



City of Kent
Wednesday, August 16, 2023
Regular City Council Meeting
320 S. Depeyster Street, Kent, OH 44240

AGENDA (Amended 8/14/23)

7:25 P.M. Board of Control

7:30 P.M. Regular Council Meeting

1. Roll Call
2. Opening Remarks and Pledge of Allegiance- Mr. Ferrara
3. Approval of Minutes
 - 3.1. July 19, 2023 Regular Meeting Minutes
 - 3.2. August 2, 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. Kent Board of Health Agenda and Statistical Report for the August 8, 2023 meeting received on August 3, 2023.
 2. The agenda for the August 10, 2023 Parks and Recreation Board Meeting was received on August 4, 2023.
 3. Standing Rock Cemetery Board of Trustees Meeting Agenda for August 10, 2023 was received on August 4, 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. August 2, 2023 Committee Meeting Minute Approval
 - 5.1.2. Action(s) Recommended

1. Authorize staff to further review Ward revisions and report back to Council with findings for future approval.

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

5.2.1. August 2, 2023 Committee Meeting Minute Approval

5.2.2. Action(s) Recommended

1. Authorize the Health Board's proposal to limit the number of retail stores selling tobacco and vape products, with an emergency clause.
2. Authorize the renewal of the School Resource Officer, with the emergency clause.
3. Authorize the temporary exception of allowing the use of Budweiser products in the DORA during the planned visit of Budweiser Clydesdales on August 16, 2023.

5.2.3. **Draft 2023-049** AN ORDINANCE ADOPTING CHAPTER 772 OF THE KENT CODIFIED ORDINANCES TO ESTABLISH TOBACCO RETAILER DENSITY AND PROXIMITY PROVISIONS, AND DECLARING AN EMERGENCY (Authorized)

5.2.4. **Draft 2023- 050** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO APPROVE AND EXECUTE AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF KENT, OHIO, AND THE KENT CITY BOARD OF EDUCATION REGARDING THE SCHOOL RESOURCE OFFICER PROGRAM, EXTENDING THIS AGREEMENT UNTIL MAY 23, 2024, AND DECLARING AN EMERGENCY (Authorized)

5.3. **Land Use Committee** Chair Ferrara/ Vice-Chair Shaffer Bish

5.3.1. August 2, 2023 Committee Meeting Minute Approval

5.3.2. Action(s) Recommended

1. Authorize the proposed Zoning Text amendments, with the emergency clause.

5.3.3. **Draft 2023-051** AN ORDINANCE AUTHORIZING AMENDMENTS TO THE CITY OF KENT'S ZONING CODE IN ORDER TO INCORPORATE CLARIFYING LANGUAGE IN CERTAIN EXISTING SECTIONS AND TO ADD NEW REGULATIONS, AND DECLARING AN EMERGENCY (Authorized)

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

5.4.1. August 2, 2023 Committee Meeting Minute Approval

5.4.2. Action(s) Recommended

1. Authorize the new street closure for the "Flashes First" student welcome event on August 24, 2023, with the emergency clause.
2. Approve the City/County project agreement for the Stow/Summit Street Bridge & Pedestrian improvement project, with the emergency clause.
3. Authorize the acceptance and allocation of the ODOT grant funds and approve the necessary agreements to administer and manage the SR 59 Alternative Transportation Improvement Project, with the emergency clause.

5.4.3. **Draft 2023-052** AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE A NEW SPECIAL EVENT APPLICATION FROM JOE ROBINSON TO BE HELD ON THURSDAY, AUGUST 24, 2023, AND THE TEMPORARY CLOSURE OF NORTH WATER STREET BETWEEN EAST MAIN STREET AND COLUMBUS STREET, AND DECLARING AN EMERGENCY (Authorized)

5.4.4. **Draft 2023- 053** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AGREEMENT BETWEEN THE CITY OF KENT AND PORTAGE COUNTY FOR THE STOW/SUMMIT STREET BRIDGE AND PEDESTRIAN IMPROVEMENT PROJECT AGREEMENT, AND DECLARING AN EMERGENCY (Authorized)

5.4.5. **Draft 2023-054** AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT AND ALLOCATE AN ODOT GRANT FOR THE SR59 ALTERNATIVE TRANSPORTATION IMPROVEMENT PROJECT IN THE AMOUNT OF \$666,000 AND TO ENTER INTO A NEW LOCAL PUBLIC AGENCY AGREEMENT WITH ODOT FOR THE ADMINISTRATION OF THE GRANT, AND ALSO TO ENTER INTO AN AGREEMENT WITH PARTA AND FRANKLIN TOWNSHIP FOR THE NEW PROJECT DESIGN WORK, AND DECLARING AN EMERGENCY (Authorized)

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

5.5.1. August 2, 2023 Committee Meeting Minute Approval

5.5.2. Action(s) Recommended

1. Authorize the submission of the tobacco use grant and, if approved, authorize acceptance and allocation of the grant funds, with the emergency clause.
2. Authorize the submission of the Ohio Ambulance Service Transportation grant request and authorize its acceptance and allocation with the emergency clause.

3. Certify and authorize the submission of the proposed property tax liens, with the emergency clause.

- 5.5.3. **Draft 2023-055** AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT AND APPROPRIATE THE EXTENDED TOBACCO USE GRANT IN THE AMOUNT OF \$117,000 FOR THE CITY OF KENT HEALTH DEPARTMENT, AND DECLARING AN EMERGENCY (Authorized)
- 5.5.4. **Draft 2023-056** AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT AND APPROPRIATE A PROJECT DAWN STIPEND IN THE AMOUNT OF \$2,000 FOR DRUG OVERDOSE AWARENESS DAY DECLARED BY THE STATE OF OHIO ON AUGUST 31, 2023, FOR THE CITY OF KENT HEALTH DEPARTMENT, AND DECLARING AN EMERGENCY (Authorized)
- 5.5.5. **Draft 2023- 057** AN ORDINANCE AUTHORIZING THE CITY OF KENT TO APPLY FOR AN HB 45 AMBULANCE TRANSPORTATION PROGRAM FOR EMS/COVID "PREMIUM PAY" THROUGH COVID, STATE AND LOCAL FISCAL RECOVERY FUNDS DISTRIBUTED BY THE US TREASURY, AND TO ACCEPT THE GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATION OF FUNDS AND DECLARING AN EMERGENCY (Authorized)
- 5.5.6. **Draft 2023-058** AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF WATER USE CHARGES, WASTEWATER USE CHARGES, STORM WATER UTILITY CHARGES AND RECYCLING/SOLID WASTE COLLECTION CHARGES TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY FOR THE NON-PAYMENT OF SAID CHARGES, AND DECLARING AN EMERGENCY (Authorized)
- 5.5.7. **Draft 2023- 059** AN ORDINANCE AUTHORIZING THE CERTIFICATION OF DELINQUENT HEALTH DEPARTMENT VIOLATION CITATIONS TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY SERVED BY THE HEALTH DEPARTMENT VIOLATIONS-CITATIONS, AND DECLARING AN EMERGENCY (Authorized)
- 5.5.8. **Draft 2023-060** AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF BILLS FOR RESIDENTS RESULTING FROM THE 2022 ANNUAL CONCRETE REPAIR PROGRAMS OF UNPAID CONCRETE SIDEWALK REPAIR ACCOUNTS, TO THE COUNTY AUDITOR, IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY FOR THE NON-PAYMENT OF SIDEWALK REPAIRS, AND DECLARING AN EMERGENCY (Authorized)

6. Unfinished Business
7. New Business
8. Councilmembers' Comments
9. Mayor's Report

10. *Executive Session (Amended/Added 8/14/23)*

10.1. Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action

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.