

**THE CITY OF KENT, OHIO
REGULAR COUNCIL MEETING
MAIN FIRE STATION
320 S. DEPEYSTER STREET
WED., SEPTEMBER 21, 2016**

7:25 P.M. BOARD OF CONTROL

7:30 P.M. REGULAR COUNCIL

1.0 ROLL CALL

2.0 OPENING REMARKS/PLEDGE OF ALLEGIANCE (MR. AMRHEIN)

3.0 APPROVAL OF MINUTES

3.1 Minutes of Regular Council Meeting of August 17, 2016

3.2 Minutes of Special Council Meeting of August 31, 2016

3.3 Minutes of Work Session of September 7, 2016

4.0 COMMUNICATIONS

4.1 Audience (All members of the audience wishing to address Council should sign up with the Clerk of Council prior to speaking)

4.2 Written

4.2.1 Minutes of Kent Parks and Recreation Board Meeting of July 21, 2016 were received August 29, 2016 and placed on file.

4.2.2 An email request for a proclamation or resolution recognizing prostate cancer awareness month was received on August 15, 2016 from Linda Hoetger. The email was copied and forwarded to Council and the Mayor. Mayor Fiala issued a proclamation on 8/31/16.

4.2.3 An email was received on August 17, 2016 from Irene Fulton, City of Marion, sharing a brochure about the city's MPACT ("Marion Police and Community Together") program. The email was copied and forwarded to Council and the Mayor, as well as the City Manager and the Police Chief.

4.2.4 On August 30th Council members were copied on a letter written to Mayor Fiala by William Weakland, owner of WRJW Enterprises LLC, expressing his desire to start a tire repurposing company at 1347 Middlebury Road and offering to meet with city officials to explain his business plan.

4.3 City Manager's Report

5.0 STANDING COMMITTEES

5.0.1 BALLOTING, BOARDS AND COMMISSIONS

5.0.2 AUTHORIZATION OF DRAFT NOS. 16-87 THROUGH 16-90, WITH THE APPROPRIATE NAMES INSERTED.

5.0.3 Draft No. 16-87: A RESOLUTION APPOINTING _____ TO THE ARCHITECTURAL REVIEW BOARD, AND DECLARING AN EMERGENCY. (Unauthorized)

5.0.4 Draft No. 16-88: A RESOLUTION APPOINTING _____ TO THE BOARD OF HEALTH, AND DECLARING AN EMERGENCY. (Unauthorized)

5.0.5 Draft No. 16-89: A RESOLUTION APPOINTING _____ TO THE SHADE TREE COMMISSION, AND DECLARING AN EMERGENCY. (Unauthorized)

5.0.6 Draft No. 16-90: A RESOLUTION APPOINTING _____ TO THE SUSTAINABILITY COMMISSION, AND DECLARING An EMERGENCY. (Unauthorized)

5.1 COMMUNITY DEVELOPMENT COMMITTEE (KUJAR/TURNER)

5.1.1 Written report of September 7, 2016

ACTION RECOMMENDED:

- 1) TO APPROVE THE PROPOSED POLICY GUIDANCE STATEMENTS FOR VOLUNTEER BOARDS AND COMMISSIONS
- 2) TO AUTHORIZE THE TREX LIQUOR LICENSE REQUEST FOR PIZZA FIRE, WITH EMERGENCY

5.1.2 Draft No. 16-91: AN ORDINANCE AUTHORIZING THE TRANSFER OF A TREX LIQUOR LICENSE INTO THE CITY OF KENT BY PIZZA FIRE KENT, LLC, AN OHIO LIMITED LIABILITY COMPANY, CONDITIONAL UPON THE EXECUTION OF A DEVELOPMENT AGREEMENT BETWEEN THE CITY OF KENT, OHIO AND PIZZA FIRE KENT, LLC; AND DECLARING AN EMERGENCY. (Authorized)

5.2 FINANCE COMMITTEE (DeLEONE/WALLACH)

5.2.1 Written report of September 7, 2016

ACTION RECOMMENDED:

- 1) SALARY REVIEW COMMITTEE RECOMMENDATIONS - **NO ACTION TAKEN**
- 2) TO AUTHORIZE THE PROPOSED FIRE INSPECTION FEE SCHEDULE WITH EMERGENCY
- 3) TO AUTHORIZE THE 2016 BUDGET APPROPRIATIONS AMENDMENT WITH EMERGENCY

5.2.2 Draft No. 16-92: A 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. (Unauthorized)

5.2.3 Draft No. 16-93: AN ORDINANCE AMENDING ORDINANCE NO. 2015-157, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 2, 2015, AS AMENDED BY ORDINANCE NO. 2016-15, PASSED FEB. 17, 2016; AS AMENDED BY ORDINANCE NO. 2016-24, PASSED MAR. 16, 2016; AS AMENDED BY ORDINANCE NO. 2016-35, PASSED APRIL 20, 2016; AND AS AMENDED BY ORDINANCE NO. 2016-52, PASSED JUNE 15, 2016, SO AS TO INCREASE APPROPRIATIONS IN FUND 001, GENERAL; FUND 106, PARKS AND RECREATION; FUND 126, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); FUND 202, SEWER; AND FUND 301, CAPITAL; AND SO AS TO DECREASE APPROPRIATIONS IN FUND 201, WATER; AND FUND 208, STORM WATER; AND DECLARING AN EMERGENCY. (Authorized)

5.2.4 Draft No. 16-94: AN ORDINANCE AUTHORIZING THE CERTIFICATION OF NON-PAYMENT OF BILLS FOR RESIDENTS RESULTING FROM THE 2014 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 CONCRETE REPAIR, AND DECLARING AN EMERGENCY. (Unauthorized)

5.3 HEALTH & SAFETY COMMITTEE (AMRHEIN/SIDOTI)

5.3.1 Written report of September 7, 2016

ACTION RECOMMENDED:

- 1) TO PUT AN INFORMATIVE ARTICLE IN THE TREE CITY BULLETIN AND ON THE CITY'S BLOG ABOUT PESTICIDE/HERBICIDE NOTIFICATION FOR AWARENESS FOR THE CITIZENS, AND TO DO A ROBO-CALL IN THE SPRING DIRECTING THOSE WITH CONCERNS TO THE TCB ARTICLE AND THE CITY'S BLOG
- 2) IMPOSE A TEMPORARY MORATORIUM UNTIL THE DEPARTMENT OF COMMERCE AND STATE BOARD OF PHARMACY ISSUE REGULATIONS CONCERNING RETAIL DISPENSERS, MEDICAL MARIJUANA GROWERS, DOCTOR REGISTRATION, AND PROCESSORS.
- 3) AUTHORIZE THE PROPOSED FIRE PREVENTION CODE UPDATES, WITH EMERGENCY.

5.3.2 Draft No. 16-95: AN ORDINANCE AMENDING CHAPTER 1501 OF THE FIRE PREVENTION CODE TO ADOPT AND CONFORM TO THE OHIO FIRE CODE AND AMENDING THE FEE SCHEDULE AND DECLARING AN EMERGENCY. (Authorized)

5.3.3 Draft No. 16-96: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXECUTE AN AMENDMENT TO THE AGREEMENT WITH KENT STATE UNIVERSITY SO AS TO PROVIDE FOR THE MUTUAL ASSISTANCE, INTERCHANGE, AND USE OF POLICE PERSONNEL AND EQUIPMENT, FROM SEPTEMBER 9, 2016, UNTIL TERMINATED BY EITHER PARTY, ENTERED INTO ON MAY 20, 2009, ORDINANCE 2009-54 AND AMENDED ON JUNE 20, 2012 IN ORDINANCE 2012-58; AND DECLARING AN EMERGENCY. (Unauthorized)

5.3.4 Draft No. 16-97: A RESOLUTION DECLARING A MORATORIUM ON THE CULTIVATION, PROCESSING AND DISTRIBUTION OF MEDICAL MARIJUANA IN THE CITY OF KENT, OHIO, AND DECLARING AN EMERGENCY. (Authorized)

5.4 LAND USE COMMITTEE (FERRARA/SHAFFER)

5.5 STREETS, SIDEWALKS AND UTILITIES COMMITTEE (SIDOTI/WALLACH)

5.5.1 Written report of September 7, 2016

ACTION RECOMMENDED:

- 1) AUTHORIZE THE RENEWAL OF THE PILOT SIDEWALK SNOW REMOVAL SERVICE FOR 2016-2017
- 2) AUTHORIZE THE TEMPORARY CLOSURE OF LINCOLN STREET ON OCTOBER 7, 2016 FROM 2 PM UNTIL 5 PM IN SUPPORT OF THE GRAND OPENING CEREMONY FOR THE NEW COLLEGE OF ARCHITECTURE BUILDING

6.0 SPECIAL COMMITTEE REPORTS

7.0 UNFINISHED BUSINESS

8.0 NEW BUSINESS

8.1 Items needing Council action or referral

8.2 Schedule future Council meetings

8.3 Council members' comments

9.0 MAYOR'S REPORT

10.0 ADJOURNMENT

Posted: September 14, 2016

Leslie J. Seefried, MMC
Interim Clerk, Kent City Council