

**THE CITY OF KENT, OHIO
COMMUNITY DEVELOPMENT COMMITTEE
WED., AUGUST 3, 2016**

This meeting of the Community Development Committee of Kent City Council was called to order at 7:00 p.m. on Wed., August 3, 2016 by John Kuhar, Chair.

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

ALSO PRESENT: D. RULLER, CITY MANAGER; J. SILVER, LAW DIRECTOR; B. SUSEL, DIR. OF COMM. DEV. ; T. WILKE, ECON. DEV. DIR.; D. COFFEE, BUDGET & FINANCE DIRECTOR; M. LEE, POLICE CHIEF; AND L. SEEFRIED, INTERIM CLERK OF COUNCIL

ABSENT: MS. WALLACH; MR. FIALA, MAYOR AND PRESIDENT OF COUNCIL

Chair Kuhar said the first item on their agenda is an update on Developer's Courthouse/Grocery Proposal.

DAVE RULLER, CITY MANAGER stated he included in the packet for the meeting this evening a fold-out sheet summarizing the Courthouse Re-development Timeline, as it's been a long process. He said this proposed development has been a long process. It was June of 2013 Randy Ruttenburg first came to us and advised that the Lucky's Group was interested in the redevelopment; at that time, we didn't even know who Lucky's was. He said it went through two cycles of New Market Tax grant efforts; at that time Randy was saying he was not going to need any city money, he should be able to get you that \$750,000 price and all will be good, but, unfortunately, Ohio didn't get any New Market Tax credits the first year and Randy hung in there and tried to get it the second round and, while our region did get some he didn't get any, he was unable to secure commitments, so that left us in a bit of a lurch and we gave him a very fair amount of time even after that to try to package it, and he came to us a couple different times with a price and each time we said the price was a little too steep, and in respect he was asking us to discount the land, and in the end he finished up asking for a discount around \$550,00, which Council agreed that maybe the best thing to do would be to give Guy Totino's group a try, since he had been actively pursuing grocery, and just to refresh Council's memory, Mr. Ruller stated when Guy Totino started all this, he wasn't thinking grocery, he just wanted some housing; he went pretty far along with Mustard Seed. He stated he will say the Mustard Seed, all indications are that their market analysis supports a Kent building, the problem is, in that location he's got to have at least eighty parking spots, and for Mustard Seed he doesn't want to cross the street – there was talk of could he buy a little piece of property either across from it or here or there, and then the other day Phil Nabors, the owner of the proposed Mustard Seed, said no, it's got to be all right there, and Guy Totino was unable to get enough land - Randy still controls some of that land and, in the development world, they don't share real well necessarily, so it just didn't happen. Mr. Ruller said he does appreciate Guy had until August 15th – that was our deal, we offered him 150 days and that would have ended August 15th, but he got to the point where he knows he can't make the deal happen and there's no sense in dragging it out; that's one of the reasons we didn't like dealing with his group, as he's pretty much a straight shooter – if he can't do it, he can't do it. So that's why we're back. Mr. Ruller stated Bridget and he have talked and there's a couple different options, which he threw a couple of them on paper on the right hand side of the Timeline document he referred to earlier. He continued that just to finish out the Guy Totino project, he started with housing only, and then at our request he went to grocery and housing and then a month or so ago, we found out that he pulled all housing out from that site, he was just working on Mustard Seed in that site downtown. So, kind of ironically, he went kind of 180 degrees on himself and he still couldn't pull that off. Mr. Ruller said there are a couple different groups of Next Step Options that Council can look at on the far right side of the Timeline fold-out document. He said we could start at ground zero again and rebid the full block concept, or we could rebid courthouse only; those are the rebid options. He said he and his staff have talked and he thinks, as a staff, as much as it is enticing to look at a full block, he thinks we gave it a good run, we could have pulled it off if we were willing to take a significant discount in the land and he doesn't see that changing; if it is, staff members certainly should let us know because that is an option; he thinks we could probably rebundle, repackage. He commented

that the eternal optimist, Randy, has kept asking; he says he can come back with another, if Guy can't deliver, he has more names for us. Mr. Ruller said it's good - he makes light of it, but it's always good to have options and hear what Randy has to say. Mr. Ruller said he told Economic Development Director Tom Wilke that if he wants to have coffee with Randy, he's welcome to do that - just listen to what he has to say and if something seems like it's close to reality, bring it back to us. But, he continued, other than that, he thinks rebidding the full block like we sort of did the first time is probably not worth our time. He said that leaves rebidding the courthouse only, so we could do a public bid, or, as Bridget pointed out, we don't necessarily have to do it that way, sort of an open ended bid, we could just solicit specific prospects, as listed in the third grouping of the Next Step Options, the City recruits specific prospects. Mr. Ruller explained that when he says prospects, he supposes it could be either specific developers who have a track record for small renovation/restoration type projects, which a courthouse would be; or, if there happened to be a specific tenant that Tom has talked to and who is looking for something, we could target that and just go after that. He said that Jim has made note a couple times that one of the things that hung Guy up was his inability to assemble enough land to do the parking; Jim pointed out we could assemble the land. Mr. Ruller said this isn't all that different than what the Councils went through for years in the block that we redeveloped - it wasn't until we assembled the land that things moved off the dime and, as painful as that is, that is kind of the truth. Now, we've had a pretty good piece of parcels down there, so I don't want to suggest we have nothing, but a couple of those other parcels, Jim had said before, maybe we should be going after them.

Mr. DeLeone asked whether Randy still has options on these other parcels. Mr. Ruller said he does. He said options is a strong word, he doesn't know if it classifies as an option as much as he's making rent payments on it. He asked Bridget if we ever got any confirmation any more than that.

Bridget Susel, Director of Community Development - There is - we have not seen it, our financial advisor did see it, though - it's a purchase agreement on the BW3 building that is still in place, apparently, and then they're making lease payments to the Mandalari's; the Mandalari's didn't sell, but they entered into a long term lease with them for the use of those parking spots. So those are the two properties that he's holding that make it impossible to park for a grocery in that area that's there.

Mr. Ruller said he still has ambitions to develop them and he has told Tom Wilke that his intention - even if he didn't get our courthouse, he's still intending to do a project on those other parcels. He's said a couple different things to Mr. Ruller in terms of what he would do there, but Mr. Ruller doesn't know if he ever really got anything more refined than just a desire. Mr. Ruller said he does know he has money invested in the project - he's been paying a lease on these things for a long time, he's been paying John Flynn for his property as well, so he's got maybe a hundred thousand tied up in all these projects and Mr. Ruller thinks he wants to recover that somehow, ideally with a project which he seems to think he can still muster.

Tom Wilke, Economic Development Director - The BW3 property is almost the exact same size and shape as Parcel D, and he's talked about putting up a similar building there with commercial on the first floor and some sort of residential above it.

Ms. Susel added that there will definitely be some slight challenges with that because you're not dealing with a street like Haymakers, you're dealing with alleys and one-way roads, so that will all have to be looked at. So even though the parcel is the same size, it is a different site to be developed.

Mr. Sidoti asked whether Mug's is still in receivership. Ms. Susel replied that is a legal quagmire, there are multiple issues going on with that. There is an attorney that actually has ownership of it, but they're sorting through this. There is an injunction; the City actually has an injunction on it for some health code and building code violations, which some of the building codes have been remedied, but she believes there are still some outlying health codes, so they're working on that. But Randy does have an option with the prior owner on that Mug's property. Now, the attorney that now is in control of the site is filing a court action to make Fairmount pay the amount that was in that purchase agreement that was with the previous owner, or release. Because apparently the purchase agreement that was executed by the prior owner that lost it through bankruptcy did not have a clause in there that basically ended the term; no sunset clause. But

there is legal precedent that even when agreements are written that way, courts have not allowed a new owner to – basically they'll allow a release because they're in a hostage situation. Mr. Sidoti stated so at this point, Randy has that corner tied up also. Ms. Susel said that is correct, but it seems to indicate based on some of the information that our Assistant Law Director has heard in association with our other case that it is likely that one won't be released because she doesn't believe Mug's can fit into the development that Randy would be proposing anymore. In addition, she commented, the attorney that has control of it now does have money that he is willing to put in to address these violations to release the injunction, but he is unwilling to do that until he knows he's going to get ownership of the building, so it sounds like there will be an answer on that pretty soon.

Mr. Ruller said it's probably worth knowing that when Kroger's bought out the Lucky's chain, Randy called him right after that and said when that happened it made the economics more advantageous because he wouldn't need to make such a sweet deal for Lucky's because Kroger's wants to have new stores open, whatever the details – and that's probably important to eventually figure out. But his statement at that time was, I can do better than what I did for you in my final and best offer in October of last year, and that was in the middle of the Guy Totino term. Mr. Ruller said he told him he appreciated that but right now we're dealing with Guy. So we could revisit him with that. Randy also said, kind of speaking to Tom's point, that the new building is fully leased out, he said it's 52 units I think. Tom Wilke interjected that it's 85% young professionals. Mr. Ruller continued that Randy was really happy with the amount of young professionals, not students, and as a result of that, he is bullish on more housing, particularly condo type housing – he thinks there's an opportunity for that. Mr. Ruller said that independent of that whole discussion, he had sent him separately a note just saying that, in general, the conventional big box looking apartment complexes is not what it was before, but we've got a couple of those now, and he suspects, that if Randy were able to come in with something that looked like the brownstones of Brooklyn or something, but a smaller scale – and he has no idea if the financing is as easy to get on that kind of project or if it's an economic model that work -- but he said he thinks from the community perspective if we're going to need more downtown homes we'd like to see something that looks more like that than the box. Mr. Ruller said Randy responded today and said, you must have been eavesdropping; we're doing a market study on that, we're about halfway through it and that specific product is what we would be looking at. Mr. Ruller said Randy is remarkably creative and he will keep himself afloat forever; and there is no harm, as long as we're not committing to him, to listen to him and if eventually he gets something with enough traction it might be worthy of our attention. But he doesn't think he would go all in with Randy anymore at this point; he doesn't think there's enough there for us to make that leap. Mr. Ruller continued to say he thinks if we had our preference, it might be for Council to allow us to maybe target a couple of development firms and/or tenants, if Tom has specific ones in mind, that may be a good fit for just the courthouse. He said we know if we redevelop the courthouse there's enough parking to support that; much more than that, you get into the situation where parking is an issue and that's what caused the need for more parcels around it to handle the parking. And, he said, we've all talked about it in here before, parking isn't a problem in downtown yet, but it's tight and it's getting tighter and so we want to stay out in front of this thing. He said Tom and Jim and Harrison were doing traffic counts for the last 6-9 months at various times of day and at night just to get us a better handle on exactly what's available and when, and actually we plan to show Council that, if not in September, certainly in October. Because, he said, we think that no matter what we do, that's got to be almost part of the discussion. He said unless it's something very small, just in the courthouse, anything more than that is going to require a bigger parking discussion.

Ms. Shaffer asked if we have ever priced what it would cost to do maybe an underground parking with a surface lot or something like that. She wondered if it is more expensive than a gap. She stated it would be nice to know how we can double our space or triple our space there and we could use that as strong leverage to get what we want.

Law Director Jim Silver responded that the issue in this area, thanks to whatever geological makeup we have, we are on bedrock and so if you go down very far you're going to have to blast. Mr. Ruller commented that we have not ignored those options, those do get ruled out for geological cost reasons relatively quick, but that doesn't mean we're sitting idly by. We're continuing to kind of develop a strategy for supplemental parking, still ringing the downtown; in other words, short of building a deck, probably the most ideal location if you're going to try to do a couple tiers, would be Columbus Street. But with even

that, to do that we'd like to punch a hole through- like Acorn Alley is- through to Main Street. He said he has shared different discussions about possibilities to do that, but none of those have really come to the point where it's affirmative; he thinks if we had affirmation on some of that it certainly lends itself to a pretty good discussion about the investment in some parking over there because it'd get relief. We've got supplemental small spots and we think we can add some around but none of them are game changers. Something like that at Columbus could be another game changer.

Ms. Shaffer stated parking management, she thinks has some need; she saw that for the Potter Fest even before it was supposed to start; there was a huge traffic jam, people trying to get into the parking deck and she called the police and they were not aware that you could park at the - at least those folks were not aware that you could park at the courthouse, because she was asking them to direct people to the courthouse. The dispatcher, in fact, told her that people would be ticketed. So we need to...

Mr. Ruller said there was a sign there and we did have signs at that location, we had a sign at the West River doctor's office there - because that's another one that is open people and a lot of people don't even realize it. It's that next tier around the core, it's not in the middle of downtown, but it's not too far; certain people can walk; if people are comfortable walking, that's not a bad walk. Likewise, he noticed it looks like the Kent State property there next to the Health Department was used heavily in the Potter Fest, so that's another one that's out in the next ring; we'll keep looking to see where we might be able to make some strategic investments for some pocket parking, if nothing else. One of the things he thinks we want to talk about when we do that presentation is to look at the revenue stream coming from the parking meters and see if we can leverage that. I would argue - depending on what the project is - I would argue to use it to pay debt; we've got some room on our debt and that has proven to be a relatively stable stream of cash that we could use to pay down. So if we needed to build something at Columbus, it might not really require out-of-pocket, we would build the project with those revenues. I'm getting ahead of myself because we haven't finished the analysis, but that's the kind of stuff we're talking about.

Mr. Ferrara asked what the harm is in waiting to see what happens. He said we've certainly sat on properties longer than we have this and eventually the projects have come to fruition and quite well. He said you've got the administration building that we're talking about, which that's a high probability of being right next door to the police station, so if that comes to fruition, Randy gets his corner down there on Franklin... He said his point is, his question is, what's the harm in waiting to let some of this other development happen, which could probably increase the awareness for that site also and trigger some new interest. He said he knows the cost of the debt, but so what; we're (?)now.

Mr. Ruller said he thinks that's very similar to the position we've sort of fallen into; he thinks initially we were anxious to keep momentum on our side. He remembers Roger Sidoti made a strong appeal and we heard him, so we were anxious to try to keep it rolling, but for many different reasons, it didn't. He said he's not sure there is harm, as Garrett said, and Tracy last week or the week before said to Mr. Ruller, we can take a breath, we've had so much new stuff, it maybe isn't bad to let the dust settle.

Mr. Ferrara said he just doesn't want to get stuck with - we still want to be able to control what we want to put down there and it's not of such a necessity that we have to put something there and that something could be something that we really don't want or don't like.

Mr. Ruller said we're carrying about a million dollars in debt on it left and Dave Coffee said at the current financing structure, which, please bear in mind, we picked the most expedient financing structure - the DKC line, which was five percent interest, which in the old days sounded great, today it doesn't sound so great - we're paying a lot on that; and because we thought it was going to flip he didn't refinance it and he's like well, we're going to get cash. Unfortunately, that hasn't happened, so he'll probably need to refinance that to bust that down a little bit because it's about ten or eleven thousand a month. That being said, I still think there's merit in what Garrett is describing in being more strategic and selective about what to do with that property.

Ms. Shaffer said she guesses her focus on the parking was to look again at the connective tissue we've been doing, what are our options so that when somebody does come forward we know what our

capabilities are, we have more leverage on the table to get projects that we want.

Mr. Sidoti said he thinks in the fact that the administration is looking at parking that it might be, since we weren't able to land the big fish, you have to think a little bit, okay, so what's next. If parking seems to be an issue for developers, then maybe it's time that we do take a more serious look, like you're doing, about – I like the idea of the Columbus Street decking; I think if we were to do that and we had that in place, that might open it up for other developers to say, okay, you're serious about the parking. So maybe, as Garrett said, it would be good to just – let's just hold our cards, you know, you got to know when to hold them, when to fold them, you know, know when to call. And maybe it's time we just hold those cards, like Garrett said, and let's focus in on the infrastructure development that might encourage maybe something we haven't thought about for that block there.

Mr. Ferrara asked if it's really only a parking issue for everybody but Randy, since Randy controls those spaces. Mr. Ruller said no, he thinks we felt all along that the size of the project that Randy was aspiring for, and we were cheerleading for - so he doesn't want to make it sound like we weren't in favor of it – made us nervous privately in terms of the capacity of the parking, even with the land that he controlled because that land doesn't park an enormous amount and he was sizing his project as big as it could be almost.

Bridget Susel commented that we actually could get approached for a redevelopment that doesn't add that type of parking, like the parking at a grocery or retail or restaurant. Quite honestly, in terms of income tax base, a professional office building would be wonderful and also wouldn't require the type of parking that a retail establishment would, so there is merit in looking at alternatives, but we could also could have an option that doesn't make that like a key piece of the project, as it was in this one. Mr. Ferrara said that is a good point.

Mr. Kuhar said he can't speak to this, since he is chairing, but if Mr. Ruller would give him Guy's number, he thinks he has a grocery chain he might want to talk to that's a Mustard Seed type at a lower price range.

Mr. Ruller stated his walkaway would be, from this conversation, is that, well, keep working our parking data and put that together then we'll bring to you in the next month or two. In the meantime, we won't necessarily be actively marketing the site, but we can be strategically thinking about what might fit in there and if we see a couple of those opportunities, at least have some conversations with those. In other words, we're not going to roll up shop and close the doors, but we're just not going to be out pounding on someone other's door, either, we'll be more selective.

Mr. DeLeone stated to Mr. Ruller, so you're going to let Tom go over that property with Randy and see what he wants. Mr. Ruller said yes, he sent Tom because he doesn't want Randy thinking the City Manager is in favor of this X, Y, or Z; let Tom be the scout, he gets to run out in front of the tribe and come back and tell us what's over the next hill. Mr. DeLeone said sometimes he comes up with some good things. Mr. Ruller said he knows; Bridget was saying if she was asked to be a reference for Randy on another project, and she has certainly had moments of exasperation with some of Randy's stuff, but she admitted that he puts a great product out there. We're certainly very proud of our downtown and Randy had a big part in that, his quality – we were spoiled a little bit, he thinks, just the quality of the look and the aesthetic; that stuff matters to Randy quite a bit and it really does show through in his end result. He said he knows some of the other buildings that have popped up since then, people have said that's not quite as nice as Randy's stuff. So he's got his shortcomings, but he will deliver a quality product.

Chair Kuhar announced that the next agenda item is the KSU Hotel and Conference Center Valet Zone Request.

Mr. Ruller said Bridget has been working on this for quite some time and she was thrilled when they finally actually said we're ready to do it because they've kind of informally been talking about it and talking about it and talking about it. Mr. Ruller asked Bridget to share with Council their request.

Bridget Susel, Community Development Director stated she has had several requests since the hotel opened to use the two spots on the south side of E. Erie right in front of the Conference Center on an

intermittent basis as a valet zone. It hasn't been every Friday, Saturday like it is with the other two zones Council has authorized, but it has been consistent enough that it gave me pause that I didn't have all of the affidavits and all of the pieces that I wanted to come before you to get that formally established. I am happy to report that I have finally got the affidavits, certificate of liability and signed papers from the valet company. It will be for the two spots that were depicted on the drawing that was attached, which is the same two spots they have been using. It will not be run every Friday and Saturday, theirs will be driven more by events – you know, weddings and things like that, but at least we'll formalize it. And what it also gives me the ability to do is when these zones were established, on days like graduation and Mother's Day, Bricco and LaZissa's have both approached about allowing that valet service to be offered during the day because that's really when they're busier, and I was able to do that. With the hotel, it was always a struggle to do that because they hadn't actually even been authorized for an official zone. So this is just to formalize it and establish those two spots under the City's zoning process. Ms. Susel invited questions. There were none.

Mr. Kuhar asked if any members of the audience had any questions. Hearing none, he returned the matter to the Committee.

MOTION TO AUTHORIZE THE CREATION OF A VALET ZONE ON DEPEYSTER STREET IN FRONT OF THE KSU HOTEL AND CONFERENCE CENTER.

Motion was made, seconded, and carried by a voice vote of 8-0.

Chair Kuhar stated the next item on the agenda is the Proposed New Donation Box Regulations.

Bridget Susel stated she brought this item forward because it was brought to her attention by Paul Bauer, our code enforcement officer. She stated we're seeing the placement – we haven't had a lot placed in Kent, but you've probably seen some in other communities – of the donation boxes. She stated what we have found – she lives on the east side, very close to the Drug Mart, so she has an example right before her - when they are not monitored or policed, they become a public nuisance. She stated she has a photo of one; bags that had been out there for over a week were now torn open – someone had obviously gone through it and clothes were everywhere. One of the things, too, is when things are stored outside of them, they can't even be used as donations. She stated she looked at what other cities have done and there are various options: some have completely banned the placement of them, others basically limit them to nonprofit and put parameters in place that can ensure that the goods that are donated stay within the box and that they are serviced so that we don't have what we have over by Drug Mart. She stated she put together a list of things that she found in other ordinances from other communities that she thought had merit – one of the things is honoring line of sight and things like that. She said basically we are looking for authorization to craft this ordinance so that we do have some control mechanism for their placement going forward, as well as the couple ones we do have, this will allow us to go over there and address what we saw at Drug Mart. Ms. Susel asked if anyone had questions. There were none.

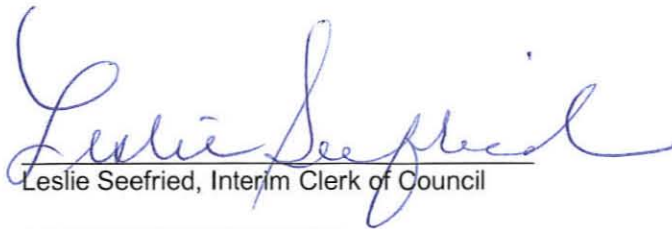
Chair Kuhar asked for questions from the audience. Hearing none, he returned the matter to the committee.

Ms. Shaffer commented that we wouldn't really be able to deal with the Drug Mart one because it's not in the City of Kent. Several members of Council as well as Ms. Susel assured her that it is in the City of Kent. Ms. Susel added that she would actually even share this ordinance, once it's crafted, with Franklin Township because, she said, as you know, that is awful; there is one right across the street. She stated oftentimes these are placed without even authorization by the lot owner because oftentimes those property owners aren't even local.

MOTION TO AUTHORIZE THE DRAFTING OF AN ORDINANCE WITH THE TEXT CHANGES AS PRESENTED IN ORDER TO REGULATE DONATION BINS.

Motion made by Mr. Ferrara, seconded by Mr. Amrhein, and carried by a voice vote of 8-0.

Hearing no further business before this Committee, Chair Kuhar adjourned the meeting at 7:33 p.m.



Leslie Seefried, Interim Clerk of Council

ACTION RECOMMENDED:

- 1) TO AUTHORIZE THE CREATION OF A VALET ZONE ON DEPEYSTER STREET IN FRONT OF THE KSU HOTEL AND CONFERENCE CENTER.
- 2) TO AUTHORIZE THE DRAFTING OF AN ORDINANCE WITH THE TEXT CHANGES AS PRESENTED IN ORDER TO REGULATE DONATION BINS.

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ABSENT: MS. WALLACH; MR. FIALA, MAYOR AND PRESIDENT OF COUNCIL

Chair Kuhar said the first item on their agenda is an update on Developer's Courthouse/Grocery Proposal.

DAVE RULLER, CITY MANAGER stated he included in the packet for the meeting this evening a fold-out sheet summarizing the Courthouse Re-development Timeline, as it's been a long process. He said this proposed development has been a long process. It was June of 2013 Randy Ruttenburg first came to us and advised that the Lucky's Group was interested in the redevelopment; at that time, we didn't even know who Lucky's was. He said it went through two cycles of New Market Tax grant efforts; at that time Randy was saying he was not going to need any city money, he should be able to get you that \$750,000 price and all will be good, but, unfortunately, Ohio didn't get any New Market Tax credits the first year and Randy hung in there and tried to get it the second round and, while our region did get some he didn't get any, he was unable to secure commitments, so that left us in a bit of a lurch and we gave him a very fair amount of time even after that to try to package it, and he came to us a couple different times with a price and each time we said the price was a little too steep, and in respect he was asking us to discount the land, and in the end he finished up asking for a discount around \$550,00, which Council agreed that maybe the best thing to do would be to give Guy Totino's group a try, since he had been actively pursuing grocery, and just to refresh Council's memory, Mr. Ruller stated when Guy Totino started all this, he wasn't thinking grocery, he just wanted some housing; he went pretty far along with Mustard Seed. He stated he will say the Mustard Seed, all indications are that their market analysis supports a Kent building, the problem is, in that location he's got to have at least eighty parking spots, and for Mustard Seed he doesn't want to cross the street – there was talk of could he buy a little piece of property either across from it or here or there, and then the other day Phil Nabors, the owner of the proposed Mustard Seed, said no, it's got to be all right there, and Guy Totino was unable to get enough land - Randy still controls some of that land and, in the development world, they don't share real well necessarily, so it just didn't happen. Mr. Ruller said he does appreciate Guy had until August 15th – that was our deal, we offered him 150 days and that would have ended August 15th, but he got to the point where he knows he can't make the deal happen and there's no sense in dragging it out; that's one of the reasons we didn't like dealing with his group, as he's pretty much a straight shooter – if he can't do it, he can't do it. So that's why we're back. Mr. Ruller stated Bridget and he have talked and there's a couple different options, which he threw a couple of them on paper on the right hand side of the Timeline document he referred to earlier. He continued that just to finish out the Guy Totino project, he started with housing only, and then at our request he went to grocery and housing and then a month or so ago, we found out that he pulled all housing out from that site, he was just working on Mustard Seed in that site downtown. So, kind of ironically, he went kind of 180 degrees on himself and he still couldn't pull that off. Mr. Ruller said there are a couple different groups of Next Step Options that Council can look at on the far right side of the Timeline fold-out document. He said we could start at ground zero again and rebid the full block concept, or we could rebid courthouse only; those are the rebid options. He said he and his staff have talked and he thinks, as a staff, as much as it is enticing to look at a full block, he thinks we gave it a good run, we could have pulled it off if we were willing to take a significant discount in the land and he doesn't see that changing; if it is, staff members certainly should let us know because that is an option; he thinks we could probably rebundle, repackage. He commented

that the eternal optimist, Randy, has kept asking; he says he can come back with another, if Guy can't deliver, he has more names for us. Mr. Ruller said it's good - he makes light of it, but it's always good to have options and hear what Randy has to say. Mr. Ruller said he told Economic Development Director Tom Wilke that if he wants to have coffee with Randy, he's welcome to do that - just listen to what he has to say and if something seems like it's close to reality, bring it back to us. But, he continued, other than that, he thinks rebidding the full block like we sort of did the first time is probably not worth our time. He said that leaves rebidding the courthouse only, so we could do a public bid, or, as Bridget pointed out, we don't necessarily have to do it that way, sort of an open ended bid, we could just solicit specific prospects, as listed in the third grouping of the Next Step Options, the City recruits specific prospects. Mr. Ruller explained that when he says prospects, he supposes it could be either specific developers who have a track record for small renovation/restoration type projects, which a courthouse would be; or, if there happened to be a specific tenant that Tom has talked to and who is looking for something, we could target that and just go after that. He said that Jim has made note a couple times that one of the things that hung Guy up was his inability to assemble enough land to do the parking; Jim pointed out we could assemble the land. Mr. Ruller said this isn't all that different than what the Councils went through for years in the block that we redeveloped - it wasn't until we assembled the land that things moved off the dime and, as painful as that is, that is kind of the truth. Now, we've had a pretty good piece of parcels down there, so I don't want to suggest we have nothing, but a couple of those other parcels, Jim had said before, maybe we should be going after them.

Mr. DeLeone asked whether Randy still has options on these other parcels. Mr. Ruller said he does. He said options is a strong word, he doesn't know if it classifies as an option as much as he's making rent payments on it. He asked Bridget if we ever got any confirmation any more than that.

Bridget Susel, Director of Community Development - There is - we have not seen it, our financial advisor did see it, though - it's a purchase agreement on the BW3 building that is still in place, apparently, and then they're making lease payments to the Mandalari's; the Mandalari's didn't sell, but they entered into a long term lease with them for the use of those parking spots. So those are the two properties that he's holding that make it impossible to park for a grocery in that area that's there.

Mr. Ruller said he still has ambitions to develop them and he has told Tom Wilke that his intention - even if he didn't get our courthouse, he's still intending to do a project on those other parcels. He's said a couple different things to Mr. Ruller in terms of what he would do there, but Mr. Ruller doesn't know if he ever really got anything more refined than just a desire. Mr. Ruller said he does know he has money invested in the project - he's been paying a lease on these things for a long time, he's been paying John Flynn for his property as well, so he's got maybe a hundred thousand tied up in all these projects and Mr. Ruller thinks he wants to recover that somehow, ideally with a project which he seems to think he can still muster.

Tom Wilke, Economic Development Director - The BW3 property is almost the exact same size and shape as Parcel D, and he's talked about putting up a similar building there with commercial on the first floor and some sort of residential above it.

Ms. Susel added that there will definitely be some slight challenges with that because you're not dealing with a street like Haymakers, you're dealing with alleys and one-way roads, so that will all have to be looked at. So even though the parcel is the same size, it is a different site to be developed.

Mr. Sidoti asked whether Mug's is still in receivership. Ms. Susel replied that is a legal quagmire, there are multiple issues going on with that. There is an attorney that actually has ownership of it, but they're sorting through this. There is an injunction; the City actually has an injunction on it for some health code and building code violations, which some of the building codes have been remedied, but she believes there are still some outlying health codes, so they're working on that. But Randy does have an option with the prior owner on that Mug's property. Now, the attorney that now is in control of the site is filing a court action to make Fairmount pay the amount that was in that purchase agreement that was with the previous owner, or release. Because apparently the purchase agreement that was executed by the prior owner that lost it through bankruptcy did not have a clause in there that basically ended the term; no sunset clause. But

there is legal precedent that even when agreements are written that way, courts have not allowed a new owner to – basically they'll allow a release because they're in a hostage situation. Mr. Sidoti stated so at this point, Randy has that corner tied up also. Ms. Susel said that is correct, but it seems to indicate based on some of the information that our Assistant Law Director has heard in association with our other case that it is likely that one won't be released because she doesn't believe Mug's can fit into the development that Randy would be proposing anymore. In addition, she commented, the attorney that has control of it now does have money that he is willing to put in to address these violations to release the injunction, but he is unwilling to do that until he knows he's going to get ownership of the building, so it sounds like there will be an answer on that pretty soon.

Mr. Ruller said it's probably worth knowing that when Kroger's bought out the Lucky's chain, Randy called him right after that and said when that happened it made the economics more advantageous because he wouldn't need to make such a sweet deal for Lucky's because Kroger's wants to have new stores open, whatever the details – and that's probably important to eventually figure out. But his statement at that time was, I can do better than what I did for you in my final and best offer in October of last year, and that was in the middle of the Guy Totino term. Mr. Ruller said he told him he appreciated that but right now we're dealing with Guy. So we could revisit him with that. Randy also said, kind of speaking to Tom's point, that the new building is fully leased out, he said it's 52 units I think. Tom Wilke interjected that it's 85% young professionals. Mr. Ruller continued that Randy was really happy with the amount of young professionals, not students, and as a result of that, he is bullish on more housing, particularly condo type housing – he thinks there's an opportunity for that. Mr. Ruller said that independent of that whole discussion, he had sent him separately a note just saying that, in general, the conventional big box looking apartment complexes is not what it was before, but we've got a couple of those now, and he suspects, that if Randy were able to come in with something that looked like the brownstones of Brooklyn or something, but a smaller scale – and he has no idea if the financing is as easy to get on that kind of project or if it's an economic model that work – but he said he thinks from the community perspective if we're going to need more downtown homes we'd like to see something that looks more like that than the box. Mr. Ruller said Randy responded today and said, you must have been eavesdropping; we're doing a market study on that, we're about halfway through it and that specific product is what we would be looking at. Mr. Ruller said Randy is remarkably creative and he will keep himself afloat forever; and there is no harm, as long as we're not committing to him, to listen to him and if eventually he gets something with enough traction it might be worthy of our attention. But he doesn't think he would go all in with Randy anymore at this point; he doesn't think there's enough there for us to make that leap. Mr. Ruller continued to say he thinks if we had our preference, it might be for Council to allow us to maybe target a couple of development firms and/or tenants, if Tom has specific ones in mind, that may be a good fit for just the courthouse. He said we know if we redevelop the courthouse there's enough parking to support that; much more than that, you get into the situation where parking is an issue and that's what caused the need for more parcels around it to handle the parking. And, he said, we've all talked about it in here before, parking isn't a problem in downtown yet, but it's tight and it's getting tighter and so we want to stay out in front of this thing. He said Tom and Jim and Harrison were doing traffic counts for the last 6-9 months at various times of day and at night just to get us a better handle on exactly what's available and when, and actually we plan to show Council that, if not in September, certainly in October. Because, he said, we think that no matter what we do, that's got to be almost part of the discussion. He said unless it's something very small, just in the courthouse, anything more than that is going to require a bigger parking discussion.

Ms. Shaffer asked if we have ever priced what it would cost to do maybe an underground parking with a surface lot or something like that. She wondered if it is more expensive than a gap. She stated it would be nice to know how we can double our space or triple our space there and we could use that as strong leverage to get what we want.

Law Director Jim Silver responded that the issue in this area, thanks to whatever geological makeup we have, we are on bedrock and so if you go down very far you're going to have to blast. Mr. Ruller commented that we have not ignored those options, those do get ruled out for geological cost reasons relatively quick, but that doesn't mean we're sitting idly by. We're continuing to kind of develop a strategy for supplemental parking, still ringing the downtown; in other words, short of building a deck, probably the most ideal location if you're going to try to do a couple tiers, would be Columbus Street. But with even

that, to do that we'd like to punch a hole through- like Acorn Alley is- through to Main Street. He said he has shared different discussions about possibilities to do that, but none of those have really come to the point where it's affirmative; he thinks if we had affirmation on some of that it certainly lends itself to a pretty good discussion about the investment in some parking over there because it'd get relief. We've got supplemental small spots and we think we can add some around but none of them are game changers. Something like that at Columbus could be another game changer.

Ms. Shaffer stated parking management, she thinks has some need; she saw that for the Potter Fest even before it was supposed to start; there was a huge traffic jam, people trying to get into the parking deck and she called the police and they were not aware that you could park at the - at least those folks were not aware that you could park at the courthouse, because she was asking them to direct people to the courthouse. The dispatcher, in fact, told her that people would be ticketed. So we need to...

Mr. Ruller said there was a sign there and we did have signs at that location, we had a sign at the West River doctor's office there - because that's another one that is open people and a lot of people don't even realize it. It's that next tier around the core, it's not in the middle of downtown, but it's not too far; certain people can walk; if people are comfortable walking, that's not a bad walk. Likewise, he noticed it looks like the Kent State property there next to the Health Department was used heavily in the Potter Fest, so that's another one that's out in the next ring; we'll keep looking to see where we might be able to make some strategic investments for some pocket parking, if nothing else. One of the things he thinks we want to talk about when we do that presentation is to look at the revenue stream coming from the parking meters and see if we can leverage that. I would argue - depending on what the project is - I would argue to use it to pay debt; we've got some room on our debt and that has proven to be a relatively stable stream of cash that we could use to pay down. So if we needed to build something at Columbus, it might not really require out-of-pocket, we would build the project with those revenues. I'm getting ahead of myself because we haven't finished the analysis, but that's the kind of stuff we're talking about.

Mr. Ferrara asked what the harm is in waiting to see what happens. He said we've certainly sat on properties longer than we have this and eventually the projects have come to fruition and quite well. He said you've got the administration building that we're talking about, which that's a high probability of being right next door to the police station, so if that comes to fruition, Randy gets his corner down there on Franklin... He said his point is, his question is, what's the harm in waiting to let some of this other development happen, which could probably increase the awareness for that site also and trigger some new interest. He said he knows the cost of the debt, but so what; we're (?)now.

Mr. Ruller said he thinks that's very similar to the position we've sort of fallen into; he thinks initially we were anxious to keep momentum on our side. He remembers Roger Sidoti made a strong appeal and we heard him, so we were anxious to try to keep it rolling, but for many different reasons, it didn't. He said he's not sure there is harm, as Garrett said, and Tracy last week or the week before said to Mr. Ruller, we can take a breath, we've had so much new stuff, it maybe isn't bad to let the dust settle.

Mr. Ferrara said he just doesn't want to get stuck with - we still want to be able to control what we want to put down there and it's not of such a necessity that we have to put something there and that something could be something that we really don't want or don't like.

Mr. Ruller said we're carrying about a million dollars in debt on it left and Dave Coffee said at the current financing structure, which, please bear in mind, we picked the most expedient financing structure - the DKC line, which was five percent interest, which in the old days sounded great, today it doesn't sound so great - we're paying a lot on that; and because we thought it was going to flip he didn't refinance it and he's like well, we're going to get cash. Unfortunately, that hasn't happened, so he'll probably need to refinance that to bust that down a little bit because it's about ten or eleven thousand a month. That being said, I still think there's merit in what Garrett is describing in being more strategic and selective about what to do with that property.

Ms. Shaffer said she guesses her focus on the parking was to look again at the connective tissue we've been doing, what are our options so that when somebody does come forward we know what our

capabilities are, we have more leverage on the table to get projects that we want.

Mr. Sidoti said he thinks in the fact that the administration is looking at parking that it might be, since we weren't able to land the big fish, you have to think a little bit, okay, so what's next. If parking seems to be an issue for developers, then maybe it's time that we do take a more serious look, like you're doing, about – I like the idea of the Columbus Street decking; I think if we were to do that and we had that in place, that might open it up for other developers to say, okay, you're serious about the parking. So maybe, as Garrett said, it would be good to just – let's just hold our cards, you know, you got to know when to hold them, when to fold them, you know, know when to call. And maybe it's time we just hold those cards, like Garrett said, and let's focus in on the infrastructure development that might encourage maybe something we haven't thought about for that block there.

Mr. Ferrara asked if it's really only a parking issue for everybody but Randy, since Randy controls those spaces. Mr. Ruller said no, he thinks we felt all along that the size of the project that Randy was aspiring for, and we were cheerleading for – so he doesn't want to make it sound like we weren't in favor of it – made us nervous privately in terms of the capacity of the parking, even with the land that he controlled because that land doesn't park an enormous amount and he was sizing his project as big as it could be almost.

Bridget Susel commented that we actually could get approached for a redevelopment that doesn't add that type of parking, like the parking at a grocery or retail or restaurant. Quite honestly, in terms of income tax base, a professional office building would be wonderful and also wouldn't require the type of parking that a retail establishment would, so there is merit in looking at alternatives, but we could also could have an option that doesn't make that like a key piece of the project, as it was in this one. Mr. Ferrara said that is a good point.

Mr. Kuhar said he can't speak to this, since he is chairing, but if Mr. Ruller would give him Guy's number, he thinks he has a grocery chain he might want to talk to that's a Mustard Seed type at a lower price range.

Mr. Ruller stated his walkaway would be, from this conversation, is that, well, keep working our parking data and put that together then we'll bring to you in the next month or two. In the meantime, we won't necessarily be actively marketing the site, but we can be strategically thinking about what might fit in there and if we see a couple of those opportunities, at least have some conversations with those. In other words, we're not going to roll up shop and close the doors, but we're just not going to be out pounding on someone other's door, either, we'll be more selective.

Mr. DeLeone stated to Mr. Ruller, so you're going to let Tom go over that property with Randy and see what he wants. Mr. Ruller said yes, he sent Tom because he doesn't want Randy thinking the City Manager is in favor of this X, Y, or Z; let Tom be the scout, he gets to run out in front of the tribe and come back and tell us what's over the next hill. Mr. DeLeone said sometimes he comes up with some good things. Mr. Ruller said he knows; Bridget was saying if she was asked to be a reference for Randy on another project, and she has certainly had moments of exasperation with some of Randy's stuff, but she admitted that he puts a great product out there. We're certainly very proud of our downtown and Randy had a big part in that, his quality – we were spoiled a little bit, he thinks, just the quality of the look and the aesthetic; that stuff matters to Randy quite a bit and it really does show through in his end result. He said he knows some of the other buildings that have popped up since then, people have said that's not quite as nice as Randy's stuff. So he's got his shortcomings, but he will deliver a quality product.

Chair Kuhar announced that the next agenda item is the KSU Hotel and Conference Center Valet Zone Request.

Mr. Ruller said Bridget has been working on this for quite some time and she was thrilled when they finally actually said we're ready to do it because they've kind of informally been talking about it and talking about it and talking about it. Mr. Ruller asked Bridget to share with Council their request.

Bridget Susel, Community Development Director stated she has had several requests since the hotel opened to use the two spots on the south side of E. Erie right in front of the Conference Center on an

intermittent basis as a valet zone. It hasn't been every Friday, Saturday like it is with the other two zones Council has authorized, but it has been consistent enough that it gave me pause that I didn't have all of the affidavits and all of the pieces that I wanted to come before you to get that formally established. I am happy to report that I have finally got the affidavits, certificate of liability and signed papers from the valet company. It will be for the two spots that were depicted on the drawing that was attached, which is the same two spots they have been using. It will not be run every Friday and Saturday, theirs will be driven more by events – you know, weddings and things like that, but at least we'll formalize it. And what it also gives me the ability to do is when these zones were established, on days like graduation and Mother's Day, Bricco and LaZissa's have both approached about allowing that valet service to be offered during the day because that's really when they're busier, and I was able to do that. With the hotel, it was always a struggle to do that because they hadn't actually even been authorized for an official zone. So this is just to formalize it and establish those two spots under the City's zoning process. Ms. Susel invited questions. There were none.

Mr. Kuhar asked if any members of the audience had any questions. Hearing none, he returned the matter to the Committee.

MOTION TO AUTHORIZE THE CREATION OF A VALET ZONE ON DEPEYSTER STREET IN FRONT OF THE KSU HOTEL AND CONFERENCE CENTER.

Motion was made, seconded, and carried by a voice vote of 8-0.

Chair Kuhar stated the next item on the agenda is the Proposed New Donation Box Regulations.

Bridget Susel stated she brought this item forward because it was brought to her attention by Paul Bauer, our code enforcement officer. She stated we're seeing the placement – we haven't had a lot placed in Kent, but you've probably seen some in other communities – of the donation boxes. She stated what we have found – she lives on the east side, very close to the Drug Mart, so she has an example right before her - when they are not monitored or policed, they become a public nuisance. She stated she has a photo of one; bags that had been out there for over a week were now torn open – someone had obviously gone through it and clothes were everywhere. One of the things, too, is when things are stored outside of them, they can't even be used as donations. She stated she looked at what other cities have done and there are various options: some have completely banned the placement of them, others basically limit them to nonprofit and put parameters in place that can ensure that the goods that are donated stay within the box and that they are serviced so that we don't have what we have over by Drug Mart. She stated she put together a list of things that she found in other ordinances from other communities that she thought had merit – one of the things is honoring line of sight and things like that. She said basically we are looking for authorization to craft this ordinance so that we do have some control mechanism for their placement going forward, as well as the couple ones we do have, this will allow us to go over there and address what we saw at Drug Mart. Ms. Susel asked if anyone had questions. There were none.

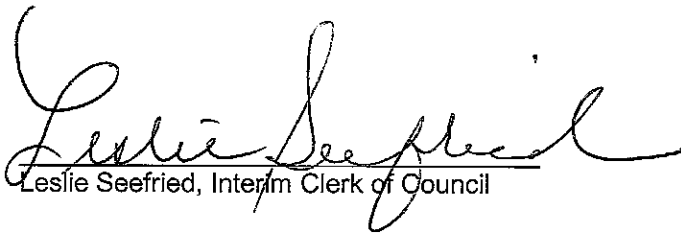
Chair Kuhar asked for questions from the audience. Hearing none, he returned the matter to the committee.

Ms. Shaffer commented that we wouldn't really be able to deal with the Drug Mart one because it's not in the City of Kent. Several members of Council as well as Ms. Susel assured her that it is in the City of Kent. Ms. Susel added that she would actually even share this ordinance, once it's crafted, with Franklin Township because, she said, as you know, that is awful; there is one right across the street. She stated oftentimes these are placed without even authorization by the lot owner because oftentimes those property owners aren't even local.

MOTION TO AUTHORIZE THE DRAFTING OF AN ORDINANCE WITH THE TEXT CHANGES AS PRESENTED IN ORDER TO REGULATE DONATION BINS.

Motion made by Mr. Ferrara, seconded by Mr. Amrhein, and carried by a voice vote of 8-0.

Hearing no further business before this Committee, Chair Kuhar adjourned the meeting at 7:33 p.m.



Leslie Seefried, Interim Clerk of Council

ACTION RECOMMENDED:

- 1) TO AUTHORIZE THE CREATION OF A VALET ZONE ON DEPEYSTER STREET IN FRONT OF THE KSU HOTEL AND CONFERENCE CENTER.
- 2) TO AUTHORIZE THE DRAFTING OF AN ORDINANCE WITH THE TEXT CHANGES AS PRESENTED IN ORDER TO REGULATE DONATION BINS.

**THE CITY OF KENT, OHIO
FINANCE COMMITTEE
WED., AUGUST 3, 2016**

This meeting of the Finance Committee of Kent City Council was called to order at 7:44 p.m. on Wed., August 3, 2016 by Michael DeLeone, Chair.

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

ALSO PRESENT: D. RULLER, CITY MANAGER; J. SILVER, LAW DIRECTOR; D. COFFEE, DIR. OF BUD. & FIN.; B. SUSEL, DIR. OF COMM. DEV.; T. WILKE, ECON. DEV. DIR., M. LEE, POLICE CHIEF; J. MEYERS, PRINCIPAL IN CHARGE, DS ARCHITECTURE; AND L. SEEFRIED, INTERIM CLERK OF COUNCIL

ABSENT: J. FIALA, MAYOR & PRESIDENT OF COUNCIL; MS. WALLACH

Chair DeLeone announced that the first item on the agenda is an Update on the City Administration Building Project.

City Manager Dave Ruller said he has a couple things for Council this evening and explained that that is why Jeff Meyers of DS Architecture is here, to share with Council the status of his involvement in the project. Mr. Ruller stated as of yesterday afternoon he has received the results of the phone survey. Mr. Ruller distributed the 2016 Kent Resident Survey to those present. He said he knows we have all been anticipating the results. He stated they got around 400 phone surveys and about 50 or 60 of the hand-written forms. Mr. Ruller said the surveys are hole-punched so they can be placed in the notebooks that were given to Council, under Tab No. 1, if desired. Mr. Ruller said it's always interesting to read the data and he thinks, for the most part, it affirmed the tendencies that we were all leaning towards anyways. He said the first couple pages of the document is the Executive Summary and the second part is a little more detailed. He explained that whenever we conduct phone surveys we have a couple general questions to rate Kent as a place to live and to rate City services; the results for those questions came in good: eighty-nine percent of people surveyed rated Kent as a place to live good or excellent and eighty-two percent of those surveyed rated the City services as good or excellent, which is actually quite good; when you look at customer satisfaction, even within the private industry it tends to be in the seventies, so we're happy with that number, we always want to do better. He stated what was interesting, before the meeting tonight he pulled out the 2012 survey and the results were very similar; in 2012, as a place to live, the excellent and good rating was ninety percent. He said the good news is, less people rated it poor than they did in 2012. Likewise, our city services rating was very similar; actually, the negative in 2012, almost ten percent rated it bad or an ugly kind of city and we're only at four percent now, so we've made some ground there. He noted that's just kind of a sidebar, those aren't the real reasons why we did the survey. He stated the questions that we were trying to get at, and he will highlight them tonight because Council hasn't yet seen the survey – he only received it yesterday afternoon - but some of the immediate things that popped out at him, we had about fifty percent of the population that responded to the survey had at some point visited city hall, the other half had not, so we're dealing with about half our population in general. Just for Council's edification, he stated, the process-wise, they tried to mirror the distribution of age groups with the community. He stated Ms. Long commented to him that they didn't want her data and that shocked him because he thought it didn't make sense. When he talked to them about it, it's not that they didn't want the data, what they said is they already had more than they needed for her demographic and they turn out to have too much. He said what they said is interesting; they said, the faster we get more women in the age of 60 and above, because they answer the phone the most and they're home the most; that group we never have a problem getting more than we want. Mr. Ruller said they told him the hardest ones to get are the men, especially young men, but even the men because they don't answer the phone, so they have to keep calling until they can get a profile that sort of matches our community. He stated what they're going to do is still take data when that happens, but it doesn't get factored in, it will be an appendix, so it will still capture everyone's data. Mr. Ruller said they told him this happens in every community they deal with; if

they want everybody's data, that's a different survey than a representative mix. Mr. Ruller continued that about half the population has been to the city hall, the other half knew where it was and the half that had not been there before knew where it was – so twenty-five percent knew where it was, the other twenty-five percent did not. He further stated that when you look at why they came to city hall or why they know city hall, the majority is paying bills (54%) or attending Council meetings. He said he thinks the other message that came through loud and clear is that they definitely want the services that were in the previous one to be in the new one; that was a strong data point. He said there was also a general sense of, if there is room for more, fine, throw it in, but it didn't have that same emphasis – they said, fine, put it in there, but it's not a must have. Mr. Ruller said what was interesting, particularly when you look at why they come to city hall it's such a narrow range – mostly for bill paying or for Council meetings, so what other services would you even mix in based on their habits. He said he thinks this speaks to the point that we talked about – when we get Jeff to kind of run through the building that could be and how big it could be and what fit it would have, we can begin to focus in on not only what the building can support, but what makes sense logistically to put under one roof; he think it speaks to the same thing we all resonated with – the idea of a convenient, one-stop location makes a lot of sense, but it is important to keep in mind that that was part of the logic for why the folks who moved out to the service and administration complex like Planning, Zoning, they were intentionally moved out there to be a one-stop shop with Engineering and Public Service because those functionalities have a lot of overlap, so we don't want to unnecessarily undo that to move them over here unless there is a lot of good reason to do that. Mr. Ruller stated 50 percent don't like the way we split it up, the other half of that didn't even know we split it up and the rest said they didn't know whether they should like it or not like it because they really haven't used it. He noted that the survey indicates that cost matters, the services matter and, interesting to him because it ranked so high – they clearly want it downtown. He said we've talked about a lot of different locations and he thought Mr. Ferrara made a good point: we've done so much to be a catalyst in downtown; should we look at some other corridors that could use a boost and see if city hall could boost another corridor? He stated the survey respondents indicate they would rather see it remain in the core. He said it's where city hall has been for ninety years, in one form or another, in this block essentially. Mr. Ruller feels that was a good walkaway because that was something we were wrestling with; he feels like now it needs to be downtown. Also, tied to the cost issue, not surprisingly they all said if you've got land, don't buy land or don't buy property. He commented that if it is downtown, they want nice, convenient parking, so that will continue to be factored into our location analysis. He noted again that the top vote-getters were downtown, convenient, visible, city-owned land. The responses were definitely lukewarm on expanding in any other city buildings. Mr. Ruller urged Council members to read the survey and digest it, stating it helped him sort through some of the decisions that we have to make.

Mr. Ruller stated he has another handout for Council and distributed same. He explained that we took a look at the locations that people have kind of tossed at us or we knew about, like city properties; we took a look at city properties and put it on a map and tried to analyze what "centrally and conveniently located" means. He said we tried to look at where in the census blocks people live – should it be near where people live and, likewise, if they don't live there, is the traffic heavy. He said to him, "conveniently located" means near where they live, near where they drive, so we at least began to put together an analysis that showed on a map the various possible sites and from those possible sites we began to draw some conclusions about really what would be workable. Mr. Ruller explained that in the hand-out that he distributed is a couple of maps and a little bit of narrative that goes with them that summarizes probably better than what he just did. He pointed out that on one of the pages we have sixteen different locations and noted that this is a lot like what Jeff did with the police station; this is a coarse grain analysis – since we had so many balls in the air we felt like if we could do a little coarse grain to take a few balls down, that would be helpful as Jeff moves in for his analysis. He explained that we started with about sixteen possible sites, including city-owned properties, and we worked our way through that kind of discussion – where people live, where the traffic goes, site logistics, what can fit on a site, what can't fit – and we basically just broke it down into categories of possible sites – meaning there's still a little hurdle or two to get over to make it work, impactful sites and probable sites, which was the least hurdles. Probably not surprising to anyone here, he commented, the least hurdles and least cost is where the current police station is – it is city-owned property, it is downtown, it seems to have the right package. Mr. Ruller emphasized that they are not drawing the conclusion in any way, they are not saying it has to be on that site, they are just telling Council that categorically, it faces the least challenges. He added that they are

not afraid of challenges, though; if there is a better site that may have a few challenges, we will work through those and Jeff will help us get through that process.

Mr. Ruller advised that other than the first cover page, the handout pages are hole-punched so they can be added to the notebooks as pages 42, 43, 44 and 45, if desired. Mr. Ruller stated he would like to have Jeff Meyers update the Council, if that would be appropriate, at this time.

Chair DeLeone asked if any members of Council had questions before Mr. Meyers addresses Council.

Mr. Kuhar asked whether any thought has been given to moving Flynn into the old courthouse, knocking down those buildings and using that and the parking lot. Mr. Ruller asked if he means a parking lot for city hall. Mr. Kuhar stated from the alley to Franklin Avenue. Mr. Ruller asked if he wants to put city hall down there. Mr. Kuhar said it's just a thought. Mr. Ruller answered that Roger mentioned that, too, and at the time when we were really getting into this, we felt like it was a higher and better use for that spot to actually use it on the list, although it was discussed and he probably should show that on there because it definitely was discussed, but we really thought we were going to get something in there when we started this process, a Mustard Seed or one of those others.

Mr. Sidoti asked if we didn't conclude that the taking up of that larger area would preclude commercial development, which would increase our income tax; we felt that we didn't want to do that because we weren't sure we could sell this corner for commercial development. Mr. Ruller said that is correct and stated that was very much part of the discussion. He said he doesn't remember, he thinks Roger first suggested if we could just put city hall in the courthouse itself proper, and he thinks it doesn't fit; we did look at that. Mr. Sidoti stated didn't we also discuss that we didn't want to change the architecture; the thought was we would have to go up a couple floors, so we didn't think we could do that effectively. Mr. Ruller agreed. He addressed Mr. Kuhar and stated those couple points were considered early on, but they kind of got set aside. Again, he stated, nothing is gone forever, so if you think that is the hottest option we can definitely revisit it.

Ms. Long asked if the probable site is the police administration building. Mr. Ruller clarified the police building where his office is today; that is the most probable, the least obstacle site – you control the land, it's the least expensive, it's been a city hall for decades, so it satisfies the easiest path, so that's why it's probable. Ms. Long stated but it doesn't have the parking. Mr. Ruller responded that's what Jeff can help us answer. Mr. Ruller said he is not recommending you put it there, he is just telling you that if you're asking him of the sites that have been talked about which stand the best chance, that would stand the best chance. He restated the other ones could still work, it just may cost a little more, and it may take some nuances that we haven't thought of. He stated at this point, we are not recommending anything, he is just giving you categories to say what will be the most likely. Ms. Long commented that it is listed as a probable site, but it doesn't provide parking. Mr. Ruller said that at a cursory level, our parking folks – meaning Jim Bowling, mainly, said it depends on what you put there; he said you go up two stories, plenty of parking. Mr. Ruller said it does depend on the building – if you get single story it could get tight, but for that corner, he would suspect the architects will say – because this is what we've heard in the community – we want a prominent, high profile building, which probably is two-story at least, rather than a single story; if you go two-story, you should have ample room for parking. Mr. Ruller said Jeff Meyers has to prove that; he doesn't want to get ahead of the game.

Jeff Meyers, Principal In Charge, DS Architecture stated we need to know what spaces are going to be housed in that, so the survey helps, and he is going to show Council the diagram and the process that shows very clearly what different departments need to be near each other. He stated once we delineate what needs to be in there we can answer that question better; he doesn't know if it will fit yet or not, but he knows that it's likely going to fit if it's a two or three story building, so we'll have to look at that, it's one of the first things we have to do.

Mr. Turner stated he thought that that was the reason that we moved the safety building, is because it had a lot of challenges in parking and, also, they were saying the economics of it would be prohibitive for us. Mr. Turner clarified that what he is saying is that area that we were trying to purchase at that time

would require much more outlay of having to spend more money on it and, also, that there wasn't sufficiency in parking. He said what he is guessing by this now is that would be the issue just for the safety building and not, evidently, for somebody when you're trying to establish the design of the city hall.

Jeff Meyers stated the Mayor has already recommended and Council decided to move the safety building because to keep it on that side you'd have to do a renovation, so how do you keep the police department open while you're renovating it? That added substantial cost; the building itself is so old and has so many different level changes, to bring it up to ADA compliance was cost prohibitive; that was the main reason. He said now that that building is going to be vacant, all those hurdles we were going to have by trying to keep that site as a police station would go away.

Mr. Turner started to talk about the cost of Quick Weld and Jeff Myers interjected that right now, that is not part of the analysis; right now it's what size building that would require the amount of parking for zoning – what size building will fit on the current police station site in the exact match of what the analysis of the different departments that should be in the building. He said if those match up, he would recommend that we move forward with that; we will know that in a month when we're done with our analysis.

Mr. Amrhein commented that the current police station was once a police station and the city hall building and it housed not only the police but the city employees, so there has to be enough parking there. Someone interjected that it was originally a fire station. Mr. Amrhein stated right, but just within what he remembers, it housed the police station and the city hall and there was enough parking there at that time, so unless we go with a single story where we're going to have to spread out more, that will cause more of a parking issue.

Mr. Kuhar asked if his memory is correct that Guy Totino, part of his agreement was he is going to pay to knock down the old police station, so we have no cost in that. Someone stated that was part of the levy. Mr. Ruller said it was part of the levy, not Totino, although that was one of his original offers. Mr. Kuhar said he thought that was when he purchased city hall, he also agreed to... Mr. Ruller interjected that that was one of his options, it was not the option that we took. Mr. Ruller reiterated that it is included in the levy. (Jeff Meyers commented from the audience, but his comments were not picked up on the microphone.)

At this time, Jeff Meyers distributed to Council a handout entitled Kent Administration Building Space Programming. He said he wanted to take just a few minutes because he doesn't have any of the answers yet - they need to do an analysis to provide recommendations, but to walk Council through the process that they're going to start, and it's very similar to the process they did for the police station or for any building that they do. He referenced the second page of the document and stated they basically already had meetings with all the city administration, all the different departments that are potentially involved, and those include all the departments that were originally there, and the additional four departments -- it doesn't make sense to move them into the new building or to keep them where they are. He said what they're going to do is basically, for every space that currently exists throughout the city for these different departments they are going to do an analysis and a questionnaire and an interview with the people that use those spaces and they're really going to challenge them to think about what spaces would they need if they had more space, or what spaces could you use better if they were designed from scratch versus dealing with existing buildings. Someone interjected that this is similar to what we did with the fire station and Mr. Meyers responded that it is the exact same thing. Mr. Meyers continued that then they take those written sheets and they populate a matrix (referring to page 3 of the handout) and what happens is you start to see these dots on the right-hand side and those become things that need to be together in one building, and what you start to see is these heavy dark dots that are not with the triangles -- those dark dots mean there needs to be an immediate adjacency with the other departments, and then ultimately what you end up with is saying these departments need to be in the same building, these ones don't have to be but there is space that we could add them, and so it gives a very refined answer to which departments functionally need to be in the same building, same location. He stated then ultimately they take that and they start to do a very preliminary fit plan, site plan, building plan, parking analysis per zoning and seeing what size building might fit on the current police station site and, again, if

those things marry, great; if they don't, then we should start to look at other potential sites. He stated that process will take about a month and he will be back in front of Council in a month with some of that analysis. He stated the one program sheet, the questionnaire in the document, is for the Council; it is to talk about what needs to be inside this room when it is brand new and what type of functions need to be next to it, around it, what type of things need to be into it – technology that Council doesn't have to turn around to see a screen would be one he would recommend. He said he would like Council to fill those sheets out and get those back to Mr. Ruller, who will get them over to him and then, at some point, we will come back and actually – because they have a lot of experience doing this – challenge Council to think about some of the answers they put down and maybe increase those answers.

Ms. Shaffer stated that was going to be one of her questions, is that you've probably seen more council chambers than she has, so it might be kind of nice for Mr. Meyers to provide Council with some examples of what seems to work well, or what a modern council chamber is looking like these days. Mr. Meyers replied that they can do that. He said what they typically do is collect all the information Council has and then they'll have another meeting to go over the responses and suggest other examples for Council's consideration. He stated they will follow this process with every department.

Ms. Shaffer asked if we knew the size of the council chamber currently. Mr. Meyers stated he could answer that if he took a few minutes and counted the ceiling grids.

Mr. Kuhar asked Mr. Meyers if he feels that the geographic elevation of the old police station would warrant a two-level walk-in. Mr. Meyers stated he doesn't know if Council is aware, but he has his Masters in design in addition to architecture, and yes, he absolutely thinks that is something we should think about, is that you could walk out of Pannini's, walk across the street and walk into the building versus walk up a sidewalk. He said it's not part of this analysis how that actually functions as a building part yet, but the idea of sinking the building down a story and then coming up possibly two more, so you have a three-story building across from Panini's creating a gateway entrance into the downtown he thinks is a very interesting concept. Mr. Kuhar asked him if he said three or two-story. Mr. Meyers replied it could potentially be two from the parking lot and three – very similar to what we're doing with the police station; or it's just two – one from the parking lot and two from the Panini's side. He doesn't know how much square footage we'll need in the building yet, so it's hard to answer.

Chair DeLeone asked where Council had any further questions. There were none at this time. He then asked whether anyone from the audience had any questions or comments.

Surinder Bhardwaj, 1100 Birchwood Circle, Kent, stated that hearing from the other side, the problem that he is having is, 1, does the plan envision the extension of the city itself and the significant increase of the population itself and 2, the aesthetics of the project that he does not hear much about and he is wondering if that could be factored in.

Mr. Meyers stated to answer Mr. Bhardwaj's first question, we absolutely will take future growth into the accommodations in the building, so yes, we will be planning for potential future growth, within reason; we try to plan the building so it doesn't need a major renovation for twenty-five to forty years. He stated we are not talking about aesthetics yet; this Council knows and the City knows he will fight for and make sure we have a building that we're all proud of. He said he thinks aesthetics of buildings say a lot, as does our City Manager, but yes; we are not at the point where we're talking about it, he will say it will be contextual; if we move forward with the design, we'll make sure it says it's Kent; that is always the goal.

Hearing no further comments from the audience, Chair DeLeone returned the matter to Council.

Ms. Long stated Mr. Meyers didn't give us anything in the way of any of the departments. Mr. Meyers stated the handout is just an example. Ms. Long stated that's right, but in your example you didn't give us any figures that said how many employees in the department would have to be housed. Mr. Meyers explained that is because that's the analysis we're going to do in the next month; it's just a graphic example of something you're going to see in a month from now.

Hearing no further questions from Council, Chair DeLeone thanked Mr. Meyers for his input.

Council action - No action necessary at this time.

Chairman DeLeone announced that the next item on the agenda is a discussion on City Trash Bag Service Costs.

Mr. Ruller said it would be his suggestion to wait on the discussion of the trash bags, unless there is some hurry, since it was Ms. Wallach's issue and she is recommending raising it and it just seems like we ought to have the person making the recommendation here. He stated Jim Bowling was also unable to make it tonight; he is our resident expert, although Mr. Ruller knows most of the data.

Chair DeLeone polled the members of Council as to whether they wanted to continue with the discussion or postpone it and the consensus was to go forward with the discussion.

Mr. Ruller stated Mr. Bowling did try to lay it out in his memo and he will just refresh Council's memory. He stated we started this in 2009 and gave people in the fall of 2009 through March of 2010 to sign up for their level of service. There were three or four options, the bag being the least expensive option. He stated that since the inception seven years ago, it's been \$1.85 per bag; the 30 gallon service is \$9.20 per month; 60 gallon service is \$10.30 per month; 90 gallon service is \$12.00 per month; and unlimited service is \$20.50 per month. The bags themselves, Mr. Bowling tried to calculate the hard cost and he said that \$1.78 was what it cost to buy the bags and get them in the stores; he also said we're probably eating about 7 cents in labor per bag, so if you wanted to do full cost accounting, you could make a case of \$1.92 as far as a full cost that the City is absorbing. Mr. Ruller said keep in mind that originally when we did this, the bag price came in at \$2.40 a bag and we negotiated it down to \$1.85 by offering to get the bags purchased and getting them to the retailers rather than having the trash company do that, so that is how we derived the \$1.85; however, we took on some of the costs that we wouldn't have had under the \$2.40 scenario. Mr. Ruller stated \$1.92 is our full cost, we're eating about seven cents per bag and the price has not increased since 2009. Mr. Ruller also stated Councilmember Wallach was asking for \$2.00 per bag.

Ms. Long reiterated Mr. Ruller's statement that we are currently charging \$1.85 per bag. Mr. Ruller stated correct, and there are about 700 customers that buy the bag. Ms. Long asked Mr. Ruller what he is proposing. Mr. Ruller replied that this was a Council initiative, so Ms. Wallach proposed going from \$1.85 to \$2.00 per bag. Mr. Kuhar interjected that Ms. Wallach also said we probably won't have to raise it again for eight years. Ms. Long asked whether we are going to ask, in an ordinance, for \$2.00 per bag. Mr. DeLeone replied that that is what Ms. Wallach would like. Ms. Long asked if that is what we are going to vote on tonight. Mr. DeLeone replied that it is a motion. Mr. Ruller explained that full cost, if you were to include our labor and handling, which we have not currently factored in, would be \$1.92. Mr. DeLeone reiterated that Ms. Wallach is suggesting raising the cost to \$2.00 per bag and then we won't have to raise the cost again for a long time.

Ms. Long asked how that compares to taking the service from the trash pickup, if people were to decide not to buy bags and were to decide to go with Republic. Mr. Sidoti said Republic doesn't sell the bags, it picks them up. Ms. Long stated she knows, but if didn't buy bags and we went with the service from the hauler, how does that compare? Mr. Ruller said we would probably have to rebid it to get a better current price, but the price seven years ago would have been \$2.40 for us to stay out of it and just let the hauler handle it all directly with the customer. Mr. Ruller noted that, for those members that were on Council then, if there was any sticky issue, it was the bags. He stated there was a fair amount of retirees and single people that said they didn't have a lot of trash and did not want to sign up for a 30 gallon or 90 gallon can, so this was an issue in the start of the program. He said he thinks everyone was pleased when we knocked the price back from \$2.40 to \$1.85 and it is run quite well, they're getting a good deal for the most part. Ms. Long said so now they're able to buy a bag at a proposed \$2.00 a bag and yet they have this enormous big blue thing that they push to the curb. Mr. DeLeone said the bags are their choice. Ms. Long said she knows that. Mr. DeLeone said they can get a smaller one. Ms. Long said a smaller one is not that significantly small.

Mr. Turner asked what Councilmember Wallach's desired outcome was of raising the cost to \$2.00 per bag. He asked what the significance of the \$2.00 figure was when a raise to \$1.92 would have covered the city's costs. Mr. DeLeone replied that \$1.92 would cover the city's costs for now. Mr. Turner asked if we are looking to bank some money, then. Mr. DeLeone said those prices could fluctuate, also. Mr. Kuhar added, like \$30 a year. Mr. Turner stated he knows that's what we're paying on the one program, but bags for people such as himself – he's paying \$1.85; he is wondering what shifting that cost is encompassing – is it encompassing our debt and some additional money to bank so that the program is more viable? He said if we incorporate our costs, it is \$1.92; is the additional 8 cents to bank? Mr. Ruller responded that he is guessing that underlying her point and raising it to \$2.00 was the belief that every year we don't change it to match the current, and so she's saying that we've gone seven years at a price that is below where it should have been and so if it's a little bit higher, we're making up for that and we're giving ourselves a couple more years forward. Also, he said, it is 15 cents different, so he thinks generally people assume a bag a week – that's 60 cents a week, \$2.40 a month, so he thinks her explanation is probably that it's not a huge increase, but it does head in the right direction. Mr. Turner said that is not the argument for him; his question is, we are getting more money, so where is that going – into our budget? He wants to know where that money is being held. He wants to know if this increase just covers our cost or is this money that we are banking. Mr. Ruller said those costs are gone and we've paid those costs, so in essence, we're not necessarily reimbursing ourselves, but he thinks that's her logic is that for now, we'll make up for some of the losses that we've already incurred; it would go into our budget, so it would be a little bit more than what we were spending.

Finance Director David Coffee explained that he thinks we have to acknowledge that this 14, 15 cents per bag amount that we're attributing to soft costs is, at best, an imperfect number, it is not an absolute; some customers take longer than others to wait on; there is a wide number of variables than just providing that service. He said he thinks that it is representative – he feels that is the fairest way to characterize that. He continued that if you look at it from the standpoint of, again, since program inception, we've burned down our general fund reserve over the period of time by that small incremental amount for this unreimbursed soft cost, and so this increase would simply allow us to recover some of that previous expenditure of reserve and provide some cushion for going forward.

Mr. DeLeone asked if Council members had any further questions. Hearing none, he then asked if there was any input from audience members and there was none. Chair DeLeone then returned the matter to Council.

Motion to raise the price of the single bags to \$2.00.

Motion made by Mr. Kuhar and seconded by Ms. Shaffer.

Ms. Shaffer stated it does cost us money to operate, as Mr. Coffee was referring to as soft costs, and to build that administrative cost in – and that is a pretty small slice, really; she also does agree that it is important to build a cushion so we are not putting a lot of time and effort into raising it two cents again next year and put that communication out and talk to all the vendors; she thinks it is fair to raise it up and then commit to ourselves that we're going to keep it at that price as long as we possibly can.

Mr. Ruller asked whether there is an effective date for the price change that Council wants to include in its motion. He asked Mr. Coffee if he needs some time, billing wise. Mr. Coffee replied that September 1 or October 1 would be sufficient.

Motion to increase the price of the single bags to \$2.00 per bag, effective in 90 days.

The Motion was restated by Mr. Kuhar, seconded by Ms. Shaffer, and carried by a voice vote of 8-0.

Mr. DeLeone stated the next item of business is to Authorize County Liens on Unpaid City Bills.

David Coffee, Director of Budget & Finance stated he is requesting committee authorization for two separate ordinances; one ordinance is to certify the delinquent non-utility debts to the County for placement on the tax duplicates; the other ordinance would be to certify delinquent utility related debt to the County to be placed on the tax duplicate. He stated in his communication to the City Manager he attached a list of those debts for each category for each ordinance that we would be sending to the county.

Mr. DeLeone asked if members of Council had any questions. There were none. He then asked whether any audience member would like to address the matter. Hearing no comments from the audience, Mr. DeLeone returned the matter to the floor.

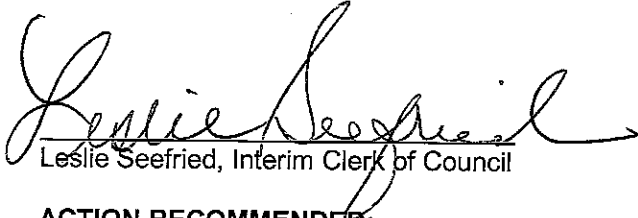
Motion to authorize the use of liens to collect unpaid bills through the County.

Motion made by Mr. Sidoti, seconded by Mr. Kuhar, and carried by a voice vote of 8-0.

Some of the Council members asked the Interim Clerk if there was anything they could do to help her during her temporary employment with the City. The Interim Clerk indicated that everything went fine and she will ask questions, if necessary, as she goes.

Mr. Amrhein announced that next Wednesday, August 10th, Council will meet at 7:30 p.m. to interview candidates for the Clerk of Council position.

Chair DeLeone adjourned this meeting at 8:34 p.m.



Leslie Seefried, Interim Clerk of Council

ACTION RECOMMENDED:

- 1) **TO INCREASE THE PRICE OF INDIVIDUAL TRASH BAGS TO \$2.00 PER BAG, EFFECTIVE IN 90 DAYS**
- 2) **TO AUTHORIZE THE USE OF LIENS TO COLLECT UNPAID BILLS THROUGH THE COUNTY**

**THE CITY OF KENT, OHIO
HEALTH & SAFETY COMMITTEE
WED., AUGUST 3, 2016**

This meeting of the Health & Safety Committee of Kent City Council was called to order at 7:33 p.m. on Wed., August 3, 2016, by Jack Amrhein, Chair.

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

ALSO PRESENT: D. RULLER, CITY MANAGER; J. SILVER, LAW DIRECTOR; B. SUSEL, DIR. OF COMM. DEV.; T. WILKE, ECON. DEV. DIR.; D. COFFEE, BUDGET & FINANCE DIRECTOR; M. LEE, POLICE CHIEF; AND L. SEEFRIED, INTERIM CLERK OF COUNCIL

ABSENT: MS. WALLACH; J. FIALA, MAYOR & PRESIDENT OF COUNCIL

Chair Amrhein said the first item on the agenda is the Extension of School Resource Officer Agreement:

DAVE RULLER, CITY MANAGER stated we are in the third year and it's actually turned out this will be the third officer, too. He said it's just unique circumstances each time, he almost expected to see more continuity in the same office, although there's no harm in rotating it, either. He continued that we are entering our third year, the Chief has met with Tom Larkin and, he assumes, other school representatives; he met with the superintendent last week; no one is recommending any changes to the contract, we are simply renewing it for another year. He stated they are still very pleased with the service, very grateful for having a professional officer in the building, they think it adds value. He stated you may recall that last year we did modify the contract to allow for the City paying the salary of the officer during the summer when school is not in session; it felt most fair to us, so we took that change and that change continues today. He asked whether Chief Lee had anything to add.

POLICE CHIEF MICHELLE LEE said she had nothing to add, but commented that just because we've had three different officers in this position, those officers are always interviewed by school staffs and they're interviewed by us to make sure it's a good fit; we're not just putting somebody in that position; we're selective. She added that they've been very happy with the officers that have been in those positions.

Mr. Ferrara clarified that it is a Kent police officer that works there. Chief Lee replied that is correct. He asked if they rotate back into their normal position. Chief Lee stated we create the position, but the officer that goes into the School Resource Officer position has to have at least five years of experience, and most of them have had at least eight or more. Mr. Ferrara asked if the officers have provided any feedback on the position. Chief Lee replied that they have enjoyed it. She said there were just weird circumstances with the first two officers and they are hopeful Matt Butcher, who has been selected as the next SRO, has some longevity in the position. Mr. Ferrara asked whether they rotate schools. Chief Lee stated they generally work at just the high school and the middle school; occasionally they will go to other schools, but it is rare.

Mr. Kuhar stated he is trying to refresh his memory and asked if he is remembering correctly that this was extra money that came in to pay the salaries of the resource officers from an outside source, not from our budget. Mr. Ruller answered that just the school itself is paying now for all the months that they're in, so we did pick up the tab on, but we essentially got a new officer in the total pool that's available and they're paying three-quarters of the cost; it was part of their levy promise. Mr. Kuhar commented that there are no federal funds that came in. Mr. Ruller said no, he doesn't believe so.

Chair Amrhein asked if there were any further questions from Council. There were none.

Chair Amrhein asked if anyone from the audience wanted to address this issue. Hearing no comments from the audience, Mr. Amrhein returned the matter to the committee.

MOTION TO AUTHORIZE THE RENEWAL OF THE 2016-17 SCHOOL RESOURCE OFFICER CONTRACT AS PRESENTED.

Motion made by Mr. Kuhar, seconded by Mr. Ferrara, and carried by a voice vote of 8-0.

Chair Amrhein noted that the next item on the agenda is Street Closure, Creativity Festival.

Mr. Ruller stated you will recall we had the joint master public art plan that Kent State and the City worked up and it listed all kinds of things that we could do together to promote the arts in Kent and enrich and engage the community with the arts. He said for a community of our size we have tons of art, especially much of it happening around campus, so we really just wanted to open those doors a little more and get people engaged in the campus with the arts. He stated one of the things that came to the top of the discussions of where we go now was the possibility of a festival. He explained that there has been a small working group that's probably been at least a year now in process, maybe a little longer because they've applied for a couple of federal grants, which they did not get, but the good news is the process of actually meeting and planning and applying for the grants helped them organize their thoughts, so this process helped pull them together and tighten them up a little bit, which is great to see. He said he thinks it's now got a core that is sticking with it and it includes community folks, City folks – Dan Morganti has kind of been a sort of volunteer – Bridget and Mr. Ruller sort of volunteered him. Bridget Susel interjected that he is the organizer and he's really good. Mr. Ruller added that Mr. Morganti is really helpful and he enjoys it, so it's not a burden for him. Mr. Ruller stated the Festival is planned for September 24th and it's going to be along the Esplanade and it sounds like – if he is understanding the latest update – they want to do food trucks and stuff on Willow Street.

Bridget added that in addition to the food trucks, basically there are going to be ten to twelve artist stations that'll be on the major lawn and there will be a performance stage because they're going to have Dancers, but then there will be another ten or twelve artist stations along the Esplanade, so there's going to be a lot of pedestrian traffic, so there will be vendor trucks on Willow, but we're also going to have a lot of pedestrians going back and forth. In addition, Ms. Susel stated, there will be trucks that will need to bring things in in the morning for setup and then take-down, so it just seemed, in terms of pedestrian safety and logistics of the festival, to ask for the closure.

Chair Amrhein asked if there were any questions from Council members.

Mr. Ferrara clarified that it is at Willow Street and Main Street. Ms. Susel replied that it's not on Main Street, just Willow. Mr. Ferrara then asked Ms. Susel if she would perceive that most of the parking for that will be in the back. Ms. Susel replied she would think so, yes, but she thinks we will have to talk to Chief Lee about probably putting officers there because there will be significant pedestrian traffic crossing in that crosswalk right there. Mr. Ferrara asked whether there is any potential for parking at the fashion school, if the university will allow that. Ms. Susel replied in the affirmative and said we'll make sure that we take good care of that. She added that Larry Emling is always great; whenever we have something and we need to use that parking lot, we just need to arrange it with him. She stated in addition, we have the courthouse, the deck and then your typical downtown parking. Mr. Ferrara asked whether they have notified the downtown businesses so that they're aware of the festival. Ms. Susel answered that the arts group actually sent out sponsorship requests that went out to pretty much most of the businesses that were included in the Chamber, as well as Main Street, and she knows that there is also a significant number of people represented on the committee itself, so word will get out. Also, the group made great flyers, so basically we really need to publicize it and flyers are available if anyone needs them. Mr. Ruller added that he thinks Main Street is on that committee, too, so they're represented.

Chair Amrhein asked if there were further questions.

Ms. Shaffer asked if, beside food trucks, there will just be activities, or is there going to be artwork for sale. Ms. Susel responded it's not actually art for sale, so to speak, that was one of the things that, when it was designed, it was more to make art interactive. She stated the grant application that was put together was focused on performance art and active art. For example, there was a music station where basically they had instruments and you could experience using those instruments, so it will be more of that interactive versus what you would see at Art in the Park. She said we want engagement, we want activity, and we want the participants to be part of the process and not just to walk around and passively buy art that's available. She stated that option is out there, we have Hudson, we have one here in Kent, there are numerous ones up in the Cleveland area; this was actually something that was to engage participants in art.

Ms. Long stated there is the home of the gentleman that rented out to the woman; she asked if that is on Willow Street and if that is going to be closed in front of his house. Ms. Susel stated Chris Meyers said that is a good point. She said Willow would be closed; she will talk to Mr. Meyers as she tends to have a better communication relationship with him than some others, so she will give him a call and let him know. She commented he actually probably would be okay with something like this because this is pedestrian friendly, it's community based; the university is part of it, but it's really being driven by multiple groups, so she thinks it will be okay, but she will give Mr. Meyers a call. Ms. Susel reiterated that that is a very good point.

Ms. Shaffer added that on that same measure, he will want to know where his residents can park. She asked if the university owns the lot that's on the corner of College and Main Street. Ms. Susel stated we usually use the Rockwell lot for them; that is their preference. She added when we've had issues where we've closed Willow for the construction of the IAD building as well as the architecture building, we've arranged for parking and, as she mentioned, they are very good about doing that. She continued that the Rockwell is easier for how his residents come in and it is better lit and things like that; she thinks we'll probably make that same request when we ask to use the lot, if we can also let Mr. Meyers know that his tenants can park there. Ms. Susel said she is sure the university will be open and agreeable to that.

Mr. Kuhar asked Ms. Susel if she knows whether Standing Rock and F.J. Kluth have been notified of this. Ms. Susel responded that they were notified in the very beginning when we very first started getting the group together, but they weren't coming to the meetings. She stated that Dan then stepped in and was attending the meetings, but they were not heavily represented; they've been notified and obviously they will be told about it, but in terms of meeting with the group, they haven't really been engaged in that. Mr. Kuhar said he always fears that they get left out on stuff. Ms. Susel stated they absolutely were invited. Mr. Kuhar stated he will make sure each one of them get a flyer. Ms. Susel added that they can also reach out to Dan Morganti. She said the last six months they've been engaged; Jeff is also involved in the committee and he said they've been engaged the last six months, since the grant.

Chair Amrhein asked whether Council members had any further questions. There were none.

Chair Amrhein then asked whether anyone from audience wished to speak on this matter. Hearing no comments from the audience, Mr. Amrhein returned the matter to Committee.

Motion to authorize the closure of Willow Street on Saturday, September 24th, in support of the first annual Kent Creativity Festival.

Motion made by Ms. Shaffer, seconded by Mr. Garrett, and carried by a voice vote of 8-0.

Hearing no further questions or audience comment, Chair Amrhein adjourned this meeting at 7:44 p.m.


Leslie Seefried, Interim Clerk of Council

ACTION RECOMMENDED:

- 1) AUTHORIZE THE CLOSURE OF WILLOW STREET ON SATURDAY, SEPTEMBER 24TH, IN SUPPORT OF THE FIRST ANNUAL KENT CREATIVITY FESTIVAL.