



City of Kent
Wednesday, October 18, 2023
Regular City Council Meeting
320 S. Depeyster Street, Kent, OH 44240

AGENDA

7:25 P.M. Board of Control

7:30 P.M. Public Hearing- Consolidated Annual Performance and Evaluation Report (CAPER)

1. On October 4, 2023, notice was given that the Kent City Council was conducting a Public Hearing to allow for public comment on the PY2022 Consolidated Annual Performance and Evaluation Report (CAPER)

Regular Council Meeting Immediately Following Public Hearing

1. Roll Call
2. Opening Remarks and Pledge of Allegiance- Mr. Turner
3. Approval of Minutes
 - 3.1. September 20, 2023 Regular Council Meeting
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 meeting day. 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. Board and Commission applications for the Planning Commission, Design and Preservation Committee, Shade Tree Commission, and Health Board, were received between September 14 and October 10, 2023.
 2. Notification from Board of Building Appeals member, David Soukenik, that he has moved to Florida and will no longer be serving on that board was received on September 26, 2023.
 3. Liquor License NEW request was received on September 27, 2023, for Mamacita, Inc, 911 E. Main St., Kent.
 4. Liquor License NEW request was received on September 27, 2023, for Family Dollar Stores of Ohio, LLC DBA Family Dollar Store 28636, 1316 S. Water St., Kent.

5. Liquor License TRANSFER request was received on September 27, 2023, for Timothy J. Surgen, 802 N. Mantua St. Kent.
6. Liquor License TRANSFER request was received on October 4, 2023 for Szechuan Gormet Kent Inc. DBA Szechuan Gourment, 156 Cherry St. Kent.
7. Letter from Jeremy Austin regarding Summit Gardens Apartments development was received and forwarded to Council on October 5, 2023.
8. City Flag Committee Meeting Agenda for October 11, 2023 was received and posted on October 5, 2023.
9. Health Board Agenda for the October 10, 2023 meeting was received and posted on October 5, 2023.
10. Board of Zoning Appeals Agenda and Staff Report for the October 16, 2023 meeting was received on October 10, 2023.
11. Planning Commission Agenda and Staff Report for the October 17, 2023 meeting was received on October 10, 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. October 4, 2023 Committee Meeting Minute Approval

5.1.2. Action(s) Recommended: NONE

5.1.3. Motion for further discussion regarding the proposed Charter Amendment

5.1.4. **Draft 2023- 061** (2nd Reading) AN ORDINANCE PROVIDING AN AMENDMENT TO THE CHARTER OF THE CITY OF KENT, OHIO TO BE SUBMITTED AT THE PRIMARY ELECTION ON MARCH 19, 2024, WHICH WILL AMEND ARTICLE XII, SECTION 12.02 TITLED "VOTING WARD APPORTIONMENT," AND DECLARING AN EMERGENCY (Authorized)

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

5.2.1. October 4, 2023 Committee Meeting Minute Approval

5.2.2. Action(s) Recommended:

1. Refer to the Administration to further research the parking limits in the city and report back to Council.

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

5.3.1. October 4, 2023 Committee Meeting Minute Approval

5.3.2. Action(s) Recommended

1. Accept the perpetual road and public utility easement at the property located at 200 West Williams Street, with the emergency clause.
2. Authorize the memorandum of understanding with Kent State University to allow relocation of the City's 24" waterline, with the emergency clause.

5.3.3. **Draft 2023- 067** AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN EASEMENT FROM HOMETOWN BANK GRANTING A PERPETUAL ROAD AND PUBLIC UTILITY EASEMENT LOCATED AT 200 WEST WILLIAMS STREET FOR THE PURPOSE OF ACCESS TO THE UNDERGROUND UTILITIES, AND DECLARING AN EMERGENCY (AUTHORIZED)

5.3.4. **Draft 2023-068** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH KENT STATE UNIVERSITY TO ALLOW FOR THE RELOCATION OF THE CITY'S 24" WATERLINE, AND DECLARING AN EMERGENCY (AUTHORIZED)

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

5.4.1. October 4, 2023 Committee Meeting Minute Approval

5.4.2. Action(s) Recommended

1. Authorize the PEP grant application in the amount of \$1,000 and authorize the acceptance and allocation of the funds to the Health Department with the emergency clause.
2. Authorize the HEAL grant application in the amount of \$25,000 and authorize the acceptance and allocation of the funds to the Health Department with the emergency clause.
3. Authorize a collective bargaining agreement with the Ohio Patrolmen's Benevolent Association for the period of November 1, 2023 through October 31, 2026, with the emergency clause.

5.4.3. **Draft 2023-069** AN ORDINANCE AUTHORIZING THE CITY OF KENT HEALTH DEPARTMENT TO APPLY FOR A PUBLIC ENTITIES POOL (PEP) GRANT, AND TO ACCEPT THE GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATION OF FUNDS AND DECLARING AN EMERGENCY (AUTHORIZED)

5.4.4. **Draft 2023- 070** AN ORDINANCE AUTHORIZING THE CITY OF KENT HEALTH DEPARTMENT TO ACCEPT THE AWARDED HEALTH EATING AND ACTIVE LIVING GRANT (HEAL) FOR 2024, AND DECLARING AN EMERGENCY (AUTHORIZED)

5.4.5. **Draft 2023-071** AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (OPBA), FOR THE PERIOD OF NOVEMBER 1, 2023, THROUGH OCTOBER 31, 2026, AND DECLARING AN EMERGENCY. (AUTHORIZED)

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

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, September 20, 2023
Regular City Council Meeting
320 S. Depeyster Street, Kent, OH 44240

MINUTES

7:30 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; Mr. Eric Fink, Assistant Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Service Director; Mr. Jim Bowling, City Engineer; Ms. Amy Wilkens, Clerk of Council

Opening Remarks and Pledge of Allegiance

Mr. Amrhein welcomed the Kent State University Journalism students in attendance and asked everyone to stand for the Pledge of Allegiance.

Approval of Minutes

MOTION TO APPROVE AUGUST 16, 2023 REGULAR MEETING MINUTES MADE BY Mr. Michael DeLeone, **SECONDED** by Mr. John Kuhar and **CARRIED** by a voice vote of 8-0-1 with Mr. Sidoti voted 'abstain'.

Communications

Public Comment

Mayor Fiala read the following statement:

"While the law does not require Council to provide time for public comment, we have historically invited the public to make comments and we appreciate their input. This is the time when residents and others can comment on matters that concern them. However, we will not engage in debate, and as President of 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. Amy Wilkens, Clerk of Council, introduced the first speaker, Mr. Robert Wilson.

Mr. Wilson read from the following statement:

"Mayor Fiala, members of the council. My name is Robert Wilson. I live at 536 N. Willow St. in Kent. I am here to request that council initiate action to bring in additional revenue to the city without increasing taxes, with a public-private partnership. Some examples from other Ohio cities illustrate the kind of project I mean. In August, the city of Akron announced a request for proposals from private businesses that produce ground-based solar-generated electricity, to lease from the city some unused land, to construct solar electricity-generating facilities and pay rent to the city for use of the city's land. The land in question is the former Hardy Rd. Landfill. Finding a solar partner to rent this land makes a lot of sense. In a similar vein, Dayton is seeking proposals for a solar installation. The city conducted a feasibility study in the fall of 2022 to consider ground-mounted solar on city-owned property adjacent to the Miami Water Treatment Plant (WTP) and adjacent to the Water Reclamation Facility (WRF). At this time, the City has decided to move forward with soliciting proposals for installing roughly 5 MW of ground-mounted solar at the Miami WTP with the primary aim of reducing electric bills while also reducing carbon emissions, utilizing a brownfield site, and showcasing the city's commitment to its climate goals.

And, there are cities that have gone beyond seeking proposals. Cincinnati is home of the largest city-led solar array in the U.S. It began producing electricity in the Spring of 2022. It cost 12.5 million dollars, but Cincinnati did not pay any of that. Instead, they entered into an agreement to purchase power from the array to provide enough clean, renewable energy to power all city of Cincinnati buildings and facilities. That includes City Hall but also places like health clinics, police districts, and Greater Cincinnati Water Works facilities. Cincinnati negotiated with the land owners, working out an arrangement where those farm owners get more in fees from the solar operation than they would have gotten from leasing to soybean growers. I mention this project as an example of a creative approach to saving money and lowering a city's carbon footprint, without large capital investment by the city. Some examples of how Kent might try this. We have some properties that might work, parking lots, our water treatment plant or maybe our wellfield, and even rooftops under city control. We also have a sizeable former industrial property in Kent. Even if the city doesn't own it, we might be able to come to some arrangement with land owners who might be interested in turning unused land into a money maker. I realize that Akron, Dayton, and Cincinnati are all much bigger than Kent, so I also looked for smaller cities that have solar projects going. In Cohoes, New York, a working-class community of 17,000 residents, the town turned to its own reservoir as a way to power its municipal buildings with renewable energy, using a floating solar array."

Ms. Wilkens called Ms. Ann Ward to speak next.

Ms. Ward approached the microphone and introduced herself to Council. She introduced herself as someone who has a history of being an environmentalist since moving to the area and expressed strong support for a solar array project. They emphasize that the solar project would be a "win-win" situation as it wouldn't incur any costs for the City of Kent and aligns with the city's climate action plan. The project is characterized as a "feel-good" initiative and earnestly hopes that it would receive positive consideration from Council.

Written Communication

1. The Civil Service Commission Meeting Agenda for August 21, 2023, was received and posted on August 18, 2023.

2. An unsigned letter from a resident who resides on Mohawk Place in Kent in regard to Portage County not placing a recycling contract bid was received and forwarded to Council on August 29, 2023.
3. The Standing Rock Cemetery Board of Trustees Agenda for the meeting on September 14, 2023 was received on September 6, 2023.
4. Email from Christopher Myers in regard to the Shaw Drive/Land O'Lakes noise complaint received on September 6, 2023.
5. The Planning Commission Agenda for the meeting on September 19, 2023, was received on September 11, 2023.
6. Meeting minutes from the June 8, 2023, Portage County Solid Waste Management District Policy Committee Meeting were received on September 12, 2023.

Additional Communication Received After Agenda Published:

1. The Civil Service Commission Meeting Agenda for September 18, 2023, was received and posted on September 14, 2023
2. The Parks and Recreation Board Packet for their meeting on September 21, 2023 was received and posted on September 15, 2023.
3. An anonymous email from a Kent resident in regards to the recycling contract with Republic Services was received and forwarded to Council on September 13, 2023
4. A letter regarding acceptable recycling material questions from Diane Stresing and an empty drink container in a plastic bag was received and forwarded to the Council on September 15, 2023.

City Manager's Report

1. Request Council's authorization to accept a \$5,000 donation from the Jo Woodward Solem Memorial Foundation to Kent Parks and Recreation in support of Art in the Park.
2. Request Council's authorization to schedule the "Democracy Day" public hearing for 6 pm on October 4, 2023.
3. Request Committee of the Whole time to provide an update on the status of the construction of the new City Hall building.
4. Request Health & Public Safety Committee time to present Council with an overview of the local preparations for the 2024 Eclipse event.
5. Asking for Health & Public Safety Committee time to discuss the proposed idling ordinance to be presented by Council member Tracy Wallach.
6. Requesting Health & Public Safety Committee time to provide a staff report in response to the proposal to allow overnight parking in Kent.
7. Request Health & Public Safety Committee time to present proposed updates to the City Code that are designed to streamline the approval of new and recurring special events in Kent that require street closures.
8. Request Streets, Sidewalks & Utilities Committee time to request Council's authorization of a permanent access and utility easement.

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

Ms. Gwen Rosenberg expressed gratitude for a generous donation made by the Joe Woodward Solem Memorial Foundation to Kent Parks and Recreation in support of "Art in the Park." She said she appreciated this substantial contribution and mentioned that Art in the Park, which the donation supported, was an outstanding event. She concluded by thanking the Joe Woodward Solem Memorial Foundation once again for their support.

Standing Committees & Legislation

Committee of the Whole

MOTION TO APPROVE SEPTEMBER 6, 2023 COMMITTEE MEETING MINUTES MADE BY Mr. Garret Ferrara, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 6-0-3. Ms. Rosenberg, Ms. Shaffer Bish and Mr. Sidoti abstained.

MOTION TO APPROVE ACTION(S) RECOMMENDED MADE BY Mr. Michael DeLeone, SECONDED by Ms. Tracy Wallach. Before the vote, there were comments made by several Council members.

Ms. Shaffer Bish apologized for her absence during a previous meeting due to family-related issues. She expressed support for Bridget Susel's efforts to redraw district boundaries, acknowledging the complexity of this task. The main concern raised is that the redrawn districts are based on inaccurate census data, particularly for Ward 5, which contains a lot of off-campus student housing. Ms. Shaffer Bish said that the pandemic and students leaving during that time resulted in a significant undercount for Ward 5. She said that despite their support for the idea of expanding Ward 5, the speaker notes that this expansion is based on flawed data, making it problematic. She suggests a potential solution, which is to put a charter amendment on the ballot to change the variance from 10 percent to 15 percent. This change would allow the districts to remain largely intact despite the inaccuracies in the census data. Ms. Shaffer Bish acknowledges that some residents might be confused by changes in district boundaries but argues that this is a lesser issue compared to using flawed data. She expressed her belief in letting citizens decide through a vote on the charter amendment. If citizens vote against it, the city would have to consider one of the redrawn maps based on inaccurate data.

Mr. Turner believed that the Community Development Department was comfortable with the numbers and assumed that the issue of data accuracy had been resolved. However, he was not aware that this was still an outstanding concern. He said he was concerned upon learning that the census undercount issue had not been adequately addressed during the discussion. He expressed support for the proposed 15 percent change but highlighted the problem of potentially working with flawed data. He suggested Ms. Bridget Susel should address the issue of the census undercount and provide clarity on whether the data being used for redistricting is accurate or flawed. Ms. Wilkens stated there was a motion on the floor, and it may not be possible to call Bridget at that moment due to the ongoing discussion.

Mr. Turner expressed continued support for the 15 percent change and was skeptical about the current status of the data and the potential implications of making decisions based on inaccurate information. He stressed the importance of having a sound basis for judgment.

Mr. Ferrara said that the data collected via the census was done properly and followed the standard process, regardless of population trends. He distinguished between "bad information" and "bad policy" and expressed concern that changing the city's charter based on perceived data inaccuracies could set a problematic precedent. He emphasized the importance of not altering policy every time there is dissatisfaction with data. He stated that the Charter Review Committee's role is to address issues like this and to allow citizens to have input and that the data will be corrected in the next census cycle. He dismissed concerns about citizens getting confused, stating that citizens receive information about where and how to vote, and therefore, confusion should not be a significant issue. He strongly opposed redrawing ward boundaries and that it could be seen as gerrymandering. He said that this practice should be above partisan politics and political manipulation.

Mr. Ferrara concluded by stating he intended to vote against the proposed charter

amendment action item and ordinance, emphasizing his belief that it sets a bad precedent and could be seen as political maneuvering.

Ms. Shaffer Bish clarified her position on the proposed charter amendment, emphasizing the importance of protecting the city's interests in the face of unforeseen circumstances. She said that in Ward 5, which has many student households, the census data was affected because students left during the pandemic, leading to an undercount. She stressed that while the city is constrained by the census data, they have flexibility in adjusting the percentage variance, which should be open to discussion and decision by the citizens.

Mr. Kuhar asked if anyone watched the Cleveland Browns football game that occurred on Monday night. He said he watched the game and didn't like the final score but accepted it as the actual result. Mr. Kuhar drew a parallel between the football game's outcome and the ongoing discussion about redistricting. He suggested that just as the game result was accepted, the redistricting decision should be based on the data and circumstances at hand. He anticipates a significant reversal in the next census due to various factors affecting the community.

Ms. Tracy Wallach disagreed with the characterization of the proposed change as gerrymandering. She said that changing it to 15 percent would maintain the current ward boundaries rather than manipulating them. She said she believes that increasing the variance to 15 percent would benefit the city's staff by reducing the need for frequent redistricting efforts. She added that she appreciated the work done by Bridget Susel on the ward maps. She points out that sticking with a 10 percent variance could result in non-contiguous wards, as some parts of Ward 6 would extend into Ward 1 and parts of Ward 2 into Ward 3, separated by the river. She has concerns about voter confusion, especially during elections. She said that people easily get confused at polling stations, and moving between precincts can disenfranchise voters. She said she would vote in favor of changing the variance to 15 percent, citing that it was Dave Ruller's suggestion.

Mr. Turner appreciated and echoed Ms. Shaffer Bish's earlier comments about the historical implications of keeping ward boundaries contiguous. Mr. Turner emphasized the historical and community-related factors for supporting the proposal, rejected the gerrymandering accusation, and highlighted concerns about voter confusion and disenfranchisement. They express hope that the City Council will see the benefit of the 15 percent variance proposal.

Ms. Gwen Rosenberg is hesitant to support the proposed charter amendment, citing concerns about cost, the existing mechanism for charter review, and the difficulty of justifying the change's benefits to residents. She expressed a preference for evaluating the existing maps created by Ms. Susel instead of pursuing a charter amendment.

Mr. Kuhar expressed a concern that if the city were to go to the voters for a change in the future, it would take time to implement the change. He said that there would be an election followed by the redrawing of maps or other related processes. He is worried that the desire to change something now could potentially create an unfair imbalance in the wards due to the time it takes for these changes to be fully implemented.

Mr. Ferrara said that the initial recommendation by Ms. Susel to change the wards was made because another council member had solicited someone to run for council. He expressed concern that the proposed changes could have led to the person they solicited running for council being placed in their ward, which he would consider to be gerrymandering.

MOTION TO APPROVE ACTION(S) RECOMMENDED CARRIED by a voice vote of 6-3-0. Mr. Ferrara, Mr. Kuhar, and Ms. Rosenberg voted 'No'.

Action(s) Recommended

Authorize sending a charter amendment to the voters in 2024 to amend the ward differential from 10% to 15%.

Draft 2023- 061 AN ORDINANCE PROVIDING AN AMENDMENT TO THE CHARTER OF THE CITY OF KENT, OHIO TO BE SUBMITTED AT THE PRIMARY ELECTION ON MARCH 19, 2024, WHICH WILL AMEND ARTICLE XII, SECTION 12.02 TITLED "VOTING WARD APPORTIONMENT," 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- 061 MADE by Mr. Michael DeLeone, SECONDED by Ms. Tracy Wallach. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, 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. The motion FAILED by a roll call vote of 6-3-0. Mr. Ferrara, Mr. Kuhar, and Ms. Rosenberg voted "No".

MOTION TO APPROVE FIRST READING OF ORDINANCE MADE by Mr. Michael DeLeone, SECONDED by Mr. Robin Turner. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, 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. The motion CARRIED by a roll call vote of 6-3-0.

Mr. Sidoti provided context for the decision to put the proposed charter amendment on the ballot, citing concerns about delays if they waited for the charter review process and emphasizing the need for timely resolution.

After the vote, Ms. Wilkens stated the ordinance passed the first reading.

Community Development

MOTION TO APPROVE SEPTEMBER 6, 2023 COMMITTEE MEETING MINUTES MADE BY Mr. John Kuhar, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 6-0-3. Mr. Sidoti, Ms. Rosenberg and Ms. Shaffer Bish abstained.

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

Action(s) Recommended

1. Authorize TREX Liquor License request for Fast Mex LLC located at 164 East Main Street, with the emergency clause.

Draft 2023-062 AN ORDINANCE AUTHORIZING THE TRANSFER OF A TREX LIQUOR LICENSE INTO THE CITY OF KENT BY FAST MEX, LLC, AN OHIO LIMITED LIABILITY COMPANY, CONDITIONED UPON THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF KENT, OHIO AND FAST MEX, LLC, 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 2023-062 MADE by Mr. John Kuhar, SECONDED by Mr. Garret Ferrara. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Mr. Garret Ferrara, 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. The motion CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2023-062 MADE by Mr. John Kuhar, SECONDED by Mr. Garret Ferrara. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Mr. Garret Ferrara, 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.

Ordinance 2023-062 has passed.

Health & Safety Committee

MOTION TO APPROVE SEPTEMBER 6, 2023 COMMITTEE MEETING MINUTES MADE BY Mr. Jack Amrhein, SECONDED by Mr. Garret Ferrara and CARRIED by a voice vote of 6-0-3.

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

Action(s) Recommended

1. Approve text amendments regarding downtown parking, changing hours of parking restrictions from 2:30 am to 5:30 am., with the emergency clause.

Draft 2023- 063 AN ORDINANCE AMENDING CHAPTER 355 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED "MUNICIPAL PARKING LOTS", 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- 063 MADE by Mr. Garret Ferrara, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Mr. Garret Ferrara, 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- 063 MADE by Mr. Garret Ferrara, SECONDED by Ms. Tracy Wallach. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Mr. Garret Ferrara, 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.

Ordinance 2023-063 has passed.

Streets, Sidewalks and Utilities

MOTION TO APPROVE SEPTEMBER 6, 2023 COMMITTEE MEETING MINUTES MADE BY Ms. Tracy Wallach, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 6-0-3.

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

Action(s) Recommended

1. Street Closure for the KSU 5K race was authorized beforehand by voice vote at the September 6, 2023 meeting.

Finance Committee

MOTION TO APPROVE SEPTEMBER 6, 2023 COMMITTEE MEETING MINUTES MADE BY Mr. Michael DeLeone, SECONDED by Mr. Garret Ferrara and CARRIED by a voice vote of 6-0-3. Ms. Rosenberg, Ms. Shaffer Bish and Mr. Sidoti abstained.

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

Action(s) Recommended

1. Authorize sale at auction of surplus City vehicles, with the emergency clause.
2. Authorize and certify the tax rates and amounts for submission to the Portage County Auditor, with an emergency clause.
3. Approve the 2023 budget appropriation amendments with an emergency clause.

Draft 2023-064 AN ORDINANCE AUTHORIZING THE TRADE IN / AUCTION / DISPOSAL OF VEHICLES, LARGE EQUIPMENT AND TRAILERS NOT NEEDED FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY (Authorized) was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft 2023-064 MADE by Mr. Michael DeLeone, SECONDED by Ms. Gwen Rosenberg. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Mr. Garret Ferrara, 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 2023-064 MADE by Mr. Michael DeLeone, SECONDED by Mr. Roger Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Mr. Garret Ferrara, 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.

Ordinance 2023-064 has passed.

Draft 2023- 065 RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft 2023- 065 MADE by Mr. Michael DeLeone, SECONDED by Ms. Gwen Rosenberg. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Mr. Garret Ferrara, 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- 065 MADE by Mr. Michael DeLeone, SECONDED by Ms. Gwen Rosenberg. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Mr. Garret Ferrara, 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.

Resolution 2023-065 has passed.

Draft 2023-066 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 2023-066 MADE by Ms. Gwen Rosenberg, SECONDED by Ms. Heidi Shaffer Bish. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Mr. Garret Ferrara, 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 2023-066 MADE by Ms. Heidi Shaffer Bish, SECONDED by Mr. Garret Ferrara. On Roll Call Voting "Yes" Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Mr. Garret Ferrara, 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.

Ordinance 2023-066 has passed.

Unfinished Business

Mr. Kuhar said that the council had passed a resolution or ordinance about 10 to 12 years ago to install domestic solar water in a city facility in Kent. He said that despite the resolution being passed, there has been no progress or implementation of the solar water heating system to date. He suggested revisiting the idea of solar energy, particularly solar electric energy, as proposed by a gentleman during the meeting. He mentioned the possibility of finding suitable locations for solar electric installations through partnerships, potentially including vacant lots in areas like Lake Street.

Ms. Shaffer Bish expressed agreement with the previous speaker, John, who raised the idea of installing solar arrays in the city. She said she had an interesting conversation about solar arrays with someone who had a similar perspective. She added that during a trip to Ithaca, New York, she observed solar fields and rooftop solar installations, which inspired her. Ms. Shaffer Bish assured Council that the city's sustainability staff is actively exploring options and funding mechanisms for solar installations. She acknowledged that progress may not always be immediately visible but asserted that the city is moving forward. She also emphasized the importance of climate action and the city's commitment to addressing climate-related issues, stating that such efforts will help the city progress and not remain stagnant.

New Business

Mr. Ferrara suggests that the issue under discussion should be referred to the sustainability commission for their consideration.

MOTION TO SEND THE ISSUE OF A SOLAR ARRAY IN THE CITY OF KENT TO THE SUSTAINABILITY COMMISSION FOR A REVIEW AND REPORT BACK TO COUNCIL MADE BY Mr. Garret Ferrara, SECONDED by Mr. Robin Turner and CARRIED by a voice vote of 9-0-0.

Mr. Ferrara had no further comments on the matter.

Mr. Turner highlights the importance of including a land survey in the proposal to explore economic opportunities for clean energy and invites any further discussion or comments from the rest of the council.

Councilmembers' Comments

Mr. Sidoti raised the question of whether having ward structures is necessary for a city of Kent's size and complexity. He said that a broader conversation should occur among the citizens to decide if wards are still relevant. For instance, the city could consider having all council members elected at-large, which would mean representing the entire city rather than specific wards. He acknowledged that there are pros and cons to both approaches. He mentions that the city's charter review process occurs every ten years but expresses a desire for a more comprehensive review of the city's structure. He said he advocates a nonpartisan discussion, emphasizing that council members serve the entire community regardless of political affiliation. He also encouraged citizens to participate in the conversation, submit their comments, and engage in thoughtful discussions on this topic, stating there is a need to get more people engaged in the political process.

Mr. Turner thanked Mr. Wilson for his comments and suggestions for community improvement in regard to the solar array. He then commented on the rationale behind having ward structures in local government. He said that wards are meant to balance the interests of the community as a whole with those of individual areas within the community. The ward system is seen as a way to ensure that various segments of the community have their interests represented and that the ward system can be important for ensuring that minority groups or specific neighborhoods have their concerns addressed. He raised concerns about moving to an all-at-large representation system, as it could result in the dominance of one area over others and may not adequately represent the diverse interests of the entire city. He continued his comments by providing historical context, mentioning that some communities moved to at-large systems in the past to disenfranchise certain groups, particularly during the civil rights era. Mr. Turner expressed trust in the judgment of the citizens and believes that the final decision on the matter should be made by the residents themselves through a ballot initiative.

Mr. Sidoti said, to clarify, he is not advocating for any specific changes to the ward system. He wants to promote open discussions and the exploration of various perspectives on the issue. He suggests that the discussion should take place within the community, allowing residents to express their views and concerns. He said that if residents feel strongly about specific changes, they will bring those ideas to the council for further discussion.

Mayor's Report

Mayor Fiala expressed his appreciation for the new City Administration City Hall building. He highlighted that he spent time downtown on Friday and Saturday and did not hear any negative remarks about the building. Instead, he received positive feedback from people in the community who found the building to be a positive addition to downtown Kent. Mayor Fiala commends the efforts of the city staff, including Melanie Baker and Dave Ruller, for their work in making this project a success and bringing city services together.

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

1. Discuss an employee's evaluation and compensation
2. Discussion with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action

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

MOTION TO GRANT A MERIT RAISE FOR THE CLERK OF COUNCIL MADE BY Mr. Michael DeLeone, SECONDED by Mr. John Kuhar and CARRIED by a voice vote of 9-0-0.

Hearing no further business, the meeting adjourned.

Amy Wilkens , CMC
Clerk of Council

Jerry T. Fiala
Mayor & President of Council

DRAFT



City of Kent
Wednesday, October 4, 2023
City Council Committee Meetings
320 S. Depeyster Street, Kent, OH 44240

MINUTES

Democracy Day Public Hearing

At 6:00 p.m. Mayor Fiala called the Democracy Day Public Hearing to order.

Present: Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish (6:16 p.m.), Mr. Roger Sidoti, Mr. Robin Turner

Also Present: Mr. Jerry T. Fiala, Mayor, and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; 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. Suzanne Stemnock, Director of Human Resources; Ms. Amy Wilkens, Clerk of Council

Absent: Mr. Garret Ferrara, Ms. Tracy Wallach

MOTION TO TO EXCUSE MR. FERRARA AND MS. WALLACH FROM THE DEMOCRACY DAY PUBLIC HEARING MADE BY Ms. Gwen Rosenberg, **SECONDED BY** Mr. Roger Sidoti and **CARRIED** by a voice vote of 7-0-0.

Mayor Fiala welcomed everyone to the Democracy Day Public Hearing being held by Kent City Council. The purpose of this hearing is to examine the impact of political influence resulting from campaign contributions by corporate entities. He instructed participants to provide their names and addresses for the record and to speak clearly. Each speaker is allowed five minutes to express their concerns and are encouraged to submit their concerns in writing if available.

Before the first speaker, Mr. Bill Wilen thanked City Council for the opportunity to speak on the topic this evening and introduced the first speaker, Mr. Greg Coleridge.

Mr. Greg Coleridge, Summerton Road in Cleveland Hts. Ohio, is the co-director of "Move to Amend," introduces his role in the national campaign. The campaign's goal is to enact an amendment called the "We the People" amendment, currently in the House of Representatives. This amendment aims to abolish two constitutional doctrines: the notion that political money spent on elections equals free speech and the concept that a corporation is a legal person. **(Attachment #1)**

Mr. Bill Wilen of Stonewater Street, Kent, was the next speaker. One of his main concerns is the significant influence of large corporations in the political arena. These corporations not only financially support candidates running for office but also use their financial resources to influence the decisions made by those elected officials. He provides specific examples, mentioning big oil and gas companies like Exxon Mobil and Shell, who pour substantial amounts of money into elections to

achieve their policy goals. **(Attachment #2)**

Ms. Barb Hipsman Springer of Gardenview Street, Kent was next to speak. She shifts the focus to honoring Tim Smith, a lawyer and professor who had a significant role as an open records authority both nationally and locally. She expressed deep respect and fondness for Tim Smith, highlighting his contributions. She then mentions that their message differs from the previous speaker's and is more locally oriented. She emphasized that the issues of democracy and control by big money extend to various parts of society. She has a background in journalism, starting by covering small villages and towns, moving to the state house, and serving as a judiciary official for 28 years. She also taught public affairs, and some of her students had interactions with current council members. Ms. Hipsman Springer underscores the importance of considering the impact of big business and dark money on local democracy and the transparency of democracy within their town. She said these factors may have adverse effects on the community's democratic processes. **(Attachment #3)**

The final speaker came to the microphone. Mr. Andrew Rome, the Director of Haymaker Farmers Market in Kent, introduced himself and expressed gratitude to the city council, organizers, and advocates for Democracy Day for providing an opportunity to address local government on community issues. Rome clarifies that Haymaker Farmers Market's focus isn't on the issue of big corporations influencing government. Instead, they emphasize that Haymaker is a 501(c)(3) federal nonprofit public charity with a mission to connect local food producers and consumers in a vibrant, sustainable community gathering place. They aim to provide direct access to food, education, and the arts. Rome sees this connection between people in Kent as essential and highlights their commitment to fostering relationships, which contrasts with a big corporate model that prioritizes profits over people. **(Attachment#4)**

MOTION TO ADJOURN THE PUBLIC HEARING WAS MADE BY Mr. Michael DeLeone, **SECONDED** by Ms. Gwen Rosenberg and **CARRIED** by a voice vote of 7-0-0.

After the public hearing adjourned at 6:22 p.m., Mr. Sidoti expressed curiosity about what people have taken away from these discussions over the years and questioned whether they should consider taking their efforts to a higher level or a different platform.

Ms. Shaffer Bish acknowledges missing most of a presentation but highlights the importance of creating alternatives and empowering citizens, emphasizing the value of citizen participation.

Mr. Sidoti discussed the need to differentiate between supporting small businesses and being critical of large corporations. He believes there should be a shift in the conversation to support pro-business policies while opposing corporate influence in politics.

Another participant mentions the challenges of discussing being pro-business while opposing corporate influence, stressing that small businesses are vital and often negatively affected by corporate control of politics.

The conversation continued, touching on retirement investments in corporations, the complexity of tracking financial investments, and the idea that big money should not be treated as a voting entity.

Committee of the Whole

Mayor Fiala opened the Committee of the Whole meeting at 6:28 p.m.

New City Hall Construction Update

Mr. Ruller mentioned some positive news. He said that for those who attend this event regularly, there will be a much-improved facility for Democracy Day next year. Specifically,

council chambers will be used for Democracy Day, and he expressed hope for a positive experience without any feedback with the microphones they were currently experiencing.

Ms. Baker said while it may not appear as though much is happening from the outside, significant progress is being made internally, with various inspections and preparations underway. The second and third floors have completed the rough-in electrical inspection. Water mains for the building have been tested and inspected, ensuring that water is running smoothly. Brickwork is ongoing, with the north side of the building and the back side showing progress. The curtain wall, which includes the large atrium areas, is in the fabrication process. The roof is nearly complete, with only stairwell B remaining to be finished. The installation of a gas main is scheduled for the end of the following week to provide heating options as the weather gets colder. Once the curtain walls are ready, measurements of the windows will be taken to install them on both the back and front sides of the building.

Action Recommended: NONE

Health and Public Safety Committee

Chair Amrhein opened the Health and Public Safety Committee Meeting at 6:30 p.m.

Local Preparations for the 2024 Solar Eclipse

Mr. Ruller started first by saying that Ms. Joan Seidel, Health Commissioner, has been emphasizing the importance of preparing for the solar eclipse event, and he humorously suggested that it's time to wear out the council members with these concerns. He said that there is significant activity focused on emergency preparation due to the potential influx of a large number of people for the eclipse. While some friends and family might initially dismiss the idea of many people attending the event, he noted that projections suggest hundreds of thousands of visitors may come to the area. Concerns revolve around logistical challenges such as traffic, restroom facilities, accommodations, emergency care, food supply, and shopping availability. Hotels are already fully booked or close to it, and local businesses are worried about running out of food. Mr. Ruller said that this event presents more complexities than initially anticipated and acknowledges the importance of addressing these concerns.

Ms. Joan Seidel began her presentation (**Attachment #1**) by stressing the significance of the event, given its rarity and the potential for a large influx of visitors, and underscored the need for careful planning and preparation to ensure its success. She said the importance of safety and preparedness for the solar eclipse event, stating that the focus is on ensuring a safe and seamless experience for participants.

During her presentation, Ms. Seidel shared some basic information about the eclipse:

- The eclipse is scheduled for April 8, 2024, and will have a 124-mile-wide path.
- The event is expected to offer a view of totality in Kent, covering around 98% to 100% of the sun.
- The eclipse is considered a once-in-a-lifetime experience, with the next one not expected until 2099.
- Totality will occur between 12:00 PM and 4:00 PM, with the eclipse in Kent estimated to occur around 3:13 PM, lasting about three minutes.
- The eclipse's path is wider than the one in 2017, has a longer duration, and covers a larger portion of the U.S. population.

Ms. Seidel said that planning is already underway, with the Kent Area Chamber of Commerce, Main Street Kent, and local businesses organizing activities over a four-day weekend leading up to the eclipse. She said that Ohio has been preparing for the eclipse for about 18 months, and the City of Kent is actively discussing safety and logistics for the event. She offered to provide more resources and updates as plans are confirmed and potential concerns arise.

Mr. Kuhar asked if people will be coming to see the eclipse or if they will be coming for the party. Ms. Seidel said that people will likely come to the area for various reasons related to the solar eclipse event. She anticipates a diverse mix of attendees: Some may come primarily to observe the eclipse itself, and these individuals could be considered "serious scholar types" interested in the astronomical aspect. Others may be attracted by the festive atmosphere and the party-like celebrations that Kent is planning. There will also be those who come for the events and activities that Kent will organize in connection with the eclipse.

Ms. Shaffer Bish asked if we would be distributing safety glasses. Ms. Seidel said individuals will be responsible for obtaining their own safety glasses, just as they were asked to do for the partial eclipse in 2017. Ms. Melanie Baker has ordered some safety glasses for city workers, but it's clarified that these glasses are for city employees and not their families. Therefore, attendees who wish to view the eclipse safely will need to acquire their own protective eyewear.

Mayor Fiala asked about the accessibility of these glasses and whether they could be purchased or obtained for the general public. It's mentioned that there will be a set of NASA-approved glasses available, but for additional needs, the general public may need to acquire them independently. Suggestions are provided about what to look for when purchasing safety glasses to ensure they meet the necessary safety standards.

Mr. Amrhein said this presentation was informational and thanked Ms. Joan Seidel. She emphasized the importance of raising awareness about the upcoming solar eclipse event, recognizing that people have varying levels of awareness regarding it. She specifically wants to ensure that the council is informed about the event and its planned activities.

Additionally, Ms. Seidel said that there may be vendors selling safety glasses for the eclipse event, and humorously mentioned the possibility of vendors selling alcohol as well. There will be a festive atmosphere during the eclipse event.

Actions Recommended: NONE

Proposed Idling Cars Regulation Update

This item has been moved to the November 2023 Agenda.

Overnight Parking Restriction Change Request

Mr. Ruller said the request came from Melissa Celko, who will be a future member of City Council. Melissa had initially made the request at a council meeting, and the council referred it to staff for further consideration. The staff, particularly the transportation, engineering, and safety group, examined the request and had concerns about implementing a full city-wide, no-parking, or parking-anytime rule. As a result, they decided to modify the proposal. He said that despite Melissa's absence from the current meeting, they have been in communication with her, both in person and through email, to collaborate on finding a suitable solution, as she is strongly committed to the matter.

Mr. Bowling said there was a request to revise the city-wide requirement and that this was a

request to revise or investigate revising a city-wide time limit regulation in section 351.13. He clarified that this particular section deals with the storage of vehicles in public spaces. He pointed out that this section is distinct from others because it primarily focuses on the concept of storing vehicles in public spaces rather than overnight parking, and it pertains to spots that have already been deemed permissible for parking. Additionally, he mentioned that this regulation was passed in 1964. He discussed the review conducted by the Traffic Engineering Safety Committee regarding a potential change to a city-wide time limit regulation (section 351.13). He clarified that this regulation focuses on the storage of private vehicles within the right-of-way and does not pertain to safety issues.

Mr. Bowling then proceeded to outline the potential benefits and consequences of making changes to this regulation. The benefits: Providing additional land for parking or storing private vehicles within the right-of-way. Consequences: The consequences are subjective and based on individual perceptions. Changes could vary from maintaining the existing 24-hour limit to eliminating it entirely.

Mr. Bowling emphasized that the discussion centers on whether the city wants to allow people to store cars within the right-of-way and that the consequences are subjective and may differ depending on the neighborhood and individual preferences.

He also discussed potential problems associated with changing the city-wide time limit regulation for on-street parking (section 351.13). Key points include:

Concerns in Specific Neighborhoods: Mr. Bowling highlighted concerns in neighborhoods around Kent State University, particularly with first-year students. Students are often instructed to park in designated areas but may find it more convenient to park on the street in residential neighborhoods, which could lead to congestion and parking issues.

High-Density Housing Areas: Mr. Bowling mentioned that in areas with higher-density student housing, the availability of on-street parking can affect the viability of rental housing options. Allowing on-street vehicle storage may make it more feasible for such uses to fit into residential neighborhoods.

Minor Citywide Issues: Mr. Bowling acknowledged that extending the time limit for on-street parking could result in abandoned or broken-down vehicles staying in the right-of-way longer. Additionally, it may pose challenges for snow removal and street cleaning operations, even during minor snowfall events.

Mr. Bowling said that the Traffic Engineering Safety Committee does not recommend changing the city-wide ordinance due to the perceived limited benefits and the potential for complaints and difficulties related to snow removal and vehicle maintenance. He mentioned the low number of parking tickets issued in the area under consideration for a city-wide time limit change, emphasizing that, from a city-wide standpoint, they do not recommend such a change. However, he acknowledged that all neighborhoods are unique.

Mr. Bowling offered an alternative approach (if Council wishes): allowing flexibility for neighborhoods to decide their parking regulations. He said that residents in specific neighborhoods, such as Forest Lakes or University Heights, could have the opportunity to petition for changes to the parking regulations that suit their unique circumstances. This would require a certain percentage of neighbors to sign off on a petition for the change to be considered. He mentioned that further investigation and discussions with relevant parties, such as the City's code officials, would be needed to explore this option. Additionally, he said that proper signage would be required to inform residents of different parking regulations in different areas.

Ms. Shaffer Bish expressed appreciation for raising the issue of neighborhood protection and the potential for rental property expansion due to parking regulations. She notes that

landlords are currently required to provide adequate parking for their residents, but they often face challenges with guest parking in areas with time-limited parking restrictions. She asked a question about the potential for property owners in neighborhoods that are predominantly rentals to bring a petition for changes in parking regulations. Specifically, she inquired about the rules and requirements for such petitions. She is concerned about neighborhoods where a significant portion of the properties are rented and whether property owners in those areas can initiate petitions for changes in parking regulations.

Mr. Bowling explained the current rules and process for property owners to initiate a petition for changes in parking regulations. Property owners who wish to change parking regulations, typically related to parking time limits and locations, can contact the relevant city assistant, Patty. They would need to specify the requested changes, including the area affected. The city would then draw a map outlining the limits within which signatures would be required for the petition. The property owners would need to gather signatures within those limits to demonstrate serious community support for the change. Once the city receives the petition and verifies its authenticity, the Traffic Engineering and Safety Committee will review the request and make a recommendation to the council. Ultimately, City Council will decide whether to approve or reject the proposed parking regulation changes. Mr. Bowling suggests that this process would likely remain the same for neighborhoods where property owners, particularly in areas with a significant rental population, want to initiate petitions for parking regulation changes.

Mr. Kuhar suggested a potential solution where all streets with parking would have a default two-hour parking limit. Residents who live within a block of a specific area could obtain a permit to park on the street for up to 23 hours, thereby allowing them more flexibility in parking. This proposal aims to balance the needs of residents and visitors while ensuring that parking regulations are fair and functional.

Mr. Bowling responded to John's proposal, emphasizing the importance of neighborhood-specific parking regulations. He said that neighborhoods could request changes in parking regulations tailored to their needs. Mr. Kuhar suggests implementing a default two-hour parking limit on all streets with the option for residents to obtain permits allowing them to park for longer durations. Mr. Bowling expressed concerns about oversight related to issuing permits but acknowledged that different neighborhoods may require different parking solutions.

Chief Shearer approached the microphone to explain the enforcement standpoint. The discussion focused on the feasibility of implementing a 23-hour parking limit on certain streets, with the option for residents to obtain permits for longer durations. Chief Shearer and others expressed concerns about enforcement difficulties in determining whether a vehicle has been parked in the same spot for an extended period. The chief mentioned the challenges of proving this in court if the vehicle has moved at all, as they rely on the location of the valve stems for enforcement.

Mayor Fiala mentioned that the concerns raised were about residents receiving parking tickets and not being aware of the specific parking ordinances. Mr. Bowling said it's noted that the issue may relate to angled parking downtown and parking head-in. Council members express a desire to ensure that residents are informed about parking regulations and suggest that greater communication and education might be needed regarding parking rules.

Mr. Turner voiced concerns about doing this by neighborhood. express concerns about changing neighborhoods, owner-occupied properties versus rental properties, and the potential for conflicts over parking issues, especially in areas undergoing transition. He acknowledged the need for clear and enforceable parking regulations to avoid potential conflicts among residents. The balance between flexibility and maintaining order in neighborhoods is discussed. Challenges of enforcement related to parking regulations and

express concerns about not being able to determine how long a vehicle has been parked in the right-of-way. He asked why certain methods of assessment are not allowed and how to address enforcement challenges effectively.

Chief Shearer discussed the legality of physically touching a vehicle for parking enforcement purposes and the use of parking tablets to document violations.

Mr. DeLeone said all of the current regulations were put into law for different reasons. He said there are reasons behind the parking regulations on different streets, particularly in areas with college students. He expressed his support for evaluating and potentially changing parking regulations on a street-by-street basis, taking into account the unique needs and concerns of each neighborhood. The idea of flexibility and community input in the process is emphasized.

Mr. Sidoti asked if something comes up and overnight parking is allowed, about the potential consequences of allowing overnight parking on public streets and the scenario where a neighbor parks a vehicle with a car cover for an extended period. He asked about the recourse available in such situations and whether there would be an appeal process. Mr. Bowling said that would not be allowed by TE &S. Time limits would need to be defined. The key will be finding out what fits well in each neighborhood and being reviewed by TE&S.

Mr. Ruller discussed the potential approach of refining the parking regulations on a neighborhood-by-neighborhood or street-by-street basis to address the concerns raised by residents. This approach allows for more customized solutions and may be less problematic than a citywide change. Jim emphasizes that the decision ultimately rests with the council members.

Ms. Shaffer Bish expressed her concerns about allowing neighborhood-specific changes to parking regulations. She emphasized the need to consider the potential consequences, such as incentivizing parking for rental properties or businesses, and the impact on residents. She highlighted the importance of enforcing regulations for rental housing to ensure that there is enough parking available for both residents and businesses. She expresses her uncertainty about this approach and the need for careful consideration.

Ms. Susel provided clarification on parking requirements for rental properties. She explained that rooming houses or properties with three or more unrelated tenants are required to have parking on-site, but this doesn't account for guests. She said that in single-family rental properties with no more than two unrelated tenants, parking can become an issue due to the lack of space for guests. She mentioned that while the code requires on-site parking for certain rental properties, it may not be sufficient to address parking issues in smaller rentals or certain neighborhoods. The issue of parking may be more pronounced in areas with single-family rentals located near owner-occupied homes, such as in neighborhoods like Columbus or Willow. These neighborhoods may experience parking challenges due to the mix of single-family rentals and owner-occupied homes.

Mr. Ruller clarified the point and suggested that while the code regulations should be sufficient if followed, allowing overnight parking could potentially create enforcement challenges, making it harder to prove violations, as described by Chief Shearer. Ms. Susel said correct, saying that their Code Enforcement Officers currently monitor cars in the morning to track potential violations related to illegal rooming houses and residency status. She said that adding overnight parking could make enforcement more challenging, particularly in certain neighborhoods.

Mr. Kuhar suggested the approach of addressing issues on a case-by-case basis when petitions arise, rather than investing a significant amount of time and effort into analyzing every neighborhood and street in the city. This approach would aim to find solutions that

prevent the creation of storage facilities for vehicles on public streets. Mr. Bowling said yes, that is exactly what they meant.

Ms. Rosenberg asked if there have been requests from other parts of the city to modify parking regulations similar to the current request. Mr. Bowling said that in his 15 years of experience, this is the first time he recalls hearing a request to change the specific parking regulation in question. He also discusses the process of neighborhood petitions and mentions that such changes are generally not requested frequently. He emphasized the importance of residents' dedication to the process, indicating that if it's not a top priority for them, it's unlikely to proceed. He notes that the existing regulation has been in place since 1964.

Mr. Turner expressed his concerns and observations regarding the changing demographics of the city and the impact on parking. He mentioned that the transition from owner-occupied homes to more rental properties has led to increased concerns about non-resident parking in neighborhoods. He is supportive of the idea of exploring possibilities and experimentation but raises concerns about the process of undoing any changes if they become problematic. He also mentioned the negative implications of vehicles parked on streets for extended periods and how it can affect the appearance and perception of neighborhoods. Despite his concerns, he acknowledged that the proposal could potentially benefit neighborhoods in transition.

Mr. Amrhein reminded Council to frame their thoughts into comments for the speaker.

Mr. Sidoti asked for clarification on the percentage of neighbors needed to support a petition for parking changes in a neighborhood.

Mr. Bowling explained that they haven't determined a specific percentage yet and would only explore this further if the council expressed interest in doing so. He suggests that the council can provide guidance on how much consensus they would like to see in a neighborhood before considering changes. Roger asks if there is a specific percentage that has been used in the past for similar petitions and suggests that Jim could provide that information later. Mr. Bowling said that traffic calming petitions have been around 70 percent consensus in the past.

MOTION TO REFER TO ADMINISTRATION FURTHER RESEARCH ON A RECOMMENDATION REGARDING PARKING LIMITS MADE BY Mr. John Kuhar, SECONDED by Mr. Turner and CARRIED by a voice vote of 6-1-0. Ms. Shaffer Bish voted "No".

Action Recommended:

1. Refer to the Administration to further research the parking limits in the city and report back to Council.

Streets, Sidewalks & Utilities Committee

Chair Sidoti opened the Streets, Sidewalks and Utilities Committee at 7:17 p.m.

Authorization of a Permanent Access and Utility Easement

Ms. Susel said she is speaking this evening in place of Tim Sahr, Development Engineer and the information provided is about a property owned by Hometown Bank, formerly owned by David Drill. Hometown Bank is preparing the parcel for sale and has discovered

that the City has a roadway and utilities that cross over the property. Hometown Bank is offering the City a perpetual road and public utility easement to ensure access. They are requesting approval with an emergency for the acceptance of this easement.

MOTION TO APPROVE PERMANENT ACCESS AND UTILITY EASEMENT MADE BY Mr. Jack Amrhein, **SECONDED** by Ms. Heidi Shaffer Bish and **CARRIED** by a voice vote of 7-0-0.

Action Recommended:

1. Accept the perpetual road and public utility easement at the property located at 200 West Williams Street, with the emergency clause.

24" Water Line Relocation - MOU with Kent State University

Mr. Jim Bowling said there is an existing 24-inch water line parallel to Summit Street, but a portion extends beyond Summit Street's right-of-way and onto Kent State University's campus. Kent State needs to relocate this water line for a construction project, and the memorandum outlines the framework for this relocation. The agreement states that the cost will be split 50-50 between the city and Kent State, with Kent State managing the relocation. In return, the city will receive an easement for the new water line location. Mr. Bowling requested approval to execute this agreement.

MOTION TO AUTHORIZE 24" WATER LINE RELOCATION - MOU WITH KENT STATE UNIVERSITY MADE BY Mr. John Kuhar, **SECONDED** by Mr. Michael DeLeone and **CARRIED** by a voice vote of 7-0-0.

Action Recommended:

1. Authorize the memorandum of understanding with Kent State University to allow relocation of the City's 24" waterline, with the emergency clause.

Finance Committee

Chair DeLeone opened the Finance Committee meeting at 7:20 p.m.

Public Entities Pool (PEP) Grant

Ms. Joan Seidel said she was seeking approval to accept additional funding of \$1,000 from the Public Entities Pool, their insurance company. They plan to use this funding to purchase an AED (Automated External Defibrillator) with a bleed head box and a sign for the clinic space, where they currently do not have one. The request is made to enhance the clinic's facilities and improve safety.

MOTION TO APPROVE PUBLIC ENTITIES POOL (PEP) GRANT MADE BY Mr. Jack Amrhein, **SECONDED** by Ms. Heidi Shaffer Bish and **CARRIED** by a voice vote of 7-0-0.

Action Recommended:

1. Authorize the PEP grant application in the amount of \$1,000 and, if approved, authorize the acceptance and allocation of the funds to the Health Department as presented with the emergency clause.

Healthy Eating and Active Living Grant (HEAL)

Ms. Joan Seidel said the Health Department has received an extension and additional funding for the Healthy Eating and Active Living (HEAL) Grant 2024. The grant amount has increased from \$10,000 to \$25,000. She expressed enthusiasm about the opportunity to do more with this funding and seeks the Council's approval to accept the grant

Ms. Shaffer Bish expressed her excitement and appreciation for the funding that Ms. Seidel and her department have secured for the benefit of the city's citizens. She notes that not too long ago, the existence of the city's Health Department was threatened, and she commends Ms. Seidel and her staff for their hard work in securing these grants and making a positive impact on the community.

MOTION TO APPROVE HEALTHY EATING AND ACTIVE LIVING GRANT (HEAL) MADE BY Ms. Heidi Shaffer Bish, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 7-0-0.

Action Recommended:

1. Authorize the HEAL grant application in the amount of \$25,000 and if approved, authorize the acceptance and allocation of the funds to the Health Department as presented,

Executive Session

MOTION TO ENTER EXECUTIVE SESSION TO DISCUSS 1.) PREPARING FOR CONDUCTING OR REVIEWING NEGOTIATIONS OR BARGAINING SESSIONS WITH PUBLIC EMPLOYEES CONCERNING THEIR COMPENSATION OR OTHER TERMS AND CONDITIONS OF THEIR EMPLOYMENT 2.) CONFERENCES WITH AN ATTORNEY FOR THE PUBLIC BODY CONCERNING DISPUTES INVOLVING THE PUBLIC BODY THAT ARE THE SUBJECT OF PENDING OR IMMINENT COURT ACTION AND 3.) TO CONSIDER THE PURCHASE OF PROPERTY FOR PUBLIC PURPOSES SALE OF PROPERTY AT COMPETITIVE BIDDING OR THE SALE OR OTHER DISPOSITION OF UNNEEDED OBSOLETE OR UNFIT FOR USE PROPERTY MADE BY Mr. Jack Amrhein, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 7-0-0.

MOTION TO EXCUSE MR. FERRARA AND MS. WALLACH FROM THE EXECUTIVE SESSION MADE BY Ms. Gwen Rosenberg, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 7-0-0.

MOTION TO RETURN TO REGULAR COUNCIL MEETING MADE BY Mr. Roger Sidoti, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 7-0-0.

MOTION TO APPROVE ZONING CODE MAP AMENDMENT MADE BY Ms. Gwen Rosenberg, SECONDED by Mr. Jack Amrhein and CARRIED by a voice vote of 7-0-0.

MOTION TO APPROVE OPBA CONTRACT NEGOTIATION TERMS MADE BY Mr. Roger Sidoti, SECONDED by Mr. Jack Amrhein and CARRIED by a voice vote of 7-0-0.

Hearing no further business, the meeting adjourned at 9:15 p.m.

Amy Wilkens, CMC Clerk of Council

Testimony of Greg Coleridge Kent "Democracy Day" Public Hearing | October 4, 2023

Good evening.

I'm Greg Coleridge, from Cleveland Heights. I'm the Co-Director of Move to Amend, the national campaign seeking to enact the We the People Amendment (HJR54 in the current House of Representatives) to abolish the twin constitutional doctrines that political money spent in elections equals free speech and that a corporation is not a legal person.

Questions to everyone here:

Do you feel your voices to federal and state public offices are authentically heard, your needs met, your community served? Do you believe that the governing rules of our society are fair and just? That the interests of the wealthy elites and major corporations are no more responded to than your interests and those of local businesses? Should the super rich and corporate entities be allowed to spend as much money as they want lobbying and donating to political candidates? Should fossil fuel corporations have the fundamental decision to mine, frack and burn fossil fuels that threaten a livable world? Should insurance corporations have the final word on the health care you receive rather than your doctor? Should banking corporations have the ultimate power to decide how much money is created (as debt) in our society and where it's distributed? Should agricultural corporations be able to avoid labeling potentially harmful ingredients on consumer products?

When asking these questions to people across the country where I've made presentations, the answer by well over 90% is a resounding NO.

It doesn't take a PhD in political science to know that our political system isn't broken, but rather is fixed. One doesn't have to be a constitutional scholar to understand that a corporation is not a person and that money is not speech. More local public officials like you here in Kent are increasingly opposed to more fundamental decisions that in the past you've made to protect the health, safety and welfare of residents are now being preempted, usurped or, dare I say, trumped to benefit the super rich and corporate behemoths.

It's not surprising that ending all corporate constitutional rights and money as speech is gaining support:

- 70 House co-sponsors of HJR54

- Nearly 500,000 individual petition signers

- 749 organizational endorsers

- 8 states and over 700 communities that have passed municipal resolutions or citizen-driven ballot initiatives, like Kent.

The fundamental rights of people and the rights of communities directly decrease as the rights of big money in politics and corporations increase. It's an inverse relationship. It's like oil and water. People power and corporate power simply don't go together – never have and never will.

Corporations aren't mentioned in the U.S. Constitution. Corporate entities were originally chartered or licenced one-at-a-time by state legislatures, including here in Ohio, to provide a useful good or service. The terms of their actions were defined in their charter. If the corporation violated the terms or broke the law, the state legislature or state courts revoked their charter with the company going out of business. Those are the actions of self-governing people – individuals who understood the appropriate relationship between We the People and corporate entities: that of superior vs subordinate.

In a 1900 ruling to dissolve a dairy company, the Ohio Supreme Court said, *The time has not yet arrived when the created is greater than the creator, and it still remains the duty of the courts to perform their office in the enforcement of the laws, no matter how ingenious the pretexts for their violation may be, nor the power of the violators in the commercial world.*

Corporate constitutional rights and money as free speech were not intended. They're not inevitable or irreversible, but rather, creations by activists Supreme Court Justices working with the wealthy class and corporate attorneys.

What's been done can be undone. It's up to us. We all have a role to play, residents, citizens, public officials. It begins with not accepting the legitimacy of corporate personhood and money as speech – despite the fact that we live in a corporate culture.

But even that culture is changing.

I end with an apt quote from the first 10 minutes in the recent film, *Barbie*.

"In Barbieland, corporations are not people and money is not speech."

Indeed the culture is changing. It's up to us as part of a larger democracy movement to affirm that only people are human persons and that money in elections can be regulated. Changing the culture goes hand in hand with changing our governing institutions. That includes Amending the Constitution.

Thank you.

DEMOCRACY DAY TALK (2023) – Taking Action Against Non-Renewable Energy Corporations

Bill Wilen, Kent

Thank you Kent City Council for your continuing approval of our yearly one-hour public hearing called Democracy Day. I should also thank the Ohio Supreme Court for its 7-0 vote on our DD petition 8 years ago.

One of my main targets of all the large number of corporations that use their money to support their candidates running for office and further use their money to influence decisions made by their politicians is big oil and gas companies - Exxon Mobil, Shell and Chevron, for example. The money they pour into elections to get their way is legal because corporations have the status of personhood according to the Citizens United Supreme Court decision in 2010. And money is a form of speech. A democracy should not legalize corporations as persons speaking with their dark money.

“Corporate campaign donations through super PACS not only increase the total amount of money politicians raise in each election – but/ dilutes everyone else’s voice....If a corporation can give a politician millions of dollars through a super PAC, the self-interested politician is certainly going to prioritize that company and its views more than the constituents the politician represents. This undermines our democracy....If we want to change corporate money in politics and keep this trend going, we’ve got to impact what corporations focus on the most: their bottom lines.” (Amy Jo Miller and Ian Woods. “Op-ed: The surest way to end corporate America’s love affair with money in politics.” Our New Future, 2021). Their bottom line is the money they make especially when their stock prices keep rising.

How can I become active and try to impact oil and gas corporations' bottom lines? I am a member of a local National Association of Investors stock club called Wampum. Obviously our focus is making money from buying and selling stocks. We meet monthly in Stow and small groups of us recommend a stock to buy each month and we decide by listening to the information and data presented and vote. We currently have about 25 stocks.

But each time an oil stock is presented by one of our committees, I vote against it regardless if its investment numbers look good. My reasoning which I tell our group is that purchasing any oil and gas stocks helps sustain greenhouse gases and hurts science's research supportive effort to reduce CO2 and save our earth from extinction. I am a strong supporter of renewable energy. Our current climate emergency is primarily caused by fossil fuel corporations.

I'm thinking about making a greater contribution to try to reduce big oil's bottom line by contacting all 64 of the stock chapters in the United States and present my green position against big oil and try to persuade them to not purchase oil and gas stocks, and to sell those that they may have in their portfolios.

This obviously is much more idealistic than realistic but I know I will feel better because I am doing something to try to reduce the monied influence that big oil and gas have. We need to ACT! Afterall, the gas and oil industries have been playing us for fools.

So, what kind of Democracy Day ACTION do you want to consider to transition from our corporatocracy back to a democracy?

Barbara Hipsman Springer
978 Gardenview St.
Kent, Ohio

Here tonight to honor Tim Smith a lawyer/professor in our school who was an open records authority nationally and locally. And a dear friend and colleague

And so, as we all know, the issues of democracy *control by big money* extend to many parts of our society. As you all know from years of seeing me around, my background is in journalism.

First, I covered small villages and towns. Eventually I moved to the statehouse and judiciary. For 28 years, I taught public affairs reporting at Kent.

I look around us today and realize that when we talk about big business or talk about how dark money is affecting politics, we really should be taking into consideration what big business is doing to democracy in a different way. *It's affecting transparency of democracy*

Nearly every newspaper in the country has been bought out by a bigger business and not necessarily a newspaper business or a News Group.

What's happening is we have hedge fund operators, huge monopolies and unknown trusts buying up small papers like the record Courier and the beacon journal and driving them into the ground for profit. And then, and walking away. While they aren't extinct in our county, it's pretty close. Hence why some journalists started ThePortager.com. Which is, by the way, printing THE VOTERS GUIDE in cooperation with the League. It will be out in time for early voting. *411 is lives of this of*

But it occurs to me that without common knowledge, like the voters guide – now both online at VOTE411 – and in print and the RC's coverage. democracy can't thrive even in a city the size of Kent. ~~Why? Because there's no common knowledge. The RC has gone to under 3000 countywide. We have many more subscribers, but not nearly 100000 or even one per household. No information breeds an insecure public.~~

But that's the problem. What are some solutions? I recently suggested to city manager Dave Ruller that the city consider a newsletter that comes out more than just quarterly, perhaps at least monthly!

In fact, each council person should maybe have a little section of that newsletter or at least be shown how to have an e-mail newsletter from each council ward.

That would solve a lot of problems at the city level because you could update people. You could offer solutions to neighborhood problems or answer whatever questions they have more quickly and rumors could be squelched.

I'll finish my democracy thoughts with this *very local* as journalism goes so goes democracy.

Right now we're on a very thin line that may cost us segments of democracy. Thank you very much

Kent Democracy Day – 10/4/2023

Speaker: Andrew Rome
Director, Haymaker Farmers' Market

Topic: Supporting local food

Hello, my name is Andrew Rome and I'm the Director of Haymaker Farmers' Market in Kent. I'd like to thank City Council and the organizers and advocates for Democracy Day in Kent for offering this opportunity to address local government officials about the issues that matter to the people right here in our community. Haymaker Farmers' Market does not work on the issue of big corporations influencing government – rather we're part of an alternative. Haymaker is a 501(c)3 federal non-profit, public charity whose mission is to connect producers and consumers of local food and agriculture in a vibrant and sustainable gathering place with direct access to food, agricultural and environmental education, and the arts. We see this "connection" between people in Kent as essential in our community – and focusing on these relationships is very different than a "big corporate" model that prioritizes profits over people. Customers at the Market can talk with their farmers and learn about how carefully they steward the land, and then customers make the choice to pay a slightly higher price at the market because they see those dollars reinvested in our community and they know that farmers deserve to be paid fairly for their work. Or maybe they just love delicious food.

Our model that focuses on local foods and local people has been working. In 2022, Haymaker Farmers' Market saw our highest ever customer attendance, with over 39,000 people counted at our year-round markets. Last year we saw a dramatic increase in the food assistance distributed through Haymaker, with over \$90,000 of local foods provided to local people who need them, with our food producers paid fairly for their work. Everyone deserves healthy, fresh, local food. We also saw the highest ever sales, with over \$800,000 of vendor sales in 2022, based on weekly vendor survey results. I think that is just an incredible sales figure, especially given that the Market is only open 3-4 hours per week. The numbers are important to show success – but the real goal is the kind of community we want to create in Kent. It's a great time of year to come to Market – come and see for yourself, bring a friend. This is Kent we want to showcase.

I want to again thank City Council and the City of Kent, for the chance to speak today and for supporting Haymaker Farmers' Market. Other than staffing, our two biggest expenses are rent and music – and the city helps with both. As a year-round Market we move indoors in Winter and rent a church hall for the

season. The 8 months that Haymaker sets up on Franklin Ave. in downtown Kent use the parking lot that the city maintains and leases to Haymaker for \$1 per year. Thank you for that support and that recognition of the value that we bring to downtown and to our city. Haymaker also plans a free, public concert at the Market, every week of the year – supporting local musicians and making local food a celebration. The city's "Celebrate Kent!" grant program has funded our downtown concert series since 2011 – thank you. I think Haymaker Farmers' Market is a great example of the kind of positive community that comes from government working for the interests of local people, rather than the interests of big corporations, and I'm proud to be here serving Kent with you. Thank you.

A graphic for the Ohio Total Solar Eclipse. It features a black background with a series of yellow crescent shapes representing the moon's phases, arranged in a diagonal line from the bottom left to the top right. In the center of this sequence is a black circle with a white ring around it, representing the total eclipse. On the left side, there is a logo with the word "Ohio" in white, with the "O" being a yellow crescent. Below it, the words "TOTAL SOLAR ECLIPSE" are written in white capital letters, and below that, "APRIL 8, 2024" is written in smaller white capital letters. Below the logo, the words "Ohio Total Solar Eclipse" are written in large white letters. At the bottom left, the text "April 8th, 2024. Come early, stay late." is written in white.

Ohio
TOTAL SOLAR ECLIPSE
APRIL 8, 2024

Ohio Total Solar Eclipse

April 8th, 2024. Come early, stay late.

2024 Solar Eclipse

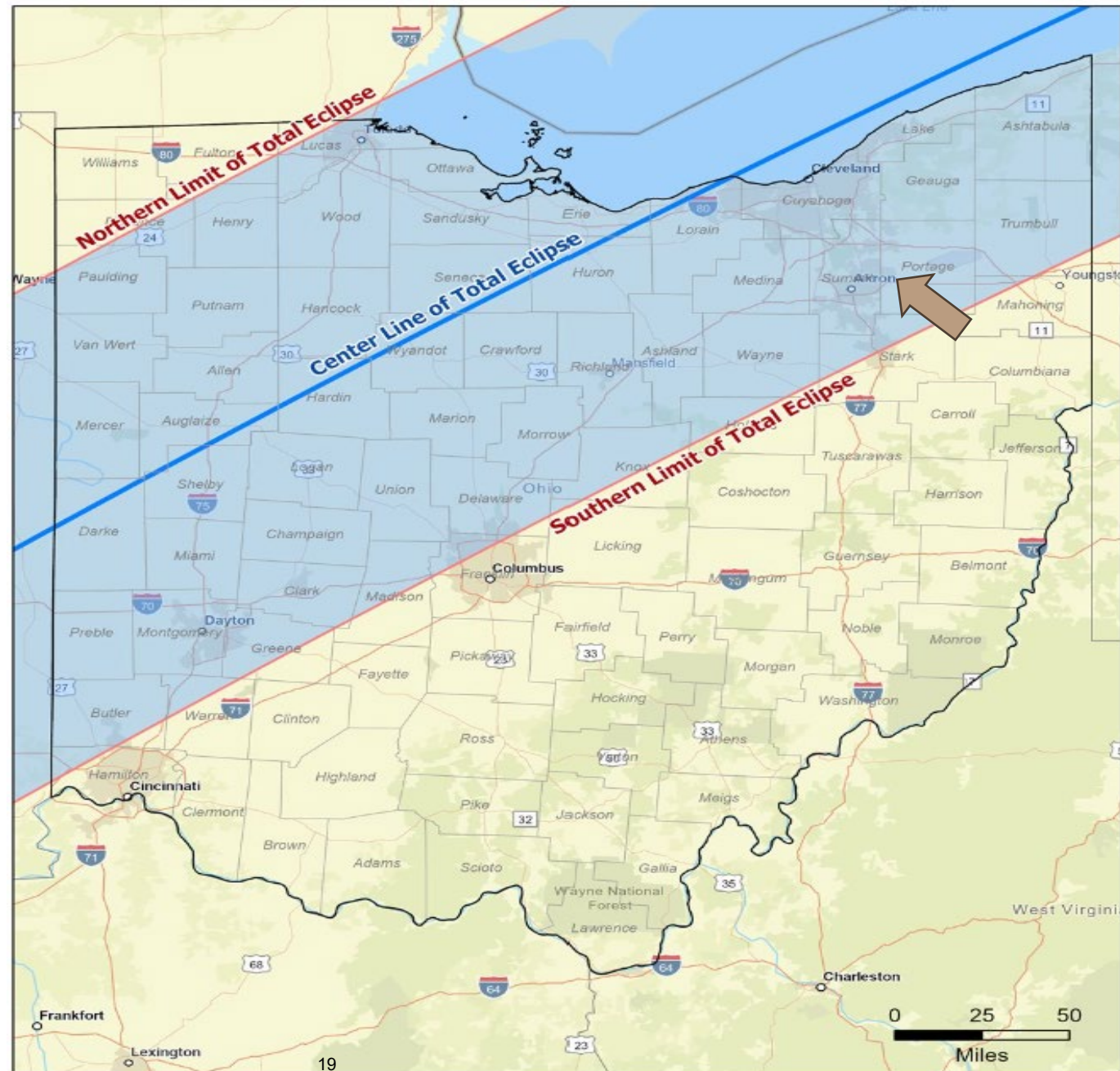
INFORMATION FOR
KENT CITY COUNCIL MEMBERS

OCTOBER 6, 2023

JOAN C. SEIDEL
HEALTH COMMISSIONER

2024 Total Solar Eclipse Path Through Ohio

Areas of Ohio outside of this 124-mile path will experience a partial viewing.



A few facts

- 187 days Away!
- Last Total Eclipse in Ohio was in 1806
- Next Solar Eclipse will be in 2099
- Totality occurs between 1200 and 1600 hours on April 8, 2024
- Maximum eclipse 1417, for Kent 1513 (~3minutes)
- Wider path, Longer duration, Greater population in path (70% of the US population lives within a one-day drive of totality), and more awareness than the eclipse in 2017



It's so far away...

But it will be here before we know it!

- Kent Chamber of Commerce and MSK are planning an exciting group of activities for April 5-8th
- Ohio has been planning for 18 months
- City of Kent meeting to discuss safety & logistics – as with any event



Basic information sources

[Solar Eclipse 2024 | Ohio Department of Natural Resources \(ohiodnr.gov\)](https://ohiodnr.gov)

[Ohio Total Solar Eclipse | Emergency Management Agency](#)

[Total Eclipse Festival 2024 | Great Lakes Science Center \(greatscience.com\)](https://greatscience.com)

More information on Kent plans will follow when confirmed



DRAFT ORDINANCE NO. 2023 –061

AN ORDINANCE PROVIDING AN AMENDMENT TO THE CHARTER OF THE CITY OF KENT, OHIO TO BE SUBMITTED AT THE PRIMARY ELECTION ON MARCH 19, 2024, WHICH WILL AMEND ARTICLE XII, SECTION 12.02 TITLED “VOTING WARD APPORTIONMENT,” AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That the question of the proposed amendment to the Charter of the City of Kent, Ohio, shall be submitted to the vote of the qualified electors of the City of Kent at the Primary Election to be held on March 19, 2024, at the regular places of voting in this City, during hours provided for by law. Such amendment being to amend Article XII, Section 12.02, in the form set for the in the ballot text appearing in Section 3 of this ordinance.

SECTION 2. That the ballots for said election shall, be entitled, with appropriate language for balloting to be determined by the Board of Elections.

SECTION 3. That the question be submitted on said ballot shall be as follows: Shall the Charter of the City of Kent, Ohio Article XII, Section 12.02 titled “Voting Ward Apportionment” be amended by allowing for a 15% population disparity between the wards, and the proposed Section shall provide as follows:

12.02 VOTING WARD APPORTIONMENT.

Commencing as early as practicable in the year 1971, and every ten years thereafter, Council shall determine by census the resident population of each ward, and shall apportion them equally, and, if necessary, shall redefine the boundaries thereof, so that there is no disparity, in resident population, of more than 15% between wards; provided, however, that this shall in no way limit, nor preclude, an increase in the number of wards, and further provided that each ward shall be comprised of compact and contiguous territory

SECTION 4. That the Clerk of this Council shall submit forthwith a certified copy of this ordinance to the Portage County Board of Elections.

SECTION 5. That the Board of Elections of Portage County shall cause an appropriate notice to be given of the election to be held on March 19, 2024, on the foregoing amendment to the Charter of this City and otherwise to provide for such election the manner provided by the general laws of the State of Ohio.

SECTION 6. That the Clerk of this Council shall cause the full text of this proposed Charter amendment to be published once a week for two consecutive weeks in a newspaper of general circulation in this City, with the first publication to be made at least fifteen days prior to the Primary Election to be held March 19, 2024.

SECTION 7. That there is hereby appropriated from the general fund a sufficient sum of money to pay the cost of compliance with Section 6 above.

SECTION 8. 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 pursuant to ORC Section 121.22, 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 including Chapter 107 of the Codified Ordinances of the City of Kent.

SECTION 9. 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

DRAFT ORDINANCE NO. 2023-067

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN EASEMENT FROM HOMETOWN BANK GRANTING A PERPETUAL ROAD AND PUBLIC UTILITY EASEMENT LOCATED AT 200 WEST WILLIAMS STREET FOR THE PURPOSE OF ACCESS TO THE UNDERGROUND UTILITIES, AND DECLARING AN EMERGENCY.

WHEREAS, Hometown Bank owns the property at 200 West Williams Street (Parcel #17-012-10-00-081-000); and

WHEREAS, the City of Kent needs a perpetual road and public utility easement at 200 West Williams Street in order to maintain, operate, repair, remove and replace underground utilities that cross onto the parcel at the intersection of Walnut and Maple Streets; and

WHEREAS, Hometown Bank is willing to grant the perpetual road and public utility easement on said property to the City of Kent; and

WHEREAS, time is of the essence because the property is up for sale and is working with the City to finalize legislative authorization of the easement so that it is in place prior to the property transfer to a future buyer.

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

SECTION 1. That Council does hereby authorize the City Manager or his designee to execute the agreement from Hometown Bank granting a perpetual road and public utility easement to the City of Kent at 200 West Williams Street for the purpose of maintaining, operating, repairing, removing and replacing underground utilities.

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

DRAFT ORDINANCE NO. 2023-068

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING (MOU) WITH KENT STATE UNIVERSITY TO ALLOW FOR THE RELOCATION OF THE CITY'S 24" WATERLINE, AND DECLARING AN EMERGENCY

WHEREAS, the City of Kent wishes to enter into a Memorandum of Understanding (MOU) with Kent State University to allow for the relocation of the City's 24" waterline; and

WHEREAS, the relocation of the waterline is required to accommodate the expansion of KSU's College of Aerospace & Engineering (CAEST) building on Summit Street and all funding has been budgeted and approved.

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

SECTION 1. That Council does hereby authorize the City Manager, or his designee, to enter into a Memorandum of Understanding with Kent State University to allow for the relocation of the City's 24" waterline of which is marked as Exhibit "A", attached hereto and incorporated herein.

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

MEMORANDUM OF UNDERSTANDING

This Memorandum of Understanding ("MOU") is made and entered into this _____ day of _____, 2023, by and between Kent State University ("KSU") and the City of Kent, Ohio ("City").

WHEREAS, the City provides potable water to KSU; and

WHEREAS, a portion of the City's 24" watermain that supplies to KSU passes through an area in conflict with the expansion of the Kent State Aeronautics and Technology Building (CAEST) located on KSU property near the CAEST building, and

WHEREAS, KSU is building an addition onto the CAEST which will require the relocation of the City's 24" waterline; and

WHEREAS, the City is in agreement that the waterline needs to be relocated

NOW THEREFORE, for mutual consideration, the receipt of which is hereby acknowledged by both parties, KSU and the City express their mutual understanding as follows:

- 1) Each of the parties to this MOU will have obligations to meet in order to facilitate the relocation of the waterline as described hereafter:
 - A) KSU will be responsible for the following:
 - i) KSU will be responsible for the work connected to building the addition onto the CAEST.
 - ii) KSU will include the relocation plans for the waterline relocation with the CAEST construction package.
 - iii) KSU will manage the construction contract and oversee the work for the relocation of the waterline.
 - iv) KSU will notify the City of any changes orders for the relocation of the waterline necessary for review and approval.
 - v) KSU will notify the City when work on the waterline is commencing so that the City can get inspectors to the site in a timely manner.
 - vi) KSU will make the plans for relocation of the waterline available to the City for review and approval in a timely manner.
 - vii) Work with ODAS to get approval of the easement for the new waterline location.
 - B) The City will be responsible for the following:
 - i) The City will provide an easement plat and description to KSU for the relocation of the waterline, see exhibit "A"..
 - ii) The City will reimburse KSU 50% of the construction cost, up to \$60,000 to relocate the waterline.

- iii) Reviewing and approving the plans for the relocation of the waterline in a timely manner.
- 2) No terms of this agreement shall eliminate any of the existing rights the City currently has to area occupied by the existing waterline.
- 3) City shall pay KSU for the relocation of the waterline within sixty (60) days of presentation of an invoice for said construction to the City, in writing, at the address listed under the signature line of this MOU.
- 4) This MOU, together with the attached exhibit, contains all of the terms and conditions of the agreement between the parties, and any and all prior and contemporaneous oral and written agreements are merged herein.
- 5) This MOU cannot be changed nor can any provision of this MOU, or any right or remedy of any party, be waived orally. Changes and waivers can only be made in writing, and the change or waiver must be signed by the party against whom the change or waiver is sought to be enforced. Any waiver of any provision of this MOU, or any right or remedy, given on any one or more occasions shall not be deemed a waiver with respect to any other occasion.
- 6) This MOU shall be binding upon and inure to the benefit of the heirs, executors, successors, and assigns of the parties hereto.

IN WITNESS WHEREOF, the parties have executed this MOU on the date indicated below. This agreement becomes effective on the date both parties have signed the document.

CITY OF KENT, OHIO

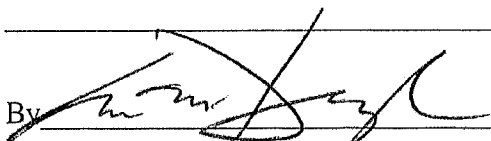
KENT STATE UNIVERSITY

JAG
7/28/2023

By _____

Title _____

Date _____

By 

Title SVP, Finance Admin

Date 7/28/2023

APPROVED AS TO FORM:

Hope Jones, Law Director
City of Kent

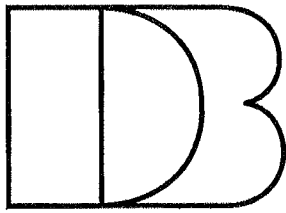
Crystal Burnett: Approved
as to legal form and 2023.07.21
sufficiency for Kent State 11:36:12 -04'00'
University

CERTIFICATE OF DIRECTOR OF BUDGET AND FINANCE

It is hereby certified that the amount of (\$ 60,000) required to meet the contract, agreement, obligation, payment or expenditure, for the above, has been lawfully appropriated or authorized or directed for such purposes and is in the City Treasury or in the process of collection to the credit of Water Fund free from any obligation or certificates now outstanding.

Date

Rhonda Hall
Budget & Finance Director



**Donald Bohning
& Associates**

7979 Hub Parkway
Valley View, Ohio 44125

T 216.642.1130

F 216.642.1132

20' Waterline Easement
277 sq ft. -Summit Road
DGB 5121-WL

April, 2023

EXHIBIT "A"
LEGAL DESCRIPTION

Situated in the City of Kent, County of Portage, and State of Ohio, and known as being part of Original Franklin Township Lot Number 14, and bounded and described as follows:

Beginning at a point of curvature in the centerline of Summit Road (CH 148), variable width, at station 128+11.07, as shown by the State of Ohio Department of Transportation POR-East Summit Street Improvement Plans PID No. 84546;

Thence North 51 degrees 47 minutes 44 seconds West along the centerline of Summit Road, 28.05 feet to a point;

Thence North 38 degrees 12 minutes 16 seconds East, 44.50 feet to a point in the northeasterly line of Summit Road;

Thence South 51 degrees 47 minutes 44 seconds East along the northeasterly line of Summit Road, 11.69 feet to an angle point, therein;

Thence South 54 degrees 51 minutes 13 seconds East along the northeasterly line of Summit Road, 155.28 feet to an angle point, therein;

Thence South 67 degrees 30 minutes 05 seconds East along the northeasterly line of Summit Road, 55.55 feet to an angle point with the northerly line of Relocated Johnston Drive;

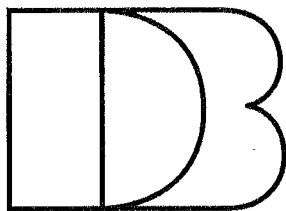
Thence North 83 degrees 38 minutes 32 seconds East along the northerly line of Relocated Johnston Drive, 117.50 feet to an angle point, therein;

Thence South 39 degrees 05 minutes 07 seconds East along the easterly line of Relocated Johnston Drive, 21.48 feet to a point in said centerline;

Thence South 37 degrees 52 minutes 33 seconds East along the easterly line of Relocated Johnston Drive, 31.77 feet to an angle point, therein;

Thence South 34 degrees 41 minutes 15 seconds West along southerly line of Relocated Johnston Drive, 32.34 feet to a point, and the principal place of beginning of the easement herein described;

Thence South 74 degrees 57 minutes 00 seconds East, 21.43 feet to a point in the northerly line of vacated Rhodes Road (vacated in Ordinance 1986-95);



**Donald Bohning
& Associates**

7979 Hub Parkway
Valley View, Ohio 44125

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20' Waterline Easement
277 sq ft. -Summit Road
DGB 5121-WL

Thence South 63 degrees 09 minutes 56 seconds West along the northerly line of said vacated Rhodes Road, 29.96 feet to a point;

Thence North 74 degrees 57 minutes 00 seconds West, 6.26 feet to a point in the southerly line of Relocated Johnston Drive;

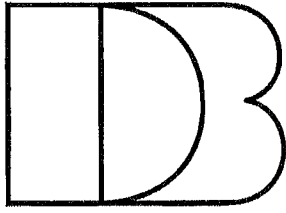
Thence North 34 degrees 41 minutes 15 seconds East along the southerly line of Relocated Johnston Drive, 21.24 feet to the principal place of beginning, and containing 277 square feet, as described by Donald G. Bohning & Associates, Inc. in April, 2023.

The courses used in this description are referenced to the State of Ohio Department of Transportation POR-East-Summit Street Improvement Plans PID No. 84546.

Michael A. Ackerman
Registered Surveyor No. 8196

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**Donald Bohning
& Associates**

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20' Waterline Easement
5239 sq. ft. - Summit Road
DGB 5121-WL

April, 2023

EXHIBIT "A"
LEGAL DESCRIPTION

Situated in the City of Kent, County of Portage, and State of Ohio, and known as being part of Original Franklin Township Lot Number 14, and bounded and described as follows:

Beginning at a point of curvature in the centerline of Summit Road (CH 148), variable width, at station 128+11.07, as shown by the State of Ohio Department of Transportation POR-East Summit Street Improvement Plans PID No. 84546;

Thence North 51 degrees 47 minutes 44 seconds West along the centerline of Summit Road, 28.05 feet to a point;

Thence North 38 degrees 12 minutes 16 seconds East, 44.50 feet to a point in the northeasterly line of Summit Road, and the principal place of beginning of the easement herein described;

Thence North 51 degrees 47 minutes 44 seconds West along the northeasterly line of Summit Road, 29.40 feet to a point;

Thence North 85 degrees 20 minutes 26 seconds East, 53.03 feet to a point;

Thence South 55 degrees 09 minutes 12 seconds East, 238.29 feet to a point in the northerly line of Relocated Johnston Drive;

Thence South 83 degrees 38 minutes 32 seconds West, 30.36 feet to a point;

Thence North 55 degrees 09 minutes 12 seconds West, 208.27 feet to a point;

Thence South 85 degrees 20 minutes 26 seconds West, 24.29 feet to the principal place of beginning, and containing 5,239 square feet, as described by Donald G. Bohning & Associates, Inc. in April, 2023.

The courses used in this description are referenced to the State of Ohio Department of Transportation POR-East Summit Street Improvement Plans PID No. 84546.

Michael A. Ackerman
Registered Surveyor No. 8196



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DRAFT ORDINANCE NO. 2023 - 069

AN ORDINANCE AUTHORIZING THE CITY OF KENT HEALTH DEPARTMENT TO APPLY FOR A PUBLIC ENTITIES POOL (PEP) GRANT, AND TO ACCEPT THE GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATION OF FUNDS AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Health Department would like to apply for a Public Entities Pool (PEP) grant. If awarded, the grant would be worth up to \$1,000.00; and

WHEREAS, the funds would be used to purchase an automatic defibrillator (AED), bleed kit and wall mounted storage case with signage for the clinic space; and

WHEREAS, the City wishes to apply and accept said grant.

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

SECTION 1. That Kent City Council approves submission of the application for the Public Entities Pool (PEP) grant, execution of the subsequent agreement, and authorized that the Administration provide all information, funds, and documentation required in said applications for submission.

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

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

SECTION 4. 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 5. 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

DRAFT ORDINANCE NO. 2023 -070

AN ORDINANCE AUTHORIZING THE CITY OF KENT HEALTH DEPARTMENT TO ACCEPT THE AWARDED HEALTH EATING AND ACTIVE LIVING GRANT (HEAL) FOR 2024, AND DECLARING AN EMERGENCY.

WHEREAS, the Health Eating and Active Living grant (HEAL) has been awarded and extended for 2024 to the City of Kent Health Department. The grant from 2022 has been increased to \$25,000; and

WHEREAS, the funds will be used for healthy eating and active living program; and

WHEREAS, the City wishes to accept said grant.

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

SECTION 1. That Kent City Council accepts the awarded Health Eating and Active Living grant (HEAL) extended for 2024 in the amount of \$25,000, execution of the subsequent agreement, and authorized that the Administration provide all information, funds, and documentation required in said applications for submission.

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

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

SECTION 4. 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 5. 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

DRAFT ORDINANCE NO. 2023-071

AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND THE OHIO PATROLMEN'S BENEVOLENT ASSOCIATION (OPBA), FOR THE PERIOD OF NOVEMBER 1, 2023, THROUGH OCTOBER 31, 2026, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent, Ohio and the Ohio Patrolmen's Benevolent Association (OPBA), have agreed to the terms of a labor agreement to be effective from November 1, 2023 through October 31, 2026; and

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

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

SECTION 1. That the Administration is hereby authorized to enter into a collective bargaining agreement in the form and upon the terms set forth in the tentative agreement between the City and the Ohio Patrolmen's Benevolent Association (OPBA), for the period of November 1, 2023 through October 31, 2026, as is fully set forth in Exhibit "A", on file with the Clerk of Council.

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

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

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens, 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