



CITY OF KENT, OHIO

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

CITY COUNCIL

**PUBLIC HEARING AT 7:25 P.M.
REGULAR CITY COUNCIL MEETING AT 7:30 P.M.
OCTOBER 18, 2017
WITH AN EXECUTIVE SESSION IMMEDIATELY FOLLOWING**

AGENDA

7:20 P.M. BOARD OF CONTROL

7:25 P.M. PUBLIC HEARING - *In accordance with Article XII, Section 12.05 of the Kent City Charter, notice is hereby given that the Kent City Council will conduct a Public Hearing to allow for public comment on the PY2016 CDBG CAPER.*

7:30 P.M. REGULAR COUNCIL

1. ROLL CALL

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

3. APPROVAL OF MINUTES

3.1 Public Hearing Minutes of September 20, 2017

3.2 Regular City Council Meeting of September 20, 2017

3.3 Democracy Day Public Hearing Minutes of October 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 Sustainability Commission Meeting Agenda for October 2, 2017 and minutes of July 24, 2017 & August 7, 2017 and September 11, 2017, as well as information on the Compact of Mayors received on September 28, 2017.

4.2.2 Board of Zoning Appeals Staff Report and Agenda for October 16, 2017 received on October 5, 2017.

4.2.3 Health Board Agenda for October 10, 2017, Minutes from September 12, 2017 Meeting, and Statistical Report for September received on October 5, 2017.

4.2.4 Planning Commission Agenda October 17, 2017 received on October 10, 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 October 4, 2017.

5.1.2 ACTION RECOMMENDED: NONE

5.1.3 BALLOTING FOR BOARDS AND COMMISSIONS

5.1.4 AUTHORIZE INSERTION OF NAMES INTO LEGISLATION

- 5.1.5 **Draft No. 17-119: A RESOLUTION APPOINTING _____ TO THE ARCHITECTURAL REVIEW BOARD, AND DECLARING AN EMERGENCY. (Authorized)**
- 5.1.6 **Draft No. 17-120: A RESOLUTION APPOINTING _____ TO THE BOARD OF ZONING APPEALS, AND DECLARING AN EMERGENCY. (Authorized)**
- 5.1.7 **Draft No. 17-121: A RESOLUTION APPOINTING _____ TO THE DESIGN AND PRESERVATION COMMITTEE, AND DECLARING AN EMERGENCY. (Authorized)**
- 5.1.8 **Draft No. 17-122: A RESOLUTION APPOINTING _____ TO THE FAIR HOUSING BOARD, AND DECLARING AN EMERGENCY. (Authorized)**
- 5.1.9 **Draft No. 17-123: A RESOLUTION APPOINTING _____ TO THE FAIR HOUSING BOARD, AND DECLARING AN EMERGENCY. (Authorized)**
- 5.1.10 **Draft No. 17-124: A RESOLUTION APPOINTING _____ TO THE INCOME TAX BOARD OF REVIEW, AND DECLARING AN EMERGENCY. (Authorized)**
- 5.1.11 **Draft No. 17-125: A RESOLUTION APPOINTING _____ TO THE SUSTAINABILITY COMMISSION, AND DECLARING AN EMERGENCY. (Authorized)**
- 5.1.12 **Draft No. 17-126: A RESOLUTION APPOINTING SABRINA CHRISTIAN-BENNETT BY THE MAYOR OF THE CITY OF KENT TO THE BRIMFIELD-KENT JEDD, AND DECLARING AN EMERGENCY. (Authorized)**
- 5.2 COMMUNITY DEVELOPMENT COMMITTEE (Kuhar/Turner)**
- 5.2.1 Committee Meeting Minutes of October 4, 2017.
- 5.2.2 **ACTION RECOMMENDED:**
- 1) Authorize the New Easement Agreement with Portage County Commissioners for City Sewer Maintenance by the City at the Devon Place University Hospital Facility and Declaring an Emergency.
 - 2) Authorize a "Conditional Right Of Access Agreement" as Part of the North Ditch Interim Remedial Action Plan and Declaring An Emergency.
- 5.2.3 **Draft No. 17-127: A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN EASEMENT AND RIGHT OF WAY AGREEMENT WITH PORTAGE COUNTY BOARD OF COMMISSIONERS TO RELOCATE AN EXISTING SANITARY SEWER PIPE, AND DECLARING AN EMERGENCY. (Authorized)**
- 5.2.4 **Draft No. 17-128: A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A RIGHT OF ACCESS AGREEMENT TO THOMAS & BETTS CORPORATION IN ORDER FOR THEM AND THEIR AGENTS AND CONTRACTORS TO REMEDIATE AND INVESTIGATE PETROLEUM RELEASES FROM 800 MOGADORE ROAD, WHICH ARE CROSSING NEARBY CITY PROPERTY AND TO RESTORE SAID PROPERTY, AND DECLARING AN EMERGENCY. (Authorized)**
- 5.3 FINANCE COMMITTEE (DeLeone/Wallach)**
- 5.3.1 Special Finance Committee Meeting Minutes of September 20, 2017.
- 5.3.2 Committee Meeting Minutes of October 4, 2017.
- 5.3.3 **ACTION RECOMMENDED:**
- 1) APPROVE THE NEW LABOR CONTRACT WITH THE INTERNATIONAL ASSOCIATION OF FIRE FIGHTERS (IAFF), AND DECLARING AN EMERGENCY.

- 2) ACCEPT THE COURTS DECISION IN KENT INVESTORS LLC V. KENT CITY PLANNING COMMISSION AND THE CITY OF KENT AND TO NOT APPEAL THE DECISION, AND DECLARING AN EMERGENCY.

5.3.4 **Draft No. 17-129: AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND THE CIVILIAN EMPLOYEE UNIT, FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL FOR THE PERIOD OF SEPTEMBER 1, 2017 THROUGH OCTOBER 31, 2020, AND DECLARING AN EMERGENCY. (Authorized)**

5.3.5 **Draft No. 17-130: AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND THE DISPATCH UNIT, FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL FOR THE PERIOD OF SEPTEMBER 1, 2017 THROUGH OCTOBER 31, 2020, AND DECLARING AN EMERGENCY. (Authorized)**

5.3.6 **Draft No. 17-131: AN ORDINANCE AUTHORIZING A COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF KENT AND POLICE OFFICER UNIT, FRATERNAL ORDER OF POLICE, OHIO LABOR COUNCIL FOR THE PERIOD OF SEPTEMBER 1, 2017 THROUGH OCTOBER 31, 2020, AND DECLARING AN EMERGENCY. (Authorized)**

5.3.7 **Draft No. 17-134: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN DIANE L. ROBERTS AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT OF 0.018 ACRES OF REAL PROPERTY, FOR \$500.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY. (Unauthorized)**

5.3.8 **Draft No. 17-135: A RESOLUTION ACCEPTING A DONATION OF TWO (2) LIVE CATCH ANIMAL TRAPS TO THE CITY OF KENT POLICE DEPARTMENT FROM AN ANONYMOUS DONOR TO BE USED AS A HUMANE METHOD OF TRAPPING SMALL ANIMALS, AND DECLARING AN EMERGENCY. (Unauthorized)**

5.3.9 **Draft No. 17-136: AN ORDINANCE DIRECTING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 0.030 ACRES OF CERTAIN REAL PROPERTY FROM MORGAN NGUYEN PROPERTIES, INC., FOR RIGHT OF WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY. (Unauthorized)**

5.3.10 **Draft No. 17-137: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN SOUTHWATER PROPERTIES, LLC, INC. AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT OF 0.027 ACRES OF REAL PROPERTY, FOR \$750.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY. (Unauthorized)**

7.4 HEALTH & SAFETY COMMITTEE (Amrhein/Sidoti)

7.4.1 Committee Meeting Minutes of October 4, 2017

7.4.2 **ACTION RECOMMENDED:**

- 1) Authorize the proposed amendment to the City of Kent's Codified Ordinances by reinserting Chapter 351.04(u) to clarify the occupying more than 1 parking spot.

7.4.3 Draft No. 17-132: AN ORDINANCE AMENDING SECTION 351.04 ENTITLED "PROHIBITED STANDING OR PARKING PLACES" OF THE KENT CODIFIED ORDINANCES TO ADD A NEW SECTION (u), AND DECLARING AN EMERGENCY. (Authorized)

7.5 LAND USE COMMITTEE (Ferrara/Shaffer)

7.5.1 Committee Meeting Minutes of October 4, 2017

7.5.2 ACTION RECOMMENDED:

- 1) Postpone indefinitely the topic of Simple Recycling and place it on council's pending list as a placeholder.
- 2) Authorize the proposed amendments to Resolution Draft No. 17-83 as submitted by the Sustainability Commission and inserting "community based" before "climate action plan" in section 1 of the proposed amended draft with an emergency clause.
- 3) Authorize the 3rd Reading of Resolution Draft No. 17-83 on October 18, 2017 as Amended on October 4, 2017 with an emergency clause.
- 4) Authorize the MOU with Portage County for the shared use of the Portage Co. Court building's parking lot with an emergency clause.

7.5.3 3RD READING Draft No. 17-83: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KENT IN SUPPORT OF THE PARIS CLIMATE AGREEMENT, AND DECLARING AN EMERGENCY. (Authorized as Amended on 10.4.17)

7.5.4 Draft No. 17-133: A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH PORTAGE COUNTY BOARD OF COMMISSIONERS, AND DECLARING AN EMERGENCY. (Authorized)

7.6 STREETS, SIDEWALKS & UTILITIES COMMITTEE (Sidoti/Wallach)

7.6.1 Committee Meeting Minutes: NONE

7.6.2 ACTION RECOMMENDED: NONE

8. UNFINISHED BUSINESS

9. NEW BUSINESS

9.1 Items needing Council action or referral

9.2 Schedule future Council meetings

9.3 Councilmembers' comments

11. MAYOR'S REPORT

12. EXECUTIVE SESSION *immediately following the meeting in accordance with ORC §121.22 Section G, Item (4) "Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment."*

13. SPECIAL COMMITTEE REPORTS

13.3 One Kent Update

14. ADJOURNMENT

Posted: October 11, 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.