

Pending List Update

March 20, 2011

ADMINISTRATION (City Manager)

1) Review of the City's policy on livable rental properties. (06/07)

On this item, Gary Locke reports that he is planning to bring this topic before Council in the spring or possibly summer (once he completes the current proposed zoning changes). Gary adds that given all the recent interest in the issue of future housing needs, he thinks that there may be some merit to letting that discussion play out at least to some degree before we get too deep in the licensing discussion. Some of the broader discussion could bring out some points that are related to or could be incorporated into the licensing issue. For example, Gary notes that some Council members have talked about wanting to see more requirements for on-site management or local representation for rental properties that would likely need to be enforced through the licensing process.

Recommendation: Retain on list until staff presentation, then authorize its removal.

2) Economic Development Strategy (04/08)

Dan Smith has outlined the elements of the City's economic development strategies, and has been implementing those strategies, but they have not yet been comprehensively compiled and presented through a public process as desired.

Recommendation: Retain on list until staff presentation, then authorize its removal.

3) Online bill payment, acceptance of credit cards (05/08)

Dave Coffee reports that a Request for Proposal was released to prospective providers in December that includes services for utility bill printing, online bill presentment/viewing, and online bill payment including acceptance of credit cards onsite and online. Responses have been received and are being evaluated to determine the provider solution(s) most advantageous to the City and its customers. The successful contractor(s) will be engaged to progressively implement these enhancements subsequent to completing the migration to our new Utility Billing System that is currently scheduled for the end of April, 2011.

Recommendation: Remove from the pending list.

4) Budget scenarios (05/09)

The staff have been compiling information from peer cities that illustrate the types of budget tactics that have been employed when revenues and undesignated fund balances decline to the point where intervention is necessary. The City is also participating in an Ohio City Manager's survey of fund balance policies of cities across the state to help determine what standards we should be looking to build into our own financial policies. This information is available to discuss in the event that our budget conditions worsen and necessitate further action.

Recommendation: Retain on list until staff presentation, then authorize its removal.

5) Review of incubator policy (12/09)

Dan Smith reports that in November 2010 he, Gene, Bill, and Gary outlined elements to be proposed for inclusion in a new incubator policy. Dan has not had time yet to develop a draft policy containing these new items and currently the incubator space is fully occupied so there has not been a sense of urgency to accelerate the policy revisions. Dan is planning to have a draft policy ready for Council consideration in April 2011.

Recommendation: Retain on list until staff presentation, then authorize its removal.

6) Update on energy efficiency study (03/10)

Gene Roberts reports that the Brewer Garrett Co. is currently under contract, working through the engineering details and is starting the lighting retrofit first at the Police Department, then moving onto fire, Water Reclamation, Water Treatment and finalizing in City offices. This rotation was selected as a starting point based on 24-hour operations but is flexible depending on materials delivery. The HVAC equipment scheduled for replacement has been approved and the schedule of this work is pending equipment delivery. Automation upgrades to the HVAC system and other energy efficiency equipment replacements are being designed.

Recommendation: Remove from the pending list.

7) Parking behind TownHall II to PAC (03/10)

This item is currently under study by Jim Bowling's downtown parking strategy group as well as the Parking Advisory Committee. This has resulted in a recommendation and approval by the City Council of staff authority to take some actions to provide short term adjustments to accommodate short term parking problems. This will hopefully minimize problems created by the construction and development activities currently taking place. The strategy group is working on the development of an overall approach to the best ways to meet all the complexities of downtown parking after completion of the development projects.

Recommendation: Remove from the pending list.

8) Placement of gardens at Silver Oaks (05/10)

Gene Roberts reports that the agreement entered into between the City of Kent and Cutter Oil to drill a gas well to the east of Silver Oaks has had no well construction activity to date. A draft is prepared for the License to Occupy the City's property for the purpose of gardens but staff recommends completion of the gas well and related restoration prior to finalizing the agreement and issuance thereof.

Recommendation: Retain on list until staff presentation, then authorize its removal.

9) Additional benches in downtown area (05/10)

Jim Bowling reports that following discussions with Gene he is planning to look to install and replace benches as a separate project throughout the entire downtown. The extent of the benches installed will be budget dependent and would anticipate being done in late 2012.

Recommendation: Remove from the pending list.

10) Policy on tax collection of contractors (7/10)

In the Fall of 2010 Dave Coffee met with Jim Bowling and related staff to develop a list of current contractors that are engaged in construction activity in the City of Kent to ensure that the City was receiving appropriate tax payments. In addition, Dave outlined a process by which new contractors that get permits to work in the City will be reported back to the Finance Department for appropriate tax tracking. The same process has been employed with Kent State University contractors working within the City limits as well. If Council wishes, the staff can report back more formally on this effort.

Recommendation: Remove from pending list.

11) Complaint Tracking System (9/10)

Suzanne Robertson was scheduled to present an overview of the City's on-line complaint tracking system at the November Council meeting but due to the length of the meeting that night, her presentation was deferred. January, February and March Committee schedules were particularly busy so we are waiting for a month that has a more reasonable agenda to re-schedule this presentation.

Recommendation: Retain on list until staff presentation, then authorize its removal.

12) KEC concerns on City landscaping (10/10)

Gene Roberts reports after the KEC presented their concerns to KCC regarding the Haymaker Parkway, City staff scheduled meetings with Mr. Charles Fredrick and the City's Arborist, Gerald Shanley, to prepare a maintenance plan for the parkway with the intent of finalizing the maintenance plan for use in 2011. Until the maintenance plan is finalized no cost estimate to maintain the parkway can be developed but the planning discussions will center on first using the available funds prior to requesting increased funding. Hopefully a draft maintenance plan can be prepared sometime in early spring.

Recommendation: Retain on list until staff presentation, then authorize its removal.

13) Pending List update (1/11)

With the transmission of this written update, and the pending list discussion scheduled in Committee in April, I recommend removal of this item from the pending list.

Recommendation: Remove from the pending list.

**CITY OF KENT, OHIO ZONING CODE
CHAPTER 1125
RESIDENTIAL REDEVELOPMENT OVERLAY DISTRICT**

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**CHAPTER 1125
RESIDENTIAL REDEVELOPMENT OVERLAY DISTRICT**

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1125.11	Redevelopment Fund Fee	1125.12	Approvals

1125.01 PURPOSE

The purpose of the Residential Redevelopment Overlay District (RROD) is to promote reasonable and responsible residential development in designated areas adjacent to the Kent State University Campus for larger multifamily projects. Concurrent with this, the RROD seeks to facilitate the demolition, reconstruction or rehabilitation of existing housing units within the designated area so as to improve the quality and livability of those structures in a manner consistent with the planning and housing policies of the City. It is intended that the RROD would primarily be used to overlay R-3 Zoning Districts within the City.

1125.02 APPLICABILITY

The provisions of one or more RROD's may be applied to eligible projects as defined within this Chapter. The City may designate one or more RROD's on its zoning map and identify them appropriately. The creation and modification of the RROD boundaries shall be treated as a zoning amendment and shall be subject to the requirements thereto. The RROD designation does not replace the underlying zoning classification but rather provides an eligible project with the opportunity to be reviewed and approved as a Conditionally Permitted Use in an RROD designated area.

1125.03 MINIMUM ELIGIBILITY CRITERIA

Only multifamily projects meeting the following criteria are eligible for review using the criteria of this Chapter:

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(a) Minimum Site Acreage: Seven (7) acres. The land area comprising the site must be contiguous but may be divided by a public street as long as the entire site is consolidated into a single site for ownership and management for the entire lifespan of the project. The consolidation of the site shall be regulated by appropriate deed restrictions, covenants or other binding commitments. The site may not be divided or sold off in part at a later date without the express approval of the Planning Commission as a modification to the original project approval. The total acreage of the site does not have to be located entirely within the Overlay District. In these cases, the acreage outside the Overlay District may be counted toward the total density calculation and may be used for meeting the open space requirements for the project. Parking may also be provided on the non-Overlay portion of the site provided the parking is separated from adjoining residential property / properties by no less than a 100 foot buffer comprised of landscaping approved by the Planning Commission. The number of dwelling units constructed on the non-Overlay portion of the site and their use must be consistent with the zoning of the site and may not utilize the provisions of the Overlay District.

(b) Minimum Number of Dwelling Units: None.

(c) Maximum Density: The maximum density permitted for eligible projects shall be defined by bedroom number as follows:

1) Vacant Land: The maximum density for the development of vacant land shall be forty (40) bedrooms per acre.

2) Redevelopment of Existing Multifamily Properties: Existing multifamily housing developments that are eligible for review under the RROD may be redeveloped based on their existing number of bedrooms at the time of the redevelopment. In situations where the existing development is completely demolished and reconstructed or where existing facility is redeveloped in a manner where it is completely upgraded to present day building, fire and energy efficiency standards, the maximum number of bedrooms permitted shall be 125% of the existing number of bedrooms on the property at the time of development.

1125.04 CONGREGATE LIVING QUARTERS

For eligible projects in the Overlay District, the maximum number of bedrooms per dwelling unit may not exceed four (4) bedrooms and shall be identified as Congregate Living Quarters (CLQ's). Each bedroom shall be provided a private bathroom for its exclusive use. Kitchen, living and recreational areas within the development project may be utilized as common areas. The provision for CLQ's shall not be applicable to areas of the project site that lie outside of the Overlay District. Leasing arrangements shall be with individual tenants. Not more than one (1) person may occupy a single bedroom.

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1125.05 SETBACKS

The following minimum setback requirements shall apply to projects qualifying for review and approval under the provisions of the RROD:

- (a) Minimum Front Yard Setback – Twenty-five (25) feet. No buildings or parking areas may be located within the required front yard setback.
- (b) Minimum Rear Yard Setback – Thirty (30 feet), except where the project abuts single family housing, the rear setback shall increase to fifty (50) feet and contain dense vegetative buffer. The Planning Commission may stipulate the specific nature of the dense vegetative buffer as a condition of approval.
- (c) Minimum Side Yard Setback - Ten (10) feet, except where the project abuts single family housing, the side setback shall increase to twenty-five (25) feet and contain dense vegetative buffer. The Planning Commission may stipulate the specific nature of the dense vegetative buffer as a condition of approval.

1125.06 LANDSCAPING AND SCREENING

In addition to the screening requirements set forth in Section 1125.05, subsections (b) and (c), the Planning Commission may require additional landscaping for the purposes of aesthetics or screening as it deems appropriate.

1125.07 BUILDING HEIGHT

The maximum building height for a structure in a project qualifying for review and approval in the RROD shall be a maximum of forty (40) feet in height.

1125.08 PARKING REQUIREMENTS

Projects qualifying for review and approval under the RROD provisions shall provide not less than 1 parking space per bedroom. The Planning Commission may permit certain variances to this requirement as allowed under Section 1167.14 of the Kent Zoning Code. All parking shall be located outside of front yard areas. Parking areas in side or rear yards shall contain a visual buffer if those parking areas abut adjacent residential uses.

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1125.09 OPEN SPACE REQUIREMENTS

Projects qualifying for review and approval under the RROD provisions shall provide 30% of the project site as usable open space (refer to definition of usable open space in Chapter 1103 of the Kent Zoning Code). The Planning Commission may permit minor variances to the open space standards in accordance with Item J in the Usable Open Space definition.

1125.10 SPECIAL STUDIES

In combination with data available to the City, the developer of a project qualifying for review and approval under the RROD provisions shall be required to conduct studies to determine the existing adequacy and potential impact of the proposed project on city utilities, as well as the traffic flow on streets and at intersections adjacent to the project. The burden shall be on the developer to demonstrate that the project will not have an adverse impact in regard to the infrastructure. City staff will advise the developer as to the scope of the special studies and will evaluate and advise the Planning Commission as to its review of the results of the studies and whether staff believes that the studies demonstrate that the project will have no significant impact on city utilities and services. The Planning Commission may withhold or deny approval to the project under the provisions of Section 1107.05 (a) (5) of the Kent Zoning Code if there is a question as to the adequacy of services needed to serve the development.

1125.11 RESIDENTIAL REDEVELOPMENT FUND FEE

For the purpose of furthering redevelopment within the RROD, projects approved under the provisions of the RROD shall pay a one time fee of \$100.00 per bed. This fee shall be paid to the City at the time that building and zoning permits are issued. Funds paid to the City for this purpose shall be deposited into a separate and specific fund to be used by the City or its designee to acquire, demolish, rehabilitate existing residential units or vacant land within the RROD or within areas located adjacent (within 500 feet of the RROD boundary line) in which the fee was collected. Such funds may also be used to assist with the construction, reconstruction or maintenance of city utilities and infrastructure within the RROD in which the fee was collected. The use of these revenues shall be at the discretion of the City.

1125.12 APPROVALS

As a Conditional Use, the approval of any project granted under the provisions of the RROD shall be subject to the provisions set forth in Chapter 1107 of the Kent Zoning Code.

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R-4

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EAST SUMMIT

EAST WILLIAMS

EAST HALL

EAST OAK

EAST ELM

SOUTH DEPEYSTER

HIGH

MARIGOLD

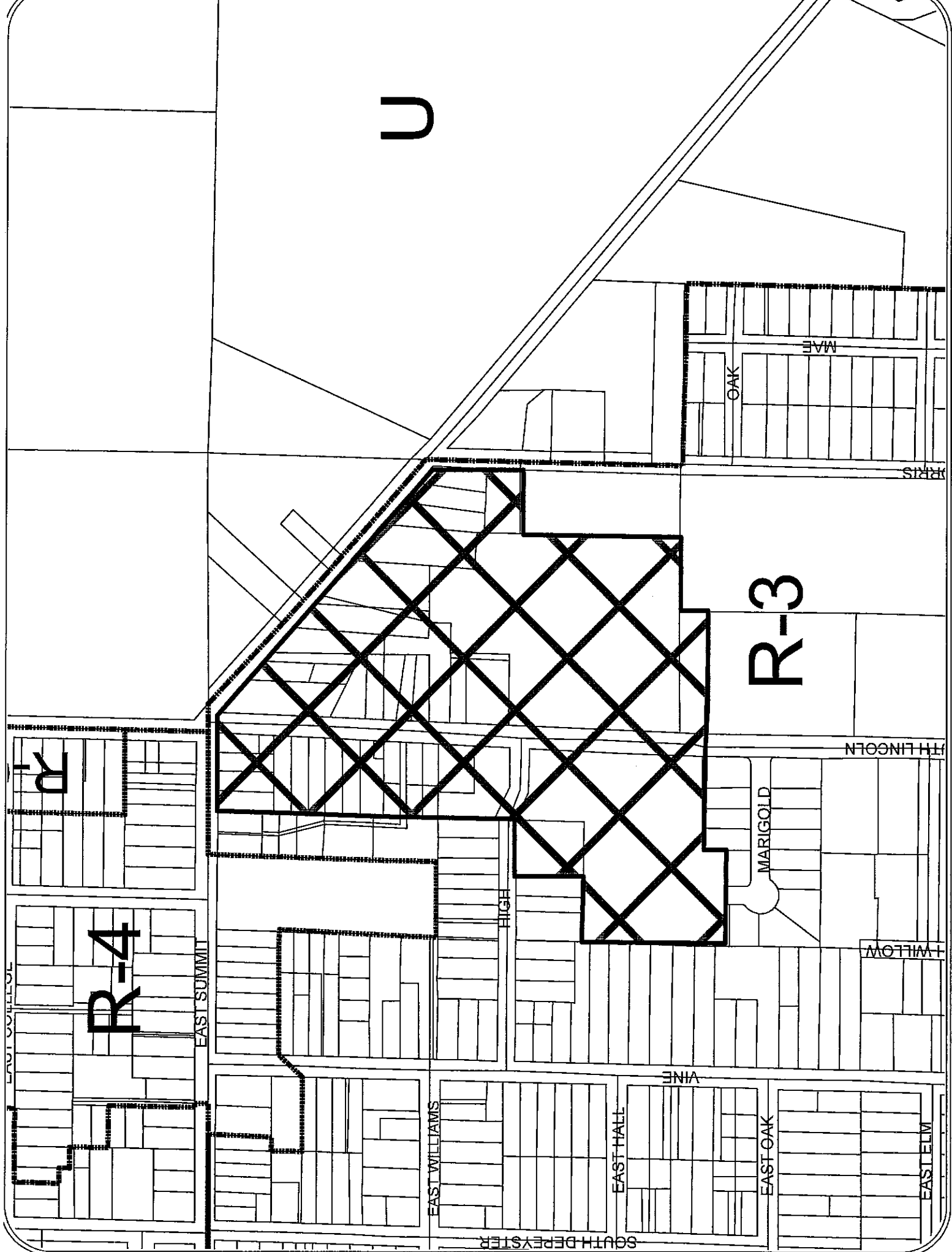
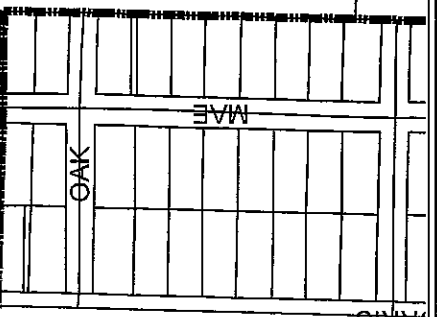
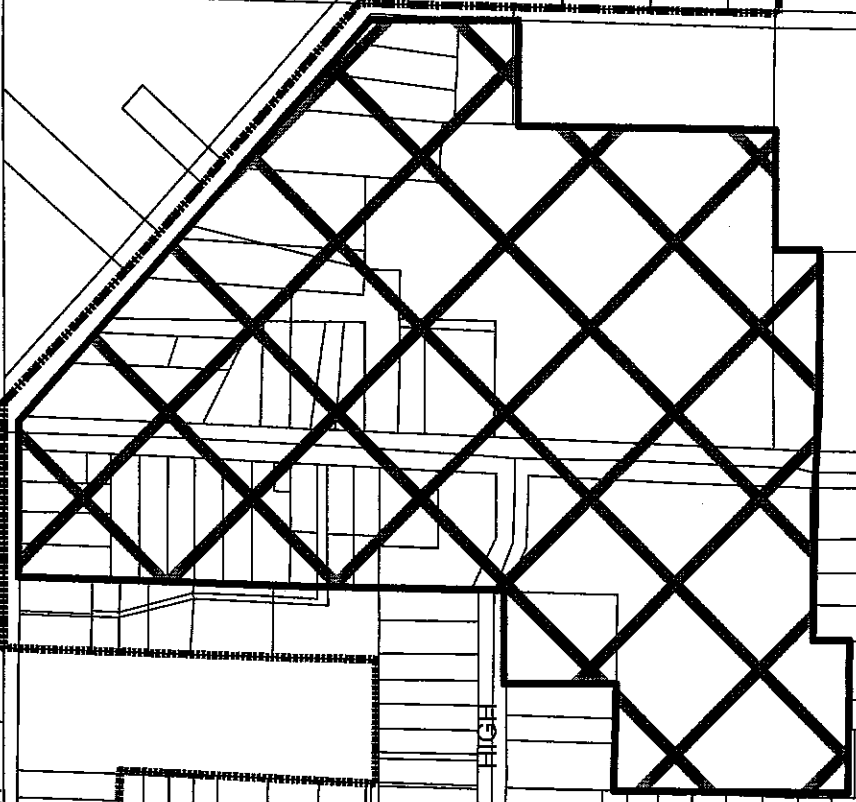
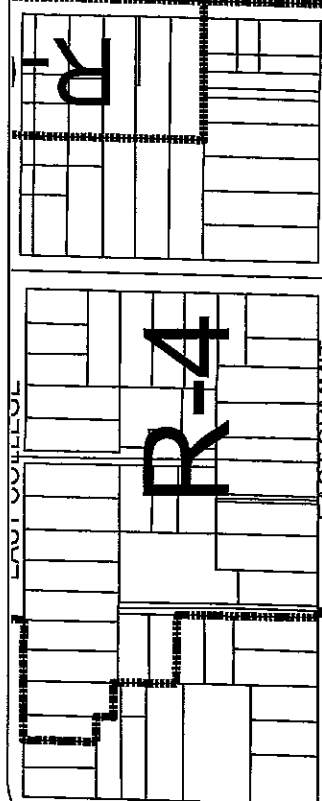
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MAE

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CITY OF KENT, OHIO

DEPARTMENT OF SAFETY

To: Dave Ruller, City Manager
From: William Lillich, Safety Director
Subject: Assistance to Firefighter Grant
Date: February 24, 2011

Mr. Ruller,

Yesterday afternoon, Chief Williams' office received telephone calls from Senator Sherrod Brown and Representative Tim Ryan. They called to inform us of the announcement of an award from the U.S. Department of Homeland Security, FEMA, Assistance to Firefighters Grants Program. The primary goal of the Assistance to Firefighters Grants (AFG) is to meet the firefighting and emergency response needs of fire departments and nonaffiliated emergency medical service organizations. The grant request, submitted several months ago, was prepared by Chief Williams and Lieutenant David Moore to purchase needed medical equipment for the department.

The primary goal of the Kent Fire Department request is as follows:

To successfully combat the increased volume in cardiac emergencies, the Kent Fire Department (KFD) is requesting grant funding assistance in order to implement an Advanced Life Support Patient Care Improvement Initiative. The focus of the initiative will be to enhance the delivery of direct patient services and save lives through the replacement of obsolete heart monitoring equipment and expanding the number of chest compression systems available on emergency response vehicles. The KFD will use grant funds for the purchase of twelve (12) Automatic External Defibrillators (AED), which will ensure an AED unit is available on every emergency vehicle. This will ensure the delivery of an appropriate and consistent level of care from all response vehicles. Grant funds will also be used to purchase five (5) chest compression systems and four (4) heart monitors that will be placed on each Advanced Life Support (ALS) response unit. Increasing the number of available chest compression units during critical cardiac care situations will result in the delivery of continuous quality CPR to a patient and will minimize the level of physical exertion a paramedic needs to utilize in order to appropriately treat a full arrest patient during transport to a medical facility.

The proposed budget for the project, as put forward in the grant request, is as follows:

\$114,000.00 4 heart monitors
\$27,468.00 12 AED units
\$66,075.00 5 chest compression systems
\$207,543.00 Subtotal
(\$20,755.00) Kent Fire Department 10% match
\$186,789.00 Grant Request Amount

The amount of the award is the full \$186,789.00 Grant Request Amount. The Kent Fire Department share is anticipated to be taken from funds budgeted for 2011 for capital purchases.

The Fire Department and the City Administration is appreciative of the efforts of Senator Brown and Representative Ryan, as well as the department of Homeland Security, Assistance to Firefighters Grant Program for this assistance in order to improve the service we provide for the safety of the Kent Community. Upon receipt of the formal grant materials, we will forward the information required for the City Council review and acceptance.

Further grant materials are attached.

Project Description

* Please indicate which of these Target Capabilities your request outlined in this application will satisfy. Check all that apply:

Emergency Medical Services

* Please provide your narrative statement in the space provided below. Include in your narrative, details regarding (1) your project's description and budget, (2) your organization's financial need, (3) the benefit to be derived from the cost of your project, and (4) how the activities requested in your application will help your organization's daily operations and how this grant will protect life and property.

City of Kent, Ohio

Advanced Life Support Patient Care Improvement Initiative

2010 Assistance to Firefighter Grant Application

Project Description and Budget

The Kent Fire Department (KFD) operates with 33 career firefighter/paramedics based out of two (2) stations. The fire department has four (4) Advanced Life Support (ALS) ambulances, an ALS equipped heavy rescue unit, and provides needed paramedic level emergency medical services and fire protection. The KFD also provides technician-level special operations in various rescue categories, including hazardous materials, water rescue, confined space rescue and urban search and rescue operations (USAR). The scope of services offered by the KFD is provided on a mutual aid basis throughout Portage County and is offered on a broader regional level throughout northeast Ohio when specialized rescue services are needed.

The City of Kent is located in northeast Ohio and is the largest city within Portage County with a 2008 reported population of 27,906. The Kent Fire Department (KFD) provides needed fire and rescue services for the City of Kent, nearby Franklin Township with a population of 4976, and Kent State University, which had a 2009-2010 student population of 22,697. The geographic area covered by the KFD includes the City of Kent's total area of 8.71 square miles, Franklin Township's total area of 16.29 square miles and the Kent State University campus. The total population served by the KFD is just over 51,300.

The Kent Fire Department (KFD) responded to a total of 3,153 Emergency Medical Service (EMS) calls in 2009. Of the number of EMS calls addressed by the KFD, 2,866 were responses to calls in which Advanced Life Support assistance was required, including a total of 1,182 heart-related incidents. The KFD responded to an additional 18 full cardiac arrests during this same time period. The KFD has seen its call volume increase on average 3% each year with a significant number of the increase attributable to a rise in the number of calls to assist persons over the age of 50. The risk of cardiac emergencies increases dramatically for persons over the age of 50 which has created challenges for the KFD as it works to address the increased need for cardiac emergency care, at a time when most of the Kent Fire Department's cardiac equipment is antiquated and unable to provide needed state-of-the-art care.

Currently, the Kent Fire Department has only one (1) monitor that provides advanced level electrocardiogram (EKG) trending and vital sign monitoring. The remaining monitors currently in operation are ten-to-fifteen years old, which far exceeds the accepted industry standards for service expectancy, which is no more than 5-to-8 years. The older units still in service lack the technological advances needed to appropriately address cardiac emergencies and provide enhanced patient care. The KFD currently relies on manpower to provide chest compressions during Cardio-Pulmonary Resuscitation (CPR) efforts. The KFD lacks Automatic External Defibrillators (AED) so emergency response personnel often are forced to wait for the arrival of an Advanced Life Support (ALS) response unit to provide cardiac defibrillation, which can

significantly increase the time period before the first defibrillation can be administered to a patient in active cardiac arrest. The KFD also lacks a chest compression system, which means additional personnel are required for the treatment and transport of a cardiac arrest patient, further limiting the number of available shift members for other emergencies. The reliance on manpower-based chest compressions has been shown in numerous studies to be inconsistent and ineffective due to rescuer fatigue. Further limiting the KFD ability to appropriately address cardiac and respiratory emergencies is the fact that the KFD currently has only one (1) programmable heart monitor to identify carbon monoxide levels in patients during CO emergencies and CO levels in firefighters after responding to a fire emergency.

To successfully combat the increased volume in cardiac emergencies, the Kent Fire Department (KFD) is requesting grant funding assistance in order to implement an Advanced Life Support Patient Care Improvement Initiative. The focus of the initiative will be to enhance the delivery of direct patient services and save lives through the replacement of obsolete heart monitoring equipment and expanding the number of chest compression systems available on emergency response vehicles. The KFD will use grant funds for the purchase of twelve (12) Automatic External Defibrillators (AED), which will ensure an AED unit is available on every emergency vehicle. This will ensure the delivery of an appropriate and consistent level of care from all response vehicles. Grant funds will also be used to purchase five (5) chest compression systems and four (4) heart monitors that will be placed on each Advanced Life Support (ALS) response unit. Increasing the number of available chest compression units during critical cardiac care situations will result in the delivery of continuous quality CPR to a patient and will minimize the level of physical exertion a paramedic needs to utilize in order to appropriately treat a full arrest patient during transport to a medical facility.

The Kent Fire department will undergo extensive training in cardiac emergency prevention, recognition and treatment in order to ensure that all new equipment is utilized properly in emergency situations and maintained in a manner that will keep the equipment performing at optimum levels. The equipment proposed for the Kent Fire Department "Advanced Life Support Patient Care Improvement Initiative" will meet the following standards: ASTM F1651-95(2002), NFPA 473, NFPA 450, NFPA 1584, NFPA 1901, 21 CFR 870.1025, 21 CFR 870.5300 and 21 CFR 870.2800.

The proposed budget is as follows:
\$114,000.00 4 heart monitors
\$27,468.00 12 AED units
\$66,075.00 5 chest compression systems
\$207,543.00 Subtotal
(\$20,755.00) Kent Fire Department 10% match
\$186,789.00 Grant Request Amount

Financial Need

Like many communities across the country, the City of Kent is facing fiscal challenges as it works to maintain service levels at a time when income tax revenue is declining. The largest employer and primary source of income tax revenue for the City is Kent State University. The problems with the economy have also affected Kent State University (KSU), which has had its budget reduced by \$34 million dollars over the last three years as the State of Ohio struggles to balance its own budget. This reduction to KSU's budget has resulted in the elimination of numerous programs and services, including the University's on campus ambulance service and a drastic reduction in staff capable of providing support for suppression efforts on campus. The elimination of these services by KSU has resulted in the need for the Kent Fire Department to take on the full responsibility for the delivery of these critical services for the entire campus. The Kent Fire Department has seen its response incidents increase by more than 600 per year with no compensation from KSU for the provision of these much needed services. Over the past three years, the City of Kent has

seen its own budget remain stagnant as a decline in income tax revenue continues as more businesses cease operations within the community. During these challenging financial times, the Kent Fire Department has made it a priority to maintain the current workforce, but in order to maintain staffing levels, the KFD has had to significantly limit funds allocated for the purchase or upgrade of needed equipment.

With the burden of an increased workload the Kent Fire Department has sought out numerous alternative-funding options, including a regional collaborative effort that is working towards the consolidation of fire and EMS services among five (5) different fire departments. The regional project involved the completion of an in-depth study of each fire department, including the identification of deficiencies in each department, in order to improve collaborative service delivery and minimize gaps in needed services. The study identified the Kent Fire Department's cardiac equipment deficiencies as a primary area of concern that needed to be addressed in order for the regional collaborative effort to be effective.

The Kent Fire Department has been actively seeking alternative funding options in order to address its budget constraints. Once the regional collaborative effort becomes operational, the Kent Fire Department along with its other partner fire departments anticipate that the resulting streamlined operations and reduction in the duplication of services will generate significant revenue savings for the participating jurisdictions.

Cost/Benefit

Protecting and saving lives is the core mission of the Kent Fire Department and the "Advanced Life Support Patient Care Improvement Initiative" will directly affect outcomes and efficiencies for nearly 100% of the Kent Fire Department's 3,100 EMS runs per year. If awarded, this grant will allow Kent Fire Department personnel to detect and treat cardiac issues quicker and more efficiently than the outdated and ineffectual equipment currently in use, which will result in a higher quality of care and lower death rates for patients. The availability of the equipment on all response vehicles will improve the time that lapses between EMS dispatch and the provision of definitive cardiac care for patients involved in critical care situations. The equipment will also greatly enhance firefighter safety and provide much needed monitoring equipment on the scene of fire emergencies. The KFD responds to more than 4,000 emergency calls per year and an average of 1,200 of those calls are for cardiac emergencies. The investment of \$207,543 needed to fully implement the "Advanced Life Support Patient Care Improvement Initiative" is minimal when compared to the benefit derived from having appropriate equipment on all response units when servicing this high volume of calls.

Statement of Effect

The equipment that will be purchased and utilized if grant funds are made available to support the "Advanced Life Support Patient Care Improvement Initiative" will be used numerous times on a daily basis and will dramatically increase the number of positive outcomes associated with the care of cardiac patients and firefighters working in the field. The new equipment also will enhance the collaboration efforts currently underway in the region by expanding the number of response vehicles that are adequately equipped to service cardiac emergencies. Frequently, the Kent Fire Department has all of its ALS units operating in response to EMS calls simultaneously, which leaves only the KFD heavy rescue truck to respond to additional emergencies. This unit is not adequately equipped with an approved heart monitor and if the response is for a patient without a pulse and in need of defibrillation, the unit is unable to provide an appropriate level of care. The full implementation of the KFD initiative will correct existing service deficiencies and greatly improve patient care, enhance safety for firefighters and paramedics, and ensure that the KFD can continue its efforts to deliver the highest level of care for those living in the Kent community.

Budget Object Class		
a. Personnel		\$ 0
b. Fringe Benefits		\$ 0
c. Travel		\$ 0
d. Equipment		\$ 207,543
e. Supplies		\$ 0
f. Contractual		\$ 0
g. Construction		\$ 0
h. Other		\$ 0
i. Indirect Charges		\$ 0
Federal and Applicant Share		
Federal Share		\$ 186,789
Applicant Share		\$ 20,754
Federal Rate Sharing (%)		90/10
* Non-Federal Resources (The combined Non-Federal Resources must equal the Applicant Share of \$ 20,754)		
a. Applicant		\$ 20,754
b. State		\$ 0
c. Local		\$ 0
d. Other Sources		\$ 0
If you entered a value in Other Sources other than zero (0), include your explanation below. You can use this space to provide information on the project, cost share match, or if you have an indirect cost agreement with a federal agency.		
Total Budget		\$ 207,543

From: "Pitts, Ramesa" <Ramesa.Pitts@dhs.gov>
To: <williamsj@kent-ohio.org>
CC: <illich@kent-ohio.org>
Date: 3/2/2011 4:11 PM
Subject: Kent Fire Department, Ohio: EMW-2010-FH-01093 - SAFER

I am the Grants Management Specialist from the Federal Emergency Management Agency (FEMA) Grant Programs Directorate, assigned to review your Fiscal Year (FY) 2010 SAFER (Staffing for Adequate Fire and Emergency Response) grant application. Your application was favorably reviewed by a panel of your peers. As such, I have a few matters to discuss/verify with you prior to processing your application any further. Please be advised, this is not a notification of award; it is only a preliminary discussion of your application. If the Program Office has made reductions to your original request, please maintain a copy of your E-mail accepting the reductions to your original application for your official records.

1.If you are selected for a grant award, would you accept?

2. Please verify that the department and/or organization's name is correct (Kent Fire Department)?

3. As you may know, the Hiring New Firefighters Activity requires grantees to commit to retaining the SAFER-funded firefighters for a full year beyond the grant's two-year performance period at 100 percent local funding. As such, it is imperative that the local governing body be aware of, and support, this application. If your department is requesting funding for Hiring New Firefighters, have you discussed this application and its long-term obligations with your governing body and is your governing body willing to accept this long term commitment? (If you are applying under "Rehiring Laid-off Firefighters" or "Recruitment and Retention" there is no cost share or sustainment requirement. Please reply with N/A to the question.)

4. If applying under the Rehiring Laid-off Firefighters Activity, have you discussed this application with your governing body and is your governing body willing to accept this commitment to rehire these personnel? (If you are applying under "Hiring New Firefighters" or "Recruitment and Retention" please reply with N/A to this question.)

5. Whether awarded under the Hiring New Firefighters Activity or the Rehiring Laid-off Firefighters Activity, the 2010 SAFER Program Guidance prohibits firefighter layoffs during the two-year Period of Performance. Will your department be able to meet this requirement? (If you are applying under "Recruitment and Retention" please reply with N/A to this

question.)

6. If your department is requesting funding for Hiring New or Rehiring Laid-off Firefighters, when do you anticipate you will be able to hire new staff? Remember, per the 2010 SAFER Program Guidance, only firefighters hired after the award date may be funded by a SAFER Grant; firefighters hired prior to the award date are not eligible for SAFER funding. (If you are applying under "Recruitment and Retention", please reply with N/A to the question.)

7. Is your department fully compliant with the National Incident Management System (NIMS) directives issued by your State and your local jurisdiction?

8. Do you have any changes to your points of contact phone numbers or email addresses listed in your application?

* If you have a new email address, please follow the instructions below:

Using the same user name and id when you applied for the grant, log into <https://portal.fema.gov> <<https://portal.fema.gov>> . Once you are into the Status screen, you will select Edit Profile located in the top of the screen. Your next screen will reveal your personal information where you will see your current email address listed. Once you have edited the email address you will click on the Save button. You will then receive a confirmation screen that your profile has been updated but you are not finished. Then you will click near the top left Authorized Applications. You will then click on Firefighters Grant link near the top left to ensure that all updated profile information is transferred through the system.

9. Do you have any changes to your DUNS number, or your banking information listed in your application?

10. Have you verified that the EIN # (34-6001563) submitted is correct?

11. Are you sharing an EIN# with your city and/or county? If so, please name the parent entity.

12. Do you have authorization to use this EIN#?

13. Have you previously received a FEMA/DHS Assistance to Firefighters Grant?

If you responded yes, please indicate what year(s) you were awarded, a brief summary of what items were purchased, and a current status on the awarded grant(s).

14. Have you received any other federal funding this fiscal year?

If you responded yes, please indicate the name of the agency that awarded you federal funding and a brief summary of the items that were awarded.

Again, this is not a notification of award; it is only a preliminary discussion of your application. Once I complete my review, and receive your favorable reply to this message, I will forward your application on to the next phase. If your department is selected for award you will be notified by e-mail through our on-line grants system. In that e-mail, you will be directed to a website to print the award forms and other pertinent information.

Sincerely,

Ramesa Pitts

Grants Management Specialist

FEMA/PNP/GPD/GMD/Operations

202-786-9760

SAFERS GRANT Information

	2011/2012	2012/2013	2013/2014	
	Year 1	Year 2	Year 3	3 Year Program Total
Wages	\$183,680.000	\$202,783.000	\$223,872.432	\$610,335.432
Benefits	\$110,906.000	\$122,440.000	\$135,173.760	\$368,519.760
Overtime	\$20,000.000	\$48,000.000	\$52,992.000	\$120,992.000
Uniforms	\$6,000.000	\$4,600.000	\$4,600.000	\$15,200.000
PPE	\$10,400.000	\$0.000	\$0.000	\$10,400.000
Physicals	\$2,600.000	\$1,600.000	\$1,600.000	\$5,800.000
Psychological	\$2,000.000	\$0.000	\$0.000	\$2,000.000
Total Cost	\$335,586.000	\$379,423.000	\$418,238.192	\$1,133,247.192
Federal Share	\$294,586.000	\$325,223.000	\$0.000	\$619,809.000
City Costs	\$41,000.000	\$54,200.000	\$418,238.192	\$513,438.192

Notes

Current Starting Salary is \$45,919.87

Highlighted costs are not paid for under terms of the grant, only wages and benefits are allowable.

Must fill all positions staffed at time of award or loose funding until they are filled.

Positions must be filled within 90 days of award.

Benefits figured at 60.38 % of base wage and was done with information provided to me by Budget and Finance

Increase in Wages, Benefits were figured at 10.4%

Beginning January 1, 2014 between January and August the department will have 2 mandatory DROP retirements,

And at least 2 others that could leave because they will have met their minimum time in drop.

Overtime is estimated at \$6,000 the first year and 12,000 the second and beyond. It will depend on each individual and how many times they come back on a page or work other overtime possibilities, all of which will determine the overtime, contractual Overtime is included.



CITY OF KENT, OHIO

DEPARTMENT OF ECONOMIC DEVELOPMENT

Date: March 1, 2011

To: David Ruller, City Manager
Gary Locke, Community Development Director

From: Dan Smith, Economic Development Director

Subject: Land O' Lakes Enterprise Zone Agreement

We received a letter from Land O' Lakes, Inc. dated February 25, 2011 requesting termination of Enterprise Zone agreement due to changes in the personal property tax laws. In summary, they are no longer receiving benefits from the program but are still required to file reports and pay fees. To that end, we have researched the process to terminate the agreement. To terminate the Enterprise Zone agreement, City Council must first pass an ordinance in favor of the termination request and then the Portage County Office of Economic Development will take the request to the County Commissioners to complete the process (termination).

Land O' Lakes has been a long time business and employer in the City of Kent for many decades. We were pleased to offer this agreement when it was of benefit to their ongoing operations. Since the tax laws have changed and the benefits have expired, I highly recommend we move honor this request. I respectfully request time at the April 6 Council Committee meeting to terminate our current Enterprise Zone agreement with Land O' Lakes, Inc.

Land O' Lakes, Inc.

4001 LEXINGTON AVE. N. ARDEN HILLS, MINNESOTA

Corporate Mailing Address: P.O. Box 64101 MS-4015, St. Paul, MN 55164-0101

Local Mailing Address: 400 South M Street Tulare, Ca. 93274

February 25, 2011

David Ruller
City of Kent
215 E. Summit St.
Kent, Ohio 44240

RE: Termination of our Enterprise Agreement #238-02-03 (10/17/2002 – 12/31/2012)

Dear Mr. Ruller:

Since personal property is no longer taxed in Ohio, neither Land O'Lakes, Inc., the City of Kent or Portage County has received any benefit from that agreement since 2009. We therefore respectfully request that our EZ agreement be terminated affective immediately. This action should also terminate any future filings of annual reports and monitoring fees related to this agreement.

Please feel free to contact me at 559-687-6547 or ddwillett@landolakes.com if you have any questions.

Respectfully yours,



Dave Willett
Property Tax Manager

Cc: William Ulik, Director, Portage County Board of Commissioners
Gary Locke, Director Community Development, City of Kent

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE

MEMO

March 20, 2011

To: Dave Ruller, City Manager

From: Gene Roberts, Service Director

RE: CHAPTER 919 - Utilization Charges for Connections to Water and Sewer Service

The current Kent Codified Ordinance Chapter 919 "Utilization Charges for Connections" has its origins back to circa 1980 and possibly earlier, with the Water Treatment Plant and Water Reclamation Facility major facility improvements circa 1975. The current ordinance has been modified previously to provide for some relief to the required Utilization Fees and to provide for payment over time.

The current changes requested to be considered by Kent City Council is a major rewrite of Chapter 919. Some changes are for clarification and others are based on current utility usage decline. The City of Kent's utility services have seen a decrease in usage by customers even given the sixteen percent increase in customer base experienced during the 90s housing boom.

What has happened simultaneously is increased users and decreased usage. The decreased usage has occurred from an erosion of major industrial usage and a movement towards water conservation both by individual users and the largest user of the system, Kent State University. To illustrate what has happened in 1994 the Water Treatment Plant produced 1.2 billions gallons of water and in 2010 produced .9 billions gallons, a reduction of 25%.

The conservation of water usage is commendable; however the lost revenue has impacted the water and sewer funds needed for both operational expenses. The revisions to Chapter 919 will position the City to attract businesses that use a large volume of water by decreasing Utilization Fees for large volume users, decrease all non-resident users Utilization Fee to 45% of the current rate and maintain the residential user current fee. This modification will position the City to attract business that will require large volumes, which will result in decreased pressure currently experienced in operational revenue.

Staff respectfully requests Kent City Council's consideration and approval of the revisions proposed to Kent Codified Ordinance Chapter 919 at their April 6, 2011 meeting.

Cc: Jim Silver, Law Director
Bill Lillich, Safety Director
David Coffee, Budget & Finance Director
James Bowling, P.E., City Engineer
Gary Locke, Community Development Director
Jennifer Barone, P.E., Development Engineer
file



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: March 16, 2011

TO: Dave Ruller, City Manager

FROM: Bridget Susel, Grants & Neighborhood Programs Administrator *B.Susel*

RE: Council Committee Agenda Request: NSP Program

CC: Linda Copley, Clerk of Council
Gary Locke, Community Development Director

In the spring of 2009, the City received \$350,000 in Neighborhood Stabilization Program (NSP) grant funding from the Ohio Department of Development (ODOD) to be used for the demolition of nine (9) blighted structures and the construction of new single family housing units on three (3) of the cleared parcels. To date, a total of eight (8) properties have been demolished and construction on the first new housing unit is expected to begin in early May 2011.

The Community Development staff solicited bids for the construction of the new housing units and Family & Community Services, Inc. was selected to act as the developer for the construction phase of the grant. The Community Development staff is respectfully requesting Council Committee time to discuss the construction phase of the NSP grant project and to seek Council's approval, with an emergency declaration, for the transfer of the cleared parcel at 527 Fairchild Avenue to Family & Community Services, Inc. The transfer of the parcel will allow Family & Community Services, Inc. to move forward with the construction phase of the first new unit.

I have attached a copy of the purchase agreement for the property transfer. The agreement has been reviewed and approved by the Law Director.

If you need any additional information in order to have this item added to the April 6, 2011 Council Committee schedule, please let me know.

Thank you.

PURCHASE AGREEMENT

THIS PURCHASE AGREEMENT (the "Agreement") is made and is effective as of the date of the execution hereof by the last party to sign by and between the CITY OF KENT, Ohio, 215 E. Summit Street, Kent, Ohio 44240 (hereinafter referred to as "Seller") and FAMILY & COMMUNITY SERVICES, INC., with a mailing address of 705 Oakwood Street, Ravenna, Ohio, 44266 (hereinafter referred to as "Purchaser").

WITNESSETH:

WHEREAS, the Seller owns a certain real property located at 527 Fairchild Avenue, Kent, Portage County, Ohio, which is more fully described in Exhibit "A", attached hereto and made a part hereof; and

WHEREAS, the Seller desires to sell to Purchaser and Purchaser desires to buy from Seller such real estate upon and subject to the terms, provisions and conditions set forth herein below.

NOW, THEREFORE, in consideration of the above Recitals and covenants and promises hereinafter set forth, and for other good and sufficient consideration, the Seller and Purchaser covenant and agree as follows:

1. **AGREEMENT TO SELL.** Seller agrees to sell to Purchaser and Purchaser agrees to purchase from Seller, 527 Fairchild Avenue, situated in Kent, County of Portage, Ohio, which is described in attached Exhibit "A", which is incorporated hereby by reference (hereinafter referred to as "the Property").

2. **PURCHASE PRICE.** The Purchaser agrees to pay to the Seller the sum of zero Dollars (\$0.00) for the Property which sum shall be payable in full at the closing date with the funds to be delivered to the Escrow Agent, Approved Statewide Title Agency, 320 East Main Street, Ravenna, Ohio 44266, (hereinafter referred to as the "Escrow Agent").

3. **CONVEYANCE.** The Property shall be conveyed to Purchaser by General Warranty Deed conveying marketable title to Purchaser free and clear of all encumbrances and liens whatsoever, except easements, restrictions, reservations and conditions of record that do not, in the Purchaser's opinion, affect the use of the Property for Purchaser's intended use.

4. **TITLE COMMITMENT.** Within thirty (30) days after the date hereof, Seller shall obtain from the Escrow Agent and deliver to Purchaser a commitment to issue Purchaser an ALTA title insurance policy in the amount of the purchase price hereunder, together with a complete description of all easements, covenants, conditions, reservations and restriction of record. Purchaser shall have thirty (30) days after Purchaser's receipt of said commitment to advise Seller in writing that Purchaser either accepts the condition of title as reflected in said commitment (except for liens, if any, to be discharged by Seller at Closing) or that the condition of title is unacceptable to Purchaser. If Purchaser advises Seller that title is unacceptable due to identified exceptions to title,

then Seller shall remove such exceptions from title within thirty (30) days, failing which Purchaser shall within fourteen (14) days thereafter either (a) elect to terminate the Purchase Agreement and receive the prompt return of all funds deposited hereunder by Purchaser and either party shall be liable for damages hereunder to the other, or (b) accept such title as Seller is able to convey, without any reduction in the purchase price hereunder.

5. **TITLE INSURANCE.** Seller shall furnish to Purchaser an owner's title insurance policy in the amount of the purchase price, showing title to the Property to be good in Purchaser and subject only to the approved exceptions set for in Articles 3 and 4 herein. Said title insurance shall be issued to the Escrow Agent.

6. **INSPECTION OF PREMISES.** Within thirty (30) days from the date hereof, Purchaser is granted the right to conduct inspections of the Property, including without limitation, an environmental assessment. If it should be determined by Purchaser, in Purchaser's sole judgment, that the Property is not in satisfactory condition, Purchaser may terminate this Agreement by written notice to the Seller within sixty (60) days after the date hereof and this Agreement shall be null and void, and neither party shall be liable for damages hereunder to the other and all money therefore paid by the Purchaser shall be returned to the Purchaser. If such written notice from Purchaser to Seller is not given with sixty (60) days after date hereof, the condition of the Property shall have been accepted by the Purchaser and any objection thereto shall be deemed to have been waived.

7. **SELLER'S WARRANTIES.** Seller hereby represents and warrants to Purchaser as follows:

- (1) That it is the fee simple owner of the Property and is fully authorized and empowered to convey the Property as provided here;
- (2) That to the best of Seller's knowledge, there are no claims or unpaid bills for labor or material furnished for repair or improvement of the Property.

8. **PURCHASER'S WARRANTIES.** Purchaser hereby represents and warrants to Seller that they are purchasing the Property based only upon their own inspections of the Property.

9. **POSSESSION OF PREMISES.** Purchaser shall be entitled to exclusive possession of the Property on the Closing Date.

10. **NON-MERGER AND RELEASE OF SELLER FROM WARRANTIES.** All the terms, agreements, covenants, warranties and representations contained in this Agreement shall be deemed to have been made on the date hereof and at Closing and shall survive the Closing and the filing of the General Warranty Deed.

11. **ESCROW AGENT.** An executed copy of this Agreement shall be delivered to the Escrow Agent to serve as its escrow instructions. The Escrow Agent is authorized to attach hereto its standard form of acceptance of escrow without further signatures, provided, however, that where said standard form is inconsistent with the provisions of this Agreement, this Agreement shall be paramount. All funds and documents pertaining to this Agreement shall be deposited with the Escrow Agent not less than five (5) days prior to Closing.

12. **CLOSING.** Unless the parties or their respective counsel on their behalf, otherwise agree in writing, this transaction shall close in escrow:

- (A) When the Escrow Agent has received all of the funds and documents to be deposited with it hereunder and the Escrow Agent can record the General Warranty Deed and can issue an owner's title insurance policy in the full amount of the purchase price in favor of the Purchaser in accordance with provisions of Article 5 hereof.

Upon Closing, the Escrow Agent:

- (A) File the Grantee Statement, pay the Ohio State property transfer tax on the conveyance fee and charge the cost thereof, if any, to Seller;
- (B) File the General Warranty Deed for record, charge the cost of recording to Purchaser and deliver the General Warranty Deed to Purchaser when available;
- (C) Cause the title insurance to be issued and charge the cost of such examination, title commitment and the premium to the Seller;
- (D) Charge the cost of the survey, if any, to Seller;
- (E) Charge one-half (1/2) of its escrow fee to Seller and one-half (1/2) of its escrow fee to Purchaser;
- (F) Pro-rate real estate taxes between the parties as of the date of closing;
- (G) Disburse the balance of funds and documents in escrow to Seller and Purchaser as the respective interest appear.
- (H) Purchaser shall be responsible for any costs associated with the preparation and filing of any mortgage deed.

13. **PLACE/TIME OF CLOSING.** The delivery of all papers and funds and the place of closing of this transaction shall be at the offices of the Escrow Agent.

14. **BROKERAGE COMMISSION.** Each party represents and warrants to the other party that the warranting party has not had any contract or dealing regarding the Property, nor any communication in connection with the subject matter of this transaction, through or with any licensed real estate broker or other person who can claim a right to a commission or to a finder's or similar fee as a procuring cause of the sale contemplated herein.

15. **ENTRY OF PURCHASER PRIOR TO CLOSING.** Prior to Closing, Purchaser, its agents and employees shall have the right to go upon the Property to make such inspections and surveys as Purchaser shall deem advisable upon reasonable advance notice to Seller.

16. **NOTICES.** The Parties may contact each other at the following addresses:

TO SELLER:	City Manager City of Kent 215 E. Summit Street Kent, Ohio 44240	Finance Director City of Kent 325 S. Depeyster Street Kent, Ohio 44240
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WITH COPY TO: James R. Silver
Law Director
City of Kent
215 E. Summit Street
Kent, Ohio 44240

PURCHASER: Mark Frisone
Executive Director
Family & Community Services, Inc.
705 Oakwood Street
Ravenna, Ohio 44266

The above addresses may be changed from time to time by giving written notice thereof as herein provided.

17. **CONSTRUCTION.** This Agreement shall be interpreted under and in accordance with the laws of the State of Ohio.

18. **INTEGRATED AGREEMENT.** This Agreement represents the entire, complete and exclusive understanding by and between the parties and reduces to writing all prior oral agreements and negotiations of the parties and may not be altered, amended or otherwise changed unless in writing signed by both parties.

19. **HEADNOTES.** The headnotes are inserted only as a matter of convenience and as a matter of reference and in no way define, limit or describe the scope or intent of this Agreement nor in any manner affect this Agreement.

20. **BINDING EFFECT.** All covenants and conditions herein contained shall extend to and be binding upon the heirs, successors, assigns and legal representatives of the parties hereto.

IN WITNESS WHEREOF, the parties have hereunto set their hand with the intent to be legally bound as of the date set below their respective signatures.

SIGNED IN THE PRESENCE OF:

SELLER: CITY OF KENT, OHIO

By: _____
David Ruller, City Manager

Date: _____

**PURCHASER:
FAMILY & COMMUNITY SERVICES,
INC.**

By: _____
Mark Frisone, Executive Director

Date: _____

APPROVED AS TO FORM:

James R. Silver, Law Director
City of Kent

STATE OF OHIO)
) SS
PORTAGE COUNTY)

BEFORE ME, a Notary public in and for said County, personally appeared DAVID RULLER, as City Manager, respectively, of the City of Kent, Ohio, who acknowledged that he did sign the foregoing Purchase Agreement and that the same is his free act and deed and the free act and deed of the City of Kent.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at Kent, Ohio, which ____ day of _____, 2011.

Notary Public

STATE OF OHIO)
) SS
PORTAGE COUNTY)

BEFORE ME, a Notary public in and for said County, personally appeared _____ as _____ of Family & Community Services, Inc. who acknowledges that he did sign the foregoing Purchase Agreement and that the same is his free act and deed.

IN TESTIMONY WHEREOF, I have hereunto set my hand and official seal, at Kent, Ohio, which ____ day of _____, 2011.

Notary Public

627 Fairchild Ave.- 0.301 Ac.

Situated in the State of Ohio, County of Portage, and the City of Kent, and known as being part of Original Franklin Township Lot 30, and also known as being all of that parcel conveyed to W.L. Oberholtzer as recorded in Vol.941 pg. 999, and being more fully bounded and described as follows:

Beginning, for reference, at a 3/4" iron bar found in the center line of Hudson Road at it's intersection with the northerly right of way line of Fairchild Avenue 80'RW; thence, N 65 deg. 56 min. 21 sec. W, 254.48', along the northerly line of said Fairchild Ave., to the southwest corner of a parcel conveyed to J.W. Huber (O.R.72 Pg.577) (witness a 1" iron pipe found 0.25' East and 0.15' South) and being the TRUE PLACE OF BEGINNING for the parcel hereinafter described;

thence, N 65 deg. 56 min. 21 sec. W, 82.40', continuing along the northerly line of said Fairchild Ave., to a pipe w/cap 'Wanchik' found at the southeast corner of a parcel conveyed to K.H. or B.P. Bowers (200236223);

Thence, N 22 deg. 12 min. 40 sec. E, 163.20', along Bowers east line to a pipe w/cap 'Wanchik' found in the south line of a parcel conveyed to E.+P. Snyder;

thence, S 65 deg. 18 min. 02 sec. E, 83.52', along the southerly line of said Snyder parcel, to a 5/8" rebar with cap 'Szuch' found at the northeast corner of the aforementioned Huber parcel;

thence, S 22 deg. 36 min. 38 sec. W, 162.24', along the westerly line thereof, to the TRUE PLACE OF BEGINNING, and containing 0.310 acres of land, more or less as determined by a survey made by Stephen P. Campbell Professional Land Surveyor No.7330 in September 2004.

The bearings used to prepare this description are based on N 65 deg. 56 min. 21 sec. W as the northerly line of said Fairchild Ave. as shown in image no. 200236223. Legal description prepared September 6 2004.

17-030-20-00-093,000
9-7-04 TAX MAP DEPT.

LEGAL DESCRIPTION
 SUFFICIENT DEFICIENT
 NO DIVISION OF LAND

(P-15120)

O.S.D.
BY SURVEY