



CITY OF KENT, OHIO

320 S. Depeyster Street, Kent, OH 44240 (Main Fire Station)
(330) 678-8007 Fax (330) 678-8688

CITY COUNCIL

WEDNESDAY, SEPTEMBER 18, 2019 REGULAR CITY COUNCIL MEETING 7:30 P.M.

AGENDA

7:25 P.M. BOARD OF CONTROL

7:30 P.M. REGULAR COUNCIL

1. ROLL CALL

2. OPENING REMARKS/PLEDGE OF ALLEGIANCE *(Ms. Shaffer)*

3. APPROVAL OF MINUTES

3.1 Regular City Council Meeting of August 21, 2019

4. COMMUNICATIONS

4.1 **AUDIENCE** *(Visitors wishing to address Council please sign up with the Clerk of Council prior to start of the meeting)*

4.2 **WRITTEN** *(All placed on file in the Clerk of Council's office)*

4.2.1 Civil Service Commission Agenda for August 26, 2019, received August 23, 2019.

4.2.2 Planning Commission Agenda and Staff Report for September 3, 2019 received August 27, 2019.

4.2.3 Sustainability Commission Agenda for September 9, 2019, and minutes of August 12, 2019 received September 5, 2019.

4.2.4 Health Board Agenda for September 10, 2019 and minutes and statistical report from August 12, 2019, received September 6, 2019.

4.2.5 Liquor License Transfer Request from the Ohio Division of Liquor Control for Paying It Forward LLC formerly of 437 Lake Street, Kent, and moving locations to 154 N Depeyster Street, Kent, OH received August 26, 2019. Chief Lee returned no objections.

4.3 CITY MANAGER'S REPORT

5. STANDING COMMITTEES/ LEGISLATION

5.1 COMMITTEE OF THE WHOLE *(Mayor Fiala)*

5.1.1 COMMITTEE MEETING MINUTES: September 4, 2019

5.1.2 ACTION RECOMMENDED:

- 1) APPROVAL OF PARKS & RECREATION BOARD HIRING RECOMMENDATION
- 2) AUTHORIZATION TO HIRE THE NEW COUNCIL CLERK
- 3) APPROVAL OF PROPOSED RETIREMENT FUNDING POLICY

5.2 COMMUNITY DEVELOPMENT COMMITTEE *(Kuhar/Rosenberg)*

- 5.2.1** COMMITTEE MEETING MINUTES: Special Committee Meeting August 21, 2019
And September 4, 2019
- 5.2.2** ACTION RECOMMENDED:
- 1) AUTHORIZE THE ACCESS AGREEMENT FOR MOGADORE ROAD SITE REMEDIATION, WITH AN EMERGENCY CLAUSE.
 - 2) AUTHORIZE THE PROPOSED AMENDMENT TO BACKYARD CHICKEN REGULATIONS, WITH AN EMERGENCY CLAUSE.
- 5.2.3** **Draft No. 2019-106- AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A RIGHT OF ACCESS AGREEMENT WITH ABB INSTALLATION PRODUCTS INC. (ABB IP, INC.) FOR SITE REMEDIATION AT 800 MOGADORE ROAD, AND DECLARING AN EMERGENCY**
- 5.2.4** **Draft No. 2019-107- AN ORDINANCE AMENDING 505.22 “BACKYARD CHICKENS” OF THE CODIFIED ORDINANCES OF THE CITY OF KENT, AND DECLARING AN EMERGENCY.** (Authorized)

5.3 FINANCE COMMITTEE *(DeLeone/Wallach)*

- 5.3.1** COMMITTEE MEETING MINUTES: September 4, 2019
- 5.3.2** ACTION RECOMMENDED:
- 1) AUTHORIZE THE SALE OF USED POLICE PATROL VEST, WITH AN EMERGENCY CLAUSE.
 - 2) AUTHORIZE THE CERTIFICATION OF TAX RATES TO PORTAGE COUNTY, WITH AN EMERGENCY CLAUSE.
 - 3) AUTHORIZE THE APPLICATION FOR OHIO MUNICIPAL BRIDGE FUNDING, WITH AN EMERGENCY CLAUSE.
 - 4) AUTHORIZE THE APPLICATION FOR AMATS RESURFACING FUNDING, WITH AN EMERGENCY CLAUSE.
 - 5) APPROVE THE BUDGET APPROPRIATIONS AMENDMENT, WITH AN EMERGENCY CLAUSE.
 - 6) AUTHORIZE THE DKC OPERATING AGREEMENT, WITH AN EMERGENCY CLAUSE.
- 5.3.3** **Draft No. 2019-108: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO SELL A USED POLICE PATROL BULLET PROOF VEST TO A RETIRED KENT POLICE OFFICER FOR \$310.00, WAIVES COMPETITIVE BIDDING AND DECLARING AN EMERGENCY.** (Authorized)
- 5.3.4** **Draft No. 2019-109: RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR.** (Authorized)
- 5.3.5** **Draft No. 2019-110: AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT A FUNDING APPLICATION TOTALING \$1.5 MILLION AND TO EXECUTE THE SUBSEQUENT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION’S (ODOT) MUNICIPAL BRIDGE PROGRAM, AND TO ACCEPT THE GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATION OF FUNDS FOR THE SUNRISE DRIVE BRIDGE OVER FISH CREEK, AND DECLARING AN EMERGENCY** (Authorized)
- 5.3.6** **Draft No. 2019-111: AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT A FUNDING APPLICATION TOTALING \$700,000 AND TO EXECUTE**

THE SUBSEQUENT AGREEMENT WITH THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) RESURFACING PROGRAM, AND TO ACCEPT THE GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATION OF FUNDS TO RESURFACE MOGADORE ROAD FROM CHERRY STREET TO SUMMIT STREET, AND DECLARING AN EMERGENCY. (Authorized)

5.3.7 *Draft No. 2019-112: 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.* (Authorized)

5.3.8 *Draft No. 2019-113: AN ORDINANCE APPROVING AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE THE OPERATING AGREEMENT, AND ALL OTHER DOCUMENTS NECESSARY FOR THE ACQUISITION OF CERTAIN PARCELS COMMONLY KNOWN AS 252-266 NORTH WATER STREET, KENT, OHIO, BY KENT DOWNTOWN COMMUNITY URBAN REDEVELOPMENT CORPORATION (DKC), AND DECLARING AN EMERGENCY.* (Authorized)

5.4 HEALTH & SAFETY COMMITTEE (*Amrhein/Sidoti*)

5.4.1 COMMITTEE MEETING MINUTES: September 4, 2019

5.4.2 ACTION RECOMMENDED: NONE

5.5 LAND USE COMMITTEE (*Ferrara/Shaffer*)

5.5.1 COMMITTEE MEETING MINUTES: NONE

5.5.2 ACTION RECOMMENDED: NONE

5.6 STREETS, SIDEWALKS & UTILITIES COMMITTEE (*Sidoti/Wallach*)

5.6.1 COMMITTEE MEETING MINUTES: NONE

5.6.2 ACTION RECOMMENDED: NONE

6. SPECIAL COMMITTEE REPORTS

7. UNFINISHED BUSINESS

8. NEW BUSINESS

8.1 Items needing Council action or referral

8.2 Schedule future Council meetings

8.3 Councilmembers' comments

9. MAYOR'S REPORT

10. EXECUTIVE SESSION *IN ACCORDANCE WITH ORC §121.22 Section G, Item (1): To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing*

11. ADJOURNMENT

Posted: September 11, 2019

Amy Wilkens, Clerk of Council

Visit www.kentohio.org for up to the
minute Agenda Amendments

Any person who requires an auxiliary aid or service for effective communication or a modification of policies and procedures to participate in any City or City Council public meeting or event should contact the Clerk of Council at 330-676-7555 or councilclerk@kent-ohio.org. Any request for auxiliary aid or other accommodation should be made as soon as possible, but no later than forty-eight hours prior to the event.

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**THE CITY OF KENT, OHIO
REGULAR COUNCIL MEETING
WEDNESDAY, August 21, 2019**

At 7:35 p.m., Mayor Jerry T. Fiala called the **Regular Meeting of Kent City Council** to order after Chief Tosko was able to recognize and award medals to Fire Department personnel for twenty-two recent lifesaving rescues in the swift river.

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; Mr. Erik Fink, Assistant Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Public Service Director; Mr. Jim Bowling, City Engineer; Fire Chief John Tosko; Ms. Dawn Bishop, Interim Clerk of Council

Mayor Fiala asked for roll to be read and then called upon Councilmember Rosenberg for her opening remarks.

Ms. Rosenberg wanted to thank the Fire Department for what she saw on Facebook: a couple of lucky students from the Kent Free Library Summer Reading Program were given a ride to school today in a fire truck. She loves it when city organizations work together like that. Ms. Rosenberg said as it is the first day of school in Kent, here's to a successful new school year for Kent City School students and Kent State University students.

Ms. Rosenberg then led the Pledge of Allegiance.

APPROVAL OF MINUTES:

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF July 17, 2019 made by Mr. Ferrara, seconded by Mr. Amrhein, and CARRIED by a voice vote of 8-0-1 with Ms. Wallach 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 fifteen visitors who signed in with the Clerk.

Jay Plymale of 7437 Birkner Drive Kent, said he can think of a lot of people around that would be in violation of the code, a lot of unrelated people living together. When looking at Bowling Green v Yoder, something things stand out: property owner's rights of the housing. He has seen in his lifetime a large amount of people just not getting married, or not staying married. You end up with a lot of single people living together. He hates to see fighting everybody.

Kristin Beahiaume of 851 Admore Drive Kent, said she and her husband are both realtors in Kent and have recently purchased their first rental. They bought a multifamily and a single family on Rockwell. She first learned of the residential licensing program in April and was a little bit taken aback because as a realtor, she works very closely with Heather Phile and on every property they transfer they get the buyer to sign off on the zoning certificate. As this was a pretty major thing, it was shocking to her to never have seen this before. As residents of the City of Kent, would you say the foundation to your own home is plum and is your grading and soil as they should be; do you have flaking paint or cracks on your ceiling. Ms. Beahiaume said if you come to my home maybe you would find that. Would it be ok to you if a city official came into your home uninvited or without a warrant and you have to pay them \$100 to do so and \$5 for each additional bedroom? She's not against health and safety. Ms. Beahiaume said this is too subjective and the answer she was given was we wouldn't do that, but the problem is you could, and that power is out there. She would ask to suspend the program or amend it.

Christopher Myers of 220 E Elm Kent, said he wanted to speak about the housing code. He has always found it very intrusive for his tenants to have someone coming in looking in their closets. He has always gotten along well with the Health Department; he had four houses, he got along with the Health Department, and they did a very good job. He said this is a little much, people who aren't related live together; sometimes they can't afford not to. He does commend the Health Department for their fine job. He also mentioned that the Record Courier has been advertising Council meetings for Tuesdays.

Claire Weihe of 312 N Lincoln Street Kent, wanted to speak on behalf of the Kent State University Student Govt in support of the rental licensing program. In 2018/2019 academic year, 28,000 undergraduate students had 70% living off campus. Many homes in Kent are over 100 years old and come at low monthly cost to students. These low prices make it possible for a lot of students to pursue an education. She said the last thing the students need to worry about is their safety. She believes landlords should be responsible for providing a safe residence for their tenants and it is not an invasion of privacy but public health and human rights.

Vala Zeinali of 604 Hickory Mills Kent, the student body president at Kent State University, said there are 6400 students living in residence halls and 20,000 living elsewhere. He shouldn't have to worry about his girlfriend having her front door broken with the force of a finger, worry that at any moment her roof could cave in covering her in asbestos, he shouldn't have to worry of carbon monoxide poisoning. He shouldn't have to worry about his basic human rights. As an advocate for students, he said living off campus can be great but not if it puts your students in danger.

Antonio Sacco-Neuman of 430 Suzanne Drive, Kent, said she lives next door to a home that was vacated by people who couldn't pay their mortgage and sat vacant for several years; not because of the economy downturn but because he was a drinker. He up and moved to Florida because you can't make him pay from there, she's been told. The house was eventually purchased by a couple from Boston Heights. Ms. Sacco-Neuman then addressed the audience and said it's great some of you live in Kent and Ms. Rosenberg called a point of order for Ms. Sacco-Neuman to address Council. Ms. Sacco Neuman continued with the problem is that a lot of landlords do not live in Kent and do not care. The first renters built an overhang on the back of the house, never finished it, left it open, never put gutters up, and squirrels, birds, etc would go in and out at the roof. She said talking about the grade of a property and if it's holding water, she finally got disgusted and called the City and it got fixed. Then she had a couple who threw trash all over the garage floor, don't use trash cans, wonder why they have a possum problem. She said she's living in a place where her health and safety is at risk. She ended up with a raccoon in her attic, which cost her \$7000 in getting the raccoon out, cleaning, sealing it up. She said the house behind her is owned by

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Ernie Duncan of Aurora, Section 8 occupants, and Mr. Duncan through all contents and trash out on the back deck because he didn't want to pay somebody to take care of it. He then came to her house and yelled at her because she called the City. Ms. Sacco-Neuman continued with the house across the street that is owned by a Kent resident slumlord that had SWAT there. She would like to commend Council for this program and certainly hopes none of it is repealed.

Andrew Madonio wished to withdraw his name.

Michael Wiener of 318 Lake Street said he went to school in Kent, he and his wife took money from their wedding reception and invested in their first property in Kent, which is now part of the beautiful architecture building. Most of their properties are licensed, so most of the less specific language doesn't apply to them. The fact that trying to enforce the bedroom restrictions on unrelated people, on properties that have been running as continuous business for nearly fifty years in his family and now more than twenty years personally. He doesn't mind following health codes. They've always been grandfathered in other properties, which they maintain at the same high level of safety. To pay another licensing fee to not have bedrooms ripped from their business isn't so bad, but he would like it to be complete and not pick and choose who; there's lots of examples of people getting away with it. He doesn't mind making it right but doesn't want to be picked on.

Bron Roeder of 1387 Elizabeth Court, Kent, has multiple rental properties. He brings houses up to standards where he would want to live there himself. He does his own inspections and that is written out in his lease agreements. He has a licensed contractor do work on his properties. PMHA already does inspections of his Section 8 properties. He doesn't like the fees from the city that have come out of nowhere. He is a recent retiree of the US Marine Corps, always did his job, and he expects the city to do their job. The State of Ohio has already ruled against different municipalities for trying to do what Kent is doing.

Bernie Noble of 1008 Mogadore Road, Kent, wanted to speak on his tenant's behalf. They do not want the city in their homes and one even thinks it's against his fourth amendment right. We already have the Health Department, Fair Housing Board, etc that anybody could call if there's a problem and this just seems like a money grab.

Mike Hornyak wished to withdraw his name.

Debra Redman, 141 S Mantua Street, Kent, spoke about the inspection process on her six bedroom duplex and also concerned about the unrelated persons living together provision. She says there are plenty of ordinances and laws already.

Bret Roberts of 1345 Aleside Drive in Hinckley, he put around \$50,000 in a rental property and surrounding his property are student rentals. He doesn't really understand the point of only having two unrelated people in a unit. If he has three on one side and one on the other; changes his property to two and two, what does it matter. He feels in his situation he should be granted a non-conforming duplex. He also has a licensed boarding house on S Mantua that is next to a house that will be up for sale. He would like to buy that house, fix it up, but in order to make any money he would have to rent it out to three students, not just two. Ms. Phile told him that's not going to happen and he just wanted to talk to Council about that because of these improvements he's trying to do. He would like cooperation from the City.

Mr. Brad Dickerson wished to withdraw his name.

Jim Hauch of 201 Emerald Avenue, Streetsboro, said most of the rental properties in the city are owned by local individuals. He said this iron fist approach isn't going to do anything but create bad blood between landlords and the city. For example, he has affidavits going back to 1968 and the City is not accepting those. He really wants Council to take a good hard look at this ordinance and how it's being enforced, talk to the city manager, the building department, and let them know how it's affecting local landlords and residents.

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

1. Planning Commission Staff Report and Meeting Agenda for August 6, 2019, received July 30, 2019.
2. Sustainability Commission Meeting Agenda for August 12, 2019, and the minutes from July 1, 2019, received August 8, 2019.
3. Standing Rock Cemetery Trustees Regular Meeting Minutes of July 11, 2019, received August 6, 2019.
4. New Liquor License Permit from Ohio Division of Liquor Control for Angel Campos LLC, DBA Coyotes Mexican Grill Cantina 2500 SR 59 Suites 18 & 20 received July 30, 2019.

Mayor Fiala noted that the location of the liquor license request was in Franklin Township. MOTION TO RETURN THE LIQUOR LICENSE REQUEST made by Mr. Amrhein, seconded by Mr. Kuhar, and CARRIED by a voice vote of 9-0.

5. Notification from Ohio Division of Liquor Control of all liquor permits set to expire/up for renewal on October 1, 2019, received July 16, 2019.
6. Standing Rock Cemetery Trustees Regular Meeting Minutes of August 8, 2019, received August 14, 2019.

Communications received after the publishing of the agenda were reported by Interim Clerk Bishop and placed on file in the Clerk's office as follows:

1. Park and Recreation Meeting Board Packet for August 15, 2019.

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

1. Request Council's authorization to accept a donation of pet carriers valued at a total of \$80 to the Kent Police Department for use in animal welfare. (Draft #2019-98)
2. Request Council's authorization to accept an Ohio Art's Council Grant in the amount of \$3171 and allocate its use for the Kent Creativity Festival. (Draft #2019-99)
3. Request Committee of the Whole time for approval of a City employee retirement funding policy.
4. Request Community Development Committee time to consider a proposed text amendment to Chapter 505 amending the Backyard Chicken regulations.
5. Request Health & Safety Committee time to receive a staff report outlining the deer population management practices in area cities.
6. Request Health & Safety Committee time to consider a new permit process for film productions proposed in the City of Kent.
7. Request Finance Committee time to consider authorizing the sale of a used police patrol vest.
8. Request Finance Committee time to authorize and certify the City tax rates for submission to the County.
9. Request Finance Committee time to consider authorization to apply for Ohio municipal bridge funding.
10. Request Finance Committee time to consider authorization to apply for AMATS resurfacing funding.

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MOTION TO APPROVE ITEMS #1-10 OF THE CITY MANAGER'S REPORT made by Mr. Amrhein, seconded by Mr. Kuhar, and CARRIED by a voice vote of 9-0.

STANDING COMMITTEES/ LEGISLATION

COMMITTEE OF THE WHOLE:

MOTION TO APPROVE THE COMMITTEE OF THE WHOLE MEETING MINUTES OF AUGUST 7, 2019 made by Mr. DeLeone, seconded by Mr. Sidoti, and carried by a voice vote of 7-0-2 with Ms. Shaffer and Ms. Wallach abstaining.

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

Recommended Actions:

1. Authorize insertion of names into legislation

Mr. Fink read the names for boards off the ballots.

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

Draft No. 2019-84: A RESOLUTION APPOINTING BRIDGET TIPTON TO THE ARCHITECTURAL REVIEW BOARD, 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. 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. 2019-84 made by Mr. Kuhar and seconded by Mr. Ferrara. 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.

RESOLUTION NO 2019-84 PASSED as stated by Clerk Bishop.

Draft No. 2019-85: A RESOLUTION APPOINTING WILLIAM DUNICK TO THE DESIGN AND PRESERVATION COMMITTEE, 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. 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. 2019-85 made by Mr. Kuhar and seconded by Mr. Ferrara. 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.

RESOLUTION NO 2019-85 PASSED as stated by Clerk Bishop

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Draft No. 2019-86: A RESOLUTION APPOINTING JORDAN CINDERICH TO THE FAIR HOUSING BOARD, 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 Ms. Rosenberg. 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. 2019-86 made by Mr. Ferrara and seconded by Mr. Sidoti. 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. 2019-86 PASSED as stated by Clerk Bishop.

Draft No. 2019-87: A RESOLUTION APPOINTING DEBORAH DOUGLAS TO THE FAIR HOUSING BOARD, 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. 2019-87 made by Mr. Kuhar 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.

RESOLUTION NO. 2019-87 PASSED as stated by Clerk Bishop.

Draft No. 2019-88: A RESOLUTION APPOINTING MORGAN TIPTON TO THE PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY, 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:" Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar. The Motion CARRIED by a roll call vote of 8-0-1, with Mr. Amrhein abstaining.

MOTION TO ADOPT DRAFT NO. 2019-88 made by Mr. Ferrara and seconded by Mr. Deleone. On Roll Call, voting "Yes:" Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar. The Motion CARRIED by a roll call vote of 8-0-1, with Mr. Amrhein abstaining.

RESOLUTION NO. 2019-88 PASSED as stated by Clerk Bishop.

Draft No. 2019-89: A RESOLUTION APPOINTING THOMAS SIMPSON TO THE PARKING ACTION COMMITTEE, 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.

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MOTION TO ADOPT DRAFT NO. 2019-89 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.

RESOLUTION 2019-89 PASSED as stated by Clerk Bishop.

COMMUNITY DEVELOPMENT COMMITTEE:

MOTION TO APPROVE THE COMMUNITY DEVELOPMENT MEETING MINUTES OF August 7, 2019 made by Mr. Kuhar, seconded by Mr. DeLeone, and CARRIED by a voice vote of 7-0-2, with Ms. Shaffer and Ms. Wallach abstaining.

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

Recommended Actions:

1. Authorize licensing text amendment, with an emergency clause.
2. Authorize the updated MOU between the City and Portage County for use of NSP Program Income, with an emergency clause.

Draft No. 2019-90: AN ORDINANCE AMENDING TITLE SEVEN – ENVIRONMENTAL HEALTH AND HOUSING MAINTENANCE CODE (RENTAL LICENSING) OF THE KENT CODIFIED ORDINANCES TO REMOVE SURPLUS LANGUAGE AND ADD CLARIFYING LANGUAGE FOR THE INSPECTION AND LICENSING OF RESIDENTIAL RENTAL UNITS; 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, seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer.

MOTION TO ADOPT DRAFT NO. 2019-90 made by Mr. Ferrara and seconded by Ms. Shaffer.

Ms. Shaffer said she's hesitant to reduce penalty language. She's said they've gotten landlord/property owner's attention so maybe they can work together. She said since being elected to Council in 2008, the issue that has taken most of her time and energy has been the condition of rental properties and the fact that many are in zoning violations. She gets complaints from her constituents and even from landlords who want to have a better more level playing field. Her first meeting she had with students she thought was going to be about police, it ended up being about housing, they want safe housing. They do not feel empowered at that age to advocate for themselves. This is something they should do. She said this is the right thing. In reducing the penalty and making it a rather civil issue in her understanding, they are giving a concession. Property values as homeowners are also at stake. You can tell by looking in her neighborhood whether a place is a rental or homeowner-occupied. She would like to see all of the city be a community we can be proud of.

Mr. Kuhar said we are only changing the amount of a fine and changing things from civil to criminal infractions. He doesn't expect anyone who makes a civil mistake to be fined as much as a rapist would be fined because \$3000 is a felony fine, not a civil infraction fine. He would hate to see someone go to jail because they left their trash cans on the curb too many days. They are only combining Health and Community Development Codes to mesh but also coming into reality as these are civil not criminal offenses.

Mayor Fiala asked of Mr. Fink if anyone on Council with rentals should abstain from the vote. Mr. Fink said no that would not be necessary.

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On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer.

ORDINANCE 2019-90 PASSED as stated by Clerk Bishop.

Draft No. 2019-91: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO APPROVE THE PROPOSED UPDATED MEMORANDUM OF UNDERSTANDING AND ADDENDUM TO THE 2009 NEIGHBORHOOD STABILIZATION GRANT (NSP) SUBRECIPIENT AGREEMENT BETWEEN THE CITY OF KENT AND PORTAGE COUNTY TO UTILIZE THE PROGRAM INCOME FOR A CDBG ELIGIBLE PROJECT; 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 Ms. Shaffer. On Roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-91 made by Mr. Kuhar and seconded by Ms. Shaffer. On Roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE 2019-91 PASSED as stated by Clerk Bishop.

FINANCE COMMITTEE:

MOTION TO APPROVE THE FINANCE COMMITTEE MEETING MINUTES OF August 7, 2019 made by Mr. DeLeone, seconded by Mr. Amrhein, and CARRIED by a voice vote of 7-0-2, with Ms. Shaffer and Ms. Wallach abstaining.

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

Recommended Actions:

1. AUTHORIZE THE EAST MAIN STREET TRANSPORTATION IMPROVEMENT FUNDING APPLICATIONS, WITH AN EMERGENCY CLAUSE.
2. AUTHORIZE THE 2019 BUDGET APPROPRIATIONS AMENDMENT, WITH AN EMERGENCY CLAUSE.
3. AUTHORIZE THE SALE OF THE RETIRED HEAVY DUTY RESCUE TRUCK, WITH AN EMERGENCY CLAUSE.
4. AUTHORIZE THE CERTIFICATIONS OF DELINQUENT ACCOUNTS FOR PORTAGE COUNTY'S PROPERTY TAX LIENS, WITH AN EMERGENCY CLAUSE.

Draft No. 2019-92: AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT THREE (3) FUNDING APPLICATIONS TOTALING \$16,850,000.00 AND TO EXECUTE THE SUBSEQUENT AGREEMENTS WITH THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) AND THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT), AND TO ACCEPT THE GRANTS, IF AWARDED, WITH CORRESPONDING APPROPRIATION OF FUNDS FOR THE EAST MAIN STREET AREA IMPROVEMENTS, 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. DeLeone. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner.

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MOTION TO ADOPT DRAFT No. 2019-92 made by Mr. Kuhar and seconded by Mr. Ferrara. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner.

RESOLUTION NO. 2019-92 PASSED as stated by Clerk Bishop.

Draft No. 2019-93: 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. DeLeone and seconded by Ms. Rosenberg. 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. 2019-93 made by Mr. DeLeone and seconded by Mr. Ferrara. 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. 2019-93: PASSED as stated by Clerk Bishop.

Draft No. 2019-94: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO ACCEPT A BID OF \$40,000.00 FROM RENOVO FIRE DEPARTMENT TO PURCHASE THE CITY OF KENT'S USED 1992 PIERCE DASH HEAVY RESCUE TRUCK, WITHOUT COMPETITIVE BIDDING, 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. 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. 2019-94 made by Mr. DeLeone 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. 2019-94 PASSED as stated by Clerk Bishop.

Draft No. 2019-95: AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF WATER USE CHARGES, WASTEWATER USE CHARGES, STORM WATER UTILITY CHARGES AND RECYCLING/SOLID WASTE COLLECTION CHARGES TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY FOR THE NON-PAYMENT OF WATER USE CHARGES, WASTEWATER USE CHARGES, STORM WATER UTILITY CHARGES AND RECYCLING/SOLID WASTE COLLECTION CHARGES, 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. 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.

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MOTION TO ADOPT DRAFT No. 2019-95 made by Mr. Ferrara and seconded by Mr. DeLeone. 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.

ORDINANCE NO. 2019-95 PASSED as stated by Clerk Bishop.

Draft No. 2019-96: AN ORDINANCE AUTHORIZING THE CERTIFICATION OF DELINQUENT MOWING BILLS, PROPERTY MAINTENANCE VIOLATIONS-CITATIONS, ZONING VIOLATIONS-CITATIONS, AND HEALTH DEPARTMENT VIOLATIONS-CITATIONS TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY SERVED BY THE MOWING SERVICES, PROPERTY MAINTENANCE VIOLATION-CITATIONS, ZONING VIOLATIONS-CITATIONS, HEALTH DEPARTMENT VIOLATIONS-CITATIONS, 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. 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. 2019-96 made by Mr. DeLeone and seconded by Ms. Shaffer. 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. 2019-96 PASSED as stated by Clerk Bishop.

Draft No. 2019-97: AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF BILLS FOR RESIDENTS RESULTING FROM THE 2018 ANNUAL CONCRETE REPAIR PROGRAM, TO THE COUNTY AUDITOR IN ORDER TO ALLOW FOR THE PLACEMENT OF THE CERTIFIED AMOUNT ON THE REAL PROPERTY TAX LIST AND DUPLICATE AGAINST THE PROPERTY FOR THE NON-PAYMENT OF SIDEWALK REPAIRS, 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. 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. 2019-97 made by Mr. Kuhar and seconded by Mr. DeLeone. 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. 2019-97 PASSED as stated by Clerk Bishop.

Draft No. 2019-98: AN ORDINANCE ACCEPTING A DONATION OF TWO (2) HARD PLASTIC PET CARRIERS DONATED BY DARLENE ARDELIAN, VALUED AT \$40.00 EACH, 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. 2019-98 made by Ms. Shaffer and seconded by Mr. Ferrara.

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Ms. Rosenberg wanted to express her gratitude for the donation.

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. 2019-98 PASSED as stated by Clerk Bishop.

Draft No. 2019-99: AN ORDINANCE ACCEPTING A GRANT FROM THE OHIO ARTS COUNCIL IN THE AMOUNT OF \$3,171.00 TO BE USED TO SUPPORT THE KENT CREATIVITY FESTIVAL WHICH WILL BE HELD ON SEPTEMBER 28, 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 Ms. Rosenberg. 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. 2019-99 made by Ms. Wallach 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. 2019-99 PASSED as stated by Clerk Bishop.

HEALTH AND SAFETY COMMITTEE:

NO MINUTES OR RECOMMENDED ACTIONS TO BE APPROVED.

LAND USE COMMITTEE:

NO MINUTES OR RECOMMENDED ACTIONS TO BE APPROVED.

STREETS, SIDEWALKS AND UTILITIES COMMITTEE:

MOTION TO APPROVE THE STREETS, SIDEWALKS, AND UTILITIES COMMITTEE MEETING MINUTES OF August 7, 2019 made by Mr. Sidoti, seconded by Mr. Amrhein, and CARRIED by a voice vote of 7-0-2 with Ms. Wallach and Ms. Shaffer abstaining.

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

Recommended Actions:

1. AUTHORIZE THE PROPOSED DOWNTOWN PARKING ORDINANCE CHANGE, AND DECLARING AN EMERGENCY.
2. AUTHORIZE THE STREET CLOSURE EVENT FOR THE CREATIVITY FESTIVAL, AND DECLARING AN EMERGENCY.
3. AUTHORIZE THE RENEWAL OF THE CITY-ODOT BRIDGE INSPECTION AGREEMENT, AND DECLARING AN EMERGENCY.
4. AUTHORIZE THE PROPOSED JOINT EASEMENT WITH PARTA FOR NEW BUS SHELTER AT KENTWAY, AND DECLARING AN EMERGENCY.

Draft No. 2019-100: AN ORDINANCE AMENDING SECTION 353.02 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED "PARKING REGULATION AUTHORIZATION" TO REMOVE THE TWO HOUR ON STREET PARKING RESTRICTION AFTER 5:00 P.M., ON SPECIFIED STREETS IN THE

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CENTRAL BUSINESS DISTRICT 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 Ms. Shaffer. On Roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-100 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE NO. 2019-100 PASSED as stated by Clerk Bishop.

Draft No. 2019-101: AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE A NEW SPECIAL EVENT APPLICATION FROM THE CITY OF KENT AND KENT STATE UNIVERSITY FOR THE 2019 KENT CREATIVITY FESTIVAL "PLAN B" TO BE HELD ON SATURDAY, SEPTEMBER 28, 2019, AND THE TEMPORARY CLOSURE OF ERIE STREET BETWEEN HAYMAKER PARKWAY AND DEPEYSTER STREET, ERIE STREET BETWEEN DEPEYSTER STREET AND WATER STREET, AND A PORTION OF THE SOUTH WATER STREET PARKING LOT, A "PLAN B" FOR GREEN ENERGY OHIO TOUR-CLEAN TRANSPORTATION DRIVE-IN SCHEDULED TO BE HELD IN CONJUNCTION WITH KENT CREATIVITY FESTIVAL 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. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner. The Motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2019-101 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner. The Motion CARRIED by a roll call vote of 9-0.

ORDINANCE NO. 2019-101 PASSED as stated by Clerk Bishop.

Draft No. 2019-102: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RENEW AN AGREEMENT GIVING CONSENT TO THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION FOR PARTICIPATION IN THEIR BRIDGE INSPECTION PROGRAM SERVICES FOR THE YEARS 2020-2022; PID 109334; 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. Kuhar and seconded by Mr. Ferrara. 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. 2019-102 made by Mr. Kuhar and seconded by Mr. Ferrara. 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. 2019-102 PASSED as stated by Clerk Bishop.

Draft No. 2019-103: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN EASEMENT TO ACCESS FOR THE PURPOSE OF INSTALLING A CONCRETE PAD AND BUS PASSENGER SHELTER FROM KENTWAY, INC., AS GRANTOR, TO THE CITY OF KENT

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AND THE PORTAGE AREA REGIONAL TRANSIT AUTHORITY (PARTA), AS GRANTEES, 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. DeLeone. 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. 2019-103 made by Ms. Shaffer and seconded by Mr. DeLeone. 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. 2019-103 PASSED as stated by Clerk Bishop.

SPECIAL COMMITTEE REPORTS: NONE

UNFINISHED BUSINESS: NONE

NEW BUSINESS:
ITEMS NEEDING COUNCIL ACTION OR REFERRAL

MOTION MADE TO MOVE INTO COMMITTEE A LOOK AT THE RESIDENTIAL LICENSING made by Mr. Kuhar and seconded by Ms. Wallach.

Mr. Kuhar said he thinks there are a couple issues they may need to look at a little closer.

Ms. Wallach said way back when she was first on Council about the two bedroom unrelated occupants vs three occupants. She would at least like to discuss it again and wanted the clerk to find that discussion from 2008-2010.

Ms. Shaffer said Council has gone over and over and over this for over twelve years. With the new definition of family, these issues people raised about unmarried couples can be solved with our definition that is already included in the ordinance. She said it is a slippery slope to start grandfathering people in because of a certain number of bedrooms. Her residents certainly aren't happy with zoning violations and she doesn't think they will be happy with us if we open that back up.

Mr. Kuhar said he doesn't think the new definition of family meets the needs of what the problems are and it may possibly be having some fourth amendment violations we may need to get rid of before we have a lawsuit on our hands.

THE MOTION FAILED on a voice vote of 4-5 with Mr. Amrhein, Mr. Ferrara, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer against.

MOTION TO DEDICATE THE NEW KENTWAY BUS STOP IN COUNCILMAN'S WILLIAM F SCHULTZ'S NAME WITH THE APPROVAL OF PARTA made by Ms. Shaffer and seconded by Mr. Ferrara.

Ms. Shaffer said they've been trying for many years to get a bus stop at Kentway and a recent retiree from PARTA brought it up to her to name the bus stop after Bill Schultz. Bill Schultz was a strong advocate for public transportation and a strong advocate for the elderly and their transportation needs. She would like to see some sort of plaque.

Mr. Turner said it really is most appropriate, especially it being in his former ward, and everything he stood for. When someone goes in, in the shelter, it would be nice to see his name, maybe a picture or inscription, and is very appropriate to follow through with in his memory.

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Mr. DeLeone asked who owns the bus stop.

Mr. Turner said as it was brought to Council by a staff member, it would seem logical they would support it as well.

MOTION CARRIED BY A VOICE VOTE OF 9-0.

Ms. Wallach said she's been working with residents of Four Season still and there was a problem with the gas meters right by the parking lot and one of the residents accidentally hit the gas pedal instead of the brake and ran into the gas meter and they had to evacuate. They've been working with management and they were going to put concrete planters in front of those gas meters to help prevent further accidents like that but now they aren't going to do that.

MOTION TO ASK COUNCIL TO PASS A RESOLUTION AUTHORIZING ADMINISTRATION TO SEND A LETTER TO NRP GROUP REQUESTING PUT IN THE OHIO FIRE CODE SAFETY REQUIREMENTS FOR PROTECTION OF OUTSIDE GAS METERS made by Ms. Wallach and seconded by Mr. DeLeone.

Ms. Wallach said while they are grandfathered, they should still be putting these things up as there was already an accident that was very detrimental. We can't force them, just request it of them.

Mr. Kuhar said again we can't force them, just would suggest it and not make it look like we are going to fine them or send them to jail.

MOTION CARRIED BY A VOICE VOTE OF 9-0.

Ms. Wallach said while in the Community Development Department the other day, she was told they were buying a new car. She would like to see a comprehensive vehicle acquisition plan. She said the City has to start buying hybrids, we can't put it off anymore. The car that was being bought could have easily been a hybrid or electric but it wasn't because of the conditions. She knows each department does it their own way so could we get a more comprehensive and could we lease some cars instead of buying them and just an overall general look at all things are done; understanding that police vehicles are a different need, service different, etc. MOTION TO SEE A COMPREHENSIVE VEHICLE ACQUISITION PLAN made by Ms. Wallach and seconded by Ms. Shaffer.

Ms. Shaffer said without excess cost to the city, it is part of being an environmental leader making those types of purchases when possible.

Mr. Turner said he would also like to make sure department heads are brought in on the conversation, or at least get their opinion how it would affect their overall function. Mr. Turner said the move to hybrid or electric cars is very forward thinking and it would send a positive message out.

MOTION CARRIED BY A VOICE VOTE OF 9-0.

SCHEDULE FUTURE COUNCIL MEETINGS

COUNCILMEMBERS' COMMENTS

Mr. Sidoti said Harrison Wicks has been driving the Heart and Soul meetings and Mr. Wicks has to be commended for his efforts. He is working with a very diverse group of residents and we all bring different things and ideas and Mr. Wicks handles it very deftly and sometimes maybe we don't say enough thank you's to the people doing the work on the front lines and he's doing a nice job. *—Applause followed—*

Mr. Kuhar wanted to thank everyone for coming out and voicing their opinion on landlord issue. We had comments from both sides which is what a democracy is about and he just wishes we had that kind of a turn out for every meeting and people being involved in their community and their likes and dislikes instead of just sitting at home complaining.

Mr. Turner said he would like to clear something up if he can. With regard to the utterance of the word asinine: Mr. Myers came to him with his concern of the difference in how each were noted in using it. Asinine is not a profanity but is maybe a negative comment. The appropriateness of why it was made is that Mr. Chris Myers interacted with a councilmember and he believes at that time is the reason she stepped in; Mr. Turner's said his use of the word asinine was just in general comment. He wanted to make sure people understood why it kept popping up. Most people probably thought it was a confrontation that our clerk intervened on and that's what we've been pushing her to do. So there was a difference in the usage of the word, not him over reaching.

Mayor Fiala asked if Chris Myers was satisfied with that and he said from the audience he'll be talking about it again.

Mr. Amrhein said he was at the Kent Wellness Center today and someone who lives in Ivan wanted him to convey to Mrs. Baker his thanks to her and the service department for quick clean up of brush and chipping of wood from all trees that fell.

Ms. Wallach asked if the compost site was open.

Ms. Baker answered yes as of a week ago

MAYOR'S REPORT:

Mayor Fiala said there's a lot of things going on in the community in the summer but the Dog Days of Summer was a hit this year. The new freshmen were welcomed into the city just yesterday and they came off the bus, toured downtown. As we are mom and pop for the next nine months for these kids, let's make sure we look after them and show them what Kent is all about.

MOTION FOR AN EXECUTIVE SESSION IN ACCORDANCE WITH ORC §121.22 Section G, Item (1): To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing
Made by Mr. Amrhein, seconded by Ms. Rosenberg at 9:00 p.m. 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.

Amy Wilkens
Clerk of Council
As transcribed by Interim Clerk D. Bishop

Jerry T. Fiala
Mayor and President of Council

**THE CITY OF KENT, OHIO
SPECIAL COUNCIL MEETING
WEDNESDAY, SEPTEMBER 4, 2019**

At 7:04 p.m., Mayor Fiala called the **Special Meeting of Kent City Council** to order. 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.

ALSO PRESENT: Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Public Service Director; Mr. Jim Bowling, City Engineer; Fire Chief John Tosko; Mr. Dave Coffee, Budget and Finance Director; Police Chief Michelle Lee; Ms. Dawn Bishop, Interim Clerk of Council.

ABSENT: Ms. Wallach

Mayor Fiala asked for roll to be read.

MOTION TO EXCUSE MS WALLACH FROM TONIGHT'S MEETING was made by Mr. Ferrara, seconded by Mr. Sidoti, and CARRIED by a voice vote of 8-0.

MOTION TO AUTHORIZE DRAFT Nos. 2019-104 & 105 made by Mr. Ferrara, seconded by Amrhein, and CARRIED by a voice vote of 8-0.

Draft No. 2019-104: AN ORDINANCE APPOINTING KEVIN G SCHWARTZHOFF AS DIRECTOR OF PARKS AND RECREATION OF THE CITY OF KENT, AND DECLARING AN EMERGENCY was read by title only by Ms. 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. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. **2019-104** made by Ms. Shaffer and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE NO. 2019-104 PASSED as stated by Clerk Bishop.

Draft No. 2019-105: AN ORDINANCE APPOINTING AMY WILKENS AS CLERK OF COUNCIL OF THE CITY OF KENT, AND DECLARING AN EMERGENCY was read by title only by Ms. Bishop per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara, seconded by Mr. Kuhar. On Roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Mr. Amrhein. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. **2019-105** made by Mr. Kuhar and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Mr. Amrhein. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE NO. 2019-105 PASSED as stated by Clerk Bishop.

Hearing no further discussion, Mayor Fiala adjourned the Special Meeting at 7:07 p.m.

Amy Wilkens
Clerk of Council
As transcribed by Interim Clerk D. Bishop

Jerry T. Fiala
Mayor & Council President

DRAFT

**THE CITY OF KENT, OHIO
COMMITTEE OF THE WHOLE
WEDNESDAY, September 4, 2019**

Mayor Fiala called the Committee of the Whole of Kent City Council to order at 7:00 p.m.

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

ALSO PRESENT: Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Public Service Director; Mr. Jim Bowling, City Engineer; Fire Chief John Tosko; Mr. Dave Coffee, Budget and Finance Director; Police Chief Michelle Lee; Ms. Dawn Bishop, Interim Clerk of Council.

ABSENT: Ms. Wallach; Ms. Shaffer & Mr. Ferrara (both absent until third item number)

There were two (3) items on the Agenda.

1. Approval of Parks and Recreation Board Hiring Recommendation

MOTION TO APPROVE THE PARKS AND RECREATION BOARD HIRING RECOMMENDATION made by Ms. Rosenberg, seconded by Mr. Sidoti, and CARRIED by a voice vote of 6-0.

2. Authorization to Hire the new Clerk of Council

MOTION TO AUTHORIZE THE HIRE OF THE CLERK OF COUNCIL made by Mr. Amrhein, seconded by Mr. Kuhar, and CARRIED by a voice vote of 6-0.

3. Consideration of Proposed Retirement Funding Policy

Mr. Ruller said there are definitely different ways of doing retirement gifts through the city and now that we have a full time law director, she said it would be great to standardize that. He's worked with the Law Director and department heads and set a dollar amount towards a retirement gift for those that meet certain qualifiers, i.e. he thinks it was fifteen years here before retirement. It's not to go towards the festivities, food, etc but for the thing that the department recognizes the retiree with.

Ms. Jones said she realized after speaking to different department heads that some departments spend department funds for awards or gifts and others don't at all. This will put everyone on a level playing field if Council decides to let us implement this policy. It again will not go towards food and drinks and can't be used for cash or gift cards, has to actually be an award or gift.

Mayor Fiala asked what the dollar amount is.

Ms. Jones said \$250.

Mr. Ruller said that amount was largely driven by the fire department's retirement gift, what the helmet cost is. That became the upper limit.

MOTION TO ACCEPT THE PROPOSED RETIREMENT FUNDING POLICY made by Ms. Rosenberg, seconded by Mr. Ferrara.

Mr. Kuhar asked about an emergency clause.

Ms. Jones said she doesn't need an ordinance, just Council's authorization for personnel policy.

MOTION CARRIED by a voice vote of 8-0.

DRAFT

Hearing no further business before this Committee, Mr. Amrhein adjourned the meeting at 7:04 p.m.

Amy Wilkens
Clerk of Council
As transcribed by Interim Clerk D. Bishop

ACTION RECOMMENDED:

- 1) **Approval of Parks & Recreation Board Hiring Recommendation.**
- 2) **Authorization to Hire the New Clerk of Council.**
- 3) **Approval of Proposed Retirement Funding Policy.**

DRAFT

**THE CITY OF KENT, OHIO
COMMUNITY DEVELOPMENT SPECIAL COMMITTEE MEETING
WEDNESDAY, August 21, 2019**

Mayor Fiala called the meeting of the Community Development Committee of Kent City Council to order at 7:00 p.m. Mr. Ferrara and Ms. Rosenberg both arrived at 7:03 p.m. during the PowerPoint.

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; Mr. Erik Fink, Assistant Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Public Service Director; Mr. Jim Bowling, City Engineer; Fire Chief John Tosko; Ms. Dawn Bishop, Interim Clerk of Council.

There was one (1) item on the Agenda.

1. Access Agreement for Mogadore Road Site Remediation

Ms. Susel said the purpose of this meeting was to seek Council authorization with an emergency of an access agreement to allow for the implementation of a remediation plan to prevent the migration of surface petroleum from reaching the Cuyahoga River. A secondary location has been identified at 800 Mogadore Road since 2016 and the owners of the property, ABB, have been working with an environmental consulting firm and they in turn the EPA.

Ms. Melody Christopher, the environmental project manager for ABB said this is a continuation of the North Ditch project. They need access to do the cleanup quickly and want to get in and out before winter. Ms. Christopher had her contractor at Council: Matt Knecht from HZW, who will be managing the project; and Ben Iden from Wood the remedial design contractors.

Mr. Matt Knecht from HZW had a PowerPoint (**Attachment #1.**)

Ms. Shaffer asked about the 'seep' and if there was enough oil there to pump put.

Ms. Christopher said sometimes but this particular site is pretty limited for access. Although there are utilities that run through the area, there are not utilities that service the area. There are no sewer lines, electricity. They are going to be able to do removal and containment at the source.

Mr. Kuhar asked if this is just an extension on what was worked on last year, like an extension of the seep?

Ms. Susel said this is a secondary site. What was seen last year had monitoring wells and were on site to develop a plan in conjunction with the EPA. What was being seen was not actual clean up but testing.

Mr. Kuhar asked by the river there was no clean up last year?

Ms. Susel said back in 2016 the North Ditch had its clean up completed and this is a secondary location that has been identified.

Mr. Sidoti asked if this a failed process that when that land was first fixed, there was containment.

Ms. Susel said ABB bought this site and it has been a pleasure to work with them for the last two years as from 2011 to 2017 it was a challenge getting information on the site. They now have full understanding of the various issues that need addressed on the site. The original item was the slurry wall on the south side

DRAFT

and that was for a different containment, for chlorinated solvents and that was on the private side only and they are working on a remediation for that under the voluntary agreement and the Ohio EPA. The city will not be involved in that unless there is migration off.

Mr. Sidoti asked if this just occurred.

Ms. Susel believes it is a legacy issue that goes back decades from the way the plant was being operated and how they literally had open pools of petroleum. It has never really been fully dealt with. Those legacy issues are coming to the forefront and being dealt with.

MOTION TO AUTHORIZE THE ACCESS AGREEMENT FOR MOGADORE ROAD SITE REMEDIATION, AND DECLARING AN EMERGENCY made by Mr. Kuhar, seconded by Mr. Amrhein, CARRIED by a voice vote of 9-0.

No further comments from Council or the audience.

Hearing no further business before this Committee, the meeting was adjourned at 7:11 p.m.

Amy Wilkens
Clerk of Council
As transcribed by Interim Clerk D. Bishop

ACTION RECOMMENDED:

- 1) **AUTHORIZE THE ACCESS AGREEMENT FOR MOGADORE ROAD SITE REMEDIATION, WITH AN EMERGENCY CLAUSE.**

DRAFT ORDINANCE NO. 2019 -106

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A RIGHT OF ACCESS AGREEMENT WITH ABB INSTALLATION PRODUCTS INC. (ABB IP, INC.) FOR SITE REMEDIATION AT 800 MOGADORE ROAD, AND DECLARING AN EMERGENCY.

WHEREAS, ABB IP, Inc. is engaged in voluntary site remediation of the property known as 800 Mogadore Road, Kent, Ohio and related off-property impacts associated with the historical activities at this Site; and

WHEREAS, in order to complete this site remediation, ABB IP, Inc. and its agents need to enter onto City owned property; and

WHEREAS, ABB IP, Inc. will need to restore the City's property to a condition similar to the property's current condition as described in the attached agreement; and

WHEREAS, the attached agreement (Exhibit "A") needs to be executed in order to allow this access to ABB IP, Inc. and its agents in order to complete the remediation work and to ensure proper restoration of City owned property; and

WHEREAS, time is of the essence as ABB IP, Inc. and the City desire this phase of the remediation work to begin immediately;

NOW, THEREFORE, BE IT ORDAINED, by the Council of the City of Kent, Portage County, Ohio at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That Council does hereby authorize the City Manager or his designee to enter into a Right of Access Agreement with ABB IP, Inc. and their agents so that they may cross over City owned property to remediate the historical activities of said property, as more fully described and in substantial compliance with the attached agreement (Exhibit "A").

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *ORDINANCE No.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

Off-Property Oil Seep Remedial Plan

Presentation to the City of Kent

August 21, 2019



wood.

Introduction

- Goal: Provide Background for Access Request
- Schedule: Complete and Out Before Winter
- Melody Christopher, ABB IP (Owner 800 Mogadore Road Property)
- Matt Knecht, HZW (Certified Professional)
- Ben Iden, Wood (Remedial Design Partner)

Off-Property Oil Seep (Fuller Park)

- Ground surface Oil Seep
- Remote from Ballfields/Parking Area
- Across Stream from Field 4
- Oil Absorbed/Contained Regularly
- Snow Fence Restricts Access
- These measures in place since 2017
- Seep is Referred to as “OPAI-01”
- “Off-Property Area of Interest No. 1”





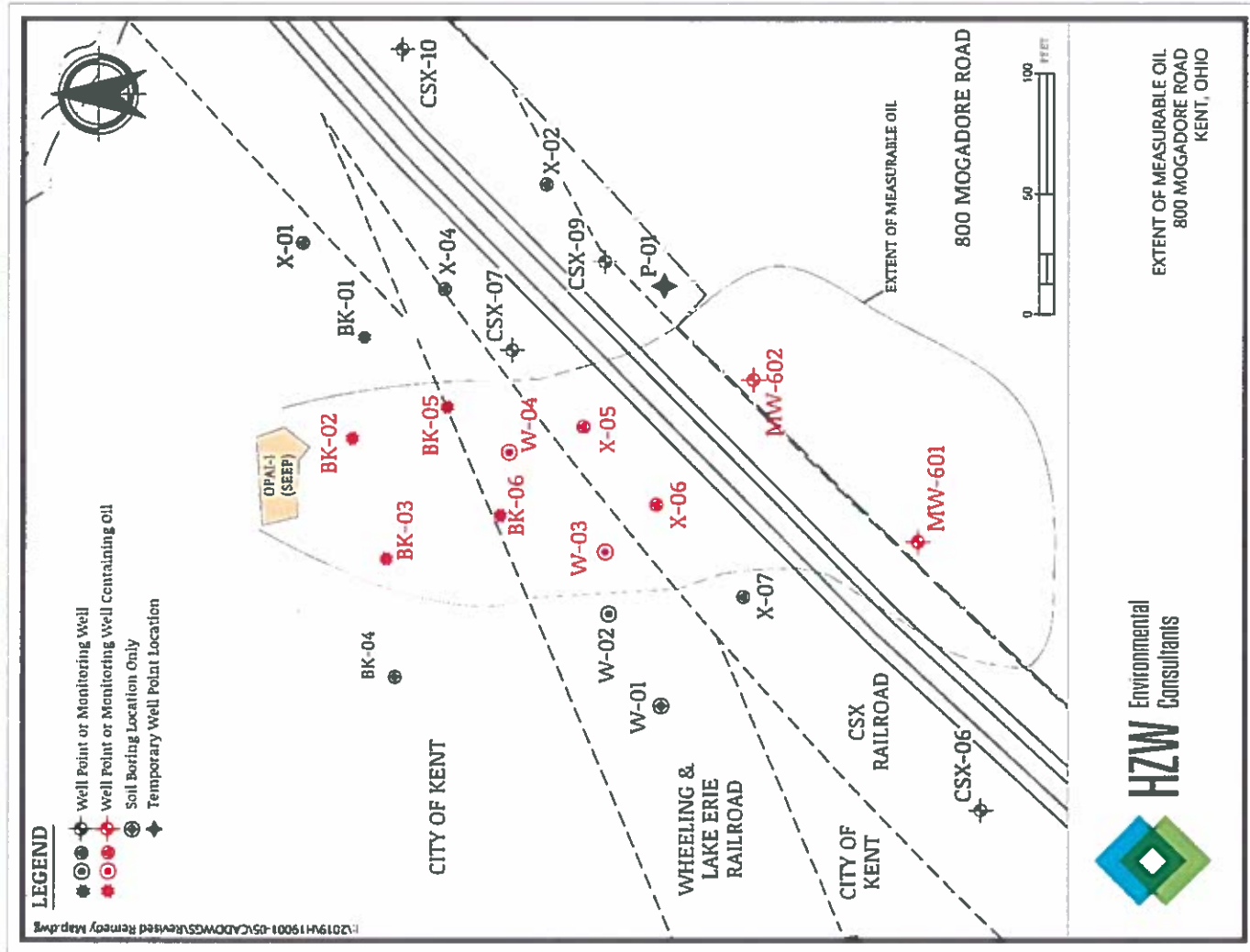
FIGURE 1: PROPERTY & VICINITY

Remedial Action Goals

- Prevent Oil Emanation to Surface Water (Currently Contained thru Absorption)
- Prevent Potential Human and Ecological Contact
- Improved Aesthetic for Park Setting

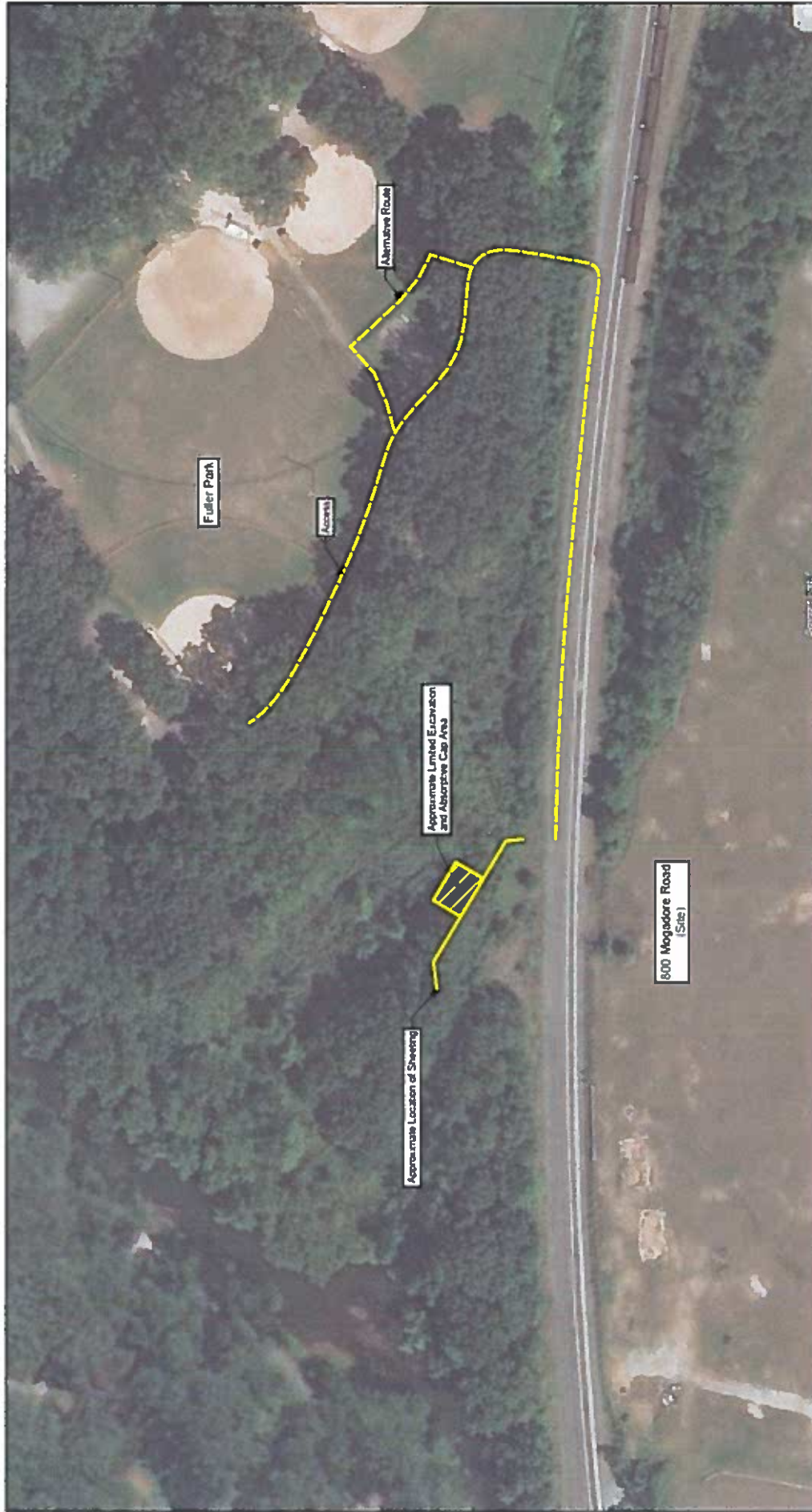
Proposed Remedial Actions

- Install Barrier Wall (Sheet Piling)
upgradient of Seep
- Conduct Targeted Soil Removal of
Contaminated Soils in Vicinity of Seep
- Backfilling with Absorptive Material and
Capping to Eliminate Surface Expression
of Seep



Specific Access Needs

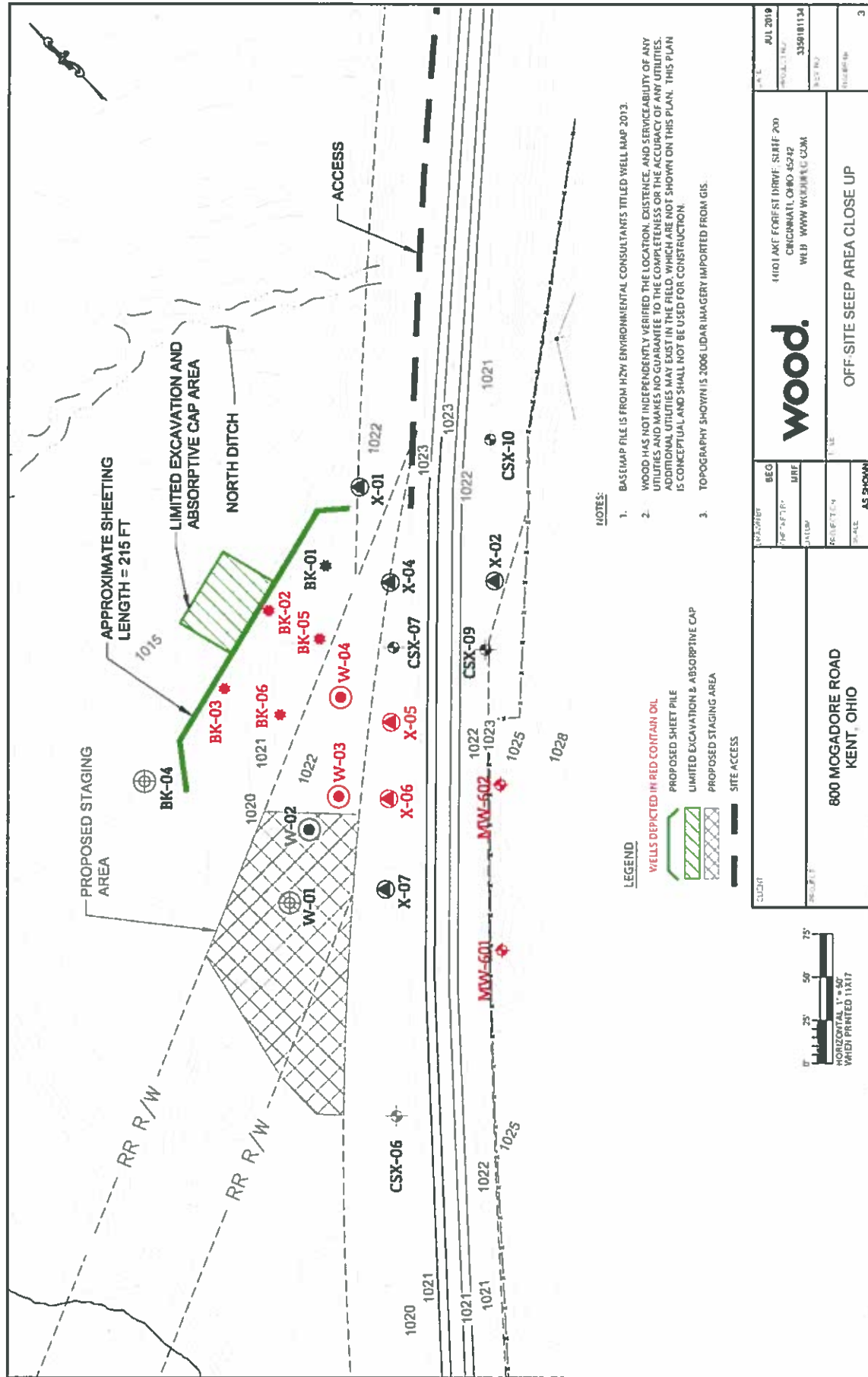
- Path Through Trees to RR Tracks (Existing)
- Access to Fuller Park (via Bridge)
- Trucks through Park
- Staging Area for Equipment and Supplies (not in Park, but near Seep Work Area)



		CLIENT Wood Environment & Infrastructure Solutions, Inc. 440 Lake Forest Drive, Suite 200 Cincinnati, Ohio 45242		PROJECT 800 Mogadore Road Kent, Ohio		DATE 08/19/19 PROJECT NO. 3359181134 REV. NO. 1	
		DRAWN BY C-ECASD BY DATE PRODUCTION SCALE 1" = 100'		TITLE AERIAL OF PROPOSED ACCESS		FIGURE NO. 1	

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August 21, 2019



August 21, 2019

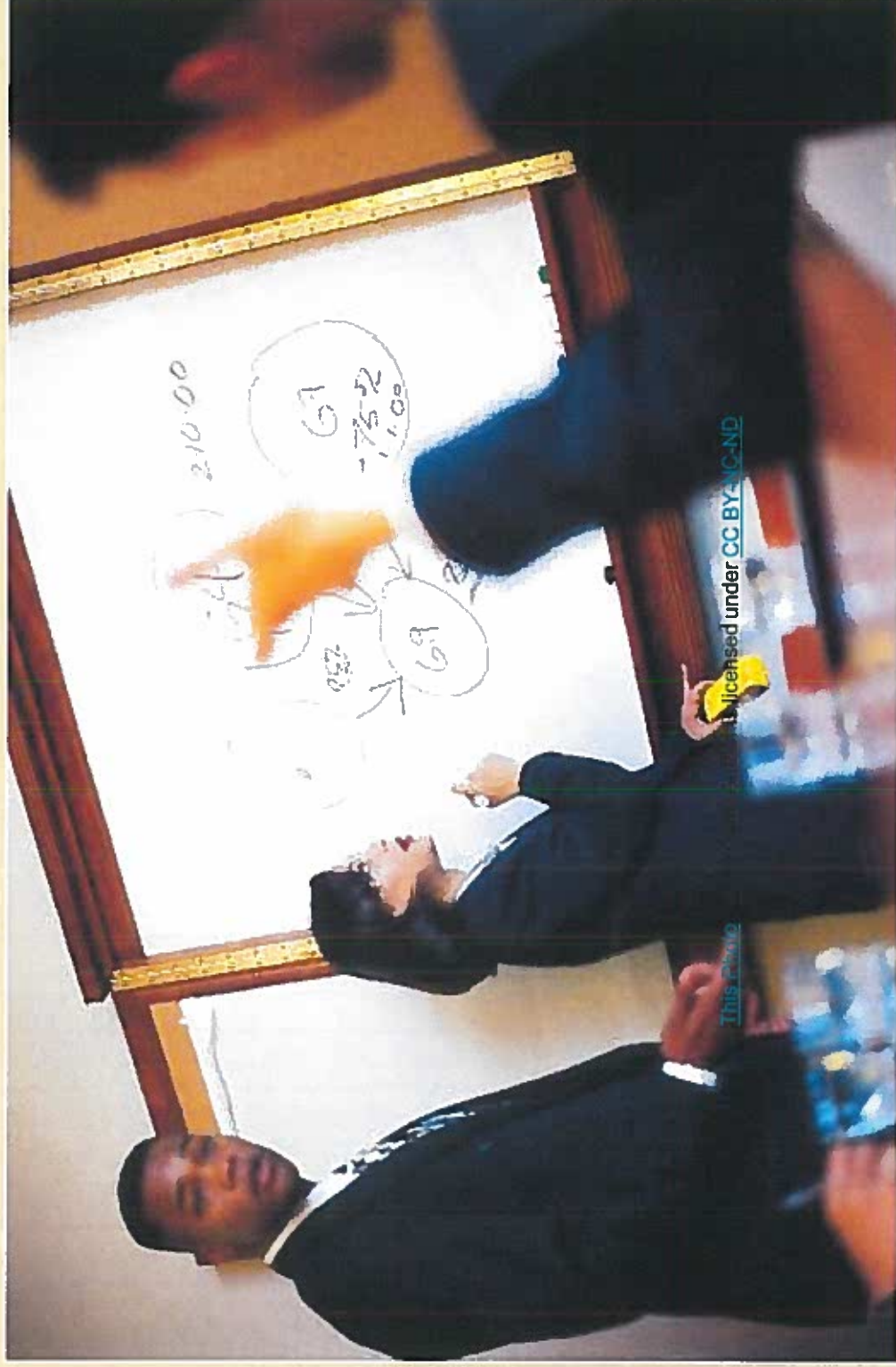
Post-Remedial Activities

- Visual Monitoring
- Addressing the On-Property Source Area
- Re-Install Devices and Monitor/Removal of Oil Between Source Area and Location of Former Seep
- Continued Coordination with City and Ohio EPA

Restoration/Security

- Limit Tree Removal to the Extent Possible
- Trees Restored per a Restoration Plan with City
- Excavation Area Topped with Topsoil and Allowed to Re-Vegetate Naturally
- Gates/Fences to Restrict Access to RR Right-of-Way

Questions?



DRAFT

**THE CITY OF KENT, OHIO
COMMUNITY DEVELOPMENT COMMITTEE
WEDNESDAY, SEPTEMBER 4, 2019**

Chair Kuhar called the Community Development Committee Meeting to order at 7:07 p.m. after

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

ALSO PRESENT: Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Public Service Director; Mr. Jim Bowling, City Engineer; Fire Chief John Tosko; Mr. Dave Coffee, Budget and Finance Director; Police Chief Michelle Lee; Ms. Dawn Bishop, Interim Clerk of Council.

ABSENT: Ms. Wallach

There was one (1) item on the Agenda.

1. Proposed Amendment to Backyard Chicken Regulations

Ms. Susel Council adopted a backyard chicken ordinance last year that regulated the placement of coops and runs in our residential zoning districts. One of the items that has come to our attention is with two residents request variances from those regulations and we don't have anything in the code to allow that. We utilize it in many other administrative activities so it was mirrored after the variance for sidewalk variances. The variance was reviewed by Community Development staff with a recommendation made to the City Manager. He either agrees or denies that variance and then that is included in communication to Council. This would mirror that process. The homeowner would be able to appeal also.

Ms. Shaffer asked if they would be able to ask the resident to bring letters from neighbors, etc when considering a variance request.

Ms. Susel said yes, there was one that abuts a tree farm with many acres. The homeowner was able to meet the side setback but wanted it farther back and because there was that acreage, she provided a letter from the homeowner saying they were fine with it. So that kind of documentation has been provided already. They also get aerial data from the Auditor's website.

Mr. Sidoti asked if there other examples where this process is in place?

Ms. Susel said the sidewalk is the most common. In front of the Planning Commission there is a parking lot proposed for Mac LLP and the frontage on the Silver Meadows side doesn't have sidewalk. Under code they would be required to install that sidewalk but because it isn't there now or continued there, it is reasonable to not. However if the city does ever install sidewalk, they would be responsible for that.

MOTION TO AUTHORIZE THE PROPOSED AMENDMENT TO THE BACKYARD CHICKEN REGULATIONS, WITH AN EMERGENCY CLAUSE made by Ms. Shaffer, seconded by Ms. Rosenberg, and CARRIED by a voice vote of 8-0

Hearing no further business, Mr. Kuhar adjourned the Community Development Committee Meeting at 7:12 PM.

Amy Wilkens
Clerk of Council
As transcribed by Interim Clerk D. Bishop

ACTION RECOMMENDED:

1. **AUTHORIZE THE PROPOSED AMENDMENT TO THE BACKYARD CHICKEN REGULATIONS, WITH AN EMERGENCY CLAUSE.**

505.22 BACKYARD CHICKENS.

(c) Appeals and Variances. The Community Development Director exercises enforcement of this Section. Appeals and/or requests for variances may be presented in writing to the Community Development Director, who must determine if the request merits consideration, wherein the City Manager may hold a hearing to receive the testimony of the owner and the Community Development Director on whether or not to grant such appeal or variance request. The City Manager must notify Council of all variances granted. A denial of such appeal may be reviewed by Council at the request of the applicant. Council may grant such requests, giving consideration to the testimony, by a majority vote of the members present.

~~(e)~~(d) Penalties for Violations. Violations of this Section shall be subject to the Civil Penalties as provided by Section 501.0(1)3 of the Codified Ordinances.

DRAFT ORDINANCE NO. 2019 - 107

AN ORDINANCE AMENDING 505.22 "BACKYARD CHICKENS" OF THE CODIFIED ORDINANCES OF THE CITY OF KENT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent wishes to amend Section 505.22 of the Codified Ordinances to allow for a variance and appeal request process from one or more of the backyard chicken requirements; and

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (7) of all members elected thereto concurring:

SECTION 1. That Council does hereby amend Section 505.22 "Backyard Chickens" of the Codified Ordinances of the City of Kent to allow for a variance and appeal request process from one or more of the backyard chicken requirements per Exhibit "A", attached hereto and made a part thereof.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____

Date

Jerry T. Fiala

Mayor and President of Council

EFFECTIVE: _____

Date

ATTEST: _____

Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *ORDINANCE/ RESOLUTION No.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

DRAFT

**THE CITY OF KENT, OHIO
FINANCE COMMITTEE
WEDNESDAY, SEPTEMBER 4, 2019**

Chair Michael DeLeone called the meeting of the Finance Committee of Kent City Council to order at 7:20 p.m.

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

ALSO PRESENT: Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Public Service Director; Mr. Jim Bowling, City Engineer; Fire Chief John Tosko; Mr. Dave Coffee, Budget and Finance Director; Police Chief Michelle Lee; Ms. Dawn Bishop, Interim Clerk of Council.

There were six (6) items on the Agenda.

1. Authorize Sale of Used Police Patrol Vest

Mr. Ruller said Chief Lee had an employee retire and he asked if he could be allowed to purchase the bullet proof vest he wore during his time with the city. To his knowledge, this hasn't been asked for before. He will be working somewhere where it would make sense to have that vest; it's not new and was sized to fit him. Chief Lee said if this was a brand new vest, maybe they wouldn't consider the sale but she's prorated the value as it's been worn a couple years. He's agreed to pay that difference if Council authorizes it.

Chief Lee said the vests are hard to reuse as they are fit to body type. It's not an attractive pass along, they've been worn by someone else and have wear and tear and this one would probably end up sitting on a shelf until it expired and would be disposed to. The retiree has accepted a position as a detective at the Uniontown PD.

Mr. Kuhar asked what do they do when there is an old vest.

Chief Lee said sometimes they'll test ballistics on vests and sometimes if they still have some life to them, they can pass them off to a new officer. They don't like to do that because they have been worn and people have different body sizes/shapes. Typically they sit on a shelf until they expire and then go in a dumpster.

Ms. Shaffer asked if it would make sense to do a policy rather than case by case. Once other people hear of this, maybe they'll want it too.

Chief Lee said this is the first request she's ever received in her ten years as chief.

Ms. Shaffer asked if it would serve as precedent for other potentials so we don't have to make it into an ordinance as it takes people's time to process and everything?

Chief Lee said well if it was less than a year old vest she wouldn't want that option to purchase back.

Ms. Shaffer said it would be at your discretion.

DRAFT

Ms. Jones said if that's something Council wants to do, we can put it in the City Manager Report and that would allow us to come up with a policy that would fit guidelines the Chief would think were fair.

Mr. Kuhar asked what is the expiration on a vest?

Chief Lee said it's five years.

Mr. Kuhar said so every five years you have to replace a vest no matter the condition.

Chief Lee said yes based on the union contract they have to be replaced when expired.

Ms. Wallach asked if vests just end up on the shelf to be thrown away, is there a reason we couldn't auction them off with a rider that it expires at such a date?

Mr. Kuhar interjected a liability.

Chief Lee said we could auction them off, she doesn't know why not. Being worried about the liability: there could be a waiver involved and up to Ms. Jones to see if that was allowable.

Ms. Jones said when she was in Cuyahoga Falls, a lot of vests were donated to some poorer police departments in southern Ohio that were years and years expired.

Ms. Wallach said we could do that then; better than sitting on a shelf. Ms. Wallach said we could talk about that when talking about the policy.

Mr. Turner asked if it was a concern having people armoring themselves.

Chief Lee said anybody could buy them now, you don't have to be a certified police officer to buy a vest.

MOTION TO AUTHORIZE THE SALE OF THE USED POLICE PATROL VEST, WITH AN EMERGENCY CLAUSE made by Mr. Ferrara, seconded by Mr. Kuhar, and CARRIED by a voice vote of 9-0.

2. Certify Tax Rates to Portage County

Mr. Coffee said this is an annual housekeeping item that needs to go to the county before October 1 every year. This is not asking for any changes, just reaffirming existing rates we have.

Ms. Shaffer asked about the Field School District on the chart. Was that because we collect for them because their district comes into our city?

Mr. DeLeone asked if that was Indian Valley?

Mr. Coffee said it all goes into the total millage.

MOTION TO AUTHORIZE THE CERTIFICATION OF TAX RATES TO PORTAGE COUNTY, WITH AN EMERGENCY CLAUSE made by Mr. Kuhar, seconded by Ms. Rosenberg, and CARRIED by a voice vote of 9-0.

3. Authorization to Apply for Ohio Municipal Bridge Funding

DRAFT

Mr. Ruller said ODOT manages the majority of the Ohio Bridge programs and they are already signed up to do the majority of our bridges but he's also trying to secure some funding to repair a bridge.

Mr. Bowling said on the west side of town on Sunrise Drive there is a bridge going over Fishcreek that leads to Gayle Drive and a cul de sac with about eighteen homes. The last bridge inspection had the bridge coming in a little bit lower, which permitted it to be put on the municipal bridge program for replacement. The bridge was built in 1968 and had a design life of about fifty years. It's been rehab once in that fifty years so he's looking for replacement of that structure. Grant they are looking at is 1.5 million and total cost at 3.5 million. That combines not just the need to replace the bridge but pavement Sunrise, Main and would like to align those projects together along with there have been numerous water main breaks in that area over the last twenty years. Trying to get some efficiency in doing those projects together. He's just looking for authorization to submit to ODOT.

Mr. Ruller said there's only one way in and one way out.

Ms. Shaffer asked how do you replace a bridge like that?

Mr. Bowling said one lane at a time. It does raise the cost of construction when you have to do it like that.

Mr. Kuhar asked if we did something with that bridge in the last ten years or so.

A couple said Allen Street Bridge and Mr. Kuhar said no, by the car lots.

Mr. Bowling said Spaulding Street Bridge was replaced in the last ten years, which is just ten years ago.

Mr. Kuhar joked a friend of his put that bridge in, he'd be afraid to go over it.

MOTION TO AUTHORIZE THE APPLICATION FOR OHIO MUNICIPAL BRIDGE FUNDING, WITH AN EMERGENCY CLAUSE made by Ms. Shaffer, seconded by Mr. Amrhein, and CARRIED by a voice vote of 9-0.

4. Authorization to Apply for AMATS Resurfacing Funding

Mr. Bowling said this would be resurface Mogadore Road from Cherry Street to Summit and to do a little piece of Summit Street from basically the bridge over the Cuyahoga River to ABC Railroads. AMATS Resurfacing Program will fund 80% up to \$700,000 and they've submitted for it a couple of times unsuccessfully so are trying for the third time.

Mr. Kuhar asked if the new hotel complex going in will have any bearing on the decision for the funding.

Mr. Bowling said no. It's very formulaic. You get points for different things and that would not be a part of it.

Mr. Sidoti asked if this was grinding and new asphalt.

Mr. Bowling said yes. Since we couldn't get funding before to resurface some pavement repairs were done in 2017 to keep it going.

MOTION TO AUTHORIZE THE APPLICATION FOR AMATS RESURFACING FUNDING, WITH AN EMERGENCY CLAUSE made by Mr. Kuhar, seconded by Mr. Ferrara, and CARRIED by a voice vote of 9-0.

DRAFT

5. 2019 Budget Appropriations Amendment

Mr. Coffee was requesting committee authorization of the appropriation amendment as outlined in his memo to the City Manager.

MOTION TO APPROVE THE BUDGET APPROPRIATIONS AMENDMENT, WITH AN EMERGENCY CLAUSE made by Mr. Amrhein, seconded by Ms. Wallach, and CARRIED by a voice vote of 9-0.

6. DKC Operating Agreement

Mr. Ruller said Ms. Jones has been trying to finalize this and the Star of the West was really hoping to move forward with their three parcels we had talked to Council about to the DKC this month if possible. Dave Coffee had already had the setting aside money approved at a previous meeting and what was missing was the operating agreement. That sort of codifies all the terms that were discussed. 90% of the terms are boiler plate DKC landbanking terms used on downtown project, West River, Mantua. Price hasn't changed, 365 for three parcels. Even though paying cash, the title will stay with the DKC as there is more latitude with that group to negotiate contracts with the intent of selling it at the direction of City Council. Howard Boyle, president of DKC, said they don't do anything that Council doesn't ask them to do but they can have conversations with a little more latitude. It's worked in the past and the North Water Street corridor has some business going on and they're optimistic these are valuable properties. This would hopefully lead itself to, as Council wished, to have some control over who it gets sold to and some ultimate use say.

Ms. Jones said it's 90% the same language used in their other operating agreements.

Ms. Wallach said the difference with this is we do not have a line of credit, correct?

Mr. Ruller said correct.

MOTION TO AUTHORIZE THE DKC OPERATING AGREEMENT, WITH AN EMERGENCY CLAUSE

made by Ms. Shaffer, seconded by Ms. Wallach, and CARRIED by a voice vote of 6-1-2, with Mr. Turner against and Mr. Amrhein and Mr. Sidoti abstaining.

Hearing no further business before this Committee, Chair DeLeone adjourned the committee meeting at 7:40 p.m.

MOTION FOR AN EXECUTIVE SESSION IN ACCORDANCE WITH ORC §121.22 Section G, Item (1): *"To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing."* Made by Mr. Amrhein, 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.

Amy Wilkens
Clerk of Council

4 of 5

The City of Kent, Ohio
Finance Committee Meeting
Wednesday SEPTEMBER 4, 2019

DRAFT

As Transcribed by Interim Clerk D. Bishop

ACTION RECOMMENDED:

- 1) **MOTION TO AUTHORIZE THE SALE OF THE USED POLICE PATROL VEST, WITH AN EMERGENCY CLAUSE.**
- 2) **MOTION TO AUTHORIZE THE CERTIFICATION OF TAX RATES TO PORTAGE COUNTY, WITH AN EMERGENCY CLAUSE.**
- 3) **MOTION TO AUTHORIZE THE APPLICATION FOR OHIO MUNICIPAL BRIDGE FUNDING, WITH AN EMERGENCY CLAUSE.**
- 4) **MOTION TO AUTHORIZE THE APPLICATION FOR AMATS RESURFACING FUNDING, WITH AN EMERGENCY CLAUSE.**
- 5) **MOTION TO APPROVE THE BUDGET APPROPRIATIONS AMENDMENT, WITH AN EMERGENCY CLAUSE.**
- 6) **MOTION TO AUTHORIZE THE DKC OPERATING AGREEMENT, WITH AN EMERGENCY CLAUSE.**

Draft ORDINANCE NO. 2019-108

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO SELL A USED POLICE PATROL BULLET PROOF VEST TO A RETIRED KENT POLICE OFFICER FOR \$310.00, WAIVES COMPETITIVE BIDDING AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Police Department generally take retiree's vests and hope to fit new officers with them; however the vest typically cannot be used and will sit on a shelf and are of no further use to the City; and

WHEREAS, John Romanoski, a retired City of Kent Police Officer, has requested to buy his used bullet proof vest to use for his new position with Uniontown Police Department since the vest still has two (2) more years of life before expiration; and

WHEREAS, the vest was purchased in 2016 for \$775.00 and with the depreciation of three (3) years, the vest is estimated at \$310.00.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto:

SECTION 1. That Council does hereby find the vest is not needed for City use and authorizes the City Manager, or his designee, to sell the used Police bullet proof vest to John Romanoski, a retired City of Kent Police Officer, for the amount of \$310.00 and waives competitive bidding.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *ORDINANCE No.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

Draft RESOLUTION NO. 2019-109

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY
THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX
LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR
(CITY COUNCIL)**

Revised Code, Secs. 5705.34 & 5705.35

The Council of the City of Kent, Portage County, Ohio, met in Regular
session on the _____ day of September, 2019 at the office of Kent City
Council with the following members present:

Mr. _____ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously
adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2020 ;
and

WHEREAS, The Budget Commission of Portage County, Ohio has certified its
action thereon to this Council together with an estimate by the County Auditor of the rate of each
tax necessary to be levied by this Council, and what part thereof is without, and what part within,
the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of Kent, Portage County, Ohio, that the
amounts and rates, as determined by the Budget Commission in its certification, be and the same
are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City
the rate of each tax necessary to be levied within and without the ten mill limitation as follows:

OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES

Rev. Code Sec. 5705.34 & 5705.35

Office of the Budget Commission, Portage County, Ravenna, Ohio

To the Taxing Authority of:

KENT CITY**SCHEDULE A**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED
BY BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES

FUND	AMOUNT APPROVED BY BUDGET COM- MISSION INSIDE IOM. LIMITATION	AMOUNT APPROVED BY BUDGET COM- MISSION OUTSIDE IOM. LIMITATION	COUNTY ESTIMATE RATE TO INSIDE IOM. LIMIT	AUDITOR'S OF TAX BE LEVIED OUTSIDE IOM. LIMIT
	Column I	Column II	III	IV
General	\$1,446,468	\$323,533	3.6 & 0.9	1.16
Police Pension	\$124,556		0.30	
Fire Pension	\$124,556		0.30	
West Side Fire Station		\$254,926		0.73
Recreation		\$1,173,361		3.45
TOTAL	\$1,695,580	\$1,751,819	4.2 & 1.5	5.34

\$3,447,399

COUNTY AUDITOR'S ESTIMATE

415,186,660

COUNTY AUDITOR'S ESTIMATE Kent City	OF RATE IN MILLS Field LSD	Kent CSD
LEVIES INSIDE OF 10 MILL	LIMITATION	
County	2.00	2.00
City	1.50	4.20
School	6.50	3.80
JVS		
TOTAL:	10.00	10.00
LEVIES OUTSIDE OF 10 MILL	LIMITATION	
County	11.62	11.62
City	5.34	5.34
School	59.96	106.68
JVS	4.00	0.00
Library	0.00	1.80
Portage Park District	0.50	0.50
TOTAL:	81.42	125.94
TOTAL LEVIES:	91.42	135.94

Tax estimates as they will appear on the 2018 Official Certificate of Estimated Resources.

General Fund	1,770,000
Police Pension	124,556
Fire Pension	124,556
Westside Fire Station	254,926
Recreation	1,173,361
Tax Revenue Estimate	<u>3,447,399</u>

SCHEDULE B

LEVIES OUTSIDE 10 mill limitation

Levy Purpose	Date of Vote & Duration of Levy		Maximum Rate Authorized to be Levied	County Auditor's Estimate of Yield of Levy
General	11/04/14	5 years	1.16	\$323,533
West Side Fire Station	11/03/15	5 years	0.73	\$254,926
Recreation	11/03/15	Cont	1.00	\$349,213
Recreation	11/03/15	Cont	0.43	\$150,162
Recreation	11/03/09	Cont	0.50	\$175,564
Recreation	11/07/06	Cont	1.52	\$498,422

and be it further RESOLVED, That the Clerk of this Council be, and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Mr. _____seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr. _____, _____

Mr. _____, _____

Mr. _____, _____

Mr. _____, _____

Mr. _____, _____

Mr. _____, _____

Mr. _____, _____

Mr. _____, _____

Adopted the _____ day of _____September_____, 2019

President of Council

Clerk of Council

CERTIFICATE OF COPY
ORIGINAL ON FILE

The State of Ohio, Portage County.

I, _____, Clerk of the Council of the City of
_____ Kent _____ in said County, and in whose custody the Files and Records of said
Council are required by the laws of the State of Ohio to be kept, do hereby certify that the foregoing
is taken and copied from the original _____ resolution _____
now on file, that the foregoing has been compared by me with said original document, and that
the same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____

Clerk of Council

City
Portage County, Ohio

RESOLUTION ACCEPTING THE
AMOUNTS AND RATES AS DETERMINED
BY THE BUDGET COMMISSION AND
AUTHORIZING THE NECESSARY TAX
LEVIES AND CERTIFYING THEM TO THE
COUNTY AUDITOR.

(City Council)

Filed _____

County Auditor

Draft ORDINANCE NO. 2019 -110

AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT A FUNDING APPLICATION TOTALING \$1.5 MILLION AND TO EXECUTE THE SUBSEQUENT AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION'S (ODOT) MUNICIPAL BRIDGE PROGRAM, AND TO ACCEPT THE GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATION OF FUNDS FOR THE SUNRISE DRIVE BRIDGE OVER FISH CREEK, AND DECLARING AN EMERGENCY.

WHEREAS, the funding application submitted to the Ohio Department of Transportation's (ODOT) Municipal Bridge program will be for the Sunrise Bridge over Fish Creek and is requesting \$1.5 million; and

WHEREAS, the existing bridge was constructed in 1968 and received a general appraisal of 5A as part of the 2019 Bridge Inspection and makes the bridge eligible for funding; and

WHEREAS, the replacement of the bridge is proposed to be incorporated with a larger overall project that will replace the pavement, water lines and upgrade sidewalks on Sunrise Drive from West Main Street to Gale Drive.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That Kent City Council approves submission of the City's pre-application request for ODOT's Municipal Bridge program grant funding totaling \$1.5 million and authorized that the Administration provide all information, funds, and documentation required in said applications for submission.

SECTION 2. That the Kent City Council hereby approves the City's acceptance of the grant, if awarded to the City, with corresponding appropriations for its use.

SECTION 3. That the Kent City Council hereby understands and agrees that participation in the ODOT's Municipal Bridge grant program will require compliance with program guidelines and assurances.

SECTION 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 5. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

Draft ORDINANCE NO. 2019 - 111

AN ORDINANCE AUTHORIZING THE CITY OF KENT TO SUBMIT A FUNDING APPLICATION TOTALING \$700,000 AND TO EXECUTE THE SUBSEQUENT AGREEMENT WITH THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) RESURFACING PROGRAM, AND TO ACCEPT THE GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATION OF FUNDS TO RESURFACE MOGADORE ROAD FROM CHERRY STREET TO SUMMIT STREET, AND DECLARING AN EMERGENCY.

WHEREAS, the funding application submitted to the Akron Metropolitan Area Transportation Study (AMATS) Resurfacing Program will be used to resurface Mogadore Road from Cherry Street to Summit Street. It will also be used to resurface a small portion of Summit Street from Tannery Park to the ABC Railroad crossing; and

WHEREAS, the City is requesting \$700,000.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That Kent City Council approves submission of the City's pre-application request for Akron Metropolitan Area Transportation Study (AMATS) Resurfacing Program grant funding totaling \$700,000 and authorized that the Administration provide all information, funds, and documentation required in said applications for submission.

SECTION 2. That the Kent City Council hereby approves the City's acceptance of the grant, if awarded to the City, with corresponding appropriations for its use.

SECTION 3. That the Kent City Council hereby understands and agrees that participation in the Akron Metropolitan Area Transportation Study (AMATS) Resurfacing Program grant program will require compliance with program guidelines and assurances.

SECTION 4. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 5. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

Draft ORDINANCE NO. 2019-112

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.

WHEREAS, it is necessary to amend current appropriations, transfers and advances for the expenses and other expenditures for the City of Kent, Ohio, for the fiscal year ending December 31, 2019.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That the current appropriation Ordinance No. 2018-142 passed December 19, 2018; as amended by Ordinance No. 2019-16, passed 2/20/2019; as amended by Ordinance No. 2019-43, passed 4/17/2019; as amended by Ordinance 2019-57 passed 5/15/2019; as amended by Ordinance 2019-64 passed 6/19/2019; and as amended by Ordinance 2019-93 passed 8/21/2019, be amended as set forth in Exhibit "A", attached hereto and incorporated herein, so as to increase appropriations in Fund 001, General; Fund 106, Parks and Recreation; Fund 128, Fire & EMS; Fund 201, Water; and Fund 202, Sewer; and Declaring An Emergency.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formation action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reason manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediate after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *ORDINANCE No.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

2019 AMENDED APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>General Fund (001)</u>						
City Council	\$161,266	\$32,603				\$193,869
Mayor	\$9,530	\$5,300				\$14,830
Community Support		\$85,700				\$85,700
City Manager	\$314,000	\$62,923				\$376,923
New City Hall Facility		\$0	\$188,000			\$188,000
Information Technology	\$80,395	\$250,087				\$330,482
Urban Renewal		\$67,300				\$67,300
Human Resources	\$61,964	\$19,488				\$81,452
Civil Service	\$31,105	\$41,523				\$72,628
Law	\$320,560	\$118,895				\$439,455
Budget & Finance	\$185,199	\$143,585				\$328,784
Community Development	\$597,546	\$208,070				\$805,616
Economic Development	\$119,722	\$49,811				\$169,533
Health	\$448,125	\$207,038				\$655,163
Public Parking		\$126,000				\$126,000
Main Street Program		\$70,000				\$70,000
Service Administration	\$70,060	\$477,118				\$547,178
Shade Tree		\$80,420	\$10,000			\$90,420
Adjunct Facilities		\$1,100				\$1,100
Building	\$305,506	\$68,272				\$373,778
Land banking		\$10,000				\$10,000
Engineering	\$231,502	\$106,842				\$338,344
Miscellaneous & Sundry		\$380,750				\$380,750
Contingency					\$100,000	\$100,000
Fund Total	\$2,936,480	\$2,612,825	\$198,000	\$0	\$100,000	\$5,847,305
<u>West Side Fire (101)</u>						
Fire	\$268,910	\$26,427				\$295,337
Fund Total	\$268,910	\$26,427	\$0	\$0	\$0	\$295,337
<u>Street Construction Maintenance & Repair (102)</u>						
Service	\$1,137,201	\$1,369,261				\$2,506,462
Contingency					\$25,000	\$25,000
Fund Total	\$1,137,201	\$1,369,261	\$0	\$0	\$25,000	\$2,531,462
<u>State Highway (103)</u>						
Service		\$70,000				\$70,000
Fund Total	\$0	\$70,000	\$0	\$0	\$0	\$70,000
<u>Recreation (106)</u>						
Parks & Recreation	\$1,372,462	\$666,383	\$322,000			\$2,360,845
Fund Total	\$1,372,462	\$666,383	\$322,000	\$0	\$0	\$2,360,845
<u>Food Service (107)</u>						
Health	\$101,005	\$7,500				\$108,505
Fund Total	\$101,005	\$7,500	\$0	\$0	\$0	\$108,505

2019 AMENDED APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Income Tax (116)</u>						
Budget/Finance/IncTaxAdmin	\$269,714	\$526,683				\$796,397
Managed Reserve				\$25,540		\$25,540
Fund Total	\$269,714	\$526,683	\$0	\$25,540	\$0	\$821,937
<u>Revolving Housing (120)</u>						
Health	\$156,431	\$10,500				\$166,931
Fund Total	\$156,431	\$10,500	\$0	\$0	\$0	\$166,931
<u>State & Local Forfeits (121)</u>						
Police		\$2,000				\$2,000
Fund Total	\$0	\$2,000	\$0	\$0	\$0	\$2,000
<u>Drug Law Enforcement (122)</u>						
Police		\$12,000				\$12,000
Fund Total	\$0	\$12,000	\$0	\$0	\$0	\$12,000
<u>Enforcement & Education (123)</u>						
Police		\$6,000				\$6,000
Fund Total	\$0	\$6,000	\$0	\$0	\$0	\$6,000
<u>Income Tax Safety (124)</u>						
Police	\$7,010,447	\$677,700				\$7,688,147
Fund Total	\$7,010,447	\$677,700	\$0	\$0	\$0	\$7,688,147
<u>Law Enforcement Trust (125)</u>						
Police						\$0
Fund Total	\$0	\$0	\$0	\$0	\$0	\$0
<u>Community Development Block Grant (126)</u>						
Community Development	\$8,453	\$274,600	\$116,000			\$399,053
Fund Total	\$8,453	\$274,600	\$116,000	\$0	\$0	\$399,053
<u>Neighborhood Stabilization (127)</u>						
Community Development	\$0	\$139,100				\$139,100
Fund Total	\$0	\$139,100	\$0	\$0	\$0	\$139,100
<u>Fire & E.M.S. (128)</u>						
Fire	\$4,745,381	\$470,724	\$1,120,215			\$6,336,320
Fund Total	\$4,745,381	\$470,724	\$1,120,215	\$0	\$0	\$6,336,320
<u>Wireless 911 (129)</u>						
Safety		\$0				\$0
Fund Total	\$0	\$0	\$0	\$0	\$0	\$0
<u>Swimming Pool Inspections (130)</u>						
Health	\$8,261	\$500				\$8,761
Fund Total	\$8,261	\$500	\$0	\$0	\$0	\$8,761

2019 AMENDED APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Police Pension (132)</u>						
Police	\$120,000					\$120,000
Fund Total	\$120,000	\$0	\$0	\$0	\$0	\$120,000
<u>Fire Pension (133)</u>						
Fire	\$120,000					\$120,000
Fund Total	\$120,000	\$0	\$0	\$0	\$0	\$120,000
<u>UDAG / EDA-RLF (134)</u>						
City Manager/C.D.		\$110,000				\$110,000
Fund Total	\$0	\$110,000	\$0	\$0	\$0	\$110,000
<u>Water (201)</u>						
Service	\$1,739,036	\$834,705	\$217,578			\$2,791,319
Service (Capital Facilities)			\$2,061,559			\$2,061,559
Admin. Support	\$602,794	\$71,655	\$14,000			\$688,449
Budget & Finance (Debt)				\$54,608		\$54,608
Contingency					\$50,000	\$50,000
Fund Total	\$2,341,830	\$906,360	\$2,293,137	\$54,608	\$50,000	\$5,645,935
<u>Sewer (202)</u>						
Service	\$2,027,611	\$868,684	\$468,381			\$3,364,676
Service (Capital Facilities)			\$2,274,508			\$2,274,508
Admin. Support	\$602,794	\$84,156	\$14,000			\$700,950
Budget & Finance (Debt)				\$625,720		\$625,720
Contingency					\$50,000	\$50,000
Fund Total	\$2,630,405	\$952,840	\$2,756,889	\$625,720	\$50,000	\$7,015,854
<u>Utility Billing (204)</u>						
Budget & Finance		\$102,586				\$102,586
Fund Total	\$0	\$102,586	\$0	\$0	\$0	\$102,586
<u>Solid Waste (205)</u>						
Service	\$87,660	\$147,953	\$5,000			\$240,613
Fund Total	\$87,660	\$147,953	\$5,000	\$0	\$0	\$240,613
<u>Storm Water Utility (208)</u>						
Service	\$240,982		\$27,750			\$268,732
Service (Capital Facilities)			\$1,798,157			\$1,798,157
Admin. Support	\$319,162	\$69,371	\$9,000			\$397,533
Budget & Finance (Debt)				\$9,968		\$9,968
Fund Total	\$560,144	\$69,371	\$1,834,907	\$9,968	\$0	\$2,474,390
<u>Guaranteed Deposits (230)</u>						
Budget & Finance		\$1,000				\$1,000
Fund Total	\$0	\$1,000	\$0	\$0	\$0	\$1,000

2019 AMENDED APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Capital Projects (301)</u>						
Safety			\$381,900			\$381,900
Service			\$810,000			\$810,000
Service (Capital Facilities)			\$4,314,431			\$4,314,431
Community Development			\$22,000			\$22,000
Admin. Support			\$9,000			\$9,000
Budget & Finance			\$100,000	\$554,828		\$654,828
Contingency					\$25,000	\$25,000
Fund Total	\$0	\$0	\$5,637,331	\$554,828	\$25,000	\$6,217,159
<u>Municipal Public Improvement Tax Increment Equivalent (302)</u>						
Service (Capital Facilities)		\$6,000				\$6,000
Budget & Finance (Debt)				\$1,447,936		\$1,447,936
Fund Total	\$0	\$6,000	\$0	\$1,447,936	\$0	\$1,453,936
<u>Police Facility (303)</u>						
Safety (Capital Facilities)		\$260,000	\$425,000			\$685,000
Budget & Finance (Debt)				\$3,961,479		\$3,961,479
Fund Total	\$0	\$260,000	\$425,000	\$3,961,479	\$0	\$4,646,479
<u>Debt Service (402)</u>						
Budget & Finance (Debt)				\$70,084		\$70,084
Fund Total	\$0	\$0	\$0	\$70,084	\$0	\$70,084
<u>Internal Service (807)</u>						
Health Insurance		\$3,385,000				\$3,385,000
Fund Total	\$0	\$3,385,000	\$0	\$0	\$0	\$3,385,000
Total Appropriations	\$23,874,784	\$12,813,313	\$14,708,479	\$6,750,163	\$250,000	\$58,396,739
Original Appropriations	\$23,633,784	\$11,862,557	\$8,633,900	\$6,750,163	\$250,000	\$51,130,404
Amendment #1	\$231,000	\$260,500	\$4,562,718			\$5,054,218
Amendment #2		\$238,000	\$302,000			\$540,000
Amendment #3		\$302,800	\$629,000			\$931,800
Amendment #4		\$97,000	\$128,146			\$225,146
Amendment #5	\$10,000	\$33,371	\$408,715			\$452,086
Amendment #6		\$19,085	\$44,000			\$63,085
Amendment #7						\$0
Amendment #8						\$0
	\$23,874,784	\$12,813,313	\$14,708,479	\$6,750,163	\$250,000	\$58,396,739

2019 AMENDED APPROPRIATIONS - SCHEDULE OF OPERATING TRANSFERS AND TEMPORARY ADVANCES

<u>Operating Transfers</u>		<u>Paying Fund</u>	<u>Original</u>	<u>Current Request</u>	<u>Change</u>	<u>Receiving Fund</u>
Fund 116 - Income Tax			\$3,600,000	\$3,600,000	\$0	Fund 001 - General
Fund 116 - Income Tax			\$1,000,000	\$1,000,000	\$0	Fund 102 - St Const Maint & Repair
Fund 116 - Income Tax			\$3,523,933	\$3,523,933	\$0	Fund 124 - Income Tax Safety
Fund 116 - Income Tax			\$3,523,933	\$3,523,933	\$0	Fund 128 - Fire & E.M.S.
Fund 116 - Income Tax			\$3,031,933	\$3,237,674	\$205,741	Fund 301 - Capital Projects
Fund 116 - Income Tax			\$1,761,966	\$1,689,459	(\$72,507)	Fund 303 - Police Facility
Fund 116 - Income Tax			\$70,000	\$70,000	\$0	Fund 402 - Debt Service
Total Fund 116 Income Tax			\$16,511,765	\$16,644,999	\$133,234.00	
Fund 201 - Water			\$45,930	\$45,930	\$0	Fund 204 - Utility Billing
Fund 202 - Sewer			\$45,930	\$45,930	\$0	Fund 204 - Utility Billing
Fund 001 - General			\$3,200,000.00	\$3,200,000.00	\$0	Fund 124 - Income Tax Safety
Fund 001 - General			\$120,000.00	\$120,000.00	\$0	Fund 106 - Parks and Rec
Fund 001 - General			\$2,000,000.00	\$2,000,000.00	\$0	Fund 128 - Fire & EMS
Subtotal - Total Operating Transfers			\$5,411,860	\$5,411,860	\$0.00	
<u>Temporary Advances</u>						
Fund 106 - Recreation	*		\$50,000	\$50,000	\$0	Fund 001 - General
Fund 201 - Water	*		\$32,100	\$32,100	\$0	Fund 116 - Income Tax
Fund 202 - Sewer	*		\$38,980	\$38,980	\$0	Fund 116 - Income Tax
Fund 205 - Solid Waste	*		\$56,000	\$56,000	\$0	Fund 001 - General
Fund 205 - Solid Waste	*		\$53,000	\$53,000	\$0	Fund 116 - Income Tax
Fund 208 - Storm Water	*		\$110,000	\$110,000	\$0	Fund 116 - Income Tax
Subtotal - Total Advances			\$340,080	\$340,080	\$0	
Grand Total - All Transfers & Advances			\$22,263,705	\$22,396,939	\$133,234	

* Designates Repayment of Advance

**THE CITY OF KENT, OHIO
HEALTH & SAFETY COMMITTEE
WEDNESDAY, SEPTEMBER 4, 2019**

Chair Jack Amrhein called the meeting of the Health & Safety Committee of Kent City Council to order at 7:12 p.m.

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

ALSO PRESENT: Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Ms. Melanie Baker, Public Service Director; Mr. Jim Bowling, City Engineer; Fire Chief John Tosko; Mr. Dave Coffee, Budget and Finance Director; Police Chief Michelle Lee; Ms. Dawn Bishop, Interim Clerk of Council.

There was one (1) item on the Agenda.

1. Deer Population Management Practices in Area Cities

Mr. Ruller began with as Council may recall or experienced themselves, the urban/suburban deer population has continued to grow and in some areas it has become nuisance and residents call asking what can be done about deer. It's no simple matter. In the big picture ours is probably still in the category of a nuisance and he says that from the experience of his entire flower bed in the front is nibbled off so he experiences that personally. In some areas it becomes a bit of a health risk. Ms. Melanie Baker has done some poll work at what communities are doing about deer. He said he's assuming there isn't the want for lethal options so those weren't researched right now.

Ms. Baker has looked at what communities around Kent are doing and what ODNR is responsible for. Hunting is allowed in the ORC but not in the city's code. She also looked at options besides hunting. Options include scare techniques, physical barriers, and she spoke on her report. She would help get the word out on the City's website and Tree City Bulletin with options for deterrent, including chemical repellents along with certain types of shrubs and trees unattractive to deer.

Mr. Ruller said just to clarify, chemical could also be referring to the use of fox urine sprayed around as a deterrent. Chemical could be a natural repellent.

Ms. Baker said correct, they use the word chemical but it could be natural things including vinegar, baking soda, etc. Ms. Baker has spoken to landscapers and gardeners and they said there are marigolds and things like that. If you can create a 6" barrier of what you are trying to protect, the deer do not tolerate it very well. Ms. Baker said her recommendation is to continue to educate our residents by giving them information, websites to visit, brochures we have and allow them to investigate other ways to try and deter the deer. We would also keep a log of where residents are at that complain of the nuisance deer. She also spoke to Chief Lee to see where we fell in the category of car accidents. On average we are only at about eight or nine a year over the last five years. Average of between 500-600 accidents, so a very low percentage of overall accidents. Deer also don't seem to be a problem in just one area of the city, they are all across the city. If the City were looking at anything more than these suggestions, Ms. Baker had read an in-depth report from the City of Solon and they have been doing this for almost ten years where they do a culling program and bring sharpshooters in. They started out with 900 their first year, 600 the next, 700 the year after; the object is where you lessen the amount of deer where you are, the deer from surrounding overpopulated areas come in. It's hard to keep that balance.

Mr. Kuhar said in his instance deer reach over marigolds to eat the dahlias, climb up the steps to the deck, and so he's a little leery of obstacles and barriers; is Ms. Baker aware of companies like Ohiodeercontrol.com quit using coyote pee and stuff that smells horrible and they have a new spray for deer that is mint smelling?

Ms. Baker said that wasn't one specifically she ran across but some of her home deterrents she saw was vinegar, baking soda, and mint.

Mr. Kuhar said you have to start in the spring and train them for a month with heavy application and then they start staying away.

Ms. Baker said yes that's true.

Hearing no further business before this Committee, Chair Amrhein adjourned the meeting at 7:20 p.m.

Amy Wilkens
Clerk of Council
As Transcribed by Interim Clerk D. Bishop

ACTION RECOMMENDED:

- 1) NONE