

**THE CITY OF KENT, OHIO  
STREETS, SIDEWALKS, AND UTILITIES COMMITTEE  
WED., NOV. 4, 2009**

This meeting of the Streets, Sidewalks, and Utilities Committee of Kent City Council was called to order by Mike DeLeone, Chair, at 7:05 p.m. on Wed., Nov. 4, 2009.

**PRESENT: MR. AMRHEIN, MR. DELEONE, MR. FERRARA, MR. HAWKSLEY, MR. KUHAR, MS. SHAFFER, MR. TURNER, MS. WALLACH, & MR. WILSON**

**ALSO PRESENT: J. FENDER, MAYOR; D. RULLER, CITY MANAGER; J. SILVER, LAW DIRECTOR; L. COPLEY, CLERK OF COUNCIL; J. BOWLING, CITY ENGINEER; G. ROBERTS, SERVICE DIRECTOR**

Chair DeLeone said the first item on their agenda dealt with the Environmental Covenant (ARRA money) thru OEPA Water Pollution Control Loan Fund. Mr. Ruller said they are at the point with the Plum Creek Park stream restoration, where **Jim Bowling, City Engineer**, needs to keep this moving forward. He said they had applied for some stimulus funds and Mr. Bowling would explain further. He said Mr. Bowling presented Council with the same presentation used in the neighborhood. He said it was narrowed down to a few options, adding it is a nice looking plan and they must now enter into agreements to formalize the process.

Mr. Bowling said they have an agreement that provides for Kent to receive a maximum of \$1 million, but requires commitments that the stream restoration and ecological benefits that are performed are maintained. He said they are defining with the EPA in a specific area in an area around the existing lake that they will maintain that as ecological area and not modify it needlessly.

Ms. Shaffer asked how this would constrain them, and Mr. Bowling said one constraint they were concerned about was that it said they could not mow. He said it was a concern, as it was park property. He said the area is now limited to the lake and the islands in the lake. He said they will be able to mow and provide normal maintenance. He said he saw no other restrictions.

Ms. Shaffer asked if it would allow for pedestrian access, and Mr. Bowling said it is not limited. He said there is one section regarding the building of trails, and it is an existing condition.

There were no further questions nor audience comments at this time.

**MOTION TO AUTHORIZE APPROVAL OF THE COVENANT WITH THE EPA FOR THE PLUM CREEK PARK STREAM RESTORATION.**

Motion made by Mr. Wilson, seconded by Mr. Amrhein, and carried by a voice vote of 8-0-1, with Mr. DeLeone abstaining.

Mr. Silver asked if they needed the emergency clause, and Mr. Bowling said they did need it.

**MOTION TO ADD THE EMERGENCY CLAUSE.**

Motion made by Mr. Wilson, seconded by Mr. Kuhar, and carried by a voice vote of 8-0-1, with Mr. DeLeone abstaining.

Chair DeLeone said the next item dealt with a street maintenance agreement with Portage County. Mr. Ruller said **Gene Roberts, Service Director**, will explain this next item, adding they share some responsibilities with the Portage County Engineer. He said it would be prudent to enter into that agreement, so as to clarify everyone's duties.

Mr. Roberts said this is similar to the agreement they have with ODOT to do mowing and maintenance on SR 261. He said it is with the Portage County Engineer on Summit Street, from Burnette Rd. east to the corporation limit. He said the County takes care of all maintenance, except asphalt overlay. He said in

exchange for that, the City would do the snow plowing, from Burnette to SR 261. He said the County would do the area of SR 261, past the stadium to the corporation line.

Mr. Roberts said on Mogadore Road, the centerline separates the County and the City responsibility. He said in exchange for maintenance, the City removes the snow. Mr. Roberts said it is not uncommon, especially during bad weather, when they salt up the hills, so it is nothing different from what they are currently doing. He said this would put it all in an agreement for better understanding and clarification.

There were no questions nor audience comment.

**MOTION TO AUTHORIZE THE AGREEMENT WITH THE PORTAGE COUNTY ENGINEER ON STREET MAINTENANCE.**

Motion made by Mr. Wilson, seconded by Mr. Kuhar, and carried by a voice vote of 8-0-1, with Mr. DeLeone abstaining.

Hearing no further business before this Committee, Chair DeLeone adjourned this meeting at 7:11 p.m.

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Linda M. Copley, Clerk of Council

**ACTION RECOMMENDED:**

- 1) **TO AUTHORIZE APPROVAL OF THE COVENANT WITH THE EPA FOR THE PLUM CREEK PARK STREAM RESTORATION, WITH THE INCLUSION OF THE EMERGENCY CLAUSE.**
- 2) **TO AUTHORIZE THE AGREEMENT WITH THE PORTAGE COUNTY ENGINEER ON STREET MAINTENANCE.**