

**KENT CITY PLANNING COMMISSION  
REGULAR BUSINESS MEETING  
DECEMBER 7, 2010  
COUNCIL CHAMBERS  
KENT CITY HALL  
325 S. DEPEYSTER STREET  
7:00 P.M.**

**AGENDA**

**I. CALL TO ORDER**

**II. ROLL CALL**

a) Excuse Absence

**III. READING OF PREAMBLE**

**IV. ADMINISTRTION OF OATH**

**V. MINUTES: November 2, 2010 & November 16, 2010**

**VI. CORRESPONDENCE**

**VII. OLD BUSINESS**

A. PC10-016 EDWARDS COMMUNITIES DEVELOPMENT CO.  
South Lincoln Street  
Zoning Map Amendment

The applicant is seeking a recommendation to rezone an irregular shaped parcel with mostly frontage on South Lincoln Street and also frontage on East Summit Street and Morris Road from R-3: High Density Residential to R-4: Multifamily Residential District.

- 1) Public Hearing
- 2) Planning Commission Discussion/Action

**VIII. NEW BUSINESS**

A. PC10-024 FAMILY DOLLAR  
1316 S. Water Street  
Conditional Zoning Certificate & Site Plan Review

The applicant is seeking a Conditional Zoning Certificate and Site Plan Review & Approval in order to construct a new retail establishment. The subject property is zoned R-C: High Density Multifamily-Commercial Urban Residential District.

- 1) Public Hearing
- 2) Planning Commission Discussion/Action

**IX. OTHER BUSINESS**

**X. ADJOURNMENT**



# CITY OF KENT, OHIO

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## DEPARTMENT OF COMMUNITY DEVELOPMENT

**DATE:** December 1, 2010  
**TO:** Kent City Planning Commission  
**FROM:** Jennifer Barone, PE, Development Engineer  
**RE:** Staff Report for the December 7, 2010 Planning Commission Meeting

The following items appear on the agenda for the December 7, 2010 Planning Commission meeting:

### OLD BUSINESS:

CASE NO: **PC10-016 SOUTH LINCOLN STREET REZONING**

APPLICANT: Edwards Communities Development Company

SITE LOCATION: An irregular shaped parcel which mostly fronts on South Lincoln Street and also has frontage on East Summit Street and Morris Road.

STATUS OF APPLICANT: Douglas Partners LLC (Dan Siegel) owns the majority of the properties with 4 parcels owned by other individuals.

REQUESTED ACTION: Rezoning request from R-3: High Density Residential to R-4: Multi-family Residential

ZONING: Currently R-3: High Density Residential

TRAFFIC: The parcels are accessed from South Lincoln Street, East Summit Street & Morris Road.

SURROUNDING LAND USES: The property is surrounded by residential uses (single family, rooming house and multi-family).

APPLICABLE CODE SECTIONS: Chapters 1117 and 1147 of the Kent Codified Ordinances

ANALYSIS:

UPDATE – Dec. 1, 2010

As you may recall, the applicant requested that this proposed amendment be tabled until the December 7, 2010 meeting. For the sake of saving paper and since you have already seen the analysis several times, I have deleted it from the section of the staff report for the South Lincoln Street Rezoning request.

The applicant has amended their rezoning request to be from the R-3 District to the R-4 District instead of from the R-3 District to U District as originally proposed. The applicant's reasoning for this zoning change is included in your packet. Please remember that the request is a zoning map amendment and not site plan approval. Staff's standpoint has not changed in that the density is still an issue and the impacts to the infrastructure are unknown.

The sanitary sewer study was initiated on November 29, 2010 and scheduled to run a minimum of two weeks. If the data is good, then the results should demonstrate what improvements, if any, are needed. Otherwise, additional monitoring may be required to compile additional data for determination of sewer capacity adequacy.

The traffic study is to begin the week of December 5, 2010. Some traffic count data is already available. Additional traffic count data for the peak intervals will be collected. Once the data is analyzed, a report will be written that will include recommendations for any improvements.

See Gary Locke's correspondence.

RECOMMENDATION:

Staff cannot support the rezoning in principal insofar as it is substantially different from the current R-3 Zoning, and is not based upon any notion of planning or an attempt to address a master plan for the area in question. Furthermore, concerns about potential negative impacts on traffic in the area and the capacity of the sanitary sewer system have only initially been raised and should be addressed before a responsible recommendation or decision on the zoning amendment can be made. While it would be more appropriate for the City and the applicant to take some time to review the specific questions that have been raised and, more generally, determine whether a mutually beneficial master plan can be devised, the applicant is entitled to decisions within the time frame allotted by Chapter 1117. As such, unless the applicant chooses to withdraw or postpone their request, staff recommends that the proposed zoning amendment be sent to the City Council by the Planning Commission with a negative recommendation and that City Council reject the request in full.

The following verbiage for the motion may be used:

I move that in Case PC10-016, that the Planning Commission recommend to Kent City Council not to approve the zoning map amendment as proposed until such time that a master planning for the area can be addressed and adequate capacity in the City utilities has been demonstrated.

List of Enclosures for this Project:

1. Applicant Cover Letter dated November 29, 2010 and attachments.

**NEW BUSINESS:**

<u>CASE NO:</u>	<b>PC10-024</b>
<u>APPLICANT:</u>	<b>Family Dollar</b>
<u>SITE LOCATION:</u>	1316 South Water Street
<u>STATUS OF APPLICANT:</u>	The applicant has an option to purchase the property.
<u>REQUESTED ACTION:</u>	Conditional Zoning Certificate and Site Plan Review & Approval to construct a retail establishment
<u>ZONING:</u>	R-C: High Density Multifamily-Commercial Urban Residential District
<u>TRAFFIC:</u>	The site is accessed from South Water Street and Cherry Street
<u>SURROUNDING LAND USES:</u>	Commercial properties are located to north, south & east with residential uses to the west.
<u>APPLICABLE CODE SECTIONS:</u>	Chapter 1119 and 1137 of the Kent Codified Ordinance
<u>ANALYSIS:</u>	

***PROJECT DESCRIPTION:***

The Hutton Company is proposing to demolish the existing vacant Pizza Hut at 1314 South Water Street and construct an 8,000 SF Family Dollar retail store. The Pizza Hut lot and the vacant lot to the south are being consolidated for this project.

***TRAFFIC/PARKING:***

Two ingress/egress points are proposed with one being from South Water Street and one from Cherry Street. The plan depicts 35 parking spaces will be installed. The code requires 32 spaces, therefore, adequate parking is provided.

***UTILITIES:***

Existing water and sanitary mains will service the utility needs.

***STORMWATER:***

Two bioretention areas are proposed to capture & treat the storm water runoff from the site. These bioretention areas will fulfill both water quantity and water quality requirements. The storm water will be detained in these areas and discharged to the public storm sewer system on South Water Street & Cherry Street respectively.

***SIGNAGE:***

The proposed signage consists of two building signs that meets code and two ground monuments signs at each entrance. Ground monument signs are not permitted in the R-C zoning district. A variance from the Board of Zoning Appeals is required. See variances granted below.

***LIGHTING/LANDSCAPING/DUMPSTER:***

Lighting will consist of parking lot fixtures. A photometric plan was included in the packet. It appears that the light fixtures will need to be adjusted so that light is not spilling over the property lines. The applicant has provided information that shows a cut off style fixture that will not cast light onto the adjacent residential properties. The proposed landscaping consists of trees, shrubs and grasses. Three dumpsters with a fence for screening are shown south of the building and west of the Cherry Street entrance.

***ARCHITECTURAL ADVISORY BOARD:***

This project was reviewed by the Architectural Advisory Board on November 15, 2010. The Board made the following recommendation which were incorporated into the revised drawings:

1. Continue the split face block, red stripe and white siding onto the north & south side to match the colors on the front.
2. Utilize a masonry base for the ground mounted signs.

Please note that no City funding is being utilized for this project. Hence, a Certificate of Appropriateness is not required. The Commission may wish to incorporate the Architectural Review Board's comments in the conditions.

***VARIANCES:***

On November 15, 2010 the Board of Zoning Appeals granted a variance to allow two ground monument signs with the condition that the sign lighting will be turned off when the store closes.

**RECOMMENDATION:**

Staff is recommending approval with the conditions listed below.

The Planning Commission may approve, approve with conditions, or disapprove the application. Should Planning Commission wish to approve this project, the following language may be used:

I move that in Case PC10-024, the Planning Commission approve the Conditional Zoning Certificate and Site Plan to construct a building to be used as a retail establishment:

1. Technical Plan Review.
2. Incorporation of the Architectural Review Board recommendation.
3. Recording of the lot consolidation

List of Enclosures for this Project:

1. Applicant Cover Letter dated October 19, 2010.
2. Site Plans with the cover sheet dated November 17, 2010.
3. Aerial Topo and Zoning Map.

cc: Gary Locke, Community Development Director  
Jim Bowling, City Engineer  
Eric Fink, Assistant Law Director  
Heather Phile, Development Planner  
Applicants  
PC Case Files

**KENT CITY PLANNING COMMISSION  
SPECIAL BUSINESS MEETING  
DECEMBER 14, 2010**

**COUNCIL CHAMBERS  
KENT CITY HALL  
325 S. DEPEYSTER STREET  
7:00 P.M.**

**A G E N D A**

**I. CALL TO ORDER**

**II. ROLL CALL**

a) Excused Absence

**III. READING OF PREAMBLE**

**IV. ADMINISTRTION OF OATH**

**V. CORRESPONDENCE**

**VI. OLD BUSINESS**

**VII. NEW BUSINESS**

**A. PC10-27 ZONING TEXT AMENDMENTS**

**(1) TO REPEAL EXISTING ZONING CODE CHAPTERS:**

1107 – TITLE, INTERPRETATION AND CONFLICT

1109 – DEFINITIONS

1111 – ADMINISTRATION AND ENFORCEMENT

1113– CONDITIONAL ZONING CERTIFICATES AND SPECIALLY  
PERMITTED USES

1115 – BOARD OF ZONING APPEALS

1117 – AMENDMENTS

1119 – SITE PLAN REVIEW AND CONFORMANCE

1165 – SIGN REGULATIONS

**(2) TO CREATE NEW ZONING CODE CHAPTERS:**

1101 – TITLE, INTERPRETATION, AND CONFLICT

1103 – DEFINITIONS

1105 – ADMINISTRATION AND ENFORCEMENT

1107– CONDITIONAL ZONING CERTIFICATES AND SPECIALLY  
PERMITTED USES

1109 – BOARD OF ZONING APPEALS

1111 – AMENDMENTS

1113 – SITE PLAN REVIEW AND CONFORMANCE

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**Agenda**

**December 14, 2010 Planning Commission Special Meeting**

1119 – HOME BASED BUSINESSES

1120 – ARCHITECTURAL DESIGN REVIEW

1121 – DESIGN OVERLAY DISTRICTS

1122 – ROOMING AND BOARDING HOUSES

1165 – SIGN REGULATIONS

APPENDIX A – DESIGN GUIDELINES FOR THE KENT DESIGN OVERLAY  
DISTRICT

APPENDIX B – SIGN DESIGN GUIDELINES

1) **Public Comment**

2) **Planning Commission Discussion/Action**

**VIII. OTHER BUSINESS**

**IX. ADJOURNMENT**






# CITY OF KENT, OHIO

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## DEPARTMENT OF COMMUNITY DEVELOPMENT Building Services Division

To: Dave Ruller  
City Manager

From: Gary Locke  
Community Development Director 

Date: December 2, 2010

RE: Monthly Permit and Zoning Complaint Report – November 2010

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Attached are the monthly reports per council's request. If you have questions or require further information, please let us know.

**BUILDING PERMIT REPORT - NOVEMBER 2010  
SUMMARY (KCO 147-04)**

<u>Permit Type</u>	<u># Approved</u>	<u>Current YTD</u>	<u>Previous YTD</u>
Building	14	141	182
Electric	15	101	125
HVAC	7	83	105
Plumbing	4	62	93
Engineering	2	50	73
Subdivisions	0	10	8
Zoning	5	88	127
<b>Total:</b>	<b>47</b>	<b>535</b>	<b>713</b>

<u>Permit Type</u>	<u>Account Code</u>	<u>Fees Collected</u>	<u>Current YTD</u>	<u>Previous YTD</u>
Park Fee	10633513	1,420.00	2474	506.00
Building Reviews	00135201	0.00	8100	11,212.50
Building	00135201	1,298.15	8023.69	18,516.60
Electric	00135202	609.50	3955	5,342.52
HVAC	00135204	260.00	3818	5,042.00
Plumbing	20235203	203.00	3023.61	7,070.00
<b>Subtotal:</b>		<b>\$3,790.65</b>	<b>\$29,394.30</b>	<b>\$47,689.62</b>

State 1% Fee	80436362	22.89	110.55	176.49
State 3% Fee	80436362	2.43	233.03	544.62
Demolition Bond	80436313	0.00	100	n/a
Electrical Registration	00135206	150.00	900	1,487.50
Plumbing Registration	00135207	0.00	1050	1,487.50
HVAC Registration	00135208	0.00	825	1,487.50
Zoning	00135301	255.00	2861.05	3,135.00
Fence Permits	00135301	25.00	595	725.00
Signs	00135313	70.00	745	1,150.00
Civil Infraction Fines	00135106	0.00	120	n/a
Board Applications	00135302	0.00	2075	2,000.00
Postage	10405400132	0.00	2076.92	1,561.60
Miscellaneous	00135406	118.45	1730.26	1,024.41
Sewer Permits	20235316	75.00	375	525.00
Sewer Utilization	20233604	3,930.00	6583	11,890.00
Sewer Disconnect	20235406	0.00	25	n/a
Storm Sewer	20833604	300.00	6464	900.00
Street Excavation	00135317	80.00	825	1,440.00
Water Meters	20133604	1,166.00	5000	7,529.00
Water Permit	20133604	75.00	612.5	500.00
Water Utilization	20133604	1,650.00	3425	7,040.00
Water Disconnect	20135406	0.00	25	n/a
Chlorination	20133604	0.00	2922.5	750.00
Waterline Const/Frontage	20133604	0.00	2161.61	645.30
Street Exc. Bond	80436341	3,000.00	14000	53,020.00
Subdivision Bond	80436312	0.00	9737.35	n/a
Fire Escrow Deposit	80436331	0.00	10000	n/a
Site Plan Construction	00135317	0.00	5933.59	449.27
Plan Review	00135317	0.00	5933.59	2,424.77
Improvement Inspection	00135317	0.00	1332	0.00
Grading Permits	00135317	0.00	1332	0.00
Plat Review/Lot Split	00135317	0.00	190	230.00
<b>Subtotal:</b>		<b>\$10,919.77</b>	<b>\$90,298.95</b>	<b>\$102,122.96</b>
<b>Grand Total:</b>		<b>\$14,710.42</b>	<b>\$119,693.25</b>	<b>\$149,812.58</b>

# Permit Payments Listing by Jurisdiction

From: 11/1/10 To: 11/29/10

		Value	Fee	BBS	Total	
<b>Electric, Commercial</b>						
<b>Kent</b>						
ELC-2010-11-1	ELECT, METER RESET # 102	11/3/2010				
METER RESET for apt 102			\$0.00	\$25.00	\$0.00	\$25.75
871 SILVER MEADOWS BLVD						
ELC-2010-11-3	ELECT, OUTLET ADDITION	11/18/2010				
ADD 12 OUTLETS FOR BUS HEATERS			\$0.00	\$56.00	\$0.00	\$57.68
1633 ST. CLAIR AVE						
	<u>Total for Kent</u>		\$0.00	\$81.00		\$83.43
	<u>Total for Electric, Commercial Permits</u>		\$0.00	\$81.00		\$83.43

## Electric, Residential

<b>Kent</b>						
ELR-2010-11-1	ELECT, GARAGE	11/4/2010				
INSTALL ELECTRIC IN RECONSTRUCTED GARAGE			\$0.00	\$25.00	\$0.00	\$25.25
216 LINDEN ST						
ELR-2010-11-10	ELECT, SERVICE UPDATE FOR 3	11/15/2010				
UPDATE 3 SERVICES			\$0.00	\$75.00	\$0.00	\$75.75
1150A LEONARD BLVD						
ELR-2010-11-11	ELECT, NEW RESIDENCE &	11/16/2010				
INSTALL ELECTRIC FOR TEMPORARY SERVICE AND			\$0.00	\$75.00	\$0.00	\$75.75
1076 ADRIAN DR						
ELR-2010-11-12	ELECT, BASEMENT FINISH	11/17/2010				
INSTALL ELECTRIC FOR BASEMENT FINISH			\$0.00	\$26.25	\$0.00	\$26.51
793 ADMORE DR						
ELR-2010-11-2	ELECT, NEW RESIDENCE &	11/4/2010				
INSTALL ELECTRIC FOR NEW RESIDENCE &			\$0.00	\$75.00	\$0.00	\$75.75
750 RIVER BEND BLVD						
ELR-2010-11-3	FINISH ELECTRIC	11/8/2010				
FINISH INSTALLING ELECTRIC IN NEW RESIDENCE			\$0.00	\$25.00	\$0.00	\$25.25
1401 RUSTIC BRIDGE						
ELR-2010-11-4	ELECT, GARAGE	11/8/2010				
INSTALL ELECTRIC IN GARAGE			\$0.00	\$25.00	\$0.00	\$25.25
1162 MONROE FALLS RD						
ELR-2010-11-5	ELECT, METER RESET	11/8/2010				
METER RESET INSPECTION			\$0.00	\$25.00	\$0.00	\$25.25
1143 JESSIE AVE						
ELR-2010-11-6	ELECT, SERVICE CHANGE FOR	11/10/2010				
CHANGE 2 SERVICES			\$0.00	\$50.00	\$0.00	\$50.50
1136 JESSIE AVE						
1134 JESSIE AVE						

# Permit Payments Listing by Jurisdiction

From: 11/1/10 To: 11/29/10

			Value	Fee	BBS	Total
<b>Electric, Residential</b>						
<b>Kent</b>						
ELR-2010-11-7	ELECT, SERVICE REPLACEMENT	11/10/2010				
REPLACE 2 SERVICES			\$0.00	\$50.00	\$0.00	\$50.50
769 AKRON BLVD						
ELR-2010-11-8	ELECT, TEMPORARY POLE	11/15/2010				
INSTALL TEMPORARY ELECTRICAL POLE			\$0.00	\$25.00	\$0.00	\$25.25
4309 NEWCOMER RD						
ELR-2010-11-9	ELECT, KITCHEN & BATHS REMODEL	11/15/2010				
TO INSTALL ELECTRIC FOR KITCHEN & BATHS			\$0.00	\$27.25	\$0.00	\$27.52
432 BURR OAK						
	<u>Total for Kent</u>		\$0.00	\$503.50		\$508.53
	<u>Total for Electric, Residential Permits</u>		\$0.00	\$503.50		\$508.53

## Engineering, Residential

### Kent

ENGR-2010-11-1	DRIVE APRON REPLACEMENT	11/1/2010				
DRIVE APRON REPLACEMENT			\$1,500.00	\$20.00	\$0.00	\$20.00
627 FRANKLIN AVE						
	<u>Total for Kent</u>		\$1,500.00	\$20.00		\$20.00
	<u>Total for Engineering, Residential Permits</u>		\$1,500.00	\$20.00		\$20.00

## Existing Residential

### Kent

ER-2010-11-1	POOL HOUSE	11/10/2010				
CONSTRUCT POOL HOUSE			\$15,500.00	\$80.00	\$0.00	\$80.55
650 BEECHMONT						
ER-2010-11-10	RENEW DECK PERMIT	11/24/2010				
CONTINUE CONSTRUCTION OF DECK			\$0.00	\$50.00	\$0.00	\$50.50
995 WRENS HOLLOW CIR						
ER-2010-11-11	DECK	11/29/2010				
CONSTRUCT DECK AS PER PLAN			\$1,800.00	\$75.00	\$0.00	\$75.50
1292 COLLEEN						
ER-2010-11-2	KITCHEN & BATHS REMODEL	11/5/2010				
REMODEL KITCHEN AND BATHROOMS			\$68,000.00	\$46.80	\$0.00	\$47.27
432 BURR OAK						
ER-2010-11-3	DEMO OF RESIDENCES	11/5/2010				
DEMOLISH 4 RESIDENCES FOR NSP PROJECT			\$0.00	\$0.00	\$0.00	\$0.00
350 HARRIS ST						
501 MIDDLEBURY RD						
527 FAIRCHILD AVE						

# Permit Payments Listing by Jurisdiction

From: 11/1/10 To: 11/29/10

			Value	Fee	BBS	Total
<b>Existing Residential</b>						
<b>Kent</b>						
223 HARRIS ST						
ER-2010-11-4	FRONT PORCH	11/8/2010				
	CONSTRUCT NEW FRONT PORCH ADDITION		\$ .00	\$54.90	\$ .00	\$55.20
445 WOLCOTT						
ER-2010-11-5	DORMER ADDITIONS	11/10/2010				
	CONSTRUCT DORMER ADDITIONS TO THE SECOND		\$2,500.00	\$25.00	\$ .00	\$25.25
1068 MONROE FALLS RD						
ER-2010-11-6	FINISH HALF OF THE BASEMENT	11/17/2010				
	FINISH HALF OF THE BASEMENT		\$5,000.00	\$48.40	\$ .00	\$48.88
793 ADMORE DR						
ER-2010-11-7	FINISH CONSTRUCTION	11/17/2010				
	COMPLETE CONSTRUCTION FOR NEW RESIDENCE		\$ .00	\$25.00	\$ .00	\$25.25
1401 RUSTIC BRIDGE						
ER-2010-11-9	WINDOWS FOR PATIO ROOM	11/22/2010				
	INSTALL WINDOWS FOR PATIO ROOM		\$4,000.00	\$25.00	\$ .00	\$25.25
1231 FAIRVIEW DR						
	<u>Total for Kent</u>		\$96,800.00	\$430.10		\$433.65
	<u>Total for Existing Residential Permits</u>		\$96,800.00	\$430.10		\$433.65

## Heating, Residential

### Kent

HVACR-2010-11-1	HVAC, FURNACE REPLACEMENT	11/3/2010				
	REPLACE FURNACE		\$ .00	\$30.00	\$ .00	\$30.30
402 DODGE ST						
HVACR-2010-11-2	HVAC, FURNACE REPLACEMENT &	11/5/2010				
	REPLACE FURNACE AND ADD A.C.		\$ .00	\$55.00	\$ .00	\$55.55
1646 S LINCOLN ST						
HVACR-2010-11-3	HVAC, FURNACE REPLACEMENT	11/8/2010				
	REPLACE FURNACE		\$ .00	\$30.00	\$ .00	\$30.30
628 S DEPEYSTER ST						
HVACR-2010-11-4	HVAC, FURNACE & A.C	11/9/2010				
	REPLACE FURNACE & A.C.		\$ .00	\$55.00	\$ .00	\$55.55
520 PIONEER AVE						
HVACR-2010-11-5	HVAC, FURNACE REPLACEMENT	11/15/2010				
	REPLACE FURNACE		\$ .00	\$30.00	\$ .00	\$30.30
502 DODGE ST						
HVACR-2010-11-6	HVAC, FURNACE & A.C.	11/15/2010				
	REPLACE FURNACE & A.C.		\$ .00	\$60.00	\$ .00	\$60.60
478 OVERLOOK DR						

# Permit Payments Listing by Jurisdiction

From: 11/1/10 To: 11/29/10

			Value	Fee	BBS	Total
<b>Heating, Residential</b>						
<b>Kent</b>						
HVACR-2010-11-7	HVAC, FINISH CONSTRUCTION	11/17/2010				
COMPLETE HVAC CONSTRUCTION FOR NEW 1401 RUSTIC BRIDGE			\$0.00	\$25.00	\$0.00	\$25.25
	<u>Total for Kent</u>		\$0.00	\$285.00		\$287.85
	<u>Total for Heating, Residential Permits</u>		\$0.00	\$285.00		\$287.85

## New Residential

<b>Kent</b>						
NR-2010-08-1	NEW RESIDENCE	11/3/2010				
CONSTRUCT NEW SINGLE FAMILY RESIDENCE 750 RIVER BEND BLVD			\$196,791.75	\$4,020.30	\$0.00	\$4,023.10
NR-2010-10-1	NEW RESIDENCE	11/8/2010				
CONSTRUCT NEW RESIDENCE 1076 ADRIAN DR			\$200,000.00	\$4,405.20	\$0.00	\$4,408.15
NR-2010-11-1	NEW RESIDENCE	11/16/2010				
CONSTRUCT NEW RESIDENCE 704 RIVER BEND BLVD			\$401,000.00	\$4,373.55	\$0.00	\$4,377.23
	<u>Total for Kent</u>		\$797,791.75	\$12,799.05		\$12,808.48
	<u>Total for New Residential Permits</u>		\$797,791.75	\$12,799.05		\$12,808.48

## Plumbing, Residential

<b>Kent</b>						
PR-2010-11-1	PLUMB, PORCH	11/8/2010				
PLUMB FOR PORCH ENCLOSURE 1162 MONROE FALLS RD			\$0.00	\$47.00	\$0.00	\$47.47
PR-2010-11-2	PLUMB, WATER HEATER	11/8/2010				
REPLACE WATER HEATER 628 S DEPEYSTER ST			\$0.00	\$39.00	\$0.00	\$39.39
PR-2010-11-3	PLUMB, KITCHEN & BATHS REMODEL	11/15/2010				
INSTALL PLUMBING FOR KITCHEN & BATHS REMODEL 432 BURR OAK			\$0.00	\$67.00	\$0.00	\$67.67
PR-2010-11-4	PLUMB, NEW RESIDENCE	11/29/2010				
PLUMB NEW RESIDENCE 1076 ADRIAN DR			\$0.00	\$50.00	\$0.00	\$50.50
	<u>Total for Kent</u>		\$0.00	\$203.00		\$205.03
	<u>Total for Plumbing, Residential Permits</u>		\$0.00	\$203.00		\$205.03

## Zoning

# Permit Payments Listing by Jurisdiction

From: 11/1/10 To: 11/29/10

			Value	Fee	BBS	Total
<b>Kent</b>						
Z-2010-11-1	TEMPORARY SIGN PERMIT	11/1/2010				
INSTALL TEMPORARY SIGN FROM 11/1/10 UNTIL 1000 MOGADORE RD			\$ .00	\$10.00	\$ .00	\$10.00
Z-2010-11-2	SIGN PERMIT	11/1/2010				
INSTALL "RAM" BRAND SIGN ON BUILDING 1106 W MAIN ST			\$ .00	\$25.00	\$ .00	\$25.00
Z-2010-11-3	TEMPORARY SIGN PERMIT	11/1/2010				
INSTALL TEMPORARY SIGN FROM 11/1/10 UNTIL 1338 W MAIN ST			\$ .00	\$10.00	\$ .00	\$10.00
Z-2010-11-5	FENCE	11/18/2010				
INSTALL 6' VINYL FENCE ALONG REAR PROPERTY 485 OVERLOOK DR			\$ .00	\$25.00	\$ .00	\$25.00
Z-2010-11-6	NEW BUILDING SIGN	11/23/2010				
INSTALL NEW 22.7 SQ. FT. BUILDING SIGN 277 MARTINEL DR			\$ .00	\$25.00	\$ .00	\$25.00
	<u>Total for Kent</u>		\$ .00	\$95.00		\$95.00
	<u>Total for Zoning Permits</u>		\$ .00	\$95.00		\$95.00
	Total for all permit types:		\$896,091.75	\$14,416.65		\$14,441.97

# Monthly Report 11/1/10 to 11/30/10

<i>Date</i>	<i>Street</i>	<i>Complaint Type</i>	<i>Owner or Company</i>	<i>Ward</i>	<i>Comments/Outcome</i>
11/1/2010	522 Cuyahoga	Other (see comments)		1	Ms. Eikelberry borrowed the lawn mower, leaf blower and extension cord.
11/1/2010	0 Franklin	Zoning Code Violation		3	Removed five signs posted illegally in the public right of way.
11/1/2010	548 Summit, East	Property Maintenance	Summit Hill Apartments,	5	Received a complaint of erosion from Summit Hill Apartments onto the parking area of the Chi Omega Sorority house. Upon investigation of the complaint, there is a large hole which has developed at the top of the hill behind the Summit Hill Apartments. A large amount of soil and sand has washed down onto the parking area of the sorority house. A civil infraction warning letter sent to the owner of the apartment complex. Will monitor for compliance. Received an e-mail from the property management company. They are hiring an engineer to look at the problem and offer suggestions for correction. The complainant was updated via e-mail of the status of her complaint. Will continue to monitor. On 11-16-2010, there is evidence that someone has removed some trees and overgrowth around the area of the erosion, may be in preparation for erosion abatement efforts. Will continue to monitor.
11/1/2010	0 Water, South	Zoning Code Violation		3	Removed two signs posted illegally in the public right of way.
11/2/2010	1528 Statesman	Nuisance Material	langston	0	Caller reports a car that has been on "blocks" for 2 years. The car does not have any tags.
11/3/2010	0 Fairchild	Zoning Code Violation		1	Removed three signs posted illegally in the public right of way.



<i>Date</i>	<i>Street</i>	<i>Complaint Type</i>	<i>Owner or Company</i>	<i>Ward</i>	<i>Comments/Outcome</i>
11/3/2010	0 Franklin	Zoning Code Violation		3	Removed eleven signs posted illegally in the public right of way.
11/3/2010	0 Lake	Zoning Code Violation		6	Removed seven signs posted illegally in the public right of way.
11/3/2010	0 Main, West	Zoning Code Violation		2	Removed four signs posted illegally in the public right of way.
11/3/2010	0 Middlebury	Zoning Code Violation		2	Removed one sign posted illegally in the public right of way.
11/3/2010	0 River Bend	Zoning Code Violation		1	Removed nine signs posted illegally in the public right of way.
11/3/2010	0 SR 261	Zoning Code Violation		3	Removed nine signs posted illegally in the public right of way.
11/3/2010	0 Stow	Zoning Code Violation		2	Removed five signs posted illegally in the public right of way.
11/3/2010	0 Water, South	Zoning Code Violation		3	Removed fourteen signs posted illegally in the public right of way.
11/4/2010	1614 Lincoln, South	Illegal Use	Allen	3	Received a complaint regarding this house being used illegally as a boarding house. Upon investigation, it was revealed there are four unrelated persons residing at this house. A civil infraction warning letter sent to the owner of the property via certified mail. Will monitor for compliance. Met with tenant today. He explained the issue of the extra two residents in the house. He will be providing a written action plan for having the extra tenants moving out once their home purchase is completed. Will monitor for compliance.
11/4/2010	0 River Bend	Zoning Code Violation		1	Removed nine signs posted illegally in the public right of way.
11/4/2010	0 Water, South	Zoning Code Violation		3	Removed three signs posted illegally in the public right of way.

<i>Date</i>	<i>Street</i>	<i>Complaint Type</i>	<i>Owner or Company</i>	<i>Ward</i>	<i>Comments/Outcome</i>
11/5/2010	202 College, East	Property Maintenance	Kent Co-Operative Hou	5	Performed a follow up inspection of this property from complaint received earlier. The problem has arisen again. There are several items being in a state of unsheltered storage. Civil Infraction Warning letter sen to the owner(s) of this property. Will monitor for compliance. On 11-15-2010, a representative of the co-op called and stated they are working on resolving the violation and it should be cleared up in the next day or two. Will monitor for compliance.
11/5/2010	0 Middlebury	Zoning Code Violation		2	Removed eleven signs posted illegally in the public right of way.
11/5/2010	123 Overlook	Other (see comments)	Auran	6	Mrs. Auran borrowed the leaf blower, extension cord and three leaf rakes for senior citizen assistance day.
11/5/2010	0 SR 261	Zoning Code Violation		3	Removed nine signs posted illegally in the public right of way.
11/9/2010	0 Mantua, North	Zoning Code Violation		1	Removed one sign posted illegally in the public right of way.
11/9/2010	0 Willow, South	Zoning Code Violation		5	Removed one sign posted illegally in the public right of way.
11/10/2010	0 Fairchild	Zoning Code Violation		1	Removed one sign posted illegally in the public right of way.
11/10/2010	147 Pearl, North	Overgrown Vegetation	Jarrett	1	Grass and weeds in excess of 12" as allowed by ordinance. The problem is overgrowth on the public sidewalk along Pioneer Street. Notice sent via certified mail to owner of property. Upon re-inspection 11-16-2010, the sidewalk has been cleared of vegetation, issue resolved.

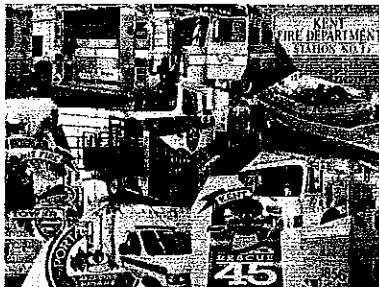
<i>Date</i>	<i>Street</i>	<i>Complaint Type</i>	<i>Owner or Company</i>	<i>Ward</i>	<i>Comments/Outcome</i>
11/12/2010	114 Linden	Nuisance Material	Daigneau	5	There is a couch on the front porch of this property in violation of city ordinance. Called the owner of the property and advised them of the problem. Mrs. Daigneau stated she will have the maintenance man take care of the problem. Will monitor for compliance. On 11-15-2010, the couch has been removed from the porch. Issue is resolved.
11/15/2010	118 Linden	Nuisance Material	Suhy	6	There is a couch on the front porch of this property in violation of city ordinance. A civil infraction warning letter sent to the owner of the property via certified mail. Will monitor for compliance. Upon reinspection on 11-23-2010, the couch has been removed from the porch and the issue is resolved.
11/15/2010	214 Sherman	Nuisance Material	Carter	6	There is a chair on the front porch of this property in violation of city ordinance. A civil infraction warning letter sent to the owner of the property via certified mail. Will monitor for compliance. Upon reinspection on 11-23-2010, the chair has been removed from the porch and the issue is resolved.
11/16/2010	0 Franklin	Zoning Code Violation		3	Removed one sign posted illegally in the public right of way.
11/16/2010	848 Hudson	Property Maintenance	McDaniel	1	Received a telephone complaint about the general maintenance of this property. Upon inspection, there is a pile of garbage piled in front of the garage and a lot of unsheltered storage. Further investigation reveals this property is occupied and is scheduled for sheriff's sale on 11-22-2010.

<i>Date</i>	<i>Street</i>	<i>Complaint Type</i>	<i>Owner or Company</i>	<i>Ward</i>	<i>Comments/Outcome</i>
11/16/2010	645 Mae	Property Maintenance	Hills	4	Received complaint via telephone from Mary Nitzsche, a neighbor. She complained of unsheltered storage along the driveway and in front of the house. Upon investigation of her complaint, a bathtub was seen in front of the house as well as several articles stacked along the driveway. A civil infraction warning letter was sent via certified mail to the owner of the house. Will monitor for compliance. The property was inspected on 11-29-2010 for compliance. The re-inspection revealed the pile of property has been removed, but the bathtub is still present in front of the house and continues to be stored in an inappropriate manner. Civil fine to be issued to the owner of the property. Civil infraction fine sent via certified mail to the property owner on 11-30-2010.
11/16/2010	126 University	Nuisance Material	REAS LLC	6	There is a couch on the front porch of this property in violation of city ordinance. Also, there are no visible house identification numerals on the front of the house. A civil infraction warning letter sent to the owner of the property via certified mail. Will monitor for compliance. Upon re-inspection on 11-24-2010, the couch has been removed from the front porch and identification numeral have been mounted on the front of the house. Issue has been resolved.
11/16/2010	0 Water, South	Zoning Code Violation		3	Removed one sign posted illegally in the public right of way.

<i>Date</i>	<i>Street</i>	<i>Complaint Type</i>	<i>Owner or Company</i>	<i>Ward</i>	<i>Comments/Outcome</i>
11/17/2010	210 College, East	Nuisance Material	A & P Income LLC	5	There is a chair on the front porch of this property in violation of city ordinance. A civil infraction warning letter sent to the owner of the property via certified mail. Will monitor for compliance. Upon re-inspection of 11-29-2010, the couch has been removed from the front porch of the property. Issue is resolved.
11/18/2010	932 Water, South	Property Maintenance	Hultgren	3	There are several property maintenance issues present at this property. Upon investigation, there is peeling and missing paint on the exterior trim of the house; there is plastic sheeting covering a portion of the roof, the down spouts are not connected and/or are missing; the premises identification numbers are not visible from the street, due to extreme vegetative overgrowth in the front yard; a large amount of vegetative overgrowth hanging over the public sidewalk; in the bac yard there is an accumulation of rubbish and garbage. A civil infraction warning was sent to the owner of the property via certified mail. Will monitor for compliance.
11/23/2010	416 Needham	Property Maintenance	J&C Properties LLC	1	Received a complaint of property maintenance through the Health Department. Upon investigation the following violations were noted: A broken down tent in the back yard which poses a safety hazard and an above ground swimming pool structure which was erected without a permit. A civil infraction warning letter was sent via certified mail to the owner of the property. Will monitoe for compliance.

<i>Date</i>	<i>Street</i>	<i>Complaint Type</i>	<i>Owner or Company</i>	<i>Ward</i>	<i>Comments/Outcome</i>
11/24/2010	221 Cherry	Property Maintenance	Dodson	3	Received complaint regarding a large amount of personal property being stored in the back yard under blue tarps. This property is also sheltering raccoons, opossums and other rodents. Upon investigating the complaint, the backyard is filled with items under many blue tarps. I conferred with the law department regarding the definition of sheltered storage and sheltering personal property with tarps does not qualify as sheltered storage. A civil infraction warning letter sent to the owner of the property. Will monitor for compliance. Received a telephone call from Ward 3 Councilman Wilson regarding this infraction. Mr. Dodson requested more time to abate this nuisance to Mr. Wilson. I told Mr. Wilson, we can work with the property owner if he can give us an time frame to clean up the issue. Also received a voicemail from Mr. Dodson. Returned message to Mr. Dodson and advised him he can have some more time to abate the problem. Will monitor for compliance.
11/29/2010	1102 Franklin	Property Maintenance		3	Received a complaint that the snow fence which was erected over the summer is blocking the right of way sidewalk. Upon investigation of the complaint, the fence is indeed blocking the sidewalk. The fence was moved and the City Service Department was contacted regarding a large accumulation of leaves which are piled on the sidewalk. The Service Department will vacuum up the leaves to clear the sidewalk of the obstruction. Will monitor.

<i>Date</i>	<i>Street</i>	<i>Complaint Type</i>	<i>Owner or Company</i>	<i>Ward</i>	<i>Comments/Outcome</i>
11/30/2010	231 Starr	Nuisance Material	Tracy Wallach & Dougla	6	Received an anonymous telephone call regarding two unlicensed vehicles being stored in the driveway for an extended period of time. Upon investigation of this complaint, there are two Ford vans parked in the driveway. One van has no license plates and the other has plates, but registration sticker is not visible. Complaint was referred to the Police Department for enforcement.



## KENT FIRE DEPARTMENT NOVEMBER 2010 MONTHLY INCIDENT REPORT

	CURRENT PERIOD			YEAR TO DATE		
	2010	2009	2008	2010	2009	2008
<b>FIRE RESPONSE INFORMATION</b>						
Summary of Fire Incident Alarms						
City Of Kent	46	44	51	531	525	647
Kent State University	18	17	22	182	197	233
Franklin Township	9	14	9	128	109	144
Sugar Bush Knolls	0	1	1	0	3	2
<b>RESPONSES</b>	<b>73</b>	<b>76</b>	<b>83</b>	<b>841</b>	<b>834</b>	<b>1026</b>
Mutual Aid Received by Location						
City Of Kent	0	1	0	13	16	19
Kent State University	0	0	0	0	0	3
Franklin Township	0	0	2	10	3	9
Sugar Bush Knolls	0	0	0	0	0	0
<b>TOTAL</b>	<b>0</b>	<b>1</b>	<b>2</b>	<b>23</b>	<b>18</b>	<b>31</b>
Mutual Aid Given	3	3	5	43	36	53
<b>TOTAL FIRE INCIDENTS</b>	<b>76</b>	<b>79</b>	<b>88</b>	<b>884</b>	<b>870</b>	<b>1079</b>
<b>EMERGENCY MEDICAL RESPONSE INFORMATION</b>						
Summary of Medical Responses						
City Of Kent	184	225	192	2188	2193	2177
Franklin Township	33	30	36	319	320	379
Kent State University	40	41	29	281	326	276
Sugar Bush Knolls	0	0	0	9	7	3
Mutual Aid Given	3	2	0	141	25	24
<b>TOTAL RESPONSES</b>	<b>260</b>	<b>298</b>	<b>257</b>	<b>2871</b>	<b>2871</b>	<b>2859</b>
Mutual Aid Received by Location						
City Of Kent	1	9	0	32	46	69
Franklin Township	0	0	2	1	9	4
Kent State University	0	3	0	3	10	14
Sugar Bush Knolls	0	0	0	0	0	0
<b>TOTAL</b>	<b>1</b>	<b>12</b>	<b>2</b>	<b>34</b>	<b>65</b>	<b>87</b>
<b>Total Fire and Emergency Medical Incidents</b>	<b>336</b>	<b>377</b>	<b>346</b>	<b>3755</b>	<b>3741</b>	<b>3938</b>





# CITY OF KENT, OHIO

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DEPARTMENT OF LAW

**TO: DAVE RULLER, CITY MANAGER**  
**FROM: JAMES R. SILVER, LAW DIRECTOR**  
**DATE: DECEMBER 7, 2010**  
**RE: MONTHLY REPORTS – SEPTEMBER, OCTOBER & NOVEMBER, 2010**

Attached are the monthly reports per council's request. If you have any questions or require further information, please let me know.

# LAW DEPARTMENT

## Monthly Report

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9/1/10 to 9/30/10

- 1) Reviewed contracts for the following:
  - a) Regional Air Quality Contract;
  - b) Ohio Edison Redevelopment Agreement;
  - c) Demolition contracts;
  - d) Parks & Rec. Agreements;
  - e) City Bridge Inspections; and
  - f) Leaf pickup.
- 2) Festival insurance form applications: None
- 3) Did research in the following areas:
  - a) ADA Law changes;
  - b) Release of funds from 1996 case;
  - c) Local Employment law;
  - d) Rebecca Vujanov v. Kent file; and
  - e) Records request.
- 4) Prosecution: Seventy six (76) hearings (trials, pre-trials or suppression hearings), record sealing notices and destruction / sale of contraband forms.
- 5) Jerry Sales Estate property: Submit insolvency paperwork.
- 6) Brady Lake lawsuit: Still waiting for the judge to rule on the City's Motion for Summary Judgment. Set for Trial in January.
- 7) Kent Hotel, LLC vs. City of Kent: Waiting on appraisers' report.
- 8) City of Kent vs. Kent Hotel, LLC: Waiting for inspection reports.
- 9) Lawsuit filed by Paul Webster against City (Federal court). Motion to Dismiss filed on behalf of the City, Granted. Mr. Webster has appealed.
- 10) No new claims against the City.

# LAW DEPARTMENT

## Monthly Report

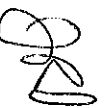
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10/1/10 to 10/31/10

- 1) Reviewed contracts for the following:
  - a) Work easement on Mogadore Road;
  - b) Clean Ohio Grant;
  - c) WMR & Associates Agreement; and
  - d) Arcadis & Associates Agreement.
- 2) Festival insurance form applications: None
- 3) Did research in the following areas:
  - a) Employment law (local hire); and
  - b) Cyber net "cafes" (gambling).
- 4) Prosecution: Seventy five (75) hearings (trials, pre-trials or suppression hearings), record sealing notices and destruction / sale of contraband forms.
- 5) Jerry Sales Estate property: Continuing the process to sell properties & find estate insolvent.
- 6) Brady Lake lawsuit: Trial set for January 19, 2011.
- 7) Kent Hotel, LLC vs. City of Kent: Waiting on appraisers' report.
- 8) City of Kent vs. Kent Hotel, LLC: Waiting for inspection reports.
- 9) Lawsuit filed by Paul Webster against City (Federal court). Waiting on Court of Appeals decision. (File injunction against Mr. Webster to limit public records request.
- 10) No new claims against the City.

# LAW DEPARTMENT

## Monthly Report



11/1/10 to 11/30/10

- 1) Reviewed contracts for the following:
  - a) Construction Agreement – RJB Properties;
  - b) Esplanade Professional Services Agreement; S.R. 261 – ODOT Agreement (snowing & plowing);
  - c) Ash Borer grant application;
  - d) Golden Pond Development Agreement bonds; and
  - e) Celebrate Kent Grants.
- 2) Festival insurance form applications: None
- 3) Did research in the following areas:
  - a) Vendors / Peddlers;
  - b) Underground storage tanks;
  - c) Warpspeed Internet Café;
  - d) CRA Abatement Ordinance;
  - e) Revisions to Taxicab Legislation;
  - f) Voting laws – polls;
  - g) Construction liens;
  - h) Livestock; and
  - i) Purchasing through State Consortium.
- 4) Prosecution: Sixty one (61) hearings (trials, pre-trials or suppression hearings), record sealing notices and destruction / sale of contraband forms.
- 5) Jerry Sales Estate property: Continuing the process to sell properties & final estate insolvent.
- 6) Brady Lake lawsuit: Trial set for January 19, 2011.
- 7) Kent Hotel, LLC vs. City of Kent: Waiting on appraisers' report.
- 8) City of Kent vs. Kent Hotel, LLC: Waiting for inspection reports.
- 9) Lawsuit filed by Paul Webster against City (Federal court). Waiting on Court of Appeals decision.
- 10) Rebecca Vujanov v. Kent – Attend Mediation – Matter not resolved.
- 11) No new claims against the City.

# LAW DEPARTMENT

## Monthly Report

### Pending Code Violations & Enforcement

9/1/10 to 9/30/10

<i>Type</i>	<i>Address</i>	<i>Owner</i>	<i>Issue</i>	<i>Work Involved</i>
Complaint	Kent Hotel	Vilco, Inc.	Abandoned building	Telephone conference with opposing counsel. Review with independent appraiser
Complaint	5791 Glad	Benjamin Batton	Illegal Boarding House	Finalize agreement. Case closed.
Complaint	328 Dodge Street	Davis, George	Foundation	Telephone conference. Attend court hearing.
Complaint	603 West Street	Gary Wagner	Abandoned building	Attend hearing, prepare and file AJE
Planning Commission			New Code provisions	Review proposed new zoning code chapters.
Complaint	1275 Carol Street	Doyle, John	Abandoned property	No progress. Contacted attorney. Preparing to file new motions.
Complaint	302 West Elm	Cedar / McBride	Illegal fence	Waiting for Hearing at BZA
Complaint	952 Hudson	Dawson, Louise	Unsheltered Garbage	Default Judgment granted; follow up on enforcement.
Complaint	1288 Gale Street	Cherry, Paula		Contact attorney. Continue follow-up on repairs.
Planning Commission				Research proposals for various projects.

# LAW DEPARTMENT

## Monthly Report

### Pending Code Violations & Enforcement

9/1/10 to 9/30/10

<i>Type</i>	<i>Address</i>	<i>Owner</i>	<i>Issue</i>	<i>Work Involved</i>
BZA				Research proposals for various projects.
BZA				Review appellate update for Kuhns.
Health Dept	1140 Jessie	Kimberly McRoberts	Cat Bite	Follow-up on action. Meet with Health Dept. New address found.
Health Dept	1629 Olympus	Thembo Trasada	Nuisance violation	Send letter reviewing options.
Building Dept	509 Franklin	CHO-OYU LTD	Unsecured Structure/Razing	Attend Court Hearing. Reset to allow addition of Third-Party Defendants.
Building Dept	1320 Parmalee	Kathy Rueschman	Unsecured Structure/Razing	File Complaint
Building Dept	234 Lake Street	Brenda Richards	Abandoned Building/Razing	File Complaint
Building Dept	105 West Oak Street	Joan Rogers	Abandoned Building/Razing	File Complaint

# LAW DEPARTMENT

## Monthly Report

### Pending Code Violations & Enforcement

10/1/10 to 10/31/10

<i>Type</i>	<i>Address</i>	<i>Owner</i>	<i>Issue</i>	<i>Work Involved</i>
Complaint	Kent Hotel	Vilco, Inc.	Abandoned building	Pending appraiser's report.
Complaint	328 Dodge Street	Davis, George	Foundation	Review AJE. Pending demolition contract.
Complaint	603 West Street	Gary Wagner	Abandoned building	Pending contracts for razing.
Planning Commission			New Code provisions	Review proposed new zoning code chapters.
Complaint	1275 Carol Street	Doyle, John	Abandoned property	No progress. In compliance with ordinance, but not AJE.
Complaint	302 West Elm	Cedar / McBride	Illegal fence	Pending BZA Hearing
Complaint	952 Hudson	Dawson, Louise	Unsheltered Garbage	Default Judgment granted; follow up on enforcement.
Complaint	1288 Gale Street	Cherry, Paula		Continue follow-up on repairs.
Planning Commission				Research proposals for various projects.

# LAW DEPARTMENT

## Monthly Report

### Pending Code Violations & Enforcement

10/1/10 to 10/31/10

Type	Address	Owner	Issue	Work Involved
BZA				Research proposals for various projects.
BZA				Review court decision. Case closed.
Health Dept	1140 Jessie	Kimberly McRoberts	Cat Bite	Matter resolved. Case closed.
Health Dept	1629 Olympus	Thembo Trasada	Nuisance violation	File for Service by Ordinary Mail
Complaint			Taxi Cab regulations	Review and answer questions for reporter
Building Dept	509 Franklin	CHO-OYU LTD	Unsecured Structure/Razing	Respond to counter-claim.
Building Dept	1320 Parmalee	Kathy Ruesschman	Unsecured Structure/Razing	Service perfected.
Building Dept	234 Lake Street	Brenda Richards	Abandoned Building/Razing	Service Failed. File new motion.
Building Dept	105 West Oak Street	Joan Rogers	Abandoned Building/Razing	Meet with Rogers. File AJE.
Complaint	939 South Water	Neva Groves	Scaffolding House	Meet with witnesses. Send letter to resident.



# LAW DEPARTMENT

## Monthly Report

### Pending Code Violations & Enforcement

11/1/10 to 11/30/10

<i>Type</i>	<i>Address</i>	<i>Owner</i>	<i>Issue</i>	<i>Work Involved</i>
Complaint	Kent Hotel	Vilco, Inc.	Abandoned building	Pending independent appraiser.
Complaint	328 Dodge Street	Davis, George	Foundation	Pending demolition contract.
Complaint	603 West Street	Gary Wagner	Abandoned building	Pending contracts for razing.
Planning Commission			New Code provisions	Attend public hearing on new changes.
Complaint	1275 Carol Street	Doyle, John	Abandoned property	No progress. In compliance with ordinance, but not AJE.
Complaint	302 West Elm	Cedar / McBride	Illegal fence	Pending BZA Appeal
Complaint	952 Hudson	Dawson, Louise	Unsheltered Garbage	Default Judgment granted; follow up on enforcement.
Complaint	1288 Gale Street	Cherry, Paula		Continue follow-up on repair. Meet with Loomis. Authorize new filings.
Planning Commission				Research proposals for various projects.

# LAW DEPARTMENT

## Monthly Report

### Pending Code Violations & Enforcement

11/1/10 to 11/30/10

<i>Type</i>	<i>Address</i>	<i>Owner</i>	<i>Issue</i>	<i>Work Involved</i>
BZA				Research proposals for various projects.
Health Dept	1629 Olympus	Thembo Trasada	Nuisance violation	Service perfected. Waiting for ct date.
Health Dept		?	Hoarding Questions	No ordinances in City. Case closed.
Building Dept			Civil Infraction Forms	Review and approve new forms.
Building Dept	509 Franklin	CHO-OYU LTD	Unsecured Structure/Razing	Attend Court. Agreements filed by Defendants. City's claim continues.
Building Dept	1320 Parmalee	Kathy Rueschman	Unsecured Structure/Razing	Set Court date. Attend Court. Present evidence.
Building Dept	234 Lake Street	Brenda Richards	Abandoned Building/Razing	Still seeking proper service.
Building Dept	105 West Oak Street	Joan Rogers	Abandoned Building/Razing	Pending court signature.
Complaint	939 South Water	Neva Groves	Scaffolding House	Meet with resident. Set compliance deadlines.
Building Dept	995 Wrens Hollow	Maxwell Plageman	Stop Work Order/Deck	Send letter. Review response.

CITY OF KENT  
HEALTH BOARD MEETING  
December 14, 2010 5:30 PM.  
KENT CITY HEALTH DEPARTMENT OFFICES  
325 S. DEPEYSTER STREET  
KENT, OH 44240  
Phone (330) 678-8109 Fax (330) 678-2082

AGENDA

**Public Hearing - Proposed New Food Service & Retail Food Establishment Fees**

- I. MINUTES November 15, 2010 Meeting
  
- II. OPEN COMMENTS
  
- III. REPORTS
  - A. Statistical Report for November 2010
  - B. Expenditures & Encumbrances November 2010
  - C. Commissioner's Report for November 2010
  
- IV. OLD BUSINESS
  - A. Service Department request regarding Water Reclamation Laboratory
  
- V. NEW BUSINESS
  - A. Public health Nursing Agreement for 2011
  - B. Medically Indigent & Sexually Transmitted Disease Clinics for 2011
  
- VI. EXECUTIVE SESSION
  
- VII. ADJOURN MEETING

If you require assistance to attend this meeting, please contact the Health Department at (330) 678-8109.

JBF/trr

cc: Health Board  
City Manager  
Clerk of Council  
Health Staff  
Mayor  
News Media  
Post  
File

Kent City Health Department  
325 S. Depeyster Street  
Kent, Ohio 44240  
HEALTH BOARD MINUTES  
November 15, 2010

Members Present

Doug Wagener  
Jack Amrhein  
John Gwinn  
Susan Roxburgh  
Chris Woolverton

Not Present

Pam Freeman

Others Present

John Ferlito  
John Bradshaw  
Gene Roberts

President John Gwinn called the Health Board meeting of November 15, 2010, to order.

The minutes from the October 2010 meeting were distributed and reviewed by the Health Board members prior to the meeting.

**Motion:** A motion was made by Doug Wagener and seconded by Jack Amrhein to approve the October 2010 minutes. No objections. The motion passed.

Open Comments:

Service Director Gene Roberts introduced himself to the Health Board Members. Mr. Roberts has attended the meeting to discuss the request for the Health Lab to be moved back to the Service Department. Gene Roberts stated that some history regarding how this issue came about may help you understand where we have been and I hope to give you information so you will have a better idea where we are going for the future. The Kent Water Reclamation Facility (KWRF) laboratory circa 1980 was part of the KWRF and the Facility Manager oversaw the laboratory. Mr. Roberts stated that after talking to John Ferlito, he understood that the lab under a previous manager, had some issues with inappropriate EPA reporting. At that time the City was also running out of room to house the Health Department at 319 S. Water Street and were looking for a place to relocate the Department. Mr. Roberts stated that those two factors were considered when the Health Department moved to the newly built KWRF Laboratory Building. There were some concerns that moving them to the new Lab building, may cause other issues because it was constructed with federal funds for the sole purpose of KWRF. In order to get around both the EPA reporting issues, the Health Departments housing issue, as well as to align with the federal requirements for the use of that newly constructed building, it was necessary to have the City put the KWRF Laboratory under the responsibility of the Health Department thereby establishing the need for the Health Department to be housed in the Lab Building.

John Ferlito stated that the reason for the change in responsibility of laboratory was due to the issues being faced, with regard to records falsification and EPA reporting by staff back then.

After Mr. Roberts offered some history of how the Laboratory had come to fall under the Health Department he stated that the current manager of the KWRF is well respected in the industry and it's not likely issues of the past would ever reoccur. They want to have the lab placed back under the KWRF Manager and the Service Department to begin looking at efficiencies of the Plant. Currently there are 3 Lab techs 2 of which are retiring. What needs to be done now is to ask whether or not we need to fill both positions. We need to look at what efficiencies can be accomplished internally as one entity under KWRF Manager, to determine whether or not both of those positions need to be filled. We will need to fill at least one, but do we need both of them? Can we do something that is more counter-productive internally? Currently the KWRF Operators are performing daily testing relative to operation of the plant, its possible this testing could be placed back into the hands of the Laboratory Techs? That would be one efficiency that can be addressed better by the Lab being placed back into the silo of the KWRF under the Service Department. As another example, Mr. Roberts stated that the Water Treatment Plant Manager oversees the Water Treatment Laboratory, and the total charge for that lab is under the Manager.

Mr. Roberts asked that this issue definitely be reviewed and considered in detail given the economic conditions of the City today. By placing the laboratory back under the KWRF there is a savings potential. The alignment of authority is very important too and was a major deciding factor in requesting this issue to be addressed. Gene stated that they are in the process of the rewriting the sewer use ordinances, he would like to incorporate this change and have the Health Ordinances section where it refers to the Health Department having control over the KWRF laboratory, (Section 153.05) changed and all ordinances could be revised at the same time so there are no conflicts.

Doug Wagener asked what the timetable was for those retiring? Gene answered, December and January. John Bradshaw stated that one retirement is confirmed for the end of December and another one, which is not yet confirmed, but is projected for the end of January.

Chris Woolverton asked if there has been any decision regarding replacements? Gene Roberts stated that the Lab Tech job has been posted to begin the testing and hiring process. Gene stated there is a process that must be followed regarding the positions because they are union. John Ferlito stated that as of today there are 15 applicants. John Bradshaw speaking to John Ferlito, stated that he had just looked at the applications and there are some really good applicants, out of those 15 he personally knows at least 5 of them are directors of laboratories in the area. John Bradshaw also stated that Anna from Civil Service stated that testing is going to be graded and the Health Board will be getting candidates probably by the last week of November and shortly after that we will begin interviews of the top 10 candidates for replacements.

Chris Woolverton asked Gene what the timetable is for the Ordinance modifications? Gene stated that they have gotten 90% through the definitions in the Sewer Use Ordinance, it is laborious and detailed, and must be modified piece-by-piece. Once that is done, John Ferlito, John Bradshaw, Gene Roberts and the KWRF Manager, and others, will hold a meeting. Once the technical document is complete, then it has to go to the Law

Department for review and then it we will have to be sent out to the industrial community, because changes could ultimately impact them. His best guess would be, that it probably would go before council, at the earliest, February 2011.

Chris Woolverton asked Jack Amrhein if there would be any issues with council regarding this. Jack stated he has not heard anything yet.

Susan Roxburgh asked, what the Board needs to do next. Chris Woolverton stated that they had tabled the issue for additional information gathering during at the last meeting, and wanted additional input by the Service Director, which we have now gotten, it should be brought back for more discussion amongst all Board members, surely Pam Freeman would want to be part of the discussion.

John Ferlito asked Gene, are you talking about cutting down the work force? Gene stated that he thinks it needs to be evaluated. He stated that a decrease in staff would save upwards to 75k a year. There has been no discussion of layoffs but its possible there could be job reassignments based on knowledge and skills, etc.

John Gwinn asked Gene Roberts, how does the Health Department benefit from you taking this over? Gene stated that it would be just one thing you wouldn't have to deal with anymore, and he would of course not like to lose John Bradshaw and his expertise. He sees possibly allocating half his salary from the Sewer Use Ordinance. He could work partly for the Service Department and partly for Health Department. Gene stated he can't foresee any issues with the change, but if a conflict does arise it will be addressed and solved.

John Bradshaw asked Gene Roberts if there has been an evaluation of what we could lose in production without a second Lab Technician. Gene stated no, that has not been done yet, it will be looked at though, and if the lab work requires 2 Techs a Chemist and Mr. Bradshaw it will remain to be staffed that way. Chris Woolverton asked if there are any EPA requirements that the Board needs to be aware of?

John Bradshaw stated that EPA, in this state, does not have a certification program as they do in the drinking water program. We do maintain an USEPA proficiency testing to verify our results, and that's one formality that we're bound by under federal/state law to meet as a parameter. Doug Wagener stated, that it is based on your test results and are certifiable to the EPA because the wastewater lab does it in methodology and the Water Treatment side actually goes through testing through EPA. John Ferlito stated that the Lab Techs do go through a voluntary wastewater analyst certification. John Bradshaw stated that is why the job description states the preference that candidates have the voluntary wastewater analyst certification, because there is no required certification in the state. Civil Service has decided that they are going to add an additional 20% onto that persons score if they have a Class III voluntary wastewater analyst certification, so there's an upgrading that we are going to enjoy this round of applicant minimum requirements, including a Bachelors Degree.

John Gwinn stated that the Board will put the issue back on the table for discussion at our next meeting. All the Board Members thanked Gene Roberts for attending

**The Health Board returned to normal business:**

**Statistical Report for October 2010:**

Susan asked why the Housing line is so different. John Ferlito stated that applications for the renewal of Housing Licenses are sent out 60 days in advance of license expiration. Depending on how early payments are made each month determines the amount that is reported.

Chris Woolverton stated that it looks like there is a cost savings in the mosquito program, we seem to be really ahead this year. John Ferlito stated that it was because the mosquito populations have been low for the last two years.

**Expenditures and Encumbrances for October 2010:**

<b>VENDOR</b>	<b>ITEM DESCRIPTION</b>	<b>AMOUNT</b>
Treasurer, State of Ohio	Child abuse and family violence prevention transmittal fees for September 2010	\$969.05
Ohio Div. of Real Estate	Burial permit fee transmittal for September 2010	\$82.50
Treasurer, State of Ohio	ODH Tech Fee transmittal for July, August & September 2010	\$6,921.00
TCS Home Remodeling	Fees associated with the Boarding up of a window at a vacant and open house at 130 W. Elm.	55.00
	TOTAL	<b>\$8,027.55</b>

<b><u>Travel &amp; Reimbursements</u></b>		
Tom Beckett	Reimbursement for physical Fitness Program	\$185.00
Tracy Radovic	Reimbursement for travel expenses to attend mandatory Registrar Training on Central Issuance of Birth Certificates in Columbus 10/12/2010. (mileage & parking)	\$136.31
	TOTAL	<b>\$321.31</b>

**Motion:** A motion was made by Chris Woolverton and seconded by Doug Wagener to approve the Expenditures and Encumbrances for the month of October 2010. The motion passed.

### **Commissioner's Report**

The Service Director of the City of Kent Gene Roberts will be attending the Health Board meeting on November 15, 2010 to discuss the Water Reclamation Laboratory

The Ohio Department of Health conducted a survey of the Food Service Operation Program being carried out by our department. The survey took place on September 15, 16, 20 & 23, 2010. Enclosed is the report of the Ohio Department of Health and their findings that the Kent City Health Department is meeting the State Food Service Law Standards. Only two criticisms were noted. One regarding an additional inspection of Dix Stadium concessions and one other for not doing 2 CCP inspections during the licensing period for Cajun Dave's. John stated that Cajun Dave's was licensed in June so he was only there for 6 months and the second CCP ended up being one month late.

Enclosed is the proposed Health Board Resolution 2010 -#3 to raise the license fees for Food Service Operations Retail Food Establishments at each risk classification to cover the costs of conducting the State mandated program. Second Reading.

Enclosed is the proposed communication to the Haymaker's Farm Market Board manager on identification signs for vendors and keeping pets out of the market area.

On Saturday, October 30, 2010 four Temporary and five Mobile Food operations & two outside stands in front of their food operation were inspected for proper handling of food.

Enclosed is the letter that was sent in response to Michelle Smith DVM letter on back yard hen rising.

### **Old Business**

There was some discussion on Townhall II. Chris Woolverton wanted to bring to the attention of the Board that he has found out that students utilize Townhall II, much more than he originally thought. A lot of what the students utilize may be psyche services or the 24-hour hot lines, which is not included in the Health Boards quarterly report from Townhall II. Doug Wagener offered the Name of the administrator that runs the Battered Women's shelters as a contact for Chris Woolverton. Doug also asked if there is a way to retrieve data from the crisis hot lines that Townhall II supports. Just data, no specifics.

John Gwinn asked John Ferlito to request additional information from Townhall II that they may collect for their other funding streams for the Boards informational purposes only. They are looking for more data on who else is using the different services provided by Townhall II that may not be supported by the Kent City Health Department but are being used by Kent citizens.



Second Reading of the Health Board Resolution 2010-3 to raise the license fees for Food Service Operations, and Retail Food Establishments at each risk classification to cover the costs of carrying out this State Mandated program.

**Motion:** A motion was made by Chris Woolverton and seconded by Doug Wagener to approve the second reading of Health Board Resolution 2010-3 to raise license fees for Food Service Operations and Retail Food Establishments. The second reading was approved by roll call; Woolverton-Aye; Roxburgh-Aye; Amrhein-Aye; Wagener-Aye; Gwinn-Aye.

John Ferlito stated that the next Health Board meeting, December 14, 2010 will be a Public Hearing on the Health Board resolution 2010-3 and all food service operators will be notified of the public hearing and may attend to voice their concerns regarding the raising of license fees. After the Public Hearing the Third reading will occur in January and then the fees will be incorporated.

### New Business

**Motion:** A motion was made by Susan Roxburgh and seconded by Chris Woolverton to adjourn the meeting of November 15, 2010. There was no objection. The meeting was adjourned.

Approved:

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John Gwinn, President

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John Ferlito, Secretary

# KENT HEALTH DEPARTMENT STATISTICAL REPORT 2010

	November 10	YTD 2010	November 09	YTD 2009
<b>HEALTH DEPT. \$ COLLECTED</b>				
FamAbuse fund	\$ 393.00	\$ 4,179.00	\$ 280.83	\$ 4,021.01
Vital Stats	\$ 2,227.00	\$ 23,681.00	\$ 1,640.50	\$ 20,506.00
Child Abuse	\$ 786.00	\$ 8,358.00	\$ 579.00	\$ 8,076.00
State VS	\$ 2,358.00	\$ 25,074.00	\$ 1,737.00	\$ 14,724.00
B Perm Rev	\$ 15.50	\$ 165.50	\$ 11.50	\$ 150.50
B Perm State	\$ 77.50	\$ 827.50	\$ 57.50	\$ 752.50
Food Estab.	\$ 0.00	\$ 10,346.25	\$ 0.00	\$ 10,527.00
Food Service	\$ 210.00	\$ 41,075.30	\$ 105.00	\$ 38,817.40
FSO Vending	\$ 0.00	\$ 655.00	\$ 0.00	\$ 823.00
Home Sewage	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Housing	\$ 5,180.00	\$ 70,780.00	\$ 7,350.00	\$ 74,015.00
Swim Pools	\$ 0.00	\$ 3,262.50	\$ 0.00	\$ 3,225.00
SolWst(Trks)	\$ 0.00	\$ 855.00	\$ 0.00	\$ 795.00
Tattoo Parlors	\$ 0.00	\$ 300.00	\$ 0.00	\$ 100.00
*Misc(Xerox, etc.)	\$ 0.00	\$ 46.90	\$ 0.00	\$ 307.40
	\$ 0.00	\$ 0.00	\$ 8.67	\$ 16.99
**ST Subsidy	\$ 0.00	\$ 5,455.82	\$ 0.00	\$ 8,564.09
<b>TOTAL COLLECTED</b>	<b>\$ 11,247.00</b>	<b>\$ 195,061.77</b>	<b>\$ 11,770.00</b>	<b>\$ 185,420.89</b>
<b>TO STATE</b>				
FamAbuse fund	\$ 381.22	\$ 4,053.55	\$ 321.55	\$ 3,900.36
Food Estabs	\$ 0.00	\$ 1,008.00	\$ 0.00	\$ 1,008.00
Bur.Permits	\$ 77.50	\$ 827.50	\$ 57.50	\$ 752.50
Child Abuse	\$ 762.42	\$ 8,107.26	\$ 643.11	\$ 7,915.20
State VS QTRLY	\$ 0.00	\$ 22,716.00	\$ 1,105.00	\$ 12,150.00
Food Service	\$ 0.00	\$ 3,444.00	\$ 0.00	\$ 3,608.60
Food Vendors*	\$ 0.00	\$ 138.00	\$ 0.00	\$ 168.00
Swim Pools	\$ 0.00	\$ 925.00	\$ 0.00	\$ 925.00
Wells	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
<b>TOTAL</b>	<b>\$ 1,221.14</b>	<b>\$ 41,219.31</b>	<b>\$ 2,127.16</b>	<b>\$ 30,427.66</b>
<b>TOTAL ASSETS</b>	<b>\$ 10,025.86</b>	<b>\$ 153,842.46</b>	<b>\$ 9,642.84</b>	<b>\$ 154,993.23</b>
+Admin fee to Vital Stats	\$ 35.36	\$ 376.19	\$ 25.79	\$ 362.93
-3% FamAbuse	\$ 11.78	\$ 125.37	\$ 8.42	\$ 120.65
-3% ChildAbuse	\$ 23.58	\$ 250.74	\$ 17.37	\$ 242.28

## STATISTICAL REPORT Cont.

November 10

YTD 2010

November 09

YTD 2009

**INSPECTIONS**

Animal Bites (1)	2	72	3	80
Complaints	40	525	15	491
Food Estabs	23	215	23	184
Food Service	80	717	46	749
FS Vending	0	42	1	72
Home Sewage	0	0	0	0
Housing	91	1,532	115	1,715
Schools	6	38	0	3
Solid Waste	0	27	0	36
Swimming PIs	5	139	7	129
Septic Haul.	0	0	0	0
Tattoo Parlors	0	15	0	3
Other	0	0	0	0
<b>TOTAL</b>	<b>247</b>	<b>3,322</b>	<b>210</b>	<b>3,462</b>

**PERMIT/lic.**

Food Estabs	0	36	0	38
Food Service (Temps)	6	177	0	129
FS Vending	0	23	0	29
Home Sewage	0	0	0	0
Housing	36	438	55	511
Solid Waste	0	48	0	38
Swim Pools	0	14	0	15
Septic Haul.	0	0	0	0
Tattoo Parlors	0	3	0	3
Other	0	0	0	0
<b>TOTAL</b>	<b>42</b>	<b>739</b>	<b>55</b>	<b>763</b>

**MOSQ.CONT.**

Sites Treat.	0	38	0	9
Adulticide	0	7	0	3
Tot Man Hrs	0.0	174.3	0.0	150.0

**COMPLAINTS**

Received	16	243	11	237
Abated	18	241	11	237

**LEGAL.COMPL.**

Filed	0	3	0	1
Pre-trials	0	0	0	4
Trials	0	0	0	1

**COMM.DISEASE**

	31	355	121	960
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**VNA CLINICS IMMUNIZATIONS**

	15	80	0	123
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**BIRTH/DEATH CERTS. ISSUED**

	262	2788	193	2692
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State of Ohio Environmental Protection Agency

STREET ADDRESS:

Lazarus Government Center  
50 W. Town St., Suite 700  
Columbus, Ohio 43215

TELE: (614) 644-3020 FAX: (614) 644-3184  
www.epa.state.oh.us

MAILING ADDRESS:

P.O. Box 1049  
Columbus, OH 43216-1049

November 23, 2010

KARL ELLIS  
227 E CENTER ST  
SMITHVILLE, OH 44677

Dear Mr. Ellis:

The Ohio Environmental Protection Agency and the Operator Certification Advisory Council would like to congratulate you on receiving the highest test score on the November 2010 Class III Wastewater Treatment examination. It is a credit to your hard work and knowledge of the material that you were able to perform so well on the test. In recognition of those examinees with the highest scores on each examination, we have placed a list of high scorers on the operator certification website at [http://epa.ohio.gov/ddagw/opcert\\_examresults.aspx](http://epa.ohio.gov/ddagw/opcert_examresults.aspx)

If you have any questions, please feel free to contact me at (614) 728-1216.

Sincerely,

Andrew Barienbrock  
Environmental Supervisor  
Operator Certification Unit  
Division of Drinking  
and Ground Waters

Ted Strickland, Governor  
Lee Fisher, Lieutenant Governor  
Chris Korleski, Director

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