City of Kent

Wednesday, June 5, 2024

City Council Committee Meetings

320 S. Depeyster Street, Kent, OH 44240

MINUTES

At 07:00 PM, Mayor Jerry T. Fiala called the Zoning Code Public Hearing to order.

Roll Call was taken for the Public Hearing

Present:	Mr. Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Mr. Michael DeLeone, 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; Mr. Eric Fink, Assistant Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Service Director;Ms. Joan Seidel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Nick Shearer, Chief of Police; Ms. Amy Wilkens, Clerk of Council
Absent:	Mr. Chris Hook

MOTION TO TO EXCUSE MR. CHRIS HOOK MADE BY Mr. Jack Amhrein SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 8-0-0.

Ms. Bridget Susel introduced the public hearing to address zoning code changes in regard to land use for adult use cannabis sales. She read the following statement:

In accordance with Chapter 1111.01(b)(2) of the Kent Codified Ordinances, notice was given on May 22, 2024 that the Kent City Council will conduct a Public Hearing to allow for public comment on proposed text amendments to the City of Kent Zoning Code:

- CHAPTER 1102: Definitions
- CHAPTER 1103: Zoning Districts, Land Use, and Zoning Map
- CHAPTER 1105: Conditions Applicable to Specific Land Uses
- CHAPTER 1107: Parking, Loading, and Access Management

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

Council Committee Meetings

Committee of the Whole

Mayor Fiala opened the Committee of the Whole meeting at 7:02 pm. He said a need arose to move the Executive Session to before the Land Use Committee and to move the Land Use Committee to the end.

MOTION TO AMEND AGENDA MADE BY Ms. Heidi Shaffer Bish, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 8-0-0.

Board and Commission Interviews

Ms. Karen Beck introduced herself to Council and gave her background on various boards. She said she has learned quite alot about PARTA during her first year on the board and would like to continue contributing to it.

Ms. Alyssa Fleming was unable to attend the interview this evening but would still like to be considered for the position.

Ms. Crystal Foster was not in attendance to be interviewed.

Ms. Chelsea Treveline was next to be interviewed. She gave her background in public health and why she is interested in being on the Health Board.

Mr. Sidoti asked Ms. Treveline about what she considers the greatest public health issue. In response to a question about the biggest public health crisis, she identified financial security as a major factor impacting health, as it affects people's ability to manage nutrition, exercise, and access to healthcare.

Ms. Shaffer Bish asked is she had been to the Board or if she knew anyone on the Board. Ms. Treveline said she has just been getting settled and hasn't had the chance to go yet. She also answered questions about their familiarity with the board and the community, acknowledging that they are still new but eager to get more involved.

Mr. Turner asked how she saw the issue of economics and race and how she sees it as a priority. He asked about outreach she would implement to show improvement. Ms. Treveline said she cannot speak of expertise in Kent, but when she thinks about underserved populations it is to try to better understand the needs of the community. She emphasized the importance of engaging directly with community members to understand their needs and priorities through methods like community listening and visioning sessions. This approach, they believe, would help identify and address disparities related to socioeconomics and race, ensuring that the board's programs and policies are well-informed and effective.

Mayor Fiala thanked all the candidates and said they would be voting on June 19, 2024 for each position.

Update on the New City Administration Building

Ms. Melanie Baker said she was excited and shared the pictures she brought to the meeting (**Attachment**)
Interior Hall on Main Level:

1. Frames and doors are installed, drywall is up.
2. Council chambers are spacious with large windows, allowing abundant natural light.

Top Floor:

1. Hallway windows with transoms ensure light-filled corridors.

2. Main meeting room offers picturesque downtown views, ideal for showcasing the city.

Exterior Brickwork:

1. North and West walls feature beautifully blended bricks, maintaining a historic yet modern look.
2. Glass Atrium symbolizes forward-thinking and transparency.

Current Construction Status:

1. All Glass Installed: Some issues identified (e.g., a defective window will be replaced).

Ongoing Work:

1. Insulation, drywall, and fire stopping are in progress.
2. Interior signage review and fabrication are underway.
3. HVAC, electrical, and plumbing preliminary walkthroughs showed minimal issues.

Site Work and Safety:

1. Ballards Installation: Ensuring safety around the main entrance.

Upcoming Site Work:

1. Fence removal for site work starting mid to late June, expected to last 6-8 weeks, finishing by September.
2. Temporary delay in front site work to replace glass without damaging new sidewalks.

Key Dates and Requirements:

1. Next Building Walkthrough: June 19th at 6 PM.
2. Safety Precautions:
3. Wear solid-soled shoes and full-foot coverings.
4. Hard hats will be provided and are required for site safety.

Community Development Committee

Chair Rosenberg opened the Community Development Committee meeting at 7:21 PM.

Event Permits

Ms. Susel said this is a no-action item tonight, that she was there to gather information to come back for formal action. She said it was prudent, as it had not been looked for a while. A survey was distributed to merchants downtown.

Ms. Susel presented findings and suggestions regarding the event permit process, collected from various sources, including a survey of downtown businesses, information from other communities, and discussions with local business owners. This session aimed to gather Council's feedback to refine the event permit policy.
Key Points and Suggestions:

Event Road Closures:

1. Currently, road closures are frequently approved with minimal review.
2. Suggested introducing criteria for road closures based on expected foot traffic.
3. Some events could be accommodated without road closures, using sidewalks instead.

Alternative Event Locations:

1. Many events default to North Water and East Main Streets, which affect businesses and traffic.
2. Proposals to move some events to less central locations like Erie Street or South Water Street lot.
3. Aim to increase foot traffic through different parts of downtown.

Limiting Major Road Closures:

1. Closing both North Water and East Main Streets simultaneously should be limited.
2. Heritage Fest is an exception due to its historical significance and established format.
3. Events requiring payment or exclusive entry should avoid closing major roads.

Scheduling Considerations:

1. Avoid scheduling events that require road closures on important dates like RHS commencement day.
2. Ensuring roads are open on such days to support local businesses and celebratory activities.

Centralized Coordination and Flat Fees:

1. The current process involves significant staff time with no event fees for nonprofits, leading to inefficiencies.
2. Suggested introducing a flat fee structure for all events to streamline the process.
3. Need for a dedicated staff person to proactively manage event schedules and logistics.

Feedback and Next Steps:

1. Council feedback on these proposals is crucial for developing a formalized policy.
2. The importance of balancing event benefits with the impact on downtown businesses and traffic.
3. Plan to bring a refined proposal back to Council for authorization.

Discussion and Feedback:

Ms. Susel opened the floor for comments and questions from the Council to help guide the refinement of the event permit policy.

Mayor Fiala said that Ms. Susel is on the right track and that there are other cities considering limiting festivals due to the cost of in-kind work.

Ms. Shaffer Bish said she was interested in learning what businesses think of how effective these are in getting people into the city. She said we need to keep up festivals and reasons to come to Kent. She suggested doing a survey on the street to see how many people are coming to the town for a festival. She said it's important to not get in the way of businesses.

Mr. Sidoti said we need to think smartly about traffic patterns and how we find them. He asked if the time had come if we had a legitimate Community Calendar, so we knew a year in advance of upcoming events. He said it is important to get the data to support the positive impact of festivals. Ms. Susel agreed.

Mr. Clapper said we can't have empty storefronts at the cost of events, and it's crucial to recognize the economic challenges faced by small businesses, especially with the prevalence of empty storefronts and struggles to pay rent. Adapting to the changing economic landscape, particularly in the aftermath of the pandemic, is essential for sustaining downtown areas. Continuous adaptation and careful consideration of feedback from local businesses are necessary for developing effective policies.

There was a discussion about when and where future KSU events would occur, and it was verified there were discussions about closing off a few streets for the events leading up to the start of the fall semester.

Mr. Ruller said the city is focused on optimizing the support for events while also considering the impact on downtown businesses. The intention is not to backtrack on the investment in downtown events but rather to adapt to changing circumstances and ensure that events are mutually beneficial for both the festivals and the local businesses. Exploring different event locations and traffic patterns can help gauge their impact on the community and businesses. This proactive approach aims to better optimize event planning and support for the downtown area. He asked Ms. Heather Malarcik, Director of Main Street Kent, who was in the audience, for her input.

Ms. Malarcik said there's a strong emphasis on gathering feedback and evaluating events from all stakeholders involved, including participants, artists, wineries, volunteers, and businesses. This approach recognizes that not all events should be held in the same location or format, and adjustments may need to be made based on feedback and outcomes. The goal is to continually fine-tune events to ensure they are successful and beneficial for both the community and businesses. Being open to feedback, making necessary adjustments, and maintaining self-awareness are key components of this evaluation process, ultimately aiming to optimize the impact and effectiveness of each event.

Mr. Turner asked what the new person that is being considered to be hired would be doing, but the discussion revolved around reassigning responsibilities rather than hiring a new person, with the goal of ensuring a more thoughtful approach to event planning. This includes refining expectations for event organizers and holding them accountable for factors like setup, breakdown, and overall event management. Additionally, there's consideration of the locations of events, taking into account gathering points like Hometown Plaza and Dan Smith Community Park.

Finance Committee

Chair DeLeone opened the Finance Committee meeting at 7:58 p.m.

Operating Levy Resolution to Proceed

Mr. Ruller stated this is the next step in the proceed, which the Council has already reviewed and approved the process. This is step two.

Ms. Rhonda Hall, Budget and Finance Director, described the following steps in getting the operating levy on the ballot:

Approval of the Ordinance/Resolution: The council first approved the ordinance or resolution to renew the tax levy.

Certification with the County: After approval, the amount to be collected from the tax levy was certified with the county. The county confirmed the expected revenue, which is about $340,000 for the following year.

Resolution to Proceed: The next step is to pass a resolution to proceed. This resolution is necessary to formally move forward with the process.

Submission to the Board of Elections: Once the resolution to proceed is passed, it must be sent to the Board of Elections. This step ensures the tax levy renewal will be included on the ballot for public voting.

This process is described as mainly a "housekeeping" task, indicating it's a standard and necessary administrative step to ensure the tax levy renewal is properly executed and placed on the ballot.

MOTION TO APPROVE OPERATING LEVY RESOLUTION TO PROCEED MADE BY Mr. Roger Sidoti, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 8-0-0.

Health Department Grant Opportunities
Ms. Joan Seidel, the city health commissioner, presented three grant opportunities to the council:

Creating Healthy Communities Grant:
Purpose: This grant aims to promote healthy eating and active living.
Funding: Up to $100,000.
Allocation: A portion for an intern's salary; the remaining funds to meet grant deliverables.
Reason: The success of the previous healthy eating and active living grant managed by Jelisa Man opened this opportunity.

Emergency Operations Grant:
Purpose: An extension of leftover COVID-19 dollars to continue upgrading public health.
Funding: $74,237.
Allocation: For an intern's salary, staff travel and training, professional services, and updates to the front of the building.

Environmental Protection Agency (EPA) Grant:
Purpose: Renewal grant for mosquito or vector control programs.
Funding: $25,000.
Focus: To test and control vector-borne diseases, including West Nile virus and three other diseases due to an uptick in cases.

Ms. Seidel asked for permission to apply for these grants and was open to any questions from the council regarding these opportunities.

MOTION TO APPROVE HEALTH DEPARTMENT GRANT OPPORTUNITIES, MADE BY Ms. Gwen Rosenberg, SECONDED by Ms. Melissa Celko and CARRIED by a voice vote of 8-0-0.

Bond Refunding

The city is considering calling two bond issues from 2013 and 2014, as recommended by the Financial Manager. The 2013 Bond Issue has been callable since last year. The 2014 Bond Issue is callable this December, with the earliest possible call date being September. Concerning the potential savings, the present value of debt service is approximately $463,000.Total savings over life of bonds is over $600,000. She said a third bond could be called next year, but this proposal only concerns the 2013 and 2014 bonds. She added if market conditions are unfavorable by the bond issue date in September, the refund may be reconsidered. The proposal aims to save approximately $600,000 over the life of the bonds, with decisions being finalized based on market conditions as the date approaches.

MOTION TO APPROVE BOND REFUNDING MADE BY Mr. Roger Sidoti, SECONDED by Ms. Gwen Rosenberg and CARRIED by a voice vote of 8-0-0.

FY2024 Appropriation Amendment #3

Ms. Rhonda Hall said the budget appropriation was initially scheduled for July, but due to the Walnut Street project, it needed to be moved up to June.

MOTION TO APPROVE FY2024 APPROPRIATION AMENDMENT #3 MADE BY Mr. Robin Turner, SECONDED by Mr. Jack Amrhein and CARRIED by a voice vote of 8-0-0.

Health and Public Safety Committee

Chair Amrhein opened the Health and Public Safety Committee Meeting at 8:04 p.m.

Police Ohio Collaborative Certification

Prior to starting his presentation, Chief Shearer went through the Police Annual Report that was given to council members prior to the meeting (**Attachment**). He first recognized Kathy Coleman, who compiled this report, took all the photos herself, and did a fantastic job organizing and ensuring the esthetics were pleasing. She really does an outstanding job.

He walked Council through the Annual Report booklet.
First Page: Message from Chief Shearer
Second Page: Notable cases from 2023.
Following Pages: Descriptions and tasks of our various divisions and some of the programs we offer.
Training Page: Details on the continuing professional training that all of us go through annually.
Employee Recognition:Supervisor of the Year.Officer of the Year.Civilian of the Year.Other awards and ceremonial acknowledgments from throughout the year.
Additional Programs: Information on other programming initiatives.
FAQ Page: Added at Kathy's suggestion. It’s posted on our website and provides answers to frequently asked questions from the community.
Statistics Section: Detailed statistics reported in various ways, including federal government reports.
One specific page highlighted is page 14, which lists the Ohio Collaborative Traffic Stop Statistics. This is part of the Ohio Collaborative standards where we collect demographic information on the driver of every vehicle we stop. We are required to publish this data for community viewing annually. This breakdown includes demographics related to our traffic stops.

Next, Chief Shearer shared his knowledge of the Ohio Collaborative Community Police Board. In December 2014, Governor Kasich signed an executive order establishing the Ohio Task Force on Community-Police Relations. This 24-member board included representatives from the governor's office, state legislature, Attorney General's office, Supreme Court, local law enforcement, labor organizations, community leaders, faith-based organizations, the business community, municipalities, and local prosecutors. Upon concluding their discussions and community meetings, the task force formed the Ohio Collaborative Community-Police Advisory Board in April 2015. This board develops standards for police departments statewide to enhance community relations. Although adherence to these standards is not mandatory, compliance can impact grant funding opportunities.

Chief Shearer emphasized that their department has consistently prided itself on complying with these standards. Currently, there are six groups of standards, covering various areas such as use of force, recruitment, community engagement, body-worn cameras, training, bias-free policing, investigation of misconduct, vehicle pursuits, response to protests, agency wellness, youth interactions, and crisis intervention. Since the establishment of these standards, the department has actively ensured compliance, which started under former Chief Lee's leadership.

To maintain and improve compliance, the department contracted with Lexipol in 2020, a policy-writing organization that ensures policies meet legal standards and industry best practices. Lexipol works closely with the Ohio Collaborative, quickly updating the department on new standards and legal changes. This collaboration has been instrumental in keeping the department on the cutting edge of policy and practice.

Recently, the department received provisional certification for the latest standards from the Ohio Collaborative. Full certification requires an on-site inspection, which occurs every three years. Despite this provisional status, the department was also recognized last week with a Gold Standard for Excellence in Law Enforcement Policy Management. This acknowledgment underscores their commitment to high standards and continuous improvement in community-police relations.

Mr. Ruller asked about the Obama Administration's 21st Century Policing. Chief Shearer expressed gratitude for the council's support in acquiring body cameras, emphasizing their significant positive impact on the police department. Previously, budget constraints hindered the acquisition of body cameras, but council approval and grant funding facilitated this essential purchase. The body cameras have proven beneficial in several ways, including reducing the need for full internal investigations by providing clear, immediate evidence of officers' interactions. This has lowered the tension and frequency of formal investigations.

Officers are enthusiastic about wearing body cameras, appreciating the transparency and protection they offer. Body cameras have also enhanced administrative efficiency and community trust. When complaints arise, the footage allows for quick assessments and provides transparency by offering complainants the opportunity to review the footage with the department. Furthermore, supervisors conduct random reviews of body camera footage to monitor officer conduct and identify training needs, improving overall safety and performance.

Chief Shearer highlighted the significant investment, approximately $230,000, with about $80,000 covered by grants. Despite the cost, the benefits in transparency, community trust, and operational improvements have made the body cameras an invaluable tool for the department. He concluded by reiterating his appreciation for the council's support in implementing this program.

There was no action necessary.

Produce Prescription Program

Joan Seidel, the city health commissioner, provided an update on a new initiative as part of the HEAL (Healthy Eating Active Living) grant. In collaboration with the Haymaker Farmers Market and Access Point, they developed a produce prescription program to encourage fruit and vegetable consumption. The program distributes $120 worth of coupon booklets, usable only at the farmers market from June to September, exclusively for purchasing fruits and vegetables. This helps participants allocate their money for other necessities available at the market.

This inaugural year of the program focuses primarily on Kent residents, though it may extend to those working in Kent if necessary. There are no strict income restrictions, aiming to assist those facing financial hardships without disqualifying those slightly above poverty levels. Participants must be Access Point patients, with easy enrollment available.

The program includes a pre- and post-test to measure changes in fruit and vegetable consumption. Of the 100 coupon booklets created, 43 remain to be distributed. Access Point also distributed 50 additional $60 booklets to one of their senior communities. A registered dietitian involved with the program is developing learning modules and easy recipes to help participants effectively use the produce.

Seidel expressed excitement about the initiative and offered to share details electronically for wider community dissemination.(**Attachment**)

Joan Seidel made a quick plug for an upcoming health fair on June 15, which will feature various screenings, including dental and hearing checks. She then fielded questions from the council regarding the produce prescription program discussed earlier. Council member Heidi Shaffer Bish inquired about whether individuals who seem like good candidates for the program but aren't already Access Point patients could participate. Seidel explained that participants must be Access Point patients, as Access Point handles the pre- and post-tests and distributes the coupon booklets. She noted Access Point's longer operating hours as an advantage for reaching more people. Heidi also asked if Access Point contributed funding to the program, and Seidel confirmed they had, independently deciding to provide additional booklets. Seidel expressed hopes of expanding the program next year and mentioned the potential for future grant opportunities based on collected data. The discussion concluded with no further action needed from the council.

Streets, Sidewalks & Utilities Committee

Chair Sidoti opened the Streets, Sidewalks and Utilities Committee at 8:22 p.m.

Haymaker Farmers Market - License Agreement Revision

Ms. Melanie Baker filled in for Mr. Jim Bowling. She enthusiastically presented a request to amend the license agreement for the Kent Farmers Market to allow painting the underside of the east side of the bridge on Franklin. This initiative, intended to enhance the character and aesthetic of the area, follows previous artistic efforts such as painting the bridge itself. The amendment requires no financial contribution from the city. When asked if the project had gone through the Art Review Committee, it was confirmed that it had. The project also involves coordination with the Ohio Department of Transportation (ODOT), as it is an ODOT bridge abutment. Ms. Melanie Baker praised Jim for his effective efforts in navigating the approval process. The request concluded with a call for council approval of the amendment.

MOTION TO APPROVE HAYMAKER FARMERS MARKET - LICENSE AGREEMENT REVISION MADE BY Ms. Heidi Shaffer Bish, SECONDED by Ms. Melissa Celko and

CARRIED by a voice vote of 8-0-0.

EXECUTIVE SESSION TO DISCUSS:

1. Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action
2. Boards and Commission Appointments

MOTION TO ENTER EXECUTIVE SESSION MADE BY Mr Jack Amrhein, SECONDED by Mr. Sidoti and roll call was taken.

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

MOTION TO EXCUSE MR. HOOK MADE BY Mr. Jack Amrhein, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 8-0-0.

At 9:06 p.m., MOTION TO RETURN TO REGULAR COUNCIL MEETING MADE BY Mr. Jack Amrhein, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 8-0-0.

Land Use Committee

Chair Shaffer Bish opened the Land Use Committee meeting at 9:10 p.m.

Zoning Code Text Amendments- Adult Use Cannabis

Ms. Susel provided an update regarding the temporary moratorium on adult use cannabis in Kent. She explained that despite the lack of action from the General Assembly on regulations, the city is proceeding cautiously. She highlighted the distinction between the Ohio Revised Code chapter governing adult use cannabis and the Ohio Administrative Code chapter for medical marijuana. The Planning Commission unanimously recommended that adult use cannabis use be permitted only in the industrial zoning district. Ms. Susel emphasized the need for distance from schools and substance use facilities. She also discussed proposed regulations for vape shops, including a 500-foot distance requirement from other vape shops. Existing vape shops would be considered pre-existing non-conforming uses. She then called for council approval to authorize the addition of adult use cannabis and retail stores to the city's industrial district, which was promptly seconded. The council discussed the matter, with one member expressing readiness to support the proposal given the emerging nature of the industry. Finally, the motion was passed with no further comments.

MOTION TO APPROVE ZONING CODE TEXT AMENDMENTS MADE BY Ms. Gwen Rosenberg, SECONDED by Mr. Roger Sidoti and CARRIED by a voice vote of 8-0-0.

Hearing no further business, the meeting adjourned at 9:14 p.m.

Amy Wilkens

Amy Wilkens, CMC