



City of Kent
Wednesday, December 15, 2021
Regular City Council Meeting
320 S. Depeyster Street, Kent, OH 44240

AGENDA

7:25 P.M. Board of Control

7:30 P.M. Regular Council Meeting

1. Roll Call
2. Opening Remarks and Pledge of Allegiance- Mr. DeLeone
3. Approval of Minutes
 - 3.1. Regular Council Meeting Minutes of November 17, 2021
Special Council Meeting Minutes of December 1, 2021
4. Communications
 - 4.1. Public Comment
 - 4.1.1. Anyone wishing to address Council must submit their written comments to the Clerk of Council at councilclerk@kent-ohio.org by 4:30 p.m. on the day of the meeting. If also requesting to speak at the meeting, comments are limited to three (3) minutes
 - 4.2. Written Communication (All placed on file in the Clerk of Council's office)
 - 4.2.1. Standing Rock November Meeting Minutes and December Meeting Agenda received on December 1, 2021.
 - 4.2.2. Email received on December 7, 2021 from Mr. Dennis Saxe, thanking City Council for his appointment to the Architectural Review Board and endorsing the reappointment of Kevin Koogler to the board. This email was forwarded to Council members on December 8, 2021.
 - 4.3. City Manager's Report
5. Standing Committees & Legislation

5.1. **Committee of the Whole** Chair Mayor Fiala

5.1.1. Committee Meeting Minutes for November 17, 2021 & December 1, 2021

5.1.2. Action(s) Recommended: NONE

5.1.3. Voting on Board and Commission Appointments

5.1.4. Authorize Insertion of Names into Legislation

5.1.5. **DRAFT 2021-126** A RESOLUTION APPOINTING _____ TO THE ARCHITECTURAL REVIEW BOARD, AND DECLARING AN EMERGENCY. (Authorized)

5.1.6. **DRAFT 2021-127** A RESOLUTION APPOINTING _____ TO THE SUSTAINABILITY COMMISSION, AND DECLARING AN EMERGENCY. (Authorized)

5.1.7. **DRAFT 2021-128** A RESOLUTION CONFIRMING THE CITY OF KENT MAYOR'S APPOINTMENT OF DAVID SMEILES TO THE COMMUNITY REINVESTMENT AREA HOUSING COUNCIL, AND DECLARING AN EMERGENCY. (Authorized)

5.1.8. **DRAFT 2021-129** AN ORDINANCE CONFIRMING THE CITY OF KENT MAYOR'S APPOINTMENT OF ANNETTE PETRANIC TO THE FRANKLIN-KENT JEDD, AND DECLARING AN EMERGENCY. (Authorized)

5.2. **Community Development** Chair Kuhar/ Vice-Chair Rosenberg

5.2.1. Committee Meeting Minute Approval for December 1, 2021

5.2.2. Action(s) Recommended:

1. Accept the Greenhouse Gas Inventory Report as presented.

5.3. **Streets, Sidewalks and Utilities** Chair Sidoti/ Vice-Chair Wallach

5.3.1. Committee Meeting Minute Approval for December 1, 2021

5.3.2. Action(s) Recommended:

1. Authorize the application and allocation of State ARPA funds in the amount of \$1,391,300 for use in the repair and replacement of equipment at the City's water reclamation facility.

- 5.3.3. **DRAFT 2021- 130** AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT A PHASE I BUILDS GRANT REQUEST TO FUND THE WRF FINAL CLARIFIER REHABILITATION PROJECT – PHASE I, TOTALING \$1,391,300, TO EXECUTE THE SUBSEQUENT AGREEMENT WITH THE STATE OF OHIO AND TO ACCEPT THE GRANT WITH CORRESPONDING APPROPRIATION OF FUNDS AND DECLARING AN EMERGENCY (Authorized)

5.4. **Finance Committee** Chair DeLeone/ Vice-Chair Wallach

- 5.4.1. Committee Meeting Minutes for November 17, 2021 & December 1, 2021

5.4.2. Action(s) Recommended:

1. Authorize the renewal of the Portage County Public Defender's contract for 2022.
2. Authorize the proposed 2022 City Operating budget, including the 3% water and 3% sewer rate increases.
3. Approve the 2021 budget appropriations amendments.
4. Authorize the final year end reconciliation.
5. Approve of the "then and now" purchases in 2021.
6. Authorize the surplus City property sale at auction or trade in.

- 5.4.3. **DRAFT 2021-131** AN ORDINANCE DESIGNATING DEPOSITORIES FOR THE CITY OF KENT, OHIO, AND DECLARING AN EMERGENCY (Authorized)

- 5.4.4. **DRAFT 2021-132** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO CONTRACT, ON BEHALF OF THE CITY OF KENT, WITH THE OFFICE OF THE PUBLIC DEFENDER, PORTAGE COUNTY, FOR THE PROVISION OF LEGAL COUNSEL TO INDIGENT PERSONS CHARGED WITH POTENTIAL PENALTY OF INCARCERATION FOR OFFENSES COMMITTED IN VIOLATION OF THE ORDINANCES OF SAID CITY FOR THE PERIOD JANUARY 1, 2022 THROUGH DECEMBER 31, 2022. (Authorized)

- 5.4.5. **DRAFT 2021-133** AN ORDINANCE APPROPRIATING 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, 2022, AND DECLARING AN EMERGENCY (Authorized)

- 5.4.6. **DRAFT 2021-134** AN ORDINANCE AMENDING SECTION 913.05 OF THE KENT CODIFIED ORDINANCES, INCREASING THE WATER RATES OF THE CITY OF KENT, OHIO BY THREE PERCENT (3%) BEGINNING WITH THE FIRST BILLING CYCLE IN JANUARY, 2022, AND DECLARING AN EMERGENCY (Authorized)

- 5.4.7. **DRAFT 2021-135** AN ORDINANCE AMENDING SECTION 915.72 OF THE KENT CODIFIED ORDINANCES, INCREASING THE SEWER RATES OF THE CITY OF KENT, OHIO BY THREE PERCENT (3%) BEGINNING WITH THE FIRST BILLING CYCLE IN JANUARY, 2022, AND DECLARING AN EMERGENCY(Authorized)
- 5.4.8. **DRAFT 2021-136** AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR, UPON THE ISSUANCE OF A CERTIFICATE OF AVAILABILITY OF FUNDS, TO PAY CERTAIN PURCHASE ORDERS MADE THAT EXCEED \$3000.00; AND DECLARING AN EMERGENCY (Authorized)
- 5.4.9. **DRAFT 2021-137** AN ORDINANCE AUTHORIZING THE SALE AT PUBLIC AUCTION OF SURPLUS PROPERTY NOT NEEDED FOR MUNICIPAL PURPOSES BY A LIVE AUCTIONEER PURSUANT TO SECTION 721.15 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY (Authorized)
- 5.4.10. **DRAFT 2021-138** AN ORDINANCE AMENDING ORDINANCE NO. 2020-126 THE POSITION ALLOCATION AND GENERAL COMPENSATION PLAN, AND DECLARING AN EMERGENCY (Authorized)
- 5.4.11. **DRAFT 2021-139** AN ORDINANCE AMENDING ORDINANCE NO. 2020-129, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 16, 2020; SO AS TO ADJUST APPROPRIATIONS, TRANSFERS AND ADVANCES FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2021; AND DECLARING AN EMERGENCY (Authorized)
- 5.4.12. **DRAFT 2021-140** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A NEW CONTRACT WITH PORTAGE COUNTY SOLID WASTE MANAGEMENT DISTRICT FOR THE COLLECTION OF RECYCLABLES IN THE CITY OF KENT, WITHOUT COMPETITIVE BIDDING; AND DECLARING AN EMERGENCY (Authorized)

6. Unfinished Business

7. New Business

7.1. Swearing in of Elected Officials

8. Councilmembers' Comments

9. Mayor's Report

10. Adjourn

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.



City of Kent
Wednesday, November 17, 2021
Regular City Council Meeting
320 S. Depeyster Street, Kent, OH 44240

MINUTES

At 07:30 PM, Mayor Jerry T. Fiala called the Regular City Council Meeting to order. Roll call was taken.

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

Also Present: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Service Director; Mr. Jim Bowling, City Engineer; Ms. Rhonda Hall, Budget and Finance Director; Mr. Gary Bishop, IT Manager; Mr. Nick Shearer, Chief of Police; Mr. Bill Myers, Fire Chief; Ms. Suzanne Stemnock, Human Resources Manager; Ms. Amy Wilkens, Clerk of Council

Absent: Mr. Jack Amrhein

MOTION TO EXCUSE MR. AMRHEIN MADE by Mr. Kuhar SECONDED by Ms. Shaffer Bish and CARRIED by a voice vote of 8-0.

Opening Remarks and Pledge of Allegiance

Ms. Rosenberg wished everyone a Happy Thanksgiving and asked those present to stand for the Pledge of Allegiance.

Before getting started, Mayor Fiala referenced Ms. Wallach asking in a previous meeting about a sign that hung in the old council chambers, outlining the agenda of a council meeting. He said after doing a little research, Gary Bishop found it and it has been placed on the door. He thanked Ms. Wallach for bringing this to his attention.

Approval of Minutes

MOTION TO APPROVE the Regular City Council Meeting Minutes of October 20, 2021 made by Mr. Turner, SECONDED by Mr. Sidoti and CARRIED by a voice vote of 7-0-1, with Ms. Wallach abstaining.

MOTION TO APPROVE the Special City Council Meeting Minutes from November 3, 2021 made by Mr. Ferrara, SECONDED by Mr. Sidoti and CARRIED by a voice vote of 7-0-1, with Ms. Wallach abstaining.

Communications

Mayor Fiala read the following statement:

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

Public Comment

Clerk Wilkens called the first resident to speak before City Council, Mr. John Thomas.

Mr. Thomas approached the microphone and stated his name and address. He started by stating he is here tonight alongside other residents from the southeast neighborhoods, which comprises approximately fourteen streets, to discuss the concept of the intergenerational village that the University hosted a meeting on at the Recreation Center on October 27, 2021. This meeting was attended by approximately 25-30 individuals. His neighborhood also held a meeting and developed a list of concerns which was written on the whiteboard at the front of the room. He wanted to address the concept of the redevelopment of the general area where the Allerton married student apartments are located. He referenced the creation of a City-University Committee that was formed and represented by the City Manager, the Community Development Director and University Administration. He stated there is no engagement on the City side at this point from elected representatives and would like to see that as a community. He said we are neighbors of the university and they are part of the community. He thinks they have taken a wrong step by not including elected representatives, at least one council person. He said Mr. Turner has been very helpful in this discussion and that the University needs their input and representation on this committee. He said the City Council has a moral obligation to be involved and residents should be added to this committee as early as possible. From what he understands, the Board of Trustees will act tentatively at their March meeting to award an intent to proceed, and that's not that far away. We need more engagement and inclusion. Engagement with the community is very important and asked that councilmembers get more engaged with this potential

development. He says he thinks the university realizes the error in their omission of community members and wants to see logic and inclusion be put into decision making on this project. He thanked Council for the time he was given to speak before them.

Mr. Nichols was the next resident to speak, and he approached the microphone and stated his name and address. He agreed with Mr. Thomas that things were moving pretty quickly. His neighborhood was notified twenty-three hours before the meeting by a notice slipped under his door. He said it feels like a left hook and seems like a for-profit scheme for private developers. He thinks there is a better approach to building a complex for 1,000 people. The land should be sold and taken to the zoning committee and voted on. There are a lot of things that have not been considered. There is also a large apartment complex going in on S. Water and Rt. 261 which is causing concerns there as well. With two apartment complexes, there are concerns of sprawl and other concerns. It affects everyone in the community, and they have concerns about schools, and many other things other than just building codes. We need more discussion with the community and elected officials to make a decision that is right for the city of Kent.

Ms. Wendy Yuzik was the next resident to speak. She introduced herself to City Council and stated she had attended the meeting at Kent State Wellness Center for the Intergenerational Village. Most questions from concerned citizens were not answered, so she decided to pass out fliers and see which of her neighbors were interested. Thirty-two people attended the meeting she organized and her phone did not stop ringing. In the one-hour meeting on November 11, 2021, forty points came up and were documented, which included the environment, schools, and the surrounding forest. The community needs to be taken into consideration and is before City Council tonight to ask for representation from our elected officials. She said we are an intergenerational community and this affects the whole community. She would appreciate some of the items on the board addressed. She thanked council members for their time.

Written Communication (All placed on file in the Clerk of Council's office)

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

Standing Rock Cemetery October Meeting Minutes and Agenda for November 11, 2021 received on November 5, 2021.

Planning Commission Agenda and Staff Report for the November 16, 2021 meeting was received on November 9, 2021.

City Manager's Report

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

1. Request Council's authorization to issue City employees an "Employee Appreciation" gift card (\$25) to be used only at participating Kent businesses (cost up to \$5,875).

2. Request Council's approval to schedule a Special Regular Council meeting to be held on December 1st (prior to the Committee meetings) to consider the updates to the General Compensation Plan and Position Allocation.
3. Request Committee of the Whole time for Council to interview candidates for vacant positions on City Boards and Commission
4. Requested Community Development Committee time to provide Council with an update on the progress of the greenhouse gas inventory under the direction of the Sustainability Commission.
5. Request Finance Committee time to request Council's authorization to renew the City's contract with the County Public Defender's Office for 2022.
6. Request Finance Committee time for Council to consider the proposed 2022 Operating Budget.
7. Request Finance Committee time for Council's consideration of a 2021 Budget Appropriations Amendment.

MOTION TO APPROVE the City Manager's Report made by Garret Ferrara, SECONDED by Gwen Rosenberg and CARRIED by a voice vote of 8-0-0.

Mayor Fiala asked if Mr. Ruller had additional items. Mr. Ruller said that Mr. Turner called him regarding the Intergenerational Village and they had an hour's discussion. Mr. Ruller talked to Kent State afterwards and feels as if there are opportunities to explore and that there is no adversarial relationship. He added more will follow and he will continue having conversations with Kent State Administration. This is the first time that he could remember where the University invited any city staff to collaborate on a project. Mr. Ruller and Ms. Susel were invited to and attended a meeting in which a lot of time was spent talking about the quality of life in the neighborhood, traffic issues, environmental issues, etc. He said he found KSU to be very interested in engagement with the City. He is optimistic they will work with everyone and for Council to know they will continue working together on this. Mayor Fiala suggested copying down the items of concern listed on the white board in the room and Mr. Ruller said they would do so.

Committee of the Whole

Committee Meeting Minutes

MOTION TO APPROVE Committee Meeting Minutes of November 3, 2021 made by Roger Sidoti, SECONDED by Michael DeLeone and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

Action(s) Recommended

1. Authorize City Administration to proceed with the next steps concerning the bid on the New City Hall project.

MOTION TO Authorize Action(s) Recommended made by Michael DeLeone,
SECONDED by Robin Turner and CARRIED by a voice vote of 8-0-0.

Voting on Board and Commission Appointments

MOTION TO APPOINT DENNIS SAXE TO THE ARCHITECTURAL REVIEW BOARD made by Ms. Shaffer Bish SECONDED by Mr. Sidoti and CARRIED by a voice vote of 8-0.

MOTION TO APPOINT KEVIN KOOGLER TO THE ARCHITECTURAL REVIEW BOARD made by Mr. DeLeone, SECONDED by Ms. Wallach and FAILED by a voice vote of 2-6-0 with Mr. DeLeone and Ms. Wallach voting "Yes"

MOTION TO APPOINT VALERIE LANDIS TO THE ARCHITECTURAL REVIEW BOARD made by Mr. Kuhar, SECONDED by Mr. Turner and FAILED by a voice vote of 1-7-0, with Mr. Kuhar voting "Yes".

MOTION TO APPOINT ROBERT RUMMEL TO THE BOARD OF BUILDING APPEALS made by SECONDED by and CARRIED by a voice vote of 8-0-0.

MOTION TO APPOINT STEVEN PROTZMAN TO THE BOARD OF ZONING APPEALS made by SECONDED by and CARRIED by a voice vote of 8-0-0.

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

Draft No. 2021-116 A RESOLUTION APPOINTING DENNIS SAXE TO THE ARCHITECTURAL REVIEW 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. Kuahr and SECONDED by Mr. Sidoti. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti Mr. Turner, Ms. Wallach. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2021-116 made by Mr. Kuhar and SECONDED by Mr. Ferrara. On roll call, voting "Yes" Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti Mr. Turner, Ms. Wallach. The Motion CARRIED by a roll call vote of 8-0.

RESOLUTION 2021-116 PASSED as stated by Clerk Wilkens.

Draft No. 2021-117 A RESOLUTION APPOINTING ROBERT RUMMEL 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. Turner and SECONDED by Mr. Ferrara. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti Mr. Turner, Ms. Wallach. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2021-117 made by Mr. Kuhar and SECONDED by Mr. Ferrara. On roll call, voting "Yes", Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti Mr. Turner, Ms. Wallach. The Motion CARRIED by a roll call vote of 8-0.

RESOLUTION 2021-117 PASSED as stated by Clerk Wilkens.

Draft No. 2021-118 A RESOLUTION APPOINTING STEVEN PROTZMAN TO THE BOARD OF ZONING 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. Ferrara and SECONDED by Ms. Shaffer Bish. On roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti Mr. Turner, Ms. Wallach. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2021-118 made by Ms. Shaffer Bish and SECONDED by Mr. Sidoti. On roll call, voting "Yes" Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer Bish, Mr. Sidoti Mr. Turner, Ms. Wallach. The Motion CARRIED by a roll call vote of 8-0.

RESOLUTION 2021-118 PASSED as stated by Clerk Wilkens.

Community Development

Committee Meeting Minutes

MOTION TO APPROVE Committee Meeting Minutes from November 3, 2021 made by Garret Ferrara, SECONDED by Michael DeLeone and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

Actions Recommended:

1. Postpone decision on appeal from Collegiate Passion Brands (dba Kent Sportswear) until guidelines are developed for the Architecture Review Board.
2. Authorize the City to serve as administrative agent for the local historical grant application for the Liquid Crystal Institute.
3. Authorize the renewal of the Main Street Kent Contract for 2022-2024.

MOTION TO AUTHORIZE POSTPONING THE ARB APPEAL DECISION made by Mr. Kuhar, SECONDED by Mr. Ferrara and CARRIED by a voice vote of 6-2-0 with Ms. Wallach and Mr. Kuhar voting "No".

MOTION TO AUTHORIZE THE HISTORIC GRANT APPLICATION PROCESS made by Mr. Kuhar, SECONDED by Mr. Ferrara and CARRIED by a voice vote of 8-0

MOTION TO AUTHORIZE THE MAIN STREET KENT CONTRACT Mr. Kuhar, SECONDED by Mr. Ferrara and CARRIED by a voice vote of 8-0

DRAFT NO. 2021- 119 AN ORDINANCE AUTHORIZING THE CITY OF KENT, OHIO, AS A STATE DESIGNATED CERTIFIED LOCAL GOVERNMENT (CLG), TO ADMINISTER A GRANT BEING SUBMITTED FROM TODD PACKER AND ASSCIATES, LLC, TO THE OHIO HISTORY CONNECTION CERTIFIED LOCAL GOVERNMENT GRANT PROGRAM FOR FY 2022, AND DECLARING AN EMERGENCY (Authorized) was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF DRAFT NO. 2021- 119 made by Garret Ferrara, SECONDED by Michael DeLeone. On Roll Call Voting "Yes" Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach.

MOTION TO ADOPT DRAFT NO. 2021- 119 MADE by John Kuhar, SECONDED by Garret Ferrara. On Roll Call Voting "Yes" Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach.

ORDINANCE 2021-119 PASSED as stated by Clerk Wilkens.

DRAFT NO. 2021- 120 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RENEW THE AGREEMENT BETWEEN MAIN STREET KENT AND THE CITY OF KENT FOR ANOTHER THREE (3) YEARS TO PROMOTE ECONOMIC DEVELOPMENT AND REVITALIZATION TO THE CITY, AND DECLARING AN EMERGENCY (Authorized) was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF DRAFT NO. 2021- 120 made by Garret Ferrara, SECONDED by Roger Sidoti. On Roll Call Voting "Yes" Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach.

MOTION TO ADOPT DRAFT NO. 2021- 120 MADE by Garret Ferrara, SECONDED by Michael DeLeone. On Roll Call Voting "Yes" Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach.

ORDINANCE 2021-120 PASSED as stated by Clerk Wilkens.

Streets, Sidewalks and Utilities

Committee Meeting Minutes

MOTION TO Approve Committee Meeting Minutes for November 3, 2021 made by Roger Sidoti, SECONDED by Robin Turner and CARRIED by a voice vote of 7-0-1.

Action(s) Recommended

1. Authorize grant funding request and acceptance for E. Main Street Project
2. Authorize grant funding request and acceptance for Hike and Bike Trail.

MOTION TO Approve Action(s) Recommended made by Roger Sidoti, SECONDED by Garret Ferrara and CARRIED by a voice vote of 8-0-0.

DRAFT NO. 2021-121 AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT A TRANSPORTATION ALTERNATIVES SET ASIDE FUNDING APPLICATION (TASA) IN THE AMOUNT OF \$700,000 AND EXECUTE THE SUBSEQUENT AGREEMENT WITH AMATS TO IMPROVE THE EAST MAIN STREET IMPROVEMENT PROJECT, AND TO ACCEPT THE GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATION OF FUNDS, AND DECLARING AN EMERGENCY (Authorized) was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF DRAFT NO. 2021-121 made by Robin Turner, SECONDED by Garret Ferrara. On Roll Call Voting "Yes" Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach.

MOTION TO ADOPT DRAFT NO. 2021-121 MADE by Heidi Shaffer Bish, SECONDED by Garret Ferrara. On Roll Call Voting "Yes" Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach.

ORDINANCE 2021-121 PASSED as stated by Clerk Wilkens.

DRAFT NO. 2021-122 AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT A TRANSPORTATION ALTERNATIVES SET ASIDE FUNDING APPLICATION (TASA) IN THE AMOUNT OF \$483,100 AND EXECUTE THE SUBSEQUENT AGREEMENT WITH AMATS TO DESIGN AND ACQUIRE RIGHT OF WAY FOR THE FINAL SEGMENT OF THE PORTAGE HIKE AND BIKE TRAIL, AND TO ACCEPT THE GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATION OF FUNDS, AND DECLARING AN EMERGENCY (Authorized) was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF DRAFT NO. 2021-122 made by

Garret Ferrara, SECONDED by Gwen Rosenberg. On Roll Call Voting "Yes" Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach.

MOTION TO ADOPT DRAFT NO. 2021-122 MADE by John Kuhar, SECONDED by Garret Ferrara. On Roll Call Voting "Yes" Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach.

ORDINANCE 2021-122 PASSED as stated by Clerk Wilkens.

Finance Committee

Committee Meeting Minutes

MOTION TO Approve Committee Meeting Minutes for November 3, 2021 made by Michael DeLeone, SECONDED by Gwen Rosenberg and CARRIED by a voice vote of 7-0-1.

Action(s) Recommended

1. Authorize the transfer of County tax proceeds.

MOTION TO Approve Action(s) Recommended made by Michael DeLeone, SECONDED by Roger Sidoti and CARRIED by a voice vote of 8-0-0.

DRAFT 2021- 123 A RESOLUTION REQUESTING THE COUNTY AUDITOR TO ADVANCE ANY PROPERTY TAXES THAT HAVE BEEN COLLECTED PRIOR TO THE NORMAL FEBRUARY SETTLEMENT DATE FROM THE PROCEEDS OF THE 2021 TAX YEAR COLLECTION PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE (Authorized) was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF DRAFT 2021- 123 made by Roger Sidoti, SECONDED by Heidi Shaffer Bish. On Roll Call Voting "Yes" Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach.

MOTION TO ADOPT DRAFT 2021- 123 by Michael DeLeone, SECONDED by Roger Sidoti. On Roll Call Voting "Yes" Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach.

ORDINANCE 2021-123 PASSED as stated by Clerk Wilkens.

New Business

Mayor Fiala called on council members for any new business.

Ms. Wallach said she liked the council agenda sign that was found and hung in council chambers, but she is looking for something that explains what happens during each meeting. Mayor Fiala said we will work on this between now and when we move into our new building.

Mr. Kuhar said animal control has been in his neighborhood due to a dog that was loose. The officer said they had come out seven times in the month of October equipped with a stick and a hoop to try to catch a large dog. He was told they did not have tranquilizer guns, nets or cages. Mr. Kuhar thought they were wasting their time and tax payer's dollars by being improperly equipped for their jobs.

MOTION TO MOVE TO COMMITTEE a discussion on how to better equip animal control with what they need to do their jobs **MADE** by Mr. Kuhar, **SECONDED** by Mr. Turner and **CARRIED** by a voice vote of 5-3 with Mr. Ferrara, Ms. Rosenberg and Ms. Wallach voting "No".

Ms. Rosenberg asked if this was something the police department needed and requested and asked Chief Shearer. Chief Shearer approached the microphone and stated no requests have come through his department regarding this. They have catch poles and large cages on their trucks. He strongly opposes tranquilizer guns from a training standpoint and accuracy.

Mr. Kuhar said the animal control officer felt ill equipped to do their job. In Portage County, they were able to come out and capture animals that were loose and not waste time doing so.

Councilmembers' Comments

Mr. Sidoti thanked Mr. Turner for his involvement in the intergeneration meeting that was held on November 11th. He said most people on Council were not aware of the meeting and asked if anyone else was invited. He said he felt bad because he would have attended. Mayor Fiala said he found out about the meeting at the last minute but had another engagement and could not attend. Mr. Sidoti said he would be more than willing to act as someone to speak on behalf of community members regarding this issue.

Mr. Turner thanked the community members for taking the initiative in regards to the KSU Intergenerational Village project and making their concerns known. He

also thanked Mr. Ruller and Ms. Shaffer Bish for their participation in the matter. He said his conversation with the City Manager was very productive and he thinks everyone has been brought up to speed. He hopes for participation from residents and knows there are some things they cannot do as the authority lies outside of the City's boundaries but that we can be an advocate and represent the interests of the residents. He said there are a lot of positives in regards to having an intergenerational village, and there are things that could be done if we get participation early on. He said City Council understands that they represent its residents and does not want an adversarial relationship but instead to look for opportunities.

Ms. Shaffer Bish thanked Mr. Turner for his comments and added it is very difficult to get information out into the community, as there are very few methods to do so. The University did take contact information from participants in the meeting and she hopes we can continue to build a contact list. She feels citizen engagement is really important, especially the neighborhoods near the project but also across the city. There are people that are really interested in participating to help ensure it turns out to be a really great project with minimal negatives to the community. She said when we have engaged citizens we have better outcomes on projects.

Mr. Sidoti said we would like to see the Intergenerational Village integrated into the whole community so that it becomes part of its fabric. For that to happen, when there is potential conflict, there are opportunities like Mr. Turner mentioned that everyone would be happy. It is critical to build a better relationship with Kent State University.

Mayor's Report

Mayor Fiala announced there are multiple openings on Boards and Commissions and for councilmembers to do their duty in helping to fill those. The next filing date is November 24, 2021. He asked councilmembers to do their best to get the word out.

He wished everyone a Happy Thanksgiving and said he knows we have been through a lot because of the virus and a few other things going on, but added there is always something to be thankful for.

Executive Session

MOTION TO Enter Executive Session to discuss contract negotiations made by Garret Ferrara. Roll call was taken.

Present: Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach

Absent: Jack Amrhein

MOTION TO RETURN TO THE REGULAR MEETING made by Ms. Rosenberg, SECONDED by Mr. Sidoti and CARRIED by a voice vote of 8-0.

MOTION TO APPROVE THE CONTRACTS BETWEEN THE CITY OF KENT AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (OPBA), and THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), OHIO COUNCIL 8, LOCAL 379, AFL-CIO MADE by Mr. Ferrara, SECONDED by Mr. Sidoti and CARRIED by a voice vote of 8-0-0.

The meeting adjourned at 8:45 p.m.

Amy Wilkens
Clerk of Council

Jerry T. Fiala
Mayor & President of Council

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City of Kent
Wednesday, December 1, 2021
Special City Council Meeting
320 S. Depeyster Street, Kent, OH 44240

MINUTES

At 06:50 PM, Mayor Jerry T. Fiala called the Regular City Council Meeting to order. Roll call was taken.

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

Also Present: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Service Director; Mr. Jim Bowling, City Engineer; Ms. Joan Seidel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Nick Shearer, Chief of Police; Mr. Bill Myers, Fire Chief; Ms. Suzanne Stemnock, Ms. Patti Long, Assistant to the City Manager; Ms. Amy Wilkens, Clerk of Council

Absent: Ms. Heidi Shaffer Bish

MOTION TO Excuse Ms. Heidi Shaffer Bish Roll Call made by Michael DeLeone, SECONDED by Gwen Rosenberg and CARRIED by a voice vote of 8-0-0.

MOTION TO Authorize Draft No.s 2021-124 & 2021-125 made by Garret Ferrara, SECONDED by John Kuhar and CARRIED by a voice vote of 8-0-0.

Draft No. 2021-124 AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (OPBA), FOR THE PERIOD OF NOVEMBER 1, 2020 THROUGH OCTOBER 31, 2023, AND DECLARING AN EMERGENCY (AUTHORIZED) was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft No. 2021-124 made by Garret Ferrara, SECONDED by Michael DeLeone. On Roll Call Voting "Yes" Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Roger Sidoti, Robin Turner, Tracy Wallach

MOTION TO ADOPT Draft No. 2021-124 MADE by Garret Ferrara, SECONDED by Roger Sidoti. On Roll Call Voting "Yes" Jack Amrhein, Michael DeLeone, Garret

Ferrara, John Kuhar, Gwen Rosenberg, Roger Sidoti, Robin Turner, Tracy Wallach

Ordinance 2021-124 has passed as stated by Clerk Wilkens.

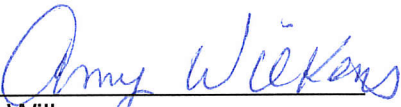
Draft No. 2021-125 AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), OHIO COUNCIL 8, LOCAL 379, AFL-CIO, FOR THE PERIOD OF NOVEMBER 1, 2020 THROUGH OCTOBER 31, 2023, AND DECLARING AN EMERGENCY. (AUTHORIZED) was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft No. 2021-125 AN ORDINANCE AUTHORIZING A COLL made by Garret Ferrara, SECONDED by Tracy Wallach. On Roll Call Voting "Yes" Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Roger Sidoti, Robin Turner, Tracy Wallach

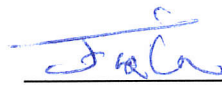
MOTION TO ADOPT Draft No. 2021-125 AN ORDINANCE AUTHORIZING A COLL MADE by Garret Ferrara, SECONDED by Robin Turner. On Roll Call Voting "Yes" Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Roger Sidoti, Robin Turner, Tracy Wallach

Ordinance 2021-125 has passed as stated by Clerk Wilkens.

With no further business, Mayor Fiala adjourned the meeting at 6:54 p.m.



Amy Wilkens
Clerk of Council



Jerry T. Fiala
Mayor & President of Council

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City of Kent
Wednesday, November 17, 2021
City Council Committee Meetings
320 S. Depeyster Street, Kent, OH 44240

MINUTES

6:30 P.M. Special Council Committee Meetings

1. Call to Order

At 06:30 PM, Mayor Jerry T. Fiala called the City Council Committee Meetings to order.

2. Committee of the Whole

2.1. Proposed Ward Changes from 2020 Census (Bridget Susel)

Mayor Fiala opened the Committee of the Whole meeting at 6:30 pm . He called the first speaker to the microphone.

Ms.Bridget Susel, Community Development Director, came before City Council to present the proposed changes to the City's Ward boundaries that resulted from the latest Census Count. She began her presentation by explaining that Wards are to be balanced within 10% of each other and the changes that resulted from the latest Census data will eventually require a change in the Ward boundaries. When her and her staff pulled down the data from the Census website (which is the new method of obtaining this information), they noticed changes in every Ward that didn't make logical sense. She and her staff have been diligently working and comparing data and maps to make sense of these shifts in population. Ms. Susel added she has reached out to the Secretary of State's Office as well as the Census to discuss and try to decipher these discrepancies. She is asking them to review their numbers and re-verify the information. Wards will not be drawn until this is done and she explained that she will be coming back to Council in February or March to report the findings.

Mr. Turner asked if there are other factors in the defining of wards and Ms. Susel replied the only factor is population, and they need to be contiguous. Other demographics or political affiliation are not considered, it is strictly population.

Mr Sidoti asked what the lead time is for the next election. Ms. Susel replied we

are done with redistricting that happens at the state and federal level.

Ms. Rosenberg asked if residents ever have an opportunity to weigh in on whether their ward changes. Ms. Susel said it is a formula in the Ohio Revised Code. If residents were concerned, they could contact Community Development, but at this point there is nothing that can be done until numbers are verified. Ms. Rosenberg asked if it leads to confusion when voting and Ms. Susel said she has never heard of any from the past.

Mr. Kuhar asked when this would be official. Ms. Susel said it will be official at the beginning of 2022.

Mr. Turner said the reason he brought up contiguousness was due to an election in the 90's where Ward 3 was split and voters were confused about their representation. Ms. Susel clarified that boundaries are defined by Block Group blocks and not physical boundaries. The contiguousness is due to block groups and not natural features.

Mayor Fiala commended Ms. Susel on the work done and verified she will be coming back before Council in February or March.

3. Finance Committee

Chair DeLeone opened the Finance Committee meeting at 6:50 p.m. He called the first speaker to the microphone.

3.1. 2021 Review and Proposed 2022-26 Capital Plan Update (Jim Bowling, Rhonda Hall)

Mr. Jim Bowling said that before going over the Capital Plan, he will be giving a short review of what happened this year. He referenced his PowerPoint during his presentation (Attachment #1).

He began by stating that this year started unusually due to the COVID pandemic. That delayed projects in 2020 which were then bid on in 2021. Prices bid out when prices were low and projects were prioritized by outside funding. We had to use money by the deadlines we were given and we progressed those as quickly as they could. The Fire Station #2 Improvements were reviewed, which have been on the books for three years. He reviewed the scope of the project, construction costs, start dates and completion dates. He reviewed the Bike and Hike, Brady's Leap Segment, which is near completion. The handrail is currently delayed being delivered and the entrance signs will be installed this week. Mr. Bowling then reviewed the Miller, Harvey and Steel Storm and Water improvements to help with chronic flooding in the area. He went into the next few projects that are of high importance to residents regarding streets and sidewalks. N. Water Street improvements were finished in October and tree planting is to be done this week. This project was done mainly to reduce vehicle speeds and it has done what they hoped for, specifically in regards to people driving 25 mph or less. Prior to this project, only 13% were driving at this speed and after the project was completed, that percentage tripled.

Mr. Kuhar asked about the crosswalk sign and the fact that it's knocked down every day. Mr. Bowling said most of the time it is due to buses. They approached St. Pat's School for help and it has not operationalized as planned. Mr. Kuhar asked if the signs could be moved to the side of the road. Mr. Bowling said these types of signs are required to be in the center of the road.

Mr. Bowling continued with his presentation, reviewing the Walnut Street Reconstruction, Phase 1. The annual Street and Sidewalk program was reviewed next, highlighting Harris Street where a mile's worth of sidewalks were fixed and gaps were filled in, improving the neighborhood.

Milling and resurfacing was done on Alley #2, Cherry, Frances, Overlook and Woodhill Drive with pavement repairs on many others. Concrete pavement and sidewalk replacement was reviewed next, and are projected to be completed by August 2022. Over \$3 million of infrastructure changes were made.

The next couple of projects have been forced on us by age with work needing to be done on the Water Reclamation Facility and Pump Stations. The emergency rehabilitation of primary clarifier #2 is needed to repair a damaged clarifier and is due to be completed by August 2021.

Ms. Shaffer Bish asked if this clarifier is flood proof. Mr. Bowling said this is not in the flood zone and they already considered a 100-year flood.

Mr. Bowling continued his presentation by reviewing the Southwest Pump Station replacement which has been on the capital plan for fourteen years. It will eliminate the Yacavona Pump Station, replace the Middlebury Pump Station and put in new sanitary sewer. The project started in October, which caused Middlebury to close because the sewer was fifteen feet deep. The project would have started three months ago but was delayed due to delays in getting the pumps.

Mr. Kuhar asked why they didn't put the sewer lines in when originally done. Mr. Bowling said it was done in 1950 and he assumes it was due to the depth or that they were built at different time periods when the streets were built.

Mr. Bowling reviewed the Water Reclamation Facility's upcoming needs for the next 5-10 years. We are in a much better position this year than we thought we were going to be in. The five measures that were approved by Council and put in place last year helped get the sewer work completed. A lot has helped with costs, including a DEFA Loan, State ARPA funds, and OPWC funding for the SW Pump Station, Final Clarifiers, and Heat Digesters. We received half of the needed funding of \$14.4 million. The next big need is the heat digesters, which have been postponed for five years because of the \$4.9 million price tag, but could be funded in 2023.

Ms. Shaffer Bish asked if these projects are state of the art, energy efficient and environmentally conscious. Mr. Bowling said the whole purpose of the water

reclamation facility is the protection of the environment, preventing pollution of the river. We do not get violated. The clarifiers and digesters are repairs and not replacements. The work that is done is taking out the old and putting in the new mechanical equipment that does the same thing. Ms. Shaffer Bish asked if we were recapturing methane and Mr. Bowling replied that is what the heat digester does which is the flame that is eternally burning. Ms. Melanie Baker added the methane is recaptured for use in the heating process of the digesters. If there is excess, you will see a flame. She said no methane goes out into the environment.

A question was raised by a member of the audience and Mr. DeLeone said he would go to the audience at the end of the Committee meeting for questions and comments from the public.

Mr. Turner asked how ARPA was formulated that created this pot of money. Mr. Bowling did not have an answer and Ms. Susel said the ARPA was limited to strictly water and sewer projects. Mr. Bowling said the good news is that we are in a better position than we thought we were going to be last year. Hopefully, if things go well next year, we will have another 30% of our needs funded. Then we can go back to "normal" capital plan improvements.

Mr. Bowling then reviewed a few miscellaneous items which included a West Main Street side path, the Chimney Swift Tower and Hammock Park.

Mr. Bowling concluded his presentation by reviewing the key initiatives for 2022, which include continued work on streets and sidewalks, the new Administration Building, resurfacing of State Route 43 North and Middlebury Road (when the sewer project is complete). They will continue the work on the pump station, start the work on the clarifiers and continue with the East Main Street Design.

Ms. Rhonda Hall referred City Council to their Capital Plan books that were distributed. The five year capital plan discussion is at the very beginning of the booklet. She said the biggest discussion is in the last four pages with an analysis of funds. She highlighted the net cost to the City and how money is allocated to different funds. The water fund is up because of projects that were deferred due to the COVID pandemic. She reviewed various funds and said they are looking at them and if there isn't the funding, they will have to delay projects. The 9% increase that Council passed a few years back helped maintain the balance. The Sewer Fund doesn't start with a prior balance because it was put into the ARPA funds (the American Rescue Plan Act). Projects have not been budgeted yet, but will see them in the 2022 budget book that will be presented in December. The 3% increase in the sewer fund has helped but probably will not be enough and they will maintain and watch. She stated there is not a lot going on concerning the Stormwater fund with the fund balance increasing in 2022 due to a dip in 2021.

Ms. Hall continued with her presentation by stating the next fund to review is the Capital Fund, which the largest fund and shows what money is available. Expenditures in 2021 were a bit higher than 2020 due to Council allowing the

Budget and Finance to allocate a portion of staff salaries to the Capital Fund which allowed for water and sewer projects to be completed. All of the projects of the City that keep us working and maintaining equipment are included in the Capital Plan, but we can only budget for what there is money to do. Outside funding from the U.S. Treasury is allowing us to be able to complete projects currently needed.

Ms. Shaffer Bish asked if the Capital Plan helped position us to attract infrastructure funds. Ms. Hall agreed, stating it is due to being prepared and organized. Mr. Ruller said the Capital Plan allows for strategic planning. He said he has worked for three different city governments and believes this is the most sophisticated Capital Plan he has seen. It is a reflection of the fact that we are not a wealthy community that does an amazing amount of work and that a plan really helps with management and strategic planning. Mr. Bowling added that this is why they see so many changes each year and are tracking where infrastructure funding will fit.

Ms. Wallach asked who originally implemented the Capital Plan. Mayor Fiala said he believes it was when John Layman was the Finance Director in 1983.

Ms. Rhonda Hall concluded her presentation by stating this process has been a collaborative effort by all of the departments and thanked Jim Bowling for all of the work he has done.

Mr. Turner asked if we didn't have the COVID pandemic and not received extra funding, what would have happened? Ms. Hall said we probably would have to raise rates and go into debt. Mr. Ruller reminded Council about the conversation that they couldn't rate their way out of the gap last year. It would have taken creative mechanisms to relieve the sewer fund. If there is a silver lining, it has been the injection of cash and us being ready and opportunistic enough to take advantage of it.

Mr. DeLeone asked the audience member if she got her question answered and the audience member replied that she did.

MOTION TO ACCEPT THE CAPITAL PLAN AS PRESENTED was made by Mr. Sidoti, **SECONDED** by Ms. Rosenberg and **CARRIED** by a voice vote of 9-0.

4. Adjourn

The Special Committee Meeting adjourned at 7:30 p.m.

Amy Wilkens
Clerk of Council

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City of Kent
Wednesday, December 1, 2021
City Council Committee Meetings
320 S. Depeyster Street, Kent, OH 44240

MINUTES

At 06:56 PM, Mayor Jerry T. Fiala called the City Council Committee Meetings to order.

Committee of the Whole

Present: Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach

Also Present: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Service Director; Mr. Jim Bowling, City Engineer; Ms. Joan Seidel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Nick Shearer, Chief of Police; Mr. Bill Myers, Fire Chief; Ms. Angela Manley, Parks and Recreation Director; Ms. Patti Long, Assistant to the City Manager; Ms. Suzanne Stemnock, Human Resource Manager; Ms. Amy Wilkens, Clerk of Council

Boards and Commissions Interviews

Mayor Fiala announced the first item on the agenda were the Boards and Commissions interviews. Ms. Wilkens introduced the first applicant for the Architectural Review Board, Mr. Kevin Koogle.

Mr. Koogle approached the microphone, introducing himself and stating he would like to continue on the Architecture Review Board. He outlined his qualifications and asked City Council if they had any questions for him.

Mr. Sidoti asked Mr. Koogle about the ARB process and if there is a way to make it easier. Mr. Koogle said yes, there is. He referenced the current Design Guidelines and said if someone has a better way of writing about them, he would be willing to listen. In reference to those guidelines, he hopes they will make it easier for members in the community to understand.

Mr. Turner asked Mr. Koogle about the issue of education and outreach and asked how often he interacts with applicants that come before the board and how he explains what the rules are and how they are implemented. Mr. Koogle says they see this a lot when they have to adapt to who the applicant is. If the person is not in the field of architecture, they may have to simplify and explain things a bit more.

Mr. Turner asked about any proactive educational outreach that is provided. Mr. Koogle said in the seven years he has been on the board, they have had several workshops with City Council. They are required to follow the Ohio Sunshine Laws, so all interactions with applicants are conducted during Architecture Review Board Meetings. There is not an awareness or outreach campaign, per se. He added that he is proud of being on the board.

Mr. Turner said people will not come before the Architectural Review Board unless they have to and suggested having educational programs and asked if he thinks these would be valuable. Mr. Turner continued by saying he thinks they need to go out beforehand to make sure everyone knows what they are required to do. Mr. Koogle says he thinks it is the person's responsibility to do their due diligence knowing all of the hoops needing to be jumped through in order to get projects done in the city. He thinks they should start by reviewing the City of Kent's website and work through the process. He thinks more workshops should be done by the City Council when new members come to the board.

Ms. Shaffer Bish asked if he believes it is the role of the ARB to promote itself or the role of staff. Mr. Koogle replied "staff".

Mr. Sidoti said it is clear he has thought about this long and hard and he appreciates that he has done so. He said the reason we are here is that there are no bad guys in this situation and asked how he can help lead a situation where business owners operate with impunity and do whatever they want? He also asked about the appeal process with City Council and if there is a way to clean this up so it is clear to the applicant and if he could provide the leadership to change? Mr. Koogle said he used the term standards. Mr. Sidoti said not having a standard makes it a subjective decision by the ARB. Mr. Koogle referred to the Board of Zoning Appeals process and how that process becomes subjective.

Mayor Fiala interrupted the discussion by saying we are getting too deep into what the ARB does and not why they should appoint Mr. Koogle.

Mayor Fiala asked if he thinks his position is advisory or authority. Mr. Koogle said they are advisory. Mayor Fiala thanked Mr. Koogle and asked Clerk Wilkens to call the next applicant to the podium.

Clerk Wilkens called Ms. Valerie Landis to the microphone.

Ms. Landis started her presentation by saying they need to get back to basics.

She said she came to the board with a fresh set of ideas and she wants to be on this board. She wants City Council to consider that a fresh perspective may be what's needed. She said variety would bring an appeal to ordinary business owners where collaboration can occur. Her application would bring this to the ARB. She asked when the vote comes to talk to business owners and what they think of her candidacy. If they believe her vote would be complimentary to the board to vote for her.

Mr. Turner asked what advocacy meant to her. Ms. Landis said she believes in having a conversation, asking questions and finding out the reasoning behind the request. She said 90% of what comes before the board is signage. She added that it's important to have conversations with business owners to make Kent stand out on its own. She said advocacy starts with our neighbors and getting the community together to work with the Board and City Council. She said the meetings need to have empathy and a feeling of collaboration.

Mr. Turner asked about Ms. Landis' experience dealing with the ARB. She explained it was a strange time with the pandemic. She harbors no ill feelings and feels as if she has learned a lot and that it has set a fire in her. She has spent a lot of time thinking about how to make it better.

Ms. Shaffer Bish asked whose interest she would be representing if appointed. Ms. Landis said the City's long-term goals would guide her. Structure in the meeting is important and would make the meetings more efficient. Ms. Shaffer Bish asked who the customer would be. Ms. Landis said the customer would be the business owner who would need to have an appropriate discussion about the process with the ARB. Ms. Shaffer Bish said, as a City Council person, she has multiple customers and said it's imperative to balance the needs and really bare this in mind. Ms. Landis relayed an experience she had in dealing with Ms. Shaffer Bish when she had reached out to her and appreciated being heard.

Mayor Fiala asked whether she considers whether this is an advisory board or an authority board. Ms. Landis said it is absolutely an advisory position.

Mr. Doug Fuller, the next applicant, was called to the microphone. He said he is withdrawing his name and supports Kevin Koogler for the position. He said if we can build a new design guideline code that will help immensely. He hopes council members will come to the meetings when the guidelines are being redone. He referred to work being done downtown and what you do with contemporary buildings in a historic downtown area. He would like to be a part of the process of redoing the design guidelines. He said they are meant to reflect community standards.

Mr. Sidoti asked if he would be interested in the Planning Commission. He replied he is thinking of applying to the Preservation Committee.

Mayor Fiala asked if he thought they were advisors or authorities. Mr. Fuller said authorities due to giving approval of a project. He said they do so in a collaborative way.

The next candidate up for appointment was called before City Council. Mr. Andrew Scholl approached the microphone and introduced himself and said he had finished his first term on the Sustainability Commission. When he first joined, they were looking for someone with experience with greenhouse gases and data. He was the only member of the commission involved from the beginning of the climate action plan.

Mr. Sidoti thanked Mr. Scholl for applying.

Mayor Fiala said the vote will be on December 15, 2021 and everyone needs 5 votes.

Intergenerational Village Update

Dr. Dana Lawless Andrick from Kent State University addressed City Council and the topic of the Intergenerational Village. She said during the last Council meeting things were brought up regarding the Intergenerational Village and she wanted to clear up a few items. There is a community meeting planned for Monday December 13, 2021 at 6 pm at the Police Headquarters community training room and KSU is planning on having it widely published. She reiterated this project is in a complete exploratory phase and they are in no way going to take this before the Board in March. She said there is a good chance this project may never move forward at all, and it may, but is in the conceptual stage at this moment.

Mr. Kuhar asked what the Intergenerational Village was. She invited him to the Community Meeting for those answers. She explained that at the core, it brings many generations into a living space. Mr. Kuhar said he is trying to envision it. Dr. Lawless Andrick said this is something that would need to be explored together. She said they are not anywhere near having those details nailed down.

She continued by saying we have a lot to be proud of right now. She said they have had over 1300 waivers signed for the new Kent Skates Ice Rink in downtown Kent and is looking forward to the celebration being held on December 2, 2021 with guest speakers, give aways and a celebration of the accomplishment of bringing the ice rink to the Kent residents.

Dr. Lawless Andrick added there is a lot to celebrate with the KSU football team going to the M.A.C. Championship and said on Friday they are having a send off for them.

Mayor Fiala thanked Dr. Lawless Andrick for her continued work and collaboration with the City of Kent.

Community Development Committee Meeting

Present: Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach

Also Present: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Service Director; Mr. Jim Bowling, City Engineer; Ms. Joan Seidel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Nick Shearer, Chief of Police; Mr. Bill Myers, Fire Chief; Ms. Angela Manley, Parks and Recreation Director; Ms. Patti Long, Assistant to the City Manager; Ms. Suzanne Stemnock, Human Resource Manager; Ms. Amy Wilkens, Clerk of Council

Chair Kuhar opened the Community Development Committee meeting at 7:52 PM. He called the first speaker to the microphone.

Greenhouse Gas Inventory

Ms. Susel, Community Development Director and Ms. Long, Assistant to the City Manager began their powerpoint presentation to Council on their findings of the Greenhouse Gas Inventory (Attachment #1)

Ms. Susel reported:

"City Council passed Resolution 2017-18 in October 2017 formalizing the City's:

1. Recognition that GHG emissions from human activities has contributed to current climate change concerns;
2. Support for the international treaty known as the Paris Climate Agreement or Paris Accord, that committed parties to the treaty to working towards investments in technology and initiatives that can reduce global GHG emissions and improve resilience to climate change.

The 2017 resolution also identified the need for the City's Sustainability Commission to develop a "community based climate action plan" that Council can consider adopting for the City.

In early 2018, the Sustainability Commission established an Ad Hoc Committee to begin the work of identifying the various components that should be part of a community Climate Action Plan. The City became a member of the International Council for Local Environmental Initiatives (ICLEI).

ICLEI provided the City staff and Ad Hoc volunteers working on the development action plan with technical support on the various components, also known as milestones, that should be part of the community-based Climate Action Plan. The first such phase is the development of a GHG Emissions Inventory Report specific to the Kent community. With the technical support provided by ICLIE's staff and online training courses, the Ad Hoc Committee

volunteers identified the year 2016 as the base year for data and the volunteers worked separately in smaller groups on compiling actual and when that was not available, modeling data for six specific emission sectors, including:

1. Residential Energy
2. Commercial Energy
3. Transportation and Mobile Sources
4. Solid Waste
5. Water and Wastewater
6. Agriculture, Forestry and Land Use

The City paid for access to an ICLEI GHG inventory emissions estimation software program known as Clearpath Pro, and all of the data was entered into the program by Ad Hoc Committee volunteer Andrews Boateng. The Ad Hoc Committee, and the City were fortunate to have Andy as a volunteer member willing to share his expertise in the area of climate change and GHG inventory development. His guidance and work proved invaluable in getting the final GHG inventory completed. Andy is currently working on completing his dissertation at KSU in this field of study and is working at Davey Resource Group on community-based Climate Action Plans.

A big thank you also needs to be extended to Davey Resource Group for its support by allowing Andy, as a volunteer member of the Ad Hoc Committee, to commit work hours and its technological support to completing the GHG inventory that is being presented this evening.

Before I transition to the summary of the primary results that came out of the GHG inventory, I did want to mention that the GHG inventory is the first milestone of a community-based Climate Action Plan. It is necessary to first identify where the primary sources of carbon emissions are occurring in order to move to the subsequent milestones, which include:

- Milestone 2: Adopt emission reduction targets;
- Milestone 3: Develop a local Climate Action Plan for reducing emissions in those target sectors;
- Milestone 4: Implement the Climate Action Plan
- Milestone 5: Monitor progress and report results.

The report itself is rather detailed and after some comments received from the draft sent out last week, some further clarification and narrative will be added and edits made to the "Scopes" section of the report. These edits will not change the data in anyway, but will add more context to enhance understanding of that section of the report.

As previously mentioned, there are 6 sectors typically evaluated when determining carbon emissions."

She reviewed in detail the summary of the primary results that came out of the GHG inventory from the Clear Path Pro System (Attachment #1)

Slide one of her presentation reviewed all of the data that was put into the

system and analyzed. Commercial energy creates the greatest carbon footprint in our community, generating 38% of the CO2 emissions. Second, is residential energy, followed by transportation, solid waste, waste water and closing with agriculture.

Slide two took a look at the aggregate usage of residential energy. 66% is generated from grid energy which includes transmission lines, transformers, etc., the delivery system for that electricity. These systems are established and cover large geographic areas. 34% comes from stationary fuel combustion which comes from homes.

Slide three is a review of carbon emissions which are categorized into three "scopes". Scope one is greenhouse gas emissions emitted within the city boundaries. Scope two is emissions that come from as a consequence of using grid supplied electricity, steam, heating and cooling within the city boundaries. Scope three are those that occur outside of the city boundary as a result of activities done within it. Scope two is the highest generated in the city.

Slide four reviewed projections from 2016 to 2046 looking at CO2 emissions longitudinally across the sector. It will be achieved if we meet milestones three and four to reduce levels. This would be in an ideal world.

Slide five reviewed the high impact information analysis from the report. It identifies science-based targets from the International Conservation Code to work towards. These are the overall standards needing to be incorporated.

They are asking City Council to make a motion tonight for a resolution to accept the Greenhouse Gas Inventory as milestone number one and the baseline of the Community Action Plan and then moving to the next milestone. She said the work and technical aspects of this were a challenge for staff and volunteers. The concept is easy to embrace, but the technology and specificity that needs to go into this to actually make an impact on our community was more than what staff and the volunteers had anticipated. She would like to come back to Council in February seeking appropriations to hire a consultant to advise and assist through the next milestones. Ms. Susel commended the Sustainability Commission as well as its Ad Hoc Committee on their work, time and effort, and said if we truly want to come up with an action plan that will help us come up with policies, initiatives and investments, we really need someone with expertise to guide the volunteers and staff.

Ms. Shaffer Bish said she noticed electrification was noted as a problem and then as a solution. She asked about gas and where it falls. Ms. Long said in the chart, the second item suggested 20% in vehicle reduction and that leaf blowers are actually very low in the sectors looked at. They were less than 3%. Ms. Shaffer Bish said she would like to see how individuals can reduce usage themselves. Ms. Susel said in the future we would want to target high impact areas. She said in the next phase they will be looking for professionals to help them with this.

Ms. Rosenberg thanked Ms. Susel and the commission on the work they've done. She asked if there would be opportunities to compare Kent with comparable cities. Ms. Long said in the report it does address this issue and will be available in the report. Ms. Susel is looking forward to having an expert that has done this in other communities and is in the implementation phase. She said there aren't a lot of communities in Ohio doing this and Kent should be proud. An audience member stated the Ad Hoc Committee heard from other people in other communities, which was very helpful.

Mr. Turner asked what the challenge of compliance is after you adopt a plan. Ms. Long said that will definitely be addressed in the next steps and they know a soft approach works best. Ms. Susel said they identifying where emissions are the worst. That is where they will be focusing their efforts. A lot of this will be promoting and educating the community and, over time, with targeting messaging and education.

Mr. Sidoti asked if other cities have shown measurable results and if they would consider using those as models. Ms. Susel said they are definitely fine with doing this and added it's important to have them guide us.

Ms. Shaffer Bish asked about the next phase of having an outside expert come in to do the work they charged the commission to do. Ms. Susel said this is going to be a collaborative effort with volunteers and requests the expert to collaborate and guide the commission. 90% of communities do not tackle this with volunteers. The volunteers are responsible for coming up with what needs to be done in the community and the expert can help guide them.

MOTION TO APPROVE the Greenhouse Gas Inventory made by Ms. Heidi Shaffer Bish, **SECONDED** by Ms. Gwen Rosenberg and **CARRIED** by a voice vote of 9-0-0.

Streets, Sidewalks and Utilities Committee Meeting

Present: Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach

Also Present: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Service Director; Mr. Jim Bowling, City Engineer; Ms. Joan Seidel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Nick Shearer, Chief of Police; Mr. Bill Myers, Fire Chief; Ms. Angela Manley, Parks and Recreation Director; Ms. Patti Long, Assistant to the City Manager; Ms. Suzanne Stemnock, Human Resource Manager; Ms. Amy Wilkens, Clerk of Council

Chair Sidoti opened the Streets, Sidewalks and Utilities Committee and called the first speaker to the microphone.

State ARPA Funding Application and Allocation

Mr. James Bowling, City Engineer, addressed City Council on the topic of State ARPA Funding Application and Allocation. His department received an email on August 10, 2021 that the application was due on August 16, 2021 for a new Ohio Water and Wastewater Infrastructure Grant Program and an application was quickly submitted. They were successful in getting awarded these grant funds and are looking for approval from Council to accept these funds and execute the grant agreement with the Ohio Department of Development.

Mr. DeLeone asked Mr. Bowling how much the grant is for. Mr. Bowling replied it was for \$1.4 million. Mr. DeLeone said he appreciates the efforts Mr. Bowling puts into grant applications.

There were no further questions from Council.

MOTION TO Authorize State ARPA Funding Application and Allocation made by John Kuhar, **SECONDED** by Gwen Rosenberg and **CARRIED** by a voice vote of 9-0-0.

Finance Committee Meeting

Present: Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach

Also Present: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Service Director; Mr. Jim Bowling, City Engineer; Ms. Joan Seidel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Nick Shearer, Chief of Police; Mr. Bill Myers, Fire Chief; Ms. Angela Manley, Parks and Recreation Director; Ms. Patti Long, Assistant to the City Manager; Ms. Suzanne Stemnock, Human Resource Manager; Ms. Amy Wilkens, Clerk of Council

Chair DeLeone opened the Finance Committee meeting at 8:30 p.m. He called the first speaker to the microphone.

City/Portage County Public Defender Contract Renewal

Mr. David Ruller said he was speaking tonight in place of Ms. Hope Jone, Law Director, who is out due to illness. He said this is a housekeeping item that is done every year to establish an agreement and pay the Portage County to provide public defender services for those who need it.

There were no questions from City Council or the audience.

MOTION TO APPROVE City/Portage County Public Defender Contract Renewal made by Mr. Roger Sidoti, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 9-0-0.

2022 City Operating Budget

Next on the agenda was the discussion of the City Operating Budget. Mr. Ruller said that due to Covid there were many changes in the budget and the City has done really well with grant funding, ARPA funding and leveraging outside funding in 2021.

Ms. Rhonda Hall, Budget and Finance Director, referenced the previously distributed budget book and page 1-1. They revised the 2021 budgeted revenues, increasing the income tax and included in the second section the CARES Act money and ARPA money. The second half will come in 2022. For 2022, we estimate \$48.2 million in revenues.

On page 1-3 she covered how they plan on spending the money. Page 1-5 shows the summary of the rest of the budget book for each of the funds and shows how each is broken down. The expenditures have increased slightly and \$2 million of ARPA is budgeted for this and that is part of the reason for the increase. Page 1-7 is another view on how expenditures are allocated.

Mr. Sidoti asked about expenditures and if there was something she would be watching. Ms. Hall said they monitor overtime, capital projects and try to be versatile with where the money comes from.

Ms. Hall referenced the budget book again, stating that the rest of the book is more detail by department. She opened the floor to questions from Council.

Ms. Shaffer Bish said she is looking at tables on 1-4 and that capital projects are going down and asked how this could be. Ms. Hall said the money that is using ARPA funds comes out of a different line item.

Mr. Kuhar said on page 1-8, transportation has increased and asked why this has happened. Ms. Hall replied that transportation is general maintenance. She said if you look at the details of that fund, you will see how it is allocated.

Ms. Shaffer Bish referred to the General Government and City Council charts. She said to look at 2-1 and 2-1 and the majority is salaries and benefits. Ms.

Hall said there are four individuals that will receive a raise and those would be increased as well. Ms. Shaffer Bish asked about funds for community events and asked about funding for conferences. That was reduced in the budget during the pandemic.

Mr. Ruller added that in the motion , Council will also need to authorize the planned water and sewer rate increases that were in both the Capital Plan and the Operating Budget.

MOTION TO APPROVE THE 2022 City Operating Budget made by Garret Ferrara, SECONDED by John Kuhar and CARRIED by a voice vote of 9-0-0.

2021 Budget Appropriation Amendments, Transfers, and Advances

Ms. Rhonda Hall continued her presentation by referring to the third item on the agenda for budget appropriation, amendments, transfers and advances. She said they are closing purchase orders and are trying to get the ordinance prepared by next week. She stated that this is an ask to enable the Budget and Finance department to make adjustments at the end of the year. She said they are going through to make sure there are no negative line items.

There were no further questions from Council.

MOTION TO AUTHORIZE the 2021 Budget Appropriation Amendments, Transfers and Advances made by Garret Ferrara, SECONDED by Gwen Rosenberg and CARRIED by a voice vote of 9-0-0.

Then and Now Purchase Orders

Ms. Rhonda Hall stated they are asking for Council approval for any then and now purchase orders. According to the Ohio Revised Code, anything over \$3000 will need approval. Sometimes, by the time it is entered into the system, it looks like it is dated after the purchase was made. It means that we had the money then, even though the purchase order is just now being entered.

Mr. Kuhar asked why this was not done at the time of purchase. Ms. Hall said it was due to the time of receiving the invoice. This is done to avoid any State Auditor comments in the audit report. Mr. Kuhar asked if they issued an open purchase order, and she said they did not.

MOTION TO AUTHORIZE Then and Now Purchase Orders made by Garret Ferrara, SECONDED by Roger Sidoti and CARRIED by a voice vote of 9-0-0.

City Surplus Property Trade In/Auction

Ms. Melanie Baker came before City Council to ask about the ability to dispose of equipment as they are looking to get rid of eleven vehicles and other large

pieces of equipment. The majority are being taken to auction.

There were no questions from the audience or city council.

MOTION TO AUTHORIZE City Surplus Property Trade In/Auction made by Gwen Rosenberg, SECONDED by John Kuhar and CARRIED by a voice vote of 9-0-0.

Seeing no further questions or agenda items, Mr. DeLeone adjourned the Finance Committee Meeting.

Executive Session

MOTION TO Enter Executive Session to discuss Board and Commission Appointments and the General Compensation and Position Allocation Plan made by Jack Amrhein, SECONDED by Garret Ferrara and CARRIED by a voice vote of 9-0-0.

Adjourn

MOTION to return to the Committee Meetings made by Mr. Ferrara, SECONDED by Mr. Amrhein and CARRIED by a voice vote of 9-0-0.

MOTION TO AUTHORIZE THE GENERAL COMPENSATION AND POSITION ALLOCATION PLAN made by Garret Ferrara, SECONDED by Jack Amrhein and CARRIED by a voice vote of 9-0-0.

The meeting adjourned at 9:42 p.m.

Amy Wilkens
Clerk of Council

Jerry T. Fiala
Mayor & President of Council

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.



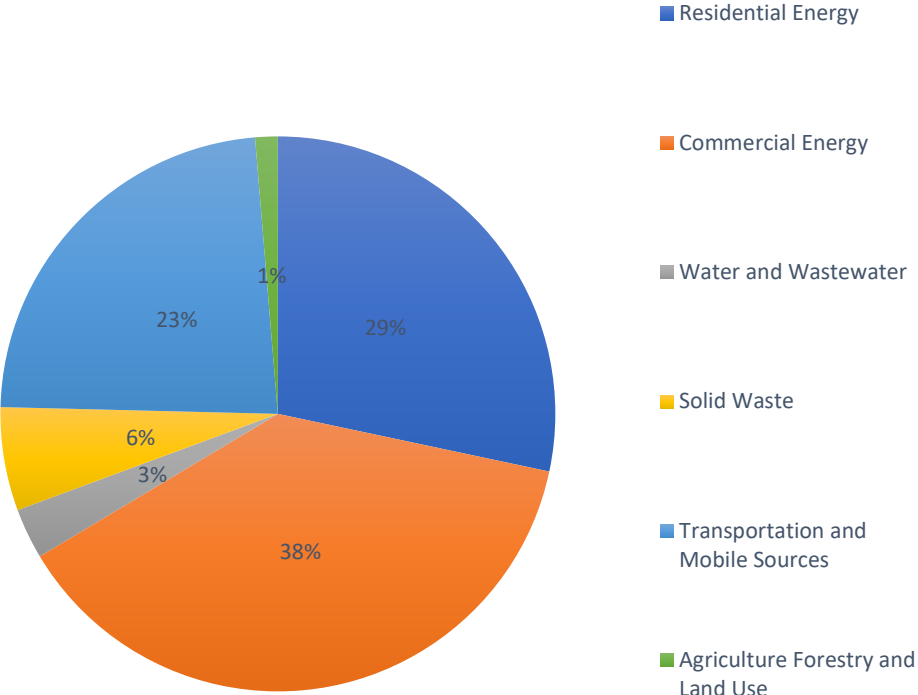
City of Kent, Ohio

DRAFT

Community Greenhouse Gas Emissions Inventory Report
Milestone One

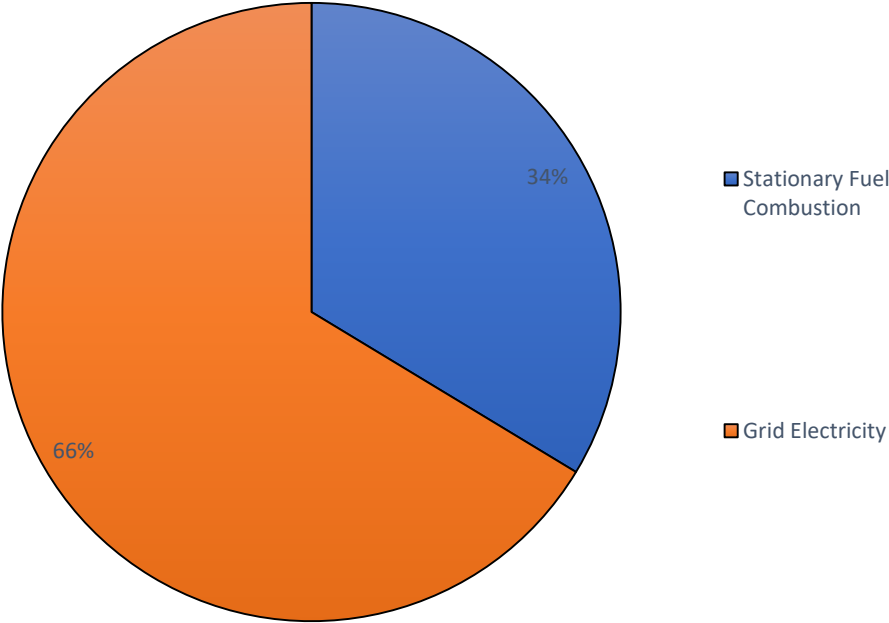
December 1, 2021

2016 Community-Wide Carbon Footprint



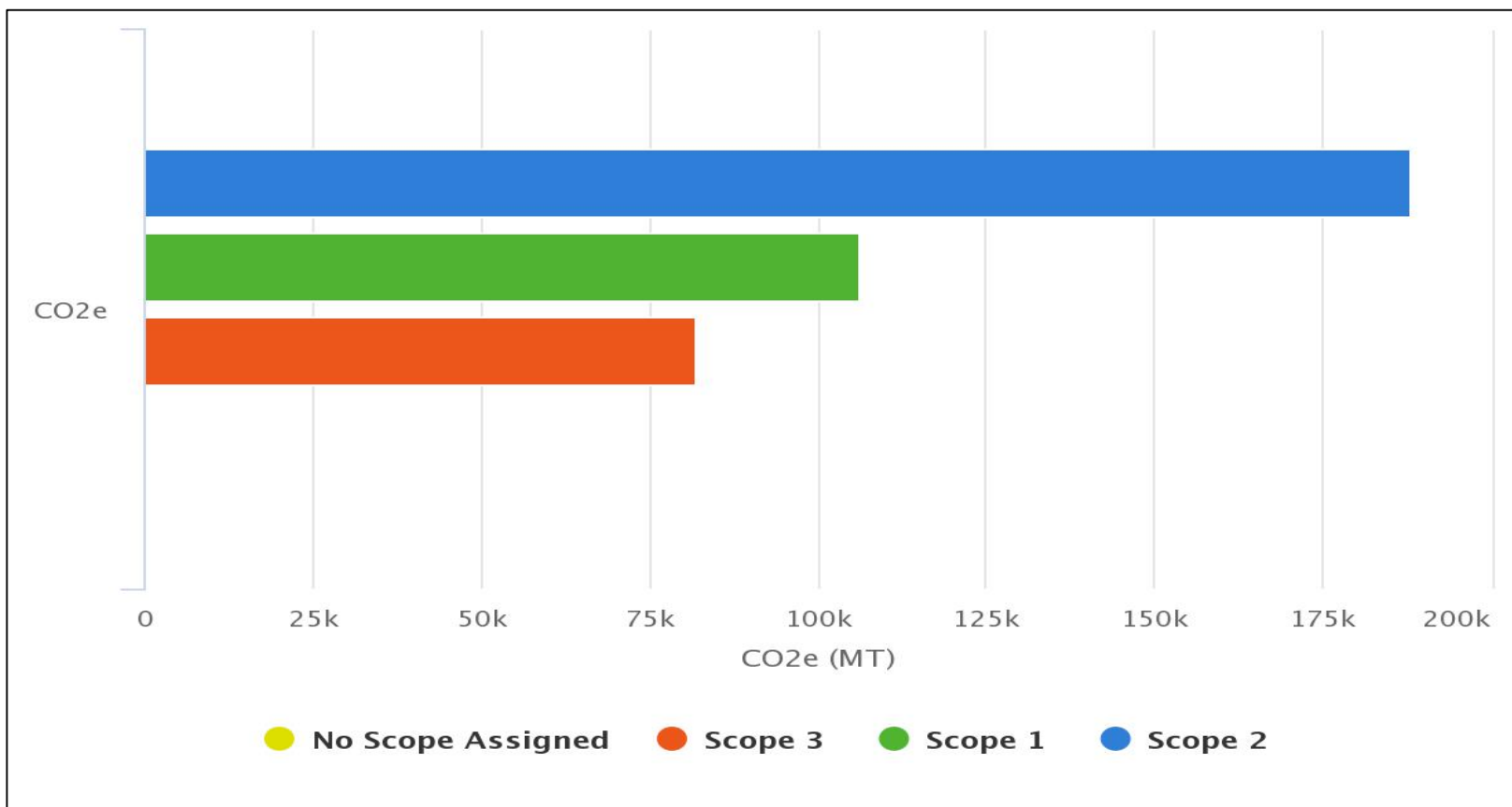
Sector	Metric Tons of CO2 Eq.	Percentage
Commercial Energy	143,240	38.08
Residential Energy	106,575	28.33
Transportation and Mobile Sources	87,636	23.0
Solid Waste	22,671	6.03
Water and Wastewater	11,090	2.95
Agriculture, Forestry and Land Use	4,936	1.31
TOTAL	376,148	

Residential Energy



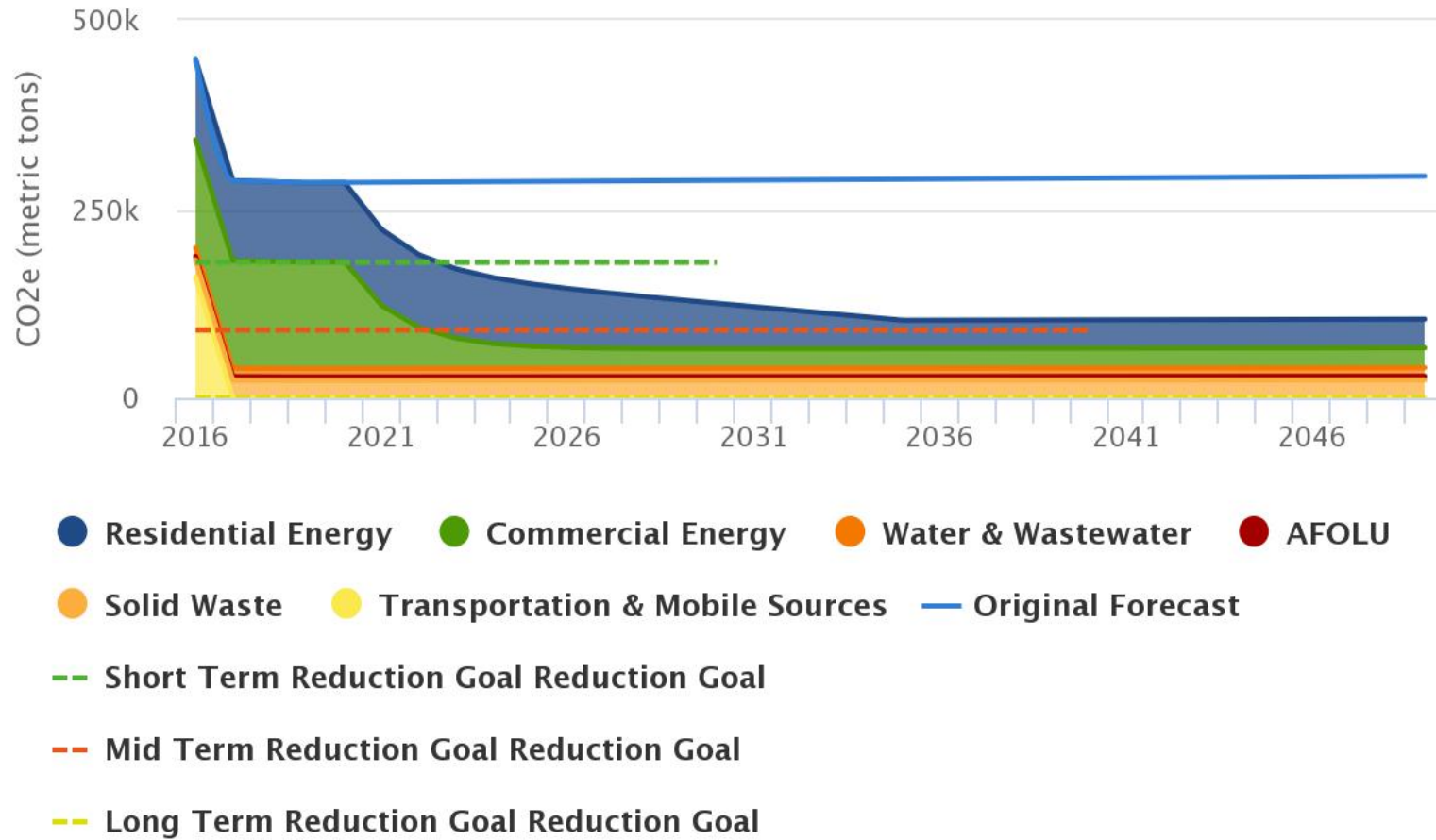
Residential Energy

There was a total of 106,575 MT CO2 Eq. from the Residential Energy Sector. The Grid Electricity Sub-sector emitted 70,704 MT CO2 Eq., representing 66.34% while the Stationary Fuel Combustion Sub-sector emitted 35,871 MT CO2 Eq., representing 33.66%.



Scope	CO2e
Scope 2	187,973
Scope 1	106,169
Scope 3	82,005

Projected CO2e Values With Reductions Applied



HIA Overview				
Type	Name	Net Reduction (MT CO ₂ e)	Description	Explanation/Source
Grid Decarbonization	CES	151,604	Clean Energy Standard: 80% reduction in carbon intensity (kg CO ₂ /MWH) by 2030.	General Clean Energy Standard Goal Reduction from grid decarbonization occurs within the 2030 forecast, before other High-Impact Actions are modeled.
High Level VMT Reduction	Aggressive (20% VMT Reduction)	10,550	20% reduction in total VMT	Generic aggressive baseline
On-Road Electric vehicles Adoption	Moderate (4.5% Annual Growth)	8,271	22.5% of VMT is EV by 2030. This action influences an increase in Residential and Commercial buildings electricity emissions	Middleground of BAU and aggressive approaches, https://evadoption.com/ev-sales/ev-sales-forecast/
Commercial Building Efficiency	IECC New + 10% Existing	7,905	All new buildings and 1% of existing sq. ft. (renovations and turnover) will meet IECC 2018 (36.95% reduction in building EUI) & 10% existing sq. ft. (renovations and turnover) EUI is reduced by 20%.	https://www.pnnl.gov/main/publications/external/technical-reports/PNNI-2815.pdf https://www.eia.gov/consumption/commercial/data/2012/c&e/pdr/e2.pdf
Residential Building Efficiency	IECC New + 5% Existing	2,770	All new buildings and 1% of existing sq.ft. (renovations and turnover) will meet IECC 2018 (36.95% reduction in building EUI) & 5% existing sq. ft. (renovations and turnover) EUI is reduced by 20%.	https://www.pnnl.gov/main/publications/external/technical-reports/PNNI-2815.pdf https://www.eia.gov/consumption/commercial/data/2012/c&e/pdr/e2.pdf
Commercial Building Electrification	New Buildings, All Electric	3,650	All new buildings & 1% existing sq.ft. per year are electrified. This action influences an increase in Commercial buildings electricity emissions.	Based on % of building stock experiencing major retrofit or replacement each year. https://www.schroders.com/en/sysglovalassets/digital/real-estate-de/publications/2.-pages-from-property-chronicle-q6_online-2.pdf
Residential Building Electrification	New Buildings, All Electric	5,041	All new buildings & 1% existing sq. ft. per year are electrified. This action influences an increase in Residential buildings electricity emissions.	Based on % of building stock experiencing major retrofit or replacement each year. https://www.schroders.com/en/sysglovalassets/digital/real-estate-de/publications/2.-pages-from-property-chronicle-q6_online-2.pdf

DRAFT RESOLUTION NO. 2021-126

A RESOLUTION APPOINTING _____ TO THE ARCHITECTURAL REVIEW BOARD, AND DECLARING AN EMERGENCY.

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 _____ is hereby appointed to the **ARCHITECTURAL REVIEW BOARD.**

NAME

TERM

01/01/2022 - 12/31/2024

SECTION 2. As stated in Section 150.01 of the Codified Ordinances of the City of Kent, any person hereby appointed shall forfeit his or her term if he or she is absent from three (3) regular meetings of the Board or Commission to which he or she is appointed, unless one or more of these absences has been excused by the majority of members thereof.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

Amy Wilkens
CLERK OF COUNCIL
(SEAL)

DRAFT RESOLUTION NO. 2021-127

**A RESOLUTION APPOINTING _____ TO THE SUSTAINABILITY COMMISSION, AND
DECLARING AN EMERGENCY.**

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 _____ is hereby appointed to the **SUSTAINABILITY COMMISSION.**

NAME

TERM

1/1/2022 - 12/31/2024

SECTION 2. As stated in Section 150.01 of the Codified Ordinances of the City of Kent, any person hereby appointed shall forfeit his or her term if he or she is absent from three (3) regular meetings of the Board or Commission to which he or she is appointed, unless one or more of these absences has been excused by the majority of members thereof.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT RESOLUTION NO. 2021-128

A RESOLUTION CONFIRMING THE CITY OF KENT MAYOR'S APPOINTMENT OF DAVID SMEILES TO THE COMMUNITY REINVESTMENT AREA HOUSING COUNCIL, AND DECLARING AN EMERGENCY.

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 **DAVID SMEILES** are hereby appointed to the **COMMUNITY REINVESTMENT AREA HOUSING COUNCIL**.

<u>NAME</u>	<u>TERM</u>
DAVID SMEILES	1/1/2022 – /12/31/2024

SECTION 2. As stated in Section 150.01 of the Codified Ordinances of the City of Kent, any person hereby appointed shall forfeit his or her term if he or she is absent from three (3) regular meetings of the Board or Commission to which he or she is appointed, unless one or more of these absences has been excused by the majority of members thereof.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT RESOLUTION NO. 2021-129

A RESOLUTION CONFIRMING THE CITY OF KENT MAYOR'S APPOINTMENT OF ANNETTE PETRANIC TO THE FRANKLIN-KENT JEDD, AND DECLARING AN EMERGENCY.

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 appointment of **ANNETTE PETRANIC** by the Mayor of the City of Kent to the **FRANKLIN-KENT JEDD** is hereby confirmed

NAME

TERM

ANNETTE PETRANIC

01/01/2022 – 12/31/2024

SECTION 2. As stated in Section 150.01 of the Codified Ordinances of the City of Kent, any person hereby appointed shall forfeit his or her term if he or she is absent from three (3) regular meetings of the Board or Commission to which he or she is appointed, unless one or more of these absences has been excused by the majority of members thereof.

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT ORDINANCE NO. 2021 - 130

AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT A PHASE I BUILDS GRANT REQUEST TO FUND THE WRF FINAL CLARIFIER REHABILITATION PROJECT – PHASE I, TOTALING \$1,391,300, TO EXECUTE THE SUBSEQUENT AGREEMENT WITH THE STATE OF OHIO AND TO ACCEPT THE GRANT WITH CORRESPONDING APPROPRIATION OF FUNDS AND DECLARING AN EMERGENCY.

WHEREAS, in August, 2021 the City received notice of the new Broadband, Utilities, and Infrastructure for Local Development Success (BUILDS) Initiative from the State of Ohio; and

WHEREAS, the Service Department submitted a grant request to fund the WRF Final Clarifier Rehabilitation Project – Phase I; and

WHEREAS, the Service Department was awarded the grant for \$1,391,300.

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

SECTION 1. Kent City Council approves submission of a Phase I BUILDS Grant request totaling \$1,391,300 for the WRF Final Clarifier Rehabilitation Project – Phase I, 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(s), 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 grant program will require compliance with program guidelines and assurances.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT ORDINANCE NO. 2021 - 131

AN ORDINANCE DESIGNATING DEPOSITORIES FOR THE CITY OF KENT, OHIO, AND DECLARING AN EMERGENCY.

WHEREAS, pursuant to Statute and Resolution of the Council of the City of Kent, Ohio, heretofore adopted and being Ordinance No. 2021-113, public notice has been given of the time of designating a depository or depositories of the public funds of the City; and

WHEREAS, JP Morgan Chase Bank, N.A., Portage Community Bank, and The Huntington National Bank have made application to become primary depositories of the active funds of the City; and

WHEREAS, each of the said banks has further made application to become a primary depository of the interim funds of the City; and

WHEREAS, this Council has determined that from among the applicants, JP Morgan Chase Bank, N.A., Portage Community Bank, and The Huntington National Bank qualify as active fund and interim fund primary depositories; and

WHEREAS, the City wishes to establish secondary depositories for the City's active funds and interim funds; and

WHEREAS, the City wishes to designate the State Treasurer of Ohio's list of Designated Depositories, Hometown Bank, Pershing, LLC and National Financial Services as the designated secondary depositories of the active and interim funds of the City; and

WHEREAS, the State Treasurer of Ohio's list of Designated Depositories, Hometown Bank, Pershing, LLC and National Financial Services qualify as active and interim fund secondary depositories; and

WHEREAS, the City of Kent needs depositories to hold all funds and it is necessary to pass this measure as an emergency so the City can continue to operate for the health, safety, and welfare of its citizens.

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 there will be no maximum amount set for public funds to be deposited as active funds during the period commencing December 17, 2021 and ending December 16, 2026, and that there will be no maximum amount set for public funds to be deposited as interim funds during the period commencing December 17, 2021 and ending December 16, 2026.

SECTION 2. That JP Morgan Chase Bank, N.A., Portage Community Bank, and The Huntington National Bank be and they are hereby designated as primary depositories of the active and interim funds of the City of Kent, Ohio, for the period commencing December 17, 2021 and ending December 16, 2026.

SECTION 3. That the State Treasurer of Ohio's list of Designated Depositories, Hometown Bank, Pershing, LLC and National Financial Services be and they are hereby designated as secondary depositories of the active and interim funds of the City of Kent, Ohio, for the period commencing December 17, 2021 and ending December 16, 2026.

SECTION 4. That the Director of Budget and Finance be and he hereby is authorized to deposit the active funds of the City of Kent in JP Morgan Chase Bank, N.A., Portage Community Bank, and The Huntington National Bank; or the State Treasurer of Ohio's list of Designated Depositories, Hometown Bank, Pershing, LLC and National Financial Services upon receiving proper security for the repayment of said funds.

SECTION 5. That the Director of Budget and Finance be and he is hereby authorized to deposit the interim funds of the City of Kent in JP Morgan Chase Bank, N.A., Portage Community Bank, and The Huntington National Bank; or the State Treasurer of Ohio's list of Designated Depositories, Hometown Bank, Pershing, LLC and National Financial Services upon receiving proper security for the repayment of said funds.

SECTION 6. That a certified copy of this Ordinance be delivered to JP Morgan Chase Bank, N.A., Portage Community Bank, and The Huntington National Bank, and upon utilization of secondary depositories to any depository so selected (upon merit) from the State Treasurer of Ohio's list of Designated Depositories, Hometown Bank, Pershing, LLC and National Financial Services and to the Director of Budget and Finance of this City.

SECTION 7. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this resolution were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 8. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT ORDINANCE NO. 2021 - 132

AN ORDINANCE AUTHORIZING THE CITY MANAGER TO CONTRACT, ON BEHALF OF THE CITY OF KENT, WITH THE OFFICE OF THE PUBLIC DEFENDER, PORTAGE COUNTY, FOR THE PROVISION OF LEGAL COUNSEL TO INDIGENT PERSONS CHARGED WITH POTENTIAL PENALTY OF INCARCERATION FOR OFFENSES COMMITTED IN VIOLATION OF THE ORDINANCES OF SAID CITY FOR THE PERIOD JANUARY 1, 2022 THROUGH DECEMBER 31, 2022.

WHEREAS, the City has received the proposed contract from the Public Defender's office, and the contract is to take effect on January 1, 2022; and

WHEREAS, the City is obligated to enter into the agreement pursuant to the Ohio Revised Code.

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

SECTION 1. That the City Manager is hereby authorized to contract, on behalf of the City of Kent, with the Office of the Public Defender, Portage County, for the provision of legal counsel to indigent persons charged with potential penalty of incarceration for offenses committed in violation of the ordinances of said city for the period January 1, 2022 through December 31, 2022, said contract 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 shall take effect and be in force from and after the earliest date allowed by law.

PASSED: _____

Date

Jerry T. Fiala

Mayor and President of Council

EFFECTIVE: _____

Date

ATTEST: _____

Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

CONTRACT FOR COUNTY PUBLIC DEFENDER SERVICE TO MUNICIPAL CORPORATION

AGREEMENT

This AGREEMENT, which is subject to and conditioned upon approval by the Ohio Public Defender Commission, is entered into between the Portage County Public Defender Commission, hereinafter called the Commission, and the City of Kent, Ohio, hereinafter called the City.

WHEREAS, the City recognizes its responsibilities under the laws of the State of Ohio and of the United States of America to provide legal counsel to indigent persons charged with potential loss of liberty under its municipal ordinances; and,

WHEREAS, the City, in furtherance of the execution of its legal responsibilities, desires to contract with the Commission for delivery of legal services and representation by the Portage County Public Defender to the City's indigent citizens and others so situated.

1. Scope of Work

The Commission shall, in a satisfactory and proper manner under the terms and conditions contained herein, provide legal counsel and representation to all indigent or otherwise eligible defendants charged with criminal violations of the City's municipal ordinances which carry a potential penalty of incarceration. The eligibility for this service shall be determined by the Portage County Municipal Court and/or the Commission.

2. Compensation

The City shall pay to the Commission the sum of One Hundred and Fifty Dollars (\$150.00) per charge which shall constitute payment for services rendered, and which is acknowledged by the parties as a fee which does not and shall not exceed the fee schedule in effect and adopted by the Portage County Commission for appointed counsel pursuant to its Resolution No. 99-377, dated June 1, 1999. In the event a case is closed and subsequently reopened under the same case number, the Commission shall be entitled to payment as if an additional criminal charge has been filed. The Commission shall provide an itemized accounting of cases handled in each quarter of the year.

3. Term of Service

The duration of this contract shall be for one (1) year commencing on January 1, 2022, and shall terminate on December 31, 2022, subject to the following:

(a) The Commission shall not assign all or any part of this AGREEMENT without the prior written consent of the City, which consent shall not be reasonably withheld. (b) If the Commission should fail to fulfill in a reasonable, timely and proper manner, its obligations under this AGREEMENT, or if the Commission should substantially violate any of the covenants, agreements, or stipulations of this AGREEMENT, the City shall thereupon have the right to terminate this AGREEMENT by giving written notice to the Commission of such termination and specifying an effective date thereof at least sixty (60) days before the effective date of said termination. Termination by the City shall not constitute a waiver of any other right or remedy it may have at law or in equity for breach of the AGREEMENT by the Commission.

- (c) All amendments to this AGREEMENT agreed upon by the parties shall be in writing and made a part of this AGREEMENT.
- (d) There shall be no discrimination against any employee who is employed in the work covered by the AGREEMENT or against any application for such employment because of race, color, religion, sex or national origin. This provision shall apply but is not to be limited to employment, promotion, demotion, transfer, recruitment, recruitment advertising, lay-off, termination, raises of pay or other forms of compensation, and selection for training, including apprenticeship. The Commission shall insert a similar provision in any sub-contract for services covered by this AGREEMENT.
- (e) The Commission covenants that it presently has no interest and shall not acquire any interest, direct or indirect, which would conflict in any manner with the performance of services required under this Agreement. No members of the Congress of the United States of America, or delegates thereto, and no resident commissioner shall share in any part hereof or any benefits arising here from.

4. Duties:

"Indigency shall be determined in conformity with all applicable standards of indigency under rule 120-1-03 of the Ohio Administrative Code and other rules and standards established by the Ohio Public Defender Commission and the Office of the Ohio Public Defender." "In addition to indigency determination, all rules, standards and guidelines issued by the office of the Ohio Public Defender and Ohio Public Defender Commission shall be followed.'"

Contract for Public Defender Service
City of Kent, Ohio

IN WITNESS WHEREOF, the parties have hereunto set their hands this ____ day of

_____, 20____

FOR THE CITY:

FOR THE COMMISSION:



CHAIRMAN

APPROVED AS TO FORM:

L. Jones, Law Director
City of Kent, Ohio

DRAFT ORDINANCE NO. 2021 - 133

AN ORDINANCE APPROPRIATING 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, 2022, AND DECLARING AN EMERGENCY.

WHEREAS, it is provided by law that an annual appropriation ordinance shall be passed by Council; and

WHEREAS, the Ohio Revised Code and the Charter of the City of Kent provide for such ordinance and the method of enacting the same.

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

SECTION 1. That to provide for the current expenses and other expenditures of the City of Kent for the fiscal year ending December 31, 2022, the appropriations set forth in Exhibit "A" attached hereto and incorporated herein, are hereby authorized.

SECTION 2. That this Council finds that the budget approved by Council and the appropriation of funds to implement the budget represent the judgment of Council concerning the personnel and other objects of expenditure needed to administer programs approved for the fiscal year, but that conditions may change during the fiscal year and may call for staff reduction or increases, depending upon the facts in each instance, and that, in recognition of this fact, the City Manager shall review requests for additional positions and for filling vacant positions within the limitations of the budget and, consistent with the payroll ordinance, after making a study of each request, the City Manager shall have the authority to approve, disallow, or postpone such requests for additional personnel.

SECTION 3. That every contract for goods and/or services for which funds are herein appropriated is hereby authorized and approved without need for further legislation and the departmental director, commissioner, or officer having supervision or management control over the line item account or accounts from which such funds shall be drawn is hereby authorized to sign such contracts with or without prior competitive biddings as such director, commissioner, or officer shall decide, upon such terms or specifications as such director, commissioner, or officer shall desire, on behalf of the City of Kent, it being the intention of this Council that the authorizations hereby given satisfy fully the requirements of Ohio Revised Code Section 735.05 and supersede completely the requirements of Revised Code Section 723.52 and 723.53 and constitute and exercise of the powers given to this Council by Section 3, Article XVIII of the Ohio Constitution, as determined by the Supreme Court of Ohio in the case of State ex rel. Cronin v. Wald, 26 OS (2nd) 22, 55 00 (2nd) 12,268 NE (2nd) 581 (1971); however, that nothing contained herein shall be construed so as to reduce the powers given the Board of Control pursuant to Article VIII, Section 8.03 of the City's Charter.

SECTION 4. That the Director of Budget and Finance (hereinafter, "The Director") be and is hereby authorized and directed to draw his or her warrants against the appropriations hereinafter set forth on Exhibit "A", which is attached hereto and made a part hereof upon presentation of proper certificates and vouchers therefor.

SECTION 5. That the Director is authorized to make the transfer and reimbursements which have been herein above appropriated and which are described on Exhibit "A", which is attached hereto and made a part hereof.

SECTION 6. That any single expenditure not exceeding \$10,000 may be made against the contingency line in any particular fund for a purpose consistent with said fund use by written instructions from the City Manager to the Director, which instruction shall include a description of the expenditure which is to be made, the amount to be expended, and the contingency fund against which the expenditure shall be made. Said instructions may consist of a standard purchase order form which is countersigned by the City Manager and bears the added instructions "Charge to contingency fund per Appropriations Ordinance" or some other similar language. In the case of single expenditures which exceed \$10,000, charges against the contingency funds shall be made in an identical manner and shall also require prior Board of Control approval, in which instance the instructions to the Director shall bear the language "Charge to Contingency Fund per Board of Control authorization" or other similar words. Regardless of whether a contingency fund expenditure exceeds \$10,000, the same is hereby authorized without need for further legislation and

the City Manager is hereby authorized to sign any and all such contracts which may relate hereto, with or without prior competitive biddings, as the City Manager shall decide, upon such terms or specifications as he or she shall desire, on behalf of the City of Kent, it being the intention of this Council that the authorizations hereby given satisfy fully the requirements of Ohio Revised Code Section 735.05 and supersede completely the requirements of Revised Code Sections 723.52 and 723.53 and constitute an exercise of the powers given to this Council by Section 3, Article XVIII of the Ohio Constitution, as determined by the Supreme Court of Ohio in the case of State ex rel. Cronin v. Wald, 26 OS the Charter of the City of Kent, Ohio.

SECTION 7. That the City Manager is hereby authorized to sign any and all lease agreements, as the City Manager shall decide, upon such terms or specifications as he or she shall desire, on behalf of the City of Kent, it being the intention of this Council that the authorizations hereby given satisfy fully the requirements of Ohio Revised Code Section 721.03 and supersede completely the requirements of Ohio Revised Code Section 721.03 and constitute an exercise of the powers given to this Council by Section 3, Article XVIII of the Ohio Constitution. The lease authorization granted herein to the City Manager applies to properties rented at market value as determined by the Real Estate Broker retained by the City of Kent to manage said properties; that if there are special circumstances for a specific property, or if a property is to be rented at a rate below market value, the City Manager shall seek approval from City Council for the lease of said property.

SECTION 8. 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 9. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

Exhibit A

2022 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>General Fund (001)</u>						
City Council	\$ 179,605	\$ 24,625	\$ -	\$ -	\$ -	\$ 204,230
Mayor	13,487	3,400				16,887
Community Support		103,000				103,000
City Manager	346,579	56,925				403,504
New City Hall Facility						-
Information Technology	99,834	236,200				336,034
Urban Renewal		60,700				60,700
Human Resources	107,023	15,310				122,333
Civil Service	32,445	32,925				65,370
Law	337,667	78,405				416,072
Budget & Finance	472,834	137,700				610,534
Community Development	716,473	168,025				884,498
Economic Development	132,602	19,650				152,252
Health	573,810	206,758				780,568
Public Parking		89,200				89,200
Main Street Program		66,500				66,500
Service Administration	252,748	397,875				650,623
Shade Tree		100,875	10,000			110,875
Adjunct Facilities						-
Building	371,590	57,275				428,865
Land banking		8,000				8,000
Engineering	100,279	97,100				197,379
Miscellaneous & Sundry		428,150				428,150
Contingency					100,000	100,000
Fund Total	3,736,976	2,388,598	10,000	-	100,000	6,235,574
<u>West Side Fire (101)</u>						
Fire	291,203	14,300				305,503
Fund Total	291,203	14,300	-	-	-	305,503
<u>Street Construction Maintenance & Repair (102)</u>						
Service	1,234,295	1,013,894				2,248,189
Contingency					25,000	25,000
Fund Total	1,234,295	1,013,894	-	-	25,000	2,273,189
<u>State Highway (103)</u>						
Service		60,000				60,000
Fund Total	-	60,000	-	-	-	60,000
<u>Recreation (106)</u>						
Parks & Recreation	1,328,322	660,100	190,000			2,178,422
Fund Total	1,328,322	660,100	190,000	-	-	2,178,422
<u>Food Service (107)</u>						
Health	113,187	19,900				133,087
Fund Total	113,187	19,900	-	-	-	133,087
<u>Income Tax (116)</u>						
Budget/Finance/IncTaxAdmin	136,034	487,650				623,684
Managed Reserve				25,540		25,540
Fund Total	136,034	487,650	-	25,540	-	649,224

2022 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Revolving Housing (120)</u>						
Health	157,819	19,650				177,469
Fund Total	157,819	19,650	-	-	-	177,469
<u>State & Local Forfeits (121)</u>						
Police						-
Fund Total	-	-	-	-	-	-
<u>Drug Law Enforcement (122)</u>						
Police		11,000				11,000
Fund Total	-	11,000	-	-	-	11,000
<u>Enforcement & Education (123)</u>						
Police		6,000				6,000
Fund Total	-	6,000	-	-	-	6,000
<u>Income Tax Safety (124)</u>						
Police	7,609,509	682,700				8,292,209
Fund Total	7,609,509	682,700	-	-	-	8,292,209
<u>Law Enforcement Trust (125)</u>						
Police						-
Fund Total	-	-	-	-	-	-
<u>Community Development Block Grant (126)</u>						
Community Development	7,193	134,400	160,000			301,593
Fund Total	7,193	134,400	160,000	-	-	301,593
<u>Fire & E.M.S. (128)</u>						
Fire	5,152,958	567,500	608,000			6,328,458
Fund Total	5,152,958	567,500	608,000	-	-	6,328,458
<u>Wireless 911 (129)</u>						
Safety						-
Fund Total	-	-	-	-	-	-
<u>Swimming Pool Inspections (130)</u>						
Health	9,286					9,286
Fund Total	9,286	-	-	-	-	9,286
<u>Police Pension (132)</u>						
Police	120,000					120,000
Fund Total	120,000	-	-	-	-	120,000
<u>Fire Pension (133)</u>						
Fire	120,000					120,000
Fund Total	120,000	-	-	-	-	120,000
<u>UDAG / EDA-RLF (134)</u>						
City Manager/C.D.		75,000				75,000
Fund Total	-	75,000	-	-	-	75,000
<u>CHIP Grant (136)</u>						
City Manager/C.D.		50,000				50,000
Fund Total	-	50,000	-	-	-	50,000

2022 ORIGINAL APPROPRIATIONS

Fund - Department/Division	Personnel & Benefits	Other than Personnel & Benefits	Capital	Reserve/Debt Service	Contingency	Fund & Department Total
<u>Local American Rescue Plan Act (138)</u>						
ARPA	390,000		1,633,700			2,023,700
Fund Total	390,000	-	1,633,700	-	-	2,023,700
<u>Water (201)</u>						
Service	1,873,013	801,963	659,150			3,334,126
Service (Capital Facilities)			1,040,000			1,040,000
Admin. Support	449,496	77,860				527,356
Budget & Finance (Debt)				61,173		61,173
Contingency					50,000	50,000
Fund Total	2,322,509	879,823	1,699,150	61,173	50,000	5,012,655
<u>Sewer (202)</u>						
Service	1,772,223	758,788	1,198,950			3,729,961
Service (Capital Facilities)			170,000			170,000
Admin. Support	387,142	75,260				462,402
Budget & Finance (Debt)				364,569		364,569
Contingency					50,000	50,000
Fund Total	2,159,365	834,048	1,368,950	364,569	50,000	4,776,932
<u>Utility Billing (204)</u>						
Budget & Finance		89,900				89,900
Fund Total	-	89,900	-	-	-	89,900
<u>Solid Waste (205)</u>						
Admin Support	70,220	176,125				246,345
Service	360,772	34,400	36,400			431,572
Fund Total	430,992	210,525	36,400	-	-	677,917
<u>Storm Water Utility (208)</u>						
Service	360,772	53,030	166,400			580,202
Service (Capital Facilities)			290,000			290,000
Admin. Support	278,641	54,150				332,791
Budget & Finance (Debt)				9,968		9,968
Fund Total	639,413	107,180	456,400	9,968	-	1,212,961
<u>Guaranteed Deposits (230)</u>						
Budget & Finance		1,000				1,000
Fund Total	-	1,000	-	-	-	1,000

2022 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Capital Projects (301)</u>						
Safety			89,570			89,570
Service			634,100			634,100
Service (Capital Facilities)			4,857,000			4,857,000
Administrative	401,112		65,000			466,112
Budget & Finance (Debt)		125,000		534,117		659,117
Contingency					25,000	25,000
Fund Total	<u>401,112</u>	<u>125,000</u>	<u>5,645,670</u>	<u>534,117</u>	<u>25,000</u>	<u>6,730,899</u>
<u>Municipal Public Improvement Tax Increment Equivalent (302)</u>						
Service (Capital Facilities)						-
Budget & Finance (Debt)		9,000		427,215		436,215
Fund Total	<u>-</u>	<u>9,000</u>	<u>-</u>	<u>427,215</u>	<u>-</u>	<u>436,215</u>
<u>Police Facility (303)</u>						
Safety (Capital Facilities)			635,000			635,000
Budget & Finance (Debt)		64,000		807,609		871,609
Fund Total	<u>-</u>	<u>64,000</u>	<u>635,000</u>	<u>807,609</u>	<u>-</u>	<u>1,506,609</u>
<u>Debt Service (402)</u>						
Budget & Finance (Debt)						-
Fund Total	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Internal Service (807)</u>						
Health Insurance		4,000,000				4,000,000
Fund Total	<u>-</u>	<u>4,000,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>4,000,000</u>
Total Appropriations	<u>\$ 26,360,173</u>	<u>\$ 12,511,168</u>	<u>\$ 12,443,270</u>	<u>\$ 2,230,191</u>	<u>\$ 250,000</u>	<u>\$ 53,794,802</u>
Original Appropriations	\$ 26,360,173	\$ 12,511,168	\$ 12,443,270	\$ 2,230,191	\$ 250,000	\$ 53,794,802
Amendment #1						-
Amendment #2						-
Amendment #3						-
Amendment #4						-
Amendment #5						-
Amendment #6						-
Amendment #7						-
Amendment #8						-
	<u>\$ 26,360,173</u>	<u>\$ 12,511,168</u>	<u>\$ 12,443,270</u>	<u>\$ 2,230,191</u>	<u>\$ 250,000</u>	<u>\$ 53,794,802</u>

2022 ORIGINAL APPROPRIATIONS - SCHEDULE OF OPERATING TRANSFERS AND TEMPORARY ADVANCES

<u>Paying Fund</u>	<u>Original</u>	<u>Receiving Fund</u>
<u>Operating Transfers</u>		
Fund 116 - Income Tax	\$ 3,600,000	Fund 001 - General
Fund 116 - Income Tax	500,000	Fund 102 - St Const Maint & Repair
Fund 116 - Income Tax	3,585,560	Fund 124 - Income Tax Safety
Fund 116 - Income Tax	3,585,560	Fund 128 - Fire & E.M.S.
Fund 116 - Income Tax	2,977,460	Fund 301 - Capital Projects
Fund 116 - Income Tax	1,792,730	Fund 303 - Police Facility
Fund 116 - Income Tax	-	Fund 402 - Debt Service
Total Fund 116 Income Tax	<u>16,041,310</u>	
Fund 201 - Water	45,000	Fund 204 - Utility Billing
Fund 202 - Sewer	45,000	Fund 204 - Utility Billing
Fund 001 - General	4,700,000	Fund 124 - Income Tax Safety
Fund 001 - General	<u>2,740,000</u>	Fund 128 - Fire & EMS
Subtotal - Total Operating Transfers	<u>7,530,000</u>	
Grand Total - All Transfers	<u><u>\$ 23,571,310</u></u>	

DRAFT ORDINANCE NO. 2021 - 134

AN ORDINANCE AMENDING SECTION 913.05 OF THE KENT CODIFIED ORDINANCES, INCREASING THE WATER RATES OF THE CITY OF KENT, OHIO BY THREE PERCENT (3%) BEGINNING WITH THE FIRST BILLING CYCLE IN JANUARY, 2022, AND DECLARING AN EMERGENCY.

WHEREAS, the cost of treating potable water at the City of Kent water treatment plant has increased; and

WHEREAS, the City of Kent needs to increase its charges to the utility customers that generate the water by three percent (3%) beginning in January, 2022 to cover said cost increases;

WHEREAS, the current rates do not generate sufficient funds to upgrade and maintain the infrastructure as needed or to cover the increased costs of the chemicals needed to process the water; and

WHEREAS, time is of the essence, to allow the rate increase to take effect with the first billing cycle in January, 2022.

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

SECTION 1. That Section 913.05 of the Kent Codified Ordinances be amended to reflect a three percent (3%) increase in water treatment rates as shown in the attached draft, marked Exhibit "A", attached hereto and made a part hereof, effective for the first billing cycle in January, 2022.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

EXHIBIT "A"

913.05 RATES AND CHARGES: WATER REVENUE FUND.

- (c) For the purposes provided in subsection (b) hereof, the following rates for the product and services of the system are hereby established:

Subject to the minimum charges described below:

Effective for the first billing cycle in January ~~2021~~ **2022**.

~~\$41.71~~ **\$42.97** For each 1,000 cubic feet of water consumed up to and including 100,000 cubic feet per month;

~~\$39.76~~ **\$40.96** For each 1,000 cubic feet of water consumed in excess of 100,000 cubic feet per month up to and including 300,000 cubic feet per month; and

~~\$37.55~~ **\$38.68** For each 1,000 cubic feet of water consumed in excess of 300,000 cubic feet per month.

MINIMUM CHARGE PER MONTH

Water Meter Line		Quantity (cu. Ft.)		Monthly Minimum Charges	
Size Charge (inches)					
3/4 and 5/8		300		12.52	12.90
1		900		37.55	38.68
1.5		1800		75.11	77.37
2		2400		100.13	103.13
3		3400		141.84	146.10
4		4500		187.74	193.37
6		9000		375.47	386.74
8		15000		625.80	644.57
10		22500		938.67	966.83
12		36000		1501.86	1546.92

- (d) In future years, rates for conducting and managing the water production system to supply potable water will increase as follows:

- (1) The water rate billing for ~~2021~~ 2022 will increase by three percent (3%);
- (2) The water rate billing ~~2021~~ 2022 and every year thereafter, will increase by three percent (3%);
- (3) City Council reserves the right to review these increases annually during the capital budget review.

DRAFT ORDINANCE NO. 2021 - 135

AN ORDINANCE AMENDING SECTION 915.72 OF THE KENT CODIFIED ORDINANCES, INCREASING THE SEWER RATES OF THE CITY OF KENT, OHIO BY THREE PERCENT (3%) BEGINNING WITH THE FIRST BILLING CYCLE IN JANUARY, 2022, AND DECLARING AN EMERGENCY.

WHEREAS, the cost of treating wastewater at the City of Kent wastewater treatment plant has increased; and

WHEREAS, the City of Kent needs to increase its charges to the utility customers that generate the wastewater by three percent (3%) beginning in January, 2022 to cover said cost increases;

WHEREAS, the current rates do not generate sufficient funds to upgrade and maintain the infrastructure as needed; and

WHEREAS, time is of the essence, to allow the rate increase to take effect with the first billing cycle in January, 2022.

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

SECTION 1. That Section 915.72 of the Kent Codified Ordinances be amended to reflect a three percent (3%) increase in wastewater treatment rates as shown in the attached draft, marked Exhibit "A", attached hereto and made a part hereof, effective for the first billing cycle in January, 2022.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

EXHIBIT "A"

915.72 WASTEWATER TREATMENT RATES.

(g) For lots, parcels of land, building or premises using water exclusively supplied by the City, such sewage service charge or rental shall be based upon the quantity of water used thereon or therein, as measured by the City water meters installed or approved by the Director and shall be at the rate of ~~fifty eight dollars and fifty eight cents (\$58.58)~~ **sixty dollars and thirty four cents (\$60.34)** for each 1,000 cubic feet of water consumed that in no event shall such sewage service charge or rental be less than the ~~\$58.58~~ **\$60.34** amount determined by application of the following schedules to each connection with the works which amount is hereby declared to a minimum charge.

(h) Effective for the first billing cycle January ~~2021~~ **2022:**

MINIMUM CHARGE PER MONTH

Water Meter Line	Size Charge	Quantity	Monthly Minimum Charges			
(inches)		(cu. Ft.)				
3/4 and 5/8		300		17.59		18.12
1		900		52.73		54.31
1.5		1800		105.45		108.62
2		2400		140.61		144.83
3		3400		199.19		205.17
4		4500		263.65		271.56
6		9000		527.30		543.12
8		15000		878.81		905.17
10		22500		1318.24		1357.79
12		36000		2109.14		2172.41

(i) Thereafter, the rates for processing sewage will increase as follows:

- (1) The sewer rate billing in ~~2021~~ 2022 will increase by three percent (3%).
- (2) The sewer rate billing in ~~2021~~ 2022 and every year thereafter, will increase by three percent (3%);
- (3) City Council reserves the right to review these increases annually during the capital budget review.

DRAFT ORDINANCE NO. 2021-136

AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR, UPON THE ISSUANCE OF A CERTIFICATE OF AVAILABILITY OF FUNDS, TO PAY CERTAIN PURCHASE ORDERS MADE THAT EXCEED \$3000.00; AND DECLARING AN EMERGENCY.

WHEREAS, the Finance Director is required by ORC 5705.41(D) to certify the availability of funds to pay for goods or services upon all contracts and purchase orders; and,

WHEREAS, if the Certification of the Finance Director is not attached to the contract or purchase order over Three Thousand Dollars and No Cents (\$3,000.00) Council must pass an ordinance allowing for a warrant for payment to be issued upon the Finance Director's certification that at the time of making the contract or order and at the time of the certification there was sufficient funds necessary for the payment of such contract and orders; and,

WHEREAS, the Finance Director has indicated that such a certification described above can be executed.

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

SECTION 1. That the Finance Director is authorized to make such warrants as are necessary to pay the due and owing amounts detailed in Exhibit "A", attached hereto and made an integral part hereof.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

Purchase Order	2021-00000791	G/L Date	02/24/2021	Amount	6,935.00
Description	SWAT Fair Share Fees	Deliver by Date		Voided	.00
Department	01.102 Safety Department,Police Patrol/Investigation/Adm	Printed Date	03/03/2021	Discounted	.00
Vendor	4206 - City of Stow	Completed Date	03/12/2021	Expensed	6,935.00
Type	Then/Now	Expiration Date		Remaining	.00
Status	Complete			Encumbered	.00
Purchase Order	2021-00000792	G/L Date	02/24/2021	Amount	4,234.00
Description	Service Contract for LiveScan Fingerprint Machine	Deliver by Date		Voided	.00
Department	01.102 Safety Department,Police Patrol/Investigation/Adm	Printed Date	02/26/2021	Discounted	.00
Vendor	2688 - ID Networks, Inc	Completed Date	03/05/2021	Expensed	4,234.00
Type	Then/Now	Expiration Date		Remaining	.00
Status	Complete			Encumbered	.00
Purchase Order	2021-00001297	G/L Date	05/12/2021	Amount	64,303.00
Description	PD-CAD/RMS/Mobile/Verizon Fees	Deliver by Date		Voided	.00
Department	01.102 Safety Department,Police Patrol/Investigation/Adm	Printed Date	05/24/2021	Discounted	.00
Vendor	1283 - Kent State Univ. Police	Completed Date	05/28/2021	Expensed	64,303.00
Type	Then/Now	Expiration Date		Remaining	.00
Status	Complete			Encumbered	.00
Purchase Order	2021-00002060	G/L Date	09/30/2021	Amount	3,106.00
Description	PD-Control System maintenance in jail	Deliver by Date		Voided	.00
Department	01.102 Safety Department,Police Patrol/Investigation/Adm	Printed Date	10/11/2021	Discounted	.00
Vendor	4328 - Advanced Systems Technology, Inc.	Completed Date	10/15/2021	Expensed	3,106.00
Type	Then/Now	Expiration Date		Remaining	.00
Status	Complete			Encumbered	.00
Purchase Order	2021-00002133	G/L Date	10/13/2021	Amount	13,902.00
Description	PD- Annual Policy Manual & Training Bulletins 11/1/21-10/31/22	Deliver by Date		Voided	.00
Department	01.102 Safety Department,Police Patrol/Investigation/Adm	Printed Date	10/19/2021	Discounted	.00
Vendor	4391 - Lexipol, LLC	Completed Date	10/29/2021	Expensed	13,902.00
Type	Then/Now	Expiration Date		Remaining	.00
Status	Complete			Encumbered	.00
Purchase Order	2021-00001129	G/L Date	04/19/2021	Amount	6,069.84
Description	FD 2021 support for pc hazmat team - City of Kent	Deliver by Date		Voided	.00
Department	01.108 Safety Department,Fire Services/Prevention/EMS	Printed Date	04/20/2021	Discounted	.00

Vendor	1487 - Portage County Hazmat Team	Completed Date	04/30/2021	Expensed	6,069.84
Type	Then/Now	Expiration Date		Remaining	.00
Status	Complete			Encumbered	.00
Purchase Order	2021-00001663	G/L Date	07/12/2021	Amount	13,995.00
Description	CD - Historic South End Signs	Deliver by Date		Voided	.00
Department	04.402 Community Development Department,Zoning & Building Inspection	Printed Date	07/13/2021	Discounted	.00
Vendor	3950 - Collins/Advanced Display LLC, Derek S.	Completed Date	07/16/2021	Expensed	13,995.00
Type	Then/Now	Expiration Date		Remaining	.00
Status	Complete			Encumbered	.00
Purchase Order	2021-00001954	G/L Date	09/09/2021	Amount	38,000.00
Description	CD - Parking Meter Upgrade; 2G to 4G	Deliver by Date		Voided	.00
Department	04.402 Community Development Department,Zoning & Building Inspection	Printed Date	09/10/2021	Discounted	.00
Vendor	2985 - IPS Group, Inc	Completed Date		Expensed	3,690.00
Type	Then/Now	Expiration Date		Remaining	34,310.00
Status	Open			Encumbered	34,310.00
Purchase Order	2021-00002106	G/L Date	10/08/2021	Amount	30,941.30
Description	EDA RLF II Loan - Hometown	Deliver by Date		Voided	.00
Department	04.402 Community Development Department,Zoning & Building Inspection	Printed Date	10/12/2021	Discounted	.00
Vendor	4785 - Dukes/Pit Stop Pub, LLC, Neil	Completed Date		Expensed	.00
Type	Then/Now	Expiration Date		Remaining	30,941.30
Status	Open			Encumbered	30,941.30
Purchase Order	2021-00002166	G/L Date	10/21/2021	Amount	39,928.00
Description	CD Tier II Evaluation at 301 W. Main St.	Deliver by Date		Voided	.00
Department	04.402 Community Development Department,Zoning & Building Inspection	Printed Date	10/21/2021	Discounted	.00
Vendor	1130 - Brownfield Restoration Group LLC	Completed Date		Expensed	.00
Type	Then/Now	Expiration Date		Remaining	39,928.00
Status	Open			Encumbered	39,928.00
Purchase Order	2021-00002186	G/L Date	10/25/2021	Amount	43,935.00
Description	CHIP - 206 Wilson HOME Rehab Program	Deliver by Date		Voided	.00
Department	04.402 Community Development Department,Zoning & Building Inspection	Printed Date	10/26/2021	Discounted	.00
Vendor	4790 - Pro-Construction & Renovation, LLC	Completed Date	10/29/2021	Expensed	43,935.00
Type	Then/Now	Expiration Date		Remaining	.00
Status	Complete			Encumbered	.00

Purchase Order	2021-00002079	G/L Date	10/05/2021	Amount	5,500.00
Description	Repair surface concrete in preliminary treatment area	Deliver by Date		Voided	.00
Department	05.503 Public Services Department,Water Reclamation Plant	Printed Date	10/06/2021	Discounted	.00
Vendor	2335 - Clegg Concrete	Completed Date	10/22/2021	Expensed	5,500.00
Type	Then/Now	Expiration Date		Remaining	.00
Status	Complete			Encumbered	.00
Purchase Order	2021-00001039	G/L Date	03/31/2021	Amount	4,466.60
Description	CM Leaf Truck Parts	Deliver by Date		Voided	.00
Department	05.560 Public Services Department,Central Maintenance Division	Printed Date	04/06/2021	Discounted	.00
Vendor	3790 - Old Dominion Brush Co., Inc.	Completed Date	04/16/2021	Expensed	4,466.60
Type	Then/Now	Expiration Date		Remaining	.00
Status	Complete			Encumbered	.00
Purchase Order	2021-00001481	G/L Date	06/08/2021	Amount	27,000.00
Description	CM Harris Street Excavation	Deliver by Date		Voided	.00
Department	05.560 Public Services Department,Central Maintenance Division	Printed Date	06/17/2021	Discounted	.00
Vendor	4146 - Helmling Excavating LLC	Completed Date	06/18/2021	Expensed	27,000.00
Type	Then/Now	Expiration Date		Remaining	.00
Status	Complete			Encumbered	.00
Purchase Order	2021-00002192	G/L Date	10/26/2021	Amount	49,900.00
Description	CM Rock Salt	Deliver by Date		Voided	.00
Department	05.560 Public Services Department,Central Maintenance Division	Printed Date	10/26/2021	Discounted	.00
Vendor	1903 - Cargill Inc	Completed Date	11/12/2021	Expensed	49,900.00
Type	Then/Now	Expiration Date		Remaining	.00
Status	Complete			Encumbered	.00

Purchase Order	2021-00001723	G/L Date	07/26/2021	Amount	3,724.00
Description	Specialized Red Clay Tiles for use in Chimney Swift Tower	Deliver by Date		Voided	.00
Department	05.711 Public Services Department,Engineering Division	Printed Date	08/04/2021	Discounted	.00
Vendor	4755 - Ulm/EMU Tile LLC, Emily M	Completed Date	08/06/2021	Expensed	3,724.00
Type	Then/Now	Expiration Date		Remaining	.00
Status	Complete			Encumbered	.00
Purchase Order	2021-00001725	G/L Date	07/26/2021	Amount	6,582.30
Description	Performance Cash Bond; 1085 W. Main; parking lot & side path	Deliver by Date		Voided	.00
Department	05.711 Public Services Department,Engineering Division	Printed Date	08/04/2021	Discounted	.00
Vendor	2970 - Klaben Property Mgmnt	Completed Date	08/06/2021	Expensed	6,582.30
Type	Then/Now	Expiration Date		Remaining	.00
Status	Complete			Encumbered	.00
Purchase Order	2021-00001822	G/L Date	08/17/2021	Amount	10,917.88
Description	New Postage Machine	Deliver by Date		Voided	.00
Department	07.708 Budget & Finance Department,Financial Admin.	Printed Date	08/17/2021	Discounted	.00
Vendor	2226 - Pitney Bowes Inc	Completed Date	08/20/2021	Expensed	10,917.88
Type	Then/Now	Expiration Date		Remaining	.00
Status	Complete			Encumbered	.00
Department	09 City Manager				
Purchase Order	2021-00000992	G/L Date	03/23/2021	Amount	5,398.16
Description	Tree City Bulletin	Deliver by Date		Voided	.00
Department	09 City Manager	Printed Date	03/23/2021	Discounted	.00
Vendor	3135 - Phil Vemma & Sons Printing	Completed Date	03/26/2021	Expensed	5,398.16
Type	Then/Now	Expiration Date		Remaining	.00
Status	Complete			Encumbered	.00
Purchase Order	2021-00001863	G/L Date	08/26/2021	Amount	6,737.85
Description	Tree City Bulletin - Fall edition	Deliver by Date		Voided	.00
Department	09 City Manager	Printed Date	09/10/2021	Discounted	.00
Vendor	3135 - Phil Vemma & Sons Printing	Completed Date	09/17/2021	Expensed	6,737.85
Type	Then/Now	Expiration Date		Remaining	.00
Status	Complete			Encumbered	.00

DRAFT ORDINANCE NO. 2021 – 137

AN ORDINANCE AUTHORIZING THE SALE AT PUBLIC AUCTION OF SURPLUS PROPERTY NOT NEEDED FOR MUNICIPAL PURPOSES BY A LIVE AUCTIONEER PURSUANT TO SECTION 721.15 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

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

SECTION 1. That Council does hereby authorize the sale at public auction of surplus property from various departments by a live auctioneer pursuant to Section 721.15 of the Ohio Revised Code; said items are no longer needed for municipal purposes, and are described on the attached list, marked "Exhibit A" and incorporated herein.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

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

4/26/2021

Updated 11/23/2021

Tag #	Dept/Div	Description	Qty.	Year	Manufacture	Model No.	Serial No.	Storage Location	Know Defects	Why Taken Out of Service	Auction / Trade in.
2017.000	Example	18 hp Lawn Tractor, 48 inch cut with snow plow with skids, electric start	1	1985	Kubota	ABC123	XYZ567	1220 Mog. Rd.	Missing key, dead battery & plow pins	Unable to obtain parts & Unit replaced in 2009	
	Vehicles										
2021.009	VM1	Ford Ranger	1	2009	Ford	Ranger	1FTYR10D49PA49191	890 Plum Street	Rusted	Beyond useful life	Auction
2021.010	DB4	Chevrolet Malibu	1	2007	Chevrolet	Malibu	1G1ZS57F67F298546	800 Plum Street	Mechanical issues / rusted	Beyond useful life	Auction
2021.011	DB5	Chevrolet Malibu	1	2007	Chevrolet	Malibu	1G1ZS57F77F297017	800 Plum Street	Mechanical issues / rusted	Beyond useful life	Auction
2021.012	CM201	International 7400	1	2003	International	7400	1HTWDAAR14J091204	800 Plum Street	Mechanical issues	Beyond useful life	Auction
2021.013	ED122	Chevrolet Tahoe	1	2003	Chevrolet	Tahoe	1GNEK13V93J278446	800 Plum Street	Mechanical issues / rusted	Beyond useful life	Auction
2021.014	ED124	Ford Expedition	1		Ford	Expedition	1FMRU16W01LB36377	800 Plum Street	Mechanical issues / rusted	Beyond useful life	Auction
2021.015	WR3	Ford F150	1	2009	Ford	F-150	1FTRF14W59KC42620	800 Plum Street	Mechanical issues/ rusted	Failed E-check	Auction
2021.016	WR118	Ford F250	1	2006	Ford	F-250	1FTSW21556ED96435	800 Plum Street	Mechanical issues / rusted	Beyond useful life	Auction
2021.017	PR20	GMC 3500	1	1995	GMC	3500	1GDJK34N4SE527837	800 Plum Street	Mechanical issues	Beyond useful life	Auction
2021.018	PR142	Ford F350	1	1995	Ford	F-350	1FDKF37G3SEA06419	800 Plum Street	Mechanical issues	Beyond useful life	Auction
2021.019	WP400	Kenworth T800	1	2006	Kenworth	T800	1NKDXUEX17J178450	800 Plum Street	Mechanical issues	Beyond useful life	Auc/tradeir
	Large Equipment										
2021.020	VM04	Air Compressor	1	1992	Champion	Air Compressor	Mu25-8	800 Plum Street	Mechanical issues	Beyond useful life	Auction
2021.021	CM193	Root Cutter	1	1989	Dosko	Root Cutter	RC-1124-90-071	800 Plum Street	Mechanical issues	Beyond useful life	Auction
	Small Equipment										
	Misc.										
	Scrap										
	Disposal										

DRAFT ORDINANCE NO. 2021 -138

AN ORDINANCE AMENDING ORDINANCE NO. 2020-126 THE POSITION ALLOCATION AND GENERAL COMPENSATION PLAN, AND DECLARING AN EMERGENCY.

WHEREAS, the Water Treatment Division is requesting to eliminate the position of Laborer for the creation of an additional Operator. This change has already been approved by the AFSCME Union; and

WHEREAS, the Parks & Recreation Department is requesting the following changes:

- A) The elimination of the Recreation Supervisor position;
- B) The addition of two (2) positions, a Marketing & Special Events Coordinator and a Sports Activities Coordinator;
- C) A status change for the position of Recreation Specialist; and
- D) That all part-time positions be allocated by funding, not position number.

WHEREAS, time is of the essence to make these updates to the Position Allocation and the General Compensation Plan.

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

SECTION 1. That Council does hereby approve an amendment to the 2020 Position Allocation Ordinance, 2020-126, passed December 16, 2020, so as to update the Position Allocation and General Compensation Plan, as set forth in Exhibit A, attached hereto and incorporated herein.

SECTION 2. That all existing ordinances which are in conflict with the provisions of this ordinance are hereby repealed.

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

CITY OF KENT ALLOCATION OF POSITION LIST

December 2021

DEPARTMENT/Division	Max. No. Auth.	Title	Time Status	Civil Service Status
COUNCIL				
Council	1	Clerk of Council	Full-time	Unclassified
CITY MANAGER				
City Manager	1	City Manager	Full-time	Unclassified Management
	1	Assistant to the City Manager	Full-time	Unclassified
	1	Human Resources Manager	Full-time	Unclassified Management
	1	IT & Communications Manager	Full-time	Unclassified Management
CIVIL SERVICE				
Civil Service	1	Civil Service Coordinator	Part-time	Classified
LAW				
Law	1	Director	Full-time	Unclassified Management
	1	Assistant Director	Part-time	Unclassified Management
	1	Asst. Director/Prosecutor	Part-time	Unclassified Management
	1	Secretary	Full-time	Unclassified
BUDGET & FINANCE				
General Accounting	1	Director	Full-time	Unclassified Management
	1	Controller	Full-time	Unclassified Management
	1	Collections Coordinator	Full-time	Unclassified
	1	Payroll Administrator	Full-time	Unclassified
	5	Account Clerk	Full-time	Classified
Income Tax	1	Tax Auditor	Full-time	Classified
SERVICE				
Administration	1	Director	Full-time	Unclassified Management
	1	Administrative Assistant	Full-time	Unclassified
	1	Construction Clerk	Full-time	Classified
	1	Engineering Aide I	Full-time	Classified
Engineering	1	Deputy Service Director/ Superintendent of Engineering	Full-time	Unclassified Management
	3	Senior Engineer	Full-time	Classified Management
	2	Engineering Technician	Full-time	Classified Management
	1	Engineering Aide II	Full-time	Classified

CITY OF KENT ALLOCATION OF POSITION LIST

December 2021

DEPARTMENT/Division	Max. No. Auth.	Title	Time Status	Civil Service Status
Central Maintenance	1	Utilities Manager	Full-time	Unclassified Management
	1	Facilities Manager	Full-time	Unclassified Management
	1	Maintenance Worker/Carpenter	Full-time	Classified
	3	Chief Operator	Full-time	Classified
	4	Repair Operator	Full-time	Classified
	7	Service Worker	Full-time	Classified
	1	Service Technician/Gardener	Full-time	Classified
	4	Laborer	Full-time	Classified
	1	Account Clerk	Full-time	Classified
	1	Equipment Technician	Full-time	Classified
Vehicle Maintenance	1	Master Mechanic	Full-time	Classified
	3	Mechanic	Full-time	Classified
Utilities	1	Water Plant Manager	Full-time	Classified Management
	1	Water Plant Chief Operator	Full-time	Classified
	1	Water Lab Technician	Full-time	Classified
	1	Plant Mechanic	Full-time	Classified
	6	Water Plant Operator	Full-time	Classified
	1	Water Reclamation Plant Mgr.	Full-time	Classified Management
	1	Chemist	Full-time	Unclassified
	1	Laboratory Technician	Full-time	Classified
	1	Environmental Technician	Full-time	Classified
	1	Plant Mechanic	Full-time	Classified
	7	Water Reclamation Plant Operator	Full-time	Classified
	1	Water Rec. Plant Chief Operator	Full-time	Classified

PARKS & RECREATION

Parks & Recreation	1	Director	Full-time	Unclassified Management
	1	Parks Supervisor	Full-time	Unclassified Management
	1	Marketing & Special Events Coordinator	Full-time	Unclassified
	1	Sports Activities Coordinator	Full-time	Unclassified
	1	Account Clerk	Full-time	Classified
	2	Park Maintenance Laborer	Full-time	Classified
	1	Senior Parks Crew Leader	Full-time	Classified
	*	Program Instructor	Part-time	Classified

CITY OF KENT ALLOCATION OF POSITION LIST

December 2021

DEPARTMENT/Division	Max. No. Auth.	Title	Time Status	Civil Service Status
	*	Rec Center Coordinator	Part-time	Classified
	*	Senior Citizen Coordinator	Part-time	Classified
	*	Rec Center Leader	Part-time	Classified
	*	Park Maintenance Worker	Part-time	Classified
	4	Seasonal Laborer	Seasonal	Classified
KYBS	*	Sports Coordinator	Part-time	Classified
K-6 Child Care	1	Recreation Specialist	Full-time	Unclassified Management
	*	Rec Center Coordinator	Part-time	Classified
	*	Rec Center Leader	Part-time	Classified

* All part-time Parks & Recreation, KABC, and K-6 Child Care positions allocated not to exceed \$210,000.00 in gross wages for 2022.

SAFETY

Safety	1	Director	Full-time	Unclassified Management
Police	1	Chief	Full-time	Classified Management
	2	Captain	Full-time	Classified Management
	5	Lieutenant	Full-time	Classified Management
	4	Technical Sergeant	Full-time	Classified Management
	31	Police Officer	Full-time	Classified
	1	Dispatch Coordinator	Full-time	Classified
	1	Juvenile Counselor	Full-time	Classified
	6	Detention Officer	Part-time	Classified
	11	Clerk/Dispatcher	Full-time	Classified
	1	Records Clerk	Full-time	Classified
	2	Compliance Officer	Full-time	Classified
	1	Administrative Assistant	Full-time	Classified
	1	Secretary	Full-time	Classified
Fire	1	Chief	Full-time	Classified Management
	1 ***	Assistant Chief	Full-time	Classified Management
	3	Captain	Full-time	Classified Management
	5	Lieutenant	Full-time	Classified Management
	27	Firefighter	Full-time	Classified
	1	Fire Services Specialist	Full-time	Classified
	3 **	Firefighter Paid-on-Call	Part-time	Classified

** 3 Positions authorized as part-time ***Position authorized but not funded

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT ORDINANCE NO. 2021- 139

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

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

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

SECTION 1. The current appropriations Ordinance No. 2020-129 passed December 16, 2020; as amended by Ordinance No. 2021-13, passed 2/17/2021, as amended by Ordinance No. 2021-39, passed 4/21/2021, as amended by Ordinance No. 2021-72, passed 8/4/2021, as amended by Ordinance No. 2021-86, passed 8/18/2021, be amended as set forth in Exhibit "A", attached hereto and incorporated herein, so as to increase appropriations in the General Fund 001, Parks & Recreation Fund 106, Fire & EMS Fund 128, Water Fund 201, Sewer Fund 202, Storm Water Fund 208, and Capital Improvement Fund 301; and Declaring An Emergency.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

**EXHIBIT A
2021 AMENDED APPROPRIATIONS**

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>General Fund (001)</u>						
City Council	\$ 169,108	\$ 43,975	\$ -	\$ -	\$ -	\$ 213,083
Mayor	9,550	3,900				13,450
Community Support		105,500				105,500
City Manager	335,120	59,175				394,295
New City Hall Facility			1,500,000			1,500,000
Information Technology	95,390	226,700				322,090
Urban Renewal		60,250				60,250
Human Resources	101,215	15,510				116,725
Civil Service	32,445	26,325				58,770
Law	336,467	98,905				435,372
Budget & Finance	470,776	138,200				608,976
Community Development	712,873	198,025				910,898
Economic Development	127,589	19,950				147,539
Health	528,772	357,238				886,010
Public Parking		87,638	38,000			125,638
Main Street Program		70,000				70,000
Service Administration	244,435	335,425				579,860
Shade Tree		79,375	10,000			89,375
Adjunct Facilities		0				0
Building	387,151	68,975				456,126
Land banking		7,000				7,000
Engineering	110,566	75,800				186,366
Miscellaneous & Sundry		387,250				387,250
Contingency					100,000	100,000
Fund Total	3,661,457	2,465,116	1,548,000	0	100,000	7,774,573
<u>West Side Fire (101)</u>						
Fire	281,690	16,150				297,840
Fund Total	281,690	16,150	0	0	0	297,840
<u>Street Construction Maintenance & Repair (102)</u>						
Service	1,187,484	943,454				2,130,938
Contingency					25,000	25,000
Fund Total	1,187,484	943,454	0	0	25,000	2,155,938
<u>State Highway (103)</u>						
Service		60,000				60,000
Fund Total	0	60,000	0	0	0	60,000
<u>Recreation (106)</u>						
Parks & Recreation	1,380,742	690,100	1,141,000			3,211,842
Fund Total	1,380,742	690,100	1,141,000	0	0	3,211,842
<u>Food Service (107)</u>						
Health	112,882	11,800				124,682
Fund Total	112,882	11,800	0	0	0	124,682

**EXHIBIT A
2021 AMENDED APPROPRIATIONS**

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Income Tax (116)</u>						
Budget/Finance/IncTaxAdmin	\$ 135,446	\$ 491,850	\$ -	\$ -	\$ -	\$ 627,296
Managed Reserve				25,540		25,540
Fund Total	135,446	491,850	0	25,540	0	652,836
<u>Revolving Housing (120)</u>						
Health	155,079	11,550				166,629
Fund Total	155,079	11,550	0	0	0	166,629
<u>State & Local Forfeits (121)</u>						
Police						0
Fund Total	0	0	0	0	0	0
<u>Drug Law Enforcement (122)</u>						
Police		11,000				11,000
Fund Total	0	11,000	0	0	0	11,000
<u>Enforcement & Education (123)</u>						
Police		6,000				6,000
Fund Total	0	6,000	0	0	0	6,000
<u>Income Tax Safety (124)</u>						
Police	7,477,318	713,793				8,191,111
Fund Total	7,477,318	713,793	0	0	0	8,191,111
<u>Law Enforcement Trust (125)</u>						
Police						0
Fund Total	0	0	0	0	0	0
<u>Community Development Block Grant (126)</u>						
Community Development	4,400	244,666	257,962			507,028
Fund Total	4,400	244,666	257,962	0	0	507,028
<u>Fire & E.M.S. (128)</u>						
Fire	5,111,630	524,036	843,825			6,479,491
Fund Total	5,111,630	524,036	843,825	0	0	6,479,491
<u>Wireless 911 (129)</u>						
Safety						0
Fund Total	0	0	0	0	0	0
<u>Swimming Pool Inspections (130)</u>						
Health	9,281					9,281
Fund Total	9,281	0	0	0	0	9,281

**EXHIBIT A
2021 AMENDED APPROPRIATIONS**

Fund - Department/Division	Personnel & Benefits	Other than Personnel & Benefits	Capital	Reserve/Debt Service	Contingency	Fund & Department Total
<u>Police Pension (132)</u>						
Police	\$ 120,000	\$ -	\$ -	\$ -	\$ -	\$ 120,000
Fund Total	120,000	0	0	0	0	120,000
<u>Fire Pension (133)</u>						
Fire	120,000					120,000
Fund Total	120,000	0	0	0	0	120,000
<u>UDAG / EDA-RLF (134)</u>						
City Manager/C.D.		210,000				210,000
Fund Total	0	210,000	0	0	0	210,000
<u>CHIP Grant Fund (136)</u>						
Community Development	20,002	255,450				275,452
Fund Total	20,002	255,450	0	0	0	275,452
<u>ARPA Fund (138)</u>						
Service (Capital Facilities)			250,000			250,000
Fund Total	0	0	250,000	0	0	250,000
<u>Water (201)</u>						
Service	1,804,663	873,133	338,000			3,015,796
Service (Capital Facilities)			766,215			766,215
Admin. Support	438,310	80,260	10,000			528,570
Budget & Finance (Debt)				61,173		61,173
Contingency					50,000	50,000
Fund Total	2,242,973	953,393	1,114,215	61,173	50,000	4,421,754
<u>Sewer (202)</u>						
Service	1,704,055	770,398	2,491,300			4,965,753
Service (Capital Facilities)			2,719,028			2,719,028
Admin. Support	378,444	77,660	10,000			466,104
Budget & Finance (Debt)				365,212		365,212
Contingency					50,000	50,000
Fund Total	2,082,499	848,058	5,220,328	365,212	50,000	8,566,097
<u>Utility Billing (204)</u>						
Budget & Finance		97,800				97,800
Fund Total	0	97,800	0	0	0	97,800
<u>Solid Waste (205)</u>						
Service	69,047	176,925				245,972
Admin Support	357,226	49,900	5,000			412,126
Fund Total	426,273	226,825	5,000	0	0	658,098
<u>Storm Water Utility (208)</u>						
Service	357,226	73,055	163,000			593,281
Service (Capital Facilities)			500,655			500,655
Admin. Support	278,498	34,775	10,000			323,273
Budget & Finance (Debt)				14,368		14,368
Fund Total	635,724	107,830	673,655	14,368	0	1,431,577

**EXHIBIT A
2021 AMENDED APPROPRIATIONS**

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Guaranteed Deposits (230)</u>						
Budget & Finance	\$ -	\$ 1,000	\$ -	\$ -	\$ -	\$ 1,000
Fund Total	0	1,000	0	0	0	1,000
<u>Capital Projects (301)</u>						
Safety		408,570				408,570
Service		598,000				598,000
Service (Capital Facilities)		4,810,116				4,810,116
Administrative	382,262	183,500				565,762
Community Development		13,995				13,995
New Admin. Facility		9,376,700				9,376,700
Budget & Finance (Debt)				541,854		541,854
Contingency					25,000	25,000
Fund Total	382,262	0	15,390,881	541,854	25,000	16,339,997
<u>Municipal Public Improvement Tax Increment Equivalent (302)</u>						
Service (Capital Facilities)						0
Budget & Finance (Debt)				440,622		440,622
Fund Total	0	0	0	440,622	0	440,622
<u>Police Facility (303)</u>						
Safety (Capital Facilities)		500	1,125,090			1,125,590
Budget & Finance (Debt)				819,095		819,095
Fund Total	0	500	1,125,090	819,095	0	1,944,685
<u>Debt Service (402)</u>						
Budget & Finance (Debt)						0
Fund Total	0	0	0	0	0	0
<u>Internal Service (807)</u>						
Health Insurance		4,000,000				4,000,000
Fund Total	0	4,000,000	0	0	0	4,000,000
Total Appropriations	\$ 25,547,142	\$ 12,890,371	\$ 27,569,956	\$ 2,267,864	\$ 250,000	\$ 68,525,333
						Check: \$ 68,525,333
Original Appropriations	\$ 24,761,046	\$ 12,201,544	\$ 9,508,070	\$ 2,263,464	\$ 250,000	\$ 48,984,124
Amendment #1	537,000	70,000	14,199,404			14,806,404
Amendment #2		139,181	(1,153,538)			(1,014,357)
Donation from June Meeting			13,995			13,995
Amendment #3		27,000	267,000			294,000
Amendment #4		90,000	38,000			128,000
Donations from Sept meeting		1,100				1,100
Amendment #5	153,000	115,851	471,825			740,676
Donations from Oct Meeting		600				600
Amendment #6	96,096	245,095	4,225,200	4,400		4,570,791
	\$ 25,547,142	\$ 12,890,371	\$ 27,569,956	\$ 2,267,864	\$ 250,000	\$ 68,525,333

2021 ORIGINAL APPROPRIATIONS - SCHEDULE OF OPERATING TRANSFERS AND TEMPORARY ADVANCES

<u>Paying Fund</u>	<u>Original</u>	<u>Request</u>	<u>Change</u>	<u>Receiving Fund</u>
<u>Operating Transfers</u>				
Fund 116 - Income Tax	\$ 3,600,000			Fund 001 - General
Fund 116 - Income Tax	600,000			Fund 102 - St Const Maint & Repair
Fund 116 - Income Tax	3,368,793			Fund 124 - Income Tax Safety
Fund 116 - Income Tax	0	\$ 75,000	\$ 75,000	Fund 126 - CDBG
Fund 116 - Income Tax	3,368,793			Fund 128 - Fire & E.M.S.
Fund 116 - Income Tax	2,616,793	2,840,087	223,294	Fund 301 - Capital Projects
Fund 116 - Income Tax	1,684,396	1,854,946	170,550	Fund 303 - Police Facility
Fund 116 - Income Tax	0			Fund 402 - Debt Service
Total Fund 116 Income Tax	15,238,775	4,770,033	468,844	
Fund 201 - Water	47,318			Fund 204 - Utility Billing
Fund 202 - Sewer	47,318			Fund 204 - Utility Billing
Fund 001 - General	4,381,207			Fund 124 - Income Tax Safety
Fund 001 - General	2,131,207			Fund 128 - Fire & EMS
Subtotal - Total Operating Transfers	6,607,050	0.00	0.00	
Subtotal - All Transfers	21,845,825	4,770,033	468,844	
<u>Temporary Advances</u>				
Fund 126 - CDBG	*	0	75,000	75,000 Fund 116 - Income Tax
Fund 205 - Solid Waste	*	0	12,000	12,000 Fund 116 - Income Tax
Subtotal - Total Advances		0	87,000	87,000
Grand Total - All Transfers and Advances	\$ 21,845,825	\$ 4,857,033	\$ 555,844	

* - Designates Repayment of Advance

DRAFT ORDINANCE NO. 2021 -140

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A NEW CONTRACT WITH PORTAGE COUNTY SOLID WASTE MANAGEMENT DISTRICT FOR THE COLLECTION OF RECYCLABLES IN THE CITY OF KENT, WITHOUT COMPETITIVE BIDDING; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent wishes to accept the letter dated October 27, 2021 from the Portage County Solid Waste Management District ending our current contract on December 31, 2021; and

WHEREAS, the City of Kent acknowledges the concerns and needs of the Portage County Solid Waste Management District to standardize their recycling program and service agreements; and

WHEREAS, City staff has done their due diligence to secure the best source of recycling as presented to Council on November 3, 2021; and

WHEREAS, City Council agreed to support the proposed contract with the Portage County Solid Waste Management District.

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

SECTION 1. Council does hereby authorize the City Manager, or his designee to enter into a new contract with Portage County Solid Waste Management District for the collection of recyclables for the City of Kent residents, as outlined in Exhibit "A", attached hereto and made a part hereof.

SECTION 2. Pursuant to Revised Code Section 735.053, Council hereby waives competitive bidding.

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

**AGREEMENT BETWEEN THE
BOARD OF COUNTY COMMISSIONERS OF THE PORTAGE COUNTY SOLID WASTE
MANAGEMENT DISTRICT AND THE CITY OF KENT FOR THE COLLECTION OF
RECYCLABLES IN THE CITY OF KENT**

THIS AGREEMENT is entered into this ____th day of _____, 2021 by and between the Board of County Commissioners of the Portage County Solid Waste Management District (hereinafter "Board") and the City of Kent (hereinafter "Political Subdivision"). Collectively referred to as the "Parties."

WHEREAS, the Board currently provides curbside recycling collection services to several Portage County Political Subdivisions; and

WHEREAS, the Board adopted Resolution No. 21-0__ on _____, 2021 to execute this Agreement with the City of Kent for the purpose of continuing to perform the collection of residential recyclables from all single, duplex and triplex residential dwelling units (and mobile home parks as agreed to by the parties within the community with the delivery of the collected recyclables to the District Recycling Center in Brimfield, Ohio or to another processing facility; and

WHEREAS, The City of Kent adopted Ordinance # _____ to execute this Agreement with the Board; and

WHEREAS, the Board is prepared to continue to provide curbside recycling collection services starting January 1st, 2022 using Portage County Solid Waste Management District personnel and for an **eighteen (18) month term**, subject to the provisions of this Agreement.

WHEREAS, upon signing of this Agreement by all parties, the Portage County Solid Waste Management District shall have the right to provide recycling collection services to all residential dwellings up to three (3) units per the following Detailed Specifications:

DETAILED SPECIFICATIONS

**FOR RESIDENTIAL CURBSIDE RECYCLING COLLECTION BY THE PORTAGE COUNTY SOLID
WASTE MANAGEMENT DISTRICT IN THE CITY OF KENT, OH**

SECTION 1 - Definitions

- 1.1 Billed Units - Listing of all Residential Dwelling Units to be billed for recycling collection services. The Master Billing Listing shall be created by the District, from property tax records, and other applicable sources.
- 1.2 Container - The official designated receptacles or recycling carts into which residents place recyclable materials. All such receptacles are and shall remain the property of the District including the contents.
- 1.3 Delivery Site - The Portage County Solid Waste Management District facility located at 3588 Mogadore Road, Kent, Ohio, Portage County, Ohio or to another processing facility.

- 1.4 District - The Portage County Solid Waste Management District, 3588 Mogadore Rd., Kent OH 44240.
- 1.5 Holidays - The following shall be holidays for purposes of this Agreement:
New Year's Day
Memorial Day
Independence Day
Labor Day
Thanksgiving Day
Christmas Day
- 1.6 Recyclable Material - This term shall refer to recyclable materials that are designated annually by the District and the District's contracted processor. The list will be published on the District website www.portagerecycles.com.
- 1.7 Residential Dwelling Unit - A residential unit shall be defined as an existing residential structure on a parcel of property consisting of three (3) units and less.
- 1.8 Premises - Land or buildings or both, occupied, by a householder.
- 1.9 Agreement - The actual Government to Government agreement, as provided for in 307.15 of the ORC, Agreement signed between the Commissioners and another Government agency for the authorized right to collect residential and mobile home recyclables.
- 1.10 Board- Refers to the Board of County Commissioners of the Portage County Solid Waste Management District.
- 1.11 Curbside - That portion of the right-of-way adjacent to paved or traveled roadways, including the end of a driveway, curb line or alley line. Carts shall be placed as close to the roadway as practicable without interfering with or endangering the movement of vehicles or pedestrians.

SECTION 2 - Mandatory Subscription; Exceptions

- 2.1 The District shall supply recycling collection services described in this Agreement to all residential dwelling units. The District shall bill the person(s) in charge of each such residential dwelling unit for said services provided under this Agreement. The Portage County Solid Waste Management District shall have the right to provide recycling collection services to all residential dwellings up to (3) three units. (Concerning any mobile home park service, any such service will be described in an attached exhibit for such service agreed to by the Parties.)

SECTION 3 - Carts

- 3.1 Container Types - The District will furnish a 95-gallon or a 65-gallon cart for each residential unit.
- 3.2 Container Delivery
The District shall be responsible for providing a cart to all existing and new construction homes that currently do not have a cart. District Carts intentionally damaged by the resident shall be reimbursed at the expense of the resident.

SECTION 4 - Collection Service

- 4.1 Service Provided - The District shall provide every other week curbside recycling collection service for each residential unit: Cardboard, Newspaper, Magazines, Office Paper, Aluminum & Steel Cans, Plastic Bottles and Jugs (1&2's), and Glass Bottles and Jars. The list of recyclable items will be emailed out as the District is notified by the current processor of any changes by the current processor. The District uses a cart tagging policy. If items that are not recyclable are placed in the cart, the driver will tag the cart, notify the District Dispatcher who will create an electronic record and not service the cart. The cart will not be serviced until the following service day. The District is not responsible for cleanup if the cart is knocked over by animals, vehicles, or inclement weather. The District is not responsible for emptying items that are non-recyclable.
- 4.2 Carry Out Service - The District shall provide, at no extra charge, carry out service to the address of the residents who are handicapped, disabled, impaired or otherwise precluded from, or physically incapable of, placing the 65-gallon recycling carts from that unit at curbside that have no additional residents at that home. The District will require a resident to provide a letter from a physician certifying the need for the service on a District supplied form which shall be kept confidential, unless deemed a public record under R.C. 149.43. The request must be renewed annually by February 1st. Carry Out service will not be advertised.

The location of recycling carts from residential units receiving carry out service shall be on the ground floor level and no farther than 50 feet from the roadway. Carts shall not be placed within an enclosed fence, garage, carport, etc. Walkways to the carts must be accessible and be safe including free of snow, ice, leaves, and without obstacle.

- 4.3 Location of Carts for Collection - Residents will be required to place each cart at the curbside for collection. Carts must be placed at curbside by 7:00 a.m. on the designated collection day. Curbside refers to that portion of the right-of-way adjacent to paved or traveled roadways, including alleys. Carts shall be placed as close to the roadway as practicable without interfering with or endangering the movement of vehicles or pedestrians. When construction work is being performed in the right-of-way or snow interferes with such placement, carts shall be placed as close as practicable to an access point for the collection vehicle.

Carts shall be placed no less than three (3) feet from another cart, mailbox, or utility pole. The District will notify a resident once about the improper placement of the cart but pick it up that day. If the cart is still improperly placed the next pickup date it will not be picked up.

It is the District's Policy to not service carts if there are impassable/unsafe road conditions.

SECTION 5 - Operation

- 5.1 Days and Hours of Operation
Collection of recyclables shall not start before 7:00 a.m. or continue after 7:00 p.m. on the same day. Carts shall be collected on a one (1) day delay for Holiday weeks where Saturday shall be worked as the make-up day for the Holiday, if required. Exceptions to collection hours shall be effective only when the District determines that an exception is necessary to complete collection.

- 5.2 Routes of Residential Curbside Collection - Changes in collection day are subject to mutual approval of the City of Kent and the District.
- 5.3 Holidays-The District shall observe the holidays included in Section 1.5 by delaying collection service on the holiday and adding Saturday as a workday as required. Collection shall never be postponed longer than one (1) working day following the regular day of collection including Saturday's, except in a case of emergency.
- 5.4 Complaints
All complaints will be made directly to the District. Upon notification, the District shall pay prompt and courteous attention to all such complaints.

SECTION 6 - Compliance with Laws

- 6.1 The District shall conduct operations under this Agreement in compliance with all applicable laws, rules, regulations, ordinances, and legal requirements.

SECTION 7 - Effective Date and Term of this Agreement

- 7.1 The District anticipates the continuation of residential recycling collection as per the terms and conditions of this new agreement effective **January 1st, 2022** and through **July 1, 2023**. This agreement will **automatically renew** for an additional **twelve (12) month term** (i.e. from July 1st through the following June 30th) subject to the terms and conditions of this agreement. Either party is free to determine not to renew this agreement for an additional twelve (12) month term simply by providing the other party **sixty (60) days advance written notice of its intent not to renew prior to the expiration date of an existing term.** The decision not to renew this agreement for an additional twelve (12) month term by either the District or the City of Kent may be with or without cause and for any or no reason.

SECTION 8 - Quantities

- 8.1 The District will provide service to residential units up to three (3) residential units and mobile home parks as defined in section 1.

SECTION 9 - Basis and Method of Payment

- 9.1 Unit Prices Bid
The unit prices for the annual term of the Agreement shall include labor, material, vehicle, equipment, fees, permits, disposal charges and other incidentals necessary to provide the required services. Payment shall be made for service performed and products or materials supplied. The price shall be \$5.50 per unit per month and shall be modified pursuant to the terms and conditions in sub-section 9.2.
- 9.2 Modification of Rates
The District and the City of Kent agree that if the District deems it necessary to increase the rates, the District will notify the City of Kent 90 days in advance of the annual renewal and either party may determine not to renew this agreement for an additional twelve (12) month term simply by providing the other party **sixty (60) days advance written notice of its intent not to renew prior to**

the expiration of any existing term (see Section 7.1 of this agreement).

9.3 District Billings to Residential Units

The District will invoice the recycling fees to the residential units described in section 8 . These invoices will include six months of service and be billed twice a year.

9.4 Termination and Set Up of Service for Residential Units

The residential unit subscriber shall directly notify the District of the need for service termination due to the sale of the residential unit. New residential unit subscribers shall directly notify the District of their move-in date, name, and address.

9.5 District's Responsibility for Bad Debt

The District shall provide continuous, non-stop service to all delinquent and/or past due residential unit accounts. The District shall be responsible for holding delinquent accounts as an uncollected account receivable until such time as the District collects the certified amounts through the process outlined in Para. 9.6. Specifications.

9.6 Billing: Failure to Remit Fees

Certify unpaid charges for recycling collection, together with any penalties and collection charges, to the County Auditor who shall place the certified amount on the real property tax list and duplicate against the property served by the service. The amount certified shall be a lien on the property served from the date placed on the list and duplicate and shall be collected in the same manner as other taxes, except, notwithstanding Ohio Revised Code 323.15, a County Treasurer shall accept a payment in such amount when separately tendered as payment for associated penalties. The lien shall be released immediately upon payment in full of the certified amount.

SECTION 10 - Transferability of Agreement

- 10.1 No assignment of the Agreement or any right occurring under this Agreement shall be made in whole or in part by the District or City of Kent without the express mutual written consent of both parties.

SECTION 11 – Agreement

The District shall be the City of Kent's authorized provider of recyclable material collection and delivery services to residential units as defined in Section 1. This agreement supersedes and cancels any previous agreements between the parties.

SECTION 12 - Ownership

- 12.1 Title to recyclable materials shall become the sole possession of the Portage County Solid Waste Management District as soon as the materials have been placed in the District's collection carts.

SECTION 13 - Data Collection

- 13.1 The District shall gather and maintain records of collection, volumes, and other applicable data which shall be provided upon request.

SECTION 14 - Frequency of Service

- 14.1 All residential subscribers shall receive recycling collection service at a frequency of every other week service.
- 14.2 Collection shall not be postponed longer than one (1) working day following the regular day of collection, except in a case of emergency.

SECTION 15 - General Conditions

- 15.1 **TERMINATION OF AGREEMENT.** This eighteen (18) month agreement may only be terminated upon the mutual express signed written consent of both parties. Further, either party may determine not to renew agreement simply by providing the other party sixty (60) days advance written notice of its intent not to renew in accordance with Section 7.1 of this agreement.
- 15.2 **Assignment/Delegation.** Neither party shall delegate, assign or sub-Agreement any rights, duties or obligations under this Agreement without the express written consent of the other party, and each party hereby binds itself to the successors and assigns of the other party in respect of all covenants of this Agreement.
- 15.3 **Amendment.** This written Agreement embodies the entire agreement between the parties appertaining to the subject matter herein. Should any changes, mutually agreed upon, become necessary and/or appropriate, such changes shall be incorporated only by written amendment signed by both parties.
- 15.4 **Covenant of Cooperation.** Each party shall cooperate with and provide necessary information to the other to enable the parties to comply with the terms of this Agreement. The parties shall perform all acts and deeds as may be necessary or appropriate to effect, claim, reserve and maintain this Agreement including, without limitation, joining in the execution of all documentation and providing any necessary documentation required in connection with the Agreement.
- 15.5 **Governing Law and Jurisdiction.** This Agreement shall be construed, interpreted, and the rights of the parties determined in accordance with the laws of the State of Ohio and in the Courts of Portage County, Ohio or in the case of Federal Jurisdiction in the United States District Court of Ohio, Northern District, Eastern Division.
- 15.6 **Records.** The parties acknowledge that all records, books, documents, whether written or computer generated, pursuant to this Agreement, may be public records for purposes of Revised Code 149.43, unless otherwise exempted in accordance with State and Federal Law.
- 15.7 **Severability.** In the event that any term or clause of these general conditions is held to be invalid as contravening any law or governmental regulation or otherwise, then such term or clause shall remain in effect only to the extent permitted by such law or governmental regulation, but the remaining provisions shall continue in full force and effect.

- 15.8 Survival. Rights and obligations under this Agreement which by their nature should survive, including, but not limited to audit requirements, financial recovery for District services rendered and/or expenses incurred, reimbursement provisions, confidentiality, and transition procedures, will remain in effect after expiration or termination of the Agreement until such time as those requirements are fulfilled.
- 15.9 Waiver. The waiver of any term of this Agreement shall not be construed or interpreted as a waiver of any other term of the Agreement.

SECTION 16 - Force Majeure

- 16.1 In case District performance of any term(s) or provision(s) of this Agreement is delayed or prevented because of compliance with any law, decree or order of any governmental agency or authority of local, State or Federal governments or because of riots, war, terrorism, explosions, acts of civil or military authority, acts of public enemy, public disturbances, strikes by the processing facility employees, lockouts, differences with workers, earthquakes, fires, floods, Acts of God or any other reason whatsoever which is not reasonably within the control of the District and which, by the exercise of reasonable diligence, the District is unable to prevent; the District may, at its option, suspend or cancel, without liability, the performance of its obligations hereunder during the period such cause continues.

SECTION 17 - Insurance

- 17.1 The District shall at all times, from the inception of this Performance Agreement with the City of Kent until its final performance, have in effect insurance of the kinds and with the limits at least in the amount as indicated below.
- a. Motor Vehicle Bodily Injury and Property Damage Liability Insurance. The District shall carry insurance to cover liability and claims arising from the use and operation, in connection with the performance of the Performance Agreement, of motor vehicles (as customarily defined in liability insurance policies), whether they are owned, hired or non-owned by the Equipment Vendor.
 - b. Damage Liability and Property Damage Liability. The District shall carry coverage with respect to the operations performed, the District Liability Insurance shall provide for a limit not less than \$1,000,000.00 for all damages arising out of bodily injuries, including accidental death, to two or more persons in any one occurrence, and regular Property Damage Liability Insurance providing for a limit of not less than \$1,000,000.00 for all damages arising out of an injury to or destruction of property in any one accident, and, subject to that limit per accident a total (or aggregate) limit of \$1,000,000.00 for all damage arising out of injury to or destruction of property during the policy period.

NOW, THEREFORE, the Board and the City of Kent do hereby agree to these Agreement conditions;

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

**BOARD OF COUNTY COMMISSIONERS OF THE PORTGE COUNTY SOLID WASTE
MANAGEMENT DISTRICT**

Sabrina Christian-Bennett

Date: _____

Anthony J. Badalamenti

Date: _____

Vicki A. Kline

Date: _____

CITY OF KENT

David Ruller

Date: _____

APPROVED AS TO CONTENT:

Dawn M. Collins Acting Director Portage County Solid Waste Management District

Date: _____

APPROVED AS TO FORM:

Assistant Prosecuting Attorney

Date: _____