



# CITY OF KENT, OHIO

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

CITY COUNCIL

**NOVEMBER 15, 2017**

**REGULAR CITY COUNCIL MEETING AT 7:30 P.M.**

***SPECIAL* FINANCE COMMITTEE MEETING IMMEDIATELY FOLLOWING  
WITH AN EXECUTIVE SESSION IMMEDIATELY FOLLOWING COMMITTEE**

## **AGENDA**

**6:00 P.M. COUNCIL WALK-THRU OF NEW POLICE STATION**

**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** Public Hearing Minutes of October 18, 2017

**3.2** Regular City Council Meeting of October 18, 2017

**3.3** Work Session of November 1, 2017

**3.4** Special City Council Meeting of November 1, 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** Standing Rock Cemetery Meeting Minutes of October 12, 2017 received October 20, 2017

**4.2.2** A NEW Liquor License Request was received on October 25, 2017 Pizzafire Kent LLC DBA Pizzafire located at 220 S. Depeyster St. Chief Lee had no objections.

**4.2.3** Parks and Recreation Board packet for October 19, 2017 received on October 19, 2017.

**4.2.4** Invitation to Council for NOPEC 2017 General Assembly Meeting received October 31, 2017.

**4.2.5** Planning Commission Agenda October 17, 2017 received on October 10, 2017.

**4.2.6** 2018 Meeting Schedules for Board of Zoning Appeals and Planning Commission received October 31, 2017.

**4.2.7** Letter from National League of Cities for the FY2019 Membership Dues Increase received October 20, 2017.

**4.2.8** Joint Meeting Agenda for Board of Zoning Appeals and Planning Commission on November 7, 2017 received October 31, 2017.

**4.2.9** Sustainability Commission Meeting Agenda for November 6, 2017 and minutes of October 2, 2017 received on November 1, 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 November 1, 2017.
- 5.1.2 *ACTION RECOMMENDED: NONE*

### 5.2 COMMUNITY DEVELOPMENT COMMITTEE (*Kuhar/Turner*)

- 5.2.1 Committee Meeting Minutes of November 1, 2017.
- 5.2.2 *ACTION RECOMMENDED:*
  - 1) Vacate three (3) current easements and authorize two (2) new Hike and Bike Trail easements and three (3) new stormwater easements for the redevelopment of Riverside Landing and Portage Hike & Bike Trail and declaring an emergency.
- 5.2.3 ***Draft No. 17-138: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN 315 RFK, LLC, AN OHIO LIMITED LIABILITY COMPANY, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A PERMANENT WALKWAY AND BIKEWAY EASEMENT FOR HIKE AND BIKE TRAIL CONSTRUCTION, RECONSTRUCTION, INSTALLATION, MAINTENANCE AND REPAIR PURPOSES OF 0.227 ACRES OF REAL PROPERTY, IN EXCHANGE OF THE VACATION OF THE EXISTING EASEMENT FOR HIKE AND BIKE TRAIL PURPOSES ON THEIR PROPERTY; AND DECLARING AN EMERGENCY. (Authorized)***
- 5.2.4 ***Draft No. 17-139: AN ORDINANCE VACATING A STANDARD HIGHWAY EASEMENT ORIGINALLY GRANTED TO THE CITY OF KENT, OHIO BY KENT DOWNTOWN COMMUNITY URBAN REDEVELOPMENT CORPORATION IN JUNE 27, 2008 CONDITIONED UPON THE FILING OF A NEW EASEMENT FROM 315 RFK, LLC, AND DECLARING AN EMERGENCY. (Authorized)***
- 5.2.5 ***Draft No. 17-140: AN ORDINANCE VACATING A PERMANENT WALKWAY EASEMENT ORIGINALLY GRANTED TO THE CITY OF KENT, OHIO BY BRADY'S LEAP PARTNERS, A LIMITED PARTNERSHIP IN OCTOBER 20, 1994 CONDITIONED UPON THE FILING OF A NEW EASEMENT FROM 315 RFK, LLC, AND DECLARING AN EMERGENCY. (Authorized)***
- 5.2.6 ***Draft No. 17-141: AN ORDINANCE VACATING A PERMANENT WALKWAY EASEMENT ORIGINALLY GRANTED TO THE CITY OF KENT, OHIO BY BRADY'S LEAP PARTNERS, A LIMITED PARTNERSHIP IN DECEMBER 27, 1994 CONDITIONED UPON THE FILING OF A NEW EASEMENT FROM 315 RFK, LLC, AND DECLARING AN EMERGENCY. (Authorized)***
- 5.2.7 ***Draft No. 17-148: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN 315 RFK, LLC, AN OHIO LIMITED LIABILITY COMPANY, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A PERPETUAL EASEMENT FOR STORM WATER MANAGEMENT PURPOSES OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, REPAIRING AND MAINTAINING STORM WATER SYSTEMS, 0.0296 ACRES OF REAL PROPERTY, IN EXCHANGE FOR THE VACATION OF SEVERAL EXISTING EASEMENTS ACROSS GRANTOR'S PROPERTY; AND DECLARING AN EMERGENCY. (Authorized)***
- 5.2.8 ***Draft No. 17-149: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN 315 RFK, LLC, AN OHIO LIMITED LIABILITY COMPANY, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A PERPETUAL EASEMENT FOR STORM WATER MANAGEMENT PURPOSES OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, REPAIRING AND***

**MAINTAINING STORM WATER SYSTEMS, 0.013 ACRES OF REAL PROPERTY, IN EXCHANGE FOR THE VACATION OF SEVERAL EXISTING EASEMENTS ACROSS GRANTOR'S PROPERTY; AND DECLARING AN EMERGENCY. (Authorized)**

- 5.2.9**     *Draft No. 17-150:* **AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN 315 RFK, LLC, AN OHIO LIMITED LIABILITY COMPANY, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A PERPETUAL EASEMENT FOR STORM WATER MANAGEMENT PURPOSES OF INSTALLING, CONSTRUCTING, RECONSTRUCTING, REPAIRING AND MAINTAINING STORM WATER SYSTEMS, 0.018 ACRES OF REAL PROPERTY, IN EXCHANGE FOR THE VACATION OF SEVERAL EXISTING EASEMENTS ACROSS GRANTOR'S PROPERTY; AND DECLARING AN EMERGENCY. (Authorized)**

**5.3 FINANCE COMMITTEE (DeLeone/Wallach)**

- 5.3.1**     Meeting Minutes of November 1, 2017.

**5.3.2**     *ACTION RECOMMENDED:*

- 1) Authorize, accept and appropriate the proposed AMATS grant for the resurfacing of Mogadore Road from Cherry St. to Summit St., and declaring an emergency.
- 2) Approve the 2018-2022 Capital Improvement Plan with the two (2) variances from the City Policy's fund balances for one (1) year, and declaring an emergency.
- 3) Authorize the proposed budget appropriations as submitted, and declaring an emergency.

***Draft No. 17-142:* AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE TO APPLY FOR, ACCEPT IF AWARDED, AND ALLOCATE \$580,000.00 FROM THE AKRON METROPOLITAN AREA TRANSPORTATION STUDY (AMATS) FOR A RESURFACING PROGRAM GRANT TO RESURFACE MOGADORE ROAD FROM CHERRY STREET TO SUMMIT STREET, AND DECLARING AN EMERGENCY. (Authorized)**

***Draft No. 17-143:* AN ORDINANCE AMENDING ORDINANCE NO. 2016-99, THE CURRENT APPROPRIATION ORDINANCE, PASSED NOVEMBER 16, 2016; AS AMENDED BY ORDINANCE NO. 2017-10, PASSED FEBRUARY 15, 2017; AS AMENDED BY ORDINANCE NO. 2017-15, PASSED MARCH 15, 2017; AS AMENDED BY ORDINANCE NO. 2017-38, PASSED MAY 17, 2017; AS AMENDED BY ORDINANCE NO. 2017-48, PASSED JUNE 21, 2017; AS AMENDED BY ORDINANCE NO. 2017-75, PASSED AUGUST 16, 2017; AND AS AMENDED BY ORDINANCE NO. 2017-111, PASSED SEPTEMBER 20, 2017; SO AS TO INCREASE APPROPRIATIONS IN FUND 001, GENERAL; FUND 106, PARKS AND RECREATION; FUND 126, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); FUND 128, FIRE & EMS; FUND 202, SEWER; AND FUND 301, CAPITAL; AND SO AS TO DECREASE APPROPRIATIONS IN FUND 201, WATER; AND DECLARING AN EMERGENCY. (Authorized)**

- 5.3.5**     *Draft No. 17-144:* **A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF \$200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM JUDITH SWEARINGEN FOR A TREE ALONG THE PORTAGE BIKE TRAIL IN MEMORY OF HAROLD WALKER, AND DECLARING AN EMERGENCY. (Unauthorized)**

- 5.3.6**     *Draft No. 17-145:* **A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF \$200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM CHARLES AND BETTY LIM FOR A TREE AT PLUM**

**CREEK IN MEMORY OF LIU YU MIN, AND DECLARING AN EMERGENCY.**  
(Unauthorized)

**5.3.7** *Draft No. 17-146:* AN ORDINANCE AMENDING SECTION 913.05 OF THE KENT CODIFIED ORDINANCES, INCREASING THE WATER RATES OF THE CITY OF KENT, OHIO BY NINE PERCENT (9%) BEGINNING WITH THE FIRST BILLING CYCLE IN JANUARY, 2018, AND DECLARING AN EMERGENCY.  
(Authorized)

**5.3.8** *Draft No. 17-147:* AN ORDINANCE AMENDING SECTION 915.72 OF THE KENT CODIFIED ORDINANCES, INCREASING THE SEWER RATES OF THE CITY OF KENT, OHIO BY THREE PERCENT (3%) BEGINNING WITH THE FIRST BILLING CYCLE IN JANUARY, 2018, AND DECLARING AN EMERGENCY. (Authorized)

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

**5.4.1** MEETING MINUTES: NONE

**5.4.2** ACTION RECOMMENDED: NONE

**5.5 LAND USE COMMITTEE** (*Ferrara/Shaffer*)

**5.5.1** MEETING MINUTES: NONE

**5.5.2** ACTION RECOMMENDED: NONE

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

**5.6.1** 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. ADJOURNMENT**

**SPECIAL FINANCE COMMITTEE MEETING - Presentation of the Proposed 2018 Operating Budget**

**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."

**Posted: November 8, 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.