



City of Kent
Wednesday, December 20, 2023
Regular City Council Meeting
320 S. Depeyster Street, Kent, OH 44240

AGENDA

7:25 P.M. Board of Control

7:30 P.M. Regular Council Meeting

1. Roll Call
2. Opening Remarks
 - 2.1. Councilmember Shaffer Bish remarks and Pledge of Allegiance
 - 2.2. Dedication of New City Administration Building
3. Approval of Minutes
 - 3.1. November 15, 2023 Regular Meeting Minutes
December 6, 2023 Special Meeting Minutes
4. Communications
 - 4.1. Public Comment- Anyone wishing to address Council must submit their written comments to the Clerk of Council at councilclerk@kentohio.gov by 4:30 p.m. on the 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)
 - Email from Rick Hawksley regarding the status of street repairs on Portage Street was received on November 18, 2023.
 - Email from Dustin Holfinger, State Government Relation Director for the American Heart Association regarding the possible Governor's veto of tobacco preemption language was received on November 20, 2023.
 - Email from Kayla Adolph regarding Climate Pollution Reduction Grants that are available through the EPA was forwarded to Council on November 29, 2023.
 - Request for an Updated List of City Elected Officials from the Ohio Ethics Commission was received, completed, and returned on November 28, 2023.
 - Email from Benjamin Tipton and Main Street Kent commending Jim Bowling on addressing the pressing issue of pedestrian safety in

downtown Kent with permanent 12-month installation of in-street pedestrian crosswalk signs was received and forwarded to Council on November 30, 2023.

- Email from Doug Fuller, asking Council not to approve the Design Guidelines as presented, was received and forwarded to Council on December 6, 2023.
- Standing Rock Cemetery Board of Trustees December meeting agenda was received on December 5, 2023.
- Health Board Agenda Meeting Minutes for the December meeting were received on December 7, 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. December 6, 2023 Committee Meeting Minute Approval

5.1.2. Action(s) Recommended: None

5.1.3. Motion to Authorize Drafts 2023-087, 2023- 088, 2023-089 and suspend Council's Standing Rules

5.1.4. **Draft 2023- 087** A RESOLUTION OF COMMENDATION AND APPRECIATION TO THE HONORABLE GARRET FERRARA FOR THE GENEROUS CONTRIBUTION OF HIS TIME AND TALENTS AS WARD 1 COUNCIL FOR THE PAST TWENTY-FOUR YEARS (Unauthorized)

5.1.5. **Draft 2023- 088** A RESOLUTION OF COMMENDATION AND APPRECIATION TO THE HONORABLE JOHN KUCHAR FOR THE GENEROUS CONTRIBUTION OF HIS TIME AND TALENTS AS WARD 4 COUNCIL FOR THE PAST EIGHTEEN YEARS (Unauthorized)

5.1.6. **Draft 2023- 089** A RESOLUTION OF COMMENDATION AND APPRECIATION TO THE HONORABLE TRACY WALLACH FOR THE GENEROUS CONTRIBUTION OF HER TIME AND TALENTS AS WARD 6 COUNCIL FOR THE PAST SIXTEEN YEARS. (Unauthorized)

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

5.2.1. Committee Minutes: None

5.2.2. Action(s) Recommended: Authorized 11/15/23

5.2.3. **Draft 2023-081** (3rd Reading) AN ORDINANCE AMENDING CHAPTER 351 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED "PARKING GENERALLY", AND DECLARING AN EMERGENCY (Authorized)

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

5.3.1. December 6, 2023 Committee Meeting Minute Approval

5.3.2. Action(s) Recommended

1. Authorize zoning on Johnson Road from medium residential (R-2) to open space/recreational, with the emergency clause.
2. Adopt revised Design Guidelines and remove old design guidelines from the zoning code, with the emergency clause.

5.3.3. **Draft 2023-090** AN ORDINANCE AMENDING THE CITY'S ZONING DISTRICTS MAP FOR PARCEL #17-046-00-00-019-009 TO BE REZONED TO O-R: OPEN SPACE-RECREATION DISTRICT, AND DECLARING AN EMERGENCY (Authorized)

5.3.4. **Draft 2023- 091** AN ORDINANCE ADOPTING CHANGES TO THE DESIGN GUIDELINES AND PART ELEVEN - PLANNING AND ZONING CODE, AND DECLARING AN EMERGENCY (Authorized)

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

5.4.1. December 6, 2023 Committee Meeting Minute Approval

5.4.2. Action(s) Recommended

1. Authorize the renewal of the Portage County Public Defender's contract for 2024 with an emergency clause.
2. Authorize the 2024 City Operating Budget, including the 3% water and sewer rate increases with the emergency clause.
3. Approve the 2023 Budget Appropriation amendment with an emergency clause.
4. Approve "then and now" purchases incurred in 2023 over \$3,000, with an emergency clause.
5. Approve the Position Allocation and General Compensation Plan with an emergency clause.
6. Authorize the AFSME Collective Bargaining Agreement with an emergency clause.
7. Authorize the FOP Collective Bargaining Agreement with an emergency clause.
8. Authorized the IAFF Collective Bargaining Agreement with an emergency clause.

5.4.3. Motion to authorize drafts 2023-104 and 2023-105 and to Suspend the Council's Standing Rules.

5.4.4. **DRAFT 2023-092** AN ORDINANCE AMENDING SECTION 913.05 OF THE KENT CODIFIED ORDINANCES, INCREASING THE WATER RATES OF THE CITY OF KENT, OHIO BY THREE PERCENT (3%) BEGINNING WITH THE

FIRST BILLING CYCLE IN JANUARY 2024, AND DECLARING AN EMERGENCY (Authorized)

- 5.4.5. **DRAFT 2023-093** AN ORDINANCE AMENDING SECTION 915.72 OF THE KENT CODIFIED ORDINANCES, INCREASING THE SEWER RATES OF THE CITY OF KENT, OHIO BY THREE PERCENT (3%) BEGINNING WITH THE FIRST BILLING CYCLE IN JANUARY, 2024, AND DECLARING AN EMERGENCY (Authorized)
- 5.4.6. **Draft 2023-094** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO CONTRACT, ON BEHALF OF THE CITY OF KENT, WITH THE OFFICE OF THE PUBLIC DEFENDER, PORTAGE COUNTY, FOR THE PROVISION OF LEGAL COUNSEL TO INDIGENT PERSONS CHARGED WITH POTENTIAL PENALTY OF INCARCERATION FOR OFFENSES COMMITTED IN VIOLATION OF THE ORDINANCES OF SAID CITY FOR THE PERIOD JANUARY 1, 2024, THROUGH DECEMBER 31, 2024, AND DECLARING AN EMERGENCY (Authorized)
- 5.4.7. **DRAFT 2023-095** AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR, UPON THE ISSUANCE OF A CERTIFICATE OF AVAILABILITY OF FUNDS, TO PAY CERTAIN PURCHASE ORDERS MADE THAT EXCEED \$3000.00; AND DECLARING AN EMERGENCY (Authorized)
- 5.4.8. **DRAFT 2023-096** AN ORDINANCE AMENDING ORDINANCE NO. 2022-137 THE POSITION ALLOCATION AND GENERAL COMPENSATION PLAN, AND DECLARING AN EMERGENCY. (Authorized)
- 5.4.9. **DRAFT 2023-097** AN ORDINANCE APPROPRIATING 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, 2024, AND DECLARING AN EMERGENCY (Authorized)
- 5.4.10. **DRAFT 2023-098** 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. (Authorized)
- 5.4.11. **Draft 2023-099** AN ORDINANCE AUTHORIZING A MEMORANDUM OF UNDERSTANDING FOR THE FINAL YEAR OF THE COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND THE AMERICAN FEDERATION OF STATE, COUNTY AND MUNICIPAL EMPLOYEES (AFSCME), OHIO COUNCIL 8, LOCAL 379, AFL-CIO, AND AUTHORIZING A NEW COLLECTIVE BARGAINING AGREEMENT WITH AFSCME FOR THE PERIOD OF NOVEMBER 1, 2024 THROUGH OCTOBER 31, 2026, AND DECLARING AN EMERGENCY⁹ (Authorized)

- 5.4.12. **Draft 2023- 100** AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND THE CIVILIAN EMPLOYEE UNIT, FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL FOR THE PERIOD OF NOVEMBER 1, 2023 THROUGH OCTOBER 31, 2026, AND DECLARING AN EMERGENCY. (Authorized)
- 5.4.13. **Draft 2023-101** AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND POLICE OFFICER UNIT, FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL FOR THE PERIOD OF NOVEMBER 1, 2023 THROUGH OCTOBER 31, 2026, AND DECLARING AN EMERGENCY (Authorized)
- 5.4.14. **Draft 2023-102** AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND THE DISPATCH UNIT, FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL FOR THE PERIOD OF NOVEMBER 1, 2023 THROUGH OCTOBER 31, 2026 AND DECLARING AN EMERGENCY (Authorized)
- 5.4.15. **Draft 2023- 103** AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND LOCAL UNION #721, INTERNATIONAL ASSOCIATION OF FIREFIGHTERS FOR THE PERIOD OF SEPTEMBER 1, 2023 THROUGH AUGUST 31, 2026, AND DECLARING AN EMERGENCY (Authorized)
- 5.4.16. **Draft 2023-104** AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT A GRANT FUNDING APPLICATION TO THE OHIO DEPARTMENT OF DEVELOPMENT (ODOD) FOR THE WATER RECLAMATION FACILITY DIGESTER HEAT EXCHANGER PROJECT AND TO ACCEPT THE GRANT, IF AWARDED, AND EXECUTE THE SUBSEQUENT GRANT AGREEMENT WITH CORRESPONDING APPROPRIATION OF FUNDS, AND DECLARING AN EMERGENCY (Unauthorized)
- 5.4.17. **Draft 2023-105** AN ORDINANCE AUTHORIZING THE CITY OF KENT PARKS & RECREATION DEPARTMENT TO SUBMIT A FOURTH ROUND OF STABILIZATION GRANTS FROM THE OHIO CHILD CARE RESOURCE AND REFERRAL ASSOCIATION (OCCRA) TOTALING \$94,500, TO EXECUTE THE SUBSEQUENT AGREEMENT AND TO ACCEPT THE GRANTS, IF AWARDED, WITH CORRESPONDING APPROPRIATION OF FUNDS FOR THREE (3) CHILDCARE CENTERS, AND DECLARING AN EMERGENCY (Unauthorized)

6. Unfinished Business

6.1. Recognizing Council Members

7. New Business

7.1. Swearing in of Elected Officials

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.