AGENDA

7:25 P.M. BOARD OF CONTROL

7:30 P.M. REGULAR COUNCIL

1. Roll Call
2. Opening Remarks and Pledge of Allegiance (Mr. DeLeone)
3. Approval of Minutes
   3.1 Regular City Council Meeting of February 19, 2020
4. Communications
   4.1 Audience Remarks (Visitors wishing to address Council please sign up with the Clerk of Council prior to start of the meeting; limited to three (3) minutes)
   4.2 Written Communication (All placed on file in the Clerk of Council’s office)
      4.2.1 Civil Service Commission Agenda for February 24, 2020 was received on February 20, 2020.
      4.2.2 Planning Commission Agenda and Staff Report for March 3, 2020 was received on February 25, 2020 and the Agenda and Staff Report for March 17, 2020 was received on March 10, 2020.
      4.2.3 Standing Rock Meeting Minutes from February 13, 2020 were received on February 26, 2020 and the Agenda for the March 12, 2020 meeting was received on March 5, 2020.
4.3 City Manager’s Report

5. Standing Committees & Legislation

   5.1 Committee of the Whole (Mayor Fiala)
      5.1.1 Committee Meeting Minute Approval: None
      5.1.2 Action Recommended: None

   5.2 Community Development (Kuhar/Rosenberg)
      5.2.1 Committee Meeting Minute Approval: March 4, 2020
      5.2.2 Action Recommended: None
5.3 Streets, Sidewalks and Utilities (Sidoti/Wallach)

5.3.1 Committee Meeting Minute Approval: March 4, 2020

5.3.2 Action Recommended:
1) Authorize the lighting agreement for Burbick Way
2) Authorize the City-KSU E. Main Street Project Agreement.
3) Authorize the new street closure request for the 2020 Craft Brew Fest.

5.3.3 Draft No 2020-17  AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT WITH CITY OF KENT, OHIO (CITY), MAIN STREET KENT (MSK), PAUL A. & SUSAN K. BRAYDEN (BRAYDEN) AND ARTHUR PROPERTY MANAGEMENT LLC (APM) TO ALLOW MSK TO INSTALL OVERHEAD STRING LIGHTING ON BURBICK WAY NEAR SOUTH WATER STREET, AND ALSO ENTER INTO A LICENSE AGREEMENT WITH MSK TO PERMIT THE USE OF THE RIGHT-OF-WAY FOR THE PURPOSE OF PROVIDING DECORATIVE OVERHEAD LIGHTING, AND DECLARING AN EMERGENCY. (Authorized)

5.3.4 Draft No 2020-18  AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO CONTINUE THE EAST MAIN STREET IMPROVEMENTS AGREEMENT BETWEEN THE CITY OF KENT, KENT STATE UNIVERSITY AND PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY (PARTA) AND BEGIN THE NEXT PHASE OF THE PROJECT DESIGN PROCESS, AND DECLARING AN EMERGENCY. (Authorized)

5.3.5 Draft No 2020-19  AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE A NEW SPECIAL EVENT APPLICATION FROM THE KENT JAYCEES KNOWN AS “2ND ANNUAL KENT CRAFT BEER FEST” TO BE HELD ON SATURDAY, MAY 16, 2020, AND THE TEMPORARY CLOSURE OF FRANKLIN AVENUE FROM MAIN STREET TO WEST COLLEGE AVENUE, AND DECLARING AN EMERGENCY.

5.4 Land Use Committee (Ferrara/Schafer)

5.4.1 Committee Meeting Minute Approval: NONE

5.4.2 Action Recommended: NONE

5.5 Health & Safety Committee (Amhrein/Sidoti)

5.5.1 Committee Meeting Minute Approval: NONE

5.5.2 Action Recommended: NONE

5.6 Finance Committee (DeLeone/Wallach)

5.6.1 Committee Meeting Minute Approval: March 4, 2020
5.6.2 Action Recommended:
1) Accept and allocate the ODNR hike and bike trail grant funds
2) Authorize the acceptance and appropriation of the NOPEC grant funds
3) Authorize the proposed loan forgiveness
4) Approve the 2020 budget appropriation amendments

5.6.3 Draft No 2020-20 AN ORDINANCE ACCEPTING A GRANT FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) 2019 RECREATIONAL TRAILS PROGRAM (RTP) GRANT IN THE AMOUNT OF $150,000 TO BE USED TO FUND THE BRADY’S LEAP SEGMENT OF THE PORTAGE HIKE AND BIKE TRAIL, AND DECLARING AN EMERGENCY. (Authorized)

5.6.4 Draft No 2020-21 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SECURE NOPEC GRANT FUNDS THAT ARE AVAILABLE TO THE CITY (UP TO $65,500.00) TO USE FOR ENERGY SAVING RELATED INVESTMENTS, AND DECLARING AN EMERGENCY (Authorized)

5.6.5 Draft No. 2020-22 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO FORGIVE FORMER HOUSING REHABILITATION LOANS IN THE AMOUNT OF $16,386.00 THAT HAVE BEEN UNABLE TO BE SECURED THROUGH LEGAL REMEDY AND ARE NO LONGER DEEMED PRACTICAL TO RECOVER FOR THE PROPERTY AT 1501 FRANKLIN AVENUE; AND DECLARING AN EMERGENCY. (Authorized)

5.6.6 Draft No. 2020-23, AND DECLARING AN EMERGENCY. (Authorized)

5.6.7 Draft No. 2020-24 AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF $1,596.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM THE KENT JUNIOR MOTHERS CLUB FOR THE PURCHASE OF PLAYGROUND EQUIPMENT FOR THE PLAYGROUND AT PLUM CREEK PARK, AND DECLARING AN EMERGENCY. (Unauthorized)
6. Unfinished Business

7. New Business

8. Councilmembers' Comments

9. Mayor's Report

10. Adjournment

Posted: March 11, 2020
Amy Wilkens, Clerk of Council
Visit http://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 any 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.
City Council Regular Meeting Minutes
Wednesday, February 19, 2020
New City Hall Work Session
Public Hearing

City Hall Work Session:

At 7:00 p.m. Mayor Fiala introduced Melanie Baker to share the floor plans of the New City Hall building. (Attachment #1) Over the past two and a half months, she has met with all staff and managers for their input. Adjustments have been made to reduce spaces, the number of conference rooms and size in order to make sure it was the best that could be done.

Ms. Baker reviewed the site plan and parking spaces. There will be 55 parking spaces, which is exactly what is out there now. Reviewing staff that will be moving to the new building and any new positions and there will be plenty of room for visitors. In the future Day Street can be used in some capacity if expansion is needed.

First Floor: Able to walk into building from Haymaker and Water Street to a nice open lobby. Located on this floor is utilitarian space for storage, mechanical room and a staff kitchen. To the right will be Council Chambers. There will be an executive conference room to use for Executive Sessions and a small office for Council to use to meet with residents.

Security of the first floor has been brought up by some and will be managed with “mechanical” options such as cameras, motion detectors and an office on first floor (possibly for a nonprofit, a staff member, Main Street Kent, etc.). There are a lot of options for this office space. There is a community meeting space for groups from the community to utilize (boy scouts, girl scouts, open house for area schools, businesses and residents).

Storage is very important due to records retention for HR, Law and Finance. This space will hold what currently have and will be room for expansion. IT, mechanical and electrical all have space on this ground level.

Mr. Kuhar asked about the size of the generator building.

Nancy Nozik from Brandstetter Carroll, Inc. answered by saying it has not yet been determined if the generator will be used for light safety purposes only or big enough to power the Finance department. On the plans, it is a placeholder right now and as we know the actual usage, the size will be determined. Melanie Baker referred to the Police Department generator which is the entire length of the jail.

Second Floor: This level is open down to the first floor and you will enter off the parking lot in from the rear of the building. There will be sign at the entrance and near the entrance will be the Civil Service office and public restrooms. There will be a glass window where residents can pay their bills or meet with staff about their income tax. The entire wing is dedicated to the Finance Department with an open space with tax counter, billing counters, space for expansion, accounts payable, accounts receivable, payroll clerk, and a conference room for meetings and auditor visits. The Finance Department chose an open floor plan so they will have to ability to talk to one another.

Mr. Kuhar asked if the section off the lobby will be a railing look over or a glass wall.
Ms. Baker said as of now it is a railing look over.

Mr. Kuhar said the reason he asked was due to the Service Building on Overholt, there is an open feeling to the second floor which is like a heat wind tunnel and it’s hard to have control of the HVAC system.

Ms. Baker said it will be open but offices will be located in pods. There will be locked areas and heating and cooling will not be an issue as is seen on Overholt due to the new layout.

Each floor will have a coffee station and conference rooms will have a counter with a sink.

**Third Floor:** Located here will be the Law Department, the Mayor, City Manager, HR, Clerk of Council and Economic Development and Assistant to the City Manager. Once up the stairs, you see the Law Department with glass windows. Across from Admin is the Clerk of Council and both will be able to direct people where need to go. Most people visiting this floor will be there because they have an appointment with someone, so there will not be high traffic in this area. The Clerk of Council will have a pass through window to assist residents with passports. The HR Manager is in a great location giving privacy for those visiting the office and space in the office if a meeting is needed. The conference room is now located where the Mayor and City Manager were in previous plans and provides a great view of the city. There will be glass wall and will be able to see in.

Melanie Baker thanked staff for their willingness to provide suggestions and feedback and is happy with the plans.

Ms. Shaffer said the IT office was small.

Brandstetter clarified this if for all the wiring, storage to utilize IT in the building.

Mr. Kuhar asked about solar panels and if a load has been calculated.

Brandstetter said right now planning all electric and are looking at different companies and what can be provided.

Mr. Sidoti asked if a final decision has been made regarding not putting a third floor above the Chamber area.

Ms. Baker said at this point that is the assumption. The roof will be structured so it will be capable to handle that in the future.

Mayor Fiala asked if everyone was satisfied with what was presented so plans can move forward. There were several council members who indicated yes.

Ms. Baker concluded by saying in March there will be a review of the outside of the building.
Public Hearing:

At 7:25 p.m. Mayor Fiala called the Public Hearing to order.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; 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; Ms. Melanie Baker, Public Service Director; Fire Chief Tosko; Ms. Rhonda Hall, Budget and Finance Director; Mr. Dave Coffee, Special Assistant; Mr. Jim Bowling, Engineer; Mr. Harrison Wicks, Assistant to the City Manager; Ms. Amy Wilkens, Clerk of Council

ABSENT: Mr. Robin Turner

MOTION to excuse Mr. Turner’s absence was made by Mr. DeLeone, SECONDED by Mr. Sidoti and CARRIED by a voice vote 8-0.

Ms. Bridget Susel introduced the first of two public hearings on the City of Kent Five Year Consolidated Plan for 2020-2024 and the City’s 2020 Annual Action Plan. The hearing provides opportunity for the public to provide input on the City’s Community Development Block Grant (CDBG) including development and identification of proposed goals and objectives the city should consider as it moves forward with developing the plan and activities that should be funded. The City will submit its 2020-2024 Consolidated plan in June to the Department of Housing and Urban Development.

Mayor Fiala asked if there were any questions from the audience and hearing none adjourned the public hearing at 7:27 p.m.

Regular Council Meeting:

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

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; 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; Ms. Melanie Baker, Public Service Director; Fire Chief Tosko; Ms. Rhonda Hall, Budget and Finance Director; Mr. Dave Coffee, Special Assistant; Mr. Jim Bowling, Engineer; Mr. Harrison Wicks, Assistant to the City Manager; Ms. Amy Wilkens, Clerk of Council

ABSENT: Mr. Robin Turner

MOTION to excuse Mr. Turner’s absence was made by Mr. Ferrara, SECONDED by Mr. Amrhein and CARRIED by a voice vote 8-0.

Ms. Wallach had no opening comments and the audience stood for the Pledge of Allegiance.
APPROVAL OF MINUTES:

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF January 27, 2020 and Special Council Meeting of February 5, 2020 made by Mr. Sidoti, seconded by Mr. DeLeone and CARRIED by a voice vote of 8-0.

COMMUNICATIONS:

Audience Remarks: Mayor Fiala read the following statement: While the law does not require Council to provide time for public comment, we have historically invited the public to make comments and we appreciate their input. This is the time where residents and others can comment on matters that concern them. However, we will not engage in debate, and as President of Council, I reserve the right to end any public communication that is disruptive, embarrassment, harassment or otherwise objectionable. We ask that when you come to the microphone that you speak into the microphone clearly, give your name and address and limit comments to three (3) minutes of discussion.” He then asked the Clerk if anyone was signed in. There five (5) visitors who signed in with the Clerk.

Ms. Christin Klein of 471 Harvey Street, Kent Ohio was called to the microphone to speak for three minutes. She began by identifying herself as a resident of Ward 6 and is the current Chair of the Civil Service Commission. She thanked Council for the time to address the letter that was sent to them and asked for changes to Boards and Commissions be posted when changes are made that affects them. Ms. Klein referred to the timeline put together by Clerk Wilkens regarding the application and interview process for a vacancy on the Civil Service Commission during fall 2019. The Commission learned at their meeting held on December 16, 2019 that Mr. Higgins missed the appointment to interview. At their January 27, 2020 meeting they learned he had to reapply. They are questioning this and state it was a surprise that he would have to reapply. When she applied she had to come before council. The surprise is a second application. Her ask is if when rules are changed, would like the Commissions to be informed and passed along to the staff coordinator. The Commission has not had a third person since December and have had business to conduct, exams scheduled to be given and it is very nice to have three people as part of the Commission to make decisions. Some of this could have been avoided of not having a third person had we known about the change in rules. Would like to request appropriate and transparent communication regarding Council’s rules that directly affect Commissions. Her letter requested not to wait until April to fill the position. She would like to have the interview sooner rather than waiting and if it would be possible to move the interviews up to March.

Mayor Fiala apologized as President of the Board for not getting the word out to the Boards and Commissions. The date cannot be changed as it has already been posted and we have a legal obligation to post things and can't change in mid-stream. Ms. Hope Jones confirmed this. Mayor Fiala asked about the Firefighter exam in March and when the next test will be in April. Once the next person is picked in April, they should be ready to assist. Mayor Fiala asked if Mr. Higgins has applied yet.

Clerk Wilkens confirmed Mr. Higgins has not reapplied and has had no contact with him about the 2nd application. The deadline is March 24th.

Mayor Fiala said there is another resident who has applied for this position and Mr. Higgins has not applied.

Ms. Klein asked how there is another application if the Tree City Bulletin hasn't been published.
Clerk Wilkens confirmed it is on the website. Mayor Fiala said the City does its best to get the word out. He gave Ms. Klein a packet of information (Attachment #2) that includes a letter and all correspondence with Mr. Higgins to keep track of what transpired.

Dr. Michael Fricke of 7395 Ohio Route 43 was called as the next audience member to speak to Council. A copy of his statement was submitted to Clerk Wilkens to be a part of the record. He read directly from his statement. (Attachment #3).

Lauren McKown of 1365 Sunset Way Blvd, Kent, Ohio read from her submitted statement regarding the proposed Sensible Marihuana Ordinance. (Attachment #4)

Adrienne DeVault of 1658 Loblobly Cit. Apt. 326 Kent, Ohio read from her submitted statement regarding the proposed Sensible Marihuana Ordinance. (Attachment #5)

Alexandra Akin of 535 N. Water Street Apt. 13, Kent Ohio approached the microphone to speak on the proposed Sensible Marihuana Ordinance. Over the past five years she has become increasingly concerned about the impact of mass incarceration on communities. In 2018 there were 264 arrests for marijuana related incidence of adults, 12 for juveniles for possession and paraphernalia and overall over 200 paraphernalia arrests last year. People may not be aware that minor convictions can ruin lives. For instance, if someone is in a diversion program and is pulled over with a small amount of marijuana, they could serve time. The Portage County jail is overcrowded with people sleeping on the floor and it pains her to see anyone inside a cage because of something that we know plenty of people in the community are doing. Some people may not be lucky enough to have parents who will pay for an attorney or do not have parental support. She stated she does not like marijuana, doesn’t like smoking marijuana and doesn’t need any of Council to like the idea of people in the Community smoking marijuana, but thinks many can agree it doesn’t make sense to put someone in a cage over it and hopes Council will consider this.

Written Communications were reported by Clerk Wilkens and placed on file in the Clerk’s office as follows:

1. Civil Service Commission Agenda for January 27, 2020 was received on January 23, 2020.
2. Planning Commission Agenda and Staff Report for February 4, 2020 was received on January 24, 2020. Planning Commission Agenda and Staff Report for February 18, 2020 was received on February 11, 2020.
3. Sustainability Commission Meeting Agenda for February 3, 2020 and Minutes from January 6, 2020 and notification of Kent Environmental Council meeting on February 17, 2020 were received on January 31, 2020.
4. Request from Ohio Dept. of Liquor Control was received on January 27, 2020 to transfer the liquor license from Mandalaris Lounge Inc., #1387944 DBA Dominick’s Restaurant & Lounge & Patio to Polugas Pub LLC, DBA Dominick’s Restaurant & Lounge & Patio. Chief Lee has no objections.
   MOTION to return with no comment made by Mr. Amrhein, SECONDED by Mr. Kuhar and CARRIED with a voice vote of 8-0.
5. Request from Ohio Dept. of Liquor Control was received on February 5, 2020 to transfer the liquor license from Kent Panini’s LLC, DBA Kent Panini’s to Kent Overstuffed, Inc., DBA Kent Panini’s. Chief Lee has no objections.
   MOTION to return with no comment made by Mr. Amrhein, SECONDED by Mr. Ferrara and CARRIED by a voice vote of 8-0.
6. Letter from Civil Service Commission members regarding a concern about filling the vacancy on the Commission was received on February 6, 2020. A copy of this letter was forwarded to Council on
7. Board of Health Minutes and Statistical report from January 14, 2020 and Agenda for February 13, 2020 and was received on February 11, 2020.

Communication received after agenda published:

8. Affidavit of Petitioner’s Committee for the circulation of The Sensible Marihuana Ordinance was received on February 12, 2020.
9. Kent Parks and Recreation Board Packet for February 20, 2020 was received on February 17, 2020.

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

1. Authorize the submission of an application and appropriation of a $2,000 NOPEC grant to support Main Street Kent events in 2020. (Draft #2020-15)

2. Authorize the use of the Kent Fire Department's new Polaris all-terrain vehicle on City streets as part of the Department's fire and rescue services (Draft #2020 -16)

3. Request of Committee of the Whole time to receive an update from the architect on the status of the new City Hall project.

4. Request of Streets, Sidewalks & Utilities Committee time to obtain Council's authorization of a proposed City-Main Street Kent Burbick Way lighting project.

5. Request of Streets, Sidewalks & Utilities Committee time to obtain Council's authorization of a proposed City-KSU East Main Street Improvement Project Agreement.

6. Request of Streets, Sidewalks & Utilities Committee time to present a staff report on tree plantings in the City.

7. Request of Streets, Sidewalks & Utilities Committee time for Council's consideration of a proposed Kent Craft Brew Fest special event and street closure.

8. Request of Community Development Committee time for Council to receive the 2019 Main Street Kent Annual Report.

9. Request of Community Development Committee time for Council to consider authorization of the proposed 2020 CDBG Action Plan.

10. Request of Finance Committee time to request Council's authorization to accept and appropriate a $150,000 ODNR grant award.

11. Request of Finance Committee time for Council's authorization to submit a NOPEC NEC grant application for power upgrades planned for the City's water reclamation facility.

12. Request of Finance Committee time for Council's consideration of a request for housing rehab loan forgiveness.

13. Request of Finance Committee time for Council's authorization of the proposed 2020
Budget Appropriations Amendment.

MOTION TO APPROVE ITEMS #1-13 OF THE CITY MANAGER’S REPORT made by Mr. Amrhein, seconded by Mr. Kuha, and CARRIED by a voice vote of 8-0.

STANDING COMMITTEES/ LEGISLATION

1. COMMITTEE OF THE WHOLE:

MOTION TO APPROVE MEETING MINUTES of February 5, 2020 made by Mr. Amrhein, seconded by Ms. Rosenberg, and CARRIED by a voice vote of 8-0.

Recommended Actions:
   1) Authorize and amend the Pending List

MOTION TO APPROVE RECOMMENDED ACTIONS made by Mr. DeLeone, seconded by Ms. Rosenberg, and CARRIED by a voice vote of 8-0.

During discussion, Ms. Wallach asked the idling car item be put back on the pending list. Mayor Fiala asked for it to be brought up during Council Comments.

2. COMMUNITY DEVELOPMENT COMMITTEE:

Meeting Minutes: NONE
Recommended Actions: NONE

3. STREETS, SIDEWALKS & UTILITIES COMMITTEE:

MOTION TO APPROVE MEETING MINUTES of February 5, 2020 made by Mr. Sidoti, SECONDED by Mr. Ferrara, and CARRIED by a voice vote of 8-0.

Recommended Actions:
   1) Authorize the Easements for the N. Water Street improvement project
   2) Authorize the proposed ODOT Project legislation for the repaving of SR59. (Approved 2.5.20 during Special Council Meeting)
   3) Authorize the street closure and temporary crosswalk installation

MOTION TO APPROVE RECOMMENDED ACTIONS made by Mr. Sidoti, seconded by Mr. Ferrara, and CARRIED by a voice vote of 8-0.

Draft No. 2020-09 AN ORDINANCE ACCEPTING A DONATION TO THE CITY OF KENT OF A TEMPORARY EASEMENT (1-TV) FROM STEPHEN JOHN BALAZS, TRUSTEE OF THE BALAZS FAMILY TRUST, FOR THE NORTH WATER STREET IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala’s request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara seconded by Mr. Sidoti. On Roll call, voting “Yes”: Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuha, 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. 2020-09 made by Mr. Kuha and seconded by Mr. DeLeone. On Roll call, voting “Yes”: Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuha, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE 2020-09 PASSED as stated by Clerk Wilkens.
Draft No. 2020-10 AN ORDINANCE ACCEPTING A DONATION TO THE CITY OF KENT OF A
TEMPORARY EASEMENT (2-TV) FROM RICHARD T. WEISS, FOR THE NORTH WATER STREET
IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY was read by title only by Clerk
Wilkens per Mayor Fiala’s request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara seconded by Ms. Shaffer. On Roll
call, voting “Yes”: Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr.
Amrhein, and Ms. Wallach. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT NO. 2020-10 made by Mr. Ferrara and seconded by Ms. Shaffer. 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 2020-10 PASSED as stated by Clerk Wilkens.

Draft No. 2020-11 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO
APPROVE A NEW SPECIAL EVENT APPLICATION FROM MAIN STREET KENT KNOWN AS “KENT
RAINBOW WEEKEND” TO BE HELD ON FRIDAY AND SATURDAY, MARCH 6TH AND 7TH, 2020,
AND THE TEMPORARY CLOSURE OF THE WEST SIDE CROSSWALK AT THE INTERSECTION OF
MAIN AND WATER STREETS, AND DECLARING AN EMERGENCY was read by title only by Clerk
Wilkens per Mayor Fiala’s request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara seconded by Mr. DeLeone. On Roll
call, voting “Yes”: Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Amrhein, Mr.
DeLeone and Ms. Wallach. The Motion CARRIED by a roll call vote of 8-0.

MOTION TO ADOPT DRAFT NO. 2020-11 made by Mr. Ferrara and seconded by Ms. Shaffer. On Roll
call, voting “Yes”: Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Amrhein, Mr.
DeLeone and Ms. Wallach. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE 2020-11 PASSED as stated by Clerk Wilkens

4. LAND USE COMMITTEE:

MOTION TO APPROVE THE LAND USE COMMITTEE MEETING MINUTES OF February 5, 2020
and the Actions Recommended made by Mr. Ferrara, seconded by Mr. DeLeone, and CARRIED
by a voice vote of 8-0.

Recommended Actions:

1) Table the discussion regarding the request to sell unused City street right of way.
2) Decline the requested zoning change to the VFW Property

Draft No. 2020-12 AN ORDINANCE ACCEPTING THE KENT PLANNING COMMISSION’S
RECOMMENDATION NOT TO AMEND THE TEXT OF CHAPTER 1155 “INDUSTRIAL DISTRICT (I)” TO
ADD THE WORD “SERVING” AS A PERMITTED USE, AND DECLARING AN EMERGENCY was read
by title only by Clerk Wilkens per Mayor Fiala’s request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara seconded by Mr. Sidoti. 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.
MOTION TO ADOPT DRAFT NO. 2020-12 made by Mr. Ferrara seconded by Mr. Sidoti. 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 2020-12 PASSED as stated by Clerk Wilkens.

5. HEALTH AND SAFETY COMMITTEE:

MOTION TO APPROVE THE HEALTH AND SAFETY COMMITTEE MEETING MINUTES OF February 5, 2020 made by Mr. Amrhein, seconded by Ms. Rosenberg, and CARRIED by a voice vote of 8-0.

Recommended Actions: None

6. FINANCE COMMITTEE:

MOTION TO APPROVE THE FINANCE COMMITTEE MEETING MINUTES OF February 5, 2020 made by Mr. DeLeone and seconded by Mr. Ferrara and CARRIED by a voice vote of 8-0.

Action Recommended:
1) Approve the proposed new budget fund for the administration of the City CHIP funds.
2) Approve the 2020 budget appropriation amendments.

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

Draft No. 2020-13 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ALLOW THE COMMUNITY DEVELOPMENT DEPARTMENT AND BUDGET & FINANCE DEPARTMENT TO CREATE A NEW GENERAL LEDGER FUND THAT IS NECESSARY TO SEPARATE CITY CHIP FUNDS FROM OTHER CITY FUNDS PER THE GUIDANCE OF THE CHIP FUNDING AGENCY; AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala’s request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar and seconded by Mr. Ferrara. 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. 2020-13 made by Mr. Kuhar and seconded by Mr. Ferrara. 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.

ORDINANCE NO. 2020-13 PASSED as stated by Clerk Wilkens.

Draft No. 2020-14 AN ORDINANCE AMENDING ORDINANCE NO. 2019-139, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 18, 2019; SO AS TO ADJUST APPROPRIATIONS, TRANSFERS AND ADVANCES FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020; AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala’s request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar and seconded by Mr. Amrhein. On Roll call, voting “Yes”: Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Mr. Ferrara, and Ms. Rosenberg. The Motion CARRIED by a roll call vote of 8-0.
MOTION TO ADOPT DRAFT No. 2020-14 made by Mr. Kuhar and seconded by Mr. Ferrara. On Roll call, voting “Yes”: Ms. Shaffer, Mr. Sidoti, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Mr. Ferrara, and Ms. Rosenberg. The Motion CARRIED by a roll call vote of 8-0.

ORDINANCE NO. 2020-14 PASSED as stated by Clerk Wilkens.

Draft No. 2020-15 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO TAKE ALL ACTIONS NECESSARY TO ACCEPT THE NORTHEAST OHIO PUBLIC ENERGY COUNCIL (NOPEC) 2020 COMMUNITY EVENT SPONSORSHIP PROGRAM AWARD IN THE AMOUNT OF $2,000.00, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala’s request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. Amrhein. 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. 2020-15 made by Mr. Ferrara and seconded by Mr. Sidoti. 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.

ORDINANCE NO. 2020-15 PASSED as stated by Clerk Wilkens.

Draft No. 2020-16 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ALLOW THE CITY OF KENT FIRE DEPARTMENT TO OPERATE THE NEWLY PURCHASED POLARIS RANGER UTILITY VEHICLE ON THE ROADWAYS WITHIN THE CITY OF KENT ON AN AS NEEDED BASIS, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala’s request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Sidoti and seconded by Ms. Rosenberg. 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.

MOTION TO ADOPT DRAFT No. 2020-16 made by Mr. DeLeone and seconded by Ms. Rosenberg. 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. 2020-16 PASSED as stated by Clerk Wilkens.

SPECIAL COMMITTEE REPORTS: NONE

UNFINISHED BUSINESS:

NEW BUSINESS:

MOTION MADE by Ms. Shaffer to move into Committee the discussion of Sensible Kent’s proposal seconded by Ms. Wallach and CARRIED by a voice vote of 7-1 with Mr. Kuhar voting against.

Ms. Shaffer was impressed by the presentation, coming to it from all angles, and would like to hear more about this topic, what other communities have passed and whether it would be a good proposal to bring to Kent as well.

Ms. Wallach states it is worthy of looking into and (they) made good points. She pondered why people are being sent to jail for minor offences and why “pot” is illegal when alcohol is a much harder drug. She stated one in four people are in the hospital due to alcohol, whether it is related to abuse, or accidents or physical ailments.
Ms. Rosenberg states this warrants further discussion. She is not completely convinced that this is the specific ordinance that best suits what the residents of the city of Kent want, but that they would like a conversation about it.

Mr. Kuhar stated if this is a matter of just having a joint in your car he would agree, some of the quantities in the petition seemed quite a bit more than just a joint. It looked like pretty big party quantities so he will vote “no”.

Ms. Wallach brought to the discussion the question of having someone temporarily assigned to a Commission to help out when they are short.

Ms. Jones stated there is nothing in the Charter or Ordinances that speaks to temporary members of Commissions. Two people is a quorum. She hopes they would be diligent enough to make the couple of meetings that might happen before someone is appointed to replace them. Ms. Jones said she is happy they feel the need to show up to Civil Service exams, but they don’t need to do that and they don’t need to cancel any tests. If they would like someone there and one of them cannot show up, she would be happy to go and be at the meeting to watch. Some of the concerns brought up this evening are currently being looked at by staff and will have many suggestions coming forward so interviews don’t have to wait for the Tree City Bulletin. This may not answer the questions brought forward tonight, but she will look into this. Ms. Jones clarified she cannot vote, but could go to the tests if one is unable to.

Mr. Sidoti said Ms. Rosenberg has brought this topic up to Committee as there are various different things that could be added to the list, one being how we can communicate to the Commissions effectively. We are ahead of the game and can avoid these type of things happening in the future.

Mr. Kuhar asked how long it is after a council meeting when the minutes are published and maybe as a combined effort the people on the Commission could read the minutes as they are published.

Mayor Fiala said they go on the website as soon as possible, the Tree City Bulletin comes out four times a year. Mr. Kuhar said he was referring to the minutes.

Clerk Wilkens stated minutes are published once they are approved and confirmed usually within a few weeks.

Mr. Sidoti said Council takes so much time trying to fill these positions and they are pseudo employees of Council. A simple memo could be sent out. Common courtesy would be to let Commission members know when an Ordinance is passed that directly affects them. It was just an honest oversight.

COUNCILMEMBERS’ COMMENTS

MAYOR’S REPORT:

Mayor Fiala reminded everyone that the next CPA (Citizen Policy Academy) starts this week and if any member has not done so to check it out. Please keep talking up Issue 1 to your constituents and the fact it is a Census Year and everyone needs to be counted.

The Regular Meeting adjourned at 8:45 P.M.

Amy Wilkens       Jerry T. Fiala  
Clerk of Council   Mayor and President of Council
February 17, 2020

Christine Klein & Allyson Chicoski
City of Kent Civil Service Commission
Kent, OH 44240

Dear Civil Service Commission Members,

Thank you for reaching out to City Council in regards to the vacant position on the Civil Service Commission. In response to your letter dated February 6, 2020, we have compiled a packet of information regarding the application and interview process for Mr. Lee Higgins. Enclosed you will find a timeline, email and letter chain regarding the last round of interviews for the Civil Service Commission.

Thank you for reaching out to Council regarding this matter. If you have any questions, please do not hesitate to contact me.

Kind regards,

Mayor Jerry T. Fiala
President of Council
<table>
<thead>
<tr>
<th>Date</th>
<th>Action</th>
<th>Notes</th>
</tr>
</thead>
<tbody>
<tr>
<td>September 25, 2019</td>
<td>Fall Ad for Boards and Commissions due to be placed in TCB</td>
<td>TCB went to printer October 18, 2019. Deadline to apply November 26, 2019.</td>
</tr>
<tr>
<td>October 2, 2019</td>
<td>Council Passes changes to interview process</td>
<td>MOTION TO AUTHORIZE A VOICE VOTE FOR BOARDS AND COMMISSION CANDIDATES made by Mr. Sidoti, seconded by Mr. Kuhar.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Ms. Wallach asked if we are changing the way candidates present themselves.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>Mayor Fiala clarified that candidates currently do not have to come to the meeting.</td>
</tr>
<tr>
<td></td>
<td></td>
<td>MOTION TO AMEND THE ORIGINAL MOTION TO ADD LANGUAGE REQUIRING CANDIDATES TO BE PRESENT AT MEETING WITH COUNCIL made by Ms. Wallach, seconded by Mr. Ferrara. MOTION TO AMEND CARRIED by a voice vote of 6-3 with Mr. Ferrara, Ms. Shaffer and Mr. Turner against.</td>
</tr>
<tr>
<td>October 14, 2019</td>
<td>Letter mailed to Mr. Higgins notifying him of expiring term and application process</td>
<td>Attached.</td>
</tr>
<tr>
<td>November 26, 2019</td>
<td>Boards and Commissions Application Due Date</td>
<td>Dawn Bishop called Clerk to state she was contacted by Mr. Higgins, application dropped in Utility Bill drop box.</td>
</tr>
<tr>
<td>November 27, 2019</td>
<td>Mr. Lee Higgins applied</td>
<td>Application received in Clerk’s office on November 27, 2020.</td>
</tr>
<tr>
<td>December 2, 2019</td>
<td>Email sent to applicants regarding interview on December 4, 2019</td>
<td>Attached/ 7 applicants emailed, 6 replied to confirm. Mr. Higgins did not</td>
</tr>
<tr>
<td>December 4, 2019</td>
<td>Boards and Commissions Interviews held</td>
<td>Mr. Higgins, no show/no contact</td>
</tr>
<tr>
<td>December 4, 2019</td>
<td>Council: position not filled and will advertise again in Spring Tree City Bulletin</td>
<td></td>
</tr>
<tr>
<td>December 9, 2019</td>
<td>Dawn Bishop notified Clerk Mr. Higgins had car trouble</td>
<td></td>
</tr>
<tr>
<td>December 11, 2019</td>
<td>Mayor Fiala spoke with Dawn Bishop and notified her Mr. Higgins would need to reapply in next round if interested.</td>
<td></td>
</tr>
<tr>
<td>December 20, 2019</td>
<td>Letter sent to Mr. Higgins to reapply</td>
<td>Attached</td>
</tr>
<tr>
<td>January</td>
<td>Advertised on City website</td>
<td>No response</td>
</tr>
<tr>
<td>February 13, 2020</td>
<td>Advertised on Facebook</td>
<td></td>
</tr>
<tr>
<td>March 6, 2020</td>
<td>Ad in Tree City Bulletin</td>
<td></td>
</tr>
</tbody>
</table>
October 14, 2019

Mr. Lee Higgins
1232 Woodhill Dr.
Kent, OH 44240

Dear Mr. Higgins,

Your appointment to the Civil Service Commission will expire on December 31, 2019. If you are interested in reapplying, and you are re-appointed, your subsequent volunteer term will be for six (6) years commencing January 1, 2020 through December 31, 2026. Please fill out the enclosed application and return it to this office no later than November 26, 2019. Late applications will not be considered.

Interviews will be scheduled with the Kent City Council during Council Committee meeting on December 4, 2019. Once I receive your application, I will confirm the date and time of your interview. Official appointments to vacant positions will be made at the regular Council meeting on December 18, 2019.

If you have any questions, please do not hesitate to contact me.

Kind regards,

Amy Wilkens, MA.Ed
Clerk of Council
councilclerk@kent-ohio.org
We rely heavily upon citizen participation through Boards, Commissions and Committees to effectively assist City Council and the Administration staff in planning a better community.

We appreciate the time and effort citizens generously give to aid us in our efforts to provide excellent government service. Below is an application form that would give us a little background information. Please fill this out if you think you could devote sufficient time to serve on one of our Boards. You may use additional pages, if necessary. If you have a resume, you may attach it to the application. Please return to: Clerk of Council at councilclerk@kent-ohio.org or mail to the address at the bottom of this application.

---

NAME: Lee M. Higgins
PHONE: 330.678.9220 (HOME)
ADDRESS: 1232 Woodhill Drive 330.701.2245 (CELL)
EMAIL: a.Kentman@sbcglobal.net
EDUCATION:
OCCUPATION: HR Consultant
PLACE OF EMPLOYMENT: self
POLITICAL PARTY:

(EXPERIENCE RELATED TO THIS APPOINTMENT: Approximately 14 years on the
Civil Service Commission)

WHY ARE YOU INTERESTED IN THIS APPOINTMENT? 

ANYTHING YOU CARE TO ADD, SUCH AS EXPERIENCE ASSOCIATED WITH THE CITY:

I WOULD LIKE TO BE CONSIDERED FOR:
1st CHOICE: Civil Service 2nd CHOICE: 

SIGNATURE: Lee M. Higgins DATE: Nov 26 2019

---

*** The City of Kent reserves the right to perform background checks.
City of Kent Board Interviews

15 messages

Clerk of Council <councilclerk@kent-ohio.org> Mon, Dec 2, 2019 at 2:03 PM
Cc: Amy Wilkens <councilclerk@kent-ohio.org>, Jerry Fiala <fialaj@kent-ohio.org>
Bcc: Matthew Carroll <MCarroll@margida-assoc.com>, "DORFF, PETER" <pdorff@kent.edu>, peterdorff@gmail.com, Wilder Hritz <hritz15@gmail.com>, jenkins2297@gmail.com, Robert Szygenda <rszygenda@sbcglobal.net>, Pete Orlando <pjorlando@sbcglobal.net>, Lee Higgins <akentman@sbcglobal.net>, kswiler@gmail.com

Good Afternoon,

Thank you for your interest in serving on a Board or Commission for the City of Kent. Interviews will be held this Wednesday, December 4, 2019 at 7 p.m at the Main Fire Station located at 320 S. Depeyster (Located Here)

Please be prepared to introduce yourself to City Council, providing a brief background to supplement what was submitted with your application and why you are interested in serving. Also be prepared for follow up questions from Council.

Please confirm your attendance this Wednesday. If you are no longer interested please let me know.

Good luck and see you Wednesday!

Amy Wilkens, MA.Ed
Clerk of Council
City of Kent, Ohio
301 S. Depeyster Street
Kent, OH  44240
330.676.7555
wilkensa@kent-ohio.org

Wilder Hritz <hritz15@gmail.com> Mon, Dec 2, 2019 at 2:05 PM
To: Clerk of Council <councilclerk@kent-ohio.org>
Cc: Jerry Fiala <fialaj@kent-ohio.org>

I will be there, thank you!

Wilder Hritz

[Quoted text hidden]

Clerk of Council <councilclerk@kent-ohio.org> Mon, Dec 2, 2019 at 2:10 PM
To: Wilder Hritz <hritz15@gmail.com>
Cc: Jerry Fiala <fialaj@kent-ohio.org>

Thank you!

Amy Wilkens, MA.Ed
Clerk of Council
City of Kent, Ohio
301 S. Depeyster Street
Kent, OH  44240
330.676.7555
wilkensa@kent-ohio.org

[Quoted text hidden]

peter dorff <peterdorff@gmail.com> Mon, Dec 2, 2019 at 2:12 PM
To: Clerk of Council <councilclerk@kent-ohio.org>

[Quoted text hidden]
Thank you.
I will be at the meeting on Wednesday, December 4 for the interview.

Pete

On Mon, Dec 2, 2019 at 2:04 PM Clerk of Council <councilclerk@kent-ohio.org> wrote:

Pete Orlando <pjorlando@sbcglobal.net>
To: Clerk of Council <councilclerk@kent-ohio.org>

Amy,
I plan to attend the Council interviews on December 4.

Pete Orlando
Sent from my iPhone

On Dec 2, 2019, at 2:04 PM, Clerk of Council <councilclerk@kent-ohio.org> wrote:

Matthew Carroll <MCarroll@margida-assoc.com>
To: Clerk of Council <councilclerk@kent-ohio.org>
Cc: Jerry Fiala <fialaj@kent-ohio.org>

Hi Amy,

Yes. I will be in attendance on Wednesday evening.

Thanks!

Matthew Carroll

Margida & Associates, Inc.
Certified Public Accountants

3926 Clock Pointe Trail  Suite 102
Stow, Ohio 44224
Phone 330-926-0223
Fax 330-926-0178
www.margida-assoc.com

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> PLEASE NOTE: This message and any response to it may
Great! See you then.

Amy Wilkens, MA.Ed
Clerk of Council
City of Kent, Ohio
301 S. Depeyster Street
Kent, OH 44240
330.676.7555
wilkensa@kent-ohio.org

Great! See you then.

Amy Wilkens, MA.Ed
Clerk of Council
City of Kent, Ohio
301 S. Depeyster Street
Kent, OH 44240
330.676.7555
wilkensa@kent-ohio.org

Great! See you then.

Amy Wilkens, MA.Ed
Clerk of Council
City of Kent, Ohio
301 S. Depeyster Street
Kent, OH 44240
330.676.7555
wilkensa@kent-ohio.org

On Mon, Dec 2, 2019 at 9:07 PM Pete Orlando <pjorlando@sbcglobal.net> wrote:

Great! See you then.

Amy Wilkens, MA.Ed
Clerk of Council
City of Kent, Ohio
301 S. Depeyster Street
Kent, OH 44240
330.676.7555
wilkensa@kent-ohio.org
Robert Szygenda <rszygenda@sbcglobal.net>
To: Clerk of Council <councilclerk@kent-ohio.org>
Cc: Jerry Fiala <fialaj@kent-ohio.org>

Tue, Dec 3, 2019 at 9:13 PM

Good evening Amy,

I plan on attending the meeting and look forward to our discussion.

Rob Szygenda

Sent from my iPhone

On Dec 2, 2019, at 2:04 PM, Clerk of Council <councilclerk@kent-ohio.org> wrote:

Clerk of Council <councilclerk@kent-ohio.org>
To: Robert Szygenda <rszygenda@sbcglobal.net>
Cc: Jerry Fiala <fialaj@kent-ohio.org>

Wed, Dec 4, 2019 at 9:59 AM

Great, thanks!

Amy Wilkens, MA.Ed
Clerk of Council
City of Kent, Ohio
301 S. Depeyster Street
Kent, OH  44240
330.676.7555
wilkensa@kent-ohio.org

Clerk of Council <councilclerk@kent-ohio.org>
Cc: Amy Wilkens <councilclerk@kent-ohio.org>, Jerry Fiala <fialaj@kent-ohio.org>
Bcc: Matthew Carroll <MCarroll@margida-assoc.com>, peter dorff <peterdorff@gmail.com>, Pete Orlando <pjorlando@sbcglobal.net>, Robert Szygenda <rszygenda@sbcglobal.net>, kswiler@gmail.com, jenkins2297@gmail.com, Wilder Hritz <hritz15@gmail.com>, "DORFF, PETER" <pdorff@kent.edu>

Thu, Dec 5, 2019 at 9:40 AM

Good Morning,

Thank you for attending the City Council Meeting last night and interviewing for one of our Boards and Commissions. Voting and appointment takes place at the Regular Council meeting on December 18, 2019. If you are appointed, you will receive a letter and certified copy of the Resolution appointing your via email and U.S. mail; and if not appointed you will receive a thank you for your interest letter. We keep all applications on file for one-year from the date of submission.

Please let me know if you have any other questions. Thanks again for your interest in serving the City of Kent.

Amy Wilkens, MA.Ed
Clerk of Council
City of Kent, Ohio
301 S. Depeyster Street
Kent, OH  44240
330.676.7555
wilkensa@kent-ohio.org
Good evening,

Thank you to you both and the entire council for providing the forum to allow all of us to express our thoughts. I look forward to your response.

Sincerely,
Rob Szygenda

Sent from my iPhone

On Dec 5, 2019, at 9:41 AM, Clerk of Council <councilclerk@kent-ohio.org> wrote:

[Quoted text hidden]
[Quoted text hidden]
December 20, 2019

Mr. Lee Higgins
1232 Woodhill Drive
Kent, OH  44240

Re: Application for the Civil Service Commission

Dear Mr. Higgins,

On December 4, 2019, City Council met with candidates to interview for our various Boards and Commissions. You had applied for the Civil Service Commission on November 27, 2019 but did not attend the interview. As per new standing rules passed on October 2, 2019, Council is requiring applicants to be interviewed in person to be considered for a spot. I have attached a copy of the minutes of the meeting where this motion was made and approved by Council. Because you were not present to be interviewed on December 4, 2019, you were not considered for this round of appointments.

Members of Council and the Administration would like to thank you for your application. This position will be advertised in the Spring Tree City Bulletin if you would like to be considered in the future.

If you have any questions, please feel free to give me a call.

Sincerely yours,

Jerry T. Fiala
Mayor & Council President

02.19.20 Meeting Minutes Attachment #2
Hello, I am Dr Michael Fricke a Franklin Township Resident residing at 7395 State Route 43.

I am the campaign manager for Sensible Kent and I am here to introduce the Affidavit of Petitioners Committee submitted to this council last week. The Sensible Marihuana Ordinance removes jail time and reduces fines and court costs to zero dollars for minor cannabis offenses. The Sensible Ordinance has now been adopted in all major Ohio cities with its passage in Cleveland on January 27. Over 3 million Ohio residents are now protected by Sensible Ordinances and Sensible voter initiatives have an 80% success rate once they reach the ballot across Ohio.

Sensible Ordinances at the local level are a response to the Ohio Statehouse ignoring the will of Ohio citizens. State Legislators and Gov DeWine have made it clear that they plan to maintain a stubborn prohibition against adult cannabis use and the Ohio Medical Marijuana Program implementation is the worst in the country. Many Ohioans would rather drive to Michigan or Pennsylvania to purchase their medicine despite the consequences if they are stopped on their return to Ohio. The fact that Ohio has admitted the medicinal value of cannabis proves the lie of 50 years of prohibition.

Here in Kent, the enforcement of marijuana prohibition by our police officers has become problematic. Last summer, Ohio Senate Bill 57 changed the definition of marijuana to exclude hemp. Hemp is essentially cannabis with less than 0.3% THC. Our human officers and K-9 units cannot tell the difference between marijuana and legal smokable hemp during a roadside stop. Confirmation of the THC level now requires a new test performed at the Richfield BCI state crime lab. For this reason, Columbus City Attorney Zach Klein has decided not to prosecute misdemeanor pot cases and to drop any pending cases. Ohio Attorney General Dave Yost responded to the passage of this bill by sending a letter to every prosecutor in the state recommending the suspension of marijuana testing and against the indictment of any cannabis-related items.

I will leave you with a quote from John Ehrlichman, who was an assistant to US President Nixon. Ehrlichman was speaking in 1992 about the war on drugs.

“You want to know what this was really all about? Nixon had two enemies: the antiwar left, and black people. We knew we couldn’t make it illegal to be either against the war or black. But by getting the public to associate the hippies with marijuana and blacks with heroin, and then criminalizing both heavily, we could disrupt those communities. Did we know we were lying about the drugs? Of course we did.”

Please consider carefully our proposed ordinance and I urge quick adoption. On May the 4th, does this council still want be fighting Nixon’s war on cannabis?

Thank you for your time and I am available to answer any questions at the email: sensiblekent@gmail.com
Hello, my name is Lauren McKown and I am a Kent resident residing at 1365 Sunset Way Blvd.

As mentioned by Dr. Mike Fricke, the Sensible Marihuana Ordinance removes jail time and reduces fines and court costs to zero dollars for minor cannabis offenses.

As the Lead Petitioner for Sensible Kent, I am here to discuss the biochemistry and medicinal benefit of cannabis from a scientific perspective. To give a little background, I am a recent business graduate from Kent State and I am returning this Fall for Neuroscience and Pre-Medicine due to my growing interest in entheogenic substances.

Cannabis, or Marijuana, is made up of over 100 different compounds known as cannabinoids, with THC and CBD as two of the most prominent. In our bodies we have a system of receptors that make up what is known as the "endocannabinoid system." This system essentially contains docking sites throughout the body and brain for cannabinoid-type substances. The endocannabinoid system can be thought of as your body’s root-level operating system, a central processing unit that regulates and alters the functioning of many other important systems, keeping them in balance. We (humans) produce cannabis-like molecules called endocannabinoids from omega-6 fatty acids in our diet. Processes such as sleep, appetite, and cardiovascular regulation, to name a few, are controlled partly by the endocannabinoid system.

When it comes to cannabinoids in cannabis, research has shown that cannabis has profound health benefits. More specifically, the major cannabinoids such as THC and CBD have been used in the treatment of neuromuscular disorders, mental health diseases, chronic pain, sleep, and digestion. The only cannabinoid that creates a “high” effect is THC. In fact, CBD and THC have the exact same molecular structure except for the fact that the atoms are arranged differently in THC, creating the “high” effect. Additionally, the majority of hemp-derived CBD products are federally legal.

The fact that the endocannabinoid systems in our bodies are receptive to cannabinoid-like substances without the presence of any cannabis is quite interesting. It is also quite interesting how a plant with medicinal properties is still labeled a schedule 1 drug, which according to the DEA, claims to have no currently accepted medical use, despite the fact that it is medically legal and currently available for medicinal use in 33 states.

Thank you.
Hello, my name is Adrienne Devault, a Kent voter residing at 1658 Loblolly Ct.

I will be graduating from Kent State in May and will be beginning my master’s program the following week. I have always been passionate about helping others, and therefore have decided to become a Physician Assistant. I would be removed from the program if my background check brought up a drug charge for even a minor misdemeanor offense. Besides the potential for a large fine or even jail time, the harshest punishment for drug charges is often the secondary penalties. Please consider some scenarios. A youth is charged with misdemeanor possession of marijuana, a first offense. In the first scenario, the youth is processed through the juvenile system and is placed on Juvenile Probation. The youth later turns 19 and the charge is expunged.

In the second scenario, the youth is processed in the adult system and receives deferred prosecution and community service. In this case, at age 19, they must report the offense on job and college applications or to enlist in the military. This is what is called a secondary penalty and they can ruin lives.

Although Ohio decriminalized marijuana use in 1975, an arrest can still be made for even the smallest amount of marijuana. Additionally, under Ohio law, an act that involves a “gift” of marijuana can result in a drug trafficking charge. Trafficking can be charged even if there is no exchange of money. Passing a joint has be charged as trafficking in some extreme cases.

For a college student, a drug conviction also impacts financial aid. Students can lose their federal aid because of a drug conviction that the State of Ohio merely considers as a minor misdemeanor akin to a traffic ticket. If a college student is convicted of possession of marijuana, they typically lose eligibility for federal aid for one year for the first offense, two years for the second offense, and indefinitely for the third. Additionally, the clock for the ineligible period starts from the date of conviction rather than the date of the offense.

Because of these impacts, drug charges can encourage additional offenses. A student who is only able to afford college due to federal loans may find selling marijuana a viable option to make up the difference if they lose their federal aid. Those whose career dreams are ruined due to a couple grams of pot may feel they have little else to lose. People with more serious charges are often barred from work and housing opportunities, leaving them with few options and perpetrating the cycle.

It’s not only stereotypical criminals and bums that are using marijuana. According to a study done by the University of Michigan, 38% of full-time college students used marijuana at least once in the prior 12 months. The situation is similar to prohibition 100 years ago, except this substance is less addictive, less dangerous, and has a lower potential for abuse than alcohol by all reliable metrics.

Please consider the potential impact to the lives of Kent residents beyond the current statutes and penalties. I urge you to adopt the Sensible Ordinance of No Time and No Fine.

Thank you for your time.
Vice Chair Rosenberg called the Community Development of Kent City Council to order at 7:22 p.m.

PRESENT: Mr. Jack Armerhein; Ms. Gwen Rosenberg; Ms. Heidi Schaffer; Mr. Roger Sidoti; Ms. Tracy Wallach

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. David Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Kathy Petsko, Grants and Neighborhood Coordinator; Ms. Joan Seidel, Health Commissioner; Mr. Tom Wilke, Economic Development Director; Ms. Melanie Baker, Service Director; Ms. Rhonda Hall, Budget and Finance Director; Mr. Jim Bowling, City Engineer; Ms. Amy Wilkens, Clerk of Council

ABSENT: Mr. Garret Ferrara; Mr. John Kuhar, Mr. Robin Turner, Mr. Michael DeLeone

There were two (2) items on the Agenda.

1. **Main Street Kent 2019 Year End Review** (Wilke)

Mr. Ruller introduced Tom Wilke and Heather Malarcik from Main Street Kent to review the summary report provided. Mr. Wilke said Heather is the real star of the night but wanted to give a quick introduction. He enjoys the relationship with Main Street Kent and working with Heather and Leslie (Sickle, Marketing Coordinator). They are both very creative and professional, no idea is too out of the box. There is also an extremely active and involved Board. They volunteer their time, effort, money and thought processes. A couple of members are in attendance. There are also extremely strong committees that have other members of the community that are not on the Board who bring special talents. When you go to these events, you see the diversity of volunteers that the events attracts, they are an amazing group of volunteers. Most volunteer positions are filled in advance and it’s nice to see the belief and trust people have in these events. As the representative of the City and of the Board, Mr. Wilke assured Council the investment in Main Street Kent is a sound investment and there are many returns on that investment.

Heather Malarcik thanked City Council for the opportunity to share the highpoints from the 2019 and for supporting the organization for the past fourteen years MSK has been in operation. This is one of the strongest programs in the state of Ohio and she takes pride in that. Her work is fun and rewarding and there is never a dull moment or any downtime.

Ms. Malarcik reviewed the highlights from 2019, and provided a sneak peek of things to come in 2020 as well as comments from local businesses. The Operations Committee is the Executive Team that went through the Strategic Planning process this year. The new Transformation Strategy is for Kent to be people’s first choice. The mission statement is to make downtown Kent a fun, vibrant and thriving area. Everything needs to be aiming in that direction. All committee goals are now falling under preserve and enhance the historic downtown, generate awareness and branding of MSK and downtown and maintain financial stability. All committee goals need to make sense under these three main goals or they are just not going to happen.

Volunteer Connection and Appreciation Efforts is under the Operation Committee; recruiting and retaining volunteer is a top goal. There is an award celebration at the Kent Historical Society in June. There is also a volunteer appreciation party at Ray’s Place in October. MSK accumulated over 2,669 hours of volunteer time so the average value of a volunteer hour is $24.69 which is over $65,500 of volunteer time given in 2019.
Friends of Main Street has over 100 small businesses, organizations and individuals that donate money and it continues to grow. The top supporter is the City of Kent, and then Ron Burbick, The Hometown Bank, Portage Community Bank, Smithers’s Oasis, The Davey Tree Expert Company and College Town Kent.

Moving on to Marketing, last year MSK spent the $38,000 budgeted toward marketing, which is not including the marketing done on each individual event that has its own marketing budget. The website has had a mini makeover and work is done weekly on the site ensuring search engine optimization and Google rankings are good. There was a 77% increase in traffic on the website last year over 2018. A blog was also launched on the Kent Up Close tab on the website which shows how to live, eat and shop like a local.

Signature Events:
The Wine Festival last year was interrupted by a rainstorm, but MSK is healthy enough financially that it didn’t hurt them.

The 6th Annual Octoberfest was a success. MSK netted $30,000 in one day.

Wizardly World of Kent was a success and a bar crawl, the Wobbly Wizard, was added last year and along with the 5k there were over 700 people downtown on Friday night before the event. Meijer’s grocery store approached MSK to be a part of the event and donated $5,000.

The Design Committee planted tulips last spring on the Hometown Bank Plaza. The mural project was completed on Burbick Way, which is a great collaboration between the two building owners and finding the artist from Kent State and a long time family of Kent. MSK is looking forward the light project and having a reception it in the spring. The Historic Facades of Kent project was completed last year, where an intern photographed all the buildings in the downtown district to document historically what their purpose was when they were originally built and what they are being used for now. He spent a year putting this together and a book will be published in support of the Historical Society.

The Business Enhancement Committee works hard to get the businesses to collaborate with events where people can visit multiple businesses in one shot. Art walks were pretty well attended and building momentum. A Story Walk was done with Kent City Schools where a book was broken down and put a page in each business and a family can walk around and read the story. A Crime Prevention Workshop was presented by Lieutenant Lewis to business owners about employee safety and how to handle people stealing and surveillance. The dialogue between the police department and business owners was amazing and will be looking for new opportunities to do again. Small Business Saturday a giant inflatable snow globe was placed downtown and free cocoa and cookies were distributed by local businesses.

Looking forward to 2020, it’s time to up game due to neighboring communities are doing more. Thinking of ways to think outside of the box. Heather and Leslie will be attending the National Main Street Conference in May in Texas for new ideas. Applying for 501c3 as an arm of the organization so can go after funding to expand portfolio.

Focus on N. Water Street regarding public art and a state appropriation given to Heritage Ohio in the amount of $200,000 so all accredited Main Street programs in good standing are able to apply for a portion of these funds to help businesses with projects that will improve their buildings or increase business.

Now in the process of exploring the idea of outdoor refreshment area concept, researching how it’s going in areas that are doing this and figuring out if this makes sense for Kent and speaking with retailers and bars and restaurants to see if this is something to move forward and try to get.

Rainbow weekend this weekend. The crosswalk is going to be spray painted. A welcome event will be hosted by MSK with an introduction from Gwen Rosenberg and a representative from Kent State University at 5pm. Kent is a very welcoming and inclusive town and we need to make sure people know that. The
NOPEC Grant is helping with this event and she thanked Council for putting that grant in Main Street's direction.

Ms. Malarck shared with Council a few comments from local business owners in support of the work being done by Main Street Kent, all thankful and impressed with its work and dedication to downtown Kent.

Mayor Fiala thanked Main Street Kent for all that they do.

Ms. Shaffer asked when Main Street Kent started.

Ms. Malarck replied 2006.

Mr. Amrhein added there are a lot of reasons to be proud of Kent Ohio, and MSK is one of the ingredients that make people proud to live in this community. He thanked Heather, Leslie and all the volunteers for the work that they do.

2. Proposed 2020 CDBG Action Plan (Susel)

Bridget Susel, Community Development Director, introduced Kathy Petko, the new Grant Coordinator for Community Development who is replacing Dan Morganti. She comes from Summit County. Ms. Susel began her review of the Action Plan, stating it is the program year 2020 funding for the action plan which will be incorporated into the 5 year plan. Kathy Petko has been working on putting the plan together and administering the surveys. Projects presented tonight are aligned with the plan. It is not changing much, the primary objective is to invest in areas that have high concentration of low income household, which has been the focus since 2009. Ms. Susel reviewed the project list with Council (Attachment #1).

Regarding the Walnut Street Reconstruction which will go out to bid in 2021, Ms. Wallach asked how many more streets in this area will be refinshed.

Ms. Susel stated it could be quite a few and will be reviewed. Because of funding, concentration of work done in this area, and anticipates at least a couple more. This will be the third area done so far. The work really does transform the area.

Ms. Susel reminded Council there would be no action taken tonight and that there will be another public hearing, a 30 day comment period and be brought back to Council for approval in May.

Mr. Sidoti asked about number of people who take advantage of the Small Business Development Center.

Ms. Susel replied that the Center provides services from planning, to helping set up payroll and a whole list of services.

Ms. Wallach asked how much was allotted last year for CDBG.

Ms. Susel said it was $277,000, so more funds were received this year, which is exciting.

Hearing no further business before this Committee, the meeting adjourned at 7:50 p.m.

Amy Wilkens
Clerk of Council

THE CITY OF KENT, OHIO
COMMUNITY DEVELOPMENT
WEDNESDAY, March 4, 2020
ACTION RECOMMENDED:
  1) None

THE CITY OF KENT, OHIO
COMMUNITY DEVELOPMENT
WEDNESDAY, March 4, 2020
The City is preparing its funding request for the PY2020 Community Development Block Grant Program (CDBG). The funding request is submitted to the U.S. Department of Housing and Urban Development (HUD) on an annual basis and must include a list of proposed programs that will be implemented with CDBG funding during the year. The City’s PY2020 CDBG allocation as determined by HUD, is $303,766. A total of seven (7) project proposals were received this year seeking CDBG funding assistance and the total amount of funding requested was $323,500. Based on a review of these proposals and in consideration of all applicable CDBG regulatory requirements, staff is recommending Council approval of the below projects and amounts at its May meeting. Formal approval in May allows time for a public comment period and a second public hearing to take place prior to authorization.

1. City of Kent, Engineering Department – Walnut Street Reconstruction

This activity provides funding to assist with the design and full depth reconstruction of Walnut Street from Cherry Street to Dodge Street. The work involves new sidewalks, concrete curb and gutter, a waterline replacement and storm sewers to improve drainage along the roadway. This is a multi-year project and construction is scheduled for 2020 (Phase 1 – Cherry to Harris) and 2021 (Phase 2 – Harris to Dodge).

Funding Requested: $170,000
PY2019 CDBG Funding: $135,165

Funding Recommended: $160,000
2. **City of Kent, Parks & Recreation – Kent Recreation Center Parking Lot and ADA Enhancement Project**

This activity will provide funding to assist with costs associated with the resurfacing and ADA Compliance enhancement to the Kent City Recreation Center’s parking lot at 1115 Franklin Ave. The parking lot is in very poor condition and presents barriers to ADA accessibility. A free breakfast and lunch program for children under the age of 18 is offered during the summer at this location.

Funding Requested: $15,000
PY2019 CDBG Funding: $10,000

**Funding Recommended: $15,000**

3. **City of Kent, Police Department – Neighborhood Policing Program**

The Neighborhood Policing Program provides additional patrols and police visibility primarily in low-to-moderate income neighborhoods and in assisted housing complexes. The program has a goal of improving communication, trust and understanding between residents and the Police Department. Funding for this activity is counted toward the Public Service 15% funding limitation.

Funding Requested: $18,000
PY2019 CDBG Funding: $18,000

**Funding Recommended: $18,000**

4. **CAC of Portage County – Furnace Inspection/Targeted Replacement Program**

The applicant is requesting funding from the CDBG program to continue its “Kent Furnace Inspection/Targeted Replacement Program” that provides the services of furnace inspections, tune-ups, or the replacement of failing or inefficient furnaces and/or hot water tanks for low-to-moderate income Kent households.

Funding Requested: $35,000
PY2019 CDBG Funding: $35,000

**Funding Recommended: $35,000**

5. **Family & Community Services – Homeless Shelter Services**

The Homeless Shelter Services program provides services at Miller Community House an emergency homeless shelter. Funding helps pay for shelter nights spent by Kent residents including needed case management, counseling and housing placement. Funding for this activity is counted toward the Public Service 15% funding limitation.

Funding Requested: $15,000
PY2019 CDBG Funding: $15,000

**Funding Recommended: $15,000**
6. **Family & Community Services – Miller House Kitchen Remodel**

Family & Community Services is requesting CDBG funds to remodel the kitchen at the M. Marie Miller House, which provides emergency shelter to men, women and children experiencing homelessness and exists to ensure that homeless families and individuals have access to safe temporary shelter and basic needs. Funds will be used to replace the kitchen flooring, cabinets and appliances, and to paint the room.

Funding Requested: $44,000  
PY2019 CDBG Funding: $40,000  
Funding Recommended: $30,000  
Unprogrammed Prior Year Funds: $10,000

7. **Ohio Small Business Development Center – Small Business Counseling**

Funds will be used to provide one-to-one business counseling, as well as business workshops/training, to low- to moderate-income residents of the City of Kent.

Funding Requested: $7,500  
PY2019 CDBG Funding: $0  
Funding Recommended: $5,000

8. **City of Kent, Community Development – Administration**

These funds are used to cover grant administration costs such as the cost of staff, supplies, advertising, postage, copying, travel costs for trainings, and other related costs. Funding for this activity is counted toward the Planning and Administration 20% funding limitation.

Funding Requested: N/A  
PY2019 CDBG Funding: $11,000  
Funding Recommended: $6,766

9. **Fair Housing Consultant – Fair Housing Services**

These funds will be used to cover the cost associated with the provision of fair housing service. The consultant will provide counseling in the areas of housing discrimination and landlord-tenant issues. They’ll investigate fair housing complaints and provide a variety of public education and outreach services in the City. Funding for this activity is counted toward the Planning and Administration 20% funding limitation.

Funding Requested: $19,000  
PY2019 CDBG Funding: $19,000  
Funding Recommended: $19,000

A spreadsheet summarizing the requested and recommended funding amounts has been attached for review. Copies of all submitted PY2020 CDBG proposals also are available for review at the Community Development Department.
<table>
<thead>
<tr>
<th>Applicant</th>
<th>Project</th>
<th>CDBG Request</th>
<th>Recommended Fund</th>
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<tr>
<td>Parks &amp; Recreation</td>
<td>Kent Recreation Center - Franklin St. Parking Lot</td>
<td>$15,000</td>
<td>$0</td>
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<tr>
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<td>Neighborhood Policing Program</td>
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<td>CAC of Portage County</td>
<td>Furnace Inspection/Targeted Replacement Program</td>
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<tr>
<td>Family &amp; Community Services</td>
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<td><strong>TOTAL</strong></td>
<td></td>
<td><strong>$323,500</strong></td>
<td><strong>$35,000</strong></td>
</tr>
</tbody>
</table>

| Public Service Cap (15%):          | $45,565                                                      |
| Administration Cap (20%):          | $60,753                                                      |

Reprogrammed Prior Year funds in the amount of $10,000 will be allocated to Family & Community Service’s “Miller I-
Mayor Fiala called the Council Committee Meetings to order at 7:00 p.m. He notified everyone that Mr. DeLeone, Mr. Kuhar, Mr. Turner and Mr. Ferrara asked to be excused from tonight’s meetings but there are five (5) members in attendance which makes it legal to vote on agenda items. The City Hall project discussion has been removed from the agenda prior to the meeting, therefore Streets, Sidewalks and Utilities would be the first Committee Meeting.

Mr. Roger Sidoti called the Streets, Sidewalks & Utilities Committee of Kent City Council to order at 7:01 p.m.

Mr. Sidoti has been talking with many in the community about roads and sidewalks and stressed the importance of passing the renewal (Issue 1). The work of Jim Bowling and Melanie Baker has helped keep the roads projects moving ahead and they need to be thanked. They usually get all of the complaints, but as the Chairman of this committee, Mr. Sidoti wanted to say “thank you” and that members of the community know the levy needs renewed to continue work to be done.

There were four (4) items on the Agenda.

1. Proposed Main Street Kent Burbick Way Lighting Agreement (Bowling/Jones)

Mr. Bowling stated it is a pleasure to serve and the staff feel the same way. The City has been working with Main Street Kent to get overhead decorative lighting across Burbick Way. An agreement was drafted and sent to Council which says Main Street Kent (MSK) will install, update and maintain lights across Burbick Way. The City will permit access to the power at the existing light poles for no cost for the lighting and the adjacent property owners for Main Street Kent to attach the support systems to their buildings. The City is requesting Council’s approval to execute the agreement with Main Street Kent and the property owners.

Ms. Shaffer asked if there are any residents in the upper floors of the two buildings (where lights will be strung) that would be impacted negatively by light pollution.

Mr. Bowling said he did not believe so and Mayor Fiala confirmed they are businesses.

Ms. Rosenberg asked about the cost to do this and if it is a shared cost between the City and MSK.

Mr. Bowling stated the City would provide power and Main Street Kent will pay for the upkeep and maintenance of the lights.

MOTION TO AUTHORIZE THE KENT BURBICK WAY LIGHTING AGREEMENT WITH AN EMERGENCY CLAUSE made by Ms. Shaffer, SECONDED by Ms. Rosenberg and CARRIED by a voice vote of 5-0.
Ms. Shaffer commented that as someone who travels that way in the evenings, she believes it will really enhance that corridor. She extended kudos to the idea as long as it doesn’t impact anybody negatively, it is going to be a positive addition to downtown.

Ms. Rosenberg added it is a lovely idea and she looks forward to seeing it.

2. Proposed City-KSU East Main Street Improvement Project

Mr. Ruller introduced the project and noted he attended the Kent State University Trustee meeting this afternoon where this was discussed. It is a multi-party agreement along with PARTA and Kent State University. This creates a legal partnership and approval to move forward with the project. It is the same format used for the Summit Street project.

Mr. Bowling stated this is the continuation of the agreements already in place, and the next step is to move on to the detailed design. The planning will continue for the next twelve to fifteen months and then move on to the detailed design. The City of Kent received $14.6 million to move forward from different grant sources and the cost is split 90% by the Federal Government, 5% with KSU and 5% with the City. We are requesting Council approval to continue the project moving forward.

Ms. Wallach asked when the next meeting will be held.

Mr. Bowling said he did not know, and that the agreement needs signed first to enable a consultant to come on board and then there will be a meeting.

MOTION TO AUTHORIZE THE PROPOSED CITY-KSU EAST MAIN STREET IMPROVEMENT PROJECT WITH AN EMERGENCY CLAUSE made by Ms. Rosenberg, SECONDED by Ms. Shaffer and CARRIED by a voice vote of 5-0.

3. City Tree Planting Report (Baker/Mckay)

Mr. Ruller started by saying he was proud of the tree work that has been done in the past year. There has been a renewed interest in the environmental impact trees have, but there is more. Melanie Baker will be reviewing the work that has been done.

Melanie Baker said she was disappointed she could not get the projector to work and wasn’t able to give the Power Point presentation to Council. Brad McKay is the City’s Arborist and is receiving additional training this evening in Columbus. She stated Kent is a well-established Tree City, as this year we will receive our 35th year award for being a part of Tree City, USA, which is a part of the Arbor Day Foundation. To be an established Tree City, it is required to have a Tree Commission, a tree ordinance, have to spend $2 per capita in an active tree program and the Mayor has to acknowledge Arbor Day. In 2017 the tree inventory was updated. The City has also taken the Growth Award for the past four years (2007, 2013, 2015 and 2018), working on tree growth and reforestation. In 2017 the City started giving away tree saplings in conjunction with Arbor Day and the Who’s Your Mama Festival. Heard back from attendees they would really love a tree, but didn’t want to walk around with it. This year, the Tree Commission will pick six different weekends to work a booth at the Farmer’s Market. It will be advertised at the Who’s Your Mama Festival and in the Tree City Bulletin.

In 2018 the City Arborist, Brad McKay noticed several large open areas, and wanted to start a project that would not only benefit Central Maintenance, but also benefit trees. Ms. Baker referenced the handout distributed (Attachment #1) highlighting the projects on Ivan and Hampton Rd. The City has to mow and maintain these areas, using a lot of man hours. Mr. McKay worked with Davey Tree and city engineers to come up with a plan to reforest. Over three hundred trees were planted on Ivan Drive. There was also a large retention basin on Hampton Rd. that was not very pretty and was a lot to mow. The whole area

THE CITY OF KENT, OHIO
STREETS, SIDEWALKS, UTILITIES COMMITTEE
WEDNESDAY, March 4, 2020
could not be filled in due to being designed for storm water retention but tree were planted on the outside. Ms. Baker complimented the Engineering Department, stating they do a great job replacing trees. On Summit Street alone over 100 trees were planted. Right of way plantings are done every year, between fifty and seventy trees are planted. They are planning on looking at Haymaker for the next reforesting project.

Ms. Rosenberg stated this is fantastic and really proactive. Any time trees are planted so there is less mowing and less use of gas is a win. She offered a message to residents; the City is setting a fine example planting trees and as a resident if you want to improve your property values, plant a tree. There are some affordable options through the Portage County Soil and Water Conservancy at their annual tree sale.

Melanie confirmed they are a good resource. Any questions on what kind of tree, she suggested calling Brad McKay for advice.

Ms. Rosenberg asked if there was information residents need to know regarding planting trees on tree lawns, if there are specific regulations.

Ms. Baker stated residents need to call in and work with the arborist on what type of tree to plant on the tree lawn. There is a list of trees that are allowed to be planted.

Ms. Shaffer asked if it is possible to walk and look at the trees planted on Ivan. She asked if there was any way to identify the trees the City planted and that maybe residents would like to know this. She asked if there are any walking trails. She said this sounds like it would be a nice place to walk around.

Ms. Baker stated there is a man-made path where others have walked. It was designed to grow and be a tree canopy and for the residents to enjoy the shade.

Ms. Shaffer commented it is a nice thing to do for a residential neighborhood to screen from a commercial area.

Ms. Wallach stated it is great to advertise at the Who’s Your Mama Festival and asked to also advertise at the Heritage Festival. She suggested a sign asking residents to plant trees to help with global warming. She also suggested signage at the Farmer’s Market. She asked if the City can notify residents more thoroughly the work that has been or will be done by use of signage and the website.

Ms. Baker confirmed these all can be done.

4. Proposed Kent Craft Brew Fest (Wicks)

Mr. Ruller introduced the topic along with two members of Kent Jaycees present in the audience. Jaycees would like to relocate the Craft Brew Fest from N. Water Street to Franklin Ave. It was a great success last year and they would like to repeat it. They would like to move it to Franklin Street (location in packet of information). They are asking authority for an area of the street they will block off.

Ms. Rosenberg asked if there is a plan for garbage pickup. The bar has been set high with Main Street Kent events with cardboard containers and removal.

Two members of Kent Jaycees approached the microphone and said at last year’s event, they used a trash removal company and the dumpster behind the bank, and it was all taken care of within a day. It will not be city’s obligation.

Ms. Wallach asked why they would like to move the event off of N. Water Street.
The Jaycees representatives stated the initial reason was they thought N. Water was going to be under construction. They think Franklin Ave. is a better home for this event due to having restaurants and bars in close proximity. If it rains, there is less ability on N. Water to have somewhere to go. Event logistics work better because home base is the train car.

**MOTION TO AUTHORIZE THE KENT CRAFT BREW FEST LOCATION** as presented was made by Mr. Amrhein, **SECONDED** by Ms. Shaffer and **CARRIED** with a voice vote 5-0.

Hearing no further business before this Committee, the meeting adjourned at 7:25 p.m.

Amy Wilkens
Clerk of Council

**ACTION RECOMMENDED:**

1) Authorize the Main Street Kent Burbick Way Lighting Agreement
2) Authorize the City-KSU East Main Street Improvement Project
3) Authorize the location change to the Kent Craft Brew Fest

THE CITY OF KENT, OHIO
STREETS, SIDEWALKS, UTILITIES COMMITTEE
WEDNESDAY, March 4, 2020
Ivan Drive

West End of Ivan - behind Burger King, Tree City Dental, and Fifth Third Bank.
Hampton Road

Stormwater Basin - between Hampton and Overbrook south of Main Street - behind Budget Truck Rental, Auto Loan, and Enterprise Rent a Car.
Finance Committee Meeting Minutes
The City of Kent, Ohio
Wednesday, March 4, 2020

Vice Chair, Ms. Tracy Wallach called the Finance Committee of Kent City Council to order at 7:50 p.m.

PRESENT: Mr. Jack Amrhein; Ms. Gwen Rosenberg; Ms. Heidi Schaffer; Mr. Roger Sidoti; Ms. Tracy Wallach

ALSO PRESENT: Mr. Jerry T. Fiala, Mayor and President of Council; Mr. David Ruller, City Manager; Ms. Hope Jones, Law Director; Ms. Bridget Susel, Community Development Director; Kathy Petchko, Grants and Neighborhood Coordinator; Ms. Joan Seidel, Health Commissioner; Mr. Tom Wilke, Economic Development Director; Ms. Melanie Baker, Service Director; Ms. Rhonda Hall, Budget and Finance Director; Mr. Jim Bowling, City Engineer; Ms. Amy Wilkens, Clerk of Council

ABSENT: Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Mr. Robin Turner

There were four (4) items on the Agenda.

1. **Accept and Appropriate $150,000 ODNR/RTP Trails Grant (Schwartzhoff)**

   Mr. Ruller introduced Mr. Kevin Schwartzhoff, Director of Park and Recreation. Last year Council approved an application for ODNR Trails Grant and have been notified receipt of the $150,000 for the Brady Trail project from Main Street Bridge towards Crain Street Bridge (1,000 feet). Kent also received a $7,000 AMATS grant which Mr. Jim Bowling and Rhonda Boyd applied for. This shows City departments working together and with their help this project is possible. The Park fund will put in 18 % of 1.2 million for the project. Mr. Schwartzhoff is asking Council permission to sign the agreement with ODNR to allow him to move forward with the grant.

   Ms. Shaffer asked if this project included the creation of the bike staircase.

   Mr. Schwartzhoff said it does. The project includes the bike stair, widening the ten foot concrete path, lighting, new landscaping and making path use more accessible to get to Main Street and visit the businesses downtown.

   Ms. Shaffer asked if there will be deck removal.

   Mr. Schwartzhoff indicated there would be. A new observation deck will be built and will include really nice signage that will lift up the community. Trash and recycling receptacles will be included.

   **MOTION TO ACCEPT AND APPROPRIATE $150,000 ODNR/RTP TRAILS GRANT WITH AN EMERGENCY CLAUSE** made by Ms. Shaffer SECONDED by Ms. Rosenberg and CARRIED by a voice vote of 5-0.

2. **Proposed NOPEC NEC Grant Application (Baker/Hall)**

   Mr. Ruller stated this is a grant application for a project funded by NOPEC in the amount of $65,500. There was a series of meetings to discuss the possibilities of these funds. A decision was made to use the funds for the water reclamation boiling upgrade.

   Ms. Melanie Baker is asking for Council's approval to accept the NOPEC Energize Community Grant. This year the grant is for $65,500. This was done in 2018 and 2019 and this will be the first year the funds will all be utilized. It will be used at the Water Reclamation Plant for a boiler upgrade and two return pumps.
MOTION TO APPROVE THE APPLICATION FOR THE NOPEC NEC GRANT WITH AN EMERGENCY CLAUSE made by Mr. Amrhein SECONDED by Ms. Rosenberg and CARRIED by a voice vote of 5-0.

3. Proposed Housing Rehab Loan Forgiveness (Susel/Jones)

Ms. Bridget Susel received a phone call from the daughter of former owner of a house located at 1501 Franklin Avenue who is in her 80’s. In 2016 she sold the home and needed to transition into a Long Term Nursing Facility. The sale occurred with a quick claim deed which means no title search was done at the time of the sale. The owner who bought it is now trying to sell the property. The current potential buyers had a title search done and two loans issued in 1995 were identified and transition to the new owners cannot occur until this matter is dealt with. Mrs. Shanley is on Medicaid and is in a nursing facility. Loans are due at time of sale and there seems to be some confusion regarding these, they were told the loans were actually grants. She is legally responsible, but the City will not be able to recoup any funds, as there is no means for this loan to be settled. Ms. Susel is coming to Council to ask for loan forgiveness to release Mrs. Shanley from the legal liability of this debt service so can file satisfaction of mortgage releasing the loans and allowing the sale of the property.

Mr. Ruller interjected it is not coming from the General Fund monies. This is very specific from the revolving loan funds.

Ms. Shaffer asked about the appraised value of the house. Ms. Susel replied she did not look because we cannot go after the house, just the owner because she no longer holds title. There should have been some due diligence done and certain steps should have been taken during the prior sale. The owner should not have offered to purchase the home through a quick claim deed and should have done the title search.

Ms. Shaffer asked if there are ways to prevent this from happening in the future.

Ms. Susel said the loan portfolio dates back to the late 1980’s and 99.9 % of transactions go through title search. All mortgages are recorded so that is protection. A private deal that happens such as this is not something that government can protect against.

MOTION TO APPROVE the HOUSING REHAB LOAN FORGIVENESS was made by Mr. Sidoti SECONDED by Mr. Amrhein and CARRIED with a voice vote of 5-0.

4. Proposed 2020 Budget Appropriations Amendment (Hall)

Ms. Rhonda Hall requested Council to approve the amended appropriation submitted in a memo to the City Manager dated February 25, 2020. There is one correction to Fund 136, the amount should be $100,000.

MOTION TO APPROVE the PROPOSED 2020 BUDGET APPROPRIATIONS AMENDMENT was made by Ms. Shaffer SECONDED by Mr. Amrhein and CARRIED with a voice vote of 5-0.

Hearing no further business the meeting adjourned at 8:05 p.m.

[Signature]
Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:
1) Accept and Appropriate the $150,000 ODNR RTP Trails Grant.
2) Approve the application for the NOPEC NEC Grant.
3) Approve the Housing Rehab Loan Forgiveness.
4) Approve the 2020 Budget Appropriation Amendments.
AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT WITH CITY OF KENT, OHIO (CITY), MAIN STREET KENT (MSK), PAUL A. & SUSAN K. BRAYDEN (BRAYDEN) AND ARTHUR PROPERTY MANAGEMENT LLC (APM) TO ALLOW MSK TO INSTALL OVERHEAD STRING LIGHTING ON BURBICK WAY NEAR SOUTH WATER STREET, AND ALSO ENTER INTO A LICENSE AGREEMENT WITH MSK TO PERMIT THE USE OF THE RIGHT-OF-WAY FOR THE PURPOSE OF PROVIDING DECORATIVE OVERHEAD LIGHTING, AND DECLARING AN EMERGENCY.

WHEREAS, the City, MSK, Brayden and APM would like to enter into an agreement to allow MSK to install overhead string lighting on Burbick Way near South Water Street of Kent; and

WHEREAS, the City will enter into a license agreement to permit MSK’s use of the right of way for the purpose of providing decorative overhead lighting; and

WHEREAS, the City will provide the power supply from existing electric outlets located on the light poles in the alley at no cost to MSK.

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 City Manager, or his designee, is hereby authorized to enter into an agreement with the City, MSK, Brayden and APM to install overhead string lighting on Burbick Way; in substantial compliance with the terms of Exhibit “A”, attached hereto.

SECTION 2. That the City Manager, or his designee, is hereby authorized to enter into a license agreement with MSK to permit the use of the right-of-way to install overhead string lighting on Burbick Way; in substantial compliance with the terms of Exhibit “B”, attached hereto.

SECTION 3. 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 4. 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

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _________________________
Date

ATTEST: _________________________
Amy Wilkens
Clerk of Council

I, AMY WILKENS, 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______.

__________________________
AMY WILKENS
CLERK OF COUNCIL
(SEAL)
BURBICK WAY LIGHTING AGREEMENT

THIS AGREEMENT is made by and between the CITY OF KENT, OHIO (hereinafter referred to as “CITY”), MAIN STREET KENT (hereinafter referred to as “MSK”), Paul A. and Susan K Brayden (hereinafter referred to as “Brayden”) and ARTHUR PROPERTY MANAGEMENT LLC (hereinafter referred to as “APM”).

WHEREAS, the above parties have previously invested in improving Burbick Way and the properties along Burbick Way; and

WHEREAS, the above parties would like to continue to invest along Burbick Way by incorporating decorative overhead lighting along a portion of Burbick Way.

NOW, THEREFORE, for mutual consideration, it is agreed between the parties as follows:

A) MSK shall install, operate and maintain overhead lighting along the western portion of Burbick Way as shown in Exhibit A.

B) MSK shall enter into a license agreement, shown in Exhibit B, with the CITY to permit MSK’s use of the right-of-way for the purpose of providing decorative overhead lighting.

C) The CITY shall permit access to the existing power on the light poles along Burbick Way for use by MSK for the decorative overhead lighting. The CITY shall provide the access to power at no cost to MSK.

D) The CITY is under no requirements to upgrade or make any modifications to the existing infrastructure, including power source, to facilitate the installation, operation or maintenance of the decorative overhead lighting.

E) Brayden shall permit MSK to attach, anchor or in any other manner necessary install the decorative overhead lighting to their structure located adjacent to Burbick Way.

F) APM shall permit MSK to attach, anchor or in any other manner necessary install the decorative overhead lighting to their structure located adjacent to Burbick Way.
IN WITNESS WHEREOF, the parties hereby acknowledge said agreement by their signatures below.

MAIN STREET KENT

By: ____________________________
Its: ____________________________
Address: ________________________

THE CITY OF KENT, OHIO

By: ____________________________
Its: ____________________________
Address: ________________________

Approved as to form by:

_________________________

PAUL A. and SUSAN K BRAYDEN

By: ____________________________
Its: ____________________________
Address: ________________________

ARTHUR PROPERTY MANAGEMENT, LLC

By: ____________________________
Its: ____________________________
Address: ________________________
CITY OF KENT, OHIO
LICENSE AGREEMENT

THIS AGREEMENT is made by and between the CITY OF KENT, OHIO, hereinafter called "City" and Main Street Kent, hereinafter called the "Licensee."

The City is the owner, in fee simple or by highway easement, of land, hereinafter known as the "Property." For and in consideration of the covenants, conditions, agreements and stipulations of the License expressed herein, the City does hereby agree the Property may be used by the Licensee for the purpose as outlined in Part 1 below, in accordance with the laws and Charter of the City of Kent. The Property is more particularly described in the attached exhibit listed below.

Exhibit "A" - Burbick Way Overhead Lighting Drawing

The parties hereto covenant and agree as follows:

1. **NATURE OF INTEREST:**

   The Licensee understands that by issuing this license, the City has merely granted the Licensee the right to occupy the right-of-way and this license does not grant or convey to the Licensee any interest in the Property.

2. **USE:**

   2.1 The Property shall be used for the purpose of: installing, operating and maintaining overhead decorative lighting.

   and for no other purpose.

   2.2 No structural alterations may be made to the City's property without the express written permission of the City of Kent, Director of Public Service.

3. **TERM:**

   The City does hereby agree the Property may be used by the Licensee for a term of one (1) year commencing on __________, 2020, and ending on ________________, 2021 unless terminated earlier by either party. This license will automatically renew yearly unless one (1) month before expiration either party notifies the other of its intention to terminate per Paragraph 14.
4. NECESSARY LICENSES AND PERMITS:

4.1 Licensee shall be licensed to do business in the State of Ohio and City of Kent, and upon request, Licensee shall demonstrate to the City that any and all such licenses are in good standing. Correspondence shall be addressed as follows:

All correspondence to the City shall be addressed:
Service Director
City of Kent
930 Overholt Road
Kent, Ohio 44240

All correspondence to the Licensee shall be addressed:

______________________________
______________________________
______________________________

4.2 Licensee shall secure all necessary permits required in connection with the use of the Property and shall comply with all federal, state and local statutes, ordinances, rules, or regulations which may affect, in any respect, Licensee's use of the Property. Licensee shall, prior to the commencement of any work, obtain and thereafter maintain, at its sole cost and expense, all licenses, permits, etc., required by law with respect to its business use of the Property.

5. STORAGE AND VENDING:

No storage of materials or supplies of any nature will be permitted on the Property except as directly related to the agreed business use of the Property.

6. TAXES:

Licensee agrees to be responsible for and to timely pay all taxes and/or assessments that may be legally assessed on Licensee's interest, or on any improvements placed by Licensee on said Property, during the continuance of the license hereby created, including any real estate taxes. The Licensee must provide written notice to the City, at the address referenced in Paragraph 4.1, within thirty (30) days of payment of all taxes and/or assessments.
7. **DIRECTOR OF PUBLIC SERVICE TO ACT FOR CITY:**

The granting of this permit shall not be construed as an abridgment or waiver of any rights which the Director of Public Service has in exercising his jurisdictional powers over the City property, easements or right-of-ways. The City Director of Public Service shall act for and on behalf of the City of Kent in the issuance of and carrying out the provisions of this permit.

8. **CITY USE OF PROPERTY:**

If for any reason the Director of Public Service or his duly appointed representative deems it necessary to order the removal, reconstruction, relocation or repair of the Licensee's changes to the City's property, then said removal, reconstruction, relocation or repair shall be promptly undertaken at the sole expense of the Licensee's thereof. Failure on the part of the Licensee to conform to the provisions of this permit will be cause for suspension, revocation or annulment of this permit, as the Director of Public Service deems necessary.

9. **MAINTENANCE OF PROPERTY:**

Licensee shall, at its sole expense, keep and maintain the Property free of all weeds, debris, and flammable materials of every description, and at all times in an orderly, clean, safe, and sanitary condition consistent with neighborhood standards. A high standard of cleanliness, consistent with the location of the area as an adjunct of the City, will be required. Defoliant, noxious, or hazardous materials or chemicals shall not be used or stored on the Property.

10. **MAINTENANCE OF IMPROVEMENTS:**

10.1 Licensee, at Licensee's own cost and expense, shall maintain all of his/her improvements to the Property. Licensee shall take all steps necessary to effectively protect the Property from damage incident to the Licensee's use of such Property, all without expense to the City.

10.2 Licensee shall be liable to, and shall reimburse the City for, any damage to City owned property that in any way results from or is attributable to the use of said Property by the Licensee or any person entering upon the same with the consent of the Licensee, expressed or implied.

11. **HOLD HARMLESS:**

Licensee shall occupy and use Property at its own risk and expense and shall save the City, its officers, agents, and employees, harmless from any and all claims for damage to property, or injury to, or death of, any person, entering upon same with Licensee's consent, expressed or implied, caused by any acts or omissions of the Licensee.
12. **INSURANCE:**

12.1 At the time of the execution of this Agreement, Licensee shall, at its own expense, take out and keep in force during the terms of this Agreement:

(a) Liability insurance, in a company or companies to be approved by the City to protect against any liability to the public incident to the use of, or resulting from injury to, or death of, any person occurring in or about, the Property, in the amount of not less than *Five Hundred Thousand Dollars* ($500,000.00), to indemnify against the claim of one person, and in the amount of not less than *One Million Dollars* ($1,000,000.00) against the claims of two (2) or more persons resulting from any one (1) accident.

(b) Property damage or other insurance in a company or companies to be approved by the City to protect Licensee, and the City against any and every liability incident to the use of or resulting from any and every cause occurring in, or about, the Property, including any and all liability of the Licensee, in the amount of not less than *One Hundred Thousand Dollars* ($100,000.00). Said policies shall inure to the contingent liabilities, if any, of the Licensee and the City, and shall obligate the insurance carriers to notify Licensee and the City, in writing, not less than thirty (30) days prior to cancellation thereof, or any other change affecting the coverage of the polices. If said policies contain any exclusion concerning property in the care, custody or control of the insured, an endorsement shall be attached thereto stating that such exclusion shall not apply with regard to any liability of the Licensee and the City.

12.2 A copy of the "Certificate of Insurance" will be submitted to the City at the time of execution of license and annually thereafter.

13. **MODIFICATION:**

The terms of this Agreement may be modified upon agreement of the parties.

14. **REVOCATION AND TERMINATION:**

14.1 The City may revoke this license at any time. The Licensee may terminate this Agreement at any time.

14.2 In the event this license is revoked or the Agreement is terminated the Licensee will peaceably and quietly leave, surrender, and yield up to the City the Property. The Property will be restored to its previous condition at the expense of the Licensee and no costs for removal will be reimbursed by the City.
14.3 Upon revocation of the license or upon termination or expiration of Agreement, any personal property, or other appurtenances, including all footings, foundations, and utilities, placed on the City property will be removed by Licensee. If any such appurtenances are not so removed after ninety (90) days written notice from the City to the Licensee, the City may proceed to remove the same and to restore the Property and the Licensee will pay the City, on demand, the reasonable cost and expense of such removal and restoration.

15. **RELOCATION:**

A Licensee who licenses property from the City shall not be eligible for relocation payments.

IN WITNESS WHEREOF, this Agreement has been executed in duplicate by the parties hereto as of the date herein last written below. Licensee acknowledges receipt of a copy of this Agreement and agrees to comply with the provisions herein contained.

**LICENSEE(S):**

______________________________
Signature

______________________________
Signature

______________________________
Mailing Address

______________________________
Telephone

______________________________
Date

**CITY OF KENT, OHIO**

______________________________
Director of Public Service

______________________________
Date

**APPROVED AS TO FORM:**

______________________________
Hope Jones, Law Director
City of Kent
Burbick Way Overhead Lighting

2020-17 Exhibit B
DRAFT ORDINANCE NO. 2020-18

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO CONTINUE THE EAST MAIN STREET IMPROVEMENTS AGREEMENT BETWEEN THE CITY OF KENT, KENT STATE UNIVERSITY AND PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY (PARTA) AND BEGIN THE NEXT PHASE OF THE PROJECT DESIGN PROCESS, AND DECLARING AN EMERGENCY.

WHEREAS, this agreement is the continuation of the East Main Street Project that started with a joint planning study commenced with KSU and a citizen’s advisory committee from the East Main Street Area; and

WHEREAS, the planning study was completed to the point where federal grant money could be pursued to assist in the implementation of the project; and

WHEREAS, over $14 million in federal grant money was received for the project, including funds to complete the design phase of the project.

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, or his designee, to continue the East Main Street Improvements Agreement between the City, KSU and PARTA which will use the results of the community-based project planning study and begin the next phase of the project design process, and is more fully described 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 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 Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: ________________________________
Date

ATTEST: ________________________________
Amy Wilkens
Clerk of Council
I, AMY WILKENS, 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____.

__________________________
AMY WILKENS
CLERK OF COUNCIL
(SEAL)
EAST MAIN STREET IMPROVEMENTS

AGREEMENT

PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY
KENT STATE UNIVERSITY
THE CITY OF KENT

ALL PARTIES BEING IN THE STATE OF OHIO

This Agreement, dated __________ 2020, is an agreement made and entered into between the Portage Area Regional Transportation Authority ("PARTA"), Kent State University ("KSU") and the City of Kent, Ohio, duly formed under the laws of the State of Ohio (the "City").

WITNESSETH:

WHEREAS, KSU and the City desire to continue their joint efforts for the improvement of East Main Street generally located from Willow Street to Horning Road; known as the East Main Street Improvements (the "Project"), and;

WHEREAS, PARTA maintains numerous routes through the Project area and desires to improve transportation services to the traveling public, and;

WHEREAS, KSU and the City have previously shared resources to complete a planning and safety study to obtain Federal Highway Safety Funds (HSP), and;

WHEREAS, the City has applied for and received Federal funding through the Congestion Mitigation/Air Quality (CM/AQ) program, Surface Transportation Block Grant (STBG) program and the HSP program to finance a majority of the design, right of way acquisition, construction and construction inspection costs for this Project, and;

WHEREAS, PARTA agrees to pursue and apply for federal and state funding sources to assist in the completion of the transit fundable portions of the project;

WHEREAS, the Ohio Department of Transportation (ODOT) has agreed that the City serve as the responsible lead agency to administer the Project, and;

WHEREAS, the City will enter into a Local Public Agency (LPA) Local-Let Federal agreement with ODOT to administer the Project, and;

WHEREAS, KSU and the City have agreed to use a design consultant to provide professional surveying and engineering services for the preliminary and final design of the proposed Project and that the City will be the lead agency in the management of the Project, and;
WHEREAS, KSU does hereby give permission to the City of Kent, its agents, employees, consultants and contractors to enter upon KSU lands for the purpose of surveying, utility investigations, subsurface investigations, traffic counting, environmental studies and any other work necessary to complete the preliminary and final design of the Project, and;

WHEREAS, KSU and the City agree to pay for the local share of the design, estimated to be $250,000, in equal amounts (50/50 split) up to a maximum amount of $125,000 per entity, and;

WHEREAS, KSU and the City further agree to pay for the local share of the construction of the Project, with the amount to be determined after completion of the design phase, and to be included by Amendment to this document, and;

WHEREAS, the Kent State University Board of Trustees has authorized the Vice President for Finance and Administration to enter into a contractual agreement with the City of Kent to share the required local match for federal and state funded improvements to East Main Street. The authorization is for 50% of the local share, with the amount presently estimated at $2.2 million, and;

NOW, THEREFORE, in consideration of the promises and covenants contained in this Agreement, the parties hereto agree as follows:

Section 1. Incorporation of Recitals

The preceding recitals are hereby incorporated by reference into this Agreement.

Section 2. Design of the Project

A. The City and KSU shall undertake the design of the Project in a workmanlike manner.

B. All parties agree that the design of the improvement shall include improvements to transit services along the corridor, including at a minimum, bus pull-offs, shelters and lighting at planned service locations along the corridor.

C. The City hereby agrees that all contracts for the design of the Project shall be entered into in compliance with the applicable provisions of State and Local laws including Federal requirement for the procurement of professional services.

D. KSU and PARTA, as major stakeholders of the Project, shall be active in the development and review of the preliminary alternatives, the selection of the
preferred alternative, review of the detailed design plans and attendance and participation at regular project meetings.

E. The cost of the professional engineering services will be split 50% KSU, 50% City. The City will be invoiced and pay for the professional services and KSU will reimburse the City its share of the total cost when the City invoices KSU for said professional services that are KSU's portion.

F. The parties to this Agreement covenant that all design with respect to the Project is made in reliance on this Agreement.

Section 3. Construction of the Project

A. This Agreement will be amended prior to construction to further detail the terms.

B. KSU's participation in the local match is limited to the $2.2 million authorized by the Kent State University Board of Trustees. Any additional funds needed for the local match must be authorized by the Board of Trustees prior to entering into contracts or change orders requiring the additional funds.

IN WITNESS WHEREOF, the parties hereto have offered their hands and seals.

CITY OF KENT, OHIO

Reviewed and Recommended by:

______________________________
James S. Bowling, P.E.
Deputy Service Director/Superintendent of Engineering

Date

Approved and Accepted by:

______________________________
Dave Ruller
City Manager

Date

Page 3 of 5
Certificate of Director of Budget and Finance

It is hereby certified that the amount ONE HUNDRED TWENTY FIVE thousand dollars ($125,000) required to meet the contract, agreement, obligation, payment or expenditure, for the above, has been lawfully appropriated or authorized or directed for such purpose and is in the City Treasury or in the process of collection to the credit of the Capital Funds free from any obligation or certificates now outstanding.

David Coffee, Director of Budget and Finance

Date
IN WITNESS WHEREOF, the parties hereto have offered their hands and seals.

KENT STATE UNIVERSITY

WITNESS: Reviewed and Recommended by:

________________________________________

Mark Polatajko
Vice President for Finance and Administration
Kent State University

Date

PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY

WITNESS: Reviewed and Recommended by:

________________________________________

Claudia Amrhein
General Manager
Portage Area Regional Transportation Authority

Date

Approved as to form:

________________________________________

Legal Counsel
Portage Area Regional Transportation Authority
DRAFT ORDINANCE NO. 2020-19

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE A NEW SPECIAL EVENT APPLICATION FROM THE KENT JAYCEES KNOWN AS “2ND ANNUAL KENT CRAFT BEER FEST” TO BE HELD ON SATURDAY, MAY 16, 2020, AND THE TEMPORARY CLOSURE OF FRANKLIN AVENUE FROM MAIN STREET TO WEST COLLEGE AVENUE, AND DECLARING AN EMERGENCY.

WHEREAS, the 2nd Annual Kent Craft Beer Fest is a way to enjoy the growing craft beer economy in Northeast Ohio and highlight the work of breweries in Kent and neighboring cities; and

WHEREAS, the Kent Jaycees would like to continue the success of the first festival by hosting the 2nd annual Kent Craft Beer Fest with 35 breweries in a new location of Downtown Kent; and

WHEREAS, the 2nd Annual Kent Craft Beer Fest will take place Saturday, May 16, 2020 from 2:00 p.m. until 8:00 p.m. The temporary closure of Franklin Avenue from Main Street to West College Avenue will begin Saturday morning at 10:00 a.m. until 10:00 p.m.; and

WHEREAS, the Kent City Council consents to authorizing the City Manager or his designee to sign the Special Event Application as long as he is comfortable and believes the safety and security of the City’s citizens will not be adversely affected.

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 Kent City Council authorizes the City Manager or his designee to execute the Special Event Application from The Kent Jaycees in substantial conformance with the Special Event Application attached hereto as Exhibit “A”, as long as the City Manager or his designee believes the safety and security of Kent’s citizens are adequately projected.

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

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: ________________________________
Date

ATTEST: ________________________________
Amy Wilkens
Clerk of Council
I, AMY WILKENS, 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)

___________________________
AMY WILKENS
CLERK OF COUNCIL
To: Dave Ruller, City Manager  
From: Harrison Wicks, Assistant to the City Manager  
Date: February 20, 2020  
RE: New Special Event Application – 2\textsuperscript{nd} Annual Kent Craft Beer Fest

The City Manager’s Office has received a special event application for a location change to the Kent Craft Beer Festival and requires council approval. This event will take place \textbf{Saturday, May 16, 2020 from 2pm-8pm} on Franklin Avenue between Main Street and West College Avenue.

The event will temporarily close Franklin Avenue from Main Street to W. College Avenue, beginning Saturday morning at 10am until 10pm.

The Kent Jaycees would like to continue the success of the first festival by hosting the 2\textsuperscript{nd} annual Kent Craft Beer Fest in a new location of Downtown Kent. The Kent Jaycees are planning to host 35 breweries, up from 22 breweries in 2019, and provide expanded ticket options including a VIP package with select beers and food at the Kent Jaycee “Marvin Kent” Train Car.

This event is a way to enjoy the growing craft beer economy in Northeast Ohio and highlight the work of breweries in Kent and neighboring cities. In addition to beer tasting, there will be a DJ and food provided by local food vendors.

Please let me know if you have any questions concerning the attached materials or if you need any additional information.

For more information on the Kent Jaycees or the event, please visit \url{https://kentjaycees.com/}.

Thank you.

cc: Amy Wilkens, Clerk of Council
APPLICATION FOR SPECIAL EVENT
PARADES, FESTIVALS, CARNIVALS, PUBLIC ASSEMBLIES, ETC.
City of Kent, 319 S. Water Street, Kent, OH 44240

NAME OF EVENT ______ Kent Craft Beer Fest ________________________________

ORGANIZATION SPONSORING EVENT ______ Kent Jaycees ________________________

APPLICANT NAME ______ Colin Boyle _______________________________________
PHONE ______ 330-607-2467

ADDRESS ______ P.O. Box 963, Kent, OH 44240 ____________________________

NAMES AND PHONE NUMBERS OF ALL PERSONS WHO ARE IN CHARGE AND/OR WILL BE IN A RESPONSIBLE POSITION DURING THE EVENT:

Colin Boyle ______ 330-607-2467
Ryan Tipton ______ 330-554-6615

DATE OF EVENT ______ May 16, 2020 ______ NO. OF PARTICIPANTS ______ 1000

REQUESTED PERMIT TIME: Start Set up ______ 10 AM ______ Start Event ______ 2 PM
End Event ______ 8 PM ______ End Cleanup ______ 10 PM

IF PARADE: STARTING POINT ______ N/A ______ ENDING POINT ______ N/A

USE OF CITY WATER NEEDED? ______ Yes, for filling coolers (jockey boxes) to cool the beer
(If yes, please explain)

USE OF CITY ELECTRIC NEEDED? ______ Yes, light posts along Franklin Avenue
(If yes, please explain)

In addition to the application please submit the following information:

• Attach map to application showing proposed streets to be blocked off for event, and route of parade or race. (May be hand drawn.)
• Proof of Insurance is required before permit can be issued.
• Please attach list of possible vendors/booths to be part of event (food, retail, etc.).

Please submit application for permit at least 30 days in advance, but no sooner than one year in advance. For additional requirements please review Chapter 316 of The Codified Ordinance of the City of Kent. Please be advised that the use of marking paint on City pavement, curbs, sidewalks or other property is prohibited except if purchased at cost from Service Department (330-678-8105).

By signing this application, I am certifying that I have received a copy of the rules and regulations of Chapter 316 of the Codified Ordinances of the City of Kent, and I fully understand that should the permit be approved, it can be revoked if any of the provisions of this Chapter are violated.

Colin P Boyle _____________________________
Name of Applicant __________________________

Signature of Applicant ______________________

Office Use. Do not write below this line.

Sent to: Safety, Service, Fire, Police, and Health Departments for review and approval via __________________ on __________________.

MEMORANDUM AGREEMENT ______ YES ______ NO
APPLICATION APPROVED ______ APPLICATION DISAPPROVED ______

PROOF OF INSURANCE REQUIRED BY ORDINANCE 316.04 HAS BEEN REVIEWED AND APPROVED.

__________________________ _________________
Law Director _____ Date ______________________________

IF APPLICATION IS APPROVED, PERMIT WILL BE ISSUED BY THE CITY MANAGER.

2020-19 Exhibit A
CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY): 2/18/2020

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATEHOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE, PRODUCER, AND THE CERTIFICATEHOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATIONS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Brimfield Insurance Agency Inc.
1204 Tallmadge Rd
Kent OH 44240

CONTACT NAME: _______________________________________________________________________________________
PHONE (INC. UND.): 330-673-4919
FAX (INC. UND.): 330-673-4955
EMAIL: __________________________________________

INSURER(S) AFFORDING COVERAGE
PHILADELPHIA INSURANCE COMPANIES

INSURED
KENT JAYCEES INC
PO BOX 963
KENT, OH 44240

COVERAGES

CERTIFICATE NUMBER: HPKR1414203
REVISION NUMBER: A

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DESCRIPTION OF OPERATIONS LOCATIONS VEHICLES: (ACORD 101) Address in marked boxes may be attached if more space is required.

***CERTIFICATE HOLDER IS ALSO ADDITIONAL INSURED***

CERTIFICATE HOLDER CANCELLATION

CITY OF KENT
215 E SUMMIT ST
KENT OH 44240

SHOULD ANY OF THE ABOVE-DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE

© 1988-2014 ACORD CORPORATION. All rights reserved.
# Kent Craft Beer Fest

## Potential Breweries and Food Vendors

### Breweries

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<tr>
<th>Brewery</th>
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<tr>
<td>HiHo Brewing Co.</td>
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<tr>
<td>HopTree Brewing Co.</td>
<td>Hudson</td>
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<tr>
<td>MadCap Brew Co.</td>
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<tr>
<td>Akronym Brewing</td>
<td>Akron</td>
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<tr>
<td>Headtrip Brewery</td>
<td>Stow</td>
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<td>Lock 15 Brewing Co.</td>
<td>Akron</td>
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<td>Platform Beer Co.</td>
<td>Cleveland</td>
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<td>Missing Falls Brewery</td>
<td>Akron</td>
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<td>Bookhouse Brewing</td>
<td>Cleveland</td>
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<td>Masthead Brewing</td>
<td>Cleveland</td>
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<tr>
<td>Saucy Brew Works</td>
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<tr>
<td>Fat Heads Brewery</td>
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<tr>
<td>Sibling Revelry</td>
<td>Cleveland</td>
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<tr>
<td>Two Monks Brewing</td>
<td>Akron</td>
</tr>
<tr>
<td>McArthur's Brew House</td>
<td>Cuyahoga Falls</td>
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### Food Vendors

<table>
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<tr>
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<tr>
<td>Erie Street Kitchen</td>
<td>Kent</td>
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<tr>
<td>Roll Call</td>
<td>Kent</td>
</tr>
<tr>
<td>Burnside BBQ</td>
<td>Kent</td>
</tr>
</tbody>
</table>
Petition to Businesses: Kent Craft Beer Festival May 16th 2020 Road Closure

After many successful Kent Jaycees events downtown, The Jaycees are organizing the Second Annual Kent Craft Beer Festival on May 16th 2020. With the strong interest, for the Second year from local N.E.O Breweries, we feel the need to close Franklin Avenue from Main Street to College Street, and a portion of Erie Street from Franklin Ave. to the Alley.

We encourage all businesses to be open on this day and see this as a positive opportunity as it will increase foot traffic significantly on the street during and after festival hours.

We are asking all business owners to sign the petition in approval of the proposed road closure. This petition will be presented to City Council for approval before moving forward with the event planning. Thank you very much for your cooperation.

Sincerely,

[Signature]

Colin Boyle
Committee Chair
Kent Jaycees
2020-19 Exhibit A
DRAFT ORDINANCE NO. 2020-20

AN ORDINANCE ACCEPTING A GRANT FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) 2019 RECREATIONAL TRAILS PROGRAM (RTP) GRANT IN THE AMOUNT OF $150,000 TO BE USED TO FUND THE BRADY’S LEAP SEGMENT OF THE PORTAGE HIKE AND BIKE TRAIL, AND DECLARING AN EMERGENCY

WHEREAS, the City of Kent received a grant from the ODNR 2019 Recreational Trails Program (RTP) in the amount of $150,000 to be used to fund the Brady’s Leap Segment of the Portage Hike and Bike Trail; and

WHEREAS, the City of Kent Parks & Recreation Department is requesting the grant funds be accepted and appropriated to be used as part of the overall funding package for the next phase of the hike and bike trail upgrade (between Main Street and the Fairchild Bridge); and

WHEREAS, the City wishes to accept said grant in the amount of $150,000.00.

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 Council does hereby authorize the City Manager, or his designee, on behalf of the City of Kent Parks & Recreation Department to accept the grant from the ODNR in the amount of $150,000.00 that will be used for the Brady’s Leap segment of the Portage Hike and Bike Trail.

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

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: ________________________________

Date

ATTEST: ________________________________

Amy Wilkens
Clerk of Council

I, AMY WILKENS, 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)

___________________________
AMY WILKENS
CLERK OF COUNCIL
DRAFT ORDINANCE NO. 2020-21

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SECURE NOPEC GRANT FUNDS THAT ARE AVAILABLE TO THE CITY (UP TO $65,500.00) TO USE FOR ENERGY SAVING RELATED INVESTMENTS, AND DECLARING AN EMERGENCY

WHEREAS, the City of Kent, Ohio is receiving a Northeast Ohio Public Energy Council (“NOPEC”) Energized Community (NEC) grant in the amount of $65,550.00 for 2020; and

WHEREAS, the City would like to use the funds to upgrade critical power related equipment that is used at the Water Reclamation facility.

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 Kent City Council hereby authorizes the City Manager, or his designee, to secure NOPEC grant funds in the amount of $65,500.00 from the NOPEC Energized Community (NEC) 2020 Program.

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 _______________________________

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _______________________________ Date _______________________________

ATTEST: _______________________________
Amy Wilkens
Clerk of Council

I, AMY WILKENS, 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)

_________________  AMY WILKENS
CLERK OF COUNCIL
DRAFT ORDINANCE NO. 2020-22

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO FORGIVE FORMER HOUSING REHABILITATION LOANS IN THE AMOUNT OF $16,386.00 THAT HAVE BEEN UNABLE TO BE SECURED THROUGH LEGAL REMEDY AND ARE NO LONGER DEEMED PRACTICAL TO RECOVER FOR THE PROPERTY AT 1501 FRANKLIN AVENUE; AND DECLARING AN EMERGENCY.

WHEREAS, Mrs. Shanley, who received rehabilitation loans from the City for her property located at 1501 Franklin Avenue sold the property in 2016. The home was sold for $20,000.00, but the transaction was accomplished with a Quit Claim Deed and no title search occurred. The current owner is now trying to sell the home; and

WHEREAS, a current title search identified two (2) deferred, existing rehabilitation mortgages issued in 1995 on the property that totaled $16,386.50 (includes P&I). The loans were due and payable in 2016 when Mrs. Shanley sold the property; and

WHEREAS, Mrs. Shanley is on Medicaid and has no means to pay off the loans; and

WHEREAS, Council desires to approve converting the full amount of the loans to grants in favor of Mrs. Shanley. Mrs. Shanley provided the documentation from the State of Ohio showing that she is on Medicaid, which means she has no assets and that she currently resides in a nursing home that is 100% paid through Medicaid; and

WHEREAS, Council finds that there are no viable options to collect the loans and authorizes the loans to be forgiven at 100%.

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 Council does hereby authorize the City Manager, or his designee, to take any measure necessary to forgive the amount of $16,386.00 and to convert the two (2) deferred loans to grants in order to release Mrs. Shanley from the financial liability.

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 Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: ___________________________
Date

ATTEST: ______________________________
Amy Wilkens
Clerk of Council
I, AMY WILKENS, 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)

__________________________
AMY WILKENS
CLERK OF COUNCIL
AN ORDINANCE AMENDING ORDINANCE NO. 2019-139, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 18, 2019; SO AS TO ADJUST APPROPRIATIONS, TRANSFERS AND ADVANCES FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020; 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, 2020.

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. 2019-139 passed December 18, 2019; as amended by Ordinance No. 2020-14, passed 2/19/2020, be amended as set forth in Exhibit "A", attached hereto and incorporated herein, so as to increase appropriations in Fund 001, General; Fund 106, Recreation; Fund 116, Income Tax; Fund 136, CHIP Grant; and Fund 301, Capital; and Declaring An Emergency.

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: ________________________________

Amy Wilkins
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOMES 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)

______________________________
AMY WILKENS
CLERK OF COUNCIL
### General Fund (001)

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### West Side Fire (101)

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2020 AMENDED APPROPRIATIONS

2020-23 Exhibit A
### 2020 AMENDED APPROPRIATIONS

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### 2020 AMENDED APPROPRIATIONS

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2020-23 Exhibit A
## 2020 AMENDED APPROPRIATIONS

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<td>$3,700,000</td>
<td>$3,700,000</td>
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</tr>
<tr>
<td>Health Insurance</td>
<td></td>
<td></td>
<td></td>
<td>$3,700,000</td>
<td>$3,700,000</td>
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</tr>
<tr>
<td><strong>Fund Total</strong></td>
<td>$0</td>
<td>$3,700,000</td>
<td>$0</td>
<td>$0</td>
<td>$0</td>
<td>$3,700,000</td>
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</tr>
<tr>
<td><strong>Total Appropriations</strong></td>
<td>$25,113,244</td>
<td>$12,600,906</td>
<td>$19,746,705</td>
<td>$5,472,276</td>
<td>$250,000</td>
<td>$63,183,131</td>
<td></td>
</tr>
</tbody>
</table>

| Original Appropriations     | $24,787,144          | $12,459,693                     | $13,787,565       | $5,472,276 | $250,000     | $56,756,678 |
| Amendment #1                | $326,100.00          | $5,859,140                      | $6,185,240        | $241,213   | $0           | $6,185,240  |
| Amendment #2                |                      | $141,213                        | $100,000           | $241,213   | $0           | $241,213    |
| Amendment #3                |                      | $0                              | $0                | $0         | $0           | $0           |
| Amendment #4                |                      | $0                              | $0                | $0         | $0           | $0           |
| Amendment #5                |                      | $0                              | $0                | $0         | $0           | $0           |
| Amendment #6                |                      | $0                              | $0                | $0         | $0           | $0           |
| Amendment #7                |                      | $0                              | $0                | $0         | $0           | $0           |
| Amendment #8                |                      | $0                              | $0                | $0         | $0           | $0           |
| **Total**                  | $25,113,244          | $12,600,906                     | $19,746,705       | $5,472,276 | $250,000     | $63,183,131 |
## 2020 AMENDED APPROPRIATIONS - SCHEDULE OF OPERATING TRANSFERS AND TEMPORARY ADVANCES

<table>
<thead>
<tr>
<th>Paying Fund</th>
<th>Original</th>
<th>Current Request</th>
<th>Change</th>
<th>Receiving Fund</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Operating Transfers</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Fund 116 - Income Tax</td>
<td>$3,600,000</td>
<td>$3,600,000</td>
<td>$0</td>
<td>Fund 001 - General</td>
</tr>
<tr>
<td>Fund 116 - Income Tax</td>
<td>$1,000,000</td>
<td>$1,000,000</td>
<td>0</td>
<td>Fund 102 - St Const Maint &amp; Repair</td>
</tr>
<tr>
<td>Fund 116 - Income Tax</td>
<td>$3,581,444</td>
<td>$3,581,444</td>
<td>0</td>
<td>Fund 128 - Fire &amp; E.M.S.</td>
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<tr>
<td>Fund 116 - Income Tax</td>
<td>$3,075,444</td>
<td>$3,358,065</td>
<td>282,621</td>
<td>Fund 301 - Capital Projects</td>
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<tr>
<td>Fund 116 - Income Tax</td>
<td>$1,790,724</td>
<td>$1,889,496</td>
<td>98,772</td>
<td>Fund 303 - Police Facility</td>
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<tr>
<td>Fund 116 - Income Tax</td>
<td>$60,000</td>
<td>$60,000</td>
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<td>Fund 402 - Debt Service</td>
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<td><strong>Total Fund 116 Income Tax</strong></td>
<td>$16,689,056</td>
<td>$17,070,449</td>
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</tr>
<tr>
<td>Fund 201 - Water</td>
<td>$47,000</td>
<td>$47,000</td>
<td>$0</td>
<td>Fund 204 - Utility Billing</td>
</tr>
<tr>
<td>Fund 202 - Sewer</td>
<td>$47,000</td>
<td>$47,000</td>
<td>0</td>
<td>Fund 204 - Utility Billing</td>
</tr>
<tr>
<td>Fund 001 - General</td>
<td>$3,700,000.00</td>
<td>$3,700,000.00</td>
<td>0</td>
<td>Fund 124 - Income Tax Safety</td>
</tr>
<tr>
<td>Fund 001 - General</td>
<td>$6,400.00</td>
<td>$6,400.00</td>
<td>0</td>
<td>Fund 106 - Parks and Rec</td>
</tr>
<tr>
<td>Fund 001 - General</td>
<td>$1,500,000.00</td>
<td>$1,889,496</td>
<td>389,496</td>
<td>Fund 301 - Capital Projects (for City Hall)</td>
</tr>
<tr>
<td>Fund 001 - General</td>
<td>$2,100,000.00</td>
<td>$2,100,000.00</td>
<td>0</td>
<td>Fund 128 - Fire &amp; EMS</td>
</tr>
<tr>
<td><strong>Subtotal - Total Operating Transfers</strong></td>
<td>$7,400,400</td>
<td>$7,400,400</td>
<td>$0.00</td>
<td></td>
</tr>
</tbody>
</table>

| Temporary Advances               |          |                 |        |                                 |
| Fund 106 - Recreation            | *        | $0              | $0     | Fund 001 - General              |
| Fund 201 - Water                 | *        | $0              | $0     | Fund 116 - Income Tax           |
| Fund 202 - Sewer                 | *        | $0              | $0     | Fund 116 - Income Tax           |
| Fund 205 - Solid Waste           | *        | $56,000         | $0     | Fund 001 - General              |
| Fund 205 - Solid Waste           | *        | $53,000         | $0     | Fund 116 - Income Tax           |
| Fund 208 - Storm Water           | *        | $16,000         | $0     | Fund 116 - Income Tax           |
| **Subtotal - Total Advances**    | $125,000 | $125,000       | $0     |                                 |
| **Grand Total - All Transfers & Advances** | $24,214,456 | $24,595,849 | $381,393|                                 |

* Designates Repayment of Advance
DRAFT ORDINANCE NO. 2020-24

AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF $1,596.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM THE KENT JUNIOR MOTHERS CLUB FOR THE PURCHASE OF PLAYGROUND EQUIPMENT FOR THE PLAYGROUND AT PLUM CREEK PARK, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Parks & Recreation Department has received a donation in the amount of $1,596.00 from the Kent Junior Mothers Club for the purchase of playground equipment for the playground at Plum Creek Park; and

WHEREAS, the City wishes to accept said donation.

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 Council does hereby authorize the City Manager on behalf of the City of Kent to accept the donation of $1,596.00 for the purchase of playground equipment for the playground at Plum Creek Park.

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 ______________________________
Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: ______________________________ Date ______________________________

ATTEST: ______________________________
Amy Wilkens
Clerk of Council

I, AMY WILKENS, 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)

_________________________
AMY WILKENS
CLERK OF COUNCIL
(SEAL)