



# CITY OF KENT, OHIO

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## DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: July 30, 2019

TO: Dave Ruller, City Manager

FROM: Bridget Susel, Community Development Director *BS*

RE: Proposed Amendments to Title Seven "Housing Code"

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The City of Kent amended "TITLE SEVEN: Environmental Health and Housing Maintenance Code," also known as the "Housing Code," in April of 2016 to allow for the inspection and licensing of smaller residential rental units by the Community Development Department, while still maintaining the existing inspection and licensing authority of the Health Department for larger rental structures.

Staff from the City's Community Development Department and the Assistant Law Director worked with the former Health Commissioner to ensure consistency when applying the regulations to the two rental licensing programs administered by the different departments. Both programs utilize the civil remedies delineated in KCO 501.13 "Civil Offenses" to address noncompliance with the specified residential rental inspection and licensing requirements. The former Health Commissioner, however, did insist that certain language from the original 1979 enacting ordinance (Ord. 1979-219) be maintained that granted the Health Commissioner the ability to request the use of a non-civil penalty (i.e. possible 3<sup>rd</sup> degree misdemeanor) in cases where he felt it was warranted. The Health Department is reporting it has not actually sought to apply this criminal offense in cases of noncompliance and limits its enforcement to civil remedies only. The rental licensing program administered by the Community Development Department does not have any authority under the "Housing Code" to use criminal offenses and utilizes only civil penalties, as stipulated in KCO 501.13, to address situations of noncompliance.

The Law and Community Development Departments have drafted proposed amendments to the Housing Code to remove the antiquated 1979 criminal penalty language and establish consistency across both rental licensing programs with regards to enforcement remedies. I am respectfully requesting time at the August 7, 2019 Council Committee session to discuss the proposed amendments to the Hosing Code in greater detail and to request Council authorization, with emergency, to amend TITLE SEVEN in order to update the applicable sections to allow for uniformity in enforcement between the two rental licensing programs administered by the Health and Community Development Departments.

Please let me know if you require any additional information in order to add this item to the August 7, 2019 agenda. Thank you.

**Cc: Hope Jones, Law Director  
Eric Fink, Assistant Law Director  
Justin Smith, Interim Health Commissioner  
Dawn Bishop, Interim Clerk of Council**

Attachments

**TITLE SEVEN Environmental Health and Housing Maintenance Code**

- Chap. 1361. General Provisions.
- Chap. 1363. Definitions.
- Chap. 1365. Minimum Standards and Requirements.
- Chap. 1367. Licensing Requirements.
- Chap. 1371. Enforcement and Penalty.
- Chap. 1373. Repairs and Demolition.

**CHAPTER 1361**

**General Provisions**

**1361.01 Legislative findings; purpose.**

**1361.02 Conflict and invalidity.**

**CROSS REFERENCE**

Rules of construction - see ADM. 101.03 et seq.

**1361.01 LEGISLATIVE FINDINGS; PURPOSE.**

(a) Chapters 1361 through Chapter 1375 shall be formally known as the Environmental Health and Housing Maintenance Code but may also be referred to as the "Housing Code".

(b) There hereby exists and may in the future exist, within the City residential rental units which by reason of their structure, equipment, sanitation, maintenance, use or occupancy, affect or are likely to affect adversely the public health, including the physical, mental and social well-being of persons and families, safety and general welfare. To correct and prevent the existence of such adverse conditions and to provide safe, decent and sanitary living conditions for residents living in residential rental units.

(c) It is hereby declared that the purpose of this Housing Code is to protect the health and safety of the public, to ensure compliance with state and local health codes, to prevent and control the incidence of communicable disease and to regulate all publicly and privately owned residential rental units for the purpose of maintaining adequate sanitation and public health. The provisions of this Housing Code are applicable to residential rental units only.

(Ord. 2016-40. Passed 4-20-16.)

**1361.02 CONFLICT AND INVALIDITY.**

In any case where a provision of this Housing Code is found to be in conflict with a provision of any zoning, building, fire, safety or health ordinance or code of the City existing on the effective date of this section, the provision which establishes the higher standard for the promotion and protection of the health and safety of the people shall prevail. In any case where a provision of this Housing Code is found to be in conflict with a provision of any other ordinance or code of the City existing on the effective date of this section which establishes a lower standard for the promotion and protection of the health and safety of the people, the provisions of this Housing Code shall be deemed to prevail and such other ordinances or codes are declared to be repealed to the extent that they may be found in conflict with this Housing Code.

(Ord. 2016-40. Passed 4-20-16.)

**CHAPTER 1363**

**Definitions**

**1363.01 Definitions and regulations.**

**CROSS REFERENCE**

General definitions - see ADM. 101.02

**1363.01 DEFINITIONS AND REGULATIONS.**

- (a) This Chapter incorporates all definitions found in Part 11 of the City of Kent Codified Ordinances.
- (b) Should there be any conflict between definitions in this Chapter and Part 11, the definition in this

Chapter controls for this Chapter only.

(c) Definitions:

(1) "Approved manner" means a manner which is in accordance with the existing minimum standards of the City Building Code.

(2) "Basement" means a portion of the building located underground, but having less than half its clear floor to ceiling height below the average grade of the adjoining ground.

(3) "Cellar" means a portion of a building located partly or wholly underground and having half or more than half of its clear floor to ceiling height below the average grade of the adjoining ground.

(4) "Dwelling" means any building, or portion thereof, which is designed or used primarily for residence purposes, including a single family, a household unit as that term is defined in this Chapter, a rooming house, a boarding house, a two-family dwelling, and a multifamily dwelling but not including hotels, motels, and bed and breakfasts.

(5) "Dwelling unit" means any room or group of rooms located within a dwelling and forming a residence with facilities that are used or intended to be used for living, sleeping, cooking and eating, with a restroom(s) and bathing facility (ies) to be utilized by a family, a household unit as that term is defined in this Chapter, or three or more unrelated individuals.

(6) "Dwelling, Two Family" means a building consisting of two (2) dwelling units which may be either attached side by side or one above the other, and each unit having a separate or combined entrance or entrances.

(7) "Dwelling, Multifamily" means a building consisting of three (3) or more dwelling units, including condominiums, with varying arrangements of entrances and parting walls.

(8) "Extermination" means the control and elimination of insects, rodents or other pests by eliminating their harborage places by removing or making inaccessible materials that may serve as their food; by poisoning, fumigating, spraying, trapping; or by any other recognized legal pest elimination methods approved by the Department of Health.

(9) "Family" means individuals who are related by marriage, legally recognized civil union, adoption, or who are within three (3) degrees (or fewer) of consanguinity. See Table of Consanguinity found in Chapter 11.

(10) "Garbage" means all discarded putrescible materials including, but not limited to, animal, vegetable or fruit wastes resulting from the handling, storage, preparation or eating of food and handling and disposal of small dead animals.

(11) "Guest" means a person, who does not meet the definition of a resident, temporarily staying in a dwelling unit with the consent of a member of the household, who has express or implied authority to so consent.

(12) "Habitable room" means a room or enclosed floor space used or intended to be used for living, sleeping, cooking or eating purposes excluding bathrooms, water closet compartments, laundries, pantries, foyers or communication corridors, closets and storage spaces.

(13) "Health Commissioner" means that individual as defined by Ohio R.C. 3709.14 or his/her authorized representative.

(14) "Household Unit" is defined in KCO 1122 as a family, a family and one unrelated person, a single person, two unrelated persons, or any of these four designations and a caregiver(s) (as these terms are defined by the City of Kent Zoning Ordinance) residing in a dwelling unit. Persons residing in a rooming house, boarding house hotel, group dwelling, fraternity, or sorority house, together, do not constitute a household unit.

(15) "Housing Code" means the Environmental Health and Housing Maintenance Code adopted by Ordinance 1979-219, passed December 5, 1979, as amended, which is codified as Title Seven of this Building Code.

(16) "Infestation" means the presence within or around a dwelling of any insects, rodents or other pests.

(17) "Occupant" means any individual who is a resident or guest of a dwelling unit, as those terms are defined in this Chapter.

(18) "Operator" means any person, property manager, or agent who has or has been designated by the owner to have charge, care or control of a residential rental unit.

(19) "Owner" means any person who alone or jointly or severally with others has legal title to any dwelling or dwelling unit with or without accompanying actual possession thereof or has charge, care or control of any dwelling or dwelling unit as owner or agent of the owner or as buyer under land contract, or as executor, executrix, administrator, administratrix, trustee or guardian of the estate of the owner. Any such person thus representing the actual owner shall be bound to comply with the provisions of this Housing Code and of rules and regulations adopted pursuant thereto to the same extent as if he were the owner.

(20) "Permissible occupancy" means the maximum number of persons permitted to reside in a residential rental unit.

(21) "Person" means an individual, partnership, association, syndicate, company, firm, trust, corporation, government corporation, department, bureau, agency or any entity recognized by law.

(22) "Plumbing" includes all of the following supplied facilities and equipment: gas pipes, gas burning equipment, water pipes, garbage disposal units, waste pipes, water closets, sinks, installed dishwashers, lavatories, bathtubs, shower-baths, installed clothes washing machines, catch basins, drains, vents and any other connections installed or connected to water, sewer or gas lines.

(23) "Premises" whenever used in this Housing Code means not only the dwelling and other buildings of whatever nature located on the lot, but also the entire parcel of land surrounding such buildings including but not limited to fences, walkways, walls and appurtenances.

(24) "Qualified Vacant Rental Unit" is any dwelling unit that, at the time of inspection, is not occupied by a tenant or any other person.

(25) "Residential Rental Unit" is any dwelling unit or portion of a dwelling unit that is occupied by an individual or individuals other than the property owner or member of the property owner's household unit, regardless of whether the occupant compensates the property owner, or is a qualified vacant rental unit.

(26) "Resident" means a person staying overnight in a dwelling unit for more than fourteen (14) consecutive days or a total of thirty (30) cumulative calendar days during any twelve (12) month period.

(27) "Solid waste" means such unwanted residual solid or semi-solid materials as results from industrial, commercial, agricultural and community operations, excluding earth or material from construction, mining or demolition operations, or other waste materials of the type that would normally be included in demolition debris, nontoxic fly ash, spent nontoxic foundry sand, and slag and other substances that are not harmful or inimical to public health, and includes, but is not limited to, garbage, tires, combustible and noncombustible material, street dirt and debris. Solid waste does not include any material that is an infectious waste, a hazardous waste, an asbestos waste or material defined in Section 935.02 (h).

(28) "Supplied" means paid for, furnished or provided by or under the control of the owner or operator.



(29) "Tenant" is any person who occupies a dwelling unit other than the owner, a member of the owner's family, or a member of the owner's household unit as that term is defined in this Chapter.

(30) "Unrelated" means persons not meeting the definition of "family" listed in item (9) of this "Definitions" section.

(31) "Net floor area" means the actual occupied area, not including accessory unoccupied areas or thickness of walls.

(d) Regulations.

(1) Unless the dwelling unit is a licensed rooming house or a licensed boarding house, each dwelling unit may only contain one family or one household unit as that term is defined by KCO 1122 .

(2) An attached garage for purposes of determining the front, side and rear yards shall be considered a part of the dwelling.

(Ord. 2016-40. Passed 4-20-16.)

**CHAPTER 1365**

**Minimum Standards and Requirements**

**1365.01 Owner to comply with standards and requirements.**

**1365.02 Occupant to maintain sanitary conditions.**

**1365.03 Equipment and facility requirements.**

**1365.04 Light, ventilation, electric and heating requirements.**

**1365.05 Solid waste storage and collection.**

**1365.06 Extermination; infestation.**

**1365.07 Space, use and location requirements.**

**1365.08 Sanitary maintenance standards.**

**1365.98 Violating a minimum standard set forth in 1365.**

**1365.99 Penalty.**

**CROSS REFERENCES**

Venting of heaters and burners - see GEN. OFF. 521.02

Noxious odors - see GEN. OFF. 521.09

Snow and ice removal - see GEN. OFF. 521.15 , 521.16

Civil offenses - see GEN. OFF. 501.13

**1365.01 OWNER TO COMPLY WITH STANDARDS AND REQUIREMENTS.**

(a) Whenever the words "dwelling," "dwelling unit," or "premises" are used in this Housing Code, they shall be construed as though they were followed by the words "or any part thereof".

(b) Every owner, operator or agent of a residential rental unit shall be responsible for providing, supplying and maintaining all equipment, facilities, requirements and sanitary standards as prescribed in Chapter 1365 of this Housing Code. In addition, it shall be the responsibility of such individuals to comply with all provisions of the Planning and Zoning Code (Part 11 ), the Building Code (Part 13 ) including the Environmental Health and Housing Maintenance Code (Title 7 ), and the Property Maintenance, Housing and Enforcement Code (Part 14 ) unless specifically otherwise stated. (Ord. 2016-40. Passed 4-20-16.)

**1365.02 OCCUPANT TO MAINTAIN SANITARY CONDITIONS.**

Every occupant of a dwelling or dwelling unit shall keep in a clean and sanitary condition that part of the dwelling or dwelling unit which he occupies or controls.

(Ord. 2016-40. Passed 4-20-16.)

**1365.03 EQUIPMENT AND FACILITY REQUIREMENTS.**

Unless specifically exempted by this Section, residential rental units must be maintained in accordance with the most recently adopted Ohio Residential Code. This includes, but is not limited to, each of the following requirements.

(a) Kitchen Sink. Each dwelling unit shall contain a kitchen sink in working condition and connected to a potable water supply and sewer system in an approved manner.

(b) **Bathrooms.** All dwellings shall be provided with a room affording privacy and equipped with a flush water closet, a lavatory basin, and a bathtub or shower in good working condition and connected to a potable water supply and sewer system in an approved manner. A minimum of one bathroom for six individuals shall be required.

(c) **Water Lines.** Each kitchen sink, lavatory basin, bathtub or shower required by the provisions of subsection (b) hereof shall be connected with both hot and cold water lines in an approved manner.

(d) **Water Heating.** Each dwelling shall be supplied with water heating facilities installed in an approved manner and maintained in good working condition connected with the hot water lines required under the provisions of subsection (c) hereof and capable of heating water to a temperature of not less than 120°F. No combustibles shall be stored within 18 inches of the water heating device.

(e) **Means of Egress.** All dwellings shall have a safe, unobstructed means of egress with a minimum headroom of six feet, six inches leading to safe and open space at ground level. All means of egress openings shall be readily openable from the side from which egress is to be made without the need for keys or special knowledge. All pathways and aisle ways shall be unobstructed. All means of egress shall be properly installed and maintained. All means of egress shall meet the minimum requirements outlined in the most current Fire Code adopted by the State of Ohio. Any residential rental unit having sleeping rooms located on floors greater than fourteen feet from the ground shall be equipped with a second means of egress in the form of an approved fire ladder, fire stairs, or emergency exit.

(f) **Fire Extinguishers.** All residential rental units shall be equipped with easily accessible and properly maintained fire extinguishers at all times. They shall be kept in a designated location at all times when not in use. The minimum classification of fire extinguisher shall be 3A:40B:C at 5 pounds. Residential rental units with multiple floors shall have a minimum of one fire extinguisher on each habitable floor. Fire extinguishers stationed in a common hallway shall be on the same floor and within 30 feet of every dwelling unit. The owner or operator of a multifamily dwelling, rooming house, or boarding house must be responsible for meeting the additional minimum standards for fire extinguishers as are outlined in the most current Fire Code adopted by the State of Ohio.

(g) **Fire Stairs.** All residential rental units having habitable rooms located on floors greater than fourteen feet from the ground must have fire stairs in compliance with the most current Fire Code adopted by the State of Ohio. Previously licensed residential rental units with existing fire ladders shall comply with the fire stairs requirements if such ladder is altered and/or removed. All newly installed fire stairs shall comply with the above requirements.

(h) **Smoke Alarms.** All residential rental units must be equipped with audible smoke alarm devices that are U.L. approved and are installed in compliance with the standards set forth in the most recently adopted Ohio Residential Code. Additionally, each smoke alarm shall be installed within 12 inches of the ceiling. Working smoke alarms are required in each of the following locations:

- (1) In each sleeping room.
  - (2) Outside each separate sleeping area, such as in the corridors in the immediate vicinity of the sleeping rooms.
  - (3) On each additional story of the dwelling, including basements and habitable attics but not including crawl spaces and uninhabitable attics. In dwellings or dwelling units with split levels and without an intervening door between adjacent levels, a smoke alarm installed on the upper level shall suffice for the lower level provided that the lower level is less than one full story below the upper level.
- (i) **Exterior Locks.** All exterior doors within a residential rental unit must be equipped with safe and functioning locking devices.
- (j) **Handrails.** All residential rental units must comply with the following for handrails:
- (1) Every exterior and interior flight of stairs having more than four risers shall

have a handrail on at least one side of the stairs.

(2) Every open portion of a stair, landing, balcony, porch, deck, ramp or other walking surface which is more than 30 inches above the grade below shall have handrails with balusters spaced no more than six inches apart.

(3) Handrails shall not be less than 34 inches in height or more than 38 inches in height measured vertically above the walking surfaces.

(4) Every handrail shall be firmly fastened and capable of supporting normally imposed loads and shall be maintained in good condition and constructed in an approved manner.

(k) **Carbon Monoxide Alarms.** All residential rental units are required to have carbon monoxide alarms in new and existing dwelling units that have fuel-fired appliances or have attached garages and only when any of the conditions described in this section apply.

(1) **New Dwelling Units.** In new dwelling units, carbon monoxide detectors are required to be installed in the locations described in 1165.03 (k)(3).

(2) **Existing Dwelling Units.** In existing dwelling units, where an application for approval is required for work involving any of the following areas or systems within that dwelling unit, carbon monoxide alarms are required to be installed in the locations described in 1165.03 (k)(3).

A. The addition or creation of a new sleeping room;

B. An alteration of a sleeping room;

C. An alteration in the immediate vicinity outside of a sleeping room;

D. An addition of, or an alteration to, an attached garage;

E. An addition, alteration, repair or replacement of a fuel-fired appliance.

(3) **Where required.** In new dwelling units and in existing dwelling units meeting any of the conditions described in Section 1165.03 (k)(2), an approved monoxide alarm shall be installed outside of each separate sleeping area in the immediate vicinity of the sleeping rooms in those dwelling units.

(4) **Alarm Requirements.** Single station carbon monoxide alarms shall be listed as complying with UL 2034 and shall be installed in accordance with the most recently adopted Residential Code of Ohio and the manufacturer's installation instructions.

(Ord. 2018-133. Passed 12-19-18.)

#### **1365.04 LIGHT, VENTILATION, ELECTRIC AND HEATING REQUIREMENTS.**

Unless specifically exempted by this Section, residential rental units must be maintained in accordance with the most recently adopted Ohio Residential Code. This includes, but is not limited to, each of the following requirements.

(a) **Window Areas.** Every habitable room shall have at least one window or ventilating sky light facing directly to the outdoors. The minimum total window area measured between stops, for every habitable room shall be ten percent of the floor space of such room.

(b) **Ventilation.** Every habitable room shall have at least one window or sky light which can be easily opened or such other device as will adequately ventilate the room. The total of openable window area in each habitable room shall be equal to at least fifty percent of the minimum window area size as required in subsection (a) herein, except when supplied with such other device affording adequate ventilation and installed in an approved manner.

(c) **Bathroom Ventilation.** Every bathroom and water closet compartment shall comply with ventilation requirements as described in subsection (b) herein.

(d) **Electric Requirements.** The owner or operator in charge of a dwelling shall provide a properly installed and maintained electric light fixture in order to supply adequate light in all common areas including stairways, hallways, entranceways, laundry rooms, furnace rooms, kitchens, bathrooms, exterior porches, and similar common areas. Every habitable space in a dwelling shall contain at least two separate and remote receptacle outlets. Multiple converter plugs permitting two or more appliances to be plugged into the same outlet shall not



be used. Every laundry area shall contain at least one grounded-type receptacle. Every bathroom shall contain at least one receptacle. Any new bathroom or kitchen receptacle outlet shall have ground fault circuit interrupter protection. All receptacles exposed to outdoors shall be of the grounding type. All receptacle outlets shall have the appropriate faceplate cover for the location. All electrical equipment, wiring, lighting, and appliances shall be properly installed and maintained in a safe and approved manner.

(e) Heating Facilities. The owner or operator in charge of a dwelling shall provide a heating facility installed in an approved manner and maintained in good working condition capable of maintaining a temperature of at least 68°F for any 24 hour period in all habitable rooms, bathrooms, water closet compartments and kitchens. The temperature inside a dwelling shall be measured in the approximate center of each room and approximately three feet above the floor. No combustibles shall be stored within 18 inches of the furnace or heating facilities. Heating facilities designed with filters shall maintain the filters per the manufacturers' recommendations.

(f) Plumbing Fixtures. Every occupant of a dwelling unit shall keep all plumbing fixtures therein, in a clean and sanitary condition and shall be responsible for the exercise of reasonable care and the proper use and operation thereof.

(g) Screening. All windows or other devices used or intended to be used for ventilation shall be supplied with screens. If a screen is supplied to doorways opening directly from a dwelling to outdoor space it must be properly maintained and supplied with a self-closing device.

(h) Pest Protection. Every window and every other opening which might provide an entry for pests shall be supplied with a screen or other device as will effectively prevent entry by such pests into the building. Proper precautions shall be taken to secure the building and prevent pest infestation.

(Ord. 2016-40. Passed 4-20-16.)

#### **1365.05 SOLID WASTE STORAGE AND COLLECTION.**

Every occupant of a dwelling or dwelling unit shall store and dispose of all solid waste in a clean and sanitary manner by placing it in receptacles as required by Section 1365.01((d) and (e).

(a) Solid Waste Storage. The owner of each residential rental unit must provide adequate solid waste storage receptacles on the premises for the disposition of litter and solid waste. Such receptacles shall be maintained in a sanitary manner as to prevent the contents from being scattered upon such premises. Receptacles of sufficient size and number shall be of rigid plastic or metal, watertight and equipped with tight fitting lids. Any solid waste receptacle spillage which may occur upon the ground, sidewalk, street or alley shall be promptly cleaned up within twenty four hours after spillage. Solid waste containers must meet additional requirements outlined in Section 521.08 and 933.03 of the Kent Codified Ordinances. The Health Commissioner may require the owner of a residential rental unit to adhere to additional standards regarding solid waste storage outlined in section 1371.04 of this Housing Code.

(b) Solid Waste Collection. The owner of each residential rental unit must provide solid waste collection for the licensed dwelling by hiring a solid waste collector who is licensed by the City. The frequency of such solid waste collection shall be not less than once per week during those instances when solid waste is being generated on the premises. The owner shall provide written proof of such collection service if requested by the Health Commissioner. Additionally, the Health Commissioner may require the owner of a residential rental unit to obtain unlimited collection service at properties that are non-compliant with the solid waste ordinances as outlined in Section 1371.04.

(Ord. 2016-40. Passed 4-20-16.)

#### **1365.06 EXTERMINATION; INFESTATION.**

(a) Pest Infestation. All structures shall be kept free from insect and rodent infestation and all potential points of entry shall be properly maintained as to prevent pest migration. All structures in which

insects or rodents are found shall be promptly exterminated by approved processes that will not be injurious to human health. After pest elimination, proper precautions shall be taken to prevent reinfestation.

(b) Owner. The owner of any structure shall be responsible for pest elimination within the structure prior to renting or leasing the structure. Proper precautions shall be taken to prevent infestation. Where the infestations are caused by defects in the structure, the owner shall be responsible for pest elimination. Whenever infestation exists in two or more dwelling units in any dwelling or in the common parts of any dwelling containing two or more dwelling units, extermination thereof shall be the responsibility of the owner.

(c) Occupant. The occupants of any structure shall be responsible for the continued pest-free condition of the structure. If infestation is caused by failure of an occupant to prevent such infestation in the area occupied, the occupant shall be responsible for pest elimination. Every occupant of a dwelling unit shall be responsible for the extermination of insects, rodents and other pests therein, whenever their dwelling unit is the only dwelling unit within a dwelling that is infested. (Ord. 2016-40. Passed 4-20-16.)

#### **1365.07 SPACE USE AND LOCATION REQUIREMENTS.**

(a) Floor Space. Every dwelling unit shall contain at least 150 square feet of floor space for the first occupant thereof, and at least 100 additional square feet of floor space for every additional occupant thereof. The floor space to be calculated on the basis of net floor area.

(b) Sleeping Areas. In all dwellings, every room occupied for sleeping purposes by one occupant shall contain at least seventy square feet of floor space. Every room occupied for sleeping purposes by more than one occupant shall contain at least fifty square feet of floor space for each occupant thereof.

(c) Bathroom Access. No dwelling or dwelling unit containing two or more sleeping rooms shall have such room arrangements that access to a bathroom or water closet compartment, intended for use by occupants of more than one sleeping room, can be had only by going through another sleeping room, nor shall room arrangements be such that access to a sleeping room can be had only by going through another sleeping room, bathroom or water closet compartment.

(d) Ceiling Height. All habitable rooms located within a dwelling shall have an average ceiling height of not less than seven feet, six inches in at least fifty percent of the net floor area with no portion less than five feet in height.

(e) Basement and Cellars. No basement or cellar space shall be used as a habitable room or dwelling unit unless:

- (1) The floor and walls are impervious to leakage of underground and surface run-off water and are insulated against dampness;
- (2) The total window area in each room is equal to at least the minimum window area sizes as required by Section 1365.02 (a);
- (3) The required minimum area is located entirely above grade of the ground adjoining such window area;
- (4) The total of openable window area in each room is equal to at least the minimum as required under Section 1365.02 (b);
- (5) A basement or cellar space, when occupied for living, shall meet all minimum standards and requirements of the most recently adopted Ohio Residential Code at the time of the initial licensing.
- (6) Furnace and hot water tank areas are to be completely separated from habitable areas by the installation of fire rated materials in an approved manner;
- (7) Adequate makeup air is to be provided in an approved manner;
- (8) Two means of egress shall be provided. One means of egress shall be in

compliance with the provisions of Section 1365.01(g). The second means of egress can be either the same or a window whose area shall equal a minimum of 5.8 square feet and the window sill located no more than forty-four inches from floor level.

(Ord. 2016-40. Passed 4-20-16.)

#### **1365.08 SANITARY MAINTENANCE STANDARDS.**

(a) **Structural Design and Repair.** All dwellings, structures and all parts thereof including but not limited to foundations, roofs, gutters, downspouts, chimneys, walls, ceilings, etc., both exterior and interior, shall be maintained and in good repair and capable of performing the function for which such structure or part of any feature thereof was designed or intended to be used.

(1) If any dwelling is so designed to include the use of gutters and downspouts, such gutters and their appurtenant downspouting and drains shall be maintained in a weather tight and functioning order.

(b) **Exterior Maintenance.** All exterior parts of every dwelling including exterior walls, additions, chimneys, porches, steps, ramps and other such structures either above or below the roof line shall be maintained in a safe condition and in good repair and capable of performing the function for which such structure or part of any feature thereof was designed or intended to be used.

(c) **Premises Maintenance.** All premises shall be maintained in a safe and sanitary manner so as to preclude any situation that may be inimical to the public health and safety or which may provide harborage for rodents or infestation of insects. Such premises shall be free from the accumulation and/or location of the following:

- (1) Broken or dilapidated fences, walls or other structures;
- (2) Improperly installed or maintained walks, driveways and driveway aprons which are in a defective condition; and
- (3) Rugs, rags or other materials located on such premises which materials are not being used for general household or housekeeping purposes; broken furniture or upholstered furniture not designed or sold for outdoor use; mattresses or other household furnishing; ~~non-un~~usable appliances, automobile parts, plastic materials, paints, miscellaneous coverings and/or any other materials including those described in this section.

(d) All parts of a residential rental unit shall be maintained in a safe and sanitary condition and in good working order. Additionally, compliance shall be maintained with all portions of Part 14, and Chapter 933, and Section 521.08 of the Codified Ordinances of Kent.

(Ord. 2016-40. Passed 4-20-16.)

#### **1365.98 VIOLATING A MINIMUM STANDARD SET FORTH IN 1365.**

Any owner or operator of a residential rental unit in violation of the standards set forth in Section 1365 shall be subject to a civil offense in accordance with 501.13, including the right to notice, the right to answer a charge, the right to appeal, the amount of the fine, and the City's right to have the fine increase. Issuing a Notice of Civil Offense does not limit the City of Kent from pursuing any other additional remedies not prohibited by ordinance.

(Ord. 2016-40. Passed 4-20-16.)

#### **1365.99 PENALTY.**

~~Whoever violates any order of any provision of the standards set forth in this Chapter after been given notice in accordance with 501.13 (c) is guilty of a misdemeanor of the third degree as defined in Section 501.99. A property owner that pays a fine levied in accordance with 1365.98 may not be prosecuted for that specific violation, but may be prosecuted criminally for the same violation if the violation occurs in a subsequent month or if the fine is not paid in a timely manner.~~

~~(Ord. 2016 40. Passed 4 20 16.)~~

- 1367.01 Licensing procedure.
- 1367.02 Notice to tenants.
- 1367.03 Revolving Housing Fund.
- 1367.04 Establishment of Community Development Rental Licensing Revenue Line.
- 1367.05 Local requirement.
- 1367.98 Violation of notice to tenants.

#### CROSS REFERENCES

Civil Offenses - see GEN. OFF. 501.13

#### 1367.01 LICENSING PROCEDURE.

(a) Licensing. No person shall own, operate or be an agent for a residential rental unit without having in his their possession a current, unrevoked housing license. Such license shall be issued for a period of one year from the date of issuance and may be renewed for successive periods not to exceed one year. Upon the sale or disposition of such property, the housing license shall be permitted to be transferred to a new owner, operator or agent provided that the current holder of such license notifies the Health Commissioner or Community Development Director.

(1) The Health Commissioner must license all residential rental units that are located in:

- A. A multifamily dwelling;
- B. A two family dwelling that contains a dwelling unit that has a rooming house with more than three unrelated residents;
- C. A two family dwelling that contains a dwelling unit that has a boarding house with more than three unrelated residents; OR
- D. A single family dwelling that contains more than three unrelated residents.

(2) The Director of Community Development must license all residential rental units not described in 1367.01 (a)(1).

(b) Application. Prior to obtaining a housing license for a residential rental unit, the owner, operator or agent of the residential rental unit must make application on the prescribed forms, to the Health Commissioner or Community Development Director, as required by KCO 1367.01 . Such application shall be submitted with all requested information completed, signed and accompanied by the appropriate fee. The due date will be 30 days before the new licensing period. Failure to submit the application and licensing fee by the applicable due date will result in a late fee of an additional 25%.

(c) Fee. No operating license shall be issued or renewed unless the completed application form is accompanied by payment of the license fee. The cost of the license fee is \$100.00 per dwelling, plus an additional five dollars (\$5.00) per bedroom within the dwelling unit. For purposes of calculating the license fee only:

(1) If a building contains a single dwelling unit, the building shall be considered a single dwelling.

(2) If a building contains multiple dwelling units, and each dwelling unit has a separate egress route, the building shall be considered a single dwelling.

(3) If a building contains multiple dwelling units that share an egress route, the number of dwellings will be determined by the number of separate egress routes needed to access all of the dwelling units.

(4) Condominiums shall be considered separate dwellings except condominiums on the same parcel with the same ownership shall be treated as a single dwelling. Condominiums on the same parcel with different ownership but the same operator may, at the discretion of each owner, elect to be treated as a single dwelling.



(d) Inspection.

(1) For all residential rental units described in 1367.01 (a)(1)

A. Prior to obtaining a housing license for a residential rental unit described in 1367.01 (d)(1), the responsible owner, operator or agent shall schedule an inspection with the Health Commissioner at least 30 days before the new licensing period of said residential rental unit.

B. No housing license shall be issued or renewed until a residential rental unit is inspected and determined to be in compliance with the requirements of this Housing Code.

C. The frequency of inspections for a residential rental unit inspected under this section must be determined by the Health Commissioner.

D. Re-inspection. After the initial inspection of a residential rental unit is completed by the Health Department under this section, a reasonable amount of time will be allowed by the Health Department for the owner, operator or agent of the residential rental unit to correct potential violations. Failure to correct the violations by the re-inspection shall result in a non-compliance fee of up to \$75.00.

E. Non-compliance. The Health Commissioner has the authority to condemn any residential rental unit described in 1367.01( d)(1) that fails to comply with this housing code.

F. Any residential rental unit described in 1367.01 (d)(1) without a current license for more than 30 days may be condemned by the Health Commissioner.

(2) For residential rental units described in 1367.01 (a)(2):

A. Prior to obtaining a housing license for a residential rental unit described in 1367.01(a)(2), the owner, operator or agent shall have the residential rental unit inspected by the Director of Community Development at least 30 days before the new licensing period of said residential rental unit.

B. No housing license shall be issued or renewed until a residential rental unit is inspected and determined to be in compliance with the requirements of this Housing Code.

C. The frequency of inspections for the renewal of a housing license issued for a residential rental unit inspected under this section shall be determined by the Director of the Community Development Department.

E. Re-inspection. After the initial inspection of residential rental unit is completed by the Community Development Department under this section, a reasonable amount of time will be allowed for the owner, operator or agent to correct potential violations. A re-inspection may be required to verify that the corrections were made by the assigned date and time. Failure to correct the violations by the re-inspection shall result in a non-compliance fee of up to \$75.00 per re-inspection.

E. Non-compliance. The Chief Building Official, or his designee, has the authority to condemn any residential rental unit that fails to comply with the City of Kent Planning and Zoning Code (Part 11), the Building Code (Part 13) including this Housing Code, and the Property Maintenance, Housing and Enforcement Code (Part 14), or this housing code.

F. Any residential rental unit described 1367.01 (a)(2) without a current housing license for more than 30 days may be condemned by the Director of Community Development.

(3) In the event that a housing license expires before it the housing license is renewed, a late fee of 25% of the licensing fee will be required.



(e) Review of the Environmental Health and Housing Maintenance Code. The latest revision of the Environmental Health and Housing Maintenance Code was completed in 2016. The next scheduled review will take place no later than 2021.

(Ord. 2016-40. Passed 4-20-16.)

#### **1367.02 NOTICE TO TENANTS.**

It shall be the responsibility of the owner, operator or agent of any residential rental unit to give notice of his housing license with the City to tenants by one of the following authorized methods prior to the commencement of a rental term with such tenant:

(a) Display the license in a conspicuous place within the common ways of the residential rental unit.

(b) Give the following written notice to the tenants:

"This residential rental unit is licensed by the City of Kent for the period of \_\_\_\_\_ to \_\_\_\_\_ for not more than \_\_\_\_\_ occupants. Be advised that both landlords and tenants have certain responsibilities to each other as are set forth in the Environmental Health and Housing Maintenance Code of the City of Kent, Ordinance 1979-219 (Title 7), Planning and Zoning Code (Part 11), Building Code (Part 13) and Property Maintenance, Housing and Enforcement Code (Part 14) or any other applicable section of the Kent Codified Ordinances. Copies of this Housing Code can be obtained at the Kent Health and Community Development Departments. The owner, operator or agent of any residential rental unit shall give a minimum of 24-hour notice to tenants prior to entering the property for inspections, repairs, or maintenance."

(c) The blanks described in 1367.02( b) must be filled in, in ink, reflecting the accurate dates and number of residents.

(Ord. 2016-40. Passed 4-20-16.)

#### **1367.03 REVOLVING HOUSING FUND.**

There is hereby created a Revolving Housing Fund for the purpose of supporting the cost of repairs, corrective action or demolition made by the Health Commissioner pursuant to Section 1373.01 and other supportive costs associated with the enforcement of this Housing Code. Into this Fund, the following shall be paid:

(a) All civil penalties collected for violations of this Housing Code applicable to multifamily dwelling and enforced by the Health Department, pursuant to Section 1371.02.

(b) All judgments collected in actions to recover the cost of repairs and other corrective action or demolition of multifamily dwelling, pursuant to Section 1373.01 (b).

(c) Such other revenues the City may, from time to time authorize be paid into this Fund.

(Ord. 2016-40. Passed 4-20-16.)

#### **1367.04 ESTABLISHMENT OF COMMUNITY DEVELOPMENT RENTAL LICENSING REVENUE LINE.**

There is hereby established a separate and permanent revenue line in the General Fund known as the "Community Development Rental Licensing" revenue line. The Director of Budget and Finance is hereby authorized and directed to take such action and to make such records as may be necessary to establish the "Community Development Rental Licensing" revenue line and thereafter to show its existence and condition at all times upon the financial records of the City. Into said revenue line shall be paid:

(a) All civil penalties collected for violations of the Environmental Health and Housing Maintenance Code (Title 7 ), Planning and Zoning Code (Part 11 ), Building Code (Part 13) and Property Maintenance, Housing and Enforcement Code (Part 14 ) applicable to leased dwellings, not classified as multifamily dwelling, and enforced by the Community Development Department, pursuant to Section 1371.02 .

(b) All judgments collected in actions to recover the cost of repairs and other corrective action or demolition of leased dwellings not classified as multifamily and enforced by the Community Development Department, pursuant to Section 1373.01 (b).

(c) Such other revenues the City may, from time to time authorize be paid into this General Fund revenue line.

(Ord. 2016-40. Passed 4-20-16.)

**1367.05 LOCAL REQUIREMENT.**

In order to ensure that there is a local agent to contact to respond to property needs, concerns, or repairs in a timely manner, all owners of residential rental property in the City of Kent must designate an individual or property manager to be contacted by the City of Kent in case of an ordinance violation or inspection.

(a) The individual or property manager designated as a local agent for a residential rental unit must live or have their principal place of business in Portage County, Ohio or a county contiguous to Portage County, Ohio.

(b) The individual or property manager designated as a local agent for a residential rental unit must provide the City of Kent with a phone number, physical address, and e-mail address.

(Ord. 2016-40. Passed 4-20-16.)

**1367.98 VIOLATION OF NOTICE TO TENANTS.**

Any owner or operator of a residential rental unit in violation of the standards set forth in Section 1367.02 shall be subject to a civil offense in accordance with 501.13, including the right to notice, the right to answer a charge, the right to appeal, the amount of the fine, and the City's right to have the fine increase, but NOT including the right to a warning under 501.13 (c). Issuing a Notice of Civil Offense does not limit the City of Kent from pursuing any other additional remedies not prohibited by ordinance. (Ord. 2016-40. Passed 4-20-16.)

**1367.99 VIOLATING A MINIMUM STANDARD SET FORTH IN 1367.**

Any owner or operator of a residential rental unit in violation of the standards set forth in Section 1367 other than 1367.02 shall be subject to a civil offense in accordance with 501.13, including the right to notice, the right to answer a charge, the right to appeal, the amount of the fine, and the City's right to have the fine increase. Issuing a Notice of Civil Offense does not limit the City of Kent from pursuing any other additional remedies not prohibited by ordinance.

**CHAPTER 1371**

**Enforcement and Penalty**

- 1371.01 Right of entry and inspection.
- 1371.02 Notice of violation.
- 1371.03 Board of Health Rules and Regulations.
- 1371.04 Solid waste violations.
- 1371.98 Operating a Residential Unit without a valid license.
- 1371.99 Penalty.

**CROSS REFERENCES**

Civil Offenses - see GEN. OFF. 501.13

**1371.01 RIGHT OF ENTRY AND INSPECTION.**

(a) Inspection. The Health Commissioner and the Community Development Director are hereby authorized and directed to make or cause to be made inspections of all residential rental units, the premises of a residential rental unit, the accessory buildings of a residential rental unit and qualified vacant rental units, to determine compliance with the provisions of this Housing Code.

(b) Right of Inspection: Upon presentation of proper identification, the Health Commissioner and the Community Development Director are hereby:

(1) Authorized to request to enter and inspect, between the hours of 8:00 a.m. and 5:00 p. m., any residential rental units, the premises of a residential rental unit, and the accessory buildings of a residential rental unit in the City to perform duties imposed upon him by subsection (a) hereof, Section 1373.01, and Section 1373.02 (a) and (b).

(2) Must inform the occupant of the occupant's right to refuse the inspection.

(3) Must inform the occupant of the inspector's right to request an

administrative search warrant to inspect the dwelling if the occupant refuses the inspection.

(c) Obligations of Inspection:

(1) While conducting an inspection authorized by the Housing Code, the Health Commissioner must inform the Community Development Director of any violations observed by the Health Commissioner of any Section of the Planning and Zoning Code (Part 11), the Building Code (Part 13) including the Environmental Health and Housing Maintenance Code (Title 7), and the Property Maintenance, Housing, and Enforcement Code (Part 14).

(2) While conducting an inspection authorized by the Housing Code, the Director of Community Development must inform the Health Commissioner of any violations observed by the Director of Community Development of any Section of the Environmental Health and Housing Maintenance Code (Title 7).

(d) The Health Commissioner and the Community Development Director has the right to require the owner, designated agent, or operator to be present at the time of the inspection.

(e) Every occupant of a residential rental unit shall give the owner thereof or his agent access to any part of such building or its premises at reasonable times for the purpose of making repairs or alterations as are necessary to effect compliance with the provisions of this Housing Code. (Ord. 2016-40. Passed 4-20-16.)

**1371.02 NOTICE OF VIOLATION.**

Whenever the Health Commissioner or the Community Development Director determines there has been a violation of any provision of the Planning and Zoning Code (Part 11), the Building Code (Part 13) including the Housing Code, or Property Maintenance, Housing and Enforcement Code (Part 14), they shall give notice of such violation to the owner, occupant, operator or responsible person that such violations must be corrected. The notice and order shall either

(a) If the City is pursuing a fine, be in accordance with 501.13 (b) (2)

~~(b) If the City is NOT pursuing a fine, delivered in any manner approved by the Health Commissioner on forms approved by the Health Commissioner.~~

~~(c) (b)~~ If a property is in violation of any provision of the Planning and Zoning Code (Part 11), the Building Code (Part 13) including the Housing Code, or the Property Maintenance, Housing and Enforcement Code (Part 14), the City may at any time elect to pursue a fine so long as a notice is issued in accordance with 501.13 (b) (2).

(Ord. 2016-40. Passed 4-20-16.)

**1371.03 BOARD OF HEALTH RULES AND REGULATIONS.**

As provided by Ohio R.C. 3709.20, the Board of Health is authorized to make and adopt such rules and regulations and fix such reasonable standards as may be necessary for the proper enforcement of the provisions of this Housing Code and to carry out the intent thereof.

(Ord. 2016-40. Passed 4-20-16.)

**1371.04 SOLID WASTE VIOLATIONS.**

The Health Commissioner has authority to assign additional requirements regarding solid waste storage and solid waste collection if a residential rental unit receives three violations in any 12 month period involving solid waste. This includes solid waste and similar violations documented in the following Ordinances: 521.08, 1365.01, 1365.04, 1369.03, 1412.01, 933, and 935. The Health Commissioner may require additional solid waste containers or different solid waste containers. Also, the Health Commissioner may require that a residential rental unit obtain unlimited trash collection service.

(Ord. 2016-40. Passed 4-20-16.)

**1371.98 OPERATING A RESIDENTIAL RENTAL UNIT WITHOUT A VALID LICENSE - FINES/PENALTIES.**

(a) Notwithstanding 1371.02(a) and 501.13(m), any owner that is found operating a residential



rental unit without a valid housing license may be fined up to ~~\$3000.00~~, \$1000 per violation. Imposing a fine in accordance with this section does not limit the City of Kent from pursuing any other additional remedies not prohibited by ordinance.

(b) Each month that an owner is found to be in violation is a separate offense.

(c) If the residential rental unit without a valid housing license contains a single family or no more than three unrelated residents, the amount of the fine and length of time to pay that fine shall be determined by the City Manager or his designee. If the residential rental unit without a valid housing license is not a single family and has more than three unrelated residents, the amount of the fine and length of time to pay that fine shall be determined by the City of Kent Board of Health. In setting the fine, the City Manager or his designee or the City of Kent Board of Health shall consider the following factors:

- (1) The length of time of the violation;
- (2) The number of prior violations at that address;
- (3) The number of prior violations for that property owner;
- (4) The property owner's cooperation in resolving the violation; AND
- (5) Any other factor deemed relevant by the entity setting the fine (i.e. the City Manager or the City of Kent Board of Health).

(Ord. 2016-40. Passed 4-20-16.)

#### **1371.99 PENALTY.**

~~Whoever violates any order of any provision of the Planning and Zoning Code (Part 11 ), Building Code (Part 13 ) including the Housing Code or the Property Maintenance, Housing and Enforcement Code (Part 14 ) or notice of violation of any rule or regulation adopted by the Board of Health after having been given such order or notice of violation in accordance with Section 1371.02 is guilty of a misdemeanor of the third degree as defined in Section 501.99 . A property owner that pays a fine levied in accordance with 1371.98 (C) may not be prosecuted for that specific violation, but may be prosecuted criminally for the same violation if the violation occurs in a subsequent month or if the fine is not paid in a timely manner.~~

~~(Ord. 2016-40. Passed 4-20-16.)~~

Any owner or operator of a residential rental unit in violation of the standards set forth in Section 1371 other than 1371.98 shall be subject to a civil offense in accordance with 501.13, including the right to notice, the right to answer a charge, the right to appeal, the amount of the fine, and the City's right to have the fine increase. Issuing a Notice of Civil Offense does not limit the City of Kent from pursuing any other additional remedies not prohibited by ordinance.

### **CHAPTER 1373**

#### **Repairs and Demolitions**

**1373.01 Repairs.**

**1373.02 Condemnation; placard.**

**1373.03 Demolition.**

#### **CROSS REFERENCE**

Removal of unsafe structures - see Ohio R.C. 715.26

#### **1373.01 REPAIRS.**

(a) Whenever an owner, operator or agent of a residential rental unit fails, neglects or refuses to make repairs or engage in other corrective action as called for by an order or notice of violation issued pursuant to Section 1371.02 , the City may undertake such repairs or action on the City's own or by means of a court order when, in the sole judgment of the City of Kent, failure to make such repairs, will endanger the public health, safety or welfare. The cost of such repairs and action will not exceed fifty percent of the property value as reported by the Portage County Auditor for tax purposes.

(b) When repairs are made or other corrective action taken at the direction of the Health Commissioner or the Community Development Director, the cost of such repairs and corrective action, including labor, equipment, and supplies, plus fifteen percent (15%) for administrative costs, shall constitute a debt in favor of the City against the owner of the repaired structure. In the event such owner fails, neglects or refuses to pay the City the amount of this debt, it shall be recoverable in a civil action against the owner or his successor, brought in a court of competent jurisdiction by the City which shall possess all rights of a private creditor.

(Ord. 2016-40. Passed 4-20-16.)

### **1373.02 CONDEMNATION; PLACARD.**

(a) A residential rental unit must be designated as unfit for human habitation if any of the following deficiencies or conditions are found and when these defects create a hazard to the health or safety of the occupants or the public:

(1) The residential rental unit is damaged, decayed, dilapidated, unsanitary, unsafe or vermin infested or meets a minimum of two of the conditions of blight under Section 1.08 of the Ohio Revised Code.

(2) The residential rental unit Lacks illumination, ventilation, required sanitation facilities or any other minimum requirements as established in Chapter 1365 of this Housing Code.

(3) The general condition of the residential rental unit, outbuildings and surrounding property is unsanitary, unsafe or unhealthful.

(b) Whenever a residential rental unit has been designated as unfit for human habitation, the Health Commissioner or the Chief Building Official or his designee may placard the structure or premises by placing a placard thereon or in a location which is readily noticeable, identifies the building as condemned and the applicable state or local code sections that caused the premises to be condemned.

(c) If such residential rental unit is occupied, the Health Commissioner or City Building Official shall order the dwelling or premises to be vacated within a reasonable period of time. Such time is not to be less than three days or more than ten days.

(d) Any residential rental unit or premises which has been condemned and/or placarded as unfit for human habitation or use, shall not again be occupied by a non-owner until a written approval is secured from and such placard removed by the Health Commissioner or Chief Building Official. The Health Commissioner or Chief Building Official shall remove such placard and give written notice whenever the defect from which the condemnation and placarding action resulted has been eliminated.

(Ord. 2016-40. Passed 4-20-16.)

### **1373.03 DEMOLITION.**

(a) The Health Commissioner or Chief Building Official shall issue an order commanding the owner of a residential rental unit or premises and all other persons having an interest in such premises as shown by the records of the County Recorder's Office to repair, vacate or demolish any dwelling or premises found to be unfit for human habitation or use within the terms of this Housing Code.

(b) The owner of any residential rental unit or premises which has been ordered demolished shall be given notice of this order in the manner provided in Section 1371.02 and shall be given a reasonable time not to exceed ninety days to demolish such structure.

(c) If the Chief Building Official issues a notice to demolish, any owner aggrieved by the notice to demolish may within fourteen days seek a formal hearing before the Board of Building Appeals in Chapter 1309. If the Health Commissioner issues a notice to demolish, any owner aggrieved by the notice to demolish may within fourteen days seek a formal hearing before the City of Kent Board of Health who must address the issue at the next regularly scheduled board meeting.



(d) When the owner, operator, or agent fails, neglects or refuses to demolish an unfit, unsafe or unsanitary residential rental unit or premises within the prescribed time the Health Commissioner or Chief Building Official may apply to the court of competent jurisdiction for a demolition order to undertake the demolition. The court may grant such order when no hearing on the matter is pending. The cost of such demolition shall create a debt in favor of the City against such owner and shall be recovered in civil action brought by the City who shall possess all rights of a private creditor.

(e) Whenever a residential rental unit is demolished whether carried out by the owner or by the appropriate authority such demolition shall include the filling in of the excavation remaining on the property on which the demolished dwelling was located pursuant to the requirements of Chapter 905 "Excavations" (Part Nine ).

(Ord. 2016-40. Passed 4-20-16.)



# CITY OF KENT, OHIO

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## DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: July 30, 2019

TO: Dave Ruller, City Manager

FROM: Bridget Susel, Community Development Director *BS*

RE: Updated NSP MOU and Amendment to Subrecipient Agreement

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The City of Kent received Neighborhood Stabilization Grant (NSP) funding in 2009 as part of a regional allocation that included the City of Ravenna and Portage County. The City of Kent generated \$138,706.83 in NSP program income through the implementation of two of its projects and has been maintaining those funds in a separate bank account awaiting guidance from the U.S. Department of Housing & Urban Development (HUD) and the Ohio Development Services Agency (ODSA) regarding the expenditure of those funds.

The Community Development Department staff received confirmation from HUD and ODSA in 2018 that the NSP program income could be utilized locally on a CDBG eligible project. The Cities of Kent and Ravenna were designated as "Subrecipients" and Portage County was designated as the "Grantee" under the terms of the original MOU and as such, an updated MOU with Portage County and an addendum to the original NSP Subrecipient Agreement are needed in order to utilize the program income for a CDBG eligible project.

Attached is an explanatory letter to the Portage County Commissioners and draft versions of the proposed updated MOU and addendum. I am respectfully requesting time at the August 7, 2019 Council Committee session to discuss this matter in greater detail and to request Council authorization, with emergency, to enter into the updated MOU and execute the addendum to allow for the timely expenditure of the NSP program income.

Please let me know if you require any additional information in order to add this item to the August 7, 2019 agenda. Thank you.

Cc: Hope Jones, Law Director  
Dawn Bishop, Interim Clerk of Council  
Dan Morganti, Grants & Neighborhood Programs Coordinator

Attachments

930 Overholt Rd., Kent, Ohio 44240 • (330) 678-8108 fax (330) 678-8030 •  
[www.KentOhio.org](http://www.KentOhio.org)



# CITY OF KENT, OHIO

## DEPARTMENT OF COMMUNITY DEVELOPMENT

July 8, 2019

Portage County Board of Commissioners  
449 South Meridian Street  
Administration Building, 7<sup>th</sup> Floor  
Ravenna, Ohio 44266

Dear Board of Commissioners:

In 2009, Portage County and the Cities of Kent and Ravenna were designated by the State of Ohio Development Services Agency (ODSA)\* as a "defined region" for purposes of allocating a Neighborhood Stabilization Program (NSP) grant award of \$1,253,137 to the three (3) government entities. The ODSA designated the NSP funding for residential demolition and new construction initiatives throughout the County. The State received the original grant funds from the U.S. Department of Housing & Urban Development (HUD) as part of the funding made available under the Housing and Economic Recovery Act (HERA) of 2008 to address the high number of residential homes left vacant and abandoned as a result of the subprime mortgage foreclosure crisis of 2008.

The NSP grant funding agreement with the State of Ohio identified Portage County as the "Grantee" and the Cities of Kent and Ravenna as "Subrecipients" for purposes of administering the grant (see attachments A & B). Portage County and the City of Ravenna utilized their respective grant fund allocations for demolition activities only, while the City of Kent applied its funding to demolition and the construction of two new residential single-family structures. The City of Kent sold both new homes to NSP income-eligible households, which generated \$138,706.83 in NSP program income.

The City of Kent is categorized as a Grantee under the federal Community Development Block Grant (CDBG) program and as such, it receives funding directly from HUD on an annual basis. As a HUD Grantee, the City locally controls any program income that may be generated through a CDBG project and can utilize those funds for other eligible projects. The NSP funding received by the County and the Cities of Kent and Ravenna actually was categorized by Congress and HUD as a type of CDBG funding, but the model NSP agreement, provided by ODSA and utilized by Portage County and the Cities of Kent and Ravenna, did not address the matter of program income.

After the City of Kent sold the two (2) new single-family dwellings, it locally controlled the generated program income while the Ohio HUD field office and ODSA waited for a final ruling from HUD headquarters as to how to address NSP program income received by a community that was a direct entitlement recipient of CDBG funds, but which acted as a Subrecipient in a defined region for purposes of the NSP program.

The City received confirmation from HUD and ODSA in 2018 that the City of Kent could move forward with applying the NSP program income to a CDBG eligible project. The City is proposing to apply the available NSP program income to a 2018 CDBG funded project that will enable Family & Community Services to complete necessary renovations and upgrades to six (6) units at the Kentway Apartments on Summit Street, which provides rental housing options for low-to-moderate income seniors.

I am respectfully requesting time to meet with you to discuss this matter in greater detail and request authorization from the Portage County Commissioners to enter into an agreement granting the City of Kent the authority to maintain the NSP program income, plus accrued interest, and commit the available funds to the CDBG eligible project as described above.

If you have any questions or need additional information in order to add this to your agenda, please contact me at 330-678-8108 or [SuselB@kent-ohio.org](mailto:SuselB@kent-ohio.org).

Thank you for your consideration of this request. I look forward to meeting with you soon.

Sincerely,



Bridget Susel  
Community Development Director

\* Ohio Development Services Agency was known as the Ohio Department of Development (ODOD) at the time of NSP grant award

Attachments

## **MEMORANDUM OF UNDERSTANDING (MOU)**

**Between  
Portage County  
And  
City of Kent**

### **A. Introduction**

Pursuant to Public Law 110-289, Title III of Division B of the Housing and Economic Recovery Act (HERA), enacted on July 30, 2008, the State of Ohio received funding in 2009 through the Neighborhood Stabilization Program (NSP). The Ohio Department Services Agency (ODSA), formerly known as the Ohio Department of Development (ODOD), was responsible for administering a portion of the funds, which were allocated through a State program to local communities. ODSA designated Portage County, the City of Ravenna, and the City of Kent as a "defined region" and allocated a total of \$1,253,137 in NSP funding for the region. Portage County was designated as the "Grantee" and the Cities of Ravenna and Kent were designated as "Subrecipients." All of the NSP grant funding was expended within the identified grant period and in accordance with the ODSA requirements delineated in the NSP Subrecipient agreements.

### **B. Scope and Purpose of the MOU**

All three local communities expended funding on eligible demolition activities. The City of Kent also utilized a portion of its grant allocation on the NSP activity known as "residential development," which upon completion, generated \$138,706.83 in NSP program income. The City of Kent has retained the NSP program income in a separate savings account at a local bank in anticipation of the issuance of a ruling from the U.S. Department of Housing & Urban Development (HUD) and the ODSA regarding the requirements for the expenditure of the NSP program income. HUD and the ODSA notified the City of Kent in 2018 the NSP program income, plus any accrued interest, can be expended by the City of Kent, as a Community Development Block Grant (CDBG) entitlement community, on a CDBG eligible activity in the City that will benefit low-to-moderate income persons.

### **C. Terms of the MOU**

Portage County and the City of Kent hereby agree as follows:

Portage County was designated as the "Grantee" and the City of Kent was designated as one of two "Subrecipients" under the NSP program.

HUD and ODSA have categorized NSP funding, and any program income generated through implementation of an NSP project, as CDBG funding.



The City of Kent, operating in its capacity as a NSP Subrecipient, is granted authorization by Portage County, operating in its capacity as NSP Grantee, to commit all of the available NSP program income, plus accrued interest, to a City of Kent 2018 CDBG funded project.

**D. Period of MOU**

Portage County and the City of Kent hereby agree that this MOU will remain in effect until all NSP program income, plus accrued interest, is expended, and all HUD and ODSA reporting requirements associated with the NSP program income have been submitted and approved by the appropriate authority.

**E. Modification of the MOU**

This MOU may be modified or amended by written agreement of Portage County and the City of Kent. A request for an amendment to the MOU may be initiated by either community through written notification to the other community.

Now therefore, Portage County and the City of Kent do hereby agree to the aforementioned terms of this MOU as of \_\_\_\_\_, as evidenced by the following signatures:

By:

\_\_\_\_\_  
Vicki A. Kline, President,  
Portage County Board of Commissioners

Approved as to Form:

\_\_\_\_\_

\_\_\_\_\_  
Print Name & Title  
Portage County Prosecutor

By:

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

Approved as to Form:

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

**NEIGHBORHOOD STABILIZATION PROGRAM GRANT  
SUBRECIPIENT AGREEMENT AMENDMENT**

**BETWEEN**

**Portage County  
AND  
City of Kent**

THIS AMENDMENT is entered into effective the \_\_\_\_\_ day of \_\_\_\_\_, 2019 by and between Portage County (herein called the "Grantee") and the City of Kent (herein called "Subrecipient") to undertake the Community Development Block Grant ("CDBG") Neighborhood Stabilization Program ("NSP") as approved by the State of Ohio Development Services Agency ("Development").

WHEREAS, Grantee, in conjunction with the Subrecipient, applied for and was awarded funds from Development under the Housing and Economic Recovery Act of 2008 through the NSP; and

WHEREAS, Grantee and Subrecipient entered into an AGREEMENT dated July 28<sup>th</sup>, 2009 to set forth the responsibilities and obligations of each in undertaking the NSP and in utilizing such funds;

WHEREAS, said AGREEMENT did not address the use of any program income generated by NSP activities;

NOW, THEREFORE, it is agreed between the parties hereto that the following clause be added to the Subrecipient Agreement to address the use of program income:

IV. A. All program income received from NSP activities shall be retained by the Subrecipient. The Subrecipient shall maintain, transfer and expend program income subject to the requirements set forth in the CDBG regulations.

IN WITNESS WHEREOF, the parties hereto have executed this Grant Agreement on the last day and year set forth below.

**SUBRECIPIENT:**

**GRANTEE:**

City of Kent

Portage County

By: \_\_\_\_\_

By: \_\_\_\_\_

Name: \_\_\_\_\_

Name: \_\_\_\_\_

Title: \_\_\_\_\_

Title: \_\_\_\_\_

Date: \_\_\_\_\_

Date: \_\_\_\_\_

Approved as to form:

---

Hope Jones, Law Director,  
City of Kent

Approved as to form:

---

Assistant Prosecutor,  
Portage County

DRAFT



# CITY OF KENT, OHIO

## DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: July 31, 2019  
TO: Dave Ruller, City Manager  
FROM: Bridget Susel, Community Development Director *Bridget Susel*  
RE: Extended Parking Hours: Downtown Central Business District

The Community Development Department staff was contacted by a downtown business owner requesting the City consider eliminating the two-hour parking restriction for on-street parking in the downtown central business district after 5:00 p.m. as a way to promote the downtown and encourage visitors to stay and enjoy the many retail and entertainment options available in Kent.

The Traffic, Engineering & Safety (TE&S) Committee met on June 28, 2019 and voted unanimously to recommend extending the parking period after 5:00 p.m. to Kent City Council. The Parking Action Committee (PAC) met on July 19, 2019 and also cast a unanimous vote recommending the change be presented to Council.

I am respectfully requesting time at the August 7, 2019 Committee session to discuss this matter in greater detail with Council and to request authorization, with emergency, to amend Section 353.02 in order to remove the two hour parking restriction after 5:00 p.m. on the downtown streets listed on the attached draft and depicted in the accompanying map.

Please let me know if you need any other information in order to add this item to the agenda. Thank you.

Cc: Hope Jones, Law Director  
Dawn Bishop, Interim Clerk of Council  
Michelle Lee, Police Chief  
Tom Wilke, Economic Development Director  
Jim Bowling, City Engineer  
Melanie Baker, Service Director

Attachments

**Section 353.02**

**COLLEGE ST, W** TWO HOUR PARKING BOTH SIDES, BETWEEN 8 AM AND 5 PM; NO PARKING RESTRICTION BOTH SIDES, BETWEEN 5 PM AND 3 AM; AND NO PARKING BOTH SIDES, BETWEEN 3 AM AND 6 AM. NO PARKING YELLOW CURB ON NORTH SIDE ON BOTH SIDES OF ALLEY, YELLOW CURB ON BOTH SIDES 30' FROM INTERSECTION

**COLUMBUS ST** TWO HOUR PARKING SOUTH SIDE DEPEYESTER TO WILLOW EXCEPT FOR YELLOW CURB OPPOSITE HIGHLAND AVE. ~~AND~~ TWO HOUR PARKING BETWEEN 8 AM AND 5 PM; NO PARKING RESTRICTION BETWEEN 5 PM AND 3 AM; AND NO PARKING BETWEEN 3 AM AND 6 AM ON NORTH SIDE BETWEEN WATER ST AND DEPEYESTER ST.

**DEPEYSTER ST, N** TWO HOUR PARKING, BETWEEN 8 AM AND 5 PM; NO PARKING RESTRICTION BETWEEN 5 PM AND 3 AM; AND NO PARKING BETWEEN 3 AM AND 6 AM WEST SIDE FROM COLUMBUS ST TO MAIN ST. NO PARKING ON EAST SIDE; NO PARKING WEST SIDE FROM CRAIN AVE TO COLUMBUS ST., "DISABLED/HANDICAPPED ONLY" AT THE FIRST SPACE NORTH OF MAIN ST., ON THE WEST SIDE.

**DEPEYSTER ST,S** TEN MINUTE DROP OFF OR PICKUP ON EAST SIDE IN RECESSED AREA IN FRONT OF 215 S. DEPEYESTER ST., NO PARKING FROM HAYMAKER TO LOCKE LANE WEST SIDE. TWO HOUR PARKING BETWEEN 8 AM AND 5 PM; AND NO PARKING RESTRICTION BETWEEN 5 PM AND 3 AM. AND NO PARKING FROM 3AM TO 6AM BETWEEN LOCKE LANE AND E ERIE ST. NO PARKING FROM E. ERIE TO E. MAIN ST. EAST SIDE. TWO HOUR PARKING BETWEEN 8 AM AND 5 PM; AND NO PARKING RESTRICTION BETWEEN 5 PM AND 3 AM. AND NO PARKING FROM 3AM TO 6AM BETWEEN E. ERIE ST. TO E. MAIN ST. TWO HOUR PARKING WEST SIDE AND NO PARKING EAST SIDE BETWEEN SUMMIT STREET AND OAK STREET.

**ERIE ST, E** FROM S. WATER ST TO DEPEYSTER ST TWO HOUR PARALLEL PARKING BETWEEN 8 AM AND 5 PM; NO PARKING RESTRICTION BETWEEN 5 PM AND 3 AM; AND NO PARKING FROM 3AM TO 6 AM SOUTH SIDE. TWO HOUR BETWEEN 8 AM AND 5 PM; NO PARKING RESTRICTION BETWEEN 5 PM AND 3 AM; AND NO PARKING FROM 3AM TO 6AM ANGLE PARKING HEAD IN ONLY ON NORTH SIDE. "DISABLED/HANDICAPPED ONLY PARKING" AT THE FIRST SPACE EAST OF S. WATER ST. NORTH SIDE OF ERIE FROM S. DEPEYSTER ST TO HAYMAKER PKWY TWO HOUR BETWEEN 8 AM AND 5 PM; NO PARKING RESTRICTION BETWEEN 5 PM AND 3 AM; AND NO PARKING FROM 3AM TO 6AM PARALLEL PARKING SOUTH SIDE. TWO HOUR BETWEEN 8 AM AND 5 PM; NO PARKING RESTRICTION BETWEEN 5 PM AND 3 AM; AND NO PARKING FROM 3AM TO 6AM ANGLE PARKING HEAD IN ONLY ON NORTH

SIDE. "DISABLED/HANDICAPPED ONLY PARKING" AT MID BLOCK NORTH SIDE TWO SPACES. TEN MINUTE DROP OFF OR PICKUP ON NORTH SIDE FROM HAYMAKER TO FIRST PARKING SEPARATION ISLAND.

**ERIE ST, W** TWO HOUR PARKING **BETWEEN 8 AM AND 5 PM; NO PARKING RESTRICTION BETWEEN 5 PM AND 3 AM;** AND NO PARKING FROM 3AM TO 6AM BOTH SIDES. HEAD IN ONLY ANGLE PARKING BOTH SIDES. "DISABLED/HANDICAPPED ONLY" AT THE N/W SPOT AT FRANKLIN AVE AND S/W SPOT AT S. WATER ST.

**FRANKLIN AVE** TWO HOUR PARKING **BETWEEN 8 AM AND 5 PM; NO PARKING RESTRICTION BETWEEN 5 PM AND 3 AM;** EAST SIDE FROM W. MAIN ST TO W. ERIE ST AND AT ANGLE PARKING WEST SIDE FROM W. MAIN ST TO COLLEGE ST., EXCEPT YELLOW CURB AREA; **AND** NO PARKING 3AM TO 6AM W. MAIN TO SUMMIT. "DISABLED/HANDICAPPED ONLY" AT THE FIRST SPACE NORTH OF THE BUILDING AT 152 FRANKLIN. NO PARKING FROM W. ERIE ST TO SUMMIT ST ON EAST SIDE; HEAD IN ONLY ANGLE PARKING ON WEST SIDE. NO PARKING BOTH SIDES FROM SUMMIT TO SR 261.

**MAIN ST, E** TWO HOUR PARKING **BETWEEN 8 AM AND 5 PM; NO PARKING RESTRICTION BETWEEN 5 PM AND 3 AM;** AND NO PARKING BETWEEN 3AM AND 6AM BOTH SIDES BETWEEN WATER ST. AND HAYMAKER PARKWAY. "DISABLED/HANDICAPPED ONLY" AT THE FIRST DIAGONAL SPACES EAST OF WATER ST., ON THE NORTH AND SOUTH SIDES. NO PARKING BOTH SIDES IN ALL OTHER AREAS

**MAIN ST, W** TWO HOUR PARKING BETWEEN 8AM AND 5PM; **NO PARKING RESTRICTION BETWEEN 5 PM AND 3 AM;** AND NO PARKING BETWEEN 3AM AND 6AM FROM WATER ST. TO GOUGLER AVE. NO PARKING BOTH SIDES IN ALL OTHER AREAS.

**WATER ST, N** TWO HOUR PARKING BETWEEN 8AM AND 5PM; **NO PARKING RESTRICTION BETWEEN 5 PM AND 3 AM;** AND NO PARKING BETWEEN 3AM AND 6AM BOTH SIDES, EXCEPT FOR PARKING SPACES ON WEST SIDE DESIGNATED AS "OVERNIGHT RESIDENT PARKING BY PERMIT ONLY". "DISABLED/ HANDICAPPED ONLY" AT THE FIRST SPACE NORTH OF ALLEY #3, ON THE EAST SIDE.

**WATER ST, S** TWO HOUR PARKING **BETWEEN 8 AM AND 5 PM; NO PARKING RESTRICTION BETWEEN 5 PM AND 3 AM;** AND NO PARKING BETWEEN 3AM AND 6AM BETWEEN MAIN ST AND HAYMAKER PKWY, NO PARKING BOTH SIDES FROM HAYMAKER PKWY AND CITY LIMITS. "DISABLED/HANDICAPPED ONLY" AT THE FIRST SPACE NORTH OF ALLEY #4 (BURBICK WAY) ON THE EAST SIDE. "DISABLED/ HANDICAPPED ONLY" AT THE FIRST SPACE SOUTH OF W. ERIE ST.



**Parking Restriction Change: Unlimited Parking from 5pm to 3am**

**Still 2 Hour Restriction from 6am to 5pm**





# CITY OF KENT, OHIO

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## DEPARTMENT OF COMMUNITY DEVELOPMENT

**Date:** July 23, 2019  
**To:** Dave Ruller, City Manager  
**From:** Dan Morganti, Grants & Neighborhood Program Coordinator  
**Re:** New Special Event Application – Kent Creativity Festival “Plan B” Location

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A special event application for the 2019 Kent Creativity Festival “Plan B” location has been submitted to the City Manager’s office. Since 2016, the Kent Creativity Festival has been held along Kent State University’s Esplanade between S. Lincoln Street and Haymaker Parkway on KSU’s campus. This is the intended location for the festival again in 2019. Last year, the festival was cancelled the day before it was to be held as a result of a second amendment protest, and associated counter-protests, which took place on another area of campus. The cancellation of the 2018 festival created the need to have a “Plan B” location as a precautionary measure in the event that this year’s festival can’t be held on campus grounds.

The proposed “Plan B” location is along E. Erie Street between Haymaker Parkway and S. Depeyster Street and E. Erie Street between S. Depeyster Street and S. Water Street. Staff has met with Kent Police Department Captain Nick Shearer about this location and maintaining traffic safety movement during the time of the event. S. Depeyster Street itself would remain open, so guests of the KSU Hotel and Conference Center would still have easy vehicle access from the hotel check-in area to the parking deck.

Additionally, the Green Energy Ohio Tour – Clean Transportation Drive-In is scheduled to be held in conjunction with the Kent Creativity Festival in the parking lot of the City Health Department office on KSU’s campus. A proposed precautionary “Plan B” location for the Clean Transportation Drive-In is in the S. Water Street Parking Lot.

Please let me know if you have questions concerning any of the attached materials or if any additional information is needed.

Thank you.

**Cc:** Bridget Susel, Community Development Director  
Dawn Bishop, Interim Clerk of Council



APPLICATION FOR SPECIAL EVENT  
PARADES, FESTIVALS, CARNIVALS, PUBLIC ASSEMBLIES, ETC.  
City of Kent, 319 S. Water Street, Kent, OH 44240

NAME OF EVENT Kent Creativity Festival (Precautionary Plan B)

ORGANIZATION SPONSORING EVENT City of Kent/Kent State University

APPLICANT NAME John R. Crawford-Spinelli PHONE 330-672-8386

ADDRESS KSU, PO Box 5190, Kent, OH 44242

NAMES AND PHONE NUMBERS OF ALL PERSONS WHO ARE IN CHARGE AND/OR WILL BE IN A RESPONSIBLE POSITION DURING THE EVENT:

Dan Morganti, City of Kent, Office 330-678-8108

Gloria Tilenni, KSU College of the Arts, Office 330-672-8386

DATE OF EVENT Saturday, Sept. 28, 2019 NO. OF PARTICIPANTS 30 artists

REQUESTED PERMIT TIME: Start Set up 7 a.m. Start Event 11 a.m.

End Event 5 p.m. End Cleanup 6 p.m.

IF PARADE: STARTING POINT \_\_\_\_\_ ENDING POINT \_\_\_\_\_

USE OF CITY WATER NEEDED? Yes, 4 artists need water  
(IF YES, PLEASE EXPLAIN)

USE OF CITY ELECTRIC NEEDED? Yes, 9 artists will need electricity  
(IF YES, PLEASE EXPLAIN)

In addition to the application please submit the following information:

- Attach map to application showing proposed streets to be blocked off for event, and route of parade or race. (May be hand drawn.)
- Proof of Insurance is required before permit can be issued.
- Please attach list of possible vendors/booths to be part of event (food, retail, etc.).

Please submit application for permit at least 30 days in advance, but no sooner than one year in advance. For additional requirements please review Chapter 316 of The Codified Ordinance of the City of Kent. Please be advised that the use of marking paint on City pavement, curbs, sidewalks or other property is prohibited except if purchased at cost from Service Department (330-678-8105).

By signing this application, I am certifying that I have received a copy of the rules and regulations of Chapter 316 of the Codified Ordinances of the City of Kent, and I fully understand that should the permit be approved, it can be revoked if any of the provisions of this Chapter are violated.

John R. Crawford-Spinelli  
Name of Applicant

  
Signature of Applicant

Office Use. Do not write below this line. \_\_\_\_\_ Sent to:  
Safety, Service, Fire, Police, and Health Departments for review and approval  
via \_\_\_\_\_ on \_\_\_\_\_

MEMORANDUM AGREEMENT \_\_\_\_\_ YES \_\_\_\_\_ NO  
APPLICATION APPROVED \_\_\_\_\_ APPLICATION DISAPPROVED \_\_\_\_\_

PROOF OF INSURANCE REQUIRED BY ORDINANCE 316.04 HAS BEEN REVIEWED AND APPROVED.

  
Law Director

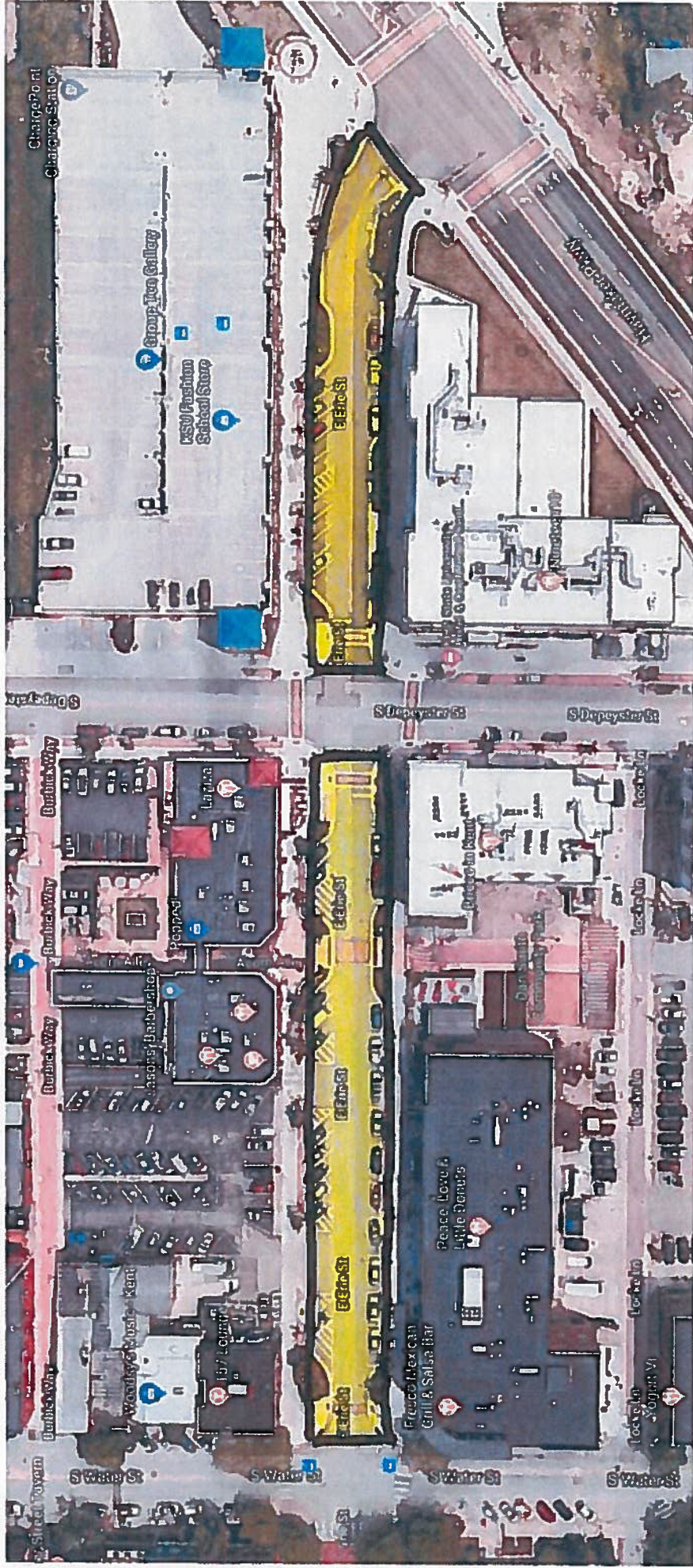
7-24-19  
Date

IF APPLICATION IS APPROVED, PERMIT WILL BE ISSUED BY THE CITY MANAGER.



# KENT CREATIVITY FESTIVAL

## "PLAN B" LOCATION



[Yellow Square] = STREET CLOSURE AREA





imagery ©2017 Google, Map data ©2017 Google United States 50 ft

# Clean Transportation Cruise In Location





# CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)  
06/13/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

**IMPORTANT:** If the certificate holder is an **ADDITIONAL INSURED**, the policy(ies) must have **ADDITIONAL INSURED** provisions or be endorsed. If **SUBROGATION IS WAIVED**, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

**PRODUCER**  
Marsh USA Inc  
200 Public Square, Suite 3760  
Cleveland, OH 44114

**CONTACT NAME:**  
**PHONE (A/C, No, EX):** \_\_\_\_\_ **FAX (A/C, No):** \_\_\_\_\_  
**E-MAIL ADDRESS:** \_\_\_\_\_

CN101360767-KenSt-PRIM-19-20

**INSURED**  
Kent State University  
Attn: Elaine Ramhoff  
310 Harbourl Hall, 615 Loop Rd  
Kent, OH 44242-0001

INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A : IUC Insurance Consortium		
INSURER B : N/A		N/A
INSURER C : N/A		N/A
INSURER D :		
INSURER E :		
INSURER F :		

### COVERAGES

**CERTIFICATE NUMBER:**

CLE-005422961-22

**REVISION NUMBER: 2**

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADD'L SUBR INSD WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS	
A	<input checked="" type="checkbox"/> <b>COMMERCIAL GENERAL LIABILITY</b> <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR  GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER		IUC-IC-GL JULY 2019-20	07/01/2019	07/01/2020	EACH OCCURRENCE	\$ 5,000,000
						DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000
						MED EXP (Any one person)	\$ NOT COVERED
						PERSONAL & ADV INJURY	\$ 5,000,000
						GENERAL AGGREGATE	\$ 5,000,000
						PRODUCTS - COMP/OP AGG	\$ Incl in Gen. Agg
A	<input checked="" type="checkbox"/> <b>AUTOMOBILE LIABILITY</b> <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY		IUC-IC-AL JULY 2019-20	07/01/2019	07/01/2020	COMBINED SINGLE LIMIT (Ea accident)	\$ 5,000,000
						BODILY INJURY (Per person)	\$
						BODILY INJURY (Per accident)	\$
						PROPERTY DAMAGE (Per accident)	\$
	<input type="checkbox"/> <b>UMBRELLA LIAB</b> <input type="checkbox"/> OCCUR <input type="checkbox"/> <b>EXCESS LIAB</b> <input type="checkbox"/> CLAIMS-MADE DED _____ RETENTION \$ _____					EACH OCCURRENCE	\$
						AGGREGATE	\$
	<b>WORKERS COMPENSATION AND EMPLOYERS' LIABILITY</b> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) If yes, describe under DESCRIPTION OF OPERATIONS below	Y/N <input type="checkbox"/>	N/A			PER STATUTE	OTH-ER
						E L EACH ACCIDENT	\$
						E L DISEASE - EA EMPLOYEE	\$
						E L DISEASE - POLICY LIMIT	\$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)  
City of Kent is named as an additional insured for any events sponsored and/or approved by Kent State University

### CERTIFICATE HOLDER

CITY OF KENT  
LAW OFFICE  
319 S WATER ST  
PO BOX 5192  
KENT, OH 44240

### CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE  
of Marsh USA Inc.

Kate Kenny

*Kate W. Kenning*

- KENT -  
**CREATIVITY**  
FESTIVAL

September 28, 2019

### PERFORMANCES

Ugandan Sanyuka Children's Choir

AseXpressions

Thai long drums

ArtSparks Scholarship Dance Team

KSU Orchestra

Hip Hop Hoop Troop

Kent Roosevelt High School Marching Band, 11:00 a.m. – Directed by Dr. J. Roebke

Rootstown High School Marching Band, 2 p.m. – Directed by D. McCloskey

### CREATIVE ACTIVITIES

***The Sanyuka Children's Choir*** Learn a traditional Ugandan song and/or dance taught by this children's choir visiting the area. The choir will perform a variety of traditional Ugandan songs and dances to inspire hope and create awareness of the plight of at-risk youth in the children's home country. *On behalf of Sanyuka Children Ministries*

***I Dream of Weaving*** Write your hopes and dreams for the future on re-cycled fabric and join us in weaving our dreams together! Using hula hoops as looms we will be creating several collaborative weavings while encouraging positive thoughts through art in our community. *NAEA Kent State Student Chapter*

***Thai Musicians*** Listen and participate in a demonstration of the Thai long drum ensemble. Participants will be taught simple, rhythmic patterns, and with a little practice will be playing music with the group. *KSU students and faculty – Thai Ensemble*

***Kent State University Robotics Team*** THREE stations will provide hands-on activities that include a game about gravity, drivable robots, and a big robot on display for all to ask questions and learn about engineering. *KSU Robotics students*

***Tech Infused Jewelry*** Be creative and design and make your own bracelet, necklace, ring, etc. that infuses one or more of the following technologies: 3D printing, lasercutting, or small electronics. *Portage County Bio Med Science Academy*

***Theatre on the Spectrum*** Through theatre games and improvisation, company members will engage participants in spontaneous acts of theatre! The goal is to create an inclusive environment where people of all abilities and ages can meet to create mini performances. The Center for Applied Drama and Autism and Ardmore, Inc. have partnered to develop an adult theatre program for people of all abilities with an interest in learning and creating theatre. *Center for Applied Drama and Autism*

***Pop Goes the Orchestra*** Experience musical instruments you can touch, explore and play! Enjoy a musical instrument try-it tent! Ever wonder... how does an instrument make a sound, how heavy is it, how can you play it and what does it sound like? Join us and make some music. *KSU Music Education students*

***Dance! Music! Joy!*** Step up, experience and learn basic elements of dance and a short piece of choreography. The ArtSparks' Scholarship Team ages 8-13 will end the session with a short performance. *ArtSparks*

***Fashion Designer for a Day*** Participants will create their very own fashion design. First they will draw their idea on the fashion croquis (sketchbook), with some assistance as required. After choosing their own designer fabric from a large collection of swatches, they will mount the swatches to their sketches and take home their very own design. *Kent Fabrics*

***Conduct Us!*** Current KSU students involved in the music program will play familiar tunes while festival participants come on stage to conduct the orchestra. *KSU Orchestra students*

***ASE Xpressions*** The troupe will be demonstrating different African dancing, both traditional and modern. After performing on the main stage, a workshop will be conducted teaching the dance that was just performed. *KSU students*

***Pull Up a Chair and Dance!*** Participants will be guided through dance/movement explorations with an emphasis on the joy of moving and connecting with others. Whether you want to rev up to walk around the festival or relax and renew before setting out again, *Pull Up a Chair and Dance!* will engage, entertain and invigorate. *KSU Faculty*

***Silkscreen Your Own Tote*** The student printmaking club have created a 2-color design for this activity. Participants will be able to silkscreen the first color for the tote at station 1, then move to station 2 for the second color, leaving with a tote bag that can function as a reusable grocery bag. *KSU student United Print Alliance*

***Modular Building*** Join in creating a large installation using a large format modular building element that can be easily connected to other self-similar elements. The pieces are easily manageable, soft sheets of rigid foam to keep participants safe and to allow artists of all abilities to participate. The building components can be assembled in a number of smaller compositions or combined together into one, large-scale piece. *DS Architecture*

**Design a Sea Star** Materials include paper plate, markers, scissors, glue, yarn, a variety of colorful cereals and grains and sequins. We will make suggestions about what they could include to make their sea star more beautiful. Learn some fascinating facts about sea stars as you work. *Fun Dimensions of Creative Writing*

**Jumping Off The Page!** Join *Wandering Aesthetics* for a day of improvisational play for ALL AGES and ALL SKILL LEVELS! Guided by the storytellers, participants will be encouraged to put on a costume, grab a prop or two, and enter the world of the story. Using animal tales as our structure and improvisation as our rule, this activity is sure to bring out everyone's creativity. From myths to fairy tales, this day is sure to be an adventure like none other. A few props, some makeshift costumes and a story is all you'll need throughout this interactive theatrical affair. From trickster foxes to helpful monkeys, step out of reality and into the world of make believe. *Wandering Aesthetics*

**Hip Hop Hoop Troop Dance** The group will perform on stage and conduct workshops to teach their moves. Participants will be engaged in following a step-by-step process to learn hoop dance skills. *Based at Kent Parks & Rec Fitness Center*

**Natural Spinning & Dyeing** Hale Farm Spinners and Dyers present natural dyeing, using natural materials from garden, field or forest. A team of dyers will help you select materials for dye and then dye yarn or silk cloth in a surprising array of colors. [Hale Farm & Village](#)

**Story of Self** The project uses the arts to engage in how we honor differences and empower change, creating buttons to raise awareness of how we empower ourselves to have conversations and engage with others.

**Boomwacker Band** Come join the Boomwacker Band! Up to 12 participants at a time will work together using color-coded boom wackers and push bells to re-create family friendly pop hits. No musical experience is required and all abilities are welcome to ROCK OUT with support from our team of music therapists! The Boomwacker Band will be set up all day, allowing participants to come back and play as much as they want! [The Groovy Garfoose](#)

**Poetry Experience** Enjoy a fully immersive poetry experience through micro-workshops that will guide guests through short writing prompts. Record your poem in a special recording booth and then view it in real time on the full-wall white board in a classroom of the Wick Poetry Center inside the Mary Prentice House. [Wick Poetry Center](#)

**Puppets and Pitches** Better living through Puppetry. Come create hand puppets and then learn how to use your new friend to pitch yourself or your greatest idea. With the power of creativity and crafts, you can really *Sock it to 'em!* *KSU LaunchNet and Theatre & Dance faculty & students*

**Small Pillow Making** Create small pillows with custom printed fabric designs on sewing machines set up at the booth. Several choices of fabrics will be offered. *KSU Fashion School* [TechStyleLAB](#)

**Paint & Snip** A kinesthetic sensory exploration through splatter paint creations. Step 1:

cut out a shape. Step 2: grab a postcard. Step 3: splatter watered down tempera paints onto them with different tools. The result will be a collaborative mural and a postcard you can pop in the mail to a friend! *School of Art Alumni*

**Re-cycled Shirt Macrame** Using yarn made from upcycled t-shirts (tam), participants will make a simple braided creature. *The Socially Responsible Sweatshop of Kent, Ohio*

**Button Making** Participants will provide the artwork and we will provide everything else needed to make two buttons each. Artists can use crayons, markers, stencils, stickers, or bring their own supplies! [Sparrow Haus](#)

## UNITY PROJECT

A global project where participants celebrate their uniqueness and strengthen their ties to each other. Join us in building a larger-than-life structure by creating a web of interconnectedness. Visit <http://www.unityproject.net/>

*The Kent Interfaith Alliance for Racial Justice & Reconciliation*

## WE THE PEOPLE EXHIBIT

The public exhibition "We the People" consists of large-scale portraits of NE Ohio community members who also identify as refugees. With images by photographer Erin LaBelle, this project is organized by the GURI group at KSU to emphasize our common humanity. Each portrait is accompanied by a panel that outlines each person's journey to our region. *Global Understanding Research Initiative (GURI) at Kent State University*

## SUSTAINABILITY

The Kent Clean Transportation Crew will have sustainable vehicles on display.

## FOOD TRUCKS

Smash Time  
Erie Street Kitchen







Morganti, Dan &lt;morgantid@kent-ohio.org&gt;

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**East Erie Street - "Plan B" for the Kent Creativity Festival on Saturday, September 28, 2019**

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mhartman43@aol.com <mhartman43@aol.com>  
To: Dan Morganti <morgantid@kent-ohio.org>  
Cc: Bridget Susel <suselb@kent-ohio.org>

Tue, May 14, 2019 at 1:46 PM

Hi Dan,

As the property owner's representative, you have my support for "Plan B" for the Creativity Festival. In addition, here is the contact information for our tenants located on the street level of Erie Street:

1. Shirley Chimento – Cutler Real Estate: SChimento@cutlerhomes.com
2. Andy Johnson – Warehouse Salon: andy@salonliftohio.com
3. JR Campbell – Fashion School Store: jrcamp@kent.edu
4. Michelle Hartman – Destination Kent Visitor Centre: mhartman43@aol.com
5. Mike Awad – Laziza: michaelmawad@yahoo.com
6. Jessica Ryan – Handcrafted: jessica@handcraftedkent.com
7. Shannon Zemba: Overeasy: overeas Kent@gmail.com
8. Mike Beder: Tree City Coffee: mjbeder@gmail.com

Please feel free to contact me with any questions or if you need additional assistance in the planning process.

Thank you Dan.

Take care,

Michelle

Michelle M. Hartman

Executive Vice President/COO

The Burbick Companies

138 E. Main Street, Suite 201A

Kent, OH 44240

330.815.4315

It's never too late to make a difference. Giving back is always in style!



Morganti, Dan <morgantid@kent-ohio.org>

**East Erie Street - "Plan B" for the Kent Creativity Festival on Saturday, September 28, 2019**

Michael Riccio <mriccio@kentstatehotel.com>

Mon, Jul 15, 2019 at 1:39 PM

To: "Morganti, Dan" <morgantid@kent-ohio.org>

Cc: "amrhein.c16@partaonline.org" <amrhein.c16@partaonline.org>, Bridget Susel <suselb@kent-ohio.org>

As long as Depeyster stays open this is fine Dan, thank you.

Mike

**Michael Riccio - General Manager**

mriccio@KentStateHotel.com

**Kent State University Hotel and Conference Center**

215 S. Depeyster Street Kent, OH 44240

(Direct) 330-552-3160

(Cell) 330-242-4620

www.KentStateHotel.com | Facebook

Proudly managed by the Riley Hotel Group

www.rileyhotelgroup.com



**From:** Morganti, Dan [mailto:morgantid@kent-ohio.org]

**Sent:** Tuesday, July 9, 2019 4:17 PM

**To:** Michael Riccio <mriccio@kentstatehotel.com>

[Quoted text hidden]

[Quoted text hidden]



Morganti, Dan <morgantid@kent-ohio.org>

# East Erie Street - "Plan B" for the Kent Creativity Festival on Saturday, September 28, 2019

M.J. Beder <mjbeder@gmail.com>

Thu, May 23, 2019 at 5:17 PM

To: Dan Morganti <morgantid@kent-ohio.org>, Evan Bailey <evan.bailey@gmail.com>

Hi Dan. My business partner from Tree City Coffee, Evan Bailey, is cc'ed. We have no issues with the possible closure of Erie Street for the Creativity Festival. Keep us posted.

Thanks,

**Michael J. Beder**

P. (330) 815-0747

E. [mjbeder@gmail.com](mailto:mjbeder@gmail.com)

W. [www.MikeBeder.com](http://www.MikeBeder.com)



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- > PLEASE NOTE: This message and any response to it may
- > constitute a public record, and therefore may be available
- > upon request in accordance with Ohio public records law.
- > (ORC 149.43)

7/2/2019

City of Kent, Ohio Mail - East Erie Street - "Plan B" for the Kent Creativity Festival on Saturday, September 28, 2019



Morganti, Dan <morgantid@kent-ohio.org>

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## East Erie Street - "Plan B" for the Kent Creativity Festival on Saturday, September 28, 2019

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Jessica Ryan <jessica@handcraftedkent.com>  
To: Dan Morganti <morgantid@kent-ohio.org>

Fri, May 24, 2019 at 2:06 PM

Hi Dan,

• We are willing to sign the petition!

Thanks,  
Jessica

Jessica Ryan  
Jessica@handcraftedkent.com  
(330) 968-6317

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[Quoted text hidden]  
[Quoted text hidden]



7/2/2019

City of Kent, Ohio Mail - East Erie Street - "Plan B" for the Kent Creativity Festival on Saturday, September 28, 2019



Morganti, Dan <morgantid@kent-ohio.org>

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## East Erie Street - "Plan B" for the Kent Creativity Festival on Saturday, September 28, 2019

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Andy Johnson <andy@salonliftohio.com>  
To: "Morganti, Dan" <morgantid@kent-ohio.org>

Mon, Jul 1, 2019 at 1:31 PM

Sorry for the delay. I'm happy to support this.

Andy

[Quoted text hidden]

[Quoted text hidden]

[Quoted text hidden]

--  
Andy Johnson, Owner  
Salon Lift  
2795 Front Street, Suite C  
Cuyahoga Falls, OH 44221  
330-922-5990  
andy@salonliftohio.com

7/2/2019

City of Kent, Ohio Mail - East Erie Street - "Plan B" for the Kent Creativity Festival on Saturday, September 28, 2019



Morganti, Dan <morgantid@kent-ohio.org>

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## East Erie Street - "Plan B" for the Kent Creativity Festival on Saturday, September 28, 2019

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Shannon Zemba <sovereasykent@gmail.com>  
To: "Morganti, Dan" <morgantid@kent-ohio.org>

Mon, Jul 1, 2019 at 6:39 PM

Dan,  
Thank you for getting back to me. I would love to sign the petition.  
[Quoted text hidden]

7/2/2019

City of Kent, Ohio Mail - PLAN B / Creativity Festival.



Morganti, Dan <morgantid@kent-ohio.org>

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## PLAN B / Creativity Festival.

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Marguerite Loomis <mloomis6@kent.edu>

Sat, Jun 1, 2019 at 2:52 PM

To: "Morganti, Dan" <morgantid@kent-ohio.org>

Dan,

The Fashion School Store at 201 E. Erie Street/Downtown Kent is fine with ~~PLAN B for Creativity Festival~~. If it requires a signed petition, please let me know.

Thank you.

Marguerite Loomis  
FSSStore Manager

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- > PLEASE NOTE: This message and any response to it may
- > constitute a public record, and therefore may be available
- > upon request in accordance with Ohio public records law.
- > (ORC 149.43)

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Morganti, Dan <morgantid@kent-ohio.org>

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**East Erie Street - "Plan B" for the Kent Creativity Festival on Saturday, September 28, 2019**

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Paul Braden <paul@woodsyst.com>  
To: Dan Morganti <morgantid@kent-ohio.org>

Tue, May 14, 2019 at 2:43 PM

Woodsy's will support the Erie street closing

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**From:** Dan Morganti [mailto:morgantid@kent-ohio.org]  
**Sent:** Tuesday, May 14, 2019 12:25 PM  
**To:** amrhein.c16@partaonline.org; Michelle Hartman; Paul Braden; mriccio@kentstatehotel.com  
**Cc:** Bridget Susel  
**Subject:** East Erie Street - "Plan B" for the Kent Creativity Festival on Saturday, September 28, 2019

Good afternoon:

[Quoted text hidden]

• PLEASE NOTE: This message and any response to it may

[Quoted text hidden]



Morganti, Dan &lt;morgantid@kent-ohio.org&gt;

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**East Erie Street - "Plan B" for the Kent Creativity Festival on Saturday, September 28, 2019**

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Tim Dean &lt;tim.dean@stclairmgmt.com&gt;

Tue, Jun 11, 2019 at 12:08 PM

To: Dan Morganti &lt;morgantid@kent-ohio.org&gt;, Tom Wilke &lt;wilket@kent-ohio.org&gt;

Dan:

Based upon the responses to my email to Tenant's it look like all the Tenant's would enjoy having the event on Erie Street, as we get closer to the event keep me in the loop. Otherwise, you have our recommendation.

Thanks, Tim

**Timothy J. Dean**

Manager of Operations

210 S. Depeyster Street

Kent, Ohio 44240

Email: Tim.Dean@stclairmgmt.com

Office: 330-346-0644

Mobile: 440-567-4838

Website: <https://www.collegetownkent.com/>

----- Forwarded message -----

From: Tim Dean &lt;tim.dean@stclairmgmt.com&gt;

Date: Thu, Jun 6, 2019 at 1:22 PM

Subject: Fwd: East Erie Street - "Plan B" for the Kent Creativity Festival on Saturday, September 28, 2019

To: Tim Dean &lt;tim.dean@stclairmgmt.com&gt;, &lt;morgantid@kent-ohio.org&gt;

Dear Tenant's:

As you can see from the email from Dan Morganti, "Grants and Neighborhood Program Coordinator they are planning the Kent Creativity Festival. Plan A is to have the event on KSU's campus which attracted over 3,000 visitor's in the past. Last year the event was cancelled and they would like to have an alternative plan B in 2019.

Plan B" is to hold the Kent Creativity Festival along E. Erie Street between Haymaker Parkway and S. Water Street and would require closing East Erie Street in this area between the hours of 7 am and 7 pm on Saturday, September 28, 2019.

Prior to giving my support to the event, I wanted to run by you the Tenant's on Erie Street that would be most affected.

Please let me know your thoughts!

Thanks, Tim

**Timothy J. Dean**

Manager of Operations

210 S. Depeyster Street

Kent, Ohio 44240

Email: Tim.Dean@stclairmgmt.com

Office: 330-346-0644

Mobile: 440-567-4838

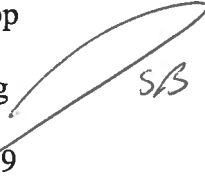
Website: <https://www.collegetownkent.com/>



CITY OF KENT  
DEPARTMENT OF PUBLIC SERVICE  
DIVISION OF ENGINEERING

MEMO

TO: Dave Ruller  
Dawn Bishop

FROM: Jim Bowling  SB

DATE: July 24, 2019

RE: ODOT - Bridge Inspection Program Services

The Ohio Department of Transportation (ODOT) has offered to renew their bridge inspection services to local governments for the next three years (2020-2022). Currently the National Bridge Inspection Program (NBIS) requires that bridge owners perform oversight including the following for all their federally classified bridges (length greater than 20 ft):

- Inventory vehicular bridges with ODOT
- Annually inspect bridges
- Perform Load Ratings for their bridges
- Determine Scour Critical Structures
- Perform within hand reach inspections on fractural critical bridges every 2 years

While this program through ODOT will not perform all of the bridge inspection services that the City desires, it will provide the majority of the inspection services which will save the City resources. Therefore, the engineering division recommends approval of the consent legislation to have ODOT perform Bridge Inspection Services for the City. Sample consent legislation from ODOT is attached.

c: Hope Jones  
Sandy Lance  
Melanie Baker  
file

**PRELIMINARY LEGISLATION**

Consent

Rev. 6/26/00

**Ordinance/Resolution # :** \_\_\_\_\_

**PID No. :** 109334

**County/Route/Section :** \_\_\_\_\_

The following is a/an \_\_\_\_\_ enacted by the \_\_\_\_\_ of \_\_\_\_\_  
(Ordinance/Resolution) (Local Public Agency)  
County, Ohio, hereinafter referred to as the Local Public Agency (LPA).

**SECTION I – Project Description**

WHEREAS, the (LPA) has determined the need for the described project:

*Bridge Inspection Program Services, including, but not limited to routine inspections, element level inspections, critical-findings reports, fracture critical member inspections, load rating calculations and reports, weight limits posting sign recommendations, scour assessments, scour plan of actions, development of fracture critical plans, and underwater dive inspection reports if needed.*

NOW THEREFORE, be it ordained by the \_\_\_\_\_ of \_\_\_\_\_ County, Ohio.  
(LPA)

**SECTION II – Consent Statement**

Being in the public interest, the LPA gives consent to the Director of Transportation to complete the above described project.

**SECTION III – Cooperation Statement**

The LPA shall cooperate with the Director of Transportation in the above described project as follows:

*The State shall assume and bear 100% of all of the cost for Bridge Inspection Program Services requested by the City and agreed to by the State. Eligible Bridge Inspection Services are described in the Consultant's Scope of Services Task Order Contract (Exhibit A).*

*The LPA agrees to pay 100% of the cost of those features which are not included in Exhibit A. Those features may include but not limited to the purchasing and erecting the recommended weight limits postings signs, the implementation of critical findings reports such as partial or total bridge closures, the implementation of the scour plan of actions. When recommendations affect public safety, ODOT expects full implementation by the LPA. Starting in October 2019, FHWA requires installing weight limits posting signs within 30 days from the official date of the approved recommendations. Timely implementation is essential to the success of this program.*

**SECTION IV – Utilities and Right-of-Way Statement**

The LPA agrees that all right-of-way required for the described project will be made available in accordance with current State and Federal regulations.

**SECTION V Authority to Sign**

I, \_\_\_\_\_ of said \_\_\_\_\_ is hereby empowered on behalf of the  
(Contractual Agent) (LPA)  
\_\_\_\_\_ to enter into contracts with the Director of Transportation which is necessary to  
(LPA)  
complete the above described project.

Passed: \_\_\_\_\_, 2\_\_\_\_\_.  
(Date)

Attested: \_\_\_\_\_  
(Clerk)

\_\_\_\_\_  
(Contractual Agent of LPA – title)

Attested: \_\_\_\_\_  
(Title)

\_\_\_\_\_  
(President of Council)

The \_\_\_\_\_ is hereby declared to be an emergency measure to expedite the highway project and  
(Ordinance/Resolution)  
to promote highway safety. Following appropriate legislative action, it shall take effect and be in force immediately upon its passage and approval, otherwise it shall take effect and be in force from and after the earliest period allowed by law.

**CERTIFICATE OF COPY  
STATE OF OHIO**

\_\_\_\_\_ of \_\_\_\_\_ County, Ohio  
(LPA)

I, \_\_\_\_\_, as Clerk of the \_\_\_\_\_  
(LPA)  
of \_\_\_\_\_ County, Ohio, do hereby certify that the foregoing is a true and correct copy of  
\_\_\_\_\_ adopted by the legislative Authority of the said  
(Ordinance/Resolution)

\_\_\_\_\_ on the \_\_\_\_\_ day of \_\_\_\_\_, 2\_\_\_\_.  
(LPA)

That the publication of such \_\_\_\_\_ has been made and certified of record according to  
(Ordinance/Resolution)

Law; that no proceedings looking to a referendum upon such \_\_\_\_\_ have been taken;  
(Ordinance/Resolution)

and that such \_\_\_\_\_ and certificate of publication thereof are of record in \_\_\_\_\_,  
Page \_\_\_\_\_ (Ordinance/Resolution)  
(Record No.)

IN WITNESS WHEREOF, I have hereunto subscribed my name and affixed my official seal, if applicable,  
this \_\_\_\_\_ day of \_\_\_\_\_ 2\_\_\_\_.

\_\_\_\_\_  
(Clerk)

**(CITY SEAL)**

\_\_\_\_\_ of \_\_\_\_\_ County, Ohio  
(LPA)

(If the LPA is designated as a City then the "City Seal" is required. If no Seal, then a letter stating "No Seal is required to accompany the executed legislation.)

The foregoing is accepted as a basis for proceeding with the project herein described.  
For the \_\_\_\_\_ of \_\_\_\_\_ County, Ohio.  
(LPA)

Attested: \_\_\_\_\_ Date \_\_\_\_\_  
(Contractual Agent)



For the State of Ohio

Attested: \_\_\_\_\_ Date \_\_\_\_\_  
(Director, Ohio Department of Transportation)



CITY OF KENT  
DEPARTMENT OF PUBLIC SERVICE  
DIVISION OF ENGINEERING

MEMO

TO: Dave Ruller  
Dawn Bishop

FROM: Jim Bowling *S.B.*

DATE: July 26, 2019

RE: Kentway Access Easement

The Service Department is requesting council's consideration and approval to accept the attached Access Easement from Kentway, Inc.. The Access Easement will allow the City and PARTA to install a concrete pad and bus passenger shelter along Summit Street that would serve the residents of Kentway Apartments and the area surrounding the apartments. This easement is being granted for the sum of \$1. This work is part of the Bus Passenger Shelter Agreement between the City of Kent and PARTA.

C: Melanie Baker  
Sandy Lance  
Harrison Wicks  
WMR Associates

EASEMENT AGREEMENT

GRANTING AN ACCESS EASEMENT

FOR AND IN CONSIDERATION of the sum of One Dollar (\$1.00), the receipt of which is acknowledged, and such other consideration as is herein below set forth, the undersigned Kentway, Inc., an Ohio Corporation, hereinafter referred to as "Grantor", who claim title to certain real estate by deed recorded in the Portage County records and recorded per Deed Volume 848, Page 09, does for their heirs, successors, and assigns, hereby give, devise, grant and convey to the City of Kent, Ohio, an Ohio Municipal Corporation, and the Portage Area Regional Transit Authority, which are hereinafter referred to as "Grantees," its successors and assigns, the perpetual right to a permanent access to allow for the erection of a bus shelter and all related necessary appurtenances over and through said real estate situated in the City of Kent, County of Portage and State of Ohio, known as being part of Lot 13 of Original Franklin Township, said easement being more fully described as follows:

Situated in the City of Kent, County of Portage, and State of Ohio, being part of Original Lot 13 of Franklin Township, this and all further references made to the Portage County Recorder records, being part of a parcel of land, now or formerly owned by Kentway Inc. An Ohio Corp. per Deed Volume 848, Page 09, and being more fully described as follows:

Being a parcel of land lying on the south side of East Summit Street.

Beginning at a point on the existing southerly right of way line of East Summit Street and being the Grantor's northeasterly corner.,

Thence S 89°36'52" W, 5.00 feet, along the existing southerly right of way line of East Summit Street, to a point, said point also being **TRUE POINT OF BEGINNING** of the following parcel herein described;

Thence S 0°23' 8" W, 10.00 feet, to a point;

Thence S 89°36'52" W, 20.00 feet, through the Grantor's parcel to a point;

Thence N 0°23' 8" E, 10.00 feet to a point on the existing southerly right of way line of East Summit Street;

Thence N 89°36'52" E, 20.00 feet, along the existing southerly right of way line of East Summit Street, to the true point of beginning and containing **0.0046 acres (200 square feet) of land**, more or less.

The above described area is contained within Portage County Auditor Parcel Number 17-013-10-00-099.000.

Bearings are assumed and shown to denote angles only.

The Grantor hereby reserves the right to use the premises for the passage or transportation of personnel, materials or equipment, and to make such other use of the premises as is not expressly prohibited by or inconsistent with the terms of this easement.

The Grantor hereby restricts said easement premises against the construction thereon of any buildings of a temporary or permanent type, excepting any sidewalks, and bus shelter and/or pavements as installed by the Grantees, and to restrict the storing or placing of any materials, equipment or other obstruction thereon, or otherwise interfering with the access to or the maintenance of the existing uses and appurtenances. The bus shelter and concrete pad upon the easement premises shall be maintained and repaired by Grantees, at Grantees's sole cost and expense, and with the least possible interference with the use of Grantor's property.

The Grantor covenants with the Grantees that it is well seized of the premises as a good and indefeasible estates and has the right to grant and convey the premises in the manner and form above written.

TO HAVE AND TO HOLD the above granted easement for the purposes above mentioned, unto the Grantees forever.

IN WITNESS WHEREOF, the Grantor has hereunto set its signature this \_\_\_\_ day of \_\_\_\_\_, 2019.

WITNESSES:

\_\_\_\_\_

\_\_\_\_\_

GRANTOR: \_\_\_\_\_

By:








CITY OF KENT  
DEPARTMENT OF PUBLIC SERVICE  
DIVISION OF ENGINEERING

MEMO

TO: Dave Ruller  
Dawn Bishop

FROM: Jim Bowling 

DATE: July 25, 2019

RE: East Main Street Area Improvements – Funding Applications

The Service Department is requesting City Council's approval to submit funding applications and execute the subsequent agreements to complete the East Main Street Area Improvements Project. The following grant applications are requested for council's approval:

**Congestion Mitigation/Air Quality Funding (CM/AQ)** – This funding source is managed by the Akron Metropolitan Area Transportation Study (AMATS) and the Ohio Department of Transportation (ODOT). The intent of these funds is to reduce congestion and thereby improve air quality in the region. They fund transportation, transit and bike and pedestrian improvements that would reduce congestion. This program receives applications once every two years. We are requesting \$6,000,000 for construction of the project from CM/AQ. This funding would be available for use in 2025.

**Highway Safety Program (HSP) Funding** – This funding source is managed by ODOT with the intent to reduce all types of crashes, vehicular, bicycle and pedestrian. This program receives applications twice a year, however it requires a significant Safety Study be completed for the application. The safety study for this project was completed as part of the planning phase of the project currently being funded by the City and Kent State University. We are requesting \$7,250,000 for the design, right-of-way acquisition and construction of the project from HSP at this time. We anticipate going back to the HSP for additional design monies once a more detailed cost estimate is developed. This funding would be available for use in 2020 and beyond.

**Surface Transportation Block Grant (STBG) Funding** – This funding source is managed by AMATS and the intent of these funds is for general transportation improvements. It predominantly funds vehicular oriented projects, but they can include bike and pedestrian improvements as well. This program receives applications once every two years. We are requesting \$3,600,000 for construction of the project from STBG. This funding would be available for use in 2025.

Other grant sources will be pursued in the future when the time frame for the specific grant is appropriate.

This project is being planned and designed to meet the attached, Council approved Purpose and Need Statement developed with the neighborhood Citizens Advisory Committee (CAC) and Kent State University. A similar project development process that was used to complete the Summit Street Improvements will be used for this project. This process includes significant public involvement, including CAC meetings (5 held to date) and formal public meetings to ensure that the project proposed is in line with the goals of the community.

C: Melanie Baker  
Hope Jones  
Sandy Lance  
Harrison Wicks  
Jon Giaquinto





## EAST MAIN STREET AREA IMPROVEMENTS PURPOSE AND NEEDS STATEMENT

**Project Area** – The project area is generally located along East Main Street from the Willow/Main/SR 59 intersection to the Horning/Main intersection. The project area also includes areas north and south of East Main Street to achieve the seamless integration and functionality of the East Main Street Corridor.

**History** – East Main Street in Kent, Ohio is one of the oldest streets in the City and as such has gone through several major changes throughout the history of Kent. Shown on maps from 1874, East Main Street was a rural roadway that provided connections to Ravenna with large tracts of land adjacent to the corridor. In 1919, East Main Street shows the beginnings of a modern street with sidewalks lining both sides, large stately homes with generous lawns lining the north side and Kent Normal College with a large park like setting on the south side.



EAST MAIN STREET, FROM LINCOLN AVE., KENT, OHIO.

**Present** - In 2019, East Main Street is a five lane roadway with automobile-oriented commercial establishments along most of the northern side and Kent State University along the southern side. Multi-modal accommodations are limited in this corridor with most of the right-of-way dominated by pavement for vehicular traffic. However, there exists significant pedestrian, bicycle and transit demands in the right-of-way with the presence of Kent State University along the corridor.



2018







**Corridor Needs** – East Main Street currently ranks as the highest crash corridor in the Akron Metropolitan Area Transportation Study (AMATS) region (Summit and Portage Counties). Furthermore, the corridor is uninviting with minimal facilities for transit, pedestrians and bicyclists, and lacks the needed visual appeal to serve as a main gateway into the City of Kent and Kent State University. Lastly, at times vehicular traffic bypasses East Main Street in favor of residential streets in the Crain Avenue, University Heights and University Woods Neighborhoods. These bypassed trips are caused in part by the alignment of certain cross streets (i.e. Luther and Terrace Drive) and by vehicular delays along the corridor.

**Project Goals** - As can be seen in the above photos, the last 100 years has changed the character of East Main Street from a stately, less cluttered, stress free street to a busy street with many competing uses. This deterioration of the right-of-way was necessitated by traffic demands and the supported development along the corridor. The East Main Street Area Improvements project is an opportunity to reimagine this vital corridor to better serve the needs of City residents, transportation users, and the university community. The goal is to provide an aesthetically pleasing, stately, less cluttered, stress free street that meets the current demands of East Main Street's users.

Throughout the planning, design and construction of this project, the project team should consistently ensure that project goals minimize possible negative impacts and accentuate positive impacts to residential neighborhoods, Kent State University, and access to the businesses along the corridor. This project should build on the transportation planning and other principles used in the Summit Street and Crain Avenue Projects, the City's Bicentennial Comprehensive Plan, and the Kent State University 2018 Gateway Master Plan. The East Main Street Area Improvements project must integrate the concepts from these plans along with input from the Citizens' Advisory Committee (CAC), the Stakeholders and public meetings.

This project will be successful if it achieves the following:

- A. Jointly Improves safety and aesthetics (as a function of safety) for all users
- B. Balances vehicular congestion with improvements to other modes of transportation (pedestrian, bike and transit)
- C. Enhances adjacent neighborhoods
- D. Integrates with Kent State University's 2018 Gateway Master Plan
- E. Provides reasonable access to adjacent properties and side streets

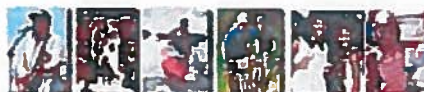
### Project Considerations

- **Safety:** Reduce the number and severity of all types of crashes on East Main Street, including vehicle, bicycle, and pedestrian crashes.
  - Reduce crashes due to turning movements onto and off of East Main Street;
  - Provide safe and convenient pedestrian and bicycle facilities.
  - Implement aesthetic features that also increase safety, such as large tree canopies that encourage motorists to drive slower.





- **Vehicular Congestion and Multi-modal Facilities:** Balance the competing needs between efficient vehicular movements and safe, convenient facilities for other modes of transportation, including bicycle, pedestrian and transit.
  - Strengthen the multi-modal nature of the corridor, in part by improving the “last mile” non-vehicular facilities to the Kent Central Gateway, which is the regional transit hub in Portage County;
  - Evaluate congestion due to turn movements along the corridor;
  - Provide facilities to not only improve cyclist and pedestrian crossings on East Main Street, but also to reduce their fear of crossing the Street;
  - Provide facilities to improve cyclist and pedestrian travel along both sides of East Main Street, with an emphasis at intersections and drives;
  - Provide transit facilities along the corridor, which may include bus pull-offs and shelters;
  - Consider future mobility options and technology improvements;
  - Optimize signal timings based on corridor improvements;
- **Neighborhoods:** Enhance adjacent neighborhoods along East Main Street.
  - Minimize traffic bypassing East Main Street through the neighborhoods;
  - Investigate efficient ways to slow traffic through the neighborhoods;
  - Consider possible infrastructure solutions to address concerns with student housing and parking in the neighborhoods;
  - Improve pedestrian facilities at crossings and improve pedestrian travel along East Main Street, so that the neighborhoods can have transportation options to use facilities within walking/biking distance;
  - Provide for reasonable delays to motorists when entering East Main Street from unsignalized streets.
- **Kent State University:** Integrate improvements along East Main Street with the construction of a signature gateway to Kent State University that serves as an extension of the newly designed iconic Front Campus entrance.
  - The project must consider the effects of the 2018 Gateway Master Plan to ensure that there is no adverse increase in congestion along the corridor;
  - Work with Kent State University to integrate the improvements along East Main Street with the 2018 Gateway Master Plan (e.g. Midway Entrance; parking deck, Captain Brady Corner) to maximize the neighborhood and corridor aesthetics and functionality.
- **Access:** Maintain access to businesses, neighborhoods and Kent State University throughout the corridor.
  - Provide reasonable access to businesses through access management, while considering safety and congestion along the corridor;
  - Provide reasonable access to neighborhoods and Kent State University while considering safety and congestion at intersections.
- **Other:** Where possible, the project should consider future technology, noise pollution, and operating speeds on East Main Street.
  - As part of the project, the operating speeds along East Main Street will be investigated;
  - The project will improve the aesthetic nature of the corridor to create a gateway into the City of Kent.





# CITY OF KENT, OHIO

## DEPARTMENT OF FINANCE

**To:** Dave Ruller, City Manager  
**From:** David A. Coffee, Director of Budget and Finance  
**Date:** July 31, 2019  
**Re:** FY2019 Appropriation Amendments, Transfers, and Advances

**The following appropriation amendments for the August Council Committee Agenda are hereby requested:**

### Fund 001 – General

Increase	\$ 1,200	Community Support / Other (O&M) – Appropriation of supplemental funding for Heritage Festival Fireworks per KCC Ord. 2019-66 on 6/19/2019.
Increase	\$ 3,171	Economic Development / Other (O&M) – Appropriation of addt'l funds for Kent Creativity Festival (Ohio Arts Council grant) per B. Susel 7/23/2019 memo.
Increase	\$ 25,000	Health Department / Other (O&M) – Appropriation of EPA Mosquito Control Grant per J. Smith 7/17/2019 memo.

### Fund 128 – Fire & EMS

Increase	\$ 13,715	Fire Services / Capital – Re-Appropriation of 2018 funding for Project 2015KFD008, Heavy Rescue related equipment per Chief Tosko 6/20/2019 memo.
Increase	\$ 4,000	Fire Services / Other (O&M) – Addt'l funding for payment of broker's fee on sale of surplus 1992 Pierce Heavy Rescue unit per Chief Tosko 7/31/2019 memo.
Increase	\$ 10,000	Technical Rescue / Personnel – Addt'l funding for payroll overtime required by above average number of Water Rescues per Chief Tosko 7/23/2019 memo.

### Fund 301 – Capital

Increase	\$ 15,000	Service/Capital Facilities/Capital – Addt'l funding for design of North Water Street Project per J. Bowling 7/10/2019 memo.
Increase	\$ 380,000	Service/Capital Facilities/Capital – Special additional appropriation to fund purchase price and closing expenses related to acquisition of the “Star of the West” properties located at: 252-266 North Water St. in Kent, Ohio.

**DRAFT ORDINANCE NO. 2019 - 66**

**AN ORDINANCE AUTHORIZING THE CITY OF KENT TO CONTRIBUTE A TEN PERCENT (10%) INCREASE TO THE ANNUAL KENT HERITAGE FESTIVAL FOR THE FIREWORKS DISPLAY, AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Kent, Ohio has been contributing funds to the Kent Area Chamber of Commerce Kent Heritage Festival each year for their fireworks display; and

**WHEREAS**, the American Fireworks has been the provider of the fireworks for the past twelve (12) years and has increased their prices by ten percent (10%); and

**WHEREAS**, the Kent Area Chamber of Commerce would like the City of Kent to increase their contribution from \$12,000 to \$13,200 to compensate for the ten percent (10%) increase from American Fireworks.

**NOW, THEREFORE, BE IT ORDAINED** by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

**SECTION 1.** That Kent City Council hereby authorizes the City of Kent to increase their contribution from \$12,000 to \$13,200 to compensate for the ten percent (10%) increase in price from the American Fireworks for the Kent Heritage Festival fireworks display.

**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: \_\_\_\_\_  
Date

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

EFFECTIVE: \_\_\_\_\_  
Date

ATTEST: \_\_\_\_\_  
Dawn Bishop  
Interim Clerk of Council

I, DAWN BISHOP, INTERIM 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. \_\_\_\_\_, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON \_\_\_\_\_, 20\_\_\_\_\_.

(SEAL)

\_\_\_\_\_  
Dawn Bishop  
INTERIM CLERK OF COUNCIL



# CITY OF KENT, OHIO

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## DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: July 23, 2019  
TO: David Coffee, Budget & Finance Director  
FROM: Bridget Susel, Community Development Director  
RE: Appropriations Request: Ohio Arts Council

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The City of Kent received a \$3,171.00 grant from the Ohio Arts Council to be used to support the Kent Creativity Festival, which will be held on September 28, 2019.

I am respectfully requesting the appropriation of \$3,171.00 to the Economic Development General Fund Professional Services line item to allow staff to access funds available through the new grant.

Thank you for your consideration of this matter. Please let me know if you need any additional information in order process this request.





# KENT CITY HEALTH DEPARTMENT

414 E. MAIN ST., P.O. BOX 5192, KENT, OHIO 44240 (330) 678-8109 FAX (330) 678-2082

To: Dave Coffee

From: Justin Smith, Interim Health Commissioner

Date: July 17, 2019

RE: EPA Mosquito Funding Grant Monies Allocation

Good morning, I would like to allocate the \$25,000 2019 EPA grant monies to general fund professional services line number 001-02-520-201-7340. Thank you very much for your time.

Sincerely,

Justin Smith, RS/REHS  
Interim Health Commissioner

RECEIVED

JUL 18 2019

BY   
CITY OF KENT  
BUDGET & FINANCE



# City Of Kent Fire Department

320 S. Depeyster St.  
Kent, Ohio 44240  
330. 673.8814  
330.676.7374 Fax

To: David Coffee Director of Finance

From: John Tosko

Date: June 20, 2019

I am requesting an appropriation of funds in the amount of \$13,715 to be expensed this year. This amount was available and was encumbered in 2018. Due to timing of the work and the original payment of the invoice, the New World software did not allow the encumbrance to carry forward into 2019. We are requesting these funds to be applied to the LOA in which the invoice was paid out of in the amount of \$13,715 which is 128-01-510-108-7630. Further applied to project code 2015KFD008.



## City Of Kent Fire Department

320 S. Depeyster St.  
Kent, Ohio 44240  
330. 673.8814  
330.676.7374 Fax

To: Dave Ruller, Council

From: John Tosko

Date: July 31, 2019

I am requesting council's permission to sell the City of Kent owned 1992 Pierce Dash Heavy Rescue truck to the Renovo Fire Department, 230 11<sup>th</sup> St. Renovo PA, 17764. The selling price is \$40,000. Brindlee Mountain Fire Apparatus has listed this truck on their web site and is charging a selling fee of 10%.

I am requesting appropriations of \$4,000 for the Brindlee Mountain fee. I am also requesting the \$40,000 received by Renovo FD to be placed into the Fire Apparatus Replacement fund.



# City Of Kent Fire Department

320 S. Depeyster St.  
Kent, Ohio 44240  
330. 673.8814  
330.676.7374 Fax

RECEIVED

JUL 23 2019

BY   
CITY OF KENT  
BUDGET & FINANCE

To: David Coffee, Finance Director

From: John Tosko

Date: July 23, 2019

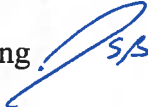
Re: Overtime appropriations

I am requesting appropriations in the amount of \$10,000 to be added to the Technical Rescue LOA 128-01-510-110 account number 7008 (Overtime). The overtime line has been depleted due to the increased rescue calls on the Cuyahoga River since June 8<sup>th</sup>. This increase covers existing and projected emergency overtime costs for the rest of 2019, plus allows for scheduled training overtime costs.

CITY OF KENT  
DEPARTMENT OF PUBLIC SERVICE  
DIVISION OF ENGINEERING

MEMO

TO: David Coffee  
Dave Ruller

FROM: Jim Bowling 

DATE: July 10, 2019

RE: N. Water Street – Appropriation Request

The Service Department is requesting \$15,000 in appropriations to complete the design for North Water Street. The additional appropriation is required because of some changes required to the project as the plans were being developed. These changes include:

- An opportunity to remove an additional driveway entering Water Street.
- Right-of-way drawings, if authorized, to allow us to eliminate the above driveway onto N Water Street.
- Providing better access to potable water for festivals that use N Water Street.

We appreciate the consideration of this request.

C: Melanie Baker  
Jon Giaquinto  
Cathy Wilson  
Brian Huff





## City Of Kent Fire Department

320 S. Depeyster St.  
Kent, Ohio 44240  
330. 673.8814  
330.676.7374 Fax

To: Dave Ruller, Council

From: John Tosko

Date: July 31, 2019

I am requesting council's permission to sell the City of Kent owned 1992 Pierce Dash Heavy Rescue truck to the Renovo Fire Department, 230 11<sup>th</sup> St. Renovo PA, 17764. The selling price is \$40,000. Brindlee Mountain Fire Apparatus has listed this truck on their web site and is charging a selling fee of 10%.

I am requesting appropriations of \$4,000 for the Brindlee Mountain fee.



# CITY OF KENT, OHIO

## DEPARTMENT OF FINANCE

**TO:** Dave Ruller, City Manager  
Hope Jones, City Law Director

**FROM:** David Coffee, Director of Budget and Finance *David A. Coffee*

**DATE:** July 29, 2019

**SUBJECT:** Request for Ordinance Certifying Delinquent Non-Utility Debtors to Portage County

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Annually Kent City Council receives listings of unpaid delinquent mowing bills, property maintenance violations-citations, zoning violations-citations, and other code enforcement violations to be placed as a tax lien on the real property that generated the delinquent charges.

In continuation of this annual "housekeeping practice" I am respectfully requesting City Council authorization for an ordinance certifying the attached list of delinquent and otherwise uncollectable fines/fees to the County Auditor in order to allow for the placement of the certified amount on the real property tax list and duplicate against the property served by the non-payment of various code enforcement actions, and declaring an emergency.

A request for City Council approval of a separate ordinance to provide certification of listings for Utility Billing outstanding delinquent debts is also being submitted under separate cover. The County has indicated that separate ordinances are required in order for us to distinguish their remittance of collected amounts in a way that will enable City revenue accounting entries to the appropriate funds.

Thank you in advance for your support and assistance in this matter.

# City of Kent: Delinquent Fines/Unpaid Fees: Dept. Community Development 7/29/19

Owner Name	Address	Parcel Number	Amount	Date Incurred	Description
Marie Kordinak	1070 Norwood St	17-010-80-00-087-000	\$1,300	7/12/18; 5/14/19; 6/25/19	Mowing
Nadine Hulbert aka Nadine Sullivan	336 Silver Meadows Blvd	17-028-20-00-112-000	\$1,310	7/27/2018; 5/14/19; 6/25/19	Mowing
Terrance & Kimberly Meloy	1054 Meredith St	17-010-80-00-066-000	\$300	9/11/2018	1410.04(g)
Marcia Eberle	1308 Denise Dr	17-028-10-00-019-000	\$300	10/12/2018	1411.02
Erik Zemljic	769 Marilyn Dr	17-010-70-00-059-000	\$300	6/21/18; 9/7/18; 10/1/2018	1414.05
Lisa Stamper	434 Stow St	17-025-20-00-011-000	\$670	11/6/2018; 6/12/19	Mowing
Robert Billiter	115 W Elm St	17-012-20-00-053-000	\$1,940	8/2/18; 11/6/2018; 5/2/19; 6/6/19	Mowing
Francis Miller	546 Harris St	17-008-10-00-004-000	\$340	10/30/18; 11/2/18	1414.01
Diane Wolf	1234 N Mantua St	17-042-10-00-016-000	\$600	10/23/2018	1411.02 1411.09
Wilson Bell Properties LLC	217 Cherry St	17-007-10-00-085-000	\$325.87	1/31/2019	1414.01
Chad & Jessica Salamon	544 Valleyview St	17-006-11-00-083-000	\$300	2/6/2019	1414.01
Robert Billiter	115 W Elm St	17-012-20-00-053-000	\$320	3/5/2019	1414.01
Girlie Finkel	733 Stinaff St	17-030-10-00-151-000	\$350	3/5/2019	1414.01
Gary & Linda Gragg	1032 Davey St	17-032-10-00-055-000	\$970	5/7/2019; 6/25/19	Mowing
Patrick Clegg	1216 Munroe Falls Rd	17-010-70-00-046-000	\$970	5/8/19; 6/6/19	Mowing
Macintyre Properties LLC	416 Stinaff St	17-030-20-00-189-000	\$335	5/21/2019	Mowing
William & Louann Mack	542 Park Ave	17-025-10-00-124-000	\$335	5/21/2019	Mowing
Donald & Dottie	221 Cherry St	17-007-10-00-084-000	\$335	5/23/2019	Mowing

Dodson						
Red Door Renovations LLC	1565 Chadwick	17-005-20-00-016-000	\$335	6/6/2019		Mowing
Charles and Linda Hinton	996 Gardenview 1401 and 1405 Loop	17-011-20-00-094-000	\$340	6/12/2019		Mowing
Gary Philip Berardinelli	Pine & Elm NW corner lot	17-004-00-00-006-011	\$600	5/20/2019		1367.01a Rental Lic.
Eugene and Enned Stambaugh	415 Robert St	17-012-20-00-103-000	\$340	6/6/2019		Mowing
Tim Sullivan	350 Silver Meadows	17-043-10-00-014-000	\$1,950	7/27/18; 10/18/18; 5/21/19; 6/19/19		Mowing
James Mitchell	500 VFW Pkwy	17-043-10-00-014-000	\$335	6/25/2019		Mowing
Acker Moore Memorial Post		17-011-10-00-023-000	\$1,550	6/19/19; 7/12/19		Mowing

**Total for Dept. of Community Development: 25 Items Total: \$16,750.87**

**City of Kent: Delinquent Fines/Unpaid Fees: Dept. of Health 7/29/19**

Owner Name	Address	Parcel Number	Amount	Date Incurred	Description
David Kegley	436 S. Francis	17-010-20-00-028-000	\$40	1/22/2019	19-4
David Adams	538 S. Depeyster	17-013-10-00-016-000	\$20	9/18/2018	18-85
Robert Lindsey	187/189 Currie Hall	17-007-20-00-010-000	\$160	8/29/2018	18-77
Arthur Property Mgmt.	330 Pleasant	17-031-10-00-009-000	\$20	8/21/2018	18-71


**Total for Dept. of Health : 4 Items Total: \$ 240.00**



# CITY OF KENT, OHIO

## DEPARTMENT OF FINANCE

**TO:** Dave Ruller, City Manager  
Hope Jones, City Law Director

**FROM:** David Coffee, Director of Budget and Finance 

**DATE:** July 29, 2019

**SUBJECT:** Request for Ordinance Certifying Unpaid Concrete Sidewalk Repair Bills to Portage County

---

City of Kent Codified Ordinance 521.06 allows for the certification of unpaid property owner billings for sidewalk repairs to the County Auditor to be placed as a lien on the real property that generated the unpaid expenses. This action aligns with the City's financial enforcement remedies for City code enforcement violations, unpaid utility bills, and special assessments. Unpaid Sidewalk Repair Bills, when applicable, are a part of these annual "housekeeping actions" to collect outstanding monies that are owed to the City.

In continuation of this practice I am respectfully requesting City Council authorization for an ordinance certifying the attached list for the 2018 Annual Concrete Repair Programs of Unpaid Concrete Sidewalk Repair Accounts to the County Auditor in order to allow for the placement of the certified amount on the real property tax list and duplicate against the property having had required sidewalk repairs, and declaring an emergency.

The County has indicated that separate ordinances are required in order to separate their remittance of collected amounts so that City revenue accounting entries can be made to the appropriate funds.

Thank you in advance for your support and assistance in this matter.



# 2018 ANNUAL CONCRETE REPAIR PROGRAM

Ohio Revised Code 715.261

Kent Codified Ordinance 521.06

	<u>PARCEL I.D. #</u>	<u>ADDRESS</u>	<u>PROPERTY OWNER</u>	<u>AMOUNT</u>
1	17-023-10-00-022-000	444 Dansel St.	George & Jane Howe	\$2,146.28
2	17-032-20-00-113-000	466 Dansel St.	Benjamin & Jeanie Stenson	\$630.00
3	17-032-20-00-114-000	470 Dansel St.	Janet M. Hayes	\$1,630.30
4	17-032-20-00-121-000	512 Dansel St.	Benjamin Cohen & April Kirkbride	\$831.45
5	17-032-20-00-099-000	515 Dansel St.	Kimberly & Reade Allen	\$570.00
6	17-032-20-00-098-000	523 Dansel St.	Margaret J. Burns	\$693.00
<b>6</b>	<b>Parcels Total</b>		<b>TOTAL</b>	<b>\$6,501.03</b>



# CITY OF KENT, OHIO

## DEPARTMENT OF FINANCE

**TO:** Dave Ruller, City Manager  
Hope Jones, City Law Director

**FROM:** David Coffee, Director of Budget and Finance *David A. Coffee*

**DATE:** July 29, 2019

**SUBJECT:** Request for Ordinance Certifying Delinquent City Utility Debtors to Portage County

---

In October of 2012 Kent City Council approved Ordinance 2012-110 amending Sections 913.07, 915.72, 921.24 and 935.14 of the Kent Codified Ordinances allowing for the certification of delinquent water use charges, wastewater use charges, storm water utility charges and recycling/solid waste collection charges to the County Auditor to be placed as a tax lien on the real property that generated the delinquent charges. This action aligned the City's possible enforcement remedies for the above listed "Utility Billing Charges" with already existing "housekeeping authority" for other City code enforcement violations and special assessments.

In continuation of this practice I am respectfully requesting City Council authorization for an ordinance certifying the attached list of delinquent and otherwise uncollectable Utility Billing Accounts to the County Auditor in order to allow for the placement of the certified amount on the real property tax list and duplicate against the property served by the non-payment of utility bills, and declaring an emergency.

A request for City Council approval of a separate ordinance to provide certification of listings for non-Utility Billing outstanding delinquent debts is also being submitted under separate cover. The County has indicated that separate ordinances are required in order to separate their remittance of collected amounts so that City revenue accounting entries can be made to the appropriate funds.

Thank you in advance for your support and assistance in this matter.

## City of Kent Utility Billing: 2019 Filing of Delinquent Fines and Unpaid Fees

Owner Name	Address	Parcel #	Amount	Delinquent Date	Description of Fine/unpaid fee
Ahmad, Bassam	1112 Silver Meadows	17-028-10-00-116-000	\$55.53	12/28/2018	water/sewer
Al-Sherifi, Adel	221 Starr	17-031-21-00-024-000	\$22.94	2/7/2019	water/sewer
Bosak, Steve	135 W Williams	17-012-10-00-022-000	\$157.56	9/20/2018	water/sewer
Brooks, Marcia	500 Francis	17-010-10-00-094-000	\$75.70	11/19/2018	water/sewer
CHC Property Mgmt	1020 Lake B	17-032-20-00-055-000	\$57.18	9/20/2018	water/sewer
Cotton, James	227 Lake	17-031-21-00-061-000	\$221.77	4/18/2019	water/sewer
Dyer, Dennis & Georgetta	306 E College	17-024-40-00-096-000	\$55.36	11/12/2018	water/sewer
Ginther, Greg	915 Franklin	17-012-20-00-044-000	\$21.42	9/7/2018	water/sewer
Ginther, Greg	123 E Elm	17-013-20-00-053-000	\$48.39	12/14/2018	water/sewer
Gragg, Gary	1032 Davey	17-032-10-00-055-000	\$483.58	4/18/2019	water/sewer
Gross, Elizabeth	135 Crain	17-031-22-00-174-000	\$29.29	8/10/2018	water/sewer
Jacobs, Lyndon	232 E Oak	17-013-20-00-067-000	\$30.36	1/9/2019	water/sewer
Kamari, LLC	326 W Elm	17-012-20-00-138-000	\$35.73	10/25/2018	water/sewer
Kirschenmann, Lloyd	239 Cherry	17-007-10-00-081-000	\$666.96	12/14/2018	water/sewer
Koshy, TD	1111 Silver Meadows	17-028-10-00-122-000	\$27.42	3/22/2019	water/sewer
Miller, Frank	546 Harris	17-008-10-00-004-000	\$131.94	9/20/2018	water/sewer
Miller, John	714 Silver Meadows	17-028-10-00-046-000	\$480.20	8/20/2018	water/sewer
Mitchell, James	350 Silver Meadows	17-028-20-00-115-000	\$125.81	1/21/2019	water/sewer
Roeder, Bron	397 Louise	17-027-10-00-141-000	\$77.99	9/7/2018	water/sewer
S&M Initiatives	143 E Main	17-024-20-00-031-000	\$649.60	8/20/2018	water/sewer
Starzyk, Larry	130 University A	17-024-33-00-085-000	\$26.36	9/20/2018	water/sewer
Tipton, Charles	1065 Hudson	17-043-00-00-030-000	\$34.53	1/29/2018	water/sewer
Tipton, Charles	124 N Mantua	17-025-10-00-149-000	\$61.17	9/7/2018	water/sewer
Tompkins, Leonard	1313 Middlebury	17-009-00-00-021-001	\$ 22,422.85	2/6/2014	water
Verma, Bipin	1652 Olympus	17-004-00-00-019-000	\$13.59	11/19/2018	water
Vogliano, Robert	486 Irma	17-010-40-00-025-000	\$26.13	11/12/2018	water/sewer
Wei, Li	612 Edgewood	17-031-22-00-093-000	\$24.66	8/10/2018	water/sewer
Whitehall East Townhomes	1587 Athena	17-004-00-00-006-003	\$14.65	2/22/2019	water
<b>TOTAL</b>	<b>28 Parcels</b>	<b>@</b>	<b>\$26,078.67</b>		

**City of Kent  
Income Tax Division**

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**June 30, 2019**

**Income Tax Receipts Comparison - ( Excluding 0.25% Police Facility Receipts )**

**Monthly Receipts**

Total receipts for the month of June, 2019	\$1,381,758
Total receipts for the month of June, 2018	\$1,266,792
Total receipts for the month of June, 2017	\$1,291,517

**Year-to-date Receipts and Percent of Total Annual Receipts Collected**

	<u>Year-to-date Actual</u>	<u>Percent of Annual</u>
Total receipts January 1 through June 30, 2019	\$7,728,622	53.67%
Total receipts January 1 through June 30, 2018	\$7,420,684	51.59%
Total receipts January 1 through June 30, 2017	\$7,520,780	51.21%

**Year-to-date Receipts Through June 30, 2019 - Budget vs. Actual**

<u>Year</u>	<u>Annual Budgeted Receipts</u>	<u>Revised Budgeted Receipts</u>	<u>Year-to-date Actual Receipts</u>	<u>Percent Collected</u>	<u>Percent Remaining</u>
2019	\$ 14,400,180	\$ 14,400,180	\$ 7,728,622	53.67%	46.33%

**Comparisons of Total Annual Receipts for Previous Ten Years**

<u>Year</u>	<u>Total Receipts</u>	<u>Change From Prior Year</u>
2009	\$ 10,482,215	-2.15%
2010	\$ 10,453,032	-0.28%
2011	\$ 10,711,766	2.48%
2012	\$ 12,063,299	12.62%
2013	\$ 12,397,812	2.77%
2014	\$ 13,099,836	5.66%
2015	\$ 14,592,491	11.39%
2016	\$ 14,133,033	-3.15%
2017	\$ 14,687,372	3.92%
2018	\$ 14,384,958	-2.06%

Submitted by David A. Coffey, Director of Budget and Finance

**2019 CITY OF KENT, OHIO**  
**Comparison of Income Tax Receipts**  
**(Excluding 0.25% Police Facility Receipts)**  
**as of Month Ended June 30, 2019**

<b>Monthly Receipts</b>				<b>Comparisons</b>	
<b>Month</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>Amount</b>	<b>Percent Change</b>
January	\$ 1,228,846	\$ 1,153,204	\$ 1,146,434	\$ (6,771)	-0.59%
February	1,072,047	\$ 1,062,513	\$ 1,142,355	79,842	7.51%
March	1,133,943	\$ 1,051,604	\$ 1,125,424	73,821	7.02%
April	1,561,337	\$ 1,656,767	\$ 1,649,439	(7,328)	-0.44%
May	1,233,090	\$ 1,229,804	\$ 1,283,213	53,409	4.34%
June	1,291,517	\$ 1,266,792	\$ 1,381,758	114,965	9.08%
July	1,161,945	\$ 1,054,319			
August	1,116,420	\$ 1,073,511			
September	1,175,347	\$ 1,290,237			
October	1,215,670	\$ 1,110,361			
November	1,162,952	\$ 1,010,080			
December	1,334,259	\$ 1,425,765			
Totals	\$ 14,687,372	\$ 14,384,958	\$ 7,728,622		

<b>Year-to-Date Receipts</b>				<b>Comparisons</b>	
<b>Month</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>Amount</b>	<b>Percent Change</b>
January	\$ 1,228,846	\$ 1,153,204	\$ 1,146,434	\$ (6,771)	-0.59%
February	2,300,893	2,215,718	2,288,789	73,071	3.30%
March	3,434,836	3,267,321	3,414,213	146,892	4.50%
April	4,996,173	4,924,088	5,063,652	139,564	2.83%
May	6,229,263	6,153,892	6,346,864	192,972	3.14%
June	7,520,780	7,420,684	7,728,622	307,938	4.15%
July	8,682,725	8,475,003			
August	9,799,145	9,548,514			
September	10,974,491	10,838,752			
October	12,190,161	11,949,112			
November	13,353,113	12,959,193			
December	14,687,372	14,384,958			
Totals	\$ 14,687,372	\$ 14,384,958			



**2019 CITY OF KENT, OHIO**  
**Comparison of Income Tax Receipts from Kent State University**  
**(Excluding 0.25% Police Facility Receipts)**  
**as of Month Ended June 30, 2019**

<b>Monthly Receipts</b>				<b>Comparisons</b>	
<b>Month</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>Amount</b>	<b>Percent Change</b>
January	\$ 436,131	\$ 441,024	\$ 432,020	\$ (9,004)	-2.04%
February	398,208	\$ 408,429	\$ 402,645	(5,784)	-1.42%
March	441,069	\$ 439,804	\$ 429,564	(10,240)	-2.33%
April	474,495	\$ 475,808	\$ 463,208	(12,600)	-2.65%
May	428,818	\$ 434,264	\$ 426,386	(7,878)	-1.81%
June	425,646	\$ 437,151	\$ 421,609	(15,541)	-3.56%
July	403,532	\$ 392,738			
August	417,678	\$ 417,869			
September	356,602	\$ 398,667			
October	471,742	\$ 425,598			
November	445,247	\$ 450,474			
December	445,693	\$ 430,640			
<b>Totals</b>	<b>\$ 5,144,861</b>	<b>\$ 5,152,467</b>	<b>\$ 2,575,432</b>		

<b>Year-to-Date Receipts</b>				<b>Comparisons</b>	
<b>Month</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>Amount</b>	<b>Percent Change</b>
January	\$ 436,131	\$ 441,024	\$ 432,020	\$ (9,004)	-2.04%
February	834,338	849,453	834,665	(14,788)	-1.74%
March	1,275,407	1,289,257	1,264,228	(25,029)	-1.94%
April	1,749,902	1,765,066	1,727,436	(37,629)	-2.13%
May	2,178,721	2,199,330	2,153,823	(45,507)	-2.07%
June	2,604,367	2,636,481	2,575,432	(61,048)	-2.32%
July	3,007,898	3,029,218			
August	3,425,576	3,447,088			
September	3,782,178	3,845,755			
October	4,253,920	4,271,352			
November	4,699,167	4,721,826			
December	5,144,861	5,152,467			
<b>Totals</b>	<b>\$ 5,144,861</b>	<b>\$ 5,152,467</b>			

**2019 CITY OF KENT, OHIO**  
**Comparison of Income Tax Receipts from Kent State University**  
**(Excluding 0.25% Police Facility Receipts)**

**Comparisons of Total Annual Receipts for Previous Ten Years**

<b>Year</b>	<b>Total Receipts</b>	<b>Percent Change</b>
2009	\$ 4,090,788	4.37%
2010	\$ 4,267,465	4.32%
2011	\$ 4,246,372	-0.49%
2012	\$ 4,436,666	4.48%
2013	\$ 4,603,095	3.75%
2014	\$ 4,778,094	3.80%
2015	\$ 4,916,874	2.90%
2016	\$ 5,056,433	2.84%
2017	\$ 5,144,861	1.75%
2018	\$ 5,152,467	0.15%

**2019 CITY OF KENT, OHIO**  
**Comparison of Income Tax Receipts**  
**Police Facility Dedicated Income Tax Receipts - 1/9 of Total ( 0.25% )**  
**as of Month Ended June 30, 2019**

<b>Monthly Receipts</b>				<b>Comparisons</b>	
<b>Month</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>Amount</b>	<b>Percent Change</b>
January	\$ 153,588	\$ 144,134	\$ 143,288	\$ (846)	-0.59%
February	133,991	\$ 132,799	\$ 142,778	\$ 9,979	7.51%
March	141,727	\$ 131,436	\$ 140,662	\$ 9,227	7.02%
April	195,145	\$ 207,073	\$ 206,157	\$ (916)	-0.44%
May	154,119	\$ 153,708	\$ 160,384	\$ 6,675	4.34%
June	161,421	\$ 158,331	\$ 172,700	\$ 14,369	9.08%
July	145,227	\$ 131,775			
August	139,537	\$ 134,174			
September	146,902	\$ 161,261			
October	151,942	\$ 138,780			
November	145,353	\$ 126,246			
December	166,764	\$ 178,201			
Totals	\$ 1,835,715	\$ 1,797,917	\$ 965,969		

<b>Year-to-Date Receipts</b>				<b>Comparisons</b>	
<b>Month</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>Amount</b>	<b>Percent Change</b>
January	\$ 153,588	\$ 144,134	\$ 143,288	\$ (846)	-0.59%
February	\$ 287,579	\$ 276,934	286,066	\$ 9,133	3.30%
March	\$ 429,306	\$ 408,369	426,729	\$ 18,359	4.50%
April	\$ 624,451	\$ 615,442	632,885	\$ 17,444	2.83%
May	\$ 778,570	\$ 769,150	793,269	\$ 24,119	3.14%
June	\$ 939,992	\$ 927,481	965,969	\$ 38,488	4.15%
July	\$ 1,085,218	\$ 1,059,256			
August	\$ 1,224,755	\$ 1,193,430			
September	\$ 1,371,657	\$ 1,354,691			
October	\$ 1,523,599	\$ 1,493,471			
November	\$ 1,668,951	\$ 1,619,717			
December	\$ 1,835,715	\$ 1,797,917			
Totals	\$ 1,835,715	\$ 1,797,917			

**2019 CITY OF KENT, OHIO**  
**Comparison of Total Income Tax Receipts - Including Police Facility Receipts**  
**as of Month Ended June 30, 2019**

<b>Monthly Receipts</b>				<b>Comparisons</b>	
<b>Month</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>Amount</b>	<b>Percent Change</b>
January	\$ 1,382,434	\$ 1,297,339	\$ 1,289,722	\$ (7,617)	-0.59%
February	\$ 1,206,038	\$ 1,195,312	1,285,134	89,821	7.51%
March	\$ 1,275,670	\$ 1,183,039	1,266,086	83,047	7.02%
April	\$ 1,756,482	\$ 1,863,839	1,855,595	(8,244)	-0.44%
May	\$ 1,387,209	\$ 1,383,512	1,443,596	60,084	4.34%
June	\$ 1,452,938	\$ 1,425,124	1,554,458	129,334	9.08%
July	\$ 1,307,171	\$ 1,186,094			
August	\$ 1,255,957	\$ 1,207,685			
September	\$ 1,322,249	\$ 1,451,498			
October	\$ 1,367,611	\$ 1,249,141			
November	\$ 1,308,304	\$ 1,136,326			
December	\$ 1,501,023	\$ 1,603,965			
Totals	\$ 16,523,087	\$ 16,182,875	\$ 8,694,591		

<b>Year-to-Date Receipts</b>				<b>Comparisons</b>	
<b>Month</b>	<b>2017</b>	<b>2018</b>	<b>2019</b>	<b>Amount</b>	<b>Percent Change</b>
January	\$ 1,382,434	\$ 1,297,339	\$ 1,289,722	\$ (7,617)	-0.59%
February	2,588,472	2,492,651	2,574,855	82,204	3.30%
March	3,864,142	3,675,690	3,840,942	165,251	4.50%
April	5,620,624	5,539,530	5,696,537	157,007	2.83%
May	7,007,833	6,923,042	7,140,133	217,091	3.14%
June	8,460,772	8,348,165	8,694,591	346,426	4.15%
July	9,767,943	9,534,260			
August	11,023,900	10,741,944			
September	12,346,149	12,193,443			
October	13,713,760	13,442,583			
November	15,022,064	14,578,910			
December	16,523,087	16,182,875			
Totals	\$ 16,523,087	\$ 16,182,875			