

ORDINANCE NO. 2019-139

AN ORDINANCE APPROPRIATING FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2020, AND DECLARING AN EMERGENCY.

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

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

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least a majority (5) of all members elected thereto concurring:

SECTION 1. That to provide for the current expenses and other expenditures of the City of Kent for the fiscal year ending December 31, 2020, the appropriations set forth in Exhibit "A" attached hereto and incorporated herein, are hereby authorized.

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

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

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

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

SECTION 6. That any single expenditure not exceeding \$10,000 may be made against the contingency line in any particular fund for a purpose consistent with said fund use by written instructions from the City Manager to the Director, which instruction shall include a description of the expenditure which is to be made, the amount to be expended, and the contingency fund against which the expenditure shall be made. Said instructions may consist of a standard purchase order form which is countersigned by the City Manager and bears the added instructions "Charge to contingency fund per Appropriations Ordinance" or some other similar language. In the case of single expenditures which exceed \$10,000, charges against the contingency funds shall be made in an identical manner and shall also require prior Board of Control approval, in which instance the instructions to the Director shall bear the language "Charge to Contingency Fund per Board of Control authorization" or other similar words. Regardless of whether a contingency

fund expenditure exceeds \$10,000, the same is hereby authorized without need for further legislation and the City Manager is hereby authorized to sign any and all such contracts which may relate hereto, with or without prior competitive biddings, as the City Manager shall decide, upon such terms or specifications as he or she shall desire, on behalf of the City of Kent, it being the intention of this Council that the authorizations hereby given satisfy fully the requirements of Ohio Revised Code Section 735.05 and supersede completely the requirements of Revised Code Sections 723.52 and 723.53 and constitute an exercise of the powers given to this Council by Section 3, Article XVIII of the Ohio Constitution, as determined by the Supreme Court of Ohio in the case of State ex rel. Cronin v. Wald, 26 OS the Charter of the City of Kent, Ohio.

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

SECTION 8. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

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

PASSED: December 18, 2019
Date

J. Fiala
Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: December 18, 2019
Date

ATTEST: Amy Wilkens
Amy Wilkens
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *ORDINANCE No.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

AMY WILKENS
CLERK OF COUNCIL

2020 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
General Fund (001)						
City Council	\$167,708	\$32,803				\$200,511
Mayor	\$9,530	\$5,400				\$14,930
Community Support		\$86,500				\$86,500
City Manager	\$327,241	\$63,623				\$390,864
New City Hall Facility		\$0				\$0
Information Technology	\$85,484	\$227,968				\$313,452
Urban Renewal		\$67,300				\$67,300
Human Resources	\$64,790	\$19,488				\$84,278
Civil Service	\$32,425	\$48,953				\$81,378
Law	\$333,967	\$118,895				\$452,862
Budget & Finance	\$220,511	\$144,485				\$364,996
Community Development	\$609,174	\$258,470				\$867,644
Economic Development	\$124,748	\$40,890				\$165,638
Health	\$462,327	\$194,538				\$656,865
Public Parking		\$62,000	\$135,000			\$197,000
Main Street Program		\$70,000				\$70,000
Service Administration	\$73,619	\$503,416				\$577,035
Shade Tree		\$89,400	\$10,000			\$99,400
Adjunct Facilities		\$22,692				\$22,692
Building	\$315,150	\$70,272				\$385,422
Land banking		\$10,000				\$10,000
Engineering	\$240,940	\$98,442				\$339,382
Miscellaneous & Sundry		\$390,250				\$390,250
Contingency					\$100,000	\$100,000
Fund Total	\$3,067,614	\$2,625,785	\$145,000	\$0	\$100,000	\$5,938,399
West Side Fire (101)						
Fire	\$275,004	\$27,127				\$302,131
Fund Total	\$275,004	\$27,127	\$0	\$0	\$0	\$302,131
Street Construction Maintenance & Repair (102)						
Service	\$1,182,517	\$1,219,427				\$2,401,944
Contingency					\$25,000	\$25,000
Fund Total	\$1,182,517	\$1,219,427	\$0	\$0	\$25,000	\$2,426,944
State Highway (103)						
Service		\$70,000				\$70,000
Fund Total	\$0	\$70,000	\$0	\$0	\$0	\$70,000
Recreation (106)						
Parks & Recreation	\$1,427,466	\$681,648	\$259,000			\$2,368,114
Fund Total	\$1,427,466	\$681,648	\$259,000	\$0	\$0	\$2,368,114
Food Service (107)						
Health	\$110,523	\$8,000				\$118,523
Fund Total	\$110,523	\$8,000	\$0	\$0	\$0	\$118,523

2020 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Income Tax (116)</u>						
Budget/Finance/IncTaxAdmin	\$308,391	\$542,233				\$850,624
Managed Reserve				\$25,540		\$25,540
Fund Total	\$308,391	\$542,233	\$0	\$25,540	\$0	\$876,164
<u>Revolving Housing (120)</u>						
Health	\$154,979	\$10,000				\$164,979
Fund Total	\$154,979	\$10,000	\$0	\$0	\$0	\$164,979
<u>State & Local Forfeits (121)</u>						
Police		\$0				\$0
Fund Total	\$0	\$0	\$0	\$0	\$0	\$0
<u>Drug Law Enforcement (122)</u>						
Police		\$9,000				\$9,000
Fund Total	\$0	\$9,000	\$0	\$0	\$0	\$9,000
<u>Enforcement & Education (123)</u>						
Police		\$11,000				\$11,000
Fund Total	\$0	\$11,000	\$0	\$0	\$0	\$11,000
<u>Income Tax Safety (124)</u>						
Police	\$7,164,419	\$691,110				\$7,855,529
Fund Total	\$7,164,419	\$691,110	\$0	\$0	\$0	\$7,855,529
<u>Law Enforcement Trust (125)</u>						
Police		\$0				\$0
Fund Total	\$0	\$0	\$0	\$0	\$0	\$0
<u>Community Development Block Grant (126)</u>						
Community Development	\$17,875	\$160,300	\$145,165			\$323,340
Fund Total	\$17,875	\$160,300	\$145,165	\$0	\$0	\$323,340
<u>Fire & E.M.S. (128)</u>						
Fire	\$4,925,538	\$503,774	\$446,000			\$5,875,312
Fund Total	\$4,925,538	\$503,774	\$446,000	\$0	\$0	\$5,875,312
<u>Wireless 911 (129)</u>						
Safety		\$0				\$0
Fund Total	\$0	\$0	\$0	\$0	\$0	\$0
<u>Swimming Pool Inspections (130)</u>						
Health	\$9,049	\$0				\$9,049
Fund Total	\$9,049	\$0	\$0	\$0	\$0	\$9,049

2020 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
Police Pension (132)						
Police	\$120,000					\$120,000
Fund Total	\$120,000	\$0	\$0	\$0	\$0	\$120,000
Fire Pension (133)						
Fire	\$120,000					\$120,000
Fund Total	\$120,000	\$0	\$0	\$0	\$0	\$120,000
UDAG / EDA-RLF (134)						
City Manager/C.D.		\$50,000				\$50,000
Fund Total	\$0	\$50,000	\$0	\$0	\$0	\$50,000
Water (201)						
Service	\$1,803,555	\$811,998	\$783,000			\$3,398,553
Service (Capital Facilities)			\$172,500			\$172,500
Admin. Support	\$656,481	\$73,947	\$5,000			\$735,428
Budget & Finance (Debt)				\$55,759		\$55,759
Contingency					\$50,000	\$50,000
Fund Total	\$2,460,036	\$885,945	\$960,500	\$55,759	\$50,000	\$4,412,240
Sewer (202)						
Service	\$2,113,748	\$860,274	\$889,000			\$3,863,022
Service (Capital Facilities)			\$12,500			\$12,500
Admin. Support	\$656,481	\$86,398	\$5,000			\$747,879
Budget & Finance (Debt)				\$575,300		\$575,300
Contingency					\$50,000	\$50,000
Fund Total	\$2,770,229	\$946,672	\$906,500	\$575,300	\$50,000	\$5,248,701
Utility Billing (204)						
Budget & Finance		\$92,586				\$92,586
Fund Total	\$0	\$92,586	\$0	\$0	\$0	\$92,586
Solid Waste (205)						
Service	\$91,128	\$161,790	\$5,000			\$257,918
Fund Total	\$91,128	\$161,790	\$5,000	\$0	\$0	\$257,918
Storm Water Utility (208)						
Service	\$250,308		\$18,000			\$268,308
Service (Capital Facilities)			\$12,500			\$12,500
Admin. Support	\$332,068	\$62,296	\$0			\$394,364
Budget & Finance (Debt)				\$9,968		\$9,968
Fund Total	\$582,376	\$62,296	\$30,500	\$9,968	\$0	\$685,140
Guaranteed Deposits (230)						
Budget & Finance		\$1,000				\$1,000
Fund Total	\$0	\$1,000	\$0	\$0	\$0	\$1,000

2020 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
Capital Projects (301)						
Safety			\$181,900			\$181,900
Service			\$358,000			\$358,000
Service (Capital Facilities)			\$10,241,000			\$10,241,000
Administrative			\$45,000			\$45,000
Budget & Finance (Debt)				\$303,939		\$303,939
Contingency					\$25,000	\$25,000
Fund Total	\$0	\$0	\$10,825,900	\$303,939	\$25,000	\$11,154,839
Municipal Public Improvement Tax Increment Equivalent (302)						
Service (Capital Facilities)						\$0
Budget & Finance (Debt)				\$1,366,650		\$1,366,650
Fund Total	\$0	\$0	\$0	\$1,366,650	\$0	\$1,366,650
Police Facility (303)						
Safety (Capital Facilities)			\$64,000			\$64,000
Budget & Finance (Debt)				\$3,077,500		\$3,077,500
Fund Total	\$0	\$0	\$64,000	\$3,077,500	\$0	\$3,141,500
Debt Service (402)						
Budget & Finance (Debt)				\$57,620		\$57,620
Fund Total	\$0	\$0	\$0	\$57,620	\$0	\$57,620
Internal Service (807)						
Health Insurance		\$3,700,000				\$3,700,000
Fund Total	\$0	\$3,700,000	\$0	\$0	\$0	\$3,700,000
Total Appropriations	\$24,787,144	\$12,459,693	\$13,787,565	\$5,472,276	\$250,000	\$56,756,678
Original Appropriations	\$24,787,144	\$12,459,693	\$13,787,565	\$5,472,276	\$250,000	\$56,756,678
Amendment #1						\$0
Amendment #2						\$0
Amendment #3						\$0
Amendment #4						\$0
Amendment #5						\$0
Amendment #6						\$0
Amendment #7						\$0
Amendment #8						\$0
	\$24,787,144	\$12,459,693	\$13,787,565	\$5,472,276	\$250,000	\$56,756,678

2020 ORIGINAL APPROPRIATIONS - SCHEDULE OF OPERATING TRANSFERS AND TEMPORARY ADVANCES

<u>Paying Fund</u>	<u>Original</u>	<u>Receiving Fund</u>
<u>Operating Transfers</u>		
Fund 116 - Income Tax	\$3,600,000	Fund 001 - General
Fund 116 - Income Tax	\$1,000,000	Fund 102 - St Const Maint & Repair
Fund 116 - Income Tax	\$3,581,444	Fund 124 - Income Tax Safety
Fund 116 - Income Tax	\$3,581,444	Fund 128 - Fire & E.M.S.
Fund 116 - Income Tax	\$3,075,444	Fund 301 - Capital Projects
Fund 116 - Income Tax	\$1,790,724	Fund 303 - Police Facility
Fund 116 - Income Tax	\$60,000	Fund 402 - Debt Service
Total Fund 116 Income Tax	\$16,689,056	
Fund 201 - Water	\$47,000	Fund 204 - Utility Billing
Fund 202 - Sewer	\$47,000	Fund 204 - Utility Billing
Fund 001 - General	\$3,700,000.00	Fund 124 - Income Tax Safety
Fund 001 - General	\$6,400.00	Fund 106 - Parks and Rec
Fund 001 - General	\$1,500,000.00	Fund 301 - Capital Projects (for City Hall)
Fund 001 - General	\$2,100,000.00	Fund 128 - Fire & EMS
Subtotal - Total Operating Transfers	\$7,400,400	
<u>Temporary Advances</u>		
Fund 106 - Recreation	\$0	Fund 001 - General
Fund 201 - Water	\$0	Fund 116 - Income Tax
Fund 202 - Sewer	\$0	Fund 116 - Income Tax
Fund 205 - Solid Waste	\$56,000	Fund 001 - General
Fund 205 - Solid Waste	\$53,000	Fund 116 - Income Tax
Fund 208 - Storm Water	\$16,000	Fund 116 - Income Tax
Subtotal - Total Advances	\$125,000	
Grand Total - All Transfers & Advances	\$24,214,456	

* Designates Repayment of Advance