



CITY OF KENT, OHIO

320 S. Depeyster Street, Kent, OH 44240 (Main Fire Station)
(330) 678-8007 Fax (330) 678-8688

CITY COUNCIL

**SPECIAL FINANCE COMMITTEE MEETING AT 7:20 P.M.
PUBLIC HEARING AT 7:25 P.M.
REGULAR CITY COUNCIL MEETING AT 7:30 P.M.
SEPTEMBER 20, 2017
WITH AN EXECUTIVE SESSION IMMEDIATELY FOLLOWING**

AGENDA

7:15 P.M. BOARD OF CONTROL

7:20 P.M. SPECIAL FINANCE COMMITTEE MEETING - Public Safety Radio Upgrade to MARCS

7:25 P.M. PUBLIC HEARING - *In accordance with Article XII, Section 12.05 of the Kent City Charter, notice is hereby given that the Kent City Council will conduct a Public Hearing to allow for public comment on a Substantial Amendment to the Consolidated Plan.*

7:30 P.M. REGULAR COUNCIL

1. **ROLL CALL**
2. **OPENING REMARKS/PLEDGE OF ALLEGIANCE** (*Mr. Ferrara*)
3. **PRESENTATION TO COUNCIL** by Betsy Justice from Lovelight Inc.
4. **PRESENTATION OF PROCLAMATION FOR FIRE PREVENTION MONTH** by Mayor Fiala
5. **APPROVAL OF MINUTES**
 - 5.1 Regular City Council Meeting of August 16, 2017
 - 5.2 Work Session Minutes of September 6, 2017
 - 5.3 Special City Council Meeting of September 6, 2017
6. **COMMUNICATIONS**
 - 6.1 **AUDIENCE** (*Visitors wishing to address Council please sign up with the Clerk of Council prior to start of the meeting*)
 - 6.2 **WRITTEN** (*All placed on file in the Clerk of Council's office*)
 - 6.2.1 Board of Zoning Appeals Meeting Minutes from July 17, 2017 received on August 22, 2017.
 - 6.2.2 Architectural Review Board Agenda for September 5, 2017 received on August 30, 2017.
 - 6.2.3 Planning Commission transcripts for September 5, 2017, received on August 30, 2017.
 - 6.2.4 Sustainability Commission Meeting Agenda for September 11, 2017 and minutes of July 24, 2017 & August 7, 2017, as well as information on Simple Recycling and the Compact of Mayors received on September 6, 2017.
 - 6.2.5 Health Board Agenda for September 12, 2017, Minutes from August 2017 Meeting, and Statistical Report for August received on September 7, 2017.

- 6.2.6 Board of Zoning Appeals Agenda and Staff report for September 18, 2017 received on September 12, 2017.
- 6.2.7 Letter from the Ohio EPA received on August 29, 2017 containing a Public Notice regarding the National Pollution Discharge Elimination System permits or modification.
- 6.2.8 Public Records Request received on September 1, 2017 from Amer Cunningham Co., LPA for certified copies of 6 sections of the Codified Ordinances.
- 6.2.9 Letter to the Clerk from Board of Elections received on September 5, 2017 to appear September 6th or 7th between 8:00 a.m. and 4:30 p.m. to view the ballot proofs.

6.3 CITY MANAGER'S REPORT

7. STANDING COMMITTEES/ LEGISLATION

7.1 COMMITTEE OF THE WHOLE (*Mayor Fiala*)

- 7.1.1 Committee Meeting Minutes of September 6, 2017.
- 7.1.2 *ACTION RECOMMENDED:* NONE
- 7.1.3 **BALLOTING FOR PLANNING COMMISSION**
- 7.1.4 **AUTHORIZE INSERTION OF NAMES INTO LEGISLATION**
- 7.1.5 ***Draft No. 17-103: A RESOLUTION APPOINTING _____ TO THE PLANNING COMMISSION, AND DECLARING AN EMERGENCY.***
(Authorized)
- 7.1.6 ***Draft No. 17-104: A RESOLUTION APPOINTING _____ TO THE PLANNING COMMISSION, AND DECLARING AN EMERGENCY.***
(Authorized)

7.2 COMMUNITY DEVELOPMENT COMMITTEE (*Kuhar/Turner*)

- 7.2.1 Committee Meeting Minutes of September 6, 2017.
- 7.2.2 *ACTION RECOMMENDED:*
 - 1) Authorize the proposed Parking Ordinance Amendments to Chapter 358 with an emergency clause
 - 2) Authorize the temporary use of City downtown parking lot by the Sustainability Commission to display environmentally friendly vehicles as part of the KSU Sustainability Tour in Kent.
- 7.2.3 ***Draft No. 17-105: AN ORDINANCE AMENDING THE MAP ATTACHED TO CHAPTER 358, TITLED "PARKING METERS" OF THE KENT CODIFIED ORDINANCES, TO REFLECT THE ADDITION OF PARKING METERS ON NORTH DEPEYSTER STREET, AND DECLARING AN EMERGENCY.***
(Authorized)

7.3 FINANCE COMMITTEE (*DeLeone/Wallach*)

- 7.3.1 Committee Meeting Minutes of September 6, 2017.
- 7.3.2 *ACTION RECOMMENDED:*
 - 1) Authorize, accept & appropriate "Necessity and Intent" to appropriate for the remaining unsigned parcel acquisitions for the SR43 Signalization Project with an Emergency Clause.
 - 2) Approve the settlement with S & M Initiatives, LLC for an additional \$675 for the SR43 Signalization Project with an Emergency Clause.
 - 3) Approve the settlement with 1341-1343 South Water Street, LLC for an additional \$430 for the SR43 Signalization Project with an Emergency Clause.

- 4) Authorize the proposed 2017 Budget Appropriations Amendment with an Emergency Clause.
- 5) Authorize the acceptance of City Tax Amounts and Rates for FY 2018 and certify those levies to the County Auditor with an Emergency Clause.

7.3.3 ***Draft No. 17-106: A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 0.030 ACRES OF CERTAIN REAL PROPERTY FROM MORGAN NGUYEN PROPERTIES, INC., A CALIFORNIA CORPORATION, FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY. (Authorized)***

7.3.4 ***Draft No. 17-107: A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 0.027 ACRES OF CERTAIN REAL PROPERTY FROM SOUTHWATER PROPERTIES, LLC, INC., AN OHIO LIMITED LIABILITY COMPANY, FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS, TRAFFIC SIGNAL AND THE HARDWARE AND INFRASTRUCTURE FOR SAID TRAFFIC SIGNALS, FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY. (Authorized)***

7.3.5 ***Draft No. 17-108: A RESOLUTION DECLARING THE NECESSITY AND INTENT OF THE CITY OF KENT TO APPROPRIATE A TEMPORARY EASEMENT IN 0.018 ACRES OF CERTAIN REAL PROPERTY FROM DIANE L. ROBERTS, TRUSTEE OF THE DIANE L. ROBERTS TRUST, FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS, TRAFFIC SIGNALS AND THE HARDWARE AND INFRASTRUCTURE FOR SAID TRAFFIC SIGNALS, FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY. (Authorized)***

7.3.6 ***Draft No. 17-109: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN S & M INITIATIVES, LLC, AN OHIO LIMITED LIABILITY COMPANY AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT OF 0.011 ACRES OF REAL PROPERTY, FOR \$1,000.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY. (Authorized)***

7.3.7 ***Draft No. 17-110: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A PURCHASE AGREEMENT WITH THE CITY OF KENT, OHIO, BUYING AN INTEREST IN 0.002 ACRES OF REAL PROPERTY FROM 1341-1343 S. WATER ST., LLC, AN OHIO LIMITED LIABILITY COMPANY FOR \$1,400.00 AND AN AGREEMENT FOR A TEMPORARY EASEMENT OF 0.001 ACRES OF REAL PROPERTY, FOR \$100.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT***

POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY. (Authorized)

7.3.8 *Draft No. 17-111: AN ORDINANCE AMENDING ORDINANCE NO. 2016-99, THE CURRENT APPROPRIATION ORDINANCE, PASSED NOVEMBER 16, 2016; AS AMENDED BY ORDINANCE NO. 2017-10, PASSED FEBRUARY 15, 2017; AS AMENDED BY ORDINANCE NO. 2017-15, PASSED MARCH 15, 2017; AS AMENDED BY ORDINANCE NO. 2017-38, PASSED MAY 17, 2017; AS AMENDED BY ORDINANCE NO. 2017-48, PASSED JUNE 21, 2017; AND AS AMENDED BY ORDINANCE NO. 2017-75, PASSED AUGUST 16, 2017, SO AS TO INCREASE APPROPRIATIONS IN FUND 001, GENERAL; AND 204 UTILITY BILLING; AND DECLARING AN EMERGENCY. (Authorized)*

7.3.9 *Draft No. 17-112: A RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR. (Authorized)*

7.4 HEALTH & SAFETY COMMITTEE (Amrhein/Sidoti)

7.4.1 Committee Meeting Minutes: NONE

7.4.2 *ACTION RECOMMENDED: NONE*

7.5 LAND USE COMMITTEE (Ferrara/Shaffer)

7.5.1 Committee Meeting Minutes: NONE

7.5.2 *ACTION RECOMMENDED: NONE*

7.5.3 **2ND READING - Draft No. 17-83: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KENT IN SUPPORT OF THE PARIS CLIMATE AGREEMENT, AND DECLARING AN EMERGENCY. (Authorized)**

7.5.4 **2ND READING - Draft No. 17-84: A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO AN AGREEMENT WITH GREAT LAKES RECYCLING, INC. dba SIMPLY RECYCLING, AND DECLARING AN EMERGENCY. (Authorized)**

7.6 STREETS, SIDEWALKS & UTILITIES COMMITTEE (Sidoti/Wallach)

7.6.1 Committee Meeting Minutes: September 6, 2017.

ACTION RECOMMENDED:

- 1) Authorize the renewal of the Sidewalk Snow Removal/Clearing Services for SR43 and SR59 for 2017-18 with an Emergency Clause.

7.6.2 **Draft No. 17-113: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN ROUTE 43 AND ROUTE 261, LLC, AN OHIO LIMITED LIABILITY COMPANY, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A PERPETUAL EASEMENT FOR HIGHWAY PURPOSES OF 0.027 ACRES OF REAL PROPERTY, FOR \$9,245.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY. (Authorized)**

- 7.6.3 ***Draft No. 17-114: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN RICHARD S. MARKS AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT OF 0.021 ACRES OF REAL PROPERTY, FOR \$1,100.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY. (Authorized)***
- 7.6.4 ***Draft No. 17-115: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN CMG ONE, LLC, AN OHIO LIMITED LIABILITY COMPANY, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT OF 0.011 ACRES OF REAL PROPERTY, FOR \$325.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY. (Authorized)***
- 7.6.5 ***Draft No. 17-116: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN BWM PROPERTIES, LLC, AN OHIO LIMITED LIABILITY COMPANY, AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT OF 0.005 ACRES OF REAL PROPERTY, FOR \$300.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY. (Authorized)***
- 7.6.6 ***Draft No. 17-117: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN FIFTH THIRD BANK, FKA THE FALLS SAVINGS & LOAN ASSOCIATION AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT OF 0.004 ACRES OF REAL PROPERTY, FOR \$300.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY AND DECLARING AN EMERGENCY. (Authorized)***
- 7.6.7 ***Draft No. 17-118: AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE AN AGREEMENT BETWEEN KENT OHIO PROPERTIES, LP, A PENNSYLVANIA LIMITED PARTNERSHIP AND THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING A TEMPORARY EASEMENT OF 0.033 ACRES OF REAL PROPERTY, FOR \$1,000.00 FOR RIGHT-OF-WAY PURPOSE, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY AND SIDEWALKS FOR THE PROJECT POR-43-10.26 KNOWN AS SR 43 TRAFFIC IMPROVEMENT PROJECT; AND DECLARING AN EMERGENCY. (Authorized)***

8. SPECIAL COMMITTEE REPORTS

9. UNFINISHED BUSINESS

10. NEW BUSINESS

10.1 Items needing Council action or referral

10.2 Schedule future Council meetings

10.3 Councilmembers' comments

11. MAYOR'S REPORT

12. EXECUTIVE SESSION *immediately following the meeting in accordance with ORC §121.22 Section G, Item (4) "Preparing for, conducting, or reviewing negotiations or bargaining sessions with public employees concerning their compensation or other terms and conditions of their employment."*

13. ADJOURNMENT

Posted: September 13, 2017



Tara Grimm, CMC
Clerk of Council

Any person who requires an auxiliary aid or service for effective communication or a modification of policies and procedures to participate in and 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.