



City of Kent
Wednesday, February 16, 2022
Regular City Council Meeting
320 S. Depeyster Street, Kent, OH 44240

Amended AGENDA

7:25 P.M. Community Development Block Grant (CDBG) Public Hearing

On February 2, 2022, notice was given that the Kent City Council was conducting a Public Hearing to allow for public comment on the Community Development Block Grant (CDBG) Program Year (PY) 2022 Action Plan.

7:30 P.M. Regular Council Meeting

1. Roll Call
2. Opening Remarks and Pledge of Allegiance- Mr. Ferrara
3. Approval of Minutes
 1. January 19, 2022 Regular Council Meeting
 2. February 2, 2022 Special Council Meeting
4. Communications
 - 4.1. Public Comment
 - 4.2. Written Communication (All placed on file in the Clerk of Council's office)
 1. An email from Deborah Douglas notifying Council of her resignation from the Board of Zoning Appeals was received and forwarded to Council on January 21, 2022.
 2. The Planning Commission and Staff Report for the February 1, 2022 meeting was received on January 26, 2022. The Planning Commission and Staff Report for the February 15, 2022 meeting was received on February 8, 2022.
 3. The official List of Elected Officials and Notification of Filing Requirement from the Ohio Ethics Commission was received on January 27, 2022.
 4. Letter from Bridget Susel, Community Development Director, which was sent to the U.S. Census Bureau in regards to a 2020 Census Count Question Resolution request for the City of Kent, Ohio was received on February 1, 2022.

5. The Standing Rock Cemetery Board meeting agenda for February 10, 2022 and the January meeting minutes were received on January 31, 2022.
6. Email from Denise Baba notifying Council about Ohio Loves Transit Week February 13 – 20 received on February 1, 2022.
7. Kent City Health Board Meeting Agenda for February 8, 2022 was received on February 4, 2022.

4.3. City Manager's Report

5. Standing Committees & Legislation

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

5.1.1. Committee Meeting Minute Approval from February 2, 2022

5.1.2. Action(s) Recommended

1. Vote on the appointment of a candidate for the Fair Housing Board.

5.1.3. Voting on Fair Housing Board Appointment

5.1.4. Authorization of ~~Draft 2022-014~~ **Insertion of names into legislation**

5.1.5. **Draft 2022-014** A RESOLUTION APPOINTING _____ TO THE FAIR HOUSING BOARD, AND DECLARING AN EMERGENCY (Authorized)

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

5.2.1. Committee Meeting Minute Approval from February 2, 2022

5.2.2. Action(s) Recommended

1. Authorize the renewal of the sublease for the Farmer's Market.
2. Authorize pursuing court orders for demolition of two blighted structures, and apply for demolition grant funding and, if approved, allocate the funds for demolition

5.2.3. **Draft 2022-015** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RENEW THE AGREEMENT WITH THE HAYMAKER FARMERS' MARKET FOR THE SUB-LAND LEASE OF A PARKING LOT LOCATED NORTH OF SUMMIT STREET, WEST OF FRANKLIN AVENUE, AND EAST OF AKRON BARBERTON CLUSTER RAILWAY COMPANY'S MAIN LINE TRACK, CONTAINING 0.168 ACRES, FOR THE PERIOD OF APRIL 22, 2022 THROUGH

NOVEMBER 26, 2022; CONTINGENT ON THE CONTINUATION OF THE CITY'S LEASE WITH THE AKRON BARBERTON CLUSTER RAILWAY COMPANY, FOR THE AMOUNT OF \$1.00; AND DECLARING AN EMERGENCY (Authorized)

5.2.4. **Draft 2022-016** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SUBMIT THE REQUIRED DOCUMENTATION TO THE PORTAGE COUNTY LAND REUTILIZATION CORPORATION (PCLRC) TO SECURE DEMOLITION FUNDING ASSISTANCE PRIOR TO THE OHIO DEPARTMENT OF DEVELOPMENT (ODOD) PROGRAM SUBMISSION DEADLINE; AND DECLARING AN EMERGENCY. (Authorized)

5.2.5. **Draft 2022-017** AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT A GRANT APPLICATION TO THE OHIO DEPARTMENT OF DEVELOPMENT (ODOD) FOR BROWNFIELD REMEDIATION PROGRAM GRANT FUNDING ASSISTANCE ACTIVITIES AND TO ACCEPT THE GRANT, IF AWARDED, AND EXECUTE THE SUBSEQUENT GRANT AGREEMENT WITH CORRESPONDING APPROPRIATION OF FUNDS, AND DECLARING AN EMERGENCY (Unauthorized)

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

5.3.1. Committee Meeting Minute Approval from February 2, 2022

5.3.2. Action(s) Recommended

1. Authorize the temporary closure of Willow Street for the new KSU Juneteenth celebration.

5.3.3. **Draft 2022-018** AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE A NEW SPECIAL EVENT APPLICATION FOR THE JUNETEENTH JUBILEE TO BE HELD ON SATURDAY, JUNE 18, 2022, AND THE TEMPORARY CLOSURE OF WILLOW STREET, AND DECLARING AN EMERGENCY. (Authorized)

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

5.4.1. Committee Meeting Minute Approval from February 2, 2022

5.4.2. Action(s) Recommended

1. Approve the 2022 Budget Appropriation Amendments.

- 5.4.3. **DRAFT 2022 - 019** AN ORDINANCE AMENDING ORDINANCE NO. 2021-133, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 15, 2021; 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, 2022; AND DECLARING AN EMERGENCY. (Authorized)
- 5.4.4. **Draft 2022-010** AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND THE DISPATCH UNIT, FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL FOR THE PERIOD OF NOVEMBER 1, 2021 THROUGH OCTOBER 31, 2024, AND DECLARING AN EMERGENCY (Authorized February 2, 2022; Second Reading)
- 5.4.5. **Draft 2022-011** AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND POLICE OFFICER UNIT, FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL FOR THE PERIOD OF NOVEMBER 1, 2021 THROUGH OCTOBER 31, 2024, AND DECLARING AN EMERGENCY (Authorized February 2, 2022; Second Reading)
- 5.4.6. **Draft 2022-012** AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND THE CIVILIAN EMPLOYEE UNIT, FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL FOR THE PERIOD OF NOVEMBER 1, 2021 THROUGH OCTOBER 31, 2024, AND DECLARING AN EMERGENCY (Authorized February 2, 2022; Second Reading).
- 5.4.7. **Draft 2022-013** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A SETTLEMENT AGREEMENT BETWEEN THE CITY OF KENT AND MATTHEW BENSON FOR A BUREAU OF WORKERS' COMPENSATION CLAIM; AND DECLARING AN EMERGENCY(Authorized February 2, 2022; Second Reading)

6. Unfinished Business

7. New Business

8. Councilmembers' Comments

9. Mayor's Report

10. EXECUTIVE SESSION

10.1. Employee Evaluation

11. Return to Regular Meeting

11.1. Authorize Draft 2022-020

11.2. **Draft 2022-020** AN ORDINANCE AUTHORIZING THE CITY BUDGET & FINANCE DIRECTOR AND LAW DIRECTOR, OR THEIR DESIGNEES, TO SIGN AN ADDENDUM TO AN EMPLOYMENT CONTRACT BETWEEN THE CITY OF KENT AND DAVID RULLER, DATED JULY 3, 2008 GRANTING A FIVE PERCENT (5%) PAY RAISE RETROACTIVE BACK TO JUNE 15, 2021, AND OTHER COMPENSATION, AND DECLARING AN EMERGENCY (Authorized)

12. Adjourn

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



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

NOTICE OF PUBLIC HEARING #1

**CITY OF KENT
COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) PROGRAM
PROGRAM YEAR (PY) 2022 ANNUAL ACTION PLAN**

**WEDNESDAY, FEBRUARY 16, 2022
7:25 P.M.**

**TRAINING ROOM
FIRE STATION
320 SOUTH DEPEYSTER STREET
KENT, OHIO 44240**

The City of Kent will hold its first public hearing on the City's PY2022 Annual Action Plan on Wednesday, February 16, 2022 at 7:25 p.m. in the Training Room of the Fire Station, located at 320 South Depeyster Street, Kent, Ohio. The hearing provides the City with the opportunity to present the public with information regarding the City's Community Development Block Grant (CDBG) program, including information on the overall objectives of the CDBG program and the types of eligible activities typically funded through the program. The public hearing also has time allotted for comments and questions from citizens concerning proposed goals, objectives and activities that the City should consider as it moves forward with developing its PY2022 Annual Action Plan.

All citizens are encouraged to participate in the public hearing and time will be afforded to any person interested in being heard. Persons with special needs and non-English speaking persons are encouraged to participate in this public hearing and should contact the City of Kent Community Development Department by Wednesday, February 9, 2022 so that proper accommodations can be arranged.

All written comments or questions should be directed to Kathy Petsko, Grants and Neighborhood Programs Coordinator, via email at PetskoK@kent-ohio.org or mailed to: City of Kent, Community Development Department, 930 Overholt Road, Kent, Ohio 44240, by Wednesday, February 16, 2022.

The City will submit its PY2022 Action Plan to the U.S. Department of Housing and Urban Development (HUD) in June 2022 as part of its application for PY2022 Community Development Block Grant funding.

**THIS PUBLIC HEARING AND ALL OTHER MEETINGS OF THE KENT CITY COUNCIL ARE
OPEN TO THE PUBLIC.**



City of Kent
Wednesday, January 19, 2022
Regular City Council Meeting
320 S. Depeyster Street, Kent, OH 44240

MINUTES

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

Present: Jack Amrhein, Michael DeLeone, Garret Ferrara (7:35 p.m.), John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach

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

MOTION TO EXCUSE Mr. Ferrara MADE by John Kuhar, SECONDED by Michael DeLeone and CARRIED by a voice vote of 8-0-0. Mr. Ferrara arrived at 7:35, shortly after roll call was taken.

Opening Remarks and Pledge of Allegiance

Mr. Sidoti opened his remarks by noting this is the first meeting of 2022 and said that after the fourteen to sixteen inches of snow, he thought the city's crew did a "heck of a job". He said it's not an easy job and it isn't perfect, but he thought they did a great job. He then commended the Health Department for the yeomen's work and, being understaffed, he is not sure everyone is aware of all that the Health Department does. He applauded KSU for setting aside the Intergenerational Village. He thinks they operate with integrity and hopes they will reintroduce it at some point in the future, with a lot of citizen input. He is excited about the new city hall and thinks everyone in the community should be pleased about this. He loves the fact the Police Station, Fire Station and City Hall will all be on the same campus and that this sets our city apart from a lot of cities the size of Kent. Lastly, he added that he hopes a lot of young citizens remember senior citizens in their neighborhoods and ask them to check in on them, especially when it snows and gets cold. A lot of them are trapped in their homes and a simple phone call goes a long way. He then asked everyone to stand for the Pledge of Allegiance.

Approval of Minutes

MOTION TO Approve December 15, 2021 Regular City Council Meeting Minutes made by Michael DeLeone, SECONDED by Gwen Rosenberg and CARRIED by a voice vote of 9-0-0.

Communications

Public Comment:

Mayor Fiala asked Clerk Wilkens if there were any members of the public signed in to speak to Council. Clerk Wilkens replied there were no visitors who signed in this evening.

Written Communication:

All Written Communication was read into the meeting minutes by Clerk Wilkens.

1. Civil Service Commission Meeting Agenda for December 20, 2021 was received on December 16, 2021.
2. Email from Christine Richter regarding parking on N. Water Street was received and forwarded to Council on December 28, 2021.
3. Email from Heather Phile notifying the Council about the Architecture Review Board meeting for January 4, 2022 being canceled received and forward to Council on January 3, 2022.
4. Email from Barb Hipsman Springer supporting Kathleen Endres for the Committee on Design and Preservation was received and forwarded to Council on January 3, 2022.
5. Email from Doug Fuller regarding his qualifications for the Committee on Design and Preservation was received and forwarded to Council on January 3, 2022.
6. Planning Commission Agenda and Staff Report for the meeting being held on January 18, 2022 was received on January 5, 2022.
7. Health Board Meeting Minutes from November 2021 and the Agenda for the meeting on January 11, 2022 was received on January 6, 2022.

City Manager's Report:

1. Request Council's authorization to submit a Brownfields Remediation Grant to the Ohio Department of Development to continue site assessment and remediation work in the vicinity of the former Triangle Cleaners property on Gougler Ave. (Draft 2022-002)
2. Request Council's authorization to submit a NOPEC Event Funding Application, and allocation, if approved, for \$2,000 to be used to support the Chamber of Commerce Heritage Festival in 2022 (Draft 2022-007)
3. Request Council's authorization to accept a \$2,000 donation to Kent Parks & Recreation from the Henry V. and Frances W. Christenson Foundation (Draft 2022-008)
4. Request Council's authorization to accept a \$25 donation to Kent Parks and Recreation to support Kent's youth programs (Draft 2022-009)

5. Request Committee of the Whole time to discuss the NAACP request to form a new Race and Inclusion Committee.
6. Request Committee of the Whole time to discuss updating the City of Kent flag.
7. Request Streets, Sidewalks & Utilities Committee time to update Council on the public input received for the East Main Street Transportation Improvement Project.
8. Request Community Development Committee time to present the City's annual Economic Development report for 2021.

MOTION TO Approve City Manager's Report MADE BY Jack Amrhein, SECONDED by Michael DeLeone and CARRIED by a voice vote of 9-0-0.

Standing Committees and Legislation

Committee of the Whole Chair Mayor Fiala:

MOTION TO Approve the Committee Meeting Minutes from January 5, made by Michael DeLeone, SECONDED by Roger Sidoti and CARRIED by a voice vote of 8-0-1 with Gwen Rosenberg abstaining.

MOTION TO AUTHORIZE THE ACTIONS RECOMMENDED MADE BY Michael DeLeone, SECONDED by Roger Sidoti and CARRIED by a voice vote of 9-0-0.

Action(s) Recommended:

Authorize the removal of the following items from City Council's Pending List

1. Four Way Stop Signs Downtown; Study of Pedestrian Safety
2. Permit for Partial Parcel Usage without Purchase
3. Senior Housing
4. Sidewalk Upkeep Discussion
5. Feral Cat Discussion
6. Council Employee Performance Review Process Revision

Voting for Boards and Commissions

MOTION TO APPOINT Kathleen Endres to the Committee on Design and Preservation made by Heidi Shaffer Bish, SECONDED by John Kuhar and CARRIED by a voice vote of 9-0-0.

MOTION TO APPOINT Allan Orashan to the Committee on Design and Preservation made by Tracy Wallach, SECONDED by Heidi Shaffer Bish and CARRIED by a voice vote of 9-0-0.

MOTION TO APPOINT Marc Weisman to the Committee on Design and Preservation made by John Kuhar SECONDED by Tracy Wallach and

CARRIED by a voice vote of 7-2-0 with Roger Sidoti and Robin Turner voting 'No'.

Authorization to Insert Names into Legislation

MOTION TO AUTHORIZE THE INSERTION OF NAMES INTO LEGISLATION made by Heidi Shaffer Bish, SECONDED by Garret Ferrara and CARRIED by a voice vote of 9-0-0.

Mr. Turner asked if we reached the threshold of filling all three vacancies if we were done with motions to vote on. Mayor Fiala and Clerk Wilkens confirmed that was correct.

Ms. Shaffer Bish said there were a lot of qualified applicants that made it difficult to choose.

DRAFT NO. 2022-001 A RESOLUTION APPOINTING KATHLEEN ENDRES, ALLAN ORASHAN AND MARK WEISMAN TO THE COMMITTEE ON DESIGN AND PRESERVATION AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF DRAFT NO. 2022-001 MADE by John Kuhar, SECONDED by Roger Sidoti. On Roll Call Voting "Yes" Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT DRAFT NO. 2022-001 MADE by John Kuhar, SECONDED by Heidi Shaffer Bish. On Roll Call Voting "Yes" Robin Turner, Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

Resolution 2022-001 PASSED as stated by Clerk Wilkens.

Community Development- Chair Kuhar/Vice-Chair Rosenberg

No Committee Meeting Minutes to approve.

No Recommended Actions to approve.

Draft No. 2022-002 AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT A GRANT FUNDING APPLICATION TO THE OHIO DEPARTMENT OF DEVELOPMENT (ODOD) FOR BROWNFIELD REMEDIATION PROJECTS AND TO ACCEPT THE GRANT, IF AWARDED, AND EXECUTE THE SUBSEQUENT GRANT AGREEMENT WITH CORRESPONDING APPROPRIATION OF FUNDS, AND DECLARING AN EMERGENCY was read

by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft No. 2022-002

MADE by Garret Ferrara, SECONDED by John Kuhar. On Roll Call Voting "Yes" Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft No. 2022-002 MADE by Garret Ferrara,

SECONDED by Michael DeLeone. On Roll Call Voting "Yes" Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

Ordinance 2022-002 PAas stated by Clerk Wilkens.

Health & Safety Committee Chair Amrhein/ Vice-Chair Sidoti:

MOTION TO APPROVE COMMITTEE MEETING MINUTES FROM JANUARY

5, 2022 made by Jack Amrhein, SECONDED by Michael DeLeone and CARRIED by a voice vote of 8-0-1, with Gwen Rosenberg abstaining.

MOTION TO Approve Action(s) Recommended made by Jack Amrhein, SECONDED by Garret Ferrara and CARRIED by a voice vote of 8-0-1, with Mr. Kuhar absaining.

Action(s) Recommended:

1. Authorize forwarding the marijuana initiative petition to the County Board of Election for the November election.
2. Authorize the proposed updates to the City's Food Truck Regulations.

Draft No. 2022- 003 AN ORDINANCE SUBMITTING A PROPOSED CHARTER AMENDMENT TO THE ELECTORATE AT THE GENERAL ELECTION TO BE HELD ON THE 8th DAY OF NOVEMBBER, 2022, AS SPECIFIED IN ARTICLE XI, SECTION 11.05 OF THE KENT CITY CHARTER, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft No. 2022-

003 MADE by Garret Ferrara, SECONDED by Heidi Shaffer Bish. On Roll Call Voting "Yes" Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft No. 2022- 003 MADE by Garret Ferrara,

SECONDED by Roger Sidoti. On Roll Call Voting "Yes" Jack Amrhein, Garret Ferrara, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner,

Tracy Wallach. Voting "No": Mr. DeLeone and Abstaining Mr. Kuhar.

Mr. DeLeone asked if there was a reason we are doing this in November and not sooner. Ms. Wallach replied that is when the general election occurs. There were a few inaudible comments from members of the Council.

Ordinance 2022-003 has passed as stated by Clerk Wilkens.

Draft No. 2022- 004 AN ORDINANCE AMENDING CHAPTER 7, TITLED "BUSINESS REGULATION CODE" TO ENACT A NEW SECTION 744 TITLED "MOBILE FOOD UNIT REGULATIONS" AND TO AMEND THE TITLE OF THE CHAPTER, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft No. 2022-004 MADE by John Kuhar, SECONDED by Garret Ferrara. On Roll Call Voting "Yes" Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft No. 2022- 004 MADE by John Kuhar, SECONDED by Garret Ferrara. On Roll Call Voting "Yes" Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

Mayor Fiala suggested Mr. DeLeone read the previous meeting minutes that would explain why the first ordinance is going out in November.

Ordinance 2022-004 has PASSED as stated by Clerk Wilkens.

Streets, Sidewalks and Utilities Chair Sidoti/ Vice-Chair Wallach

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES from January 5, 2022 MADE by Roger Sidoti, SECONDED by Michael DeLeone and CARRIED by a voice vote of 8-0-1 with Gwen Rosenberg abstaining.

MOTION TO APPROVE THE RECOMMENDED ACTIONS MADE by Roger Sidoti, SECONDED by Heidi Shaffer Bish and CARRIED by a voice vote of 7-0-2 with John Kuhar and Gwen Rosenberg abstaining.

Action(s) Recommended:

1. Approve N. Water Street TES Parking Recommendation.

Draft 2022- 005 AN ORDINANCE AMENDING SECTION 353.02 AND 353.03 OF "PART THREE - TRAFFIC CODE" OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TO CHANGE THE LOCATION OF THE AREA DESIGNATED FOR THE OVERNIGHT PARKING PROGRAM, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft 2022- 005 made by Heidi Shaffer Bish, SECONDED by Roger Sidoti. On Roll Call Voting "Yes" Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT Draft 2022- 005 MADE by Heidi Shaffer Bish, SECONDED by Roger Sidoti. On Roll Call Voting "Yes" Jack Amrhein, Michael DeLeone, Garret Ferrara, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach. The Motion CARRIED by a roll call vote of 8-0-1 with Mr. Kuhar abstaining.

Ordinance 2022-005 PASSED as stated by Clerk Wilkens.

Finance Committee (Chair DeLeone/ Vice-Chair Wallach):

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES for January 5, 2022 MADE by Michael DeLeone, SECONDED by Garret Ferrara and CARRIED by a voice vote of 8-0-1, with Gwen Rosenberg abstaining.

MOTION TO APPROVE THE RECOMMENDED ACTIONS MADE by Michael DeLeone, SECONDED by Jack Amrhein and CARRIED by a voice vote of 8-0-1 with Gwen Rosenberg abstaining.

Action(s) Recommended

1. Approve the revised Franklin Township Fire Service Contract.

Draft No. 2022-006 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO ENTER INTO A NEW FIRE PROTECTION AND EMERGENCY MEDICAL SERVICE AGREEMENT WITH THE FRANKLIN TOWNSHIP, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft No. 2022-006 made by John Kuhar, SECONDED by Garret Ferrara. On Roll Call Voting "Yes" Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT Draft No. 2022-006 MADE by John Kuhar, SECONDED by Garret Ferrara. On Roll Call Voting "Yes" Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach. The Motion CARRIED by a roll call vote of 9-0.

Ordinance 2022-006 PASSED as stated by Clerk Wilkens.

Draft No. 2022- 007 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCEPT THE

NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2022 COMMUNITY EVENT SPONSORSHIP PROGRAM AWARD IN THE AMOUNT OF \$2,000.00, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft No. 2022-

007 MADE by Garret Ferrara, SECONDED by Roger Sidoti. On Roll Call Voting "Yes" Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT Draft No. 2022- 007 MADE by Garret Ferrara, SECONDED by Michael DeLeone. On Roll Call Voting "Yes" Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE 2022-007 PASSED as stated by Clerk Wilkens.

Draft No. 2022-008 AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$2,000.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM THE HENRY V. AND FRANCES W. CHRISTENSON FOUNDATION FOR KENT PARKS AND RECREATION BEAUTIFICATION, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft No. 2022-

008 MADE by Garret Ferrara, SECONDED by Michael DeLeone. On Roll Call Voting "Yes" Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT Draft No. 2022-008 MADE by Garret Ferrara, SECONDED by Michael DeLeone. On Roll Call Voting "Yes" Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2022-008 PASSED as stated by Clerk Wilkens.

Draft No. 2022-009 AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$25.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FOR THE VARIOUS PROGRAMMING OFFERED TO THE YOUTH POPULATION, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft No. 2022-

009 MADE by Michael DeLeone, SECONDED by Roger Sidoti. On Roll Call Voting "Yes" Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT Draft No. 2022-009 MADE by Michael DeLeone, SECONDED by Roger Sidoti. On Roll Call Voting "Yes" Jack Amrhein, Michael DeLeone, Garret Ferrara, John Kuhar, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner, Tracy Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2022-009 PASSED as stated by Clerk Wilkens.

Ms. Rosenberg thanked all of the donors to the Kent Parks and Rec and said it means a lot, is very important and is appreciated. She thanked the donors.

Unfinished Business

Mr. Sidoti wanted to go back to the topic of boards and commissions and said, concerning the vacancies remaining, that with the COVID pandemic, he has a hunch people may be reluctant to apply. He doesn't want anyone to feel discouraged about filling these vacancies. He added that Mr. Fuller has stood before Council multiple times and suggested extending an invitation to apply to the Planning Commission. Mr. Sidoti said he was at the Planning Commission last night, and they were down to three people.

New Business

Mr. Kuhar said that we work so hard to keep the sidewalks clear of snow, but the snow we received this past week really put bad conditions on the sidewalks. He noticed on East Main Street that almost every business had a six-foot pile of snow on the sidewalk. He is not sure what we could do to help and if the machine we have could even handle it. He said something needs to be done to get the sidewalks clean.

Ms. Shaffer Bish spoke next by stating she was driving to work in the Township part of East Main Street and six people were walking in the street because there was no other place to walk. **MOTION TO SEND TO ADMINISTRATION A DISCUSSION WITH FRANKLIN TWP REGARDING SIDEWALK SAFETY ISSUES FOR PEDESTRIANS DURING MAJOR SNOW EVENTS** MADE by Heidi Shaffer Bish, SECONDED by Ms. Wallach and CARRIED by a voice vote of 7-2-0 with Mr. Ferrara and Mr Sidoti voting "No".

Ms. Shaffer Bish added that these major snow events are pretty rare and, as Mr. Kuhar stated, we still have problems in the City with compliance. She was thinking that in situations like this, we might want to close a lane and mark it for pedestrians only. She said there is nowhere for people to walk. She wants to see a discussion about the area becoming more pedestrian friendly and how we deal with the sidewalks during major snow events. She said this is an urgent matter to be dealt with now.

Ms. Wallach added that we have been dealing with snow on sidewalks for years and it is still a problem. She would like to discuss it more.

Mr. Turner said the City has a requirement that businesses can't block access to the sidewalk and this still appears to be happening. With people walking in the street, it's not going to be long before someone is seriously injured or killed. Every time this happens, we reduce our odds. He said we really have to start looking at doing something to

reduce this risk.

Mr. DeLeone said the snow we had this past weekend was probably the worst snow he has ever plowed. He said you can't criticize efforts two days after the event. He thinks talking with the Township is a good idea, but we are just like everyone else. The Township is understaffed, we have people off and it is a bad time of the year. The snow will melt and he knows everyone has been working hard. He asked everyone to give them a little time, as it had only been two days since the big snow fell.

Mr. Kuhar said that Drug Mart is in Kent and Acme is in Franklin Twp. and that is not contiguous. You just need to run a plow truck and push it into the streets and then salt it.

Mr. Turner said he wanted to point out that this isn't a criticism of the City or the Township, but instead an acknowledgement that we have a problem and that we should be discussing it before something happens. We all understand this was an unusual event and could happen and maybe we should have some contingencies available to deal with it. He added we still have a problem in that we are not enforcing the requirement for businesses blocking the sidewalk. He said he was pleased when he talked to Service Director, Melanie Baker, who jumped right on it.

Mayor Fiala asked for clarification if Ms. Shaffer Bish was referring to an issue with the Township, or with the City, as both are being discussed.

Ms. Shaffer Bish said she thinks it is an issue for both but there may be different discussions. She said it is not necessary for the administration to bring it back to Council to discuss, unless they have some ideas that we would need to enact. She is asking the City to discuss this with the Township over mutual issues of providing safety to the public in a walkable community.

Mr. Ferrara said we are simply "spinning our wheels" talking about this. We would be better served in putting effort into convincing people to take PARTA, because the roads are clear and everyone that lives in Kent subsidizes PARTA. We are better off asking people to take the bus during these times. This always becomes a lengthy discussion and you are not going to beat mother nature because we do not have the manpower, resources or the money to address this. He said he is going to vote against the motion because the reality is it is time-consuming for staff and after 22 years we have not made much headway on the issue. He added that clearing a lane in the street is the worst idea in the world because 99% of the drivers will not get the message the lane is closed for pedestrians. It would be like Death Race 2000 where people would be mowed down in the streets.

Ms. Shaffer Bish said she needed to contest the PARTA comment, asking how people would get to the bus stop. You walk to a bus stop, so you need pedestrian access.

Ms. Wallach called point of order and said we are supposed to be discussing whether to put this into committee. The Mayor called the vote.

Mayor Fiala asked about the next item of new business.

Ms. Wallach said they are going to have a discussion in the near future about race and inclusivity and feels Council should be better educated on implicit bias, inclusion and race. Ms. Wallach has been in contact with someone who comes highly recommended. Her name is Sunny Matthews, who is willing to give the Council (no public) an hour workshop on these topics. Ms. Wallach thought it could be done either the hour before the Committee Meetings in February or we could have it in February and push the other meeting off until March. She has a partner and would go over the topics outlined in the document distributed to Council (**Attachment #1**). She said the cost is \$1000, which could be covered by funds in the budget. She added, she would like to make **MOTION THAT COUNCIL HAS A WORKSHOP TO EDUCATE US ON THESE TOPICS**, SECONDED by Mr. Turner.

Ms. Wallach had no further comment after her motion. Mr. Turner commented he agreed with Ms. Wallach and thinks it is a good idea that Council be knowledgeable. This will be a tricky situation and for us to be more knowledgeable going into it would be a good thing.

Mr. Sidoti said he would like to have a committee meeting first because there might be things we know already and then have the workshop. It seems like we are putting the cart before the horse. He'd much rather have an open discussion and see where everyone is and listen to what the administration brings us and the community first and then understand what we need to know more about. He doesn't think there is anything wrong with the suggestion other than timing.

Ms. Wallach said she doesn't think we are putting the cart before the horse and, from our perspective, we can't really understand a lot of issues that others understand. She thinks this will help Council. Mr. Sidoti asked if she was speaking about Council or herself. Ms. Wallach said she was speaking as a white person. She said "we don't know what we don't know".

Mayor Fiala said you are speaking as a person.

Ms. Wallach said she is speaking as a person.

Mayor Fiala said that he needed clarification.

Mr. Turner said she has a relevant view and is in agreement with Tracy. Mr. Turner thinks getting information at the beginning may make us a little more knowledgeable about what questions may be asked. That may prevent an adversarial position between Council and some of the people who are in the audience. It is perhaps the more appropriate way of going about it. He said if we were more knowledgeable on the subject in regards to questions to ask and what questions are directed to us, it would be helpful for us to know that going in.

Mr. Kuhar says he is going to vote against the motion and does think the issue needs to be addressed, but that there is a better way to do this. He suggested having speakers coming in from different groups such as the NAACP, or private groups and giving a talk to Council and getting a full arena of ideas and not spending \$1000 for somebody to come in for a one-hour program. He said we would get a lot more information, spread it

out and get a lot more questions together.

Ms. Rosenberg said she is unfamiliar with this organization or group and does not believe she has enough information to spend \$1,000 on it. If we are going to pursue some sort of training, we would need more information on qualifications, experience and if this is a group that has spoken in front of government organizations before. She said she does not have enough information to vote for this right now.

The motion FAILED with a vote of 5-4 with Mr. Amrhein, Mr. Turner, Ms. Shaffer Bish and Ms. Wallach voting "Yes" and Mr. Ferrara, Mr. Kuhar, Mr. DeLeone, Ms. Rosenberg and Mr. Sidoti voting "No".

Mayor Fiala added there is a misconception that we are going to appoint a committee. He said we *might* appoint a committee, but it isn't going to happen at the first meeting in February. He added, we are going to discuss what we have, what we've done and how it is going to interact with the people who have been outside looking in and all of a sudden they want to make a difference. He wanted to make that clear.

Mayor Fiala asked for further new business.

Ms. Rosenberg said that on the topic of diversity and inclusivity, she has been doing research into diversity grants. She has seen other cities that have incorporated diversity grants into their grant awarding process. These grants create diversity and fund educational, cultural and community projects that celebrate diversity and promote inclusion. She would like to explore this a bit more. She made a **MOTION TO REQUEST A STAFF REPORT ON ALTERING THE CELEBRATE KENT AWARDS TO INCLUDE DIVERSITY AND INCLUSIVITY AS A FOCUS**. She would like to hear back on ways to utilize these grants to promote inclusivity and diversity and perhaps receive some interested parties at a grass roots level in the community and fund it and award it in some way. She added that some of the best ideas come from community members, so if we could highlight diversity and inclusivity as something we want to support as a city through grants and funding, hopefully we can attract more people to create and further positive motion in the direction. The motion was **SECONDED** by Mr. Ferrara.

Mr. Ferrara said he thinks Ms. Rosenberg is right and that we've talked in the past about this being a grass roots attempt - a bottom up effort vs. top down. This really personifies this by saying if you want to do it, there is money to do it. The most effective programs are those that come from the residents.

Mr. Kuhar asked for the motion to be read again.

Ms. Rosenberg read "MOTION TO REQUEST STAFF TO REPORT ON ALTERING THE CELEBRATE KENT AWARDS TO INCLUDE DIVERSITY AND INCLUSIVITY AS A FOCUS".

Mr. Sidoti said, we are presupposing we are going to have a committee in the first place. He added if we do have this committee, maybe the committee should be studying and making recommendations for us to consider. He thinks the award idea is wonderful, but wouldn't it have been nice if it came from the community, rather than from us doing it. He

would support the motion but said it is an example of not knowing if we are even going to have a committee and what its goals will be. If we are going to appoint people, they would be the ones who would be giving us direction. To attempt to do these types of things sends the message that we are going in without an open mind.

Mr. Turner said he is remembering information distributed by Clerk Wilkens recently about the Heart and Soul, One Kent project. It seems to fall in line with what Gwen is talking about. The motion that was voted down was simply to educate Council. This is another approach. He hadn't heard a lot about Heart and Soul until just recently, but this may be a mechanism already in place dealing with race in the community and issues of inclusion. He said that perhaps we should start by looking at what exists and how we might be able to use that. He said we may need to "slow our roll".

Ms. Rosenberg said to clarify, we currently give grant money, so this motion is to give grant monies that the City currently awards, requesting staff look into a way to focus some grant money to include projects that promote diversity and inclusivity. She is not trying to make any statement or reaching beyond what this motion is, which is just to see if we could craft some grant money in such a way that it be awarded to projects that celebrate diversity and inclusivity.

Mr. Turner asked Ms. Rosenberg not to take this as a criticism as to what she is trying to advance, but that the only issue is perhaps structure. These groups already exist and are doing something and perhaps it's just another way of getting feedback and then, by doing that, perhaps apply it a little more effectively. He likes the thought and said it's a positive thing.

Ms. Shaffer Bish added she is going to vote for the motion because she thinks it is a way of showing our values and showing another way of saying this is important to us and we are looking for innovative ideas and activities and want to encourage them in this particular direction.

The motion **CARRIED** with a voice vote of 9-0-0.

Mayor Fiala reminded everyone of the motion originally made to proactively explore racism and diversity in the City of Kent. We've had an initiative going with Heart and Soul and it is a movement in the city and does have a value. He added that we have to learn to use this mechanism to integrate everything together.

Councilmembers' Comments

Ms. Heidi Shaffer Bish said she was disappointed in Kent State University's decision on the Intergenerational Village. She said there are not many areas in the city to expand housing, especially with the support of a major institution. She had high hopes with the participation of the residents in the area that we could come up with a really great program and hopes it is just being set aside for the University to focus on other key projects first and that it is brought back to the table. She thinks it can be a transformational project.

Mayor's Report

Mayor Fiala asked FireChief Meyers to talk to Council about an accident on Stow Street at the railroad crossing.

Mr. Myers thanked the Mayor for the opportunity. The gentleman we are speaking of tonight is firefighter Pat Paisley. He was in town and came across a vehicle that was disabled on the railroad tracks on Stow Street. Apparently, the driver was disoriented and didn't understand the circumstances they were under. Pat Paisley calmly got the driver out of her vehicle just in time before the train came by and stuck the car. Both were perfectly fine and there were no injuries. He really has to give credit to Sergeant Ennemoser for bringing it to Chief Myers' attention. These are always great things to hear about and he said that Pat is very conscientious about what he does for the department, he's a very caring person and goes out of his way for people. He added he was very proud of him and thanked Mayor Fiala for the opportunity to spotlight one of our firefighters.

Mr. Kuhar asked if this was a different car from the one he saw in the paper.

Chief Myers and Police Chief Shearer confirmed there was only one that occurred, so that was probably the one in the paper.

Mayor Fiala thanked Chief Myers.

Mayor Fiala then continued with his comments by stating the following:

1. Thanks to our 1st responders and the service department for their endless commitment to the community doing what they had to do to get the city up and running after the snow storm.
2. He had the opportunity to present a proclamation to a Kent resident, Harry George, a 103-year-old veteran who served in the United States Marine Corps. He spent four years in the South Pacific. Mayor Fiala thanked Clerk Wilkens for working with his family to put this proclamation together.
3. Carol Lockhart passed away. She was a City employee in the day. She served as the council clerk, service dept. secretary, and later became the Administrative assistant to the city manager.
4. Mary Ann Pizzuti passed away this past Sunday. She worked in the Budget and Finance department. Both of these past employees were a pleasure to work with, they were very service-orientated to the public.

Executive Session

MOTION TO ENTER INTO EXECUTIVE SESSION MADE BY Jack Amrhein,
SECONDED by John Kuhar and CARRIED by a voice vote of 9-0-0.

City Council returned to the Regular Meeting with further actions to take.

MOTION TO APPROVE THE THREE FOP CONTRACTS made by Garret Ferrara,
SECONDED by Roger Sidoti and CARRIED by a voice vote of 9-0-0.

MOTION TO APPROVE THE BWC SETTLEMENT made by Garret Ferrara,
SECONDED by John Kuhar and CARRIED by a voice vote of 9-0-0.

There was no further business and the Mayor adjourned the meeting at 8:45 p.m.

Amy Wilkens
Clerk of Council

Jerry T. Fiala
Mayor & President of Council

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DRAFT

Inclusion and Equity Consultation Proposal

1/17/2022

Prepared By:

Kenyona Sunny Matthews of Dimensions Of Isms

Overview

An ongoing relationship to support the Diversity and Inclusion Committee.

Goals

1. Raise awareness about issues of racism, diversity, and inclusion.
2. Provide training and assistance to members.

Dimensions of Isms Services Outline

Implicit Bias Training

- The goal is to provide language for issues common in our society. Participants will have a chance to learn about situations relevant to the work you all do. The normal rate for such an address is **\$1500-\$2000** but a **reduced rate for \$1000** is being proposed. It should be held in February 2022.
- Sunny and Debbie will provide a presentation with a 20 to 30 minute presentation about implicit bias. They will answer questions afterwards. This will be a storytelling dialogue with images used to help participants gain an understanding of implicit bias.

Conclusion

We will tailor our plan to fit your needs and capabilities. This will make our work more meaningful and impactful. Based on the information provided, I know we could do great work!

I hope that we are able to negotiate a relationship and work together this year! If you have any questions please do not hesitate to reach out.



City of Kent
Wednesday, February 2, 2022
Special City Council Meeting
320 S. Depeyster Street, Kent, OH 44240

MINUTES

At 06:50 PM, Mayor Jerry T. Fiala called the Special City Council Meeting to order.

Present: Jack Amrhein, John Kuhar, Gwen Rosenberg, Roger Sidoti, Tracy Wallach

Also Present: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Melanie Baker, Service Director; Mr. Jim Bowling, City Engineer; Ms. Joan Seidel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Nick Shearer, Chief of Police; Mr. Bill Myers, Fire Chief; Mr. Tom Wilke, Economic Development Director; Ms. Amy Wilkens, Clerk of Council

Absent: Michael DeLeone, Garret Ferrara, Heidi Shaffer Bish, Robin Turner

MOTION TO EXCUSE MR. FERRARA, MS. SHAFFER BISH, MR. DELEONE AND MR. TURNER MADE BY Tracy Wallach, SECONDED by None and CARRIED by a voice vote of 5-0-0.

Authorization of Drafts

MOTION TO AUTHORIZE DRAFT NO'S 2022-010, 2022-011, 2022-012 and 2022-013 MADE BY Tracy Wallach, SECONDED by Roger Sidoti and CARRIED by a voice vote of 5-0-0.

Legislation

Draft No. 2022-010 - AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND THE DISPATCH UNIT, FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL FOR THE PERIOD OF NOVEMBER 1, 2021 THROUGH OCTOBER 31, 2024, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE THE FIRST READING OF Draft No. 2022-010 MADE by Tracy Wallach, SECONDED by Roger Sidoti. On Roll Call Voting "Yes" Jack Amrhein, John

Kuhar, Gwen Rosenberg, Roger Sidoti, Tracy Wallach. The motion CARRIED by a roll call vote of 5-0-0.

Draft No. 2022-011 AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND POLICE OFFICER UNIT, FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL FOR THE PERIOD OF NOVEMBER 1, 2021 THROUGH OCTOBER 31, 2024, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE THE FIRST READING OF Draft No. 2022-011 MADE by John Kuhar, SECONDED by Roger Sidoti. On Roll Call Voting "Yes" Jack Amrhein, John Kuhar, Gwen Rosenberg, Roger Sidoti, Tracy Wallach. The motion CARRIED by a roll call vote of 5-0-0.

Draft 2022-012 AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND THE CIVILIAN EMPLOYEE UNIT, FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL FOR THE PERIOD OF NOVEMBER 1, 2021 THROUGH OCTOBER 31, 2024, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE THE FIRST READING OF Draft 2022-012 MADE by John Kuhar, SECONDED by Tracy Wallach. On Roll Call Voting "Yes" Jack Amrhein, John Kuhar, Gwen Rosenberg, Roger Sidoti, Tracy Wallach. The motion CARRIED by a roll call vote of 5-0-0.

Draft 2022-013 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A SETTLEMENT AGREEMENT BETWEEN THE CITY OF KENT AND MATTHEW BENSON FOR A BUREAU OF WORKERS' COMPENSATION CLAIM; AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO APPROVE THE FIRST READING OF Draft 2022-013 MADE by John Kuhar, SECONDED by Tracy Wallach. On Roll Call Voting "Yes" Jack Amrhein, John Kuhar, Gwen Rosenberg, Roger Sidoti, Tracy Wallach. The motion CARRIED by a roll call vote of 5-0-0.

Adjournment

The meeting adjourned at 6:55 p.m.

Amy Wilkens
Clerk of Council

Jerry T. Fiala
Mayor & President of Council

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City of Kent
Wednesday, February 2, 2022
City Council Committee Meetings
320 S. Depeyster Street, Kent, OH 44240

MINUTES

6:50 p.m. Special Council Meeting (Separate Agenda)

7:00 P.M. Council Committee Meetings

At 07:00 PM, Mayor Jerry T. Fiala called the City Council Committee Meetings to order.

Present: Jack Amrhein, John Kuhar, Gwen Rosenberg, Roger Sidoti, Tracy Wallach

Also Present: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Melanie Baker, Service Director; Mr. Jim Bowling, City Engineer; Ms. Joan Seidel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Nick Shearer, Chief of Police; Mr. Bill Myers, Fire Chief; Mr. Tom Wilke, Economic Development Director; Ms. Amy Wilkens, Clerk of Council

Absent: Michael DeLeone, Garret Ferrara, Heidi Shaffer Bish, Robin Turner

Finance Committee Chair DeLeone/Vice-Chair Wallach

Due to the impending winter weather storm, Mayor Fiala moved the Finance Committee meeting to the first committee on the agenda. Chair DeLeone was absent, so Vice-Chair Wallach introduced the first topic and speaker.

2022 Budget Appropriations Amendment

Ms. Wallach introduced Ms. Rhonda Hall, Director of Budget and Finance, to speak on the first topic, the request for a 2022 Budget Appropriation.

Ms. Rhonda Hall stated she would like to request the approval of a Budget Appropriation that was submitted to the City Manager in a memo dated January

25, 2022 and then amended on January 31, 2022. She said a line item was amended for the reappropriation of body cameras which enables us to utilize grant money. She asked if there were any questions.

Ms. Wallach asked if there were any questions from City Council or the audience, and there were none.

MOTION TO APPROVE THE 2022 BUDGET APPROPRIATIONS

AMENDMENT MADE BY Roger Sidoti, SECONDED by None and CARRIED by a voice vote of 5-0-0.

There were no more items on the agenda for the Finance Committee and it adjourned at 7:05 p.m.

Committee of the Whole Chair Mayor Fiala

Board and Commission Applicant

Mayor Fiala asked Clerk Wilkens to introduce the applicant to the Fair Housing Board. Ms. Wilkens stated the applicant, Rouven Cyncynatus, had contacted her and would not be able to be present for the interview. She added he asked for consideration to be reappointed to this committee.

Mayor Fiala thanked Clerk Wilkens and reminded everyone that Council would vote on this appointment at the next Regular City Council Meeting.

Community Development Chair Kuhar/Vice-Chair Rosenberg

Annual Economic Development Update

Mr. Tom Wilke was introduced to give his annual economic development update. Due to it being such a small group, he decided not to use the large screen and just allow for Council to follow through with the presentation in the packet.

Mr. Wilke started his presentation by stating this was his annual Economic Development update, which is very similar to prior year's and, unfortunately, for the last two years he has had to include a line item about the effect of the pandemic.

He started by reviewing the completion of last year's projects. The first was the completion of Quench Juice Cafe on Erie Street. The owner is Natasha Bastrikov, who has made herself very well known, often times out in front of her store giving out samples. Mr. Wilke said she has done a nice job and it is a very high quality product.

The Barrio expansion was next and he reminded City Council about last year's discussion about how amazing it was that someone would be doing an expansion in the middle of a pandemic and Sean and Steve (owners) were very pleased. Kent is one of their highest performing restaurants and they have nothing but good things to say about this location.

Ms. Wallach asked if Barrio replaced the yogurt store and Mr. Wilke confirmed this.

Mr. Sidoti asked if there was any idea about Yogurt V going out and Barrio taking over that space in terms of the income from taxes. He asked if anything was lost.

Mr. Wilke said his guess would be that we would have gained because Barrio has a very large staff compared to Yogurt V.

Mr. Sidoti said the only reason he is asking is if, due to taking over a business, there would be an increase in taxes. Mr. Wilke said he could guarantee that Barrio has more than made up for the loss of Yogurt V. He added that, of course, that is a guess.

Next up was Kent Mazda. He reminded City Council they approved a twelve year, fifty percent property tax exemption with the CRA Agreement for their expansion and renovation, which has been completed. This was a four and a half million dollar investment in the expansion and renovation and they spent a million and a half on the property. He would have liked to have spent more money on inventory, but it is hard right now to get cars.

The Mod Wash Auto Wash opened up on St. Rt. 59, and noted there are 36 locations under that brand with 147 more under development. They are a City water user but are not a JEDD participant.

The Asawi Building has changed quite a bit over the past few weeks, with scaffolding being taken down. The brick contract will be awarded soon and they are hoping to have all of the wall with the brick up by the end of April and the building open by the end of summer.

Mr. Sidoti asked about the south-facing side of the building and if it would be brick. Mr. Wilke said it would be brick with some banding to give it a little bit of variation. They hope for there to be a building on the other side of that somewhere down the road. It will not be attached.

The biggest project in town is the Davey Expansion. Council approved a 10 year, 75% property tax exemption for this project through an Enterprise Zone Agreement. It is a \$14 million investment and they are very much on track and ahead of schedule, hoping to be completed by the end of this year. They committed to creating 35 new jobs with an annual payroll of \$1.8 million. He stated they will have far more jobs than that, especially if you look at the 10-year time horizon.

The Singh Barani Indian Restaurant opened up and he had heard good feedback from those people who had dined there.

Lightly Toasted opened up on East Main Street. Cooper Dulick and Adam Lippy are the two partners and he added they will discuss medical marijuana dispensaries later in his presentation, as that topic had come up recently, but right now they sell vape products and "glass statues", as you can see in the pictures.

Ms. Rosenberg said it was beautiful artwork.

Belltower Brewery opened up and has been a great success. Ryan and Bridget Tipton are the owners. Mr. Wilke said he cannot say enough good things about how that place looks and how it's already becoming a destination for the city of Kent. Business is continually growing and when the weather clears and the patio opens, he thinks it will be an incredible success.

La Casa del Taco took the place of Continental Grille and Mike Awad still owns the real estate with Tyler Rickle owning the business. He is out of the Pittsburgh area. He said he understands the business is doing fine so far.

Erie Street Kitchen has expanded by taking over the interior of the Venice Cafe for lunch and dinner to be served inside. They just recently purchased what used to be the Lucky Penny Creamery off of Temple Ave and Lake Streets from Abby Turner. That will be the catering center for Erie Street Kitchen.

The second Dunkin' Donuts opened in Kent. They are very pleased with their early sales, and one of the reasons they added this location was to take some of the pressure off of the East Main Street restaurant, which would help with the line.

Hippy Fox Rocks opened where Cheesemonger was located. Their business motto is very much a Kent oriented business. The owner is Jared Bell.

The Over Easy relocation has been a big success and the owners are very happy with their sales. People are happy with the parking availability and they hope to have their liquor license soon and then it will be open for dinner. Mr. Wilke said they have a much more lively atmosphere than it used to be, reminding him of the days of the old Pufferbelly.

The Kent Stage has reopened and they have spent over \$600,000 in improvements. They received a \$440,000 State Capital Grant and then contributed some of their own money. There will be external cosmetic work done in the spring and some interior decorating. Acts are still selling out, some even in one day.

Kent Social Services has remodeled with help from Michelle Hartman, Christie Anderson, Mike Bruder, Metis Construction and a big donation from Klaben in

memory of Sister Jordan and private donations. They are waiting for the occupancy permit and will be serving hot lunches in a couple of weeks, with the pantry already open.

The DORA expansion was this past summer and is very popular and will continue to be in effect until a time City Council were to rescind it. He said it is hugely popular and does not recommend ever getting rid of it.

He reviewed three retail closures this past year: Empire, which closed when its lease expired; Circle K, which closed due to the pandemic and had no students on the KSU Campus; and Uncle Maddios, which is hard to say why they closed and said it seemed as if they hadn't been trying very hard. Many people didn't even know they were there. He couldn't think of any other closures in 2021 that took place. This shows that resident business owners and the people of Kent are committed to buying locally.

Coming Soon:

The Pit Stop Pub in University Plaza is a new restaurant/bar that is due to open soon.

Garage 108 will have a first floor coffee roaster and shop, a Community Center, small retail shops and a recording studio. The second floor will house a co-working space and a ghost commercial kitchen and a large event center. The 1st floor of the closed Karate Center will become a fitness, meditation and yoga studio.

Bar Luci will be opening on N. Water Street and on the second floor, Cloud 9, which will feature arcade and board games. There will be a nice outdoor patio.

Eric Does Data opened an office on Martindelle, which has 14 employees. The reason they moved from Akron to Kent is because this is where their employees wanted to be.

Rocco's Cupcake Cafe is going to open in the former One Love Yoga Space on Water Street. The current business has been operating as catering only up until now.

The Heritage of Brimfield is opening on St. Rt. 43, which is a long-term care facility. It is going to have 90 rooms with 96 beds, 35-40 employees and will be using City water and will be participating in the JEDD.

The closed Arby's was for sale for \$550,000, and within one day there were three offers over that amount. It was sold to an investor who wants to lease it out.

The closed Burger King has a deal in place with a national chain and should have a deal in place within a week.

In the "Each and Every" building they will still have the Franklin School of Dance business on the left-hand side and then on the right-hand side there is going to be "Daisy Cake Pops".

Hazelmade is a home product primarily featuring tea towels. This will not be a retail space but instead where the business office is located and where the distribution center will be.

Main Street Kent moved to the same building as Each and Every.

The Circle K has been purchased by Mike Awad and will be called Campus Mart.

Concerning the medical dispensaries in Kent, the State Licensing Lottery was held last Thursday, and there were 68 applications for 3 licenses in our region. The only business that came up fairly near the top in this lottery, is Lightly Toasted. If they get a license, they will operate under a different name. They are number six on the list. The process is that the State of Ohio will vet the applications starting with number one, and if something is wrong with the location or application, they will move on to the next on the list and will keep moving down until they've awarded three licenses. There is a possibility they could get to number six. Business owners are hoping for another round of license awardings next year.

West End Apartments is still in the planning stages, having submitted building plans but have delayed the start of construction due to the cost of materials and labor. They are waiting and hoping it will stabilize and drop a bit.

The former AMACO transmission business in front of Marc's is now going to be a convenience store called "43 and 261" and is operated by a group of investors out of New York City. They operate several convenience stores in the area, including one in Garrettsville.

Mr. Wilke then went into the effects of the pandemic, which included supply chain interruptions, especially for manufacturers, but is affecting all sectors. Workforce shortages have a big effect on everybody and have a continued disproportionate impact on hospitality businesses. People are still uneasy about going out in public and uneasy going out to restaurants and stores. We seem to be heading in a positive direction.

He reviewed a couple of graphs that showed the effects of the pandemic on e-commerce. Before the pandemic, e-commerce was growing 15% per year. During the pandemic, it shot up to a 40% increase and then, now that we are coming out of the pandemic, it is still growing. It is making it very difficult to fill brick and mortar businesses downtown.

He reviewed income tax numbers, with 2021 having the highest number. The big risk in 2022 is employers having to withhold income tax from employees from where they work, not where they are headquartered. If someone is working

out of their home in another city, then the other city will get their income tax. Kent State Income tax was rising during the first part of the 2000's, and leveled off right around \$5.2 million and then had about a \$400,000 drop due to adjustments KSU made due to their enrollment. Reliance on KSU on income tax has dropped quite a bit. It is down to 32% of our income tax revenue.

He reviewed unemployment, with it being just over 4% at the beginning of the year. In November 2021, it was at 2.9%, which is more than full employment. He is guessing this is the lowest it has ever been. The City of Kent is the same as the year before the pandemic. He reviewed the workforce in Portage County, dropping by 2,000. These are people that are quitting and not coming back to work, which is a combination of people who are retiring, or can't afford child care or people who are worried about being in the work environment due to the pandemic. It is believed some of those people are going to come back, but certainly not all of them.

Ms. Rosenberg asked if it could be due to not all of the KSU students returning. Mr. Wilke said this is county wide and is for the full year.

Conclusions

- COVID Still the Dominant Theme
- Workforce and Supply Chain Disruptions Create Havoc
- Disproportionate Impact on Small Businesses
- Possibly a Positive for Low-Income Workers
- Selective Impact on Manufacturing
- Still Much is Uncertain

KSU has a lease on the old Starbuck's building but the operator and type of business have not been announced yet.

The HW Industry Building on Mantua Street, north of Sheetz, has been sold and bought by a property management company. 10,000 square feet of warehouse space will be available for lease.

Longhitano's will be sold on Friday and is being bought by Klaben, who will be knocking it down and cleaning up the area.

Mr. Sidoti asked about the building being redeveloped on Gougler St. Mr. Wilke said it is Tim and Michelle Sahr who will be working on the lower level first, which will be a distribution center for online commerce. The upper floor is being considered as a residence.

An unidentified member of the audience asked if there were any plans for Davey Drill. Mr. Wilke said it has been foreclosed on and there are three customers. He is not aware of their identity. They are confident it will be sold in the very near future.

Mr. Kuhar thanked Mr. Wilke for his presentation.

Haymaker Farmer's Market Sub Lease Renewal

Mr. Ruller said Ms. Susel had a family emergency and he would be presenting this evening on the next two items. The Haymaker Farmer's Market item is a request to renew the request to sublet the property where the Market is held every year. There are no changes to the lease, other than the year, and we are asking for Council's authorization to renew it.

There were no questions from City Council or the public.

MOTION TO APPROVE HAYMAKER FARMERS MARKET SUB LEASE RENEWAL MADE BY Gwen Rosenberg, SECONDED by Tracy Wallach and CARRIED by a voice vote of 5-0-0.

ODOD Demolition Grant Program

Mr. Ruller said, in the past, Ms. Susel has come before City Council regarding demolition of blighted properties to be picked up by Portage County's landbank. He said sometimes they are picked up, purchased and rebuilt, sometimes they are demolished. It depends and is on a case by case basis. In this case, two properties have been identified to get grant funding for demolition of blighted properties. This is not to say they are ready to be demolished, but there is a tight timeline to apply for the grant, and they would like to get City Council's authorization to apply for the grant. If nothing else, perhaps it will motivate the owners to fix the properties.

Mr. Sidoti asked if we had done this a few years ago. Mr. Ruller said he was correct. Mr. Sidoti clarified they would be approving the intent to apply for the grant, not asking to move straight through to the demolition of the property. Mr. Ruller said he was correct.

There were no further questions from the City Council and no questions from the audience.

MOTION TO APPROVE ODOD DEMOLITION GRANT PROGRAM APPLICATION MADE BY Roger Sidoti, SECONDED by Gwen Rosenberg and CARRIED by a voice vote of 5-0-0.

Streets, Sidewalks & Utilities Committee Chair Sidoti/Vice-Chair Wallach

East Main Street Project - Public Meeting Update

Chair Sidoti introduced the City Engineer, Mr. Jim Bowling to address City

Council.

Mr. Bowling started by saying there was good news that the City received an additional \$700,000 from AMATS for this project. This brings it to \$15.3 million to date for the job. They are continuing to look for more funding to complete the job.

Mr. Bowling said he wanted to update the City Council on the meetings that were held in September. He thanked all who encouraged their neighbors to attend these meetings as they were well attended, with about fifty attendees. There were fourteen comments submitted, and most were positive. Several of these comments will be incorporated into the project, such as a traffic calming gateway on N. Willow, looking at native Ohio trees and tracking how the project performs after it is done. There were a few antagonistic comments, as would be expected of a job this size with this much change. They involved things such as not liking the crosswalks on Rt. 59 and one property owner wanting a traffic signal for their property.

The next step is the detailed design phase. He added that we've gone through the planning and feel we have an understanding of what the community wants and what will solve our problems. Next there will be drainage evaluation, the elevation of the road evaluation and other engineering-related items. After that, there will be right of way acquisition with hopes of construction in 2025.

Mr. Kuhar asked if the sidewalks would be at the end of the snow plow blades. Mr. Bowling said he wished after this last snow storm he wished this project would be done so they would have room to store the snow between the sidewalk and the roadway on East Main. He added "absolutely".

There were no further comments from City Council and no comments or questions from the audience.

Mr. Sidoti thanked Mr. Bowling and said this is complex work. Mr. Bowling agreed and thanked the City Council for their time.

Street Closure Request for Juneteenth Event

Mr. Ruller spoke on the topic of requesting the Willow Street Closure for the day of the event. This is the new Juneteenth celebration that Kent State is looking to relocate on the Esplanade with a day full of festivities. In light of that, he added, there is an issue of attendees crossing Willow Street safely, so the request is to temporarily close the street for the day. Mr. Ruller confirmed the times with Dr. Dana Lawless-Andric from Kent State and added the City staff are in favor of the street closure.

There were no questions or comments from City Council or the audience.

MOTION TO APPROVE WILLOW STREET CLOSURE REQUEST MADE BY

John Kuhar, SECONDED by Gwen Rosenberg and CARRIED by a voice vote of 5-0-0.

Executive Session CANCELED

Adjourn

Before adjourning, Mayor Fiala asked if Ms. Melanie Baker would like to give an update in light of the snow emergency this evening.

Ms. Baker said she wanted to make sure City Council was informed about the impending storm coming. She wanted to put together a list and have a six-man crew come in at 11 p.m., or earlier if needed. Bridges and intersections will be monitored and catch basins checked until the snow hits. It is anticipated to snow between 11pm and 1 am. She said the snow plowing will occur around the clock until the streets are cleared and cleaned to provide access. She wanted to let City Council know this doesn't necessarily mean they will be down to wet pavement, but the priority is to have the streets open for access, especially for emergency services. She provided a snow plow map, (**attachment #1**) which is now on the website, so people can see where the priorities are for plowing. The snow is cleared from crosswalks and corners for clear visibility. We are hoping not to be hit as hard as predicted and are hoping to stay caught up. Ms. Baker said she knows clearing the sidewalks is a big issue, so they are trying to stay up to date on that, hoping for the sidewalk machine to start by 8 am.

Mr. Kuhar asked if the sidewalk machine would be out before the end of the snowfall and if it would have to make a couple of runs. Ms. Baker said yes, and the only reason it was not out the last time was due to it being a holiday. She added that when you get eighteen inches of snow, it is hard to push any of it. A parking ban was instituted at 7 pm and will continue to run until it is lifted. Friday is going to be hard and she anticipated the ban would be lifted by 5 pm on Friday.

Ms. Baker said trash pickup this week was moved up by one day and will not be picking up trash on Thursday and that pickup is postponed until Friday and Saturday. Recycling will follow the same schedule. She asked the City Council to remind residents there will be ice underneath the snow, which creates a dangerous situation when people want to shovel.

Ms. Rosenberg asked if the City plows the driveway between the High School and the Middle School. Ms. Baker said the school should be doing that. She asked for everyone to give the plow drivers plenty of room and that if you cannot see their side mirrors when you are behind them, they cannot see you. She said plows throwing snow can be dangerous as well. She said they try to be very careful, but after long hours, everyone gets tired. She thanked everyone for their continued support in allowing them to do their jobs.

Mayor Fiala and members of the City Council thanked Ms. Baker for the report.

Mr. Ruller said Chief Myers would be bringing in extra fire personnel working on shift in

case there is an increase in emergency calls. He appreciated Chief Myers thinking ahead about that.

The meeting adjourned at 8:02 p.m.

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

DRAFT



CITY OF KENT, OHIO

DEPARTMENT OF PUBLIC SERVICE

MEMO

TO: Dave Ruller, City Manager
Council

FROM: Melanie A. Baker, Service Director

DATE: 2/2/2022

SUBJECT: Snow Storm 2/2/2022

Streets - Snow plowing plan

- 6-man crew coming in 11:00 p.m. (earlier if needed)
- Bridges and intersections will be monitored and catch basins checked until snow hits
- Snow plowing will occur around the clock until streets are cleared and cleaned to provide access. This does not necessarily mean wet pavement. Will make sure streets are opened up for access and emergency services.
- Plowing map, see attached. This map indicates our road and priorities during a snow storm.
- We will begin clearing and cleaning the downtown, once the snow has stopped and streets are accessible. (Snow is cleared from crosswalks and corners to provide for clear visibility and safe crossing of streets. This snow is taken to our parks and allowed to melt there.)
- Current piles are at Stonewater with room for more.

Sidewalks – Snow plowing plan

- The Ventrac is currently in the shop for repair, parts will be picked up first thing in the am and machine will be repaired and put back into service. (hydraulic issues)
- Parks staff will begin to hit the sidewalks and attempt to get high traffic areas cleared once the Ventrac is in service
- Piled / pushed snow from contractors in the aprons and intersections make traversing the sidewalks difficult.

Parking Ban – 7:00 p.m. 2/2/2022

- I have instituted a parking ban for the City of Kent starting at 7:00 p.m. today. It is in place till it is determined that we have cleared the streets for access and emergency services. There were 15 other communities in north east Ohio that have issued a parking ban as well. Akron, Tallmadge, Ravenna are 3 local entities that issued their parking bans.

Current weather anticipated as of 4:30 p.m.

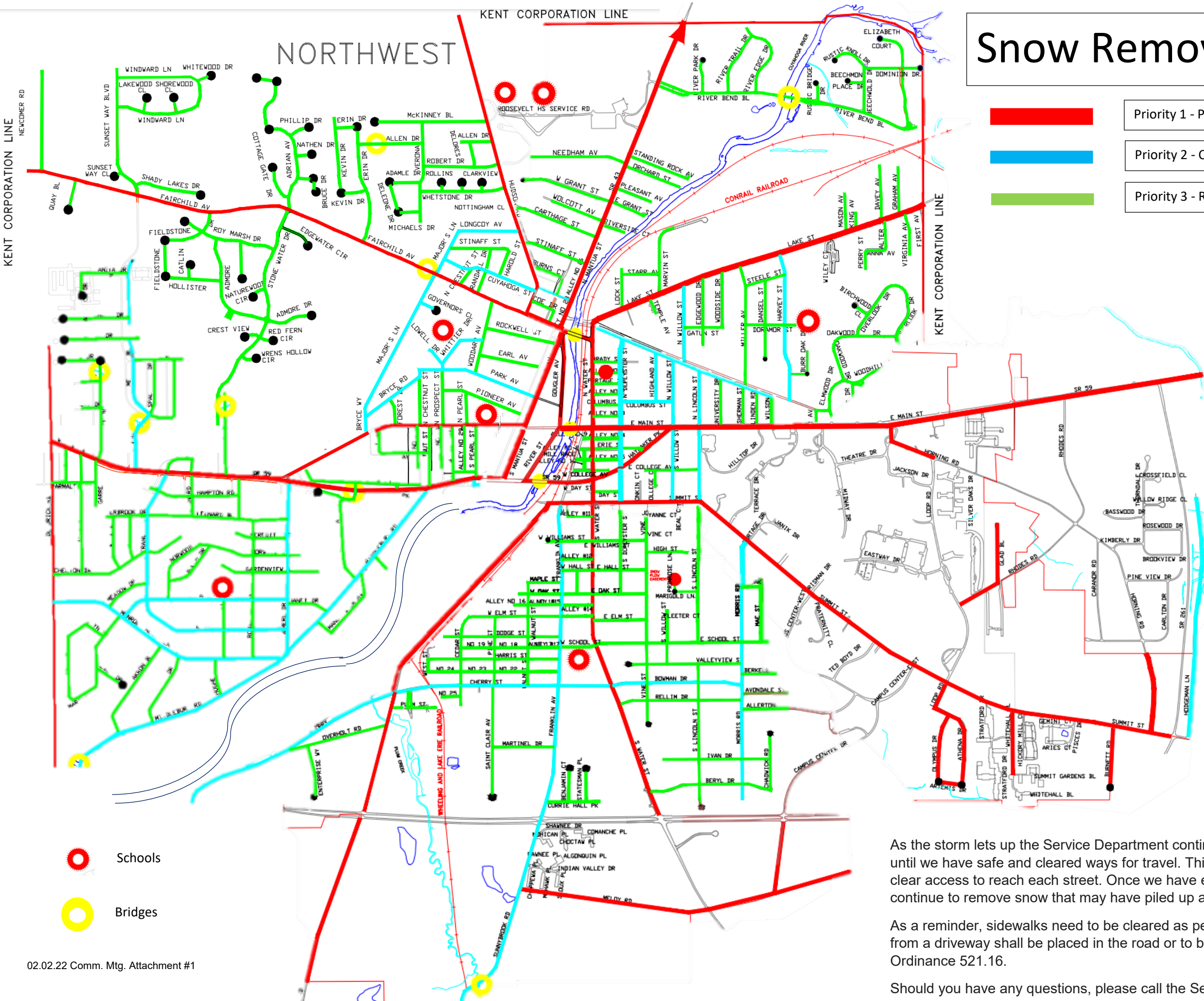
- Rain to continue to 12:00 p.m.
- Temperatures will continue to drop, currently at 37 degrees.
- Projected winds up to 30 mph.
- Ice will form on bridges sooner than the road.
- Expected transition from rain to snow is between 11:00 p.m. and 1:00 am.
- Expected snow fall 2 to 4 inches by morning; with additional snow fall during the day and accumulating an additional 6 to 8 inches. Heavier snow fall is predicted Thursday afternoon and into the evening with additional accumulations of 2 to 4 inches.
- The storm is expected to taper off and be done by 10:00 a.m. on Friday January 5th.

Trash and Recycling

- Trash this week was moved up a day.
- Trash has been cancelled tomorrow and will resume pick up on Friday and Saturday
- Recycling did an abridged version of preparing by picking up routes early if it was out.
- Recycling has cancelled tomorrow and will resume regular routes on Friday.

NOTE: These activities will be dependent on weather and ability to get around after the storm.

Snow Removal Routes



- Priority 1 - Primary Roads / Bridges
- Priority 2 - Collector Roads / Bridges
- Priority 3 - Residential / local Roads

During those harsh winter months in Northeast Ohio, we often experience heavy snowfall and or ice buildup on our roadways. The Service Department, through the hard work of the Central Maintenance crews, works to remove snow from our roads and to lay down salt and/or brine solutions to minimize or eliminate ice.

Priority routes are determined by several factors including traffic volumes, safety, and the need for movement of traffic through and around the City for fire, medical care, police protection, and goods and services during a weather emergency.

As per City Ordinance 352, when there is a snow fall of 2 or more inches in a 24-hour period a snow emergency exists. Once the Service Director declares a snow emergency parking ban all cars are to removed from all City streets to allow for the safe and efficient removal of snow.

During winter events where snow fall is in excess of 2 inches in a 24-hour period, the prioritization of roads become greatly enhanced and dedication to the primary and collector roads are paramount to safe travel and providing routes for fire and police protection.

As the storm lets up the Service Department continues to remove snow from the streets until we have safe and cleared ways for travel. This does not mean wet pavement but rather clear access to reach each street. Once we have established clear ways for travel we will continue to remove snow that may have piled up at intersections or cross walks.

As a reminder, sidewalks need to be cleared as per City Ordinance 521.15 and no snow from a driveway shall be placed in the road or to block pedestrian travel as per City Ordinance 521.16.

Should you have any questions, please call the Service Department at 330-678-8100. Page 38 of 85

DRAFT RESOLUTION NO. 2022-014

**A RESOLUTION APPOINTING _____ TO THE FAIR HOUSING BOARD AND
DECLARING AN EMERGENCY.**

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kent, Portage County, Ohio, at least a majority of all members elected thereto concurring:

SECTION 1. That _____ is hereby appointed to the **FAIR HOUSING BOARD**.

NAME

TERM

Immediately – 12/31/24

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

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

AMY WILKENS
CLERK OF COUNCIL

(SEAL)

DRAFT ORDINANCE NO. 2022 - 015

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RENEW THE AGREEMENT WITH THE HAYMAKER FARMERS' MARKET FOR THE SUB-LAND LEASE OF A PARKING LOT LOCATED NORTH OF SUMMIT STREET, WEST OF FRANKLIN AVENUE, AND EAST OF AKRON BARBERTON CLUSTER RAILWAY COMPANY'S MAIN LINE TRACK, CONTAINING 0.168 ACRES, FOR THE PERIOD OF APRIL 22, 2022 THROUGH NOVEMBER 26, 2022; CONTINGENT ON THE CONTINUATION OF THE CITY'S LEASE WITH THE AKRON BARBERTON CLUSTER RAILWAY COMPANY, FOR THE AMOUNT OF \$1.00; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent and the Akron Barberton Cluster Railway Company entered into a lease agreement for the use of a parking lot, located north of Summit Street, west of Franklin Avenue, and east of the Akron Barberton Cluster Railway Company's main line track, containing 0.168 acres; and

WHEREAS, the City of Kent wishes to continue to sub-lease said parking lot on Saturday mornings to the Haymaker Farmers' Market; contingent on the continuation of the City's lease with the Akron Barberton Cluster Railway Company; and **WHEREAS**, a Farmers' Market is a benefit to the citizens of Kent, Ohio; and

WHEREAS, time is of the essence to allow the Farmers' Market to open with good weather.

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

SECTION 1. the City Manager, or his designee, be and hereby is authorized to renew the Sub-land Lease with Haymaker Farmers' Market for a parking lot located north of Summit Street, west of Franklin Avenue, and east of the Akron Barberton Cluster Railway Company's main line tract, contingent on continuation of the City's lease with the Akron Barberton Cluster Railway Company; in substantial compliance with the terms of Exhibit "A", attached hereto.

SECTION 2. it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such 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. 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

CITY OF KENT, OHIO



SUB-LAND LEASE

THIS SUB-LEASE, made this _____ day of _____, 2022, between **THE CITY OF KENT, OHIO**, whose address is 301 South Depeyster Street, Kent, Ohio 44240, hereinafter referred to as SUB-LESSOR, and **HAYMAKER FARMERS' MARKET**, which has its summer market operations at the intersection of Franklin Avenue and Summit Street, Kent, Ohio 44240, hereinafter referred to as SUB-LESSEE.

I. PREMISES

SUB-LESSOR does hereby lease unto SUB-LESSEE certain unimproved land, located in the City of Kent, Portage County, Ohio, hereinafter called "the premises," as shown on the map attached hereto and hereby made a part hereof, described as follows:

Being a rectangular parcel of land located north of Summit Street, west of Franklin Avenue and east of LESSOR's main line track containing an area of 0.168 acres, more or less as shown in green, attached hereto as Exhibit "A."

SUB-LESSOR currently leases the subject premises from Akron Barberton Cluster Railway Company (the ORIGINAL LESSOR) pursuant to a land lease agreement dated October 26, 2011, No. 35-04380, as amended July 16, 2014.

II. TERMS AND CONDITIONS

In consideration of the covenants and agreements herein contained and other good and valuable consideration, and intending to be legally bound, it is agreed as follows:

1. Use. SUB-LESSEE shall use and occupy the premises solely for the purpose of a farmers' market held on Saturday morning (9:00 a.m. to 1:00 p.m.).

2. Term and Rent. To hold the demised premises for and during the term of April 2, 2022 through November 26, 2022 (unless sooner terminated as hereinafter provided) for the rent or sum of one dollar (\$1.00) payable in advance.

3. **Expenses.** SUB-LESSOR shall be responsible for snow plowing costs, any utility costs or charges and shall maintain insurance on the premises pursuant to their lease with ORIGINAL LESSOR.

4. **Approval of Plans.** SUB-LESSEE, prior to erecting any structure on the premises, shall submit plans to, and secure approval in writing of, SUB-LESSOR and the ORIGINAL LESSOR. SUB-LESSEE shall not erect or place or allow to be erected or placed on the premises any buildings, structures, fixtures or obstructions of any kind, either temporary or permanent.

5. **Fire and Damage.** SUB-LESSEE shall cooperate with SUB-LESSOR and shall promptly comply with fire prevention measures requested by SUB-LESSOR. SUB-LESSEE shall make no electrical installation or alterations in and to the improvements or electrical circuits (whether for power, light, heat or other purposes) located on the premises except by a duly licensed electrician, and shall make no installation of natural gas, propane, kerosene or other combustion fuel heating or cooling units, except by licensed heating or cooling contractor; and no such alterations or installations shall be made without prior written approval of the ORIGINAL LESSOR.

6. **Ordinances and Regulations.**

6.1 SUB-LESSEE, at SUB-LESSEE's sole cost and expense, shall comply with all applicable ordinances, rules, regulations, requirements and laws of any governmental authority having jurisdiction over the premises or SUB-LESSEE's intended use thereof, including but not limited to zoning, health, safety, building or environmental matters. SUB-LESSEE shall supply SUB-LESSOR and ORIGINAL LESSOR with copies of letters or certificates of approval of SUB-LESSEE's use.

7. **Maintenance and Repairs.**

7.1 SUB-LESSEE will not create or permit any nuisance in, on or about the premises, and SUB-LESSEE shall maintain the premises in a neat and clean condition. Any approved structures of SUB-LESSEE shall be erected and/or maintained on the premises by SUB-LESSEE to the satisfaction of the ORIGINAL LESSOR.

7.2 SUB-LESSEE will not utilize the City of Kent trash containers or the area near the trash containers, for the disposal of produce, perishable products, boxes, crates, storage containers, bags of trash or any other form of refuse generated by vendors operating on the premises.

7.3 SUB-LESSEE will not make, or permit to be made, any improvements or alterations to the premises without the written consent of the ORIGINAL LESSOR. Approval by the ORIGINAL LESSOR of any improvements or installations made by SUB-LESSEE, or failure of the ORIGINAL LESSOR to object to any work done or material used, or the method of construction or installation, shall not be construed as an admission of

responsibility by the ORIGINAL LESSOR or SUB-LESSOR or as a waiver of any of SUB-LESSEE's obligations under this Sub-Lease.

7.4 All work performed by SUB-LESSEE, or SUB-LESSEE contractor(s), pursuant to Section 7 shall be subject to the written approval of the ORIGINAL LESSOR's Chief Engineer or his duly authorized representative.

8. Service and Utilities. The ORIGINAL LESSOR will be under no obligation to furnish the premises with water, gas, sewage, electricity, heat or other services and supplies that may be necessary or desirable in connection with SUB-LESSEE use and occupancy of the premises. The SUB-LESSOR shall bear all costs of utilities used on the premises, including heat, electricity, hot water and sewer use charges. SUB-LESSEE shall reimburse SUB-LESSOR for any utilities SUB-LESSEE uses.

9. Adjacent Areas. Except as provided in Section 10 hereafter, SUB-LESSEE shall not use, for utility lines or otherwise, any property of the ORIGINAL LESSOR and SUB-LESSOR other than the premises herein leased without first obtaining ORIGINAL LESSOR's prior written consent and complying with all requirements of the ORIGINAL LESSOR applicable thereto.

10. Ingress and Egress. The ORIGINAL LESSOR, SUB-LESSOR and SUB-LESSEE shall have the right to use, in common with SUB-LESSOR and others authorized by SUB-LESSOR, existing driveway(s) or other property designated by SUB-LESSOR as means of Ingress to and Egress from the premises. SUB-LESSOR shall be under no obligation with respect to the condition or maintenance of said driveway(s) or other property, and SUB-LESSEE use of same shall be subject to all of the covenants, terms and conditions of this Sub-Lease.

11. Pipe and Wire Lines. The ORIGINAL LESSOR shall at all times have the right to maintain and/or construct, and to permit others to maintain and/or construct, overhead and/or underground pipe and/or wire lines now or hereafter installed upon or across the premises, and to use, repair, renew and remove the same.

12. Claim of Title.

12.1 SUB-LESSEE shall not at any time own or claim any right, title or interest in or to the premises, nor shall the exercise of this Sub-Lease for any length of time give rise to any right, title or interest in or to the premises, other than the Sub-Leasehold herein created.

12.2 SUB-LESSEE shall pay all debts incurred to, and shall satisfy all liens of contractors, subcontractors, mechanics, laborers and material suppliers in respect to any construction, alteration and/or repair in and to the demised premises, and any improvements thereof. Further, SUB-LESSEE shall have no authority to create any liens for labor or material on or against SUB-LESSOR or the ORIGINAL LESSOR's interest in the premises and shall specify in all contracts let by SUB-LESSEE for any construction, erection,

installation, alteration, maintenance or repair of any building or other improvement on the premises.

13. Termination, Notices and Removal.

13.1 This Sub-Lease may be terminated by either party at any time upon not less than thirty (30) days' notice in writing sent by registered or certified mail to the other party. However, in the event of a breach of any of the covenants, terms and conditions hereof by SUB-LESSEE, SUB-LESSOR shall have the right to terminate this Sub-Lease immediately.

13.2 Should original LESSOR terminate its lease with SUB-LESSOR, this Sub-lease between SUB-LESSOR and SUB-LESSEE shall also terminate.

13.3 Should SUB-LESSOR default on their lease terms to the ORIGINAL LESSOR, SUB-LESSEE may contact ORIGINAL LESSOR in efforts to step-in for SUB-LESSOR, correct the default of SUB-LESSOR, and take SUB-LESSOR'S role in the original land lease agreement dated October 26, 2011, No. 35-04380.

13.4 All notices and communications concerning this Sub-Lease shall be addressed to SUB-LESSOR or the SUB-LESSEE at their respective addresses hereinabove set forth or at such other, the ORIGINAL LESSOR, address as either party may designate in writing to the other party.

13.5 Upon termination of this Sub-Lease by expiration of term or any other reason, SUB-LESSEE shall remove all buildings or structures (except tracks, rail facilities and other designated property of the ORIGINAL LESSOR), within the time specified in any notice of termination or at the latest within fifteen (15) days after such termination. In effecting such removal, the premises shall be restored by SUB-LESSEE to a condition satisfactory to the ORIGINAL LESSOR, including the removal of all structures and facilities whether on the surface or underground) to ground level, and the filing of all excavations and holes, which shall be tamped, compacted and graded uniformly. If SUB-LESSEE shall fail to make the removal in the manner and time set forth herein, after notice to do so, SUB-LESSOR or the ORIGINAL LESSOR may remove said buildings, structures, and/or facilities and make said restoration, all at the sole risk, cost and expense of SUB-LESSEE, and may also dispose of any removed items without necessity to account for the same or to give further notice to SUB-LESSEE.

13.6 If SUB-LESSEE shall fail to make removal of any such property, SUB-LESSOR or the ORIGINAL LESSOR shall have the option to elect and notify SUB-LESSEE that all right, title and interest of SUB-LESSEE in certain building(s), structure(s) and/or facility(ies) shall be forfeit and may also dispose of any removed items without necessity to account for the same or to give further notice to SUB-LESSEE.

13.7 If SUB-LESSEE shall fail to make removal of any such property, the ORIGINAL LESSOR shall have the further option to elect and notify SUB-LESSEE that all

right, title and interest of SUB-LESSEE in certain building(s) and/or facility(ies) shall be forfeit and shall vest absolutely in the ORIGINAL LESSOR as of the date of notice of such election.

13.8 In the event that SUB-LESSEE prepays monthly or annual rentals in advance and this Sub-Lease is terminated by notice of either party (other than for breach or cause), SUB-LESSOR shall refund to SUB-LESSEE the proration of any prepaid base rental and taxes paid in advance, which SUB-LESSEE shall accept in full settlement, satisfaction and discharge of the remainder of the term or period.

14. Lessor. The term "the ORIGINAL LESSOR" as used in Section 14 hereof shall include any other company or companies whose property at the aforesaid location may be leased or operated by ORIGINAL LESSOR.

15. Insurance.

15.1 Prior to commencement of occupation or use of the premises/track for activities provided herein, SUB-LESSEE, at its sole cost and expense, shall procure and shall maintain during continuance of this Sub-Lease Public Liability Insurance covering liability assumed by SUB-LESSEE under this Sub-Lease with a combined single limit of not less than Two Million (\$2,000,000.00) Dollars for personal injury and property damage per occurrence. SUB-LESSEE shall furnish the ORIGINAL LESSOR's Director of Real Estate, 100 East First Street, Brewster, Ohio 44613 a certificate of insurance referring to this Sub-Lease by date, name of SUB-LESSOR, description of Sub-Lease and location covered. The certificate shall be endorsed to provide for thirty (30) days' notice to said Director of Real Estate prior to termination of or change in the coverage provided. If a higher limit of liability is required by the ORIGINAL LESSOR, the ORIGINAL LESSOR shall provide SUB-LESSEE written notice of the limit required and within thirty (30) days thereafter SUB-LESSEE shall provide revised certificate of insurance for the increased required limit. Furnishing of this insurance by SUB-LESSEE shall not limit SUB-LESSEE liability under this Sub-Lease but shall be additional security there for. SUB-LESSOR shall be named as an additional insured on said policy.

15.2 The insurance requirements herein are minimum requirements for this Agreement and in no way limit the indemnity covenants contained in this Agreement. The ORIGINAL LESSOR in no way warrants that the minimum limits contained herein are sufficient to protect SUB-LESSOR from liabilities that may arise out of the performance of the services under this Agreement by SUB-LESSOR, its agents, representatives, employees or subcontractors and SUB-LESSOR is free to purchase additional insurance as may be determined necessary.

16. Condemnation. Should the premises or any part thereof be condemned, appropriated and/or acquired for public use, then this Sub-Lease, at the option of SUB-LESSOR or the ORIGINAL LESSOR, shall terminate upon the date when the premises or part thereof shall be taken. No part of any damages or award shall belong to SUB-LESSEE, except to the extent of any specific award from the governmental authority for improvements

and/or facilities of SUB-LESSEE. SUB-LESSOR's land shall be valued as of such date (or other legal date of valuation) as vacant land, without consideration of this Sub-Lease or SUB-LESSEE improvements on said land as an enhancement or detriment to said land value. Improvements and/or facilities of SUB-LESSEE not so condemned, appropriated and/or acquired shall be removed in accordance with Section 13 hereof.

17. Successors and Assigns.

17.1 The terms, covenants and provisions hereof shall inure to the benefit of and be binding upon the successors and assigns of SUB-LESSOR and the ORIGINAL LESSOR and the successors and assigns of SUB-LESSEE.

17.2 However, SUB-LESSEE shall not transfer, assign, encumber or sublet this Sub-Lease or any part of the premises or any part of the premises or any rights and privileges herein granted except to a subsidiary, parent or common controlled affiliate as approved by SUB-LESSOR. This covenant shall also apply whether such sale or transfer is made voluntarily by SUB-LESSEE or involuntarily in any proceeding at law or in equity to which SUB-LESSEE may be a party whereby any of the rights, duties and obligations of SUB-LESSEE shall be sold, transferred, conveyed, encumbered, abrogated or in any manner altered, without the prior notice to and consent of the ORIGINAL LESSOR and SUB-LESSOR. In the event of any such unauthorized sale, transfer, assignment, sublease or encumbrance of this Sub-Lease, or any of the rights and privileges hereunder, the ORIGINAL LESSOR or SUB-LESSOR, at its option, may immediately terminate this Sub-Lease by giving SUB-LESSEE or any such assignee written notice of such termination and LESSOR or SUB-LESSOR may thereupon enter and retake possession of the premises.

18. Severability. It is understood and agreed that this Sub-Lease is executed by all parties under current interpretation of any and all applicable federal, state, county, municipal or other local statute, ordinance or law. Further, it is understood and agreed that each and every separate division (paragraph, clause, item, term, condition, covenant or agreement) herein contained shall have independent and severable status from each other separate division or combination thereof for the determination of legality so that if any separate division herein is determined to be unconstitutional, illegal, violative of trade or commerce, in contravention of public policy, void, voidable, invalid or unenforceable for any reason, that separate division shall be treated as a nullity but such holding or determination shall have no effect upon the validity or enforceability of each and every other separate division herein contained or any other combination thereof.

19. Breach or Waiver. If under the provisions hereof SUB-LESSOR shall institute proceedings and a compromise or settlement thereof shall be made, the same shall not constitute a permanent or general waiver of any covenant herein contained nor of any of SUB-LESSOR's rights hereunder. No waiver by SUB-LESSOR of any breach of any covenant, condition or agreement herein contained shall operate as a permanent waiver of such covenant, condition or agreement itself or of any subsequent breach thereof. No payment by SUB-LESSEE or receipt by SUB-LESSOR of a lesser amount than the monthly installments

of rent herein stipulated shall be deemed to be other than on account of the earliest stipulated rent, nor shall any endorsement or statement on any check or letter accompanying a check for payment of rent be deemed an accord and satisfaction and SUB-LESSOR may accept such check or payment without prejudice to SUB-LESSOR's right to recover the balance of such rent or to pursue any other remedy provided in this Sub-Lease. No re-entry by SUB-LESSOR after a breach shall be considered an acceptance of a surrender of the Sub-Lease.

20. Train Protection. In case of any construction work which may be performed by the SUB-LESSEE at or near the ORIGINAL LESSOR's tracks or facilities, the SUB-LESSEE agrees to notify SUB-LESSOR and the ORIGINAL LESSOR forty-eight (48) hours in advance and further agrees to pay the cost of such supervision or train protection as, in the sole discretion of the ORIGINAL LESSOR, may be necessary or proper for the safe operation of trains.

21. Snow and Ice Removal. It is hereby understood and agreed that the ORIGINAL LESSOR shall not at any time be responsible for the removal of snow and/or ice on or about the leased premises. Such snow and/or ice removal shall be at the sole risk and expense of the SUB-LESSOR and shall be performed in such a manner so as not to obstruct or interfere with any of the ORIGINAL LESSOR's operations on or about the leased premises, including the ORIGINAL LESSOR's own snow removal operations. In carrying out the foregoing, the SUB-LESSOR shall not plow, place, dump or deposit snow onto or upon the property of the ORIGINAL LESSOR, nor shall the SUB-LESSEE permit nor tolerate any of the foregoing.

22. Fiber Optics. It is the responsibility of the SUB-LESSEE to have knowledge of, locate, and protect against damage to fiber optic cables along, across or under the Railway's property and right-of-way. Any damage to or disruption of any fiber optic cable will be the sole responsibility of SUB-LESSEE, which will indemnify and hold harmless the Railway for any expenses resulting therefrom. Before any construction may commence, the following number, where applicable, must be called: **DIG SAFE 1-800-362-2764** provided that calling such number or numbers shall not release or otherwise diminish the remaining obligations of SUB-LESSEE hereunder.

23. Environmental Compliance.

23.1 SUB-LESSEE represents that it has conducted a complete inspection of the Premises and except as noted herein, finds the Premises to be reasonably free from pollution-induced conditions. It is understood between the parties that, at the time this Sub-Lease is entered into, the condition of the premises meets all federal, state, and local laws, rules, and regulations designed to prevent or control the discharge of substances into the land, water and air.

23.2 Without limiting any other provisions of this Sub-Lease, SUB-LESSEE will at all times maintain and keep the Premises and all improvements and property now or hereafter erected or placed thereon, at its expense, including but not limited to the structures,

equipment, and operations, in compliance with all federal, state, and local laws, rules and regulations designed to prevent the discharge of substances on the land, water, or air.

23.3 Without limiting any other provision this Sub-Lease, SUB-LESSOR and ORIGINAL LESSOR shall have the right to enter and inspect the Premises in order to determine whether SUB-LESSEE is complying with such laws, rules, or regulations, but no such inspection or absence of inspection by the SUB-LESSOR or the ORIGINAL LESSOR shall be construed to relieve SUB-LESSEE of its obligations to comply with all such laws, rules or regulations.

24. **Quiet Enjoyment.** Nothing herein contained shall imply or import a covenant on the part of SUB-LESSOR or ORIGINAL LESSOR of quiet enjoyment.

25. **Hold-Over Clause.** If SUB-LESSEE, with consent of SUB-LESSOR, holds over and remains in possession of demised premises after expiration of said term, this Sub-Lease shall be considered as renewed and shall continue in effect upon the same terms and conditions as are herein contained until terminated by either party giving the other written notice of intention to terminate same in the manner herein provided and with like effect.

26. **Notices.** Any notice or other communication required to be given to a party hereto shall be in writing and either hand-delivered or mailed by registered or certified mail, return receipt requested, postage prepaid, addressed as set forth below. For all purposes hereunder, "receipt" shall be deemed to occur on the date of actual receipt.

As to SUB-LESSOR:

CITY OF KENT, OHIO
c/o City Manager
301 South Depeyster Street
Kent, Ohio 44240

As to SUB-LESSEE:

HAYMAKER FARMERS' MARKET

(Print Mailing Address)
Kent, Ohio 44240

As to ORIGINAL LESSOR:

AKRON BARBERTON CLUSTER RAILWAY COMPANY
100 East First Street
Brewster, OH 44613

27. General Provisions.

27.1 A determination that any part of this Agreement is invalid shall not affect the validity or enforceability of any other part of this Agreement.

27.2 This Agreement shall be governed by the laws of the State of Ohio.

27.3 Section headings are inserted for convenience only and shall not affect the construction or interpretation of this Agreement.

27.4 This Agreement contains the entire agreement of the parties and supersedes any prior written or oral understandings, agreements or representations.

27.5 This Agreement may not be amended, waived or discharged except by an instrument in writing signed by the parties.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

III. EXECUTION

IN WITNESS THEREOF, the parties hereto have caused this Sub-Lease to be executed, in duplicate as of the day and year first above written.

HAYMAKER FARMERS' MARKET

By _____

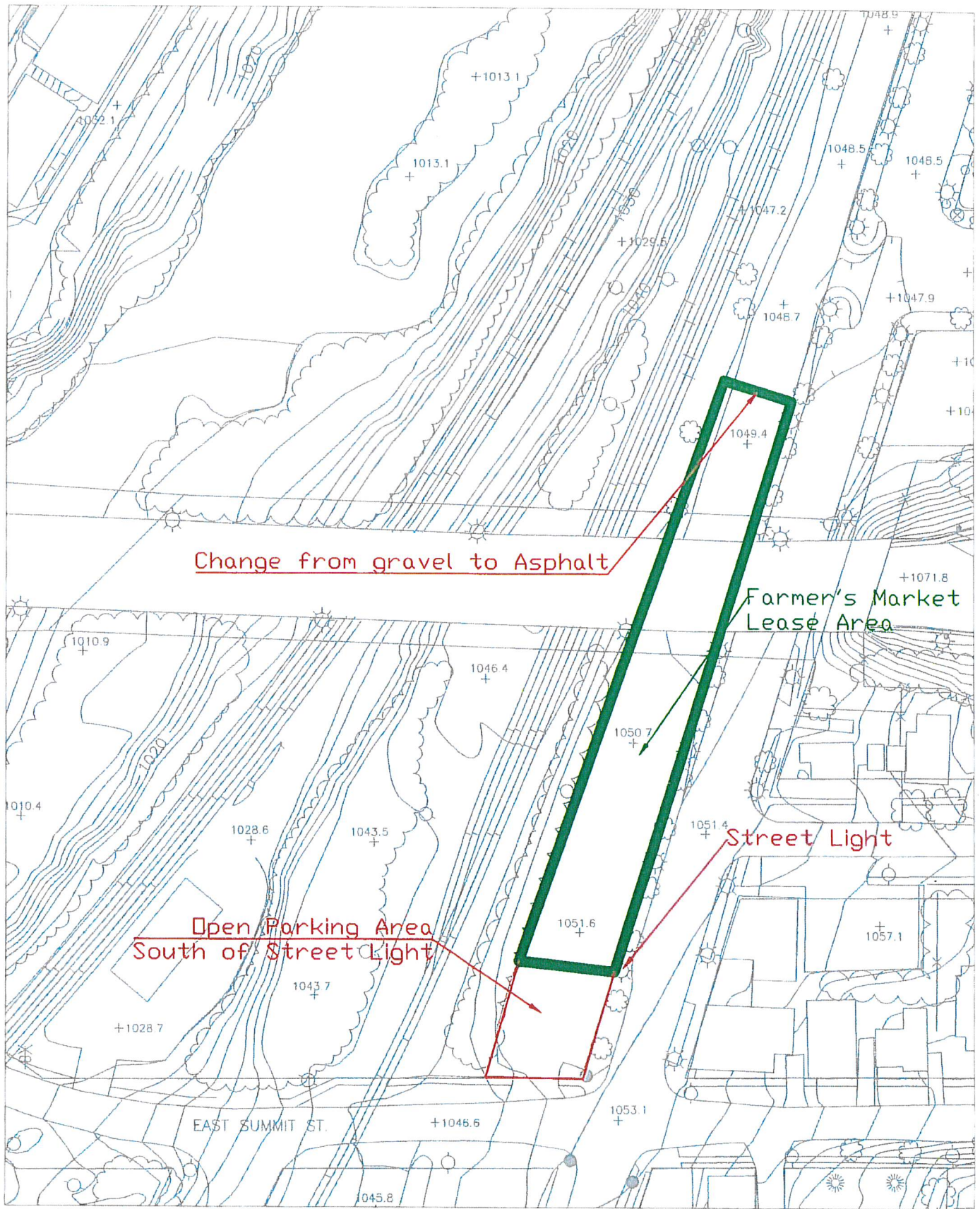
Print Name / Title

CITY OF KENT, OHIO

Dave Ruller, City Manager

APPROVED AS TO FORM:

Hope L. Jones, Law Director
City of Kent, Ohio



Farmers Market Exhibit "A"

DRAFT ORDINANCE NO. 2022 - 016

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SUBMIT THE REQUIRED DOCUMENTATION TO THE PORTAGE COUNTY LAND REUTILIZATION CORPORATION (PCLRC) TO SECURE DEMOLITION FUNDING ASSISTANCE PRIOR TO THE OHIO DEPARTMENT OF DEVELOPMENT (ODOD) PROGRAM SUBMISSION DEADLINE; AND DECLARING AN EMERGENCY.

WHEREAS, the Ohio Department of Development (ODOD) recently issued a per county funding set aside for purposes of demolition; and

WHEREAS, in response to the new funding, PCLRC issued a notice to communities, requesting properties that are vacant and blighted that can qualify for demolition assistance; and

WHEREAS, the City of Kent Community Development Department has two (2) vacant and blighted residential properties that have been condemned and qualify for this program, 22 Temple Avenue and 1234 N. Mantua Street; and

WHEREAS, the City will secure court orders for the purposes of demolition for each property prior to proceeding with any action.

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

SECTION 1. the City Manager, or his designee, is authorized to submit the required documentation to the Portage County Land Reutilization Corporation (PCLRC) to secure demolition funding assistance for two (2) vacant and blighted residential properties that have been condemned and qualify for the program, attached hereto as Exhibit "A".

SECTION 2. it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such 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. 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



Building Demolition and Site Revitalization Program – Initial Property Eligibility Review

Address: 1234 N. Mantua St.

Parcel Number(s): 17-042-10-00-016-000

Type of Property: **Residential** ☒ **Commercial** ☐

Last known property use: owner-occupied house

Any known environmental concerns (not including possible asbestos in building materials): **Yes** ☐ **No** ☒

If yes, explain: _____

Anticipated Location End-Use, if known: _____

Vacancy Determination:

The term "vacant" means that the property is currently not occupied by any lawful occupant and has not been lawfully occupied for at least 60 days (unless vacated due to fire, casualty, or other emergency):

Vacant ☒ **Not Vacant** ☐

Blight Determination:

The term "blight" incorporates the same definitions as "blighted area," "slum," and "blighted parcel" as found in ORC 1.08 which are as follows:

"Blighted area" and "slum" mean an area in which at least 70% of the parcels are blighted parcels and those blighted parcels substantially impair or arrest the sound growth of the state or a political subdivision of the state, retard the provision of housing accommodations, constitute an economic or social liability, or are a menace to the public health, safety, morals, or welfare in their present condition and use.

"Blighted parcel" means either of the following:

A parcel that has one or more of the following conditions:

☒ A structure that is dilapidated, unsanitary, unsafe, or vermin infested and that because of its condition has been designated by an agency that is responsible for the enforcement of housing, building, or fire codes as unfit for human habitation or use;

☐ The property poses a direct threat to public health or safety in its present condition by reason of environmentally hazardous conditions, solid waste pollution, or contamination;

☐ Tax or special assessment delinquencies exceeding the fair value of the land that remain unpaid 35 days after notice to pay has been mailed.

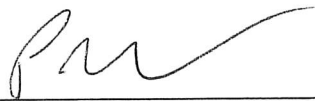
OR

A parcel that has two or more of the following conditions that, collectively considered, adversely affect surrounding or community property values or entail land use relationships that cannot reasonably be corrected through existing zoning codes or other land use regulations:

- ☒ Dilapidation and deterioration;
- ☐ Age and obsolescence;
- ☒ Inadequate provision for ventilation, light, air, sanitation, or open space;
- ☒ Unsafe and unsanitary conditions;
- ☐ Hazards that endanger lives or properties by fire or other causes;
- ☒ Noncompliance with building, housing, or other codes;
- ☒ Nonworking or disconnected utilities;
- ☒ Is vacant or contains an abandoned structure;
- ☐ Excessive dwelling unit density;
- ☐ Is located in an area of defective or inadequate street layout;
- ☐ Overcrowding of buildings on the land;
- ☐ Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- ☐ Vermin infestation;
- ☐ Extensive damage or destruction caused by a major disaster when the damage has not been remediated within a reasonable time;
- ☐ Identified hazards to health and safety that are conducive to ill health, transmission of disease, juvenile delinquency, or crime;
- ☐ Ownership or multiple ownership of a single parcel when the owner, or a majority of the owners of a parcel in the case of multiple ownership, cannot be located.

Print Name: Paul Bauer

Title: Code Enforcement Officer

Signature: 

Date: 24 January 2022

☐ Attach site pictures

☐ Attach documentation of match, if applicable

Email completed form and attachments to: Dan Morganti, dmorganti@pclandbank.org

and Jeannette Jones, jjones@pclandbank.org

CONDEMNED

This structure at 1234 N. Mantua is vacant or unfit for human habitation and ordered to be closed under KCO 1406.

Unauthorized persons on these premises may be charged with criminal trespass.

No person shall remove or deface this placard without permission of the Kent Code Official.

By order of:

P. Bauer

City of Kent Code Official

Date

7/16/20



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT
Building Services Division

July 16, 2020

DANIEL WOITE
1234 N. MANTUA ST.
KENT, OHIO 44240

Subject: Condemnation Order 1234 N. MANTUA ST. Parcel ID: 17-042-10-00-016-000

Dear Mr. Woite:

According to City of Kent records, you are the current owner of the parcel at 1234 N. MANTUA ST., Kent, Ohio.

Upon inspection of a complaint, City staff discovered the following violations of Kent Certified Order 1406.01 (c): "Structure unfit for human occupancy: A structure is unfit for human occupancy whenever the official finds that such structure is unsafe, unlawful or because of the degree to which the structure disrepair or lack of maintenance is unsafe, unlawful or because of the degree to which the structure ventilation, illumination, sanitary or heating facilities or other essential equipment required by this code because the location of the structure constitutes a hazard to the occupants of the structure or to the public."

- The structure has not had water service since 10/16/18.
- The exterior of the house has fallen into disrepair (chipped, peeling paint, fallen gutters, porch deck wood).

As such, as the owner of the parcel on which these violations have occurred, you are hereby notified property has been condemned and placarded as such under KCO 1406.

Unauthorized persons on the premises may be charged with criminal trespass. Please be sure identification when you are on the property and notify the Building Department whenever you have a working on the property.

Sincerely,

Paul Bauer
Code Enforcement Officer, Building Division

930 Overholt Rd., Kent, Ohio 44240 • (330) 678-0107 fax (330) 678-0108
www.kentohio.org







Building Demolition and Site Revitalization Program – Initial Property Eligibility Review

Address: 22 Temple Ave., Kent, OH 44240

Parcel Number(s): 17-031-22-00-150-000

Type of Property: Residential ☒ Commercial ☐

Last known property use: Single Family Dwelling

Any known environmental concerns (not including possible asbestos in building materials): Yes ☐ No ☒

If yes, explain: _____

Anticipated Location End-Use, if known: _____

Vacancy Determination:

The term "vacant" means that the property is currently not occupied by any lawful occupant and has not been lawfully occupied for at least 60 days (unless vacated due to fire, casualty, or other emergency):

Vacant ☒ Not Vacant ☐

Blight Determination:

The term "blight" incorporates the same definitions as "blighted area," "slum," and "blighted parcel" as found in ORC 1.08 which are as follows:

"Blighted area" and "slum" mean an area in which at least 70% of the parcels are blighted parcels and those blighted parcels substantially impair or arrest the sound growth of the state or a political subdivision of the state, retard the provision of housing accommodations, constitute an economic or social liability, or are a menace to the public health, safety, morals, or welfare in their present condition and use.

"Blighted parcel" means either of the following:

A parcel that has one or more of the following conditions:

☒ A structure that is dilapidated, unsanitary, unsafe, or vermin infested and that because of its condition has been designated by an agency that is responsible for the enforcement of housing, building, or fire codes as unfit for human habitation or use;

☐ The property poses a direct threat to public health or safety in its present condition by reason of environmentally hazardous conditions, solid waste pollution, or contamination;

☐ Tax or special assessment delinquencies exceeding the fair value of the land that remain unpaid 35 days after notice to pay has been mailed.

OR

A parcel that has two or more of the following conditions that, collectively considered, adversely affect surrounding or community property values or entail land use relationships that cannot reasonably be corrected through existing zoning codes or other land use regulations:

- ☒ Dilapidation and deterioration;
- ☐ Age and obsolescence;
- ☐ Inadequate provision for ventilation, light, air, sanitation, or open space;
- ☐ Unsafe and unsanitary conditions;
- ☐ Hazards that endanger lives or properties by fire or other causes;
- ☒ Noncompliance with building, housing, or other codes;
- ☐ Nonworking or disconnected utilities;
- ☒ Is vacant or contains an abandoned structure;
- ☐ Excessive dwelling unit density;
- ☐ Is located in an area of defective or inadequate street layout;
- ☐ Overcrowding of buildings on the land;
- ☐ Faulty lot layout in relation to size, adequacy, accessibility, or usefulness;
- ☐ Vermin infestation;
- ☐ Extensive damage or destruction caused by a major disaster when the damage has not been remediated within a reasonable time;
- ☐ Identified hazards to health and safety that are conducive to ill health, transmission of disease, juvenile delinquency, or crime;
- ☐ Ownership or multiple ownership of a single parcel when the owner, or a majority of the owners of a parcel in the case of multiple ownership, cannot be located.

Print Name: Eric Helmstedter

Title: Code Enforcement Officer

Signature: Eric Helmstedter

Date: 1/20/22

☐ Attach site pictures

☐ Attach documentation of match, if applicable

Email completed form and attachments to: Dan Morganti, dmorganti@pclandbank.org

and Jeannette Jones, jjones@pclandbank.org

CONDEMNED

This structure at 22 Temple is vacant or unfit for human habitation and ordered to be closed under KCO 1406. Unauthorized persons on these premises may be charged with criminal trespass.

No person shall remove or deface this placard without permission of the Kent Code Official.

By order of:

Eric Helmsfelder

12/28/21

City of Kent Code Official

Date





CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: February 7, 2022

TO: Dave Ruller, City Manager

FROM: Bridget Susel, Community Development Director *B.S.*

RE: Brownfield Remediation Program Grant

In January, the Community Development Department requested Council approval of an unauthorized item to allow for the timely submission of a grant application to the Ohio Department of Development (ODOD) requesting a maximum of \$300,000 to cover assessment costs associated with legacy environmental hazards that remain from the former Triangle Cleaners' site.

Council approved the unauthorized item on January 19, 2022 (Ord. 2022-02) with the grant proposal due on January 31, 2022. The Community Development Department was working with Brownfield Restoration Group (BRG) on finalizing the assessment plan and cost for the grant proposal submission. On January 26, 2022, I received a call from BRG informing me that its review of information of sampling data from 2006, 2018, and 2020 provided enough information on the current contamination levels from the former Triangle Cleaners' site so the City should submit a grant proposal request for site remediation (clean-up) instead of for assessment.

I made the necessary changes to the grant application and the grant proposal was submitted on January 31, 2022 requesting \$331,000 to be applied towards remediation activities. If the City is successful in getting grant funding assistance for remediation, the legacy environmental hazards will be remediated to Ohio EPA acceptable levels that will result in the City receiving a "No Further Action (NFA)" letter and safeguard the area from any future risk of contamination migrating off site.

Since now the grant request is for remediation activities, not assessment, and since the cost estimate for remediation is more than the previously reported assessment costs, I am respectfully requesting that you present this unauthorized item at the February 16, 2022 Council meeting for review and approval so the City can have legislation that accurately reflects the grant request is for remediation on the site and the grant request submitted was for \$331,000.

If you need any additional information in order to forward this to Council, please let me know.

Thank you.

Attachments



Susel, Bridget <suselb@kent-ohio.org>

Brownfield Remediation Grant Application Confirmation

1 message

Redevelopment <redevelopment@development.ohio.gov>

Mon, Jan 31, 2022 at 9:53 AM

To: "suselb@kent-ohio.org" <suselb@kent-ohio.org>



Department of
Development

Mike DeWine, Governor
Jon Husted, Lt. Governor

Lydia L. Mihalik, Director

Thank you for submitting the Brownfield Remediation Grant Application. This email serves as certification the application was submitted and will be under review.

Thank you.

77 South High Street
Columbus, Ohio 43215 U.S.A.

800 | 848 1300
www.development.ohio.gov

The State of Ohio is an Equal Opportunity Employer and Provider of ADA Services



Brownfield Remediation Program Grant

Application Information

Application Name:	ODSA--2022 - 190840
Project Type:	Brownfield Remediation Grant Cleanup/Remediation
Created On:	1/28/2022 8:56 PM
Created By:	Bridget Susel
Online Application Status:	Application Submitted

Applicant Organization

Federal Tax ID:	34-6001563
OAKS ID:	
Applicant Name:	Kent, City of
Applicant Address:	301 S. Depeyster Street, OHIO Kent, OH, 44240

Project Contact Information

Position/Role	Primary Contact	First Name	Last Name	Phone Number	Email
Mayor/Village Administrator					
Application Preparer	✓	Bridget	Susel	(330) 678-8108	suselb@kent-ohio.org
Authorized Official		Dave	Ruller	(330) 676-7500	rullerd@kent-ohio.org
Certified Professional		Jim	Smith	(330) 668-4600	JimSmith@brgoup LLC.com

DRAFT ORDINANCE NO. 2022 - 017

AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT A GRANT APPLICATION TO THE OHIO DEPARTMENT OF DEVELOPMENT (ODOD) FOR BROWNFIELD REMEDIATION PROGRAM GRANT FUNDING ASSISTANCE ACTIVITIES AND TO ACCEPT THE GRANT, IF AWARDED, AND EXECUTE THE SUBSEQUENT GRANT AGREEMENT WITH CORRESPONDING APPROPRIATION OF FUNDS, AND DECLARING AN EMERGENCY.

WHEREAS, on January 31, 2022 A funding application was submitted to the Ohio Department of Development (ODOD) requesting Brownfield Remediation Grant Cleanup/Remediation assistance for the former dry cleaning site formerly known as Triangle Cleaners site, and;

WHEREAS, the grant does not have a match requirement and the remediation grant request amount is \$331,000.

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

SECTION 1. Kent City Council approves submission of the City's application request for grant funding and authorized that the Administration provide all information, funds, and documentation required in said applications for submission.

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

SECTION 3. the Kent City Council hereby understands and agrees that participation in the grant program will require compliance with program guidelines and assurances.

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

SECTION 5. 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. 2022 - 018

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE A NEW SPECIAL EVENT APPLICATION FOR THE JUNETEENTH JUBILEE TO BE HELD ON SATURDAY, JUNE 18, 2022, AND THE TEMPORARY CLOSURE OF WILLOW STREET, AND DECLARING AN EMERGENCY.

WHEREAS, the Juneteenth Jubilee is an event to commemorate the African-American culture that became a national federal holiday on June 17, 2021; and

WHEREAS, the organizers would like to temporarily close Willow Street between East Main Street and the south driveway of the Center for Architecture and Environmental Design building beginning at 11 a.m. on Saturday, June 18th and continue until 10 p.m. that evening;

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; and

WHEREAS, the time is of the essence as the event is scheduled for June 18, 2022.

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

SECTION 1. Kent City Council authorizes the City Manager or his designee to execute the Special Event Application in substantial conformance with the 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. 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. 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

MEMORANDUM OF UNDERSTANDING

IN RE: Juneteenth Jubilee

A memorandum of understanding between Lashonda Taylor, the sponsor of the event, and Chief of Police Nicholas Shearer, representing the City of Kent, regarding a SPECIAL EVENT PERMIT for the Juneteenth Jubilee.

1. **A. NATURE AND LOCATION OF THE EVENT** – The Juneteenth Jubilee will involve a combination of performances, vendors' booths, displays, demonstrations, musical performances, and workshops. Attendees may attend performances, shop at vendor booths and participate in workshops where participants perform. Food will be served by food trucks participating in the event. The event is to be held in the area of the Kent State University Esplanade near Willow St. and the green area between Haymaker Pkwy. and Willow St. The event is scheduled for Saturday, June 18, 2022 from 11:00 a.m. to 10:00 p.m. Willow St. will be barricaded between Main St. and the South driveway for the Center for Architecture and Environmental Design Building for pedestrian traffic and vendor booths.
2. **STREET BARRICADES** - Barricades, provided by the Kent City Service Department, will be placed blocking S. Willow St. at Main St. and S. Willow St. at the South driveway for the Center for Architecture and Environmental Design Building. The sponsor of the event agrees to erect barricades at the start of the festival and remove them at the end of the event. Kent City Service Department will pick up the barricades after the conclusion of the event.
3. **316.04 - RULES, GUIDELINES, CONDITIONS AND REQUIREMENTS**
 - A. ACCESS TO BUSINESSES AND RESIDENCES - No vehicular traffic will be allowed in the barricaded area during times of the event. Open to pedestrian traffic only.
 - B. ALCOHOLIC BEVERAGES – None.
 - C. ANTI-DISCRIMINATION PROVISIONS - Yes
 - D. FIRE PREVENTION/ SUPPRESSION - Per Kent F.D. inspection and requirements.
 - E. FOOD VENDORS - Prepared food will be sold and served per Health Commissioner's requirements.
 - F. HEALTH AND SANITATION - Portable toilets shall be provided by the sponsor and available within the festival area.
 - G. FIRST AID - A first aid station shall be provided.
 - H. DATE AND HOURS - Saturday June 18, 2022. Starting time (including set-up) 7:00am to 11:00 pm (including clean-up) Actual event times from 11:00am to 10:00pm.
 - I. EVENT WAIVERS- None required.
 - J. MECHANICAL RIDES - No
 - K. NEIGHBORHOOD APPROVAL - Notification of affected residents & businesses is required via email or flyer.
 - L. NOISE LIMITATIONS - Per city ordinance
 - M. PAVEMENT PROTECTION – None
 - N. SPECIAL PERMITS – None.
 - O. SECURITY & TRAFFIC CONTROL - Traffic will be maintained with barricades provided by the City Service Department.
 - P. TRASH & RECYCLING - The sponsor is responsible for all trash to be cleaned from the festival area at event's end. It is the sponsor's responsibility to add additional trash receptacles for this event.
 - Q. UTILITY SERVICES - D.N.A.
 - R. GAMBLING - No
 - S. VENDOR ACCESS - Vendors will have access to the festival area for set-up between 7:00am and 11:00am and clean up between 10:00pm and 11:00pm.

- T. WAIVERS, SPORTING EVENTS - D.N.A.
- U. ASCAP REQUIREMENTS - Permit holders shall be responsible for fulfilling ASCAP (American Society of Composers, Authors, and Publishers) requirements for any music played at a special event, including but not limited to reporting requirements. In addition, the permit holder shall be responsible for any costs charged to the City or the applicant by ASCAP for said event.
- V. PROJECTED COSTS - The projected costs for city services that will be utilized for this event are shown on "**Attachment A.**" Other, unforeseen costs may be associated with the actual event.
- W. WEATHER ALERT RADIO SYSTEM AND WARNINGS – The City of Kent has available two weather radios programmed to NOAA's National Weather Service. Severe weather alerts are received through tone activation and respective messaging. Sponsors agree to provide a warning system that's capable of alerting event participants. Warning alerts may be made with one of the following; (Public Address System, Bull Horn, Air Horn, Two-Way Radios posted at various locations throughout the course, Etc.)

4. **PERMIT REVOCATION** The sponsor understands that the City of Kent maintains the authority to cancel the permit at any time up to and during the event if an emergency situation should dictate.

Lashonda Taylor, Date:
Event Sponsor

Nicholas Shearer, Date:
Chief of Police

William Myers, Date:
Fire Chief

Melanie Baker, Date:
Service Director

Joan seidel, Date:
Health Commissioner

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

NAME OF EVENT Juneteenth Jubilee

ORGANIZATION SPONSORING EVENT Kent State University

APPLICANT NAME Lashonda Taylor PHONE 3306728657

ADDRESS 1 Eastway Drive Kent Ohio 44242 2nd Floor University Library Executive Offices

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

Lashonda Taylor cell 3302833605

DATE OF EVENT 6/18/2022 NO. OF PARTICIPANTS 300

REQUESTED PERMIT TIME: Start Set up 7 am Start Event 11 am

End Event 10 pm End Cleanup 11 pm

IF PARADE: STARTING POINT _____ ENDING POINT _____

USE OF CITY WATER NEEDED? No

(IF YES, PLEASE EXPLAIN)

USE OF CITY ELECTRIC NEEDED? No

(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.

Lashonda Taylor

Name of Applicant

Lashonda Taylor

Signature of Applicant

Office Use. Do not write below this line. _____ Sent to:

Safety, Service, Fire, Police, and Health Departments for review and approval

via _____ on _____.

MEMORANDUM AGREEMENT _____ YES _____ NO

APPLICATION APPROVED _____ APPLICATION DISAPPROVED _____

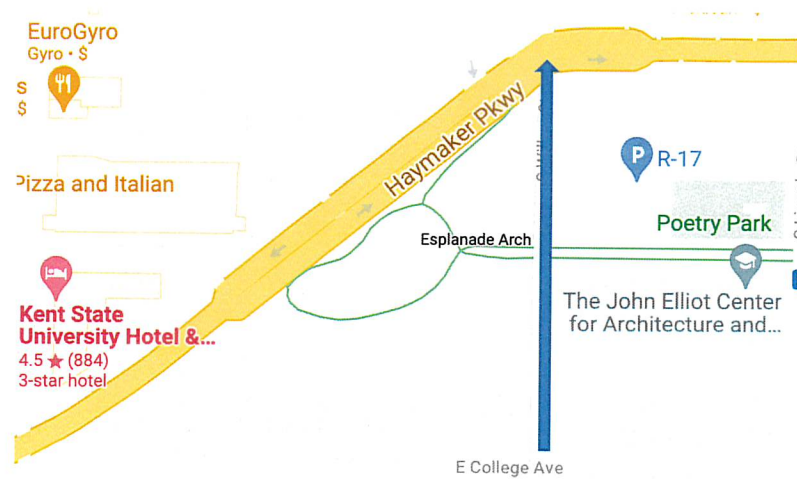
PROOF OF INSURANCE REQUIRED BY ORDINANCE 316.04 HAS BEEN REVIEWED AND APPROVED.

Law Director

Date

IF APPLICATION IS APPROVED, PERMIT WILL BE ISSUED BY THE CITY MANAGER.

Willow St. closure request.



DRAFT ORDINANCE NO. 2022 - 019

AN ORDINANCE AMENDING ORDINANCE NO. 2021-133, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 15, 2021; 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, 2022; 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, 2022.

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

SECTION 1. the current appropriations Ordinance No. 2021-133 passed December 15, 2021 be amended as set forth in Exhibit "A", attached hereto and incorporated herein, so as to increase appropriations in Fund 001, General; Fund 106, Parks & Recreation; Fund 126 CDBG; Fund 128 Fire & EMS; Fund 136 C.H.I.P.; Fund 138 ARPA; Fund 201, Water; Fund 202, Sewer; Fund 208, Storm Water; Fund 301, Capital; and so as to increase operating transfers from Fund 116, Income Tax to Fund 301, Capital; Fund 303, Police Facility, and Declaring an Emergency.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

Exhibit A

2022 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>General Fund (001)</u>						
City Council	\$ 179,605	\$ 24,625	\$ -	\$ -	\$ -	\$ 204,230
Mayor	13,487	3,400				16,887
Community Support		103,000				103,000
City Manager	346,579	56,925				403,504
New City Hall Facility						-
Information Technology	99,834	236,200				336,034
Urban Renewal		60,700				60,700
Human Resources	107,023	15,310				122,333
Civil Service	32,445	32,925				65,370
Law	337,667	78,405				416,072
Budget & Finance	472,834	137,700				610,534
Community Development	716,473	198,025				914,498
Economic Development	132,602	19,650				152,252
Health	573,810	206,758				780,568
Public Parking		89,200				89,200
Main Street Program		66,500				66,500
Service Administration	252,748	397,875				650,623
Shade Tree		100,875	10,000			110,875
Adjunct Facilities						-
Building	371,590	57,275				428,865
Land banking		8,000				8,000
Engineering	100,279	97,100				197,379
Miscellaneous & Sundry		428,150				428,150
Contingency					100,000	100,000
Fund Total	3,736,976	2,418,598	10,000	-	100,000	6,265,574
<u>West Side Fire (101)</u>						
Fire	291,203	14,300				305,503
Fund Total	291,203	14,300	-	-	-	305,503
<u>Street Construction Maintenance & Repair (102)</u>						
Service	1,234,295	1,013,894				2,248,189
Contingency					25,000	25,000
Fund Total	1,234,295	1,013,894	-	-	25,000	2,273,189
<u>State Highway (103)</u>						
Service		60,000				60,000
Fund Total	-	60,000	-	-	-	60,000
<u>Recreation (106)</u>						
Parks & Recreation	1,437,322	670,100	190,000			2,297,422
Fund Total	1,437,322	670,100	190,000	-	-	2,297,422
<u>Food Service (107)</u>						
Health	113,187	19,900				133,087
Fund Total	113,187	19,900	-	-	-	133,087
<u>Income Tax (116)</u>						
Budget/Finance/IncTaxAdmin	136,034	487,650				623,684
Managed Reserve				25,540		25,540
Fund Total	136,034	487,650	-	25,540	-	649,224

2022 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Revolving Housing (120)</u>						
Health	157,819	19,650				177,469
Fund Total	157,819	19,650	-	-	-	177,469
<u>State & Local Forfeits (121)</u>						
Police						-
Fund Total	-	-	-	-	-	-
<u>Drug Law Enforcement (122)</u>						
Police		11,000				11,000
Fund Total	-	11,000	-	-	-	11,000
<u>Enforcement & Education (123)</u>						
Police		6,000				6,000
Fund Total	-	6,000	-	-	-	6,000
<u>Income Tax Safety (124)</u>						
Police	7,609,509	682,700				8,292,209
Fund Total	7,609,509	682,700	-	-	-	8,292,209
<u>Law Enforcement Trust (125)</u>						
Police						-
Fund Total	-	-	-	-	-	-
<u>Community Development Block Grant (126)</u>						
Community Development	7,193	225,224	160,000			392,417
Fund Total	7,193	225,224	160,000	-	-	392,417
<u>Fire & E.M.S. (128)</u>						
Fire	5,152,958	567,500	614,533			6,334,991
Fund Total	5,152,958	567,500	614,533	-	-	6,334,991
<u>Wireless 911 (129)</u>						
Safety						-
Fund Total	-	-	-	-	-	-
<u>Swimming Pool Inspections (130)</u>						
Health	9,286					9,286
Fund Total	9,286	-	-	-	-	9,286
<u>Police Pension (132)</u>						
Police	120,000					120,000
Fund Total	120,000	-	-	-	-	120,000
<u>Fire Pension (133)</u>						
Fire	120,000					120,000
Fund Total	120,000	-	-	-	-	120,000
<u>UDAG / EDA-RLF (134)</u>						
City Manager/C.D.		75,000				75,000
Fund Total	-	75,000	-	-	-	75,000
<u>CHIP Grant (136)</u>						
City Manager/C.D.		200,000				200,000
Fund Total	-	200,000	-	-	-	200,000

2022 ORIGINAL APPROPRIATIONS

Fund - Department/Division	Personnel & Benefits	Other than Personnel & Benefits	Capital	Reserve/Debt Service	Contingency	Fund & Department Total
<u>Local American Rescue Plan Act (138)</u>						
ARPA	390,000		1,698,700			2,088,700
Fund Total	390,000	-	1,698,700	-	-	2,088,700
<u>Water (201)</u>						
Service	1,873,013	801,963	659,150			3,334,126
Service (Capital Facilities)			1,731,000			1,731,000
Admin. Support	449,496	77,860	1,986			529,342
Budget & Finance (Debt)				61,173		61,173
Contingency					50,000	50,000
Fund Total	2,322,509	879,823	2,392,136	61,173	50,000	5,705,641
<u>Sewer (202)</u>						
Service	1,772,223	758,788	3,379,762			5,910,773
Service (Capital Facilities)			487,546			487,546
Admin. Support	387,142	75,260	1,986			464,388
Budget & Finance (Debt)				364,569		364,569
Contingency					50,000	50,000
Fund Total	2,159,365	834,048	3,869,294	364,569	50,000	7,277,276
<u>Utility Billing (204)</u>						
Budget & Finance		89,900				89,900
Fund Total	-	89,900	-	-	-	89,900
<u>Solid Waste (205)</u>						
Admin Support	70,220	176,125				246,345
Service	360,772	34,400	36,400			431,572
Fund Total	430,992	210,525	36,400	-	-	677,917
<u>Storm Water Utility (208)</u>						
Service	360,772	53,030	166,400			580,202
Service (Capital Facilities)			523,900			523,900
Admin. Support	278,641	54,150	1,986			334,777
Budget & Finance (Debt)				9,968		9,968
Fund Total	639,413	107,180	692,286	9,968	-	1,448,847
<u>Guaranteed Deposits (230)</u>						
Budget & Finance		1,000				1,000
Fund Total	-	1,000	-	-	-	1,000

2022 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Capital Projects (301)</u>						
Safety			323,570			323,570
Service			734,100			734,100
Service (Capital Facilities)			5,725,620			5,725,620
Administrative	401,112		66,986			468,098
Budget & Finance (Debt)		125,000		534,117		659,117
Contingency					25,000	25,000
Fund Total	401,112	125,000	6,850,276	534,117	25,000	7,935,505
<u>Municipal Public Improvement Tax Increment Equivalent (302)</u>						
Service (Capital Facilities)						-
Budget & Finance (Debt)		9,000		427,215		436,215
Fund Total	-	9,000	-	427,215	-	436,215
<u>Police Facility (303)</u>						
Safety (Capital Facilities)			635,000			635,000
Budget & Finance (Debt)		64,000		807,609		871,609
Fund Total	-	64,000	635,000	807,609	-	1,506,609
<u>Debt Service (402)</u>						
Budget & Finance (Debt)						-
Fund Total	-	-	-	-	-	-
<u>Internal Service (807)</u>						
Health Insurance		4,000,000				4,000,000
Fund Total	-	4,000,000	-	-	-	4,000,000
Total Appropriations	\$ 26,469,173	\$ 12,791,992	\$ 17,148,625	\$ 2,230,191	\$ 250,000	\$ 58,889,981
Original Appropriations	\$ 26,360,173	\$ 12,511,168	\$ 12,443,270	\$ 2,230,191	\$ 250,000	\$ 53,794,802
Amendment #1	109,000	280,824	4,705,355			5,095,179
Amendment #2						-
Amendment #3						-
Amendment #4						-
Amendment #5						-
Amendment #6						-
Amendment #7						-
Amendment #8						-
	\$ 26,469,173	\$ 12,791,992	\$ 17,148,625	\$ 2,230,191	\$ 250,000	\$ 58,889,981

2022 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	500,000			Fund 102 - St Const Maint & Repair
Fund 116 - Income Tax	3,585,560			Fund 124 - Income Tax Safety
Fund 116 - Income Tax	3,585,560			Fund 128 - Fire & E.M.S.
Fund 116 - Income Tax	2,977,460	\$ 3,284,002	\$ 306,542	Fund 301 - Capital Projects
Fund 116 - Income Tax	1,792,730	1,936,107	143,377	Fund 303 - Police Facility
Fund 116 - Income Tax	-			Fund 402 - Debt Service
Total Fund 116 Income Tax	16,041,310	5,220,108	449,918	
Fund 201 - Water	45,000			Fund 204 - Utility Billing
Fund 202 - Sewer	45,000			Fund 204 - Utility Billing
Fund 001 - General	4,700,000			Fund 124 - Income Tax Safety
Fund 001 - General	2,740,000			Fund 128 - Fire & EMS
Subtotal - Total Operating Transfers	7,530,000	0	0	
Grand Total - All Transfers	<u>\$ 23,571,310</u>	<u>\$ 5,220,108</u>	<u>\$ 449,918</u>	

DRAFT ORDINANCE NO. 2022 - 010

AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND THE DISPATCH UNIT, FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL FOR THE PERIOD OF NOVEMBER 1, 2021 THROUGH OCTOBER 31, 2024, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent, Ohio and the Dispatch Unit, Fraternal Order of Police, Ohio Labor Council, have agreed to the terms of a labor agreement to be effective from November 1, 2021 through October 31, 2024; and

WHEREAS, it is in the best interests of the employees and the City of Kent to adopt this ordinance as soon as possible.

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

SECTION 1. the Administration is hereby authorized to enter into a collective bargaining agreement in the form and upon the terms set forth in the tentative agreement between the City and the Dispatch Unit, Fraternal Order of Police, Ohio Labor Council, for the period of November 1, 2021 through October 31, 2024, as is fully set forth in Exhibit "A", on file with the Clerk of Council.

SECTION 2. it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such 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. 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 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

DRAFT ORDINANCE NO. 2022 - 011

AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND POLICE OFFICER UNIT, FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL FOR THE PERIOD OF NOVEMBER 1, 2021 THROUGH OCTOBER 31, 2024, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent, Ohio and the Police Officer Unit, Fraternal Order of Police, Ohio Labor Council, have agreed to the terms of a labor agreement to be effective from November 1, 2021 through October 31, 2024; and

WHEREAS, it is in the best interests of the employees and the City of Kent to adopt this ordinance as soon as possible.

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

SECTION 1. the Administration is hereby authorized to enter into a Collective Bargaining Agreement in the form and upon the terms set forth in the tentative agreement between the City and the Police Officer Unit, Fraternal Order of Police, Ohio Labor Council, for the period of November 1, 2021 through October 31, 2024, as is fully set forth in Exhibit "A", on file with the Clerk of Council.

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 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

DRAFT ORDINANCE NO. 2022 - 012

AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND THE CIVILIAN EMPLOYEE UNIT, FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL FOR THE PERIOD OF NOVEMBER 1, 2021 THROUGH OCTOBER 31, 2024, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent, Ohio and the Civilian Employee Unit, Fraternal Order of Police, Ohio Labor Council, have agreed to the terms of a labor agreement to be effective from November 1, 2021 through October 31, 2024; and

WHEREAS, it is in the best interests of the employees and the City of Kent to adopt this ordinance as soon as possible.

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

SECTION 1. the Administration is hereby authorized to enter into a collective bargaining agreement in the form and upon the terms set forth in the tentative agreement between the City and the Civilian Employee Unit, Fraternal Order of Police, Ohio Labor Council, for the period of November 1, 2021 through October 31, 2024, as is fully set forth in Exhibit "A", on file with the Clerk of Council.

SECTION 2. it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such 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. 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 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

DRAFT ORDINANCE 2022 - 013

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A SETTLEMENT AGREEMENT BETWEEN THE CITY OF KENT AND MATTHEW BENSON FOR A BUREAU OF WORKERS' COMPENSATION CLAIM; AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent wishes to enter into a Bureau of Worker's Compensation Claim Settlement Agreement with Matthew Benson where they have reached a Settlement mutually agreed upon by all parties. The City of Kent's responsibility in this Settlement shall be \$4,800.00.

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, or his designee, to enter into the Settlement Agreement with Matthew Benson for a Bureau of Workers' Compensation claim.

SECTION 2. no payment required under the Settlement Agreement shall be made until all statutory waiting periods have passed.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT ORDINANCE NO. 2022 - 020

AN ORDINANCE AUTHORIZING THE CITY BUDGET & FINANCE DIRECTOR AND LAW DIRECTOR, OR THEIR DESIGNEES, TO SIGN AN ADDENDUM TO AN EMPLOYMENT CONTRACT BETWEEN THE CITY OF KENT AND DAVID RULLER, DATED JULY 3, 2008 GRANTING A FIVE PERCENT (5%) PAY RAISE RETROACTIVE BACK TO JUNE 15, 2021, AND OTHER COMPENSATION, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent has entered into an employment agreement dated July 3, 2008 with David Ruller to be the City Manager of Kent; and

WHEREAS, the parties agree to grant a five percent (5%) pay increase that will be retroactive back to June 15, 2021; and

WHEREAS, the parties agree that Ruller will receive the same American Rescue Plan Act (ARPA) bonus paid or to be paid to all other employees in 2022; and

WHEREAS, time is of the essence.

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

SECTION 1. Kent City Council hereby authorizes the Budget & Finance Director and the Law Director or their designees to execute the Addendum to the agreement dated July 3, 2008, attached hereto as Exhibit "A", with David Ruller as City Manager of Kent.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

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

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

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

EXHIBIT "A"

ADDENDUM

THIS ADDENDUM is entered into by the City of Kent, Ohio ("City") and the City Manager, David Ruller ("Employee") to modify an employment agreement entered into between the parties on July 3, 2008 and modified on July 15, 2009, July 21, 2011, October 22, 2015, October 18, 2018 and October 21, 2019.

WHEREAS, the Kent City Council wishes to grant Employee the same pay raises as provided to the other City employees, which includes a previously deferred 2% raise for 2020 and a 3% raise for 2022, retroactive back to the Employee's anniversary date of June 15, 2021.

NOW THEREFORE, it is hereby agreed between the parties that:

- 1) Ruller will receive a five percent (5%) pay increase retroactive back to June 15, 2021.
- 2) Ruller will receive the same American Rescue Plan Act (ARPA) bonus paid or to be paid to all other employees in 2022.

The remaining July 3, 2008 contract, as amended from time to time, shall remain in full effect.

Witness our signatures, this _____ day of _____, 2022.

Approved by City Council, on _____ in Ordinance 2022- _____.

FOR THE CITY OF KENT, OHIO:

BY THE EMPLOYEE:

Rhonda Hall
Budget & Finance Director

David Ruller

Hope L. Jones
Law Director

APPROVED AS TO FORM:

Hope L. Jones, Law Director City of Kent,
Ohio