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.*
FEBRUARY 21, 2018

AGENDA

7:25 P.M. **BOARD OF CONTROL**

7:30 P.M. **REGULAR COUNCIL**

1. **ROLL CALL**
2. **OPENING REMARKS/PLEDGE OF ALLEGIANCE** *(Mr. Amrhein)*
3. **APPROVAL OF MINUTES**

   3.1 Council Work Session #1 of January 17, 2018
   3.2 Council Work Session #2 of January 17, 2018
   3.3 Regular City Council Meeting of January 17, 2018
   3.4 Special City council Meeting of February 7, 2018
   3.5 Public Hearing Minutes of February 7, 2018

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 New start time of 5:30 p.m. for the Parks & Recreation Committee Meeting on February 22, 2018
   4.2.2 Standing Rock Cemetery Meeting Minutes of January 11, 2017 received January 29, 2018.
   4.2.3 Clerk of Council received 3 letters from Ms. Melissa Long regarding her interest in future vacancies for the Parks and Recreation Board, Planning Commission and Ward 1 or At-Large Council received January 29, 2018.
   4.2.4 Council's Electronic Filing Reminder for their 2017 Financial Disclosure Statements with the Ohio Ethics Commission received January 29, 2018. Filing Deadline is May 15, 2018.
   4.2.5 Five (5) Notifications of Public Notice by the Ohio EPA:

   1) Application for Anti-degradation Project at Willow Bay Campground received January 29, 2018.
   2) Receipt of 401 Application by Brimfield Township Ohio (Lot 2) LLC received February 1, 2018.
   3) Receipt of 401 Application by Hawthorne of Aurora, LLC received February 6, 2018.
   4) Final Issuance of Certification for the ODOT – POR Full Service Facility in Rootstown received February 6, 2018.
   5) National Pollutant Discharge Elimination System (NPDES) Permit to Discharge to State Waters

   4.2.6 Civil Service Meeting Agenda for January 22 received January 18, 2018.

4.2.7 Board of Zoning Appeals Approved Minutes of November 20, 2017 and December 18, 2017 received January 23, 2018.

4.2.8 Sustainability Commission Agenda for February 5, 2018 and Minutes from January 8, 2018 received February 2, 2018.

4.2.9 Solid Waste Policy Meeting Minutes from January 24, 2018 received February 7, 2018.

4.2.10 Health Board Meeting Agenda for February 13, 2018, Minutes from the December 12, 2017 Meeting and Statistical reports from December 2017 and January 2018 received February 8, 2018.

4.2.11 Planning Commission Agenda for February 20, 2018 received February 13, 2018.

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 FEBRUARY 7, 2018.

5.1.2 *ACTIONS RECOMMENDED:*

1) APPROVE REMOVAL OF ITEM Nos. S 3, 5, 6, 7, 10, 11, 13, 15, 16, 17, 18, AND 22 FROM COUNCIL'S PENDING LIST
2) APPROVE REMOVAL OF ITEM Nos. 1 & 2 ON THE FINANCE COMMITTEE'S PENDING LIST
3) APPROVE REMOVAL OF ITEM No. 1 ON THE HEALTH AND SAFETY COMMITTEE PENDING LIST
4) APPROVE REMOVAL OF ITEM No. 1 ON THE LAND USE COMMITTEES PENDING LIST
5) AUTHORIZE THE CLERK TO ADD BACKGROUND CHECK DISCLOSURE LANGUAGE TO THE BOARDS AND COMMISSIONS APPLICATION.
6) APPROVE THE STANDING RULES OF COUNCIL AS SUBMITTED BY THE CLERK
7) APPROVE THE CLERK OF COUNCIL'S JOB DESCRIPTION AS SUBMITTED BY THE CLERK
8) APPROVE THE UPDATE TO "PUBLIC MEETINGS" POSTINGS IN CODIFIED ORDINANCES SECTION 107.02 AS SUBMITTED BY THE CLERK AND ADD DISCLOSURE FOR UPDATES AND AMENDMENTS TO THE BOTTOM OF AGENDAS

5.1.3 **AUTHORIZE DRAFT No. 2018-28**

5.1.4 ***Draft No. 2018-28:*** **A RESOLUTION APPOINTING HOWARD BOYLE TO THE PARKING ACTION COMMITTEE, AND DECLARING AN EMERGENCY.** (Unauthorized)

5.1.5 ***Draft No. 2018-29:*** **AN ORDINANCE AMENDING SECTION 107.02(f) OF ORDINANCE 2016-18, CODIFIED IN SECTION 107.02(f) OF THE KENT CODIFIED ORDINANCES TO REFLECT CURRENT PRACTICE, AND DECLARING AN EMERGENCY** *(Authorized)*

5.2 COMMUNITY DEVELOPMENT COMMITTEE *(Kuhar/Rosenberg)*

5.2.1 COMMITTEE MEETING MINUTES OF FEBRUARY 7, 2018.

5.2.2 *ACTION RECOMMENDED:*

1) AUTHORIZE STAFF TO IDENTIFY NECESSARY CODE AMENDMENTS TO OPERATIONALIZE THE PARKING RECOMMENDATIONS AS SUBMITTED AND DECLARING AN EMERGENCY.

5.3 FINANCE COMMITTEE *(DeLeone/Wallach)*

5.3.1 COMMITTEE MEETING MINUTES OF FEBRUARY 7, 2018.

5.3.2 *ACTION RECOMMENDED:*

1) AUTHORIZE THE 2018 PROPOSED APPROPRIATIONS AMENDMENT AS SUBMITTED WITH AN EMERGENCY CLAUSE

5.3.3 ***Draft No. 2018-30:*** **A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF $800.00 TO THE CITY OF KENT FIRE DEPARTMENT FROM STOW-KENT CHIROPRACTIC CLINIC, INC., TO BE USED FOR EXERCISE EQUIPMENT, AND DECLARING AN EMERGENCY** (Unauthorized)

5.3.4 ***Draft No. 2018-31:*** **A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF $1,650.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM THE KENT ROTARY FOUNDATION FOR A NUTRITION EDUCATION PROGRAM IN THE 2018 SUMMER CAMPS, AND DECLARING AN EMERGENCY** (Unauthorized)

5.3.5 ***Draft No. 2018-32:*** **A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF $200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM AMY CRAFT FOR A FLOWERING DOGWOOD TO BE PLANTED AT STONEWATER PARK IN MEMORY OF HER HUSBAND CHRIS S. CRAFT, AND DECLARING AN EMERGENCY** (Unauthorized)

5.3.6 ***Draft No. 2018-33:*** **AN ORDINANCE AMENDING ORDINANCE NO. 2017-156, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 13, 2017, SO AS TO INCREASE APPROPRIATIONS IN FUND 120, REVOLVING HOUSING; FUND 122, DRUG LAW ENFORCEMENT; FUND 128, FIRE & EMS; FUND 201, WATER; FUND 202, SEWER; FUND 208, STORM WATER; AND FUND 301, CAPITAL; AND SO AS TO INCREASE OPERATING TRANSFERS FROM FUND 116, INCOME TAX TO FUND 301, CAPITAL; AND FROM FUND 116, INCOME TAX TO FUND 303, POLICE FACILITY; AND FROM FUND 001, GENERAL TO FUND 106, PARKS AND RECREATION; AND DECLARING AN EMERGENCY.** (Authorized)

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

5.4.1 COMMITTEE MEETING MINUTES OF FEBRUARY 7, 2018.

5.4.2 *ACTION RECOMMENDED:*

1) AUTHORIZE THE MOU CONTRACT BETWEEN THE CITY OF KENT AND THE CITY OF TALLMADGE WITH AN EMERGENCY CLAUSE

5.3.7 ***Draft No. 2018-34:*** **A RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO THE KENT-TALLMADGE LAW ENFORCEMENT SHOOTING RANGE AGREEMENT, AND DECLARING AN EMERGENCY.** (Authorized)

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 COMMITTEE MEETING MINUTES OF FEBRUARY 7, 2018.

5.6.2 *ACTIONS RECOMMENDED:*

1) AUTHORIZE THE WATER LINE TIE-IN FOR THE NEW RAISING CANE'S WITH AN EMERGENCY CLAUSE

2) AUTHORIZE THE 2018 MAIN STREET KENT EVENTS ROAD CLOSURES WITH EARLY ROAD CLOSURE SIGNS, WITH AN EMERGENCY CLAUSE

5.6.3 ***Draft No. 2018-35:*** **A RESOLUTION AUTHORIZING THE WATER TAP-IN FOR RAISING CANE'S OF OHIO AT 1801 EAST MAIN STREET, OUTSIDE THE CITY OF KENT, AND DECLARING AN EMERGENCY.** (Authorized)

5.6.4 ***Draft No. 2018-36:*** **A RESOLUTION AUTHORIZING EXPANDED STREET CLOSINGS FOR MAIN STREET KENT'S ART AND WINE FESTIVAL, OKTOBERFEST, AND WIZARDLY WORLD OF KENT, TO BE INCLUDED IN ITS PERMIT FOR EACH EVENT BEGINNING IN 2018 AND CONTINUING THEREAFTER, 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: February 14, 2018

Tara Grimm

Tara Grimm, CMC
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 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.

THE CITY OF KENT, OHIO
COUNCIL WORK SESSION
WEDNESDAY, JANUARY 17, 2018

At 6:00 p.m., Mayor Fiala called the **COUNCIL WORK SESSION** to order. The order of the 2 work sessions was swapped to allow more arrival time for the speaker.

PRESENT:	Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer, and Mr. Roger Sidoti.
ALSO PRESENT:	Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Mr. Eric Fink, Assistant Law Director; Ms. Melanie Baker, Public Services Director; Mr. Jim Bowling, City Engineer; Ms. Bridget Susel, Community Development Director; Mr. Tom Wilke, Economic Development Director; and Ms. Tara Grimm, CMC, Clerk of Council.
ABSENT:	Mr. Robin Turner and Ms. Tracy Wallach

Mayor Fiala referred to Clerk Grimm who provided Council with a new handbook and materials. Clerk Grimm highlighted some of the important points found in the New Council Orientation/Handbook, which is on file in the Clerk's office.

Clerk Grimm referred to page 7's "General Information for Newly Elected Council". She informed Council how business casual dress is required for the Regular City Council meetings; her office hours; then referred to pages 11 and 12 for the "New Council Member Checklist". She reminded Ms. Rosenberg if she had not already done so, to file her forms with the Ohio Ethics Commission. A hard copy of the full "Ohio Ethics Law Overview" was also provided to each member of Council.

Mr. Sidoti requested that in order to have our policies and procedure match, Section XII "Boards and Commissions" of Council's Standing Rules should be updated. It needs to have added how Council may intermittently use Executive Session to discuss personal details of interviewed candidates under Ohio Revised Code Section 121.22, Section (G)(1). Clerk Grimm agreed and will submit a draft at the next Council Committee meeting.

There were no further questions or comments from Council.

Mayor Fiala adjourned the Council Work Session at 6:15 p.m. to begin the 2nd Work Session.

Tara Grimm, CMC	Jerry T. Fiala
Clerk of Council	Mayor and President of Council

THE CITY OF KENT, OHIO
COUNCIL WORK SESSION
WEDNESDAY, JANUARY 17, 2018

At 6:15 p.m., Mayor Fiala called the 2nd **COUNCIL WORK SESSION** to order.

PRESENT:	Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Mr. John Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer, and Mr. Roger Sidoti.
ALSO PRESENT:	Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Mr. Eric Fink, Assistant Law Director; Ms. Melanie Baker, Public Services Director; Mr. Jim Bowling, City Engineer; Ms. Bridget Susel, Community Development Director; Mr. Tom Wilke, Economic Development Director; and Ms. Tara Grimm, CMC, Clerk of Council.
ABSENT:	Mr. Robin Turner and Ms. Tracy Wallach (arrived 6:55 p.m.)

Mayor Fiala informed Council Mr. Turner is recuperating well, but still unable to join us.

Ms. Baker then introduced Nancy Nozik of Brandstetter Carroll Inc. who structured a question and answer, listening session, to review with Council any concerns or wish list items for the New City Hall project. Ms. Nozick handed out her guideline for questioning. ***(See Attachment #1).***

Ms. Baker informed Council how Ms. Nozik and she would be meeting with the individual departments to gather more information in the next few weeks.

Highlights of comments during the Work Session were:

Mayor Fiala:
- No post in the middle of the room
- Taxpayers need one place to come to, like we promised them
- Staff needs to be closer for questioning during Council meetings
- Public can see us better if the dais is slightly raised.
- Amphitheater –like atmosphere would be costly and limits its usage
- Breakroom

Mr. Sidoti:
- Unique corner, has to have curb appeal, old with urban sheik
- Underground parking for employees
- “Flying ‘V’ shaped” building, symmetrical, makes a statement
- We are due to use darker masonry
- Building needs to be built “up”, rethink our work – 3 stories, all functional, can always finish the inside of a 3rd story later
- Needs to be a 100 year project, not 50 year
- 27 years ago the “Sparkle Market” was meant to be temporary and modified internally to meet our needs
- Council chambers should be Roman coliseum-like, a multi-purpose room
- 21st century technology, Ready-to Go, Livestreaming for our Council meetings
- Transparency and accessibility –open to the public
- Don’t want to lose the physical cues from Department Heads
- Underground employee parking would provide a secure entrance
- Flagpole out front

Ms. Shaffer:

- Always felt the white wall on the front of the current administration building should somehow celebrate us being a Tree City and green community
- Needs to connect to other buildings and have a campus feeling
- Use angles and layers
- Should "not be a monument to the lowest bidder"
- No columns, not ostentatious
- Lobby area near Council chambers for gathering after a meeting
- Lobby should have technology access for overflow of chambers so people can hear/see what is happening
- Workspace or tables for reporters and citizens inside chambers
- Lectern/ podium for visitors to give Council comments and presentations
- Natural use of materials in the lobby like Canton – they have a brick floor
- Attractive artwork
- Restroom – private/ staff use only v. public

Mr. Kuhar:

- Building should be conservative and modern with a corner faced entry
- Underground parking for employees
- Entrance at the lower level at the sidewalk
- Clock tower
- Needs functional windows
- Passive solar energy
- No loss of light – natural and live
- Concerned about wasted space and ADA compliance – make that space look more useful
- Does Code require egress hallways? Ms. Nozik replied how egress can be through the lobby
- Lock system for security

Mr. Ferrara:

- Agrees with Mr. Sidoti on style and underground parking
- Campus – integrate new and old
- The lot should be integrated with the Fire Department
- Dual sided building like the new Police Department
- "LEED" certified
- Masonry – NO orange panels
- Significant building even 50 years from now
- Executive Session room should hold 15-16 people. Spaces should be built for 90% of their usage, not 10%
- Ease of viewing presentations in Council Chambers
- Raised dais
- Share information with the audience on-screen; technology – Council tablets
- No one's back to the audience
- Quick access to Executive Session/Conference chambers to avoid conflict or interruption
- Lobby should be self-sufficient with technology, interactive kiosk, signage
- Can't afford a full-time receptionist and with 2 main entrances, signage is important
- Have to have security and separate secure staff entrance
- Discussed retail space in front of Austin's City Hall

Mr. DeLeone:

- Depends on which employees working in building.
- Bring "One-Stop" closer to downtown
- Whole building needs to be public friendly
- Separate Executive Session chambers that can also be used as a conference room
- Reminded Council how Rick Hawskley from KSU wanted to Livestream years ago. Asked Clerk

Grimm what they did in Painesville. Clerk Grimm stated they video record and upload to the website. Ms. Baker stated the building will be wired for new technology. Much easier and cost effective to do during building phase. She will be holding individual meetings with staff to discuss items like this.

- Amphitheater –like atmosphere would be costly and limits its usage
- Dual view for presentations – multiple screens
- Lobby should be secure, similar to Portage County Title Bureau
- Break room with vending

Ms. Rosenberg:

- Windows need to be conservative and modern
- No unnecessary ornamentation – simple, elegant design
- Greenspace should be utilized correctly as part of the architecture
- Welcoming accessibility, no massive stairs or columns
- If Health Department is part of this new building, they need a separate entrance/entry point for citizens; showering facilities; be kept away from other public areas due to the types of environment they or citizens may come in contact with.

Mr. Amrhein:

- Modern, yet conservative
- We are "Kent" and this building needs to reflect "Us"
- Agrees with Mr. Kuhar and Ms. Rosenberg about the windows
- Department Head should be closer to Council during meetings like in Stow; they had a table with nametags
- Must have office space for all Councilmembers to use
- Need some kind of security for employees
- Health Department would require an enormous amount of storage area in a New City Hall. We currently house all the County's records

Ms. Wallach:

- Discussed the set-up details of another facility. Stated it was nice, you were buzzed through; secure but friendly.

Mayor Fiala asked Mr. Ruller about the health Department being inside City Hall.

Mr. Ruller commented on how the Health Department works really well where they are. KSU is working with Mr. Neistadt and referred to Mr. Amrhein who is on the Committee.

Mr. Amrhein stated they are looking into an on-campus v. off-campus all-inclusive Health department.

Ms. Nozik questioned the need for security and bulletproof glass.

Ms. Wallach questioned if we have problems now?

Mr. Ruller responded yes, there have been quite a few instances where we have asked for help and police assistance. Security will definitely be needed.

Mr. Sidoti questioned if we are paid to house all of the County's vital statistic records.

Mr. Ruller replied "No".

Mr. Amrhein stated we charge for making copies, but do not charge the County for storage.

Mayor Fiala referred to the audience for comments or questions.

Mr. Wilke felt an amphitheater would be nice as it would be the only space in town to provide that type of facility.

Mayor Fiala thanked Ms. Nozik, looks forward to future Work Sessions and adjourned the Council Work Session at 7:23 p.m.

Ms. Nozik graciously provided the Clerk with her data summary based on Council's feedback to her questions. ***(See Attachment #2)****.*

Tara Grimm, CMC Clerk of Council	Jerry T. Fiala Mayor and President of Council

PROJECT NOTES
KENT CITY HALL
PROJECT NO. 18023

SUBJECT: PROGRAM REVIEW WITH CITY COUNCIL

BY: Nancy Nozik, Brandstetter Carroll Inc.

BRANDSTETTER CARROLL INC

January 17, 2018

Listening session: City Council

A. What kind of image do you want to project with this building?

B. How do you see Council utilizing the new building?

C. Program from the February 2017 Needs Assessment:

		Prior SF		Proposed SF
	Council	Old City Hall	Overholt	
1	Council Chambers	1,243		1,600
2	A/V Equipment Room	-		80
3	Waiting	216		60
4	Clerk of Council's Office	120		180
5	Mayor's Office	197		260
6	Council Office	-		140
7	Executive Conference Room	-		300
8	Supply Storage	93		60
9	Record Storage/Vault	226		300
	Dept. Program Subtotal	**2,095**		**2,980**
	Building/Circulation Factor	289		536
	Dept. Total	**2,384**		**3,516**

1. Public Entry
   a. How do you envision the public entering the building?
   b. Do you envision a separate staff entrance?
   c. Do you want a dedicated Receptionist? Or is this person a department staff?
   d. In our experience, the public are primarily coming to City Hall to pay their utility bills. Is the public check-in at a transaction window for Finance?
   e. Do you want a drive-up window to pay utility bills?

2. Council Chambers
   a. Waiting/gathering area outside Council Chambers? Public Lobby/Restrooms. Vending (mentioned in Needs Assessment)?
   b. Do you want to re-use the existing dais?
   c. Do you want to re-use the existing podium?
   d. Do you want to accommodate staff in a formal location – side dais or tables. If so, how many?
   e. Capacity for public? (100 persons identified in Needs Assessment)

3. Conference / Executive Session
   a. Adjacent to Council Chambers.
   b. Seating capacity? (15 persons identified in Needs Assessment)

4. Council Offices
    a. Clerk of Council Office – do they need to engage with the public?
    b. Council Office – size, furniture?
    c. Council mail boxes?
    d. Mayor's Office – is this part of Council area? Or separate?
    e. Mayor's Administrative Assistant.

5. Storage
    a. Records Storage – how much?
    b. Supply Storage
    c. AV Equipment Room

6. Other?

PROJECT NOTES
KENT CITY HALL
PROJECT NO. 18023

SUBJECT: PROGRAM REVIEW WITH CITY COUNCIL

BY: Nancy Nozik, Brandstetter Carroll Inc.

January 17, 2018

Listening session: City Council

A. What kind of image do you want to project with this building?

a. Do not want a column in the Council Chambers!
b. Curb appeal.
c. Elicit confidence from the community with the building.
d. Combine old architectural elements with new urban chic.
e. Look like it belongs here. Integrates with the town. But different – stands out as City Hall.
f. Parking for staff underneath?
g. Express something unique about Kent.
h. Celebrate the original Tree City and the fact that Kent has a green ethos. Something visible.
i. From any angle, want to see it connect to the other city buildings. Create a campus. Take some features from the other buildings – different angles, levels.
j. Conservative and modern at the same time.
k. Good face at the corner – entry door at the corner? Community entrance at the sidewalk lower level?
l. Clock tower?
m. Campus concept – integrate new and historic.
n. Has to be integrated with the Fire Department building/site.
o. The site may have future expansion to the south.
p. Dual sided building? Two public entrances.
q. But not extravagant.
r. LEED ordinance.
s. Masonry.
t. Have just as much significance and relevance 100 years from now.
u. City staff – all located close to downtown – for public access. Not segregated around town.
v. What the taxpayers need should be in one building.
w. Limitations of footprint, but opportunities as well.
x. Symmetry.
y. Due for something darker in terms of color. Stately.
z. Need to go up. 3 stories above parking. Build shell space for future growth.
aa. Uniquely substantial.
bb. Do not like windows that are not functional. Passive solar energy, with shade. Lots of natural light.
cc. Solar technology. Operational cost effectiveness.
dd. Brick structure with a lot of windows, but not window walls.
ee. Not a lot of unnecessary ornamentation. Simple by design.
ff. Lasting elegance.
gg. Green space outside – if utilized correctly – tie in to the campus. Natural barrier for sunlight. Plantings/landscaping as part of the architecture.
hh. Modern, but conservative. Kent is not traditional. City Hall to have a different look to it.
ii. Not a monument to the lowest bidder!
jj. Not ostentatious. No columns. Do not look like a bank.

kk. Incorporate all ADA requirements, while utilizing space efficiently. Inherently accessible.
ll. Set the tone for focusing on the public. Walkers, bikers, easy access.
mm. Public art.
nn. Where will the Health Department be located? They like where they are now with KSU.
oo. Flagpole(s) out front.
pp. Auditorium style room. Or multipurpose/community room.

B. How do you see Council utilizing the new building?

C. Program from the February 2017 Needs Assessment:

		Prior SF		Proposed SF
	Council	Old City Hall	Overnell	
1	Council Chambers	1,243		1,600
2	A/V Equipment Room	-		80
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	Dept. Program Subtotal	**2,095**		**2,980**
	Building/Circulation Factor	289		536
	Dept. Total	**2,384**		**3,516**

1. Public Entry
   a. How do you envision the public entering the building?
      i. More people if the Health Department is located here. If so, they should have their own entry. Should have showers available for staff. Health Department records storage is large.
   b. Do you envision a separate staff entrance?
      i. Yes – card access.
   c. Do you want a dedicated Receptionist? Or is this person a department staff?
      i. Welcoming area, but not a dedicated receptionist. Solve with technology? Kiosk?
      ii. Be considerate of interruptions of staff.
      iii. Wayfinding.
   d. In our experience, the public are primarily coming to City Hall to pay their utility bills. Is the public check-in at a transaction window for Finance?
   e. Do you want a drive-up window to pay utility bills?

2. Council Chambers
   a. Waiting/gathering area outside Council Chambers? Public Lobby/Restrooms. Vending (mentioned in Needs Assessment)?
      i. Lobby area outside Council Chambers. Gathering space. Include AV for overflow.
      ii. Natural use of materials. Warmth. (Canton – brick floor). But brick floor is not good for wheelchairs and canes.
      iii. Vending areas for public.
   b. Do you want to re-use the existing dais?
      i. Yes – it is only 3 years old.
   c. Do you want to re-use the existing podium?
      i. Do not have an existing one. Would like one.
      ii. No one's back should ever face the audience.

   d. Do you want to accommodate staff in a formal location – side dais or tables. If so, how many?
      i. Designated area is more professional. 6 seats?
      ii. Council likes to be able to see the staff.
   e. Capacity for public? (100 persons identified in Needs Assessment)
   f. Council chambers
      i. Do not want public at different level from Council. No raised dais. Or only raised slightly. Want public to be able to see.
      ii. We're here to serve the public.
      iii. Use as a multi-purpose room.
      iv. People should be able to see and hear.
      v. Send a powerful message about who is important – the public.
      vi. Like the tables at the seating areas. Not just rows of chairs.
      vii. Live stream. Allow people to engage in government however they can.
      viii. Technology – allow for future.
      ix. AV so Council can see presentations as well as public.
      x. Make sure the area for public to address is appropriate – podium.
      xi. Access to Clerk Office.
      xii. Access to Law Office.

3. Conference / Executive Session
   a. Adjacent to Council Chambers.
   b. Seating capacity? (15 persons identified in Needs Assessment)
      i. Also used by staff.
      ii. Capacity 15-16.
      iii. Access without having to go through the audience. Avoid potential conflicts.

4. Council Offices
   a. Clerk of Council Office – do they need to engage with the public?
   b. Council Office – size, furniture?
      i. For meetings with constituents.
   c. Council mail boxes?
      i. No.
   d. Mayor's Office – is this part of Council area? Or separate?
      i. Yes – want to be near Clerk. Clerk is the Admin Asst for Mayor.
   e. Mayor's Administrative Assistant.
      i. Currently the Clerk of Council is the Mayor's Asst. Consider flexible space if this changes in the future

5. Storage
   a. Records Storage – how much?
      i. Permanent records. They are scanned, but need to store hard copies. Creating more hard copies.
   b. Supply Storage
   c. AV Equipment Room

6. Other?
   a. Security:
      i. Need security – handling money.
      ii. Control access to offices.
      iii. Welcoming, but secure. Glass.

THE CITY OF KENT, OHIO
REGULAR COUNCIL MEETING
WEDNESDAY, JANUARY 17, 2018

At 7:30 p.m., Mayor Jerry T. Fiala called the **Regular Meeting of Kent City Council** to order. Roll call was taken.

PRESENT: Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Garret Ferrara, Ms. Gwen Rosenberg, Ms. Heidi Shaffer, Mr. Roger Sidoti, and Ms. Tracy Wallach.

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Mr. Eric Fink, Assistant Law Director; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Mr. Tom Wilke, Economic Development Director; Ms. Melanie Baker, Public Service Director; Fire Chief John Tosko.

ABSENT: Mr. Robin Turner

Mayor Fiala called upon Councilmember Wallach for her opening remarks. Ms. Wallach welcomed Gwen Rosenberg to her first official Council meeting, then led the Pledge of Allegiance.

MOTION TO EXCUSE MR. TURNER FROM TONIGHT'S MEETING made by Mr. Ferrara, seconded by Ms. Shaffer and CARRIED by a voice vote of 8-0.

APPROVAL OF MINUTES:

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF DECEMBER 13, 2017 made by Mr. Sidoti, seconded by Mr. Ferrara, and CARRIED by a voice vote of 8-0-1 with Ms. Wallach abstaining.

COMMUNICATIONS:
Mayor Fiala called for audience comments. There were no visitors.

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

1. Standing Rock Cemetery Meeting Minutes of December 14, 2017 received December 18, 2017.
2. Notification of a Public Notice by the Ohio EPA for the Final Issuance of Certification for Tinker's Creek received January 9, 2018.
3. A Liquor License Transfer Request was received on January 4, 2018 to BS Kitchens LLC located at 221 Franklin Ave. from Unit 16 Inc. DBA Banana Joes. Chief Lee had no objections.
4. An additional Liquor License Transfer Request was received on January 4, 2018 to Adam May, Inc. DBA Clark Stores located at 706 S. Water Street from Tarrify Properties, LLC., DBA Clark Stores 1356 located at 706 S. Water Street. Chief Lee had no objections

MOTION TO HAVE THE CLERK OF COUNCIL RETURN THE TWO (2) LIQUOR LICENSE TRANSFER REQUESTS TO THE OHIO DEPARTMENT OF LIQUOR CONTROL WITH NO OBJECTION made by Mr. Ferrara, seconded by Mr. Kuhar. Motion CARRIED by a voice vote of 8-0.

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

1. Request Council's authorization to accept a donation in the amount of $1,500 for Kent Parks and Recreation from the Henry V. and Frances W. Christenson Foundation. (Draft #2018-15)

2. Request Council's authorization to accept a $200 donation from Richard and Diane Kurlich (Draft #2018-16), a $320 donation from the Zephyr (Draft #2018-17) and a $200 donation from Eric and Ann Lantz (Draft #2018-18) to Kent Parks and Recreation.

3. Request Council's consideration of approval of final legislation for an ODOT micro-surfacing street restoration project. (Draft #2018-11)

4. Request Council's authorization for the Kent Fire Department to submit a FEMA-AFG grant request to upgrade the truck exhaust ventilation system at the Main Fire Station.

5. Request Council's authorization to submit a letter of support for continuation of National Park funding.

6. Request Council's approval to authorize the City Clerk to schedule a Public Hearing before the start of the February 7th Committee meeting for comments on the draft 2018 CDBG Action Plan.

7. Request Committee of the Whole time to review the status of the pending list items.

8. Request Streets, Sidewalks and Utilities Committee time to consider a request from Jim Bowling to submit a funding application for a traffic safety improvement project on N. Water Street.

9. Request Streets, Sidewalks and Utilities Committee time to consider a Memorandum of Understanding with Kent State University for the possible East Main Street corridor improvements.

10. Request Community Development Committee time to consider proposed changes to the current parking permit and hourly restrictions in use at the Columbus Street public parking lot.

11. Request Community Development Committee time to receive an update on the status of Phase 1 of the Zoning Code update project.

12. Request Finance Committee time for consideration of a 2018 Budget Appropriations Amendment.

13. Request Health & Safety Committee time for consideration of a proposed agreement between the City of Kent and the City of Talmadge for joint use of the Kent Police shooting range.

14. Request Council's authorization for an executive session to discuss employee job requirements.

MOTION TO APPROVE ITEMS #1 - #13 OF THE CITY MANAGER'S REPORT made by Mr. Amrhein, seconded by Mr. Kuhar. Motion CARRIED by a voice vote of.

MOTION TO MOVE INTO AN EXECUTIVE SESSION *immediately following the meeting 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. Sidoti. On Roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, and Mr. Amrhein. The motion CARRIED by a roll call vote of 8-0.

STANDING COMMITTEES/ LEGISLATION

COMMITTEE OF THE WHOLE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF DECEMBER 6, 2017 AND JANUARY 3, 2018 made by Mr. DeLeone, seconded by Mr. Kuhar and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE THREE (3) RECOMMENDED ACTIONS made by Mr. DeLeone, seconded by Mr. Ferrara, and CARRIED by a voice vote of 8-0.

Recommended Actions:

1) Accept the Standing Committees of Council's Slate of Chairs and Vice-chairs as stands.
2) Approve the Standing Rule of Council as submitted by the Clerk.
3) Refer the formation of a Senior Citizen Center Committee to the Parks and Recreation Board.

MOTION TO AUTHORIZE ITEMS 5.1.4 THROUGH 5.1.8 ON THE AGENDA made by Mr. DeLeone, seconded by Ms. Shaffer, and CARRIED by a voice vote of 8-0.

Draft Resolution No. 2018-1: A RESOLUTION APPOINTING ROBERT A. RUMMEL, JR. TO THE BOARD OF BUILDING APPEALS, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-1 made by Mr. DeLeone and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The motion CARRIED by a roll call vote of 8-0.

RESOLUTION NO. 2018-1: A RESOLUTION APPOINTING ROBERT A. RUMMEL, JR. TO THE BOARD OF BUILDING APPEALS, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft Resolution No. 2018-2: A RESOLUTION APPOINTING DENISE S. MOTE TO THE INCOME TAX BOARD OF REVIEW, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Kuhar. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-2 made by Mr. DeLeone and seconded by Mr. Ferrara. On Roll call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, and Ms. Rosenberg. The motion CARRIED by a roll call vote of 8-0.

RESOLUTION NO. 2018-2: A RESOLUTION APPOINTING DENISE S. MOTE TO THE INCOME TAX BOARD OF REVIEW, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft Resolution No. 2018-3: A RESOLUTION APPOINTING DEBBIE SMEILES TO THE PARKS AND RECREATION BOARD, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, and Ms. Shaffer. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-3 made by Mr. DeLeone and seconded by Mr. Ferrara. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, and Mr. Sidoti. The motion CARRIED by a roll call vote of 8-0.

RESOLUTION NO. 2018-3: A RESOLUTION APPOINTING DEBBIE SMEILES TO THE PARKS AND RECREATION BOARD, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft Resolution No. 2018-4: A RESOLUTION APPOINTING JOHN BELFIORE TO THE SHADE TREE COMMISSION, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-4 made by Mr. DeLeone and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, and Mr. Amrhein. The motion CARRIED by a roll call vote of 8-0.

RESOLUTION NO. 2018-4: A RESOLUTION APPOINTING JOHN BELFIORE TO THE SHADE TREE COMMISSION, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft Resolution No. 2018-5: A RESOLUTION APPOINTING AUDREY CIELINSKI KESSLER TO THE SHADE TREE COMMISSION, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-5 made by Mr. DeLeone and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The motion CARRIED by a roll call vote of 8-0.

RESOLUTION NO. 2018-5: A RESOLUTION APPOINTING AUDREY CIELINSKI KESSLER TO THE SHADE TREE COMMISSION, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft Resolution No. 2018-20: A RESOLUTION OF SUPPORT FOR THE NATIONAL PARKS SYSTEM BY THE KENT CITY COUNCIL, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Kuhar. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-20 made by Mr. DeLeone and seconded by Mr. Ferrara. On Roll call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, and Ms. Rosenberg. The motion CARRIED by a roll call vote of 8-0.

RESOLUTION NO. 2018-20: A RESOLUTION OF SUPPORT FOR THE NATIONAL PARKS SYSTEM BY THE KENT CITY COUNCIL, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm

COMMUNITY DEVELOPMENT COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF DECEMBER 6, 2017 AND JANUARY 3, 2018 made by Mr. DeLeone, seconded by Mr. Kuhar and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE TWO (2) RECOMMENDED ACTIONS made by Mr. DeLeone, seconded by Mr. Ferrara, and CARRIED by a voice vote of 8-0.

Recommended Actions:

1) Authorize the MOU for Village of Franklin Crossing with Millenia Housing Development, Ltd. with an emergency clause.
2) Authorize the County-City Landbank Agreement with an emergency clause.

Draft Ordinance No. 2018-6: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH MILLENNIA HOUSING DEVELOPMENT, LTD. AND THE CITY OF KENT TO FURNISH AND MAINTAIN THE LANDSCAPE IN THE LAWRENCE COURT CUL-DE-SAC ISLAND, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, and Ms. Shaffer. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-6 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, and Mr. Sidoti. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2018-6: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH MILLENNIA HOUSING DEVELOPMENT, LTD. AND THE CITY OF KENT TO FURNISH AND MAINTAIN THE LANDSCAPE IN THE LAWRENCE COURT CUL-DE-SAC ISLAND, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft Ordinance No. 2018-7: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A NUISANCE ABATEMENT AGREEMENT BETWEEN THE PORTAGE COUNTY LAND REUTILIZATION CORPORATION AND THE CITY OF KENT TO ASSIST IN ABATING INSECURE, UNSAFE OR STRUCTURALLY DEFECTIVE STRUCTURES THAT HAVE BEEN DECLARED TO BE A PUBLIC NUISANCE, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-7 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, Ms. Wallach, and Mr. Amrhein. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2018-7: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A NUISANCE ABATEMENT AGREEMENT BETWEEN THE PORTAGE COUNTY LAND REUTILIZATION CORPORATION AND THE CITY OF KENT TO ASSIST IN ABATING INSECURE, UNSAFE OR STRUCTURALLY DEFECTIVE STRUCTURES THAT HAVE BEEN DECLARED TO BE A PUBLIC NUISANCE, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft Ordinance No. 2018-8: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A SETTLEMENT AGREEMENT BETWEEN PATRICK M. DEGREGIO AND THE CITY OF KENT TO RAZE THE STRUCTURE KNOWN AS 249-1/2 LAKE STREET, KENT, OHIO, WITH THE FUNDS BEING PROVIDED BY THE PORTAGE COUNTY LAND REUTILIZATION CORPORATION, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-8 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The motion CARRIED by a roll call vote of 7-0-1 with Ms. Wallach abstaining.

ORDINANCE No. 2018-8: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A SETTLEMENT AGREEMENT BETWEEN PATRICK M. DEGREGIO AND THE CITY OF KENT TO RAZE THE STRUCTURE KNOWN AS 249-1/2 LAKE STREET, KENT, OHIO, WITH THE FUNDS BEING PROVIDED BY THE PORTAGE COUNTY LAND REUTILIZATION CORPORATION, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft Ordinance No. 2018-9: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A SETTLEMENT AGREEMENT BETWEEN MICHELLE L. SETLOCK AND THE CITY OF KENT TO RAZE THE STRUCTURE KNOWN AS 210 HARRIS STREET, KENT, OHIO, WITH THE FUNDS BEING PROVIDED BY THE PORTAGE COUNTY LAND REUTILIZATION CORPORATION, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Kuhar. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-9 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar and Ms. Rosenberg. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2018-9: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A SETTLEMENT AGREEMENT BETWEEN MICHELLE L. SETLOCK AND THE CITY OF KENT TO RAZE THE STRUCTURE KNOWN AS 210 HARRIS STREET, KENT, OHIO, WITH THE FUNDS BEING PROVIDED BY THE PORTAGE COUNTY LAND REUTILIZATION CORPORATION, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft Ordinance No. 2018-10: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A SETTLEMENT AGREEMENT BETWEEN AMY M. WAPLES AND THE CITY OF KENT TO ALLOW THE CITY TO ENTER ONTO HER PROPERTY KNOWN AS 249 LAKE STREET, KENT, OHIO, IN ORDER TO RAZE 249-1/2 LAKE STREET BECAUSE IT IS UNINHABITABLE AND IT ENCROACHES UPON OTHER PROPERTY, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, and Ms. Shaffer. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-10 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, and Mr. Sidoti. The motion CARRIED by a roll call vote of 7-0-1 with Ms. Wallach abstaining.

ORDINANCE No. 2018-10: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A SETTLEMENT AGREEMENT BETWEEN AMY M. WAPLES AND THE CITY OF KENT TO ALLOW THE CITY TO ENTER ONTO HER PROPERTY KNOWN AS 249 LAKE STREET, KENT, OHIO, IN ORDER TO RAZE 249-1/2 LAKE STREET BECAUSE IT IS UNINHABITABLE AND IT ENCROACHES UPON OTHER PROPERTY, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

FINANCE COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF DECEMBER 6, 2017 AND JANUARY 3, 2018 made by Mr. DeLeone, seconded by Mr. Kuhar and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE ONE (1) RECOMMENDED ACTION made by Mr. DeLeone, seconded by Mr. Ferrara, and CARRIED by a voice vote of 8-0.

Recommended Action:

1) Authorize a management agreement with Century 21 Wilbur Realty to rent and manage 500 Middlebury Road with an emergency clause.

Draft Resolution No. 2018-11: A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO PARTICIPATE WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE DOUBLE MICROSURFACING OF SR 43 FROM THE SOUTH CORPORATION LIMIT TO SR 261 DOUBLE AND MICROSURFACING OF SR 261 FROM SUMMIT STREET TO THE NORTH CORPORATION LIMIT; POR MCRO FY2018(B); PID 102352, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-11 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, Ms. Wallach, and Mr. Amrhein. The motion CARRIED by a roll call vote of 8-0.

RESOLUTION No. 2018-11: A RESOLUTION AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO PARTICIPATE WITH THE STATE OF OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR THE DOUBLE MICROSURFACING OF SR 43 FROM THE SOUTH CORPORATION LIMIT TO SR 261 DOUBLE AND MICROSURFACING OF SR 261 FROM SUMMIT STREET TO THE NORTH CORPORATION LIMIT; POR MCRO FY2018(B); PID 102352, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft Ordinance No. 2018-12: AN ORDINANCE SETTING THE RATE OF PAY FOR THE MAYOR OF KENT, OHIO AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-12 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2018-12: AN ORDINANCE SETTING THE RATE OF PAY FOR THE MAYOR OF KENT, OHIO AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft Ordinance No. 2018-13: AN ORDINANCE SETTING THE RATE OF PAY FOR THE WARD COUNCIL MEMBERS AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Kuhar. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-13 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Ms. Rosenberg. The motion CARRIED by a roll call vote of 7-0-1 with Mr. Kuhar abstaining.

ORDINANCE No. 2018-13: AN ORDINANCE SETTING THE RATE OF PAY FOR THE WARD COUNCIL MEMBERS AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft Ordinance No. 2018-14: AN ORDINANCE SETTING THE RATE OF PAY FOR THE AT-LARGE COUNCIL MEMBERS AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, and Ms. Shaffer. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-14 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, and Ms. Shaffer, and Mr. Sidoti. The motion CARRIED by a roll call vote of 7-0-1 with Mr. Kuhar abstaining.

ORDINANCE No. 2018-14: AN ORDINANCE SETTING THE RATE OF PAY FOR THE AT-LARGE COUNCIL MEMBERS AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft Ordinance No. 2018-15: AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF $1,500.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM HENRY V. AND FRANCES W. CHRISTENSON FOUNDATION FOR THE 2018 KENT PARKS & RECREATION BEAUTIFICATION PROGRAM, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-15 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, Ms. Wallach, and Mr. Amrhein. The motion CARRIED by a roll call vote of 8-0.The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2018-15: AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF $1,500.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM HENRY V. AND FRANCES W. CHRISTENSON FOUNDATION FOR THE 2018 KENT PARKS & RECREATION BEAUTIFICATION PROGRAM, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft Ordinance No. 2018-16: AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF $320.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM ZEPHYR FOR THE HAROLD WALKER REST AREA ON THE PORTAGE HIKE & BIKE TRAIL, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-16 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2018-16: AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF $320.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM ZEPHYR FOR THE HAROLD WALKER REST AREA ON THE PORTAGE HIKE & BIKE TRAIL, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft Ordinance No. 2018-17: AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF $200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM RICHARD AND DIANE KURLICH FOR MATERIALS FOR PICNIC TABLE EAGLE SCOUT PROJECT, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Kuhar. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-17 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, and Ms. Rosenberg. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2018-17: AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF $200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM RICHARD AND DIANE KURLICH FOR MATERIALS FOR PICNIC TABLE EAGLE SCOUT PROJECT, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft Ordinance No. 2018-18: AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF $200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM ERIC AND ANN LANTZ FOR A TREE AT FRED FULLER PARK IN MEMORY OF FREDERICK LANTZ, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, and Ms. Shaffer. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-18 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, and Mr. Sidoti. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2018-18: AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF $200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM ERIC AND ANN LANTZ FOR A TREE AT FRED FULLER PARK IN MEMORY OF FREDERICK LANTZ, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

Draft Ordinance No. 2018-19: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A MANAGEMENT AGREEMENT WITH CENTURY 21 WILBUR REALTY AND THE CITY OF KENT TO RENT AND MANAGE THE PARCEL KNOWN AS 500 MIDDLEBURY ROAD, KENT, OHIO, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-19 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, Ms. Wallach, and Mr. Amrhein. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2018-19: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A MANAGEMENT AGREEMENT WITH CENTURY 21 WILBUR REALTY AND THE CITY OF KENT TO RENT AND MANAGE THE PARCEL KNOWN AS 500 MIDDLEBURY ROAD, KENT, OHIO, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

HEALTH AND SAFETY COMMITTEE:

There were no minutes or actions to be approved.

Draft Ordinance No. 2018-21: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO APPLY FOR A FEMA AFG GRANT IN THE AMOUNT OF $140,000.00, ACCEPT THE GRANT, IF AWARDED, AND APPROPRIATE FUNDS TO BE USED TO REPLACE THE TRUCK ROOM EXHAUST SYSTEM, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-21 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Ferrara. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2018-21: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO APPLY FOR A FEMA AFG GRANT IN THE AMOUNT OF $140,000.00, ACCEPT THE

GRANT, IF AWARDED, AND APPROPRIATE FUNDS TO BE USED TO REPLACE THE TRUCK ROOM EXHAUST SYSTEM, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

***LAND USE COMMITTEE*:** NONE

STREETS, SIDEWALKS AND UTILITIES COMMITTEE:

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF DECEMBER 6, 2017 AND JANUARY 3, 2018 made by Mr. DeLeone, seconded by Mr. Kuhar and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE ONE (1) RECOMMENDED ACTION made by Mr. DeLeone, seconded by Mr. Ferrara, and CARRIED by a voice vote of 8-0.

Recommended Action:

1) Authorize the installation of 30 parking meters on College Street between Water St. and Franklin St. and amend to Exhibit “A” of Chapter 358 with an emergency clause.

Draft Ordinance No. 2018-22: AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO APPLY FOR A FEMA AFG GRANT IN THE AMOUNT OF $140,000.00, ACCEPT THE GRANT, IF AWARDED, AND APPROPRIATE FUNDS TO BE USED TO REPLACE THE TRUCK ROOM EXHAUST SYSTEM, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm 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, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, and Mr. Kuhar. The motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT No. 2018-22 made by Mr. Ferrara and seconded by Mr. DeLeone. On Roll call, voting “Yes”: Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, and Ms. Rosenberg. The motion CARRIED by a roll call vote of 8-0.

ORDINANCE No. 2018-22: AN ORDINANCE AMENDING SECTION 358.02, TITLED “PARKING METER ZONES”, IN ORDER TO ADD COLLEGE STREET BETWEEN SOUTH WATER STREET AND FRANKLIN AVENUE TO EXHIBIT “A”, AS A STREET TO HAVE TWO (2) HOUR PARKING METERS INSTALLED, AND DECLARING AN EMERGENCY PASSED as stated by Clerk Grimm.

SPECIAL COMMITTEE REPORTS: NONE

UNFINISHED BUSINESS: NONE

NEW BUSINESS:

MOTION TO REFER THE MATTER OF THE LAW DIRECTOR POSITION TO COMMITTEE made by Mr. Kuhar. He continued to state how we use to make 2 full-time position payments to the Law Director. The job description needs to be changed in order to save the City money. Both the Law Director and the Assistant Law Director need to be prosecutors. The motion was seconded by Mr. DeLeone for discussion purposes only.

Mayor Fiala reminded Mr. Kuhar that this is an appointment to be made by the City Manager.

Mr. DeLeone stated Mr. Ruller recently informed Council that he is re-working the Law Director's position.

Ms. Wallach also commented on how this matter is already in the works.

Mr. Sidoti questioned Mr. Kuhar if he is looking to save the City money or if the position has limitations because one was a prosecutor and one wasn't.

Mr. Kuhar replied "Both."

Mayor Fiala requested a voice vote. Upon voice vote, MOTION TO REFER THE MATTER OF THE LAW DIRECTOR POSITION TO COMMITTEE ***FAILED*** 2-5.

MOTION TO REFER TO COMMITTEE HIGH-DENSITY R1 OR R2 HAVING CLEAR GREENSPACE BUFFERING made by Mr. Kuhar. He continued to state he'd like to make sure unobstructed space is not encroaching on neighbors whether it be 100 ft. or 20 ft., which was seconded by Ms. Wallach for discussion purposes.

Ms. Wallach stated the current Zoning Code Review will be handling this matter.

Ms. Shaffer felt it is worthy, but needs comprehensive discussion and it will be involved in the Code update.

Mr. Sidoti commented how a Work Session with Bridget would be helpful to clarify what we can and can't do and the differences between what we have currently and the recommended revisions.

Mayor Fiala requested a voice vote. Upon voice vote, MOTION TO REFER TO COMMITTEE HIGH-DENSITY R1 OR R2 HAVING CLEAR GREENSPACE BUFFERING ***PASSED*** 5-2.

MOTION TO REFER TO ADMINISTRATION TO RESEARCH CRIMINAL BACKGROUND CHECKS FOR OUR CANDIDATES FOR BOARDS AND COMMISSIONS, seconded by Mr. Ferrara.

Mr. Ferrara feels this makes sense.

Ms. Shaffer felt there is enough discrimination already, and a background check would depend on the position or office.

Ms. Rosenberg questioned if the background checks would be done by our law department or outside service.

Ms. Wallach stated she is voting against the Motion as conflict of interest is more important than a felony.

Mr. Fink commented on how anyone can "Google" criminal records.

Mr. Kuhar commented on how for $100.00 per year we can join an investigation website. It is our obligation to appoint good standing people.

Mr. Ferrara feels it would be a good idea to know who we are appointing and the outcome doesn't necessarily prevent that person from being appointed. Criminal backgrounds are a part of general knowledge.

Ms. Shaffer questioned if our employees go through criminal background checks, and doesn't think Council is background checked.

Mr. Ruller, Mr. Fink and Ms. Grimm all commented "Yes, the employees are".

Ms. Wallach stated the Ethics Commission does the background check on Council members who are elected to their position.

Ms. Shaffer questioned if the information would be disclosed to the public.

Mr. Fink replied “yes, It creates another public record.”

Mayor Fiala requested a voice vote. Upon voice vote, MOTION TO REFER TO ADMINISTRATION TO RESEARCH CRIMINAL BACKGROUND CHECKS FOR OUR CANDIDATES FOR BOARDS AND COMMISSIONS ***PASSED*** 5-2.

Mr. Kuhar’s final Motion was in regards to Mr. Perez and Mr. Myers requests on digital records and how we keep our audio recordings.

Clerk Grimm reminded Mr. Kuhar that that same Motion was made several weeks ago by Ms. Wallach and ***FAILED,*** therefore, Mr. Kuhar cannot bring the matter back for consideration.

COUNCILMEMBERS’ COMMENTS:

Ms. Shaffer commented on how the sidewalk snowplowing on the State Routes have been great.

Mr. Amrhein commended Public Service workers and their snow removal efforts. It has been “smooth sailing.”

Mr. Kuhar asked Ms. Susel about the end of E. Main Street and where the City limits end because of the snow getting piled up beyond where out sidewalk plows clear.

Ms. Susel stated it ends at Autozone and the camera store. The boundaries are not a straight line; Paul goes out and enforces our Code.

MAYOR’S REPORT:

At 8:20 p.m., Mayor Fiala asked everyone to clear the room and Council moved into Executive Session as previously motioned.

At 9:21 p.m., Council came out of Executive Session and Mayor Fiala reconvened the Regular Meeting.

No action was taken.

Hearing no further discussion, Mayor Fiala adjourned the Regular Meeting at 9:22 p.m.

Tara Grimm, CMC Clerk of Council	Jerry T. Fiala Mayor and President of Council

THE CITY OF KENT, OHIO
SPECIAL COUNCIL MEETING
WEDNESDAY, FEBRUARY 7, 2018

At 6:55 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. Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer, Mr. Roger Sidoti, and Ms. Tracy Wallach.

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Mr. Eric Fink, Assistant Law Director; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Mr. Tom Wilke, Economic Development Director; Ms. Melanie Baker, Public Service Director; Police Chief Michelle Lee; and Tara Grimm, CMC, Clerk of Council.

ABSENT: Mr. Garret Ferrara and Mr. Robin Turner

MOTION TO EXCUSE MR. FERRARA AND MR. TURNER FROM TONIGHT'S MEETING was made by Mr. Kuhar, seconded by Mr. Sidoti, and CARRIED by a voice vote of 7-0.

MOTION TO AUTHORIZE DRAFT Nos. 2018-23, 2018-24, 2018-25, 2018-26, and 2018-27 made by Mr. Kuhar, seconded by Mr. Amrhein, and CARRIED by a voice vote of 7-0.

Draft No. 2018-23: AN ORDINANCE AMENDING ORDINANCE NO. 2017-160 TO CORRECT THE SCOPE OF THE PROJECT, AMENDING THE DEVELOPMENT AGREEMENT, AUTHORIZING THE TRANSFER OF A TREX LIQUOR LICENSE INTO THE CITY BY THE B'S KITCHEN, LLC, AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDED DEVELOPMENT AGREEMENT, AND DECLARING AN EMERGENCY was read by title only by Ms. Grimm 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": Mr. DeLeone, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, and Mr. Amrhein. The motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2018-23 made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 7-0.

ORDINANCE NO. 2018-23: AN ORDINANCE AMENDING ORDINANCE NO. 2017-160 TO CORRECT THE SCOPE OF THE PROJECT, AMENDING THE DEVELOPMENT AGREEMENT, AUTHORIZING THE TRANSFER OF A TREX LIQUOR LICENSE INTO THE CITY BY THE B'S KITCHEN, LLC, AUTHORIZING THE CITY MANAGER TO EXECUTE THE AMENDED DEVELOPMENT AGREEMENT, AND DECLARING AN EMERGENCY *PASSED* as stated by Clerk Grimm.

Draft No. 2018-24: AN ORDINANCE AMENDING ORDINANCE 2018-7 TO REMOVE THE REFERENCE TO 249 LAKE STREET, AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A NUISANCE ABATEMENT AGREEMENT WITH THE PORTAGE COUNTY LAND REUTILIZATION CORPORATION TO ASSIST THE CITY IN ABATING CERTAIN STRUCTURES THAT HAVE BEEN DECLARED TO BE A PUBLIC NUISANCE, AND DECLARING AN EMERGENCY was read by title only by Ms. Grimm per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar and seconded by Mr. Sidoti. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Kuhar. The motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2018-24 made by Mr. Kuhar and seconded by Mr. Sidoti. On Roll call, voting "Yes": Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, and Ms. Rosenberg. The motion CARRIED by a roll call vote of 7-0.

ORDINANCE NO. 2018-24: AN ORDINANCE AMENDING ORDINANCE 2018-7 TO REMOVE THE REFERENCE TO 249 LAKE STREET, AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A NUISANCE ABATEMENT AGREEMENT WITH THE PORTAGE COUNTY LAND REUTILIZATION CORPORATION TO ASSIST THE CITY IN ABATING CERTAIN STRUCTURES THAT HAVE BEEN DECLARED TO BE A PUBLIC NUISANCE, AND DECLARING AN EMERGENCY *PASSED* as stated by Clerk Grimm.

Draft No. 2018-25: AN ORDINANCE AMENDING ORDINANCE NO. 2017-150 TO READ THAT THE CITY IS GRANTING THE STORM SEWER EASEMENT, AMENDING SUCH EASEMENT, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE AMENDED STORM SEWER EASEMENT AGREEMENT, AND DECLARING AN EMERGENCY was read by title only by Ms. Grimm per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Rosenberg, and Ms. Shaffer. The motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2018-25 made by Mr. Kuhar and seconded by Ms. Shafer. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, and Mr. Sidoti. The motion CARRIED by a roll call vote of 7-0.

ORDINANCE NO. 2018-25: AN ORDINANCE AMENDING ORDINANCE NO. 2017-150 TO READ THAT THE CITY IS GRANTING THE STORM SEWER EASEMENT, AMENDING SUCH EASEMENT, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE AMENDED STORM SEWER EASEMENT AGREEMENT, AND DECLARING AN EMERGENCY *PASSED* as stated by Clerk Grimm.

Draft No. 2018-26: AN ORDINANCE AMENDING ORDINANCE NO. 2017-149 TO READ THAT THE CITY IS GRANTING THE STORM SEWER EASEMENT, AMENDING SUCH EASEMENT, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE AMENDED STORM SEWER EASEMENT AGREEMENT, AND DECLARING AN EMERGENCY was read by title only by Ms. Grimm per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar and seconded by Ms. Shafer. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach. The motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2018-26 made by Mr. Kuhar and seconded by Ms. Shafer. On Roll call, voting "Yes": Mr. DeLeone, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, and Mr. Amrhein. The motion CARRIED by a roll call vote of 7-0.

ORDINANCE NO. 2018-26: AN ORDINANCE AMENDING ORDINANCE NO. 2017-149 TO READ THAT THE CITY IS GRANTING THE STORM SEWER EASEMENT, AMENDING SUCH EASEMENT, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE AMENDED STORM SEWER EASEMENT AGREEMENT, AND DECLARING AN EMERGENCY *PASSED* as stated by Clerk Grimm.

Draft No. 2018-27: AN ORDINANCE AMENDING ORDINANCE NO. 2017-148 TO READ THAT THE CITY IS GRANTING THE STORM SEWER EASEMENT, AMENDING SUCH EASEMENT, AUTHORIZING THE

CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE AMENDED STORM SEWER EASEMENT AGREEMENT, AND DECLARING AN EMERGENCY was read by title only by Ms. Grimm per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. DeLeone and seconded by Ms. Shafer. On Roll call, voting "Yes": Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2018-27 made by Mr. DeLeone and seconded by Ms. Shafer. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Kuhar. The motion CARRIED by a roll call vote of 7-0.

ORDINANCE NO. 2018-27: AN ORDINANCE AMENDING ORDINANCE NO. 2017-148 TO READ THAT THE CITY IS GRANTING THE STORM SEWER EASEMENT, AMENDING SUCH EASEMENT, AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE AMENDED STORM SEWER EASEMENT AGREEMENT, AND DECLARING AN EMERGENCY *PASSED* as stated by Clerk Grimm.

Hearing no further discussion, Mayor Fiala adjourned the Special Meeting at 7:01 p.m.

Tara Grimm, CMC
Clerk of Council

Jerry T. Fiala
Mayor & Council President

THE CITY OF KENT, OHIO
PUBLIC HEARING
WEDNESDAY, FEBRUARY 7, 2018

At 7:01 p.m., Mayor Jerry T. Fiala called the **Public Hearing for the Community Development Block Grant Program (CDBG) Program Year (PY) 2018 Annual Action Plan** to order. Roll call was taken.

PRESENT: Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer, Mr. Roger Sidoti, and Ms. Tracy Wallach.

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Mr. Eric Fink, Assistant Law Director; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Mr. Tom Wilke, Economic Development Director; Ms. Melanie Baker, Public Service Director; Police Chief Michelle Lee; and Tara Grimm, CMC, Clerk of Council.

ABSENT: Mr. Garret Ferrara and Mr. Robin Turner

MOTION TO EXCUSE MR. FERRARA AND MR. TURNER FROM TONIGHT'S MEETING was made by Mr. Kuhar, seconded by Mr. Sidoti, and CARRIED by a voice vote of 7-0.

In accordance with Article XII, Section 12.05 of the Kent City Charter, notice was given on Wednesday January 24, 2018, that the Kent City Council was conducting this Public Hearing to allow for public comment on *the COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) PROGRAM YEAR (PY) 2018 ANNUAL ACTION PLAN*.

Mr. Susel briefly announced this is the first of 2 planned Public Hearings for the CDBG Program Year 2018 Annual Action Plan. Some of the programs involved are to assist low to moderate income families. To date, we have not been informed of the amount to be allocated to the program.

Mayor Fiala asked for comments from the audience. There were no comments.

Hearing no further business, Mayor Fiala adjourned the Public Hearing at meeting at 7:02 p.m.

Tara Grimm, CMC
Clerk of Council

Jerry T. Fiala
Mayor and President of Council

THE CITY OF KENT, OHIO
COMMITTEE OF THE WHOLE
WEDNESDAY, FEBRUARY 7, 2018

Mayor Fiala called the Committee of the Whole meeting of Kent City Council to order at 7:02 p.m.

PRESENT: Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer, Mr. Roger Sidoti, and Ms. Tracy Wallach.

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Mr. Eric Fink, Assistant Law Director; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Mr. Tom Wilke, Economic Development Director; Ms. Melanie Baker, Public Service Director; Police Chief Michelle Lee; and Tara Grimm, CMC, Clerk of Council.

ABSENT: Mr. Garret Ferrara and Mr. Robin Turner

There were 5 items on the Agenda.

1. Consolidate and Update the Pending List
Mayor Fiala asked Mr. Ruller what items can come off the Administration Column of Council's Pending List. Mr. Ruller provided an overview and his recommendation for each item in his City Manager's Communication to Council dated January 31, 2018. His recommendations were to remove Item Nos. 3, 5, 6, 7, 10, 11, 13, 15, 16, 17, 18, & 22:

ADMINISTRATION
(City Manager)

1) Study of pedestrians and vehicles, with consideration for four-way stop signs or a method for making pedestrians cross safer in the downtown area *(4/14 & 2/16);* Crosswalk/curb @ N. Water Street/Portage St. (*4/15 & 2/16) (Combined 2/17)*
2) Sustainability Commission to come up with at least ten actions that can be adopted to fend off global warming, posting the same with the media *(7/14 & 2/16)*; Further discussions on sustainability *(7/16). (Combined 2/17)*
3) Language making snow plow companies response to keep fire hydrants clear *(3/15 & 2/16)*
4) Placement of City checkbook online *(3/15 & 2/16)*
5) Review of downtown zoning (parking) *(6/15)*
6) Sidewalk snow removal *(9/15 & 2/16)*
7) Time line, real estate report, and size needs for new city hall *(10/15)*
8) To review the cost to fix the known sidewalk problems and to come up with a more comprehensive plan *(11/15)*
9) Possible sponsorship of Syrian family *(12/15);* Kent as a Compassionate City *(7/16) (Combined 2/17)*
10) Waiver of parking meter fees for handicapped referred to PAC *(5/16)*
11) Anti-discrimination of housing for transgender and sexual preference *(5/14 & 6/16) (Place holder 2/17)*
12) Pedestrians crossing SR 261 *(7/16)*
13) Provide direction to Council on how it can convey its goals and message to boards and commissions and ensure a unified approach for action *(8/16) (Place holder 2/17)*
14) Zoning Adjustment *(9/16)*
15) Wells Sherman House Loan Review *(2/17) TW*
16) Gender Identity laws discussion *(3/17) HS*
17) LGBTQ discrimination and public accommodations *(4/17) HS*
18) Bike Path Signage by canoe livery *(5/17) MD*

19) Area at Police Station for residents to conduct safe "on-line" transactions *(5/17) MD*
20) Senior Housing Discussion *(6/17) TW*
21) Sidewalk repair for City tree-lawn caused problems *(9/17 HS)*
22) "Naming" of portions of the Hike & Bike Trail referred to Parks & Rec Board *(10/17) JA*
23) Look into creating a Senior Center Advisory Committee after the *Election (10/17) GF & RS*
24) Formalize a city staff meeting with the Kent State University staff *(12/17) TW*

Very brief discussion ensued amongst Council on Item #4 with Mr. Coffee.

Mayor Fiala asked for a Motion.

MOTION TO APPROVE REMOVAL OF ITEM Nos. 3, 5, 6, 7, 10, 11, 13, 15, 16, 17, 18, AND 22 FROM COUNCIL'S PENDING LIST made by Mr. DeLeone, seconded by Mr. Sidoti and CARRIED by a voice vote of 7-0.

Mayor Fiala moved onto the 2nd column on the Pending List containing the Standing Committees of Council's items:

COMMUNITY DEVELOPMENT COMMITTEE (Kuhar/Rosenberg)

1) Senior Housing Discussion *(6/17) TW*

Mayor Fiala stated this item needs to remain on the Pending List.

FINANCE COMMITTEE (DeLeone/Wallach)

1) Report on car allowances *(1/12)*
2) Salary Review Committee Recommendation *(8/16)*

MOTION TO APPROVE REMOVAL OF ITEM Nos. 1 & 2 ON THE FINANCE COMMITTEE'S PENDING LIST made by Mr. DeLeone, seconded by Ms. Shaffer and CARRIED by a voice vote of 7-0.

HEALTH & SAFETY COMMITTEE (Amrhein/Sidoti)

1) Notification, pesticide spraying *(7/16)*

MOTION TO APPROVE REMOVAL OF ITEM No. 1 ON THE HEALTH AND SAFETY COMMITTEE PENDING LIST made by Mr. Amrhein, seconded by Mr. Kuhar and CARRIED by a voice vote of 6-1 with Ms. Wallach voting "No".

LAND USE COMMITTEE (Ferrara/Shaffer)

1) Proclamation or Resolution supporting action on the Paris Accord *(6/17) HS*
2) Simple Recycling– Legislation Draft No. 17-84 failed on 2nd reading, postponed indefinitely & placed on pending List. *(10/17) JA*

MOTION TO APPROVE REMOVAL OF ITEM No. 1 ON THE LAND USE COMMITTEES PENDING LIST made by Ms. Shaffer, seconded by Mr. Kuhar and CARRIED by a voice vote of 7-0.

STREETS, SIDEWALKS, AND UTILITIES COMMITTEE (Sidoti/Wallach)

Mayor Fiala stated Mr. Sidoti did a great job as there were no items to be considered.

2. <u>Receive information on Background Checks for Boards and Commissions Candidates</u>
Clerk Grimm and Assistant Law Director Fink gave an overview based on Council's original request. Ohio Revised Code prevents us from adding questions regarding felonies to our application. Even though we are a "Home Rule" City, Mr. Fink advised we not add that question to our application. Mr. Murdock provided his written recommendation on the matter and Clerk Grimm provided data from several other cities throughout the State regarding their use of back ground checks and Executive Sessions to discuss candidates, as outlined in the City Manager's Communications dated January 31, 2018.

Ms. Shaffer asked if there was a way to add verbiage for us to have the right to do a background check.

Clerk Grimm responded yes, a disclosure would need to be made.

Mr. Kuhar questions if we can use LEADS.

Mr. Fink responded "No" as there has to be a need for criminal investigation in order to use LEADS.

Mr. Kuhar questioned if we can use a web-based paid site to run background checks.

Mr. Fink said yes, that is a possibility; however using Google or County websites generates the same public information. An employee could be asked to do the public research and verbally report what they saw back to Council in Executive Session.

Clerk Grimm reminded Council that once we print any documents pertaining to the applicant, they too become a public record through Council.

Ms. Wallach asked if we can place a disclosure on our application.

Mr. Fink stated we are not legally mandated to do so; however, it is legally advisable if we plan on doing any kind of background check.

Ms. Rosenberg discussed looking up the information through County websites.

Clerk Grimm reminded Council that not everyone is from just Portage County, including her.

Ms. Rosenberg asked if we could include on our application, places they have lived in the last 5 years.

Mayor Fiala referred to the audience.

Mr. Christopher Myers of 220 E. Elm St., Kent recognizes the need for background checks and feels the residents have a right to know about them if applying to Boards and Commissions.

MOTION TO ADD TO OUR POLICIES THE AVAILABILITY TO PERFORM BACKGROUND CHECKS WITH THE BEST METHOD THE LAW DIRECTOR SEES FIT AND TO ADD LANGUAGE OF A DISCLOSURE TO OUR BOARDS AND COMMISSION APPLICATION TO READ "*THE CITY RESERVES THE RIGHT TO RUN A BACKGROUND CHECK*" made by Mr. Kuhar, seconded by Mr. Sidoti.

Mr. Kuhar stated we have a responsibility to put safe people on our Boards and Commissions.

Mr. Sidoti agreed and we have a responsibility to the community to do our due diligence.

Ms. Shaffer wants us to ensure the privacy of our applicants as well and questioned if we properly worded the Motion to include the language to be added to our application.

Ms. Wallach stated the County situation is completely different than the City's and it is not necessary. She will vote against the Motion.

Ms. Sidoti reminded Council that sometimes applicants are scrutinized by submitting fingerprints and other personal information and think nothing of it because they are used to it; and there is a reason for it, especially if working with children. He is sensitive to both arguments.

Mr. DeLeone agrees with Mr. Sidoti and stated for Council to "Keep it simple."

MOTION CARRIED by a voice vote of 6-1 with Ms. Wallach voting "No".

3. Update to the Standing Rules of Council to reflect Boards & Commissions Changes

Clerk Grimm requested Council's approval of her recommendation to add language to Council's Standing Rules Section XII – Boards and Commissions. Supporting documentation provided by Mr. Murdock's Memo regarding use of Executive Sessions. The addition to the Section shall read:

> *Council may intermittently use Executive Session to discuss personal details of interviewed candidates under Ohio Revised Code Section 121.22, Section (G)(1). A volunteer for a City Board or Commission is a public official under Ohio Revised Code Section 733.68 and 2921.01(A).*

MOTION TO APPROVE THE STANDING RULES OF COUNCIL AS SUBMITTED BY THE CLERK made by Mr. Kuhar, seconded by Mr. Sidoti. The motion CARRIED by a voice vote of 7-0.

4. Consider Update to Clerk of Council's Job Description regarding Registered Parliamentarian requirements.

Clerk Grimm referred to her Memo to Council dated January 31, 2018 and incorporated in the City Manager's Communication changing the section of the Clerk's job description for the requirement of Registered Parliamentarian Status as follows:

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES

4. *Must become a Certified Municipal Clerk within four (4) years of starting date through the International Institute of Municipal Clerks (IIMC), and maintain a membership and active involvement in both the Ohio Municipal Clerk's Association (OMCA) and the International Institute of Municipal Clerks (IIMC).*

5. *~~Must achieve Registered Parliamentarian status within three (3) years of employment.~~ Must become a member and pass the initial membership test of the National Association of Registered Parliamentarians (NAP) within three (3) years of employment. The six (6) year commitment to obtain and maintain RP status is not required, however can be achieved at the Clerk's personal expense.*

MOTION TO APPROVE THE CLERK OF COUNCIL'S JOB DESCRIPTION AS SUBMITTED BY THE CLERK made by Mr. Sidoti, seconded by Mr. Kuhar. The motion CARRIED by a voice vote of 7-0.

5. Proposed Change to Kent Codified Ordinances Section 107.02 "Public Meeting" Postings
Clerk Grimm referred to her Memo to Council and the City Manager dated January 31, 2018 and incorporated into the City Manager's Communication requesting we reflect current practices for the City's posting of Public Meetings and keep up with changes in technology. This matter was reviewed by Assistant Law Director Fink and proofread by Interim Law Director Murdock. She proposes an Amendment to Kent Codified Ordinances §107.02(f) "Definitions" to read as follows:

Amend Section 107.02 as follows:

(f) "Post" means to post in an area accessible to the public during the usual business hours at the office of the Clerk and ~~at~~ the following locations: Official notification will be made on the City of Kent's website. Courtesy public postings will be made on the bulletin board~~s~~ located in the first floor lobby of 930 Overholt Street or such other City owned building with public access as City Council may designate. ~~The notice will also be placed upon the City's website.~~ In addition, the notice shall be sent electronically to anyone requesting it, including but not limited to, news media outlets, newspapers, Kent State Library, ~~and the~~ Kent Free Library, and the City's social media accounts. ~~A notice identifying the locations at which notice will be posted in compliance with this section will be published by the Clerk within ten calendar days after the effective date of this section. (Ord. 2016-18. Passed 3-16-16.)~~

Ms. Wallach asked for clarification that we are not changing the way we post now, but adding to our methods of posting.

Clerk Grimm and Mr. Fink agreed. Mr. Fink stated the City's Website will be the *Official* location of the Agenda and the Clerk's office is required to post a paper copy, which just happens to be in the Fire Station currently. All other paper copies of postings will be "courtesy" postings for the public.

Clerk Grimm also stated that should there be last minute amendments to the Agenda that do not allow time for publication to the public or news media, that information can instantly be updated and easily found on the website.

Ms. Wallach questioned of we can include disclosure language on the Agendas to state updates can be found on the website.

Clerk Grimm stated "yes", it is not an issue to add the language to the bottom of Agendas near the posting date and her signature.

MOTION TO APPROVE THE UPDATE TO "PUBLIC MEETINGS" POSTINGS IN CODIFIED ORDINANCES SECTION 107.02 AS SUBMITTED BY THE CLERK WITH THE ADDITION OF "UPDATES OR AMENDMENTS TO THE AGENDA FOUND ON THE WEBSITE" DISCLOSURE BE PLACED ON THE BOTTOM OF ALL AGENDAS made by Mr. Kuhar, seconded by Mr. Amrhein. The motion CARRIED by a voice vote of 7-0.

Hearing no further business before this Committee, Mayor Fiala adjourned the meeting at 7:52 p.m.

Tara Grimm, CMC
Clerk of Council

ACTION RECOMMENDED:

1) **APPROVE REMOVAL OF ITEM Nos. S 3, 5, 6, 7, 10, 11, 13, 15, 16, 17, 18, AND 22 FROM COUNCIL'S PENDING LIST**
2) **APPROVE REMOVAL OF ITEM Nos. 1 & 2 ON THE FINANCE COMMITTEE'S PENDING LIST**
3) **APPROVE REMOVAL OF ITEM No. 1 ON THE HEALTH AND SAFETY COMMITTEE PENDING LIST**
4) **APPROVE REMOVAL OF ITEM No. 1 ON THE LAND USE COMMITTEES PENDING LIST**
5) **AUTHORIZE THE CLERK TO ADD BACKGROUND CHECK DISCLOSURE LANGUAGE TO THE BOARDS AND COMMISSIONS APPLICATION.**
6) **APPROVE THE STANDING RULES OF COUNCIL AS SUBMITTED BY THE CLERK**
7) **APPROVE THE CLERK OF COUNCIL'S JOB DESCRIPTION AS SUBMITTED BY THE CLERK**
8) **APPROVE THE UPDATE TO "PUBLIC MEETINGS" POSTINGS IN CODIFIED ORDINANCES SECTION 107.02 AS SUBMITTED BY THE CLERK AND ADD DISCLOSURE FOR UPDATES AND AMENDMENTS TO THE BOTTOM OF AGENDAS**

THE CITY OF KENT, OHIO
COMMUNITY DEVELOPMENT COMMITTEE
WEDNESDAY, FEBRUARY 7, 2018

Chair John Kuhar called the meeting of the Community Development Committee of the Kent City Council to order at 7:52 p.m.

PRESENT:	Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer, Mr. Roger Sidoti, and Ms. Tracy Wallach.
ALSO PRESENT:	Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Mr. Eric Fink, Assistant Law Director; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Mr. Tom Wilke, Economic Development Director; Ms. Melanie Baker, Public Service Director; Police Chief Michelle Lee; and Tara Grimm, CMC, Clerk of Council.
ABSENT:	Mr. Garret Ferrara (arrived 8:01 p.m.) and Mr. Robin Turner.

There were 2 items on the Agenda.

1. Proposed Changes to Parking Permits in the Northern Portion of Downtown

Mr. Ruller referred to Mr. Wilke who's Memo to the City Manager dated January 30, 2018 and incorporated in the City Manager's Communication explained how in 2007, Kent City Council approved several amendments to Chapter 353 "Parking Time Restrictions" that authorized the establishment of a fee-based parking permit system for use in designated on-street and municipal lot parking spots in order to create some long term parking options in the north portion of downtown. The system identified three different classes of permits and pricing varied based on the permit type. The permitting system was developed in response to requests from downtown businesses for the City to provide long term public parking that could meet the needs of full-time employees. The system was effective, but since that time, the downtown has significantly changed as a result of the redevelopment project and now both fee-based and free long term parking options are available throughout all of the Central Business District. This Ordinance is now 10 years old.

Mr. Wilke agreed with Mr. Sidoti's comments earlier regarding data driven processes. On November 17, 2017, staff met with the Parking Action Committee (PAC) to discuss the current parking permit system and to have the Committee consider changes to certain aspects of the program that will result in greater consistency of parking options and better enforcement, particularly in the north downtown area, which is bounded by E. Main St. to the south, N. Water St, to the west, Fairchild Ave. to the north and N. Depeyster to the east. There are 133 spaces; 79 are ten (10) hour permits. There is confusing signage. 75 permits are sold for this area per month, but only 40 permits or 61% are in use.

After reviewing permit purchasing and usage data as it relates to the overall parking utilization in the larger area, the Committee unanimously voted to recommend to Kent City Council the elimination of the permitting system, with the exception of the eight parking permits issued for overnight parking at the west end of Portage St. The Committee also recommended:

- Public parking available in the Columbus Street lot be designated for ten (10) hour parking;
- Non-metered on-street parking available on North Water and Columbus Streets be designated as free two (2) hour parking;
- Eastern portion of Portage Street be designated for ten (10) hour parking.

This simplifies signage and enforcement.

Mr. Kuhar asked if the 8 spaces are excluded on Portage St.

Mr. Wilke responded yes.

Ms. Shaffer was concerned if there will be enough spots for customers to park.

Mr. Wilke responded yes.

Ms. Wallach asked if chalking tires will be used to enforce the parking.

Mr. Wilke responded yes.

MOTION TO AUTHORIZE STAFF TO IDENTIFY NECESSARY CODE AMENDMENTS TO OPERATIONALIZE THE PARKING RECOMMENDATIONS AS SUBMITTED AND DECLARING AN EMERGENCY made by Mr. Shaffer seconded by Mr. Amrhein, and CARRIED by a voice vote of 8-0.

2. Receive an Update on Phase 1 of the City Zoning Code Project.
Mr. Ruller explained this update is for informational purposes only to bring Council up to speed, then he referred to Ms. Susel. Ms. Susel provided a detailed Memo to the City Manager dated January 30, 2018 and incorporated in the City Manager's Communication. She stated there has been significant change in the last 6-7 years which have posed some challenges and we have been able to handle those with stop-gap amendments. Before the Comprehensive Plan phase, we need to make text amendments to eliminate inconsistent and redundant language in the Code. We expanded the scope of the review committee and are looking to select a firm that has done extensive zoning code amendments. As outlined in Ms. Susel's memo:

> *Request for Qualifications (RFQ) to identify a qualified consultant to conduct an update to the City's zoning ordinance. The selected consultant will identify and address inconsistent and redundant language, make recommendations that will align the Code with current legal case law, and incorporate updated terminology and planning concepts. Some of the components that will be evaluated as part of this first phase include:*
>
> - *Permitted and conditionally permitted uses;*
> - *Lot and setback requirements;*
> - *Off-Street parking and loading requirements;*
> - *Landscaping buffering and screening;*
> - *Recommendations for changes to formatting, inclusion of matrices, tables, etc.*
>
> *The Community Development Department's four (4) zoning and planning staff will be evaluating the proposals and the three (3) Council-At-Large Representatives and the Chairpersons for the Planning Commission and the Board of Zoning Appeals also have been invited to participate in the review process. A copy of the reviewer scoring sheet has been attached for reference purposes.*
>
> *The City received nine (9) proposals and all were checked to verify the required materials and information were included with each submission. Packets of the proposals and the reviewer scoring sheets were sent out at the end of January and the reviewer scoring sheets are due back on February 12, 2018. The 3-4 consulting firms that receive the highest aggregate scores will be scheduled for in-person interviews with the final selection of the consulting firm anticipated to be done by early March.*

Ms. Wallach asked if we are picking an organization.

Ms. Susel stated yes and there will be meetings with Planning Commission and Board of Zoning Appeals, Public Hearings at the Planning Commission level, Council's input and Public Hearings at the Council level.

Mr. Ruller added how even before there can be an update to the Bicentennial Plan, we need firm footing and framework with our Code.

Ms. Susel explained how Mr. Fink consistently reminds the Board of Zoning Appeals that our variances are not aligned with current case law. This needs to be addressed legally and for connectivity. The 1971 Zoning Code received substantial amendments in 2011 by Gene. It is like threads connecting, and when pulled, we find problems and conflicts within our code. We need to minimize the conflicts.

Ms. Wallach commented so there is no public input now, in Phase 1. She has residents interested in Planning Commissions Work Sessions and would like her to advise Council of those sessions.

Ms. Susel agreed then stated public input will be a significant part of this entire process. She anticipates this to be a long process – 9 to 12 months. There are 30 day hearing notice requirements which also extend the time frame.

Ms. Wallach asked when the 1st meeting is.

Ms. Susel explained how the deadline for the RFQ packets are not due back until February 12th. She anticipates an agreement with a firm by late February, early March, discussions in April and Planning Commission meetings in May.

Mr. Sidoti wanted to clarify that we are changing language, not zoning codes.

Ms. Shaffer asked if this includes conditional uses.

Ms. Susel said a firm needs to look at what we have – we need their input; nothing is perfect in zoning. It then needs to be talked through and provide the best review of everything.

Ms. Ruller re-clarified this is not "content-free" but changing content that impacts what we have today matching current law.

Ms. Susel informed Council we have 60 conditions and need to look for redundancies, conflicts and inconsistencies.

Ms. Shaffer was concerned about setbacks.

Ms. Susel stated setbacks will be looked at, as no one-size fits all for an older community. It could mean a variance v. a setback. The goal is not to throw the baby out with the bath water. We need current legal language and parameters.

There were no further comments of questions from Council.

Hearing no further business before this Committee, Chair Kuhar adjourned the meeting at 8:15 p.m.

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Tara Grimm, CMC
Clerk of Council

ACTION RECOMMENDED:

1) **AUTHORIZE STAFF TO IDENTIFY NECESSARY CODE AMENDMENTS TO OPERATIONALIZE THE PARKING RECOMMENDATIONS AS SUBMITTED AND DECLARING AN EMERGENCY.**

THE CITY OF KENT, OHIO
HEALTH & SAFETY COMMITTEE
WEDNESDAY, FEBRUARY 7, 2018

Chairman Jack Amrhein called the meeting of the Health & Safety Committee of Kent City Council to order at 8:15 p.m.

PRESENT: Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer, Mr. Roger Sidoti, and Ms. Tracy Wallach.

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Mr. Eric Fink, Assistant Law Director; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Mr. Tom Wilke, Economic Development Director; Ms. Melanie Baker, Public Service Director; Police Chief Michelle Lee; and Tara Grimm, CMC, Clerk of Council.

ABSENT: Mr. Robin Turner.

There was 1 item on the Agenda.

1. Proposed City of Kent/City of Tallmadge Agreement for Joint Use of Police Shooting

Chief Lee stated she met with Tallmadge Police Chief Ron Williams early last year concerning the availability of our shooting range and if Tallmadge Police could use or rent it for their qualification needs. Chief Lee explained she was not comfortable with renting out our range. She also stated how since Chief Williams had no place to call "home" for his range because their plans to build a new range on city property fell through when their parks and recreation department had been given use of adjoining property making the location of the range too dangerous. Tallmadge had then been discussing a joint venture with Mogadore Police to build a dually owned range on Mogadore property but that deal had fallen through. Chief Williams shared with Chief Lee the Mogadore/ Tallmadge Memorandum of Understanding and Chief Lee and Chief Williams' discussion evolved into a similar arrangement. She stated the agreement is for $3,000 per year for 10 years to be paid in one lump sum of $30,000. All of their officers have to follow our rules and we can cancel the agreement at any time. Chief Lee also explained how Mr. Silver had reviewed the MOU prior to his retirement. Her main concern is noise complaints, as there have not been any noise complaints; If we start getting them, we will need to review the contract.

The need for the range are 3 weeks for annual qualifications plus 3 days for 33 officers who need qualifying.

Ms. Kuhar asked what the official start time is for using the range.

Chief Lee stated daytime use only in the winter from 8:00 a.m. to 11:00 p.m. March through October is 24 hours. Night fire only occurs in the summer and the hours can be adjusted.

Ms. Rosenberg asked where the range is located.

Chief Lee stated Hodgeman Lane by the water plant.

Ms. Wallach questioned how often the range is used by us.

Chief Lee stated once per year for qualifications and approximately 3-4 days throughout the year for practice. Also when new officers need qualifying.

Ms. Wallach commented "so, it not constantly in use."

Mr. Kuhar asked is there are any wetland precautions because of the lead.

Chief Lee was unsure of the EPA's standards. The range has been there for 40 years and knows that there are no wells in the area.

Mayor Fiala commented that when he attended the Citizen's Police Academy and they were out at the range, the Officer's performed clean-up of the casings.

Chief Lee commented that we are very fortunate to have our own range.

Mr. Kuhar asked if we sell the brass.

Chief Lee stated we do not sell it, but we do get money back for the brass.

After no further comments from Council, Mr. Amrhein turned to the audience, who also had no comments.

MOTION TO AUTHORIZE THE MOU CONTRACT BETWEEN THE CITY OF KENT AND THE CITY OF TALLMADGE WITH AN EMERGENCY CLAUSE made by Mr. Kuhar seconded by Mr. DeLeone, and CARRIED by a voice vote of 8-0.

Hearing no further business before this Committee, Chairman Amrhein adjourned the meeting at 8:23 p.m.

Tara Grimm, CMC
Clerk of Council

ACTION RECOMMENDED:

1) **AUTHORIZE THE MOU CONTRACT BETWEEN THE CITY OF KENT AND THE CITY OF TALLMADGE WITH AN EMERGENCY CLAUSE**

THE CITY OF KENT, OHIO
STREETS, SIDEWALKS, AND UTILITIES COMMITTEE
WEDNESDAY, FEBRUARY 7, 2018

Chair Roger Sidoti called the meeting of the Streets, Sidewalks, and Utilities Committee of Kent City Council to order at 8:23 p.m.

PRESENT:	Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer, Mr. Roger Sidoti, and Ms. Tracy Wallach.
ALSO PRESENT:	Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Mr. Eric Fink, Assistant Law Director; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Mr. Tom Wilke, Economic Development Director; Ms. Melanie Baker, Public Service Director; Police Chief Michelle Lee; and Tara Grimm, CMC, Clerk of Council.
ABSENT:	Mr. Robin Turner.

There were 2 items on the Agenda.

1. <u>Request to Tie into the City's Water Line on SR 59 in Franklin Twp. From the New Raising Cane's.</u>
Mr. Ruller commented on how excited the college students are that we are getting a Raising Cane's, however they need water to their outparcels.

Mr. Ferrara asked who pays the fees.

Mr. Bowling stated Raising Cane's will, along with surcharges.

Mayor Fiala asked if there was any chance we can get them to come into the City Limits.

Ms. Bowling stated there has been no discussion.

Mr. DeLeone commented that if they sing into the JEDD, there would not be any fees.

Mr. Bowling stated he was correct. The charges are clearly outlined in our Code Section 913.09.

Ms. Wallach asked is they have any intention of joining the JEDD.

Mr. Bowling stated at this time there is no intention.

Ms. Shaffer commented how she thought if they wanted water outside the limits, they had to join the JEDD.

Mr. DeLeone reminded Ms. Shaffer we changed that and it no longer required.

Mr. Kuhar asked if someone could tell him exactly where the West side of E. Main is.

Mr. Bowling stated it is the North side of E. Main

Mr. Ferrara commented we can't force them to join the JEDD with "extortion".

Mr. Bowling referred to the Code and it is 50% of the water rates and a 15% surcharge.

Mr. Wilke laughingly commented that he "extorted them today". He then explained how he met with them today and discussed the benefits of joining the JEDD. They stated they will relay the information to the owner.

MOTION TO AUTHORIZE THE WATER LINE TIE-IN FOR THE NEW RAISING CANE'S WITH AN EMERGENCY CLAUSE made by Mr. Kuhar, seconded by Mr. DeLeone. Motion CARRIED by a voice vote of 8-0.

2. Main Street Kent's 2018 Events Road Closures.

Mr. Ruller commented on how we definitely need more elbow room for our Main Street Kent Events, especially the newly renamed "Wizardly World" event. He met with the traffic safety group and the need is clear. Some of the best days for downtown businesses are these events, despite the street closures.

As outlined in Mr. Wilke's detailed Memo to the City Manager dated January 30, 2018, he included a copy of the petition signed by the business owners agreeing to all the 2018 event road closures.

Ms. Wallach stated we need better notification of road closures as she had residents complaining.

Mr. Wilke replied yes, we will work with the mechanisms to advertise road closures.

Chief Lee reminded Council that the requirement is only 24 hours for a street closure, but we can bump it up to 48 hours.

Mayor Fiala requested we *never* close half an intersection like they did on Water and Main during "Grill for Good."

Mr. Ruller agreed and needs to be closed off entirely.

Ms. Rosenberg commented that as a downtown business owner, the events are tremendously successful. Participants have asked that the streets be closed because sidewalks are sometimes overflowing.

MOTION TO AUTHORIZE THE 2018 MAIN STREET KENT EVENTS ROAD CLOSURES WITH EARLY ROAD CLOSURE SIGNS, WITH AN EMERGENCY CLAUSE made by Mr. Ferrara, seconded by Ms. Shaffer. Motion CARRIED by a voice vote of 8-0.

Hearing no further business before this Committee, Chair Sidoti adjourned the meeting at 8:33 p.m.

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Tara Grimm, CMC
Clerk of Council

ACTION RECOMMENDED:

1) **AUTHORIZE THE WATER LINE TIE-IN FOR THE NEW RAISING CANE'S WITH AN EMERGENCY CLAUSE**
2) **AUTHORIZE THE 2018 MAIN STREET KENT EVENTS ROAD CLOSURES WITH EARLY ROAD CLOSURE SIGNS, WITH AN EMERGENCY CLAUSE**

THE CITY OF KENT, OHIO
FINANCE COMMITTEE
WEDNESDAY, FEBRUARY 7, 2018

Chair Michael DeLeone called the meeting of the Finance Committee of Kent City Council to order at 8:33 p.m.

PRESENT: Mr. Jack Amrhein, Mr. Michael DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Gwen Rosenberg, Ms. Heidi Shaffer, Mr. Roger Sidoti, and Ms. Tracy Wallach.

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Mr. Eric Fink, Assistant Law Director; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Mr. Tom Wilke, Economic Development Director; Ms. Melanie Baker, Public Service Director; Police Chief Michelle Lee; and Tara Grimm, CMC, Clerk of Council.

ABSENT: Mr. Robin Turner.

There was one (1) item on the Agenda.

1. Consider Proposed 2018 Budget Appropriations Amendment.

Mr. Coffee referred to his 4 page Memo to the City Manager dated January 31, 2018, with attachments, outlining the requested budget appropriations.

Council did not have any questions.

MOTION TO AUTHORIZE THE 2018 PROPOSED APPROPRIATIONS AMENDMENT AS SUBMITTED WITH AN EMERGENCY CLAUSE made by Mr. Kuhar, seconded by Mr. Ferrara, and CARRIED by a voice vote of 8-0.

At 8:34, after hearing no further business before this Committee, Council moved into Executive Session.

MOTION TO MOVE INTO EXECUTIVE SESSION IMMEDIATELY FOLLOWING IN ACCORDANCE WITH ORC §121.22 (G)(3): *"Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action"* made by Mr. Amrhein, seconded by Mr. Kuhar. On Roll call voting "Yes": Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, and Mr. Shaffer. Motion CARRIED 8-0.

At 9:15 p.m., Council came out of Executive Session and reconvened the meeting in open forum.

No action was taken.

Chair DeLeone adjourned the meeting at 9:15 p.m.

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Tara Grimm, CMC
Clerk of Council

ACTION RECOMMENDED:

1) **AUTHORIZE THE 2018 PROPOSED APPROPRIATIONS AMENDMENT AS SUBMITTED WITH AN EMERGENCY CLAUSE**

RESOLUTION NO. 2018-

A RESOLUTION APPOINTING HOWARD BOYLE TO THE PARKING ACTION COMMITTEE, AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT RESOLVED 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 **HOWARD BOYLE** is hereby appointed to the **PARKING ACTION COMMITTEE.**

NAME	TERM
HOWARD BOYLE	2/21/18 - 12/31/2023

SECTION 2. As stated in Section 150.01 of the Codified Ordinances of the City of Kent, any person hereby appointed shall forfeit his or her term if he or she is absent from three (3) regular meetings of the Board or Commission to which he or she is appointed, unless one or more of these absences has been excused by the majority of members thereof.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 4. That this Resolution 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 Resolution 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 & Council President

EFFECTIVE: ____________________
Date

ATTEST: ________________________
Tara Grimm, CMC
Clerk of Council

I, TARA GRIMM, 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 *RESOLUTION No.* ___________, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON ________________________________, 20______.

(SEAL)

____
TARA GRIMM, CMC
CLERK OF COUNCIL

ORDINANCE NO. 201*8*-

AN ORDINANCE AMENDING SECTION 107.02(f) OF ORDINANCE 2016-18, CODIFIED IN SECTION 107.02(f) OF THE KENT CODIFIED ORDINANCES TO REFLECT CURRENT PRACTICE, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent desires to amend its method of posting public notice for City Council meetings;

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

SECTION 1. That Ordinance 2016-18 Section 107.02(f) codified in Codified Ordinance Section 107.02(f) be, and hereby is, amended to read as set forth in Exhibit A, which is attached and incorporated herein, with text additions underlined and deletions lined-through.

SECTION 2. That the existing Ordinance 2016-18 Section 107.02(f) and Codified Ordinance Section 107.02(f) be, and hereby is, repealed.

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

EFFECTIVE: ____________________
Date

ATTEST: ________________________
Tara Grimm, CMC
Clerk of Council

____
Jerry T. Fiala
Mayor and President of Council

I, TARA GRIMM, 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)

____
TARA GRIMM, CMC
CLERK OF COUNCIL

EXHIBIT “A”

Amend Section 107.02 as follows:

(f) "Post" means to post in an area accessible to the public during the usual business hours at the office of the Clerk and ~~at~~ the following locations: Official notification will be made on the City of Kent’s website. Courtesy public postings will be made on the bulletin board~~s~~ located in the first floor lobby of 930 Overholt Street or such other City owned building with public access as City Council may designate. ~~The notice will also be placed upon the City's website.~~ In addition, the notice shall be sent electronically to anyone requesting it, including but not limited to, news media outlets, newspapers, Kent State Library, ~~and the~~ Kent Free Library, and the City’s social media accounts. ~~A notice identifying the locations at which notice will be posted in compliance with this section will be published by the Clerk within ten calendar days after the effective date of this section.~~

~~(Ord. 2016-18. Passed 3-16-16.)~~

RESOLUTION NO. 2018-

A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF $800.00 TO THE CITY OF KENT FIRE DEPARTMENT FROM STOW-KENT CHIROPRACTIC CLINIC, INC., TO BE USED FOR EXERCISE EQUIPMENT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Fire Department has received a donation of $800.00 from Stow-Kent Chiropractic Clinic, Inc., to be used for the exercise equipment; and

WHEREAS, the City wishes to accept said donation.

NOW, THEREFORE, BE IT RESOLVED 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 on behalf of the City of Kent to accept the donation of $800.00 from Stow-Kent Chiropractic Clinic, Inc. to be used for exercise equipment for the City of Kent Fire Department.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 Resolution 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 Resolution is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: ______________________
Date

EFFECTIVE: ____________________
Date

____
Jerry T. Fiala
Mayor and President of Council

ATTEST: ______________________
Tara Grimm, CMC
Clerk of Council

I, TARA GRIMM, 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 *RESOLUTION No.* ____________, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON __________________________, 20________.

(SEAL)

____
TARA GRIMM, CMC
CLERK OF COUNCIL

RESOLUTION NO. 2018-__

A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF $1,650.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM THE KENT ROTARY FOUNDATION FOR A NUTRITION EDUCATION PROGRAM IN THE 2018 SUMMER CAMPS, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Parks & Recreation Department has received a donation of $1,650.00 from the Kent Rotary Foundation for a Nutrition Education Program in the 2018 Summer Camps; and

WHEREAS, the City wishes to accept said donation.

NOW, THEREFORE, BE IT RESOLVED 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 on behalf of the City of Kent to accept the donation of $1,650.00 from the Kent Rotary Foundation for a Nutrition Education Program in the 2018 Summer Camps.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 Resolution 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 Resolution is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: ________________________
Date

EFFECTIVE: ____________________
Date

____
Jerry T. Fiala
Mayor and President of Council

ATTEST: _________________________
Tara Grimm, CMC
Clerk of Council

I, TARA GRIMM, 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 *RESOLUTION No.* ____________, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON __________________________, 20________.

(SEAL)

____
TARA GRIMM, CMC
CLERK OF COUNCIL

RESOLUTION NO. 2018-

A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF $200.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM AMY CRAFT FOR A FLOWERING DOGWOOD TO BE PLANTED AT STONEWATER PARK IN MEMORY OF HER HUSBAND CHRIS S. CRAFT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Parks & Recreation Department has received a donation of $200.00 from Amy Craft for a flowering dogwood to be planted at Stonewater Park in memory of her husband Chris S. Craft; and

WHEREAS, the City wishes to accept said donation.

NOW, THEREFORE, BE IT RESOLVED 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 on behalf of the City of Kent to accept the donation of $200.00 from Amy Craft for a flowering dogwood to be planted at Stonewater Park in memory of her husband Chris S. Craft.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 Resolution 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 Resolution 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: ______________________
Tara Grimm, CMC
Clerk of Council

I, TARA GRIMM, 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 *RESOLUTION No.* ______________, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON __________________________, 20________.

(SEAL)

____
TARA GRIMM, CMC
CLERK OF COUNCIL

ORDINANCE NO. 2018-

AN ORDINANCE AMENDING ORDINANCE NO. 2017-156, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 13, 2017, SO AS TO INCREASE APPROPRIATIONS IN FUND 120, REVOLVING HOUSING; FUND 122, DRUG LAW ENFORCEMENT; FUND 128, FIRE & EMS; FUND 201, WATER; FUND 202, SEWER; FUND 208, STORM WATER; AND FUND 301, CAPITAL; AND SO AS TO INCREASE OPERATING TRANSFERS FROM FUND 116, INCOME TAX TO FUND 301, CAPITAL; AND FROM FUND 116, INCOME TAX TO FUND 303, POLICE FACILITY; AND FROM FUND 001, GENERAL TO FUND 106, PARKS AND RECREATION; 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, 2018.

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 appropriations Ordinance No. 2017-156 passed December 13, 2017 be amended as set forth in Exhibit "A", attached hereto and incorporated herein.

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: ________________________
Tara Grimm, CMC
Clerk of Council

I, TARA GRIMM, 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)

____

TARA GRIMM, CMC
CLERK OF COUNCIL

2018 AMENDED APPROPRIATIONS

Fund - Department/Division	Personnel & Benefits	Other than Personnel & Benefits	Capital	Reserve/ Debt Service	Contingency	Fund & Department Total
General Fund (001)						
City Council	$154,230	$33,133				$187,363
Mayor	$7,760	$6,300				$14,060
Community Support		$84,500				$84,500
City Manager	$300,120	$62,133				$362,253
New City Hall Facility		$0	$300,000			$300,000
Information Technology	$76,458	$128,980				$205,438
Urban Renewal		$52,300				$52,300
Human Resources	$58,980	$18,318				$77,298
Civil Service	$29,381	$38,383				$87,764
Law	$348,834	$154,495				$503,329
Budget & Finance	$174,475	$138,085				$312,560
Community Development	$549,772	$201,520				$751,292
CHIP Grant		$0				$0
Economic Development	$113,707	$74,840				$188,547
Health	$436,531	$163,058				$599,589
Public Parking		$62,000				$62,000
Main Street Program		$60,000				$60,000
Service Administration	$89,189	$443,688				$512,877
Shade Tree		$79,670	$10,000			$89,670
Adjunct Facilities		$1,770				$1,770
Building	$292,955	$62,972				$355,927
Land banking		$35,000				$35,000
Engineering	$222,546	$105,042				$327,588
Miscellaneous & Sundry		$328,250				$328,250
Contingency					$100,000	$100,000
Fund Total	$2,834,938	$2,334,437	$310,000	$0	$100,000	$5,579,375
West Side Fire (101)						
Fire	$256,301	$27,827				$284,128
Fund Total	$256,301	$27,827	$0	$0	$0	$284,128
Street Construction Maintenance & Repair (102)						
Service	$1,105,077	$1,059,131				$2,164,208
Contingency					$25,000	$25,000
Fund Total	$1,105,077	$1,059,131	$0	$0	$25,000	$2,189,208
State Highway (103)						
Service		$70,000				$70,000
Fund Total	$0	$70,000	$0	$0	$0	$70,000
Recreation (106)						
Parks & Recreation	$1,353,255	$663,644	$135,000			$2,151,899
Fund Total	$1,353,255	$663,644	$135,000	$0	$0	$2,151,899
Food Service (107)						
Health	$93,439	$8,000				$101,439
Fund Total	$93,439	$8,000	$0	$0	$0	$101,439

2018 AMENDED APPROPRIATIONS

Fund - Department/Division	Personnel & Benefits	Other than Personnel & Benefits	Capital	Reserve/ Debt Service	Contingency	Fund & Department Total
Income Tax (116)						
Budget/Finance/IncTaxAdmin	$255,764	$502,183				$757,947
Managed Reserve				$25,540		$25,540
Fund Total	$255,764	$502,183	$0	$25,540	$0	$783,487
Revolving Housing (120)						
Health	$146,333	$10,500				$156,833
Fund Total	$146,333	$10,500	$0	$0	$0	$156,833
State & Local Forfeits (121)						
Police		$2,000				$2,000
Fund Total	$0	$2,000	$0	$0	$0	$2,000
Drug Law Enforcement (122)						
Police		$12,000				$12,000
Fund Total	$0	$12,000	$0	$0	$0	$12,000
Enforcement & Education (123)						
Police		$6,000				$6,000
Fund Total	$0	$6,000	$0	$0	$0	$6,000
Income Tax Safety (124)						
Police	$6,603,345	$584,200				$7,187,545
Fund Total	$6,603,345	$584,200	$0	$0	$0	$7,187,545
Law Enforcement Trust (125)						
Police		$1,000				$1,000
Fund Total	$0	$1,000	$0	$0	$0	$1,000
Community Development Block Grant (126)						
Community Development	$22,625	$193,150	$120,000			$335,775
Fund Total	$22,625	$193,150	$120,000	$0	$0	$335,775
Fire & E.M.S. (128)						
Fire	$4,479,301	$465,719	$1,367,000			$6,312,020
Fund Total	$4,479,301	$465,719	$1,367,000	$0	$0	$6,312,020
Wireless 911 (129)						
Safety		$0				$0
Fund Total	$0	$0	$0	$0	$0	$0
Swimming Pool Inspections (130)						
Health	$7,783	$500				$8,283
Fund Total	$7,783	$500	$0	$0	$0	$8,283

2018 AMENDED APPROPRIATIONS

Fund - Department/Division	Personnel & Benefits	Other than Personnel & Benefits	Capital	Reserve/ Debt Service	Contingency	Fund & Department Total
Police Pension (132)						
Police	$110,000					$110,000
Fund Total	$110,000	$0	$0	$0	$0	$110,000
Fire Pension (133)						
Fire	$110,000					$110,000
Fund Total	$110,000	$0	$0	$0	$0	$110,000
UDAG / EDA-RLF (134)						
City Manager/C.D.		$50,000				$50,000
Fund Total	$0	$50,000	$0	$0	$0	$50,000
Water (201)						
Service	$1,690,883	$826,855	$479,500			$2,997,238
Service (Capital Facilities)			$1,938,609			$1,938,609
Admin. Support	$523,382	$37,736	$14,000			$575,118
Budget & Finance (Debt)				$54,608		$54,608
Contingency					$50,000	$50,000
Fund Total	$2,214,265	$864,591	$2,432,109	$54,608	$50,000	$5,615,573
Sewer (202)						
Service	$1,909,922	$903,384	$490,442			$3,303,748
Service (Capital Facilities)			$2,853,508			$2,853,508
Admin. Support	$574,813	$40,037	$14,000			$628,850
Budget & Finance (Debt)				$684,208		$684,208
Contingency					$50,000	$50,000
Fund Total	$2,484,735	$943,421	$3,357,950	$684,208	$50,000	$7,520,314
Utility Billing (204)						
Budget & Finance		$89,086				$89,086
Fund Total	$0	$89,086	$0	$0	$0	$89,086
Solid Waste (205)						
Service	$84,089	$497,683				$581,772
Fund Total	$84,089	$497,683	$0	$0	$0	$581,772
Storm Water Utility (208)						
Service	$226,819		$25,000			$251,819
Service (Capital Facilities)			$1,014,485			$1,014,485
Admin. Support	$306,635	$67,121	$89,000			$462,756
Budget & Finance (Debt)				$9,968		$9,968
Fund Total	$533,454	$67,121	$1,128,485	$9,968	$0	$1,739,028
Guaranteed Deposits (230)						
Budget & Finance		$1,000				$1,000
Fund Total	$0	$1,000	$0	$0	$0	$1,000

2018 AMENDED APPROPRIATIONS

Fund - Department/Division	Personnel & Benefits	Other than Personnel & Benefits	Capital	Reserve/ Debt Service	Contingency	Fund & Department Total
Capital Projects (301)						
Safety			$74,900			$74,900
Service			$434,568			$434,568
Service (Capital Facilities)			$9,894,506			$9,894,506
Health			$0			$0
Budget & Finance (Debt)				$806,258		$806,258
Contingency					$25,000	$25,000
Fund Total	$0	$0	$10,403,974	$806,258	$25,000	$11,235,232
Municipal Public Improvement Tax Increment Equivalent (302)						
Service (Capital Facilities)						$0
Budget & Finance (Debt)				$1,517,151		$1,517,151
Fund Total	$0	$0	$0	$1,517,151	$0	$1,517,151
Police Facility (303)						
Safety (Capital Facilities)			$975,494			$975,494
Budget & Finance (Debt)				$4,189,098		$4,189,098
Fund Total	$0	$0	$975,494	$4,189,098	$0	$5,164,592
Debt Service (402)						
Budget & Finance (Debt)				$297,694		$297,694
Fund Total	$0	$0	$0	$297,694	$0	$297,694
Internal Service (807)						
Health Insurance		$3,260,000				$3,260,000
Fund Total	$0	$3,260,000	$0	$0	$0	$3,260,000
Total Appropriations	$22,694,704	$11,713,193	$20,230,012	$7,584,525	$250,000	$62,472,434
Original Appropriations	$22,277,704	$11,709,693	$12,520,619	$7,584,525	$250,000	$54,342,541
Amendment #1	$417,000	$3,500	$7,709,393			$8,129,893
Amendment #2						$0
Amendment #3						$0
Amendment #4						$0
Amendment #5						$0
Amendment #6						$0
Amendment #7						$0
Amendment #8						$0
	$22,694,704	$11,713,193	$20,230,012	$7,584,525	$250,000	$62,472,434

EXHIBIT "A"

2018 AMENDED APPROPRIATIONS - SCHEDULE OF OPERATING TRANSFERS AND TE

Paying Fund		Original	Current Request	Change
Operating Transfers				
Fund 116 - Income Tax		$3,600,000	$3,600,000	$0
Fund 116 - Income Tax		$867,500	$867,500	$0
Fund 116 - Income Tax		$3,532,228	$3,532,228	$0
Fund 116 - Income Tax		$3,532,228	$3,532,228	$0
Fund 116 - Income Tax		$2,828,520	$3,528,057.44	$699,537.44
Fund 116 - Income Tax		$1,766,120	$1,812,504.22	$46,384.22
Fund 116 - Income Tax		$268,708	$268,708	$0
Fund 116 - Income Tax		$0	$0	$0
Total Fund 116 Income Tax		$16,395,304	$17,141,225.66	$745,921.66
Fund 201 - Water		$44,543	$44,543	$0
Fund 202 - Sewer		$44,543	$44,543	$0
Fund 001 - General		$3,200,000	$3,200,000	$0
Fund 001 - General		$2,000,000	$2,000,000	$0
Fund 001 - General		$0	$6,640	$6,640
Subtotal - Total Operating Transfers		$19,684,390	$22,436,951.66	$752,561.66
Temporary Advances				
Fund 106 - Recreation	*	$50,000	$50,000	0
Fund 201 - Water	*	$80,000	$80,000	0
Fund 202 - Sewer	*	$65,000	$65,000	0
Fund 205 - Solid Waste	*	$56,000	$56,000	0
Fund 205 - Solid Waste	*	$53,000	$53,000	0
Fund 208 - Storm Water	*	$110,000	$110,000	0
Subtotal - Total Advances		$414,000	$414,000	$0
Grand Total - All Transfers & Advances		$20,098,390	$22,850,951.66	$752,561.66

*** Designates Repayment of Advance**

RESOLUTION NO. 2018-34

A RESOLUTION APPROVING AND AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO THE KENT-TALLMADGE LAW ENFORCEMENT SHOOTING RANGE AGREEMENT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Tallmadge desires to use the City of Kent's shooting range on a permanent basis and over an extended period of time, as set forth in the attached Agreement marked Exhibit A;

WHEREAS, the Police Chief has reviewed the Agreement (Exhibit A), wherein the City of Tallmadge agrees to use the range for 10 years at $3,000 per year (and prepaid $30,000), and recommends that the Council approves the Agreement;

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

SECTION 1: Council does hereby approve the Kent-Tallmadge Law Enforcement Shooting Range Agreement, attached as Exhibit A, and authorizes the City Manager, or his designee, to sign the Agreement on behalf of the City of Kent.

SECTION 2: All formal actions of Council relating to the adoption of this Resolution, and all deliberations of Council and any of its committees leading to such action, were in meetings open to the public as required by law.

SECTION 3: 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: ________________________
Tara Grimm, CMC
Clerk of Council

I, TARA GRIMM, 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 *RESOLUTION No.* ____________, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _________________________, 20____________.

(SEAL)

____
TARA GRIMM, CMC
CLERK OF COUNCIL

EXHIBIT "A"

CITY OF KENT AND CITY OF TALLMADGE LAW ENFORCEMENT SHOOTING RANGE AGREEMENT

THIS AGREEMENT made this ___ day of ______, 2018, by and between the CITY OF KENT, Ohio and the CITY OF TALLMADGE, Ohio both acting by and through duly authorized officials.

WHEREAS, this Agreement is authorized by the City of Kent Ordinance XXX, and by the City of Tallmadge Ordinance XXX: and

WHEREAS, Kent and the City of Tallmadge each understand the significant responsibility both communities have to provide ongoing weapons training for their law enforcement personnel: and

WHEREAS, the basic purpose of this Agreement is for Kent and Tallmadge to utilize the city of Kent's shooting range facilities located in Franklin township so it may be jointly used by both entities: and

WHEREAS, Kent and Tallmadge deem it to be in the best interest of their respective citizens to provide shooting range facilities, by agreement, for the use of their respective law enforcement Agencies.

NOW, THEREFORE, IN CONSIDERATION OF THE MUTUAL PROMISES AND COVENANTS SET FORTH HEREIN, THE PARTIES AGREE:

I. Terms of Agreement

A. Performance of the services set forth herein, shall commence upon the signing of this Agreement, unless otherwise mutually agreed to by Kent and Tallmadge. In the event of circumstances beyond the control of either party for manufacturer's delay or supplier's delay or labor strike or court order, the performance of this Agreement shall commence within a reasonable time. This Agreement shall continue in full force and effect for a period of ten (10) years.

B. This Agreement may be extended by mutual written agreement of both Kent and Tallmadge as evidenced by; the enactment of an authorizing ordinance by the legislative body of each party.

C. This Agreement may be terminated by or before its expiration by all parties jointly agreeing to its early termination, with at least three (3) months' prior notice. Payment balances will be refunded for whole years on a pro-rated basis.

II. City of Kent Obligations

A. Kent shall provide, during the term of this Agreement, the use of their shooting range facility to police officers with city of Tallmadge, Ohio pursuant to the terms contained herein.

B. Kent shall provide one full week, three (3) times per year for the firing range to be available for Tallmadge Officers for training and or firearms qualifications. These weeks will be identified prior to March 1st annually and will be available between April and October. Three (3) "open range days" will also be identified and be available for Tallmadge officers to practice and become proficient in weapons handling.

C. The range facility will also be available to Tallmadge on a case by case basis for individual qualifications for newly hired officers, officers needing re-qualifications or to address any firearms proficiency issues. These uses may occur anytime during the year as necessary and with prior approval by the Kent Chief of Police.

D. Kent shall provide the land, range shed, power, target stands, steel targets and available utilities for use at the firing range.

E. Kent shall provide Tallmadge a Certificate of Insurance naming the City of Tallmadge as an insured under Kent's general liability insurance for Tallmadge's use of the range.

III. City of Tallmadge Obligations

A. Tallmadge shall provide Kent with $3,000.00 per year for an annual lease extending ten (10)years. Tallmadge shall pre-pay Kent these lease payments in a lump sum of $30,000.00 at the initiation of this Agreement and upon meeting the condition contained herein. Payment will be made prior to March 1st 2018 and intended for upkeep, repairs and improvements to the Kent range.

B. Tallmadge shall provide Kent a Certificate of Insurance naming the City of Kent as an insured under Tallmadge's general liability insurance for Tallmadge's use of the range.

C. Tallmadge must obey and abide by Kent Police Department *Operating Policy 6.2 Firearms Range Use* while using the Kent firing range.

D. Tallmadge officers must individually read and acknowledge by signature *Kent Range Safety Rules* prior to utilizing the Kent firing range once annually.

E. Tallmadge officers are not permitted to have civilian guests utilize or be witness at the firing range. Tallmadge officers must always be accompanied by a Tallmadge or Kent range staff member while at the firing range.

F. Tallmadge will provide their own ammunitions, weapons, targets, target backers, eye/ear protection and body armor. Any training with less lethal munitions, explosives, combustibles or gas will require prior approval from the Kent Chief of Police. Ammunitions fired will be limited to duty/off duty weapons authorized by Tallmadge Police Department.

IV. Liability

Should any willful or grossly negligent action or inaction of the City of Tallmadge result in damages or losses to Kent in the performance of this Agreement, Tallmadge shall indemnity the City of Kent as allowed by Ohio law, to the extent of its available general liability insurance limits, and hold Kent harmless, from any and all losses, damages or claims arising from such action or inaction whether or not such was pretermitted or prohibited by the terms of this agreement.

Should any willful or grossly negligent action or inaction of the City of Kent result in damages or losses to Tallmadge in the performance of this Agreement, Kent shall indemnify the City of Tallmadge as allowed by Ohio law, to the extent of its available general liability insurance limits, and hold Tallmadge harmless, from any and all losses, damages or claims arising from such action or inaction whether or not such was pretermitted or prohibited by the terms of this agreement.

V. Severability

If any term is declared invalid by a court of competent jurisdiction, the same will not affect the validity of any other provision, provided that the basic purposes of this Agreement are achieved through the remaining provision.

VI. Governing Law

This Agreement shall be construed in accordance with the laws of the State of Ohio.

VII. Miscellaneous

The terms and conditions set forth are the entire understanding and agreement of the parties in respect to the subject matter hereof. No provision of this Agreement shall be waived, changed, terminated or rescinded, except by a writing signed by the party to be changed by any such waiver, change, termination or rescission. No waiver of any breach of any provision of this Agreement shall constitute a waiver of any similar or dissimilar provision of any prior or subsequent breach or shall constitute an amendment or modification of this Agreement.

VIII. Notices

All notices required under this Agreement shall be sent by regular first class mail to the Chief of Police for the City of Tallmadge. All notices required under this Agreement shall be sent by regular first class mail to the Chief of Police for the City of Kent.

IN WITNESS whereof, the parties hereto have affixed their hands, the City of Kent, by the signature of its City Manager and the City of Tallmadge, by the signature of its Mayor.

CITY OF KENT

By:______________________________ Witnessed:_________________________

Title:_____________________________

CITY OF TALLMADGE

By:______________________________ Witnessed:_________________________

Title:_____________________________

RESOLUTION NO. 2018-35

A RESOLUTION AUTHORIZING THE WATER TAP-IN FOR RAISING CANE'S OF OHIO AT 1801 EAST MAIN STREET, OUTSIDE THE CITY OF KENT, AND DECLARING AN EMERGENCY.

WHEREAS, RCO Limited, dba Raising Cane's of Ohio (chicken fingers restaurant) requests water service outside the City of Kent at 1801 East Main Street (Parcel #12-021-00-00-023-001, outparcel B) in Franklin Township (the "Property");

WHEREAS, the Property is within the Kent-Franklin JEDD Contract area and the previous owner has not signed the contract, therefore, per KCO 913.09, the Property is subject to a 50% water surcharge;

WHEREAS, the City Division of Engineering recommends approving the water tap-in;

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

SECTION 1: Council does hereby authorize the water tap-in to the Property subject to KCO 913.09 and the City water rules and regulations.

SECTION 2: All formal actions of Council relating to the adoption of this Resolution, and all deliberations of Council and any of its committees leading to such action, were in meetings open to the public as required by law.

SECTION 3: 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

EFFECTIVE: _____________________
Date

____
Jerry T. Fiala
Mayor and President of Council

ATTEST: _________________________
Tara Grimm, CMC
Clerk of Council

I, TARA GRIMM, 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 *RESOLUTION No.* ____________, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _________________________, 20____________.

(SEAL)

____
TARA GRIMM, CMC
CLERK OF COUNCIL

RESOLUTION NO. 2018-36

A RESOLUTION AUTHORIZING EXPANDED STREET CLOSINGS FOR MAIN STREET KENT'S ART AND WINE FESTIVAL, OKTOBERFEST, AND WIZARDLY WORLD OF KENT, TO BE INCLUDED IN ITS PERMIT FOR EACH EVENT BEGINNING IN 2018 AND CONTINUING THEREAFTER, AND DECLARING AN EMERGENCY.

WHEREAS, for the past several years, the City has granted Main Street Kent, an Ohio nonprofit corporation, street closings for its Art and Wine Festival, Oktoberfest, and Wizardly World of Kent (formerly Potterfest);

WHEREAS, for such events in 2018 and thereafter, Main Street Kent requests expanding those street closings to better accommodate pedestrian flow and access to vendor events, as shown in the attached Exhibits;

WHEREAS, the Traffic, Engineering, and Safety Committee has reviewed the Exhibits and approves the expanded street closing and, therefore, the Economic Development Director recommends such closings, to be included in Main Street Kent's permit for each event in 2018 and thereafter;

WHEREAS, the City has the inherent authority to close such streets during such times (and as further authorized under Ohio R.C. 723.01);

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

SECTION 1: Council does hereby authorize the street closings shown in the attached Exhibits, to be included in Main Street Kent's permit, respectively, for the Art and Wine Festival, Oktoberfest, and Wizardly World of Kent beginning in 2018 and continuing thereafter;

SECTION 2: All formal actions of Council relating to the adoption of this Resolution, and all deliberations of Council and any of its committees leading to such action, were in meetings open to the public as required by law.

SECTION 3: 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: ______________________
Tara Grimm, CMC
Clerk of Council

I, TARA GRIMM, 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 *RESOLUTION No.* ____________, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON ________________________, 20___________.

(SEAL)

____
TARA GRIMM, CMC
CLERK OF COUNCIL


Art & Wine Festival
2017 road closure
2018 additional proposed closure
Water Street
Main Street
Main Street
Franklin Street
Water Street
Burbick Way
DePeyster Street
Erie Street
Haymaker Parkway
N

EXHIBIT "A"

Wizardly World of Kent
2017 road closure
2018 additional proposed closure
Main Street
Water Street
Burbick Way
DePeyster Street
Erie Street
Haymaker Parkway
N


Oktoberfest
2017 road closure
2018 additional proposed closure
Main Street
Franklin Street
Water Street
DePeyster Street
Burbick Way
Erie Street
Erie Street
Haymaker Parkway
N