THE CITY OF KENT, OHIO
COMMUNITY DEVELOPMENT COMMITTEE
WED., MARCH 2, 2016

This meeting of the Community Development Committee of Kent City Council was called to order on Wed., March 2, 2016, at 7:05 p.m. by Jerry Fiala, Mayor & President of Council, in the absence of John Kuhar, Chair.

PRESENT:	**MR. AMRHEIN, MR. DeLEONE, MR. FERRARA, MS. LONG, MS. SHAFFER, MR. SIDOTI, MR. TURNER, AND MS. WALLACH (arr. @ 7:07 p.m.)**
ALSO PRESENT:	**J. FIALA, MAYOR & PRESIDENT OF COUNCIL; D. RULLER, CITY MANAGER; J. SILVER, LAW DIRECTOR; L. JORDAN, CLERK OF COUNCIL; D. MORGANTI, GRANTS COOR; AND B. SUSEL, DIR. OF COMM. DEV.**
ABSENT:	**MR. KUHAR**

Mayor Fiala explained the first item was the CDBG PY2016 proposed funding.

Dan Morganti, Grants Coordinator, explained that HUD's required process for Community Development Block Grant funding includes a five-year consolidated plan, adding they approved that plan the previous year. He said they must submit an annual action plan each year, and they are present to consider the PY 2016 Action Plan for Year 2 of the five-year plan. Mr. Morganti said this presentation is informational at this point in time, as there is a second public hearing in May. He said they will be asking for formal authorization at that time.

Mr. Morganti said they were informed from information released by HUD that this year's allocation will be $271,075, but have not yet received confirmation from the field office. He said that is approximately $17,000 more than the previous year. Mr. Morganti said they issued the Request for Proposals in January, and have seven projects totally $348,000 for consideration. He said this does not include administrative costs.

Mr. Morganti said the staff recommended the Cedar Street reconstruction of $140,000. He said this will provide reconstruction of Cedar Street, from Cherry to Harris Street in 2019. He said Harris Street north to Dodge Street will be Phase 2 in 2021. Mr. Morganti said this is a multi-year project, and they will be committing funds to it over the course of a few years. He explained that a full reconstruction means full reconstruction of the street, with the addition of sidewalks, curbs, and gutters to define the tree lawn. He said it will be an aesthetic improvement. Mr. Morganti said it also includes the replacement of the water line and two sanitary sewer lines that are in poor shape.

Mr. Morganti said the Parks and Recreation Department requested funds for the final design costs needed for the SR 59 segment of the Hike and Bike trail link. He said this will be the area from the existing trail in the area of Tannery Park to the Esplanade. Mr. Morganti said $20,000 is recommended, with construction slated for the summer of 2017.

Mr. Morganti said the next project is the neighborhood policing program through the Kent Police Department. He said they are recommending $5,000. Mr. Morganti said this program provides additional outreach in areas that are low to moderate income. He said the level is lower than previous allocations, adding as they looked at their allocation, there was some availability. Mr. Morganti said there will be no gap in the upcoming year, adding they will be increasing funding in future years.

Mr. Morganti said they are recommending $35,000 for CAC's furnace inspection program. He said they would like to continue doing this. Mr. Morganti said this allows for the replacement of hot water tanks and furnaces in eligible households.

Mr. Morganti said they are recommending $15,000 for Family and Community Services' Homeless

Shelter, the Miller Community House. He said this provides costs for shelter nights at this facility, which is the only homeless shelter in Portage County.

Mr. Morganti said they are recommending $26,000 for the acquisition and rehab of a home for Habitat for Humanity. He said they rehab it to today's standards and work with a family they have identified.

Mr. Morganti said they have included $11,075 for administrative costs, adding this includes soft costs, payroll, ads, training, as well as title searches.

Mr. Morganti said they included $19,000 for Fair Housing Contact Services. He said they have worked with them for many years on their fair housing program.

Mr. Morganti said the staff will create a full action plan and there will be a thirty-day comment period. Mr. Morganti said there will be another public hearing, followed by submission in June for HUD's approval, after Council approves the plan.

Mr. Sidoti said they are all used to seeing funds being reduced, and asked why these funds increased. Mr. Morganti said he was not exactly sure. He said HUD uses a formula based on household income, age of housing stock, and infrastructure in the City. He suggested that possibly the household family income changed, but added he was not exactly sure.

Ms. Shaffer asked if the Fair Housing Contact Services have a Kent office, and Mr. Morganti said they do come to Kent and do outreach with their own Fair Housing Board. Mr. Morganti said they are a good referral, adding if people have concerns, they are referred to them. He said often the issues can be handled on the phone. He said if they are unable to resolve an issue, Fair Housing Contact Services does meet with them.

Ms. Long asked if they would be voting at this meeting, and Mayor Fiala said they would not be voting at this meeting. Mr. Morganti said it was informational and no motion was needed.

Mr. Turner asked what kind of information they received from Fair Housing Contract Services, and if there were any benchmarks on how they have assisted the City and how the monies are used. Mr. Morganti said they report to the City, usually monthly throughout the year. He said he can provide Mr. Turner with the last year's report. He said in 2015, they investigated nine inquiries related to fair housing, and many more about tenant and landlord issues. Mr. Morganti estimated that number to be between 200 and 300. He told Mr. Turner he could provide their report for the recently completed year. Mr. Turner said he was wondering what they were getting and whether the money, from Mr. Morganti's viewpoint, was being used effectively. Mr. Morganti said they are providing an important need, adding the City is required to have a fair housing program under the CDBG regulations.

Mayor Fiala called for audience comment. Hearing none, he returned to the Committee.

Mayor Fiala explained the next item dealt with amendments to the Codified Ordinances. **Dave Ruller, City Manager,** explained that **Jim Silver, Law Director,** has been reviewing the Code and doing some "clean up." He said he was unsure if Mr. Silver had been through the entire Code, but did have some sections that needed to be modified. Mr. Ruller said it is likely that more will follow.

Mr. Silver said it was nothing earth shattering. He said that Chapter 148 dealt with personal information and what can be released to the public. He said that since Ohio has their public records law, the City's code is obsolete so he recommended they delete Sections 148.01, 148.02, and 148.03.

Mr. Silver said that Section 135.03 says the Law Department can hire a part time secretary. He said when he was hired, the position was full time, adding the position allocation ordinance reflects a full time employee. He said the change would allow the Code to match their ordinances.

Ms. Wallach suggested they could say part time or full time, and Mr. Silver agreed. Mr. Ferrara said they could just go with full time, because hiring a part time position would not cause a problem. Mr. Silver suggested they could delete it entirely, and just go with the Position Allocation Ordinance. He suggested the language read "Employ a secretary," and the consensus was to accept that change. Ms. Shaffer asked that they fix a typo in that same section.

Mr. Silver said he was working with the Clerk on Chapter 107. He said he was unsure when the Clerk last notified by telegraph. He suggested they change it to include fax, email, or other appropriate format. He said that language showed up four or five times, so all of those sections would be amended.

Ms. Shaffer asked how many people actually fax something, and Mr. Silver said it occurs once in a while. He said they also recommended a change in 107.05 about where the agendas were posted. He said the existing language referred to buildings that no longer exist. He asked they change it to reflect what they approved a few months earlier.

Mr. Silver said Chapter 121.01 is the Citizens Advisory Committee on Energy. He said that no one recalls ever having such a committee. Mr. Silver said with their current committee structure and the Sustainability Commission, they are probably covered and should delete that section.

Mr. Silver said that Section 147.02 as the Department of Community Development assisting just the Planning Commission and the Board of Zoning Appeals. He said they assist with many more committees than that, although the number of their staff has not changed. He said they have all of the ones they wish to add at this time. He said those commissions all meet, and a staff member of the Community Development Department attends those meetings and works with all of those committees.

Mr. Silver said the next section is Chapter 165, Parks and Recreation. He said he met with the Parks and Recreation Director on the chapter. Mr. Silver said Section 165.07(e) has a requirement that two board members walk all of the parks every three months, reporting back with an update. Mr. Silver said those grounds are mowed all summer long and staff is always at the parks. He suggested they can walk the park annually, and report back.

Mr. Silver said in Chapter 165.08, it speaks with their relationships with other agencies. He said there used to be six agencies listed. Mr. Silver said they already work with the Kent Board of Education, adding that KABC no longer exists. He said they have liaisons with the Kent Planning Commission also. Mr. Silver said instead of saying there will be a liaison with the Council Parks and Recreation Committee, which no longer exists, they will call for a liaison with Kent City Council. Mr. Silver said the Department works with the University all of the time, and does not need a liaison. He said the organization, COPS for the Aging no longer exists, adding that Mr. Idone works with senior programs all of the time.

There were no questions or audience comments at this time.

MOTION TO AUTHORIZE THE CHANGES, AS PRESENTED AND MODIFIED BY THE LAW DIRECTOR, TO THE CODIFIED ORDINANCES.
Motion made by Mr. Ferrara, seconded by Mr. Amrhein, and carried by a voice vote of 8-0.

Mayor Fiala said the last item on the agenda dealt with the Farmer's Market sublease.

Mr. Ruller explained that Ms. Susel is fighting a cold, so he was trying to speak for her at this time. He said this is a fairly routing item, adding they currently have a lease with the railroad. He said as that renews, they renew the sublease with the Farmers Market. Mr. Ruller said there were no changes, and he asked for authorization at this time.

Bridget Susel, Director of Community Development, explained she corrected the address for the City Manager to reflect 319 S. Water on the lease.

Ms. Shaffer asked where the provision was for the responsibility of putting down gravel and fixing the lot, and Ms. Susel said that the Service Department handles that. She said the Director of the Farmers

Market usually arranges with the Service Department before the first Saturday in May.

There were no further questions or audience comments at this time.

MOTION TO AUTHORIZE THE SUBLEASE WITH THE FARMER'S MARKET.
Motion made by Mr. Ferrara, seconded by Mr. Sidoti, and carried by a voice vote of 8-0.

Hearing no further business before this Committee, Vice Chair Turner adjourned this meeting at 7:26 p.m.

Linda M. Jordan

Linda M. Jordan, Clerk of Council

ACTION RECOMMENDED:

1) PRESENTATION RECEIVED ON PROPOSED FY2016 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING; NO ACTION NEEDED
2) TO AUTHORIZE AMENDMENTS TO THE CODIFIED ORDINANCES, PART I, AS PRESENTED AND MODIFIED.
3) TO AUTHORIZE THE SUBLEASE WITH THE FARMER'S MARKET

THE CITY OF KENT, OHIO
FINANCE COMMITTEE
WED., MARCH 2, 2016

This meeting of the Finance Committee of the Kent City Council was called to order on Wed., March 2, 2016, at 7:26 p.m. by Michael DeLeone, Chair.

PRESENT: **MR. AMRHEIN, MR. DeLEONE, MR. FERRARA, MS. LONG, MS. SHAFFER, MR. SIDOTI, MR. TURNER, AND MS. WALLACH**

ALSO PRESENT: **J. FIALA, MAYOR & PRESIDENT OF COUNCIL; D. RULLER, CITY MANAGER; J. SILVER, LAW DIRECTOR; L. JORDAN, CLERK OF COUNCIL; B. SUSEL, DIR. OF COMM. DEV.; G. ROBERTS; SERVICE DIR.; AND D. COFFEE, BUD. & FIN. DIR.**

ABSENT: **MR. KUHAR**

Chair DeLeone explained the first item dealt with a letter of intent for a possible sale or lease of land.

DAVE RULLER, CITY MANAGER, explained that he and the staff have talked with the new owner of the Dale Adams building. He said as the new developer goes forward, it would help him to be able to point to some control of the land to be used for parking. Mr. Ruller said the new owner asked for an initial letter of intent that would say the City supports the development of this corridor, which was started twenty years earlier. Mr. Ruller said the land banking done has actually worked, and this would be the last piece. He said this is reaching back to some commitments early on that the City would provide parking. Mr. Ruller said the City also owns some land along the river. He said the developer desired to have a commitment to allow them to market their land more aggressively. He said the Law Director drafted a letter, with terms and conditions. Mr. Ruller said that while the City is supportive, the letter also says they will evaluate the actual agreements when the developer returns with new jobs and great tenants. He said with those in place, they will better be able to evaluate the deal for the land and the parking. Mr. Ruller said it is more of a moral commitment than a legal one.

Mr. Sidoti asked if this covered land on both sides of Gougler Avenue, and Mr. Ruller said that was correct. Mr. Sidoti asked if they would need separate letters of intent, and Mr. Ruller said that one letter would cover all parcels.

Chair DeLeone called for audience comment at this time. Hearing no audience comment, Chair DeLeone returned to the Committee at this time.

MOTION TO AUTHORIZE THE LETTER OF INTENT FOR POSSIBLE SALE OR LEASE OF LAND. Motion made by Mr. Sidoti, seconded by Mr. Ferrara.

Ms. Long said they are speaking of leasing or selling the parcels, and asked if they were saying one or the other. Mr. Ruller said they are keeping it open, as it depends on the deal they return with. He said it may be more advantageous to sell it or lease it. Ms. Long said the letter is just showing their intent to make it available to them, and Mr. Ruller said the developer would have liked something more concrete but are pleased the City was willing to come to the table with this letter.

The motion carried by a voice vote of 7-0-1, with Mr. DeLeone abstaining.

Chair DeLeone explained the next item dealt with a rate increase to the City's stormwater management utility.

Mr. Ruller said this has been the topic of discussion in the last few weeks. He said they knew the writing was on the wall. Mr. Ruller said they were successful with the water and sewer funds in 2011, and at that time the stormwater fund had a decent balance and was the good fund.

Mr. Ruller said time has a way of changing things. He said they have had individual discussions, adding the fund is looking to be exhausted despite their efforts to defer and cut. Mr. Ruller said that the flat rate of $2.30 covers about one half of their costs, at best. He said depending on the capital projects in a given year, it does not cover one-third of the actual costs.

Mr. Ruller said they do not recommend taking a hiatus from stormwater management, adding they tried to return with a rate plan concept adaptive to stormwater.

Mr. Ruller said **Gene Roberts, Service Director,** presented three to four scenarios and their impact over the next twenty years. He said that while twenty years is a great planning period, five years is their active interest and is much more within their forecasting capabilities. Mr. Ruller said they are looking at not making it through the year 2017.

Mr. Ruller said in the course of the discussion with all members of Council, there was some discussion to convert the flat rate which is the average of impervious surface to something that looks more metered. He said most communities have gone with a flat rate. Mr. Ruller said they cannot meter the rain, but can determine the runoff of a property. He said a bigger house, bigger roof, and bigger driveway are using more of the system than someone soaking it up in the grass. He said it makes sense, and they would like to do further exploration. Mr. Ruller said they would have to drill through the details, adding they are not present to give them an answer on that theory. Mr. Ruller said it is worthy of further investigation, adding certain things need to be done, such as a flyover of the City and calculations of each household's impervious surface. Mr. Ruller said they would need to update their existing information and take a different approach to how they are billing. He said there are still outstanding issues.

Mr. Ruller said **Gene Roberts, Service Director,** feels it would be 12-18 months to figure that out. He said in the meantime, the clock and bill keeps running. Mr. Ruller said the thought was a temporary rate increase based on the current flat rate system. Mr. Ruller said Mr. Roberts included a few more spreadsheets to show the impacts of the different dollar figures. He said Mr. Roberts shows twenty years, adding they are taking about needing two years to calculate the other method.

Mr. Ruller asked Mr. Roberts to speak to the numbers. He said that every number Mr. Roberts is speaking of is on top of the existing $2.30 flat rate.

Mr. Roberts said they are asking that any rate increase be passed with the emergency clause to become effective April 1. He said because they will be through 25% of the year, an increase of .55 cents would be like .41 this year. He said the increase in 2017 would be like an additional fourteen cents per month. Mr. Roberts said the first two original options were removed to come more in line with what is being discussed. He said one recommendation is fifty-five cents, reducing the $680,000 negative balance to $400,000 as a negative balance in 2017. Mr. Roberts said Option #6 is a $2.00 increase would be worth $1.50 this year, and takes them through 2017. He said with no increase, they would have a negative balance in 2018 of $691,000. Mr. Roberts said an increase of $1 this year and $1.25 next year would give them a negative balance of $875,000.

Mr. Roberts suggested Option #6. He said this will get them to where they need to be, and would be less expensive to the residents. Mr. Roberts said they need to see some stabilization. He said they still need to find the magical number. He suggested they could take that number, divide it into the projected expense and come up with a rate. Mr. Roberts said if they go to actual square footage, it would be easier to describe. Mr. Roberts said the ERU rate was difficult to explain, adding that the commercial properties pay the ERU equivalent. Mr. Roberts said it is important to note they are actually expanding on the past practice.

Mr. Roberts recommended an increase of $2.00. He said it is more than what some wanted, but if they go negative, they will have to play “catch up” with the rate. He said another piece would be to allow them to develop a new fair share plan.

Ms. Wallach said it is a pretty big jump between fifty-five cents and $2.00, and asked if they looked in between, and Mr. Roberts said $2.00 would make them positive for two years. He said they would then be down $691,000 in 2018. Ms. Wallach asked about $1.50 per month, adding when they combine the increase with the water and sewer increase, it is a big chunk. Mr. Roberts said it is actually a $2 increase, but since it is only for nine months, it is the equivalent of $1.50. Mr. Roberts said if they delay until 2017, they would need a $3 increase.

Mr. Ruller said Mr. Roberts is presenting the pure accounting method. He said if they are not comfortable with that big of a jump, the alternative would be to reach into their capital reserve, undesignated funds, or General Fund to fill the gap. Mr. Ruller said he is not recommending it, adding he wanted to let them know their alternatives. Mr. Ruller said when they do that, they use monies that could go to paving projects and sidewalk repairs. He said this money is competing with other items.

Dave Coffee, Director of Budget and Finance, when asked by Mr. Ruller, had nothing to add at this time.

Mr. Turner said what Mr. Ruller described would be just a delay. He said when it hits, they will be playing catch up. Mr. Turner said they are just robbing Peter to pay Paul, and asked the implication to the residents. He asked how quickly they are diminishing their resources. Mr. Roberts said that was a good question, adding it is difficult to quantify. He said originally they spoke of a $2 increase this year and next year, and maintaining stabilization out another fifteen years. He said by changing the model and saying they are going to base it on square footage, they do not know until they see the number. Mr. Roberts said they could be dialing it down for a small house. He suggested if they go from $2.30 to $4.30, a small house may go back to $3.00. Mr. Roberts said they just do not know. He said basically 16% of the City's 9.61 square miles is considered private impervious surface, and they do not know its worth. Mr. Roberts said they do not know how much has changed, but they do know the University has changed dramatically and anticipate they will see an increase. Mr. Roberts said other components create decreases, adding all of that needs to be sorted out. Mr. Roberts said they can provide options, such as rain barrels, adding that all of that has to be quantified. Mr. Roberts said he cannot answer Mr. Turner's question without the data.

Mr. Ferrara asked Mr. Roberts if he could come back with a number so they are not behind, and Mr. Roberts said the County is doing a flyover. Mr. Roberts said they can partner with the County, saving a little money. He said new technology is GIS driven, adding it is easier to integrate with the Finance Department. He said it has to be done. Mr. Ferrara said they do not want to run out of money in the meantime, and Mr. Roberts agreed.

Ms. Wallach said she would like to see a lower initial amount, and suggested splitting the difference. Ms. Wallach suggested they could go with either $1.00 or $1.25. Mr. Ruller asked where the other $1 should come from, and Ms. Wallach suggested the General Fund. She said it seems to be more and more robust, and getting healthier. Mr. Coffee cautioned her about using the word "robust", and Ms. Wallach said it is healthier.

Mr. Coffee said he acknowledges they have begun to replenish their fund balances over the last two years. He said the General Fund has the capacity, in the short term, to subsidize stormwater. Mr. Coffee said something else must be taken into account as they set future rates as they will have to do some element of catch up. Ms. Wallach said that it depends on how the new system works.

Ms. Wallach asked if there are many urgent stormwater projects at this time. Mr. Coffee said that numerous projects need to be done, but the issue of urgency is out of his wheelhouse. Mr. Roberts said there are two projects that have been delayed and pushed back, with one being Harvey/Miller. **Jim Bowling, City Engineer,** said they have the River Street storm sewer that has no bottom. He said they have the Valleyview sewer that creates sink holes annually. Mr. Bowling said they have the Harvey/Miller project that floods the streets. Mr. Roberts said they have the outfall for that same sewer, so they have four that have been pushed back.

Mr. Ruller said staff is not happy with him the last few years as he has pushed off this rate increase discussion. He said the staff has asked for an increase year after year. Mr. Ruller said they can roll the dice again, and if they get a strategy in two years, he questioned if they would roll the dice again. Mr. Ruller said rolling the dice is a policy decision, adding the staff has wanted to do this and have been deferred.

Mr. Turner asked, at the end of the day, what they were gambling with, adding it is a system that will collapse and put the residents and consumers in a place where they have to pay a more catastrophic situation. Mr. Turner asked if the implications down the road included paying more, and Mr. Roberts said it was a fair statement. He said if they have an emergency repair, it generally costs 25-50% more. Mr. Roberts said River Street would be an emergency repair if it failed now, as it is too big for City equipment. He said their equipment is not designed to handle big pipes.

Ms. Wallach said the gamble is not whether it would collapse. She said it is paying from one fund or asking the residents to pay. Ms. Wallach said the funding will be there, but they are just putting off other projects for one year until the new funding is set up. She said they are going to approve some funding to benefit that fund, so if the increase does not cover it, it would come from the General Fund.

Mr. Coffee said he hated to be Debbie Downer, but there were other factors to consider. He said Ms. Wallach has made the assumption that the General Fund will have those funds in future years. Ms. Wallach said one future year, adding they are just looking at two years before it is redesigned. Mr. Coffee said that prudent fiscal management dictates they try to maintain the reserves as healthy as possible for future unknowns. Mr. Coffee said they are seeing a leveling off of income tax collections. He said they do not expect the same growth as the last year of tax collections. Mr. Coffee said it is not a one-sided equation, adding there are other factors they have to acknowledge.

Mr. Sidoti said in the last three or four years, this Council has made roads and sidewalks a priority, and actually moved more money to that priority. Mr. Ruller agreed. Mr. Sidoti asked if they shift funds, whether that would move off that priority, adding he preferred to not change their priority. Mr. Sidoti said on the other side of the coin, the community prefers the focus on roads, but they also do not want stormwater backups in the basement. He asked Mr. Ruller if it has been four years, and Mr. Ruller said that is correct. He said prior to that, they went after OPWC monies for stormwater projects. Mr. Ruller said they have shifted gears to the streets with City money and OPWC monies.

Mr. Ruller said he wanted to follow up on Mr. Turner’s question. He said if they delay projects, it will cost more money. He said that in terms of catastrophic, it is not as widespread and most issues were isolated. Mr. Ruller said in the grand scheme of things, most residents drive on the roads. He said that was the internal logic used, adding they decided to take care of the isolated houses impacted by a big rain. Mr. Ruller said that it is a little more isolated, and “catastrophic” is too strong of a word.

Mr. Turner said he was also talking about financial aspects. He said that delaying seems to be something that would be too painful if they get this wrong. He said these are mandated things that have to be done. He said they can delay and take their chances, but all of the people around the table stand for votes. He said Mr. Sidoti was right on target. He said the bottom line is doing the people’s business in a way that they can trust. He said when they talk about dealing with this, it means they will do it fairly. Mr. Turner said people know it needs to be done. He said they are not just talking about a house getting flooded. Mr. Turner said if they do not start to deal with this, it will be catastrophic. He said they could be like Cleveland and Cuyahoga County where they have put things off.

Ms. Shaffer said that is not the only point. She asked who they are subsidizing, and asked if this is not supposed to be a self-paid utility. Ms. Shaffer asked if they have more owner/occupied or commercial/rental housing and properties, and Mr. Roberts said it is all residential. He said there were 380 commercial accounts versus 6200 residential units. Mr. Roberts said if someone goes to Florida for the winter, the City turns off the stormwater charges. He asked if that is equitable, as they cannot shut off the rain.

Ms. Shaffer asked if this is only about the residential, and Mr. Roberts said it is commercial and residential. He said their largest customer is Kent State University. Mr. Coffee said they make up 13% of the total revenue. Ms. Shaffer said if they take it out of General Fund monies, they are basically subsidizing the larger utilizers, and Mr. Roberts said in that sense, she was correct.

Chair DeLeone called for audience comment at this time. Hearing no audience comment, Chair DeLeone returned to the Committee at this time.

MOTION TO AUTHORIZE A RATE INCREASE OF $2.00 (OPTION #6).
Motion made by Mr. Ferrara, seconded by Mr. Amrhein.

Ms. Wallach said she would vote against the motion. She said it is too much of a shocking increase for the residents.

Mr. Ferrara said it makes him a little nervous as it only gives them two years. He said as they move forward with reassessment and recalculating, there will be an urgency. He said he preferred they did more, to insure a longer period of time. Mr. Ferrara said he understood the cost to people. He said Kent is an environmentally friendly town, and these types of things are important to the people. He said there will be another increase after the reassessment. He said they still need more money.

Ms. Shaffer said she supports the motion. She said it is a way to get back into the black, and is giving them an opportunity for a more fair system. Ms. Shaffer said it also incentivizes people to look at alternative stormwater flows, which is a good thing for Kent. She said they need to share staying on track with where they spend the money.

Mr. Sidoti said there are two things. He said they have to assure the community they will look at this in an equitable way, and explain this is a stop gap measure. He said it will send a powerful message. Mr. Sidoti said they have made roads and sidewalks a priority, and made a clear commitment. Mr. Sidoti said he supported this increase for two years, and hoped for a more equitable system so they stay the course.

Ms. Long asked Mr. Roberts or Mr. Coffee why they would not look at Option #8, and it was pointed out they could not answer as there was a motion on the floor.

The motion carried by a voice vote of 6-1-1, with Ms. Wallach dissenting and Mr. DeLeone abstaining.

MOTION TO AUTHORIZE THE ADMINISTRATION TO RETURN WITH A PLAN TO CREATE AN EQUITABLE ASSESSMENT OF PROPERTIES TO MEET THE FAIRNESS ISSUE.
Motion made by Mr. Sidoti, seconded by Mr. Ferrara, and carried by a voice vote of 7-0-1, with Mr. DeLeone abstaining.

MOTION TO RECESS INTO EXECUTIVE SESSION PRIOR TO THE CONCLUSION OF THE HEALTH AND SAFETY COMMITTEE FOR POSSIBLE LAND SALE.
Motion made by Mr. Amrhein, seconded by Mr. Ferrara.

Roll call was taken on the motion. Voting aye: Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, and Ms. Wallach. The motion carried by a roll call vote of 8-0.

Chair DeLeone explained the last item on their agenda dealt with amendments to the 2016 Appropriations.

Mr. Coffee thanked them for their support of the previous issue.

Mr. Coffee requested approval of the amendments to the 2016 appropriations as outlined in his Feb. 23 memo to the City Manager. He said he does have one additional item to include. Mr. Coffee said they try not to do verbal amendments, adding he was sure they agree they keep them at a minimum, but exceptions do occur.

Mr. Coffee said in February, the Parks and Recreation Director requested approval for the purchase of property for $170,000. He said Council approved the execution of this agreement by ordinance. Mr. Coffee said they did not appropriate the funds, which is an omission in the process. He said it came to their attention, and needs to be addressed.

Mr. Coffee said he met with Mr. Idone earlier in the day, who acknowledged his sins. He said Mr. Idone asked him to save his bacon, adding he was happy to do that as long as he could throw him under the bus, adding it was a fair trade.

Mr. Coffee said the purchase price is $170,000 and he suggested the inclusion of possible closing costs up to $175,000. Mr. Coffee requested reappropriating a total of $175,000 to the capital line for the Parks Department.

Chair DeLeone called for audience comment at this time. Hearing no further audience comment, Chair DeLeone returned to the Committee at this time.

MOTION TO AUTHORIZE THE AMENDMENTS TO THE 2016 APPROPRIATIONS.
Motion made by Mr. Ferrara, seconded by Ms. Shaffer, and carried by a voice vote of 7-0-1, with Mr. DeLeone abstaining.

Hearing no further business before this Committee, Chair DeLeone adjourned this meeting at 8:09 p.m.

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Linda M. Jordan, Clerk of Council

ACTION RECOMMENDED:

1) TO AUTHORIZE THE LETTER OF INTENT FOR POSSIBLE SALE OR LEASE OF LAND
2) TO AUTHORIZE A RATE INCREASE OF $2.00 PER MONTH FOR THE CITY'S STORMWATER MANAGEMENT RATE.
3) TO AUTHORIZE THE AMENDMENTS TO THE 2016 APPROPRIATIONS.

THE CITY OF KENT, OHIO
FINANCE COMMITTEE
WED., MARCH 2, 2016

This meeting of the Finance Committee of the Kent City Council was called to order on Wed., March 2, 2016, at 7:26 p.m. by Michael DeLeone, Chair.

PRESENT: **MR. AMRHEIN, MR. DeLEONE, MR. FERRARA, MS. LONG, MS. SHAFFER, MR. SIDOTI, MR. TURNER, AND MS. WALLACH**

ALSO PRESENT: **J. FIALA, MAYOR & PRESIDENT OF COUNCIL; D. RULLER, CITY MANAGER; J. SILVER, LAW DIRECTOR; L. JORDAN, CLERK OF COUNCIL; B. SUSEL, DIR. OF COMM. DEV.; G. ROBERTS; SERVICE DIR.; AND D. COFFEE, BUD. & FIN. DIR.**

ABSENT: **MR. KUHAR**

Chair DeLeone explained the first item dealt with a letter of intent for a possible sale or lease of land.

DAVE RULLER, CITY MANAGER, explained that he and the staff have talked with the new owner of the Dale Adams building. He said as the new developer goes forward, it would help him to be able to point to some control of the land to be used for parking. Mr. Ruller said the new owner asked for an initial letter of intent that would say the City supports the development of this corridor, which was started twenty years earlier. Mr. Ruller said the land banking done has actually worked, and this would be the last piece. He said this is reaching back to some commitments early on that the City would provide parking. Mr. Ruller said the City also owns some land along the river. He said the developer desired to have a commitment to allow them to market their land more aggressively. He said the Law Director drafted a letter, with terms and conditions. Mr. Ruller said that while the City is supportive, the letter also says they will evaluate the actual agreements when the developer returns with new jobs and great tenants. He said with those in place, they will better be able to evaluate the deal for the land and the parking. Mr. Ruller said it is more of a moral commitment than a legal one.

Mr. Sidoti asked if this covered land on both sides of Gougler Avenue, and Mr. Ruller said that was correct. Mr. Sidoti asked if they would need separate letters of intent, and Mr. Ruller said that one letter would cover all parcels.

Chair DeLeone called for audience comment at this time. Hearing no audience comment, Chair DeLeone returned to the Committee at this time.

MOTION TO AUTHORIZE THE LETTER OF INTENT FOR POSSIBLE SALE OR LEASE OF LAND. Motion made by Mr. Sidoti, seconded by Mr. Ferrara.

Ms. Long said they are speaking of leasing or selling the parcels, and asked if they were saying one or the other. Mr. Ruller said they are keeping it open, as it depends on the deal they return with. He said it may be more advantageous to sell it or lease it. Ms. Long said the letter is just showing their intent to make it available to them, and Mr. Ruller said the developer would have liked something more concrete but are pleased the City was willing to come to the table with this letter.

The motion carried by a voice vote of 7-0-1, with Mr. DeLeone abstaining.

Chair DeLeone explained the next item dealt with a rate increase to the City's stormwater management utility.

Mr. Ruller said this has been the topic of discussion in the last few weeks. He said they knew the writing was on the wall. Mr. Ruller said they were successful with the water and sewer funds in 2011, and at that time the stormwater fund had a decent balance and was the good fund.

Mr. Ruller said time has a way of changing things. He said they have had individual discussions, adding the fund is looking to be exhausted despite their efforts to defer and cut. Mr. Ruller said that the flat rate of $2.30 covers about one half of their costs, at best. He said depending on the capital projects in a given year, it does not cover one-third of the actual costs.

Mr. Ruller said they do not recommend taking a hiatus from stormwater management, adding they tried to return with a rate plan concept adaptive to stormwater.

Mr. Ruller said **Gene Roberts, Service Director,** presented three to four scenarios and their impact over the next twenty years. He said that while twenty years is a great planning period, five years is their active interest and is much more within their forecasting capabilities. Mr. Ruller said they are looking at not making it through the year 2017.

Mr. Ruller said in the course of the discussion with all members of Council, there was some discussion to convert the flat rate which is the average of impervious surface to something that looks more metered. He said most communities have gone with a flat rate. Mr. Ruller said they cannot meter the rain, but can determine the runoff of a property. He said a bigger house, bigger roof, and bigger driveway are using more of the system than someone soaking it up in the grass. He said it makes sense, and they would like to do further exploration. Mr. Ruller said they would have to drill through the details, adding they are not present to give them an answer on that theory. Mr. Ruller said it is worthy of further investigation, adding certain things need to be done, such as a flyover of the City and calculations of each household's impervious surface. Mr. Ruller said they would need to update their existing information and take a different approach to how they are billing. He said there are still outstanding issues.

Mr. Ruller said **Gene Roberts, Service Director,** feels it would be 12-18 months to figure that out. He said in the meantime, the clock and bill keeps running. Mr. Ruller said the thought was a temporary rate increase based on the current flat rate system. Mr. Ruller said Mr. Roberts included a few more spreadsheets to show the impacts of the different dollar figures. He said Mr. Roberts shows twenty years, adding they are taking about needing two years to calculate the other method.

Mr. Ruller asked Mr. Roberts to speak to the numbers. He said that every number Mr. Roberts is speaking of is on top of the existing $2.30 flat rate.

Mr. Roberts said they are asking that any rate increase be passed with the emergency clause to become effective April 1. He said because they will be through 25% of the year, an increase of .55 cents would be like .41 this year. He said the increase in 2017 would be like an additional fourteen cents per month. Mr. Roberts said the first two original options were removed to come more in line with what is being discussed. He said one recommendation is fifty-five cents, reducing the $680,000 negative balance to $400,000 as a negative balance in 2017. Mr. Roberts said Option #6 is a $2.00 increase would be worth $1.50 this year, and takes them through 2017. He said with no increase, they would have a negative balance in 2018 of $691,000. Mr. Roberts said an increase of $1 this year and $1.25 next year would give them a negative balance of $875,000.

Mr. Roberts suggested Option #6. He said this will get them to where they need to be, and would be less expensive to the residents. Mr. Roberts said they need to see some stabilization. He said they still need to find the magical number. He suggested they could take that number, divide it into the projected expense and come up with a rate. Mr. Roberts said if they go to actual square footage, it would be easier to describe. Mr. Roberts said the ERU rate was difficult to explain, adding that the commercial properties pay the ERU equivalent. Mr. Roberts said it is important to note they are actually expanding on the past practice.

Mr. Roberts recommended an increase of $2.00. He said it is more than what some wanted, but if they go negative, they will have to play “catch up” with the rate. He said another piece would be to allow them to develop a new fair share plan.

Ms. Wallach said it is a pretty big jump between fifty-five cents and $2.00, and asked if they looked in between, and Mr. Roberts said $2.00 would make them positive for two years. He said they would then be down $691,000 in 2018. Ms. Wallach asked about $1.50 per month, adding when they combine the increase with the water and sewer increase, it is a big chunk. Mr. Roberts said it is actually a $2 increase, but since it is only for nine months, it is the equivalent of $1.50. Mr. Roberts said if they delay until 2017, they would need a $3 increase.

Mr. Ruller said Mr. Roberts is presenting the pure accounting method. He said if they are not comfortable with that big of a jump, the alternative would be to reach into their capital reserve, undesignated funds, or General Fund to fill the gap. Mr. Ruller said he is not recommending it, adding he wanted to let them know their alternatives. Mr. Ruller said when they do that, they use monies that could go to paving projects and sidewalk repairs. He said this money is competing with other items.

Dave Coffee, Director of Budget and Finance, when asked by Mr. Ruller, had nothing to add at this time.

Mr. Turner said what Mr. Ruller described would be just a delay. He said when it hits, they will be playing catch up. Mr. Turner said they are just robbing Peter to pay Paul, and asked the implication to the residents. He asked how quickly they are diminishing their resources. Mr. Roberts said that was a good question, adding it is difficult to quantify. He said originally they spoke of a $2 increase this year and next year, and maintaining stabilization out another fifteen years. He said by changing the model and saying they are going to base it on square footage, they do not know until they see the number. Mr. Roberts said they could be dialing it down for a small house. He suggested if they go from $2.30 to $4.30, a small house may go back to $3.00. Mr. Roberts said they just do not know. He said basically 16% of the City's 9.61 square miles is considered private impervious surface, and they do not know its worth. Mr. Roberts said they do not know how much has changed, but they do know the University has changed dramatically and anticipate they will see an increase. Mr. Roberts said other components create decreases, adding all of that needs to be sorted out. Mr. Roberts said they can provide options, such as rain barrels, adding that all of that has to be quantified. Mr. Roberts said he cannot answer Mr. Turner's question without the data.

Mr. Ferrara asked Mr. Roberts if he could come back with a number so they are not behind, and Mr. Roberts said the County is doing a flyover. Mr. Roberts said they can partner with the County, saving a little money. He said new technology is GIS driven, adding it is easier to integrate with the Finance Department. He said it has to be done. Mr. Ferrara said they do not want to run out of money in the meantime, and Mr. Roberts agreed.

Ms. Wallach said she would like to see a lower initial amount, and suggested splitting the difference. Ms. Wallach suggested they could go with either $1.00 or $1.25. Mr. Ruller asked where the other $1 should come from, and Ms. Wallach suggested the General Fund. She said it seems to be more and more robust, and getting healthier. Mr. Coffee cautioned her about using the word "robust", and Ms. Wallach said it is healthier.

Mr. Coffee said he acknowledges they have begun to replenish their fund balances over the last two years. He said the General Fund has the capacity, in the short term, to subsidize stormwater. Mr. Coffee said something else must be taken into account as they set future rates as they will have to do some element of catch up. Ms. Wallach said that it depends on how the new system works.

Ms. Wallach asked if there are many urgent stormwater projects at this time. Mr. Coffee said that numerous projects need to be done, but the issue of urgency is out of his wheelhouse. Mr. Roberts said there are two projects that have been delayed and pushed back, with one being Harvey/Miller. **Jim Bowling, City Engineer,** said they have the River Street storm sewer that has no bottom. He said they have the Valleyview sewer that creates sink holes annually. Mr. Bowling said they have the Harvey/Miller project that floods the streets. Mr. Roberts said they have the outfall for that same sewer, so they have four that have been pushed back.

Mr. Ruller said staff is not happy with him the last few years as he has pushed off this rate increase discussion. He said the staff has asked for an increase year after year. Mr. Ruller said they can roll the dice again, and if they get a strategy in two years, he questioned if they would roll the dice again. Mr. Ruller said rolling the dice is a policy decision, adding the staff has wanted to do this and have been deferred.

Mr. Turner asked, at the end of the day, what they were gambling with, adding it is a system that will collapse and put the residents and consumers in a place where they have to pay a more catastrophic situation. Mr. Turner asked if the implications down the road included paying more, and Mr. Roberts said it was a fair statement. He said if they have an emergency repair, it generally costs 25-50% more. Mr. Roberts said River Street would be an emergency repair if it failed now, as it is too big for City equipment. He said their equipment is not designed to handle big pipes.

Ms. Wallach said the gamble is not whether it would collapse. She said it is paying from one fund or asking the residents to pay. Ms. Wallach said the funding will be there, but they are just putting off other projects for one year until the new funding is set up. She said they are going to approve some funding to benefit that fund, so if the increase does not cover it, it would come from the General Fund.

Mr. Coffee said he hated to be Debbie Downer, but there were other factors to consider. He said Ms. Wallach has made the assumption that the General Fund will have those funds in future years. Ms. Wallach said one future year, adding they are just looking at two years before it is redesigned. Mr. Coffee said that prudent fiscal management dictates they try to maintain the reserves as healthy as possible for future unknowns. Mr. Coffee said they are seeing a leveling off of income tax collections. He said they do not expect the same growth as the last year of tax collections. Mr. Coffee said it is not a one-sided equation, adding there are other factors they have to acknowledge.

Mr. Sidoti said in the last three or four years, this Council has made roads and sidewalks a priority, and actually moved more money to that priority. Mr. Ruller agreed. Mr. Sidoti asked if they shift funds, whether that would move off that priority, adding he preferred to not change their priority. Mr. Sidoti said on the other side of the coin, the community prefers the focus on roads, but they also do not want stormwater backups in the basement. He asked Mr. Ruller if it has been four years, and Mr. Ruller said that is correct. He said prior to that, they went after OPWC monies for stormwater projects. Mr. Ruller said they have shifted gears to the streets with City money and OPWC monies.

Mr. Ruller said he wanted to follow up on Mr. Turner's question. He said if they delay projects, it will cost more money. He said that in terms of catastrophic, it is not as widespread and most issues were isolated. Mr. Ruller said in the grand scheme of things, most residents drive on the roads. He said that was the internal logic used, adding they decided to take care of the isolated houses impacted by a big rain. Mr. Ruller said that it is a little more isolated, and "catastrophic" is too strong of a word.

Mr. Turner said he was also talking about financial aspects. He said that delaying seems to be something that would be too painful if they get this wrong. He said these are mandated things that have to be done. He said they can delay and take their chances, but all of the people around the table stand for votes. He said Mr. Sidoti was right on target. He said the bottom line is doing the people's business in a way that they can trust. He said when they talk about dealing with this, it means they will do it fairly. Mr. Turner said people know it needs to be done. He said they are not just talking about a house getting flooded. Mr. Turner said if they do not start to deal with this, it will be catastrophic. He said they could be like Cleveland and Cuyahoga County where they have put things off.

Ms. Shaffer said that is not the only point. She asked who they are subsidizing, and asked if this is not supposed to be a self-paid utility. Ms. Shaffer asked if they have more owner/occupied or commercial/rental housing and properties, and Mr. Roberts said it is all residential. He said there were 380 commercial accounts versus 6200 residential units. Mr. Roberts said if someone goes to Florida for the winter, the City turns off the stormwater charges. He asked if that is equitable, as they cannot shut off the rain.

Ms. Shaffer asked if this is only about the residential, and Mr. Roberts said it is commercial and residential. He said their largest customer is Kent State University. Mr. Coffee said they make up 13% of the total revenue. Ms. Shaffer said if they take it out of General Fund monies, they are basically subsidizing the larger utilizers, and Mr. Roberts said in that sense, she was correct.

Chair DeLeone called for audience comment at this time. Hearing no audience comment, Chair DeLeone returned to the Committee at this time.

MOTION TO AUTHORIZE A RATE INCREASE OF $2.00 (OPTION #6).
Motion made by Mr. Ferrara, seconded by Mr. Amrhein.

Ms. Wallach said she would vote against the motion. She said it is too much of a shocking increase for the residents.

Mr. Ferrara said it makes him a little nervous as it only gives them two years. He said as they move forward with reassessment and recalculating, there will be an urgency. He said he preferred they did more, to insure a longer period of time. Mr. Ferrara said he understood the cost to people. He said Kent is an environmentally friendly town, and these types of things are important to the people. He said there will be another increase after the reassessment. He said they still need more money.

Ms. Shaffer said she supports the motion. She said it is a way to get back into the black, and is giving them an opportunity for a more fair system. Ms. Shaffer said it also incentivizes people to look at alternative stormwater flows, which is a good thing for Kent. She said they need to share staying on track with where they spend the money.

Mr. Sidoti said there are two things. He said they have to assure the community they will look at this in an equitable way, and explain this is a stop gap measure. He said it will send a powerful message. Mr. Sidoti said they have made roads and sidewalks a priority, and made a clear commitment. Mr. Sidoti said he supported this increase for two years, and hoped for a more equitable system so they stay the course.

Ms. Long asked Mr. Roberts or Mr. Coffee why they would not look at Option #8, and it was pointed out they could not answer as there was a motion on the floor.

The motion carried by a voice vote of 6-1-1, with Ms. Wallach dissenting and Mr. DeLeone abstaining.

MOTION TO AUTHORIZE THE ADMINISTRATION TO RETURN WITH A PLAN TO CREATE AN EQUITABLE ASSESSMENT OF PROPERTIES TO MEET THE FAIRNESS ISSUE.
Motion made by Mr. Sidoti, seconded by Mr. Ferrara, and carried by a voice vote of 7-0-1, with Mr. DeLeone abstaining.

MOTION TO RECESS INTO EXECUTIVE SESSION PRIOR TO THE CONCLUSION OF THE HEALTH AND SAFETY COMMITTEE FOR POSSIBLE LAND SALE.
Motion made by Mr. Amrhein, seconded by Mr. Ferrara.

Roll call was taken on the motion. Voting aye: Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Long, Ms. Shaffer, Mr. Sidoti, Mr. Turner, and Ms. Wallach. The motion carried by a roll call vote of 8-0.

Chair DeLeone explained the last item on their agenda dealt with amendments to the 2016 Appropriations.

Mr. Coffee thanked them for their support of the previous issue.

Mr. Coffee requested approval of the amendments to the 2016 appropriations as outlined in his Feb. 23 memo to the City Manager. He said he does have one additional item to include. Mr. Coffee said they try not to do verbal amendments, adding he was sure they agree they keep them at a minimum, but exceptions do occur.

Mr. Coffee said in February, the Parks and Recreation Director requested approval for the purchase of property for $170,000. He said Council approved the execution of this agreement by ordinance. Mr. Coffee said they did not appropriate the funds, which is an omission in the process. He said it came to their attention, and needs to be addressed.

Mr. Coffee said he met with Mr. Idone earlier in the day, who acknowledged his sins. He said Mr. Idone asked him to save his bacon, adding he was happy to do that as long as he could throw him under the bus, adding it was a fair trade.

Mr. Coffee said the purchase price is $170,000 and he suggested the inclusion of possible closing costs up to $175,000. Mr. Coffee requested reappropriating a total of $175,000 to the capital line for the Parks Department.

Chair DeLeone called for audience comment at this time. Hearing no further audience comment, Chair DeLeone returned to the Committee at this time.

MOTION TO AUTHORIZE THE AMENDMENTS TO THE 2016 APPROPRIATIONS.
Motion made by Mr. Ferrara, seconded by Ms. Shaffer, and carried by a voice vote of 7-0-1, with Mr. DeLeone abstaining.

Hearing no further business before this Committee, Chair DeLeone adjourned this meeting at 8:09 p.m.

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Linda M. Jordan, Clerk of Council

ACTION RECOMMENDED:

1) TO AUTHORIZE THE LETTER OF INTENT FOR POSSIBLE SALE OR LEASE OF LAND
2) TO AUTHORIZE A RATE INCREASE OF $2.00 PER MONTH FOR THE CITY'S STORMWATER MANAGEMENT RATE.
3) TO AUTHORIZE THE AMENDMENTS TO THE 2016 APPROPRIATIONS.

THE CITY OF KENT, OHIO
HEALTH & SAFETY COMMITTEE
WED., MARCH 2, 2016

This meeting of the Health & Safety Committee of the Kent City Council was called to order on Wed., March 2, 2016, at 8:10 p.m. by Jack Amrhein, Chair.

PRESENT: **MR. AMRHEIN, MR. DeLEONE, MR. FERRARA, MS. LONG, MS. SHAFFER, MR. SIDOTI, MR. TURNER, AND MS. WALLACH**

ALSO PRESENT: **J. FIALA, MAYOR & PRESIDENT OF COUNCIL; D. RULLER, CITY MANAGER; J. SILVER, LAW DIRECTOR; L. JORDAN, CLERK OF COUNCIL; AND G. ROBERTS, SERVICE DIR.**

ABSENT: **MR. KUHAR**

Chair Amrhein explained the only item on their agenda was an update on the new police facility.

Dave Ruller, City Manager, said **Jeff Myers**, who is the architect working on this project, is back. He said Mr. Myers has cleared each hurdle, adding there was a fair number of questions. He said they answered those questions, and received a positive vote. Mr. Ruller said a fair number of pieces in bid specs need to be retrofit. He said they are working diligently to get this on the street. Mr. Ruller said there is no requirement for Council's approval. He said he wanted to refresh their memory on where this started, adding that Mr. Myers has been before them a few times. Mr. Myers said this is his fourth time. Mr. Ruller said he will brief them on the progress.

Mr. Myers said he is excited to be at this point, adding it has been an exciting two years for him and the staff. Mr. Myers thanked the City Administration on the public record for all of their work. He thanked **Gene Roberts, Service Director,** for his wisdom, and listed several other staff members at this time.

Mr. Myers said he has worked with many villages and cities. He said Kent does not know how blessed they are to have such a great administration working with their vendors on these types of projects. He also thanked the Architectural Review Board, Planning Commission, and the Board of Zoning Appeals.

Mr. Myers pointed out that their Bicentennial Plan showed a municipal building at that location, with a pass thru. He said it is exciting to see this at its fruition.

Mr. Myers said that since their last presentation, they just finished the 90% review of technical documents that have to go to bid. He said they have met with the Engineering, Administration, Fire and Police Departments. He said they have been validated by their third party estimator. Mr. Myers said they have been approved by the Architectural Review Board, Board of Zoning Appeals, and the Planning Commission the previous night. He said they are present to ask Council for the opportunity to take the project to bid.

Mr. Myers said when designing a police station, functionality is the foremost part of any design decision, including the layout of the building and the site. He said there are other core values, such as honesty, transparency, transition, Kent civic pride and the goal of sustainability. He said the project will achieve the Silver LEEDs status. Mr. Myers said every decision uses those core values.

Mr. Myers said the current site plan is no longer current as the residential houses are gone. He displayed the site plans at this time. He said the technical site plan shows a new building on the corner. He said it shows three different parking areas. Mr. Myers said there is a 20' slope, which is quite a drastic drop. He said they took that drop and made it an opportunity with a pedestrian pass thru. Mr. Myers said a major goal is ADA accessibility. He said they currently park in the back of the police station, and have to walk around front. He said in their layout, one can park in the back and enter through an accessible entrance, or walk up to the front and enter through another accessible entrance.

Mr. Myers said that as part of the project, Tonkin Court will become a public street tied to College Street. He said the bike path will pass the front of building. Mr. Myers said they are working with the landscape architect who did the bike path.

Mr. Myers said the City's landscape plan requires 23 trees and 117 shrugs on this site, and they have 92 trees and 428 grasses and shrubs as required by LEEDs. Mr. Myers said they have a large detention pond to catch all of the runoff, adding they have to let it out slowly so they do not hurt the current infrastructure.

Mr. Myers said there are three parking areas that are a plateau. He said one is for the officers, while the center lot is for the public. Mr. Myers said the other lot is covered parking for the cruisers to allow for a quicker response. He said there is access from Depeyster and the future Tonkin Court. Mr. Myers said there is also a sally port, which is a pass through. He said it allows for three cars to pull through, and if need be, it can be handle up to six cars.

Mr. Myers said the jail is on Depeyster Street, adding they asked for a variance from BZA to push it off the public sidewalk. He said the windows are required by Dept. of Corrections. Mr. Myers said the administrative offices and patrol offices are in the three-story section. He said it goes down to a one story building because of the grade, allowing it to blend in. He said the core value is transition, as they go from the downtown to the University as well as the downtown to the residential neighborhood.

Mr. Myers displayed drawings with transition and the style of architecture. He said that directly across the street is the new hotel. He said nearby is the College of Architecture, which is an ultra-modern building. Mr. Myers said they wanted to be sure they transitioned from the traditional downtown to a modern building. Mr. Myers said they are also across from the Block D building and the fire station. He said they wanted the fire station and the police station look like they belong together. Mr. Myers said this is part of the Kent Civic Pride they speak of.

Mr. Myers said they also have the Overlay District, which has separate guidelines. Mr. Myers said they are lucky to have Doug Fuller in their office, as he helped write the overlay guidelines.

Mr. Myers said there are two material options. He said all have the same base materials. Mr. Myers said the first material is cast stone, adding the fire station has a cast stone base. Mr. Myers pointed out the materials would not look the same in the sun, adding that whenever they print them, they look like different colors.

Mr. Myers said with the Haymaker piece, they tried to connect to Kent State. He said they have a lot of large stone buildings, with the fire station having a large stone base. Mr. Myers said that makes up almost two stores on the fire station.

Mr. Myers said the traditional red brick is throughout downtown Kent. He said the traditional red clay brick will be used to accent the Depeyster part, which is the jail. He said while it does not look like a jail, it meets the recommendations. He said the patterns are similar to the downtown, as requested by the Overlay District.

Mr. Myers said the third material is the terra cotta clay, which is one of the most traditional building elements, as well as one of the most sustainable. Mr. Myers said with their budget issues, they could not afford it. He said they studied a faux option, which is a metal panel. Mr. Myers said it has an applied finish that feels like real terra cotta, is cheaper, made of recycled materials, and is completely insulated. He said with original terra cotta, they would have to ask for insulation. He said what they picked out is very durable as it is an all-in-one panel system.

Ms. Wallach asked how durable the coating was, and Mr. Myers said it is very durable. He said it will be eighteen feet off the street so no one can touch it or hit it with a baseball bat. Ms. Wallach asked if it could be cleaned, with respect to graffiti, and Mr. Myers said that because it is in the air by eighteen feet, they had not thought about graffiti.

Mr. Sidoti asked where the terra cotta was going, and Mr. Myers referred him to the drawings. Ms. Long asked which one they looked at, and Mr. Myers said the metal one. He said the actual terra cotta is too expensive and too heavy, requiring an increase in the structure to support it. Mr. Myers said they felt a suitable replacement was a wise decision.

Mr. Myers said it is the same material as the hotel and the Landmark Building. He said the gray accent will break up the large facade. Mr. Myers said there is no natural daylight in the existing station. He said a translucent panel is to be used for various conference and meeting rooms. He said they wanted to be transparent, but wanted to be sure they were doing their jobs.

Mr. Myers said they presented a color palate to the Architectural Review Board. He said internally, they had a lot of debate, adding there are ten architects and twenty-one designers in his office. Mr. Myers said they studied another option. He said he is on the Chamber's board, adding a lot of people spoke about the terra cotta color. He said some felt it was a bold color and not a good solution. Mr. Myers said he knew that some Council members made comments also. He said they have a different option, known as slate blue. He said it matches up well and represents the police with the color blue. Mr. Myers said it is an option, adding there is no wrong answer and both are suitable selections.

Ms. Wallach asked who makes the final decision, and Mr. Myers said Council makes the final decision. He said they recommend the slate blue color. He said they did not believe there was a wrong answer. Mr. Myers said Mr. Ferrara references "paralysis by analysis". He said they want paralysis by analysis, as they want to study all of their options.

A member of the architect's firm said that the terra cotta goes with the design intent, adding the material and color go with the design of the building. He said their office likes the slate blue color. He said they liked the transition to the slate blue color.

Mr. Sidoti questioned one of the photos, and he said it shows the terra cotta color. Mr. Sidoti asked if they could go with brick of a different color, and Mr. Myers said they cannot go with a masonry product, because it is up and hanging. Mr. Myers said it would not make the budget, adding the metal panels are more economical. Mr. Sidoti asked if it is about the dollar consideration, and Mr. Myers said if the budget could support the actual terra cotta, they would do it. He said it is about an additional one-half to $1 million onto the budget. He said it is a very heavy as compared to the metal panel which is light and durable. He said the metal panel also has insulation and the vapor barrier. He said the solution is about economics.

Ms. Long asked if either the dark gray blue or the orange comes on a foam backing, and Mr. Myers said they are all one piece and are completely insulated.

Ms. Wallach asked if he wants their color preferences at this meeting, and Mr. Myers said they are hoping to go to bid in the next month. He said they need Council's direction, and that includes the final color.

Ms. Wallach said she preferred the terra cotta, as it f its better and is happier. Ms. Wallach said the dark blue looks foreboding. Mr. Myers noted that it was well said that is a concern with the slate blue. Ms. Wallach said it looks like a fortress, like the current police station.

Ms. Shaffer seconded all of Ms. Wallach's comments. She said the University is doing yellow, and Mr.

Myers said it is a brick material with orange flecks all through it. He said they went up to the college building, where they had mock samples. He said some people from his office borrowed the samples to match it. He said it will blend well. Ms. Shaffer said the public image should be lighter.

Mr. Amrhein said he likes the terra cotta. He said the gray looks institutional, adding it looked like Gotham City.

Ms. Long asked if the two displayed colors are the only colors the material comes in, and Mr. Myers said there is a whole slew of color. He said there is a whole basis of study on color theory. He said some cannot be mixed and matched. He said they need to pick a basis and build from that basis. Mr. Myers said of all the colors offered, these are the best two options that blend with the rest of the palette.

Mr. Ferrara said he liked the terra cotta, but was not crazy about the metal. He suggested they put the metal on the back side. Mr. Ferrara said they are talking about the fire station, which is all brick. He asked how durable the material is on the ground level, and Mr. Myers said they are not concerned with the metal panel's durability. He said the reason it is set up the way it is because site is tight. He said they needed variances for parking. Mr. Myers said the building is in two zoning districts, causing issues. He said needed a detention pond and had to meet LEED requirements.

Mr. Ferrara asked how big the overhang is, and Mr. Myers said it is four feet. He said it needs to be steel to support the material. He said any masonry would be up sized and the material costs would be more on the existing site, He said it is for budget reasons.

A member of the firm said the way they use brick is more of a rain screen system, as it allows moisture in and sheds water down the face of the material. He said the durability of a brick building is not what it was once. He said that having a different contemporary type of material is not less durable. He said it is just a different way of shedding water, and keeps the building dry.

Mr. Ferrara told them it appreciates what they are saying, as they know more about bricks than he does. He said they have used brick for a lot longer than metal with foam backing. He said that is why he asked the question. Mr. Myers said it was a great question. He said two architects in their office are sixty-seven years of age, and have no concern with the metal. Mr. Ferrara questioned the look. Mr. Myers said the metal terra cotta will look like the actual terra cotta. Mr. Ferrara said he would give him the benefit of the doubt. Mr. Ferrara said at some point, someone thought it was a great idea to put green panels on the Huntington Bank building. He said no one wants them down more than Council. Mr. Myers said is one goal in his career is to get them down. Mr. Myers told Mr. Ferrara the metal panels have been used in northeastern Ohio for about twenty years. He said they have come a long way. Mr. Myers said they are not painted and have a chemical bond.

Mr. Ferrara asked if they can come back with a cost to do the actual terra cotta. He asked if they amortize $500,000 to $1 million over the course of fifty years if it is not worth it. Mr. Myers said if they increase the budget, it would be the best long term solution. He said if the levy monies could support it, or if they can dig up other monies, he could give them a cost. Mr. Myers said if that is done, they have to go back to the structural engineer to up size the steel. Mr. Myers said if they delay the bidding process, the costs go up as inflation rises. He said his design team would not be opposed.

Ms. Long asked some questions on the some of the drawings. Mr. Myers explained the options to her at this time, with assistance from Mr. DeLeone and Mr. Sidoti.

Mr. Sidoti asked if there is brick in the overhang, and Mr. Myers said that was correct. He said there are two overhangs. Mr. Myers said the theory is to have the inviting architectural elements show a purpose for walking through the space. He said the overhangs invite people in. He said they also allow for more functional space inside.

Mr. Sidoti said it is beautiful. He asked why they are using brick on the second overhang, when you say there is a lot of cost involved, and surrounding it with metal panels. Mr. Sidoti asked why they do not surround it with the terra cotta brick, as the entire fire station is masonry. Mr. Myers said the red brick is because of the architectural theory of two forms intersecting. Mr. Sidoti asked if the concern is the weight. Mr. Myers said any time there is a public project, the public dollar is an important piece. He said they wanted to be sure they were making the proper concessions when needed. Mr. Sidoti told him he appreciates what they are doing. He said they are being asked to decide on a building that will be there for 100 years. Mr. Sidoti said as they come down SR 59, this will be the first building they see, not the hotel. Mr. Sidoti said he is trying to weigh whether the extra costs to make it a full masonry building offsets trying to squeeze every ounce of the budget. He said this was built from the inside out, and Mr. Myers agreed, adding it was functionality of the police department. Mr. Sidoti said they went to the voters with that need. Mr. Myers said if they had the budget, this would not be discussed.

Mr. Roberts said when they came to them the first time, they got a clear direction with additional monies. He said they are now talking about another million with a delay for another $300,000 to $400,000.

Mr. Turner said they are now looking at aesthetics that have nothing to do with the function of the building. Mr. Turner said it is not their money. He said he knows how it is easy to say “throw in another million”, adding they would have to go back to the voters. He said the voters are not going to be pleased because they are concerned with the aesthetics aspect instead of the function. He said that all adds up to real money.

Mr. Turner told Mr. Sidoti, Mr. Ferrara and Ms. Long that they all make a good point. He said it would be a different point if it were their money. Mr. Turner said people have been generous enough to get this done. He said they should do it on their dime, and show them they are willing to economize. Mr. Turner said it is going to be a problem.

Mr. Myers said they have been through three boards, all of whom were appointed, and all very happy with the material. He said between those three boards are 12-15 diverse community members who support it. Mr. Myers said he agreed with Mr. Ferrara and Mr. Sidoti, but he did not think the concern was that major. He said if money grew on trees, they could do it.

Mr. Amrhein said when the metal is put up high, they are not even going to be able to tell it is not stone. Mr. Myers agreed, adding the special finish gives it a texture and it does not glean. Mr. Myers said the blue will reflect, but the terra cotta will diffuse the light.

Ms. Shaffer agreed as it is metal and made with recycled material. She said metal is a natural material. Ms. Shaffer said if they were talking about plastic or vinyl, she would be upset. She said she understood there is foam for the insulation, adding there is always foam for the insulation. Mr. Myers said it is a sustainable approach. Ms. Shaffer said it is a clever and well researched response to the budget issue and the LEEDs issue. She supported the terra cotta color.

Mayor Fiala said he was against it when they came to the Architectural Board, but he sees it now. He supported the metal also. He said the important part is what is inside the building. Mayor Fiala said the gray may have a cold feeling for some, so he suggested they warm it up and use the terra cotta color.

Ms. Long said when she sees the terra cotta, she sees orange. Ms. Long said it says it is a presence of the police and a structure that says something strong. Ms. Long said it is something in the city that should talk to the city. She said when she sees the orange color, she thinks of ODOT and orange barrels. She said she does not think of the police and something strong. Mr. Myers said those are all great opinions, which is the reason their homes are all different colors. He said the terra cotta color is throughout Kent, including orange flecks in the fire station brick. He said he appreciated her opinion.

Ms. Long said they are putting it next to the University with beautiful structures and million dollar buildings.

She said they are sticking something out there that is orange. Mayor Fiala pointed out the arches are terra cotta. Ms. Long said the color does not demand respect, and is not something they look up to. She said it is a color used in a carnival.

Mr. Sidoti asked if they were one-foot squares, and Mr. Myers said they are one foot by four feet. He said it is up eighteen feet, and will look like real terra cotta, but would be more cost effective.

Ms. Wallach said with the mood of the country toward the police officials, the terra cotta looks more inviting. She said it is more of a community building, while the other looks more authoritarian. Mr. Myers said the whole department wants to be more inviting.

Mr. Ferrara suggested putting the metal to the back side, and asked if the brick is less expensive than the terra cotta. Shaun from the architect firm said the metal panel is $45. He said the brick is $25 plus insulation, while the terra cotta is $70. He said those are just material costs. Mr. Myers said it takes longer, adding labor costs are higher. Mr. Ferrara said they can have those costs on the back. Mr. Myers said he understood Mr. Ferrara's point. He said the materials should be consistent per form. He said one form that is terra cotta is consistent and does wrap around the back. He said the masonry and colors are consistent for each form, and are an important basis for any architecture.

Ms. Long asked about a sign they had previously. Mr. Myers said the sign was still there, but is done in a softer way. He said when traveling Haymaker at a higher speed, they can get a vertical reading a lot faster than a long horizontal reading. He said they wanted to make the building visible from the downtown. He said it assists with the connectivity of the students, who will know there is a safe place when they are walking. Mayor Fiala asked if it was illuminated, and Mr. Myers said it would be in a very unique way. He said it would be backlit.

Mr. Ferrara asked if they wanted to come up with another $1 million, what would be their options, and Mr. Coffee said he had not worked out that impact. He said their cost of debt will be less because of an overall savings as the bonds were about 1% less. Mr. Ferrara asked the term on the note, and Mr. Coffee said it is twenty years. He said he cannot give him any projections at this time.

There were no audience comments at this time.

Ms. Wallach asked if he needed them to approve a color, and Mr. Myers said they needed approval, also, to go out to bid.

MOTION TO GO WITH THE COLOR OF TERRA COTTA AND TO AUTHORIZE THE PROJECT TO GO OUT FOR BID.
Motion made by Ms. Wallach, seconded by Ms. Shaffer.

Ms. Shaffer said it is a handsome building that will be functional and adds value for the taxpayers.

Mr. Ferrara said it will be a great building, although he has reservations about the panels. He told Mr. Turner they do owe it to the public to be fiscally sound, but they also need to be sure it will look good for the next 100 years. He said he can support where they are and support the project.

Mr. DeLeone said he prefers the darker color better than the orange. He said he can live with either one, but prefers the darker color.

Ms. Long agreed with Mr. DeLeone. She said she liked the darker colors. Ms. Long said they are going to get feedback if they put up a building of that color.

Mayor Fiala told everyone to go down Depeyster Street, and look at the Landmark building. He said the gray color looks terrible, and terra cotta is warmer and correct environmentally. He told them to look at the building tomorrow, adding it is ugly.

Mr. Sidoti said he wished the terra cotta was toned down a bit. He said they need to go on the faith that it will look more like the panel than the actual terra cotta. Mr. Sidoti said he has a concern, still, about going to the taxpayers for money. Mr. Sidoti said it has nothing to do with architectural firm, adding the design of the building is outstanding. He said he struggles with new materials, adding he is just an old guy. Mr. Sidoti said he likes stone, metal, and glass, adding he has had that discussion with Mr. Myers. Mr. Sidoti said that metal is not timeless, as real steel is one thing. He said he struggles with metal. Mr. Sidoti said that he cannot turn his back on priorities, such as their roads and sidewalks. He said they are not trying to dip into those funds for the stormwater fund. Mr. Sidoti said it is a struggle, but he can support the project.

Mr. Turner said he agrees with the issue about aesthetics, and appreciates it. He said there are people who do not like the downtown. He reminded them it is a jail and the police station. He said aesthetics are all well and good, but the function is for those people violating the laws. Mr. Turner said if they want to put something else on the ballot because they did not like the way it looks, they are going to have a problem. Mr. Turner said the vote was about them creating the function of a jail for the police officers. He said he will vote for what they can do under or on their budget to create a function for the police. He said they should thank God that people were willing to put this forward for them. Mr. Turner said this is a great night, and they need to move forward.

The motion carried by a voice vote of 6-1-1, with Ms. Long dissenting and Mr. Amrhein abstaining.

Mr. Myers thanked Dave Sommers and Doug Fuller for all of their wisdom. He thanked those people with him from his office for their great work. He thanked Mr. Roberts for his wisdom and direction. He said he asked him to stay as a consultant for the project.

Chair Amrhein recessed this meeting at 9:10 p.m.

Chair Amrhein reconvened the public portion of this meeting at 10:20 p.m.

Hearing no further business before this Committee, Chair Amrhein adjourned this meeting at 10:20 p.m.

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Linda M. Jordan, Clerk of Council

ACTION RECOMMENDED:

1) **TO GO WITH THE COLOR OF TERRA COTTA FOR THE POLICE FACILITY AND TO AUTHORIZE THE PROJECT TO GO OUT FOR BID.**

THE CITY OF KENT, OHIO
LAND USE COMMITTEE
WED., MARCH 2, 2016

This meeting of the Land Use Committee of Kent City Council was called to order on Wed., March 2, 2016, at 7:03 p.m. by Garret Ferrara, Chair. Mr. Ferrara explained they would be discussing the proposed amendment to Chapter 1147, the University District, of the Zoning Code.

PRESENT: **MR. AMRHEIN, MR. DeLEONE, MR. FERRARA, MS. LONG, MS. SHAFFER, MR. SIDOTI, AND MR. TURNER**

ALSO PRESENT: **J. FIALA, MAYOR & PRESIDENT OF COUNCIL; D. RULLER, CITY MANAGER; J. SILVER, LAW DIRECTOR; L. JORDAN, CLERK OF COUNCIL; AND B. SUSEL, DIR. OF COMM. DEV.**

ABSENT: **MR. KUHAR AND MS. WALLACH**

Bridget Susel, Director of Community Development, explained they began updating the Zoning Code in 2011, and have since identified additional issues. She said it is a continuous process, and currently they are reviewing sections that deal with the actual districts.

Ms. Susel said the University District comprises those areas in and around the University. She said they looked at the conditional and permitted uses. Ms. Susel said permitted uses, as long as they meet the conditions of the district, are approved by the Planning Commission. She said there are no subjective matters included. She said the conditionally permitted uses allow them to consider qualifiers when deciding if it should be allowed in the district. She said the Planning Commission can also consider whether it is harmonious with surrounding neighborhoods and balanced with other developments.

Ms. Susel said that with all of the development since 2012 and the result of the recent housing study, one permitted use is the one that allows developers to rent by bed. She said that is the model used to redevelop the University Edge, adding it is a permitted use in the University District. Ms. Susel said with the growth in housing, they do not want to eliminate rent per bed as a use, but want it as a conditionally permitted. She said this allows the Planning Commission to evaluate and look at the proposal with other developments. She said they moved fraternity and sorority houses in the same realm, as they feel those require a higher level of evaluation.

Ms. Susel said the maximum height requirement was one hundred feet. She said all other residential zoning districts had a maximum height requirement of sixty-five feet, so they reduced this to match the highest buildings in the residential districts. Ms. Susel said there are minor changes referenced to the new sign chapter.

Ms. Susel said they are asking for approval of the Planning Commission's recommendation for amendments to Chapter 1147.

There were no questions or audience comments at this time.

MOTION TO AUTHORIZE THE AMENDMENTS TO CHAPTER 1147, THE UNIVERSITY DISTRICT, AS RECOMMENDED BY THE PLANNING COMMISSION, WITH THE EMERGENCY CLAUSE.
Motion made by Ms. Shaffer, seconded by Mr. DeLeone, and carried by a voice vote of 6-0-1, with Mr. Ferrara abstaining.

Hearing no further business before this Committee, Chair Ferrara adjourned this meeting at 7:05 p.m.

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Linda M. Jordan, Clerk of Council

ACTION RECOMMENDED:
1) TO AUTHORIZE THE AMENDMENTS TO CHAPTER 1147, THE UNIVERSITY DISTRICT, AS RECOMMENDED BY THE PLANNING COMMISSION.

THE CITY OF KENT, OHIO
PUBLIC HEARING
WED., MARCH 2, 2016

This public hearing of Kent City Council was called to order on Wed., March 2, 2016, at 7:00 p.m. by Jerry T. Fiala, Mayor & President of Council. Mayor Fiala explained the purpose of this public hearing was to receive public comment on the proposed amendments to Chapter 1147, the University District, of the Zoning Code.

PRESENT: **MR. AMRHEIN, MR. DeLEONE, MR. FERRARA, MS. LONG, MS. SHAFFER, MR. SIDOTI, AND MR. TURNER**

ALSO PRESENT: **J. FIALA, MAYOR & PRESIDENT OF COUNCIL; D. RULLER, CITY MANAGER; J. SILVER, LAW DIRECTOR; L. JORDAN, CLERK OF COUNCIL; AND B. SUSEL, DIR. OF COMM. DEV.**

ABSENT: **MR. KUHAR AND MS. WALLACH**

MOTION TO EXCUSE MR. KUHAR.
Motion made by Mr. Ferrara, seconded by Mr. DeLeone, and carried by a voice vote of 7-0.

BRIDGET SUSEL, DIR. OF COMM. DEV.: Ms. Susel explained that this public hearing is required under the City's Zoning Code. She said they were present for public comment on the proposed amendments to Chapter 1147, the University District that were approved by the Planning Commission. Ms. Susel said the changes recommended including a change to the maximum height and moving some permitted uses to conditionally permitted uses.

Mayor Fiala called for public comment at this time. Hearing no public comment, Mayor Fiala closed this public hearing at 7:02 p.m.

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Linda M. Jordan, Clerk of Council

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Jerry T. Fiala, Mayor &
President of Council