ORDINANCE NO. 2017-05

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LICENSE AGREEMENT BETWEEN FIRESTONE COMPLETE AUTO CARE AND THE CITY OF KENT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent wishes to enter into a License Agreement with Firestone Complete Auto Care to permit them to store up to two (2) vehicles in the right of way during normal business hours when Firestone Complete Auto Care is open to the public; and

WHEREAS, Firestone needs the agreement in place as soon as possible.

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 enter into a License Agreement with Firestone Complete Auto Care to permit them to store up to two (2) vehicles in the right of way in substantial compliance with 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: January 18, 2017
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: January 18, 2017
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____.

TARA GRIMM, CMC
CLERK OF COUNCIL
(SEAL)
EXHIBIT "A"
SITE PLAN
License to Occupy Request

Firestone Complete Auto Care
202 E. Main St., Kent, OH 44240

The Firestone Complete Auto Care Store located at 202 E. Main St. is respectfully requesting a License to Occupy (LTO) the city right of way (ROW) immediately adjacent to the north of its property for the purpose of storing up to three customers’ cars during peak business hours.

The LTO would encompass two areas in the city’s ROW depicted in the attached drawings; one accommodating two vehicles and the other accommodating one vehicle. The first area would begin at the tree located in the west side of the ROW and would extend 30 feet to the east, be 9 feet wide and would be centered between the curb and the sidewalk allowing for approximately 1 foot on each side. This area would require the relocation of the city’s trash can that was recently installed there. The second area would begin at the “No Parking” sign located at the east end of the ROW and would extend 15 feet to the west, be 9 feet wide and would be centered between the curb and the sidewalk allowing for approximately 1 foot on each side. No physical changes would be made to the LTO areas.

The LTO areas would be used as dictated by business needs during normal operating hours which are 7 am to 7 pm on Monday through Friday, 7 am to 6 pm on Saturday and 9 am to 5 pm on Sunday. The LTO areas would not be used when the store is closed and disabled cars would not be stored in them.

Any questions regarding this request can be directed to the Store Manager, Thomas Shaw, at 330-673-1700. Thank you for your consideration.
Firestone Parking Request

Private Property (blue) and City Right of Way (pink) lines

Location of car in picture

BOLLARDS

DRIVE APRON

PROPERTY LINE

FIRESTONE

Edge of sidewalk

Edge of City Right of Way

Unauthorized Parking in Public Right of Way

Firestone Requested Parking Spaces in ROW

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