



CITY OF KENT, OHIO

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

CITY COUNCIL

REGULAR CITY COUNCIL MEETING AT 7:30 P.M. JULY 19, 2017

AGENDA

7:25 P.M. BOARD OF CONTROL

7:30 P.M. REGULAR COUNCIL

1. ROLL CALL

2. OPENING REMARKS/PLEDGE OF ALLEGIANCE (*Mr. DeLeone*)

3. APPROVAL OF MINUTES

3.1 Regular Council Meeting of June 21, 2017

3.2 Public Hearing of July 5, 2017

3.3 Special City Council Meeting of July 5, 2017

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 Planning Commission Agenda for June 6, 2017 was received on May 31, 2017; Minutes for May 2, 2017 was received on June 14, 2017.

4.2.2 Sustainability Commission Meeting Packet for June 5, 2017 was received on June 1, 2017.

4.2.3 Board of Zoning Appeals Staff Report and Agenda for July 17, 2017 were received on July 11, 2017.

4.2.4 Civil Service Commission Agenda for July 17, 2017 was received on July 11, 2017.

4.2.5 Architectural Review Board Agenda for June 18, 2017 was received on June 11, 2017.

4.3 CITY MANAGER'S REPORT

5. STANDING COMMITTEES/ LEGISLATION

5.1 COMMITTEE OF THE WHOLE (*Mayor Fiala*)

5.1.1 Committee Meeting Minutes of July 5, 2017

5.1.2 **ACTION RECOMMENDED:**

1) NONE

5.1.3 **BALLOTING** FOR BOARD & COMMISSION VACANCIES

5.1.4 Authorization of Draft Nos. 17-55, 17-56, 17-57 and 17-58 with the appropriate names inserted.

- 5.1.5 **DRAFT No. 17-55: A RESOLUTION APPOINTING _____ TO THE ARCHITECTURAL REVIEW BOARD, AND DECLARING AN EMERGENCY (Unauthorized)**
- 5.1.6 **DRAFT No. 17-56: A RESOLUTION APPOINTING _____ TO THE BOARD OF ZONING APPEALS, AND DECLARING AN EMERGENCY (Unauthorized)**
- 5.1.7 **DRAFT No. 17-57: A RESOLUTION APPOINTING _____ TO THE FAIR HOUSING BOARD, AND DECLARING AN EMERGENCY (Unauthorized)**
- 5.1.8 **DRAFT No. 17-58: A RESOLUTION APPOINTING _____ TO THE SUSTAINABILITY COMMISSION, AND DECLARING AN EMERGENCY (Unauthorized)**
- 5.1.9 **DRAFT No. 17-59: AN ORDINANCE AUTHORIZING AND DIRECTING THE SUBMISSION TO THE ELECTORS OF THE CITY OF KENT AT THE GENERAL ELECTION TO BE HELD NOVEMBER 7, 2017, A PROPOSAL TO AMEND ARTICLE XII "MISCELLANEOUS" OF THE CHARTER OF THE CITY OF KENT, OHIO, BY ENACTING A NEW SECTION 12.06, ENTITLED "SANCTUARY CITY", AND DECLARING AN EMERGENCY. (Unauthorized)**

5.2 COMMUNITY DEVELOPMENT COMMITTEE (Kuhar/Turner)

5.2.1 Committee Meeting Minutes of July 5, 2017

5.2.2 ACTION RECOMMENDED:

- 1) Authorize Anti-Discrimination Public Accommodations to all protected groups.
- 2) To have the City make it a crime for discriminatory behavior and should go through mediation with the city's law department process before filing criminal charges to seek resolution of the issues, with an increased penalty for a 2nd offense and to be reviewed in one (1) year.
- 3) Accept the Dedication of Lappin Farm Newcomer Road Right-of-Way to the City of Kent.
- 4) Authorize a Committee consisting of the Mayor and the At-Large Council persons for purposes of the City Hall Project.
- 5) Authorize the Lease Agreement in replacement of the Land Sale Agreement with LN Gross.

5.2.3 **Draft No. 17-60: AN ORDINANCE ADOPTING SECTION 537.21, ENTITLED "UNLAWFUL PUBLIC ACCOMMODATION DISCRIMINATION", OF THE CODIFIED ORDINANCES OF THE CITY OF KENT, AND DECLARING AN EMERGENCY. (Authorized)**

5.2.4 **Draft No. 17-61: AN ORDINANCE ACCEPTING, FOR DEDICATION PURPOSES, FROM NEWCOMER DEVELOPMENT GROUP, LLC (LAPPIN FARM) THE EXISTING NEWCOMER ROAD RIGHT-OF-WAY, AND DECLARING AN EMERGENCY. (Authorized)**

5.2.5 **Draft No. 17-62: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LEASE OF LAND FOR PRIVATE REDEVELOPMENT FOR REAL PROPERTY ON GOUGLER AVENUE, KENT, OHIO, BETWEEN THE CITY OF KENT AND 315 RFK, LLC, AND DECLARING AN EMERGENCY. (Authorized)**

5.3 FINANCE COMMITTEE *(DeLeone/Wallach)*

5.3.1 Committee Meeting Minutes of July 5, 2017

5.3.2 ***ACTION RECOMMENDED:***

- 1) Approve the proposed Ballot Legislation for the New Parks and Recreation Facility with an Emergency Clause.
- 2) Authorize the City Bond Anticipation Notes Renewal with an Emergency Clause.
- 3) Authorize the City Surplus Property Auction with an Emergency Clause.

5.3.3 ***Draft No. 17-63: A RESOLUTION DETERMINING TO PROCEED WITH THE SUBMISSION TO THE ELECTORS OF THE QUESTION OF ISSUING \$17,500,000 OF BONDS FOR THE PURPOSE OF CONSTRUCTING, FURNISHING, EQUIPPING AND OTHERWISE IMPROVING A HEALTH AND WELLNESS CENTER AND ACQUIRING AND IMPROVING SITES FOR THAT CENTER, AND DECLARING AN EMERGENCY.*** (Authorized)

5.3.4 ***Draft No. 17-64: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$1,150,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING A PORTION OF THE COSTS OF RECONSTRUCTING ALLEY 5, ERIE STREET, AND DEPEYSTER STREET AND OTHERWISE IMPROVING NEARBY STREETS, INCLUDING BY RELOCATION OF PUBLIC UTILITIES, LANDSCAPING, AND INSTALLING PARKING PAYMENT DEVICES, STREET SIGNAGE AND SITE IMPROVEMENTS, AND DECLARING AN EMERGENCY.*** (Authorized)

5.3.5 ***Draft No. 17-65: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$210,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PROVIDE THE FUNDS NECESSARY TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, IN ANTICIPATION OF THE ISSUANCE OF BONDS, TO PAY COSTS OF ACQUIRING THE EXISTING BUILDING LOCATED AT 930 OVERHOLT ROAD TO BE USED AS THE CITY'S SERVICE CENTER, AND TO PAY THE CITY'S PORTION OF THE COSTS OF IMPROVING FAIRCHILD AVENUE, MAJORS AVENUE AND NEWCOMER ROAD AND CERTAIN EASEMENTS BETWEEN CERTAIN TERMINI BY CONSTRUCTING, RECONSTRUCTING AND WIDENING THE PAVEMENT, DRAINING, GRADING, CONSTRUCTING, RECONSTRUCTING AND REPLACING CURBS, SIDEWALKS, DRIVEWAY APPROACHES, STORM SEWERS, ROOF DRAIN PIPES, AND A DRAINAGE OUTLET CHANNEL, INSTALLING NEW WATER MAINS, WATER SERVICE CONNECTIONS, SANITARY SEWERS, AND SANITARY SEWER HOUSE CONNECTIONS ALONG THOSE PORTIONS OF FAIRCHILD AVENUE NOT CURRENTLY SERVED, ALL TOGETHER WITH THE NECESSARY APPURTENANCES THERETO, ACQUIRING ANY NECESSARY INTERESTS IN REAL PROPERTY, AND OTHERWISE IMPROVING THE SAME, AND DECLARING AN EMERGENCY.*** (Authorized)

5.3.6 ***Draft No. 17-66: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$760,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE***

PURPOSE OF PAYING COSTS OF RENOVATING AND EXPANDING THE CITY'S MAIN FIRE STATION, INCLUDING ACQUISITION OF NECESSARY REAL ESTATE, AND DECLARING AN EMERGENCY. (Authorized)

5.3.7 *Draft No. 17-67: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$3,500,000 NOTES, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF PAYING COSTS OF CONSTRUCTING A SAFETY CENTER, AND DECLARING AN EMERGENCY. (Authorized)*

5.3.8 *Draft No. 17-68: AN ORDINANCE PROVIDING FOR THE ISSUANCE AND SALE OF \$375,000 NOTES TO RETIRE NOTES THAT WERE PREVIOUSLY ISSUED, IN ANTICIPATION OF THE ISSUANCE OF BONDS, FOR THE PURPOSE OF REPLACING, UPGRADING AND EXTENDING SANITARY SEWER TRUNK LINES, AND DECLARING AN EMERGENCY. (Authorized)*

5.3.9 *Draft No. 17-69: AN ORDINANCE AUTHORIZING THE SALE BY ON LINE PUBLIC AUCTION OF VARIOUS ITEMS OF PERSONAL PROPERTY PURSUANT TO SECTION 721.15 OF THE OHIO REVISED CODE AND DECLARING AN EMERGENCY. (Authorized)*

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

5.4.1 Minutes - None

5.4.2 *ACTION RECOMMENDED:* None

5.5 LAND USE COMMITTEE (*Ferrara/Shaffer*)

5.5.1 Special Committee Meeting Minutes of June 21, 2017 and Meeting Minutes of July 5, 2017.

5.5.2 *ACTION RECOMMENDED:*

- 1) Motion to authorize the Sustainability Commission and City Staff to meet and draft a short Resolution for ratification by Council for the Paris Climate Agreement.
- 2) Motion to authorize the purchase of 500 Middlebury Road for \$115,000.00 and declaring an emergency.

5.5.3 *Draft No. 17-70: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT BETWEEN THOMAS F. AND SHARON A. HUNTER AND THE CITY OF KENT TO PURCHASE 500 MIDDLEBURY ROAD, KENT, OHIO FOR \$115,000.00 PLUS CLOSING COSTS FOR THE CITY OF KENT, OHIO, FOR USE BY THE PARKS & RECREATION DEPARTMENT, AND DECLARING AN EMERGENCY. (Authorized)*

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

5.6.1 Committee Meeting Minutes of July 5, 2017

5.6.2 *ACTION RECOMMENDED:*

- 1) Authorize the Amendment to Panini's License to Occupy the Right-Of-Way with an Emergency Clause.
- 2) Authorize a License To Occupy the Right-Of-Way to Kent Floral, Co. with an Emergency Clause.
- 3) Authorize the Queen of Hearts Event contingent upon Chief Lee's approval of the Memorandum of Understanding (MOU) with an Emergency Clause.

5.6.3 **Draft No. 17-71: AN ORDINANCE AMENDING THE LICENSE AGREEMENT BETWEEN KENT PANINI'S, LLC, AND THE CITY OF KENT, AND DECLARING AN EMERGENCY. (Authorized)**

5.6.4 **Draft No. 17-72: A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LICENSE AGREEMENT BETWEEN KENT FLORAL CO. AND THE CITY OF KENT, AND DECLARING AN EMERGENCY. (Authorized)**

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. ADJOURNMENT

Posted: July 12, 2017



Tara Grimm, CMC
Clerk of Council

Any person who requires an auxiliary aid or service for effective communication or a modification of policies and procedures to participate in and 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.