



CITY OF KENT, OHIO

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

Committee of the Whole Meeting Wednesday, September 1, 2021

Mayor Fiala called the Committee of the Whole of Kent City Council to order at 7:09 p.m.

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

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

ABSENT: Ms. Tracy Wallach

There were five (5) items on the Agenda.

1. Boards and Commissions

Ms. Amy Wilkens, Clerk of Council, announced there was one applicant for this round of vacancies for Boards and Commissions, Michelle Frederick for the Board of Health. Ms. Frederick is applying for her second term and was not able to attend an interview in person as she is a pharmacist and was currently at work.

Mayor Fiala said this is usually discussed during Executive Session and one will be scheduled for the next meeting prior to voting.

2. Salary Review Committee

Mayor Fiala introduced Rhonda Hall, Budget and Finance Director to give an overview and to introduce the Salary Review Committee to Council.

Ms. Rhonda Hall explained the Salary Review Committee was established to review salaries for future council members terms to bring council salaries to the level the Ohio Public Employee Retirement System will give a full year service credit. There is a minimum salary in order to earn a full year service credit and currently no Council Member

is earning a full-service credit. The packet of information provided included the annual minimum salaries. OPERS designated a 1.75% annual raise that began in 2018. Ms. Hall then introduced Dr. Pascarella, Benjamin Tipton, Kathleen Slater, Jeff Roeger and Warner Mendenhall who were all members of the appointed Salary Review Committee.

Mayor Fiala stated for the record that Council has to review salaries every two years per its Charter, which fell in line with this current discussion. Ms. Hall clarified Council is not permitted to receive an increase or decrease during a current term, so these changes being discussed are for future terms.

Dr. Pascarella thanked Council Members for appointing members of this committee and noted it was a great committee, with everyone coming to the meetings prepared and organized and contributed to good discussion. He suggested in the future having 5 members and no alternates, as the alternates provided much help and insight but were not able to vote. Dr. Pascarella reviewed the methods used for the results being presented.

The committees work included reviewing the 2006 Salary Review Committee meeting minutes, talking with Jack Amrhein, Roger Sidoti, Mayor Fiala and Heidi Shaffer Bish, and reviewing the OPERS salary requirements. At first they thought it would be as easy as raising salaries to the minimum OPERS requirement. They began looking at the salary data and thought that was not a good answer. This led them to review the following: comparable cities with universities (Oxford, Athens and Bowling Green), cities with City Manager form of government, neighboring cities (Aurora, Streetsboro, Ravenna, Tallmadge, Cuyahoga Falls, Kent and Hudson) and cities between 25,000 and 60,000 in population. Kent came in 26th out of 32 cities, which was close to the bottom. Using all of this data they calculated a mean and median of these salaries, which was roughly \$10,500. Kathleen Slater mentioned raising salaries may help those afford child care which may help in a person's decision to run for Council. The committee looked at the following scenarios: doing nothing and leaving everything as is, raising to the OPERS minimum, or moving everyone to \$10,500 and increasing in increments. The proposal voted on was to raise the minimum to \$10,500, with the Ward receiving this in 2024, the At Large getting in 2022 and then both positions increasing by 1.75% beginning in 2025. This puts Kent in the middle of the 32 communities they reviewed.

The committee thought the Mayor's salary there should be an increment above what Council members make due to the extra duties and came up with an increment of \$1000.

Mr. Kuhar thanked the members of the Committee for their work and taking their job seriously.

Mr. Turner congratulated the committee and the job done. The focus and way they gathered the information in making their determination and puts Council in a position to move forward. It's a very tricky situation for a Council and the committee went about it in a very knowledgeable way involving other communities and looking at those that are

comparable which is extremely important. He thanked everyone who participated and added the work was stellar.

Dr. Pascarella said those comments meant a lot. He also added the increase does not put them at the top of the list of communities they reviewed, it puts them in the middle.

Mr. Sidoti said there may be an advantage for them to now draw in more community members, especially younger people, to get involved. He said younger members may be motivated to run for Council if they see compensation is attached to the position. He hopes to see more younger people willing to run for City Council and serve their community. He hopes this will help get more people involved and sees it as a great advantage to the community.

Ms. Shaffer Bish thanked members of the committee for being open minded which hasn't always been the case with past committees. She thanked them for their professional attitude and comparing Kent to others with the same system of government. A big concern of hers is diversity on Council and welcomes all viewpoints, not just those who the salary doesn't matter. We want to attract people from all walks of life to be on Council, which helps make better decisions for the whole population. The retirement benefit is important, especially for those who may not have one at all. She appreciates the committee's efforts to try to understand where Council salaries should be and to educate the population. It's not about current members but for future leaders in the City and creating a better Kent.

There were no further questions from City Council members and no questions from the public.

MOTION TO AUTHORIZE THE PROPOSED CHANGES TO FUTURE AT LARGE, WARD AND MAYORAL SALARIES made by Mr. Ferrara **SECONDED** by Ms. Rosenberg and **CARRIED** by a voice vote of 8-0.

Mr. Ferrara said the changes presented are fair and commended the committee for its work.

Ms. Rosenberg thanked members of the committee.

Mayor Fiala thanked all members of the Committee. He attended all of the meetings and has attended past committees and added this committee used the most professional tactics. Council was more concerned about the retirement benefit than the wage. He thanked all members for the professional job that was done.

3. City Hall Update

Mr. Ruller began his comments by saying tonight's presentation would be brief as the Service Director was unable to attend due to illness. She wanted Council to know that she was vaccinated and still contracted Covid 19. She said she did what she was

supposed to do with being vaccinated and wearing her mask. She added that masking works, as she did not spread it to others in the office.

Mr. Ruller said there were sixteen bidders all within the same amounts. The bad news is that the bids came in about \$1 million over. He added everyone is looking at ways to expedite things, calling contractors seeing where pricing difference are. He said there are private companies that have halted projects for at least a year because of the pricing. The other option to look at are the interest rates. Mr. Ruller said there is still room to take on debt. They want to move as quickly as possible with the demolition of the old police station. They are asking for a work session prior to the next council meeting to present a better picture to Council.

Mr. Ferrara asked what the limit is on going over budget. Mr. Ruller replied 10% and the bids were at 14%.

Mr. Kuhar suggested if the vaccine rates go up, maybe wait and if they don't to lock something in.

Mr. Ruller said typically it's better to sell a project in January to get better pricing but now the Federal government has introduced infrastructure projects which will impact things quite a bit. Contractors are having a hard time getting items delivered. There are so many variables to consider.

No Action Necessary.

4. Attendance at Boards and Commissions

Ms. Bridget Susel said that City Council requested information on attendance for Planning Commission, Board of Zoning Appeals and the Architecture Review Board meetings in order to ascertain if there are any issues with attendance. This is in response to the Planning Commission Chairperson's letter and presentation at the last meeting. Community Development staff reviewed a 32-month period of 93 meetings, none resulted in ties, applicants being turned away or being delayed and there were no legal challenges. She added that ten of the nineteen boards are under the Community Development Department. Staff has handled over 500 meetings over the last decade and in all of the meetings there have never been an issue of when a member was absent there wasn't a motion from the chair to excuse that member. The reason this is done is because these are volunteers and it's critical to recognize that these members hold other jobs and responsibilities. In some situations, there may be a motion to excuse even with no prior notification from the absent member. No staff or any other members of other boards have found attendance to be an issue. If Council wants to move to change how members are excused they could but staff does not recommend this. She said since they have not found any issues prior to this, we let the process as it has been done, stand.

Mr. Ferrara said it sounded as if the issue that came up was more an individual problem and the fact that the Chair used Community Development Department letterhead, he asked if this person should be reprimanded.

Ms. Susel said as a member of staff it is not her position to make that the decision and that members of boards and commissions are appointed by Council, so a decision should be made by them.

Mr. Ferrara asked if it would be appropriate for Council to send a letter of reprimand.

Ms. Susel said that would be up to Council.

Mr. Sidoti asked if it would be appropriate to request in the letter that an apology is expected from the Chair to the members on the commission affected. He added the person was speaking on behalf of themselves and asked if it be appropriate to ask them to apologize. It is a matter of public record. He also asked if they could accept this person's resignation from the Commission.

Ms. Susel said that Council has the authority of what to put that in the letter. She added there are some concerns because of the issue of creating a divide within the Commission, referencing members, although not by name, but mentioned in the attachment. Using the Community Development letterhead without permission is a huge concern. Ms. Susel added that she said that not excusing members absences sets a dangerous precedent because it may cause the City to lose volunteers and have challenges filling its boards.

Ms. Hope Jones added that Council has the ability to remove Board and Commission members for neglect of duty, incapacity, incompetency and malfeasance but you have to give them written notice and an opportunity to be heard in person after that.

Ms. Shaffer Bish asked if this person's actions would be considered malfeasance. Ms. Jones said it could be, and that he came in spent a good deal of Council's time presenting what she believes was his personal opinion and trying to bring it across as an issue the City is having and needs to be dealt with. In a sense you could say he came in here and lied and is attacking other board members and staff. This could be incompetency as well, he may not be competent to sit on the board.

MOTION TO SEND A LETTER OF REPRIMAND AND ASK FOR THIS MEMBER TO STEP DOWN AS CHAIRMAN made by Mr. Kuhar **SECONDED** by Mr. Sidoti and **CARRIED** by 7-1 with Ms. Rosenberg voting against the motion.

Mr. Kuhar said there are several things that are not right by the activities and actions of this person and he does not think he should represent a Committee Chair for the City of Kent.

Mayor Fiala asked Mr. Kuhar if he would like this letter to be drafted by the Law Director. His reply was "yes".

Mr. Sidoti has a real concern that this person walked out of the last meeting thinking Council agreed with him simply because they asked for data. The goal was to find out if there is a problem and it's clear he was trying to paint a picture that was false. This may also create a climate where people don't want to join a Board if they know they will be attacked.

Mr. Turner asked for further clarification on the motion, if Mr. Kuhar was asking for the Chair to step down from the Committee or his Chair position.

Mr. Kuhar clarified they are politely asking him to step down as Chair.

5. Ordinance Replacement Pages

Ms. Jones said this is the yearly request to update the codified ordinances that have been passed locally, and also the state criminal and state traffic laws and make changes to Title III and V.

MOTION TO AUTHORIZE THE UPDATES TO THE CODIFIED ORDINANCE BOOKS made by Mr. Sidoti **SECONDED** by Mr. DeLeone and **CARRIED** by a voice vote of 8-0.

Seeing no further business, the Committee of the Whole adjourned at 7:52 p.m.



Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Authorize an increase in future salaries for At Large, Ward and Mayor
- 2) Authorize the City's Law Director to draft a letter of reprimand asking for the Chair of the Planning Commission to step down from his position
- 3) Authorize the proposed updates to the City Ordinance Book



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Community Development Committee Meeting Wednesday, September 1, 2021

Chair Kuhar called the Community Development Committee of Kent City Council to order at 7:52 p.m.

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

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

ABSENT: Ms. Tracy Wallach

There were two (2) items on the Agenda.

1) Neighborhood Grant Changes

Chair Kuhar introduced Ms. Bridget Susel, Community Development Director, to address the topic of tonight's discussion.

Ms. Susel referenced her memo addressed to Council, highlighting the \$7,000 in the Neighborhood Grant Program (NGP) anticipating \$3500 towards the engagement/enhancement projects and \$3500 towards helping eligible homeowners with code enforcement compliance. The only change from 2019 is that sometimes the homeowner is challenged with finding pricing, contractors, etc. and moving forward. Staff is going to assist in this process where it is needed.

Mr. DeLeone asked if \$3500 is enough. Ms. Susel said often times they know what is needed and usually end up being \$100 or so. There are other mechanisms to help using other programs within the city.

There were no further questions from City Council members and no questions from the public.

MOTION TO AUTHORIZE CHANGES TO THE NEIGHBORHOOD GRANT PROGRAM made by Ms. Shaffer Bish SECONDED by Mr. Sidoti and CARRIED by a voice vote of 8-0-0.

Ms. Shaffer Bish thanked the Community Development Department for listening to the suggestions and coming up with a workable plan. She is looking forward to having some funding available for neighborhood programs and initiatives.

Mr. Sidoti commended Ms. Susel on the excellent work and thanked her.

2) Proposed Right of Way License Agreement with Main Street Kent

Mr. Jim Bowling said they were approached by Main Street Kent (MSK) a few weeks ago regarding an art installation on North Water Street. They think it is a suitable location, but ended up being in a remnant piece from when the Fairchild bridge was built. There is great visibility, no utilities in the way. It will add for a sense of arrival when coming into the downtown when coming from the North Water area. MSK will be responsible for all aspects of the project.

Ms. Shaffer Bish asked who is paying for it. Mr. Bowling replied that Main Street Kent got a grant to help fund this. Ms. Heather Malarcik, Executive Director of Main Street Kent, said they received funding from Ohio Arts Council and various other sources.

MOTION TO AUTHORIZE THE PROPOSED RIGHT OF WAY LICENSE AGREEMENT WITH MAIN STREET KENT MADE BY Ms. Rosenberg SECONDED by Ms. Shaffer Bish and CARRIED by a voice vote of 8-0.

Ms. Gwen Rosenberg said she thinks this is fantastic and thanked Main Street Kent for coordinating it, getting the grant money and wanted to extend thanks to the owners of Troppus and that everyone is looking forward to it.

Ms. Shaffer Bish said she thinks it's really creative and will enhance the North Water Street corridor. She thinks it is really great for the city.

Seeing no further business, the Community Development Committee Meeting adjourned at 8:00 p.m.



Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Authorize changes to Neighborhood Grant Program as presented.
- 2) Authorize the approval of a license agreement with Main Street Kent to allow for the installation of a new public art piece.



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Health and Safety Committee Meeting Wednesday, September 1, 2021

Chair Amrhein called the Health and Public Safety Committee of Kent City Council to order at 8:00 p.m.

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

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

ABSENT: Ms. Tracy Wallach

There were two (2) items on the Agenda.

1) Noise Ordinance Review

Chair Amrhein introduced Police Chief, Nicholas Shearer and Law Director, Hope Jones, to address the topic of tonight's discussion.

Ms. Jones said the concern over the noise ordinance was brought up at the last meeting's discussion with a resident whose husband was charged for tuning his guitar in the afternoon. She has reviewed the noise ordinance and said there is a separate section called "Unlawful Noise". She reviewed code of other cities she has worked at prior to Kent and said that typically noise complaints are covered under disorderly conduct. Kent's Unlawful Noise Ordinance has nine different definitions of what different noises can be. The resident who was charged fit the definition of noise. The neighbor could go to their property line, hear the noise, call the police, recorded and played it to the police who offered the chance to sign a charge. Ms. Jones said she would like to sit down with Chief Shearer and go through the unlawful noise ordinance to see if some items could be covered under disorderly conduct. It is Ms. Jones understanding that there is a neighbor "situation" with the current resident's complaint, which will never be able to be fixed. She thinks the situation does bring up the fact that this ordinance needs reviewed.

Chief Shearer added it may be a little trickier than meets the eye, although he agrees with this particular circumstance. There may be a different conversation when involving University students and a law is needed that is comprehensive enough to apply fairly to both circumstances.

Mr. Kuhar asked Ms. Jones if in other locations if the laws are written in such a fashion that they are told to “keep it down” and if they don’t comply, then they are cited. Maybe something like that should be implemented in the noise ordinance.

Chief Shearer said this particular circumstance is different than a lot of others. The police would not have taken a call at 5 p.m. and cited this gentleman. The issue with this call was the complainant was bothered by the noise and wanted to sign the charge. The officer did not sign the charge. The elements of the crime were met and probable cause was established very easily and the police are not in the position to refuse the private citizen the ability to come in and sign the charge.

Mr. Kuhar said they could sign the complaint because of the way the noise ordinance is written. If it was written with a warning first, or a notice, then there would be no complaint to sign unless the people continued.

Chief Shearer asked if Kent’s laws could preclude the State’s disorderly conduct laws that could also apply to that circumstance. Chief Shearer said it would conflict with the State disorderly conduct laws. He said the elements of both laws could be met by this circumstance.

Mr. Sidoti asked if there are other instances where private citizens can sign complaints. Chief Shearer said that most misdemeanor offenses where there is a victim, the police do not sign the charges, the victim does. Police only sign charges for felonies, violent misdemeanors, and some theft charges.

MOTION TO ALLOW FOR THE POLICE CHIEF AND LAW DIRECTOR TO REVIEW THE NOISE ORDINANCE CODE AND RETURN TO COUNCIL WITH RECOMMENDATIONS MADE BY Mr. Ferrara **SECONDED** BY Mr. Kuhar and **CARRIED** by a voice vote of 8-0.

Mr. Ferrara said it seems like it is in capable hands.

Mr. Kuhar said there needs to be some flexibility and compromise.

Mr. Amrhein added that you can’t legislate good neighbors.

2) COVID Update and Mask Discussion

Ms. Joan Seidel distributed her power point presentation to Council (**Attachment #1**). She thanked Council for allowing her to speak before them and appreciates their trust and support. She said Covid cases are rising. The positivity rate of 10% has risen to 11.2%, so cases are rising. Hospitalizations are rising. When cases go up, two to three weeks later hospitalizations go up and then two to three weeks after that deaths go up. The CDC just announced today that an unvaccinated person is 17 times more likely to be hospitalized. She clarified that 95-98% of hospitalizations are for unvaccinated people.

Locally, Ms. Seidel reviewed the case count from the same time period as last year, which showed a dramatic difference. Right now, there are more cases outside of Kent than in Kent. She reviewed the chart of the average case counts. The seven day average this year is 48 cases and last year it was 6 cases. Cases are definitely going up.

She then reviewed this year's case count, which currently are at 146, which is what they were in March 2021, only the curve has changed. In March we were excited because the curve showed we were going down, and now we are going up.

Studies that look at mask use show that masks work when they are used correctly. They will help keep you safe and others around you. Out of 67 randomized control trials, masks were the best protection in all settings. There is a benefit for the general population to wear a mask. She clarified the many different types of masks do block particles that come out in clumps of respiratory secretions. If the mask is worn correctly it is going to be very effective. A teacher in Marin County came to work ill, didn't wear a mask and 50% of the people got sick. Unvaccinated people pose a risk and those that don't wear a mask pose a great risk. We want to make sure we are not being risky. Many schools took an optional approach to masking and now many of those schools have closed because they had such a high degree of illness and quarantine that they couldn't hold classes. Many now have gone to mandatory masks.

Ms. Seidel said vaccines are safe and effective and we should take it. She added masks are simple to wear and are effective and should be worn. We should also wash our hands and try not to get too close to people we don't associate with on a daily basis. A multiple prong approach works and has curbed surges. Mitigation strategies should be in place for longer periods of time instead of shorter periods of time. She said it is hard, but longer is better. Early placement of strategies is more effective than late, and a mix of strategies is better than relying on just one. It's also very important to be aware of your surroundings. Yellow Springs, Athens, and Columbus have all voted for a mask mandate. Ms. Seidel said there is no enforcement behind this and that is important to consider.

Mr. Kuhar asked what the life span of the virus is once it's emitted.

Ms. Seidel clarified if he meant how long it lasts. She said on a surface, not that long, just a couple of hours. Droplets have a hang time of about 15 minutes in the air.

Ms. Shaffer Bish added that Portage County has a very low vaccination rate compared to other communities in NE Ohio. She asked if there is a difference between Portage County and Kent and about the KSU vaccination rate.

Ms. Seidel said in the 44240-zip code, which also includes Brimfield, the vaccination rate is 55.5% but Aurora is at 78-79%, so there are some higher vaccinated areas and some lower. She just heard that KSU students are currently being asked to upload their vaccination data and that on campus the rate is 67%.

Ms. Rosenberg asked if how many available beds and ICU beds are available in the one hospital in Portage County. Ms. Seidel said overall there are 16 critical care beds. The current pandemic plan allows for a 300% surge rate, so while they are maintaining right now, they may have the beds, but they don't necessarily have the staff. That is really the big concern and nurses are leaving the profession in droves because they are sick of this pandemic and the stress and strain that is involved in taking care of patients. Nurses are being asked to work longer, harder hours, are given bonuses and increased pay and many are saying this is not a good trade off, which is a concern. Most hospitals in Ohio, except for the Cleveland Clinic, are not accepting transferred patients from out of state because they need to save beds for patients in our state.

Mr. Kuhar asked if the Kent Health Department is doing vaccinations and what vaccine is being used. Ms. Seidel said they currently are giving vaccines and have been using Johnson and Johnson. She added that just this week she got her first shipment of Moderna. She is taking people as they come in and is going into homes to those who are home bound.

Mr. Sidoti asked about booster shots and if they are approved. Ms. Seidel said final approval is coming on September 20th. From what she understands right now, you should stay with the manufacturer you started with.

Mr. Kuhar asked about a new study that you won't need a booster because of immunity. Ms. Seidel said this may be a little too simplified. She does not believe they have information regarding COVID.

Ms. Shaffer Bish wanted to revisit the discussion on masks saying now most businesses posting signs that they are recommended. She asked if Ms. Seidel has a recommendation right now and if not what the benchmark would be. Ms. Seidel said she does not believe we always risk assess appropriately, thinking there is less risk when sometimes there is more. The Governor dropped the mask mandate on June 2, 2021 but it was kept in place across the nation in healthcare settings, long term care as well as public transportation. She wishes everyone was responsible enough to wear a mask indoors and that the

literature is clear that masks help. She is unable to issue a mandate due to Senate Bill 22 that was passed in Ohio. She added that through the City of Kent's Unified Command Team, they are strongly recommending and encouraging the use of masks, but there is not enforcement.

Mr. Ruller said that Ms. Seidel, as the Health Commissioner, would love to see a mask mandate and as a Unified Command Team they discussed how this would be presented to Council. The UCT strongly supports wearing masks and probably a mask mandate with the exception that there is no ability to enforce. Staff typically does not recommend rules that are not enforceable. He read an article today that 52% of businesses are looking at adopting mandatory masking if things don't change in a month or two.

Ms. Hope Jones added that masks can be mandated with no enforcement but wonders what the point is of having a law on the books that you can't enforce. She said it was done before in the fall and they heard from the Chief of Police that they will not be the mask police.

Mr. Turner added he initially supported not doing something that couldn't be enforced, but added there was greater participation after it was done. People decided to do it because government leaders made a statement that had an impact and affect. He said they are headed back in the direction of closing down businesses and things are going to happen due to failure to take a leadership role. He said Council has to take a leadership role in acknowledging there is a problem and it will start affecting businesses and that we need to make a statement. He believes it should be mandated to help the health and well being of Kent citizens.

Ms. Shaffer Bish said she was thanked by some businesses for helping in the past. She asked if a statement could be made, saying Council strongly recommend that all businesses have a mask mandate.

Mr. Sidoti asked if Kent State University and Kent City Schools have both mandated masks, which Ms. Seidel confirmed both have. He added they will have the same problems with enforcement and thinks everyone is facing that. He said the word mandate seems to be the big issue with people. He asked if Council is following and not leading.

Mr. Kuhar asked Ms. Seidel if she observed that once the previous mandates were dropped, all of the preventive measures such as sanitation stations, plexiglass, etc were removed but now mask wearing is again on the rise. Ms. Seidel said there may be a slight trend in mask wearing to a certain degree.

MOTION TO FURTHER MONITOR THE SITUATION BEFORE MAKING A DECISION ON MASK MANDATES MADE BY Mr. Ferrara SECONDED BY Ms. Rosenberg and CARRIED by a voice vote of 8-0.

Ms. Rosenberg thanked Ms. Seidel for her presentation and the information and hopes that residents will hear about this presentation through the media and understand the difficulty in making this decision. She said business has slowed down and businesses are suffering the brunt of people being afraid to come out and she is hesitant to make any declaration and doesn't want to be the frontline of a mask mandate. She said this information is really valuable and really wants to encourage everyone to wear a mask and that the evidence is really clear.

Mr. Sidoti said we need to be more specific and he is concerned that by saying we will see how things work out. He said we need to be more definitive and decide when we will take a step or wait until things are crumbling around us.

Mr. Turner added we may need a little breathing room right now to get input from businesses and that we are working with them. Mandating is an acknowledgement that we have a problem that needs to be dealt with.

Mr. Kuhar said we should send out messages to wear a mask and that they do work.

Mr. Sidoti said earlier tonight they asked for data for another issue, got that data and applied it. Once we saw the data, we were moved to act on that data. If this data continues he asked if we are going to have the courage to say masks are required. Council has to say it if the data shows an issue, even if its not enforceable. People won't be able to come out because they will be sick. If the data continues to show an increase he will be back to Council with a motion.

Ms. Shaffer Bish said this is a non-motion. She recommended having the UCT come back with a report in two weeks.

MOTION FOR CITY ADMINISTRATION TO DISPERSE THE INFORMATION RECEIVED TODAY AND MENTION THE EFFECTIVENESS OF MASKS AS A PREEMPTIVE MEASURE MADE by Mr. Ferrara **SECONDED** by Ms. Shaffer Bish and **CARRIED** by a voice vote of 8-0.

Mr. Ferrara added it is such a divisive issue and is absurd to make a mandate that cannot be enforced. They will not win any converts by coming out with such a mandate. This is a good way to say we want people to be responsible, knowing the data which supports masks being a smart choice. This is a good way to advise the public on the data and give them the opportunity to consider.

There were no further questions from City Council members and no questions from the public.

Seeing no further business, the Health and Public Safety Committee Meeting adjourned at 8:48 p.m.

Amy Wilkens

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Authorize the Law Director and Chief of Police to review the City's noise ordinance and return to Council with recommendations.
- 2) Continue to monitor COVID numbers prior to deciding on mask mandates.
- 3) Authorize staff to disperse COVID information presented from Health Commissioner and mention the effectiveness of masks and vaccines as a preemptive measure.

Council Committee

9/1/2021

COVID -19 Update and Masking
Joan C. Seidel MA, BSN, RN, CIC, FAPIC
Kent City Health Commissioner

State Trends

State of Ohio | COVID-19 Diagnostic Tests Performed and Percent Positivity

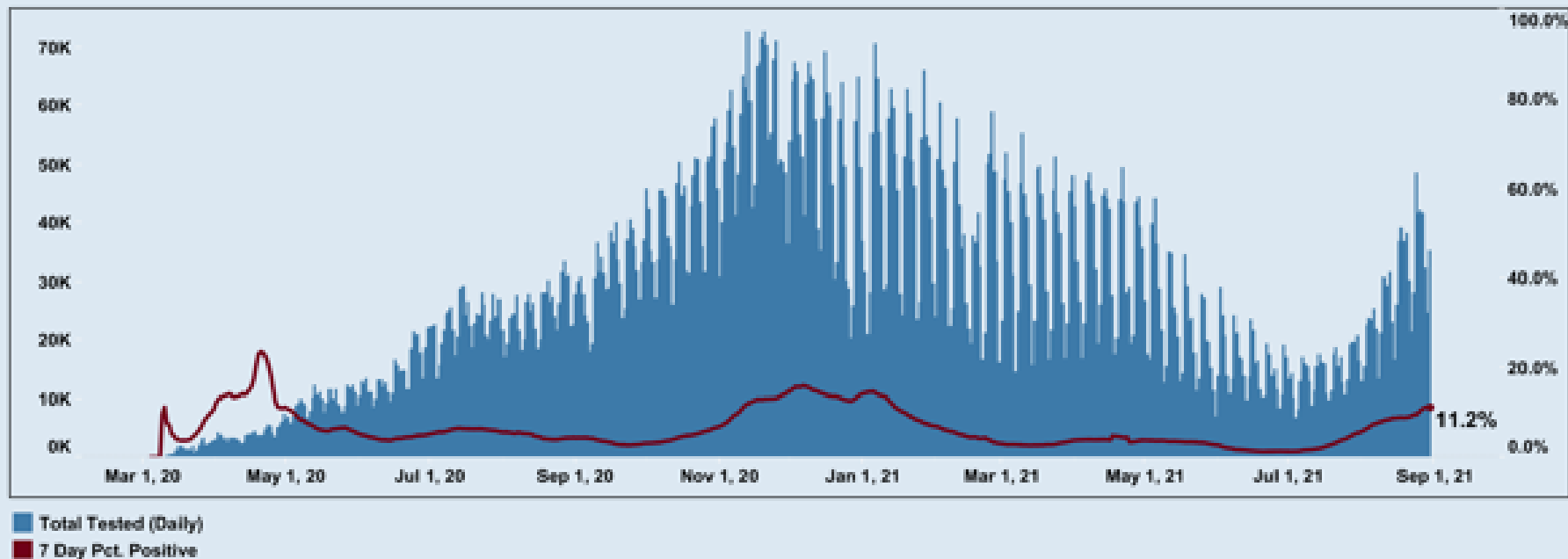
Statewide Confirmatory and Presumptive Testing

Date of reported results: 8/30/2021

View By:

View trends by confirmatory laboratory tests, presumptive laboratory tests, or confirmatory and presumptive laboratory tests

Confirmatory Laboratory Tests*

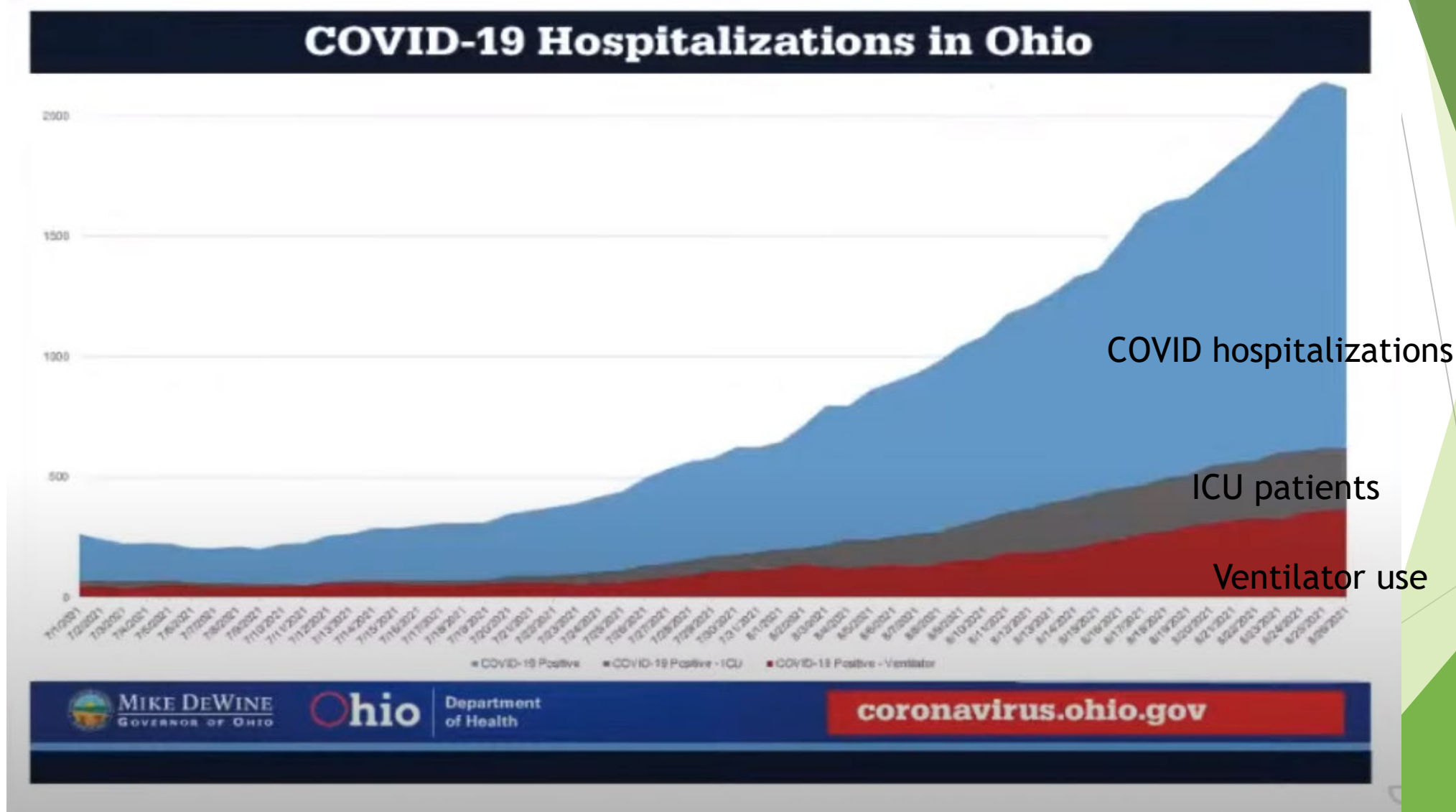


County Level Confirmatory 14-Day Test Positivity Rates

Data posted on CMS on: 8/30/2021

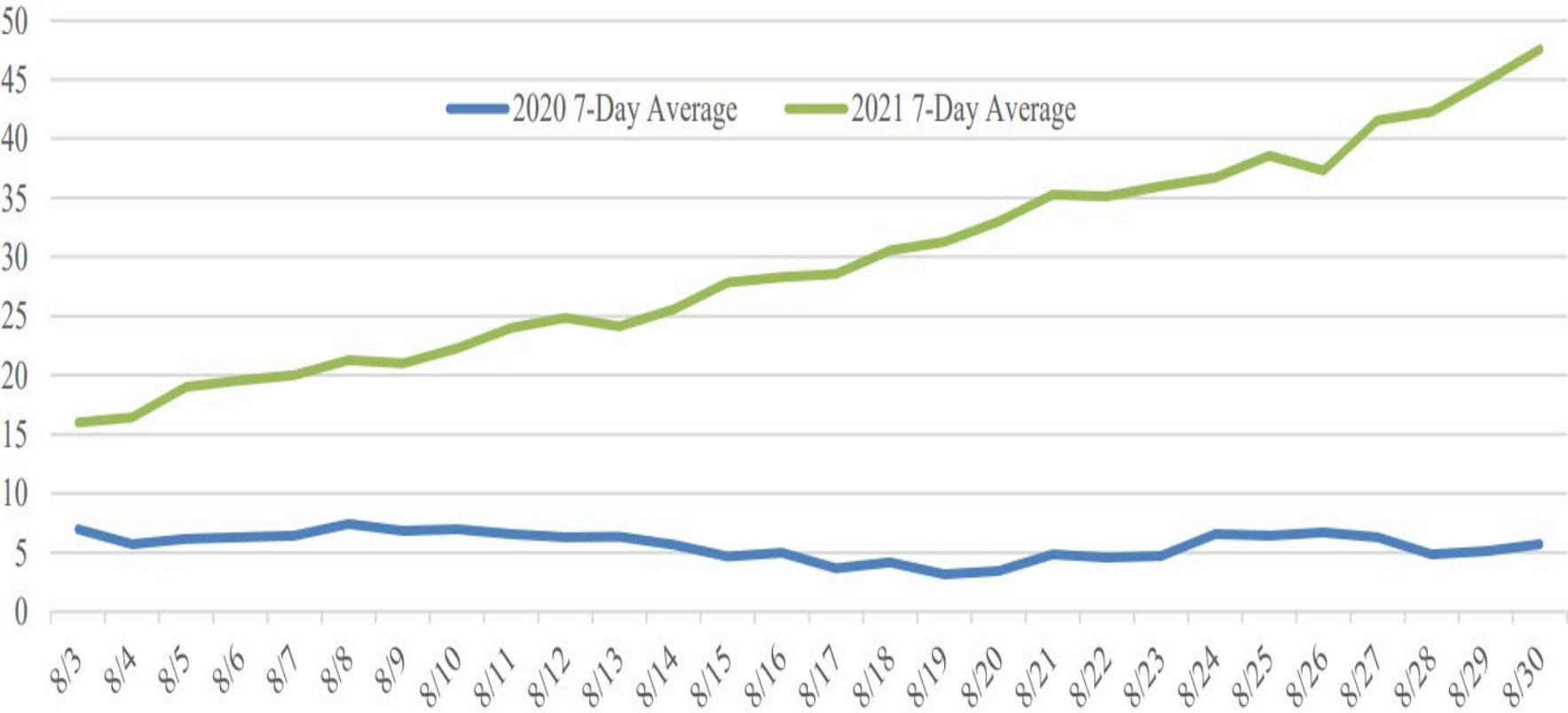
State Trends

Majority admitted are unvaccinated



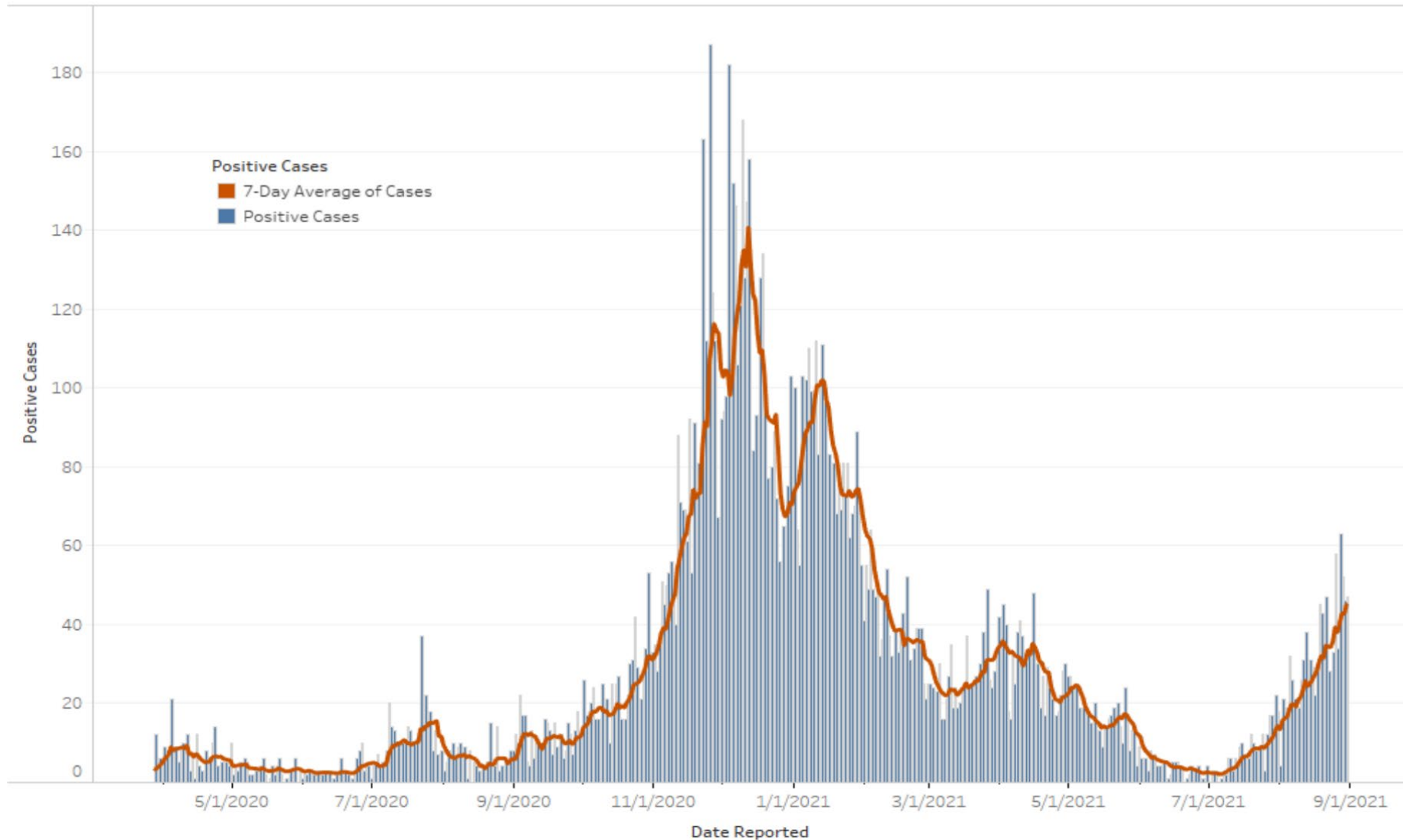
Local Trends

7-Day Averages of COVID-19 Cases in Portage County, 8/3-8/30 for 2020 and 2021



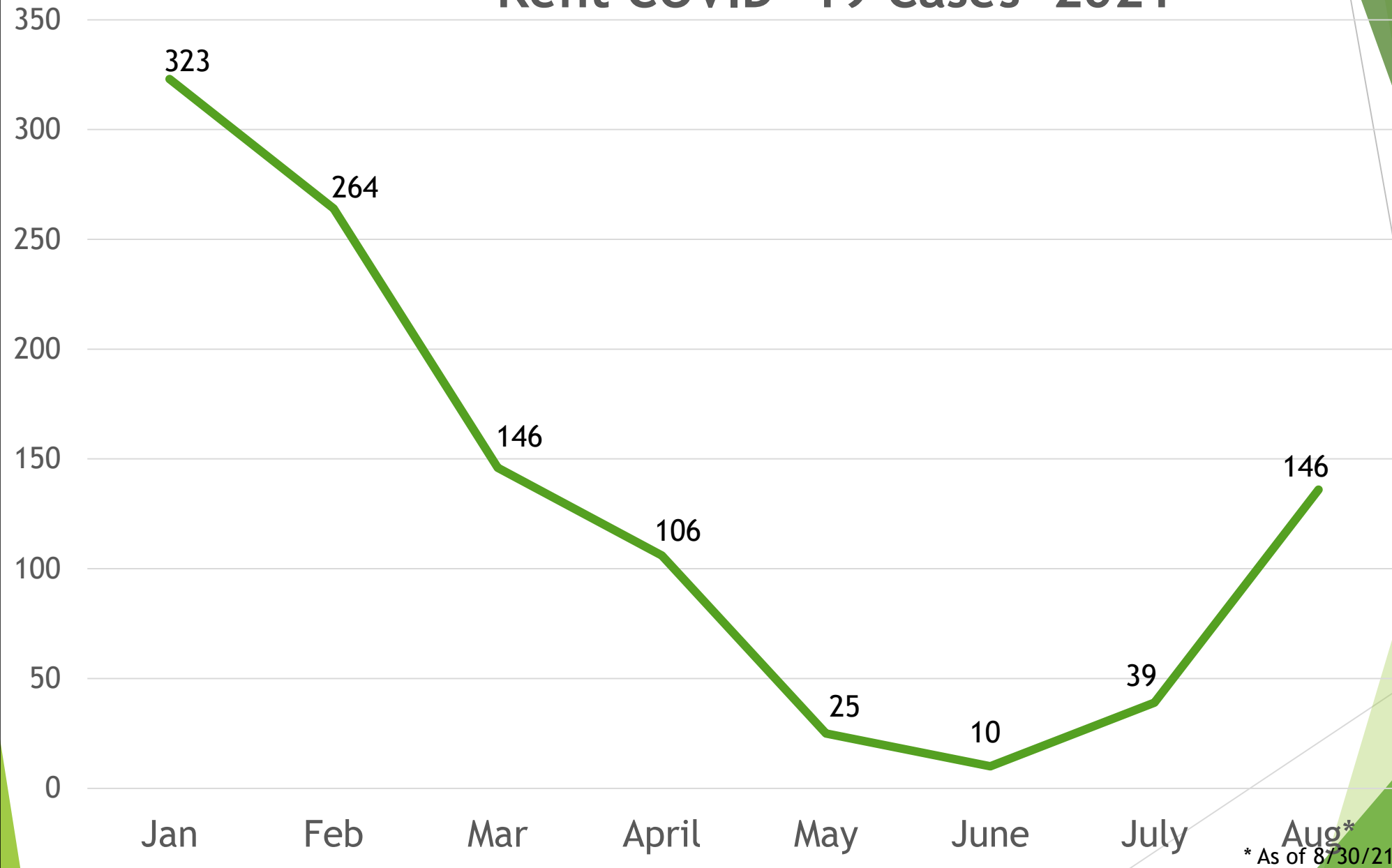
Data Source: Ohio Disease Reporting System (ODRS); Notes: This information is based on laboratory-confirmed and probable cases of COVID-19 based on date reported; Updated: 31 August 2021

COVID-19 Positive Cases Reported to Portage County, 3/13/2020 to Current



Date source: Ohio Disease Reporting System (ODRS). This information is based on laboratory-confirmed and probable cases of COVID-19 based on date reported for both Portage County Health District and Kent City Health District; Updated: 31 August 2021

Kent COVID -19 Cases 2021

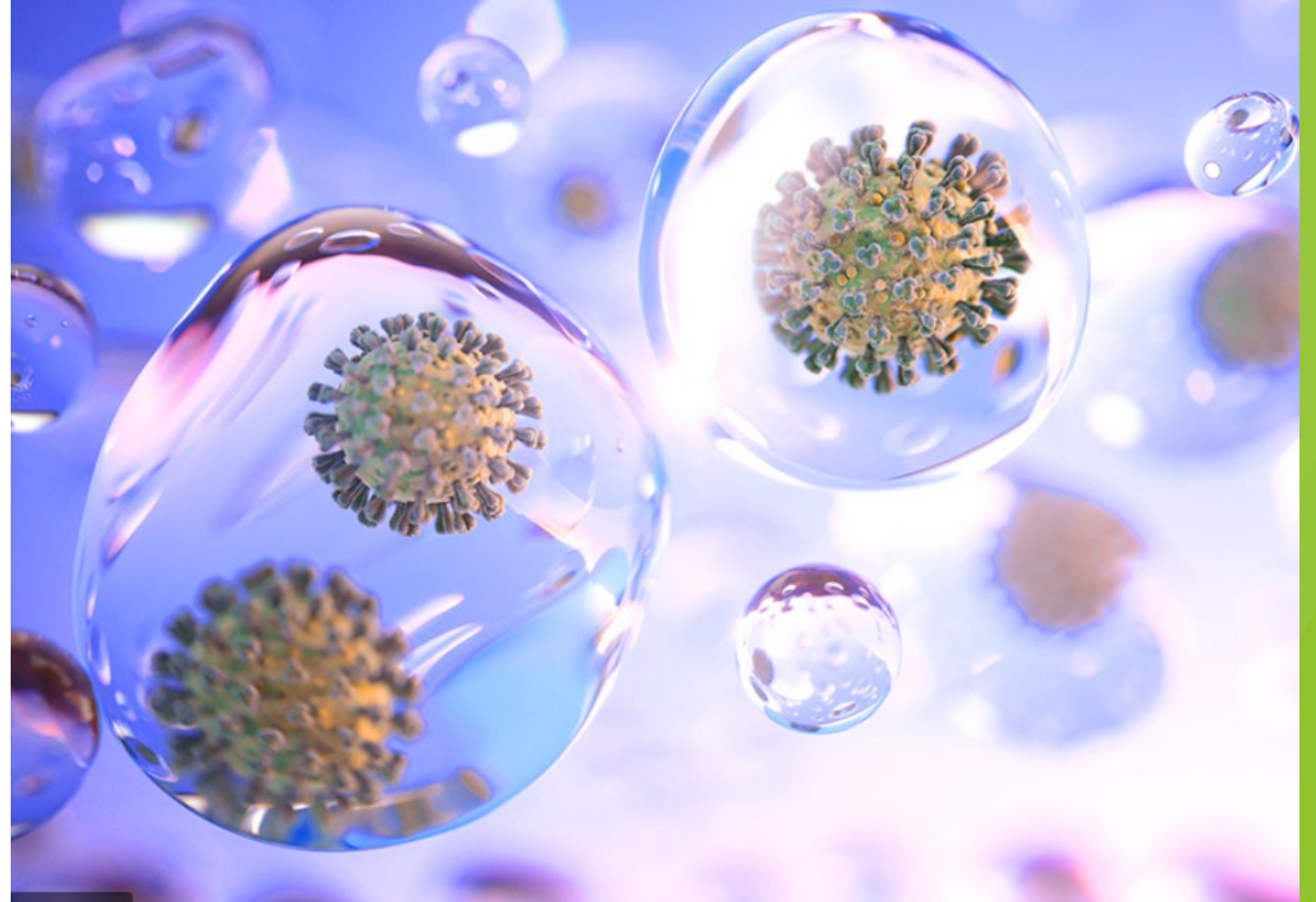


Masks



- ▶ Studies on masking completed in healthcare settings - is data generalizable to the community population? Yes it can be.
- ▶ Ethical considerations of a Randomized Control Trial (RCT) with the public during a pandemic.
- ▶ A review of 67 RCT showed “overall masks were the best performing intervention across populations, settings and threats.”
- ▶ A review of pre-pandemic RCT suggests that there is benefit for the general population to wear a mask

While an individual virus may be a size that could fit through the weave of a mask or cloth face covering; Viruses do not leave in single file - not a pea shooter



Viruses leave surrounded by respiratory secretions, these larger particles are trapped by a mask or prevented from entering our body by the barrier a mask provides.

One unvaccinated, unmasked teacher reading aloud to the class infected 50% of students, even those in the back row.

The Delta variant spreads easily in indoor spaces when people are unmasked and unvaccinated

Occasionally unmasked adult infected with Delta variant worked for 2 days



12 of 24 kids infected



Schools can help stop spread by ensuring everyone:



Wears masks **correctly** in indoor spaces



Gets vaccinated, if eligible



Stays home if having symptoms



Tests routinely

Mitigation Strategies



- ▶ Multipronged approaches work and have curbed surges
- ▶ Mitigation strategies should be in place for longer period of time, not shorter
- ▶ Early placement is more effective than late
- ▶ A mix of strategies better than relying on only one
- ▶ Geographic location awareness - it is just not your community, but what is going on around your location and where people are moving to and from.



CITY OF KENT, OHIO

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

Streets, Sidewalks and Utilities Committee Meeting Wednesday, September 1, 2021

Chair Sidoti called the Streets, Sidewalks and Utilities Committee of Kent City Council to order at 8:48 p.m.

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

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

ABSENT: Ms. Tracy Wallach

There were two (2) items on the Agenda.

1) **East Main Street Update**

Mr. Ruller provided a quick update prior to Mr. Jim Bowling's presentation. He reminded Council that this is a quick update on the project prior it moving into its next phase of public meetings and discussions. A vote is not needed tonight but rather this is meant to be a brief overview of what is going to be presented to the community. He will be returning to Council for authorization in the future.

Mr. Bowling is providing an update on 18 months of effort between the City staff, citizens, and stakeholders. There were twelve citizen meetings. He continued with his power point presentation (Attachment #1).

East Main Street is the worst crash corridor in Summit and Portage Counties due to congestion in the area caused by the volume of traffic, high volume of pedestrians, the number of busses that use the corridor (blocking lanes) and poor lane utilization. There is also a lack of access management with the ability to make a left turn at any point, even with signs stating not to. Drivers have too many inputs and too many options and driving at too high of speeds and then someone makes a mistake which results in a crash.

Mr. Bowling reviewed the street view slide, highlighting the proposed changes. The new layout will move the road south, creating a tree lawn on the sidewalk on the north side, put in a four-lane boulevard with two travel lanes in each direction, an 18-foot-wide median with a curb. The south side will be widened from eight to ten feet which will provide significant access management. They will also be proposing two roundabouts. Signalized versions were reviewed as well but roundabouts were the best scored versions of changes needed.

Mr. Kuhar asked about heavy traffic in the circle and how this would allow equal access to the circle. Mr. Bowling replied congestion on Summit Street is seen when classes let out of the Schwartz Center. Pedestrian traffic from the released class tends to stop traffic from flowing on Summit Street. If the signal on Morris changes, that affects the roundabout.

Ms. Shaffer Bish said she is seeing a backup from Lincoln Street backing up in the intersection and asked if a different timing system will be put in.

Mr. Bowling said certain things happen in the system to cause a backup. One is deliveries to businesses in the outside lane. Another is the response call from the fire department changing the signal as well as buses blocking lanes. Preemptions for emergency vehicles change all of the cycles the signals are running at and then it takes five minutes for them to return to normal. This current citizen group is currently for the use of a roundabout.

Mr. Bowling continued to review the pedestrian crossings, which help slow traffic down. Pedestrian crossing signs slows traffic 5 mph. The crosswalks provided fire truck access to side streets. The roundabouts will force traffic to slow down, and crosswalks along the corridor will slow traffic until the next roundabout.

Mr. Bowling reviewed the next slide covering traffic congestion. The study conducted said it will solve this problem due to no left turns being made. He said this is a proven solution and reviewed how crashes have reduced on Summit Street with a 73% reduction in crashes.

Mr. Bowling touched on cars cutting through neighborhoods from East Main street to get to the Crain Street Bridge. In the near future, Terrace drive will be closed so they will no longer be driving straight through the signal, but will exit the University via Midway and turn left. More subtle treatments are gateway treatments at the entrance of neighborhoods with tight turns to encourage traffic to stay on East Main Street. Citizens do not want people driving through the neighborhood. Future sessions regarding these plans and changes will be advertised heavily to residents and businesses. The next step in the project is public meetings, then preliminary design, with construction being anticipated to start in 2025 and will last two to three years.

2) **Parking on Walnut Street**

Mr. Bowling said they are requesting to revise the parking ordinance on Walnut Street. Prior to construction, there was no on street parking permitted in this block and parking was done illegally in the right of way. The road has been widened to allow for legal parking. This will provide eleven parking spaces.

MOTION TO APPROVE CHANGES TO THE PARKING ORDINANCE ON WALNUT STREET made by Mr. Ferrara, SECONDED by Mr. Kuhar and CARRIED by a voice vote of 8-0.

Seeing no further business, the Streets, Sidewalks and Utilities Committee Meeting adjourned at 9:15 p.m.



Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

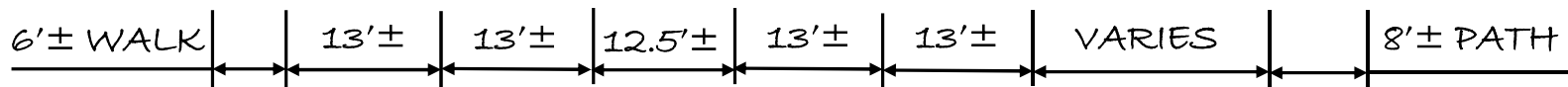
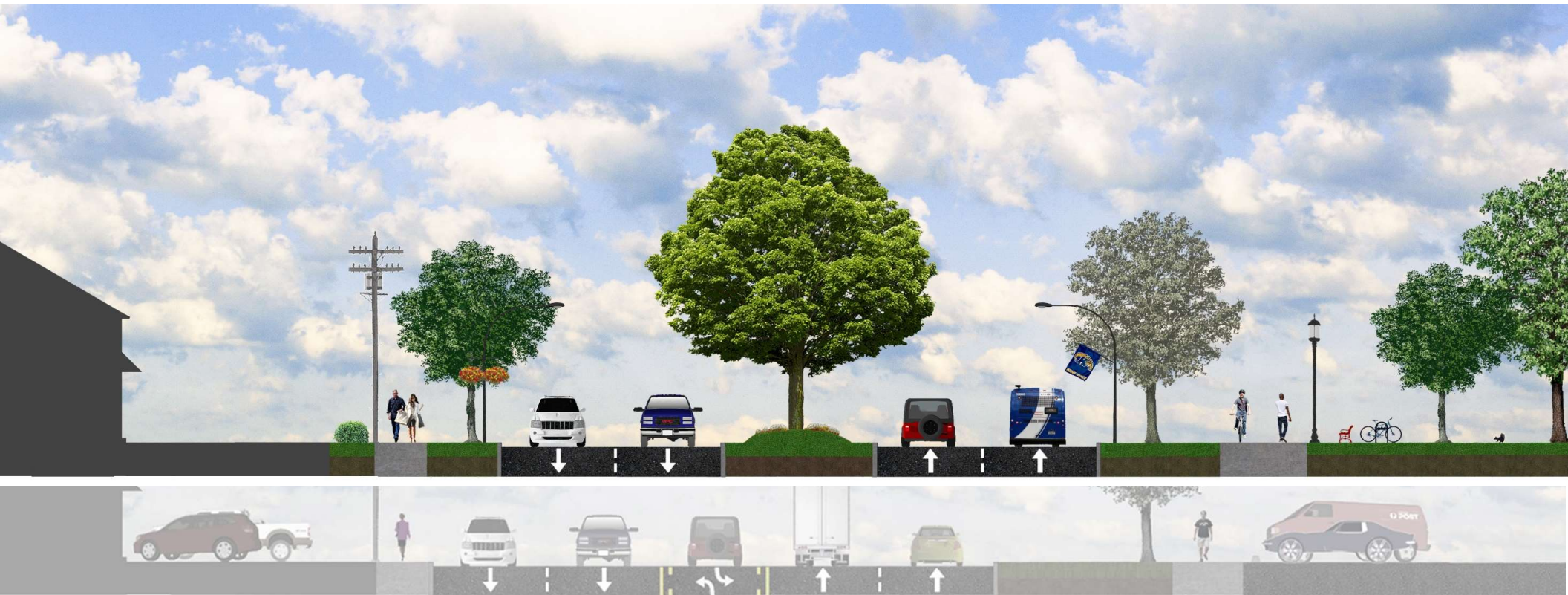
- 1) Authorize the change in the City Parking Ordinance to allow for on street parking on Walnut Street.

SAFETY PROBLEMS - Why

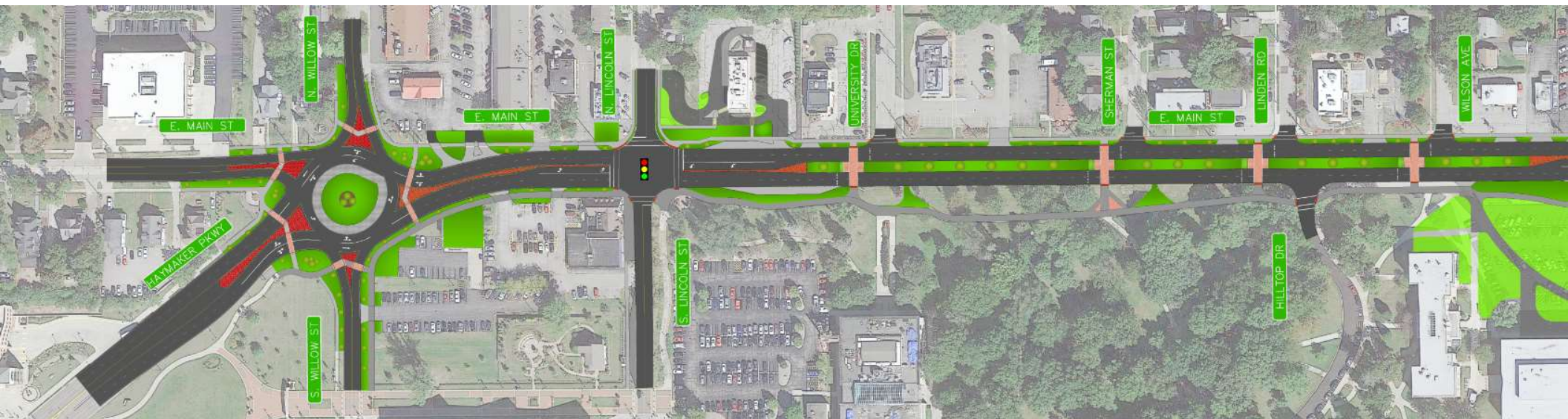
- Congestion....managed, but strained
 - Event traffic with classes
 - High Volume of Pedestrians
 - Bus Stops
 - Poor Lane Utilization
- Lack of.....Access Management
- In short.....Too many inputs; too many options; operating speeds too high = **Mistakes**



E. MAIN STREET



Lincoln to Midway





Signalized/Loon
Base Alternate

-2



Roundabout Base
Alternate

29



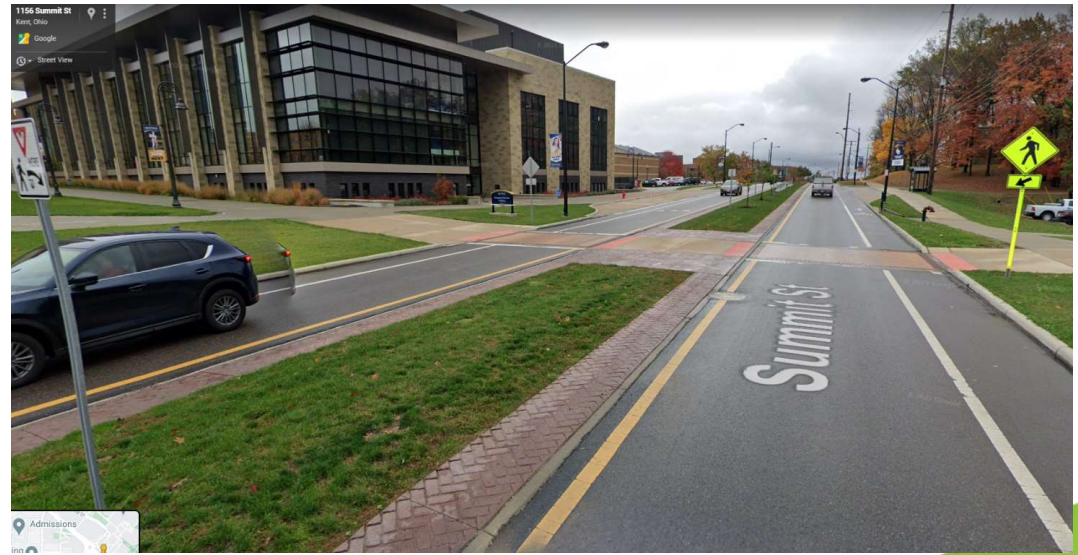
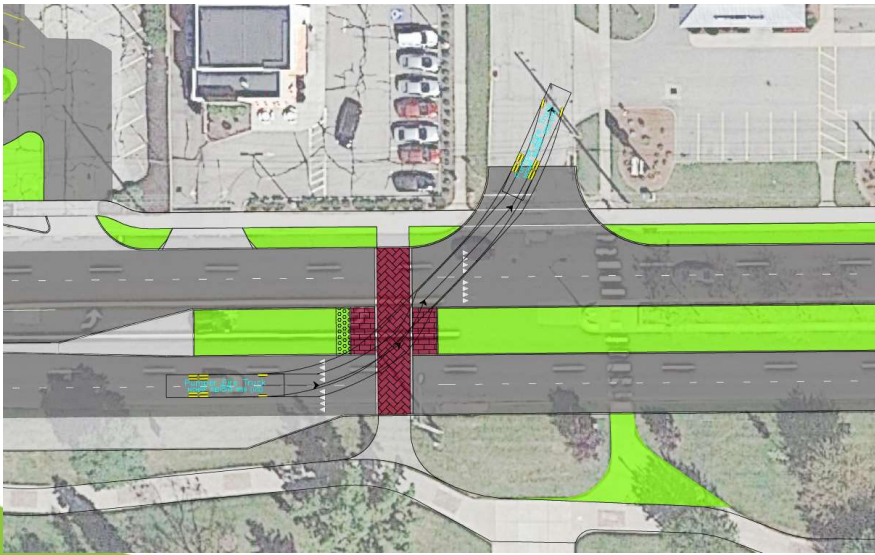
Tree Lined Boulevard

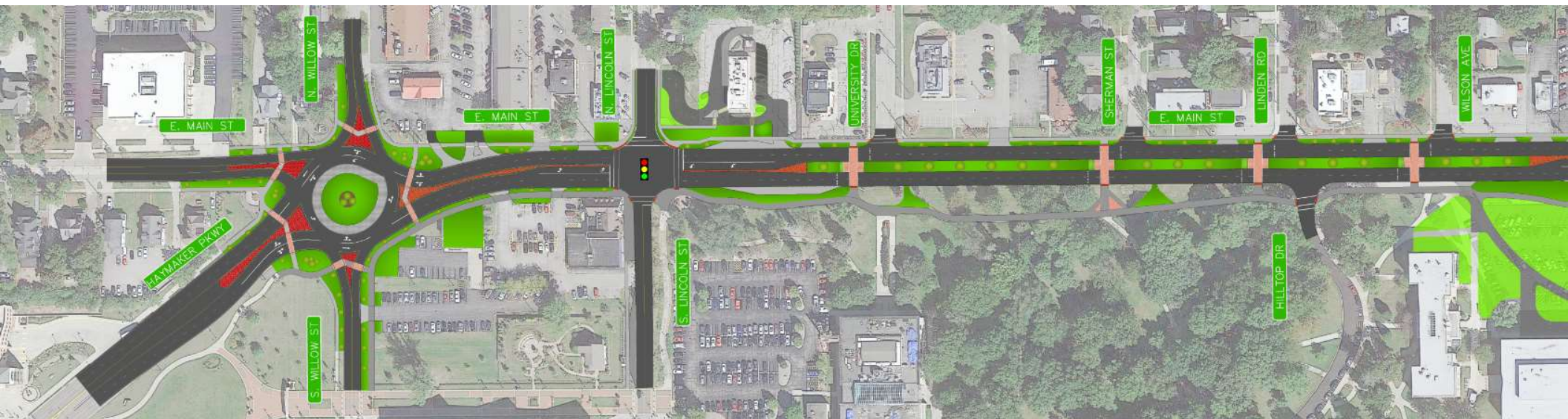
- Challenges
 - Pedestrian Crossing Treatments



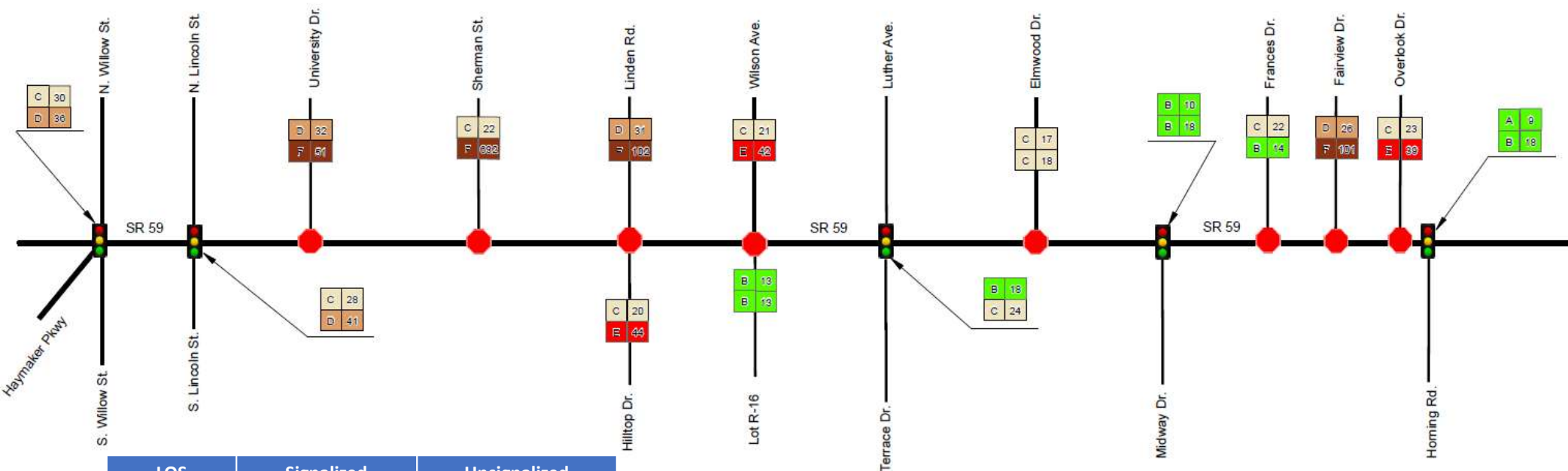
Tree Lined Boulevard

- Challenges
 - Emergency Vehicle Access

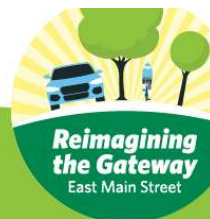




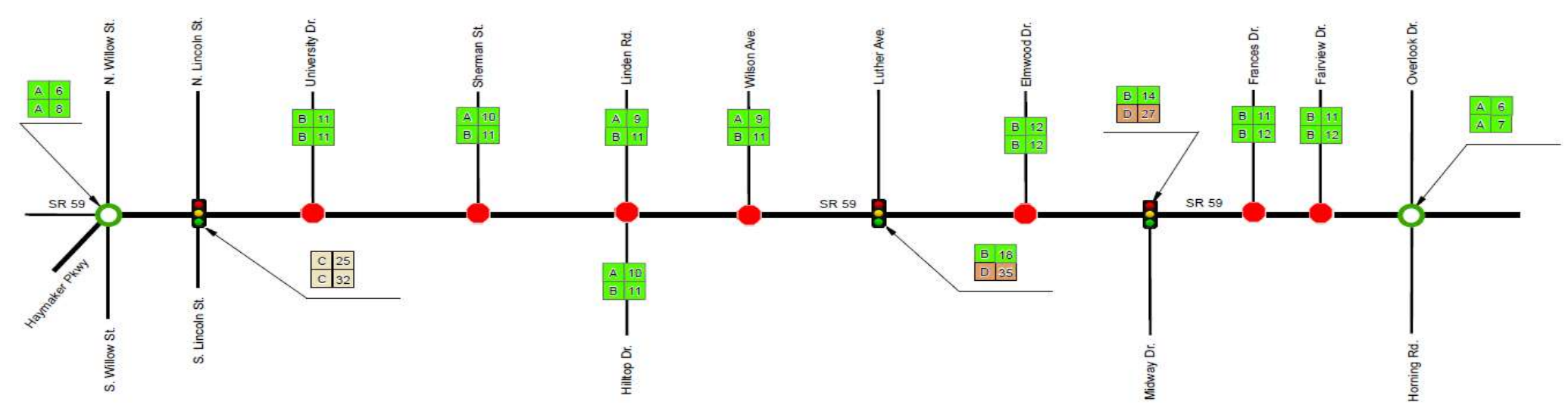
TRAFFIC MODELING – 2023 NO BUILD



LOS	Signalized	Unsignalized
A	≤ 10	≤ 10
B	10.1 – 20	10.1 – 15
C	20.1 – 35	15.1 – 25
D	35.1 – 55	25.1 – 35
E	55.1 – 80	35.1 – 50
F	>80	>50



Design Concept - 2023



LOS	Signalized	Unsignalized
A	≤ 10	≤ 10
B	10.1 – 20	10.1 – 15
C	20.1 – 35	15.1 – 25
D	35.1 – 55	25.1 – 35
E	55.1 – 80	35.1 – 50
F	>80	>50



Legend

Roundabout Intersection

Signalized Intersection

Stop-Controlled Intersection

AM

LOS

Delay

PM

LOS

Delay

AM

LOS

Delay

PM

LOS

Delay

A

B

C

D

E

Synchro LOS and Delay at Intersections

PORTAGE A
TRANSPORTA

ATE
ITY

Proven Solution...

- Roundabouts in general...

- 35% Reduction in crashes ¹
- 76% Reduction in injury crashes ¹
- 89% Reduction in fatalities ¹
- 73% Reduction in Pedestrian Crashes ²
- 89% Reduction in Pedestrian Injury Crashes ²

1 - U.S. Safety Report (The Insurance Institute for Highway Safety)

2 - Dutch Study of 181 Intersections converted to roundabouts

- Summit Street – After 3 Years

- **60%** Reduction in total crashes
- Roundabout Crash Reductions
 - Ted Boyd
 - Total Crashes – **39% Reduction**
 - Injury Crashes – **100% Reduction**
 - West Campus Center
 - Total Crashes – **73% Reduction**
 - Injury Crashes – **83% Reduction**
- **27%** Pedestrian Crash Reduction
 - No pedestrian crashes at roundabouts



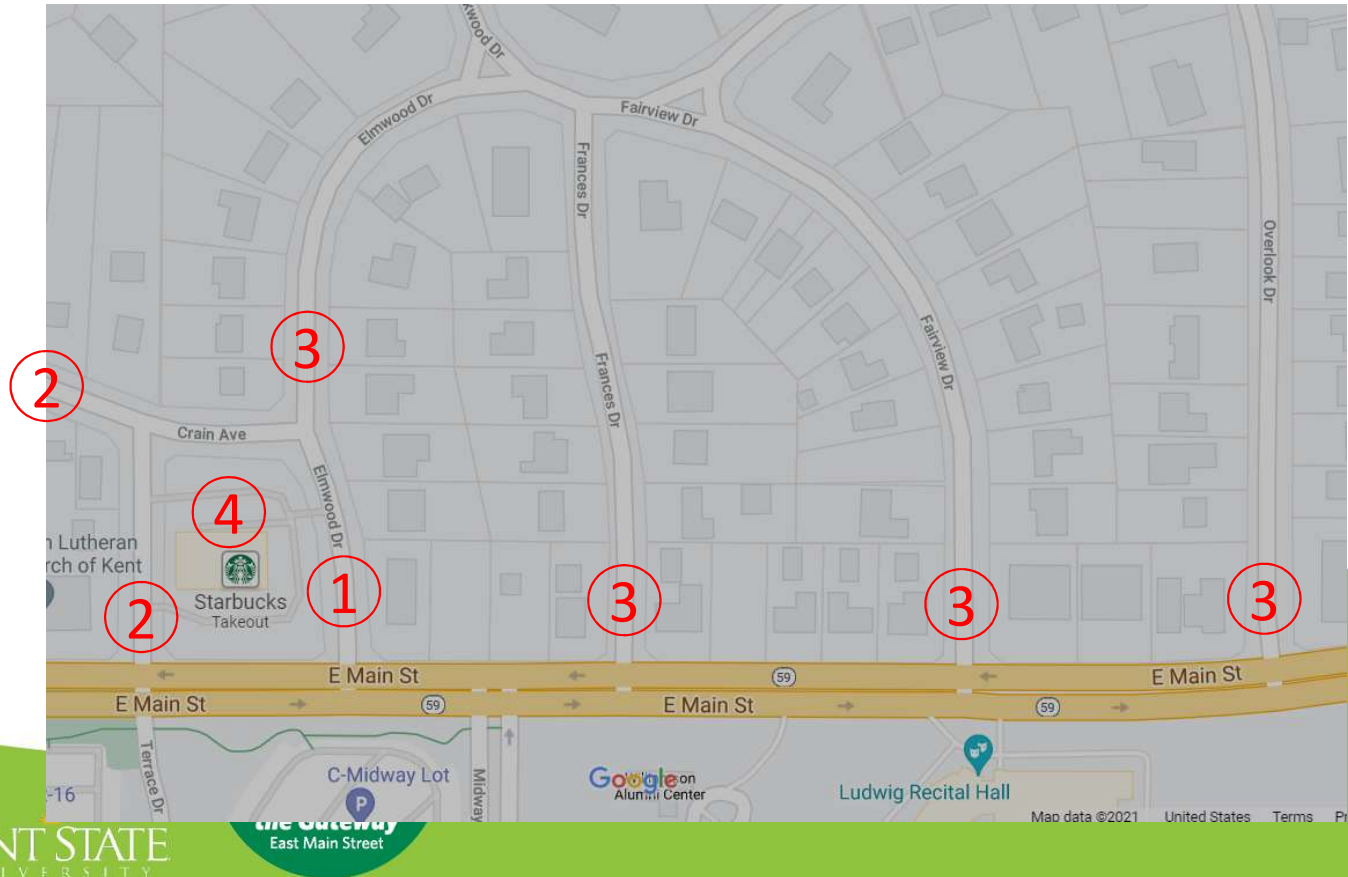
THE CITY OF
Kent, Ohio

KENT STATE
UNIVERSITY

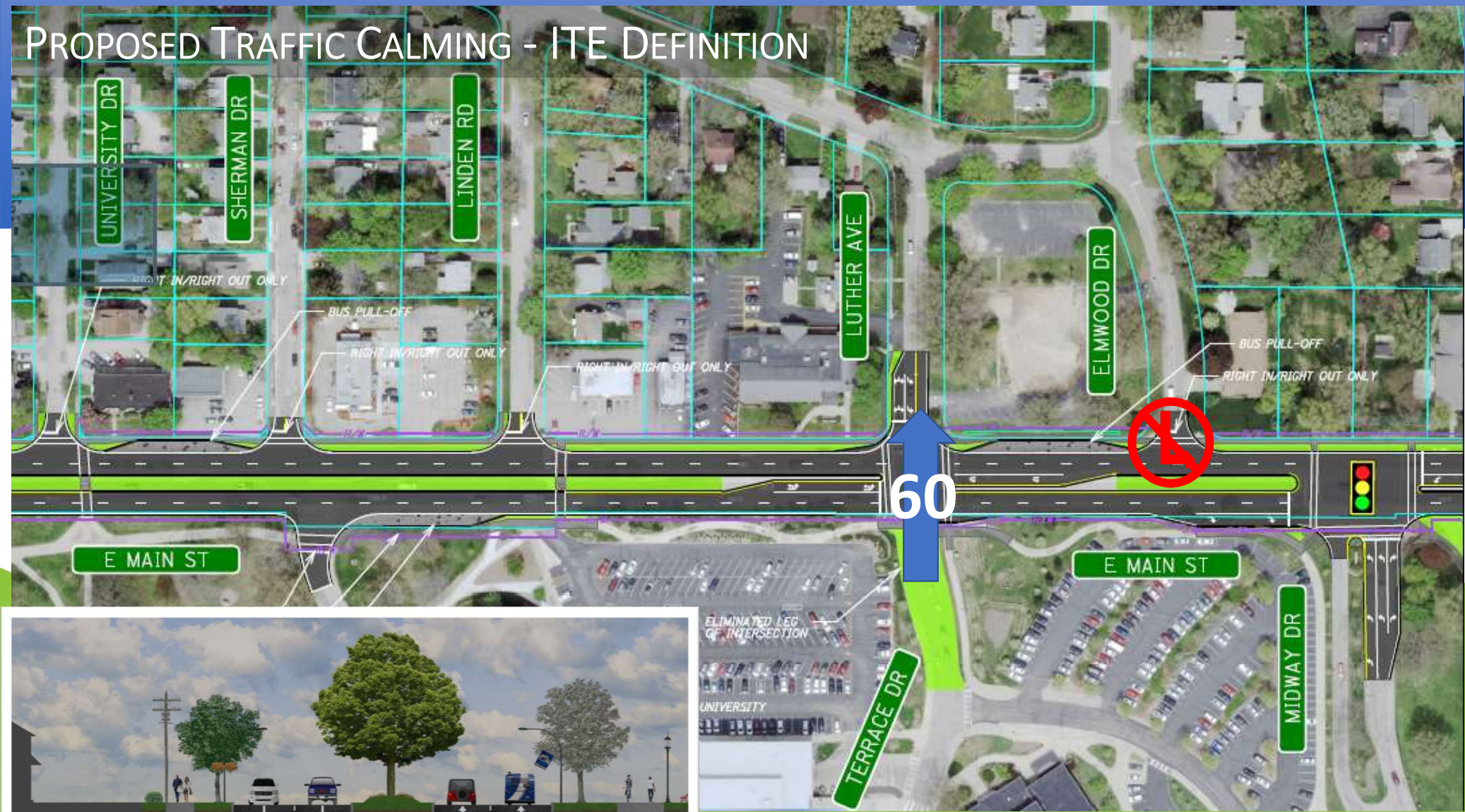


Traffic Calming - Problems

- ① Traffic on Elmwood
(SR 59 to Crain)
- ② Traffic on Crain
(West of Luther)
- ③ Misguided Vehicles
- ④ Starbuck's Drive
Through Back Up



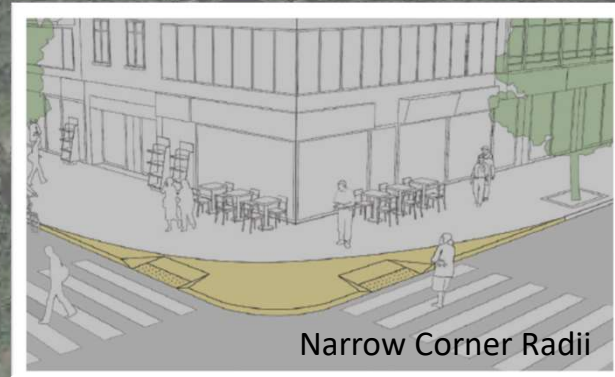
PROPOSED TRAFFIC CALMING - ITE DEFINITION



PROPOSED TRAFFIC CALMING — GLOBAL STREET DESIGN



PROPOSED TRAFFIC CALMING — GLOBAL STREET DESIGN



PROPOSED TRAFFIC CALMING — ITE & GLOBAL STREET DESIGN

