

ORDINANCE NO. 2021 - 133

AN ORDINANCE APPROPRIATING 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, 2022, AND DECLARING AN EMERGENCY.

WHEREAS, it is provided by law that an annual appropriation ordinance shall be passed by Council; and

WHEREAS, the Ohio Revised Code and the Charter of the City of Kent provide for such ordinance and the method of enacting the same.

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

SECTION 1. That to provide for the current expenses and other expenditures of the City of Kent for the fiscal year ending December 31, 2022, the appropriations set forth in Exhibit "A" attached hereto and incorporated herein, are hereby authorized.

SECTION 2. That this Council finds that the budget approved by Council and the appropriation of funds to implement the budget represent the judgment of Council concerning the personnel and other objects of expenditure needed to administer programs approved for the fiscal year, but that conditions may change during the fiscal year and may call for staff reduction or increases, depending upon the facts in each instance, and that, in recognition of this fact, the City Manager shall review requests for additional positions and for filling vacant positions within the limitations of the budget and, consistent with the payroll ordinance, after making a study of each request, the City Manager shall have the authority to approve, disallow, or postpone such requests for additional personnel.

SECTION 3. That every contract for goods and/or services for which funds are herein appropriated is hereby authorized and approved without need for further legislation and the departmental director, commissioner, or officer having supervision or management control over the line item account or accounts from which such funds shall be drawn is hereby authorized to sign such contracts with or without prior competitive biddings as such director, commissioner, or officer shall decide, upon such terms or specifications as such director, commissioner, or officer shall desire, on behalf of the City of Kent, it being the intention of this Council that the authorizations hereby given satisfy fully the requirements of Ohio Revised Code Section 735.05 and supersede completely the requirements of Revised Code Section 723.52 and 723.53 and constitute and exercise of the powers given to this Council by Section 3, Article XVIII of the Ohio Constitution, as determined by the Supreme Court of Ohio in the case of State ex rel, Cronin v. Wald, 26 OS (2nd) 22, 55 00 (2nd) 12,268 NE (2nd) 581 (1971); however, that nothing contained herein shall be construed so as to reduce the powers given the Board of Control pursuant to Article VIII, Section 8.03 of the City's Charter.

SECTION 4. That the Director of Budget and Finance (hereinafter, "The Director") be and is hereby authorized and directed to draw his or her warrants against the appropriations hereinafter set forth on Exhibit "A", which is attached hereto and made a part hereof upon presentation of proper certificates and vouchers therefor.

SECTION 5. That the Director is authorized to make the transfer and reimbursements which have been herein above appropriated and which are described on Exhibit "A", which is attached hereto and made a part hereof.

SECTION 6. That any single expenditure not exceeding \$10,000 may be made against the contingency line in any particular fund for a purpose consistent with said fund use by written instructions from the City Manager to the Director, which instruction shall include a description of the expenditure which is to be made, the amount to be expended, and the contingency fund against which the expenditure shall be made. Said instructions may consist of a standard purchase order form which is countersigned by the City Manager and bears the added instructions "Charge to contingency fund per Appropriations Ordinance" or some other similar language. In the case of single expenditures which exceed \$10,000, charges against the contingency funds shall be made in an identical manner and shall also require prior Board of Control approval, in which instance the instructions to the Director shall bear the language "Charge to Contingency Fund per Board of Control authorization" or other similar words. Regardless of whether a contingency fund expenditure exceeds \$10,000, the same is hereby authorized without need for further legislation and

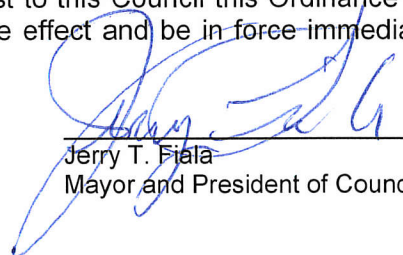
the City Manager is hereby authorized to sign any and all such contracts which may relate hereto, with or without prior competitive biddings, as the City Manager shall decide, upon such terms or specifications as he or she shall desire, on behalf of the City of Kent, it being the intention of this Council that the authorizations hereby given satisfy fully the requirements of Ohio Revised Code Section 735.05 and supersede completely the requirements of Revised Code Sections 723.52 and 723.53 and constitute an exercise of the powers given to this Council by Section 3, Article XVIII of the Ohio Constitution, as determined by the Supreme Court of Ohio in the case of State ex rel. Cronin v. Wald, 26 OS the Charter of the City of Kent, Ohio.

SECTION 7. That the City Manager is hereby authorized to sign any and all lease agreements, as the City Manager shall decide, upon such terms or specifications as he or she shall desire, on behalf of the City of Kent, it being the intention of this Council that the authorizations hereby given satisfy fully the requirements of Ohio Revised Code Section 721.03 and supersede completely the requirements of Ohio Revised Code Section 721.03 and constitute an exercise of the powers given to this Council by Section 3, Article XVIII of the Ohio Constitution. The lease authorization granted herein to the City Manager applies to properties rented at market value as determined by the Real Estate Broker retained by the City of Kent to manage said properties; that if there are special circumstances for a specific property, or if a property is to be rented at a rate below market value, the City Manager shall seek approval from City Council for the lease of said property.

SECTION 8. 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.

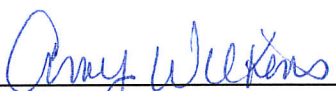
SECTION 9. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: December 15, 2021
Date



Jerry T. Fiala
Mayor and President of Council

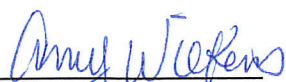
EFFECTIVE: December 15, 2021
Date

ATTEST: 

Amy Wilkens
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.* 2021-133, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON December 15, 2021.

(SEAL)



AMY WILKENS
CLERK OF COUNCIL

Exhibit A

2022 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>General Fund (001)</u>						
City Council	\$ 179,605	\$ 24,625	\$ -	\$ -	\$ -	\$ 204,230
Mayor	13,487	3,400				16,887
Community Support		103,000				103,000
City Manager	346,579	56,925				403,504
New City Hall Facility						-
Information Technology	99,834	236,200				336,034
Urban Renewal		60,700				60,700
Human Resources	107,023	15,310				122,333
Civil Service	32,445	32,925				65,370
Law	337,667	78,405				416,072
Budget & Finance	472,834	137,700				610,534
Community Development	716,473	168,025				884,498
Economic Development	132,602	19,650				152,252
Health	573,810	206,758				780,568
Public Parking		89,200				89,200
Main Street Program		66,500				66,500
Service Administration	252,748	397,875				650,623
Shade Tree		100,875	10,000			110,875
Adjunct Facilities						-
Building	371,590	57,275				428,865
Land banking		8,000				8,000
Engineering	100,279	97,100				197,379
Miscellaneous & Sundry		428,150				428,150
Contingency					100,000	100,000
Fund Total	<u>3,736,976</u>	<u>2,388,598</u>	<u>10,000</u>	<u>-</u>	<u>100,000</u>	<u>6,235,574</u>
<u>West Side Fire (101)</u>						
Fire	291,203	14,300				305,503
Fund Total	<u>291,203</u>	<u>14,300</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>305,503</u>
<u>Street Construction Maintenance & Repair (102)</u>						
Service	1,234,295	1,013,894				2,248,189
Contingency					25,000	25,000
Fund Total	<u>1,234,295</u>	<u>1,013,894</u>	<u>-</u>	<u>-</u>	<u>25,000</u>	<u>2,273,189</u>
<u>State Highway (103)</u>						
Service		60,000				60,000
Fund Total	<u>-</u>	<u>60,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>60,000</u>
<u>Recreation (106)</u>						
Parks & Recreation	1,328,322	660,100	190,000			2,178,422
Fund Total	<u>1,328,322</u>	<u>660,100</u>	<u>190,000</u>	<u>-</u>	<u>-</u>	<u>2,178,422</u>
<u>Food Service (107)</u>						
Health	113,187	19,900				133,087
Fund Total	<u>113,187</u>	<u>19,900</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>133,087</u>
<u>Income Tax (116)</u>						
Budget/Finance/IncTaxAdmin	136,034	487,650				623,684
Managed Reserve				25,540		25,540
Fund Total	<u>136,034</u>	<u>487,650</u>	<u>-</u>	<u>25,540</u>	<u>-</u>	<u>649,224</u>

2022 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Revolving Housing (120)</u>						
Health	157,819	19,650				177,469
Fund Total	157,819	19,650	-	-	-	177,469
<u>State & Local Forfeits (121)</u>						
Police						-
Fund Total	-	-	-	-	-	-
<u>Drug Law Enforcement (122)</u>						
Police		11,000				11,000
Fund Total	-	11,000	-	-	-	11,000
<u>Enforcement & Education (123)</u>						
Police		6,000				6,000
Fund Total	-	6,000	-	-	-	6,000
<u>Income Tax Safety (124)</u>						
Police	7,609,509	682,700				8,292,209
Fund Total	7,609,509	682,700	-	-	-	8,292,209
<u>Law Enforcement Trust (125)</u>						
Police						-
Fund Total	-	-	-	-	-	-
<u>Community Development Block Grant (126)</u>						
Community Development	7,193	134,400	160,000			301,593
Fund Total	7,193	134,400	160,000	-	-	301,593
<u>Fire & E.M.S. (128)</u>						
Fire	5,152,958	567,500	608,000			6,328,458
Fund Total	5,152,958	567,500	608,000	-	-	6,328,458
<u>Wireless 911 (129)</u>						
Safety						-
Fund Total	-	-	-	-	-	-
<u>Swimming Pool Inspections (130)</u>						
Health	9,286					9,286
Fund Total	9,286	-	-	-	-	9,286
<u>Police Pension (132)</u>						
Police	120,000					120,000
Fund Total	120,000	-	-	-	-	120,000
<u>Fire Pension (133)</u>						
Fire	120,000					120,000
Fund Total	120,000	-	-	-	-	120,000
<u>UDAG / EDA-RLF (134)</u>						
City Manager/C.D.		75,000				75,000
Fund Total	-	75,000	-	-	-	75,000
<u>CHIP Grant (136)</u>						
City Manager/C.D.		50,000				50,000
Fund Total	-	50,000	-	-	-	50,000

2022 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Local American Rescue Plan Act (138)</u>						
ARPA	390,000		1,633,700			2,023,700
Fund Total	390,000	-	1,633,700	-	-	2,023,700
<u>Water (201)</u>						
Service	1,873,013	801,963	659,150			3,334,126
Service (Capital Facilities)			1,040,000			1,040,000
Admin. Support	449,496	77,860				527,356
Budget & Finance (Debt)				61,173		61,173
Contingency					50,000	50,000
Fund Total	2,322,509	879,823	1,699,150	61,173	50,000	5,012,655
<u>Sewer (202)</u>						
Service	1,772,223	758,788	1,198,950			3,729,961
Service (Capital Facilities)			170,000			170,000
Admin. Support	387,142	75,260				462,402
Budget & Finance (Debt)				364,569		364,569
Contingency					50,000	50,000
Fund Total	2,159,365	834,048	1,368,950	364,569	50,000	4,776,932
<u>Utility Billing (204)</u>						
Budget & Finance		89,900				89,900
Fund Total	-	89,900	-	-	-	89,900
<u>Solid Waste (205)</u>						
Admin Support	70,220	176,125				246,345
Service	360,772	34,400	36,400			431,572
Fund Total	430,992	210,525	36,400	-	-	677,917
<u>Storm Water Utility (208)</u>						
Service	360,772	53,030	166,400			580,202
Service (Capital Facilities)			290,000			290,000
Admin. Support	278,641	54,150				332,791
Budget & Finance (Debt)				9,968		9,968
Fund Total	639,413	107,180	456,400	9,968	-	1,212,961
<u>Guaranteed Deposits (230)</u>						
Budget & Finance		1,000				1,000
Fund Total	-	1,000	-	-	-	1,000

2022 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
Capital Projects (301)						
Safety			89,570			89,570
Service			634,100			634,100
Service (Capital Facilities)			4,857,000			4,857,000
Administrative	401,112		65,000			466,112
Budget & Finance (Debt)		125,000		534,117		659,117
Contingency					25,000	25,000
Fund Total	<u>401,112</u>	<u>125,000</u>	<u>5,645,670</u>	<u>534,117</u>	<u>25,000</u>	<u>6,730,899</u>
Municipal Public Improvement Tax Increment Equivalent (302)						
Service (Capital Facilities)						-
Budget & Finance (Debt)		9,000		427,215		436,215
Fund Total	<u>-</u>	<u>9,000</u>	<u>-</u>	<u>427,215</u>	<u>-</u>	<u>436,215</u>
Police Facility (303)						
Safety (Capital Facilities)			635,000			635,000
Budget & Finance (Debt)		64,000		807,609		871,609
Fund Total	<u>-</u>	<u>64,000</u>	<u>635,000</u>	<u>807,609</u>	<u>-</u>	<u>1,506,609</u>
Debt Service (402)						
Budget & Finance (Debt)						-
Fund Total	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
Internal Service (807)						
Health Insurance		4,000,000				4,000,000
Fund Total	<u>-</u>	<u>4,000,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>4,000,000</u>
Total Appropriations	<u>\$ 26,360,173</u>	<u>\$ 12,511,168</u>	<u>\$ 12,443,270</u>	<u>\$ 2,230,191</u>	<u>\$ 250,000</u>	<u>\$ 53,794,802</u>
Original Appropriations	\$ 26,360,173	\$ 12,511,168	\$ 12,443,270	\$ 2,230,191	\$ 250,000	\$ 53,794,802
Amendment #1						-
Amendment #2						-
Amendment #3						-
Amendment #4						-
Amendment #5						-
Amendment #6						-
Amendment #7						-
Amendment #8						-
	<u>\$ 26,360,173</u>	<u>\$ 12,511,168</u>	<u>\$ 12,443,270</u>	<u>\$ 2,230,191</u>	<u>\$ 250,000</u>	<u>\$ 53,794,802</u>

2022 ORIGINAL APPROPRIATIONS - SCHEDULE OF OPERATING TRANSFERS AND TEMPORARY ADVANCES

<u>Paying Fund</u>	<u>Original</u>	<u>Receiving Fund</u>
<u>Operating Transfers</u>		
Fund 116 - Income Tax	\$ 3,600,000	Fund 001 - General
Fund 116 - Income Tax	500,000	Fund 102 - St Const Maint & Repair
Fund 116 - Income Tax	3,585,560	Fund 124 - Income Tax Safety
Fund 116 - Income Tax	3,585,560	Fund 128 - Fire & E.M.S.
Fund 116 - Income Tax	2,977,460	Fund 301 - Capital Projects
Fund 116 - Income Tax	1,792,730	Fund 303 - Police Facility
Fund 116 - Income Tax	-	Fund 402 - Debt Service
Total Fund 116 Income Tax	16,041,310	
Fund 201 - Water	45,000	Fund 204 - Utility Billing
Fund 202 - Sewer	45,000	Fund 204 - Utility Billing
Fund 001 - General	4,700,000	Fund 124 - Income Tax Safety
Fund 001 - General	2,740,000	Fund 128 - Fire & EMS
Subtotal - Total Operating Transfers	7,530,000	
Grand Total - All Transfers	\$ 23,571,310	