



CITY OF KENT, OHIO

CITY COUNCIL ■ 320 S. DEPEYSTER STREET ■ KENT, OHIO 44240 ■ 330-678-8007

Public Hearing Wednesday, July 7, 2021

At 6:50 p.m., Mayor Jerry T. Fiala called the **Public Hearing for the Zoning Map Amendment** to order. Roll call was taken.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer Bish; 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. Melanie Baker, Service Director; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Ms. Joan Seidel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Gary Bishop, IT Manager; Ms. Angela Manley, Parks and Recreation Director; Mr. Nick Shearer, Chief of Police; Ms. Amy Wilkens, Clerk of Council

ABSENT: Mr. Roger Sidoti; Mr. Robin Turner

MOTION TO EXCUSE Mr. Roger Sidoti and Mr. Robin Turner made by Mr. Kuhar
SECONDED by Mr. Amrhein and CARRIED by a voice vote of 7-0.

Ms. Susel started by stating in accordance with 1111.05 of the Kent Zoning Code, the public hearing is being held to allow for public comment on a proposed zoning map amendment to Parcel # 45-004-00-00-053-000 (Corner of SR 43 and SR 261) From C: Commercial to C-R: Commercial High Density Multifamily Residential.

This item will be discussed during the committee meeting this evening.

Mayor Fiala asked for comments from the audience. There were no members of the public signed in to speak.

Hearing no further business, Mayor Fiala adjourned the Public Hearing at 6:57 p.m.

Amy Wilkens
Clerk of Council

Jerry T. Fiala
Mayor and President of Council



CITY OF KENT, OHIO

CITY COUNCIL ■ 320 S. DEPEYSTER STREET ■ KENT, OHIO 44240 ■ 330-678-8007

Public Hearing Wednesday, July 7, 2021

At 6:50 p.m., Mayor Jerry T. Fiala called the **Public Hearing for the City of Kent Annual Tax Budget** order. Roll call was taken.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer Bish; 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. Melanie Baker, Service Director; Ms. Bridget Susel, Community Development Director; Mr. Jim Bowling, City Engineer; Ms. Joan Seidel, Health Commissioner; Ms. Rhonda Hall, Budget and Finance Director; Mr. Gary Bishop, IT Manager; Ms. Angela Manley, Parks and Recreation Director; Mr. Nick Shearer, Chief of Police; Ms. Amy Wilkens, Clerk of Council

ABSENT: Mr. Roger Sidoti; Mr. Robin Turner

MOTION TO EXCUSE Mr. Roger Sidoti and Mr. Robin Turner made by Mr. Kuhar SECONDED by Mr. Amrhein and CARRIED by a voice vote of 7-0.

Ms. Rhonda Hall introduced the Public Hearing to allow for Public Comment on the City of Kent Annual Tax Budget.

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 6:52 p.m.

Amy Wilkens
Clerk of Council

Jerry T. Fiala
Mayor and President of Council



Community Development Meeting Minutes

The City of Kent, Ohio
Wednesday, July 7, 2021

Chair Kuhar called the Community Development Committee of Kent City Council to order at 7:08 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer Bish; 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, Service Administration Director; Mr. Jim Bowling, City Engineer; Ms. Rhonda Hall, Budget and Finance Director; Mr. Gary Bishop, IT Manager; Mr. Nick Shearer, Chief of Police; Ms. Angela Manley, Parks and Recreation Director; and Ms. Amy Wilkens, Clerk of Council.

ABSENT: Mr. Robin Turner; Mr. Roger Sidoti

There was one (1) item on the Agenda.

1. Garage/Yard Sale Violation Change to Civil Offense

Chair Kuhar introduced Ms. Bridget Susel, Community Development Director to address the topic of tonight's discussion.

Ms. Susel said the Community Development Department has recently received complaints about ongoing garage sales which are controlled in the code but the penalty is criminal, a misdemeanor. This makes it very difficult to enforce. They are requesting the penalty be changed to a civil offense, which would result in a fine or the threat of a fine to bring them into compliance.

Mr. Ferrara asked if this would make it easier to make them stop the perpetual sales. Ms. Susel said that is correct, they can issue warnings and if they don't comply they would receive a \$100 fine. Code enforcers would be able to issue these instead of having the Law Department file them in court, which takes time and effort.

Mr. Ferrara asked about a specific sale on Park Ave. where they move the sale from the driveway to the porch and if this assists in handling this. Ms. Susel said it is one of two in the area that they have received complaints on. Code Enforcers stop at these properties multiple times a week and warnings are not working.

Ms. Wallach asked if as soon as the law goes into effect if they would be fined. Ms. Susel said they have been documenting if they have been in non-compliance, however, the goal is compliance, not punitive. They will get a verbal warning, then a written warning and then a fine.

Mr. Ferrara asked if they could be fined perpetually. Ms. Susel said if they do not comply then every ten days the fine is doubled. Fines will then be assigned to property taxes. Usually, once they see the letter, they remedy this situation. The goal is compliance.

There were no questions from City Council members and no questions from the public.

MOTION TO APPROVE THE VIOLATION CHANGE TO A CIVIL OFFENSE made by Mr. Ferrara **SECONDED** by Ms. Shaffer Bish and **CARRIED** by a voice vote of 7-0-0.

Ms. Shaffer Bish said this has happened in her ward and it does tend to bring the neighborhood down to have a perpetual sale. It reduces property value when it turned into a business without a license.

Mr. Ferrara said it is a case when it's the government's responsibility to protect the many from the few and the few have been able to skirt the law. It goes back to property value and city pride and he is all in favor of maintaining the highest possible standard.

Seeing no further business, the Community Development Committee Meeting adjourned at 7:13 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Authorize the proposed Code modifications that would enable civil enforcement of garage and yard sale violations.



Health and Safety Committee Meeting Minutes

The City of Kent, Ohio
Wednesday, July 7, 2021

Mr. Amrhein called the Health and Safety Committee Meeting of Kent City Council to order at 7:14 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer Bish; 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, Service Administration Director; Mr. Jim Bowling, City Engineer; Ms. Rhonda Hall, Budget and Finance Director; Mr. Gary Bishop, IT Manager; Mr. Nick Shearer, Chief of Police; Ms. Angela Manley, Parks and Recreation Director; and Ms. Amy Wilkens, Clerk of Council.

ABSENT: Mr. Robin Turner; Mr. Roger Sidoti

There was one (1) item on the Agenda.

1. Authorization of Updated Portage County Mitigation Plan

Mr. Amrhein started the meeting by introducing Ms. Melanie Baker, Service Director, to speak on the topic.

Ms. Melanie Baker started by stating she is here to ask approval from Council for the Portage County Mitigation Plan, which was started in 2019. The old plan was last approved in 2015. Chief Tosko, Chief Shearer and Health Commissioner Joan Siedel assisted in creating this plan. One thing that became clear in 2020 was the unpreparedness for pandemics and epidemics, so it became a high priority. NIMS training was addressed and will be adjusted with staff and new staff will need to be brought up to date. Mutual aid was also reviewed and will be reviewed with neighboring communities over the next year. Disaster notifications were discussed and will be reviewed as well. Once approved and accepted, we will be eligible for future funding from FEMA.

Ms. Heidi Shaffer Bish asked what NIMS stood for. Ms. Baker answered National Incident Management System.

MOTION TO AUTHORIZE THE UPDATED PORTAGE COUNTY MITIGATION PLAN
made by Mr. Ferrara, SECONDED by Mr. Kuhar and CARRIED with a voice vote of 7-0-0.

Ms. Rosenberg thanked Ms. Baker and all involved in putting this together and making sure we are prepared.

Seeing no further business or questions for this committee, it adjourned at 7:20 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Approve the updated Portage County Hazardous Mitigation Plan



Land Use Committee Meeting Minutes
The City of Kent, Ohio
Wednesday, July 7, 2021

Chair Ferrara called the Land Use Committee of Kent City Council to order at 7:20 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer Bish; 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, Service Administration Director; Mr. Jim Bowling, City Engineer; Ms. Rhonda Hall, Budget and Finance Director; Mr. Gary Bishop, IT Manager; Mr. Nick Shearer, Chief of Police; Ms. Angela Manley, Parks and Recreation Director; and Ms. Amy Wilkens, Clerk of Council.

ABSENT: Mr. Robin Turner; Mr. Roger Sidoti

There was one (1) item on the Agenda.

1. Proposed Zoning Map Amendment for property at SR43/261

Ms. Bridget Susel said the Community Development Department received an application from a developer with the support of the property owner for a map amendment for the parcel located at the NW corner of SR261 and SR 43. The Planning Commission previously approved the amendment to be presented to Council. This map amendment would allow for all proposed uses; the commercial uses would be allowed as well if approved but would also allow for multi-family high density residential. She added this is not spot zoning, it adjoins a similar parcel and all variables are verified before bringing to Planning Commission. The property owner and the developer are present to answer any questions.

Ms. Heidi Shaffer Bish asked if this is in an environmentally sensitive area. Ms. Susel said it is not.

Mr. Kuhar asked if any particular age group of people are being targeted. Ms. Susel said the map amendment is for all proposed uses. The low-income tax credit project that may be discussed is one option of many if a multi-unit housing was allowed.

Mr. Pete Schwiegeraht with MVAH Partners located in West Chester, Ohio approached the microphone. He gave his company's history and background, with most development

in Ohio and Indiana. The application they hope to make for tax credits would be a multigenerational development. Multifamily and mixed commercial is a great opportunity for housing next to services and amenities. They need to apply for financing, but first need zoning approval. They are excited to make application to the State and targeting households with 80% AMI and under. This is not Section 8, there is no rent subsidy or involvement with HUD. This will be for working class individuals making up to \$69,000 and under who maybe can't find a high-quality apartment. More importantly, this is a proper zone change for the site and if approved, the City will be able to find a better user for the site.

Mr. Kuhar asked if there would be designated senior units and how many units would be designated as such. Mr. Schwiegeraht answered they are currently in design phase but they are hoping for a relatively denser site with upwards of 150+ units, with two multistory units, each with its own individual entrances and amenities.

Ms. Shaffer Bish asked if this is consistent with the City's housing code. Ms. Susel said there is a shortage of affordable work force housing and is consistent with findings.

MOTION TO AUTHORIZE THE PROPOSED ZONING CODE CHANGE FROM made by Ms. Shaffer Bish **SECONDED** by Mr. Kuhar and **CARRIED** by a voice vote of 7-0-0.

Ms. Shaffer Bish said the rezoning is necessary and that we do need additional housing and is excited about drawing more people into Kent and offering additional housing. She thinks it is an appropriate location and not in a more sensitive environmental area.

Mr. Kuhar says this is a good fit for the piece of property that has been sitting vacant for too long. It makes the property more marketable.

Seeing no more actions from this Committee, it adjourned at 7:32 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Approve zoning change from Commercial to Commercial High Density Multifamily Residential



Streets, Sidewalks & Utilities Committee Meeting Minutes

The City of Kent, Ohio
Wednesday, July 7, 2021

Vice Chair Wallach called the Streets, Sidewalks & Utilities Committee of Kent City Council to order at 7:32 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer Bish; 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, Service Administration Director; Mr. Jim Bowling, City Engineer; Ms. Rhonda Hall, Budget and Finance Director; Mr. Gary Bishop, IT Manager; Mr. Nick Shearer, Chief of Police; Ms. Angela Manley, Parks and Recreation Director; and Ms. Amy Wilkens, Clerk of Council.

ABSENT: Mr. Robin Turner; Mr. Roger Sidoti

There were Two (2) items on the Agenda.

1. Pedestrian Safety Updates with KSU

Mr. Jim Bowling started by saying the City and Kent State University have always been interested in pedestrian safety. KSU hired a consultant to look at 28 different intersections in and around campus. Recommendations were made on 17 locations, 16 of those are on the City's Right of Way. An agreement was drafted between to split the costs and they are asking for Council's approval to execute the agreement.

Ms. Rosenberg asked if this included the intersection of Erie St. and Depeyster. Mr. Bowling said it does not include that intersection.

Mr. DeLeone asked if these changes all border Kent State University. Mr. Bowling said it does, and is typical of larger college towns. There is a larger pedestrian population and roadways which cause issues.

Mr. Ruller added the work on Summit Street has significantly improved safety (in terms of number of accidents). This will build on the good work accomplished there. Mr. Bowling said the full benefit is more than just signs, you need to narrow the roadway so that people can cross safely, and other things as well. Mr. Ruller said that although the Covid Pandemic put a "dent" in the Capital Plans at Kent State, they are still very much committed to redesigning the campus transportation network to emphasize more pedestrian traffic.

MOTION TO APPROVE THE PEDESTRIAN SAFETY PLAN, with an emergency clause, made by Ms. Shaffer Bish SECONDED by Mr. Ferrara and CARRIED by a voice vote of 7-0-0.

Ms. Shaffer Bish said this is consistent with making Kent a more walkable city and she is looking forward to it all coming together.

2. Proposed Erie Street Closure for Holiday Ice Rink

Ms. Melanie Baker worked with Kent State University to present a road closure October 18, 2021 until February 29, 2022. Quite a bit of building will need to take place, and will be located on Erie Street between Depeyster and Haymaker. Kent State has begun purchasing and design.

Ms. Rosenberg asked if this is something that will reoccur every year. Ms. Baker said she believes that is Kent State' intent. Ms. Rosenberg asked about the operating plan, which Ms. Baker replied is currently being developed. All partners will be meeting the end of July to discuss all of the details and has verified the new Parks and Recreation Director has been looped into the discussions.

Mr. Ruller added KSU is also working on advertising and sponsorship opportunities for fund raising.

MOTION TO AUTHORIZE THE ERIE STREET ROAD CLOSURE FOR THE HOLIDAY ICE RINK made by Mr. Ferrara and SECONDED by Mr. Amrhein and CARRIED by a voice vote of 7-0-0.

Mr. Ferrara commented this is a great idea and collaboration with Kent State University is appreciated.

Seeing no further business or questions for this committee, it adjourned at 7:43 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Approve the propose agreement with KSU to share the costs of the proposed pedestrian improvements
- 2) Authorize the extended closure of a section of Erie Street to support the new outdoor ice rink



Finance Committee Meeting Minutes
The City of Kent, Ohio
Wednesday, July 7, 2021

Chair DeLeone called the Finance Committee of Kent City Council to order at 7:42 p.m.

PRESENT: Mr. Jack Amrhein; Mr. Michael DeLeone; Mr. Garret Ferrara; Mr. John Kuhar; Ms. Gwen Rosenberg; Ms. Heidi Shaffer Bish; 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, Service Administration Director; Mr. Jim Bowling, City Engineer; Ms. Rhonda Hall, Budget and Finance Director; Mr. Gary Bishop, IT Manager; Mr. Nick Shearer, Chief of Police; Ms. Angela Manley, Parks and Recreation Director; and Ms. Amy Wilkens, Clerk of Council.

ABSENT: Mr. Robin Turner; Mr. Roger Sidoti

There were four (4) items on the Agenda.

1. Transfer of KWSH Loan

Ms. Bridget Susel presented a request to transfer a loan the City issued to Kent Wells Sherman House which is changing ownership.

Mr. Ferrara asked what the projected use would be of the building. Ms. Susel said they have not indicated the use of the property, however indicated it has limited square footage. The new owner anticipates office space but has not firmly determined this. The owner also owns a business, Lucci's Pizza, which will be moving in next door. This house will allow the owner to have office space strategically located.

Mr. Kuhar asked if the non-profit made a profit off of the house. Ms. Susel replied she is not a part of the private transaction of the property but stated Kent State paid roughly \$40,000 to move the house and the additional work was done by private resources. Selling the property is to alleviate some ongoing debt service for them and to transition them out of the responsibility of the promissory note.

MOTION TO APPROVE THE TRANSITION OF THE LOAN, WITH EMERGENCY STATUS, made by Mr. Ferrara **SECONDED** by Mr. Amrhein and **CARRIED** by a voice vote of 7-0-0.

2. Funding for Ballistic Vest Replacement

Chief Shearer spoke to Council requesting approval of funding for replacing over 20 ballistic vests, which is the largest project of the year. The State Attorney General's Office has a grant that pays 75%. Kent PD needs to fund the project up front and then receive reimbursement. The grant will award \$17,786.25 leaving a balance of \$5,000 to replace the vests.

Chief Shearer explained that each vest is custom fit and once a vest is shot, it needs to be replaced. Fortunately, the company where the vests are purchased has a program where if an officer is shot in the vest, and the vest saves them, it is replaced for free. The officers do not pay for their own vests, which is a pretty standard procedure.

Mr. Kuhar asked if there are different grades of vests, therefore differing costs. Chief Shearer said there is, with the average cost about \$850 per vest. The vests Kent Police wear will stop anything up to a rifle round, which is pretty standard.

MOTION TO APPROVE BALLISTIC VEST FUNDING made by Mr. Kuhar, SECONDED by Ms. Rosenberg and CARRIED by a voice vote of 7-0-0.

Mr. Kuhar added with the way the world is, you never know when something is going to happen. Police officers are out to protect us, so we should do everything we can to protect them.

Mr. Ferrara added he hopes he never sees a day where Council asks the Police to buy the cheapest vests they can buy. We should always provide our officers with the best that is out there, regardless of cost.

3. Annual Tax Budget

Ms. Rhonda Hall presented the annual tax budget to Council for approval. She requested Council approve the tax budget for 2022 in accordance with ORC 5705.

Ms. Shaffer Bish asked for the total expenses amount for the City. Ms. Hall said there isn't a summary page but that for the General Fund it is approximately \$11 million. Each fund is spelled out separately within the tax budget. She added this budget is the start of the budgeting process and is to show there are no tax increases and to show the 2022 revenue. The expenditure budget will be presented to Council later in the year.

MOTION TO APPROVE THE ANNUAL TAX BUDGET made by Mr. Ferrara, SECONDED by Ms. Rosenberg and CARRIED by a voice vote of 7-0-0.

4. Proposed 2021 Budget Appropriation Amendment

Ms. Rhonda Hall requested Council's approval for the amended budget items included in a memo to the City Manager date June 22, 2021.

MOTION TO APPROVE THE 2021 BUDGET APPROPRIATION AMENDMENT was made by Mr. Ferrara, SECONDED by Ms. Rosenberg and CARRIED by a voice vote of 7-0-0.

Seeing no further discussion of this committee, it adjourned at 7:53 p.m.

Amy Wilkens
Clerk of Council

ACTION RECOMMENDED:

- 1) Authorize the transfer of the outstanding loan balance, and payment terms to the new property owner of the Kent Wells Sherman House Loan
- 2) Authorize the acceptance and allocation of grant funding to be used for the replacement of police ballistic vests
- 3) Approve the 2021 budget appropriation amendments