

**THE CITY OF KENT, OHIO
REGULAR COUNCIL MEETING
WEDNESDAY, June 19, 2019**

At 7:30 p.m., Mayor Jerry T. Fiala called the **Regular Meeting of Kent City Council** to order after the Council Work Session (Attachment 1.) Roll call was taken.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner; and Ms. Tracy Wallach.

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Ms. Melanie Baker, Public Director; and Ms. Dawn Bishop, Interim Clerk of Council.

Mayor Fiala called upon Councilmember Ferrara for his opening remarks. Mr. Ferrara said summer is finally here and the festival season is now in full swing and encouraged everyone to take advantage of everything going on downtown, particularly the Xtinguish Torch Fest taking place the next day. He then led the Pledge of Allegiance.

APPROVAL OF MINUTES:

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF May 15, 2019 made by Mr. Ferrara, seconded by Mr. Sidoti, and CARRIED by a voice vote of 8-0-1, with Ms. Shaffer abstaining.

MOTION TO APPROVE THE MINUTES OF THE PUBLIC HEARING OF May 15, 2019 made by Mr. Ferrara, seconded by Mr. Sidoti, and CARRIED by a voice vote of 8-0-1, with Ms. Shaffer abstaining.

COMMUNICATIONS:

Mayor Fiala read a statement to the audience: *"While the law does not require Council to provide time for public comment, we have historically invited the public to make comments and we appreciate their input. This is the time where residents and others can comment on matters that concern them. However, we will not engage in debate, and as President of Council, I reserve the right to end any public communication that is disruptive, embarrassment, harassment or otherwise objective. We ask that when you come to the microphone that you speak into the microphone clearly, give your name and address and limit comments to three (3) minutes of discussion."* He then asked the Clerk if anyone was signed in. There were three visitors who signed in with the Clerk.

Jacob Dudley, 800 E Summit Street, Kent, President of Pride Kent. They are planning the first ever pride festival in Kent to provide a safe place here in the city particularly for students who may not feel safe attending a pride festival at home in the summer. They hope to get the City and University community involved in their event.

Emily Bado, 800 E Summit, Kent, Chairperson of Pride Kent, said they are hoping to partner with the City for their resources and money they do not have. She knows there are a lot of festivals Downtown and as they have never planned anything of this caliber, they think the help of the City would be invaluable. Ms. Bado said a festival like this would not just be beneficial to the University but to members of the community to provide a safe space to come together.

Ms. Wallach asked if they were looking at holding this in 2019 or 2020.

Ms. Bado said they are looking at October 3, 2019.

Frank Smith, 1379 Mockingbird BD, Kent, said he lives in Twin Lakes and is before Council for two reasons: he ended up with 2" of standing water in one of his rental properties. He called the City and his son did. He got a message back that someone looked at it and there was no standing water and the ditch wasn't full. However Mr. Smith said there is no ditch in front of the house. He received a phone call from John Osborne the day before. He didn't leave his phone number but the Caller ID showed a number which was the automated city directory. He couldn't get a hold of him, went in circles, ended up calling Mr. Ruller's office and just got voicemail. Mr. Smith asked if anybody was working as he just got machines and machines cannot help him. He still has water coming in through the drain after just having it snaked the day before. Mr. Smith's second item was how he thought single family rental housing inspections is discriminatory against the tenants, not the landlords. A tenant who could barely afford their rent is going to be saddled with another \$100 bill that the landlord is not going to assume. Mr. Smith if you are going to inspect single family houses, inspect them all.

Mayor Fiala questioned what number Mr. Smith had that he tried to call to reach Mr. Osborne.

Mr. Smith answered 330-678-8100.

Ms. Wallach said that's the general city number.

Ms. Baker said she would get with Mr. Smith and give him a business card.

Written Communications were reported by Interim Clerk Bishop and placed on file in the Clerk's office as follows:

1. Park and Recreation Board Packet for May 23, 2019, received May 20, 2019.
2. Planning Commission Staff Report and Meeting Agenda for June 4, 2019, received May 28, 2019.
3. Standing Rock Cemetery Meeting Notes of May 9, 2019, received May 17, 2019.
4. Sustainability Commission Meeting Agenda for June 3, 2019, and the minutes from May 6, 2019, received May 30, 2019.
5. Planning Commission Staff Report and Meeting Agenda for Zoning Code Update Work Session of June 18, 2019, received June 12, 2019.

City Manager's Report was called for by Mayor Fiala.

1. Request Council's authorization to accept a series of individual donations totaling \$5700 in support of the Torch Fest planned for June 20th honoring the Cuyahoga River. (Draft #2019-67)
2. Request Council's authorization to accept 30 pairs of specialized police eyewear produced by Alpha Micron to support officer safety. Each pair is valued at \$212 for a total of \$6360 in donation value. (Draft #2019-68)
3. Request a Public Hearing on July 3rd for the proposed rezoning of the VFW property at 500 VFW Parkway.
4. Request a Public Hearing for July 3rd for consideration of a "Substantial Amendment to the 2015-2019 Consolidated Plan (HUD.)
5. Request a Public Hearing for July 3rd to receive public comment on the City's proposed 2020 Tax Budget.

6. Request Health & Safety Committee time to consider a request to impose a ban on conversion therapy practices for minors in Kent.
7. Request Health & Safety Committee time to consider renewing the Kent Police school resource officer agreement with Kent City Schools.
8. Request Land Use Committee time to consider a rezoning request for the VFW property.
9. Request Streets, Sidewalks & Utilities Committee time to consider proposed updates to the City's regulations of the installation of small cell wireless antennas in Kent.
10. Request Streets, Sidewalks & Utilities Committee time to consider a request for a street closure for a new event, the Opioid Awareness Music Festival on August 11th.
11. Request Finance Committee time to consider the proposed 2020 Tax Budget for submission to the County.
12. Request Finance Committee time to consider a recommendation to renew the City's short term Bond Anticipation Notes (BANs) for outstanding debt.
13. Request Finance Committee time to consider a 2019 Budget Appropriations Amendment.
14. Request Finance Committee time to authorize the proposed list of grant funded projects recommended to be submitted for OPWC funding.

MOTION TO APPROVE ITEMS #1-14 OF THE CITY MANAGER'S REPORT made by seconded by Mr. Amrhein, seconded by Mr. Kuhar, and the Motion CARRIED by a voice vote of 9-0.

STANDING COMMITTEES/ LEGISLATION

COMMITTEE OF THE WHOLE:

There were no meeting minutes or actions to be approved

COMMUNITY DEVELOPMENT COMMITTEE:

There were no meeting minutes or actions to be approved

FINANCE COMMITTEE:

MOTION TO APPROVE THE FINANCE COMMITTEE MEETING MINUTES OF June 5, 2019 made by Mr. DeLeone, seconded by Mr. Ferrara, and CARRIED by a voice vote of 8-0-1, with Ms. Wallach abstaining.

MOTION TO APPROVE THE FOUR RECOMMENDED ACTIONS made by Mr. DeLeone, seconded by Mr. Kuhar, and CARRIED by a voice vote of 9-0.

Recommended Actions:

1. Authorize the City Surplus Property Auction, with an emergency clause.
2. Authorize the 2019 Budget Appropriations Amendment, with an emergency clause.
3. Authorize the Local Government Funding Resolution, with an emergency clause.
4. Authorize the Heritage Fest Fireworks Funding, with an emergency clause.

Draft No. 2019-63: AN ORDINANCE AUTHORIZING THE SALE AT PUBLIC AUCTION OF SURPLUS PROPERTY NOT NEEDED FOR MUNICIPAL PURPOSES BY A LIVE AUCTIONEER PURSUANT TO SECTION 721.15 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. DeLeone and seconded by Mr. Kuhar. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-63 made by Mr. DeLeone and seconded by Ms. Shaffer. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE NO. 2019-63: PASSED as stated by Clerk Bishop.

Draft No. 2019-64: AN ORDINANCE AMENDING ORDINANCE NO. 2018-142, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 19, 2018; SO AS TO ADJUST APPROPRIATIONS, TRANSFERS AND ADVANCES FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2019; AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. Kuhar. On Roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-64 made by Mr. Kuhar and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE NO. 2019-64: PASSED as stated by Clerk Bishop.

Mr. Frank Smith had asked to interject a question and Mr. Fiala addressed him. Mr. Smith asked where Exhibit A was that was referred to in the draft of 2019-64 he had picked up. Mr. Fiala said all ordinances and exhibits are available on line.

Draft No. 2019-65: A RESOLUTION AUTHORIZING THE CITY OF KENT, OHIO TO STRONGLY URGE THE OHIO GOVERNOR AND MEMBERS OF THE OHIO GENERAL ASSEMBLY TO RESTORE THE LOCAL GOVERNMENT FUND TO PRE-RECESSION LEVELS; AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Ms. Shaffer and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-65 made by Ms. Shaffer and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone. The Motion CARRIED by a roll call vote of 9-0.

RESOLUTION NO. 2019-65: PASSED as stated by Clerk Bishop.

Draft No. 2019-66: AN ORDINANCE AUTHORIZING THE CITY OF KENT TO CONTRIBUTE A TEN PERCENT (10%) INCREASE TO THE ANNUAL KENT HERITAGE FESTIVAL FOR THE FIREWORKS DISPLAY, AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-66 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE NO. 2019-66: PASSED as stated by Clerk Bishop.

Draft No. 2019-67: AN ORDINANCE ACCEPTING DONATIONS IN THE AMOUNT OF \$5,700.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT TO SUPPORT THE TORCH FEST PLANNED FOR JUNE 20, 2019, AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Ms. Shaffer and seconded by Mr. Ferrara. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-67 made by Ms. Shaffer and seconded by Mr. Ferrara. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE NO. 2019-67: PASSED as stated by Clerk Bishop.

Draft No. 2019-68: AN ORDINANCE ACCEPTING A DONATION OF THIRTY PAIRS OF SPECIALIZED POLICE EYEWEAR PRODUCED BY ALPHAMICRON TO SUPPORT OFFICER SAFETY, VALUED AT \$6360 TOTAL, AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-68 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE NO. 2019-68: PASSED as stated by Clerk Bishop.

HEALTH AND SAFETY COMMITTEE:

MOTION TO APPROVE THE HEALTH AND SAFETY COMMITTEE MEETING MINUTES OF June 5, 2019 made by Mr. Amrhein, seconded by Mr. DeLeone, and CARRIED by a voice vote of 8-0-1, with Ms. Wallach abstaining.

MOTION TO APPROVE THE RECOMMENDED ACTION made by Mr. Amrhein, seconded by Mr. Sidoti, and CARRIED by a voice vote of 9-0.

Recommended Actions:

1. Authorize the Health Department Building Lease Renewal, with an emergency clause.

Draft No. 2019-69: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ACCEPT THE LEASE RENEWAL TERMS WITH KENT STATE UNIVERSITY TO CONTINUE TO RENT 414 EAST MAIN STREET BUILDING FOR THE CITY OF KENT HEALTH DEPARTMENT'S USE; AND DECLARING AN EMERGENCY was read by title only by Clerk Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-69 made by Mr. Kuhar and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE NO. 2019-69: PASSED as stated by Clerk Bishop.

LAND USE COMMITTEE:

There were no meeting minutes or actions to be approved

STREETS, SIDEWALKS AND UTILITIES COMMITTEE:

There were no meeting minutes or actions to be approved

SPECIAL COMMITTEE REPORTS: NONE

UNFINISHED BUSINESS: NONE

NEW BUSINESS:

ITEMS NEEDING COUNCIL ACTION OR REFERRAL

Ms. Rosenberg said lately she has been inspired by young women, especially high school and college-aged young women, who have lately been encouraging their cities and colleges to provide free menstruation products in their public restrooms. Ms. Rosenberg said she is proud to be a part of the initiative "Women Friendly Kent" and is getting the local business community participating in the "leave one/take one" signage and totes being put up in fifteen different public restrooms. It has the support of the chamber of commerce and Main Street Kent, support from Justin Smith, the Interim Health Commissioner, the Kent Free Library. Ms. Rosenberg spoke briefly to Ms. Baker about the cost and she guessed it would cost about \$200 upstart and if needed, it could go to Committee.

MOTION TO APPROVE THIS PROJECT AND INSTITUTE IN CITY-OWNED RESTROOMS, excluding PARK AND REC, made by Ms. Rosenberg, seconded by Mr. Sidoti

Mr. Sidoti said \$200 is very minimal cost and it allows the City to partner with organizations they already support

The MOTION CARRIED by a voice vote of 9-0.

Ms. Wallach just wanted to comment on the Kent Pride Fest that is going to happen. Ms. Wallach said City Council doesn't really involve themselves in the events and festivals set up, but she would recommend someone direct them towards Main Street Kent or perhaps the Chamber. Ms. Wallach asked if Harrison Wicks (who was in attendance) could direct Kent Pride to the right organization(s.)

Mr. Ferrara wanted to clarify, contrary to what Ms. Bado said, there isn't 'a lot of funding' for the festivals coming out of the City budget but he's sure this is a project they could get behind.

Ms. Shaffer requested that the City Manager's Office work with the organizers of the Rainbow Squirrel Fest just to assess what their needs are from the city.

Mr. Ruller said they've done that and Harrison has communicated already with the organizations about the permit and he's happy to keep that conversation going.

There was some discussion whether this was a motion or not and Ms. Wallach said it never really was but she would withdraw it if it was being handled.

SCHEDULE FUTURE COUNCIL MEETINGS

Mr. Sidoti asked of Mayor Fiala if July's meetings were remaining the first and third Wednesdays.

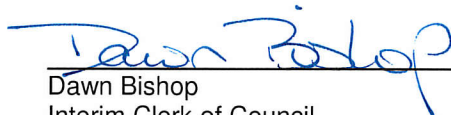
Mayor Fiala said yes. July 3rd was remaining on the calendar as Community Development had a public hearing requirement.

COUNCILMEMBERS' COMMENTS

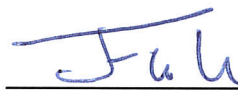
MAYOR'S REPORT:

Mayor Fiala reminded everyone of the festival the next day from 4-9. Mr. Turner is the co-chair for the Downtown Heritage Festival. Mr. Turner made arrangements with Harrison already and Mayor Fiala asked if all councilmembers would please work with Harrison, get a time slot, and make your presence down there.

Mayor Fiala adjourned the meeting at 7:55 P.M.



Dawn Bishop
Interim Clerk of Council



Jerry T. Fiala
Mayor and President of Council

CONFERENCE MEMORANDUM
KENT ADMINISTRATION BUILDING
PROJECT NO. 18023

CITY COUNCIL MEETING: DESIGN PRESENTATION / DISCUSSION



June 19, 2019

BCI presented updated floor plans and four different elevation concepts that addressed comments from the last meeting – all focused on the selected option from the last meeting.

1. Vertical glass with glass spandrel panels.
2. Punched window openings with more brick on the façade.
3. Vertical glass with glass spandrel panels that are a different color to express horizontal banding.
4. Punched window openings with curved windows at the second level.

FLOOR PLAN REVISIONS:

1. The curved area at the corner was reduced. The building steps back on either side of the curve where it meets the adjacent building wings.
2. The interior monumental stair was shifted to the north, allowing more windows into the Council Chambers.
3. The second stair (egress stair) was moved to the southeast corner of the east wing. The egress from the stairwell exits at the First Floor (parking lot level). A separate staff entrance was added at the parking lot level.
4. Office areas were adjusted slightly to accommodate the revised lobby and stair areas.

COMMENTS OF FLOOR PLANS:

1. Utility Billing: Add a glass partition at the utility counter to separate the public from the staff.
2. Clerk of Council:
 - a. The public will need access to the Clerk of Council – make the office entry welcoming.
 - b. Provide a direct connection between the Clerk of Council and the Mayor's Office – through the Conference Room.
3. Provide space for an Administrative Assistant in the Law Department.

COMMENTS ON THE EXTERIOR VIEWS:

1. Where would the building name be located?
 - a. BCI would recommend large cut-out letters on top of the entry portico at the corner of Haymaker and Water.
2. Add flagpoles to the Haymaker and Water corner.
3. Entry Portico at Haymaker and Water: Look at the KSU Library entrance – there is a curved entry portico. Perhaps raise up the City Hall entry portico at each entrance and add the curved element.



- a. What is the material at the top band of the entry portico? Will look at cast or manufactured stone.
4. Reflective Glass: KSU architecture building has reflective glass, which gives some dramatic reflections, especially at sunset.
 - a. We can look at glass with minor reflectivity. Do not want too much at the busy intersection.
 - b. The building wants to feel "transparent" – where the citizens and the government come together.
5. Do not like the two options with the punched openings and more brick. Looks too much like a school building. Too disjointed from the curved area.
6. Prefer the Lower Level windows to have square top, not curved.
7. Like the curved-top windows on the east side of the Council Chambers. That entire wing has a different function, and it makes sense to treat the exterior differently.
8. Like the east (parking lot) elevation.
9. Council may want to consider the 3rd floor over Council Chambers. If so, how would that exterior be treated?
 - a. R. Parker suggested possibly small rectangular punched openings. That would be consistent with the character of that portion of the building.

CONSENSUS:

- Prefer the first option shown – with spandrel glass just slightly different from the main glass.
- No curved windows at the Lower Level.
- Keep the curved windows on the east elevation of the Council Chambers.
- Look at the Haymaker/Water entry portico – want to make it more incorporated into the building.

NEXT STEPS:

- BCI to provide display boards for **HERITAGE FESTIVAL** (July 6, 2019).
 - Floor Plans
 - Exterior Images
 - Bullet points of environmental features
 - Ask questions for citizen input
 - N. Nozik will attend
- BCI to schedule future meetings with the department heads for detailed review of Floor Plans.

Nancy Nozik