



CITY OF KENT, OHIO

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

Wednesday, March 17, 2021
Regular City Council Meeting
Public Hearing Zoning Code Amendments Chapters 1107-1114
Executive Session Immediately following Council Mtg.

Due to the COVID-19 pandemic, this meeting will be held virtually using the Zoom platform and live streamed on the City of Kent YouTube Channel.

AGENDA

7:25 P.M. Public Hearing: On February 14, 2021, notice was given that the Kent City Council will conduct a public hearing to allow for public comment and questions regarding the review of the updated Zoning Code: Proposed text amendments for proposed chapters 1107 through 1114.

Board of Control: Immediately Following Public Hearing

Regular Council Meeting

1. Roll Call
2. Opening Remarks and Pledge of Allegiance (Mr. Sidoti)
3. Approval of Minutes
 - 3.1 Regular City Council Meeting of February 17, 2021
 - 3.2 Public Hearing February 17, 2021
 - 3.3 Public Hearing March 3, 2021
4. Communications
 - 4.1 Public Comment
 - 4.1.1 Anyone wishing to address Council must submit their written comments to the Clerk of Council at councilclerk@kent-ohio.org by **4:30 p.m.** on the day of the meeting. If also requesting to speak at the meeting, comments are limited to three (3) minutes.
 - 4.2 Written Communication (All placed on file in the Clerk of Council's office)
 - 4.2.1 Civil Service Agenda for February 22, 2021 received on February 19, 2021.

- 4.2.2 Civil Service exam notice for Juvenile Counselor received on March 4, 2021.
- 4.2.3 Standing Rock Cemetery Board meeting minutes from February 11, 2021 and Agenda for March 11, 2021 received on March 2, 2021.
- 4.2.4 Board of Health Meeting Agenda and Statistical Report for March 9, 2021 and Health Board Minutes for February 9, 2021 received on March 8, 2021.
- 4.2.5 NAACP Letter in Response to March 3rd Kent City Council Meeting was received on March 7, 2021 and forwarded to all City Council Members.
- 4.2.6 Letter from Jennifer Mapes regarding comments on March 3, 2021 regarding use of PARTA building received on March 8, 2021 and forwarded to all City Council Members.

4.3 City Manager's Report

5. Standing Committees & Legislation

5.1 **Committee of the Whole** (Mayor Fiala)

- 5.1.1 Committee Meeting Minute Approval: NONE
- 5.1.2 Action Recommended: NONE

5.2 **Land Use Committee** (Ferrara/Schafer)

- 5.2.1 Committee Meeting Minute Approval: March 3, 2021
- 5.2.2 Action Recommended:

- 1) Authorize the renewal of the sublease for the Farmer's Market and partial closure of Franklin Avenue.

- 5.2.3 **Draft No. 2021-020** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RENEW THE AGREEMENT WITH THE HAYMAKER FARMERS' MARKET FOR THE SUB-LAND LEASE OF A PARKING LOT LOCATED NORTH OF SUMMIT STREET, WEST OF FRANKLIN AVENUE, AND EAST OF AKRON BARBERTON CLUSTER RAILWAY COMPANY'S MAIN LINE TRACK, CONTAINING 0.168 ACRES, FOR THE PERIOD OF APRIL 3, 2021 THROUGH NOVEMBER 27, 2021; CONTINGENT ON THE CONTINUATION OF THE CITY'S LEASE WITH THE AKRON BARBERTON CLUSTER RAILWAY COMPANY, FOR THE AMOUNT OF \$1.00; AND DECLARING AN EMERGENCY (Authorized)

5.3 **Health & Safety Committee** (Amrhein/Sidoti)

- 5.3.1 Committee Meeting Minute Approval: March 3, 2021
- 5.3.2 Action Recommended:

- 1) Authorize the proposed amendments to the City's Tobacco 21 Ordinance

5.3.3 **Draft No. 2021-021** AN ORDINANCE AMENDING CHAPTER 527 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT BY ENACTING SECTION 527.04 REQUIRING ALL TOBACCO RETAILERS WITHIN THE CITY TO POST THE PHONE NUMBER FOR THE TOBACCO QUITLINE AT ALL POINT OF SALE LOCATIONS, AND DECLARING AN EMERGENCY (Authorized)

5.4 **Streets, Sidewalks and Utilities** (Sidoti/Wallach)

5.4.1 Committee Meeting Minute Approval: March 3, 2021

5.4.2 Action Recommended:

- 1) Authorize the staff authority to negotiate the private use of City right of way for 2021.
- 2) Authorize the water extension and tie-in for the new car wash.

5.4.3 **Draft No. 2021- 022** AN ORDINANCE AMENDING ORDINANCE NO. 2020-54 APPROVING THE TEMPORARY LICENSE AGREEMENTS FOR OUTDOOR PATIO DINING AREAS AND EXTENDING THE DATE UNTIL DECEMBER 31, 2021 OR UNTIL THE LIFTING OF ALL RESTRICTIONS RELATED TO COVID-19, AND DECLARING AN EMERGENCY (Authorized)

5.4.4 **Draft No. 2021- 023** AN ORDINANCE AUTHORIZING THE WATER TAP-IN FOR MOD CAR WASH LOCATED AT 1788 STATE ROUTE 59, OUTSIDE THE CITY OF KENT, AND DECLARING AN EMERGENCY (Authorized)

5.5 **Finance Committee** (DeLeone/Wallach)

5.5.1 Committee Meeting Minute Approval: March 3, 2021

5.5.2 Action Recommended:

- 1) Authorize the Ohio EPA Loan Agreement to fund the Southwest Sanitary Pump Station Project.
- 2) Authorize the MOU for a \$460,000 Parks and Recreation Loan.
- 3) Authorize the easement agreement for the Southwest Sewer Pump Station project.
- 4) Authorize the proposed PARTA lease amendment.
- 5) Authorize the acceptance and appropriation of the NOPEC NEC grant funds.

5.5.3 **Draft No. 2021-024** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A LOAN AGREEMENT WITH THE OHIO EPA'S DIVISION OF ENVIRONMENTAL AND FINANCIAL ASSISTANCE (DEFA) TO COMPLETE THE CONSTRUCTION OF THE SOUTHWEST SANITARY SEWER PUMP STATION PROJECT, AND DECLARING AN EMERGENCY (Authorized)

- 5.5.4 **Draft No. 2021-025** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF KENT PARKS & RECREATION DEPARTMENT TO RETURN FUNDS TO THE CITY FOR A LOAN NECESSARY TO COMPLETE THE PORTAGE BIKE & HIKE TRAIL – BRADY’S LEAP SEGMENT PROJECT, AND DECLARING AN EMERGENCY (Authorized)
- 5.5.5 **Draft No. 2021-026** AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE A RIGHT OF WAY AGREEMENT FOR THE PURPOSE OF OBTAINING TEMPORARY AND PERMANENT EASEMENTS FOR THE CONSTRUCTION OF THE SOUTHWEST SANITARY PUMP STATION PROJECT, AND DECLARING AN EMERGENCY (Authorized)
- 5.5.6 **Draft No. 2021-027** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO AMEND THE LEASE AGREEMENT WITH PARTA AND THE CITY OF KENT HEALTH DEPARTMENT TO CONTINUE TO LEASE 201 EAST ERIE STREET AND ADD TO THE LEASE THE GROUND FLOOR FOR CLINICAL PURPOSES, AND DECLARING AN EMERGENCY (Authorized)
- 5.5.7 **Draft No. 2021-028** AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO SECURE NOPEC GRANT FUNDS THAT ARE AVAILABLE TO THE CITY (UP TO \$49,978.00) TO USE FOR ENERGY SAVING RELATED INVESTMENTS, AND DECLARING AN EMERGENCY (Authorized)
- 5.5.8 **Draft No. 2021-029** AN ORDINANCE ACCEPTING A DONATION IN THE AMOUNT OF \$50.00 TO THE CITY OF KENT FIRE DEPARTMENT FROM JOHN AND NANCY THOMAS IN HONOR/MEMORY OF FORMER KENT FIRE CHIEF BUD RHOADS, AND DECLARING AN EMERGENCY (Unauthorized)
- 5.5.9 **Draft No. 2021-030** AN ORDINANCE ACCEPTING TWO (2) DONATIONS TO THE CITY OF KENT HEALTH DEPARTMENT, AND DECLARING AN EMERGENCY (Unauthorized)

5.6 **Community Development** (Kuhar/Rosenberg)

- 5.6.1 Committee Meeting Minute Approval: March 3, 2021
- 5.6.2 Action Recommended: NONE

- 5.6.3 **Draft No. 2021-031** AN ORDINANCE AUTHORIZING THE CITY MANAGER TO AMEND THE RIGHT OF ACCESS AGREEMENT WITH ABB INSTALLATION PRODUCTS INC. (ABB IP) FOR SITE REMEDIATION AT 800 MOGADORE ROAD THAT WAS PASSED IN

ORDINANCE 2019-106, TO ALLOW ACCESS TO TWO ADDITIONAL
OFF-PROPERTY AREAS OF INTEREST (OPAI-03 AND OPAI-06), AND
DECLARING AN EMERGENCY (Unauthorized)

6. Unfinished Business
7. New Business
8. Councilmembers' Comments
9. Mayor's Report
10. Adjournment

EXECUTIVE SESSION: 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."

Posted March 10, 2021 | Amy Wilkens, Clerk of Council | Visit <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 any 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.