



City of Kent
Wednesday, June 21, 2023
Regular City Council Meeting
320 S. Depeyster Street, Kent, OH 44240

AGENDA

7:25 P.M. Board of Control

7:30 P.M. Regular Council Meeting

1. Roll Call
2. Opening Remarks and Pledge of Allegiance- Ms. Rosenberg
3. Approval of Minutes
 - 3.1. May 17, 2023 Regular Meeting Minutes
 - 3.2. May 31, 2023 Special Meeting Minutes
4. Communications
 - 4.1. Public Comment - Anyone wishing to address Council must submit their written comments to the Clerk of Council at councilclerk@kentohio.gov by 4:30 p.m. on the day of the meeting. If also requesting to speak at the meeting, comments are limited to three (3) minutes.
 - 4.2. Written Communication (All placed on file in the Clerk of Council's office)
 1. Certificate of Official Result of Election on Local Liquor Option Questions, Proof of Legal Ad Publication, and a sample of the Official Questions and issues ballot for May 2, 2023, was received from the Portage County Board of Elections on May 30, 2023.
 2. A letter from Mr. Bernie Noble regarding the permitting process and the state of various properties around town was received on May 24, 2023.
 3. Invitation to the Main Street Kent Annual Awards Celebration being held on June 13, 2023, was received and forwarded to Council on May 25, 2023
 4. The Standing Rock Cemetery Board of Trustees Agenda for the June 8, 2023 meeting was received on June 1, 2023.
 5. Notification from the Portage County Board of Elections regarding the Special Election to be held Tuesday, August 8, 2023, was received on June 6, 2023.
 6. Various emails from Kent residents and local musicians requesting City Council to consider allowing live music to continue in downtown Kent were received and forwarded to Council on June 6, 2023.

7. The Kent Board of Health Meeting Agenda and Statistical Report for June 13, 2023, was received on June 8, 2023.
8. The Board of Zoning Appeals Agenda for the June 19, 2023 meeting was received on June 12, 2023.
9. The Planning Commission Agenda for the June 20, 2023 meeting was received on June 12, 2023.
10. An email about new business development coming to the south end of Kent was received from Ms. Doria Daniels, Chairwoman of the Historic South End Association of Kent on June 13, 2023,

4.3. City Manager's Report

5. Standing Committees & Legislation

5.1. **Committee of the Whole** Chair Mayor Fiala /Vice-Chair Amrhein

5.1.1. June 7, 2023 Committee Meeting Minute Approval

5.1.2. Action(s) Recommended

1. Approve the new City of Kent flag design.

5.1.3. Motion to Vote on Appointment to the Civil Service Commission

5.1.4. Motion to Authorize Insertion of Names into Legislation

5.1.5. **Draft 2023- 036** A RESOLUTION APPOINTING _____ TO THE CIVIL SERVICE COMMISSION AND DECLARING AN EMERGENCY (Authorized)

5.1.6. **Draft 2023- 037** AN ORDINANCE ADOPTING THE NEW DESIGN FOR AN OFFICIAL FLAG FOR THE CITY OF KENT, OHIO, REPEALING RESOLUTION 1975-155, AND DECLARING AN EMERGENCY(Authorized)

5.2. **Health & Safety Committee** Chair Amrhein/ Vice-Chair Sidoti

5.2.1. June 7, 2023 Committee Meeting Minute Approval

5.2.2. Action(s) Recommended

1. Authorize staff to receive information regarding general, low-frequency noise heard within the city, not specific to one particular business, to determine if any future action is necessary and take no action at this time.
2. Authorize acceptance and distribution of bike helmets by the Kent City Health Department.

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

5.3.1. Committee Meeting Minute Approval: NONE

5.3.2. Action(s) Recommended: NONE

5.3.3. **Draft 2023-038** AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SUBMIT AND ACCEPT ANY GRANT AWARD FROM THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) FOUNDATION NOT TO EXCEED \$40,000 AND DECLARING AN EMERGENCY (Unauthorized)

6. Unfinished Business
7. New Business
8. Councilmembers' Comments
9. Mayor's Report
10. Executive Session to Discuss Employee Evaluation and Compensation

Adjourn

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



City of Kent
Wednesday, May 17, 2023
Regular City Council Meeting
320 S. Depeyster Street, Kent, OH 44240

MINUTES

CDBG Public Hearing

Present: Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti

Also Present: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Melanie Baker, Service Director; Mr. Jim Bowling, City Engineer; Ms. Joan Seidel, Health Commissioner; Ms. Amy Wilkens, Clerk of Council

Absent: Mr. Robin Turner, Ms. Tracy Wallach

Ms. Hope Jones, Law Director, read the following statement:

" This is the second of two required public hearings to accept comments from the public on the City of Kent's Community Development Block Grant (CDBG) 2023 Program Year Action Plan. The City received notification from the U.S. Department of Housing and Urban Development (HUD) that its Program Year 2023 CDBG funding award is \$278,983.00. This amount is \$27,000 less than the prior year's CDBG funding amount, but the City was able to adjust funding amounts for all individual projects included in the 2023 Action Plan so no projects were eliminated. The City identifies 3 priority objectives for its CDBG funding, which include providing safe and decent housing, infrastructure improvements in low-to-moderate income neighborhoods, and the provision of needed supportive services for low-to-moderate-income persons."

Ms. Wilkens, Clerk of Council, stated there were no residents signed in to speak at the public hearing.

Mayor Fiala adjourned the hearing at 7:26 p.m.

Regular Council Meeting

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

Present: Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. 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; Erik Fink, Assistant Law Director (8:15 p.m.), Ms. Sheri Chestnutwood, Administrative Assistant; Ms. Amy Wilkens, Clerk of Council

Opening Remarks and Pledge of Allegiance

Mr. DeLeone welcomed everyone to the Council Meeting and asked all to stand while he led the Pledge of Allegiance.

Approval of Minutes

MOTION TO APPROVE THE APRIL 19, 2023, REGULAR MEETING MINUTES AND MAY 3, 2023, MEETING MINUTES MADE BY Mr. Michael DeLeone, **SECONDED** by Ms. Gwen Rosenberg and **CARRIED** by a voice vote of 8-0-1. Ms. Wallach abstained.

Communications

Public Comment

Mayor Fiala asked if there were any members of the public signed in to speak to Council. Ms. Wilkens said there were three residents signed in.

Mayor Fiala read the following statement:

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

Ms. Michelle Crombie was the first resident to sign in but decided to withdraw her name from speaking.

Ms. Wilkens called Mark Seeman to the podium.

Mr. Seeman of Rockwell Street, Kent, came to the podium and introduced himself. He said he was a regular voter and a good citizen who paid his taxes. He spoke in regard to the refuse and recycling contract being discussed tonight, stating that his opinion of moving to a for-profit company carries a number of potential pitfalls. He is sorry to see it being taken out of local hands, which removes much of their control. He would like it to remain locally controlled. He found it strange that Portage County did not provide a bid and that it did not make sense that they did not. He said the City and the County must get along and that he would hate to see this as a bargaining chip in the future.

Up next was Mr. Tim Krasselt, who resides on Chestnut Street in Kent. He spoke in regard to the recycling contract, voicing his concerns. He said in Kent we always put emphasis on local businesses and giving them support. He said an outside service may not necessarily be the best. For-profit companies are not as straightforward and easy to work with. He asked for the city to remain with local recycling.

There were no other residents signed in to speak.

Written Communication

1. The annual report from Dan Morganti, Executive Director of the Portage County Land Bank highlighting its various programs on residential revitalization was received and forwarded to Council on April 26, 2023.
2. An email from Georgia Quinn, resident of Nicholas Drive, in regard to the detachment of land request on Johnson Road was received and forwarded to Council on April 28, 2023.
3. A letter from Renee Ruchotzke, President of Kent Environmental Council, in regard to the petition for a detachment of land on Johnson Road, was received and forwarded to Council on April 28, 2023.
4. Kent Board of Health Meeting Agenda and Statistical Report for the May 9, 2023 Meeting was received on May 4, 2023.
5. Standing Rock Cemetery Board of Trustee's agenda for May 10, 2023, was received on April 20, 2023.
6. Email from Mr. Kuhar regarding the trash and recycling bid regarding complaints he received regarding the posting of the bids and fuel surcharge, requesting these be clarified or discussed at the May 3, 2023, Committee Meeting.
7. Email from Diane Stresing of Nicholas Drive in regards to the parcel of land being removed from the city was received and forwarded to Council on May 3, 2023.
8. Email from Bruce Dzeda in regards to his concern over the noise levels in downtown Kent affecting those who reside downtown was received on May 5, 2023.
9. Email from Rick Hawksley in regards to his request that Portage Street needs to be restored was received and forwarded to Council on May 3, 2023.
10. City Flag Committee Agenda for May 10, 2023, was received on May 3, 2023.
11. Board of Zoning Appeals Agenda and Staff Report for the May 15, 2023 meeting was received on May 8, 2023.

City Manager's Report

1. Request Council's approval of the proposed PY2023 CDBG projects and the funding allocations. (Draft # 2023-028)
2. Request Council's authorization to allocate funds to purchase new CPR Chest Compression machines (and maintenance contract) for critical life safety services. (Draft# 2023-035)
3. Request Council's approval to accept a donation of a new bench from local Girl Scout Troop 91527 that will be placed at the PARTA bus stop on East Main Street in front of Taco Bell.
4. Request Committee of the Whole time to review applicants for City Boards and Commissions vacancies.
5. Request Committee of the Whole time to provide Council with an update on the development of the City Flag.
6. Request Committee of the Whole time to provide an update on the status of the construction of the new City Hall building.
7. Request Committee of the Whole time to provide a report on a trial of 4 Day Work Weeks for certain staff in the Service Administration Complex and the impact on customer hours beginning after Memorial Day and running through Labor Day.
8. Request Community Development Committee time for Council's consideration of the proposed changes to the Ward maps based on the latest census data.

9. Request the Health and Public Safety Committee time to review the status of monitoring and managing low-frequency noise.
10. Request Health and Public Safety Committee time to ask for Council's approval to accept a bicycle helmet donation.

MOTION TO APPROVE CITY MANAGER'S REPORT MADE BY Mr. Jack Amrhein, SECONDED by Mr. Garret Ferrara and CARRIED by a voice vote of 9-0-0.

Ms. Rosenberg thanked Girl Scout Troop 91527 for the park bench donated to the City of Kent.

Standing Committees & Legislation

Committee of the Whole

MOTION TO APPROVE MAY 3, 2023 COMMITTEE MEETING MINUTES MADE BY Mr. Michael DeLeone, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 8-0-1. Ms. Tracy Wallach abstained.

Action(s) Recommended: None

MOTION TO APPOINT JACK MURPHY TO THE PORTAGE AREA REGIONAL TRANSIT AUTHORITY (PARTA) BOARD MADE BY Mr. Garret Ferrara, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 9-0-0.

MOTION TO INSERT NAME INTO LEGISLATION MADE BY Mr. Michael DeLeone, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 9-0-0.

Draft 2023- 027 A RESOLUTION APPOINTING JACK MURPHY TO THE PORTAGE AREA REGIONAL TRANSIT AUTHORITY BOARD, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft 2023- 027 MADE by Mr. Garret Ferrara, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 8-0-1. Mr. Amrhein abstained.

MOTION TO ADOPT Draft 2023- 027 MADE by Mr. Garret Ferrara, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 8-0-1. Mr. Amrhein abstained.

Ms. Wilkens stated that Resolution 2023-027 had passed.

Community Development Chair Kuhar/ Vice-Chair Rosenberg

Committee Meeting Minute Approval: None

Action(s) Recommended: None

DRAFT 2023-028 AN ORDINANCE APPROVING A REQUEST FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ASSISTANCE FOR the FISCAL YEAR 2023 UNDER TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED, INCLUDING THE PY2023 ANNUAL ACTION PLAN AND AUTHORIZING THE EXECUTION AND FILING OF THE PY2023 ANNUAL ACTION PLAN, INCLUDING RELATED CERTIFICATIONS, AND UPON AWARDING OF THE GRANT, AUTHORIZING 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 2023-028 MADE by Mr. John Kuhar, SECONDED by Mr. Roger Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT DRAFT 2023-028 MADE by Mr. John Kuhar, SECONDED by Mr. Garret Ferrara. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

Ms. Wilkens stated that Ordinance 2023-028 had passed.

Health & Safety Committee Chair Amrhein/ Vice-Chair Sidoti

MOTION TO APPROVE MAY 3, 2023 COMMITTEE MEETING MINUTES MADE BY Mr. Jack Amrhein, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 8-0-1. Ms. Wallach abstained.

MOTION TO APPROVE #1 ACTION RECOMMENDED MADE BY Mr. Jack Amrhein, SECONDED by Mr. Garret Ferrara and CARRIED by a voice vote of 9-0-0.

MOTION TO APPROVE #2 ACTION RECOMMENDED MADE BY Mr. Jack Amrhein, SECONDED by Mr. Garret Ferrara and CARRIED by a voice vote of 6-3-0. Ms. Heidi Shaffer Bish, Mr. Turner and Ms. Wallach voted 'No'.

Action(s) Recommended:

1. Authorize parking fee and collection process changes, with the emergency clause.
2. Authorize the award of the trash services contract to Republic Services from the competitive bids, with the emergency clause.

Draft 2023- 029 AN ORDINANCE AMENDING SECTION 351.99 TITLED "PENALTY," 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 2023- 029 MADE by Mr. Garret Ferrara, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2023- 029 AN ORDINANCE AMENDING SECTION 351 MADE by Mr. Garret Ferrara, SECONDED by Mr. Jack Amrhein. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen

Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

Ms. Wilkens stated that Ordinance 2023-029 had passed.

Draft 2023- 030 AN ORDINANCE ACCEPTING A CERTAIN BID FROM REPUBLIC SERVICES FOR THE COLLECTION OF REFUSE AND RECYCLED MATERIALS FROM CITY CUSTOMERS; AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

Ms. Shaffer Bish commented she is voting 'No' on suspending the rules to allow time for more public comment on this topic. She said the levity of the situation calls for more public comment and discussion, and that maybe some other options can emerge.

Mayor Fiala clarified that if suspension fails, the ordinance would need to be read three times at separate meetings.

Mr. Turner asked for clarification on how many votes are needed to pass suspension. Mayor Fiala replied "seven".

MOTION TO SUSPEND THE THREE READINGS OF Draft 2023- 030 MADE by Mr. John Kuhar, SECONDED by Ms. Gwen Rosenberg. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Mr. Roger Sidoti. The motion FAILED by a roll call vote of 6-3-0. Ms. Shaffer Bish, Mr. Turner and Ms. Wallach voted 'No'.

MOTION TO APPROVE FIRST READING OF Draft 2023- 030 MADE by Mr. John Kuhar, SECONDED by Mr. Roger Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, and Mr. Roger Sidoti. The motion was CARRIED by a roll call vote of 6-3-0.

After a short procedural discussion, Mayor Fiala asked Clerk Wilkens to read the draft ordinance again.

Draft 2023- 030 AN ORDINANCE ACCEPTING A CERTAIN BID FROM REPUBLIC SERVICES FOR THE COLLECTION OF REFUSE AND RECYCLED MATERIALS FROM CITY CUSTOMERS; AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens.

Mr. Amrhein stated during the last committee meeting he voted to reject the recycling bid because he felt he wanted to keep it local. When he got home that evening, he researched the bid process. He said the bid process is a legal process and that we cannot enter into a contract with a company that did not bid unless we reject the bids. He said he had to change his vote, to be a responsible steward of public funds, and to also avoid a lawsuit.

Mr. Kuhar said the main item for him was the legality of the bidding process versus what we would like to do. He said Republic Services actually employs more people living in Kent than Portage County Recycling. He said it is going to be hard when you end a long-lasting relationship, but it is a responsibility to get the best deal for those living in Kent.

Mr. Sidoti said he wonders how we took action in March to go out to bid, and why Committee members of Portage Waste Management and County Commissioners did not guide Dawn Collins. He said she was given a bad hand with no one giving her any type of guidance and he was offended by this. She should have been instructed to put a bid in, even if it was the same amount. He said he would have gladly supported Portage County Recycling, even though they had broken the contract three separate times. He said Dawn

Collins and the people who work there were never given any direction and he was offended by that. He said the fact is that no bid came in from Portage County. He asked who was trying to get rid of Portage County Recycling because it is not Kent, Ohio. He added that Kent, Ohio has been a supporter from day one. He said we had been let down and there was no legal retreat. If someone is offended, he is sorry, but someone let these people down and it was not the City of Kent.

Mr. Turner said the issue for him is whether that was a fatal flaw. He said we had an opportunity to go back to the drawing board to see how we could make this work. He asked what lowest and best actually meant. He said if we get a lower bid we then have to determine what is best. He said we should not be held legally but instead do what is best for the community. He understands the value concept as well, but it doesn't overwhelm him. He said there is an added value to keeping it local. He said he doesn't want to see it go away because of the historical implications. He said this is no reflection of the work done by the administration.

MOTION TO APPROVE FIRST READING OF Draft 2023- 030 MADE by Mr. Garret Ferrara, SECONDED by Mr. John Kuhar. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, and Mr. Roger Sidoti. The motion was CARRIED by a roll call vote of 6-3-0.

Ms. Wilkens stated the first reading had passed.

Land Use Committee Chair Ferrara/ Vice-Chair Shaffer Bish

MOTION TO APPROVE MAY 3, 2023 COMMITTEE MEETING MINUTES MADE BY Mr. Garret Ferrara, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 8-0-1. Ms. Wallach abstained.

MOTION TO APPROVE Action(s) Recommended MADE BY Mr. Garret Ferrara, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 8-1-0. Mr. Kuhar voted "No".

Action(s) Recommended:

1. Deny petition for detachment of land for parcels 17-046-00-00-019-007 and 17-046-00-00-018-000 located in the Forest Lakes Subdivision.

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

MOTION TO APPROVE MAY 3, 2023 COMMITTEE MEETING MINUTES MADE BY Mr. Roger Sidoti, SECONDED by Mr. John Kuhar and CARRIED by a voice vote of 8-0-1. Ms. Wallach abstained.

MOTION TO APPROVE ACTION(S) RECOMMENDED MADE BY Mr. Roger Sidoti, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 9-0-0.

Action(s) Recommended:

1. Authorize parking restriction changes on Cuyahoga Street to allow parking adjacent to the building located at 716 N. Mantua Street, with an emergency clause.

Draft 2023-031 AN ORDINANCE AMENDING SECTION 353.02 "PARKING REGULATION AUTHORIZATION" OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TO CHANGE THE PERMISSIBLE PARKING CONDITIONS ON CUYAHOGA STREET ADJACENT TO THE OLD H-W INDUSTRIES BUILDING, 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 2023-031 MADE by Mr. John Kuhar, SECONDED by Ms. Gwen Rosenberg. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2023-031 MADE by Mr. John Kuhar, SECONDED by Mr. Roger Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

Ms. Wilkens stated that Ordinance 2023-031 had passed.

Finance Committee Chair DeLeone/ Vice-Chair Wallach

MOTION TO APPROVE MAY 3, 2023 COMMITTEE MEETING MINUTES MADE BY Mr. Michael DeLeone, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 8-0-1. Ms. Wallach abstained.

MOTION TO APPROVE ACTION(S) RECOMMENDED MADE BY Mr. Michael DeLeone, SECONDED by Mr. John Kuhar and CARRIED by a voice vote of 9-0-0.

Action(s) Recommended

1. Authorize the submission of the Safe Streets for All grant application in the amount of \$4 million and, if approved, authorize acceptance and allocation of funds, with an emergency clause.
2. Approve the application, acceptance, and allocation of the CDC's Workforce 23 Grant and the Enhanced Operations 23 Grant, with an emergency clause.
3. Approve budget appropriation #3, with an emergency clause.

Draft 2023-032 AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT A FUNDING APPLICATION FOR A "SAFE STREETS FOR ALL" (SS4A) FEDERAL GRANT FOR THE EAST MAIN STREET AREA IMPROVEMENTS PROJECT, 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 2023-032 MADE by Mr. Jack Amrhein, SECONDED by Mr. John Kuhar. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2023-032 MADE by Mr. John Kuhar, SECONDED by Mr. Garret Ferrara. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

Ms. Wilkens stated that Ordinance 2023-032 had passed.

Draft 2023-033 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT A CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC) PUBLIC HEALTH THE WORKFORCE DEVELOPMENT 23 GRANT IN THE AMOUNT OF \$360,000 AND REQUESTING TO APPLY FOR AN ADDITIONAL ENHANCED OPERATIONS (EO23) GRANT IN THE AMOUNT OF \$70,832 FOR THE CITY OF KENT HEALTH DEPARTMENT, 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 2023-033 MADE by Mr. Garret Ferrara, SECONDED by Mr. Jack Amrhein. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2023-033 MADE by Mr. Garret Ferrara, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

Ms. Wilkens stated that Ordinance 2023-033 had passed.

Draft 2023-034 AN ORDINANCE AMENDING ORDINANCE NO. 2022-138, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 21, 2022; 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, 2023; 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 2023-034 MADE by Mr. Garret Ferrara, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2023-034 MADE by Mr. Michael DeLeone, SECONDED by Ms. Gwen Rosenberg. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

Ms. Wilkens stated that Ordinance 2023-034 had passed.

Draft 2023-035 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO A CONTRACT WITH STRYKER FOR THE PURCHASE OF LUCAS MACHINE CPR DEVICES, WAIVING COMPETITIVE BIDDING, 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 2023-035 MADE by Mr. John Kuhar, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi

Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2023-035 MADE by Mr. John Kuhar, SECONDED by Mr. Garret Ferrara. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Tracy Wallach. The motion CARRIED by a roll call vote of 9-0-0.

Ms. Wilkens stated that Ordinance 2023-035 had passed.

Unfinished Business: None

New Business

MOTION FOR ADMINISTRATION TO DEDICATE NEW ADMINISTRATION BUILDING PRIOR TO END OF COUNCIL MEMBER'S CURRENT TERM MADE BY Mr. Roger Sidoti, SECONDED by Ms. Heidi Shaffer Bish and CARRIED by a voice vote of 7-0-2. Mr. Ferrara and Ms. Wallach abstained.

Mr. Sidoti said we will be sadly losing some of our council members who have found a way to build a new City Hall without any additional taxes for its residents. They were all part of the decision-making and design process.

Ms. Shaffer Bish said this is a great idea and honors everyone. They have been working on this for a very long time and there needs to be a ceremonial recognition of the current team of council members.

Mr. Kuhar said it was nice that we signed the beam, but they covered it up.

Mr. Amrhein said it is a nice idea and that when the building is dedicated those council members should be there by our side.

Mr. Ferrara said this was a very nice gesture, and he would abstain. He said thank you on behalf of himself and Ms. Wallach.

Mr. Sidoti added that he and Mr. Ferrara had lunch at Panini's, looking at the old police station, and discussing the possibility of having a new building there. He said it is significant that his name will be on the plaque.

MOTION TO TO RECIND LETTER SENT ON APRIL 28, 2023 THAT TERMINATED CONTRACT WITH PORTAGE COUNTY RECYCLING MADE BY Ms. Tracy Wallach, SECONDED by Ms. Heidi Shaffer Bish and FAILED by a voice vote of 3-6-0. Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg and Mr. Sidoti voted against the motion. Ms. Shaffer Bish, Mr. Turner, and Ms. Wallach voted in favor.

Ms. Shaffer Bish said they have explored this option, and it is legal. There may be some repercussions and I do not know if another bidding process would need to occur. She said she thinks Council may have made a mistake by allowing this recycling service to be bid on. It was a system in place that was working. She never received any complaints about it. She thinks the best interest of the community is to keep the service local and transparent. There is a council member that sits on its board and you cannot be more transparent than that. She said we won't have representation on the board of a private entity. She fears that down the road we will regret this. She said she feels we will need to start all over again down the road with a new recycling system. She said we hold some liability for allowing this to go forward with a bid. She would like to maintain the contract.

MOTION TO DIRECT THE CITY MANAGER OR ADMINISTRATION TO COME UP WITH ANOTHER WAY TO SUPPORT PORTAGE COUNTY RECYCLING AND ALL OTHER FREE SERVICES THEY PROVIDE WITH A GRANT OR OTHER WAY MADE BY Ms. Tracy Wallach, **SECONDED** by Ms. Heidi Shaffer Bish and **FAILED** by a voice vote of 4-5-0. Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg and Mr. Sidoti voted against the motion. Ms. Shaffer Bish, Mr. Turner, and Ms. Wallach voted in favor.

Ms. Wallach said the City of Kent has stood by the Portage County Recycling Center since the inception of the curbside recycling program in 1990. Solid Waste Management has been a model for the rest of the state and the country. This is a dramatic shift for the City of Kent to switch recycling providers.

Ms. Shaffer Bish said with the limited items available for curbside pickup, we could look at the expansion of what can be recycled. Whether it is a drop-off or a one-time pickup. To use the innovation we have always had that doesn't need to make a profit is a really important thing. We can help mitigate risk with our Sustainability Coordinator and Climate Action Plan. She would like the City Manager to look at ways to partner with or support Portage County Recycling.

Mr. Sidoti said we are all citizens of Portage County, and he wants to know what the Portage County Commissioners are doing so that we would have to give a grant to the Portage County Recycling Center. Where are the dollars in Portage County and their active support of their recycling center, and now you want our citizens to pay for the service and provide an additional grant? He said the problem lies in Ravenna, Ohio, and he cannot support this.

Ms. Shaffer Bish said we would not be giving money to them, but we would derive a benefit of some sort from it. It would be a partnership. We would be acknowledging the role we developed with Portage County Recycling but would be working with them. Anything the administration comes up with will be discussed and voted on. This is an acknowledgment and opportunity for creativity.

Mr. Kuhar said he was going to vote against the motion. Everyone can say things about what they do, but from what he sees, Republic is doing things that are good that local companies aren't doing, such as large natural gas contributions and food-grade plastic. He said items that would not be covered under Republic would still be available for use at Portage County Recycling, so paying for them does not make a lot of sense to him. Unless he is mistaken, they will still have the tire pickup and other items.

Mr. Turner said we have an opportunity to stabilize an institution. He said it is not about money all the time. There is another value associated with recycling in the city of Kent. He asked people to read a little about the city's history. This is about reaching out to an organization that had its genesis here in Kent. He said now we are arguing about saving dollars. He said in the past we discussed spending a million dollars to change the paint color of the police station. This is a part of us, it is Kent. He said the staff did their job and now Council has the authority to make a decision. He said some backed out due to potential lawsuits but should instead be voting for their values. He said we could do better. We represent people in the community whose values need to be represented. He is in support of the motion to look at opportunities to stabilize the institution that we birthed.

Mr. Ferrara said the staff did do their job and now it's Council's turn to do its job and watch the dollars and cents. You cannot give a contract to a bid that was never made. It is a false argument and he cannot believe it is even being discussed. He added that the very same people who are saying money is not important are the same people who were arguing about getting rid of the garbage proposal with a single bag for probably less than 100 people in the city of Kent. Their argument was that the \$2 increase would hurt them financially. Now we are saying \$2.50 is not going to hurt 25,000 people in the city. He said that is hypocrisy at best.

Ms. Wallach called point of order, saying Mr. Ferrara was not speaking to the motion.

Mr. Ferrara added he was talking about the motion. He said the motion is to pass this off to the

County.

Mayor Fiala called the point of order and asked Ms. Wilkens to read the motion.

Ms. Wilkens said the motion was to direct the City Manager and Administration to support Portage County Recycling with a grant, or another way.

Mr. Ferrara said he is explaining why he is not voting in favor of the motion. He said we were talking about helping the County, but they had broken the contract on three separate occasions, saying they weren't going to pick up weekly, but biweekly, but cut the price in half. Then they came back a week later and said they were not going to cut the price in half. He added that there is the idea that a nonprofit is somehow better, but profit drives innovation. To say any firm is not going to innovate is ridiculous and is one of the reasons we are one of the greatest countries and greatest economies. People strive for profit through innovation.

Ms. Rosenberg said she was not going to support the motion because the motion is a little vague and she is not sure what she would be voting on. There are a number of nonprofits in Kent, and to single out this nonprofit to make special grant money does not sound like the best path for taxpayer dollars. She said in the future if a grant or sustainability led possibility she would not be opposed if many could apply. She is not opposed to a more specific or targeted focus in the future, and would support that instead.

Mr. Sidoti said he wanted to make clear that no one wants to see Portage County Recycling be unsuccessful. He said if anything, this may cause them to look inward and look at themselves. He would like to give them more time to do so. He says he hopes in five years they are back at the table to make a bid. He said that it is up to them, not to us.

MOTION TO REFER TO ADMINISTRATION ROADWORK TO BE EVALUATED FOR PORTAGE STREET MADE BY Ms. Wallach, SECONDED by Mr. Roger Sidoti, and CARRIED by a voice vote of 9-0.

Mr. Sidoti said we needed to do something with Portage Street.

Mr. Amrhein said he agreed with Mr. Sidoti, adding he drove down Portage Street and thought he was going to lose his chassis.

Ms. Wallach said she would even suggest bringing it back to the brick instead of asphalt.

Mayor Fiala added that some may call this "traffic calming".

Next up, Mr. Ferrara made a motion for the administration to look into a downtown noise ordinance. Ms. Shaffer Bish said she had already made that motion, which was approved at a previous meeting.

Mr. Ferrara said he also wanted to bring up the lighting issues in new businesses, and Mr. Ruller said the administration is already reviewing this.

Councilmembers' Comments

Mr. Ferrara said as Kent citizens are truly as passionate about recycling, which he believes we are, they will continue to recycle. It is about the end process of recycling and Kent residents will always utilize the resources to recycle.

Ms. Rosenberg congratulated the Water Dept on their 100-year birthday. The celebration was wonderful and she was able to attend. Clean water is critically important and they do a wonderful job.

She also congratulated all of the Kent State University graduates after a long academic career. She

was thankful they chose Kent State and wished them the best of luck.

Mr. Kuhar said in 1963 when he was in California he couldn't understand why they were sorting their garbage. He said he thinks they brought recycling to the area. He added that in 1968 he brought the first bottle of Boone's Farm wine to this area. He said California was first on the ball.

Mr. DeLeone reminded everyone to complete their evaluations.

Mayor's Report

Mayor Fiala asked if he was correct that we would be revisiting 2023-030 at the June 7, 2023 meeting.

Ms. Wilkens said that would be up to the Council.

Mayor Fiala replied that he just said we are doing it. It will be the second reading. He said he spent a lot of time on Marvin Street and learned how to recycle. Mr. Sidoti was right and thinks the Commissioners failed the Portage County Recycling Center. He thinks they will work this out and become competitive again and we can revisit it someday.

He said happy birthday to the water plant. He gave two proclamations at the celebration. He reminisced when Kathy Chandler sampled the water on the news and was supposed to pick out Kent's water, which she was unable to do.

He said this week is Police Week and asked all to thank an officer for keeping our community safe. He said, most of all, we pray that they each go home to their families safely at night.

He added that after 13 years, the Mayor of Kent finally won the food challenge against the city of Ravenna for Kent social services.

He reminded everyone about the Heritage Festival on July 1st and there will need to be someone to chair it.

The Regular Council Meeting Adjourned at 8:50 pm.

Amy Wilkens, CMC
Clerk of Council

Jerry T. Fiala
Mayor & President of Council



City of Kent
Wednesday, May 31, 2023
Special City Council Meeting
320 S. Depeyster Street, Kent, OH 44240

MINUTES

At 05:00 PM, Mayor Jerry T. Fiala called the Special City Council Meeting to order.

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

Also Present: Mr. Jerry T. Fiala, Mayor and President of Council; Ms. Hope Jones, Law Director; Ms. Melanie Baker, Service Director; Mr. Jim Bowling, City Engineer; Ms. Amy Wilkens, Clerk of Council

Absent: Ms. Tracy Wallach

Legislation - 2nd Reading

Draft 2023- 030 AN ORDINANCE ACCEPTING A CERTAIN BID FROM REPUBLIC SERVICES FOR THE COLLECTION OF REFUSE AND RECYCLED MATERIALS FROM CITY CUSTOMERS; 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 2023- 030 MADE by Mr. John Kuhar, SECONDED by Mr. Jack Amrhein. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti. The motion was CARRIED by a roll call vote of 7-1-0. Mr. Turner voted 'No'.

Ms. Shaffer Bish said she learned the next meeting would be held tomorrow, and it does not give the public enough time to weigh in on this issue. She said there is already a mistake with billing, as people have already been billed and it hasn't even passed. She added Ms. Baker explained what had happened, but the rollout is concerning. She wanted to allow the public to weigh in as they care deeply about this topic. She has decided to go ahead with the suspension so as not to delay it further. If it was another week, she would have voted no. She is going to vote against the adoption, standing with the current system, and feels it is important to stay with Portage County Recycling.

Mr. Kuhar said he has talked with a lot of people who are happy to get a reduction in rates. The only complaint he had gotten was about residents not having the ability to choose their trash collector. He has not gotten any complaints about letting Portage County Recycling go.

Mr. Sidoti discussed past discussions about expanding the third floor of the new City Administration, saying Ms. Shaffer Bish had changed his mind with her argument that it would cost \$500,000 to

taxpayers. He said if you do the math, it is over \$1 million dollars over the course of five years with Portage County Recycling, which with Republic, it will cost \$792,000, which is a savings of \$660,000 over five years. He cannot justify this to those who ask. He said delaying this is not going to change the legality of this, as the bid has already been accepted. He does argue that we have to hold Republic accountable for billing issues and any others that arise. If issues cannot be resolved over the next five years, we can make changes during the next bidding.

Mr. Turner said the issue regarding having a meeting the following day is a political move. He said if time is extended, we create the possibility that things may change. He was under the impression it would need to be brought up again by someone who voted against it. He said things got beyond him and believes the City Administration and the Service Director did their jobs perfectly. He would not have supported something coming to the table to vote on something with historical linkage to this community. He said what previous people have done made Kent leaders in recycling. He added that he believes that two council people did not vote their values, but voted due to legalities. He said we need to do some education on processes. He said he doesn't believe people would care about the cost. He said Portage County Recycling is destabilized by this. He says there is no blame being placed on the administration, but it is unclear how this got by Council. He will accept the vote as it goes tonight and will continue to make Kent a better community. He hopes to continue working to rebuild a partnership with the Solid Waste District.

MOTION TO ADOPT Draft 2023- 030 MADE by Mr. Garret Ferrara, SECONDED by Mr. John Kuhar. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, and Mr. Roger Sidoti. The motion was CARRIED by a roll call vote of 6-2-0. Ms. Shaffer Bish and Mr. Turner voted 'No'.

Ordinance 2023-030 passed.

Hearing no further business, the meeting adjourned at 5:16 p.m.

Amy Wilkens
Clerk of Council

Jerry T. Fiala
Mayor & President of Council



City of Kent
Wednesday, June 7, 2023
City Council Committee Meetings
320 S. Depeyster Street, Kent, OH 44240

MINUTES

Board of Control

Council Committee Meetings

At 7 p.m., Mayor Jerry T. Fiala called the City Council Committee Meetings to order.

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

Also Present: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Service Director; Ms. Joan Seidel, Health Commissioner; Mr. Nick Shearer, Chief of Police; Ms. Amy Wilkens, Clerk of Council

Committee of the Whole (Chair Fiala/ Vice-Chair Amrhein)

Boards and Commissions Interviews

Matt Hathaway introduced himself to Council stating he applied for the Civil Service Commission position to get more involved in the community. Mayor Fiala asked how he could make a difference to the committee. Mr. Hathaway replied he has educational and family experience.

Mr. Sidoti thanked the applicant for applying and asked him what interested him about this specific committee.

Ms. Shaffer Bish asked if he has been organizing in organized labor and how he feels about unions.

Mr. Ferrara asked if being a trustee would serve him well on the Civil Service Commission. Mr. Hathaway said it would. Mr. Sidoti asked about other volunteer work and he has

volunteered for Restore, Habitat for Humanity, and his church.

Mr. Turner apologized for being late and was wondering why he applied for the Civil Service Board. Matt Hathaway said, being a member of the community, he would always put it first which would be best for the position. He wants to get more involved in the community and it may be a learning curve. Mr. Turner asked about what interested him most about the position. Mr. Hathaway said he could help the community and that he has a stake in it.

Ms. Shaffer Bish mentioned she noticed he lived on Elm Street in her ward, and welcomed him.

Mayor Fiala said they would vote at the next meeting and thanked him for applying.

City Flag Committee Update (Flag Committee)

Mr. John Ridinger came to the podium and started his PowerPoint presentation. **(Attachment #1)**. He explained the process of the design of the flag and nearing the end of the project. He began by reviewing specifications for submissions of designs. He reviewed the process of elimination and revisions, coming up with the symbolism and colors of the flag. Designs leaned toward a cleaner design. They avoided the colors of Kent State or Kent Roosevelt. The committee decided the most prevalent colors used should be green, blue, and white. The committee came up with the final flag options; A, B, and C.

He then went into the Post Launch and the library display that has been up since March. The flag committee visited Stanton Middle School and presented it to the 6th grade. There have been many outreach activities in the press, website, and on the community sign asking for public feedback.

Mr. Ridinger then reviewed the survey results, going over the familiarity of those with the project, their relationship with the city of Kent, and whether they had read and understood the process. They then asked people taking the survey to rank their choices. Option A received 50% of the choices. He said comments were also interesting, with only 38% providing comments. He said they had a good number of positive comments, along with some negative but constructive ones.

The committee recommendation is Option A. He said the City Council has to make the decision, as it fits the symbolism and data and all of the factors together. He emphasized this was not a contest, going through several reviews. He said they will need to know whether they accept the flags. Once the flag is chosen, they recommend a rollout. City Council will need to decide what the committee needs to do about rolling it out. He gave examples, such as doing so at Heritage Fest, and displays around town.

Mr. Turner said he thinks it is an excellent idea to roll it out at the Heritage Festival and have it explained at the main stage, so residents have buy-in with what was selected. He said he is very supportive of the flag that was chosen and the story the flag tells with the symbolism is the hook. He commended the committee for its work.

Ms. Shaffer Bish said she was thinking along the lines of the city booth and had committee members there to talk about it. She said she likes the design and the process and all the steps taken to consult with the community.

Mayor Fiala said from the comments he has heard members of the community say they shouldn't have to read something to know what it stands for. Mr. Ridinger replied with his explanation of the American flag and Chicago's flag. He said there is a difference between a banner and a flag, and the goal is to have people associate it quicker, and that's what they

would work on with the rollout. He added that we have to understand there is no design that everyone is going to like.

Ms. Rosenberg commended the committee for all of the hard work and has been working for a year. She thinks it is very exciting and Mr. Ridinger's points have been well made.

Mr. Sidoti said he struggled with the design and asked if these could hang as banners on the main street bridge. Mr. Ridinger said they absolutely could. Mr. Sidoti said he could envision it hanging in the new city hall and making a statement that is what Kent is all about and commends the committee's efforts and speaks to the heart and soul.

Mr. Kuhar said on a scale of 1-10, the volunteers get an 11. They way exceeded his expectations and did a wonderful job.

Ms. Shaffer Bish thanked Mr. DeLeone, and Ms. Wallach for their work with the committee as well.

Mr. Turner thanked the Mayor for pushing for the redesign of the flag for years. He said the community members on the committee were up for the job.

Mr. Amrhein said he sees a link with the 3rd grade and educating them on what the symbols mean and thanked the committee.

MOTION TO APPROVE THE NEW CITY FLAG DESIGN MADE BY Mr. Michael DeLeone, SECONDED by Mr. John Kuhar, and CARRIED by a voice vote of 9-0-0.

Mr. DeLeone said they were a good group of people on the committee. Mr. Kuhar thanked the committee.

Update on the Construction of the New City Administration Building

Ms. Melanie Baker said the exterior framing would be completed by July. They are moving forward with HVAC and ductwork being placed on the roof. Conduits are being put in and water and sewer taps will be put in in June. It is on schedule and the doors and door frames are in. She invited Council to do a walk-through of the building site before the meeting in July.

Mr. Kuhar asked if there were going to be waterless urinals in the restrooms. Ms. Baker said no.

She concluded her update by saying there would be three flagpoles outside of the new building.

Pilot 4-Day Work Week at the Service Administration Complex

Ms. Susel said staff had always talked about having a four-day work week. Mayor Fiala brought the idea up during a retirement party. She said the entire first floor is doing 4 ten hour shifts.

Mr. Ruller said as a reminder, the building was closed during Covid and there were many ways people could pay their bills. He said they are looking at this as a way to stay competitive in the labor market. Ms. Susel said with Covid, they went to electronic permitting and will be transitioning to a new permitting program through New World. She said her entire department is on board with the change.

Ms. Baker said trying to retain employees is important. She said the service department would remain open five days a week. Engineering is looking at four, nine-hour shifts and a half day on Friday. Central Maintenance asked their department to remain the same.

Mr. Kuhar asked about phone calls on the days when no one is there. Ms. Susel said 90% of people contact them via email. She said most jobs are planned ahead and they know when they will be needed. Zoning permits for pools and sheds are all online.

Mr. Turner asked about vacations for those who go to work ten hours, and Ms. Susel said if she wanted to take a day off she would use ten hours of vacation/sick. He asked if there were any implications for the budget and she said no.

Mr. Ferrara asked about what would happen if there was an emergency. Ms. Susel said Bob Nitzsche, Building Supervisor, would be called in. In regards to the Community Development department, when work is done after business hours, the permits are issued and inspections are completed retroactively. Large commercial projects tend not to have emergencies. She said they have three business days to schedule inspections.

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

Health and Public Safety Committee (Chair Amrhein/ Vice-Chair Sidoti)

Business District Noise

Dave Ruller began the discussion by stating that no recommendations are expected tonight from City Council, they want to get a read from the community on where they want to go. He said, in the bicentennial plan, they wanted to see a vibrant downtown, with music, and that we were getting there. He said we need to take a deep breath and review this. He is asking for this to be an open discussion as a group about where we can go with this. He said music plays a role in Kent's history. He said this will take some time, but it is important to get this right. He told the chief he didn't need a presentation, but to facilitate starting the discussion by starting with what is currently in the noise ordinance.

Chief Shearer said the unlawful noise ordinance gives officers a clear way for officers to enforce the law. There is kind of an unwritten rule that nothing is done downtown, and we try to take a reasonable approach. He discussed how a noise issue is reported and handled by police officers. They try to gauge how far away they can hear the noise. He can not remember a time when they have ever cited a business and does not think it is the norm to get these complaints. He could only find one unlawful noise complaint in the past year in the system for a business. He said if it was a significant problem, he would be able to find more than one. He is not coming to them with a recommendation for a change.

Mr. Kuhar asked if the noise ordinance is enforceable downtown. Chief Shearer said the only exception is city-related events. Mr. Kuhar asked about how close the residence had to be. The Chief had said they had to take action against unreasonable noise. He understands the concern of both sides. Mr. Kuhar said there needs to be some type of guidance.

Chief Shearer explained the current noise ordinance and that the complaints they receive are in the evening hours and generally before 9 p.m. He said one call he received was at 9:16 pm, and some people playing music at 6 pm.

Mr. Turner said we are in the area of selective enforcement. Chief Shearer said it's not selective enforcement but more about the reasonableness of the noise where the complaint is at. Ms. Hope Jones said what the Chief was saying was he would go out and investigate, and police officers are allowed to read the law and use their discretion. He doesn't think it is

selective enforcement. It is trying to solve a problem within the enforcement of the law.

Chief Shearer also says there is a party registration process, and this helps them gauge the reasonableness up front and they can work one on one with the violators of the noise ordinance.

Ms. Shaffer Bish said she originally brought this up with Clty Council and that the downtown is pretty new, and we now have more people living downtown. She has successfully mediated with what is reasonable. It is usually the time of day issue. She said it's not reasonable to have loud music after midnight. She heard recently that the police said it doesn't apply to downtown. She wants to make sure that the reason for the success of the vibrancy of downtown, is there are a lot of reasons to live and recreate. She said we have to balance things and it is usually the time of day that noise becomes an issue. She wants to protect both the businesses and the residents. She said this is an issue of mediation and being good neighbors.

Mayor Fiala said he likes to sit on Franklin Avenue but can hear the music from his house. He said it is a problem in his neighborhood. He said it was just a comment.

Mr. Ferrara said everyone was making good points, but what we are trying to do is to establish a time so the bars, patrons, and businesses can operate and where he thinks we need to explore a timeframe and type of music that is allowed. Then people will be aware of when music is going to stop. He said nobody wants to stop live music but to set up expectations to follow.

Mr. Kuhar said the thing that concerns him is that now we are saying you can't entertain.

Mr. DeLeone asked where the business district was located. Chief Shearer said Haymaker to Brady. Depeyster to Gougler. Mr. DeLeone said he can hear music from his house and his neighbors don't complain.

Mr. Turner said the issue, ultimately, is subjective, not selective. He sympathizes with the business owners. He said they would be looking at what is over and beyond the pale. He said he doesn't think this will be an easy change to make, but that it's appropriate. He said this would take a while.

Mr. Sidoti said unpredictability is problematic with a lot of things. He talked about the changes in the fireworks laws. He said if there is some kind of structure in place and it is in a positive way. He said the goal is to begin the conversation and it does not need to be tortuous. He said part of this needs to be consistency.

Ms. Rosenberg said she appreciates the fact there is no immediacy and that setting hard and fast rules is hard because there may be exceptions. She does not know if having a hard rule would be hard to enforce. She is appreciative of those who have expressed their concerns. She said live music is hard to find and many people appreciate it.

Mr. Kuhar asked Chief Shearer if he thought a timeline to turn the volume down could work. Chief Shearer said it could be possible, but it may be hard to determine a distance from the noise. He said it would need to be clearly defined. He said one standard, whether indoor or outdoor, would need to be looked at at a certain facility.

Mayor Fiala said music was a big part of this community and asked why it is so hard to just turn down the sound of music.

Mr. Amrhein asked if there were any members of the public wishing to speak.

Edward Labbry of Horning Road said this issue is really important to him. He said everyone

made great talking points and was very excited about coming to his first City Council meeting. He didn't know that businesses needed to be enforced as residential and learned a lot this evening. He is a musician and a bartender at the Zephyr pub. The pandemic has affected music downtown and the economy of businesses is very important. The rich history of music in this city brings a lot of people downtown. He said detrimental things right now would drive people away. Having to end things early would affect business.

Tony Liotta of Carthage sold PA systems to local musicians. He said he was measuring the sound during tonight's meeting and it registered at 80 dbd. Ms. Rosenberg asked if it was her (there was laughter). He said sound being audible is not a good determinate. Regarding music, he knows everyone can be reasonable and adhere to rules.

Jason Misser of N. Depeyster said he would not have bought a house if it was not where it is. His house is close to downtown and what draws him in is walkability. He said most have an 11 pm cutoff. He works in research and development and thinks it should be a decibel amount at a certain distance. He said it needs to be quantified. If you stop the music too early, it will drive people away. He said that is the magic of downtown Kent.

Micheal Buber asked for two points to be considered; the level of artistry and the art of the community. You have to consider this and that community events don't exist like they used to. The level of artistry is seen with a high volume of artists coming into town.

Christopher Dum of Cuyahoga Falls said he lived downtown and wanted to drive home the aspect of the community. We need to find a solution that respects everyone. Measuring decibels would be hard.

Mr. Dzeda came to the podium next. He resides on Park Avenue. He said he had heard amazing things this evening. He said he was amazed to hear there was a noise ordinance. He said sound travels in this town. Most nights it's not a problem, but other nights you can hear it from far away. Families with babies may be trying to put them to sleep. He thinks they should go with time limits rather than decibel limits. He said they like where they live but there is a sense it is getting louder and longer. He was amazed by the number of people coming downtown.

Josh Sed of Massillon, runs the Zephyr. He started by saying the music scene in Kent is historical. He doesn't want to make people mad. Downtown shows bring in a lot of business. He said the outside shows will be inside until it is figured out. The music scene can't go away and the outdoor shows can't go away.

Ms. Heather Malarcik of Westlake Blvd. said when the music stops everyone leaves. When thinking about the Zephyr and the patio, if nothing is going on, people will go home. She said there is a lot to the calculation of making a decision.

Sarah Wilson of Cuyahoga Street said having bands inside is not viable. Shows are more fun when they are outside and the number of people won't fit inside.

Jay Geldhof came to the podium next, saying he can sometimes hear music from his house, and the sound of people having fun does not bother him.

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

Low-Frequency Noises

Mr. Ruller said low-frequency noise is very hard to regulate. Ms. Hope Jones is trying to find

examples, but frequency is difficult. She said she has researched areas that have regulated low-frequency noise and cannot find anything. Kent would be the very first community to ever do so. She said it could be very difficult and she is looking for direction.

Mr. Ferrera said this seems to be centered on the Land of Lakes issue and suggests reviewing what comes from the work being done by the consultant they hired.

Ms. Jones said this is an issue that Ms. Wallach brought up a couple of times. Ms. Wallach said this happened at a few businesses in Kent and in one situation where a person had a hot tub with high-frequency noise.

Mr. Turner said that is almost exactly what's going on at Land O'Lakes. He said low-frequency noise impacts people. He is willing to wait to see what transpires with the noise consultant. He said residents are at their wit's end.

Mr. Ruller clarified this is a general discussion and not about Land O'Lakes. He said this was brand new and was hoping for directions on how they move forward. The question is whether a case-by-case should be handled.

Ms. Rosenberg said she is content to let this go and does not want to spend taxpayers' money.

Ms. Wallach said we have had companies that are good neighbors and would like to continue investigating it.

Mr. Sidoti said it is about science and it is pretty complex. He doesn't think they should do anything until we learn more about it.

Ms. Rosenberg called point of order. We are not talking about Land O'lakes.

Mr. Sidoti said we need to gather more information before legislating.

Ms. Shaffer Bish read the noise ordinance. Ms. Jones gave an example of police going to a business and asking where the noise came from.

Ms. Susel said it's hard to find the source when it's a low frequency. It's not regulated.

Mr. Turner said we are trying to educate ourselves on what the implications of low frequency are. He thinks it is better to be proactive rather than reactive. He would like to know the implications of low-frequency noise. He said what we have found out tonight is what we don't know.

Mr. DeLeone said we are looking for someone to teach us about this and suggested starting with the information received from the Land O'Lakes study. He said maybe they could give good advice. He suggested bringing them in as the next step in the review process.

Mr. Kuhar said you just wonder about the parameters and wonder if we are trying to create a vacuum around Kent. He said he feels train vibrations, where does it stop?

Ms. Shaffer Bish said she has had neighbors who have had to go to court about a base playing in her neighborhood and the court found in favor of those who filed the complaint. She wonders how it can be put into the noise ordinance in some way so those in the future that aren't willing to work with one another.

Mr. Ruller said people have recourse on their own. Ms. Jones said it was a criminal case and we knew the source. She said the issue would be the source. The city would need to get more information on how to collect the information. He said neighbor-to-neighbor

problems are the hardest to solve.

MOTION TO LET THE ISSUE GO MADE BY Mr. Garret Ferrara, SECONDED by Gwen Rosenberg.

Ms. Shaffer said she would be voting against the motion, stating that it's come up enough we need guidance and prefer we educate ourselves further.

There was a discussion about the motion and Mr. Ferrara said he would accept a friendly amendment to the motion.

MOTION TO AMEND THE MOTION TO LET THE ISSUE GO AND TO LET THE CITY PURSUE INFORMATION REGARDING LOW-FREQUENCY NOISE MADE BY Mr. John Kuhar, SECONDED by Mr. Mike DeLeone and CARRIED by a vote of 9-0-0.

MOTION TO APPROVE MOTION AS AMENDED MADE BY Mr. Garret Ferrara, SECONDED by Ms. Gwen Rosenberg, and CARRIED by a vote of 9-0-0.

Request to Accept Bicycle Helmet Donation (Joan Seidel)

Ms. Joan Seidel said they had received a large donation of bicycle helmets and these safety helmets will be distributed free of charge to Kent children during Health Fairs and other Health Department events. The value of the donated helmets is approximately \$600.00.

MOTION TO APPROVE REQUEST TO ACCEPT BICYCLE HELMET DONATION MADE BY Ms. Gwen Rosenberg, SECONDED by Mr. Roger Sidoti, and CARRIED by a voice vote of 9-0-0.

Executive Session to Discuss Board and Commission Appointments and Employee Evaluation

MOTION TO ENTER EXECUTIVE SESSION MADE BY Mr. Jack Amrhein, SECONDED by Mr. Roger Sidoti, and CARRIED by a voice vote of 9-0-0. Roll call was taken.

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

Also, Present: Mr. Jerry T. Fiala, Mayor and President of Council

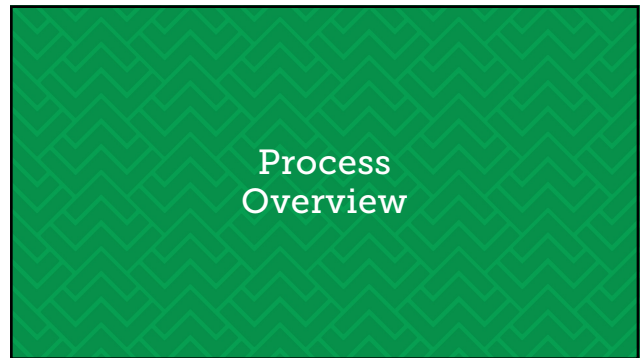
MOTION TO RETURN TO the REGULAR COUNCIL MEETING MADE BY Ms. Gwen Rosenberg, SECONDED by Mr. Jack Amrhein, and CARRIED by a voice vote of 9-0-0.

Hearing no further business, the regular meeting adjourned at 9:52 p.m.

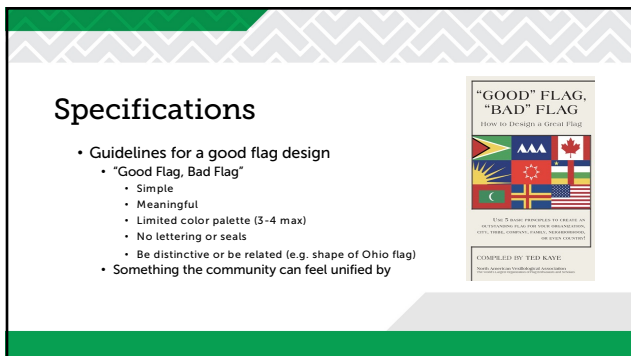
Amy Wilkens
Clerk of Council



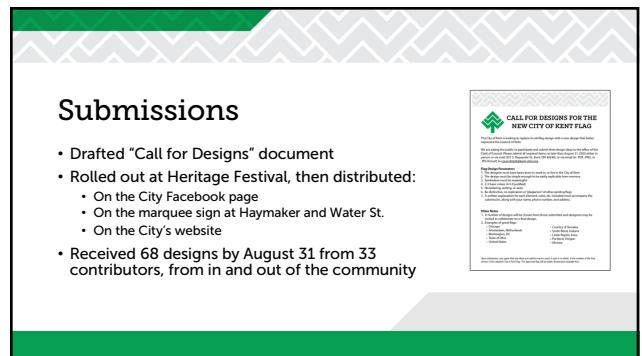
1



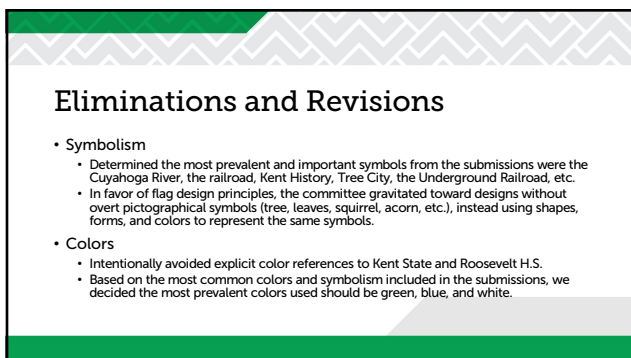
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3



4



5



6

Post-Launch Update

7

Outreach Activities

- Library display was installed in March; survey launched same day
- Jon & Zach visited Stanton Middle School and presented to the 6th grade class; all took the survey
- Press releases in several area publications
- Main Street Kent has posters
- City Marquee sign, website updates
- Jon gave interview to the Record-Courier

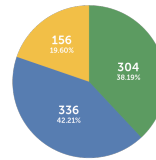


8

Public Survey Results

9

Question 1: How familiar are you with the City flag design project?



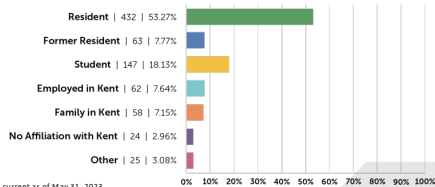
Total Answers: 796
Total Skips: 15

- This is the first I am hearing about it
- Vaguely familiar
- I have followed the project since it was announced

Note: Data current as of May 31, 2023

10

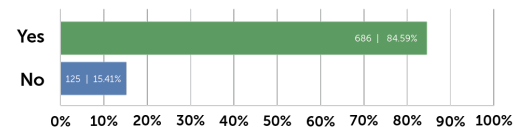
Question 2: What is your relationship to the City of Kent?



Note: Data current as of May 31, 2023

11

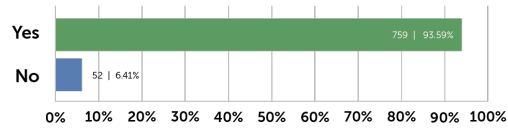
Question 3: Have you read and formed a strong understanding of the process the City Flag Committee followed to reach the three presented options?



Note: Data current as of May 31, 2023

12

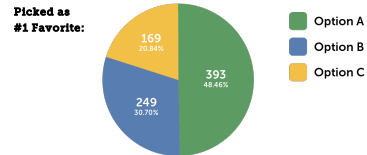
Question 4: Have you read and formed a strong understanding of the descriptions of each flag design and what they symbolize?



Note: Data current as of May 31, 2023

13

Question 5: Please rank the three submissions from your FAVORITE to LEAST FAVORITE, with 1 being your most favorite and 3 being your least.



Note: Data current as of May 31, 2023

14

Question 6: Comments | Summary of Written Feedback

Total Responses (with or w/o comments)	812	100%			
Responses with Comments	309	38%	Adjusted for "N/A" Comments	256	32%
Responses with No Comments	503	62%	Adjusted for "N/A" Comments	556	68%

Note: Data current as of May 31, 2023

15

Question 6: Comments | Summary of Written Feedback

	Positive	Positive, Constructive	Neutral	Negative, Constructive	Negative	N/A, Disregard
Total Comments	106	65	17	42	26	53
Percent of Total Responses	13.1%	8%	2.1%	5.2%	3.2%	6.5%
Percent of Responses with Comments	34.3%	21%	5.5%	13.5%	8.4%	17.2%

Note: Data current as of May 31, 2023

16

Question 6: Comments | Summary of Written Feedback

	Bird/ Ch.Swift	Black Squirrel*	Tree	Railroad	Schools/ Education
Mentions of symbols (not necessarily requests for)	5	26	9	6	6
Percent of Total Responses	0.6%	3.2%	1.1%	0.7%	0.7%
Percent of Comments	1.6%	8.4%	2.9%	1.9%	1.9%

*A popular mention particularly among Stanton Middle School survey respondents.
Note: Data current as of May 31, 2023

17

Committee Recommendation

18



19



20

Roll-Out to the Community

- Committee Involvement Going Forward
 - Committee recommends a robust public roll-out for both visibility and an increased buy-in from the community at large. Willing to continue meeting to lend our help and support in this effort.
- Heritage Festival
 - Flag raising ceremony
 - Booth? Distribution of small versions of flag
- Displays Around Town
 - Light pole banners
 - Flag poles
 - Displayed at homes around community



21

Roll-Out to the Community

- Other Ideas
 - Public purchasing through online form
 - Merchandise through local businesses
 - Shirts, hats, drinkware, stickers, etc.
 - Public art commission/installation
 - Social Media
 - More



22




NEW FLAG for the CITY OF KENT

Presented by the City Flag Committee

23

RESOLUTION NO. 2023-036

**A RESOLUTION APPOINTING _____ TO THE CIVIL SERVICE COMMISSION 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 **CIVIL SERVICE COMMISSION.**

NAME

TERM

Immediately – 12/31/2024 (Unexpired Term)

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, CMC
Clerk of Council

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

(SEAL)

AMY WILKENS, CMC
CLERK OF COUNCIL

DRAFT ORDINANCE NO. 2023 - 037

AN ORDINANCE ADOPTING THE NEW DESIGN FOR AN OFFICIAL FLAG FOR THE CITY OF KENT, OHIO, REPEALING RESOLUTION 1975-155, AND DECLARING AN EMERGENCY.

WHEREAS, City Council appointed a Flag Committee on June 15, 2022 to propose design specifications that designers should follow when submitting proposals for a new city flag; and

WHEREAS, the Committee received 68 designs from 33 contributors, from in and out of the City; and

WHEREAS, the Committee ultimately decided on its top 3 designs and submitted those for a vote of the public; and

WHEREAS, the designs received 812 votes and the Committee recommended the flag that received the most votes be adopted as the City's new flag.

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

SECTION 1. That Council hereby adopts the new design for an official flag for the City of Kent, Ohio, and is more fully described in Exhibit "A" attached hereto and made a part hereof.

SECTION 2. Resolution 1975-155, passed on October 15, 1975, is hereby repealed.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens, CMC
Clerk of Council

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

(SEAL)

AMY WILKENS, CMC
CLERK OF COUNCIL



- A burgee-shaped flag pays homage to the State of Ohio flag and reflects Kent's original flag.
- Blue signifies determination, liberation, alertness and good fortune. It also symbolizes the Cuyahoga River and canals, which were a central piece of Kent's past and a point of charm and appeal in modern times.
- Green is a symbol of agricultural influence, prosperity, fertility, youthfulness and hope. It also serves to symbolize Kent's status as the Tree City.
- White, the symbol of peace and harmony, reflects Kent's history of seeking peace and harmony locally and globally.
- The simple modern design is meant to suggest Kent's goal of civic progress and the city's forward-looking spirit.
- The converging stripes form an eight-pointed star that symbolizes the North Star, which was used on quilts that guided slaves escaping captivity. It also symbolizes Kent's history of inclusion, diversity and forward thinking.
- The green vertical center stripe and intersecting blue diagonal stripes form the letter "K." All the stripes point to the central star, forming arrows that are meant to point to the future.
- The four stripes, both green and blue, are meant to recall Kent's history, from pre-settlement, settlement and canal era, railroad era, and university founding. They are also meant to celebrate Kent's intersection of cultures that come together to form a cohesive yet diverse community.

DRAFT ORDINANCE NO. 2023 - 038

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SUBMIT AND ACCEPT ANY GRANT AWARD FROM THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) FOUNDATION NOT TO EXCEED \$40,000 AND DECLARING AN EMERGENCY.

WHEREAS, the Northeast Ohio Public Energy Council ("NOPEC") Foundation was created to help communities and nonprofit organizations with an alternative grant funding resource for projects that may not qualify for grant funding through more traditional grant programs; and

WHEREAS, the City of Kent, Ohio is requesting the submission of a proposal to the NOPEC Foundation for the development and implementation of a feasibility study that can be used to gather qualitative and quantitative data; and

WHEREAS, the City would like to accept the funds, not to exceed \$40,000, if awarded.

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

SECTION 1. That Kent City Council hereby authorizes the City Manager, or his designee, to accept any grant award from the NOPEC Foundation, not to exceed \$40,000, and for the Budget and Finance Director to appropriate the award into the proper fund.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens, CMC
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, CMC
CLERK OF COUNCIL