



City of Kent
Wednesday, September 18, 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, 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. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Mr. Jamie Samels, Fire Chief; Ms. Amy Wilkens, Clerk of Council

Absent: Gwen Rosenberg

Opening Remarks and Pledge of Allegiance

Mayor Fiala said that it was Mr. Sidoti's turn for opening remarks. Mr. Sidoti asked everyone to stand for the Pledge of Allegiance.

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 where 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."

A resident that lives at 537 Cherry Street spoke to Council about the homeless population and public safety concerns. The City Manager and Community Development Director said that this is something that they are actively working on with many departments within the City.

There were no other residents signed in to speak to Council.

Written Communication (All placed on file in the Clerk of Council's office)

1. Portage County Solid Waste Management District Policy Committee Meeting Minutes from the July 16, 2024 meeting received and forwarded to Council on August 22, 2024.
2. Email from Chris Klein resigning from the Civil Service Commission was received on August 25, 2024.
3. Email from Garret Ferrara was received on August 27, 2024, sharing event information with Council about the Jewish Festival at KSU called the "Let HERE Be Light" Tour, being held on Thursday, September 5, 2024, from 5-7 pm.
4. Letter from First Energy regarding their application with the Public Utilities Commission of Ohio to adjust base distribution rates was received and forwarded to Council on August 27, 2024.
5. Email from Daniel Feuer, Kent State University Student, was received on August 29, 2024 asking to collaborate with the City of Kent on a parking system he is proposing to create.
6. Standing Rock Cemetery Board of Trustees agenda for September 19, 2024 was received and posed on August 28, 2024.
7. Letter received on August 26, 2024 from the Portage County Board of Elections regarding galley proofs of all ballots for the General Election on November 5, 2024 being available to be viewed at the Board of Elections Office.
8. Sustainability Commission Agenda for September 9, 2024 and the August, 5, 2024 Meeting Minutes received and uploaded on September 3, 2024.
9. Email from Joan Seidel, Health Commissioner announcing a Pop-up Food Pantry being held on September 25, 2024, from 11:00 am to 1:00pm at the 201 East Erie Street, Nurse Clinic was received on September 5, 2024.

Communication received after agenda publication:

1. Board of Health Meeting Agenda for September 10, 2024 was received on September 9, 2024.
2. Board of Zoning Appeals Agenda for September 16, 2024 was received on September 9, 2024.
3. Planning Commission Agenda and Staff Report for September 17, 2024 were received on September 10, 2024.
4. Parks and Recreation Board Meeting Agenda for September 19, 2024 was received on September 13, 2024.
5. Civil Service Commission Agenda for September 16, 2024 was received on September 13, 2024.
6. An email from Mathew Hathaway was received on September 16, 2024 notifying the Kent Civil Service Coordinator of his resignation from the Civil Service Commission.
7. Civil Service Commission application from Tony Mosca was received on September 16, 2024.

MOTION TO APPROVE City Manager's Report MADE BY Jack Amrhein,
SECONDED by Roger Sidoti and CARRIED by a voice vote of 8-0-0.

1. The City Manager is requesting Council's authorization to appoint Eric Helmstedter, Economic Development Director, as the City's representative to the board of the Kent Convention and Visitor's Bureau.
2. Nick Cecil is requesting Council's authorization to recycle/dispose of City traffic server equipment which has exceeded its service life and has been decommissioned. (Draft #2024-085).
3. Chief Samels has requested Council's authorization to accept and allocate FEMA Assistance to Firefighters Grant (AFG) funds in the amount of \$25,254.54 to be used to replace fire hoses.
4. Jim Bowling has asked for Council's authorization of temporary and permanent right of way easement purchases, and acceptance of a temporary right of way easement donation for the East Main Street Improvement Project. (Draft #2024-101)
5. Rhonda has requested Council's approval of the latest "then and now" purchases as required by the City's auditing standards. (Draft #2024-102)
6. The City Clerk has asked for Council's approval to schedule the annual Democracy Day hearing for October 2, 2024.
7. Bridget has asked for Council's approval to schedule a public hearing on Zoning text amendments on October 2, 2024.
8. Angela has requested Committee of the Whole time to present Council with an update of Parks and Recreation programs and events.
9. Bridget has requested Community Development time to review proposed text amendments to the City's Zoning code.
10. Bridget has asked for Community Development Committee time to present a new CRA Agreement with Klaben Lincoln, and a separate new CRA Agreement with Klaben for the renovation and expansion of the Service Center.
11. Bridget has asked for Community Development Committee time to present a project for Council to consider as acting in the role of the temporary architectural review board.
12. Chief Samels has requested Health and Safety Committee time to provide Council with an update on the performance and results of the paramedicine program.
13. The City Manager has asked for Council's approval of the letter of support for Issue 3 (renewal levy) under Council's signature for public information.

Consent Agenda

MOTION TO APPROVE August 21, 2024 Regular Council Meeting Minutes
MADE BY Michael DeLeone, SECONDED by Mr. Jeff Clapper and CARRIED by a voice vote of 8-0-0.

Actions Recommended:

MOTION TO APPROVE Actions Recommended: MADE BY Michael DeLeone, SECONDED by Mr. Jeff Clapper and CARRIED by a voice vote of 8-0-0.

- Authorize the TREX Liquor License request for Beware of the Leopard, LLC located at 176 East Main Street with the emergency clause.
- Authorize and certify the tax rates and amounts for submission to the Portage County Auditor, with the emergency clause.
- Authorize the renewal of the School Resource Officer for the 2024-2025 academic year, with the emergency clause.
- Authorize the new street closure of Franklin Avenue between Summit Street and Haymaker Bridge overpass for the Lion's Club Car Show on October 5, 2024, with the emergency clause.
- Authorize updates to the City's Parking Code for Pioneer Avenue, with the emergency clause.

Draft 2024-085 AN ORDINANCE AUTHORIZING THE RECYCLING OF OLD TRAFFIC SYSTEM NETWORK EQUIPMENT THAT ARE NO LONGER NEEDED FOR MUNICIPAL PURPOSES, AND DECLARING AN EMERGENCY (Authorized August 21, 2024)

DRAFT 2024-091 AN ORDINANCE AUTHORIZING THE TRANSFER OF A TREX LIQUOR LICENSE INTO THE CITY OF KENT BY BEWARE OF THE LEOPARD, LLC, AN OHIO LIMITED LIABILITY COMPANY, CONDITIONED UPON THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF KENT, OHIO AND BEWARE OF THE LEOPARD, LLC, AND DECLARING AN EMERGENCY (Authorized)

Draft 2024-092 RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR (Authorized)

Draft 2024-093 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO APPROVE AND EXECUTE AN AMENDMENT TO THE MEMORANDUM OF UNDERSTANDING BETWEEN THE CITY OF KENT, OHIO AND THE KENT CITY BOARD OF EDUCATION REGARDING THE SCHOOL RESOURCE OFFICER PROGRAM, EXTENDING THIS AGREEMENT UNTIL JUNE 2, 2025, AND DECLARING AN EMERGENCY (Authorized)

DRAFT 2024-094 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE A NEW SPECIAL EVENT APPLICATION FROM MISSY HARMON ON BEHALF OF THE KENT LIONS CLUB TO BE HELD ON OCTOBER 5, 2024, AND THE TEMPORARY CLOSURE OF THE KENT DOWNTOWN STREETS, AND DECLARING AN EMERGENCY

(Authorized)

Draft 2024-095 AN ORDINANCE AUTHORIZING THE CITY OF KENT FIRE DEPARTMENT TO ACCEPT A GRANT IN THE AMOUNT OF \$25,254.54 TO REPLACE OLD FIRE HOSE WITH CORRESPONDING APPROPRIATION OF FUNDS AND DECLARING AN EMERGENCY (Authorized March 20, 2024 City Manager's Report)

Draft 2024-096 AN ORDINANCE AMENDING SECTION 353.02 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED "PARKING REGULATION AUTHORIZATION" AND DECLARING AN EMERGENCY.
(Authorized)

Draft 2024-101 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)

Draft 2024-102 AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR, UPON THE ISSUANCE OF A CERTIFICATE OF AVAILABILITY OF FUNDS, TO PAY CERTAIN PURCHASE ORDERS MADE THAT EXCEED \$3000.00; AND DECLARING AN EMERGENCY (Unauthorized)

MOTION TO SUSPEND Motions to Suspend Ordinances 2024-085 to 2024-102 MADE BY Roger Sidoti, SECONDED by Mr. Jeff Clapper and CARRIED by a voice vote of 8-0-0.

MOTION TO ADOPT Motions to Adopt Ordinances 2024-085 to 2024-102 MADE BY Michael DeLeone, SECONDED by Roger Sidoti and CARRIED by a voice vote of 8-0-0.

Standing Committees & Legislation

Mayor Fiala opened the Committee of the Whole meeting at 7:10pm.

Action(s) Recommended: None

Community Development

Vice-Chair Clapper opened the Community Development Committee meeting at 7:15 PM.

MOTION TO APPROVE ACTION(S) RECOMMENDED MADE BY Mr. Jeff Clapper, SECONDED by Michael DeLeone and CARRIED by a voice vote of 8-0-0.

Action(s) Recommended

Authorize text changes to amend the City's procedures for collecting outstanding rental fees, with the emergency clause.
Approve facade changes at 252 N. Water Street.

Draft 2024-097 AN ORDINANCE AMENDING CHAPTER 501 (GENERAL PROVISIONS & PENALTY) AND CHAPTER 1367 (LICENSING REQUIREMENTS) OF THE CODIFIED ORDINANCES OF THE CITY OF KENT, AND DECLARING AN EMERGENCY (Authorized) was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft 2024-097 MADE by Michael DeLeone, SECONDED by Roger Sidoti. On Roll Call Voting "Yes" Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Michael DeLeone, Mr. Chris Hook, Heidi Shaffer Bish, Roger Sidoti, Robin Turner The motion CARRIED by a roll call vote of 8-0-0.

MOTION TO ADOPT Draft 2024-097 MADE by Roger Sidoti, SECONDED by Michael DeLeone. On Roll Call Voting "Yes" Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Michael DeLeone, Mr. Chris Hook, Heidi Shaffer Bish, Roger Sidoti, Robin Turner. The motion CARRIED by a roll call vote of 8-0-0.

Finance Committee Chair DeLeone/Vice-Chair Celko

Action(s) Recommended:

Approve the submission and allocation of funds for the 911 Fund Appropriation with the emergency clause.

Draft 2024-098 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT WITH APCO INTERNATIONAL AND MOTOROLA SOLUTIONS, WAIVING COMPETITIVE BIDDING AND INCREASING THE APPROPRIATIONS IN THE WIRELESS 911 FUND IN THE AMOUNT OF \$184,333.84, AND DECLARING AN EMERGENCY (Authorized) was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft 2024-098 MADE by Heidi Shaffer Bish, SECONDED by Melissa Celko. On Roll Call Voting "Yes" Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Michael DeLeone, Mr. Chris Hook, Heidi Shaffer Bish, Roger Sidoti, Robin Turner The motion CARRIED by a roll call vote of 8-0-0.

MOTION TO ADOPT Draft 2024-098 MADE by Heidi Shaffer Bish, SECONDED by Jeff Clapper. On Roll Call Voting "Yes" Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Michael DeLeone, Mr. Chris Hook, Heidi Shaffer Bish, Roger Sidoti, Robin Turner. The motion CARRIED by a roll call vote of 8-0-0.

Health & Safety Committee Chair Amrhein/ Vice-Chair Sidoti

Action(s) Recommended:

No additional recommendations (See Consent Agenda)

Streets, Sidewalks and Utilities Chair Sidoti/ Vice-Chair Clapper

Action(s) Recommended:

Approve the new Safe Routes to School Travel Plan with the emergency clause.
Authorize the new water planning study agreement with Portage County Water Resources, with the emergency clause.

Draft 2024-099 AN ORDINANCE APPROVING THE SCHOOL TRAVEL PLAN (STP) AS CREATED IN CONJUNCTION WITH THE KENT CITY SCHOOL DISTRICT AND DECLARING AN EMERGENCY (Authorized) was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft 2024-099 MADE by Melissa Celko, SECONDED by Jeff Clapper. On Roll Call Voting "Yes" Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Michael DeLeone, Mr. Chris Hook, Heidi Shaffer Bish, Roger Sidoti, Robin Turner The motion CARRIED by a roll call vote of 8-0-0.

MOTION TO ADOPT Draft 2024-099 MADE by Roger Sidoti, SECONDED by Michael DeLeone. On Roll Call Voting "Yes" Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Michael DeLeone, Mr. Chris Hook, Heidi Shaffer Bish, Roger Sidoti, Robin Turner. The motion CARRIED by a roll call vote of 8-0-0.

Draft 2024-100 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A WATER PLANNING AGREEMENT BETWEEN THE CITY OF KENT AND PORTAGE COUNTY WATER RESOURCES (PCWR) TO JOINTLY STUDY THE ABILITY TO SERVE POTABLE WATER TO THE SOUTH AREA OF KENT, AND DECLARING AN EMERGENCY (Authorized) was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS OF Draft 2024-100 MADE by Melissa Celko, SECONDED by Michael DeLeone. On Roll Call Voting "Yes" Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Michael DeLeone, Mr. Chris Hook, Heidi Shaffer Bish, Roger Sidoti, Robin Turner The motion CARRIED by a roll call vote of 8-0-0.

MOTION TO ADOPT Draft 2024-100 MADE by Heidi Shaffer Bish, SECONDED by Melissa Celko. On Roll Call Voting "Yes" Jack Amrhein, Ms. Melissa Celko, Mr. Jeff Clapper, Michael DeLeone, Mr. Chris Hook, Heidi

Shaffer Bish, Roger Sidoti, Robin Turner. The motion CARRIED by a roll call vote of 8-0-0.

New Business

Discussion was held regarding winter warming centers within the City of Kent, and the need to begin planning as soon as possible. The decision was made to move the discussion to committee for further examination.

MOTION TO SEND TO COMMITTEE A DISCUSSION ABOUT WINTER WARMING CENTERS IN KENT was MADE by Chris Hook, SECONDED by Michael DeLeone and CARRIED by a voice vote of 8-0-0.

Councilmembers' Comments

COMMENTS SUBMITTED BY COUNCIL MEMBER MELISSA CELKO:

As the election draws near, and language becomes provocative, it is important to remember that what unites us is often greater than what divides us.

Voting, an essential right protected in the constitution, is one of those things that we have in common. Quoting directly from the Portage County Board of Elections, "Voter intimidation should never be a part of the election process and voters are protected by Ohio law from such intimidation. If you believe you are a victim of voter intimidation, it is suggested that you reach out to local law enforcement, the prosecutor's office, the Ohio Secretary of State's Election Integrity Department, Ohio Attorney General's Office and/or Ohio's Election Protection Hotline."

The last day to register to vote is October 7th, early voting begins on October 8th at the Portage County Board of Elections in Ravenna, or you can vote by mail. Election Day is Tuesday, November 5th.

There being no further business, the meeting was adjourned at 7:42pm.

Any person who requires an auxiliary aid or service for effective communication or a modification of policies and procedures to participate in any City or City Council public meeting or event should contact the Clerk of Council at 330-678-8007. Any request for auxiliary aid or other accommodation should be made as soon as possible, but no later than forty-eight hours prior to the event.