



CITY COUNCIL

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

SPECIAL CITY COUNCIL MEETING AGENDA

August 4, 2021

7:00 P.M.

1. WELCOME/ROLL CALL (*Mayor Fiala*)

2. LEGISLATION- 2nd Reading

2.1 **Draft No. 2021-065** AN ORDINANCE AMENDING SECTION 769.03 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED "PENALTY" TO CHANGE ITS CURRENT MINOR MISDEMEANOR STATUS TO A CIVIL OFFENSE; AND DECLARING AN EMERGENCY (Authorized)

2.2 **Draft No. 2021-066** A RESOLUTION OF THE CITY OF KENT, OHIO AUTHORIZING THE ADOPTION OF THE PORTAGE COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN, AND DECLARING AN EMERGENCY (Authorized)

2.3 **Draft No. 2021-067** AN ORDINANCE AMENDING THE CITY'S ZONING DISTRICTS MAP FOR PARCEL #45-004-00-00-053-000 (CORNER OF SR43 & SR261) TO BE REZONED FROM ITS CURRENT C: COMMERCIAL ZONING DISTRICT (CH1141) TO C-R: COMMERCIAL HIGH DENSITY MULTIFAMILY RESIDENTIAL ZONING DISTRICT (CH1145), AND DECLARING AN EMERGENCY (Authorized)

- 2.4 Draft No. 2021-068** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A PEDESTRIAN SAFETY IMPROVEMENT AGREEMENT BETWEEN THE CITY OF KENT AND KENT STATE UNIVERSITY TO JOINTLY IMPROVE THE SAFETY FOR PEDESTRIANS WITHIN THE CITY AND KSU CAMPUS, AND DECLARING AN EMERGENCY (Authorized)
- 2.5 Draft No. 2021-069** AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE A NEW SPECIAL EVENT APPLICATION FOR KENT STATE UNIVERSITY AND THE CITY OF KENT FOR AN ICE RINK THAT WILL START ON NOVEMBER 25, 2021 AND RUN THROUGH FEBRUARY 28, 2022, AND DECLARING AN EMERGENCY (Authorized)
- 2.6 Draft No. 2021-070** AN ORDINANCE AMENDING ORDINANCE NO. 2012-57, ADOPTED ON JUNE 20, 2012, AS AMENDED BY ORDINANCE NO. 2012-69, ADOPTED ON JULY 18, 2012, SO AS TO ISSUE A NEW PROMISSORY NOTE TO 257 NORTH WATER, LTD IN THE AMOUNT OF \$8,463.00 AS THE NEW OWNER OF 247 NORTH WATER STREET; AND DECLARING AN EMERGENCY (Authorized)
- 2.7 Draft No. 2021-071** AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT GRANT FUNDING IN THE AMOUNT OF \$17,786.25 FOR REIMBURSEMENT FOR THE PURCHASE OF BALLISTIC VESTS, AND DECLARING AN EMERGENCY (Authorized)
- 2.8 Draft No. 2021-072** 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)

2.9 Draft No. 2021-073 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCEPT THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2021 COMMUNITY EVENT SPONSORSHIP PROGRAM AWARD IN THE AMOUNT OF \$2,000.00, AND DECLARING AN EMERGENCY (Authorized)

2.10 Draft No. 2021-074 AN ORDINANCE ACCEPTING THREE (3) DONATIONS TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FOR THE YOUTH TACKLE FOOTBALL PLAYER SPONSOR FUND, AND DECLARING AN EMERGENCY (Authorized)

5. ADJOURNMENT

Posted: July 29, 2021

Amy Wilkens, Clerk of Council

Visit www.kentohio.org for up to the minute Agenda Amendments

DRAFT ORDINANCE NO. 2021-065

AN ORDINANCE AMENDING SECTION 769.03 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED "PENALTY" TO CHANGE ITS CURRENT MINOR MISDEMEANOR STATUS TO A CIVIL OFFENSE; AND DECLARING AN EMERGENCY.

WHEREAS, the provisions regulating garage and yard sale operations are specified in KCO 769. The penalty for noncompliance with these regulations is currently a minor misdemeanor offense, which requires the City to address such violations through the filing of a court action; and

WHEREAS, the Community Development Department is responsible for responding to resident complaints regarding alleged garage and yard sale regulation violations; and

WHEREAS, the Community Development Department and Law Department are requesting the penalty be changed from its current minor misdemeanor status to a civil offense, as specified in Section 501.13 Civil Offenses.

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

SECTION 1. Kent City Council does hereby amend Section 769.03 of the Codified Ordinances of the City of Kent titled "Penalty" to change its current minor misdemeanor status to a civil offense, and is more fully described in Exhibit "A" attached hereto and incorporated herein.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

CHAPTER 769

Garage Sales

769.01 Definitions.

769.02 Duration and hours of sales.

769.03 Penalty.

769.01 DEFINITIONS.

As used in this chapter, "garage sale" means any casual sale to the public, from the premises of an owner or occupier of property not zoned for commercial use, of personal property, and includes any sale denominated as a garage sale, lawn sale, basement sale, attic sale, rummage sale, porch sale, or such other term for a casual sale.

(Ord. 2003-69. Passed 5-7-03.)

769.02 DURATION AND HOURS OF SALE.

No garage sale shall be of a duration longer than three days in length in a thirty-day period (There must be thirty days between each sale at the same location) and shall be held only between the hours of 8:00 a.m. and 6:00 p.m. Items for sale, display signs and other material relating to the sales shall be removed from public view not later than 8:00 p.m. on the last day of sale. (Ord. 2003- 69. Passed 5-7-03.)

769.03 PENALTY.

~~Whoever violates any provision of Chapter 769 shall be guilty of a minor misdemeanor on the first offense. If the offender has been previously convicted of violating this chapter within two years, the offender shall be guilty of a misdemeanor of the fourth degree.~~
(Ord. 2003-69. Passed 5-7-03.)

Any violation of this Section is subject to the Civil Offense requirements specified in Section 501.13 of the Codified Ordinances.

DRAFT RESOLUTION NO. 2021 - 066

A RESOLUTION OF THE CITY OF KENT, OHIO AUTHORIZING THE ADOPTION OF THE PORTAGE COUNTY MULTI-JURISDICTIONAL HAZARD MITIGATION PLAN, AND DECLARING AN EMERGENCY.

WHEREAS, all of Portage County has exposure to natural, technological, and human caused hazards that pose a risk to life, property, environment and the County's economy; and

WHEREAS, pro-active mitigation of known hazards before a disaster event can reduce or eliminate long-term risk to life and property; and

WHEREAS, The Disaster Mitigation Act of 2000 (Public Law 106-390) requires state, counties, towns, special districts and other jurisdictions to have a hazard mitigation plan; and

WHEREAS, the multi-jurisdictional hazard mitigation plan must be updated every five (5) years to maintain eligibility for pre- and post- disaster Hazard Mitigation Grant funds administered by the Federal Emergency Management Agency (FEMA); and

WHEREAS, on February 22, 2021, the Portage County Office of Homeland Security and Emergency Management Agency was notified that the updated Portage County Multi-Jurisdictional Hazard Mitigation Plan has received approval from the Federal Emergency Management Agency (FEMA) and that all jurisdictions should proceed with adoption.

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

SECTION 1. the City of Kent, Ohio adopts in its entirety, the Portage County Multi-Jurisdictional Hazard Mitigation Plan as the jurisdiction's Hazard Mitigation Plan, and resolves to execute the actions identified in the Plan pertaining to this jurisdiction.

SECTION 2. Will use the adopted and approved portions of the Plan to guide pre- and post-disaster mitigation of the hazards identified.

SECTION 3. Will coordinated the strategies identified in the Plan with other planning programs and mechanisms under its jurisdictional authority.

SECTION 4. Will continue its support of the Portage County Mitigation Planning Committee as described within the Plan.

SECTION 5. Will help to promote and support the mitigation successes of all participants in this Plan.

SECTION 6. Will incorporate mitigation planning as an integral component of government and partner operations.

SECTION 7. Will provide an update of the Plan in conjunction with the County no less than every five (5) years.

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT ORDINANCE NO. 2021-067

AN ORDINANCE AMENDING THE CITY'S ZONING DISTRICTS MAP FOR PARCEL #45-004-00-00-053-000 (CORNER OF SR43 & SR261) TO BE REZONED FROM ITS CURRENT C: COMMERCIAL ZONING DISTRICT (CH1141) TO C-R: COMMERCIAL HIGH DENSITY MULTIFAMILY RESIDENTIAL ZONING DISTRICT (CH1145), AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Planning Commission is recommending a proposed amendment to the City's Zoning Districts Map to allow Parcel #45-004-00-00-053-000 (Corner of SR43 and SR261) to be re-zoned from its current C: Commercial Zoning District (CH1141) to C-R: Commercial High Density Multifamily Residential Zoning District (CH1145); and

WHEREAS, on May 4, 2021, the Planning Commission voted 3-1 to recommend the zoning map change; and

WHEREAS, a public hearing will be held at the July 7, 2021 Council Committee session.

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

SECTION 1. Kent City Council does hereby authorize the amendment to allow Parcel #45-004-00-00-053-000 (Corner of SR43 and SR261) to be re-zoned from its current C: Commercial Zoning District (CH1141) to C-R: Commercial High Density Multifamily Residential Zoning District (CH1145).

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

DRAFT ORDINANCE NO. 2021 - 068

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A PEDESTRIAN SAFETY IMPROVEMENT AGREEMENT BETWEEN THE CITY OF KENT AND KENT STATE UNIVERSITY TO JOINTLY IMPROVE THE SAFETY FOR PEDESTRIANS WITHIN THE CITY AND KSU CAMPUS, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent desires to enter into a Pedestrian Safety Improvements Agreement with Kent State University (KSU) to jointly improve the safety for pedestrians within the City and KSU Campus by improving the signing, pavement markings and signal improvements; and

WHEREAS, the agreement includes the City and Kent State University splitting the out of pocket costs, with the City's maximum commitment to be \$15,000.

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 Pedestrian Safety Improvements Agreement with Kent State University (KSU) to jointly improve the safety for pedestrians within the City and KSU Campus by improving the signing, pavement markings and signal improvements, and is more fully described in Exhibit "A" attached hereto and incorporated herein.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

PEDESTRIAN SAFETY IMPROVEMENTS AGREEMENT

**KENT STATE UNIVERSITY
AND
THE CITY OF KENT**

**ALL PARTIES BEING IN THE COUNTY OF PORTAGE,
STATE OF OHIO**

This Agreement, dated _____ 2021, is an agreement made and entered into between Kent State University (“KSU”) and the City of Kent, Ohio, duly formed under the laws of the State of Ohio (the “City”). KSU and the City are collectively referred to herein as the “Parties.”

WITNESSETH:

WHEREAS, KSU and the City desire to improve the safety for pedestrians within the City and KSU Campus; and

WHEREAS, KSU, in cooperation with the City, has commissioned a Campus Crosswalk Evaluation (Attachment A) to evaluate potential improvements to twenty seven (27) different crosswalk locations in and around campus; and

WHEREAS, the Campus Crosswalk Evaluation included Phase 1 recommendations to seventeen (17) locations, sixteen (16) of which are located within the City Right-of-Ways.

WHEREAS, the Phase 1 Recommendations are hereinafter referred to as the “Project” and have an estimated out-of-pocket cost of \$28,300;

NOW THEREFORE, The City and KSU hereby agree to collaborate on implementation of the Project as follows:

City:

- City will implement all of the Project recommendations that involve changes to the traffic signal system with in-house staff and the costs of such implementation shall not be included in out-of-pocket Project costs.
- The City will expeditiously review all shop drawings associated with the Project. Shop drawing approval from the City is required prior to any installations in the City Right-of-Way.
- The City will pay 50% of the out-of-pocket Project costs, up to \$15,000, based upon invoices from KSU.
- City will own all Project improvements in the public right-of-way.

KSU:

- KSU will manage and coordinate construction services for the implementation of the Project that do not involve traffic signal changes.

- KSU, or their designated representative, will provide shop drawings to the City for approval prior to purchasing or installing any improvements in the City's Right-of Way.
- KSU will be the primary funding agency during construction of the Project.
- KSU will provide invoices to the City requesting reimbursement for one-half of the out-of-pocket costs associated with the construction of the Project, up to \$15,000.
- KSU will own all Project improvements on KSU Property.

Schedule:

The City and KSU will diligently pursue completion of the Project by September 30, 2021. This date can be adjusted by the mutual agreement of both parties.

In witness whereof, the Parties hereto have agreed and offered their hands and seals:

CITY OF KENT

Approved and Accepted by:

Dave Ruller
City of Kent, City Manager

Witness: _____

Witness: _____

Date: _____

Approved as to Form:

Hope Jones
City of Kent, Law Director

Date: _____

Certificate of Director of Budget and Finance

It is hereby certified that the amount FIFTEEN THOUSAND Dollars (\$15,000) required to meet this commitment has been lawfully appropriated or authorized or directed for such purpose and is in the City Treasury or in the process of collection to the credit of the CAPITAL Fund free from any obligation or certificates now outstanding.

Rhonda Hall, Director of Budget and Finance

Date

KENT STATE UNIVERSITY

Approved and Accepted by:

Mark Polatajko,
Senior Vice President
for Administration

Witness: _____

Witness: _____

Date: _____

DRAFT ORDINANCE NO. 2021 - 069

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE A NEW SPECIAL EVENT APPLICATION FOR KENT STATE UNIVERSITY AND THE CITY OF KENT FOR AN ICE RINK THAT WILL START ON NOVEMBER 25, 2021 AND RUN THROUGH FEBRUARY 28, 2022, AND DECLARING AN EMERGENCY.

WHEREAS, the Kent State University and the City of Kent would like to install a temporary ice rink; and

WHEREAS, the organizers would like to temporarily close East Erie Street/Depeyster and East Erie Street/Haymaker beginning October 18, 2021 (start set-up) through February 29, 2022 (end cleanup); The actual Event will be from November 25, 2021 through February 28, 2022; and

WHEREAS, the Kent City Council consents to authorizing the City Manager or his designee to sign the Special Event Application as long as he is comfortable and believes the safety and security of the City's citizens will not be adversely affected.

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

SECTION 1. That the Kent City Council authorizes the City Manager or his designee to execute the Special Event Application for the Kent State University and City of Kent, Ohio in substantial conformance with the Special Event Application attached hereto as Exhibit "A", as long as the City Manager or his designee believes the safety and security of Kent's citizens are adequately projected.

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

APPLICATION FOR SPECIAL EVENT
PARADES, FESTIVALS, CARNIVALS, PUBLIC ASSEMBLIES, ETC.
City of Kent, 319 S. Water Street, Kent, OH 44240

NAME OF EVENT _____

ORGANIZATION SPONSORING EVENT _____

APPLICANT NAME _____ PHONE _____
Melanie Baker, Service Director City of Kent 330-351-5404

ADDRESS _____

NAMES AND PHONE NUMBERS OF ALL PERSONS WHO ARE IN CHARGE AND/OR WILL BE IN A RESPONSIBLE POSITION DURING THE EVENT:

DATE OF EVENT _____ NO. OF PARTICIPANTS _____

REQUESTED PERMIT TIME: Start Set up _____ Start Event _____
End Event _____ End Cleanup _____

IF PARADE: STARTING POINT _____ ENDING POINT _____

USE OF CITY WATER NEEDED? _____

(IF YES, PLEASE EXPLAIN)

USE OF CITY ELECTRIC NEEDED? _____

(IF YES, PLEASE EXPLAIN)

In addition to the application please submit the following information:

- Attach map to application showing proposed streets to be blocked off for event, and route of parade or race. (May be hand drawn.)
- Proof of Insurance is required before permit can be issued.
- Please attach list of possible vendors/booths to be part of event (food, retail, etc.).

Please submit application for permit at least 30 days in advance, but no sooner than one year in advance. For additional requirements please review Chapter 316 of The Codified Ordinance of the City of Kent. **Please be advised that the use of marking paint on City pavement, curbs, sidewalks or other property is prohibited except if purchased at cost from Service Department (330-678-8105).**

By signing this application, I am certifying that I have received a copy of the rules and regulations of Chapter 316 of the Codified Ordinances of the City of Kent, and I fully understand that should the permit be approved, it can be revoked if any of the provisions of this Chapter are violated.

Name of Applicant
Melanie Baker, Service Director

Signature of Applicant
Melanie A Baker 6/9/2021

Name of Applicant
Office Use. Do not write below this line.

Signature of Applicant

Sent to:

Safety, Service, Fire, Police, and Health Departments for review and approval
via _____ on _____.

MEMORANDUM AGREEMENT _____ YES _____ NO
APPLICATION APPROVED _____ APPLICATION DISAPPROVED _____

PROOF OF INSURANCE REQUIRED BY ORDINANCE 316.04 HAS BEEN REVIEWED AND APPROVED.

Law Director Date

IF APPLICATION IS APPROVED, PERMIT WILL BE ISSUED BY THE CITY MANAGER.
2021-069 Exhibit 'A'

DRAFT ORDINANCE NO. 2021 - 070

AN ORDINANCE AMENDING ORDINANCE NO. 2012-57, ADOPTED ON JUNE 20, 2012, AS AMENDED BY ORDINANCE NO. 2012-69, ADOPTED ON JULY 18, 2012, SO AS TO ISSUE A NEW PROMISSORY NOTE TO 257 NORTH WATER, LTD IN THE AMOUNT OF \$8,463.00 AS THE NEW OWNER OF 247 NORTH WATER STREET; AND DECLARING AN EMERGENCY.

WHEREAS, Kent Wells Sherman House, Inc. is selling the property located at 247 North Water Street, Kent, Ohio to 257 North Water, Ltd. and the new owner will be assuming the loan balance and monthly payments; and

WHEREAS, Kent Wells Sherman House, Inc. has made all loan payments through July 31, 2021 leaving a loan balance of \$8,463.00 due on the loan; and

WHEREAS, the City needs to issue a new promissory note naming 257 North Water, Ltd. as the responsible entity in the amount of \$8,463.00 balance due on the loan.

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

SECTION 1. The Kent City Council is hereby amending Ordinance No. 2012-57, adopted on June 20, 2012, as amended by Ordinance No. 2012-69, adopted on July 18, 2012, so as to issue a new promissory note to 257 North Water, Ltd. In the amount of \$8,463.00 as the new owner of 247 North Water Street, Kent, Ohio.

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____.

AMY WILKENS
CLERK OF COUNCIL
(SEAL)

DRAFT ORDINANCE NO. 2021 -071

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT GRANT FUNDING IN THE AMOUNT OF \$17,786.25 FOR REIMBURSEMENT FOR THE PURCHASE OF BALLISTIC VESTS, AND DECLARING AN EMERGENCY

WHEREAS, the City of Kent Police Department purchased ballistic vests for their department; and

WHEREAS, the Ohio Attorney General's office in conjunction with the Ohio Bureau of Workers' Compensation has reimbursed the City 75% of the cost of the ballistic vests.

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

SECTION 1. That Kent City Council hereby authorizes the City Manager, or his designee, to accept the grant funding in the amount of \$17,786.25 for reimbursement for the purchase of ballistic vests for the City of Kent Police Department.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT ORDINANCE NO. 2021-072

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

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

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

SECTION 1. That the current appropriations Ordinance No. 2020-129 passed December 16, 2020; as amended by Ordinance No. 2021-13, passed 2/17/2021, as amended by Ordinance No. 2021-39, passed 4/21/21, be amended as set forth in Exhibit "A", attached hereto and incorporated herein, so as to increase appropriations in Fund 001, General; Fund 134, UDAG/RLF; Fund 138, Local Fiscal Recovery Fund (ARPA); Fund 201, Water Fund; and Fund 301, Capital Improvements; and to decrease appropriations in Fund 001, General; and Declaring An Emergency.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

Exhibit A

2021 AMENDED APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>General Fund (001)</u>						
City Council	\$ 169,108	\$ 29,775	\$ -	\$ -	\$ -	\$ 198,883
Mayor	9,550	3,900				13,450
Community Support		105,500				105,500
City Manager	335,120	59,175				394,295
New City Hall Facility		0	1,500,000			1,500,000
Information Technology	95,390	226,700				322,090
Urban Renewal		60,250				60,250
Human Resources	101,215	15,510				116,725
Civil Service	32,445	26,325				58,770
Law	336,467	98,905				435,372
Budget & Finance	470,776	138,200				608,976
Community Development	712,873	168,025				880,898
Economic Development	127,589	19,950				147,539
Health	503,772	200,228				704,000
Public Parking		87,638				87,638
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	95,566	75,800				171,366
Miscellaneous & Sundry		387,250				387,250
Contingency					100,000	100,000
Fund Total	3,621,457	2,263,906	1,510,000	0	100,000	7,495,363
<u>West Side Fire (101)</u>						
Fire	281,690	14,150				295,840
Fund Total	281,690	14,150	0	0	0	295,840
<u>Street Construction Maintenance & Repair (102)</u>						
Service	1,187,484	943,454				2,130,938
Contingency					25,000	25,000
Fund Total	1,187,484	943,454	0	0	25,000	2,155,938
<u>State Highway (103)</u>						
Service		60,000				60,000
Fund Total	0	60,000	0	0	0	60,000
<u>Recreation (106)</u>						
Parks & Recreation	1,380,742	673,000	1,141,000			3,194,742
Fund Total	1,380,742	673,000	1,141,000	0	0	3,194,742
<u>Food Service (107)</u>						
Health	112,882	11,800				124,682
Fund Total	112,882	11,800	0	0	0	124,682

2021 AMENDED APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Income Tax (116)</u>						
Budget/Finance/IncTaxAdmin	\$ 135,446	\$ 491,850	\$ -	\$ -	\$ -	\$ 627,296
Managed Reserve				25,540		25,540
Fund Total	135,446	491,850	0	25,540	0	652,836
<u>Revolving Housing (120)</u>						
Health	155,079	11,550				166,629
Fund Total	155,079	11,550	0	0	0	166,629
<u>State & Local Forfeits (121)</u>						
Police		0				0
Fund Total	0	0	0	0	0	0
<u>Drug Law Enforcement (122)</u>						
Police		11,000				11,000
Fund Total	0	11,000	0	0	0	11,000
<u>Enforcement & Education (123)</u>						
Police		6,000				6,000
Fund Total	0	6,000	0	0	0	6,000
<u>Income Tax Safety (124)</u>						
Police	7,477,318	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				0
Fund Total	0	0	0	0	0	0
<u>Community Development Block Grant (126)</u>						
Community Development	4,400	184,366	257,962			446,728
Fund Total	4,400	184,366	257,962	0	0	446,728
<u>Fire & E.M.S. (128)</u>						
Fire	4,935,536	508,250	752,000			6,195,786
Fund Total	4,935,536	508,250	752,000	0	0	6,195,786
<u>Wireless 911 (129)</u>						
Safety		0				0
Fund Total	0	0	0	0	0	0
<u>Swimming Pool Inspections (130)</u>						
Health	9,281	0				9,281
Fund Total	9,281	0	0	0	0	9,281

2021 AMENDED APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Police Pension (132)</u>						
Police	\$ 120,000	\$ -	\$ -	\$ -	\$ -	\$ 120,000
Fund Total	120,000	0	0	0	0	120,000
<u>Fire Pension (133)</u>						
Fire	120,000					120,000
Fund Total	120,000	0	0	0	0	120,000
<u>UDAG / EDA-RLF (134)</u>						
City Manager/C.D.		120,000				120,000
Fund Total	0	120,000	0	0	0	120,000
<u>CHIP Grant Fund (136)</u>						
Community Development	0	195,000				195,000
Fund Total	0	195,000	0	0	0	195,000
<u>ARPA Fund (138)</u>						
Service (Capital Facilities)	0	0	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	436,310	80,260	10,000			526,570
Budget & Finance (Debt)				61,173		61,173
Contingency					50,000	50,000
Fund Total	2,240,973	953,393	1,114,215	61,173	50,000	4,419,754
<u>Sewer (202)</u>						
Service	1,704,055	770,398	2,491,300			4,965,753
Service (Capital Facilities)			2,719,028			2,719,028
Admin. Support	376,444	77,660	10,000			464,104
Budget & Finance (Debt)				365,212		365,212
Contingency					50,000	50,000
Fund Total	2,080,499	848,058	5,220,328	365,212	50,000	8,564,097
<u>Utility Billing (204)</u>						
Budget & Finance		92,500				92,500
Fund Total	0	92,500	0	0	0	92,500
<u>Solid Waste (205)</u>						
Service	69,047	176,925				245,972
Admin Support	357,226	49,900	5,000			412,126
Fund Total	426,273	226,825	5,000	0	0	658,098
<u>Storm Water Utility (208)</u>						
Service	357,226	73,055	163,000			593,281
Service (Capital Facilities)			500,655			500,655
Admin Support	269,498	34,775	10,000			314,273

2021 AMENDED APPROPRIATIONS

<u>Fund</u> - <u>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>
Budget & Finance (Debt)				9,968		9,968
Fund Total	626,724	107,830	673,655	9,968	0	1,418,177

Guaranteed Deposits (230)

Budget & Finance	\$ -	\$ 1,000	\$ -	\$ -	\$ -	\$ 1,000
Fund Total	0	1,000	0	0	0	1,000

Capital Projects (301)

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
New Admin. Facility			5,496,500			5,496,500
Budget & Finance (Debt)				541,854		541,854
Contingency					25,000	25,000
Fund Total	382,262	0	11,496,686	541,854	25,000	12,445,802

Municipal Public Improvement Tax**Increment Equivalent (302)**

Service (Capital Facilities)						0
Budget & Finance (Debt)				440,622		440,622
Fund Total	0	0	0	440,622	0	440,622

Police Facility (303)

Safety (Capital Facilities)			400,090			400,090
Budget & Finance (Debt)				819,095		819,095
Fund Total	0	0	400,090	819,095	0	1,219,185

Debt Service (402)

Budget & Finance (Debt)				0		0
Fund Total	0	0	0	0	0	0

Internal Service (807)

Health Insurance		4,000,000				4,000,000
Fund Total	0	4,000,000	0	0	0	4,000,000

Total Appropriations	\$ 25,298,046	\$ 12,437,725	\$ 22,820,936	\$ 2,263,464	\$ 250,000	\$ 63,070,171
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Check: \$ 63,070,171

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)
Amendment #3		27,000	267,000			294,000
Amendment #4						0
Amendment #5						0
Amendment #6						0
Amendment #7						0
Amendment #8						0

	\$ 25,298,046	\$ 12,437,725	\$ 22,820,936	\$ 2,263,464	\$ 250,000	\$ 63,070,171
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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 - 073

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCEPT THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2021 COMMUNITY EVENT SPONSORSHIP PROGRAM AWARD IN THE AMOUNT OF \$2,000.00, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent, Ohio is a member of the Northeast Ohio Public Energy Council ("NOPEC") and is eligible for a NOPEC 2021 Community Event Sponsorship Award in the amount of \$2,000.00; and

WHEREAS, the City would like to use the funds for the 2021 Main Street Kent Octoberfest.

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

SECTION 1. Kent City Council hereby authorizes the City Manager, or his designee, to accept the NOPEC 2021 Community Event Sponsorship Program Award in the amount of \$2,000.00.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT ORDINANCE NO. 2021-074

AN ORDINANCE ACCEPTING THREE (3) DONATIONS TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FOR THE YOUTH TACKLE FOOTBALL PLAYER SPONSOR FUND, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Parks & Recreation Department has received three (3) donations as follows:

- 1) \$5,000.00 from Scott Hamilton; and
- 2) \$350.00 from Gayle Horning; and
- 3) \$100.00 from David Wyse.

WHEREAS, the City wishes to accept said donations.

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

SECTION 1. That Council does hereby authorize the City Manager on behalf of the City of Kent to accept the donations totaling \$5,450.00 and for the Budget and Finance Director to appropriate the donations into the proper fund.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL
(SEAL)