City of Kent

Wednesday, May 15, 2024

Regular City Council Meeting

320 S. Depeyster Street, Kent, OH 44240

AGENDA

7:00 P.M. CDBG Public Hearing

1. On May 1, 2024, notice was given that Kent City Council will be holding a public hearing for the PY2024 Action Plan available for public review.

Board of Control and Regular Council Meeting Immediately Following Public Hearing

1. Roll Call

2. Opening Remarks and Pledge of Allegiance- Ms. Heidi Shaffer Bish

3. Approval of Minutes

   3.1. April 17, 2024 Regular Meeting Minutes
   May 1, 2024 Joint Mtg.with Franklin Twp. Trustee Mtg. 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)

      1. Email from Lisa Washburn in regard to the proposed assisted living villas being proposed by Portage Health Networks was received on April 19, 2024.
      2. Liquor License transfer request for license transferring from Pit Stop Pub LLC to Last Exit Books/Jason Merlene DBA Last Exit Books 124 E. Main St. Kent was received on April 22, 2024. Chief Shearer had no objections.
      3. Email from Mr. John Kuhar regarding environmental concerns with the trash haulers requiring mattresses and furniture to be covered in plastic was received and forwarded to Council on April 24, 2024.
      4. Standing Rock Cemetery Board of Trustees Meeting Agenda for May 9, 2024 was received on May 6, 2024.

5. An application for CRAH Board, Fair Housing Board and Income Tax Board of Review was received from Alyssa Fleming on May 8, 2024.

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. May 1, 2024 Committee Meeting Minute Approval

5.1.2. Action(s) Recommended : Received staff updates on Kent Parks and Recreation, KSU Town and Gown Initiatives and City Hall Construction. No action necessary.

5.2. **Community Development** Chair Rosenberg/ Vice-Chair Clapper

5.2.1. May 1, 2024 Committee Meeting Minute Approval

5.2.2. Action(s) Recommended

1. Accept and approve the recommendation of the TIRC to renew the terms of the Davey Tree Enterprise Zone Agreement with the emergency clause.

5.2.3. **Draft 2024-040** AN ORDINANCE APPROVING A REQUEST FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ASSISTANCE FOR FISCAL YEAR 2024 UNDER TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED, INCLUDING THE PY2024 ANNUAL ACTION PLAN AND AUTHORIZING THE EXECUTION AND FILING OF THE PY2024 ANNUAL ACTION PLAN, INCLUDING RELATED CERTIFICATIONS, AND UPON AWARDING OF THE GRANT, AUTHORIZING APPROPRIATION OF FUNDS AND DECLARING AN EMERGENCY (Unauthorized)

5.2.4. **DRAFT 2024-041** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO CONTINUE THE ENTERPRISE ZONE AGREEMENT WITH THE DAVEY TREE EXPERT COMPANY PROVIDING FOR A PROJECT AND REAL PROPERTY TAX EXEMPTION PURSUANT TO THE OHIO ENTERPRISE ZONE PROGRAM (EZ), AND DECLARING AN EMERGENCY (Authorized)

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

5.3.1. May 1, 2024 Committee Meeting Minute Approval

5.3.2. Action(s) Recommended

1. Authorize the placement of the renewal of the 2020 General Operating Levy (1.16 mils) on the November 2024 ballot
2. Authorize the new Bonds and Deposit Fund with the emergency clause.
3. Authorize the new Health Department budget fund with the emergency clause.
4. Approve the 2024 budget appropriations amendments with the emergency clause.

5.3.3. **Draft 2024-042** A RESOLUTION DECLARING IT NECESSARY TO RENEW THE CITY'S EXISTING 1.16-MILL TAX LEVY FOR THE PURPOSE OF CURRENT EXPENSES; REQUESTING THE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT RENEWAL LEVY, PURSUANT TO SECTIONS 5705.03, 5705.19(A) AND 5705.191 OF THE REVISED CODE, AND DECLARING AN EMERGENCY (Authorized)

5.3.4. **Draft 2024-043** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ALLOW THE CREATION OF TWO (2) NEW BUDGET FUNDS THAT IS NECESSARY TO SEPARATE CITY BONDS AND DEPOSITS AND TRACK HEALTH DEPARTMENT REVENUES AND EXPENSES; AND DECLARING AN EMERGENCY. (Authorized)

5.3.5. **Draft 2024-044** AN ORDINANCE AMENDING ORDINANCE NO. 2023-97, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 20, 2023; 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, 2024; AND DECLARING AN EMERGENCY (Authorized)

5.3.6. **Draft 2024-045** AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE FOLLOWING AGREEMENTS WITH THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING TEMPORARY EASEMENTS, FOR RIGHT-OF-WAY PURPOSES, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY FOR THE PROJECT KNOWN AS EAST MAIN STREET IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY (Authorized)

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

5.4.1. May 1, 2024 Committee Meeting Minute Approval

5.4.2. Action(s) Recommended

1. Approve the recommendation of the TES Commiittee to prohibit parking semi-tractor trailer trucks from parking in residential properties with the emergency clause.

5.4.3. **Draft 2024-046** AN ORDINANCE ENACTING SECTION 351.041 OF THE KENT CODIFIED ORDINANCES TITLED “PARKING COMMERCIAL VEHICLES IN RESIDENTIAL AREAS” AND DECLARING AN EMERGENCY (Authorized)

6. Unfinished Business

7. New Business

8. Councilmembers' Comments

9. Mayor's Report

10. Executive Session

10.1. To consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit- for-use property in accordance with section 505.10 of the Revised Code,

11. Return to Regular Meeting

11.1. **Draft 2024-047** AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN PRIZM PROPERTY GROUP OF OHIO, LLC AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A PERMANENT AND TEMPORARY EASEMENT FOR RIGHT-OF-WAY PURPOSE FOR THE PROJECT KNOWN AS EAST MAIN STREET IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY (Unauthorized)

11.2. **Draft 2024-048** AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN NNIA PROPERTIES, LLC AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT FOR RIGHT-OF-WAY PURPOSE FOR THE PROJECT KNOWN AS EAST MAIN STREET IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY (Unauthorized)

11.3. **Draft 2024- 049** AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN SABATINE BK DEVELOPMENT, LLC AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A PERMANENT AND TEMPORARY EASEMENT FOR RIGHT-OF-WAY PURPOSE FOR THE PROJECT KNOWN AS EAST MAIN STREET IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY (Unauthorized)

Adjourn

City of Kent

Wednesday, April 17, 2024

Regular City Council Meeting

320 S. Depeyster Street, Kent, OH 44240

MINUTES

At 07:00 PM, Mayor Jerry T. Fiala called the Regular City Council Meeting to order.

Present:	Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms.Gwen Rosenberg, Ms. Heidi Shaffer Bish, 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; Mr. Nick Shearer, Chief of Police; Mr. Jamie Samels, Fire Chief; Ms. Dominique Bollenbacher, Community Engagement Coordinator;; Ms. Amy Wilkens, Clerk of Council

Opening Remarks and Pledge of Allegiance

Mr. Chris Hook said he was happy for the turnout at the Council meeting, noting that in his three months on the Council, attendance has been higher than usual, with people even overflowing out of the chambers. He emphasized the importance of continued engagement from the community, encouraging attendees to keep showing up, engaging, and reaching out to their Council representatives. Mr. Hook appreciated the energy and diverse representation across generations, assuring the community that the Council is listening and looks forward to hearing their input during the meeting.

He asked all to stand for the Pledge of Allegiance.

Approval of Minutes

MOTION TO APPROVE THE MARCH 20, 2024 REGULAR MEETING MINUTES MADE BY Ms. Gwen Rosenberg, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 9-0-0.

Communications

Mayor Fiala proposed suspending the standing rules to allow Bridget Susel to provide an overview of the marijuana situation in Ohio before proceeding to Public Communication.

MOTION TO SUSPEND STANDING RULES MADE BY Mr. Jack Amrhein, SECONDED by Ms.Gwen Rosenberg and CARRIED by a voice vote of 9-0-0.

Ms. Bridget Susel clarified the situation regarding adult-use cannabis licensing in Ohio. She emphasized that there is currently no availability of such licenses in Ohio. She highlighted that any potential future licensing would likely be regulated by the state legislature and clarified the timeline for the issuance of licenses according to state law. Bridget also explained that the temporary moratorium imposed by the City of Kent is not a ban but rather a legislative action to allow time for the adoption of rules and regulations associated with the adult cannabis industry. She emphasized the importance of taking a proactive approach to zoning law to ensure that regulations reflect the community's needs and comply with state law. Bridget addressed misinformation circulating on social media and encouraged individuals to refer to official sources for accurate information on the issue.

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, embarrassment, harassment or otherwise objectionable. We ask you to give your name and address and limit comments to three (3) minutes.”

Clerk Wilkens called the first speaker to the microphone.

Pamela Siekman, co-owner of Bliss Ohio, a state-licensed medical marijuana dispensary located at 331 East Main Street, addressed the council. She clarified her role and corrected misinformation regarding the ownership of the business. Pamela highlighted the compliance of Bliss Ohio with all aspects of the law pertaining to medical cannabis dispensaries and emphasized their contributions to the community, including employing local residents and supporting local businesses and charities. She expressed the intention of expanding their business into adult cannabis sales and highlighted the potential tax revenues that could benefit the city. Pamela expressed dismay at the city's decision to impose a moratorium on adult-use cannabis licensing, stating that it would hinder their plans for expansion despite their proven track record of compliance and contribution to the community.The speaker informed the Council that the Department of Commerce, Division of Cannabis Control, has issued 13 new administrative rules regarding the Dual license application, which their business intends to apply for. These rules are currently open for public comment, and the chairman of the joint committee on agency rule review expects them to be finalized on May 13th.

Mayor Fiala asked that Ms. Siekman wrap up her comments. She said her husband, Dwayne Siekman, would continue where she left off.

Dwayne Siekman, co-owner of Bliss Ohio located at 331 East Main Street, discussed the administrative rules governing cannabis licensing. He mentioned that the final version of the administrative rules would likely mirror those of the Ohio Department of Commerce, with no additional drafting required after finalization by the Joint Committee on Agency Rule Review on May 13th. Dwayne emphasized that the rules regarding the locations for cannabis facilities are already in effect and would not be changed for adult or dual-use license holders. He also highlighted the overwhelming support for adult-use cannabis sales in Kent, citing the high percentage of residents who voted in favor of it. Dwayne provided details about the investments made in their facilities and operations, including security measures and compliance with state regulations. He addressed concerns raised by residents, emphasizing that none of the negative predictions had materialized, and expressed gratitude to their staff and patients for being exemplary community partners. (**Attachment #1**)

Madeline Franz, a current student at Kent State University, highlighted the city of Kent's reputation for leadership, education, and hospitality. She emphasized the need to handle changes regarding cannabis legalization carefully and rationally. Madeline cited studies showing positive effects of recreational marijuana policy changes in college towns, such as increased applications and improved academic performance. She also mentioned the potential annual tax revenue generated by cannabis sales, estimated to be between $276 million to $343 million in the fifth year of operation. Madeline argued that limiting the economic and educational potential by restricting legal cannabis sales within the city would be a disservice. She reminded the council of the significant percentage of Kent taxpayers who voted in favor of ending prohibition and urged them to consider the consequences of their decision on the community's future. Madeline encouraged the council to embrace change and move forward into the future by allowing regulated cannabis sales.

Sabra Corea, a longtime resident of Kent and a medical marijuana patient at Bliss Ohio, expressed concern about the future of the local business. She questioned why various government bodies are placing roadblocks in the way of legalized marijuana despite the expressed desire of Ohio residents. Sabra highlighted the importance of allowing local businesses like Bliss Ohio to adapt to a changing market, especially as adult-use cannabis legalization is anticipated. She emphasized the convenience and community connection offered by Bliss Ohio and expressed a desire to see them thrive without unnecessary restrictions. Sabra concluded by urging the council to support local businesses and keep Kent's economy vibrant and local.

Hannah Toth, a Kent State University senior and resident, highlighted the economic, political, and medical implications of restricting recreational marijuana sales in Kent. She emphasized the medical benefits of marijuana for conditions like depression and anxiety, which are not currently covered under Ohio's medical marijuana program. Hannah shared her personal experience with depression and anxiety and expressed marijuana as a helpful aid. She noted the overwhelming community support for recreational marijuana legalization in Kent and warned against going against the community's voice by imposing a moratorium. Hannah stressed the potential negative impacts of the moratorium on the local economy, job losses, and tax revenue, as well as the risks associated with obtaining marijuana from the streets, where it may be laced with dangerous substances like fentanyl. She urged the City Council to consider the voices of the citizens and the economic benefits of recreational marijuana sales for the city's well-being.

Mitchell Hitchcock, a resident of Kent and former security provider for Bliss Ohio, opposed the moratorium on adult-use cannabis sales. He emphasized his experience in providing security for the dispensary and attested to the professionalism and security measures implemented by Bliss Ohio. Mitchell argued that the moratorium would put medical patients at risk and move revenue outside of the city to competitors. He highlighted the impact on local employees and the community, noting the charitable work and contributions made by Bliss Ohio. Mitchell pointed out that the state heavily regulates medical marijuana and will continue to do so for adult-use cannabis. He proposed restricting smoke shops and head shops selling intoxicating hemp instead of imposing a ban on adult-use sales. Mitchell urged the council to reconsider the moratorium, emphasizing the potential negative consequences for Bliss Ohio and the community.

James Russell III, the designated representative of Bliss Ohio, spoke against the moratorium on adult-use cannabis sales. He highlighted his role in ensuring compliance with regulations and emphasized the benefits of the cannabis industry for Kent, including job creation, tax revenue, and alternative medication options. James expressed excitement about the potential tax revenue that could benefit the city, citing estimates ranging from $200 to $400 million. He emphasized his personal investment in Kent as a resident and former Kent State University student, expressing a desire to contribute positively to the community. James emphasized that Bliss Ohio aims to engage in open dialogue and provide assistance to the community.

Tom Patterson, residing at 579 South Francis Street, voiced his support for maintaining the legalization of cannabis, which was approved by the people. He highlighted the importance of honoring the public's decision and criticized potential changes made by the state after such decisions are made. Although he personally doesn't use cannabis, he cited the positive experience of his family member at Bliss Ohio, indicating its effectiveness as a medical treatment. Tom expressed frustration with the idea of traveling to other cities to purchase cannabis and the associated loss of tax revenue for Kent. He emphasized the safety and efficacy of cannabis as an alternative method and urged for its continued availability.

Haley Richards, residing at 842 Admore Drive and deeply rooted in the Kent community for over 23 years, expressed concerns about the proposed moratorium on cannabis sales. She emphasized the importance of keeping tax revenue within Kent rather than seeing it go to neighboring cities like Rena. Haley highlighted the potential harm the moratorium could cause to the existing dispensary's ability to compete and contribute to the local economy. She urged the council to reconsider the moratorium, emphasizing the desire to see the community benefit from the tax revenue generated by cannabis sales.

Kayla Henry, a lifelong resident of Kent, expressed her opposition to the proposed moratorium on cannabis sales. She highlighted that the moratorium seems to be driven by fear rather than practical considerations, noting that existing medical dispensaries can easily transition to adult-use dispensaries. Kayla emphasized that the majority of residents support cannabis sales, and implementing the moratorium would only push customers to neighboring cities like Ravenna and Cuyahoga Falls, resulting in lost tax revenue for Kent. She advocated for keeping the revenue within Kent and urged the council to reconsider the moratorium.

Aidan Blackburn, a freshman at Kent State University, shared his personal experience with medical marijuana, stating that he has had five surgeries over the past two years and relies on medical marijuana for sleep. Despite having limited information about the meeting, Aidan emphasized the importance of access to medical marijuana provided by dispensaries like Bliss Ohio in Kent. He highlighted the positive impact it has had on his life and urged the council to consider the benefits of keeping dispensaries in Kent for individuals like him who rely on their services.

Brendan Allen shared his positive experiences with Bliss Ohio, expressing his appreciation for the staff and the welcoming atmosphere they create. Despite his youthful appearance, Brendan emphasized his commitment to using medical marijuana responsibly, highlighting the transition from seeking it on the streets as a minor to obtaining it legally once he turned 18. He described himself as a regular customer at Bliss Ohio, expressing sadness at the prospect of the dispensary shutting down and the potential return to purchasing marijuana illegally. Brendan thanked the council for their time and attention.

Written Communication

1. Board of Zoning Appeals Agenda and Staff Report for the April 1, 2024 Special Meeting was received on March 25, 2024.
2. Planning Commision Agenda and Staff Report for April 2, 2024 was received on March 26, 2024.
3. PARTA Board Application from Karen Beck was received on March 29, 2024. **MOTION TO ACCEPT APPLICATION** MADE BY Ms. Rosenberg SECONDED by Ms. Celko CARRIED by a voice vote of 9-0-0.
4. Standing Rock Cemetery Board of Trustees Agenda for the April 11, 2024 meeting was received on April 3, 2024.

5. Board of Health Meeting Agenda for the April 9, 2024 meeting was received on April 4, 2024.
6. An email from Lucas Brady in regard to Bliss Ohio's ability to sell adult use marijuana was received and forwarded to Council on April 9, 2024.
7. An email from Patricia Johnson of Dinsmore and Shohl LLP regarding Next Level Operators LLC DBA Bliss Ohio, was received on April 9, 2024.
8. Civil Service Commission Agenda for April 15, 2024 was received on April 10, 2024.
9. An email from Rick Hawksley about the noise ordinance was received and shared with Council on April 11, 2024.
10. An email from Emily Mattern notifying Council of her resignation from the Health Board was received on April 10, 2024. **MOTION TO ACCEPT** MADE BY Mr. DeLeone, SECONDED by Mr. Sidoti and CARRIED by a voice vote of 9-0-0.

Communication Received After Agenda Published:

1. Parks and Rec Agenda Packet for the April 18, 2024 meeting was received on April 12, 2024.
2. Email from John Powers in regards to adult use marijuana sales was received and forwarded to Council on April 16, 2024

City Manager's Report

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

1. Request Council's approval to schedule the annual joint meeting with Franklin Township Trustees on May 1st at 7 pm.
2. Request Council's approval to recycle 4 decommissioned City IT servers. (Draft Number 2024 -033)
3. Asked for Council's approval of right of way easements negotiated at fair market value with private property owners for the East Main Street Improvement Project. (Draft Number 2024-034)
4. Request for Committee of the Whole time to provide an update for the Parks and Recreation Department.
5. Request for Committee of the Whole time to allow Dana to provide a KSU update.
6. Requested Committee of the Whole time to provide Council with a brief update on the status of the new City Hall construction project.
7. Requested Finance Committee time to present the proposed Operating Levy Renewal to be placed on the Fall ballot.
8. Requested Finance Committee time to propose the creation of a new budget fund to track Health Department revenues and expenses.
9. Requested Community Development Committee time to request Council's authorization to renew the Dave Tree Enterprise Zone Agreement.
10. Request for Community Development Committee time to present suggestions to modify the criteria used for consideration of street closures for downtown events.
11. Request for Streets, Sidewalks & Utilities Committee time to present a new street closure request for a block party/skateboard event on N. Water Street.

Dave Ruller, the City Manager, addressed the audience, acknowledging their concerns and thanking them for their engagement. He expressed support for recreational marijuana and emphasized the city's eagerness to welcome new tax revenue. Ruller explained that the city's main challenge is navigating the legal complexities of zoning regulations regarding recreational marijuana. He assured the audience that the city is not opposed to marijuana but is focused on ensuring legal compliance and protecting the community's interests. Ruller highlighted the importance of zoning regulations in maintaining a safe and orderly environment for residents and businesses. He reassured the audience that the city is working diligently to find a solution that accommodates both the desires of the community and the legal requirements. Ruller urged the audience not to view the city's actions as opposition to marijuana but rather as a necessary process to ensure responsible implementation. He concluded by expressing gratitude for the community's involvement and reaffirmed the city's commitment to finding a resolution.

Standing Committees & Legislation

Committee of the Whole

MOTION TO APPROVE THE APRIL 3, 2024 COMMITTEE MEETING MINUTES MADE BY Ms. Melissa Celko, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 9-0-0.

Action(s) Recommended: None

Voting for Boards and Commissions

MOTION TO APPOINT CHRIS SYPHRIT MADE BY Mr. Jeff Clapper, SECONDED by None. The motion FAILED.

MOTION TO APPOINT JILLIAN TIPTON MADE BY Ms. Gwen Rosenberg, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 5-4-0.

Ms. Gwen Rosenberg expressed appreciation for all the applicants who spoke to the council about their desire to join the parks and recreation board. She emphasized that every applicant was highly qualified and would make valuable additions to the board. While she acknowledged Miss Tipton's impressive level of experience demonstrated on her resume, she also stressed that all candidates were excellent choices. Ms. Rosenberg highlighted the importance of having such a diverse pool of interested individuals for boards and commissions. She encouraged all applicants to consider applying for other boards or commissions, including the upcoming vacancy on the parks and recreation board in December. Finally, she thanked all the applicants for their interest and participation.

Mr. Sidoti expressed his preference for Jillian and also mentioned his appreciation for the gentleman from Solon. He encouraged the gentleman from Solon to consider reapplying in December when another opening on the Parks Board arises. Mr. Sidoti believed that Jillian would fulfill the current need well and expressed agreement with Ms. Rosenberg's assessment of the outstanding candidates. He clarified that the current term is expired and will be up again in January.

Mr. Turner attempted to nominate Crystal for a position, but there was already a motion on the floor. He was advised to speak to the existing motion.

MOTION TO INSERT NAMES INTO LEGISLATION MADE BY Mr. Roger Sidoti, SECONDED by Mr. Chris Hook and CARRIED by a voice vote of 9-0-0.

Draft 2024-030 A RESOLUTION APPOINTING JILLIAN TIPTON TO THE PARKS AND RECREATION BOARD AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft 2024-030 A RESOLUTION APPOINTING JILLIAN TIPTON MADE by Ms.Gwen Rosenberg, SECONDED by Mr. Roger Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2024-030 MADE by Ms. Gwen Rosenberg, SECONDED by Mr. Roger Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0.

Resolution 2024-030 has passed.

DRAFT 2024-031 AN ORDINANCE AMENDING SECTION 105.01 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT, OHIO, SO AS TO SUBDIVIDE THE CITY INTO WARDS AS REQUIRED BY SECTION 731.06 OF THE OHIO REVISED CODE AND SECTION 64, ARTICLE XIV OF THE CHARTER OF THE CITY OF KENT, OHIO, 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 2024-031 MADE by Ms. Gwen Rosenberg, SECONDED by Mr. Roger Sidoti. On Roll Call Voting "Yes" Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Mr. Roger Sidoti The motion CARRIED by a roll call vote of 7-2-0. Ms. Shaffer Bish and Mr. Turner voted 'No'.

Mr. Robin Turner had several concerns about the ward boundaries issue. Firstly, there's a personal impact on their ward that they find problematic. He noted that the initial adoption of the boundaries was done with six votes, but there was a lack of communication about the implications of not moving forward with the initial decision. Turner feels this lack of communication is problematic, especially considering the potential legal issues concerning state or federal law, citing a lawsuit involving Bowling Green Ordinance as an example. They believe the information about this lawsuit wasn't properly communicated to the council. Turner and another council member, Heidi, still have issues with the decision, feeling that what they voted on should have stood. Turner questions the timeline and requirements for moving forward with the boundaries, emphasizing the need for clarity on the implications for the city if they choose not to accept the boundaries. They suggest that the decision should be put before the voters to determine, prioritizing transparency and understanding the potential consequences for the city.

Ms. Shaffer Bish asked for an amendment. Mayor Fiala and Law Director Hope Jones said they were in the middle of a motion and needed to address the current motion.

Ms. Heidi Shaffer Bish expressed her belief that voters should have a say in the ward boundaries issue. She compared the current situation to a previous redistricting in 2010, which only affected two wards due to a specific event (building of a large apartment complex). Ms. Shaffer Bish suggests that the current redistricting, impacting the entire community, warrants voter input. She proposes giving voters a chance to weigh in on the issue, with the option of using the proposed changes as a backup plan if voters reject it. Bish emphasizes the importance of ensuring citizens know who represents them and building relationships with them, regardless of any changes to ward boundaries. She acknowledges the complexities and uncertainties surrounding the issue but stresses the need for clarity and effective communication with the public. Bish concludes by indicating that while she won't be voting for the proposed changes, she wants to focus on the next steps once a decision is made..

MOTION TO ADOPT DRAFT 2024-031 AN ORDINANCE AMENDING SECTION 105. MADE by Mr. Roger Sidoti, SECONDED by Mr. Chris Hook. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Mr. Roger Sidoti The motion CARRIED by a roll call vote of 7-2-0. Ms. Shaffer Bish and Mr. Turner voted 'No'.

Ordinance 2024-031 has passed.

Community Development

MOTION TO APPROVE THE APRIL 3, 2024 COMMITTEE MEETING MINUTES MADE BY Ms. Gwen Rosenberg, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 9-0-0.

Action(s) Recommended: None

Finance Committee

MOTION TO APPROVE THE APRIL 3, 2024 COMMITTEE MEETING MINUTES MADE BY Mr. Michael DeLeone, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 9-0-0.

Action(s) Recommended

1. Authorize the donation of the Kent Youth Football and Cheer equipment to Kent Youth Football and waive competitive bidding as presented, with the emergency clause.

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

Draft 2024-032 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, ON BEHALF OF THE CITY OF KENT PARKS & RECREATION DEPARTMENT TO DONATE TO THE KENT YOUTH FOOTBALL AND CHEER ORGANIZATION, SPORTS EQUIPMENT AND UNIFORMS, WAIVING COMPETITIVE BIDDING, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft 2024-032 MADE by Ms. Gwen Rosenberg, SECONDED by Mr. Roger Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2024-032 MADE by Ms. Gwen Rosenberg, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0.

Ordinance 2024-032 has passed.

Draft 2024-033 AN ORDINANCE AUTHORIZING THE RECYCLING OF OLD DELL TRAFFIC SERVERS THAT ARE NO LONGER NEEDED FOR MUNICIPAL PURPOSES 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 2024-033 MADE by Mr. Roger Sidoti, SECONDED by Ms. Gwen Rosenberg. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0..

MOTION TO ADOPT Draft 2024-033 MADE by Mr. Roger Sidoti, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff

Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0.

Ordinance 2024-033 has passed.

Draft 2024-034 AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE FOLLOWING AGREEMENTS WITH THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING TEMPORARY, PERMANENT AND UTILITY EASEMENTS, FOR RIGHT-OF-WAY PURPOSES, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY FOR THE PROJECT KNOWN AS EAST MAIN STREET IMPROVEMENT PROJECT, 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 2024-034 MADE by Mr. Michael DeLeone, SECONDED by Mr. Jeff Clapper.On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT Draft 2024-034 MADE by Mr. Michael DeLeone, SECONDED by Mr. Roger Sidoti. OOn Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0.

Ordinance 2024-034 has passed.

<u>Streets, Sidewalks and Utilities</u>

MOTION TO APPROVE THE APRIL 3, 2024 COMMITTEE MEETING MINUTES MADE BY Mr. Roger Sidoti, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 9-0-0.

Action(s) Recommended

1. Authorize the requested closure of Erie Street on April 20th from 9 am to 7 pm with the emergency clause.

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

DRAFT 2024-035 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE A NEW SPECIAL EVENT APPLICATION FROM BRANDED IN KENT KNOWN AS "EARTH DAY VENDOR MARKET" TO BE HELD ON SATURDAY, APRIL 20, 2024, AND THE TEMPORARY CLOSURE OF EAST ERIE STREET BETWEEN SOUTH WATER STREET AND THE PRIVATE ALLEY BY TREE CITY COFFEE, 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 2024-035 MADE by Ms. Heidi Shaffer Bish, SECONDED by Ms. Gwen Rosenberg. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0.

Ms. Heidi Shaffer Bish expresses her enthusiasm for a business initiative that she believes will positively impact the downtown area. She commends the business for being innovative and enhancing existing activities in the community. Ms. Shaffer Bish expresses her love for the community and appreciates when people take initiative to improve it. She looks forward to experiencing the benefits of this new venture and expresses excitement about being a part of it.

MOTION TO ADOPT DRAFT 2024-035 MADE by Ms. Heidi Shaffer Bish, SECONDED by Ms. Gwen Rosenberg. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0.

Ordinance 2024-035 has passed.

Unfinished Business

Ms. Celko raised concerns about noise complaints from residents in her ward, particularly regarding extended hours for music during work hours. She requested feedback and data on the number of complaints and their origin. She shared her personal experience of being affected by music coming into her window during summer months and expressed concern for residents for whom it disrupts their work life. Dave Ruller suggested that typically, such issues are first addressed by contacting city staff directly, mentioning that Ms. Celko could discuss the matter with him or Nick Shearer. Mr. Ruller explained the process of escalating the issue to full council discussion if necessary, but highlighted the availability of resources within the city administration to address noise complaints. He also mentioned ongoing efforts, involving council members like Heidi, in dealing with noise complaints, and suggested looking up past discussions on the issue for reference. Ms. Celko expressed her gratitude and acknowledges the provided resources.

New Business

MOTION TO SEND TO COMMITTEE A DISCUSSION ABOUT IMPLEMENTING A CONSENT AGENDA MADE BY Mr. Chris Hook, SECONDED by Ms. Heidi Shaffer Bish and CARRIED by a voice vote of 8-1-0.

Mr. Chris Hook proposed the implementation of a consent agenda, inspired by his reading of "Robert's Rules for Dummies." He explains that a consent agenda groups non-controversial items together for efficient voting, aiming to save time and make council meetings more enjoyable for the audience. He clarifies the process, where the council president asks if any items should be removed for separate discussion. Hook believes this approach would enhance efficiency and save time, allowing him to be home in time for his child's bedtime.

Ms. Heidi Shaffer Bish supports Chris Hook's proposal to implement a consent agenda, which she understands as grouping non-controversial items for efficient voting. She agrees with the goal of saving time and making council meetings more enjoyable for the audience. Bish appreciates Hook's explanation of the process and believes this approach would enhance efficiency, allowing council members to address important matters while also accommodating personal commitments like family responsibilities.

Mr. Roger Sidoti is curious about the possibilities of implementing a consent agenda but voices concern about maintaining transparency. He worries that by grouping items together, the transparency of council decisions might be compromised. Sidoti emphasizes the importance of ensuring that the public perceives the council's actions as transparent and suggests exploring ways to maintain transparency even with a consent agenda, as he believes that important details could get lost when items are lumped together.

Mr. Robin Turner supports the idea of exploring the idea of implementing a consent agenda. They mention the need to address certain aspects that are still unclear and suggest sitting down with the city's attorney and others to go through the details. Turner finds the idea interesting and believes it's worth considering further. They express willingness to support the exploration of this concept.

Ms. Gwen Rosenberg said she was concerned that implementing a consent agenda might prevent residents from having the opportunity to provide input on agenda items. She agrees with Roger's concerns about potential transparency issues and worries about being unable to anticipate which items might generate public interest or discussion. Rosenberg values the opportunity for anyone in the audience to weigh in on agenda items, even if they are present for other reasons. She plans to vote against the proposal to preserve the audience's ability to participate in discussions.

Councilmembers' Comments

Mr. Roger Sidoti expresses appreciation for the successful planning of the eclipse event and commends everyone involved, particularly mentioning Joan as a driving force behind it. He describes the atmosphere in the downtown area during the event as phenomenal and praises the presence of officers. Sidoti reflects on the balance between overplanning and underplanning, noting that while the crowds may not have been as large as expected, it's preferable to be well-prepared. He concludes by giving kudos to the city and all involved in making the event a success.

Mr. Robin Turner said he was concerned about an incident involving a young person who was hit while riding a motor scooter. He shared that the incident occurred in his ward and mentioned that he spoke with the mother of the injured child, who is recovering at home. Mr. Turner shared his conversations with the police department regarding the incident and mentions concerns about the safety of children riding motor scooters. He highlights the need to ensure the safety of children and suggests inviting representatives from the scooter company to discuss safety measures. Chief Shearer provides further details on the incident, including information about the minimum age requirements for renting scooters and safety mechanisms in place. He discusses liability issues and the need for spin to implement more stringent safety measures. There is a discussion about liability and safety measures regarding minors riding scooters, with a focus on spin's responsibility in ensuring safety. Council members express concern about the incident and discuss potential legal and safety implications.

Ms. Gwen Rosenberg briefly mentions Rhonda Boyd's retirement and expresses both happiness for her and sadness at her departure. She then shares her excitement about seeing the first chimney swifts, expressing hope that they will find a welcoming home in the chimney swift tower.

Mayor's Report

Mayor Fiala acknowledged the community's recent collaboration during the solar eclipse, noting that most downtown restaurants sold out of food during a recent event. He also highlighted Telecommunications Dispatchers Week and Animal Control Week, encouraging appreciation for their work. He mentioned an upcoming State of the Union address by the City Manager and promoted the annual food challenge for Kent Social Services, emphasizing the importance of supporting those in need.

MOTION TO ENTER EXECUTIVE SESSION To consider the purchase of property for public purposes, the sale of property at competitive bidding, or the sale or other disposition of unneeded, obsolete, or unfit- for-use property in accordance with section 505.10 of the Revised Code and for Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action MADE BY Mr.Jack Amrhein, SECONDED by Mr. Chris Hook. Roll call was taken:

Present:	Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Michael DeLeone, Mr. Chris Hook, Gwen Rosenberg, Heidi Shaffer Bish, Roger Sidoti, Robin Turner Jerry Fiala

At 9:40 p.m., a **MOTION TO RETURN TO REGULAR COUNCIL MEETING** WAS MADE BY Mr. Jack Amrhein, SECONDED by Ms. Melissa Celko and CARRIED by a voice vote of 9-0-0.

DRAFT 2024-036 AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN VALVOLINE LLC AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A PERMANENT AND TEMPORARY EASEMENT FOR RIGHT-OF-WAY PURPOSE FOR THE PROJECT KNOWN AS EAST MAIN STREET IMPROVEMENT PROJECT, 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 2024-036 MADE by Ms. Heidi Shaffer Bish SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0.

MOTION TO ADOPT DRAFT 2024-036 MADE by Ms. Heidi Shaffer Bish, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner. The motion was CARRIED by a roll call vote of 9-0-0.

Ordinance 2024-036 has passed.

MOTION TO DIRECT STAFF AND ADMINISTRATION TO STUDY THE LIFTING OF THE ADULT CANNABIS MORATORIUM IN VIEW OF THE CONFUSING STATE LAWS AND ZONING REQUIREMENTS MADE BY Mr. Chris Hook, SECONDED by Ms. Melissa Celko and CARRIED by a voice vote of 9-0-0.

Hearing no further business, the meeting adjourned at 9:45 p.m.

Amy Wilkens , CMC	Jerry T. Fiala
Clerk of Council	Mayor & President of Council

BLISS
Ohio

April 17, 2024

Kent City Council
320 S. Depeyster Street
Kent, OH 44240

Good evening Mayor, Council Members and Staff,

We'd like to reintroduce ourselves as the owners of Bliss Ohio, a state licensed medical marijuana dispensary located at 331 E. Main St. For more than 25 years, Dwayne and I have been successful small business owners and since 2015 we have been actively involved in developing Ohio's medical marijuana policy and regulations.

After a rigorous application review process and facility buildout we were approved by and issued an operator's license from the State of Ohio Board of Pharmacy on April 19, 2023. Following changes enacted late last year by the Ohio General Assembly, the Ohio Department of Commerce's Division of Cannabis Control now oversees the regulation and compliance activities associated with licensed medical cannabis dispensaries. Beginning with the submission of its application and at all times since, Bliss Ohio has maintained full compliance with all aspects of the law pertaining to medical cannabis dispensaries.

We serve more than 2000 patients, and we support the Kent Community:

- We employ 11 people, and we plan to hire more. Our employees are licensed by the state, receive federal background checks, and are trained according to state approved Standard Operating Procedures.
- We use local contractors for IT, HVAC, landscaping, snowplow, and other general contracting needs.
- We are members of the Kent Area Chamber; have participated in the Golf Outing, Tree City Annual Dinner & Awards Ceremony, silent auction, and donated our time to a lunch and learn for area businesses. We did a ribbon cutting with the Mayor and Council.
    - We are members of the Kent Natural Foods Co-Op.
    - We held our employee holiday party at Laziza restaurant.
    - We buy gift cards from local businesses.
    - We buy pizza from Lucci's and EuroGyro, burritos from Taco Tontos, bagels from Cleveland Bagel Café, and bowls from Grazers.

- We lunch at River Merchant and Troy Grille.
- We have drinks at Bricco, Ray's Place and Mike's Place.
- We hosted a private event for patients at Over Easy – and we brunch there.
- We've supported Kent Parks and Recreation by hosting an employee appreciation event there.
- We've stayed more nights at the KSU Hotel than we care to admit!

- We've donated to the following charities: One of a Kind Pets, Whole Latte Love, VFW Post 4738, Last Prisoner Project, American Humanist Association, and the National Parks Foundation.
- We pay local sales tax, property tax, payroll tax, and income tax. With adult sales, we will pay an additional 10% excise tax to the city of Kent.

With regard to the 10% Excise Tax on Adult Use Marijuana sales, the Ohio Department of Taxation and the Ohio Office of Budget and Management calculated tax revenue estimates at $200 million. Of that total approximately $72 million is allocated for the *Host Community Fund*. The *Host Community Fund* will benefit municipal corporations or townships, such as Kent, that have adult sales dispensaries.

We want our business to remain and expand in Kent at our current location.

Following the passage of Issue 2 last November, we hoped to expand our business into adult cannabis sales. Medical cannabis operators are the "first in line" to obtain adult-use licenses from the State <u>because we have already been through the rigorous application process and have demonstrated that we can be trusted as good stewards of the law and the community.</u>

Even so, an application for an adult-use license by a licensed medical dispensary operator, like Bliss Ohio, is by no means automatic; rather, <u>we will again be required to demonstrate to the State the necessary capabilities to meet the rigorous requirements set out in the statutes enacted pursuant to Issue 2 as well as the forthcoming administrative rules that are in the final stages of promulgation by the Ohio Department of Commerce.</u>

To our dismay, we learned that during the holiday season, and with little notice and time to express opposition, a moratorium was passed to allow the City of Kent to take a "wait and see" approach to adult-use cannabis sales following the passage of Issue 2. <u>Specifically, the moratorium, states that the City would like the opportunity "to review the State of Ohio's adopted rules, regulations and guidelines…"</u> We'd like to inform Council that the Ohio Department of Commerce Division of Cannabis Control has already issued thirteen (13) new administrative rules regarding the dual-use license application, ownership, dispensary security, and operations, among other rules. These rules have been submitted for public comment and review, and we have shared a copy for your convenience. <u>Additionally, the Chairman of the Joint Committee on Agency Rule Review publicly stated last week that he expects these rules to be finalized at their May 13th meeting.</u>

The final versions of the administrative rules will be the same or substantially similar, as the Ohio Department of Commerce will not be doing any additional drafting. Furthermore, the Ohio

Department of Commerce's administrative rules regarding the locations of cannabis facilities mirrors existing, codified law, and will not be changed for adult-use sales or Dual-Use License holders. As such, the very rules that the City is waiting to see, for zoning purposes, already exist and are in effect.

City Council Members and staff have stated they would like to see where the community wants to fit adult sales into the City of Kent. However, the community has already demonstrated its *overwhelming* support of adult marijuana sales, as shown through its passage of Issue 2.[1] 73% of the people of Kent spoke. We ask that you respect the will of the people and their vote.

We recognize that the City of Kent may be concerned about recreational marijuana shops popping up around the city. Any such concern would be misplaced, as the State has already set forth that there is a limit on the number of adult-use cannabis licenses granted. Moreover, there is a sophisticated and rigorous review in place for the issuance of these licenses, just like the application process for medical cannabis facilities.

We humbly ask Council to reconsider its moratorium, not holistically, but to allow a "carve out" for current medical dispensary operators licensed by the State of Ohio as a Dual-Use dispensary. Said action by Council will align the city ordinance with O.R.C. 3780.25.

Because residents from Kent will soon be able to travel to dually licensed medical and adult-use dispensaries in nearby municipalities, this moratorium only serves to harm local businesses like Bliss Ohio.

There are currently 10 medical dispensaries in the immediate area. **None** of these municipalities prevent their existing, licensed operators from adult sales once the State of Ohio approves them. **The only municipality or township with a moratorium on adult sales is Kent**.

The city of Ravenna currently has a medical marijuana dispensary and has **NOT** issued a moratorium on adult sales for that business. Neighboring Streetsboro passed an ordinance **welcoming** new dispensaries with a local cultivator, Wellspring Fields, planning to open their dispensary there.

On February 20th, Parma City Council **rescinded** its moratorium related to marijuana cultivating, processing, testing and dispensing.

And the City of Newark has included language in its moratorium that **exempts their currently licensed medical dispensary operators** so long as they are in good standing and in compliance with all laws and regulations.

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[1] Over 70% of voters cast ballots in favor of Issue 2 in the City of Kent. In fact, more voters cast ballots in favor of Issue 2 than any Council Member received who was up for reelection. See: https://www.portagecounty-oh.gov/sites/g/files/vyhlif3706/f/uploads/official_prec_by_prec_with_write-ins_over_under_blank.pdf.

As such, we respectfully request that you do right by Bliss Ohio and other licensed local cannabis businesses, and amend Ordinance 2024-003.[2] While we understand that adult marijuana sales is new and presents unfamiliar issues to Council Members and staff, we believe that an exemption to the current moratorium offers a viable solution that better aligns with the wishes of the community and allows all parties to accomplish their goals.

As previously mentioned on November 7, 2023 73% of Kent residents voted in favor of Adult Use Cannabis Sales. In Ward 5, where our business is located, 85.5% of the voters approved Issue 2.

The favorable vote percentage in each of the remaining Wards was as follows:

- Ward 1 – 71.9%
- Ward 2 – 71.5%
- Ward 3 – 76%
- Ward 4 – 76.6%
- Ward 6 – 79.5%

Let us share with you a little bit about our facilities and operations. First, an investment of more than $1 million was made to bring the business up to code and compliance with local and state regulations. Improvements included new siding, paint, shingles, windows, adding an enclosed delivery bay, new HVAC system, electrical, security system, and a state-of-the-art fire system. As mentioned previously, our employees are licensed by the state, receive federal background checks, and are trained according to state approved Standard Operating Procedures, including quarterly continuing education requirements.

We'd like to highlight some Security and Surveillance regulations as required by the State.

- For every hour of operation, we have a certified and trained security guard present.
- We have 65 security cameras, both internally and externally, of which 10 are 360 degree/multidirectional cameras both for internal and external views.
- Our cameras have no blind spots in any of the three floors (the exception is the restroom). These cameras have a view for the complete exterior of the business as well.
- We have 23 motion detectors that cover the entire building inside and outside.
- We have 22 panic stations and multiple sirens with strobes.
- There are 16 fire sensors.

Our Security and Surveillance systems are so advanced that we have assisted the Kent Police Department in solving two crimes by allowing them access to our camera footage!

We have paid $70,000 to the state for our Certificate to Operate.

[2] In the interest of convenience, a proposed draft resolution is attached.

The Division of Cannabis Control's recently published rules force compliance on the following:

- No dispensary can be located within 500 feet of "Prohibited facility", defined as a school, church, public library, public playground, or public park. <u>We are in compliance</u>.
- The dispensary's standard operating policies and procedures must mitigate the risk of diversion, theft, or loss and ensure compliance with all mandates. <u>We are in compliance</u>.
- The dispensary must allow the Division access to videos of secure limited access areas in limited circumstances. <u>We are in compliance</u>.
- Dispensaries are required to meet the Division's standards for security and surveillance, which include, at a minimum, things like an alarm system with point of entry alarms, motion detectors, and silent alarm, and a video surveillance system which must be accessible remotely in real time by the Division and all videos must be stored for at least 45 days. <u>We are in compliance</u>.
- All secure, limited access areas shall be constantly monitored, video surveilled, and meet all requirements. <u>We are in compliance</u>.
- All dispensing errors must be immediately remedied and reported to the Division. <u>We are and have been in compliance</u>.

We have State required Standard Operating Procedures for everything. These procedures apply to adult sales.

- We must destroy and dispose of all excess, unwanted, outdated, deteriorated, adulterated, or misbranded cannabis under video surveillance and in a manner as to render the cannabis unusable and non-retrievable;
- We must maintain records of all cannabis destruction and disposal;
- We have a process for how and when we can close early or change hours of operation.
- We must maintain proper cleanliness, ventilation, temperature control, and sanitation to ensure safe and consistent inventory;
- Our dispensary must contain sufficient lighting to ensure visibility, security, and proper surveillance;
- Upon entering the premises all dispensary visitors must: Provide valid, government issued photo ID evidencing that they are twenty-one years of age or older; Obtain a visitor badge, visibly displayed at all times, and returned upon departure; and Escorted and monitored by an assigned registered employee at all times;
- We must maintain a visitor log memorializing all facility visitors that enter the premises;
- Within the retail area, our dispensary shall establish a secure, limited access area that is physically separated from the remainder of the retail area and is accessible only by authorized registered employees; and
- Customers are prohibited from using products purchased at Bliss in our dispensary or in the parking lot. Loitering is not acceptable in any case.

We believe City Council Members and staff's concerns would be better directed towards industries that are not as heavily regulated as our marijuana business. As demonstrated, the sales of medical and adult marijuana in Ohio requires businesses to endure a careful, expensive, and onerous process of selection, quality, security, and safety. The operations of cannabis dispensaries should not be equated with concerns of Delta-8 and intoxicating hemp (cannabis) sales[3], or other black market, unregulated sales.

The fact of the matter is, minors can currently walk into a variety of retailers like gas stations, grocery stores, and other novelty shops and purchase untested and unregulated products like those now being addressed by Governor DeWine; whereas no minor will ever be able to walk into a licensed medical or adult dispensary and purchase cannabis since it is explicitly prohibited by Ohio law.

For those of you that have not visited Bliss when you walk into our business customers are greeted by a sound bowl, water feature, crystals, comfy couches, a smiling receptionist, and a trained security guard. Our welcoming staff check the customer in, ensuring they have a valid, government issued photo ID, and medical marijuana card before they are granted access to the retail floor. Once customers arrive on the dispensary floor, they will only find product packaging – aside from more crystals, cozy chairs, and checkout stations! - and not actual product on display. After reviewing their order, the patient receives their product in a sealed bag. The bag must remain sealed until they arrive at their place of residence.

We take our commitment to being a good neighbor and business seriously.

Lastly, at the January 2022 planning commission meeting, residents had an opportunity to share their concerns. The concerns raised ranged from Bliss Ohio patients will be selling their purchases for sex, to active use of product in the parking lot, to random people walking the nearby neighborhood, to loud music and long hours, diversion, and access to school children. <u>One can look at each and every one of those concerns raised and not find a single example of those actually happening</u>.

Our staff and our patients should be commended for a job well done in maintaining a level of professionalism and in my opinion are owed a sense of gratitude and thanks for being an exemplary Kent community partner.

We look forward to continuing to build our small business in Kent and serving as a good neighbor to the entire community. Thank you for your consideration of our request.

Sincerely,

Pamela Siekman
Pamela Siekman
Bliss Ohio
Co-Founder and CEO

Dwayne Siekman
Bliss Ohio
Co-Founder and President

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[3] https://governor.ohio.gov/media/news-and-media/governor-dewine-calls-for-quick-action-on-intoxicating-hemp.

ORDINANCE NO: ____________

BY____

AN ORDINANCE EXEMPTING CURRENTLY LICENSED MEDICAL MARIJUANA DISPENSARIES WITHIN THE CITY OF KENT, OHIO, FROM THE RESTRICTIONS OF THE MORATORIUM IMPOSED BY ORDINANCE 2024-003 REGARDING ADULT USE CANNABIS AND DECLARING AN EMERGENCY

WHEREAS, the City of Kent City Council passed a complete moratorium on January 17, 2024, on adult-use cannabis operators, testing laboratories, and individuals required to be licensed by the Ohio Revised Code within the City limits until such time as the City Council has had the opportunity to review the State of Ohio's adopted rules, regulations and guidelines; and

WHEREAS, the moratorium also paused existing businesses in the City that are licensed by the State of Ohio as medical marijuana dispensaries from expanding in any manner which would allow for the retail sale or dispensing of adult use marijuana; and

WHEREAS, Section Three of Ordinance 2024-003 declared an emergency measure necessary for the immediate preservation of the public peace, health, safety and, welfare of the residents of the City; and

WHEREAS, it is the desire of this Council to allow the current medical marijuana dispensary in Kent, specifically Next-Level Operators LLC doing business as Bliss Ohio, located at 331 E Main Street, Kent, Ohio, to be exempt from the temporary restrictions imposed by Ordinance 2024-003 so long as it is in good standing with the State of Ohio and City of Kent licensure requirements, in compliance with all laws and regulations of both the State of Ohio and the City of Kent pertaining to the sale and dispensing of medical marijuana and adult use marijuana, and that the request for any type of application, permit, or approval from the zoning inspector for the retail sale or dispensing of adult use marijuana is for their current existing location for which the license was issued by the State of Ohio and City of Kent.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF KENT, COUNTY OF PORTAGE, STATE OF OHIO:

SECTION ONE: The medical marijuana dispensary in Kent, specifically Next-Level Operators LLC doing business as Bliss Ohio, located at 331 E Main Street, Kent, Ohio, which is currently licensed by the State of Ohio and the City of Kent, is hereby exempt from the temporary moratorium adopted by this Council by way of Ordinance 2024-003 so long as the following requirements are met: The medical marijuana dispensary is in good standing with the State of Ohio and the City of Kent licensure requirements; the medical marijuana dispensary is in compliance with all laws and regulations of both the State of Ohio and the City of Kent as it pertains to the dispensing and sale of medical and adult use marijuana; and that the request for any type of application, permit, or approval from the zoning inspector for the retail sale or dispensing of adult use marijuana is for the current existing location of the dispensary (as listed above) for which the license was issued by the State of Ohio and City of Kent.

SECTION TWO: Any request for a certificate of zoning clearance, building occupancy permit, or any other permit or approval required under the City's Zoning Code will remain subject the rules, regulations, and requirements as set forth in the current zoning code of the City of Kent.

SECTION THREE: That an emergency is hereby declared to exist as set forth in this Ordinance as this matter which impacts the health, safety and public welfare of the City of Kent and that as such, this Ordinance shall be effective immediately upon passage by Council and approval by the Mayor pursuant to Section 121.22 of the Ohio Revised Code.

PASSED: ______________________
Date

EFFECTIVE: ______________________
Date

ATTEST: ______________________
Amy Wilkens, CMC
Clerk of Council

____
Jerry T. Fiala
Mayor and President 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 ______________________.

(*SEAL*)

____
Amy Wilkens, CMC

City of Kent

Wednesday, May 1, 2024

Special City Council Meeting

320 S. Depeyster Street, Kent, OH 44240

MINUTES

Joint Meeting with Franklin Township Trustees

At 07:00 PM, Mayor Jerry T. Fiala called the Joint Meeting with Franklin Township Trustees Meeting to order.

Present:	Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Kapusta, Mr. Russell, Mr. Swan
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. Rhonda Hall, Budget and Finance Director; Mr. Nick Shearer, Chief of Police; Mr. Jamie Samels, Fire Chief; Ms. Dominique Bollenbacher, Community Engagement Coordinator; Ms. Angela Manley, Parks and Recreation Director; Ms. Karen Magiavy, Parks and Recreation; Mr. Oliver Wuensch, Marketing and Special Events; Ms. Megan Johns, Recreation Supervisor; Ms. Amy Wilkens, Clerk of Council

Standing Rock Cemetery Board Applicant Interviews

Mayor Fiala addressed the need to appoint someone to the at-large position at the cemetery and fill the unexpired term left by Mr. Lux's retirement. He clarifies that applicants can be from either the township or the city. Three applicants are present, and he reads out the terms and conditions for the position. He encourages unsuccessful applicants to consider other opportunities on boards and committees. The applicants are asked to wait outside, and their order of presentation will be determined by a draw.

Mr. James Strobel is the first candidate to be interviewed for the cemetery board position. He expresses his interest in serving and outlines his extensive volunteer experience, including work with Ronald McDonald House and the Boy Scouts. Strobel emphasizes his commitment to serving the community and his interest in the historical significance of cemeteries. He answers questions about his knowledge of the cemetery board's responsibilities and fiscal management. Strobel demonstrates a willingness to assist with interments and expresses his conservative fiscal approach. He also discusses his experience with fundraising and fiscal management during his time with the Ronald McDonald House. Overall, Strobel presents himself as a dedicated and knowledgeable candidate for the position.

Ms. Judith Shaw expressed her interest in serving on the Cemetery Board due to her personal connection with loved ones buried there and her desire to ensure its upkeep. She praises the current caretaker and volunteers at the cemetery. Shaw admits her limited knowledge of the board's functions but believes they provide advice and make decisions regarding management. She indicates her willingness to attend meetings and assist with interments if needed. When asked about relevant experience, Shaw mentions her involvement with the Edith Chase Symposium board and the advisory committee for East Main Street. Overall, Shaw presents herself as a dedicated individual with a personal stake in the cemetery's well-being.

Mr. Paul Tucic expresses his interest in serving on the Cemetery Board due to his appreciation for its maintenance and presentation. He believes the board reviews cemetery plans, manages ongoing operations, makes decisions about maintenance efforts, and oversees the budget. When asked about his background, Tucic admits to having no specific cemetery administration experience but highlights his experience maintaining his own home and working as a computer programmer and systems analyst, where he deals with operational concerns. He expresses willingness to assist with interments on Saturdays if needed.

MOTION TO APPOINT JAMES STROBLE TO THE STANDING ROCK CEMETERY BOARD MADE BY Mr. Russell, SECONDED by Mr. Michael DeLeone and CARRIED by a voice vote of 12-0-0.

MOTION TO AUTHORIZE DRAFT NUMBERS 2024-037 , 2024-038 AND 2024-039 MADE BY Mr. Michael DeLeone, SECONDED by Mr. Jeff Clapper and CARRIED by a voice vote of 12-0-0.

Legislation

DRAFT JOINT RESOLUTION NO. 2024-037 A JOINT RESOLUTION APPOINTING JAMES STROBLE AN AT LARGE TRUSTEE, TO THE STANDING ROCK CEMETERY BOARD OF TRUSTEES, IN ACCORDANCE WITH THE PROVISIONS OF THE OHIO REVISED CODE SECTION 759.36, EFFECTIVE JUNE 1, 2024 AND ENDING DECEMBER 31, 2027, 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 JOINT RESOLUTION NO. 2024- 037 MADE by Mr. Michael DeLeone, SECONDED by Mr. Jeff Clapper. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Kapusta, Mr. Russell, and Mr. Swan. The motion CARRIED by a roll call vote of 12-0-0.

MOTION TO ADOPT DRAFT JOINT RESOLUTION NO. 2024- 037 MADE by Mr. Jeff Clapper, SECONDED by Ms. Heidi Shaffer Bish. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Kapusta, Mr. Russell, and Mr. Swan. The motion CARRIED by a roll call vote of 12-0-0.

Joint Resoluation 2024-037 has passed.

DRAFT JOINT RESOLUTION NO. 2024- 038 A JOINT RESOLUTION OF THE BOARD OF TRUSTEES OF FRANKLIN TOWNSHIP AND THE COUNCIL OF THE CITY OF KENT, OHIO, PURSUANT TO OHIO RE¬VISED CODE SECTION 759.34 DETERMINING THAT THE RATE OF TAXES TO BE LEVIED UPON ALL THE TAXABLE PROPERTY OF SAID MUNICIPALITY AND SAID TOWNSHIP FOR CEMETERY PURPOSES FOR THE TAX YEAR OF 2024 SHALL BE AND HEREBY IS FIXED IN AN AMOUNT EQUAL TO .60 MILLS FOR THE CITY OF KENT AND .60 MILLS FOR FRANKLIN TOWNSHIP, 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 Joint Resolution No. 2024- 038 MADE by Mr. Roger Sidoti, SECONDED by Mr. Chris Hook. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Kapusta, Mr. Russell, and Mr. Swan. The motion CARRIED by a roll call vote of 12-0-0.

MOTION TO ADOPT Draft Joint Resolution No. 2024- 038 MADE by Mr. Michael DeLeone, SECONDED by Mr. Roger Sidoti. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Kapusta, Mr. Russell, and Mr. Swan. The motion CARRIED by a roll call vote of 12-0-0.

Joint Resolution 2024-038 has passed.

DRAFT JOINT RESOLUTION NO.2024- 039 A JOINT RESOLUTION GRANTING SALARY AND HOURLY PAY RAISES TO THE PERSONNEL OF THE STANDING ROCK CEMETERY, 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 JOINT RESOLUTION NO.2024- 039 MADE by Mr. Michael DeLeone, SECONDED by Ms. Melissa Celko. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Kapusta, Mr. Russell, and Mr. Swan. The motion CARRIED by a roll call vote of 12-0-0.

MOTION TO ADOPT DRAFT JOINT RESOLUTION NO.2024- 039 MADE by Mr. Roger Sidoti, SECONDED by Mr. Michael DeLeone. On Roll Call Voting "Yes" Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, Mr. Roger Sidoti, Mr. Robin Turner, Ms. Kapusta, Mr. Russell, and Mr. Swan. The motion CARRIED by a roll call vote of 12-0-0.

Joint Resolution 2024-039 has passed.

Hearing no further business, the meeting adjourned at 7:25 p.m.

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Amy Wilkens , CMC	Jerry T. Fiala
Clerk of Council	Mayor & President of Council

City of Kent

Wednesday, May 1, 2024

City Council Committee Meetings

320 S. Depeyster Street, Kent, OH 44240

MINUTES

Present:	Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, Mr. Chris Hook, Ms. Gwen Rosenberg, Ms. Heidi Shaffer Bish, 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. Rhonda Hall, Budget and Finance Director; Mr. Nick Shearer, Chief of Police; Mr. Jamie Samels, Fire Chief; Ms. Dominique Bollenbacher, Community Engagement Coordinator; Ms. Angela Manley, Parks and Recreation Director; Ms. Karen Magiavy, Parks and Recreation; Mr. Oliver Wuensch, Marketing and Special Events; Ms. Megan Johns, Recreation Supervisor; Ms. Amy Wilkens, Clerk of Council

Committee of the Whole

Mayor Fiala opened the Committee of the Whole meeting at 7:27 p.m.

Parks and Recreation Update

Ms. Angela Manley, Parks and Recreation Director, introduced the Kent Parks and Recreation master plan for the next 10 years, emphasizing that it's long overdue since the last plan was in 1995. She reviewed the extensive process of collecting community input through meetings, focus groups, surveys, and open houses involving key stakeholders like City Council members, Park Board staff, Kent City Schools representatives, Kent State University members, and parents of participants. The master plan, developed with the assistance of Brandsetter Carol, spans over 400 pages, but she offered a condensed version for the presentation. Keith Rodenhauser from Brandsetter Carol then presented the condensed highlights of the master plan, expressing appreciation for Angela and her staff's cooperation throughout the process.

Mr. Keith Rodenhauser went through his PowerPoint presentation (**Attachment #1**). Mr. Rodenhauser's presentation outlined the purpose of the Parks and Recreation master plan, emphasizing the need for alignment with community desires, addressing service gaps, and ensuring fiscal responsibility. He highlighted the importance of community involvement and outlines the four-phase process of creating the plan, including learning about the community, engaging with stakeholders, and formulating a vision for the future.

Key findings from the plan include the current state of park services, facilities, staffing, and budgets compared to benchmark communities. Community feedback indicates a desire for improved connectivity, more amenities like pickleball courts and dog parks, and enhanced programming for all ages. The plan proposes various recommendations, such as upgrading existing facilities, adding new amenities, improving accessibility, and increasing engagement and marketing efforts.

To achieve these goals, Mr. Rodenhauser suggested strategies like maintaining sufficient staffing, fostering partnerships, exploring funding options like bonds, and implementing an action plan with clear priorities and timelines. The presentation concludes with an executive summary and an action plan for implementation.

Mayor Fiala asked if there were any questions from City Council.

Ms. Shaffer Bish commended the effort put into the master plan and acknowledged the extensive community participation. She raised a question about the potential redundancy of offering more music and community activities, considering the vibrant downtown scene. Mr. Rodenhauser explained that while there might be some overlap, there are opportunities to offer different types of events at different times and locations. He emphasized the possibility of larger events and daytime activities in parks, complementing the downtown offerings without duplicating them. Heidi agreed, suggesting that both types of events could coexist and complement each other without redundancy.

During the discussion, Mr. Sidoti addressed the issue of staffing limitations and how bond dollars cannot be used for staffing. He mentioned potential funding sources such as the general fund, sponsorships, program fees, and increased rental fees.

Mr. Hook asked about exploring partnerships with Kent State University for access to the university recreation center at subsidized rates for residents.

There was agreement that ongoing updates to the council on the progress of the plan implementation would be valuable.

Mr. Sidoti emphasized the fiduciary role of the council regarding parks and recreation, suggesting that further discussion on funding and the role of parks in the community is warranted.

Ms. Shaffer Bish also highlighted the need for strategic planning based on community needs and available resources.

Mr. Sidoti emphasized the importance of recognizing the council's responsibility for parks and recreation as outlined in the city charter.

Finally, Mayor Fiala concluded the discussion, thanking everyone for the update on the parks and recreation plan.

City/KSU Partnership Update

Dr. Dana Lawless- Andric from Kent State University introduced herself to the new members of council. She began her overview of all the activities currently going on at Kent State University. She provided an update to the city council on various activities at Kent State University and the collaboration between the university and the town. She mentioned the Flash Fest, an event aimed at graduating seniors to ensure they know Kent State and the city is always their home. The fest featured attractions like a ferris wheel. She also highlighted recent events like the chief's retirement after 42 years of service, May 4th events including a conference on democracy and civic engagement, and various construction projects on campus. Dr. Lawless- Andric discussed challenges facing higher education, including fiscal constraints and the need for strategic planning. She also mentioned initiatives to support local businesses and efforts to prepare for potential protests on May 4th. The university has implemented policies to balance freedom of speech with safety, with collaboration between university and safety forces to ensure preparedness.

Ms. Celko expressed gratitude to Dr. Lawless- Andric for her efforts in keeping the university and the city connected and informed. Having worked in both student affairs and technology monitoring, she highlighted the role of student affairs directors in expanding the safety forces' eyes and ears. She emphasized the importance of safety and openness as key objectives for a public institution like Kent State University.

New City Hall Construction Update

Ms. Melanie Baker provided updates on the progress of the new city hall construction. She mentioned the closure of Franklin Street starting the first Saturday of May due to increased downtown activity related to university finals and graduation.

The building construction is progressing well, with power washing completed on the exterior. The elevator is scheduled to be delivered soon, addressing previous delays. While the windows and glass installation have faced temperature-related delays, the lightweight stone installation on the exterior is almost complete. Site work is set to begin in June, with completion expected by the end of the month. Melanie expressed dissatisfaction with the tentative schedule provided and scheduled a meeting to discuss it further. She proposed a walk through for council members in June to view the progress firsthand, particularly focusing on the almost-finished council chambers. Finally, she addressed a question about the appearance of one pane of glass, suggesting it may be due to sunlight or perspective, and promised to investigate further.

Streets, Sidewalks & Utilities Committee

At 8:30 pm, Mayor Fiala said he would like a motion to move the Streets, Sidewalks and Utilities Committee Meeting to the second on the agenda.

MOTION TO AMEND THE AGENDA AND MOVE STREETS, SIDEWALKS & UTILITIES COMMITTEE UP NEXT MADE BY Mr. Chris Hook, SECONDED by Michael DeLeone and CARRIED by a voice vote of 9-0-0.

Semi Truck Parking in Neighborhoods

Ms. Hope Jones, the Law Director, led a discussion regarding a complaint about a semi-truck parking in a residential neighborhood. The initial problem involved a driver parking just the tractor in his driveway, causing disturbances due to idling. The proposed ordinance would prohibit parking commercial tractors, trailers, or semi-trailers on public or private property adjacent to residential areas, addressing the specific issue raised. Concerns were raised about defining the vehicles covered by the ordinance, with suggestions to focus on semi-trucks initially and address other vehicles later if needed. The discussion also touched on weight classifications and potential unintended consequences. Ultimately, the focus remained on addressing the immediate problem while leaving room for adjustments in the future. Public feedback highlighted the impact on quality of life and the need for a focused approach to address the specific issue at hand.

MOTION TO APPROVE CHANGES PRESENTED TO NOT ALLOW SEMI TRUCKS TO PARK IN NEIGHBORHOODS MADE BY Mr. Robin Turner, SECONDED by Mr. Jack Amrhein and CARRIED by a voice vote of 9-0-0.

Community Development Committee

Chair Rosenberg opened the Community Development Committee meeting at 8:52 PM.

Continuation of Davey Tree Enterprise Zone Agreement

Ms. Bridget Susel discussed the Enterprise Zone agreement with Davey Tree, explaining its purpose to provide tax exemptions for significant investments in real property by companies committing to payroll and employment. The agreement with Davey, initiated in 2021 for their expansion, has seen them exceed their payroll commitment and steadily increase employment. As per Ohio Revised Code, the Tax Incentive Review Council annually reviews and votes on Enterprise Zones, with the city's representatives involved. Bridget requested Council's affirmation of the recommendation to continue the Enterprise Zone agreement with Davey Tree, seeking approval with emergency status.

There were no questions from Council or the public.

MOTION TO APPROVE THE CONTINUATION OF DAVEY TREE ENTERPRISE ZONE AGREEMENT MADE BY Ms. Heidi Shaffer Bish, SECONDED by Mr. Jeff Clapper and CARRIED by a voice vote of 9-0-0.

<u>Finance Committee</u>

Chair DeLeone opened the Finance Committee meeting at 8:55 p.m.

Proposed Operating Levy Renewal

Ms. Rhonda Hall introduced the topic to Council with the discussion revolving around renewing a 1.16 general fund Levy, set to expire, with the goal of getting it passed in the upcoming November election. The renewal brings in approximately $340,000, while a replacement Levy would generate around $570,000, albeit with higher costs for residents. The recommendation was to opt for renewal rather than replacement. Concerns were raised about tying the Levy to specific operations, like Parks and Recreation, but it was deemed premature as the latter wasn't fully ready, allowing for future consideration.

MOTION TO APPROVE PROPOSED OPERATING LEVY RENEWAL MADE BY Ms. Gwen Rosenberg, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 9-0-0.

Permission to Create New Funds

Ms. Hall said the Health Department receives a lot of Federal Grant money and it would be easier to manage. Two new funds are proposed: a Health Department Fund and a Bonds and Deposits Fund. The Health Department Fund aims to streamline federal funding received by the Health Department by creating a separate special revenue fund, facilitating clearer tracking of funds. The Bonds and Deposits Fund is intended to comply with governmental accounting standards, specifically related to fiduciary funds like agency funds. This fund would separate deposits and bonds from agency funds for better financial reporting. Approval from both the council and the State Auditor's office is required for these funds.

MOTION TO APPROVE THE CREATION OF TWO NEW FUNDS MADE BY Ms. Heidi Shaffer Bish, SECONDED by Mr. Chris Hook and CARRIED by a voice vote of 9-0-0.

Budget Appropriation Amendment

The final item on the agenda is an Appropriation Amendment request, the second of the year. While it's described as light, there's a list of proposed amendments available for review. If there are any questions regarding these amendments, she asked for questions or comments.

There were no comments or questions from Council or the public.

MOTION TO APPROVE BUDGET APPROPRIATION AMENDMENT MADE BY Mr. Jack Amrhein, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 9-0-0.

Hearing no further business, the meeting adjourned at 9:05 p.m.

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Amy Wilkens, CMC
Clerk of Council


kent parks
& recreation
2024 Kent
Parks & Recreation
Master Plan
City Council Presentation
Kent, Ohio
May 1, 2024
BRANDSTETTER
CARROLL INC
ARCHITECTS + ENGINEERS + PLANNERS

PLAN PURPOSE

PLAN PROCESS

- EVALUATE PHASE
- ENGAGE PHASE
- ENVISION PHASE
- PLAN PHASE

Purpose of the Plan:

- Provide a vision for parks and recreation in Kent for the next 10 years
- Ensure department offerings and priorities are aligned with community needs
- Address gaps & inequities in service delivery
- Prepare the department to respond to changing needs and trends
- Describe future funding requirements and potential sources
- Strengthen fiscal responsibility, sustainability, and efficiency
- Ensure no duplication of services, improve partnerships

kent parks & recreation

Why Us:

BRANDSTETTER CARROLL INC
ARCHITECTS . ENGINEERS . PLANNERS

Steering Committee Guidance:

Small group of key staff, board members, and city officials

Involvement, direction, reviewing materials

4 Meetings

Each about **2hrs**

Provide critical knowledge and context for Kent

Help promote engagement opportunities

Determine community's vision for the future of parks and recreation in Kent

Ensure that plan and recommendations are right for the YOUR community

kent parks & recreation

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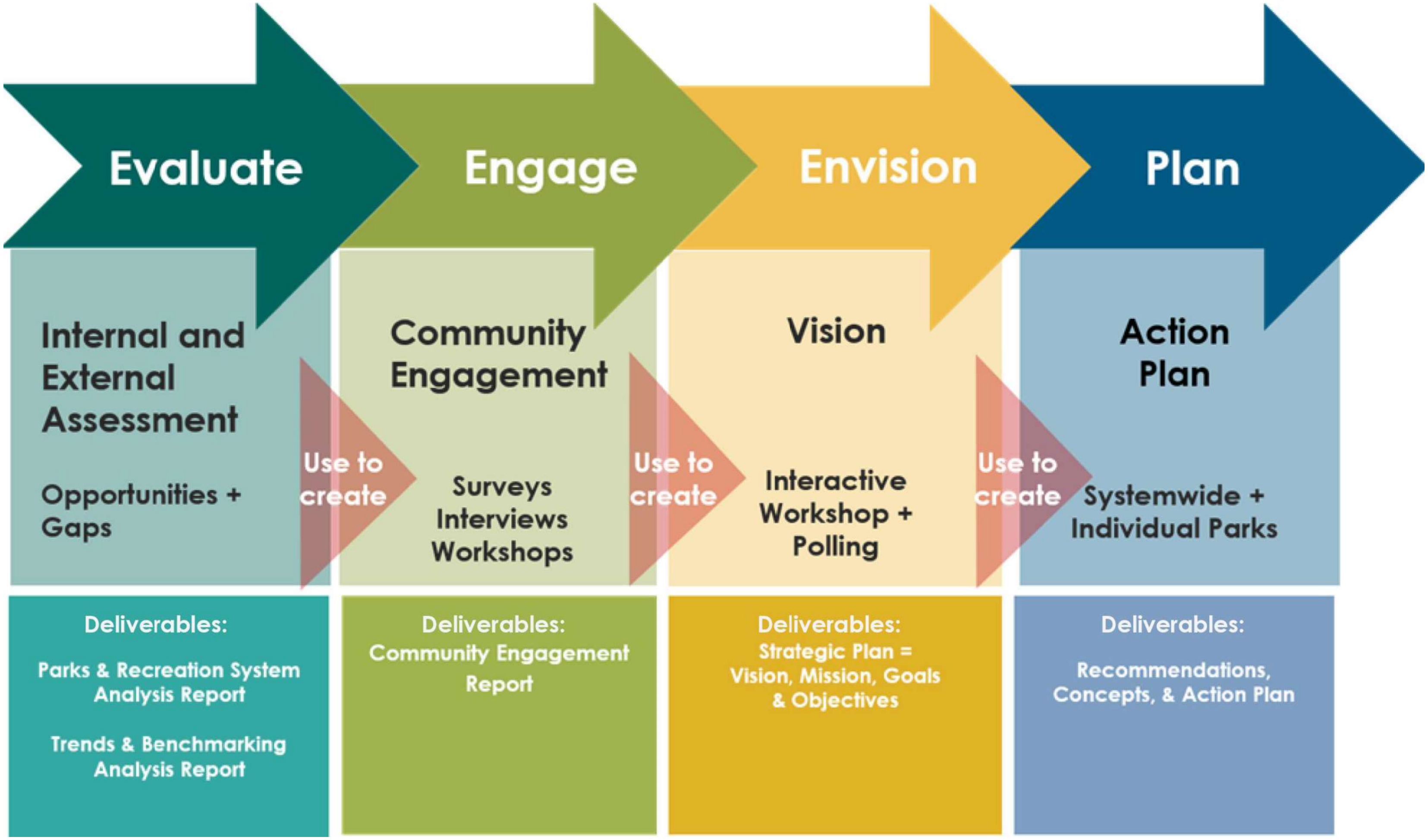
Project Process



What the Data Says…

Based on availability of parks & 13 amenities
45% live with high or medium-high service
19% live with low or medium-low service

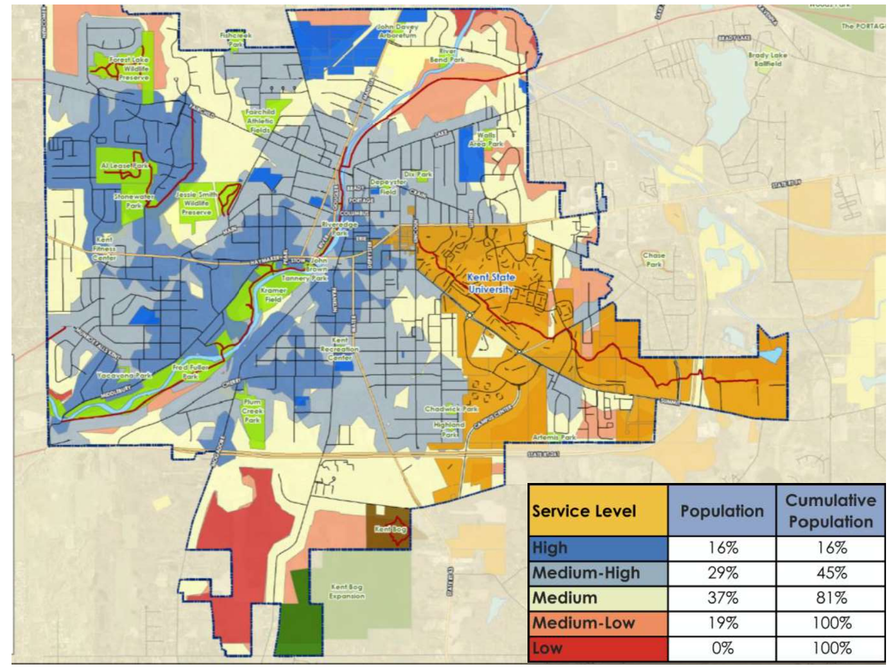
= 80% live with **medium levels of service** or higher

+ these areas with the highest LOS have the most children

67% within walking distance to a park

Site assessment determined:
+ Athletic field updates needed
+ Some aging infrastructure & equipment
+ Opportunities at existing parks
+ ADA deficiencies

Park Service Levels



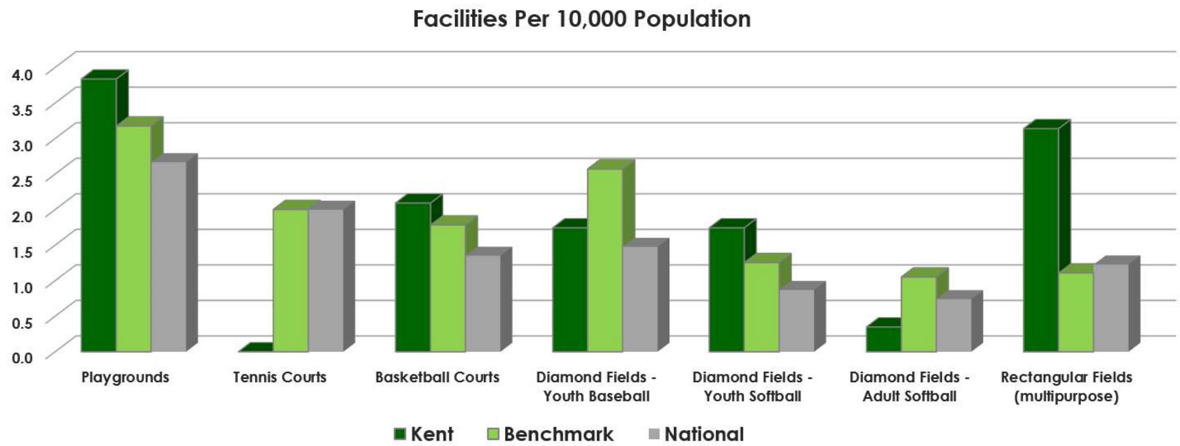
Service Level	Population	Cumulative Population
High	16%	16%
Medium-High	29%	45%
Medium	37%	81%
Medium-Low	19%	100%
Low	0%	100%

Population Changes – Slow Growth & Aging

- Population projected to remain steady (1980-2026)
- Comparatively low median age (23) but still aging –11% age 65+
- *Kent State University's presence plays a major role*

What the Data Says…

Benchmarking to 24 agencies serving populations between 18,000-40,000 (8 states)



Similar or higher level of service for most facilities

- **Fewer staff than the benchmarks** (4.4 FTE/10,000 pop. vs 7.4)
  - 31.1 acres per FTE vs 15.8
- **Lower operating expenditures per acre of parkland** ($5K vs $6K)
- **Operating budgets & revenues are lower than the benchmarks**

The large amount of undeveloped parkland creates significant potential for improvements

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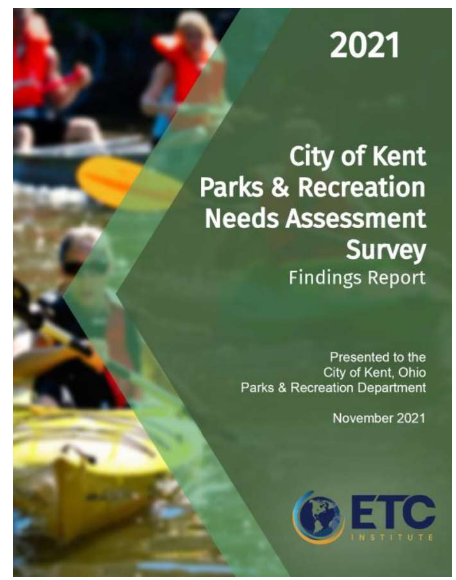
Engage

Learning from the Community…

- **401 Random Sample Mail Surveys**
- **557 Web/Handout Surveys**
  - 80% of respondents Kent residents
  - Website, email, handout, QR code
- **10+ stakeholder groups** engaged
  - e.g., P&R employees, Kent State University, Kent City School District, private stakeholders, program parents
- **2 Open House Workshops (67 attendees)**



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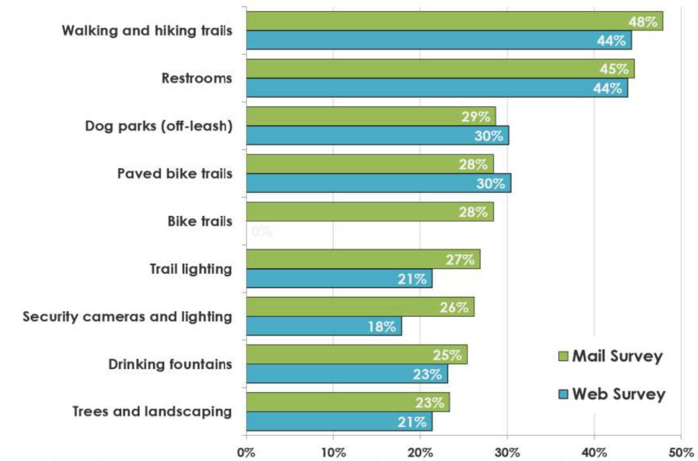
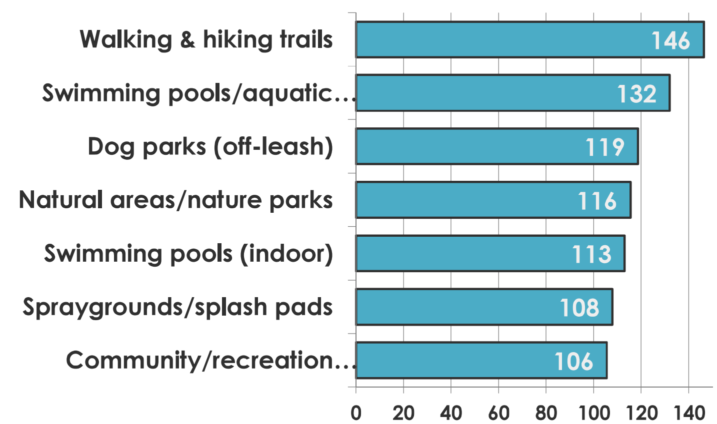
Top Findings from Survey Results & Open House

- **Connectivity and trails** – walking, hiking, biking (paved & gravel)
- **Athletic field improvements** – more, lights, turf, improvements to existing (better use, support elements)
- **Pickleball** courts w/ lights
- **Recreation center** w/ senior space
- **New park features** (e.g., splash pad, dog park, nature areas/parks)
- **Preservation of and access to natural areas**
- **Upgraded playgrounds** w/ accessible, adaptive equipment
- **Support amenities –** restrooms, wayfinding, security, shade, seating

Upgrades/additions to Existing Parks



High Priorities for Investment



Engage

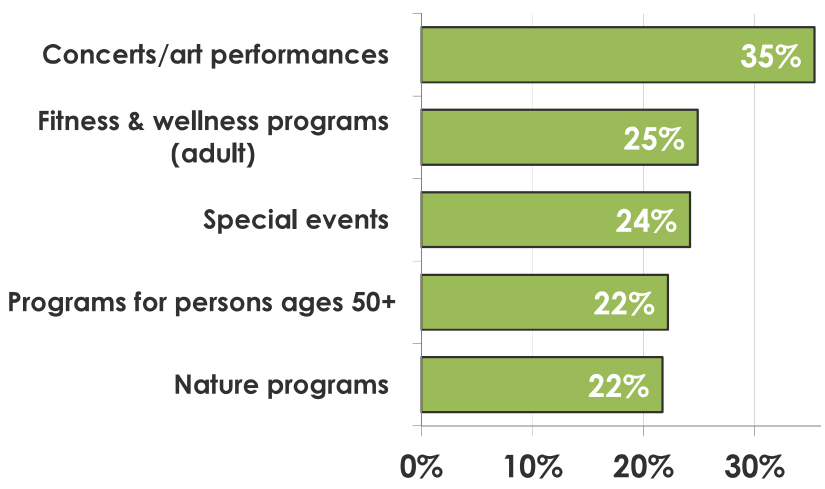
PLAN PURPOSE

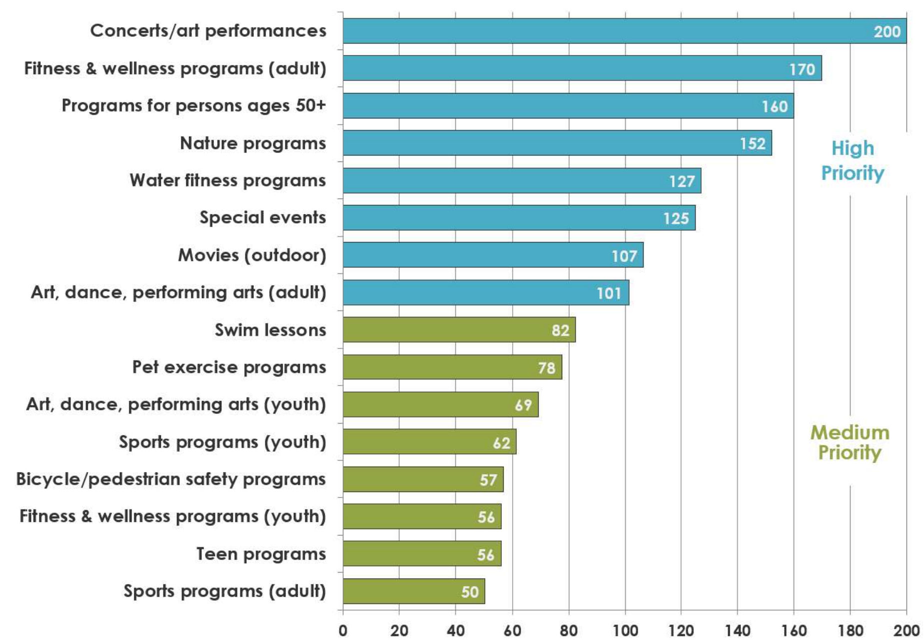
PLAN PROCESS

- EVALUATE PHASE
- ENGAGE PHASE
- ENVISION PHASE
- PLAN PHASE

Top Findings from Survey Results & Open House

- **Additional programming and events**
  - Concerts/performances
  - Movies
  - Special events
  - Age 50+ programs
  - Nature programs
  - Adult fitness & wellness classes
  - Youth sports improvements





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Community Priorities for Investment…

System

- Upgrades to existing parkland
- Increased maintenance at existing parks
- Connectivity & trails added to and through parks
- Access to natural areas & activities (picnics, fishing, etc.)
- Improved ADA accessibility
- Restrooms & support features (lighting, drinking fountains, etc.)
- Wayfinding & entrance signage

Facilities

- Improve/expand indoor recreation space
- Pickleball courts
- Dog park
- Upgraded playgrounds with unique equipment
- Outdoor aquatic facilities
- More & upgraded picnic areas/ shelters

Programs

- Fitness & wellness classes
- Additional community events (concerts, festivals, movies)
- Active adult (50+) programs
- Strategic & collaborative marketing
- Partnerships with local organizations
- Continuous community engagement
- Find alternative funding streams for parks
- Nature Programs

Envision

The Path Forward: Strategic Plan

Mission: ***To provide exceptional parks, programs, and experiences for all***

Vision: ***Our parks and programs improve the health and wellbeing of the whole Kent community and beyond***

VALUES

Excellence

Opportunity

Sustainability

Inclusion

GOALS

Exceptional Spaces
- Inviting Places
- Up-to-Date Amenities
- Responsible Stewardship
- The Cuyahoga River

Enriching Connections
- Engaging Gatherings
- Accessible Connections
- Continuous Engagement

Exceptional Operations
- Effective Administration
- Creative Promotion
- Reliable Funding

Enriching Experiences
- Attractive Athletics
- Health & Wellness
- Ongoing Collaboration

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Plan

PLAN PURPOSE

PLAN PROCESS

- EVALUATE PHASE
- ENGAGE PHASE
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- PLAN PHASE

Systemwide Recommendations

- **Upgrade and improve existing parks and facilities** – address deferred maintenance
- **Ensure ADA accessibility** throughout the park system
- **Update feasibility study for a recreation center** to determine specific needs
- **Add pickleball courts** due to strong demand
- **Develop a dog park** in response to public requests
- **Upgrade the amphitheater** at Fred Fuller Park for added concerts, events, and more
- **Improve trail connectivity** throughout Kent & add trails within the parks

Pickleball Courts
Photo: Community News

Beech Acres Park – Anderson Township OH

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Systemwide Recommendations

- **Upgrade & replace playground equipment throughout the system –** include a variety of park features
- **Update and modernize athletic fields**
- **Improve access to the Cuyahoga River – canoeing, kayaking, fishing, etc.**
- **Utilize new/improved facilities to meet unmet programming needs**
- **Improve park experiences by adding support features –** shade, restrooms, seating, drinking fountains
- **Strategically and consistently place signage** (entrance, wayfinding, etc.) throughout the park system

Universal Access Playground – Ann Arbor Michigan

Crooked River Adventures – Kent State University
Photo: Akron OH Moms

How do we get there?

- **Staff the department** as needed to maintain and operate the system as it changes
- **Continuous Community Engagement**
- **Seek & Utilize Partnerships**
- **Partnerships & Marketing**
  - Consistent communication
  - Cross promotion
  - Multiple formats
- **Parks Foundation (501c3)**
  - Enables receipt of philanthropic funds & fundraising, volunteerism, increased marketing
- **Grants** – ODNR, Federal, State, USDA
- Sponsorships
- **Taxpayer Approved Bond** – 70% indicated support, only 12% opposed

City of Kent

2024 Parks & Recreation Master Plan

kent parks & recreation

Introduction

This 2024 Parks and Recreation Master Plan will be critical to the city's future as it clarifies the department's responsibilities and the community's needs, as well as what partnerships can be leveraged to best deliver parks, facilities, and recreational choices. Known as the "Tree City" Kent is poised to provide abundant outdoor recreational opportunities while preserving the unique natural features of the Cuyahoga Watershed.

Mission

To provide exceptional parks, programs, and experiences for all

Vision

Our parks and programs improve the health and wellbeing of the whole Kent community and beyond

The Kent community desires:

Upgrades & improvements to existing parks/ facilities
- ADA access
- Updated playgrounds & restrooms
- Improved canoe and kayak access

Connectivity & trails
- Trails within parks and throughout city
- Mountain biking
- Signage + wayfinding

New spaces & facilities
- Indoor recreation space & gymnasiums
- Indoor/outdoor aquatics

Expanded programming/events
- Special events, concerts, movies
- Altered program times & offerings
- Special needs, fitness, art & performing arts, active adult programming

Support amenities
- Restrooms & drinking fountains
- Picnic areas & seating

Operational improvements
- Improved marketing
- More community engagement
- Improved partnerships

Survey Says:

What's Next for Kent?

1. Upgrade + improve existing facilities
2. Ensure ADA accessibility
3. Conduct a recreation center feasibility study
4. Add pickleball courts based on public desire
5. Develop a dog park due to public request
6. Upgrade amphitheater at Fred Fuller Park
7. Improve trail connectivity & add trails within parks
8. Upgrade/replace playgrounds
9. Upgrade & modernize athletic fields
10. Improve access to Cuyahoga River (canoeing, fishing, etc.)
11. Find funding streams (park foundation, sponsorships, etc.)
12. Continuous public engagement
13. Utilize new facilities for programming & events
14. Maintain appropriate staffing levels
15. Add support features (restrooms, shade, drinking fountains etc.)
16. Strategically market parks & programs
17. Strategically + consistently place signage
18. Seek partnerships to best deliver parks and recreation services

Goals + Objectives

Enriching Connections
- Engaging Gatherings
- Continuous Engagement
- Accessible Connections

Exceptional Spaces
- Inviting Places
- Up-to-Date Amenities
- Responsible Stewardship
- Cuyahoga River

Exceptional Operations
- Effective Administration
- Creative Promotion
- Reliable Funding

Enriching Experiences
- Attractive Athletics
- Health & Wellness
- Ongoing Collaboration

Values

Excellence - *quality parks, facilities, & services*

Opportunity - *opportunity for education & healthy active living*

Sustainability - *ecologically sensitive and responsible stewardship of parks and facilities*

Inclusion - *equity and access for our diverse population*

How To Use This Plan

Determine responsibility

ACTION PLAN - 2024 Kent Parks & Recreation Master Plan							
Legend of Abbreviations/Organizations							
Parks = Kent Parks & Recreation or the Parks & Recreation Board	OP = Parks and Recreation Operating Budget						
City = City Council, Other City Departments	CIP = Capital Improvement Budget						
Partners = Other Organizations (county/state, private agencies, schools, state/federal grants, etc.)	Revenue = Items that Generate Additional Revenue						
Goals, Objectives, and Strategies	**Timeframe (Years)**			**Category**	**Agency**	**Funding Source**	**Section Reference**
	0-2	**3-5**	**6-10**				
Goal 1: Exceptional Spaces							
Offer excellent facilities that inspire play and strengthen the community							
Objective 1.1 – Inviting Places: Provide quality parks and facilities that engage the community							
Strategy 1.1.1: Provide consistent amenities throughout the system		Ongoing		Capital	Parks	CIP	5.3.6
Strategy 1.1.2: Utilize existing parkland to meet unmet facility needs identified in this plan		Ongoing		Capital/ Planning	Parks	CIP	5.4.6
Strategy 1.1.3: Continually evaluate opportunities to improve park service levels in underserved areas using existing parkland		Ongoing		Capital/ Planning	Parks	OP/CIP	5.4.6
Strategy 1.1.4: Conduct a feasibility study for a recreation center with senior space to determine locations, size, and amenities	✓			Capital/ Planning	Parks/ Partners	CIP/ Partners	5.4.6
Strategy 1.1.5: Develop a dog park in a Kent park in response to strong public demand for the facility; include shade, seating, water access, and prioritize land that is unsuitable for other uses	✓			Capital	Parks	CIP	5.4.6
Strategy 1.1.6: Develop interpretive and informational signage throughout the park system (following signage plans) to help visitors understand natural features, history, and awareness of sensitive ecosystems and rare species	✓	✓		Capital	Parks	CIP	5.3.6
Strategy 1.1.7: Implement a playground replacement program that identifies the expected useful life of all playgrounds with a timeline for replacement	✓			Capital/ Planning	Parks	CIP	5.3.6
Strategy 1.1.8: Continue to replace dated playgrounds and add in strategic locations		Ongoing		Capital	Parks	CIP	5.3.6
Strategy 1.1.9: Include separate age 2-5 equipment when adding or upgrading playgrounds		Ongoing		Capital/ Policy	Parks	CIP	5.3.6
Strategy 1.1.10: Consider themed playground equipment, such as climbing rocks, sensory features, etc., potentially providing for marketing and resident/visitor photo opportunities	✓	✓		Policy	Parks	CIP	5.3.6

Locate funding source

Identify action based on priority and timeframe

BRANDSTETTER CARROLL INC
ARCHITECTS . ENGINEERS . PLANNERS

kent parks & recreation

Questions?

Thank you!

It has been a pleasure to work with the Kent community

BRANDSTETTER CARROLL INC
ARCHITECTS + ENGINEERS + PLANNERS

DRAFT ORDINANCE NO. 2024-040

AN ORDINANCE APPROVING A REQUEST FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ASSISTANCE FOR FISCAL YEAR 2024 UNDER TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED, INCLUDING THE PY2024 ANNUAL ACTION PLAN AND AUTHORIZING THE EXECUTION AND FILING OF THE PY2024 ANNUAL ACTION PLAN, INCLUDING RELATED CERTIFICATIONS, AND UPON AWARDING OF THE GRANT, AUTHORIZING APPROPRIATION OF FUNDS AND DECLARING AN EMERGENCY.

WHEREAS, under provisions of Title I of the Housing and Community Development Act of 1974, as amended (which title is hereinafter referred to as the("Act") and the regulations promulgated there under (24 CFR Parts 58 and 570, hereinafter referred to as the ("Regulations"), the Secretary of the Department of Housing and Urban Development (hereinafter referred to as the ("Secretary") is authorized to make grants to units of general local government to help finance community development programs (as that term is defined in the Act and Regulations); and

WHEREAS, the Secretary has notified the City of Kent of its eligibility to apply for HUD/CDBG funds in the amount of **$283,425** for Program Year 2024. It will begin on **August 1, 2024**, and extend through **July 31, 2025**; and

WHEREAS, the City proposes to apply for such a grant for Program Year 2024 and has, in that connection and as required by and pursuant to the Act and Regulations, prepared its PY2024 Annual Action Plan marked Exhibit "A" and on file in the City Council office, which contains local objectives, identification of housing, homeless and non-housing community development priorities, a description of activities to be undertaken, a local community development budget, and certifications in the form of assurances; and

WHEREAS, this Council has duly reviewed and considered the PY2024 Annual Action Plan, as well as the comments and recommendations of the public and City administrative and planning officials.

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

SECTION 1. That this Council hereby finds and determines that the PY2024 Action Plan gives maximum feasible priority to activities which benefit low-to-moderate income persons or aids in the elimination or prevention of slum and blight and the PY2024 Action Plan includes those activities to be undertaken by the City with the funds provided for the 2024 Program Year that meet the housing and community development needs and objectives allowed by the Act and Regulations and identified in the City's 2020-2024 Five Year Consolidated Plan.

SECTION 2. That the City Manager, being the chief executive officer of the City as that term is defined in the Act and Regulations, is hereby designated as the authorized representative of the City to act in connection with the grant request and to provide such additional documentation or certifications as may be required by the Secretary or by other responsible agencies.

SECTION 3. That this Council hereby finds and determines that the City, in preparing its PY2024 Annual Action Plan, has complied with the applicable requirements of the Act and Regulations, and this Council hereby approves the PY2024 Annual Action Plan, together with all related documentation for submission to the Secretary.

SECTION 4. That this Council hereby directs that the City in carrying out the Program shall continue to comply with applicable requirements of the Act and Regulations and of other applicable laws, including, among others, requirements with respect to civil rights and anti-discrimination, citizen participation, relocation and land acquisition, environmental protection, cost accounting and administration, federal labor standards, flood control, conflicts of interest, political activity of employees, access to books and records and the requirements of giving maximum feasible priority to activities which will benefit low and moderate-income families or aid in the prevention or elimination of slums or blight, and this Council hereby authorizes the City Manager to execute and file with the Secretary certifications in such forms as the Secretary may prescribe, which will provide assurances concerning the foregoing matters, and concerning such other matters as may be required by the Secretary in connection with carrying out the Community Development and Housing Program.

SECTION 5. That this Council hereby authorizes the City Manager to consent to assume the status of a responsible federal official under the National Environmental Policy Act of 1969, insofar as the provisions of such act apply to the Secretary's responsibilities for environmental review, decision making and action to be assumed and carried out by the City Manager and authorizes the City Manager to consent on behalf of the City to accept the jurisdiction of the Federal courts for the purpose of carrying out the program. The City Manager is authorized to execute and file requests for release of funds and related certifications and prepare and file such other documents and take such other actions in connection with the environmental review process as may be required by the Act, the Regulations, particularly the regulations contained in 24 CFR Part 58, and by the National Environmental Policy Act of 1969.

SECTION 6. 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 7. 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. 2024-041

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO CONTINUE THE ENTERPRISE ZONE AGREEMENT WITH THE DAVEY TREE EXPERT COMPANY PROVIDING FOR A PROJECT AND REAL PROPERTY TAX EXEMPTION PURSUANT TO THE OHIO ENTERPRISE ZONE PROGRAM (EZ), AND DECLARING AN EMERGENCY.

WHEREAS, the City executed the Enterprise Zone Agreement in January, 2021; and

WHEREAS, the project is now complete and the agreement is considered active and the Tax Incentive Review Council (TIRC) met on March 18, 2024 and voted unanimously to recommend to Council to continue the agreement as is.

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

SECTION 1. That the City Manager, or his designee, is hereby authorized to continue the Enterprise Zone Agreement with The Davey Tree Expert Company for a real property tax exemption.

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)

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AMY WILKENS, CMC
CLERK OF COUNCIL
(SEAL)

DRAFT RESOLUTION NO. 2024 - 042

A RESOLUTION DECLARING IT NECESSARY TO RENEW THE CITY'S EXISTING 1.16-MILL TAX LEVY FOR THE PURPOSE OF CURRENT EXPENSES; REQUESTING THE COUNTY AUDITOR TO CERTIFY THE TOTAL CURRENT TAX VALUATION OF THE CITY AND THE DOLLAR AMOUNT OF REVENUE THAT WOULD BE GENERATED BY THAT RENEWAL LEVY, PURSUANT TO SECTIONS 5705.03, 5705.19(A) AND 5705.191 OF THE REVISED CODE, AND DECLARING AN EMERGENCY.

WHEREAS, at an election on March 17, 2020, voters of the City of Kent approved a 1.16-mill tax levy outside of the ten-mill limitation for the purpose of current expenses, for a period of five years; and

WHEREAS, the authority to levy that 1.16-mill tax will expire with the levy on the 2024 duplicate for collection in calendar year 2025; and

WHEREAS, this Council finds that the amount of taxes that may be raised within the ten-mill limitation by levies on the current tax duplicate will be insufficient to provide an adequate amount for the necessary requirements of the City, and that it is necessary to renew that existing 1.16-mill tax levy in excess of the ten-mill limitation in order to continue receiving revenue for the purpose of current expenses; and

WHEREAS, in accordance with Division (B) of Section 5705.03 of the Revised Code, in order to submit the question of a tax levy pursuant to Sections 5705.19(A) and 5705.191 of the Revised Code, this Council must certify to the Portage County Auditor (the "County Auditor") a resolution requesting that the County Auditor make certain certifications as described in Section 5705.03(B)(2); and

WHEREAS, in accordance with Section 5705.03(B)(1) of the Revised Code, the resolution as described immediately above must state all of the following, as applicable to the levy: (a) the proposed rate of the tax, expressed in mills for each one dollar of taxable value, or the dollar amount of revenue to be generated by the proposed levy; (b) the purpose of the tax; (c) whether the tax is an additional levy, a renewal or a replacement of an existing tax, a renewal or replacement of an existing tax with an increase or a decrease, a reduction or decrease of an existing tax, or extension of an existing tax to additional territory; (d) the Section of the Revised Code authorizing the submission of the question of the tax; (e) the term of years of the tax or that it is for a continuing period of time; (f) that the tax is to be levied upon the entire territory of the CIty; (g) the date of the election at which the question of the tax shall appear on the ballot; (h) that the ballot measure shall be submitted to the entire territory of the City; (i) the tax year in which the tax will first be levied and the calendar year in which it will be first collected; and (j) each county in which the City has territory; and

WHEREAS, in accordance with Section 5705.03(B)(2) of the Revised Code, upon receipt of a certified copy of a resolution of this Board as described above, the County Auditor is to certify each of the following, as applicable to the levy: (a) the total current tax valuation of the City; (b) the number of mills for each one dollar of taxable value that is required to generate a specified amount of revenue; (c) either of the following, calculated using the tax list for the current year, and if this is not determined, the estimated amount submitted by the County Auditor to the County Budget Commission: (1) if the levy is to renew, renew and increase, renew and decrease, reduce or decrease, or extend to additional territory an existing levy that is subject to reduction under Section 319.01 of the Revised Code, the levy's estimated effective rate, calculated using the rate described in Section

5705.03(B)(2)(b) or (d) of the Revised Code, expressed in dollars, rounded to the nearest dollar, for each one hundred thousand dollars of the County Auditor's appraised value, or (2) for all other levies, the levy's rate, described in Section 5705.03(B)(2)(b) or (d) of the Revised Code, expressed in dollars, rounded to the nearest dollar, for each one hundred thousand dollars of the County Auditor's appraised value; (d) the dollar amount of revenue, rounded to the nearest dollar, that would be generated by a specified number of mills for each one dollar of taxable value; and (e) an estimate of the levy's annual collections, rounded to the nearest one thousand dollars, which shall be calculated assuming that the amount of the tax list of the City remains throughout the life of the levy the same as the amount of the tax list for the current year, and if this is not determined, the estimated amount submitted by the County Auditor to the County Budget Commission;

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

SECTION 1. As used in this Resolution and in accordance with Section 5705.03(B)(1)(a) of the Revised Code, "mills" refers to mills for each one dollar of taxable value.

SECTION 2. That this Council declares that (i) the amount of taxes that may be raised within the ten-mill limitation by levies on the current tax list will be insufficient to provide an adequate amount for the necessary requirements of the City, (ii) it is necessary to renew the City's existing 1.16-mill ad valorem property tax outside of the ten-mill limitation for the purpose of current expenses, (iii) as authorized by Sections 5705.19(A) and 5705.191 of the Revised Code, it intends to submit the question of a 1.16-mill renewal tax levy for that purpose to the electors of the entire territory of the City at an election on November 5, 2024, and (iv) the City has territory only in Portage County. If approved, that tax will be levied upon the entire territory of the City for a period of five years, commencing in tax year 2025, for first collection in calendar year 2026.

SECTION 3. That this Council requests the Portage County Auditor to certify to it the certifications set forth in Section 5705.03(B)(2), as applicable to the proposed renewal tax levy.

SECTION 4. That the Clerk of Council is authorized and directed to deliver promptly to the Portage County Auditor a certified copy of this Resolution.

SECTION 5. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 6. That this Resolution is 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 and for the further reason that it is necessary that this Resolution be effective immediately so that it can be timely filed with the County Auditor and additional proceedings taken in order to submit the question of the levy to the electors at an election on November 5, 2024; for which reason and other reasons manifest to this Council this Resolution shall take effect and be in force immediately upon its adoption.

PASSED: ______________________
Date

____
Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: ______________________

1101253535\2\AMERICAS

Date

ATTEST: ______________________________
Amy Wilkens, CMC
Clerk of Council

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

(SEAL)

____
AMY WILKENS, CMC
CLERK OF COUNCIL
(SEAL)

1101253535\2\AMERICAS

DRAFT ORDINANCE NO. 2024 - 043

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ALLOW THE CREATION OF TWO (2) NEW BUDGET FUNDS THAT IS NECESSARY TO SEPARATE CITY BONDS AND DEPOSITS AND TRACK HEALTH DEPARTMENT REVENUES AND EXPENSES; AND DECLARING AN EMERGENCY.

WHEREAS, the City would like to create a new fund for Bonds and Deposits that would be assigned to a (139) fund to monitor the deposits and bonds that are not reported in the Agency Fund categories per GASB 84 – Fiduciary Funds; and

WHEREAS, the City would like to create the second fund for the Health Department that would be assigned to a (110) fund in order to track multiple funding the department receives, ie State, city, grants, fees, etc.

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 allow the Budget & Finance Department to create two (2) new Budget funds that is necessary to separate City bonds and deposits and track Health Department revenues and expenses and for the Budget and Finance Director to move the January 1, 2024 beginning balance along with all 2024 revenue and expenditure activity and all appropriate 2024 appropriations and 2024 Certificate of Estimated Resources into the proper fund.

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

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

PASSED: ________________________
Date

____
Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: ____________________
Date

ATTEST: ________________________
Amy Wilkens, CMC
Clerk of Council

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

(SEAL)

____

AMY WILKENS, CMC
CLERK OF COUNCIL
(SEAL)

DRAFT ORDINANCE NO. 2024 - 044

AN ORDINANCE AMENDING ORDINANCE NO. 2023-97, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 20, 2023; 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, 2024; AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to amend current appropriations, transfers and advances for the expenses and other expenditures for the City of Kent, Ohio, for the fiscal year ending December 31, 2024.

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

SECTION 1. That the current appropriations Ordinance No. 2023-97 passed December 20, 2023, as amended by Ordinance No. 2023-17, passed 2/21/24, be amended as set forth in Exhibit "A", attached hereto and incorporated herein, so as to increase appropriations in Fund 001, General; Fund 106, Parks & Recreation; Fund 116, Income Tax; Fund 124, Income Tax Safety; Fund 128 Fire & EMS; Fund 201, Water; Fund 202, Sewer; and a decrease to Fund 128, Fire & EMS; and Declaring an Emergency.

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 formation 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 reason 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

Exhibit A

2024 ORIGINAL APPROPRIATIONS

Fund - Department/Division	Personnel & Benefits	Other than Personnel & Benefits	Capital	Reserve/ Debt Service	Contingency	Fund & Department Total
General Fund (001)						
City Council	$ 193,420	$ 46,380	$ -	$ -	$ -	$ 239,800
Mayor	13,490	3,400				16,890
Community Support		126,000				126,000
City Manager	407,400	64,930				472,330
Community Engagement	106,590	5,100				111,690
Information Technology	275,315	449,354				724,669
Urban Renewal		37,700				37,700
Human Resources	120,116	25,415				145,531
Civil Service	41,730	26,720				68,450
Law	373,130	118,260				491,390
Budget & Finance	512,285	141,670				653,955
Community Development	746,985	186,855				933,840
Economic Development	148,100	33,750				181,850
Health	927,859	623,403				1,551,262
Public Parking		85,600				85,600
Main Street Program		70,000				70,000
Service Administration	190,509	399,200				589,709
Shade Tree		121,885	20,000			141,885
Sustainability		70,000				70,000
Building	385,165	46,185				431,350
Land banking		8,000				8,000
Engineering	323,720	107,500				431,220
Miscellaneous & Sundry		457,250				457,250
Contingency					100,000	100,000
Fund Total	4,765,814	3,254,557	20,000	-	100,000	8,140,371
West Side Fire (101)						
Fire	332,460	37,200				369,660
Fund Total	332,460	37,200	-	-	-	369,660
Street Construction Maintenance & Repair (102)						
Service	1,375,400	1,143,965				2,519,365
Contingency					25,000	25,000
Fund Total	1,375,400	1,143,965	-	-	25,000	2,544,365
State Highway (103)						
Service		87,200				87,200
Fund Total	-	87,200	-	-	-	87,200
Recreation (106)						
Parks & Recreation	1,563,700	804,450	224,000			2,592,150
Fund Total	1,563,700	804,450	224,000	-	-	2,592,150
Food Service (107)						
Health	127,785	24,340	7,500			159,625
Fund Total	127,785	24,340	7,500	-	-	159,625
Income Tax (116)						
Budget/Finance/IncTaxAdmin	146,525	681,600				828,125
Managed Reserve				25,540		25,540
Fund Total	146,525	681,600	-	25,540	-	853,665

2024 ORIGINAL APPROPRIATIONS

Fund - Department/Division	Personnel & Benefits	Other than Personnel & Benefits	Capital	Reserve/ Debt Service	Contingency	Fund & Department Total
Revolving Housing (120)						
Health	178,695	21,270	6,300			206,265
Fund Total	178,695	21,270	6,300	-	-	206,265
State & Local Forfeits (121)						
Police						-
Fund Total	-	-	-	-	-	-
Drug Law Enforcement (122)						
Police		15,000				15,000
Fund Total	-	15,000	-	-	-	15,000
Enforcement & Education (123)						
Police		11,000				11,000
Fund Total	-	11,000	-	-	-	11,000
Income Tax Safety (124)						
Police	8,722,965	863,415				9,586,380
Fund Total	8,722,965	863,415	-	-	-	9,586,380
Law Enforcement Trust (125)						
Police						-
Fund Total	-	-	-	-	-	-
Community Development Block Grant (126)						
Community Development	1,685	199,300	189,825			390,810
Fund Total	1,685	199,300	189,825	-	-	390,810
Fire & E.M.S. (128)						
Fire	6,282,490	902,365	845,100			8,029,955
Fund Total	6,282,490	902,365	845,100	-	-	8,029,955
Wireless 911 (129)						
Safety						-
Fund Total	-	-	-	-	-	-
Swimming Pool Inspections (130)						
Health	10,460		1,200			11,660
Fund Total	10,460	-	1,200	-	-	11,660
Police Pension (132)						
Police	160,000					160,000
Fund Total	160,000	-	-	-	-	160,000
Fire Pension (133)						
Fire	160,000					160,000
Fund Total	160,000	-	-	-	-	160,000
UDAG / EDA-RLF (134)						
City Manager/C.D.		60,000				60,000
Fund Total	-	60,000	-	-	-	60,000
CHIP Grant (136)						
City Manager/C.D.	20,000	155,000				175,000
Fund Total	20,000	155,000	-	-	-	175,000

2024 ORIGINAL APPROPRIATIONS

Fund - Department/Division	Personnel & Benefits	Other than Personnel & Benefits	Capital	Reserve/ Debt Service	Contingency	Fund & Department Total
Local American Rescue Plan Act (138)						
ARPA			5,684,400			5,684,400
Fund Total	-	-	5,684,400	-	-	5,684,400
Water (201)						
Service	2,062,257	1,159,545	1,262,400			4,484,202
Service (Capital Facilities)			322,000			322,000
Admin. Support	529,672	164,973	301,500			996,145
Budget & Finance (Debt)				26,740		26,740
Contingency					50,000	50,000
Fund Total	2,591,929	1,324,518	1,885,900	26,740	50,000	5,879,087
Sewer (202)						
Service	1,971,494	964,370	3,700,977			6,636,841
Service (Capital Facilities)			237,280			237,280
Admin. Support	456,045	130,073	173,500			759,618
Budget & Finance (Debt)				443,090		443,090
Contingency					50,000	50,000
Fund Total	2,427,539	1,094,443	4,111,757	443,090	50,000	8,126,829
Utility Billing (204)						
Budget & Finance		98,400				98,400
Fund Total	-	98,400	-	-	-	98,400
Solid Waste (205)						
Admin Support	75,650	176,790	9,000			261,440
Service	394,968	40,500	120,000			555,468
Fund Total	470,618	217,290	129,000	-	-	816,908
Storm Water Utility (208)						
Service	394,968	62,850				457,818
Service (Capital Facilities)		1,000	419,100			420,100
Admin. Support	331,258	78,800	20,000			430,058
Budget & Finance (Debt)				13,350		13,350
Fund Total	726,226	142,650	439,100	13,350	-	1,321,326
Guaranteed Deposits (230)						
Budget & Finance		1,000				1,000
Fund Total	-	1,000	-	-	-	1,000

2024 ORIGINAL APPROPRIATIONS

Fund - Department/Division	Personnel & Benefits	Other than Personnel & Benefits	Capital	Reserve/ Debt Service	Contingency	Fund & Department Total
Capital Projects (301)						
Safety			130,000			130,000
Service			804,000			804,000
Service (Capital Facilities)			6,743,557			6,743,557
Administrative	338,969		757,000			1,095,969
Budget & Finance (Debt)				62,280		62,280
New City Hall (Debt)			150,000	58,993.19		208,993
Contingency					25,000	25,000
Fund Total	338,969	-	8,584,557	121,273.19	25,000	9,069,799.19
Municipal Public Improvement Tax Increment Equivalent (302)						
Service (Capital Facilities)						-
Budget & Finance (Debt)				435,905		435,905
Fund Total	-	-	-	435,905	-	435,905
Police Facility (303)						
Safety (Capital Facilities)		66,000		811,250		877,250
Budget & Finance (Debt)						0
Fund Total	-	66,000	-	811,250	-	877,250
Debt Service (402)						
Budget & Finance (Debt)				402,006.81		402,006.81
Fund Total	-	-	-	402,006.81	0	402,006.81
Internal Service (807)						
Health Insurance		4,300,000				4,300,000
Fund Total	-	4,300,000	-	-	-	4,300,000
Total Appropriations	$ 30,403,260	$ 15,504,963	$ 22,128,639	$ 2,279,155	$ 250,000	$ 70,566,017
Original Appropriations	$ 28,632,091	$ 14,896,000	$ 8,855,200	$ 2,279,155	$ 250,000	$ 54,912,446
Amendment #1	1,771,169	534,275	13,272,939	-	-	15,578,383
Amendment #2		74,688	500			75,188
Amendment #3						-
Amendment #4						-
Amendment #5						-
Amendment #6						-
Amendment #7						-
Amendment #8						-
	$ 30,403,260	$ 15,504,963	$ 22,128,639	$ 2,279,155	$ 250,000	$ 70,566,017

2024 ORIGINAL APPROPRIATIONS - SCHEDULE OF OPERATING TRANSFERS AND TEMPORARY ADVANCES

Paying Fund	Original	Request	Change	Receiving Fund
Operating Transfers				
Fund 116 - Income Tax	$ 3,800,000			Fund 001 - General
Fund 116 - Income Tax	400,000			Fund 102 - St Const Maint & Repair
Fund 116 - Income Tax	4,360,970			Fund 124 - Income Tax Safety
Fund 116 - Income Tax	4,360,970			Fund 128 - Fire & E.M.S.
Fund 116 - Income Tax	3,902,770			Fund 301 - Capital Projects
Fund 116 - Income Tax	2,180,485			Fund 303 - Police Facility
Total Fund 116 Income Tax	19,005,195	0	0	
Fund 201 - Water	55,000			Fund 204 - Utility Billing
Fund 202 - Sewer	55,000			Fund 204 - Utility Billing
Fund 001 - General	4,500,000			Fund 124 - Income Tax Safety
Fund 001 - General	3,500,000			Fund 128 - Fire & EMS
Subtotal - Total Operating Transfers	8,110,000	0	0	
Grand Total - All Transfers	$ 27,115,195	$ -	$ -	

DRAFT ORDINANCE NO. 2024 – 045

AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE FOLLOWING AGREEMENTS WITH THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING TEMPORARY EASEMENTS, FOR RIGHT-OF-WAY PURPOSES, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY FOR THE PROJECT KNOWN AS EAST MAIN STREET IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Council desires to obtain temporary easements and are granted the easements from the following:

1) Reedham Hall Properties, LLC - $2,925
2) Golden Flash Rentals, LLC - $3,990

WHEREAS, the City needs the property for right-of-way purposes to install, construct and reconstruct the roadway and sidewalks for the project known as East Main Street Improvement Project; and

WHEREAS, time is of the essence because the sooner the City acquires the necessary right-of-way for this project, the sooner construction may begin.

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

SECTION 1. That Council does hereby accept and authorizes the City Manager or his designee to execute the agreement for the City of Kent to obtain temporary easements for right-of-way purposes to install, construct and reconstruct the roadway and sidewalks for the project known as East Main Street Improvement Project in substantial conformity with the terms of the Agreement marked as Exhibit "A", on file in the Council office.

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. 2024 -046

AN ORDINANCE ENACTING SECTION 351.041 OF THE KENT CODIFIED ORDINANCES TITLED "PARKING COMMERCIAL VEHICLES IN RESIDENTIAL AREAS" AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent wishes to enact Section 351.041 of the Kent Codified Ordinances titled "Parking Commercial Vehicles in Residential Areas".

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

SECTION 1. That Council does hereby enact Section 351.041 per Exhibit "A", attached hereto and made a part thereof.

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

EXHIBIT “A’

351.041 PARKING COMMERCIAL VEHICLES IN RESIDENTIAL AREAS.

(a) No person shall park a commercial tractor, trailer or semitrailer on public or private property adjacent to a residential use, except in case of a breakdown of such commercial tractor, truck, trailer or semitrailer, or for loading and unloading purposes.

(b) When parking is authorized pursuant to division (a) of this section:

(1) Such commercial tractor, truck, trailer or semitrailer must be parked parallel to the residential property lines.

(2) Such commercial tractor, truck, trailer or semitrailer must be parked on a level grade.

(c) No person shall park any commercial tractor, truck, trailer or semitrailer with a refrigeration unit left operating from 6:00 p.m. until 7:00 a.m. of the following day on public or private property adjacent to a residential use, except as is necessary for loading and unloading only.

DRAFT ORDINANCE NO. 2024 – 047

AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN PRIZM PROPERTY GROUP OF OHIO, LLC AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A PERMANENT AND TEMPORARY EASEMENT FOR RIGHT-OF-WAY PURPOSE FOR THE PROJECT KNOWN AS EAST MAIN STREET IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Council desires to obtain a small permanent parcel (0.012 acres) and a small temporary parcel (0.042 acres) from Prizm Property Group of Ohio, LLC for right-of-way purposes; and

WHEREAS, Prizm Property Group of Ohio, LLC is willing to grant the right-of-ways for an amount above the fair market value of $8,820. Prizm Property Group of Ohio, LLC has requested an additional amount of $1,430 which would bring the settlement amount to $10,250. The City's portion of the additional requested amount would be $71.50 (5%); and

WHEREAS, the City needs the property for right-of-way purposes to install, construct and reconstruct the roadway and sidewalks for the project known as East Main Street Improvement Project; and

WHEREAS, time is of the essence because the sooner the City acquires the necessary right-of-way for this project, the sooner construction may begin.

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

SECTION 1. That Council does hereby accept and authorizes the City Manager or his designee to execute the agreement with Prizm Property Group of Ohio, LLC for the City of Kent to obtain a permanent and temporary easement for right-of-way purposes to install, construct and reconstruct the roadway and sidewalks for the project known as East Main Street Improvement Project in substantial conformity with the terms of the Agreement marked as Exhibit "A", attached hereto and made a part hereof.

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

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Mayor Fiala
Dave Ruller
Amy Wilkens

FROM: Jim Bowling Jab

DATE: 5/3/2024

RE: E Main Street Improvements – R/W Acquisition

The Service Department is requesting an executive session of City Council to discuss a proposed right-of-way settlement with Prizm Property Group of Ohio LLC located at the northwest corner of E Main Street and Overlook Drive. A multi-unit residential building is currently located on this parcel. The right-of-way impacts to the property are shown in Figure 1 below. These impacts include a small permanent parcel (0.012 acres) and a small temporary parcel (0.042 acres). A summary of the purchase values is shown below:

Fair Market Value Estimate -	$8,820
Additional Amount Requested -	$1,430
Negotiated Settlement Amount -	$10,250

The basis of the dispute is the price per acre used in the appraisal.

The additional amount requested is within the Ohio Department of Transportation's (ODOT) acceptable limits. The right-of-way costs for the project are funded with money from grants, KSU and the City. Our portion of the additional requested amount would be $71.50 (5%).

We recommend approving the negotiated settlement.

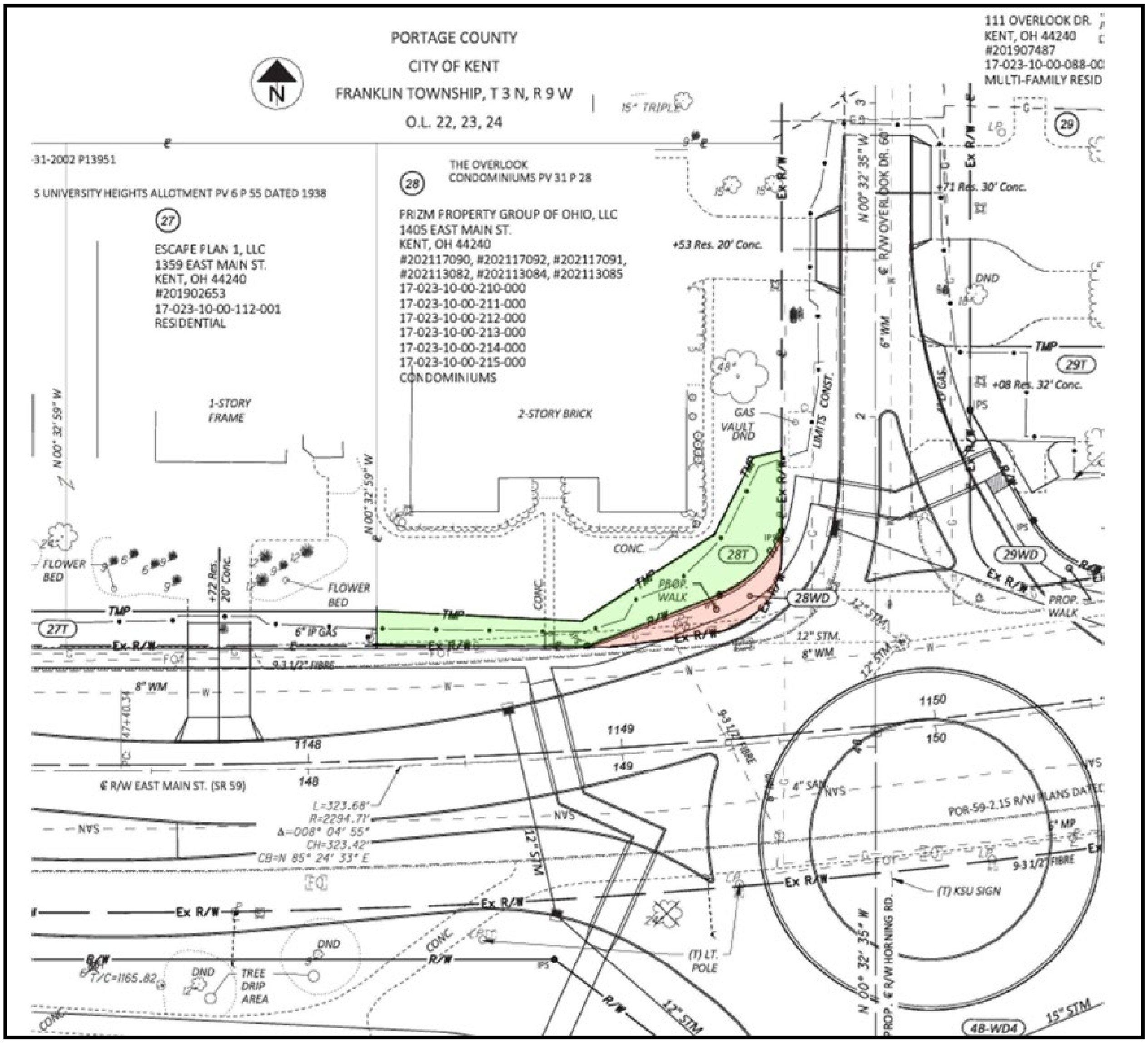

Figure 1 – Temporary (green) and permanent (pink) Right-of-Way from the Prizm Parcel

C: Hope Jones
Melanie Baker
Sandy Lance
Jon Giaquinto

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DRAFT ORDINANCE NO. 2024 – 048

AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN NNIA PROPERTIES, LLC AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT FOR RIGHT-OF-WAY PURPOSE FOR THE PROJECT KNOWN AS EAST MAIN STREET IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Council desires to obtain a small temporary parcel (0.022 acres) from NNIA Properties, LLC for right-of-way purposes; and

WHEREAS, NNIA Properties, LLC is willing to grant the right-of-way for an amount above the fair market value of $9,905. NNIA Properties, LLC has requested an additional amount of $4,095 which would bring the settlement amount to $14,000. The City's portion of the additional requested amount would be $204.75 (5%); and

WHEREAS, the City needs the property for right-of-way purposes to install, construct and reconstruct the roadway and sidewalks for the project known as East Main Street Improvement Project; and

WHEREAS, time is of the essence because the sooner the City acquires the necessary right-of-way for this project, the sooner construction may begin.

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

SECTION 1. That Council does hereby accept and authorizes the City Manager or his designee to execute the agreement with NNIA Properties, LLC for the City of Kent to obtain a temporary easement for right-of-way purposes to install, construct and reconstruct the roadway and sidewalks for the project known as East Main Street Improvement Project in substantial conformity with the terms of the Agreement marked as Exhibit "A", attached hereto and made a part hereof.

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

EFFECTIVE: ______________________
Date

ATTEST: ______________________
Amy Wilkens, CMC
Clerk of Council

____
Jerry T. Fiala
Mayor and President 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

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Mayor Fiala
Dave Ruller
Amy Wilkens

FROM: Jim Bowling JB

DATE: 5/3/2024

RE: E Main Street Improvements – R/W Acquisition

The Service Department is requesting an executive session of City Council to discuss a proposed right-of-way settlement with NNIA Properties, LLC located at the northeast corner of E Main Street and Wilson Avenue. Campus Market and Mamacita's are located on the properties. The right-of-way impacts to the property are shown in Figure 1 below. These impacts include a small a small temporary parcel along the frontage of the property totaling (0.022 acres). A summary of the purchase values are shown below:

Fair Market Value Estimate -	\$9,905
Additional Amount Requested -	\$4,095
Negotiated Settlement Amount -	\$14,000

The basis of the dispute is primarily the value of planter boxes recently installed adjacent to the right-of-way that are to be removed. The appraisal valued the planter boxes at \$4,995. The owner provided a receipt from the installation in August 2023 for \$8,560.

The Ohio Department of Transportation (ODOT) has already approved the Negotiated Settlement Amount. The right-of-way costs for the project are funded with money from grants, KSU and the City. Our portion of the additional requested amount would be \$204.75 (5%).

We recommend approving the negotiated settlement.

K:\Engineering\PROJECTS\East Main Street Area Improvements_2019\Design\Right of Way Acquisition\KCC Settlement Memos\Campus Market and Mamacitas_Parcel 18_KCC Memo.doc

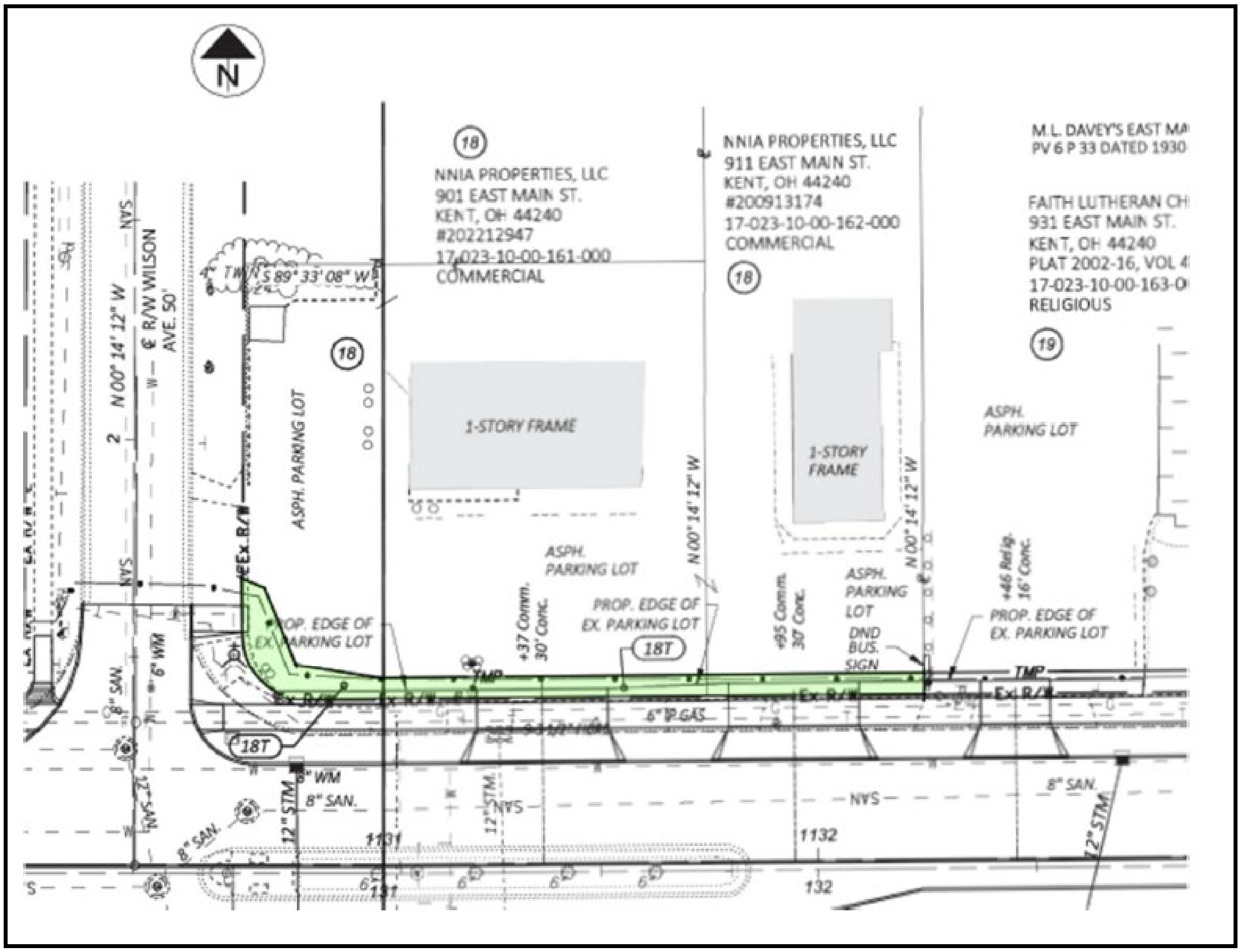

Figure 1 – Temporary (green) Right-of-Way from the Campus Market/Mamacita's Parcel

C: Hope Jones
Melanie Baker
Sandy Lance
Jon Giaquinto

DRAFT ORDINANCE NO. 2024 – 049

AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN SABATINE BK DEVELOPMENT, LLC AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A PERMANENT AND TEMPORARY EASEMENT FOR RIGHT-OF-WAY PURPOSE FOR THE PROJECT KNOWN AS EAST MAIN STREET IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Council desires to obtain a small permanent parcel (0.011 acres) and a small temporary parcel (0.037 acres) from Sabatine BK Development, LLC for right-of-way purposes; and

WHEREAS, Sabatine BK Development, LLC is willing to grant the right-of-ways for an amount above the fair market value of $10.720. Sabatine BK Development, LLC has requested an additional amount of $4,280 which would bring the settlement amount to $15,000. The City's portion of the additional requested amount would be $214.00 (5%); and

WHEREAS, the City needs the property for right-of-way purposes to install, construct and reconstruct the roadway and sidewalks for the project known as East Main Street Improvement Project; and

WHEREAS, time is of the essence because the sooner the City acquires the necessary right-of-way for this project, the sooner construction may begin.

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

SECTION 1. That Council does hereby accept and authorizes the City Manager or his designee to execute the agreement with Sabatine BK Development, LLC for the City of Kent to obtain a permanent and temporary easement for right-of-way purposes to install, construct and reconstruct the roadway and sidewalks for the project known as East Main Street Improvement Project in substantial conformity with the terms of the Agreement marked as Exhibit "A", attached hereto and made a part hereof.

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

EFFECTIVE: ____________________ Date

ATTEST: ______________________
Amy Wilkens, CMC
Clerk of Council

____
Jerry T. Fiala
Mayor and President 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

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Mayor Fiala
Dave Ruller
Amy Wilkens

FROM: Jim Bowling Jab

DATE: 5/3/2024

RE: E Main Street Improvements – R/W Acquisition

The Service Department is requesting an executive session of City Council to discuss a proposed right-of-way settlement with Sabatine BK Development LLC located at the northeast corner of E Main Street and University Drive. Chipoltle is currently located on this parcel. The right-of-way impacts to the property are shown in Figure 1 below. These impacts include a small permanent parcel (0.0011 acres) and a small temporary parcel (0.037 acres). A summary of the purchase values is shown below:

Fair Market Value Estimate -	$10,720
Additional Amount Requested -	$4,280
Negotiated Settlement Amount -	$15,000

The basis of the dispute is the price per acre used in the appraisal.

The Ohio Department of Transportation (ODOT) has already approved the Negotiated Settlement Amount. The right-of-way costs for the project are funded with money from grants, KSU and the City. Our portion of the additional requested amount would be $214.00 (5%).

We recommend approving the negotiated settlement.

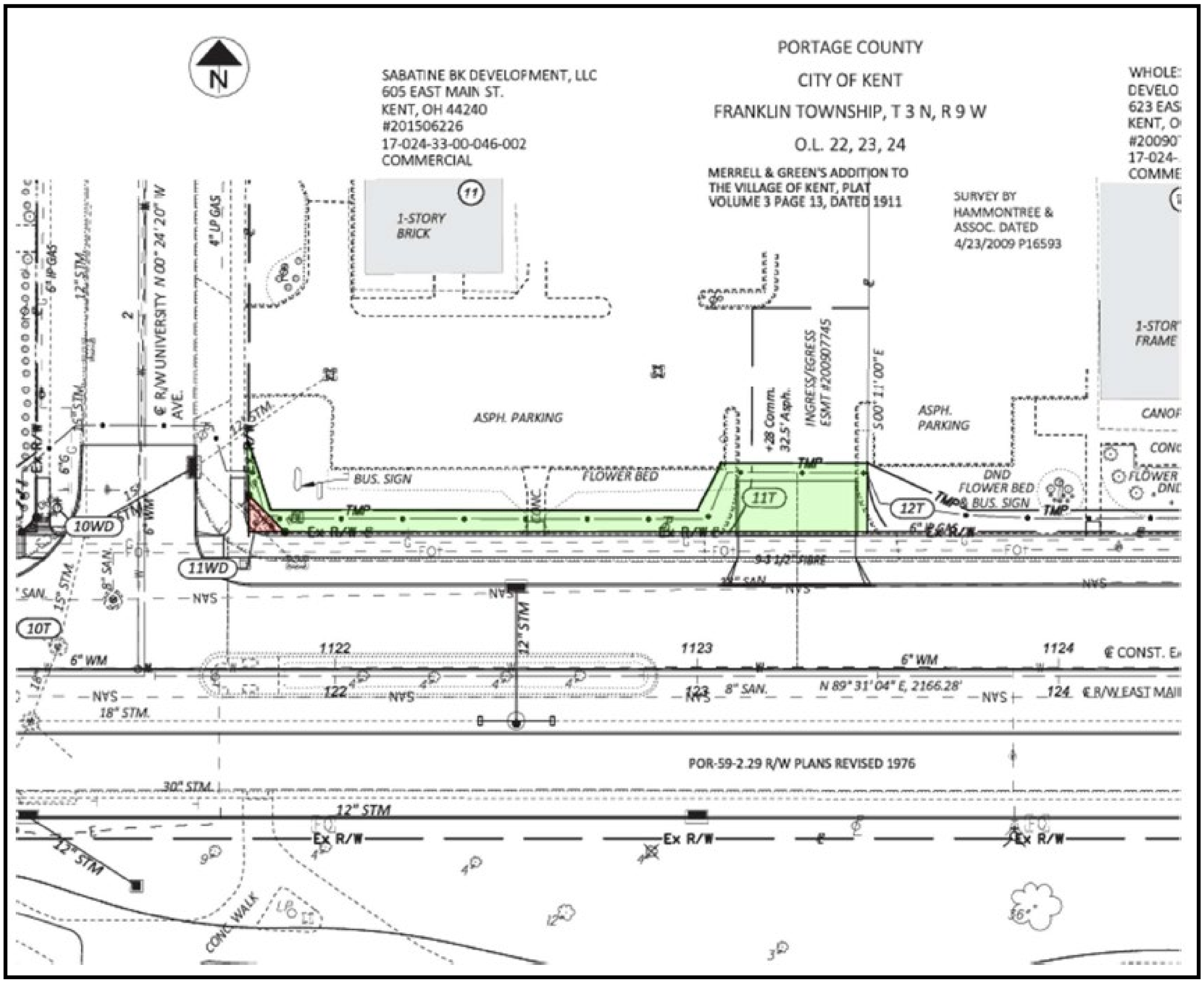

Figure 1 – Temporary (green) and permanent (pink) Right-of-Way from Chipotle Parcel

C: Hope Jones
Melanie Baker
Sandy Lance
Jon Giaquinto