



# CITY OF KENT, OHIO

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

CITY COUNCIL

**JUNE 20, 2018**  
**SPECIAL CITY COUNCIL MEETING for a WORK SESSION at 7:00 P.M. and**  
**REGULAR CITY COUNCIL MEETING AT 7:30 P.M.**

## AGENDA

**6:50 P.M. BOARD OF CONTROL**

**7:00 P.M. WORK SESSION** – Update on New City Hall Project with Brandstetter Carroll Inc.

**7:30 P.M. REGULAR COUNCIL**

1. ROLL CALL
2. OPENING REMARKS/PLEDGE OF ALLEGIANCE *(Mr. Kuhar)*
3. APPROVAL OF MINUTES
  - 3.1 Public Hearing of May 16, 2018
  - 3.2 Regular City Council Meeting of May 16, 2018
4. COMMUNICATIONS
  - 4.1 AUDIENCE *(Visitors wishing to address Council please sign up with the Clerk of Council prior to start of the meeting)*
  - 4.2 WRITTEN *(All placed on file in the Clerk of Council's office)*
    - 4.2.1 Civil Service Meeting Agenda for May 21, 2018 received May 17, 2018.
    - 4.2.2 Planning Commission Agenda and Staff Report for June 5, 2018 received May 25, 2018.
    - 4.2.3 Sustainability Commission Agenda for June 11, 2018 and minutes from May 7, 2018 received June 8, 2018.
  - 4.3 CITY MANAGER'S REPORT
5. STANDING COMMITTEES/ LEGISLATION
  - 5.1 COMMITTEE OF THE WHOLE *(Mayor Fiala)*
    - 5.1.1 COMMITTEE MEETING MINUTES OF JUNE 6, 2018.
    - 5.1.2 ACTION RECOMMENDED:
      - 1) Authorize a Resolution of Support for the use of the Heart & Soul community planning process with an emergency clause
    - 5.1.3 **Draft No. 2018-69: A RESOLUTION AFFIRMING THE CITY OF KENT'S COMMITMENT TO PARTICIPATE IN A COMMUNITY HEART & SOUL PROJECT IN KENT, AND DECLARING AN EMERGENCY.** (Authorized)
  - 5.2 COMMUNITY DEVELOPMENT COMMITTEE *(Kuhar/Rosenberg)*
    - 5.2.1 COMMITTEE MEETING MINUTES: None
    - 5.2.2 ACTION RECOMMENDED: None

**5.3 FINANCE COMMITTEE** *(DeLeone/Wallach)*

**5.3.1** COMMITTEE MEETING MINUTES OF JUNE 6, 2018

**5.3.2** *ACTION RECOMMENDED:*

- 1) Approve the Memorandum of Understanding (MOU) between Kent Parks and Recreation and Davey Tree Experts and to authorize the acceptance of the service donations from Davey Tree Experts to Kent Parks and Recreation with an emergency clause.
- 2) Authorize the 2018 proposed appropriations amendment as submitted with an emergency clause.

**5.3.3** ***Draft No. 2018-70: A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING AND SERVICE DONATION WITH THE DAVEY TREE EXPERT COMPANY AND THE CITY OF KENT PARKS AND RECREATION DEPARTMENT TO UPGRADE THE JOHN DAVEY ARBORETUM, AND DECLARING AN EMERGENCY.***  
(Authorized)

**5.3.4** ***Draft No. 2018-71: AN ORDINANCE AMENDING ORDINANCE NO. 2017-156, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 13, 2017; AS AMENDED BY ORDINANCE NO. 2018-33, PASSED FEBRUARY 21, 2018; AS AMENDED BY ORDINANCE NO. 2018-38, PASSED MARCH 21, 2018; AND AS AMENDED BY ORDINANCE NO. 2018-51, PASSED APRIL 18, 2018; SO AS TO INCREASE APPROPRIATIONS IN FUND 001, GENERAL; FUND 126, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); FUND 134, UDAG (EDA/RLF); FUND 201, WATER; FUND 202, SEWER; FUND 204, UTILITY BILLING; FUND 208, STORM WATER; AND FUND 301, CAPITAL; AND DECLARING AN EMERGENCY.*** (Authorized)

**5.4 HEALTH & SAFETY COMMITTEE** *(Amrhein/Sidoti)*

**5.4.1** COMMITTEE MEETING MINUTES OF JUNE 6, 2018

**5.4.2** *ACTION RECOMMENDED:* None

**5.5 LAND USE COMMITTEE** *(Ferrara/Shaffer)*

**5.5.1** COMMITTEE MEETING MINUTES: None

**5.5.2** *ACTION RECOMMENDED:* None

**5.6 STREETS, SIDEWALKS & UTILITIES COMMITTEE** *(Sidoti/Wallach)*

**5.6.1** COMMITTEE MEETING MINUTES OF JUNE 6, 2018

**5.6.2** *ACTION RECOMMENDED:*

- 1) Authorize the submission of the proposed projects for OPWC funding consideration with an emergency clause
- 2) Authorize the proposed text amendments to Title 7 adding a 7:00 A.M. start time for commercial trash pick-up with an emergency clause

**5.6.3** ***Draft No. 2018-72: A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SUBMIT ON BEHALF OF THE CITY OF KENT, A PRE-APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION (OPWC) FOR THE MILLER/HARVEY/STEEL WATER REPLACEMENT PROJECT AND THE RESURFACING OF MOGADORE ROAD PROJECT FOR A GRANT***

**ESTIMATED AT \$980,000 AND A NO-INTEREST LOAN IN THE AMOUNT OF \$150,000, AND DECLARING AN EMERGENCY. (Authorized)**

**5.6.4 Draft No. 2018-73: AN ORDINANCE TO AMEND TITLE 7 OF THE KENT CODIFIED ORDINANCES, TITLED "GARBAGE," CHAPTERS 933 AND 935; AND DECLARING AN EMERGENCY. (Authorized)**

**6. SPECIAL COMMITTEE REPORTS**

**7. UNFINISHED BUSINESS**

**8. NEW BUSINESS**

**8.1 Items needing Council action or referral**

**8.2 Schedule future Council meetings**

**8.3 Councilmembers' comments**

**9. MAYOR'S REPORT**

**10. ADJOURNMENT**

**Posted: June 13, 2018**



Tara Grimm, CMC  
Clerk of Council

Visit [www.kentohio.org](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 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.*

**THE CITY OF KENT, OHIO  
PUBLIC HEARING  
WEDNESDAY, MAY 16, 2018**

At 7:32 p.m., Mayor Jerry T. Fiala called the **Public Hearing for the Community Development Block Grant Program (CDBG) Program Year (PY) 2018 Annual Action Plan Part #2** to order. Roll call was taken.

**PRESENT:** Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner; and 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; Mr. Jim Bowling, City Engineer; Mr. Tom Wilke, Economic Development Director; and Ms. Tara Grimm, CMC, Clerk of Council.

**ABSENT:** Mr. Garret Ferrara

MOTION TO EXCUSE MR. FERRARA FROM TONIGHT'S MEETING was made by Mr. Kuhar, seconded by Mr. Sidoti, and CARRIED by a voice vote of 8-0.

In accordance with Article XII, Section 12.05 of the Kent City Charter, notice was given on Wednesday, May 2, 2018, that the Kent City Council was conducting this Public Hearing to allow for public comment on *the COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM (CDBG) PROGRAM YEAR (PY) 2018 ANNUAL ACTION PLAN Part #2*.

Mr. Susel announced this is the 2nd planned Public Hearing for the CDBG Program Year 2018 Annual Action Plan. Some of the programs involved are to assist low to moderate income families. We were notified this week that we are receiving \$277,478.00 in grant monies for Program Year 2018. That is \$29,000 more than last year and brings us back to the level we were at in 2016.

Mayor Fiala asked for comments from the audience. There were no comments.

Hearing no further business, Mayor Fiala adjourned the Public Hearing at meeting at 7:33 p.m.

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Tara Grimm, CMC  
Clerk of Council

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Jerry T. Fiala  
Mayor and President of Council

**THE CITY OF KENT, OHIO  
REGULAR COUNCIL MEETING  
WEDNESDAY, MAY 16, 2018**

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

**PRESENT:** Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner; and 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; Mr. Tom Wilke, Economic Development Director; Mr. Jim Bowling, City Engineer; and Ms. Tara Grimm, CMC, Clerk of Council.

**ABSENT:** Mr. Ferrara (*arrived 7:52 p.m.*)

MOTION TO EXCUSE MR. FERRARA FROM TONIGHT'S MEETING made by Mr. DeLeone, seconded by Mr. Sidoti and CARRIED by a voice vote of 8-0.

Mayor Fiala called upon Councilmember Kuhar for his opening remarks. Mr. Kuhar did not have any comments. He led the Pledge of Allegiance.

**APPROVAL OF MINUTES:**

MOTION TO APPROVE THE MINUTES OF THE WORK SESSION OF APRIL 18, 2018, THE REGULAR CITY COUNCIL MEETING OF APRIL 18, 2018 AND THE JOINT MEETING WITH THE FRANKLIN TOWNSHIP TRUSTEES OF MAY 2, 2018 made by Ms. Rosenberg, seconded by Mr. DeLeone and CARRIED by a voice vote of 8-0.

**COMMUNICATIONS:**

Mayor Fiala called for audience comments. There were two (2) visitors who signed in with the Clerk:

Mr. Christopher Myers of 220 E. Elm St., Kent was allotted *double* the allotted "3 minutes rule" for speaking by Mayor Fiala. Mr. Myers provided Council a large, hard copy of Merriam Webster's Dictionary, read the definition of an unacceptable word from the dictionary which was used by Mr. Myers at the May 17, 2017 meeting where there was a Point of Order and added how this same word was also recently used by Mr. Turner at another meeting. Mayor Fiala reminded Mr. Myers that as Mayor, he corrected Mr. Turner for his inappropriateness. Mr. Myers then requested Council provide a list of "unacceptable" words and left the dictionary on the table for Council to use at their discretion. Mr. Myers then read excerpts from a "police report" and a "no contact with the Clerk of Council" letter he received from our City's Law Department. Mr. Myers continued to read excerpts that included comments from Ms. Shaffer and how he is unhappy with Ms. Shaffer for refusing to respond to his inquiries.

Mr. David Reith of 520 Harvey St., Kent requested the Mayor review and look into the "flag code" for the flags that are in front of the Courthouse. He feels they are not in the proper order of ranking and would like Council to nudge the right authorities to correct the issue at the courthouse.

**Written Communications** were reported by Clerk Grimm and were placed on file in the Clerk's office as follows:

1. Sustainability Commission Agenda for May 7, 2018 and Minutes from April 9, 2018 received May 3, 2018.

2. A NEW Liquor License request received May 9, 2018 from Fitz Simon Inc., DBA Bar 145 located at 100 E. Erie St.

MOTION TO HAVE THE CLERK OF COUNCIL RETURN THE NEW LIQUOR LICENSE REQUEST TO THE OHIO DEPARTMENT OF LIQUOR CONTROL WITH NO OBJECTION made by Mr. DeLeone, seconded by Mr. Kuhar. Motion CARRIED by a voice vote of 8-0.

**Oral Communications** were reported by Clerk Grimm as being received after the Agenda was published and were placed on file in the Clerk's office as follows:

1. Planning Commission Agenda and Staff Report for May 15, 2018 received on May 10, 2018.
2. Parks and Recreation Agenda packet for May 17, 2018 received on May 15, 2018.

**City Manager's Report** was called for by Mayor Fiala.

1. Request Council's final approval of the proposed 2018 CDBG Action Plan (Draft #2018-63)
2. Request Council's authorization to accept a donation of \$310 to Kent Parks and Recreation youth programs in memory of Joseph Cettomai (Draft #2018-64)
3. Request Council's authorization to accept 4 donations totaling \$625 to the Kent Fire Department in memory of Richard L. Workman (Draft #2018-66)
4. Request Council's authorization of the revised street closure request for the Main Street Kent Art & Wine Festival, including that portion of Franklin Avenue between Main Street and Erie Street.
5. Request Committee of the Whole time to receive an update from the Council sub-committee for the One Kent initiative.
6. Request Streets, Sidewalks & Utilities Committee time to receive a response from staff on the referral from Council on the question of sidewalk snow removal funding.
7. Request Streets, Sidewalks & Utilities Committee time to consider authorization of the OPWC funding application requests for 2018.
8. Request Streets, Sidewalks & Utilities Committee time to consider updates to the City's small cell wireless facility regulations.
9. Request Finance Committee time for authorization of the sale of surplus City property at auction.
10. Request Finance Committee time for consideration of a proposed 2018 Budget Appropriations Amendment.
11. Request Finance Committee time for consideration of updates to the City's tax code.

MOTION TO APPROVE ITEMS #1 - #11 OF THE CITY MANAGER'S REPORT made by Mr. Amrhein, seconded by Mr. DeLeone. Motion CARRIED by a voice vote of 8-0.

## **STANDING COMMITTEES/ LEGISLATION**

### ***COMMITTEE OF THE WHOLE:***

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF MAY 2, 2018 made by Mr. DeLeone, seconded by Mr. Sidoti and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE ONE (1) RECOMMENDED ACTION made by Mr. DeLeone, seconded by Mr. Sidoti, and CARRIED by a voice vote of 8-0.

*Recommended Action:*

1. Authorize a Resolution for the renewal of the City-KSU Town Gown collaboration commitment with an emergency clause

*Draft No. 2018-60:* A JOINT RESOLUTION REAFFIRMING APPRECIATION AND COMMITMENT OF THE CITY OF KENT, OHIO AND KENT STATE UNIVERSITY, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 2018-60 made by Mr. Kuhar and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. DeLeone, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The motion CARRIED by a roll call vote of 8-0.

**RESOLUTION NO. 2018-60 A JOINT RESOLUTION REAFFIRMING APPRECIATION AND COMMITMENT OF THE CITY OF KENT, OHIO AND KENT STATE UNIVERSITY, AND DECLARING AN EMERGENCY PASSED** as stated by Clerk Grimm.

**COMMUNITY DEVELOPMENT COMMITTEE:**

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF MAY 2, 2018 made by Mr. Kuhar, seconded by Mr. DeLeone and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE TWO (2) RECOMMENDED ACTIONS made by Mr. Kuhar, seconded by Mr. DeLeone and CARRIED by a voice vote of 8-0.

*Recommended Actions:*

1. Authorize a waiver of the payment in lieu for Klaben Ford Lincoln, Inc. with an emergency clause.
2. Authorize the proposed property maintenance Zoning Code text amendments with an emergency clause.

*Draft No. 2018-61:* A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO WAIVE THE PAYMENT IN LIEU OF THE DISCONNECTION REQUIREMENT MANDATED BY KENT CITY CODIFIED ORDINANCE SECTION 1311.05 TO KLABEN FORD LINCOLN, INC., AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 2018-61 made by Mr. Kuhar, seconded by Mr. Sidoti. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Kuhar. The motion CARRIED by a roll call vote of 8-0.

**RESOLUTION NO. 2018-61: A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO WAIVE THE PAYMENT IN LIEU OF THE DISCONNECTION REQUIREMENT MANDATED BY KENT CITY CODIFIED ORDINANCE SECTION 1311.05 TO KLABEN FORD LINCOLN, INC., AND DECLARING AN EMERGENCY PASSED** as stated by Clerk Grimm.

*Draft No. 2018-62: AN ORDINANCE AMENDING CHAPTER 1414, TITLED "RUBBISH AND GARBAGE AND DONATION COLLECTION BOXES" TO ENACT NEW SECTION 1414.05 TITLED "REQUIREMENTS FOR PORTABLE STORAGE CONTAINERS" AND TO AMEND THE TITLE OF THE CHAPTER, AND DECLARING AN EMERGENCY* was read by title only by Clerk Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 2018-62 made by made by Mr. Kuhar, seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Rosenberg, and Ms. Shaffer. The motion CARRIED by a roll call vote of 8-0.

**RESOLUTION NO. 2018-62: AN ORDINANCE AMENDING CHAPTER 1414, TITLED "RUBBISH AND GARBAGE AND DONATION COLLECTION BOXES" TO ENACT NEW SECTION 1414.05 TITLED "REQUIREMENTS FOR PORTABLE STORAGE CONTAINERS" AND TO AMEND THE TITLE OF THE CHAPTER, AND DECLARING AN EMERGENCY PASSED** as stated by Clerk Grimm.

*Draft No. 2018-63: A RESOLUTION APPROVING A REQUEST FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ASSISTANCE FOR PROGRAM YEAR (PY) 2018 UNDER TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED, INCLUDING THE PY2018 ANNUAL ACTION PLAN AND AUTHORIZING THE EXECUTION AND FILING OF THE PY2018 ANNUAL ACTION PLAN, INCLUDING RELATED CERTIFICATIONS, AND UPON AWARDED OF THE GRANT, AUTHORIZING APPROPRIATION OF FUNDS BY THE CITY MANAGER OR HIS DESIGNEE AND DECLARING AN EMERGENCY* was read by title only by Clerk Grimm per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Kuhar and seconded by Mr. DeLeone. On Roll call, voting "Yes": Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, 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. 2018-63 made by Mr. DeLeone and seconded by Mr. Sidoti. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Rosenberg, Mr. Sidoti, and Mr. Turner. The motion CARRIED by a roll call vote of 7-0-1 with Ms. Shaffer abstaining.

**RESOLUTION NO. 2018-63: A RESOLUTION APPROVING A REQUEST FOR COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG) ASSISTANCE FOR PROGRAM YEAR (PY) 2018 UNDER TITLE I OF THE HOUSING AND COMMUNITY DEVELOPMENT ACT OF 1974, AS AMENDED, INCLUDING THE PY2018 ANNUAL ACTION PLAN AND AUTHORIZING THE EXECUTION AND FILING OF THE PY2018 ANNUAL ACTION PLAN, INCLUDING RELATED CERTIFICATIONS, AND UPON AWARDED OF THE GRANT, AUTHORIZING APPROPRIATION OF FUNDS BY THE CITY MANAGER OR HIS DESIGNEE AND DECLARING AN EMERGENCY PASSED** as stated by Clerk Grimm.

#### ***FINANCE COMMITTEE:***

There were no meeting minutes or actions to be approved.

*Draft No. 2018-64: A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF \$310.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT IN MEMORY OF JOSEPH CETTOMAI TO SUPPORT YOUTH SPORTS; AND DECLARING AN EMERGENCY* was read by title only by Clerk Grimm per Mayor Fiala's request.

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



MOTION TO ADOPT DRAFT No. 2018-64 made by Mr. DeLeone and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. DeLeone, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The motion CARRIED by a roll call vote of 8-0.

**RESOLUTION NO. 2018-64: A RESOLUTION ACCEPTING A DONATION IN THE AMOUNT OF \$310.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT IN MEMORY OF JOSEPH CETTOMAI TO SUPPORT YOUTH SPORTS; AND DECLARING AN EMERGENCY PASSED** as stated by Clerk Grimm.

**HEALTH AND SAFETY COMMITTEE:**

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF MAY 2, 2018 made by Mr. Amrhein, seconded by Mr. DeLeone and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE ONE (1) RECOMMENDED ACTION made by Mr. Amrhein, seconded by Mr. DeLeone and CARRIED by a voice vote of 8-0.

*Recommended Action:*

- 1) Authorize a joint resolution for public safety with the Kent City Schools with an emergency clause

*Draft No. 2018-65:* A RESOLUTION OF THE CITY OF KENT, OHIO JOINING THE KENT CITY BOARD OF EDUCATION SUPPORTING SCHOOL SAFETY AND REDUCING VIOLENCE IN SCHOOLS, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 2018-65 made by Ms. Wallach and seconded by Mr. Sidoti. On Roll call, voting "Yes": Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, and Mr. Kuhar. The motion CARRIED by a roll call vote of 8-0.

**RESOLUTION No. 2018-65: A RESOLUTION OF THE CITY OF KENT, OHIO JOINING THE KENT CITY BOARD OF EDUCATION SUPPORTING SCHOOL SAFETY AND REDUCING VIOLENCE IN SCHOOLS, AND DECLARING AN EMERGENCY PASSED** as stated by Clerk Grimm.

*Draft No. 2018-66:* A RESOLUTION ACCEPTING FOUR (4) DONATIONS TOTALING \$625.00 TO THE CITY OF KENT FIRE DEPARTMENT IN MEMORY OF RICHARD L. WORKMAN, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 2018-66 made by Ms. Wallach and seconded by Mr. DeLeone. On Roll call, voting "Yes": On Roll call, voting "Yes": Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Kuhar, Ms. Rosenberg, and Ms. Shaffer. The motion CARRIED by a roll call vote of 8-0.

**RESOLUTION No. 2018-66: A RESOLUTION ACCEPTING FOUR (4) DONATIONS TOTALING \$625.00 TO THE CITY OF KENT FIRE DEPARTMENT IN MEMORY OF RICHARD L. WORKMAN, AND DECLARING AN EMERGENCY PASSED** as stated by Clerk Grimm.

**LAND USE COMMITTEE:**

There were no meeting minutes or actions to be approved.

**STREETS, SIDEWALKS AND UTILITIES COMMITTEE:**

MOTION TO APPROVE THE COMMITTEE MEETING MINUTES OF MAY 2, 2018 made by Mr. Sidoti, seconded by Mr. DeLeone and CARRIED by a voice vote of 7-0-1 with Ms. Wallach abstaining.

MOTION TO APPROVE THE TWO (2) RECOMMENDED ACTIONS made by Mr. Sidoti, seconded by Mr. DeLeone, and CARRIED by a voice vote of 8-0.

*Recommended Action:*

- 1) A Authorize the bike path license agreement with the City of Akron across their water main easement with an emergency clause
- 2) Authorize the citywide trash service contract to Republic Services with an emergency clause

*Draft No. 2018-67:* A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LICENSE AGREEMENT BETWEEN THE CITY OF KENT AND THE CITY OF AKRON TO ALLOW THE CITY OF KENT TO CONSTRUCT A TEN FOOT (10') WIDE BICYCLE TRAIL, AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. DeLeone and seconded by Mr. Kuhar. On Roll call, voting "Yes": Mr. Turner, 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 9-0.

MOTION TO ADOPT DRAFT No. 2018-67 made by Ms. Wallach and seconded by Mr. DeLeone. On Roll call, voting "Yes": Ms. Wallach, Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Mr. Turner. The motion CARRIED by a roll call vote of 9-0.

**RESOLUTION No. 2018-67: A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LICENSE AGREEMENT BETWEEN THE CITY OF KENT AND THE CITY OF AKRON TO ALLOW THE CITY OF KENT TO CONSTRUCT A TEN FOOT (10') WIDE BICYCLE TRAIL, AND DECLARING AN EMERGENCY PASSED** as stated by Clerk Grimm.

*Draft No. 2018-68:* A RESOLUTION ACCEPTING A CERTAIN BID FROM REPUBLIC SERVICES FOR THE COLLECTION OF REFUSE AND RECYCLED MATERIALS FROM CITY CUSTOMERS; AND DECLARING AN EMERGENCY was read by title only by Clerk Grimm per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. DeLeone and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, and Ms. Wallach. The motion CARRIED by a roll call vote of 9-0.

MOTION TO ADOPT DRAFT No. 2018-68 made by Mr. DeLeone and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. DeLeone, Mr. Ferrara, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, and Mr. Amrhein. The motion CARRIED by a roll call vote of 8-0-1 with Mr. Kuhar abstaining.

**RESOLUTION No. 2018-68: A RESOLUTION ACCEPTING A CERTAIN BID FROM REPUBLIC SERVICES FOR THE COLLECTION OF REFUSE AND RECYCLED MATERIALS FROM CITY CUSTOMERS; AND DECLARING AN EMERGENCY PASSED** as stated by Clerk Grimm.

**SPECIAL COMMITTEE REPORTS: NONE**

**UNFINISHED BUSINESS:** NONE

**NEW BUSINESS:**

Ms. Rosenberg stated she has been approached by many of her residents to bring the topic of pet chickens back up to Council, feels it is a good time to revisit the issue and understands the Sustainability Commission is already doing some research in that regard.

MOTION TO HAVE THE SUSTAINABILITY COMMISSION ASSIST COUNCIL IN A DISCUSSION OR EXPLORATION OF THE TOPIC OF PET CHICKENS made by Ms. Rosenberg, seconded by Ms. Shaffer.

Ms. Rosenberg feels it has been long enough and other cities have demonstrated that there is a possibility to balance both pet chickens while protecting property values and quality of life. She feels it is a good idea to have Mr. Ruller and Ms. Susel explore it and would like to hear what the Sustainability Commission has to say about it so Council can discuss it in committee.

Ms. Shaffer agrees with Ms. Rosenberg. She has been approached numerous times and have had to put the blinders on "because chickens are here." There are chickens in many other communities and they are also here and not many people know about it. It is time to look at it again. "Cluck Kent" did a great job in presenting to Council several years ago with some regulations in mind and now that there is more experience with urban chickens, maybe those regulations could be tweaked and we should at least have a discussion about that.

Ms. Wallach stated the last time this was in front of Council, she did a survey of her residents. She thought for sure they were going to be against it, but what she found out was that 75% of the households she went to were actually in favor of having chickens.

Mr. Kuhar commented he is right in the middle of a conundrum on this one. His wife has 50 chickens at his daughter's farm and he is highly opposed to chickens. It would be nice if everybody took care of their chickens.

Mr. Sidoti feels that the discussion is timely within the framework of our zoning discussions over the next year and a half.

MOTION CARRIED by a voice vote of 9-0.

Mr. Ferrara commented how one of his neighbors has sent a letter to Council and staff about hazardous waste and hazardous waste disposal and if there was anything the City could do, possibly partnering with Summit County because they have a drop site.

MOTION TO HAVE THE ADMINISTRATION LOOK INTO PARTNERING WITH SUMMIT COUNTY'S DROP-SITE FOR HAZARDOUS WASTE made by Mr. Ferrara, seconded by Ms. Shaffer.

Mr. Ferrara felt it is good environmental policy to be able to provide that service as opposed to people hiding it in their trash.

Ms. Shaffer completely agrees with Mr. Ferrara.

Mr. Sidoti feels it is appropriate as he used to use our old drop-off site all the time.

Mr. Kuhar feels it is "prudent that we do."

MOTION CARRIED by a voice vote of 9-0.

Ms. Shaffer commented on how she is disappointed with the new sidewalks being installed on SR 43 South and has spoken to Mr. Bowling about it. They are the exact same width and it is almost impossible for 2 people to walk side by side. Also the tiny little tree lawn is hard to take care of and people do not mow it.

MOTION TO LOOK INTO GIVING THE SR43 SOUTH CORRIDOR AN "UPLIFT" SOON SO IT LOOKS LIKE A CORRIDOR INTO THE CITY made by Ms. Shaffer and seconded by Mr. Wallach for discussion purposes only.

Ms. Shaffer stated this has to be done soon as they are already pouring concrete, but there are still things we can do. It is going to cost money. This is a main thoroughfare and the same problems are going to keep reoccurring. She'd like to look into ways to make it look more urban.

Ms. Wallach commented how she only seconded the motion for discussion.

Mr. Kuhar felt "the horse has run away on that one already." Concrete is already being poured and there would have to be private property purchases to widen the sidewalk. He feels this is impractical.

Ms. Shaffer stated she is not talking about acquisitions of properties, she is referring from the sidewalk to the street and if there is something that can be done to enhance that. Let's explore it while we have the opportunity.

MOTION CARRIED WITH A VOICE VOTE OF 8-1 with Mr. Kuhar voting "No."

**COUNCILMEMBERS' COMMENTS:** NONE

**MAYOR'S REPORT:**

Mayor Fiala reminded everyone that this week is "Police Week", the 13<sup>th</sup> - 19<sup>th</sup>. He had Clerk Grimm prepare a Proclamation which he signed and presented to the police department. It is currently hanging in the old station's roll call room. He thanked the officers for making life safe for us.

**MOTION TO MOVE INTO AN EXECUTIVE SESSION *immediately following the meeting in accordance with ORC §121.22 Section G, Item (1) "To consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official, or the investigation of charges or complaints against a public employee, official, licensee, or regulated individual, unless the public employee, official, licensee, or regulated individual requests a public hearing"*** made by Mr. Amrhein, seconded by Mr. Kuhar. On Roll call, voting "Yes": Mr. Ferrara, Mr. Kuhar, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, Mr. Turner, Ms. Wallach, Mr. Amrhein, and Mr. DeLeone. The motion CARRIED by a roll call vote of 9-0.

At 8:31 p.m., MOTION TO RECESS OUT OF EXECUTIVE SESSION AND RECONVENE THE REGULAR MEETING made by Mr. Amrhein, seconded by Mr. Sidoti. Motion CARRIED by a voice vote of 9-0.

No action was taken.

At 8:32 p.m., MOTION TO ADJOURN made by Mr. Sidoti, seconded by Mr. Ferrara. Motion CARRIED by a voice vote of 9-0.

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Tara Grimm, CMC  
Clerk of Council

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Jerry T. Fiala  
Mayor and President of Council

**THE CITY OF KENT, OHIO  
COMMITTEE OF THE WHOLE  
WEDNESDAY, JUNE 6, 2018**

Mayor Fiala called the Committee of the Whole meeting of Kent City Council to order at 7:00 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner; and 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; Mr. David Coffee, Budget and Finance Director; and Ms. Tara Grimm, CMC, Clerk of Council.

ABSENT: None

There was 1 item on the Agenda.

1. One Kent Initiative Update

Mr. Ruller explained how the sub-committee of Ms. Shaffer, Mr. Sidoti and Mr. Turner, along with the Mayor and himself, met with the Heart & Soul Organization to discuss using their template to connect us with parts of our community we have not been connected to before. Their template allows lots of opportunities for conversation with community members, will assist us in refreshing the Bicentennial Plan, and bring us face-to-face with members of our community we normally wouldn't be.

Mr. Ruller further explained that one of the outcomes of their meeting was the Orton Foundation would like Council to pass a Resolution showing moral and public commitment to the resources and technical assistance from the Heart & Soul organization. They would assign a mentor and/or coach to us.

Mayor Fiala and Mr. Sidoti both felt Mr. Ruller gave a good overview.

Ms. Shaffer felt positive after that meeting as this is a really good fit for our City. They will help guide us through the process and reach communities within our community as well as help us develop our next big vision.

Mr. Turner was confused about what meeting Mr. Ruller is speaking of. He did not remember being at that meeting.

Mr. Ruller reminded Mr. Turner the sub-committee meeting was about a month ago.

Ms. Wallach questioned if their advisor would be considered a contractor.

Mr. Ruller explained everything is up for grabs and doesn't want to over speak. They are very much about fitting your community. Generally their coach or advisor works with someone we eventually bring on board as a new employee/staff person. Heart & Soul says this is very much a volunteer effort and it is about organizing volunteers. So even if we hire a staff person, that person is your person behind the scenes connecting everyone, setting up the meetings, doing one-on-one communications. This organization has been through this process before. They have great explanations and answers to every question we had during their meeting.

Ms. Wallach rephrased and asked "Do we pay a Heart & Soul person we will be bringing on staff?"

Mayor Fiala and Mr. Ruller both responded “yes, but not right up front.”

Mr. Ruller further explained that we have choices and milestones, and we expect a cost like when we updated the Bicentennial Plan. If we end up with a set of workhorse volunteers to champion the project, we would need less paid staff. Over the course of a couple years, the cost would be \$15,000 up to \$30 - 40,000, which is how it was described to the committee.

Mr. Turner added how at the meeting with Heart & Soul, she told us something specific the City can do is a neighborhood garden, which he believes is already a plan of Ms. Susel and the Community Development Department.

Mr. Sidoti commented on how Mr. Ruller summed it all up well. He referred to himself once calling it “appreciative inquiry” for input from the community. This is a process that is not designed by us which will provide transparency, everyone can come to the table, and we will have a coach to help with honest and true feedback to give *everyone* a fair opportunity to be heard.

Ms. Shaffer asked if Mr. Ruller could look back at the Bicentennial Plan and its costs to prepare, quantify the time spent on it and get a ballpark figure for Council. She bets this will cost less.

The Mayor then referred to the audience.

Mr. John Bard of 435 Frances Street, Kent expressed his concerns with Council not wanting to handle complaints and adding another layer of government with yet another committee. He felt Council needs to get down, talk to the people and listen to the people.

**MOTION TO AUTHORIZE A RESOLUTION OF SUPPORT FOR THE USE OF THE HEART & SOUL COMMUNITY PLANNING PROCESS WITH AN EMERGENCY CLAUSE** made by Ms. Shaffer, seconded by Mr. Sidoti and CARRIED by a voice vote of 9-0.

Ms. Shaffer commented on how this is a listening project and a way to reach out, generate volunteers. It is a huge exercise.

Mr. Turner added that we are the elected people and want to get people directly engaged. It is a matter of perception. We want to do this correctly and in a professional way. We want to engage our neighborhoods and community.

Hearing no further business before this Committee, Mayor Fiala adjourned the meeting at 7:14 p.m.

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Tara Grimm, CMC  
Clerk of Council

**ACTION RECOMMENDED:**

- 1) AUTHORIZE A RESOLUTION OF SUPPORT FOR THE USE OF THE HEART & SOUL COMMUNITY PLANNING PROCESS WITH AN EMERGENCY CLAUSE.**

**THE CITY OF KENT, OHIO  
FINANCE COMMITTEE  
WEDNESDAY, JUNE 6, 2018**

MOTION TO AMEND THE AGENDA TO MOVE THE FINANCE COMMITTEE TO THE NEXT ITEM ON THE AGENDA SO OUR VISITORS FROM DAVEY TREE DID NOT HAVE TO WAIT UNTIL THE END OF THE MEETING was made by Mr. Ferrara, seconded by Mr. Amrhein and CARRIED by a voice vote of 9-0.

Chair Michael DeLeone called the meeting of the Finance Committee of Kent City Council to order at 7:15 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner; and 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; Mr. David Coffee, Budget and Finance Director; and Ms. Tara Grimm, CMC, Clerk of Council.

ABSENT: None

There were two items on the Agenda.

1. Authorize Davey MOU and Service Donation to Kent Parks and Recreation

Mr. Ruller explained how normally these items end up on his unauthorized agenda list, but felt we needed to recognize the commitment by and thank Davey Tree for donating an estimated \$17,500 in services. Mr. Idone was not present but requests this item be approved by Council as outlined in the Memorandum of Understanding between the Kent Parks and Recreation Department and Davey Tree to upgrade the Davey Arboretum and share in the maintenance of the same, which is incorporated into Council's Communication packet.

Ms. Sandy Reed of 681 Rustic Knowl Drive, Kent and the Davey Tree Expert Company, explained that in conjunction with the Roosevelt High School Vo-Ed program, Davey will be donating an estimated \$17,500 in re-landscaping of the arboretum sign and yearly maintenance of the arboretum as there are already many demands on Parks and Receptions during the summer season. Davey has a set budget for memorial trees and there are crews available to perform the maintenance while utilizing the students in the Vo-Ed program. It gives the students a hands-on opportunity.

**MOTION TO APPROVE THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN KENT PARKS AND RECREATION AND DAVEY TREE EXPERTS AND TO AUTHORIZE THE ACCEPTANCE OF THE SERVICE DONATIONS FROM DAVEY TREE EXPERTS TO KENT PARKS AND RECREATION WITH AN EMERGENCY CLAUSE** made by Mr. Ferrara, seconded by Ms. Shaffer.

Mr. Ferrara felt this was a great thing and thanked Davey Tree on behalf of Council.

Ms. Shaffer echoes Mr. Ferrara and felt this a wonderful opportunity for our youth and work force development. It is a win-win situation.

MOTION CARRIED by a voice vote of 9-0.

2. Consider Proposed 2018 Budget Appropriations Amendment.

Mr. Coffee referred to his Memo to the City Manager dated May 30, 2018, with attachments, outlining the requested budget appropriations.

Council nor the audience had questions.

**MOTION TO AUTHORIZE THE 2018 PROPOSED APPROPRIATIONS AMENDMENT AS SUBMITTED WITH AN EMERGENCY CLAUSE** made by Mr. Amrhein, seconded by Mr. Ferrara, and CARRIED by a voice vote of 9-0.

Chair DeLeone adjourned the meeting at 7:21 p.m.

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Tara Grimm, CMC  
Clerk of Council

**ACTION RECOMMENDED:**

- 1) **APPROVE THE MEMORANDUM OF UNDERSTANDING (MOU) BETWEEN KENT PARKS AND RECREATION AND DAVEY TREE EXPERTS AND TO AUTHORIZE THE ACCEPTANCE OF THE SERVICE DONATIONS FROM DAVEY TREE EXPERTS TO KENT PARKS AND RECREATION WITH AN EMERGENCY CLAUSE.**
  
- 2) **AUTHORIZE THE 2018 PROPOSED APPROPRIATIONS AMENDMENT AS SUBMITTED WITH AN EMERGENCY CLAUSE.**



**THE CITY OF KENT, OHIO  
HEALTH & SAFETY COMMITTEE  
WEDNESDAY, JUNE 6, 2018**

Chairman Jack Amrhein called the meeting of the Health & Safety Committee of Kent City Council to order at 7:46 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner; and 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; Mr. David Coffee, Budget and Finance Director; and Ms. Tara Grimm, CMC, Clerk of Council.

ABSENT: None

There was 1 item on the Agenda.

1. Receive Staff Report on Household Hazardous Waste Disposal in Portage County.

Mr. Ruller commented on how household hazardous waste is challenging for every community and is extremely expensive. He remembers setting up commercial collection events at his first job. It is a process because they have to be prepared for worst case scenarios with hazardous waste. Summit County offers the program and honestly he has no idea how they afford it. It is cost prohibitive, as well as the management of it, and it has to be a manned facility. We believe in the need, but the expense far outweighs that.

Ms. Baker explained how she immediately called Bill Steiner at Portage County Solid Waste who stated Portage County's program ended in 2008 due to the cost. Portage County Solid Waste still takes automotive oil, cooking oil, antifreeze, appliances without Freon, and electronics. Their website has an exhaustive list of hazardous waste materials, like paint cans, and excellent information educating people on where to drop off their hazardous waste based on the type of waste to various places such as Lowes & Best Buy. Currently Waste Management is the only local hauling company that will pick hazardous waste up at your door. They have a 1-800 number and municipal solutions, but residents have to pay. She will be meeting with Waste Management.

Ms. Baker further discussed Summit County's 2016 report on their hazardous waste collection. They have 1 site open June through September. That is 10 weeks and they are only open on Thursdays from 2:00 p.m. to 7:00 p.m. and is manned by a company called Clean Harbors. There are mandates that require professionals, not volunteers. \$253,247 was spent for those 10 weeks of operations, or a total of 10 days. There was 105 tons of hazardous waste collected from only 4,274 participants, which is less than 1% of the County's population. That averages out to \$25,000 a day. It is an expensive venture. She recommends we link our website to the Portage County Solid Waste website regarding household hazardous waste.

Ms. Shaffer asked if we can develop an educational article for the Tree City Bulletin and add Waste Management program pickup information.

Ms. Baker responded "absolutely" which also helps with our MPDS permit. She can also provide Clean Harbors' information as well.

Mr. Kuhar questioned the pick-up of refrigerators but having to remove the Freon first.

Ms. Baker added how Freon has to be done only by a licensed removal. In Kent, we can pay for pick-up with the Freon in it. The rate for pickup dropped from \$50 to \$25. Ohio Edison will pay a resident to pick up their refrigerator with the Freon.

Mr. Ferrara asked if Ms. Baker could provide a printed list so it could be passed out to residents.

Ms. Baker replied “absolutely”, there are some great educational pamphlets. She will gather and provide the information to Council.

Mr. Turner questioned the environmental implications of not being able to dispose of these types of products and people just dumping them off.

Ms. Baker replied how this is probably already happening now but she does not know the environmental implications or answers.

There were no further comments from Council or the audience. No action was required.

Hearing no further business before this Committee, Chairman Amrhein adjourned the meeting at 7:57 p.m.

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Tara Grimm, CMC  
Clerk of Council

**ACTION RECOMMENDED: None**

**THE CITY OF KENT, OHIO  
STREETS, SIDEWALKS, AND UTILITIES COMMITTEE  
WEDNESDAY, JUNE 6, 2018**

Chair Roger Sidoti called the meeting of the Streets, Sidewalks, and Utilities Committee of Kent City Council to order at 7:21 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; Mr. Robin Turner; and 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; Mr. David Coffee, Budget and Finance Director; and Ms. Tara Grimm, CMC, Clerk of Council.

ABSENT: None

There were three (3) items on the Agenda.

1. City Sidewalk Clearing Funding Responses & 2017-18 Winter Update

Mr. Ruller stated this came from a referral question from Mr. Kuhar on changes in union contracts that would allow us to change how we set up, bill and charge for the sidewalk snow removal employee. Because of the union contracts, Ms. Baker cannot hire that type of personnel with her department. Parks & Recreation hires the seasonal help.

Ms. Baker agrees with Mr. Ruller and stated she was not able to get that type of labor position negotiated into the union contracts this year. It is something she will continue to discuss with the union. There is language that allows for additional summer help for mowing only if from an "academic youth sports initiative", which she doesn't believe exists anymore, or an organization similar to that, and must be a non-profit.

Mr. Kuhar apologized as he was misled from the information he received. Obviously it has been researched and the information he received was incorrect.

Mr. Ferrara asked where does this leaves us.

Ms. Baker stated the program was successful. There were 14 times where the parks crew went out in excess of 8 hour days because of the heavy snow. The new V-plow made the sidewalks plow-able in 1 pass vs. 2 or 3 passes, especially on Water Street where it is very tight. She will be coming back to Council later in the year to request a continuation of the sidewalk plowing program. Ms. Baker informed Council about the history of cumbersome expenses and additional history of Central Maintenance providing the truck, trailer and extra employee to haul the sidewalk plow.

Mr. DeLeone asked if they mark the sidewalks where there is wear and tear.

Ms. Baker responded yes, they go back out in the spring. The sidewalk plow driver is well aware of the areas where the sidewalks are not the best.

Mr. Kuhar questioned our future finances and the plans to expand the sidewalk snow plowing into other areas. He would like Franklin Street considered as there seems to be a lot of foot traffic there.

Ms. Baker responded yes, based on foot traffic they will be analyzing.

Mr. Turner asked if there are ways to engage non-profits to help out, like through Mark Fasone.

Ms. Baker commented that we already use volunteers for the downtown litter, flower watering, flower beds, one group is even the veterans; we are blessed to have them.

Mayor Fiala asked what the program cost was last year and if we were on target with the amount.

Ms. Baker stated Council authorized \$16,500 in September 2017 and we were probably close to that last year.

Ms. Shaffer asked if we plow the Hike and Bike Trails.

Both Ms. Baker and Mr. Idone responded "not as a part of this program".

Mayor Fiala mentioned how we have cross-country skiers.

Mr. Idone added they only plow the Hike and Bike Trail that are in front of the city buildings.

There were no comments from the audience or further from Council.

## 2. OPWC Pre-Application Project Funding Requests.

Mr. Ruller mentioned how Mr. Bowling was on vacation and he met with Ms. Baker, Mr. Coffee and himself before leaving to discuss the two options for projects. Mr. Bowling is great with his method for the grant funding madness to maximize the funding for Kent. They chose Option A for the 2 projects which are listed in his communications.

Ms. Baker echoed Mr. Ruller's comments on Mr. Bowling's excellent management of the grant funding process. In total, seven projects were brought forward and the 2 chosen were the Miller/Harvey/Steel Storm and Water replacement project and the Mogadore Road resurfacing project as outlined in Mr. Bowling's Memo to the City Manager dated May 8, 2018 and incorporated in the City Managers Council communications' packet. Both projects have been encumbered, appropriated and/or included in the approved Capital Plan.

Mr. Kuhar questioned if the repaving of Mogadore Road will be a complete strip down and repave.

Ms. Baker responded yes the majority will be, and there will be 3 spots that will be a full depth repair.

### **MOTION TO AUTHORIZE THE SUBMISSION OF THE PROPOSED PROJECTS FOR OPWC FUNDING CONSIDERATION WITH AN EMERGENCY CLAUSE** made by Ms. Shaffer, seconded by Mr. Kuhar.

Ms. Shaffer was happy to hear that section of Mogadore Road is being repaved as she just recently drove on it. She felt the people will benefit from this project because it is used as a primary route to and from the city.

MOTION CARRIED by a voice vote of 9-0.

Mr. Ruller added how Mr. Bowling knows the other part of Mogadore Road has to wait for repaving and hasn't forgotten about it, as well as the localized flooding at Miller and Harvey has been on the radar for a number of years.

Ms. Baker stated after the heavy rains this past weekend that particular area flooded.

Mr. DeLeone asked about Lake Street and the previous group of people who came to Council years ago after the assessments went out to the residents, who were concerned that a storm sewer had been blocked off.

Ms. Baker assured Council that she has seen the drawings and they are installing oversized catch basins in that area designed for a ten year flood.

Mayor Fiala added that the Lake Street issue was thought to be due to the old railroad yards.

Mr. Kuhar questioned if this stretch of Mogadore Rd. has “adequate” water and sewer lines for development.

Ms. Baker responded “yes”.

### 3. Proposed Modification to Kent Codified Ordinances, Title 7 - Garbage

Mr. Ruller stated he was surprised that this 7:00 a.m. start time for commercial trash pick-up was not already in the Code. Mr. Neistadt brought to our attention that the current Code only accounts for residential pick-up.

Ms. Jones commented on how the biggest complaints comes from where the residential neighborhoods that bump up against the commercial zones. Section 933 and 935 need amending to add the 7:00 a.m. restriction. She referred to her draft Ordinance in the Council Communications packet where the added language is indicated in **bold** and underlined, and deleted language is indicated by strikethrough (~~Strikethrough~~). She added a penalty of a misdemeanor of the 1<sup>st</sup> degree and any further violations within six months are subject to having their license revoked.

Mr. Kuhar was surprised that at College Towers they were picking up the trash dumpsters at 6:00 a.m. and they stopped because they were told they were violating the Code.

Ms. Jones commented on how they were violating the disorderly conduct code and we need to show this start time in the garbage and recycling sections of our Code.

Ms. Rosenberg asked if this covered trash collection for condos and dumpsters at multi-unit family homes.

Ms. Jones replied that anything done before business hours can be reported to the Police, Mr. Neistadt at the Health Department or to her in the Law Department. She will double check on the condos being covered.

Ms. Rosenberg thanked Mr. Jones.

Mr. DeLeone asked if letter will be sent to the trash and recycle haulers to remind them of the time restriction.

Mr. Jones stated she would be happy to do that if there is a list.

Ms. Susel reminded Council that commercial pick-up is done under contracts.

Mayor Fiala questioned the fee in 935.18.

Ms. Jones replied that fee is already in our Code. It is only the bold and underlined language that she is adding and strike though for what is being deleted.

Ms. Shaffer asked how we can revoke the license if we do not provide the license.

Mr. Ruller stated the Health Department has a list of the contractors.

Mayor Fiala referred to the audience.

Mr. John Bard of 435 Frances St., Kent questioned if we are adding a start time, shouldn't we be adding and end time.

Ms. Baker replied to Mr. Bard's comment informing him the end time is 7:00 p.m.

There were no further comments from the audience or from Council.

**MOTION TO AUTHORIZE THE PROPOSED TEXT AMENDMENTS TO TITLE 7 ADDING A 7:00 A.M. START TIME FOR COMMERCIAL TRASH PICK-UP WITH AN EMERGENCY CLAUSE** made by Mr. Kuhar, seconded by Mr. DeLeone. MOTION CARRIED by a voice vote of 9-0.

Hearing no further business before this Committee, Chair Sidoti adjourned the meeting at 7:46 p.m.

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Tara Grimm, CMC  
Clerk of Council

**ACTION RECOMMENDED:**

- 1) AUTHORIZE THE SUBMISSION OF THE PROPOSED PROJECTS FOR OPWC FUNDING CONSIDERATION WITH AN EMERGENCY CLAUSE.**
- 2) AUTHORIZE THE PROPOSED TEXT AMENDMENTS TO TITLE 7 ADDING A 7:00 A.M. START TIME FOR COMMERCIAL TRASH PICK-UP WITH AN EMERGENCY CLAUSE.**

## RESOLUTION NO. 2018-69

### **A RESOLUTION AFFIRMING THE CITY OF KENT'S COMMITMENT TO PARTICIPATE IN A COMMUNITY HEART & SOUL PROJECT IN KENT, AND DECLARING AN EMERGENCY.**

WHEREAS, the City of Kent, while a desirable place to live with a long history of welcoming all, sees an opportunity for an even stronger future for its culture, economy and residents through participation in a Community Heart & Soul project; and

WHEREAS, Community Heart & Soul is a community-wide effort to promote community conversations that will help City leadership understand what matters most to all residents of the City; and

WHEREAS, the three guiding principles of Community Heart & Soul mirror the desires of City leadership when developing future plans for the Kent community: Involve Everyone, Focus on What Matters, Play the Long Game; and

WHEREAS, Community Heart & Soul has been successfully used in other communities to distill what matters most to residents into Heart & Soul Statements that provide guidance for future plans, decisions, and actions affecting the Kent community; and

WHEREAS, the City of Kent is preparing to launch the OneKent Initiative, revise its Comprehensive Master Plan, and update the City Zoning Code, Kent City leaders value involvement from a broad cross-section of residents that will result in a better alignment of the City's plans with the aspirations of the members of the community.

**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 the City of Kent will provide support to the Community Heart & Soul project including, but not limited to, representation on the Heart & Soul Team by City staff, a liaison from Kent City Council, office space, community meeting space, and assistance disseminating information about the project via the City web site, social media outlets and other means of communication.

**SECTION 2.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 Resolution 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 Resolution 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 *RESOLUTION No.* \_\_\_\_\_, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON \_\_\_\_\_, 20\_\_\_\_\_.

(SEAL)

\_\_\_\_\_  
TARA GRIMM, CMC  
CLERK OF COUNCIL



**RESOLUTION NO. 2018-70**

**A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING AND SERVICE DONATION WITH THE DAVEY TREE EXPERT COMPANY AND THE CITY OF KENT PARKS AND RECREATION DEPARTMENT TO UPGRADE THE JOHN DAVEY ARBORETUM, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Kent Parks and Recreation Department desires to enter into a Memorandum of Understanding and service donation with the Davey Tree Expert Company to upgrade the John Davey Arboretum; and

**WHEREAS**, The Davey Tree Expert Company has offered to enhance the Arboretum landscaping and share in site maintenance assistance; and

**WHEREAS**, the donated services are estimated at \$17,500.

**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 Memorandum of Understanding and service donation with the Davey Tree Expert Company and the City of Kent Parks and Recreation Department to upgrade the John Davey Arboretum, 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 Resolution 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 Resolution 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 Resolution 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 *RESOLUTION No.* \_\_\_\_\_, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON \_\_\_\_\_, 20\_\_\_\_\_.

(SEAL)

\_\_\_\_\_  
TARA GRIMM, CMC  
CLERK OF COUNCIL

ORDINANCE NO. 2018-71

AN ORDINANCE AMENDING ORDINANCE NO. 2017-156, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 13, 2017; AS AMENDED BY ORDINANCE NO. 2018-33, PASSED FEBRUARY 21, 2018; AS AMENDED BY ORDINANCE NO. 2018-38, PASSED MARCH 21, 2018; AND AS AMENDED BY ORDINANCE NO. 2018-51, PASSED APRIL 18, 2018; SO AS TO INCREASE APPROPRIATIONS IN FUND 001, GENERAL; FUND 126, COMMUNITY DEVELOPMENT BLOCK GRANT (CDBG); FUND 134, UDAG (EDA/RLF); FUND 201, WATER; FUND 202, SEWER; FUND 204, UTILITY BILLING; FUND 208, STORM WATER; AND FUND 301, CAPITAL; 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, 2018.

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. 2017-156 passed December 13, 2017, as amended by Ordinance No. 2018-33 passed February 21, 2018, as amended by Ordinance No. 2018-38 passed March 21, 2018, as amended by Ordinance No. 2018-51 passed April 18, 2018, be amended as set forth 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 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: \_\_\_\_\_  
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

## 2018 AMENDED APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel &amp; Benefits</u>	<u>Other than Personnel &amp; Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund &amp; Department Total</u>
<b>General Fund (001)</b>						
City Council	\$154,230	\$33,133				\$187,363
Mayor	\$9,560	\$6,300				\$15,860
Community Support		\$84,500				\$84,500
City Manager	\$300,120	\$62,133				\$362,253
New City Hall Facility		\$0	\$300,000			\$300,000
Information Technology	\$76,458	\$128,980				\$205,438
Urban Renewal		\$52,300				\$52,300
Human Resources	\$58,980	\$18,318				\$77,298
Civil Service	\$29,381	\$38,383				\$67,764
Law	\$348,834	\$154,495				\$503,329
Budget & Finance	\$174,475	\$138,085				\$312,560
Community Development	\$549,772	\$251,520				\$801,292
CHIP Grant		\$0				\$0
Economic Development	\$113,707	\$74,840				\$188,547
Health	\$436,531	\$184,058				\$620,589
Public Parking		\$62,000				\$62,000
Main Street Program		\$60,000				\$60,000
Service Administration	\$69,189	\$443,688				\$512,877
Shade Tree		\$79,670	\$10,000			\$89,670
Adjunct Facilities		\$1,770				\$1,770
Building	\$292,955	\$62,972				\$355,927
Land banking		\$35,000				\$35,000
Engineering	\$222,546	\$143,642				\$366,188
Miscellaneous & Sundry		\$369,250				\$369,250
Contingency					\$100,000	\$100,000
Fund Total	\$2,836,738	\$2,485,037	\$310,000	\$0	\$100,000	\$5,731,775
<b>West Side Fire (101)</b>						
Fire	\$256,301	\$27,827				\$284,128
Fund Total	\$256,301	\$27,827	\$0	\$0	\$0	\$284,128
<b>Street Construction Maintenance &amp; Repair (102)</b>						
Service	\$1,105,077	\$1,059,131				\$2,164,208
Contingency					\$25,000	\$25,000
Fund Total	\$1,105,077	\$1,059,131	\$0	\$0	\$25,000	\$2,189,208
<b>State Highway (103)</b>						
Service		\$70,000				\$70,000
Fund Total	\$0	\$70,000	\$0	\$0	\$0	\$70,000
<b>Recreation (106)</b>						
Parks & Recreation	\$1,353,255	\$663,644	\$135,000			\$2,151,899
Fund Total	\$1,353,255	\$663,644	\$135,000	\$0	\$0	\$2,151,899
<b>Food Service (107)</b>						
Health	\$93,439	\$30,754				\$124,193
Fund Total	\$93,439	\$30,754	\$0	\$0	\$0	\$124,193

## 2018 AMENDED APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel &amp; Benefits</u>	<u>Other than Personnel &amp; Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund &amp; Department Total</u>
<b><u>Income Tax (116)</u></b>						
Budget/Finance/IncTaxAdmin	\$255,764	\$502,183				\$757,947
Managed Reserve				\$25,540		\$25,540
Fund Total	\$255,764	\$502,183	\$0	\$25,540	\$0	\$783,487
<b><u>Revolving Housing (120)</u></b>						
Health	\$146,333	\$10,500				\$156,833
Fund Total	\$146,333	\$10,500	\$0	\$0	\$0	\$156,833
<b><u>State &amp; Local Forfeits (121)</u></b>						
Police		\$2,000				\$2,000
Fund Total	\$0	\$2,000	\$0	\$0	\$0	\$2,000
<b><u>Drug Law Enforcement (122)</u></b>						
Police		\$12,000				\$12,000
Fund Total	\$0	\$12,000	\$0	\$0	\$0	\$12,000
<b><u>Enforcement &amp; Education (123)</u></b>						
Police		\$6,000				\$6,000
Fund Total	\$0	\$6,000	\$0	\$0	\$0	\$6,000
<b><u>Income Tax Safety (124)</u></b>						
Police	\$6,603,345	\$584,200				\$7,187,545
Fund Total	\$6,603,345	\$584,200	\$0	\$0	\$0	\$7,187,545
<b><u>Law Enforcement Trust (125)</u></b>						
Police		\$1,000				\$1,000
Fund Total	\$0	\$1,000	\$0	\$0	\$0	\$1,000
<b><u>Community Development Block Grant (126)</u></b>						
Community Development	\$22,625	\$292,650	\$442,227			\$757,502
Fund Total	\$22,625	\$292,650	\$442,227	\$0	\$0	\$757,502
<b><u>Fire &amp; E.M.S. (128)</u></b>						
Fire	\$4,479,301	\$465,719	\$1,367,000			\$6,312,020
Fund Total	\$4,479,301	\$465,719	\$1,367,000	\$0	\$0	\$6,312,020
<b><u>Wireless 911 (129)</u></b>						
Safety		\$0				\$0
Fund Total	\$0	\$0	\$0	\$0	\$0	\$0
<b><u>Swimming Pool Inspections (130)</u></b>						
Health	\$7,783	\$500				\$8,283
Fund Total	\$7,783	\$500	\$0	\$0	\$0	\$8,283

## 2018 AMENDED APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel &amp; Benefits</u>	<u>Other than Personnel &amp; Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund &amp; Department Total</u>
<b><u>Police Pension (132)</u></b>						
Police	\$110,000					\$110,000
Fund Total	\$110,000	\$0	\$0	\$0	\$0	\$110,000
<b><u>Fire Pension (133)</u></b>						
Fire	\$110,000					\$110,000
Fund Total	\$110,000	\$0	\$0	\$0	\$0	\$110,000
<b><u>UDAG / EDA-RLF (134)</u></b>						
City Manager/C.D.		\$400,000				\$400,000
Fund Total	\$0	\$400,000	\$0	\$0	\$0	\$400,000
<b><u>Water (201)</u></b>						
Service	\$1,690,883	\$826,855	\$493,000			\$3,010,738
Service (Capital Facilities)			\$1,938,609			\$1,938,609
Admin. Support	\$523,382	\$41,536	\$14,000			\$578,918
Budget & Finance (Debt)				\$54,608		\$54,608
Contingency					\$50,000	\$50,000
Fund Total	\$2,214,265	\$868,391	\$2,445,609	\$54,608	\$50,000	\$5,632,873
<b><u>Sewer (202)</u></b>						
Service	\$1,909,922	\$903,384	\$490,442			\$3,303,748
Service (Capital Facilities)			\$2,856,508			\$2,856,508
Admin. Support	\$574,813	\$43,837	\$14,000			\$632,650
Budget & Finance (Debt)				\$684,208		\$684,208
Contingency					\$50,000	\$50,000
Fund Total	\$2,484,735	\$947,221	\$3,360,950	\$684,208	\$50,000	\$7,527,114
<b><u>Utility Billing (204)</u></b>						
Budget & Finance		\$100,086				\$100,086
Fund Total	\$0	\$100,086	\$0	\$0	\$0	\$100,086
<b><u>Solid Waste (205)</u></b>						
Service	\$84,089	\$497,683				\$581,772
Fund Total	\$84,089	\$497,683	\$0	\$0	\$0	\$581,772
<b><u>Storm Water Utility (208)</u></b>						
Service	\$226,819		\$25,000			\$251,819
Service (Capital Facilities)			\$1,041,485			\$1,041,485
Admin. Support	\$306,635	\$70,921	\$89,000			\$466,556
Budget & Finance (Debt)				\$9,968		\$9,968
Fund Total	\$533,454	\$70,921	\$1,155,485	\$9,968	\$0	\$1,769,828
<b><u>Guaranteed Deposits (230)</u></b>						
Budget & Finance		\$1,000				\$1,000
Fund Total	\$0	\$1,000	\$0	\$0	\$0	\$1,000

## 2018 AMENDED APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel &amp; Benefits</u>	<u>Other than Personnel &amp; Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund &amp; Department Total</u>
<b><u>Capital Projects (301)</u></b>						
Safety			\$74,900			\$74,900
Service			\$434,568			\$434,568
Service (Capital Facilities)			\$9,981,906			\$9,981,906
Health			\$0			\$0
Budget & Finance (Debt)				\$806,258		\$806,258
Contingency					\$25,000	\$25,000
Fund Total	\$0	\$0	\$10,491,374	\$806,258	\$25,000	\$11,322,632
<b><u>Municipal Public Improvement Tax Increment Equivalent (302)</u></b>						
Service (Capital Facilities)						\$0
Budget & Finance (Debt)				\$1,517,151		\$1,517,151
Fund Total	\$0	\$0	\$0	\$1,517,151	\$0	\$1,517,151
<b><u>Police Facility (303)</u></b>						
Safety (Capital Facilities)			\$975,494			\$975,494
Budget & Finance (Debt)				\$4,189,098		\$4,189,098
Fund Total	\$0	\$0	\$975,494	\$4,189,098	\$0	\$5,164,592
<b><u>Debt Service (402)</u></b>						
Budget & Finance (Debt)				\$297,694		\$297,694
Fund Total	\$0	\$0	\$0	\$297,694	\$0	\$297,694
<b><u>Internal Service (807)</u></b>						
Health Insurance			\$3,260,000			\$3,260,000
Fund Total	\$0	\$3,260,000	\$0	\$0	\$0	\$3,260,000
Total Appropriations	\$22,696,504	\$12,358,447	\$20,683,139	\$7,584,525	\$250,000	\$63,572,615
Original Appropriations	\$22,277,704	\$11,709,693	\$12,520,619	\$7,584,525	\$250,000	\$54,342,541
Amendment #1	\$417,000	\$3,500	\$7,709,393			\$8,129,893
Amendment #2		\$50,000	\$3,000			\$53,000
Amendment #3	\$1,800	\$159,754	\$322,227			\$483,781
Amendment #4		\$435,500	\$127,900			\$563,400
Amendment #5						\$0
Amendment #6						\$0
Amendment #7						\$0
Amendment #8						\$0
	\$22,696,504	\$12,358,447	\$20,683,139	\$7,584,525	\$250,000	\$63,572,615

**RESOLUTION NO. 2018-72**

**A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO SUBMIT ON BEHALF OF THE CITY OF KENT, A PRE-APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION (OPWC) FOR THE MILLER/HARVEY/STEEL WATER REPLACEMENT PROJECT AND THE RESURFACING OF MOGADORE ROAD PROJECT FOR A GRANT ESTIMATED AT \$980,000 AND A NO-INTEREST LOAN IN THE AMOUNT OF \$150,000, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Kent currently wishes to construct storm sewer improvements to Miller/Harvey/Steel streets and a resurfacing project on Mogadore Road; and

**WHEREAS**, the Kent City Council desires to make a pre-application to the Ohio Public Works Commission for a grant estimated at \$980,000 (\$797,500 for the storm sewer improvements and \$365,00 for the resurfacing of Mogadore Road) and a no-interest loan in the amount of \$150,000; and

**WHEREAS**, time is of the essence to continue progressing with this project in a timely fashion.

**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 the City Manager, or his designee, be and hereby is authorized to submit on behalf of the City of Kent, a pre-application for a grant estimated at \$980,000 and a no-interest loan, in the amount of \$150,000 to the Ohio Public Works Commission for the Miller/Harvey/Steel streets sewer improvements and the Mogador Road Resurfacing Project.

**SECTION 2.** That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 Resolution 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 Resolution 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 *RESOLUTION No.* \_\_\_\_\_, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON \_\_\_\_\_, 20\_\_\_\_\_.

(SEAL)

\_\_\_\_\_  
TARA GRIMM, CMC  
CLERK OF COUNCIL

**ORDINANCE NO. 2018-73**

**AN ORDINANCE TO AMEND TITLE 7 OF THE KENT CODIFIED ORDINANCES, TITLED "GARBAGE," CHAPTERS 933 AND 935; AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Kent wishes to amend Title 7 of the Kent Codified Ordinances, titled "Garbage", Chapters 933 and 935; and

**WHEREAS**, the changes are necessary in order that refuse and recycle haulers do not begin pick-up operations before 7:00 a.m. within City limits.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Kent, Portage County, Ohio, at least a majority of all members elected thereto concurring:

**SECTION 1.** The Council does hereby accept the amendment to Title 7 titled "Garbage", Chapters 933 and 935, of the Kent Codified Ordinances as shown on Exhibit "A", attached hereto and made a part hereof.

**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: \_\_\_\_\_  
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"

**Section 1.** That Title 7, of the Kent Codified Ordinances, titled "Garbage," Chapters 933 and 935 are hereby amended to read as follows (Added language is indicated in **bold** and underlined; deleted language shall be indicated by ~~strikethrough~~):

933.25 COLLECTION AND DISPOSAL OF SOLID WASTES.

**(a) No person collecting solid wastes from any commercial or residential property within the city shall begin collection activities before 7:00 A. M. nor after 7 P.M.**

**(b) No person collecting solid wastes within the City shall dispose of such wastes at a site not properly licensed in accordance with Ohio R.C. Chapter 3734.**

**935.20 COLLECTION TIMES.**

**No person collecting recyclables from any commercial or residential property within the City shall begin collection activities before 7:00 A. M. nor after 7 P. M.**

935.99 PENALTY.

**(a) Whoever violates or fails to comply with any of the provisions of this chapter except Section 935.08 and 935.09 is guilty of a minor misdemeanor and shall be fined not more than one hundred dollars (\$100.00). A separate offense shall be deemed committed each day during or on which a violation of noncompliance occurs or continues.**

**(b) Whoever violates Section 935.20 of this chapter is guilty of a misdemeanor of the first degree. Whoever is found guilty of more than one violation of Section 935.20 within a six month period shall be subject to license revocation pursuant to Section 933.26 of this Code.**

**(c) Whoever violatesions of Sections 935.08 and 935.09 shall **subject to the** ~~cause the~~ following actions to be taken:**

**(a)** On the first violation, a notice of noncompliance with this section shall be posted on the recycling bin or on a regular garbage container, at the residential unit where the noncompliance occurs.

**(b)** On the second violation, there shall be a termination of all recyclable collection services to the residential unit where the violation occurs with written notice of such termination to be delivered to the residential unit occupant by regular mail, or by posting on the door of the residential unit.

**(d) Whoever violatesions of Section 935.16 and 935.17 shall **be subject to** ~~cause the~~ following actions to be taken:**

~~(a)~~ **(a)** License revocation to occur pursuant to Section 933.26 of **this Code** Codified Ordinances.