

ORDINANCE 2021 - 120

**AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RENEW THE AGREEMENT BETWEEN MAIN STREET KENT AND THE CITY OF KENT FOR ANOTHER THREE (3) YEARS TO PROMOTE ECONOMIC DEVELOPMENT AND REVITALIZATION TO THE CITY, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Kent wishes to renew the agreement with Main Street Kent for another three (3) years; and

**WHEREAS**, in the past the City of Kent has granted Main Street Kent up to Seventy Thousand Dollars (\$70,000), but due to financial pressures, the administration is recommending a 5% reduction in 2022 that will reduce the grant amount to \$66,500. The amount of \$70,000 will be returned for the year 2023, with the one year extension option for 2024 continuing at the \$70,000 level to promote economic development and revitalization to the City of Kent.

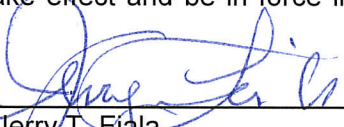
**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Kent, Portage County, Ohio, that:

**SECTION 1.** That Council does hereby authorize the City Manager, or his designee, to renew the Agreement with Main Street Kent for another three (3) years and to grant \$66,500 for the year 2022 and to return to the original level of \$70,000 in 2023, with the one year extension option for 2024 continuing at the \$70,000, to promote economic development and revitalization to the City of Kent, and is more fully described in 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: November 17, 2021  
Date


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

EFFECTIVE: November 17, 2021  
Date

ATTEST: Amy Wilkens  
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. 2021-120, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON November 17, 2021.

(SEAL)

  
AMY WILKENS  
CLERK OF COUNCIL



## AGREEMENT

THIS AGREEMENT made this 10th day of January, 2022 by and between the City of Kent, Ohio, hereinafter referred to as “CITY” and Main Street Kent, hereinafter referred to as “GRANTEE”.

WHEREAS, GRANTEE desires to receive funding from the CITY and agrees to abide by the Grant Requirements attached hereto as “EXHIBIT A;” and

WHEREAS, GRANTEE will sponsor various activities within the City of Kent; and

WHEREAS, GRANTEE and the CITY have agreed to a two (2) year commitment from the CITY with the CITY having the option to renew the agreement for a third year; and

WHEREAS, the Kent City Council has contributed to Grant Programs to support the economic revitalization of the local economy; and

WHEREAS, the Kent City Council approved an annual grant of Sixty Six Thousand Five Hundred Dollars and no cents (\$66,500.00) for Calendar Year 2022 and Seventy Thousand Dollars and no cents (\$70,000.00) for Calendar Year 2023 to the GRANTEE, with a CITY option to renew the agreement at Seventy Thousand Dollars and no cents (\$70,000.00) for calendar year 2024.

NOW, THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. GRANTEE agrees to abide by the terms and conditions of the Grant Requirements as delineated in “EXHIBIT A.”
2. CITY agrees to grant the GRANTEE Sixty Six Thousand Five Hundred Dollars and no cents (\$66,500.00) for Calendar Year 2022 and Seventy Thousand Dollars and no cents (\$70,000.00) for Calendar Year 2023 for eligible expenses related to the Downtown Program in accordance with GRANTEE’s Program Description and Program Budget. The CITY will donate the Sixty Six Thousand Five Hundred Dollars and no cents (\$66,500.00) for Calendar Year 2022 to exercise its option to renew the agreement for calendar year 2022.
3. In return for this consideration, the GRANTEE agrees to provide City Council with four (4) quarterly reports throughout the year indicating the activities undertaken, estimates of the economic impact generated through its efforts, and a financial statement for the GRANTEE for year to date. Reports shall be submitted as follows:
  - a. January 1st - March 31st: Due April 30st
  - b. April 1st - June 30th: Due July 31st
  - c. July 1st- September 30th: Due October 31st
  - d. October 1st – December 31st: Due January 31st

4. This Agreement shall be binding upon the parties, their successors and assigns.

**CITY OF KENT, OHIO**



\_\_\_\_\_  
David Ruller, City Manager, City of Kent

**MAIN STREET KENT**

Maggie McKendry  
Maggie McKendry (Jan 10, 2022 12:05 EST)

\_\_\_\_\_  
Maggie McKendry, President, Main Street Kent Board of Directors

Approved as to Form:

*Hope L. Jones*

\_\_\_\_\_  
Hope Jones, Law Director, City of Kent

**CERTIFICATE OF DIRECTOR OF BUDGET AND FINANCE**

It is hereby certified that the amount of \$66,500.00 required to meet the 2022 contract, agreement, obligation, payment or expenditure for the above has been lawfully appropriated or authorized or directed for such purposes and is in the City Treasury or in the process of collection to the credit of the General Fund, free from any obligation or certificates now outstanding.

Jan 10, 2022

\_\_\_\_\_  
Date

Rhonda Hall

Rhonda Hall (Jan 10, 2022 16:31 EST)

\_\_\_\_\_  
Rhonda Hall,  
Director of Budget & Finance, City of Kent

**“EXHIBIT A”**  
**GRANT REQUIREMENTS**

**GOAL:**

To provide opportunities to promote economic development and revitalization of the Kent central business district; to celebrate the quality of life enjoyed by the residents of the City of Kent; and share with those outside of the community the attributes that make Kent a unique and exciting placeto work, go to school, and to live.

**OBJECTIVES:**

1. Attract City of Kent residents, and visitors from other communities, to downtown events.
2. Promote the City’s attributes to those outside of the community.
3. Create additional commercial opportunities for downtown retail operations.
4. Help to enhance a positive business climate for additional investment by businesses in the Kent downtown area.

**PROGRAM AND ADMINISTRATIVE REQUIREMENTS:**

1. The project should be oriented toward attracting people to downtown Kent.
2. Funding is intended to support verifiable program expenses and reasonable administrative costs.
3. The GRANTEE shall submit reports to the City of Kent, four (4) times a year, summarizing and documenting the results of the pursuit of the stated goal and objectives as stated in Section 3.
4. GRANTEE shall maintain the necessary records to adequately document the financial activity and transactions of the organization, including but not limited to, revenues received, itemized expenditures and outlays, procurement activities, and unobligated fund balances for the GRANTEE’s fiscal year. The CITY reserves the right to access and review these records for monitoring purposes in order to ensure the GRANTEE is performing in accordance with generally accepted financial and accounting principals and the program’s stated goal and objectives.
5. The GRANTEE shall submit a copy of its most recent Annual Audit within six (6) months of the end of the GRANTEE’s most recent fiscal year and include copies of any management letteror other communication from the entity performing the audit which describes deficiencies and/or prescribed corrective actions. The GRANTEE shall also provide the CITY with written evidence showing what actions it has or is undertaking to address any such deficiencies.
6. The GRANTEE shall be current at all times in paying City Income Tax due the City of Kent, Ohio and in withholding the proper amount of income tax due the CITY from its employees.