

**THE CITY OF KENT, OHIO
STREETS, SIDEWALKS, AND UTILITIES COMMITTEE
WEDNESDAY, JANUARY 9, 2019**

Chair Roger Sidoti called the meeting of the Streets, Sidewalks, and Utilities Committee of Kent City Council to order at 8:25 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner; and Ms. Tracy Wallach.

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Tom Wilke, Economic Development Director; Mr. Brian Huff, Budget and Finance Controller; Ms. Melanie Baker, Public Service Director; Mr. John Idone, Parks and Recreation Director; Mr. Jim Bowling, City Engineer; Police Chief Michelle Lee; Fire Chief John Tosko and Ms. Tara Grimm, MMC, Clerk of Council.

ABSENT: Mr. Michael DeLeone

There were two (2) items on the Agenda.

1. Bus Shelter Agreement

Mr. Ruller commented on how this is a great program and the new bus shelters will be closer to neighborhoods.

Mr. Bowling referred to his Memo to the City Manager dated August 29, 2018 incorporated in the January communications packet. The agreement allows for Kent and PARTA to jointly install Bus Passenger Shelters at existing high traffic PARTA bus stops in the neighborhoods of Kent. The City would participate by installing the concrete pad and associated connections to existing sidewalks/walkways. PARTA's contribution includes installing and maintaining the bus passenger shelter. Both parties will work with the adjacent property owners to assure compatibility of the shelter with the adjacent properties. The locations currently being considered are near multi-unit housing complexes in Kent neighborhoods. Funding for this agreement is included in the current City budget.

Ms. Shaffer asked about Kentway being put into the mix.

Mr. Bowling stated Kentway is in the mix.

MOTION TO AUTHORIZE THE PARTA/CITY OF KENT BUSS PASSENGER SHELTER AGREEMENT WITH AN EMERGENCY CLAUSE made by Ms. Shaffer, seconded by Ms. Rosenberg, and CARRIED by a voice vote of 7-0-1 with Mr. Amrhein abstaining.

2. Presentation on Sidewalk Repair Pilot Program

Mr. Bowling gave a presentation (**See Attachment #1**) and also referred to his Memo to the City Manager dated December 11, 2018 and incorporated into the January communications packet where Mr. Bowling stated:

At the January, 2018 Streets, Sidewalks and Utilities Committee Meeting several concerns were expressed involving the repair/replacement of sidewalks, especially when a location is requested to be replaced by residents. The concerns expressed at the meeting predominantly involved the following areas:

- More expeditious options to have a section of sidewalk replaced
- More spot replacements, where appropriate

- More public education on the property owners responsibilities in maintaining sidewalks
- Better overall sidewalk condition Citywide

The Service Department has been working with the Budget and Finance Department to determine how to best address the above concerns. The results include a citywide inventory of the worst sidewalk trip hazards performed by City Staff, articles included in the Tree City Bulletin and two potential pilot programs.

Currently a property owner has two basic options when desiring to replace the sidewalks on or adjacent to their property. The first option is to obtain a \$20 permit and replace the sidewalk on their own as required by the Codified Ordinances. The second option is notify the Service Department which will record the location, evaluate the problem, perform the repairs and provide the council approved discounts. The second option however does not provide a guaranteed time frame for when the repairs will be completed. The pilot programs are intended to provide additional options to assist property owners in getting their sidewalks replaced more expeditiously. The following is a brief description of the pilot programs.

Option #1 - Pilot Sidewalk Request Program: (Begins on page 5 of Attachment #1) This program is intended to provide property owners an ability to have their sidewalks repaired as part of the next City Contract. However, since this will decrease the efficiency of the City Contract, thereby increasing the costs of the repairs, this program would require that the property owner pay for all the costs associated with the request. This would also include a deposit be provided for the work to be completed. *(A flow chart depicting how the process would work is on page 6 of Attachment #1.)*

Option #2 - Pilot Sidewalk Owner Reimbursement Program: (Begins on page 9 of Attachment #1) This program is intended to incentivize property owners to replace their sidewalks as required by the Codified Ordinances. The program would provide property owners a reimbursement once they have replaced their sidewalks. The reimbursement amount would be the same as the discounts provided to property owners who wait for the City to replace their sidewalks. Thereby allowing property owners similar savings they would have received if the City performed the work, but allowing them to have the work completed on their own time frame. *(A flow chart depicting how the process would work is on page 10 of Attachment #1.)*

We would recommend a total budget of \$30,000 to determine the effectiveness of both pilot programs. If these programs are initiated we would track the effectiveness of the program and report to council on the results. Items that could be included in the evaluation are:

- Number of complaints addressed
- Percentage of owners who used the program
- Costs per square foot to perform the work
- Public's response to the program
- Management time required

During the presentation, there were comments and questions from both Council and the audience.

Ms. Wallach was concerned about the difference in Option 1 from what we currently have.

Mr. Bowling described how there would be a bulk discount and city management of the project.

Mr. Wallach asked about extra money already being in the budget to do spot repairs such as when an owner may only want 1 block repaired.

Mr. Bowling stated Ms. Wallach was correct.

Ms. Baker commented how it is difficult to get a contractor for a small job; driveway aprons is a good example.

Ms. Wallach questioned the requirements for a contractor and if a homeowner can do it themselves.

Ms. Susel stated the contractor has to be certified and registered with the City to complete the work; a homeowner is not required to be registered but the project would have to be inspected.

Mr. Bowling stated how we are jumping ahead to Option #2 and wanted to finish Option #1.

Mr. Kuhar asked about a homeowner wanting to repair 1-3 blocks, a contractor would have to hand mix or pay for a full load of concrete that could actually do half a street.

Mr. Bowling stated Mr. Kuhar was correct.

Ms. Shaffer questioned the voluntary repairs by the homeowner and our "future" list for repairs not caused by tree damage and being paid by the property owner.

Mr. Bowling replied that it is not that simple; the homeowner gets discounts even if it is not tree related – 50 to 100% off.

Ms. Shaffer felt the "future" list has to be explained carefully.

Mr. Bowling commented on how this is our 3rd Option with a potential cheaper price, no permits, no contractor and pay the full amount. We spent \$500,000 in 2018 following our Ordinances.

Mr. Turner was concerned with the liability of our sidewalks as he himself has tripped two times in the last two weeks. He also questioned the right-of-ways.

Ms. Jones reminded Mr. Turner it is not the City's liability, he would have to sure the property owner.

Mr. Bowling commented on there being a similar situation about three years ago where Law Director Jim Silver had to write a letter. The right-of-way is a "joint area" to benefit both the owner and the City whereby both maintain and use it.

Mr. Bowling proceeded with explaining Option #2 which is a byproduct of 1984 disincentive per the Code.

Ms. Wallach asked what the difference was.

Mr. Bowling explained back when the Motion was to have the City do the work, get a discount; if they do the work, the City will reimburse.

Mr. Ferrara asked about the monies allocated to the budget.

Mr. Bowling replied there is \$30,000.

Mr. Ferrara asked about the cost of doing 1-2 blocks per house.

Mr. Bowling stated a ½ City block with typical problems costs a homeowner \$1,000 - \$1,500 for a tree heave v. costing the City only a portion of that in a bulk project.

Mr. Ferrara added how it is simple and 30 houses could be done because of heaving trees, would prefer the whole block and try to get other homeowners to participate.

Mr. Bowling commented how the program will morph over time.

Mr. Ferrara and Ms. Shaffer asked why we can't do both Option #1 & #2.

Mr. Bowling agrees, then we would have 4 choices.

Mr. Kuhar asked about having a pool or list of a small group of contractors willing to fix sidewalks for an escalated price.

Mr. Bowling reminded Council these are details to work out in the program; the method of executing work and then the option available through a competitive bid environment.

Mr. Kuhar added how small jobs are good for small contractors and it would give them an opportunity to compete.

Mr. Turner was concerned with the timeline in people paying up front v. having it assessed to their taxes.

Mr. Bowling stated these are all details if we move forward. Option #1 is to estimate full cost, pay a deposit, then reimburse the bill if there is extra; Option #2 the homeowner is fronting all the money anyway or doing the work themselves.

Ms. Shaffer asked if this applies to rentals, their eligibility, and if there a way to incentivize participation.

Mr. Bowling replied yes, Option #1 is conducive to commercial properties; Option #2 is not as conducive.

Ms. Wallach asked if there is a list of contractors for owner occupied.

Ms. Susel stated they have to be licensed, not certified and need a permit and bond. There are precautions for smaller contractors.

Ms. Wallach added how a homeowner can do the repair themselves.

Ms. Susel replied yes, as long as a permit is pulled by the owner.

Ms. Wallach was concerned if the homeowner doesn't know to pull the permit.

Ms. Susel continued with how this has happened before, they send notification to the homeowner and then it can be filed and attached to the property.

Mr. Bowling added that sidewalks can be dealt with after the fact.

Ms. Rosenberg laughed about it being an unfortunate situation if she herself did a sidewalk.

Ms. Susel further added how it is sometimes an "I know a guy" and there is no permit.

Ms. Rosenberg questioned how long the pilot program will be.

Mr. Bowling felt annually was appropriate.

Ms. Rosenberg asked if we find more interest in one option over another, we could scale it back.

Mr. Bowling replied whatever works best and Council desires to enforce quality work.

Ms. Wallach recapped that there are four options: the two just presented and the original two which are to go on a complaint list or just do it themselves and pay full price and seek reimbursement.

Ms. Elizabeth Burke of Erin Drive thanked Mr. Bowling for being unbelievable through her neighborhood project. Mr. Hommular was also in the audience. She stated Ms. Rosenberg showed up after Council received their petition. The sidewalks were a mess because of the trees; the petition was a conglomeration of issues. She read from the petition which also requested creating handicap ramps and replacing sidewalks.

Mr. Bowling had sent the 1994 policy, to have them pay 50% of what needed to be done and the tree damage cost would be picked up by the City. There would have to be an agreement stating what they'd pay which is based on 50% of the cost the City would pay.

Ms. Burke asked about getting bids.

Mr. Bowling replied yes, she could do that.

Ms. Burke realized it would better to not do anything until the City approves all options.

Ms. Wallach asked about the Ordinance from 1994 and the City paying 100% of everything for tree upheavals.

Mr. Bowling stated "it is not an Ordinance." He did not have the policy with him but only when the City has done the work is 50% reimbursed to the homeowner.

Ms. Shaffer wanted to make sure there is good public education on sidewalks.

Mr. Bowling agreed and they try, however it is all generated by someone calling into the office.

Ms. Shaffer felt it could be advertised in the Tree City Bulletin which would generate a lot of interest.

Mr. Turner discussed the Bowman Drive sidewalk issue where the neighbors grouped together and bid the project out; there is savings in situations like that and people should be educated on it.

Mr. Bowling agreed when individual owners work together, they each get a letter, put them together to get the best price. He will put together a flyer for Council to pass out with the 4 options on it.

Ms. Wallach asked again about sidewalk tree heaves being fixed 100% by the City.

Mr. Bowling replied yes, if we do the work; it is not in the Codified Ordinances. The discount was approved by Council in 1994.

Ms. Wallach felt we could codify and then sidewalks would get done when they get done.

Mr. Ruller reminded Council that sure that works, but it is money driven and then they sit on a list. This was we are giving the consumer choices.

Ms. Wallach stated a policy is not an Ordinance and we should make it official.

Mr. Kuhar questioned who cuts a big tree down that is obstructing the sidewalk.

Mr. Bowling explained the procedure of having our Arborist look at it, then the property owner and City have to come to an agreement because the tree could heave again, the tree could fall down, etc.

Ms. Wallach added how the sidewalk could be curved around the tree.

Mr. Bowling replied yes, each case is different.

Ms. Burke commented how her neighbor did that and is worked going around the tree.
Mr. Kuhar asked about replanting as oaks are wide and canopy, other varieties grow narrow and tall.

Mr. Bowling agreed and our Arborist has done different things as there are tree canopy benefits; it is done on a site by site basis as each neighbor is different and unique. The process takes time to make sure people are content.

MOTION TO INCLUDE BOTH NEW SIDEWALK OPTIONS AND MERGE THE TABLES, THEN BRING THEM BACK TO COUNCIL made by Ms. Shaffer, seconded by Mr. Kuhar.

MOTION TO AMEND TO INCLUDE MAKING IT OFFICIAL IN OUR CODE THAT TREE HEAVES WILL BE PAID 100% BY THE CITY made by Ms. Wallach, seconded by Mr. Kuhar.

Ms. Rosenberg asked about cost commitment.

Mr. Ferrara added that they go on a list.

MOTION AS AMENDED TO INCLUDE BOTH NEW SIDEWALK OPTIONS, MERGE THE TABLES AND MAKE IT OFFICIAL IN OUR CODE THAT TREE HEAVES WILL BE PAID 100% BY THE CITY, AND THEN BRING BACK TO COUNCIL *PASSED* by a voice vote of 8-0.

Hearing no further business before this Committee, Chair Sidoti adjourned the meeting at 9:32 p.m.

Tara Grimm, MMC
Clerk of Council

ACTION RECOMMENDED:

- 1) AUTHORIZE THE PARTA/CITY OF KENT BUSS PASSENGER SHELTER AGREEMENT WITH AN EMERGENCY CLAUSE**
- 2) INCLUDE BOTH NEW SIDEWALK OPTIONS, MERGE THE TABLES AND MAKE IT OFFICIAL IN OUR CODE THAT TREE HEAVES WILL BE PAID 100% BY THE CITY, AND THEN BRING BACK TO COUNCIL**

**THE CITY OF KENT, OHIO
COMMUNITY DEVELOPMENT COMMITTEE
WEDNESDAY, JANUARY 9, 2019**

Chair John Kuhar called the meeting of the Community Development Committee of the Kent City Council to order at 7:53 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner; and Ms. Tracy Wallach.

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Tom Wilke, Economic Development Director; Mr. Brian Huff, Budget and Finance Controller; Ms. Melanie Baker, Public Service Director; Mr. John Idone, Parks and Recreation Director; Mr. Jim Bowling, City Engineer; Police Chief Michelle Lee; Fire Chief John Tosko and Ms. Tara Grimm, MMC, Clerk of Council.

ABSENT: Mr. Michael DeLeone

There were six (6) items on the Agenda.

1. Zoning Code Update

Ms. Susel referred to her Memo to the City Manager dated December 31, 2018 which explained how the Community Development Department zoning and planning staff has spent the past six (6) months working with representatives from McKenna, the consulting firm selected to complete Phase I of the update to the City's Zoning Code. The first step in the update process was the completion of diagnostic review by the consultants, which involved a thorough analysis of each chapter of the Zoning Code in order to identify the Code's current strengths, weaknesses, and areas in need of improvement. The diagnostic review identified many of the same issues listed in the request for qualifications (RFQ), including correcting and updating inconsistent, redundant, and confusing language; incorporating graphics and tables to better convey detailed requirements; and re-organizing the content so it is in a more logical format and easier to access.

The consultant currently is in the process of updating and formatting the individual chapters. Staff recently met with two representatives from McKenna to go through the proposed changes to the first two chapters which, includes the "Definitions" chapter. The planning and zoning staff identified some needed revisions and the second drafts of these chapters are expected by mid-January.

The first work session to discuss the first two draft chapters is tentatively scheduled for 7:00 p.m. Tuesday, February 19, 2019 during the Planning Commission meeting. Once the date and time is finalized, notification for the first work session, as well as for all subsequent work sessions, will be sent to all members of Council and will be posted in the newspaper, on the City's website, and on the public notice board at the entrance to the Service Administration Complex located at 930 Overholt Road.

All additional work sessions will be scheduled as each draft chapter(s) is ready for review and are anticipated to be scheduled every 4-6 weeks based on the following order:

1. "Title, Interpretation, and Conflict;" and "Definitions" chapters;
2. "Zoning Districts and Map" chapter;
3. "Schedule of Regulations" chapter;
4. "Standards Applicable to Specific Land Uses" chapter;
5. "General Provisions" chapter;
6. "Environmental Performance Standards" chapter;
7. "Parking, Loading, and Access Management" chapter;
8. "Landscaping and Screening" chapter;
9. "Signage" chapter;
10. "Nonconforming Uses" chapter;

11. "Administrative Organization" and "Administrative Procedures" and "Violations, Penalties, and Enforcement" chapters.

12. Comprehensive review of all chapters (2-3 work sessions expected).

Ms. Susel is excited as this will be electronic with hyperlinks for cross referencing which will help staff identify where a conflict might be; can be added to on our own; not static and minimize duplications; will have extensive graphics and tables incorporated; will be reorganizing chapters and pulling all the administrative related ones into one Chapter in a logical format; the table of contents will be shorter. She also stated that the districts and historic land use do not need to be adjusted as they were told they make sense. We have a limited amount of land that is not developed since 1970 – all prior to that; it will organize the districts in clearer format, but geographically it will not change; we do not have light industrial zoning – it doesn't exist; and the overlay district for province will be looked at extensively and we will need to have more discussion on that overlay district as there are many conditions that are not useable or can be eliminated. The definitions chapter has had 3 hours spent on it and they have not made it all the way to "Z" yet as they are figuring out how words apply, making amendments, but overall the consultants find our definitions strong, including our definition of "Family" – they were impressed how we are 2 years in and that definition is working wonderfully.

Ms. Wallach asked about putting this in front of the Planning Commission.

Ms. Susel stated "No", February 19th begins the tentative schedule; next week they will be working on the definitions chapter to come up with a workable draft; then there will be an advertised work session, but no voting by the Planning Commission. This is a slow and steady process that needs to be advertised to Council and the newspaper. The Planning Commission will be involved in all of this. Our development has dropped so we are not needing 2 Planning Commission meetings a month. They will keep Council informed with a two week to a month's notice before a meeting as they want to present a full format to the Planning Commission, not pieces and have drafts available for everyone to view. She is still putting a tentative calendar in order as a chapter may take longer than one work session. They need a full working draft, then allow public comment, then bring it to full Council.

Mr. Turner questioned the Rte. 261 issue at Rte. 43 and was surprised to see it didn't go through. He asked if there is a way to look at a situation and allow discussion prior to conflicting interest or desires and if there is a mechanism to encourage people to look at transitioning properties.

Ms. Susel stated that is not a viable option. Every property is permitted for a permitted use and a conditionally permitted use. We can't get feedback earlier until there is a project to know how a property is wanting to be utilized. Daily, her department sends out copies of the zoning code chapters to those with property interests; if there is a match, there is a public notice period for a project. It is nearly impossible to do any of that before including undeveloped or converted properties.

Mr. Turner asked what the biggest challenge is.

Ms. Susel replied although ours is sound, the issue is there are conflicts from 1971 and need cleaned up. It is legally sound, Eric Fink is aware of the signing code changes that need updated and be more user friendly. Changing and modified definitions will help clearly identify on a site plan.

There were no further questions from Council or the audience.

2. Approve Dedication of portion of Newcomer Road

Ms. Susel discussed Mrs. Barone's Memo to the City Manager dated December 19, 2018 how Newcomer Development Group (Lappin Farm) has subdivided/consolidated two lots created subplot 5A and subplot 7. Currently the property lines extend to the center of Newcomer Road for subplot 7, 4263 Newcomer Road. As part of this lot split/consolidation, the portion of the property in the road right-of-way is being dedicated to the City of Kent.

There were no further questions from Council or the audience.

MOTION TO APPROVE THE DEDICATION OF THE PORTION OF NEWCOMER ROAD WITH AN EMERGENCY CLAUSE made by Mr. Ferrara, seconded by Ms. Shaffer and *CARRIED* by a voice vote of 8-0.

3. Revolving Loan Fund Update

Mr. Wilke referred to Ms. Susel's Memo to the City Manager dated December 31, 2018, and his Memo to the City Manager dated December 28, 2018 that discussed how on March 14, 2018, the U.S. Department of Commerce Economic Development Agency (EDA) amended the terms and conditions that regulate the EDA Revolving Loan Fund (RLF) program. The updated standards apply to all communities that administer an EDA RLF program and the City needed to update its EDA RLF Plan in order to incorporate the changes. The Community Development Department staff updated the Plan and submitted the draft to the EDA for review. Comments on the draft were received from the City's EDA representative and the draft was modified, again, in order to incorporate those comments. The final draft of the City's RLF Plan Update was attached to Mr. Wilke's Memo. He respectfully requested Council's approval of the Plan, with emergency, so it can be submitted to EDA.

Ms. Shaffer asked what the RLF committee is comprised of.

Mr. Wilke explained it is a review committee of 5 people: 1 real estate agent, 2 attorneys - 1 appointed each by Council & the Mayor, and 2 business owners.

MOTION TO AUTHORIZE SUBMISSION OF THE RLF PLAN TO THE EDA WITH AN EMERGENCY CLAUSE made by Mr. Ferrara, seconded by Ms. Shaffer

4. Consider Easements for 1005 E. Main Street for Waterline and Sidewalk

Ms. Susel discussed Mrs. Barone's Memo to the City Manager dated December 19, 2018 how during the plan development and construction of the new commercial facility at 1005 East Main Street, two items were designed that required easement for the City to accept. Water Valve Access easement: The developer desired to have separate City meters for each of the potential four tenants. In order to accomplish this, a water service for each tenant was required. To avoid multiple taps onto the City's water main, it was agreed to allow one larger tap onto the main, the split the four services behind each tenant unit. The result was that the shut off valves are located on private property. This easement allow the City to enter the property and turn the shut off valves when necessary. The pipe itself remains privately owned. Sidewalk Easement Agreement: Due to the change in topography as part of this project, a small portion of sidewalk was placed on private property. This was to make the sidewalk friendlier for disabled persons. Since the sidewalk is public, an easement is needed for the public to utilize it and the City to maintain it.

There were no further questions from Council or the audience.

MOTION TO APPROVE THE EASEMENT FOR 1005 E. MAIN STREET FOR WATERLINE AND SIDEWALK WITH AN EMERGENCY CLAUSE made by Mr. Ferrara, seconded by Mr. Amrhein and *CARRIED* by a voice vote of 8-0.

5. Consider a Storm water easement for Unitarian Universalist Church

Ms. Susel discussed Mrs. Barone's Memo to the City Manager dated December 19, 2018 how the Unitarian Universalist Church at 228 Gougler Avenue is going to build a fellowship hall (217 N Mantua St). To meet City code, they will be installing a stormwater management basin. The discharge pipe from this basin will be crossing the City's parking lot across from 315 Gougler Ave.

There were no further questions from Council or the audience.

MOTION TO APPROVE THE STORM WATER EASEMENT FOR THE UNITARIAN UNIVERSALIST CHURCH WITH AN EMERGENCY CLAUSE made by Mr. Ferrara, seconded by Ms. Rosenberg and *CARRIED* by a voice vote of 7-0-1 with Ms. Shaffer abstaining.

6. Bike Trail Easement Application

Mr. Idone informed Council this is an easement agreement with the owners of 265 West Main Street (former Bissler Furniture store) in order to improve the bike trail connection. It also enables the next phase of the bike trail extension through downtown Kent that includes Fairchild to Main Street; we need the easement so we can also apply for a \$700,000 grant through AMATS. It is the bike stair near the old Bissler building & there is a sliver of land at W. River Place to be fixed. He anticipates having things finalized by the end of the week and have legislation ready for the next regular Council meeting. Approximately \$9,000 - \$10,000 will come out of Park funds along with Clean Ohio funds 80%/20%. ODNR funds will be used to match our 20%. He doesn't have all the facts yet, but will have all the details worked out by the Council meeting so we also do not miss the February 1, 2019 deadline for applying for the grant.

There were no further questions from Council or the audience.

MOTION TO AUTHORIZE BIKE TRAIL EASEMENT APPLICATION WITH AN EMERGENCY CLAUSE made by Ms. Shaffer, seconded by Ms. Rosenberg and *CARRIED* by a voice vote of 7-0-1 with Mr. Amrhein abstaining.

Hearing no further business before this Committee, Chair Kuhar adjourned the meeting at 8:25 p.m.

Tara Grimm, MMC
Clerk of Council

ACTION RECOMMENDED:

- 1) **APPROVE THE DEDICATION OF THE PORTION OF NEWCOMER ROAD WITH AN EMERGENCY CLAUSE**
- 2) **APPROVE THE EASEMENT FOR 1005 E. MAIN STREET FOR WATERLINE AND SIDEWALK WITH AN EMERGENCY CLAUSE**
- 3) **APPROVE THE STORM WATER EASEMENT FOR THE UNITARIAN UNIVERSALIST CHURCH WITH AN EMERGENCY CLAUSE**
- 4) **AUTHORIZE BIKE TRAIL EASEMENT APPLICATION WITH AN EMERGENCY CLAUSE**

**THE CITY OF KENT, OHIO
FINANCE COMMITTEE
WEDNESDAY, JANUARY 9, 2018**

Vice-Chair Tracy Wallach called the meeting of the Finance Committee of Kent City Council to order at 7:05 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner; and Ms. Tracy Wallach.

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Tom Wilke, Economic Development Director; Mr. Brian Huff, Budget and Finance Controller; Ms. Melanie Baker, Public Service Director; Mr. John Idone, Parks and Recreation Director; Mr. Jim Bowling, City Engineer; Police Chief Michelle Lee; Fire Chief John Tosko and Ms. Tara Grimm, MMC, Clerk of Council.

ABSENT: Mr. Michael DeLeone

Mayor Fiala recognized and had approximately a dozen of the 45 kids introduce themselves were present to work on the citizenship badge "Building a Better World" with Cub Scout Troop 3250.

There was one (1) item on the Agenda.

1. Approve Credit Card Policy

Mr. Ruller stated Mr. Coffee was not present this evening but Mr. Huff and Ms. Jones were here to answer any questions on the new administrative policy for us. We see the advantages of having a controlled mechanism for a city credit card policy; there's value in it and just had not done it. The departments will have a little more latitude with how they buy.

Ms. Jones added that the Ohio Assembly passed HB312 which requires the City, prior to February 1st, that if we are going to use credit cards or other types of credit accounts, to actually have our Council pass a policy. The policy needs to have certain things in it including: the people and positions that are allowed to use credit card; a procedure on the types of receipts; how an employee is to present the information to the finance department on what they have bought on those credit cards; there is also a very long list of items that are not to be bought with a City credit card; a procedure on if a card is lost or stolen; and what to do if an employee does use the card inappropriately.

Ms. Shaffer asked "who's not allowed to use it?"

Ms. Jones replied that if the Finance Director is not in charge and keeping physical control of all the cards, which we are not going to do here, another position in the City has to work with Council and come to Council with reports. That person is not permitted to use the credit cards, and we have designated the Controller, which currently is Brian Huff's position.

Ms. Rosenberg asked if we currently have an audit process in place to double check the purchases; is there and external audit or supervisory audit?

Ms. Jones replied "yes" and deferred to Mr. Huff.

Mr. Ruller stated there is an annual external audit which does a sampling of all those random procedural controls, then stated Mr. Huff lives and breathes it every day and can explain it better.

Mr. Huff stated there is an annual audit process; the State Auditors are doing our audit right now. This is something that is definitely in the Ohio Compliance supplement, where they pull expenditures in general, but this is an item that is on the supplement's checklist. They are making sure this policy is passed and will be pulling expenditures from this policy that are credit card type purchases to make sure receipts are itemized, we are not paying tax on it, the appropriate people are using them with personal or misuse. Passing this policy is required and if we don't pass this policy, it will be an automatic write-up on the audit as well.

Mr. Kuhar asked if this is going to be a credit card that is going to be paid clear monthly and will it be a card that will have financial rewards.

Mr. Huff further explained this policy two-fold: it is putting everything into writing what we are already doing like with Parks and Recreation and the Fire Department using store types of cards like Lowes. This policy covers those types of cards as well, not just Visa and MasterCard. We are putting into the policy what we are already doing. We are also including a future option for a general purpose credit card – which we do not have right now. That card would be kept in the finance office exclusively and would develop a sign out procedure, documentation that explains the expenditure, purchase order assigned, and stay locked up in the possession of the Finance Department.

Mr. Kuhar went back to his original question about the cards we are using now or we propose to use, if they are paid off monthly so there is no interest accrued and if there is any type of a rewards system, discounts or cash back.

Mr. Huff stated we do not have any general cards that have a reward system right now; we have Lowes, Staples, Giant Eagle...

Mr. Kuhar interrupted stating Lowes has a reward system.

Mr. Huff commented there are some rewards with Giant Eagle, but was not really sure on Lowes' rewards. He agrees with Mr. Kuhar, that we are not going to finance something and let it sit around – it's going to get paid the next month so there shouldn't be any interest issues as long as they are paid on-time, which is the plan.

Ms. Jones added that is we do get any type of cards with rewards, when the Finance Director or the Controller gives their report to Council, they will report the rewards – like sky miles or cash back, etc.

Mr. Kuhar would think we would look for those types of cards.

Ms. Jones agreed.

Mr. Huff stated we would look for a card with no fees and some kind of a reward. We also haven't decided what kind of a limit we are going to put on a general purpose card yet either.

Mr. Kuhar asked if Mr. Huff foresees any current open accounts that we have where they have to perform more laborious paperwork that will all be incorporated into writing one check to the credit card company for those types of purchases.

Mr. Huff replied we could do that, the options are unlimited. The original purpose was to start with low limits and use it for places like Amazon to achieve lower prices, but is may expand into what Mr. Kuhar is saying.

Ms. Wallach referred to the audience.

Ms. Barb Tittle of 909 Middlebury, Kent hoped that someone would check on this more than once a year which only checks a sample, maybe a quarterly check. This seems like something very open to abuse.

Ms. Jones clarified that the department head has to approve the purchase and the employee has to bring back the receipt, then there is a form that has to go to the finance department to sign off on that it was an appropriate charge; so yes, there is a method already in place.

MOTION TO AUTHORIZE THE CITY CREDIT CARD POLICY WITH AN EMERGENCY CLAUSE made by Mr. Kuhar, seconded by Mr. Sidoti, and *CARRIED* by a voice vote of 8-0.

Hearing no further business before this Committee, Chair DeLeone adjourned the meeting at 7:12 p.m.

Tara Grimm, MMC
Clerk of Council

ACTION RECOMMENDED:

- 1) AUTHORIZE THE CITY CREDIT CARD POLICY WITH AN EMERGENCY CLAUSE**

**THE CITY OF KENT, OHIO
HEALTH & SAFETY COMMITTEE
WEDNESDAY, JANUARY 9, 2019**

Chair Jack Amrhein called the meeting of the Health & Safety Committee of Kent City Council to order at 7:12 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner; and Ms. Tracy Wallach.

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Tom Wilke, Economic Development Director; Mr. Brian Huff, Budget and Finance Controller; Ms. Melanie Baker, Public Service Director; Mr. John Idone, Parks and Recreation Director; Mr. Jim Bowling, City Engineer; Police Chief Michelle Lee; Fire Chief John Tosko and Ms. Tara Grimm, MMC, Clerk of Council.

ABSENT: Mr. Michael DeLeone

There was one (1) item on the Agenda.

1. Authorize Police Towing Contract Terms, Rates and Fees

Mr. Ruller explained the Chief has been very patient waiting for this, what the current challenges are with the towing contracts we have, and how over the years there's been a lack of competitiveness in the industry and some of our Code requirements to be eligible to bid on our contract for towing need updating. Chief Lee has found that some of our rates are below market and she is proposing ways to allow other bidders too and is seeking Council's support for these changes.

Chief Lee stated the issues are tri-fold:

1. To raise some of the rates and proposes only two changes currently that are below standard fees for surrounding jurisdictions. She proposes a \$10 increase in basic standard towing fees from \$90 to \$100, and a \$3 increase in storage fees of vehicles from \$12 to \$15.
2. Striking the language in the KCO Section 137.11 requiring a towing company to occupy a tow yard in the City. There are three companies with tow yards within the City now; there used to be 6 or 7 and it was competitive. There have been multiple times the police have had to make requests for tows and none of the three companies are available; they have had to go outside of the tow companies listed and go with an outside agency from places like Streetsboro, Brimfield or Ravenna; therefore, we are not abiding by our own ordinance. There are a couple of tow companies here tonight who may want to speak on this.
3. Revising KCO Section 356.02 "Impounding of Vehicles on Public Property". We already have limited parking for our employees and this change would allow us to tow before ticketing even happens on City property. We've noticed in the police department parking lot, there are numerous times a vehicle has been ticketed, then they are either not paying their tickets or we have not had the opportunity to catch them. We need to be able to have the ability, on the 1st violation, to tow immediately. With mostly student housing around us, we are noticing that most of the violators are students parking in the lot. We will get a new group of violators every semester, every year.

Mr. Sidoti was curious how many vehicles we tow a year?

Chief replied 1,200 - 1,500.

Mr. Sidoti stated that it makes sense what she is suggesting and asked if there will be new signage to let people know they will be towed immediately.

Chief Lee stated “yes” and will be in addition to the current signage we have at both entrances to the police parking lot.

Ms. Wallach assumed that the language for using towing companies with lots in Kent were to utilize the businesses in Kent. It looks as if all the businesses were in Kent, except Bakers Towing. She then questioned if we can say that we will try the local businesses first, and then if they are not available, we can go to an outside company.

Chief Lee replied “Sure, we could do that.” What they are finding is there has been a couple companies, not necessarily operating out of the City, but have to have a tow yard within the City.

Ms. Wallach realizes this.

Chief Lee continued that we can go to the three that currently operate out of the City first, then certainly go on from there.

Ms. Shaffer commented on how we pay the towing company to tow and then when somebody goes to get their car out, they pay the towing company.

Chief Lee stated “No”, we do not. If it is a City property or police tow we call these companies first and we do not pay them anything.”

Ms. Shaffer then asked if we don’t pay them anything, is this just what they are allowed to charge then.

Chief Lee stated she was correct, however those costs don’t exist on a private tow; so if someone breaks down and calls for a tow, the tow company can charge the state max or minimum charge.

Mr. Kuhar asked who the three companies are now.

Chief Lee listed: Plaza, Bakers and City Service Towing.

Mr. Kuhar asked about Marlborough Towing.

Chief Lee stated no as they are in Brimfield.

Mr. Kuhar asked for clarification about towing without a ticket. If he were to park in the City yard on Columbus and left his car overnight, he would get towed away.

Chief Lee believes there is allowable 24 hour parking in that particular lot.

Mr. Kuhar said what about a 10 hour spot parked overnight.

Chief Lee stated generally there would have to be a ticket first. A 2nd violation would then prompt the allowable tow.

Mr. Kuhar asked about companies he personally called that are not doing private towing anymore; they are only doing municipal towing. He had to recently pay someone to come from Akron to tow him to Ravenna.

Chief Lee was not aware of that and we do not deal with them as a private tow company.

Mr. Kuhar asked then how someone could come from Akron and tow him to Ravenna for only \$68. Another guy who couldn’t come for almost 4 hours was going to charge him \$85 and he was *in* Ravenna. Why is \$100 then a reasonable fee?

Chief Lee was surprised he only paid \$68 and stated we checked with Streetsboro, Ravenna, Brimfield, and surrounding areas, but not Akron, and they were all between \$90 and \$125. She believes the State minimum is \$95, so the \$68 Mr. Kuhar was charged was a pretty good deal.

Ms. Wallach assumed that if someone does not come to pick up their car, then the towing company is responsible for it when it is left in their yard.

Chief Lee replied yes, and there are storage fees incurred for it starting at every 12 hours then every 24 hours thereafter.

Ms. Wallach asked if the car is abandoned it is not the City's responsibility, but the towing companies.

Chief Lee stated she was correct. The salvage companies, after 30 days, can file for a salvage title to be generated and we help them with that paperwork. Tom from Plaza and also Bakers does a lot of salvage titles; after 30 days it is considered abandoned under state law and then we can help issue them a salvage title to be taken to the BMV to be transferred into the towing companies name to offset their losses.

Ms. Shaffer asked how somebody knows their car has been towed and where, and what kind of signage is on City lots that might explain the process.

Chief Lee stated that because of the Ordinance, they keep a rotational list of the three companies with dispatch so when a tow is needed, they go to the next available person on that list. Dispatch reports back what type of vehicle, license plate and information to the tow company. So when someone comes to look for their car when they notice it is missing, dispatch has the information and where their car can be found.

Mr. Kuhar asked if it is true on a private property tow it has to be posted and have the name and way to reach the towing company on the signage.

Chief Lee stated yes and that is specific to businesses and apartment complexes; residences are not included in that. We deal with apartment complexes and businesses like strip malls and if they contract with a towing company, they have to have those signs posted. If they have not contracted with a tow company, she does not think a tow company will come to the property and tow from there as it is too much liability on the tow company if something is not signed properly.

Mr. Amrhein asked if anyone from the audience wished to speak.

Mr. David Moore of 215 Bowman Dr. Kent, and on behalf of Plaza Towing doesn't agree with the rate. To buy a tow truck today cost \$100,000 for a flat bed, add a driver, fuel, wear and tear. He proposed \$135 fee for towing and \$20 a day for storage. He has towed 15 cars last month and still has 5 in storage. He might only receive \$200 when he's done. He has to store the cars on his lot for 30 days, then wait for the police to generate the title, which is roughly another 30 days, so the car sits there for 60 days and isn't doing the company any good; they are losing money. He would also like to see their allowed response time changed from 15 minutes to 20 minutes during the day with trying to get through the City of Kent with all the new buildings, students etc.; at night he'd like to see it increased to half an hour. They have to get up, dressed, warm up the tow truck, and they have no idea what conditions they are going to be driving in, especially if it is winter. They're not involved in private property towing. He has no other problems with any of the issues Chief spoke about as far as the lots. Mr. Moore added that he agreed with having a secondary list for towing companies, but is concerned with someone coming from Ravenna. Currently he charges \$4/mile within the city limit; an outside company coming from 12 miles away just made an extra \$50 in mileage to come into the City of Kent. He's paying taxes on his property in Kent and they are not paying anything and laughing all the way to the bank.

Ms. Shaffer questioned all the other prices on the ordinance; does the company typically do add-ons to the prices?

Mr. Moore replied how flatbeds, sometimes; they do not get a lot of winching add-ons and maybe only get an extra \$100 for it with 2 people out there; a flatbed wrecker doesn't hold the ground as well for winching

like a regular tow truck. When dispatch calls them, everybody thinks a flatbed wrecker is a cure-all. If a vehicle has two good tires on it, it can be towed with a sling truck and doesn't need a flatbed, but they automatically call for a flatbed. Rates should go up all the way across the board. An average tow company splits their costs in half to \$2,000/month to operate for the City. He doesn't feel the ordinance on tow yards should be changed.

Ms. Wallach asked if there is any problem raising the rates to the request and the time to their requests.

Chief Lee stated the response time Mr. Moore spoke of is not in the Ordinance; it is an internal policy from the police department above and beyond what the Ordinance states. They have response times during the day and the evening as Mr. Moore stated, because they were calling the tow companies and waiting 45 minutes to an hour, which is unacceptable. We could have called somebody else and had a quicker response as there may be officers sitting out behind vehicle, could be an arrest, all jamming up traffic. Imagine the intersection of Haymaker and Water and waiting 45 minutes for a tow truck to arrive. They have made the response time reasonable for the time of day. She doesn't have a problem raising the time as the City is different now, but she can do that internally and is not a problem.

Ms. Wallach reiterated if there was any issues as far as the rates go with raising them up to \$135.

Chief Lee didn't care how much they charge, as long as we stay within the State amounts, but we will be higher than anyone else in the area. Ms. Jones did a survey and the \$100 was median.

Ms. Wallach asked if we can split the difference then for the increase in tows and the increase for the 24 hour storage. She wanted to raise it to \$125 for towing and to \$20 for storage fees.

Ms. Shaffer commented that the flatbed truck was mentioned as the big expense and sounds like there is a communication issue that could be clarified with the dispatchers or people who call for the towing company.

Chief Lee explained that this has been around for years and years and it is hard for Officers to figure out what damage has been caused underneath a vehicle, depends on if it is front or rear wheel drive, the capabilities and experience of a tow truck operator; it is hard for Officers to tell as they are not mechanics. If it ends up both axles are busted, the tow truck driver then has to turn around and go get the flatbed anyway.

Mr. Sidoti asked if Chief Lee thinks by increasing the rates if we are going to increase competition and therefore get better response times and be able to get trucks out there.

Chief Lee stated it was a good question and doesn't know. Mr. Moore was correct in stating it is an expensive business and a long recoup process. Some police departments do not do salvage titles. We did it back in the 70's and 80's, stopped doing it for a couple decades, and then started again. The State of Ohio does not require us to do it and we did it to help our local towing companies. It is a pain to go through the BMV to file the correct paperwork. She really doesn't know if it would generate competition.

Mr. Sidoti questioned when the last time was we increased the daily rate because to him, it appears to be something they would have done back in the 80's.

Chief Lee knows the Ordinance was revised in 2014, but believes that revision did not reflect the storage fees.

Mr. Moore believes the rate was increased from \$10 to \$12 for storage fees in 2014.

Ms. Rosenberg asked if we increase the rate, and after doing the research on the fees, would we be the most expensive City in our area to have our car towed?

Chief Lee and Ms. Jones did not remember who was the highest.

Ms. Rosenberg was concerned that going beyond Chief Lee's recommendation. For people coming here, it would be more expensive, plus the \$4/mile, it could add up really fast and we could quickly become the most expensive City in the area if your car is towed.

Ms. Jones did not feel the \$125 and \$20 was going to put us out of the range.

Mr. Kuhar asked if someone gets in an accident and they have AAA, and they are not our contracted AAA, can they use their own tow or do they have to have someone else?

Chief Lee stated it depends on the criticalness and seriousness of the tow. AAA is often not local and may be out of Akron or Youngstown. They are going to have to use whoever is on our rotation. AAA used to be with City Service Towing but is unsure if they still are.

Mr. Kuhar clarified he was speaking of any motoring club, not just AAA. What if it is a snowy night and people are having accidents all over town and then there is a serious one on Main Street and the three local companies are busy, then what would Chief do?

Chief Lee stated they would then go outside of those companies, maybe Marlborough which is closest to the City but not in the City limits, and there are two others we would like to extend our contracts to, one in Ravenna and the other in Streetsboro.

Mr. Kuhar asked about a car being towed to a salvage lot and the City provides a salvage title for that vehicle, what happens to the car lien holder?

Chief Lee commented how that is a good question for the tow companies, but believes the tow companies have to take care of it.

Mr. Moore stated the lien holder gets notified, who is also the titled owner, then there is a fee to come and get the car. If they don't come to get the car, once he receives the salvage title, the car is scrapped. The process to get a car to be able to resell it has to be done through the State Highway Patrol and is expensive and not worth it.

Mr. Kuhar summarized by asking "so they either pay up, negotiate or it goes to the scrap yard?"

Mayor Fiala commented how we keep talking about going out of the City, when Chief Lee talks about calling the three tow companies that are within the 9 ½ miles of the City of Kent, what happens if we expand the zip code and include the one in Brimfield?

Chief Lee stated that is what she is proposing is having the ability to do just that. The Ordinance, which was provided to Council in their packets, would strike the language now that states under 137.11 "Motor Vehicle Towing", it is (B). Letter "B" would be stricken so an adequate storage area would not have to be maintained within the City limits.

Mayor Fiala felt this is a good thing to pick up another company.

Chief Lee added that if we don't, she doesn't want to say we are stuck, but we are limited to the three companies that operate here in Kent and they could fall out, end their business, then we would be down to two or one company. We need to give ourselves more options.

Ms. Wallach asked if we were going to put language in that states we are going to do the in-town companies first.

Chief Lee stated it can either go in the Ordinance or it can be included in the internal policy.

Ms. Wallach would like to see it put in the Ordinance.

Mr. Sidoti asked for clarification on the towing company getting a hold of us after 30 days, then police release the vehicle to allow it to be titled through the registrar; is that what happens?

Chief Lee stated we do not necessarily release the vehicle.

Mr. Sidoti commented how the police department does not have the power to title the car.

Chief Lee replied "No, but we file the necessary paperwork for the BMV to do that. We fill out the paperwork and provide it to the tow companies and they take it to the BMV."

Mr. Sidoti asked if then the BMV titles it to the tow company.

Chief Lee stated he was correct.

Mr. Moore explained the process from his seat in the audience from the towing companies view, but it is inaudible as he did not use the microphone.

Mr. Sidoti asked, once the salvage title is issued by the police, in essence the ownership of the vehicle goes to the tow company and who then owns the vehicle and they could sell it?

Chief Lee replied that the original owner, whether it is a lien holder, has to give up their rights to that vehicle. The towing company has to take the paperwork to the BMV and put the vehicle in their name and sell it or crush it.

Mr. Kuhar asked if this is for all vehicles that get towed to the impound lot or just ones that are illegally parked. Is it the same for a crashed vehicle?

Chief Lee stated it is the same thing. She believes they have done salvage titles for police towed vehicles, not from private property. Sometimes it is just students who can't afford to pay the ticket and tow, sometimes the person is in the hospital or jail and just do not have the money as the storage fees keep incurring and incurring. Sometimes the fines are more than what the car is worth.

Ms. Shaffer asked what the recourse is for someone in poverty.

Chief stated sometimes fees have been forgiven, or forgiven a tow, or worked with the tow companies to see what they would like to do. The companies can relay information better on those types of circumstances better than she can. They have settled and looked for an in-between. There are times where we've had vehicles towed to the City lot v. a private lot so they can settle with an owner by forgiving or cutting in half so they can recoup their vehicle.

Mr. Amrhein asked if he could refer back to the audience.

Mayor Fiala stated he could since no Motion had been made yet.

Ms. Barb Title of 909 Middlebury Rd., Kent understands towing companies needing to recoup their costs, as well as costs being raised as a punitive nature for people who park illegally, but for those whose car is towed in an accident that was not their fault because police won't wait for AAA, they would have to pay these punitive fees when they weren't doing anything wrong; that is something to consider as well.

Mr. Sidoti commented on how in that scenario, if an accident were to occur and it was not his fault, wouldn't his insurance company pay for his tow?

Multiple people responded "Yes."

Mr. Kuhar had another question.

Mr. Amrhein stated this has gone on way to long and allowed Mr. Kuhar one more comment.

Mr. Kuhar asked that if in an accident tow, doesn't the owner have the option of where the car is towed such as their home or a garage.

Chief Lee stated they provide the call for the tow for them, but where the car is towed to is a private agreement between that driver and the tow company.

Mr. Kuhar added that normally the type of tow that ends up in the impound lot is a type of violation.

Chief Lee replied "Generally."

There were no further questions or discussion from Council or the audience.

MOTION TO AUTHORIZE POLICE TOWING CONTRACT TERMS, RATES & FEES BY USING THE IN-TOWN BUSINESSES FIRST, INCREASING RATES FROM \$90 TO \$125 FOR TOWING, INCREASING RATES FROM \$12 TO \$20 FOR IMPOUND STORAGE, STRIKE LANGUAGE IN KCO SECTION 137.11 REGARDING TOWING COMPANIES MAINTAINING AN IMPOUND LOT WITHIN THE CITY, AND REVISE KCO SECTION 356.02 TO ALLOW TOWING ON FIRST OFFENSE, WITH AN EMERGENCY CLAUSE made by Ms. Wallach, second by Mr. Ferrara

Mr. Kuhar stated he is not going to vote on it because he wants to see everything redrafted before he votes.

Ms. Shaffer is going to reluctantly vote for the Motion. She understands our city businesses want fair pricing to be competitive, but she is concerned about proper signage and asks for assurance that if someone is going to be towed from a City property that we have good signage so people know what the consequences can be as part of the internal policy.

Chief Lee stated signage is a different part of the Ordinance 356.02.

Ms. Jones stated that as the lawyer for this City, if this Ordinance passes, she would ask the City to make signs that are compliant with the signs that private businesses are required to put up so people know who to call and where to go. We may have to choose one particular company to do all the towing off of City parking lots to comply with the revised code that specifically states where the vehicle is and can be retrieved from and if it is Council's direction, she can work with Ms. Baker's department to ensure our signs are compliant.

MOTION CARRIED by a voice vote of 7-0-1 with Mr. Kuhar abstaining.

Hearing no further business before this Committee, Chair Amrhein adjourned the meeting at 7:53 p.m.

Tara Grimm, MMC
Clerk of Council

ACTION RECOMMENDED:

- 1) **AUTHORIZE POLICE TOWING CONTRACT TERMS, RATES & FEES BY USING THE IN-TOWN BUSINESSES FIRST, INCREASING RATES FROM \$90 TO \$125 FOR TOWING, INCREASING RATES FROM \$12 TO \$20 FOR IMPOUND STORAGE, STRIKE LANGUAGE IN KCO SECTION 137.11 REGARDING TOWING COMPANIES MAINTAINING AN IMPOUND LOT WITHIN THE CITY, AND REVISE KCO SECTION 356.02 TO ALLOW TOWING ON FIRST OFFENSE, WITH AN EMERGENCY CLAUSE**



Sidewalks

- What we heard
 - Want complaints addressed faster
 - On-call sidewalk replacement desired
 - More spot replacements, where appropriate
 - More public education on sidewalks requirements and the process
 - **Better Overall sidewalk condition**





Sidewalks



- Brief Review

- 521.06 DUTY TO KEEP SIDEWALKS IN REPAIR AND CLEAN.
 - All walk issues are the responsibility of the property owner
- 1994 Council Motion establishing discounts
 - Tree/home owner occupied/low income
- Most time intensive part of the street and sidewalk program



Sidewalks

- Changes Evaluated
 - Overall City-wide Evaluation
 - Comprehensive Evaluation: +/- \$50,000
 - **Internal Review**
 - **2" and greater trip hazards**
 - Temporary Repairs by Central Maintenance
 - Tree City Bulletin Article





Sidewalk Program Goals



	Maximize Owner Discounts	Cost Effective Program	Management Benefit to Owners	Neighborhood Impact	Complaint/ Owner Directed
Current Sidewalk Program					
Option?					
Option?					



: Meets Goal



: Neutral to Goal



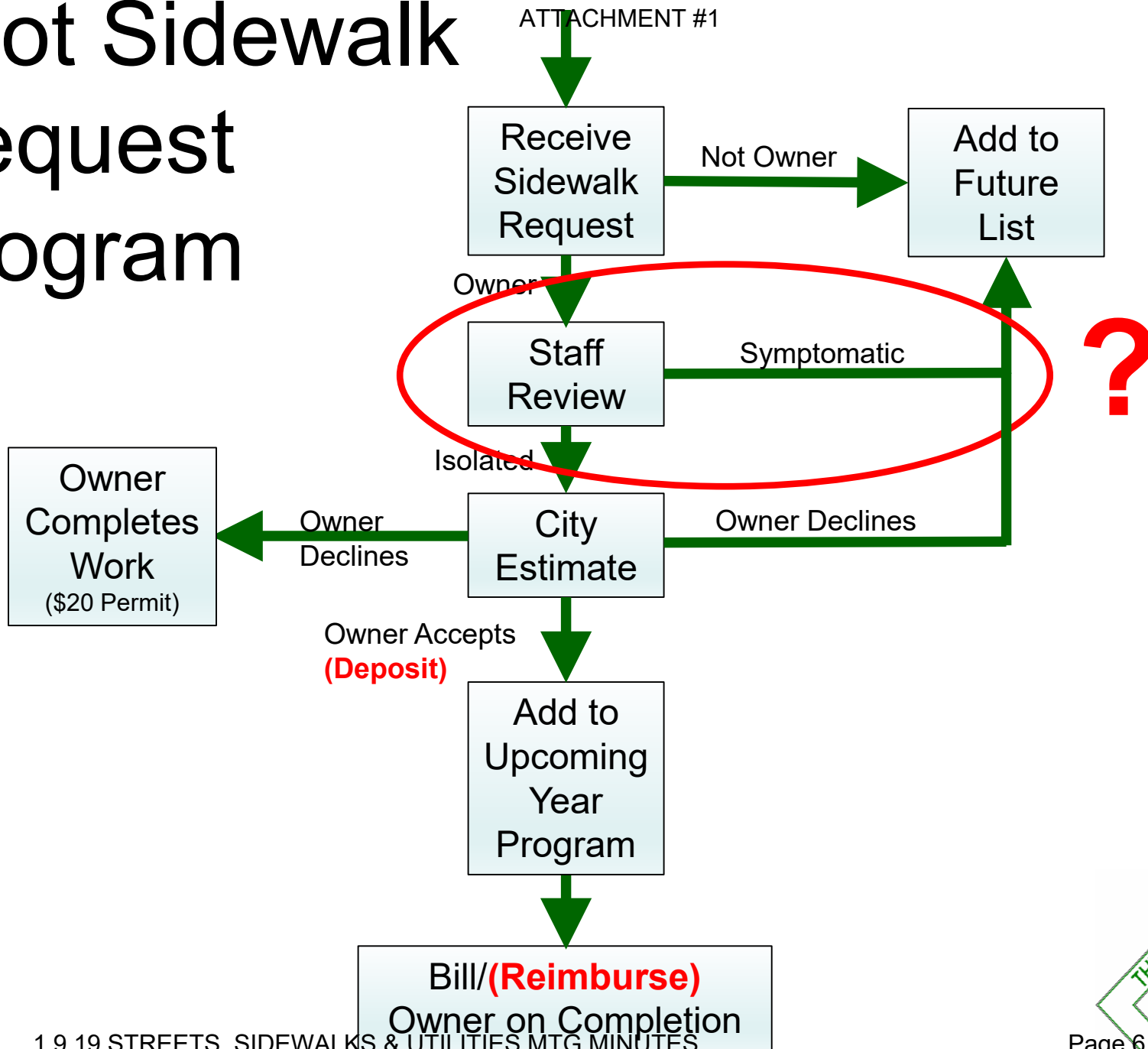
: Fails to meet Goal



Option 1 - Pilot Sidewalk Request Program

- Property Owner Directed
- Responsive: Repair to be included in next contract bid
- Maximum Pilot Program Budget
- City Management
 - Bulk Discount Benefit
 - Mobilization/Restoration not charged/charged?
- No Owner Discounts
- 1 Property per owner/year

Pilot Sidewalk Request Program



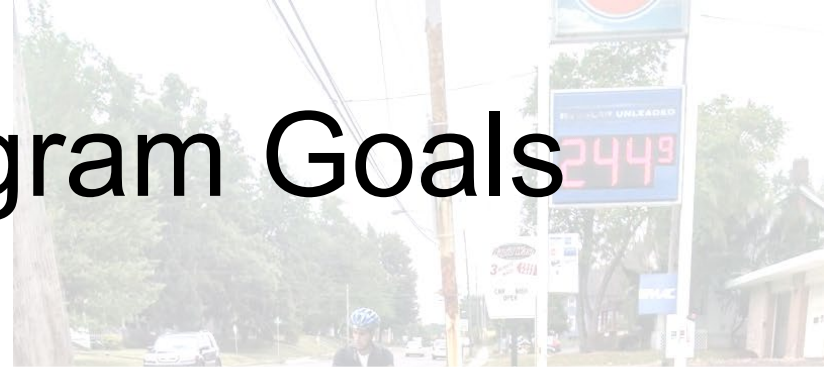


Option 1 - Pilot Sidewalk Request Program

- Measures of Success
 - # of complaints addressed
 - % of owners who used program
 - Public's response to program
 - Costs per Sq. Ft.
 - Management Time



Sidewalk Program Goals



	Maximize Owner Discounts	Cost Effective Program	Management Benefit to Owners	Neighborhood Impact	Complaint/ Owner Directed
Current Sidewalk Program					
Sidewalk Request Program					
Option 2					



: Meets Goal



: Neutral to Goal



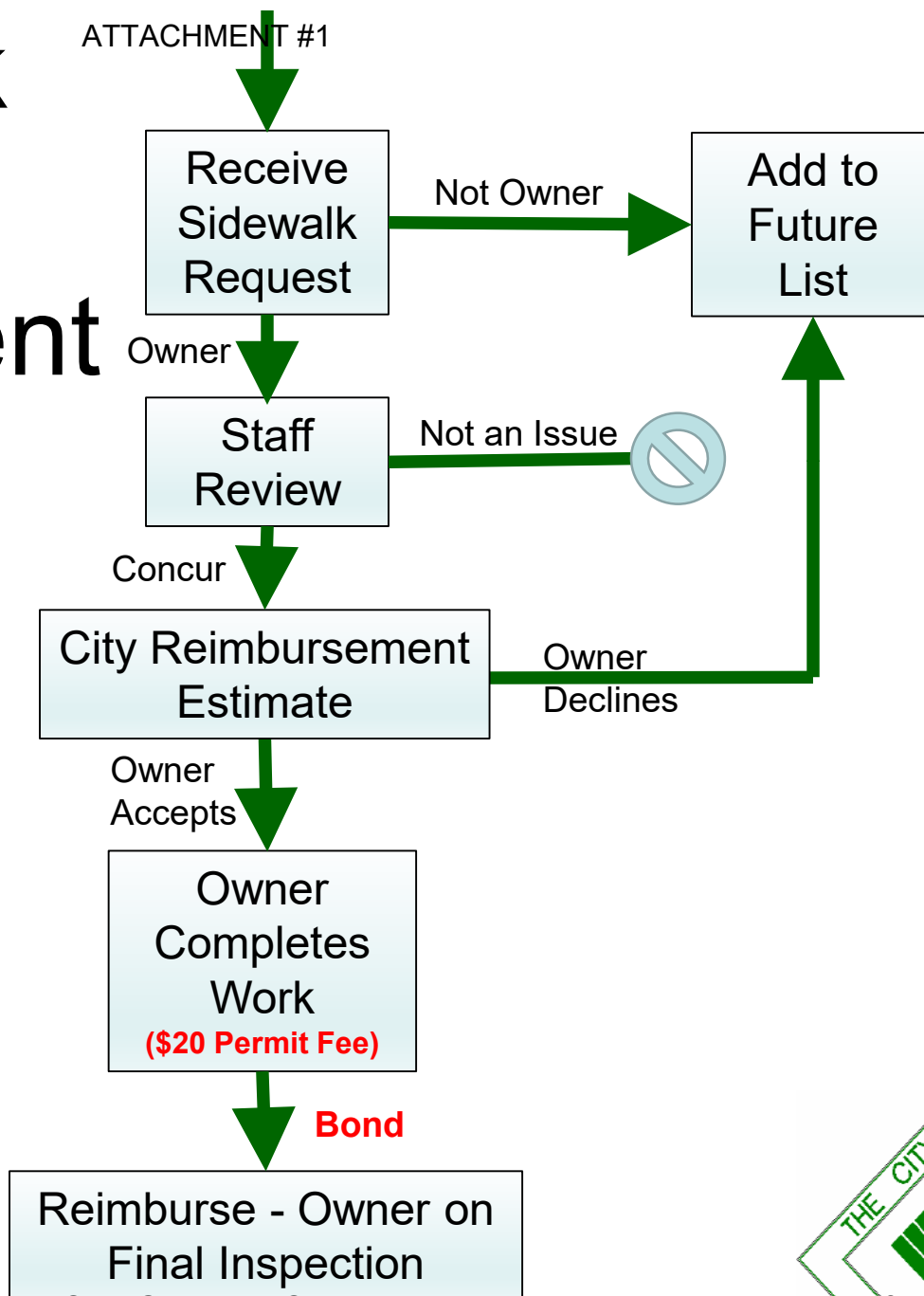
: Fails to meet Goal



Option 2 - Pilot Sidewalk Owner Reimbursement Program

- Property Owner Managed
- Responsive: Can be done as fast as property owner desires
- Maximum Pilot Program Budget
- Owner Discounts apply
 - Square Foot Costs from previous program used
- 1 Property per owner/year

Pilot Sidewalk Owner Reimbursement Program





Option 2 - Pilot Sidewalk Owner Reimbursement Program

- Measures of Success
 - # of complaints addressed
 - % of owners who used program
 - Public's response to program
 - Management Time



Sidewalk Program Goals

Pilot Programs Budget - \$30,000

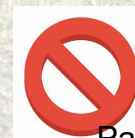
	Maximize Owner Discounts	Cost Effective Program	Management Benefit to Owners	Neighborhood Impact	Complaint/ Owner Directed
Current Sidewalk Program					
Sidewalk Request Program					
Sidewalk Owner Reimburse- ment Program					



: Meets Goal



: Neutral to Goal



: Fails to meet Goal



Sidewalks

- What we heard
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 - On-call sidewalk replacement desired
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 - **Better Overall sidewalk condition**





Sidewalks

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- 521.06 DUTY TO KEEP SIDEWALKS IN REPAIR AND CLEAN.
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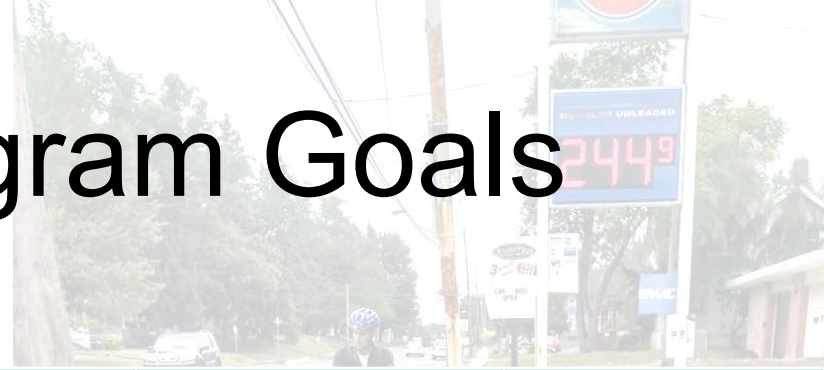
Sidewalks

- Changes Evaluated
 - Overall City-wide Evaluation
 - Comprehensive Evaluation: +/- \$50,000
 - **Internal Review**
 - **2" and greater trip hazards**
 - Temporary Repairs by Central Maintenance
 - Tree City Bulletin Article





Sidewalk Program Goals



	Maximize Owner Discounts	Cost Effective Program	Management Benefit to Owners	Neighborhood Impact	Complaint/ Owner Directed
Current Sidewalk Program					
Option?					
Option?					



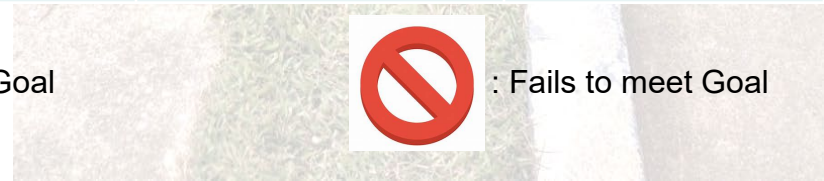
: Meets Goal



: Neutral to Goal



: Fails to meet Goal

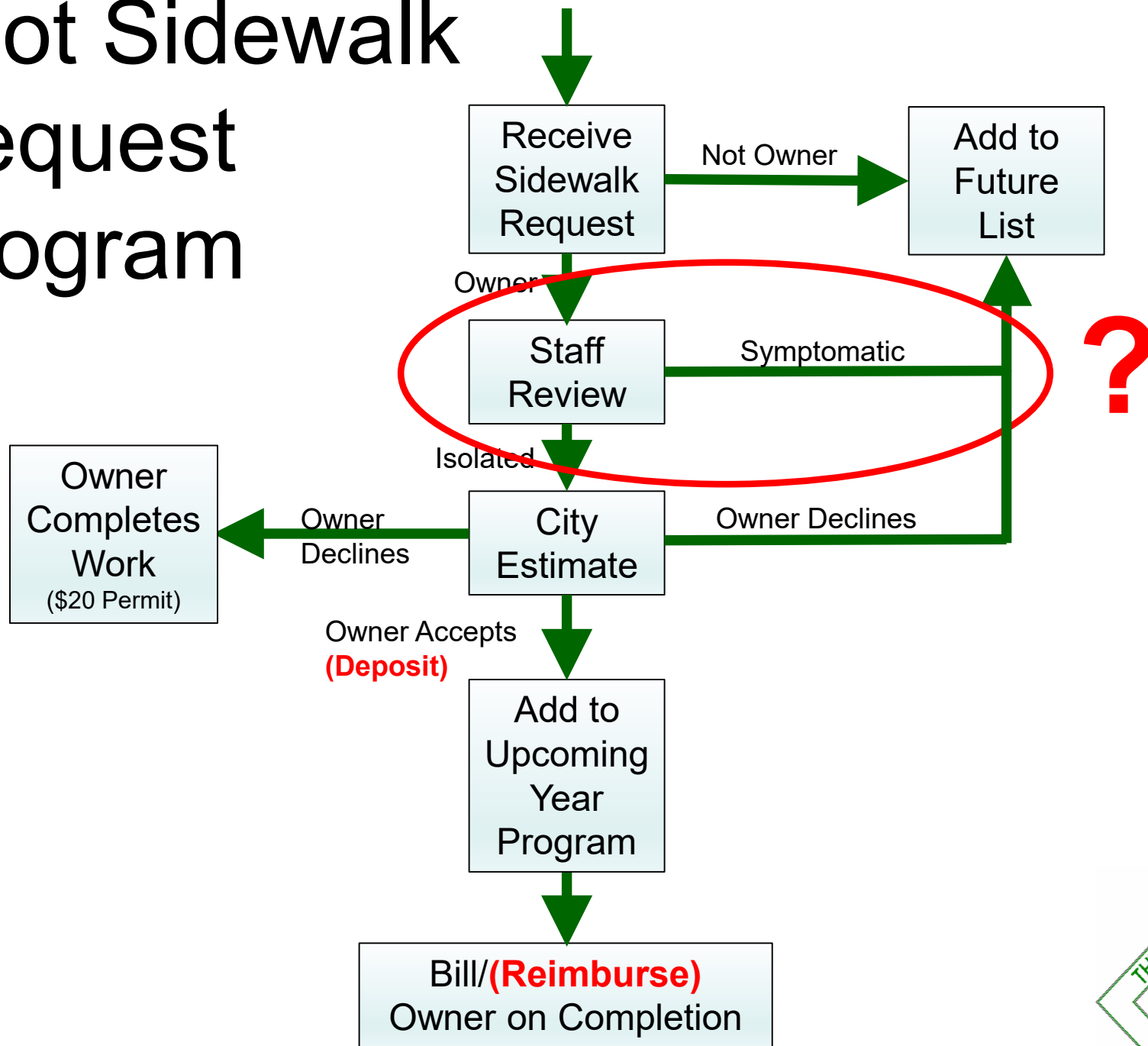




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Pilot Sidewalk Request Program





Option 1 - Pilot Sidewalk Request Program

- Measures of Success
 - # of complaints addressed
 - % of owners who used program
 - Public's response to program
 - Costs per Sq. Ft.
 - Management Time



Sidewalk Program Goals



	Maximize Owner Discounts	Cost Effective Program	Management Benefit to Owners	Neighborhood Impact	Complaint/ Owner Directed
Current Sidewalk Program					
Sidewalk Request Program					
Option 2					



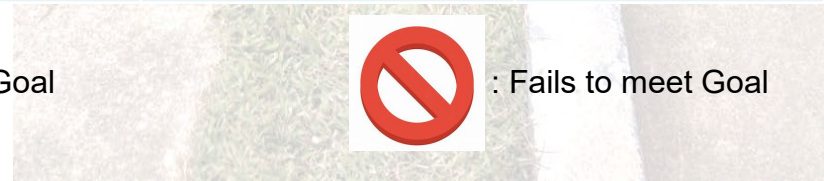
: Meets Goal



: Neutral to Goal



: Fails to meet Goal

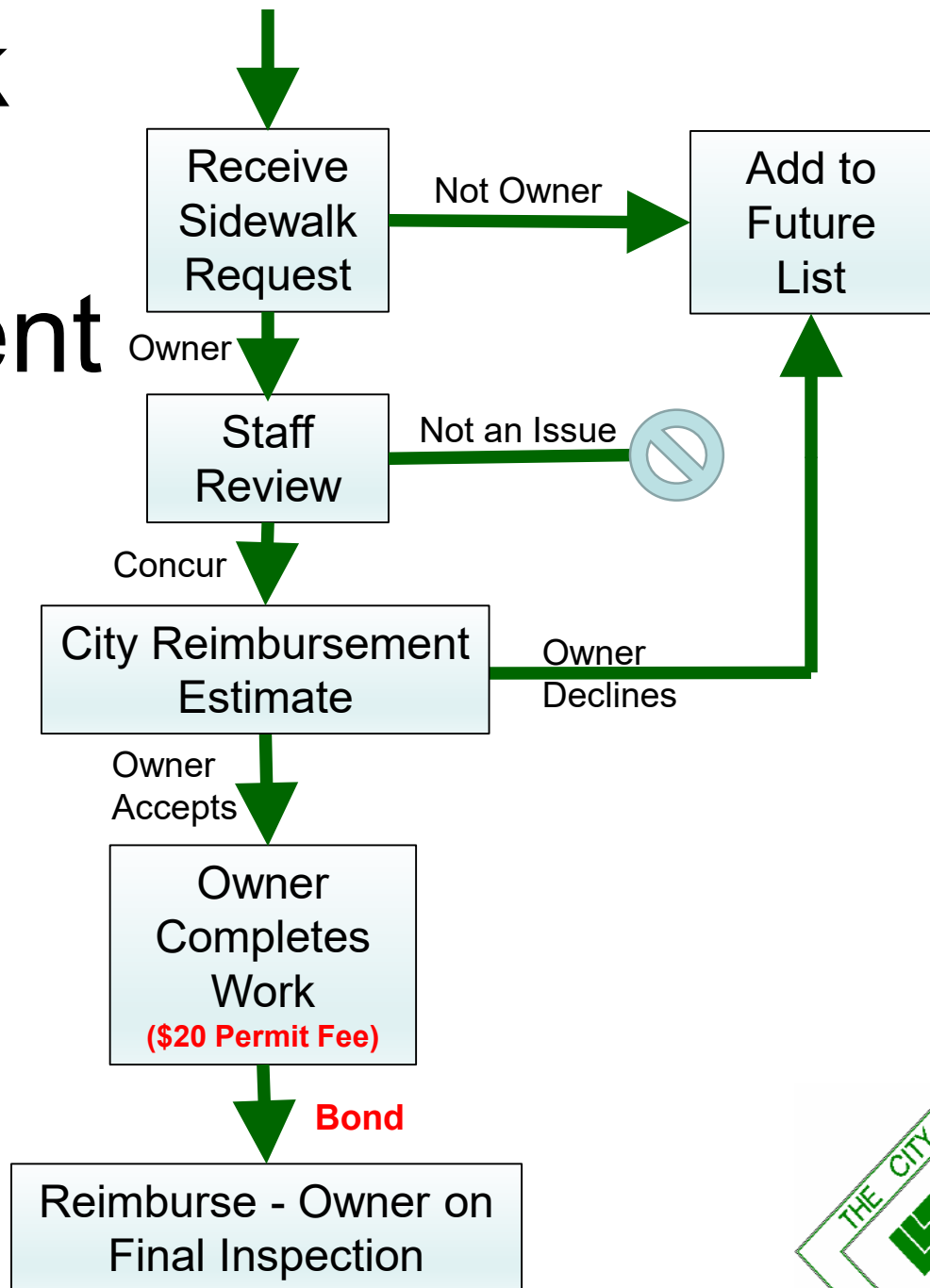




Option 2 - Pilot Sidewalk Owner Reimbursement Program

- Property Owner Managed
- Responsive: Can be done as fast as property owner desires
- Maximum Pilot Program Budget
- Owner Discounts apply
 - Square Foot Costs from previous program used
- 1 Property per owner/year

Pilot Sidewalk Owner Reimbursement Program





Option 2 - Pilot Sidewalk Owner Reimbursement Program

- Measures of Success
 - # of complaints addressed
 - % of owners who used program
 - Public's response to program
 - Management Time



Sidewalk Program Goals

Pilot Programs Budget - \$30,000

	Maximize Owner Discounts	Cost Effective Program	Management Benefit to Owners	Neighborhood Impact	Complaint/ Owner Directed
Current Sidewalk Program					
Sidewalk Request Program					
Sidewalk Owner Reimburse- ment Program					



: Meets Goal



: Neutral to Goal



: Fails to meet Goal