically low and now is a good time to issue debt. There will be no new tax dollars needed. A bid will be needed to be set in order to go out for a bond issuance. The proceeds from the old city hall are included in the General Fund and are being used to pay architecture fees but not included in the down payment. The City's financial advisors recommend keeping the carryover balance in the General Fund at a 20-25% rate to have a better Moody rating. The demolition of the old police station will be covered by the police facilities fund.

Mr. Sidoti clarified the use of the term "bond issue" meaning working with banks and lending agencies to get the money, not a tax bond issue for tax payers. Ms. Hall confirmed there is no new tax associated with the building of City Hall. Ms. Hall clarified a bond issuance is analogous with a mortgage.

Mr. Ferrara asked about the 2.3 million received from the sale of the old city hall. Ms. Hall answered that \$300,000 of that money was used for the move out of old city hall to various locations. The remaining funds will pay for the architecture fees (\$600,000). The remainder of the funds will be kept in the General Fund. Mr. Ferrara asked if it wouldn't be better to put as much money down on the cost so we don't carry a larger balance. Ms. Hall said this all depends on where we stand between now and the end of the year. Mr. Ferrara said it is worth discussing putting down funds on the principal of the bond. Ms. Hall replied we will be waiting until this goes out to bid so we know exactly the amounts being discussed.

A MOTION TO POSTPONE THE DISCUSSION OF THE USE OF SOLAR PANELS TO A FUTURE TIME WHEN THERE IS MORE INFORMATION was made by Ms. Wallach **SECONDED** by Mr. Amrhein and **CARRIED** by a vote of 9-0.

Mr. Fiala went to members of the public present on the call. There was one member of the public on the call, Mr. Howard Boyle II.

Mr. Boyle commented the architecture firm has done a beautiful job creating a building everyone can be proud of. His concern is the fact it appears not putting the third floor on above the Council Chambers is a mistake for three reasons: 1) Interest rates are now 1.2% 2) will never be able to build out the third floor cheaper than you can today and 3) the building doesn't balance without the third floor above the council chambers. He thanked Council for the opportunity to share his thoughts.

A MOTION TO KEEP THE BUILDING AS IT IS was made by Ms. Wallach, **SECONDED** by Mr. Kuhar. A rather lengthy discussion ensued.

Ms. Wallach added we do not need the third floor and the building looks nice the way it is and is not necessary. She said, depending on the election, we may be in a depression the next four years.

Mr. Kuhar said the trend of service type business is needing less space. Technology, storage capacities, and work forces moving out into the are the cause of this. Every call he has received has been against adding the third floor due to the cost.

Ms. Shaffer added that Council has been courageous in the past in its decisions during difficult times and were wise to start the downtown expansion during the Great Recession. She added she does not see a need for additional space and that the courageous thing to do in this instance is to be prudent. She is going to vote against having the additional space because there is no need.

Mr. Ferrara said it is foolish not to build out the space at this time. He added a lot of people are working from home because it is a specific moment in time. Telecommuting and paperless office has been talked about for decades and hasn't happened. If there is one sector of the workforce that continues to expand, it's government. He mentioned the growth of the fire department who is out of space right now, and the building was built 18 years ago. Growth needs accounted for and planned for accordingly in a financially prudent way. He then mentioned the extra space in the new building, if you retrofit a building and turn conference/lunch rooms into offices is not a good plan for growth. He added the example of Kent State University building to a budget when building the Architecture building and they are already using other areas on campus for classes. UBS clients borrowed \$4.5 billion since July across the nation and the Cleveland market borrowed \$450 million taking advantage of interest rates. He said if you had an opportunity to refinance your home, you would do it immediately. His argument is to lead and put future leaders in a good financial position. He said you can get a hundred phone calls from residents is a small percentage of residents in the City of Kent and is not indicative of what general population wants and is not leadership to base decisions on that type of data.

Ms. Wallach replied the fire station is running out of space for storage, not personnel. There have not been very many extra employees on the city payroll since leaving the old building. She equated putting on the third floor to going out shopping and buying something you don't need but buying it because it's on sale.

Mr. Ferrara said you are voting for pro-growth post COVID if you are voting for this.

Mr. Turner said Council had asked Ms. Baker whether the build out should be something to anticipate and her evaluation has been there is not a need for it. He respects Mr. Ferrara's position and the value is a positive one. The only thing to think about is if it is being done with no real value established for it. He said during this time of uncertainty and the status of the budget it is not the appropriate time to do a build out. He has changed his mind since the last discussion due to reports received from staff and is not in favor of the third-floor addition.

Mr. Amrhein hears the administration saying a third floor is not needed and doing this during a pandemic when people are suffering. He talked to many residents saying Council is not looking at problems people are facing, they are selfishly wanting to add this with no known purpose. He is discouraged by state and federal government not listening and Council needs to listen.

Mr. Sidoti advocated this from the beginning and will continue to advocate. He wanted to make sure those who have called and expressed opinions about this and believes the opportunity is here to do something special that makes good economic sense. There are a lot of people who are fearful right now but he is optimistic about the future and strength is needed to overcome obstacles due to COVID. A lot of the response has been due to emotion. He is supporting the third floor build out, not from emotion, but a practical financial thing to do.

Mr. Ferrara and Ms. Wallach continued with the discussion regarding growth in the City government.

Ms. Wallach clarified the motion is to keep the plans as they are and not put on the third floor.

Mr. Ferrara wanted to clarify he wanted to approve moving forward with financing the building, regardless of whether there is a third-floor addition or not. Ms. Hope Jones clarified that Ms. Wallach could amend her motion. Ms. Wallach said the motion is in regards to design but not in regards to supporting moving forward with the building.

Ms. Wallach's clarified the motion is to proceed with the building without the third floor (addition).

Mr. Sidoti called to question the discussion.

A MOTION TO PROCEED WITH CONSTRUCTION WITH THE BUILDING AS IS WITHOUT THE THIRD FLOOR BUILD OUT was made by Ms. Wallach, **SECONDED** by Mr. Kuhar and **CARRIED** with a voice vote of 6-3, with Mr. Ferrara, Mr. Sidoti and Mr. Kuhar voting "no".

Seeing no further business or questions for this committee, it adjourned at 8.25 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) **Authorize the City to move forward with changes to Boards and Commissions as presented.**
- 2) **Authorize the City to move forward with the new City Hall without a third floor build out.**



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: August 26, 2020
Re: Financing of New City Hall

- I attached an amortization summary that shows the various amounts for a \$7.5M, \$8M, and \$8.5M bond issue. The \$7.5M is an estimate based on the Architect's construction costs, the \$8M is with adding the 3rd Floor shell and the \$8.5M is the estimate for the 3rd complete construction with potential additional funds for the Overholt Road Building upgrades, if considered necessary.
- The construction costs do not include the architecture fees – those are being paid now using the old city hall sale proceeds. The sale proceeds also covered the cost of moving to our various locations along with getting the 930 Overholt Rd. location ready to use by other departments.
- The bond issues above do not include any down payments being made even though we have funds available from the sale of the old city hall, excluding the architecture fees and other expenditures noted above. Those funds will be used for any cost overruns or other purposes necessary per this COVID-19 pandemic.
- Per our Financial Advisors:
 - *"Regarding a cash contribution, using cash will lower your overall debt burden so any moneys you have to contribute towards the City Hall building will help your debt metrics. That being said, you want to keep your carryover balance in the general fund in the 20-25% range if possible which is considered strong by Moody's. I see many issuers limiting the debt sizing and then funding any overruns with cash. Either way it's a balance. Keeping the debt low and short (20 years or less) will serve you well."*
- There will be NO new tax for the payment of the new City Hall.
- Debt payments will be made using income tax dollars in the Capital Fund. We paid off the Fire Station in 2020 which will leave additional dollars available for the new City Hall debt payments.
- Please note the interest rates highlighted – these are extremely low, which also lends to using our current cash for other purposes other than lowering this debt.
- Demolition costs of the old Police building will be spent out of the Police Facilities Fund.

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

Summary of Financing Scenarios

New City Hall Building				
		\$7,500,000	\$8,000,000	\$8,500,000
		Capital Markets	Capital Markets	Capital Markets
A	Premium	\$576,355	\$614,820	\$653,739
A-C= B	Deposit to Bond Retirement Fund	\$398,855	\$433,820	\$469,239
C	Estimated Costs of Issuance*	\$177,500	\$181,000	\$184,500
	Dated Date	3/3/2021	3/3/2021	3/3/2021
	Call Date	12/1/2030	12/1/2030	12/1/2030
	Final Maturity	12/1/2040	12/1/2040	12/1/2040
	All-Inclusive Cost (AIC)	1.43%	1.42%	1.41%
	Total Interest Cost	\$1,607,098.69	\$1,713,373.14	\$1,821,416.36
D	Total Principal and Interest	\$9,107,098.69	\$9,713,373.14	\$10,321,416.36
D-B= E	Net Debt Service	\$8,708,243.44	\$9,279,553.49	\$9,852,176.96
D/20 =	Average Annual Debt Service**	\$455,354.93	\$485,668.66	\$516,070.82

*Includes underwriter's discount

**Average annual gross debt service. Not inclusive of the deposit to the bond retirement fund



Community Development Committee
Meeting Minutes
The City of Kent, Ohio
Wednesday, September 2, 2020

Chair Kuhar called the Community Development of Kent City Council to order at 8:26 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; 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. Kevin Schwartzhoff, Parks and Recreation Director; Mr. Nick Shearer, Chief of Police; and Ms. Amy Wilkens, Clerk of Council.

There was one (1) item on the Agenda.

1. City Participation in the Hometown Foundation

Mr. Ruller said this is a really exciting opportunity. The work began with Dan Morganti and Bridget Susel and their work with the Land Bank. Hometown Bank has taken an interest and Mr. Howard Boyle was very active in the Historic South End discussion which encouraged him to develop ideas from the County Land Bank. The City is looking for authorization from Council to serve on the Foundation Board.

Ms. Susel stated she had always wanted to put together a Community Development Corporation for the City, but it would require a commitment of funding. Howard Boyle presented his foundation and it is a true gift. She thanked Mr. Boyle for this contribution and stated it would be a game changer, especially with houses that have been neglected for many years.

Ms. Wallach wanted clarification that this would be for renovating old houses, not tearing them down. Ms. Susel said this would be to renovate housing and increase home ownership opportunities and the housing stock available.

Mr. Howard Boyle said this has been an effort to put together over the past three years and is a need for the city. He has heard many complaints over the years about depressed, unwanted homes and they have always been issues of concern. The City is much more involved in neighborhoods and properties that needed renovated. The bank is sponsoring a Foundation and providing funding. They are not talking about changing neighborhoods but picking up houses that no one wants. They are not trying to make money, they are doing it to build community value. There are nine trustees; three from HomeTown Bank, three people from the community and three from the City of Kent. Homes would be funded through a line of credit at Hometown Bank.

Ms. Shaffer said she is "over the moon" with this idea. The existing housing needs upgraded. She asked if lines of credit would be for people to buy the house.

Mr. Boyle clarified the Foundation would draw down the line of credit, renovate the house and then sell it at an affordable price. The Bank will have special funding at a low cost to assist buyers. They are looking at doing 2-4 of these a year.

Ms. Shaffer asked how to keep people from purchasing houses and renting them out.

Mr. Boyle said there is no way of doing this. Most rental houses are not kept up as single-family dwellings to increase the pride in the community, neighborhood and property.

Ms. Shaffer asked if there is a policy that could be created to push houses towards home owner occupied houses.

Mr. Boyle said that is a question for administration. What the Foundation is looking to do is purchase these homes, fix them up and get them to single families, however they may not be the high bidder. Most of these houses are houses no one wants. They would still be competing with the market just like everyone else.

Ms. Susel expanded stating because Hometown Bank will be investing in refurbishing these houses, the City has funds for down payment assistance and language could be added to this to assist in buying as long as owner occupied for a certain period of time. They anticipate working with the Foundation but also the Land Bank who can erase tax liens and the City could provide down payment assistance.

Mr. Turner said things being done here are essential for upgrading the community but he is concerned about the unintended consequence of gentrification. He asked how low-income property owners could be assisted if their property values increase.

Ms. Susel said she has worked with numerous homeowners over the years to take properties to the Board of Auditors Office after new evaluation have gone through. She helps them through the process bringing these to a more reasonable level.

Mr. Turner is concerned about those on fixed incomes in the Historic South End Community and would like this to be on the radar.

Mr. Sidoti hears issues from community members born and raised here who sell their homes but can't afford high rent. He asked if the City can control and sell homes with language about it being an affordable rental.

Ms. Susel said it would depend on how the Foundation is set up. She sits on the Landbank Board and there is that type of language. It would depend on how the deal is structured. Typically, it can be done on a smaller residential property but is harder with something that is a multi-unit; developers need to get a return on their investment. The specificity of the deals would be on a case by case basis.

Mr. Ruller added the City shares the concerns mentioned. The goal is to have home ownership and houses to be owner occupied. There were many productive conversations with Kent State University talking about incentives for new faculty moving to the area. This discussion was sidelined when the COVID-19 pandemic hit, but their had been very serious conversations with KSU.

Ms. Susel said this will be a few houses per year and is a long process. The types of housing being bought should not result in huge changes in evaluations.

Ms. Shaffer said there is an effort to make housing more affordable to new, young home buyers. There is an impact to neighborhoods when more and more people fix up their houses.

Ms. Rosenberg wanted to make sure the Foundation wouldn't be competing with people who are looking to buy houses and when those houses become available if they are sold on the open market.

Mr. Boyle said most properties they will be looking at are ones no one wants or are being misused and very reasonably priced. They would be competing with someone else who wants to buy a house cheaply and try to rent it. This a free market system but whoever has the ability to do so can purchase these houses.

MOTION TO AUTHORIZE THE CITY'S REPRESENTATION ON THE NEWLY PROPOSED HOMETOWN FOUNDATION made by Mr. Ferrara, **SECONDED** by Mr. Amrhein and **CARRIED** by a voice vote of 9-0.

Mr. Ferrara is happy to see this is happening and that the City is doing something in conjunction with Kent State. He is in favor of this.

Mr. Amrhein said every town would benefit from having this in their community.

Ms. Shaffer added this is where efforts needed to be going, seeing the city improve their housing and she could not be happier.

Mr. Sidoti added this is an example of public/private partnership that focuses on the neediest people in the community, looking at homes that have been abandoned. Buying those properties and renovating them is a good thing that focuses on what we said we were going to try to do for neighborhoods. He really appreciates it.

Mr. Turner stated he does have questions but is not dissuaded from supporting this and will enhance the quality of life for some of those in the community. He is hopeful to be able to identify and adjust any ill consequences from this, but it is mostly a positive thing.

Hearing no further business before this Committee, the meeting adjourned at 9:05 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Authorize the City's representation on the newly proposed Hometown Foundation.**



Streets and Sidewalks Committee
Meeting Minutes
The City of Kent, Ohio
Wednesday, September 2, 2020

Chair Sidoti called the Streets and Sidewalks Committee of Kent City Council to order at 9:03 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; 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. Kevin Schwartzhoff, Parks and Recreation Director; Mr. Nick Shearer, Chief of Police; and Ms. Amy Wilkens, Clerk of Council

There was one (1) item on the Agenda.

1. **Proposed Modification to S. Water Street “Smoker” Agreement**

Ms. Susel said in 2010, Water Street Tavern had Cajun Dave’s as a tenant and had a smoker parked out front used to prepare meals for the weekend. Mike Beder is the owner of the smoker and to help boost business due to Covid-19, he is allowing a tenant to use the smoker to help increase carry out orders. This would be only to authorize the same use in the same location with a different licensee and is still subject to review and approval by the Health Department. This is just changing the name of the licensee and allowing the owner occupier to continue to use this on the right of way.

Mr. DeLeone asked about the problems and complaints of smoke in businesses and apartments in the past when it was operating.

Ms. Susel said she was aware of several complaints prior of concern and the tenant directly above had an issue when they had their window open. She did not believe it was more than that resident.

Mr. DeLeone asked about parking meters. Ms. Susel said there is actually a contractor permit for the parking meters. They are issued to anyone doing work downtown enabling them to park all day. They would require Mr. Beder to inform Community Development when issued this permit so they can post those meters as temporary no parking for those time periods.

Ms. Wallach asked if Council votes in favor of the transfer of the license if that means they are voting in favor of the smoker. She remembers a lot of problems with businesses in the direct vicinity not being happy with the smoke.

Ms. Susel said this ordinance is still in effect, it would be just changing the name. She said because this ordinance is in effect, all that is being done would be changing the licensee from Cajun Dave’s to Mike Beder, the owner of the smoker.

Ms. Shaffer needed further clarification about what it means “going forward”. She asked if it meant still using the parking spaces on Water Street. Ms. Susel said it would in one of the three designated parking spaces as approved back in 2010. Ms. Shaffer asked if it would be possible to look for another location, perhaps in the alley to avoid complaints.

Ms. Rosenberg asked to stay at the task at hand of transferring the license. Mike Beder is not here at this meeting to defend himself and this is not the issue at hand.

Ms. Shaffer asked for clarification regarding if this was for approving the transfer of the license and not the location of the smoker. Ms. Hope Jones clarified this was correct.

Ms. Wallach wanted further clarification that if Council approves this license transfer, the smoker will be placed in the spot-on Water Street. Ms. Hope Jones confirmed this is correct.

Mr. Kuhar asked what would happen if they vote no on the transfer and then found someone who wanted to take over the machine, if they could come to Council with a different plan. Ms. Jones said that could be done.

MOTION FOR A RESOLUTION AMENDMENT TO THE “SMOKER” UNIT AGREEMENT FROM CAJUN DAVE’S TO WATER STREET TAVERN made by Mr. Amrhein, **SECONDED** by Mr. Ferrara and **CARRIED** by a voice vote of 6-3, with Ms. Shaffer, Ms. Wallach and Mr. Kuhar voting ‘no’.

Hearing no further business before this Committee, the meeting adjourned at 9:13 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) **Authorize a resolution amendment to the “smoker” unit agreement from Cajun Dave’s to the Water Street Tavern.**



Finance Committee Meeting Minutes

The City of Kent, Ohio
Wednesday, September 2, 2020

Chair DeLeone called the Finance Committee of Kent City Council to order at 9:13 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; 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. Kevin Schwartzhoff, Parks and Recreation Director; Mr. Nick Shearer, Chief of Police; and Ms. Amy Wilkens, Clerk of Council

There were two (2) items on the Agenda.

1. Sunrise Drive Bridge Safety Grant Application

Last year, Mr. Bowling states, an application was submitted for a grant to improve the Sunrise Drive Bridge and they were not successful in getting it. After going to Columbus, they were advised to resubmit the application to rehabilitate the bridge. The problems are mostly in the deck and the beams, so they would be replacing the super structure where the deck and beams are located. This bridge serves approximately eighteen homes just north of Sunrise Drive.

MOTION TO AUTHORIZE THE SUBMISSION OF THE GRANT APPLICATION FOR BRIDGE SAFETY REPAIR FUNDS FOR THE NECESSARY SAFETY IMPROVEMENT TO THE BRIDGE ON SUNRISE DRIVE WITH AN EMERGENCY CLAUSE made by Mr. Kuhar **SECONDED** by Mr. Amrhein and **CARRIED** by a voice vote of 9 -0.

2. Donation of Surplus Kent Police Equipment to Mogadore Police Department

Chief Shearer said they have electronic gun locks that used to be in the cruisers that are used to lock in a shot gun and rifles. New locks have been purchased and the older locks are no longer needed. Mogadore police have asked if these can be provided to them. In the past old surplus equipment has been supplied to other departments when requested. There are seven total, and they are asking for two. Chief Shearer is asking for the ability to provide those to Mogadore Police Department.

MOTION TO AUTHORIZE THE DONATION OF THE SURPLUS GUN LOCKS TO THE MOGADORE POLICE DEPARTMENT was made by Mr. Kuhar, **SECONDED** by Mr. Turner and **CARRIED** by a voice vote of 9-0.

Hearing no further business, the meeting adjourned at 9:17 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) **Authorize the submission of bridge safety repair funds for the necessary safety improvements to the bridge on Sunrise Drive.**
- 2) **Authorize the donation of the surplus gun locks to the Mogadore Police Department.**