Pending List Update
February 2018

Items Referred to the Administration
1) Study of pedestrians and vehicles, with consideration of four way stop signs or a method for making pedestrians cross safer in the downtown area. (4/15, 2/16)

On this item, Jim Bowling reports the pedestrian, bicycle, and vehicle safety issues in downtown (particularly on Water Street) have been an area of ongoing review for the last three years. He has been able to make a few low cost improvements, such as the in-street pedestrian crossing signs, which provided some site specific relief. Preliminary traffic engineering analysis has been performed, including traffic counts, parking counts, speed data, accident data, street geometry data, etc., to evaluate more substantial improvements at certain intersections, e.g., N. Water Street @ Columbus Street, but a range of complicating factors in the geometry of these intersections, site distance, traffic volumes, parking impacts, and costs for solutions have proven too prohibitive for immediate action. In the course of that analysis it became apparent that a full corridor safety study is needed to optimize safety throughout the length of the corridor rather than trying to optimize safety on an intersection by intersection basis. This corridor study was proposed as 1 of 3 prospective safety projects that could be funded through ODOT in 2016 but ultimately the staff recommended submitting the SR261 safety improvements for the grant funding. Jim has continued to seek external funding sources and he plans to apply for highway safety funding in Spring 2018. Jim has also begun to include phased improvements in the Water Street corridor into the City's capital plan. There are discussions underway to also allocate some funds towards a "Better Block" project in 2018 in this corridor which would provide area residents and businesses an opportunity to "test-out" some possible improvement ideas.

Recommendation: Retain on list pending the outcome of the efforts targeted for 2018 and or funding is secured.

2) Sustainability Commission to come up with 10 action items to fend off global warming (7/14, 2/16)

The Sustainability Commission has had a series of recent initiatives, including the Climate Action Plan, which is expected to result in a number of local action items that are directly related to the issue of global warming.

Recommendation: Retain on list until the completion of the Climate Action Plan, then authorize its removal.

3) Language making snow plow companies keep fire hydrants clear (3/15, 2/16)

While specific regulations have not been added to the City Code to compel snow plow companies to keep fire hydrants clear, the City staff have increased awareness, education, and enforcement efforts to keep sidewalks clear of snow and that has led to notice of keeping fire hydrants clear as well. The Fire Department has also made arrangements with students at Kent State University to perform snow clearing around hydrants where snow has accumulated.

Recommendation: Remove from the pending list.

4) City Checkbook Online (3/15, 2/16)

The Budget and Finance staff worked with the staff in the Ohio State Auditor's Office to understand the Auditor's online checkbook initiative and to see if it was compatible with the City's automated financial record systems. The staff is fully supportive of transparency in City finances but the challenge has been coordinating the City's financial reporting systems in a way that will result in the upload of meaningful
information for public review online. Through the State Auditor's Office a third party company offered a "free" online checkbook but it turns out that the early adopter cities noted that the "free" option of raw data uploaded to the public web site has proven to not be well received as the data has no context or description; it was largely numbers without explanation. However, for a fee the third party company offered an upgrade that is advertised as offering a more meaningful format for the data to be publicly reviewed. City staff are still evaluating the merits of going through the effort for the free format when other cities report that the free data ends up going unused.

Recommendation: Retain on list pending development of a more affordable and meaningful data conversion portal.

5) Review of downtown Zoning for parking (6/15)

Council has had a couple of staff presentations on downtown parking supply and demand which suggests that while parking demand has increased, there is still adequate supply (with the exception of during large downtown events). To better utilize all of the parking that is available, particularly around the edges of downtown, the staff updated directional signage for parking, added more metered spots, proposed changes in the downtown parking permits, and have coordinated with Kent State University to offer overflow parking in campus lots for the larger downtown events. Council has made some patchwork Zoning changes primarily aimed at student housing projects but ideally further Zoning changes would be discussed in the context of the City's comprehensive Zoning update that will be underway in 2018-19.

Recommendation: Allow the comprehensive Zoning review to be performed and discuss possible changes to downtown parking requirements in that process. Remove from the pending list.

6) Sidewalk Snow Removal (9/15, 2/16)

After further analysis and study, Council allocated funding to provide sidewalk clearing on the major pedestrian walkways in and around downtown Kent. In addition, the City staff routinely issue public notices to advise property owners of their responsibility to clear sidewalks following snowfall events. A volunteer assistance program was also set up to assist residents that had physical limitations that prevented them from clearing snow from their sidewalks.

Recommendation: Remove from the pending list.

7) Time line, real estate reports and size needs for new City Hall (10/15)

City staff provided a series of informational work sessions with City Council, and hired DS Architects to estimate the new building footprint in order to evaluate alternative site options. After a couple rounds of site reviews with City Council, DS Architects and the staff recommended the location of the former police station at the corner of Water and Haymaker Parkway, and Council accepted that location directing staff to proceed with the new building at that site. Brandstetter Carroll Architects have since been retained to design the building for that site.

Recommendation: Remove from the pending list.

8) Review the costs to fix the sidewalk problems and develop a comprehensive plan (10/15)

In addition to the discussions in the presentation of the annual Capital Plan and Capital Projects Report, Jim Bowling and Melanie Baker provided Council with a sidewalk repair and maintenance update in December. In that presentation Jim reviewed the current parameters of the sidewalk repair policy, and he presented data on the amount of sidewalk work completed and the costs over the last 5-10 years. Council provided the staff with guidance and comments that the staff are now considering for future revisions to the sidewalk repair policies and practices.

Recommendation: Maintain on the pending list.
9) Support for Syrian Refugees (12/15)
Staff completed research on the options and organizations devoted to Syrian Refugee Assistance. That information was provided to Council as part of the OneKent initiative. Council added support for Syrian Refugees to the tasks to the future leadership group of the OneKent initiative. Work is underway to identify a core group of community leaders that could further review the regional refugee assistance programs and advise Council on the best option for Kent’s support.
Recommendation: Retain on the pending list.

10) Waiver of parking meter fees for handicapped (5/16)
The proposal to waive parking meter fees for handicapped individuals was researched by staff and discussed by Council’s Parking Action Committee. Based on that research and the recommendation of the Parking Action Committee to not waive the parking meter fees for handicapped individuals, staff recommends Council remove this item from the pending list.
Recommendation: Remove from the pending list.

11) Anti-Discrimination of housing for transgender and sexual preferences (5/14, 6/16)
After numerous public meetings, Council adopted new language to the City’s Code that added gender identity and sexual preferences to the list of protected classes. Council also adopted public accommodation language that further protected the rights of protected classes in private establishments.
Recommendation: Remove from the pending list.

12) Pedestrians Crossing SR261 (7/16)
Jim has had discussions with the residents that brought the pedestrian concerns for crossing SR261 to Council, and he provided Council with the findings of the engineering analysis his staff performed to better define the problem and describe the complicated conditions that make pedestrian crossings of a limited access highway so challenging. Jim reviewed the accident histories of the major intersections on SR261 and illustrated how the geometry, speeds and striping of the intersections contribute to “conflict points” between vehicles and pedestrians. Jim noted that some signal timing adjustments were made to extend pedestrian crossing time and he suggested that the SR261 corridor study will also be considering possible pedestrian safety improvements as well.
Recommendation: Maintain on the pending list until the SR261 Study is complete.

13) Provide direction to Council on how it can convey its goals and message to boards and commissions and ensure a more unified approach. (8/16)
Jim Silver and Bridget provided Council with input on how to offer advice to the respective City boards and commissions. Guidance letters were sent to all the members of the Commissions and Bridget held special informational sessions with the Planning Commission and BZA to further inform them of Council’s priorities.
Recommendation: Remove from the pending list.
14) Zoning Adjustment (9/16)
Council has made some patchwork Zoning changes primarily aimed at student housing projects but ideally further Zoning changes would be discussed in the context of the City’s comprehensive Zoning update that will be underway in 2018-19.

Recommendation: Allow the comprehensive Zoning review to be performed and discuss possible changes to Zoning in that process.

15) Wells Sherman House Loan Review. (2/17)
Council and staff met with the representatives of the Wells Sherman House and Council authorized modifications to the loan that extended the time required to pay it back and provided the friends of the Wells Sherman House more latitude in making payments.

Recommendation: Remove from the pending list.

16) Gender Identity Discussion. (3/17)
After numerous public meetings, Council adopted new language to the City’s Code that added gender identity and sexual preferences to the list of protected classes. Council also adopted public accommodation language that further protected the rights of protected classes in private establishments.

Recommendation: Remove from the pending list.

17) LGBTQ Discrimination and Public Accommodations. (4/17)
After numerous public meetings, Council adopted new language to the City’s Code that added gender identity and sexual preferences to the list of protected classes. Council also adopted public accommodation language that further protected the rights of protected classes in private establishments.

Recommendation: Remove from the pending list.

18) Bike Path Signage at Canoe Livery. (5/17)
At the end of 2017 John Idone completed a renovation of the Tannery Park and the project included increased signage and improved visibility.

Recommendation: Remove from the pending list.

19) Safe Area at New Police Station for Online Transactions. (5/17)
The staff has plans to include a safe area in the parking lot of the new Police Station and once the relocation has been completed we should be in a better position to determine the most ideal location for that activity.

Recommendation: Maintain on the pending list.

20) Senior Housing Discussion. (6/17)
Council had a couple of information and discussion meetings with presentations from area seniors and senior service agencies and seniors advocates. Council has referred consideration of a possible new senior center in Kent and the creation of a senior advisory committee to the Kent Parks and Recreation Board.

Recommendation: Maintain on the pending list.
21) Sidewalk Repair in Tree Lawn Discussion. (9/17)
In addition to the discussions in the presentation of the annual Capital Plan and Capital Projects Report, Jim Bowling and Melanie Baker provided Council with a sidewalk repair and maintenance update in December. In that presentation Jim reviewed the current parameters of the sidewalk repair policy, and he presented data on the amount of sidewalk work completed and the costs over the last 5-10 years. Council provided the staff with guidance and comments that the staff are now considering for future revisions to the sidewalk repair policies and practices.
Recommendation: Maintain on the pending list.

22) Naming Portions of Hike and Bike Trail. (10/17)
In response to requests from residents to re-name a portion of the Portage Hike and Bike Trail in Kent in honor of Mr. Walker, Council referred the request to the Kent Parks and Recreation Board. Donations were recently approved by Council that were earmarked for a memoriam for Mr. Walker along the bike trail.
Recommendation: Remove from the pending list.

23) Senior Center Advisory Committee. (10/17)
Council had a couple of information and discussion meetings with presentations from area seniors and senior service agencies and seniors advocates. Council has referred consideration of a possible new senior center in Kent and the creation of a senior advisory committee to the Kent Parks and Recreation Board.
Recommendation: Maintain on the pending list.

24) Formalize a City Staff Meeting With KSU Staff. (12/17)
City staff have standing meetings with Kent State staff on the first and third Thursday, the second Tuesday, and the second Wednesday of every month. The meeting topics include public safety, economic development, community development, collaboration opportunities, special events, and project updates. The City and KSU adopted a collaboration commitment MOU in 2014 affirming the continued commitment to improve town and gown effectiveness.
Recommendation: It may be possible to renew the collaboration commitment with an updated MOU or remove this item from the pending list.
DATE: January 31, 2018

TO: Dave Ruller, City Manager

FROM: Bridget Susel, Community Development Director

RE: Pending List Item: Removal of Meters from Handicapped Parking Spaces

A member of Council requested the administration review available data in order to adequately evaluate the various factors associated with the possible removal of parking meters from the marked handicapped parking spots in the downtown area.

The City has twelve (12) metered parking spots that are signed as handicapped parking only. Usage information from these meters was collected for a two-week period/10 active meter days in 2017 and the data documented the following:

- Total number of uses was 24 across all of the handicapped metered parking spots throughout the two-week period, which equates to an average of two (2) spots used in the downtown area per day;
- The aggregate total amount collected from all of the handicapped meters was $22.20 for the two-week period, which is a total daily use average of $2.22 per day;
- Average amount of each payment for the two-week period was 25 cents, which allows for 15 minutes of parking time.

This information was presented to the Parking Action Committee (PAC) at its May 24, 2017 meeting. The PAC voted unanimously to recommend to Council that it not make any changes to the metered spots designated for handicapped parking because the data documents very low usage for these spots and removal of the meters will create additional enforcement challenges for the Compliance Officers.

If you have any questions regarding the information provided for this pending list item, please let me know.

Thank you.

Cc: Acting Law Director
    Tara Grimm, Clerk of Council
January 23, 2018

via email ruller@kent-ohio.org

Dave Ruller
Kent City Manager

Re: Opinion regarding criminal background checks and executive session to consider appointments to City boards and commissions

Dear Dave:

You asked whether council can (1) require applicants for City boards and commissions to submit to a criminal background check and if an applicant has a record, use that record to deny his or her appointment, and (2) go into an executive session to consider such appointments. The answer to both questions is yes.

(1) Criminal Background Checks

First, such applicants must be electors of the City and serve without compensation, Charter Section 8.01, and if appointed, as public officials they must take an oath. R.C. 733.68.

Otherwise, no provision in the City Charter or Ohio Revised Code prohibits or restricts criminal background checks for such applicants (note, to the extend it applies to home rule municipalities, R.C. 9.73 prohibits public employers from including on an “employment” application any questions concerning criminal history). If council requires criminal background checks, the larger question may be the particulars of the policy.

The policy should specifically address which criminal offenses, depending on the function of the board or commission, will render an applicant not eligible to serve on that board or commission.

For example, in part, R.C. 2961.02 provides that any person who pleads to or is found guilty of a disqualifying offense is incompetent to serve as a volunteer if serving involves substantial management or control over city property (a “volunteer” is someone who serves without compensation; and a “disqualifying offense” means felony theft or involves fraud or deceit). Further, some boards and commissions may involve youth programs, for example, and similar statutes exist to protect children.
The city of Stow recently began criminal background checks for applicants to its boards and commissions. They follow the procedures set forth in the Fair Credit Reporting Act (although the Act is unrelated) (the FCRA publishes a “Background Check” brochure that may be helpful).

Any policy should be set forth in an ordinance and apply to all boards and commissions, with submitting to a criminal background check being a condition of eligibility (similar to being an elector of the City).

(2) Executive Session to consider appointments

First, per City Charter Section 5.11, R.C. 121.22 (Ohio public meeting law) applies to council.

In part, R.C. 121.22 provides that council may hold an executive session only after a majority of a quorum determines, by a roll call vote, to hold an executive session and only at a regular or special meeting for the sole purpose of considering the appointment (or dismissal) of a public official, which would include considering his or her criminal record, if any. If council holds such executive session, the motion and vote shall state the purpose for which the executive session is to be held, but need not include the name of any person to be considered at the meeting.

A volunteer for a City board or commission is a public official. R.C. 733.68; R.C. 2921.01(A).

Any further questions let me know.

Sincerely,

Chad Murdock
Tara Grimm, CMC

Hopefully this helps:

- No background checks at all as someone other than Council or the Board knows the applicant.

been done to date.

somewhat subjective in nature but Council has asked that the HR Department develop guidelines for using this information as part of the screening process. This has not

when a City Board or commission member is responsible to a new term. These checks are used as part of the screening process for these applicants. Right now it is

other experiences do a criminal background/credit check on all applicants to City boards and commissions prior to appointment. These checks are also completed again

application.

- No background checks allowed and can't even put a 'yes or no' box on a 'please explain' line on application - in today's 'can the Box' world you can't even ask on the

Background checks are another story...

- All the responding cities use Executive Session to discuss candidates. It need be under Item (g)(1) for personnel.

I have the best colleagues & desk association when it comes to needing quick answers.

Dave
January 31, 2018

To: Dave Ruller, City Manager
    Mayor & City Council
    Suzanne Stemnock, Human Resources Director
From: Tara Grimm, CMC, Clerk of Council

Re: Job Description Update for Clerk of Council

Per Council's request, I have amended the Clerk of Council's job description to reflect the new Registered Parliamentarian (RP) requirements as well as cleaning up typographical errors and clarifying Codes. This item only requires Administrative Approval by Mayor Fiala and Human Resources Director, Suzanne Stemnock and has received such approval. The amended, approved language reads:

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES

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

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

A full copy of the proposed job description is also attached.

Please let me know if you have any questions regarding this Memo or attached materials prior to the February 7th Committee Meeting.

Thank you.

320 S. Depeyster Street, Kent, OH 44240  (330) 678-8007  Fax (330) 678-8688
CLERK OF COUNCIL
Department: Mayor and City Council
Non-Exempt, Unclassified

MAJOR FUNCTION:
The Clerk of Council is, by Charter, an appointed City Official (ORC 705.56) and Legislative Administrator who serves at the pleasure of Council. The Clerk of Council administers and operates the Council office, providing continuity as elected Council members change, remaining neutral and impartial, while rendering equal service to all. The position of Clerk of Council is an unclassified position in the City's General Compensation Plan.

GENERAL STATEMENT OF DUTIES
The Clerk of Council shall serve the Mayor and City Council, is responsible for notification of all public meetings, and the processing of materials for those public meetings. The Clerk is required to process all official documents approved by the Mayor and Council in public meetings and to maintain all official records and documents of the municipality. The Clerk’s office performs administrative and secretarial tasks for the Mayor and Council. The Clerk’s office works cooperatively with the office of the City Manager and Law Department.

SUPERVISION REQUIRED
Administrative/policy direction from City Council through Council’s designee.

REGULAR HOURS OF WORK
8:00 a.m. to 5:00 p.m. Monday, Tuesday, Thursday, Friday with lunch hour from 1:00 p.m. to 2:00 p.m. Exceptions may occur, with respect to the time of the lunch hour, when prior notification is given to Council’s designee. Hours are to be adjusted to allow for Council Committee meetings, held on the first Wednesday of the month, the second Wednesday of the month for Committee meetings, if needed, and Regular Council meetings held on the third Wednesday of the month, so that no unauthorized overtime occurs. For meetings of a quorum of Kent City Council held on days other than Wednesdays, the Clerk of Council shall be granted overtime or compensatory time as permitted in the General Compensation Plan. Meetings may be called on nights other than those listed by a majority vote of Council.
No compensation will be granted for time worked prior to 8:00 a.m. or for other overtime unless prior authorization is given by Council's designee.

**ILLUSTRATIVE EXAMPLES OF WORK**

These are intended only as illustrations of the various types of work performed. The omission of specific duties does not exclude them from the position if the work is similar, related, or a logical assignment to the position.

1. Keeps official City Council records; maintains accurate and complete journal for all proceedings of City Council; has custody of all laws, ordinances and resolutions of Council; has custody of all official documents, reports, papers, communications, and files of Council. Maintains Council's compliance with Ohio Sunshine Laws.

2. Attends all City Council meetings; keeps attendance records; compiles, types, edits proceedings and minutes; prepares Council and Committee assignment agendas; keeps an index of enactments of City Council and minutes of all Council and Committee meetings; complies with all statutory and Council filings and notes required by county and state officials; notifies media of regular and special Council and Committee sessions; prepares newspaper notice of all ordinances and resolutions passed; gets affidavit or publications of ordinances and resolutions and public hearings for notation in permanent ledger book; certifies copies of all official documents.

3. Acts as recording secretary of all Committees of City Council and to the Chair of established Committees.

4. Prepares agenda packets for Council as directed by the Mayor and Council's designee of the Clerk, in coordination with the Mayor and City Manager; makes copies and distributes to the appropriate individuals. Distributes agenda of Council meeting to the public, including the news media; is responsible for notifications of all meetings in compliance with the Open Meetings Act (ORC 121.22) and Kent Codified Ordinances Section 107.

5. Acts as liaison between City Council and citizens.

6. Provides information from records maintained in the Council office to all elected officials, all administrative departments, and the public, as requested.

7. Acts as a legislative aide, performing research and gathering information on various issues as requested by Council members and Mayor.
8. Communicates with the Ohio Ethics Commission regarding the status of elected officials and files necessary documents with various state and county officials as required by state and local laws.

9. Performs related duties as required; responsible for correspondence from Council and individual members of Council to public constituency.

10. Completes special projects as assigned. Researches and prepares executive reports as assigned.

11. Attends meetings that were requested by Council as a recording secretary, and provide minutes.


14. Performs other duties as required by City Charter, various federal, state and local laws, and as assigned.

REQUIRED KNOWLEDGE, SKILLS AND ABILITIES

1. Ability to perform clerical, secretarial, and administrative functions; ability to organize office operation; ability to keep accurate and complete records of various municipal government procedures.

2. Must possess thorough knowledge of municipal government, legislative and parliamentary processes and procedures.

3. Must be proficient in Roberts Rules of Order, and able to guide Council if needed.

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

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

6. Must have excellent verbal and written communication skills, including the ability to read aloud clearly and distinctly at public meetings.
7. Ability to organize and prioritize tasks; work independently, without direct supervision.

8. Ability to work a flexible schedule and attend mandatory evening meetings.

9. Must possess skill in typing, dictation, transcription, the operation of word processors, electronic recording equipment, copy machines, fax machines, and personal computers.

10. Ability to learn new computer programs as needed.

**MINIMUM QUALIFICATIONS**

High school diploma or equivalent, supplemented by five (5) years' experience working as administrative support with thorough knowledge of office terminology and procedures. Legal and/or governmental background desired. Registered Parliamentarian preferred.

Must become a Certified Municipal Clerk within four years of starting date, with involvement in the Ohio Municipal Clerk's Association, and the International Institute of Municipal Clerks.

Must become a member and pass the initial membership test of the National Association of Registered Parliamentarians (NAP) within three (3) years of starting date.

Additional information on the duties of the Clerk of Council may be found in Council's Standing Rules.

The duties listed above are intended only as illustrations of the various types of work that may be performed. The omission of specific statements of duties does not exclude them from the position if the work is similar, related or a logical assignment to the position.

The job description does not constitute an employment contract and is subject to change as the needs of the employer and requirements of the job change.

The City of Kent does not unlawfully discriminate on the basis of race, color, religion, sex, national origin, ancestry, military status, familial status, disability, gender identity, or sexual orientation in employment.
January 31, 2018

To: Dave Ruller, City Manager
    Mayor & City Council

From: Tara Grimm, CMC, Clerk of Council

Re: Proposed Amendment to the Kent Codified Ordinances §107.02(f) "Definitions" for Posting of Public Meetings.

In order to reflect current practices for the City’s posting of Public Meetings and in keeping up with changes in technology, I am proposing an Amendment to Kent Codified Ordinances §107.02(f) “Definitions”. This matter was reviewed by Assistant Law Director Fink and proofread by Interim Law Director Murdock. The amended language reads:

Amend Section 107.02 as follows:

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

A full copy of the proposed Ordinance and Exhibit “A” is attached.

Please let me know if you have any questions regarding this Memo or attached materials prior to the February 7th Committee Meeting.

Thank you.
ORDINANCE NO. 2018-

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

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

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

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

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

SECTION 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: ____________________________
Tara Grimm, CMC
Clerk of Council

I, TARA GRIMM, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE NO. ____________, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON ________________________, 20__________

(SEAL)

TARA GRIMM, CMC
CLERK OF COUNCIL
EXHIBIT “A”

Amend Section 107.02 as follows:

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

—— (Ord. 2016-18. Passed 3-16-16.)
DATE: January 30, 2018

TO: Dave Ruller, City Manager

FROM: Tom Wilke, Economic Development Director

RE: Elimination of Parking Permits in North Downtown

In 2007, Kent City Council approved several amendments to Chapter 353 “Parking Time Restrictions” that authorized the establishment of a fee-based parking permit system for use in designated on-street and municipal lot parking spots in order to create some long term parking options in the north portion of downtown. The system identified three different classes of permits and pricing varied based on the permit type. The permitting system was developed in response to requests from downtown businesses for the City to provide long term public parking that could meet the needs of full-time employees. The system was effective, but since that time, the downtown has significantly changed as a result of the redevelopment project and now both fee-based and free long term parking options are available throughout all of the Central Business District.

On November 17, 2017, staff met with the Parking Action Committee (PAC) to discuss the current parking permit system and to have the Committee consider changes to certain aspects of the program that will result in greater consistency of parking options and better enforcement, particularly in the north downtown area, which is bounded by E. Main St. to the south, N. Water St, to the west, Fairchild Ave. to the north and N. Depeyster to the east. After reviewing permit purchasing and usage data as it relates to the overall parking utilization in the larger area, the Committee unanimously voted to recommend to Kent City Council the elimination of the permitting system, with the exception of the eight parking permits issued for overnight parking at the west end of Portage St. The Committee also recommended:

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

I am respectfully requesting time at the February 7, 2018 Committee session to discuss the concept of eliminating the fee-based parking permit system in the northern portion of the downtown area and to seek Council’s authorization for staff to move forward with identifying the necessary code amendments needed to operationalize the recommendations of staff and the Parking Action Committee.

Thank you for your consideration of this request. If you need any additional information in order to add this item to the agenda, please let me know.

930 Overholt Rd., Kent, Ohio 44240 • (330) 678-8108 fax (330) 678-8030 • www.KentOhio.org
Cc: Bridget Susel, Community Development Director
    Eric Fink, Assistant Law Director
    Jim Bowling, City Engineer
    Tara Grimm, Clerk of Council
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<tr>
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<th>Columbus St Lot</th>
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North Downtown Parking Utilization Rates
As discussed at the November 1, 2017 Council Committee session, the Community Development Department issued a Request for Qualifications (RFQ) to identify a qualified consultant to conduct an update to the City's zoning ordinance. The selected consultant will identify and address inconsistent and redundant language, make recommendations that will align the Code with current legal case law, and incorporate updated terminology and planning concepts. Some of the components that will be evaluated as part of this first phase include:

- Permitted and conditionally permitted uses;
- Lot and setback requirements;
- Off-street parking and loading requirements;
- Landscaping, buffering and screening;
- Recommendations for changes to formatting, inclusion of matrices, tables, etc.

The Community Development Department's four (4) zoning and planning staff will be evaluating the proposals and the three (3) Council-at-Large Representatives and the Chairpersons for the Planning Commission and the Board of Zoning Appeals also have been invited to participate in the review process. A copy of the reviewer scoring sheet has been attached for reference purposes.

The City received nine (9) proposals and all were checked to verify the required materials and information were included with each submission. Packets of the proposals and the reviewer scoring sheets were sent out at the end of January and the reviewer scoring sheets are due back on February 12, 2018. The 3-4 consulting firms that receive the highest aggregate scores will be scheduled for in-person interviews with the final selection of the consulting firm anticipated to be done by early March.

I am respectfully requesting time at the February 7, 2018 Committee session to provide an update to members of Council on the consultant selection process and to answer any questions they may have regarding the planned Zoning Code update process.

If you need any additional information in order to add this item to the agenda, please let me know.

Thank you.

Attachment

Cc: Tara Grimm, Clerk of Council
    Community Development Department Zoning & Planning staff
    930 Overholt Rd., Kent, Ohio 44240 • (330) 678-8108 fax (330) 678-8030 • www.KentOhio.org
### City of Kent

**RFQ: Zoning Ordinance Update: Phase 1**
**Reviewer Scoring Sheet**

<table>
<thead>
<tr>
<th>Required Information and Scoring Categories</th>
<th>Check if Included</th>
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<tbody>
<tr>
<td><strong>Items 1 - 4: Required information specified in the RFQ (verified by CD Dept. staff)</strong></td>
<td></td>
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<tr>
<td>1.) Consulting Firm Information: name, address, phone number, e-mail for primary contact</td>
<td>☑️</td>
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<tr>
<td>2.) List 3 references who can provide comments on firm's ability to perform RFQ scope of work</td>
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<tr>
<td>3.) Proposal submitted by stated deadline</td>
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<tr>
<td>4.) Submitted signed and notarized &quot;Non collusion Affidavit&quot;</td>
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<tr>
<th><strong>Item 5: Statement of Qualifications</strong></th>
<th>1 - 30</th>
<th><strong>SCORE</strong></th>
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<tbody>
<tr>
<td>Firm has the qualifications necessary to conduct a comprehensive legislative zoning code update project. Consideration needs to be given to expertise of personnel assigned to the project; capacity of firm to complete project of this type/scope; and prior experience in managing legislative zoning code update projects for other government entities.</td>
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<tr>
<th><strong>Item 6: Understanding of Project</strong></th>
<th>1 - 20</th>
<th><strong>SCORE</strong></th>
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<tbody>
<tr>
<td>Firm successfully articulates, through its written response, that it understands the scope of work involved with a comprehensive legislative zoning code update. Firm presents a clear and well organized approach to managing the scope of work from the project's initial start, through project completion.</td>
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<tr>
<th><strong>Item 7: Examples of Work</strong></th>
<th>1 - 20</th>
<th><strong>SCORE</strong></th>
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<tr>
<td>Firm provides samples of work that demonstrate prior experience working with government entities on drafting zoning code regulatory language. More than one example of work is provided, which exemplifies writing style, formatting, use of matrices, figures, tables, etc. One or more examples provided have been legislatively adopted and incorporated into a government entity's zoning code. Examples provided include work with zoning code updates and is not limited to master/comprehensive planning projects only. <strong>NOTE:</strong> Some firms submitted examples as part of their hard copy proposal submission, while others listed website links, which will require the reviewers to access the work online.</td>
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<tr>
<th><strong>Item 8: Availability</strong></th>
<th>1 - 15</th>
<th><strong>SCORE</strong></th>
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<td>The firm's personnel assigned to the project have adequate time allotted to work on the various aspects of the project and will be available to collaborate with City zoning and planning staff via phone, e-mail, and in-person; meet with planning and zoning related board and commission members; and conduct meetings with the public and Council.</td>
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<tr>
<th><strong>Item 9: Time Frame</strong></th>
<th>1 - 10</th>
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<td>Firm provides a reasonable estimate of the time frame that will be needed to complete the scope of work listed in the RFQ. Firm provides information on its prior experience in delivering services within the time frame allotted for a project.</td>
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<tr>
<th><strong>Item 10: Cost Proposal</strong></th>
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<td>Proposed cost is reasonable in relation to: scope of work to be completed; expertise of personnel; proposed period of time for the project; product to be delivered; listed ancillary costs (copies, travel, etc.). <strong>NOTE:</strong> The City of Kent did not list a minimum-maximum cost estimate for the project. The actual cost will be negotiated with the selected qualified firm after the final scope of work and project specifications are finalized.</td>
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| **TOTAL POINTS** | 6 minimum - 100 maximum |
Kent Police Department
Memorandum

To: Dave Ruller, City Manager  
From: Chief Michelle A. Lee  
Date: January 30, 2018  
Subject: Tallmadge Range Use

I was contacted by Tallmadge Police Chief Ron Williams early last year concerning the availability of our shooting range and if Tallmadge Police could use or rent it for their qualification needs. I was told that Tallmadge had plans to build a new range on city property but the parks and recreation department had been given use of adjoining property making the location of the range too dangerous. Tallmadge had then been discussing a joint venture with Mogadore Police to build a dually owned range on Mogadore property but that deal had fallen through. Chief Williams shared with me the Mogadore / Tallmadge Memorandum of Understanding and our discussion evolved into a similar arrangement.

Attached is the MOU for Tallmadge to use our shooting range on a more permanent basis over an extended time period. I am seeking council's consideration for the arrangement.
CITY OF KENT AND CITY OF TALLMADGE LAW ENFORCEMENT
SHOOTING RANGE AGREEMENT

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

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

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

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

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

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

I. Terms of Agreement

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

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

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

II. City of Kent Obligations

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

   B. Kent shall provide one full week, three (3) times per year for the firing range to be available for Tallmadge Officers for training and or firearms qualifications. These weeks will be identified prior to March 1st annually and will be available between April and October. Three (3) "open range days" will also be identified and be available for Tallmadge officers to practice and become proficient in weapons handling.
C. The range facility will also be available to Tallmadge on a case by case basis for individual qualifications for newly hired officers, officers needing re-qualifications or to address any firearms proficiency issues. These uses may occur anytime during the year as necessary and with prior approval by the Kent Chief of Police.

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

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

III. City of Tallmadge Obligations

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

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

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

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

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

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

IV. Liability

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

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

V. Severability

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

VI. Governing Law

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

VII. Miscellaneous

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

VIII. Notices

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

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

CITY OF KENT

By: ____________________________  Witnessed: ____________________________
Title: ___________________________

CITY OF TALLMADGE

By: ____________________________  Witnessed: ____________________________
Title: ___________________________
MEMORANDUM
DIVISION OF ENGINEERING
City of Kent Department of Public Service

DATE:     January 22, 2018
TO:       David Ruller, City Manager
FROM:     Rhonda Boyd, P.E., P.S., Senior Engineer
SUBJECT: Water Service Outside the City
          1801 E. Main Street
          Campus Point Apartments Out parcel B

Plans are currently under way to construct a Raising Cane’s Chicken Fingers Restaurant on the west side of East Main Street, just outside the City of Kent corporation limits. The proposed facility will be a fast food restaurant with 88 seats. This property has been serviced in the past by City of Kent water service as the former Gabriel Brothers Plaza.

The site is an outparcel that adjoins the Campus Point Apartments. Credit towards the utilization fee was applied to the Campus Point apartments for the prior Gabriel Brothers use of the site. The total utilization for Raising Cane’s will amount to approximately $4,870.

The development plans will be reviewed by Engineering and the Fire Department. KCO 913.09 Water Service Outside the City outlines the fees for properties in Franklin Township. The property owner has not signed a JEDD petition and will therefore be subject to a surcharge at the present time. Community Development will be working with the Developer to see if there is any interest in signing the petition.

The City has adequate facilities to provide for the demand generated by the development.

C:     James Bowling, P.E., City Engineer
       File
January 19, 2018

City of Kent
930 Overholt Road
Kent, OH 44240

ATTN: Rhonda Boyd, P.E., P.S.
City of Kent, Senior Engineer

RE: Raising Cane’s Chicken Fingers Water Service Request

To whom it may concern,

We are hereby requesting the City of Kent to provide water service to the property at 1801 East Main Street located in Franklin Township, OH for a proposed fast-food drive-thru restaurant.

Should you have any questions, please do not hesitate to call.

Sincerely,

[Signature]

Drew F. Gatiff
Pre-Development Manager
RCO Limited, dba Raising Cane’s of Ohio
DATE: January 30, 2018

TO: Dave Ruller, City Manager

FROM: Tom Wilke, Economic Development Director

RE: Main Street Kent Events Additional Street Closures

Main Street Kent (MSK) has staged the Art and Wine Festival for the past eleven years, the Oktoberfest for the past three years and the Wizardly World of Kent (formerly Potterfest) for the past two years, with attendance at all three events increasing exponentially in recent years. In order to better accommodate this increase and improve pedestrian flow and access to vendor services, Main Street Kent is seeking to expand the street closure area for all three events.

Attached are maps depicting the current permitted street closures and the expanded areas being proposed by Main Street Kent for all three events. The Traffic, Engineering and Safety Committee (TE&S) has reviewed the proposed changes and given its approval of the proposed changes.

I am respectfully requesting time at the February 7, 2018 Council Committee session to present the three proposed street closure plans to the members of Council and to request their approval as part of the City’s event permitting process.

Please let me know if you have any questions concerning the attached materials or if you need any additional information in order to include this item on the agenda.

Thank you.

cc: Bridget Susel, Community Development Director
    Tara Grimm, Clerk of Council
    Harrison Wicks, Executive Assistant
Petition to Businesses: Wizardly World of Kent - July 28, 2019 Road Closure

After two very successful Kent Potterfest events in 2016 and 2017, Main Street Kent is planning a similar event for Sat., July 28, 2018. Due to the incredible amount of foot traffic created by this event, we feel it is imperative to the safety of event attendees and our community to close these streets for the event:

1. W. Main St., from Franklin Ave. to Water St. (new)
2. E. Main St., from Water St. to DePeyster St.
3. N. Water St., from Alley #3 to Main St. (new)
4. S. Water St., from Main St. to Erie St. (new)
5. E. Erie St., from the S. Water St. to DePeyster St.

We realize this may inconvenience some of our business owners; however the event planning committee feels this is necessary to ensure a safe, successful event.

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

Sincerely,

Heather Malarck
Executive Director
Main Street Kent
330-677-8000
heather@mainstreetkent.org
Petition to Businesses: Wizardly World of Kent - July 28, 2018 Road Closure

I support the proposed road closure for Wizardly World of Kent on Sat., July 28, 2018. The event will run from 10:00am to 8:00pm, with road closure in effect from 6:00am to 10:00pm.

<table>
<thead>
<tr>
<th>Business Name</th>
<th>Contact Signature</th>
<th>Phone #</th>
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<tbody>
<tr>
<td>SuMehl Designs</td>
<td>Karen Burritt</td>
<td>330-677-5360</td>
</tr>
<tr>
<td>Graci Lawe</td>
<td>Mr. Zub's</td>
<td>330-674-0800</td>
</tr>
<tr>
<td>Guilt's Pizza</td>
<td></td>
<td>330-679-5360</td>
</tr>
<tr>
<td>TROPPUS PROJECTS</td>
<td>K. D'Antoni</td>
<td>330-212-8442</td>
</tr>
<tr>
<td>Fresco Manzan Grist</td>
<td></td>
<td>330-677-2588</td>
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<tr>
<td>Water Street Tavern</td>
<td></td>
<td>677-070</td>
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<tr>
<td>157 Lounge</td>
<td></td>
<td>414-554-7381</td>
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<tr>
<td>Steak-Eez</td>
<td></td>
<td>330-673-5368</td>
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<tr>
<td>Woody's</td>
<td></td>
<td>673-1528</td>
</tr>
<tr>
<td>Wedding Bells</td>
<td>Justin Hester</td>
<td>677-3131</td>
</tr>
<tr>
<td>Camakay Street Style</td>
<td>Emma Kannell</td>
<td>230-677-2992</td>
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<tr>
<td>Franklin's Deli</td>
<td>L. B. L.</td>
<td>330-614-2999</td>
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<tr>
<td>Zephyr Kue</td>
<td>P. Hughes Reserve</td>
<td>330-221-2706</td>
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