

ORDINANCE NO. 2024 -089

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A NORTH WATER STREET CROSSWALK ART AGREEMENT BETWEEN THE CITY OF KENT, OHIO (CITY) AND MAIN STREET KENT (MSK) TO INCREASE THE SAFETY OF ROAD USERS; AND DECLARING AN EMERGENCY.

WHEREAS, the City and MSK would like to integrate public crosswalk art into the Kent Community, consistent with the City's Public Art Plan; and

WHEREAS, the art would heighten awareness of the Mill District and increase the safety of road users.

WHEREAS, MSK agrees to manage the crosswalk art and the City will pay for design, paint and painting materials up to a maximum of \$15,000.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio:

SECTION 1. That the City Manager, or his designee, is hereby authorized to enter into the North Water Street Crosswalk Art agreement with the City and MSK to increase the safety of road users in substantial compliance with the terms of 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 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.

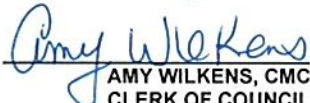
PASSED: August 21, 2024
Date

Jerry T. Fiala
Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: August 21, 2024
Date

ATTEST: Amy Wilkens
Amy Wilkens, CMC
Clerk of Council

I, AMY WILKENS, 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. 2024-089, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON Aug. 21, 2024.


AMY WILKENS, CMC
CLERK OF COUNCIL
(SEAL)

N. WATER STREET CROSSWALK ART AGREEMENT

THIS AGREEMENT is made by and between the CITY OF KENT, OHIO (hereinafter referred to as "CITY") and MAIN STREET KENT (hereinafter referred to as "Main Street").

WHEREAS, the above parties would like to integrate public art into the Kent Community, consistent with the City's Public Art Plan; and

WHEREAS, the above parties would like to heighten the awareness of the Mill District and its value to our community; and

WHEREAS, the above parties want to increase the safety of vulnerable road users; and

WHEREAS, the above parties desire to install crosswalk art along N. Water Street; and

WHEREAS, the scope of the crosswalk art includes approximately ten crosswalks on N. Water Street from Main Street to Fairchild Avenue;

NOW, THEREFORE, for mutual consideration, it is agreed between the parties as follows:

A) Main Street will perform the following:

- Manage the design process including the selection of artists to design the crosswalk art and follow the public art process as per 1106.20 of the City Ordinances.
- Research paint types and obtain quotes for all the painting materials.
- Organize volunteers to paint the crosswalks.
- Maintain the crosswalks including touch up.
- Repaint crosswalks in areas where the pavement was removed and replaced due to a utility cut or another similar event.

B) The City will perform the following:

- Pay for the design, the paint, and the painting materials up to a maximum of \$15,000.
- Setup and remove traffic control for road closure when the crosswalk art is installed and when required for future maintenance.
- Notification of the public for street closures.

C) There is no commitment to reinstall the artwork after the artwork is removed during the next resurfacing of North Water Street.

IN WITNESS WHEREOF, the parties hereby acknowledge said agreement by their signatures below.

THE CITY OF KENT, OHIO

By: _____

Its: _____

Date

Address: _____

Approved as to form by:

MAIN STREET KENT

By: _____

Its: _____

Date

Address: _____

Certificate of Director of Budget and Finance

It is hereby certified that the amount of FIFTEEN THOUSAND Dollars (\$15,000) required to meet the contract, agreement, obligation, payment or expenditure, for the above, has been lawfully appropriated or authorized or directed for such purpose and is in the City Treasury or in the process of collection to the credit of the Capital Fund (301) free from obligation or certificates now outstanding.

Rhonda Hall, Director of Budget and Finance

Date