



City Council Regular Meeting Minutes
The City of Kent, Ohio
Wednesday, March 18, 2020

Special Note: This was an abbreviated meeting due to the Covid-19 Pandemic to approve any outstanding ordinances/resolutions. See notations below each heading for specific items not discussed.

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

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Ms. Gwen Rosenberg; Ms. Heidi Shaffer; Mr. Roger Sidoti; 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. Amy Wilkens, Clerk of Council

ABSENT: Mr. Robin Turner; Mr. John Kuhar

Mr. DeLeone led the meeting in the Pledge of Allegiance and afterwards Mayor Fiala asked for roll to be called. A MOTION TO EXCUSE both Mr. Turner and Mr. Kuhar was made by Mr. DeLeone, SECONDED by Mr. Sidoti and CARRIED by a voice vote of 7-0.

APPROVAL OF MINUTES:

MOTION TO APPROVE THE MINUTES OF THE REGULAR COUNCIL MEETING OF February 19, 2020 made by Mr. DeLeone, seconded by Mr. Sidoti, and CARRIED by a voice vote of 6-0-1 with Ms. Wallach abstaining.

COMMUNICATIONS:

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

- 1) Authorize the acceptance and appropriation of a \$1,596 donation to Kent Parks & Recreation for playground equipment from the Kent Junior Mothers Club. (Draft #2020-24)
- 2) Authorize the Clerk to schedule a public hearing on April 1st for consideration of a proposed Zoning change for 500 VFQ Parkway.
- 3) Authorize the Clerk to schedule Committee of the Whole time for Council to interview applicants for City Boards and Commissions.
- 4) Request Committee of the Whole time to receive an update on the status of the new City Hall project.
- 5) Request of Public Health and Safety Committee time to provide an update on the status of the local efforts to contain and manage the Covid-19 disease.
- 6) Request Public Health and Safety Committee time to request Council's authorization to allow alcohol sales at the 2020 Art in the Park event.
- 7) Request Streets, Sidewalks & Utilities Committee time to request Council's authorization of a proposed license agreement of an outdoor patio at Barrio's on S. Water Street.
- 8) Request Community Development time for Council to approve the renewal of the sublease agreement for the Haymaker Farmer's Market on Franklin Avenue.
- 9) Request Land Use Committee time for Council to consider a request to rezone the parcel at 400 VFW Parkway from I-Industrial to R-3 High Density Residential.
- 10) Request Finance Committee time for Council's Authorization to submit a State of Ohio Nature Works grant in the amount of \$30,000 to be used to renovate the basketball court at Al Lease Park.

11) Request Finance Committee time for Council's authorization of the proposed 2020 Budget Appropriations Amendment.

MOTION TO APPROVE ITEMS #1-11 OF THE CITY MANAGER'S REPORT made by Mr. Amrhein, seconded by Mr. DeLeone, and CARRIED by a voice vote of 7-0.

STANDING COMMITTEES/ LEGISLATION

1. COMMITTEE OF THE WHOLE:

NO MINUTES OR RECOMMENDED ACTIONS TO BE APPROVED.

2. COMMUNITY DEVELOPMENT COMMITTEE:

MOTION TO APPROVE THE COMMUNITY DEVELOPMENT MEETING MINUTES of March 4, 2020 made by Ms. Rosenberg, seconded by Mr. Ferrara, and CARRIED by a voice vote of 6-0-1, with Ms. Wallach abstaining.

Recommended Actions:

- 1) None

3. STREETS, SIDEWALKS & UTILITIES COMMITTEE:

MOTION TO APPROVE THE STREETS, SIDEWALKS & UTILITIES COMMITTEE MEETING MINUTES of March 4, 2020 made by Mr. Sidoti, seconded by Mr. Ferrara, and CARRIED by a voice vote of 6-0-1, with Ms. Wallach abstaining.

Recommended Actions:

- 1) Authorize the Main Street Kent Burbick Way Lighting Agreement
- 2) Authorize the City-KSU East Main Street Improvement Project
- 3) Authorize the location change to the Kent Craft Brew Fest

MOTION TO APPROVE THE STREETS, SIDEWALKS & UTILITIES COMMITTEE ACTION ITEMS made by Ms. Rosenberg, seconded by Mr. Ferrara, and CARRIED by a voice vote of 7-0.

Draft No 2020-17 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT WITH CITY OF KENT, OHIO (CITY), MAIN STREET KENT (MSK), PAUL A. & SUSAN K. BRAYDEN (BRAYDEN) AND ARTHUR PROPERTY MANAGEMENT LLC (APM) TO ALLOW MSK TO INSTALL OVERHEAD STRING LIGHTING ON BURBICK WAY NEAR SOUTH WATER STREET, AND ALSO ENTER INTO A LICENSE AGREEMENT WITH MSK TO PERMIT THE USE OF THE RIGHT-OF-WAY FOR THE PURPOSE OF PROVIDING DECORATIVE OVERHEAD LIGHTING, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Ms. Shaffer seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti and Ms. Wallach. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT NO. 2020-17 made by Ms. Shaffer and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti and Ms. Wallach. The Motion CARRIED by a roll call vote of 7-0.

ORDINANCE NO. 2020-17 PASSED as stated by Clerk Wilkens.

Draft No 2020-18 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO CONTINUE THE EAST MAIN STREET IMPROVEMENTS AGREEMENT BETWEEN THE CITY OF KENT, KENT STATE UNIVERSITY AND PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY (PARTA) AND BEGIN THE NEXT PHASE OF THE PROJECT DESIGN PROCESS, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Ms. Shaffer seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti and Ms. Wallach. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT NO. 2020-18 made by Ms. Shaffer and seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti and Ms. Wallach. The Motion CARRIED by a roll call vote of 7-0.

ORDINANCE NO. 2020-18 PASSED as stated by Clerk Wilkens.

Draft No. 2020-19 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE A NEW SPECIAL EVENT APPLICATION FROM THE KENT JAYCEES KNOWN AS "2ND ANNUAL KENT CRAFT BEER FEST" TO BE HELD ON SATURDAY, MAY 16, 2020, AND THE TEMPORARY CLOSURE OF FRANKLIN AVENUE FROM MAIN STREET TO WEST COLLEGE AVENUE, AND DECLARING AN EMERGENCY.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti and Ms. Wallach. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT NO. 2020-19 made by Mr. Ferrara seconded by Mr. Sidoti. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti and Ms. Wallach. The Motion CARRIED by a roll call vote of 7-0.

ORDINANCE NO. 2020-19 PASSED as stated by Clerk Wilkens.

4. LAND USE COMMITTEE:

NO MINUTES OR RECOMMENDED ACTIONS TO BE APPROVED.

5. HEALTH AND SAFETY COMMITTEE:

NO MINUTES OR RECOMMENDED ACTIONS TO BE APPROVED.

6. FINANCE COMMITTEE:

MOTION TO APPROVE THE FINANCE COMMITTEE MINUTES of March 4, 2020 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 FINANCE COMMITTEE ACTION ITEMS made by Ms. Wallach, seconded by Mr. Ferrara, and CARRIED by a voice vote of 7-0.

Recommended Actions:

- 1) Accept and allocate the ODNR hike and bike trail grant funds
- 2) Authorize the acceptance and appropriation of the NOPEC grant funds
- 3) Authorize the proposed loan forgiveness
- 4) Approve the 2020 budget appropriation amendments

Draft No **2020-20**: AN ORDINANCE ACCEPTING A GRANT FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES (ODNR) 2019 RECREATIONAL TRAILS PROGRAM (RTP) GRANT IN THE AMOUNT OF \$150,000 TO BE USED TO FUND THE BRADY'S LEAP SEGMENT OF THE PORTAGE HIKE AND BIKE TRAIL, AND DECLARING AN EMERGENCY. was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 2020-20 made by Ms. Shaffer and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach. The Motion CARRIED by a roll call vote of 7-0.

Ordinance 2020-20 PASSED as stated by Clerk Wilkens

Draft No 2020-21 AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SECURE NOPEC GRANT FUNDS THAT ARE AVAILABLE TO THE CITY (UP TO \$65,500.00) TO USE FOR ENERGY SAVING RELATED INVESTMENTS, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Amrhein and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2020-21 made by Mr. Sidoti and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach. The Motion CARRIED by a roll call vote of 7-0.

Ordinance 2020-21 PASSED as stated by Clerk Wilkens

Draft No. 2020-22 AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO FORGIVE FORMER HOUSING REHABILITATION LOANS IN THE AMOUNT OF \$16,386.00 THAT HAVE BEEN UNABLE TO BE SECURED THROUGH LEGAL REMEDY AND ARE NO LONGER DEEMED PRACTICAL TO RECOVER FOR THE PROPERTY AT 1501 FRANKLIN AVENUE; AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

MOTION TO SUSPEND THE THREE READINGS made by Mr. Ferrara and seconded by Mr. Amrhein. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach. The Motion CARRIED by a roll call vote of 7-0.

MOTION TO ADOPT DRAFT No. 2020-22 made by Mr. Sidoti and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach. The Motion CARRIED by a roll call vote of 7-0

Ordinance 2020-22 PASSED as stated by Clerk Wilkens.

Draft No. 2020-23 AN ORDINANCE AMENDING ORDINANCE NO. 2019-139, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 18, 2019; SO AS TO ADJUST APPROPRIATIONS, TRANSFERS AND ADVANCES FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020; AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 2020-23 made by Mr. Sidoti and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach. The Motion CARRIED by a roll call vote of 7-0

Ordinance 2020-23 PASSED as stated by Clerk Wilkens.

Draft No. 2020-24 AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$1,596.00 TO THE CITY OF KENT PARKS & RECREATION DEPARTMENT FROM THE KENT JUNIOR MOTHERS CLUB FOR THE PURCHASE OF PLAYGROUND EQUIPMENT FOR THE PLAYGROUND AT PLUM CREEK PARK, AND DECLARING AN EMERGENCY was read by title only by Clerk Wilkens per Mayor Fiala's request.

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

MOTION TO ADOPT DRAFT No. 2020-24 made by Mr. Sidoti and seconded by Mr. Ferrara. On Roll call, voting "Yes": Mr. Amrhein, Mr. DeLeone, Ms. Rosenberg, Ms. Shaffer, Mr. Sidoti, and Ms. Wallach. The Motion CARRIED by a roll call vote of 7-0

Ordinance 2020-24 PASSED as stated by Clerk Wilkens.

SPECIAL COMMITTEE REPORTS: NONE

UNFINISHED BUSINESS: NONE

NEW BUSINESS: NONE

COUNCILMEMBERS' COMMENTS: NONE

MAYOR'S REPORT: NONE

The Regular Meeting adjourned at 7:45 P.M.

Amy Wilkens
Clerk of Council

Jerry T. Fiala
Mayor and President of Council