



City of Kent
Wednesday, July 5, 2023
City Council Committee Meetings
320 S. Depeyster Street, Kent, OH 44240

MINUTES

7:00 P.M. PUBLIC HEARING

At 07:00 PM, Mr. Jack Fiala, President Pro Tem, called the Public Hearing to order.

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

Also Present: Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Service Director; Mr. Jim Bowling, City Engineer; Ms. Joan Seidel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Nick Shearer, Chief of Police; Ms. Amy Wilkens, Clerk of Council

Absent: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. John Kuhar, Ms. Heidi Shaffer Bish

MOTION TO EXCUSE MR. KUCHAR AND MS. SHAFFER BISH MADE BY Mr. Garret Ferrara, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 7-0-0.

Ms. Rhonda Hall said the public hearing was being conducted per ORC. 5705.28 which is required to approve and pass a tax budget for next year. This housekeeping item needs to be sent to the Portage County Auditor no later than July 20, 2023.

There were no members of the public signed in to speak at the hearing.

The hearing adjourned at 7:01 p.m.

Committee of the Whole

City Hall Update

Ms. Melanie Baker, Service Director, began her presentation by reviewing page one of her handout (**Attachment #1**), highlighting the different views of Council Chambers. Page two was a review of the steel installed on the third floor. Next was a review of the glass atrium

with a "floating" stairwell. Beginning next week, brick will be installed on the outside of the building. Next, there will be a meeting with the inside vendor regarding the IT needs of the building, including microphones. There are still some minor delays with the supply chain but the inside doors are in, and some items are backordered. She would like to take Council through chambers prior to the next meeting and asked that Council members RSVP to her.

There were no questions from Council members.

Codified Ordinance Book Replacement Pages

Ms. Hope Jones said they received updated codified ordinances from the publisher of Kent's Codified Ordinances. A vote is needed from Council for them to become law and be placed in the City's Ordinance Books.

MOTION TO APPROVE CODIFIED ORDINANCE BOOK REPLACEMENT PAGES MADE BY Mr. Roger Sidoti, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 7-0-0.

Community Development Committee

Design Guidelines Update

Ms. Susel said she is here tonight to take comments from the Council and the public. Within the next two weeks, they will work on editing the comments within the confines of the City. She is going through the list, but it is not extensive.

Ms. Susel went through each of the comments already collected:

1. Historic preservation not addressed;
2. Need to include guidelines for historic properties and new construction and define each;
3. Adaptive re-use not addressed;
4. Demolition not addressed;
5. The focus seems to be on addressing commercial developers and business owners, not historic preservation or adaptive re-use;
6. Move the glossary to the front of the document;
7. Simplify terminology so it can be understood by all (designers, business owners, public);
8. Headings need to be simpler. Remove one of the headings and realign;
9. Does not list what is discouraged (i.e. internally lit signs);
10. Proposed changes to reduce the boundaries of the existing "Downtown/West River Overlay District" by excluding the West River/Gougler Avenue corridor are not supported;
11. Expand the "Downtown/West River Overlay District" to include buildings north of Fairchild Bridge on Lake Street.
12. The photos are not aligned with the proposed guidelines in every instance. Photos that are not directly connected should be removed and/or replaced. Photos should be smaller;
13. Guidelines for sign lighting should encourage the use of energy-efficient sources (LEDs) and control illumination levels;
14. Regulations (standards) and guidelines for a project should be reviewed by the same board or commission;

15. Are colors to be identified as allowed or prohibited? Should colors be quantified (i.e. only a number of different colors can be used on the exterior of a property);
16. Numerous specific references to wording or phrases on specific pages that are difficult to understand, lack clarity, or that need editing or removed;
17. Questions on how the Architectural Review Board's roles and responsibilities will be affected by the update to the Design Guidelines;
18. Suggestion to group and number every building and assign certain buildings in numbered groups to certain design guidelines;
19. Allow for online accessibility and hyperlinks to related Zoning Code regulations

She added there are staff comments as well, which will be included. She will be taking comments all summer.

Mr. Ferrara asked about lighting and color. Ms. Susel said they will be coming to Council in August about vape shops in regards to the use of LED lights and coming forward to Council with recommendations.

Mr. Turner asked about the Architecture Review Board's comments and their thoughts on this. She said actual implementation has not occurred yet. She said every single comment may not be addressed, but consistent themes will be addressed.

Mr. Sidoti asked about terminology and if regulations are standards. She said she prefers the use of the term regulations because that is something that can be understood by all as law. Mr. Sidoti clarified that we are being consistent with our terminology. Ms. Susel agreed, stating that every word matters, especially according to the law/codes. Mr. Sidoti said we have a regulation for signage and the guidelines would make recommendations of how the sign should look. Ms. Susel went through an example of having something "generalized" be codified. Guidelines should be recommendations, but the specificity of regulations needs to be codified. The application of the law needs to be consistent.

Ms. Wallach asked about guidelines not being codified and how they are enforced. Ms. Susel said putting guidelines as an appendix to the zoning code has not been done before. Getting a certificate of appropriateness should not be a part of the zoning code. Guidelines should give them a sense of what style they are looking for.

There were no further questions from the Council.

Bridget Tipton, East Main Street, introduced herself. She is on the ARB and said the link between legislation and the guidelines is important. Her concerns about the current guidelines are very difficult to work with. In the current document, the pendulum has swung so far in the other direction. She mentioned the word HISTORY not being mentioned in the new document. She said there is no enforceable recommendation for historic buildings. She said without a link of being applied or enforced, she doesn't know why anyone would even review the guidelines, even with a certificate of appropriateness. She said there is a shift in the use of the public realm versus individual buildings. She said there is a lot of emphasis on economic vitality.

Health and Public Safety Committee

Business District Noise

Ms. Hope Jones said she wanted to have an additional discussion to see if there is some type of middle ground that could be agreed upon until we can tighten up our code. She

thinks there is possibly something we can do to allow Zephyr to have music outside. She was hoping to discuss it again. Her thought is to allow it up until 10 pm Sunday- Thursday and until midnight on Friday and Saturday.

Mr. Ruller said the Council can decide the times. He thought that 9 pm would be a little too early and wanted Council to discuss what seemed reasonable.

Mr. Turner said he wonders about the law on the books and whether the law is not a discretionary application. He said the complaint is another story. He questions if there is a variance in applying the law. Chief Shearer said when they get complaints, they ask if the person is willing to sign a complaint, and they are able to do that. The key word in the ordinance is reasonableness. If they do not sign the complaint, the officer has to go out and determine if it is reasonable.

Ms. Rosenberg said that based on the discussion from the previous meeting and Garret Ferrara's comments, Ms. Rosenberg said 11 pm on weeknights and midnight on weekends. She said making it too early then bands coming through may choose not to play in Kent. She said 11 pm on weekdays is important, there is a shift to what is considered a weeknight. She said if we are going to try this, she is a believer in erring on the side of being more liberal with it and then contracting if needed.

Mr. Ruller passed out a list of shows coming up this summer and the data seems to vouch for it.

Ms. Wallach asked about when festivals start and Ms. Malarcik (Main Street Kent) verified bands play late at them. Ms. Wallach likes the times Ms. Rosenberg suggested.

Matthew Young of Portage Street thanked Council. He works at the Zephyr Pub in downtown Kent and said they have had 42 concerts so far this year. He said this issue is important. He said they are good with 11 pm on weekdays and 12 am on weeknights.

Ms. Heather Malarcik of Westlake Blvd. said she liked it when the DORA came was a 90-day trial and it worked. She said she thinks this is something that could possibly be explored again.

Mr. Turner said his concern is that there is no distinction between downtown and neighborhoods. While we are doing these things, they seem to be more tangential than dealing with the noise ordinance. He thinks we need to look at how we fit our business districts versus neighborhoods.

Mr. Ferrara asked if we could put it in the Dora District. Ms. Jones said that is a good suggestion.

Mr. Sidoti said he contends the issue is the residential that abuts the downtown. The bigger issue is for these people. He thinks it is something that can be worked out.

MOTION TO APPROVE TRIAL NOISE ORDINANCE MADE BY Ms. Gwen Rosenberg, SECONDED by Mr. Garret Ferrara and CARRIED by a voice vote of 7-0-0.

Finance Committee

Ohio Public Works Commission Grant Requests

Mr. Bowling said he is requesting approval for two grants totaling \$380,000 which are efforts to supplement utility funds. These are for the WRF Primary Clarifier No. 1

Rehabilitation Project and the Water Tank Rehabilitation.

MOTION TO AUTHORIZE OHIO PUBLIC WORKS COMMISSION GRANT REQUEST MADE BY Mr. Roger Sidoti, SECONDED by Mr. Jack Amrhein and CARRIED by a voice vote of 7-0-0.

ARPA First Responder Grant

Chief Shearer said he was back to request approval for a grant application for recruitment services. He said they haven't officially approved it but could provide additional funding.

Ms. Rosenberg asked if it was earmarked in any way. Chief Shearer said that \$30, 000 would be used to hire a firm to help with recruitment.

Mr. Turner asked what are the expectations for bringing in a more qualified/diverse workforce. Chief Shearer said law enforcement recruitment and retention nationally is at an all-time low but this would be something they could focus on.

MOTION TO AUTHORIZE ARPA FIRST RESPONDER GRANT REQUEST MADE BY Mr. Garret Ferrara, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 7-0-0.

Tax Budget

Ms. Rhonda Hall referenced the 2024 Tax Budget that was included in the Council's packet. This is required by law to get to the Portage County Auditor and lays out what expectations are for the year.

Mr. Sidoti asked if this was a report that went to the County. Ms. Hall said it was. He asked if they sent the City a tax budget. She said they do not.

MOTION TO AUTHORIZE TAX BUDGET MADE BY Mr. Robin Turner, SECONDED by Mr. Garret Ferrara and CARRIED by a voice vote of 7-0-0.

Budget Appropriation Request

Ms. Rhonda Hall referenced her memo included in Council's packet and requested approval of a budget appropriation.

MOTION TO AUTHORIZE BUDGET APPROPRIATION REQUEST MADE BY Mr. Roger Sidoti, SECONDED by Mr. Robin Turner and CARRIED by a voice vote of 7-0-0.

Hearing no further business, the Committee Meetings concluded at 8:00 pm.



Amy Wilkens, CMC
Clerk of Council