

Proposed sex offender ordinance for the city of Kent

A growing number of municipalities across the country are implementing laws in order to offer further protection for their citizens. Some of these cities are doing so in response to a sex offender problem while others are proactively placing ordinances into effect.

Attached please find five articles taken from cities across the country as well as an actual ordinance. Please note what each city is attempting to accomplish...

- Several cities have implemented “child safety zones” areas where children are known to gather. Offenders are banned from these zones.
 - Definition of Child safety zones according to one ordinance:

Public parks, private and public schools, public library, amusement arcades, video arcades, indoor and outdoor amusement centers, amusement parks, public or commercial and semi-private swimming pools, child care facility, child care institution, public or private youth soccer or baseball field, crisis center or shelter, skate park or rink, public or private youth center, movie theater, bowling alley, scouting facilities and Offices for Child Protective Services.
- Propose legislation to require convicted sexual offenders to register with the City's Police Division if they live and/or work within the City's boundaries.
- Increasing distances from schools, parks, and child safety zones where convicted sex offenders can live from 500ft to up to 2,500ft
- Proposed fines for violators

Through my discussions with a few present and former members of the Kent police department I have learned a few issues that should be duly noted while forming a framework for the ordinance.

- A city ordinance that imposes jail time for an offender would mandate that the city pay for the offenders jail time. However, any fine collected from the offender would be collected for the city. Possibility of earmarking these funds for education/prevention/other services.

It should also be noted that there are varying degrees of sex offenders. What level does the city want to address? Perhaps the Tier 1 should be excluded from the ordinance? Below are the sex offender classification levels.

CLASSIFICATION OF SEX OFFENDERS IS BY THE ADAM WALSH ACT AND THE MEAGAN'S LAW AS FOLLOWS--

TIER 1 SEX OR CHILD-VICTIM OFFENDER & SEXUALLY ORIENTED OFFENDERS

1. **2907.07** Importuning
2. **2907.04** Unlawful Sexual Conduct with a Minor, non-consensual and offender less than 4 years older than victim, not previously convicted of 2907.02, 2907.03, or 2907.04, or former 2907.12 (FSP)
3. **2907.08** Voyeurism
4. **2907.06** Sexual Imposition
5. **2907.05(A)(1)-(3),(5)** Gross Sexual Imposition
6. **2907.323(A)(3)** Illegal Use of a Minor in Nudity-oriented Material or Performance
7. **2905.05(B)** Child Enticement with sexual motivation (new under SB 10)
8. **2907.32** Pandering Obscenity
9. **2903.211(A)(3)** Menacing by Stalking with sexual motivation (new under SB 10)
10. **2905.03(B)** Unlawful Restraint with sexual motivation (new under SB 10)
11. Includes an attempt, complicity or conspiracy to commit any of these offenses
12. Child-victim offender not in Tier 2 or 3.

TIER 2 SEX OR CHILD VICTIM ORIENTED OFFENDER & HABITUAL CHILD VICTIM OFFENDERS WITH OR WITHOUT NOTIFICATION & HABITUAL SEX OFFENDERS WITH OR WITHOUT NOTIFICATION

1. **2907.21** Compelling Prostitution
2. **2907.321** Pandering Obscenity involving a minor
3. **2907.322** Pandering Sexually Oriented Material Involving a Minor
4. **2907.323(A)(1) and (2)** Illegal Use of a Minor in Nudity-oriented Material or Performance
5. **2907.04** When offender is at least 4 years older, or when the offender is less than 4 years older and has prior conviction for 2907.02, 2907.03, 2907.04, or former 2907.12 (FSP)
6. **2907.05(A)(4)** Gross Sexual Imposition victim under 13
7. **2919.22(B)(5)** Child Endangering
8. **2905.01(A)(1)-(3), (5)** Kidnapping with sexual Motivation
9. **2905.01(A)(4)**, victim over 18
10. **2905.02(B)** Abduction with sexual motivation (new under SB 10)

11. Any sexual offense that occurs after the offender has been classified as a Tier 1 offender.
12. Includes an attempt, complicity or conspiracy to commit any of these offenses.
13. Pre-AWA Habitual offenders, unless re-classified after hearing under ORC 2950.031 or 2950.032

TIER 3 OR CHILD VICTIM ORIENTED OFFENDER & SEXUAL PREDATORS & SEXUALLY VIOLENT PREDATORS

1. **2907.02** Rape
2. **2907.03** Sexual Battery
3. **2903.01** Agg. Murder with sexual motivation
4. **2903.02** Murder with sexual motivation
5. **2903.04(A)** Unlawful Death or termination of pregnancy as a result of committing or attempt to commit a felony with sexual motivation
6. **2905.01(A)(4)** Kidnapping of minor to engage in sexual activity
7. **2905.01(B)** Kidnapping of minor, not by parent
8. **2907.05(B) (New section of GSI)**
9. **2903.11** Felonious Assault with sexual motivation
10. Pre-AWA predators unless re-classified after hearing under ORC 2950.031 or 2950.032
11. Any sexual offense that occurs after the offender is classified as a Tier 2 or 3 offender.
12. Automatic classification after SVP specification 2971.03
13. Includes an attempt, complicity or conspiracy to commit any of these offenses

Ordinance to further restrict sex offenders of children

Ron Johnson / Contributing Writer

The Denton Police Department has proposed an ordinance banning sex offenders of children from living near child-populated areas even after their parole period is over. If the Denton City Council passes the ordinance, child sex offenders will be banned from living within 1,500 feet of "child safety zones" like parks, recreational centers, arcades and day care centers.

Len Carter, captain of the Denton Police Department, gave the city council a 10-minute presentation during its meeting Tuesday on why the city needs the ordinance and explained how current laws allow certain sex offenders of children to be near places children occupy. Even though current laws require convicted sex offenders to keep their distance from child-populated places while on parole or probation, child sex offenders are free to live around these areas once their parole or probation is over.

"In Denton, we have no ordinance restricting where sex offenders may live, so once they complete their parole, these offenders can live anywhere," Carter said. "That means parks, schools and recreational centers or anywhere children are."

According to the proposed ordinance, a \$500 fine would be issued to violators. Violators would be given a 30-day grace period to relocate or another \$500 fine would be issued every day after the period. An annually reviewed map of the child safety zones will also be available at the Denton Police Department if the ordinance is passed.

Kevin Roden, council member of District One, said more information is needed on why sex offenders are migrating to Denton and where they would go if the ordinance were to be adopted. "Where are they heading?" Roden asked. "Are we creating other problems for other cities because of this?"

Ninety-seven sex offenders were registered to be living in Denton during 2007. Now, 138 registered sex offenders live in Denton, Carter said, and the Denton Police Department expects more to register without legal regulation.

Although the proposed ordinance will outlaw the 121 sex offenders of children from living in these child safety zones, the 17 sex offenders of adults and sex offenders who were 17 at the time of their offense will still be allowed to take residence in the zones if the ordinance is adopted. Registered sex offenders of children living in these zones prior to the ordinance's adoption will be allowed to keep their residence.

James King, council member of Large Place Six, said he is not against the goals of the ordinance but wants to know the probability of a registered sex offender harming children again.

"It hits along the idea that they have already paid their debt to society," King said. "It chases them to the grave; they're ostracized."

The council will decide on the adoption of the ordinance Sept. 20.

MENIFEE: City Council looks at sex offender ordinance

In response to what they believe will be a growing number of parolees moving into the area, the Menifee City Council members were expected to adopt an emergency ordinance that could make life a little tougher on known sex offenders.

The ordinance was on the council agenda Tuesday night, but had had not been discussed by 9 p.m. It would establish "child safety zones" in the city and place restrictions on registered sex offenders caught loitering inside them.

City Attorney Karen Feld said earlier Tuesday that she expected the ordinance would be passed.

It was proposed in response to a Riverside County Parole Department report about California's need to address overcrowding in the state's prisons.

Starting Oct. 1, the state will pass responsibility for low-level inmates and parolees to individual counties. Parolees will be eligible to be discharged from parole six months after their release from prison. That will cut in half the time they were previously required to stay under parole supervision. A state law refers to those parolees as non-serious, non-violent, non-sex offenders.

Low-level sex offenders will continue to serve time in county jails, but according to Feld, they also may get early releases because the state is merely passing along its overcrowding issues to the counties' correctional facilities.

"And if the counties can't keep up, guess where (the low-level sex offenders) will go," Feld said, referring to the possibility of them being released early into the community.

The county probation department estimates 3,100 convicted lawbreakers will be released in the county by mid-2013. No one knows how many sex offenders might be included, but an estimated 11.9 percent of the inmates released early could be from Southwest county, according to the report.

Sex offenders will have to abide by Jessica's Law, which was passed in 2006. They would have to register with local law enforcement agencies and they could not legally live within 2,000 feet of a school or park.

Meniffee's ordinance takes it a step further. The city's planning department would identify "child safety zones" of 500 feet surrounding parks, schools, athletic fields, day cares and anywhere else children are known to congregate.

It would be unlawful for a sex offender to be within those zones.

Feld said that other cities in the area have passed similar ordinances. Meniffee has been slow to react because of concern that such an ordinance in Los Angeles County might be appealed to a higher court.

That never happened, Feld said, and the city of Meniffee now wants to have child safety zones in place before Oct. 1.

Read more: http://www.nctimes.com/news/local/meniffee/article_6f5978f2-13f3-57ed-b6c4-fa13df1d7b51.html#ixzz1ZLeqf0zV

City considering sex offender ordinance to restrict residency

The Lindstrom City Council is asking its planning commission members to review potential ordinance language to restrict residency of convicted sex offenders in Lindstrom.

*The cities of Wyoming and Taylors Falls have already adopted ordinances that regulate where offenders can live. **Those cities do so by describing no residency zones encircling child daycare centers, churches, schools, school bus stops and other sensitive sites where children gather.** Under action taken by the city council last week, Lindstrom will be reviewing those ordinances for guidance in drafting a new law.*

Mayor Keith Carlson requested the action.

The memo in the council information packet city advises that there has been citizen response to a recent Level 3 sex offender moving into the city, mostly complaints and questions about how to better address this issue.

Citizens are dissatisfied with the hours that Lakes Area Police must devote to understanding and monitoring the conditions of release, and have concern that costs related to these released offenders reduce the effectiveness of law enforcement in other areas.

Wyoming and Taylors Falls have basically prohibited state-identified sex offenders from finding a place to live within their cities by adopting distances (500 feet, 1,000 feet) required for the offender to reside from various locations.

In the interests of properly planning for future high level sex offender/residents, council unanimously authorized, on a 4-0 vote with Curt Flug absent, for drafting of a new ordinance to begin.

Lakes Area Police do not have a Level 3 offender in their jurisdiction at this time.

The department first had a Level 3 offender residing in Chisago City, but he is detained in a state facility following a civil commitment process. Jeffrey Holmgren is appealing this, however. Another Level 3 offender resides at a township address, outside of Center City, in the county sheriff's jurisdiction. The Level 3 offender who was the subject of the most recent public hearing this summer, has been re-incarcerated due to violating conditions of his supervised release. Thomas Stanton (aka Bookwalter) was jailed July 28. He is being held while investigators look into allegations that would constitute violations of his prison release.

HUACHUCA CITY, Ariz.

HUACHUCA CITY, Ariz. (KGUN9-TV) – In a bold and unprecedented move for an Arizona jurisdiction, the town of Huachuca City is cracking down on registered sex offenders by banning them from all public facilities.

Mayor and council unanimously approved the ordinance last Thursday, which is set to take effect late October.

“As a town and as a community, we have to protect our children. As a council, we have to make the right calls,” Mayor Byron Robertson told KGUN9 News. “Our police chief indicated that we were having a serious problem with some pedophiles that were being a nuisance and we took

steps to overcome that.”

The ordinance creates “child safety zones,” by banning all registered sex offenders from schools, parks, libraries, pools, gymnasiums, sports fields and sports facilities.

Sex offenders must pay \$100 fine per violation; repeat offenders will be charged with trespassing.

Police say they’ll rely on tips from the community as well as heavy patrolling to enforce the ordinance.

“I don’t want to make it sound like Big Brother is watching, but we do have a file on sex offenders in the area, complete with photographs, so our officers will hopefully recognize them,” said Lt. Jennifer Fuller, a spokesperson for the Huachuca City Police Department.

Fuller said the impetus for the ordinance stems from a recent incident, in which a registered sex offender spent time loitering around the public pool and taking photographs, making parents and children uncomfortable.

Robertson said the town attorney modeled the ordinance after cities in other states, where the courts upheld the constitutionality of those laws, but added that Huachuca City is prepared for any legal challenge.

“We as a council decided that this is too big of an issue and a great concern for the community to let it fall by the wayside. If we are challenged, I believe our citizens will stand behind us 100 percent to protect our children,” Robertson said. “It’s a bold step hopefully many will follow.”

There are exceptions: Sex offenders may enter public facilities to pick up their children, vote in an election, or to discuss with someone their kids’ health or education.

Upper Arlington

Upper Arlington, OH 44322

Program Introduction

City legislation requires convicted sexual offenders to register with the City's Police Division if they live and/or work within the City's boundaries. It also prohibits convicted sexual offenders from living or working within 1,000 feet of any school premises, licensed daycare facility, preschool, public park, swimming pool, library, or playground.

While these laws are designed to help protect families, parents should continue to be aware of and take proactive steps to protect their children from such dangers. The Police Division offers various educational seminars on stranger danger, Internet Predators and other relevant topics, and can direct you to useful resources and Web sites.

Resident Notification

In addition to the notification requirements within the Ohio Revised Code, residents will be notified by the Police Division within five business days of learning that a convicted sexual offender resides or works within 1,000 feet of your residence. Such notification will be via hand carried notification, mailing, or electronically. In most circumstances, this notification will be via US Mail.

As part of the notification, you will receive the name, address, crime and an image of the offender, as long as the information is verifiable and reliable.

The Police Division will use best efforts to provide reliable information for the purposes of notification, generally relying on government sources.

Requirements for Convicted Sexual Offenders

Residence and Employment Restrictions

- An offender may not establish a residence or occupy residential premises or be employed within one thousand (1,000) feet of any school premises, licensed daycare facility, preschool, any public park, swimming pool, library, or playground. A private residential pool does not apply.

Registration Requirement

- An offender must register personally with the Upper Arlington Chief of Police within five days of the offender's coming into the City.
- If the offender is domiciled, whether permanently or temporarily for more than seven consecutive days, the offender must register.

- If the offender is employed, whether permanently or temporarily for more than seven consecutive days or for an aggregate period of 30 or more days in a calendar year, the offender must register.

Failure to register is a misdemeanor of the first degree.

Definitions

Offender Types

- **Sexual Predator:** A person convicted of, or who has pleaded guilty to, committing a Sexually Oriented Offense and who is likely in the future to commit additional Sexually Oriented Offenses. Sexual Predators are subject to registration/verification requirements (at 90 day intervals) for life unless a judge modifies or terminates the Sexual Predator designation.
- **Child Victim Predator:** A person convicted of, or who has pleaded guilty to, committing a Sexually Oriented Offense on a person under 18 years of age, not the child of the person committing the offense, and who is likely in the future to commit additional Sexually Oriented Offenses. Child Victim Predators are subject to registration/verification requirements (90 day intervals) for life unless a judge modifies or terminates the Child Victim Predator designation.
- **Habitual Sex Offender:** A person convicted of, or who has pleaded guilty to committing a Sexually Oriented Offense, and who previously has been convicted of or pleaded guilty to one or more Sexually Oriented Offenses. Habitual Sex Offenders are subject to registration/verification requirements annually for a period of 20 years after release.
- **Habitual Child Victim Offender:** A person convicted of, or who has pleaded guilty to committing a Sexually Oriented Offense, on a person, under 18 years of age, not the child of the person, and who previously has been convicted of or pleaded guilty to one or more Sexually Oriented Offenses. Habitual Child Victim Offenders are subject to registration/ verification requirements annually for a period of 20 years after release.
- **Sexually Oriented Offender:** A person convicted of, or pleaded guilty to committing a Sexually Oriented Offense, but who has not been designated as a Sexual Predator or Habitual Sex Offender. Sexually Oriented Offenders are subject to the registration/verification requirements annually for a period of 10 years after release.

Answers to Frequently Asked Questions

I believe an offender lives in my neighborhood in an area within 1,000 feet of a park or other prohibited area. What can I do?

Contact the Police Division, who will research your information. If they find that the offender is in violation of the law, they will take appropriate action. Do not expect a quick resolution. The Police Division must be thorough with the investigation and comply with the requirements of the law. This offender is not committing a criminal act and the Police must provide documentation for the City Attorney to pursue injunctive relief, a civil process.

I was not notified of an offender but my neighbor was notified. What happened?

The mapping used to determine the affected area may have put your residence outside 1,000 feet. Contact the Police Division to verify your geographic area. You may also sign up for email notification of convicted sexual offenders through the Franklin County Sheriff, at www.sheriff.franklin.oh.us.

My neighbor has a pool, does it apply?

No. Private residential pools are not applicable to the ordinance.

My children are home schooled. Does the ordinance apply?

No, A school must be a chartered school or non-chartered school that filed with the Department of Education.

Universal City, Texas

Ordinance 602 - Sexual Offenders

ORDINANCE 602

AN ORDINANCE OF THE CITY OF UNIVERSAL CITY, TEXAS, FOR THE REGULATION OF SEXUAL OFFENDERS; MAKING IT UNLAWFUL FOR CERTAIN SEXUAL OFFENDERS TO RESIDE WITHIN 1000 FEET OF PREMISES WHERE CHILDREN GATHER; MAKING IT ILLEGAL TO LOITER WITHIN 300 FT OF THE PUBLIC WAY AROUND A CHILD SAFETY ZONE; PROVIDING EXCEPTIONS TO THE ORDINANCE; PROVIDING PENALTIES FOR VIOLATIONS OF THE ORDINANCE, INCLUDING, BUT NOT LIMITED TO A FINE NOT TO EXCEED \$ 2,000.00 AS ALLOWED BY LAW, PER DAY OF CONTINUING VIOLATION.

SECTION 1: PURPOSE, INTENT

The City Council of the City of Universal City finds that Sex Offenders who are required to register as a sexual predator under V.T.C.A., Texas Code of Criminal Procedure, Chapter 62, present an extreme threat to the health, safety and welfare of children. It is the intent of this section to serve the City's compelling interest to promote, protect and improve the health, safety and welfare of the citizens of the City by creating areas around locations where children regularly congregate in concentrated numbers wherein certain registered sex offenders and sexual predators are prohibited from loitering or prohibited from establishing temporary or permanent residency.

SECTION 2: DEFINITIONS

For the purposes of this Section, the following terms, words and the derivations thereof shall

have the meaning given herein.

SEX OFFENDER- Means an individual who has been convicted of or placed on deferred adjudication for a sexual offense involving a person under seventeen (17) years of age for which the individual is required to register as a sex offender under Chapter 62, Texas Code of Criminal Procedure.

PERMANENT RESIDENCE- Means a place where the person abides, lodges or resides for 14 or more consecutive days.

TEMPORARY RESIDENCE- Means a place where a person abides, lodges or resides for a period of fourteen (14) or more days in the aggregate, during any calendar year and which is not the person's permanent address, or a place where the person routinely abides, lodges or resides for a period of four (4) or more consecutive or nonconsecutive days in any month and which is not the person's permanent residence.

CHILD- Means any person under the age of seventeen (17).

CHILD CARE FACILITY- A family day care home which provides regular care to no more than four (4) children under fourteen (14) years of age, excluding children related to the caretaker, and provides care after school hours for not more than six (6) additional elementary school children, but the total number of children, including those related to the caretaker, shall not exceed twelve (12) at any given time.

CHILD CARE INSTITUTION- A commercial day care center, provides regular care to any number of adults or children for less than twenty-four (24) hours a day.

CHILD SAFETY ZONE- Means public parks, private and public schools, public library, amusement arcades, video arcades, indoor and outdoor amusement centers, amusement parks, public or commercial and semi-private swimming pools, child care facility, child care institution, public or private youth soccer or baseball field, crisis center or shelter, skate park or rink, public or private youth center, movie theater, bowling alley, scouting facilities and Offices for Child Protective Services.

DATABASE- Means the Texas Department of Public Safety's Sex Offender Database or the Sex Offender Registration files maintained by the Sex Offender Registration Officer of the Universal City Police Department.

LOITER- Means standing, sitting idly, whether or not the person is in a vehicle or remaining in or around an area.

PARK OR PLAYGROUND- Means one of the following:

A. Any land, including improvements to the land that is administered, operated or managed by the City of Universal City for the use of the general public as a recreational area.

B. City recreational areas include, but are not limited to, conservation area, jogging trail, hiking trail, bicycle trail, recreational center, water park, swimming pool, soccer field or baseball field.

PLACES WHERE CHILDREN REGULARLY CONGREGATE- Same as Child Safety Zone.

PUBLIC WAY- Means any place to which the public or a substantial group of the public has access and includes, but is not limited to, streets, shopping centers, parking lots, transportation facilities, restaurants, shops and similar areas that are open to the use of the public.

SCHOOL- Means a private or public pre-school, private or public elementary school or private or public secondary school.

SECTION 3: SEX OFFENDER PROHIBITION

A. It is an offense for a Sex Offender to establish a permanent residence or temporary residence within one thousand (1,000) feet of the real property comprising a school, child care facility, child care institution, park or play ground or other places where children regularly congregate.

B. It is an offense for a Sex Offender to knowingly enter a Child Safety Zone.

C. It is an offense for a Sex Offender to knowingly loiter on a public way within 300 feet of a Child Safety Zone.

D. A Sex Offender, shall not, on each October 30th and 31st (or any other date set by the City for trick-or-treaters) between the hours of 4:00 p.m. and 11 :00 p.m., leave an exterior porch light on or otherwise invite trick-or-treaters to solicit the premises.

SECTION 4: PROPERTY OWNERS PROHIBITED FROM RENTING REAL PROPERTY TO REGISTERED SEX OFFENDERS.

A. It is unlawful to let or rent any place, structure or part thereof, manufactured home, trailer, or any other conveyance, with the knowledge that it will be used as a permanent residence or temporary residence by any person prohibited from establishing such permanent residence or temporary residence pursuant to the terms of this chapter, if such place, structure, or part thereof, manufactured home, trailer, or other conveyance is located within 1,000 feet, as defined in section 130.85 (d) from a Child Safety Zone, as defined in section 2.

SECTION 5: EVIDENTIARY MATTERS

A. If a Sex Offender that is prohibited from being in a Child Safety Zone is found in a Child Safety Zone by a Police Officer, the Sex Offender is subject to punishment in accordance with this Ordinance.

- B. It shall be prima facie evidence that this section applies to such a person if that person's record appears in/on the Database and the Database indicates that the victim was less than seventeen (17) years of age.
- C. The distance of three hundred (300) feet from a child safety zone shall be measured on a straight line from the closest boundary of the Child Safety Zone.
- D. The distance of one thousand (1,000) feet from a place where children congregate shall be measured on a straight line from the closest boundary line of the Sex Offender's residence to the closest boundary line of the school, child care facility, child care institution, park or playground or other places where children regularly congregate.
- E. In the case of multiple residences on one property, measuring from the nearest property line of the residences to the nearest property line of the school, child care facility, child care institution, park or playground or other places where children regularly congregate.
- F. In cases of a dispute over measured distances, it shall be incumbent upon the person(s) challenging the measurement to prove otherwise.
- G. A map depicting the prohibited areas shall be created by the City of Universal City and maintained by the Universal City Police Department. The City of Universal City shall review the map annually for changes. Said map will be available to the public at the Universal City Police Department or available on the City of Universal City Web site or Universal City Police Department Website.

SECTION 6: EXCEPTIONS

- A. The person required to register in/on the Database established the permanent residence or temporary residence and residency prior to the adoption of this ordinance has been consistently maintained and the person has complied with all of the Sex Offender Registration laws of the State of Texas, prior to the date of the adoption of this ordinance.
- B. The place where children regularly congregate, as specified herein, within one thousand (1,000) feet of the permanent or temporary residence of the person required to register on/in the Database was opened after the person established the permanent or temporary residence and complied with all Sex Offender Registration laws of the State of Texas.
- C. The information on/in the Database is incorrect, and, if corrected, this Section would not apply to the person who was erroneously listed on/in the Database.
- D. The person required to register on/in the Database was a minor when he or she committed the offense requiring such registration and was not convicted as an adult.
- E. The person required to register is required to serve a sentence at a jail, prison,

juvenile facility or other correctional institution located within one thousand (1,000) feet of the real property comprising a school, child care facility, child care institution, park or play ground or other places where children regularly congregate.

- F. The person required to register is under eighteen (18) years of age or a ward under a guardianship, who resides with a parent or guardian.
- G. The person required to register has been exempted by a court order from registration as a sex offender under Chapter 62, Texas Code of Criminal Procedure; or
- H. The person required to register has had the offense for which the sex offender registration was required, reversed on appeal or pardoned.
- I. The person's duty to register on/in the Database has expired.
- J. Nothing in this provision shall require any person to sell or otherwise dispose of any real estate or home acquired or owned prior to the conviction of the person as a sex offender.

SECTION 7: PENALTIES

Any person, firm, corporation, agent or employee thereof who violates any of the provisions of this ordinance shall be guilty of a misdemeanor and upon conviction thereof may be fined an amount not to exceed \$ 2,000.00 as allowed by law. Each day that a violation is permitted to exist shall constitute a separate offense and shall be punishable as such.



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: November 28, 2011

TO: Dave Ruller, City Manager

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

RE: Certifying Unpaid Fines/Fees

CC: Jim Silver, Law Director and Linda Copley, Clerk of Council

Please find attached a list of fines, and unpaid fees owed to the City of Kent. I am requesting time at the December 7, 2011 Committee session to request that Council authorize the attached fines and unpaid fees be certified over to Portage County to be assigned as liens on the associated parcel/property. The total amount to be assigned is \$25,130.41.

If you require any additional information in order to add this item to the Council Committee schedule, please let me know.



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

City of Kent: Delinquent Fines and Unpaid Fees

Below is a list of delinquent monies owed to the City of Kent. The amounts listed below shall be certified over to Portage County, Ohio to be assigned as tax liens on the identified property and/or parcel number:

NAME	ADDRESS	PARCEL NUMBER	AMOUNT	DATE DELINQUENT OR INCURRED	DESCRIPTION OF FINE/UNPAID FEE
Dressig, Stephen	117 Linden Dr.	17-023-10-00-175-000	\$300.00	September 2010	Fine for Violation of Part 11 (Zoning) KCO
Hultgren, Heidrun	932 S. Water St.	17-012-20-00-055-000	\$300.00	December 2010	Fine for Violation of Part 14 (Property Maintenance) KCO
Bottger, Brian	936 S. Water St.	17-012-20-00-054-000	\$300.00	August 2011	Fine for Violation of Part 5 (General Offenses) KCO
Zugaro Revocable Family Trust & Jay F. Plymale	405 East Main St.	17-024-33-00-123-000	\$300.00	August 2011	Fine for Violation of Part 5 (General Offenses) KCO
Meduri, Sharie	615 Crain Ave.	17-024-33-00-016-000	\$300.00	August 2011	Fine for Violation of Part 14 (Property Maintenance) KCO
Rogers, Joan	105 W. Oak St.	17-012-20-00-030-000	\$13,776.30	February 2011	Fine for Violation of Part 14 (Property Maintenance) KCO and Residential Code of Ohio
Wagner, Gary	603 West St.	17-011-20-00-003-000	\$9,445.00	February 2011	Fine for Violation of Part 14 (Property Maintenance) KCO and Residential Code of Ohio
Richards, Brenda	234 Lake St.	17-031-22-00-152-000	\$409.11	February 2010	Nonpayment of Water/Sewer Utility Bill



CITY OF KENT, OHIO

DEPARTMENT OF FINANCE

To: Dave Ruller, City Manager

From: David A. Coffee, Director of Budget and Finance

Date: December 1, 2011

Re: Final FY2011 Appropriation Amendments, Transfers, and Advances

The following appropriation amendments are hereby requested:

Fund 001 – General

Decrease \$ 6,000 Council / Personnel & Benefits

Increase \$ 6,000 Council / All Other

Fund 202 – Sewer

Increase \$ 5,000 Capital / Per Gene Roberts 11/29/11 memo concerning emergency furnace replacement at Water Reclamation Maintenance Building

Decrease \$ 5,000 Contingency / Transfer to Capital per 11/29/11 memo above

Fund 301 – Capital

Increase \$ 42,000 Capital / Finance Computer System Replacement project-this is to accelerate project implementation & leverage year-end pricing; (will withdraw corresponding 2012 approved budget item)

Decrease \$ 45,000 Capital / 2011 Safety – Automated Parking System Replacement project per memo from department, will require equivalent re-appropriation in 2012

The final appropriations amendment will reflect the remaining operating contingency funds as a separate item on the appropriations ordinance attachment. This will enable the transfer of contingency funds to either operating or personnel lines as needed.

I will continue to work with the Departments/Divisions during the next two weeks to resolve remaining or anticipated negative budget variances and would also request favorable consideration of any additional items that may be subsequently identified.

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE

MEMO

November 29, 2011

To: Dave Ruller, City Manager
From: Gene Roberts, Service Director
RE: Sanitary Sewer Contingency Funds

Bob Brown, Water Reclamation Facility Manager has been informed by Wright Heating that the forty year old furnace in the Maintenance Building needs to be replaced. This expenditure was not planned but will need to be completed in a timely fashion prior to the onset of cold weather. The estimated cost for the work to be completed by Wright Heating is \$3,987.64.

The work being completed as part of the Energy Efficiency Project includes installation of a turbo blower which was paid for as part of the energy grant. The automation of the turbo blower was included in the Energy Efficiency Project but was removed due to funding constraints and plant staff has picked up a large portion of the work task. Again this cost was not included in the 2011 annual budget, however, Bob has been able to cover the majority of the cost out of his miscellaneous capital expense budget. Gatto Electric is the vendor for the parts to install the new dissolved oxygen probes and automatic air valves for connection to the SCADA system (P.O. # 145528 @ \$2,950). Bob's records indicate that his account line 63 will be approx. \$1,000 short to cover this cost and is requesting an increase of \$1,000 for this purchase be added to account line 63 to cover the balance of this cost.

Staff respectfully requests use of Sanitary Sewer Contingency Funds in the amount of \$5,000 be transferred as follows:

From:			
	Sanitary; Contingency	202-050-550-2751	\$5,000
To:			
	WRF; Equipment Items > \$2,5000	202-050-550-1563	\$5,000

Cc: David Coffee, Budget & Finance Director
Bob Brown, Water Reclamation Manager
file



CITY OF KENT, OHIO

DEPARTMENT OF ECONOMIC DEVELOPMENT

Date: November 30, 2011

To: David Ruller, City Manager

From: ^(DS) Dan Smith, Economic Development Director

Subject: Status of Martinel Incubator Site & Request for Support

Enclosed are two letters from Kent Regional Alliance President/CEO Jack Crews dated May 21 and November 23, 2011 providing a status update for the Martinel Incubator Site and request for assistance. This facility, located at 277 Martinel Drive, once housed 7 companies in 7,500 square feet of space which was at full capacity. From a historical stand point, AlphaMicron was one of the original tenants in the facility and grew to a size which necessitated a take over of the entire space. Due to the graduation of AlphaMicron and their relocation to Centennial Research Park, the space at Martinel Drive became available and the KRBA decided to reset/reload the facility through a master lease with Harbor Properties to again serve as a business incubator. (Note, AlphaMicron remains one of our top income tax producers located in the Franklin JED and the rate is set to increase to a full 2% as of January 1).

Mr. Crews sent a letter of request for City assistance with the facility back on May 21, 2011. Per the letter, the cost of running the facility and maintaining utilities has placed the KRBA in a position that requires assistance to continue operating the site and in providing the services necessary to grow new companies. I think it is important to point out, KRBA does not receive any direct benefit financially or otherwise from this arrangement. I fully agree with Mr. Crews' comment, "this type of assistance and facility is important to our community to continue to provide opportunities for start-up companies to expand."

For your review, I have attached the Martinel Incubator facility cash flow/profit and loss statements. Monthly expenses are in the amount of approximately \$4,500 per month. The KRBA has been bearing these costs on their own over the past year and a half. In addition, significant capital improvements have been made to bring the facility up to first rate facility. The KRBA made the investments necessary to operate the facility at the required levels/specifications. Again, the KRBA Board of Directors made these investments as part of their mission in the interest of enhancing economic development and fostering entrepreneurship.

The Board of the Regional Economic Growth Corporation (KRBA) is respectfully requesting time at the December 7 Council Committee meeting to make a request for support. At a recent board meeting I attended, they simply confirmed the incubator site cannot be sustained without assistance from the City. The Board of Directors is made up of local business leaders as well as top ED officials from around the region including representatives from: TeamNEO, First Energy, NEOMED, and JumpStart. They will be on hand to discuss the current successes of the Martinel Incubator as well as how it is uniquely positioned for future productivity.

As part of the presentation, I have requested the KRBA put together an overview of the facility as well as recent talking points and accomplishments. While the attached binder is a quick overview of the current operation, it does not speak to how the site will play a role in the bigger strategic plan of the Atlantic and Great Western Technology Park. The Martinel site is a critical program as we continue to market Kent as a hub for Technology start-up companies and innovation. We have a great track record with companies like Kent Displays, AlphaMicron, Kent Pathogen Detection, and Anderson Aerospace. It is my hope to continue building this tech cluster in conjunction with KSU. The Martinel Incubator site is an important building block to our bigger strategic plan.

I would like to offer the following summarized list for why I strongly believe we need to support this request to assist the Martinel Incubator site:

- 1) Others are investing in Kent because we currently have these types of programs operating a successful track record. Our recent **\$1.34 million grant from the State's Clean Ohio** program considered the programming, successes and strategic plans we have in conjunction with the KRBA. Anderson Aerospace, a Martinel Incubator tenant, was just awarded a **\$250,000 Jumpstart** grant to continue their efforts in Kent. Given the guidelines for Jumpstart funding, this is quite an accomplishment.
- 2) Other communities are investing heavily in tech companies/economic gardening (growing your own). TECHudson, <http://www.techudson.org>, opened this year. The City of Hudson provided \$174,000 in 2011 and has budgeted \$200,000 in 2012, <http://www.hudsonhubtimes.com/news/article/5101692>. Akron has similar facilities. While I do not recommend this level of contribution in Kent, it is evident that our region understands the importance of investing in the creation high paying jobs with a rate of return that enhances the tax base.
- 3) We currently have a **\$3 million JRS (Job Ready Site)** application that draws heavily upon our work with the KRBA and incubator activities. In addition, we have obtained a top project ranking in the NEFOC region for additional EDA funding based upon these activities. To stay in the running, we must demonstrate our support for projects through facilities like the Martinel incubator.
- 4) Kent State University is an incredible economic engine for the City of Kent and our region with tremendous untapped potential. We currently have two technology companies expressing their intentions to anchor the new Atlantic & Great Western Technology Park. We need this facility house start-ups in the interim time frame and likely after the new park is built (there will be additional successes and an even greater demand- Purdue Tech Park is a good example).

In closing, it is my belief this is not a KRBA Incubator project, but a City of Kent economic development project. The Regional Economic Growth Corp is requesting \$35,000 this year, and \$25,000 for the two following years. Per staff discussions, I believe we can combine lines in our remaining 2011 budgets to fund a commitment of \$25,000 without seeking additional appropriations/spending from the general fund. I would recommend designating this \$25,000 from the remaining 2011 budget. I believe it is extremely reasonable and appropriate endeavor to keep the Martinel Incubator up and running. Since the 2012 budget has already been passed, we can re-evaluate of the status for an ongoing commitment next year. Without question, we have been extremely successful over the past year with our development efforts. This support of the Martinel Incubator should be viewed as an investment that would leverage additional grant funding, grow new companies and increase our tax base.



November 23, 2011

Dan D. Smith
Economic Development Director
City of Kent
215 East Summit Street
Kent, Ohio 44240

Dear Dan,

The Board of Trustees of the Regional Economic Growth Corporation formally the Kent Regional Business Alliance, request time to be placed on the council agenda to discuss a partnership with the city on its economic development thrust in job creation with start up and existing company expansion.

Numerous positive projects such as the Downtown Redevelopment, the award of the 1.34 million dollar CORF Grant is critical to the Tech Park execution and economic development strategy. The KRBA Martinel Incubator is the first component in the "Grow your Own" Companies process. Anderson Aerospace and Usivir are well on their way to the next phase of growth. It is important to insure that the info structure for technology development is available in the City of Kent.

We look forward to the opportunity to present this proposal in further detail.

Sincerely,



Jack Crews
President/CEO

Cc: Board of Trustees

Kent Regional Business Alliance
211 East Summit Street, Kent, Ohio 44240
Phone: (330) 474-3595 Fax: (330) 677-2130
www.krba.biz



May 21, 2010

Mr. Dan Smith
Economic Development Director
City of Kent
215 East Summit Street
Kent, Ohio 44240

Dear Dan:

The Kent Regional Business Alliance over the last fifteen years has managed the Kent/Portage Incubator located at 277 Martinel Drive. The facility housed 7 companies in 7500 S F of space which was full capacity.

Alpha Micron one of the tenants in the facility grew to the size which necessitated the take over the entire space. KRBA's management and board of trustees voted to move the balance of the tenants out of the incubator to other spaces within the City of Kent.

Due to the graduation of Alpha Micron the space at Martinel Drive became available approximately a year ago, and it was the decision of KRBA to negotiate a master lease with Harbor Properties owner of the building to again serve as an incubator.

Attached you will find copies of KRBA revenue sources, KRBA staff salary breakdown and excel spreadsheet for the Martinel building and the Pufferbelly space on the second floor. We have since closed the Pufferbelly space so we could concentrate on the growth potential at Martinel. Three tenants occupied the second floor, one closed and two graduated to spaces in Kent and have hired six more employees. There are now three companies housed at the facility currently at Martinel Drive and employ thirteen people. Although the economy has been difficult we are diligently working to fill the space and upgrade the building to a more high tech environment.

The cost of running the facility and maintaining utilities has placed KRBA in the position to need assistance to continue to provide the service necessary to grow the companies. KRBA does not receive any direct benefit financially or any otherwise from this agreement. It is important to the community to continue to provide opportunities for startup companies to expand and prosper.

We are asking the City to consider partnering with us and help provide financial assistance in the amount of \$24,000 dollars a year to keep this operation solvent. In your review of the spreadsheet you will see the investment that KRBA has already made and losses it has sustained to keep the facility viable.

Kent Regional Business Alliance
211 East Summit Street, Kent, Ohio 44240
Phone: (330) 474-3595 Fax: (330) 677-2130
Web Site: www.krba.biz

At this time, we would ask for only the remainder of this calendar year which is \$12,000 dollars. Obviously next year would come under a different budget. Please do not hesitate to contact me with any questions and further details as needed.

Sincerely,


Jack K. Crews
President/CEO

Encl: 6

Cc: Board of Trustees

Martinel Cash Flow 2011-2012

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
Martinel Rent Income:												
Abison	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00	\$500.00
Anderson Aerospace	958.28	667.46	667.45	690.34	829.85	642.73	748.92	609.94	629.53	632.05	632.05	584.58
UVISIR Inc.	145.00	169.51	170.84	168.53	171.39	188.83	170.00	178.82	163.79	161.34	162.80	161.63
Rodney Mishler, CPA	158.66	169.51	157.97	168.53	171.39	188.83	165.44	178.82	161.34	163.79	164.11	162.80
New Tenants	1,450.00	1,450.00	1,450.00	1,450.00	1,450.00	1,450.00	1,450.00	1,450.00	1,450.00	1,450.00	1,450.00	1,450.00
Total Rent Income	\$3,211.94	\$2,956.48	\$2,946.26	\$2,977.40	\$3,122.63	\$2,970.39	\$3,034.36	\$2,917.58	\$2,904.66	\$2,907.18	\$2,908.96	\$2,859.01
City of Kent Support	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00	\$2,000.00
Total Income	\$5,211.94	\$4,956.48	\$4,946.26	\$4,977.40	\$5,122.63	\$4,970.39	\$5,034.36	\$4,917.58	\$4,904.66	\$4,907.18	\$4,908.96	\$4,859.01
Martinel Expenses:												
Habor Properties	\$3,475.42	\$3,475.42	\$3,475.42	\$3,475.42	\$3,475.42	\$3,475.42	\$3,475.42	\$3,475.42	\$3,475.42	\$3,475.42	\$3,475.42	\$3,475.42
Maintenance	0.00	250.00	0.00	140.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Cleaning Services	275.00	275.00	275.00	275.00	275.00	275.00	275.00	275.00	275.00	437.50	275.00	275.00
Internet	42.70	42.70	42.70	42.70	42.70	42.70	42.70	42.70	42.70	42.70	42.70	42.70
Ohio Edison	591.81	633.00	723.30	686.49	697.78	683.13	641.41	545.76	545.76	805.35	761.66	490.74
Dominion	89.28	355.38	385.21	393.98	196.94	616.01	73.72	58.12	58.12	24.33	48.66	48.66
Total Expenses:	\$4,474.21	\$5,031.51	\$4,901.64	\$5,013.59	\$4,687.84	\$5,092.26	\$4,508.25	\$4,397.00	\$4,397.00	\$4,785.30	\$4,603.44	\$4,332.52
Total	\$737.73	(\$75.03)	\$44.62	(\$36.19)	\$434.79	(\$121.87)	\$526.11	\$520.58	\$507.66	\$121.88	\$305.52	\$526.49

% Utility Increase

Martinel Cash Flow 2010-2011

	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	JUL	AUG	SEP
Martinel Rent Income:												
Abison	\$1,756.86	\$1,874.34	\$1,732.95	\$1,749.55	\$1,806.76	\$2,155.55	\$1,687.75	\$1,953.22	\$400.00	\$1,102.74	\$782.15	\$756.01
Anderson Aerospace	958.28	667.46	667.45	690.34	829.85	642.73	748.92	609.94	629.53	632.05	632.05	584.58
UVISIR Inc.	145.00	169.51	170.84	168.53	171.39	188.83	170.00	178.82	163.79	161.34	162.80	161.63
Rodney Mishler, CPA	158.66	169.51	157.97	168.53	171.39	188.83	165.44	178.82	161.34	163.79	164.11	162.80
Total Rent Income	\$3,018.80	\$2,860.82	\$2,729.21	\$2,776.95	\$2,979.39	\$3,175.94	\$2,772.11	\$2,920.80	\$1,354.66	\$2,059.92	\$1,741.11	\$1,665.02
Martinel Expenses:												
Habor Properties	\$3,475.42	\$3,475.42	\$3,475.42	\$3,475.42	\$3,475.42	\$3,475.42	\$3,475.42	\$3,475.42	\$3,475.42	\$3,475.42	\$3,475.42	\$3,475.42
Maintenance	0.00	250.00	0.00	140.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00
Cleaning Services	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	250.00	437.50	250.00	250.00
Internet	0.00	0.00	0.00	0.00	0.00	0.00	0.00	0.00	42.70	42.70	42.70	42.70
Ohio Edison	563.63	602.86	688.86	653.80	664.55	650.60	610.87	519.77	519.77	767.00	725.39	467.37
Dominion	85.03	338.46	366.87	375.22	187.56	586.68	70.21	55.35	55.35	23.17	46.34	46.34
Total Expenses:	\$4,374.08	\$4,916.74	\$4,781.15	\$4,894.44	\$4,577.53	\$4,962.70	\$4,406.50	\$4,300.54	\$4,343.24	\$4,745.79	\$4,539.85	\$4,281.83
Total	(\$1,355.28)	(\$2,035.92)	(\$2,051.94)	(\$2,117.49)	(\$1,598.14)	(\$1,786.76)	(\$1,634.39)	(\$1,379.74)	(\$2,988.58)	(\$2,685.87)	(\$2,798.74)	(\$2,616.81)



City of Kent, Ohio

Office of the City Manager

To: Mayor and Members of Council
From: Suzanne Robertson, Executive Assistant ^{ARR}
Date: October 28, 2011
RE: New Event Road Closure

The City Manager's Office has obtained an application for a special event that requires a street closure not previously approved by Council. The application is for the event, "On My Own Two Feet Marathon" sponsored by Citizen Melissa Cairns on April 21, 2012. This event is a marathon to benefit Kent and Cleveland Battered Women's Shelters. The marathon begins and ends at Kent State's stadium.

Staff is respectfully requesting Council time to discuss the proposed road closures and seek Council's approval.

Thank you.

APPLICATION FOR SPECIAL EVENT
PARADES, FESTIVALS, CARNIVALS, PUBLIC ASSEMBLIES, ETC.
City of Kent, 215 E. Summit Street, Kent, OH 44240

NAME OF EVENT "On My Own Two Feet Marathon"

ORGANIZATION SPONSORING EVENT _____

APPLICANT NAME Melissa Cairns PHONE (330) 990-9277

ADDRESS 805 S Depeyster St

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

David Cairns - 805 S Depeyster St 44240

Jeffrey Wessler - (2358 Ohio Ave 44240) Steve Godole

John Cairns - 1205 Oak Ave 44203 176 E Pioneer Trail 44202

DATE OF EVENT 4/21/12 NO. OF PARTICIPANTS ≤ 400 (prob 200-300)

REQUESTED PERMIT START TIME (INCLUDES SET-UP) 7 am END TIME (INCLUDES CLEAN-UP) 5 pm

ACTUAL EVENT START TIME 9 am EVENT END TIME 3:30 pm

IF PARADE: STARTING POINT _____ ENDING POINT _____

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 MAY BE REQUIRED BEFORE PERMIT CAN BE ISSUED. REVIEW CHAPTER 316 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT.

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.

Melissa A Cairns
Signature of Applicant

SUBMIT APPLICATION FOR PERMIT AT LEAST 30 DAYS IN ADVANCE, BUT NO SOONER THAN ONE YEAR IN ADVANCE.

Do not write below this line.

FOR POLICE DEPARTMENT USE

MEMORANDUM AGREEMENT _____ YES _____ NO APPLICATION APPROVED _____

APPLICATION DISAPPROVED _____

Name _____ Date _____

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

Law Director _____ Date _____

IF APPLICATION IS APPROVED, PERMIT WILL BE ISSUED BY THE CITY MANAGER.
H:\Documents\Manager\Misc.Forms\apps\specialevent.doc

Dave Ruller, City Manager
 215 East Summit Street
 Kent, OH 44240
 Phone: 330-676-7500
 Fax: 330-678-8033

On My Own Two Feet Marathon

to benefit Cleveland and Kent Battered Women's Shelters

April 21, 2012

PRINT Name	Signature	Address
Jenna Barnhart	Jenna Barnhart	804 S. Depeyster St. <small>renton 44220</small>
Donald K Sampson	Donald Sampson	704 S. Depeyster St
Scott Haincs	Scott Haincs	616 S. Depeyster St.
Ray Rowsean	Ray Rowsean	135 E Williams St.
Matt Mihalov	Matt Mihalov	129 E. Williams St
Valorie Phillips	Valorie Phillips	808 S Depeyster St
Jennifer Cannon	Jennifer Cannon	202 E Oak St
Bobbie Smith	Bobbie Smith	206 E Oak St
Michael (Belly)	Michael (Belly)	218 E. OAK ST.
Kristin Dial	Kristin Dial	1001 Vine St.
Theresa Duesing	Theresa Duesing	1011 Vine St.
Thom Bell	Thom Bell	1015 Vine St.
Michelle [unclear]	Michelle [unclear]	1017 Vine St.
Brie Omo Champion	Brie Omo Champion	1017 A Kent, OH
Marilyn Zeman	MARILYN ZEMAN	317 E. School St OH
Laura Kinter	Laura Kinter	323 E. schools + Kent, O
Pilar Atkinson	PILAR ATANSON	407 E School St.
Aundria Williams	Aundria L Williams	415 E. School St
Kyna Meloy	Kyna Meloy	419 E. School St
Babette Cameron	Babette Cameron	427 East school St.
Jackie Tulek	Jackie Tulek	435 EAST SCHOOL
Art Wilson	Art Wilson	418 East School

Dave Ruller, City Manager
 215 East Summit Street
 Kent, OH 44240
 Phone: 330-676-7500
 Fax: 330-678-8033

On My Own Two Feet Marathon
 to benefit Cleveland and Kent Battered Women's
 Shelters
 April 21, 2012

Name	Signature	Address
Jennifer Price	Jennifer Price	711 S. Depeyster St
Lori Bohler	L. Bohler	707 S. Depeyster St
Brett Polczynski	Brett Polczynski	641 S Depeyster St
Lynn Gregor	Lynn Gregor	629 So. Depeyster St.
RYAN PRESCOTT	Ryan Prescott	621 S. DEPEYSTER ST
Jenny O'Brien	Jenny O'Brien	200 E Williams St.
Kick Shewer	Kick Shewer	200 E. Williams St
Nick Shook	Nick Shook	302 S. Depeyster St.
Zack Rosenberg	Zack Rosenberg	710 S. Depeyster St.
JAMES LEITHOLD	James Leithold	647 S. DEPEYSTER ST
EVA Greitzer	Eva Greitzer	140 E Williams
Gary Rexrode	Gary Rexrode	130 E. Williams St.
KELLEY ABELL	Kelley Abell	126 E WILLIAMS ST
Norman Stiles	Norman Stiles	120 E. WILLIAMS
MARIAN STEINERT	Marian Steinert	116 E. Williams
Luke J Fitzsimmons	Luke J Fitzsimmons	802 S. Depeyster St
Katie Marchant	Katie Marchant	815 S. Depeyster St.
Kelsey Steen	Kelsey Steen	253 E Oak St.
Adrienne Fedor	Adrienne Fedor	237 E. Oak St.
Richard Wray	Richard Wray	238 E. OAK ST
Melissa Carrill-Ziemer	Melissa Carrill-Ziemer	905 Vine St.
Jessica Rotondo	Jessica Rotondo	933 VINE ST.

Dave Ruller, City Manager
 215 East Summit Street
 Kent, OH 44240
 Phone: 330-676-7500
 Fax: 330-678-8033

On My Own Two Feet Marathon

to benefit Cleveland and Kent Battered Women's Shelters

April 21, 2012

Name	Signature	Address
Chuck Poulter	<i>Chuck Poulter</i>	410 E. School St.
Kayla McDaniels	<i>Kayla McDaniels</i>	322 E. School St.
Melissa Carmas	<i>Melissa Carmas</i>	805 S. Depeuster
Chris Miller	<i>Chris Miller</i>	936 Mason's Rd
Janet H. Swastford	<i>Janet H. Swastford</i>	215 E. Oak
Deanna Swafford	<i>Deanna Swafford</i>	215 E. Oak
Carl Guckelberger	<i>Carl Guckelberger</i>	226 E. Oak
Bryan Bryce	<i>Bryan Bryce</i>	939 Vine St.
Lisa Gafurbekov	<i>Lisa Gafurbekov</i>	406 E. School
Don W. Welfer	<i>Don W. Welfer</i>	402 E. School
Carl Cowan	<i>Carl Cowan</i>	327 1/2 E. School St.
Erica Bernard	<i>Erica Bernard</i>	320 E. School St.
Julie Morns	<i>Julie Morns</i>	219 E. Oak St.

Leasing Property manager



Melissa Cairns <melissaanncairns@gmail.com>

Kent State Contacts

1 message

HAWK, JASON <jphawk@kent.edu>

Wed, Sep 21, 2011 at 4:08 PM

To: "melissaanncairns@gmail.com" <melissaanncairns@gmail.com>

Melissa,

Here is the contact information for other people on campus you will need to talk to:

Cynthia Stone, Athletics - [330-672-7493](tel:330-672-7493), cstone1@kent.edu

Larry Emling, Parking - [330-672-8474](tel:330-672-8474), lemling@kent.edu

Linda Curfman, University Scheduling - [330-672-3202](tel:330-672-3202), lcurfman@kent.edu (Tell Linda that Recreational Services will serve as the university sponsor for the event)

Please let me know if you need other assistance.

Warm Regards,
Jason

Jason Hawk
Marketing Coordinator
Recreational Services, Kent State University
[330-672-0465](tel:330-672-0465)

Go Gold & Save Connect

Hi Melissa | Invite Friends | Help

MapMy: RUN RIDE WALK HIKE TRI FITNESS MTN

Submit Query

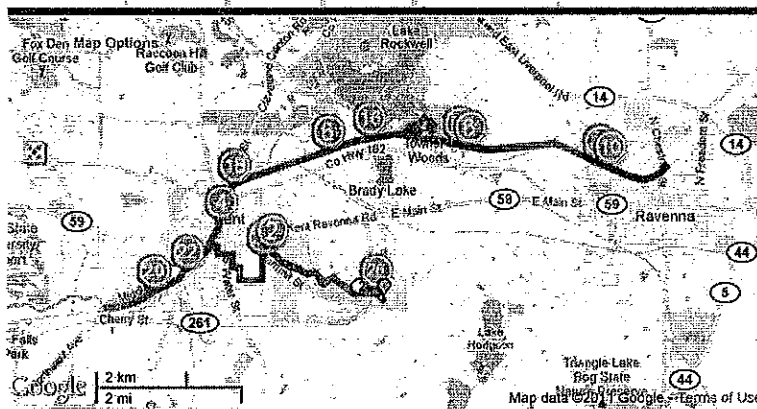
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- Nutrition
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- Mobile
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- My Runs
- Map a Run

26.22 Marathon Course
mile

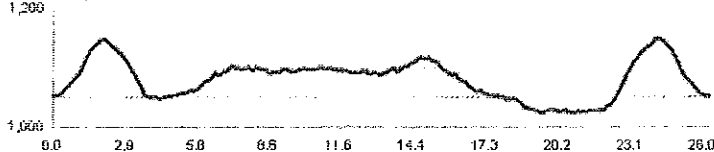
This Run starts in Kent, OH. Find more Kent, OH Runs.

6 Views 0 0 Share 0

Summary Climbs Noles Stats Leaderboard



ELEVATION (feet)



1053 ft Start Elev 1175.0 ft Max Elev 400.0 ft Gain

Export Map Data | Detailed Climb Data »

DESCRIPTION OF THIS RUN

No Description Provided

This Run does not have any Tags...

USER PHOTOS (0)

This user has not uploaded any photos...

1 0 0

More Stats »

I'VE DONE

I'D LIKE TO DO

Leaderboard

Top 5 Times | Most Recent All | Friends | Just Me

Time	Completed on	By
--	09/20/2011	melissaanncaims

View Full » | Log a Workout w/ this Route »

Get Code

URL: Private

Change Privacy Settings

Add Map to Website or Blog »

Similar Run Nearby



15 mile

Update MiltonMan Sprint
Bike
Lake Milton, OH

14.09 mile

MM Bike Course
Lake Milton, OH



molissaanncairms mapped this Run on 09/20/2011
This Run starts at 41.1366212113, -81.3162946761

This map is 65% complete
What's Next?

COMMENTS (NONE YET... BE THE FIRST ONE!)



Empty comment box with a text area and a submit button.



15.3 mile

OH: Medina-15.3m-SW loop thru Chilpepe Medina, OH



19.28 mile

cleveland heights gate mills 20 mi. cleveland heights, OH



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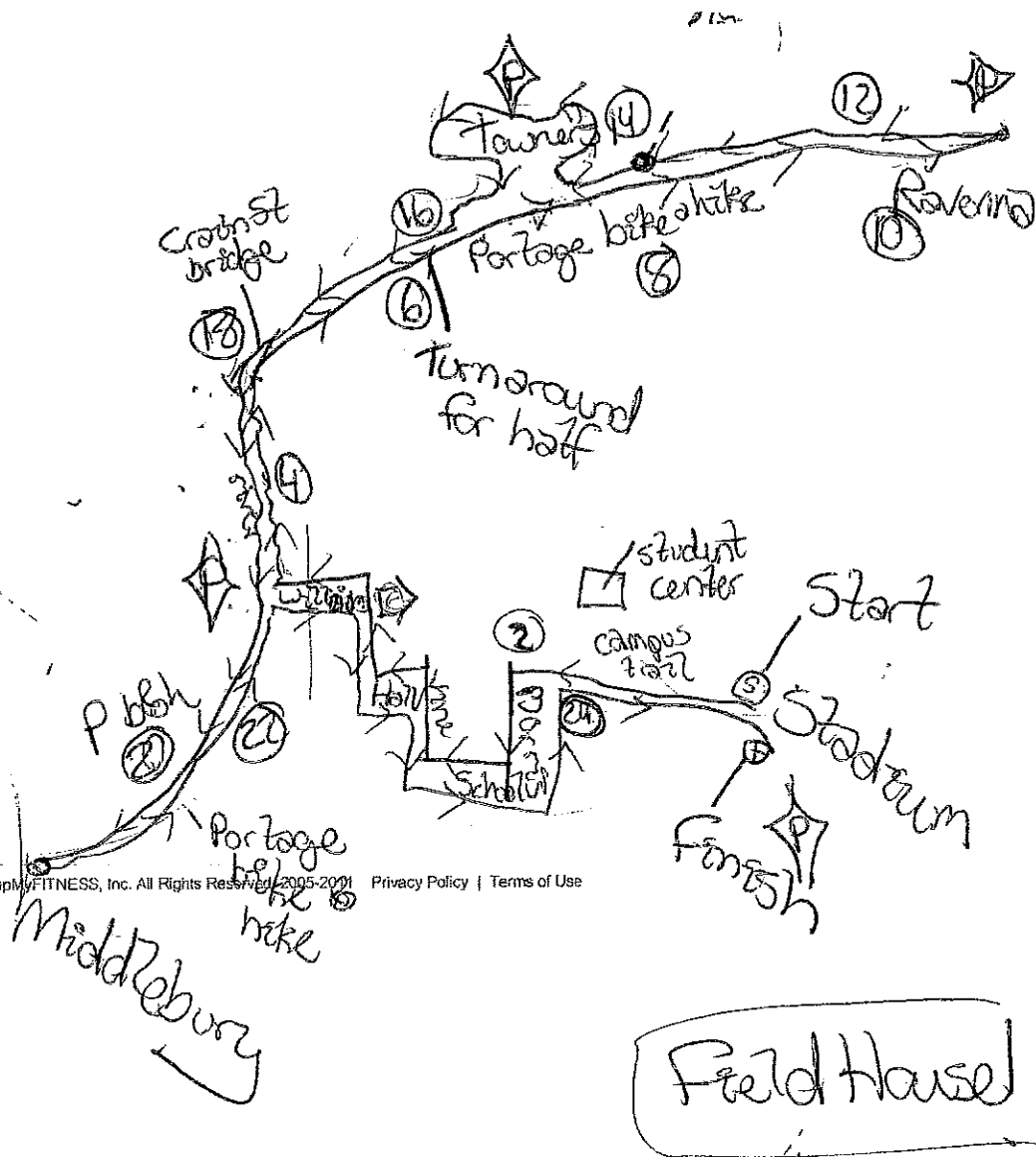
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**City of Kent
Income Tax Division**

October 31, 2011

Income Tax Receipts Comparisons - RESTATED - (NET of Refunds)

Monthly Receipts

Total receipts for the month of October, 2011	\$939,121
Total receipts for the month of October, 2010	\$961,274
Total receipts for the month of October, 2009	\$886,840

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 October 31, 2011	\$9,033,453	86.03%
Total receipts January 1 through October 31, 2010	\$8,667,462	82.92%
Total receipts January 1 through October 31, 2009	\$8,809,100	84.04%

Year-to-date Receipts Through October 31, 2011 - 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>
2011	\$ 10,500,000	\$ 10,500,000	\$ 9,033,453	86.03%	13.97%

Comparisons of Total Annual Receipts for Previous Five Years

<u>Year</u>	<u>Total Receipts</u>	<u>Percent Change From Prior Year</u>
2006	\$ 10,151,202	-0.36%
2007	\$ 10,540,992	3.84%
2008	\$ 10,712,803	1.63%
2009	\$ 10,482,215	-2.15%
2010	\$ 10,453,032	-0.28%

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

2011 CITY OF KENT, OHIO
Comparison of Income Tax Receipts
as of Month Ended October 31, 2011

Monthly Receipts				Comparisons	
Month	2009	2010	2011	Amount	Percent Change
January	\$ 731,968	\$ 952,296	\$ 1,026,357	\$ 74,061	7.78%
February	1,083,705	785,233	788,986	3,753	0.48%
March	845,720	809,613	823,680	14,067	1.74%
April	993,055	1,026,687	1,057,137	30,450	2.97%
May	988,003	877,364	1,006,438	129,074	14.71%
June	867,634	798,635	844,726	46,091	5.77%
July	824,083	828,960	848,105	19,145	2.31%
August	858,853	865,224	873,559	8,335	0.96%
September	729,239	762,176	825,343	63,167	8.29%
October	886,840	961,274	939,121	(22,153)	-2.30%
November	820,876	880,655			
December	852,239	904,915			
Totals	\$ 10,482,215	\$ 10,453,032	\$ 9,033,453		

Year-to-Date Receipts				Comparisons	
Month	2009	2010	2011	Amount	Percent Change
January	\$ 731,968	\$ 952,296	\$ 1,026,357	\$ 74,061	7.78%
February	1,815,673	1,737,529	1,815,343	77,814	4.48%
March	2,661,393	2,547,142	2,639,023	91,881	3.61%
April	3,654,448	3,573,829	3,696,160	122,331	3.42%
May	4,642,451	4,451,193	4,702,598	251,405	5.65%
June	5,510,085	5,249,828	5,547,324	297,496	5.67%
July	6,334,168	6,078,788	6,395,429	316,641	5.21%
August	7,193,021	6,944,012	7,268,988	324,976	4.68%
September	7,922,260	7,706,188	8,094,331	388,143	5.04%
October	8,809,100	8,667,462	9,033,453	365,991	4.22%
November	9,629,976	9,548,117			
December	10,482,215	10,453,032			
Totals	\$ 10,482,215	\$ 10,453,032			

2011 CITY OF KENT, OHIO
Comparison of Income Tax Receipts from Kent State University
as of Month Ended October 31, 2011

Monthly Receipts				Comparisons	
Month	2009	2010	2011	Amount	Percent Change
January	\$ 344,562	\$ 422,779	\$ 406,862	\$ (15,917)	-3.76%
February	346,921	328,502	336,710	8,208	2.50%
March	344,275	349,936	362,390	12,454	3.56%
April	346,865	350,591	357,231	6,640	1.89%
May	340,901	348,819	354,925	6,106	1.75%
June	335,596	345,261	349,038	3,777	1.09%
July	320,155	334,650	337,910	3,260	0.97%
August	366,601	381,241	370,933	(10,308)	-2.70%
September	287,150	291,775	298,038	6,263	2.15%
October	348,108	370,956	352,815	(18,141)	-4.89%
November	353,917	370,551			
December	355,737	372,404			
Totals	\$ 4,090,788	\$ 4,267,465	\$ 3,526,851		

Year-to-Date Receipts				Comparisons	
Month	2009	2010	2011	Amount	Percent Change
January	\$ 344,562	\$ 422,779	\$ 406,862	\$ (15,917)	-3.76%
February	691,483	751,281	743,572	(7,709)	-1.03%
March	1,035,758	1,101,217	1,105,962	4,745	0.43%
April	1,382,623	1,451,808	1,463,193	11,385	0.78%
May	1,723,524	1,800,627	1,818,117	17,490	0.97%
June	2,059,120	2,145,888	2,167,155	21,267	0.99%
July	2,379,275	2,480,538	2,505,065	24,527	0.99%
August	2,745,876	2,861,779	2,875,997	14,218	0.50%
September	3,033,026	3,153,554	3,174,035	20,481	0.65%
October	3,381,134	3,524,510	3,526,851	2,341	0.07%
November	3,735,051	3,895,061			
December	4,090,788	4,267,465			
Totals	\$ 4,090,788	\$ 4,267,465			

2011 CITY OF KENT, OHIO
Comparison of Income Tax Receipts from Kent State University
as of Month Ended October 31, 2011

Comparisons of Total Annual Receipts for Previous Five Years

Year	Total Receipts	Percent Change
2006	\$ 3,542,080	2.59%
2007	\$ 3,707,931	4.68%
2008	\$ 3,919,539	5.71%
2009	\$ 4,090,788	4.37%
2010	\$ 4,267,465	4.32%



CITY OF KENT, OHIO

DEPARTMENT OF LAW

TO: DAVE RULLER, CITY MANAGER
FROM: JAMES R. SILVER, LAW DIRECTOR
DATE: NOVEMBER 30, 2011
**RE: MONTHLY REPORTS – JULY, AUGUST, SEPTEMBER
& OCTOBER, 2011**

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

LAW DEPARTMENT

Monthly Report

7/1/11 to 7/31/11



- 1) Reviewed contracts for the following:
 - a) GDP Group -- Alley 5;
 - b) Fairchild Watershed study contract;
 - c) Glass A.T. 1. - contract for NC control drainage issues;
 - d) Engineering inspections for SR59 Signalization w/ KCI Assoc.;
 - e) AESI For demolition;
 - f) Sales Estate agreements for real estate purchases;
 - g) Engineering services for Summit Street;
 - h) Amendment to agreements with Fairmount;
 - i) Celebrate Kent grants; and
 - j) Sublease with Lindsey for parking.

- 2) Festival insurance form applications: None

- 3) Did research in the following areas:
 - a) Job tax credits;
 - b) Kirby v. Kent lawsuit;
 - c) Vacant buildings;
 - d) Sales Estate - liens; and
 - e) BMI (music royalties).

- 4) Prosecution: Forty four (44) hearings (trials, pre-trials or suppression hearings), record sealing notices and destruction / sale of contraband forms.

- 5) Jerry Sales Estate property: Sold 3 of the 5 properties.

- 6) Brady Lake lawsuit: Trial set for January 19, 2011 was continued. No new date. Waiting for rulings on motions.

- 7) Kent Hotel, LLC vs. City of Kent: Set for Trial September 13, 2011.

LAW DEPARTMENT

Monthly Report

7/1/11 to 7/31/11

- 8) Lawsuit filed by Paul Webster against City (Federal court). One of Mr. Webster's cases has been dismissed by the Federal Court. Waiting on Court of Appeals decision for the remaining case.
- 9) Rebecca Vujanov v. Kent – Attend Mediation – Matter not resolved. Defendant requested continuance of January Trial date.
- 10) Three (3) new claims against the City.
- 11) Mortgage Foreclosure filed against Alfreda and Davin Strong for breaking mortgage restrictions on City Home Improvement loan for owner – occupied houses – Mediation Conference re-scheduled for August 30, 2011.
- 12) Now in Court of Appeals over the taking of Lloyd Atkinson's property for Crain Avenue Bridge Project over value of his property.
- 13) Kirby v. Kent – just filed.

LAW DEPARTMENT

Monthly Report



8/1/11 to 8/31/11

- 1) Reviewed contracts for the following:
 - a) Amendment to Fairmount Lease;
 - b) Amendment to all other Fairmount Agreements;
 - c) Agreement with Huntington for Fairmount;
 - d) Transfer of Parcel D development rights;
 - e) Revision to Parcel C Development rights;
 - f) Easements for development properties; and
 - g) Electric Co. upgrades for Alley 5.

- 2) Festival insurance form applications: None

- 3) Did research in the following areas:
 - a) BUSTER & Depeyster St. land;
 - b) Prevailing wage; and
 - c) Electric co. upgrades for Alley 5.

- 4) Prosecution: Forty five (45) hearings (trials, pre-trials or suppression hearings), record sealing notices and destruction / sale of contraband forms.

- 5) Jerry Sales Estate property: Continuing the process to sell properties. Filed report of sale – transferred 3 properties.

- 6) Brady Lake lawsuit: Trial set for January 19, 2011 was continued. No new date. Waiting for rulings on motions.

- 7) Kent Hotel, LLC vs. City of Kent: Trial date continued, City filed Motion to Dismiss.

- 8) Lawsuit filed by Paul Webster against City (Federal court). One of Mr. Webster's cases has been dismissed by the Federal Court. Waiting on Court of Appeals decision for the remaining case.

- 9) Rebecca Vujanov v. Kent – Attend Mediation – Matter not resolved. Defendant requested continuance of January Trial date.

- 10) No new claims against the City.

LAW DEPARTMENT

Monthly Report

8/1/11 to 8/31/11

- 11) Mortgage Foreclosure filed against Alfreda and Davin Strong for breaking mortgage restrictions on City Home Improvement loan for owner – occupied houses – Mediation Conference re-scheduled for August 30, 2011.
- 12) Now in Court of Appeals over the taking of Lloyd Atkinson's property for Crain Avenue Bridge Project over value of his property.
- 13) Filed Motion to Dismiss Kirby v. Kent lawsuit.

LAW DEPARTMENT

Monthly Report



9/1/11 to 9/30/11

- 1) Reviewed contracts for the following:
 - a) Plowing/mowing agreement with County;
 - b) R & A agreement for Parks & Rec. – Riveredge ;
 - c) Purchase agreement for 800 Mogadore Road;
 - d) Ashtree replacement services agreement;
 - e) Street sealing agreement with County;
 - f) Pavement condition analysis agreement with JG3 Consulting;
 - g) Tree inventory contract with Davey Tree;
 - h) Health Dept. agreement with Dr. Bartholomew;
 - i) Crossroads asphalt for street sealing; and
 - j) Delta asphalt for resurfacing streets.

- 2) Festival insurance form applications: None

- 3) Did research in the following areas:
 - a) Public records request;
 - b) Vacant buildings; and
 - c) Gas company easement request.

- 4) Prosecution: Sixty nine (69) hearings (trials, pre-trials or suppression hearings), record sealing notices and destruction / sale of contraband forms.

- 5) Jerry Sales Estate property: Continuing the process to sell properties. Filed report of sale – transferred 3 properties.

- 6) Brady Lake lawsuit: Trial set for January 19, 2011 was continued. No new date. Waiting for rulings on motions.

- 7) Kent Hotel, LLC vs. City of Kent: Trial date continued. City filed Motion to Dismiss.

LAW DEPARTMENT

Monthly Report

9/1/11 to 9/30/11

- 8) Lawsuit filed by Paul Webster against City (Federal court). One of Mr. Webster's cases has been dismissed by the Federal Court. Waiting on Court of Appeals decision for the remaining case.
- 9) Rebecca Vujanov v. Kent – Attend Mediation – Matter not resolved. Defendant requested continuance of January Trial date.
- 10) One (1) new claim against the City.
- 11) Mortgage Foreclosure filed against Alfreda and Davin Strong for breaking mortgage restrictions on City Home Improvement loan for owner – occupied houses – Mediation Conference re-scheduled for August 30, 2011.
- 12) Now in Court of Appeals over the taking of Lloyd Atkinson's property for Crain Avenue Bridge Project over value of his property.
- 13) Filed Motion to Dismiss Kirby v. Kent lawsuit.

LAW DEPARTMENT

Monthly Report



10/1/11 to 10/31/11

- 1) Reviewed contracts for the following:
 - a) Amendment to Thomas & Betts contract;
 - b) Railroad lease for parking;
 - c) Fair housing contract services;
 - d) KRBA – CDBG grant agreement;
 - e) Coleman – CDBG grant agreement;
 - f) F&CS – CDBG grant agreement;
 - g) CAC – CDBG grant agreement;
 - h) Chip and seal agreement with County;
 - i) Grant agreement with Thomas & Betts; and
 - j) Purchase agreement for old hotel.

- 2) Festival insurance form applications: None

- 3) Did research in the following areas:
 - a) Temporary easement to CSX RR;
 - b) Second hand store legislation;
 - c) Sick leave sell back;
 - d) Motion for Summary Judgment in Kirby v. Kent;
 - e) Jimmy John's lease; and
 - f) Civil service and conflicts.

- 4) Prosecution: Sixty four (64) hearings (trials, pre-trials or suppression hearings), record sealing notices and destruction / sale of contraband forms.

- 5) Jerry Sales Estate property: Continuing the process to sell remaining properties.

- 6) Brady Lake lawsuit: Trial set for January 19, 2011 was continued. No new date. Waiting for rulings on motions.

- 7) Kent Hotel, LLC vs. City of Kent: Case settled (Hurray!!!!)

LAW DEPARTMENT

Monthly Report

10/1/11 to 10/31/11

- 8) Lawsuit filed by Paul Webster against City (Federal court). One of Mr. Webster's cases has been dismissed by the Federal Court. Waiting on Court of Appeals decision for the remaining case.
- 9) Rebecca Vujanov v. Kent – Attend Mediation – Matter not resolved. Set for Trial in November but City filed Motion to Dismiss.
- 10) One (1) new claim against the City.
- 11) Mortgage Foreclosure filed against Alfreda and Davin Strong for breaking mortgage restrictions on City Home Improvement loan for owner – occupied houses – Mediation Conference re-scheduled for August 30, 2011.
- 12) Now in Court of Appeals over the taking of Lloyd Atkinson's property for Crain Avenue Bridge Project over value of his property.
- 13) Filed Motion to Dismiss Kirby v. Kent lawsuit.

LAW DEPARTMENT

Monthly Report

Pending Code Violations & Enforcement

7/1/11 to 7/31/11

Type	Address	Owner	Issue	Work Involved
Complaint	Kent Hotel	Vilco, Inc.	Abandoned building	Review court rulings. Awaiting next court date.
Complaint	939 South Water	Neva Groves	Scaffolding House	Complaint drafted. New letter sent.
Complaint	1368 Athena Drive	Ashley Bojc	Illegal Boarding House	Complaint filed. Pending service. Spoke with complaining neighbors.
Building Dept	234 Lake Street	Brenda Richards	Abandoned Building/Razing	Time running on service by publication.
Building Dept	1225 West Main St.	Mike Tabba	Illegal Sign	Matter closed.
Building Dept	many	Jerry Sales Estate	demolition of properties	Verified C/D is prepared for auction.
Building Dept	500 S Water Street	CVS project	Alley Ownership	Draft memo regarding ownership of alley. Review setbacks and lots with 3 frontages. Review requirement for set back variances.
Planning Com		Edwards Project		Review Complaint opposing project.
Planning Commission			New Code provisions	Review proposed zoning changes for Zoning districts, uses and general standards. Prepare memo on proper use of Comprehensive Sign Plan versus seeking variances.
Planning Commission				Research proposals for various projects.
BZA/PC/BBA	746 River Bend Blvd	Parks Launch Project	Appeal	Receive appellants brief. Review motions. File responding brief and motion to dismiss. Briefing schedule amended.

LAW DEPARTMENT

Monthly Report

Pending Code Violations & Enforcement

7/1/11 to 7/31/11

<i>Type</i>	<i>Address</i>	<i>Owner</i>	<i>Issue</i>	<i>Work Involved</i>
Police Dept	Silver Meadows	Landlord	PNG vs. criminal trespass	Review legal questions. Prepare response for Kent Police Department. No follow up expected.
Health Dept	347 High Street	Joshua Greene	Unsecured structure	In June: Review file. Contact client. Send letter. In July: Follow up with owner. Action plan approved. Matter closed.
Health Dept	none	James Earley	Indigent Burial	Research possible new found revenue source
BZA				Research proposals for various projects.

LAW DEPARTMENT

Monthly Report

8/1/11 to 8/31/11

Pending Code Violations & Enforcement

<i>Type</i>	<i>Address</i>	<i>Owner</i>	<i>Issue</i>	<i>Work Involved</i>
Complaint	Kent Hotel	Vilco, Inc.	Abandoned building	Review court rulings. Awaiting next court date.
Complaint	1368 Athena Drive	Ashley Bojc	Illegal Boarding House	Waiting for Defendant to respond.
Complaint	1294 Gale Drive	Jennifer Thomas	Illegal daycare operation	Attempt to contact operator and landlord.
Complaint	210 Linden Street	Jascun Kellogg	Inability to operate a boarding house.	Contact homeowner. Explain code Explain code as interpreted by the City of Kent. No other follow up required.
Building Dept	234 Lake Street	Brenda Richards	Abandoned Building/Razing	Time running for service by publication.
Building Dept	many	Jerry Sales Estate	demolition of properties	Nothing this month.
Building Dept	500 S Water Street	CVS project	Comp. Sign Plan	Attend arch Board meeting on CVS sign review.
Planning Commission		Edwards Project		Review land banking proposal for parking spaces.
Planning Commission			New Code provisions	
Planning Commission				Research proposals for various projects.
BZA/PC/BBA	746 River Bend Blvd	Parks Launch Project	Appeal	Waiting for court's review.
BZA				Research proposals for various projects.

LAW DEPARTMENT

Monthly Report

Pending Code Violations & Enforcement

9/1/11 to 9/30/11

<i>Type</i>	<i>Address</i>	<i>Owner</i>	<i>Issue</i>	<i>Work Involved</i>
Complaint	Kent Hotel	Vilco, Inc.	Abandoned building	Contact city lawyer regarding possible settlement.
Complaint	1368 Athena Drive	Ashley Bojc	Illegal Boarding House	Service failed. Filed for service by ordinary mail.
Complaint	1137 Erin Drive	Daniel Gabella	Collapsed Deck	Contact homeowner, draft letter. Discuss possible resolutions and time frame.
Complaint	431 Earl Avenue	Jennifer Thomas	Illegal daycare operation	Contact landlord. Contact operator.
Complaint	1294 Gale Drive	Jennifer Thomas	Illegal daycare operation	Follow up with landlord. Operator to relocate.
Complaint	939 South Water	Neva Groves	Scaffolding House	Met certain goals – new goals set.
Building Dept	234 Lake Street	Brenda Richards	Abandoned Building/Razing	Proof of service filed. Motion for default judgment filed.
Building Dept	many	Jerry Sales Estate	demolition of properties	Prepare entries for court.
Building Dept	500 S Water Street	CVS project	Alley Ownership	Attend Arch Board for comprehensive sign plan.
Planning Commission		Edwards Project		Meet with concerned citizens.
Planning Commission			New Code provisions	
Planning Commission				Research proposals for various projects.
BZA/PC/BBA	746 River Bend Blvd	Parks Launch Project	Appeal	Waiting for court's review.
BZA				Research proposals for various projects.

LAW DEPARTMENT

Monthly Report

Pending Code Violations & Enforcement

10/1/11 to 10/31/11

Type	Address	Owner	Issue	Work Involved
Complaint	Kent Hotel	Vilco, Inc.	Abandoned building	Review settlement negotiations with counsel.
Complaint	1368 Athena Drive	Ashley Bojc	Illegal Boarding House	Receive unofficial answer. Prepare proposed settlement entry.
Complaint	1137 Erin Drive	Daniel Gabella	Collapsed Deck	Draft proposed settlement entry. Multiple telephone calls with homeowner. Pending final review.
Complaint	431 Earl Avenue	Jennifer Thomas	Illegal daycare operation	Draft complaint.
Complaint	1294 Gale Drive	Jennifer Thomas	Illegal daycare operation	Matter resolved (at this address only).
Complaint	302 West Elm	Cedar / McBride	Illegal fence	Set matter for court hearing.
Building Dept	234 Lake Street	Brenda Richards	Abandoned Building/Razing	Seeking court date for default judgment. Default Judgment granted. Order prepared.
Building Dept	many	Jerry Sales Estate	demolition of properties	Nothing this month.
Building Dept	500 S Water Street	CVS project	Comp Sign Plan	Review sign plan for Planning Commission.
Planning Commission		Edwards Project	New Code provisions	Nothing this month.
Planning Commission				Research proposals for various projects.
BZA/PC/BBA	746 River Bend Blvd	Parks Launch Project	Appeal	Meet with John Idone. Court date set. Status hearing conducted.
BZA				Research proposals for various projects.

AGENDA

CITY OF KENT
BOARD OF ZONING APPEALS
PUBLIC HEARINGS & BUSINESS MEETING
NOVEMBER 21, 2011
7:00PM
COUNCIL CHAMBERS – KENT CITY HALL
325 SOUTH DEPEYSTER STREET

- I. CALL TO ORDER
- II. PLEDGE
- III. ROLL CALL
- IV. PREAMBLE
- V. ADMINISTRATION OF THE OATH
- VI. NEW BUSINESS

A. BZ11-022 COPEN MACHINE
440 HARRIS STREET

Section: 1169.12

Request: The applicant is requesting a substitution of a non-conforming use to change the use of the property at 440 Harris Street from a glass manufacturing facility to a metal processing facility (Section 1169.12).

1. Public Comment
2. Board of Zoning Appeals Discussion / Action

B. BZ11-023 BRAUN & STEIDL ARCHITECTS / THE NRP GROUP
LLC
SW CORNER OF SUNNYBROOK RD. AND ST. RT. 261

Section: 1171.01(47)

Request: The applicant is requesting a variance from Section 1171.01(47) to allow all proposed structures to be multi-family residential on all floors, with no commercial uses.

1. Public Comment
2. Board of Zoning Appeals Discussion / Action

C. BZ11-024 TERRI & KEITH BROKAW
326 COLLEGE COURT

Sections: 1135.03(a)(3), 1135.03(b)(3), 1135.03 (e), 1103.03(a), and 1167.04(a)

Requests: The applicants are requesting the following:

- 1) A 4438.5 square foot variance from the 10,000 square foot minimum lot size requirement to allow a new rooming/boarding house to have a lot size of 5561.5 square feet (Section 1135.03(a)(3)),
- 2) A 51-foot variance from the 100-foot minimum lot width at the building like to allow a new rooming/boarding house to have a lot width of 49 feet at the building (Section 1135.03(b)(3)),
- 3) A 30 percent open space variance from Section 1135.03(e) to allow 0 percent open space, as defined in Section 1103.03(a), and
- 4) A 7.5-foot variance from the 20-foot minimum ingress/egress driveway width to allow a driveway width of 12.5 feet (Section 1167.04(a)).

1. Public Comment
2. Board of Zoning Appeals Discussion / Action

**D. BZ11-025 REVOLUTION CHURCH
1417 SOUTH WATER STREET**

Section: 1171.01(1)

Request: The applicant is requesting a 100-foot variance to allow a church and parking area to 0 feet from the front property line (Section 1171.01(1)).

1. Public Comment
2. Board of Zoning Appeals Discussion / Action

- VII. MEETING MINUTES
 - A. MINUTES FROM THE SEPTEMBER 19, 2011 MEETING
 - B. MINUTES FROM THE OCTOBER 17, 2011 MEETING
- VIII. OTHER BUSINESS
- IX. ADJOURNMENT



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: NOVEMBER 10, 2011
TO: KENT CITY BOARD OF ZONING APPEALS
FROM: HEATHER PHILE, DEVELOPMENT PLANNER *HP*
RE: STAFF REPORT FOR THE NOVEMBER 21, 2011 BOARD OF ZONING APPEALS MEETING

The following case appears on the agenda for the November 21, 2011 Board of Zoning Appeals meeting:

NEW BUSINESS

CASE NO.: BZ11-022

APPLICANT: COPEN MACHINE

SITE LOCATION: 440 Harris Street

STATUS OF APPLICANT: The applicant is the potential owner of the property.

REQUESTED ACTION: The applicant is requesting a substitution of a non-conforming use to change the use of the property at 440 Harris Street from a glass manufacturing facility to a metal processing facility (Section 1169.12).

ZONING: This property is currently located in the R-3: High Density Residential Zone District.

TRAFFIC: The property is accessible from Harris and Cedar Streets.

SURROUNDING LAND USES: The property is surrounded by residential uses on all sides.

APPLICABLE CODE SECTIONS: 1169.12

ANALYSIS:

This property is located at 440 Harris Street. This property is currently a non-conforming glass manufacturing facility. This use was a substitution request that was approved by the Board of Zoning Appeals in 2001. Prior to the glass manufacturing facility, this property was a non-conforming machine shop from at least 1973 until the substitution approval in 2001. The property is currently zoned R-3: High Density Residential.

The applicant is requesting that the use of the property be changed from the glass manufacturing facility back to a machine shop / metal processing facility. Copen Machine owns 930 Overholt Rd., Kent, Ohio 44240 • (330) 678-8108 fax (330) 678-8030 • www.KentOhio.org

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Board of Zoning Appeals Staff Report
November 21, 2011 meeting

the property at 501 Dodge Street and operates their machine shop in this location. They would like to expand their operations into the facility at 440 Harris Street. The applicant explains that they manufacture small metal and plastic parts for the appliance, bank, and security industries. They wish to expand into the medical industry as well. The applicant does not plan on any changes to the existing building, except for some general clean up and maintenance, such as new paint and gravel for the existing parking area. The interior of the building will not change. Most work will be performed during normal, business hours. Any truck delivery will be minimal and would occur also during business hours.

The Board of Zoning Appeals can approve a substitution from one non-conforming use to another non-conforming use under the following circumstances: 1) The new use is similar to the previous non-conforming use and is equally appropriate or more appropriate in the zoning district in which it is located; and 2) The new use will not be more intrusive to the neighborhood.

CASE NO.: **BZ11-023**

APPLICANTS: **BRAUN & STEIDL ARCHITECTS / THE NRP GROUP LLC**

SITE LOCATION: The Southwest corner of Sunnybrook Road and State Route 261

STATUS OF APPLICANTS: The applicants are the architect and developer for the owner of the property.

REQUESTED ACTION: The applicant is requesting a variance from Section 1171.01(47) to allow all proposed structures to be multi-family residential on all floors, with no commercial uses.

ZONING: This property is currently located in the N-C: Neighborhood Commercial Zone District.

TRAFFIC: The property is accessible from Sunnybrook Road, through a shared access drive with the Assisted Living facility.

SURROUNDING LAND USES: The property is bordered by a limited access highway on the north, an assisted living facility to the south, a multi-family residential complex on the east, and vacant land on the west.

APPLICABLE CODE SECTION: 1171.01(47)

ANALYSIS:

This project is located at the vacant parcel on the southwest corner of Sunnybrook Road and State Route 261. It is currently zoned N-C: Neighborhood Commercial and is just north of the Inn at Golden Pond Assisted living facility. This parcel was created in 2004 when the assisted living facility was developed, with the intention of constructing either commercial offices or a wellness / fitness center.

Page 3
Board of Zoning Appeals Staff Report
November 21, 2011 meeting

The applicant is proposing to construct a 3-story apartment building for independent senior citizens. The facility will have 68 total units; 20 1-bedroom units and 48 2-bedroom units. The building will have one central elevator and some community areas for the residents.

Multi-family residential is a conditionally permitted use in the N-C zoning district, with the conditions that 1) the use meets all City, County or State health, building, electrical and other codes and 2) that the multi-family use be permitted on the upper floors of a commercial building and meet all parking and density regulations. The applicants will meet the first condition with their permits and inspections that are required, but are asking for relief from the second condition, where it pertains to having commercial uses on the first floor of the building. The applicants feel that the best use of this property would be residential and that the new apartment building will satisfy a growing need for senior housing within the City of Kent. The proposed plan will meet all parking and density regulations.

The applicants have received approval by the Planning Commission for a conceptual plan. They will go before the Planning Commission again at a later date for review of the site plan and conditional zoning certificate.

CASE NO.: **BZ11-024**

APPLICANTS: **TERRI & KEITH BROKAW**

SITE LOCATION: 326 College Court

STATUS OF APPLICANTS: The applicants are the owners of the property.

REQUESTED ACTION: The applicant is requesting the following:

- 1) A 4438.5 square foot variance from the 10,000 square foot minimum lot size requirement to allow a new rooming/boarding house to have a lot size of 5561.5 square feet (Section 1135.03(a)(3)),
- 2) A 51-foot variance from the 100-foot minimum lot width at the building like to allow a new rooming/boarding house to have a lot width of 49 feet at the building (Section 1135.03(b)(3)),
- 3) A 30 percent open space variance from Section 1135.03(e) to allow 0 percent open space, as defined in Section 1103.03(a), and
- 4) A 7.5-foot variance from the 20-foot minimum ingress/egress driveway width to allow a driveway width of 12.5 feet (Section 1167.04(a)).

ZONING: This property is currently located in the R-4: Multi-family Residential Zone District.

TRAFFIC: The property is accessible from College Court.

SURROUNDING LAND USES: The property is surrounded by various residential uses on all sides.

APPLICABLE CODE SECTIONS: 1135.03(a)(3), 1135.03(b)(3), 1135.03(e), 1103.03(a), and 1167.04(a)

ANALYSIS:

This property is located at 326 College Court and is currently a single family home. The house was constructed in 1920, according to the Portage County Auditor's records. The property is zoned R-4: Multi-family Residential. Rooming/boarding houses are Conditionally Permitted in the R-4 zone district. In order to convert the property to a rooming/boarding house, the applicant is also requesting a Conditional Zoning Certificate from the Planning Commission, who will review this case on December 6, 2011.

The applicant is requesting four variances to convert the single family home into a rooming/boarding house for up to 3 unrelated residents. The first variance is relief from the 10,000 square foot minimum lot size for a multi-family dwelling. This property is 5561.5 square feet in size. Therefore, the applicants are requesting a variance of 4435.5 square feet. There are residences on both sides of this parcel, and purchasing any property from either of these lots is not possible.

The second variance request pertains to the minimum lot width at the building line. The R-4 zoning district states that a minimum lot width at the building line for a multi-family dwelling is 100 feet. This property is currently only 49-feet wide. This lot was platted many years ago, with the surrounding properties being of various widths. This property is the smallest and narrowest of the five properties on the street.

The next variance request is for total relief from the open space requirements. The R-4 zone district requires a minimum of 30 percent open space for multi-family projects. The usable open space requirements state that a minimum of 10,000 square feet is required. This lot is currently less than the minimum space required. There is some green space on the property between the western property line and the proposed parking area, but this would not meet the minimum for the open space definition.

The last variance deals with the minimum drive width for ingress/egress to the property. This property currently has a 12.5-foot driveway that slightly gets wider at the street. The driveway runs along the northern property line and expanding up to the house would not be enough to meet the 20-foot minimum.

The applicant proposes to have three parking places in the rear of the property. No new landscaping or lighting is proposed at this time.

CASE NO.: BZ11-025

APPLICANTS: REVOLUTION CHURCH

SITE LOCATION: 1417 South Water Street

STATUS OF APPLICANTS: The applicant is a potential tenant of the property.

REQUESTED ACTION: The applicant is requesting a 100-foot variance to allow a church and parking area to 0 feet from the front property line (Section 1171.01(1)).

ZONING: This property is currently located in the R-C: High Density Residential – Commercial Zone District.

TRAFFIC: The property is accessible from South Water Street and Rellim Drive.

SURROUNDING LAND USES: The property is surrounded by commercial uses on the north, south, and west sides and by residential uses on the east side.

APPLICABLE CODE SECTIONS: 1171.01(1)

ANALYSIS:

This property is located at 1417 South Water Street and is currently zoned R-C: High Density Residential – Commercial. Currently, this is home to Domino's Pizza and Dairy Queen, with a vacant space in between the two restaurants. Curves was previously located in this space.

The applicant is proposing to use the vacant space as a church. The applicant would like to use the space for services on Sundays from 10:00 am until 12:00 pm, and on Wednesdays from 7:00 pm to 8:00 pm.

A church is a conditionally permitted use in the R-C zone district and is subject to a 100-foot setback for all buildings and activity areas, as listed in Chapter 1171.01(1). This is the only regulation that cannot be met for this location. This use will meet all other zoning and parking requirements. This application will be presented to the Planning Commission on November 15, 2011 for approval of a Conditional Zoning Certificate and Site Plan review.

cc: Applicants
Case file
Jennifer Barone, Development Engineer
Eric Fink, Asst. Law Director

**KENT CITY PLANNING COMMISSION
BUSINESS MEETING
DECEMBER 6, 2011**

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

A G E N D A

I. **CALL TO ORDER**

II. **ROLL CALL**

III. **READING OF PREAMBLE**

IV. **ADMINISTRATION OF OATH**

V. **CORRESPONDENCE**

VI. **OLD BUSINESS**

VII. **NEW BUSINESS**

A. PC11-025 CITY OF KENT
ALLEY #5

The applicant is seeking Site Plan approval in order to construct a parking lot off Alley #5. The subject property is zoned C-D: Commercial-Downtown District.

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

VIII. **OTHER BUSINESS**

IX. **ADJOURNMENT**



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: November 29, 2011
TO: Kent City Planning Commission
FROM: Jennifer Barone, PE, Development Engineer
RE: Staff Report for the December 6, 2011 Planning Commission Meeting

The following items appear on the agenda for the December 6, 2011 Planning Commission meeting:

NEW BUSINESS:

<u>CASE NO:</u>	PC11-025
<u>APPLICANT:</u>	City of Kent
<u>SITE LOCATION:</u>	Alley No. 5
<u>STATUS OF APPLICANT:</u>	The applicant is the owner of the property.
<u>REQUESTED ACTION:</u>	Site plan approval for construction of a parking lot.
<u>ZONING:</u>	C-D: Commercial - Downtown
<u>TRAFFIC:</u>	The parcel is accessed from Alley No. 5.
<u>SURROUNDING LAND USES:</u>	The property is surrounded by commercial uses on all sides.
<u>APPLICABLE CODE SECTIONS:</u>	Chapters 1113 and 1146 of the Kent Codified Ordinance.

ANALYSIS:

PROJECT DESCRIPTION:

The applicant is proposing construction of a parking lot off of Alley No. 5 (which will be reconstructed at the same time) to service the new private development downtown. The

Commission may remember that this is an integral part of the downtown redevelopment. The plans show the entire block, but only the parking area is being presented at this time.

TRAFFIC/PARKING:

Ingress and egress is from Alley No. 5. Please note that Alley No. 5 is one way traffic from west to east. The parking lot will contain 114 spaces with most of the spaces being leased to Davey Tree (30 spaces) and Ametek (75 spaces) from the hours of 7 am to 6 pm during the work week (Monday through Friday). The remainder of the time the spaces will be open to the public to serve the area retail and restaurants. There are an additional 7 spaces along the north side of Alley No. 5. The applicant has provided a separate plan depicting the traffic patterns. This was done on a separate sheet because the arrows will not physically be painted on the parking lot surface yet the applicant wanted to demonstrate that there is adequate room for maneuvering through the lot.

UTILITIES:

Water and sanitary service is not required.

STORMWATER:

Alley No. 5 will be constructed with pervious pavers to handle the storm water management water quality requirement. Water quantity is not required because the area was impervious previously and due to the proximity to the Cuyahoga River.

SIGNAGE:

No signs are proposed other than way finding signs.

LIGHTING/LANDSCAPING/DUMPSTER:

Standard parking lot lighting is proposed in the parking lot. A photometric plan has been submitted for staff's review and was found to be adequate.

Landscaping is depicted along Alley No. 5 and in most of the end cap islands, plus several trees along Haymaker Parkway side. Additional landscaping is proposed along Haymaker Parkway, but is in the right-of-way and not part of this project. Plans for the Haymaker Parkway landscaping have not been developed to date, but will consist of larger trees so as to not block the view of the downtown buildings. The rear sides of these buildings have been designed to match the other facades and are intended to attract passersby. The trees along the eastern property line are on the adjacent parcel (Parcel D) and are to remain. Plans to develop Parcel D are under discussion. The Commission may remember that the hotel was originally planned to be in this location and is now located on the east side of South Depeyster Street. Since a building will most likely be constructed on Parcel D in the near future, staff does not recommend planting buffer landscaping on the this side since the building will block the view similarly to the west side.

A dumpster is shown on the plans that services Building A and was approved with the site plan for Building A.

ARCHITECTURAL ADVISORY BOARD:

The Architectural Review Board is not required to review this project.

VARIANCES:

Variations from the Board of Zoning Appeals are not required.

RECOMMENDATION:

Staff recommends approval.

The Planning Commission may approve, approve with conditions, or disapprove the application. Should Planning Commission wish to make a motion for approval of this project the following language may be used:

I move that in Case PC11-025, the Planning Commission approve the Site Plan to construct a parking lot off Alley No. 5 subject to the following conditions:

1. Technical Plan Review
2. Obtaining the necessary variances from the Board of Zoning Appeals.

List of Enclosures for this Project:

1. Applicant Cover Memo dated October 25, 2011
2. Plans received November 29, 2011
3. Aerial Topo and Zoning Map

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

**KENT POLICE DEPARTMENT
OCTOBER 2011**

	OCTOBER 2010	OCTOBER 2011	TOTAL 2010	TOTAL 2011
CALLS FOR SERVICE	1930	1774	17888	16623
FIRE CALLS	382	443	3419	3452
ARRESTS, TOTAL	220	231	1856	1729
JUVENILE ARRESTS	29	22	167	170
O.V.I. ARRESTS	18	21	185	191
TRAFFIC CITATIONS	302	239	2847	2409
PARKING TICKETS	299	281	2534	2151
ACCIDENT REPORTS				
ACCIDENT REPORTS	78	94	676	705
Property Damage	59	53	419	440
Injury	9	19	99	105
Private Property	6	13	120	114
Hit-Skip	4	9	38	46
OVI Related	1	2	12	17
Pedestrians	3	3	6	9
Fatals	0	0	0	0
U.C.R. STATISTICS				
Homicide	0	0	1	2
Rape	2	0	10	6
Robbery	1	4	8	14
Assault Total	28	30	182	194
Serious	2	4	21	25
Simple	26	26	161	169
Burglary	24	15	132	120
Larceny	45	43	386	378
Auto Theft	3	0	21	25
Arson	3	1	18	15
TOTAL	106	93	758	754
CRIME CLEARANCES				
Homicide	0	0	1	2
Rape	0	0	4	1
Robbery	0	0	3	5
Assault Total	19	21	138	145
Serious	0	1	10	14
Simple	19	20	128	131
Burglary	1	2	15	16
Larceny	4	7	44	62
Auto Theft	1	0	7	4
Arson	0	1	2	2
TOTAL	25	31	213	237

M. Lee
11/18/11



CITY OF KENT, OHIO

DEPARTMENT OF SAFETY

To: Mr. Ruller
Mr. Bowling
Mr. Giaquinto
Chief Lee
Mr. Locke
Mr. Roberts
Chief Williams

From: William Lillich

Subject: Traffic Engineering & Safety Agenda for a Meeting on Monday, Nov. 7, 2011
at 10:30 AM
TE&S 2011-08

1. Wright Heating/N. Water St. parking and traffic issues (See attached)
Owners of Wright Heating expressed concern about parking and other roadway configuration with the opening of the street. Mr. Bowling met with them, and there was some agreement to wait and observe how the traffic develops. There was also some discussion about the possibility of providing some additional parking on landscape adjacent space near the bridge.
2. Fairchild Ave. speed concerns- Cottage Gate sign request
The committee discussed concerns from the Cottage Gate area, due to the reported frequency of vehicles running off the road just west of Adrian Dr. Jon provided a review of recent accidents, which did not indicate as serious a level of safety concern. After discussion, the committee has recommended that the "hash mark" signs be replaced with larger, more reflective signs. Also a couple more of the hash mark signs be added, and possibly reflective post coverings be considered.
3. Review of Hollister/Admore stop sign study results indicating no necessity for a stop sign. A complete report has been provided to Mr. Amrhein for discussion with his constituent.
4. Portage County Engr. W. Main St bridge repair plans
The County Engineer has reported the scope of the repair work on the bridge. It is projected to take place during the summer of 2013, requiring 75 days, which will take it into October. The scope of work will be:
Replace beams and deck under the eastern portion of the bridge.
Resurface the entire length of the bridge.
All traffic and parking will be prohibited during the repair period
Pedestrian crossing will be maintained during the work period.
5. S. Lincoln St bus stop street light

Mr. Roberts was informed of a concern for the lighting in the area of the bus stop/shelter in the 300 block of S. Lincoln St. The shelter is on the west side of the street, and it appears to be particularly dark at this time of year. The committee agreed that a light would be appropriate.

6. **KSU property lighting in the Esplanade area**
This is determined to not be a city issue. Security lighting assistance for the university-owned properties needs to be arranged directly between those two parties. It was also reported that several of the properties they are concerned about are to be raised by mid-November.
7. **Alley 5 site plan**
There was a little discussion about the potential use of the Bldg "D" space for temporary parking, and a review of the one way alley configuration.
8. **Lincoln St & Willow St planned closings for Esplanade construction was further clarified.** Engineering has been conferring with the university planners in an effort to avoid greater traffic complications. These streets will be closed during the period of spring-to-fall, 2013. It is not anticipated that either closing will extend beyond thirty days. Detour routes will vary while the work is being done. Some specific dates will be blocked out to avoid the closings. Examples are the weekend before spring finals and the Halloween weekend.
9. **The committee discussed a school crossing issue on Oakwood Dr. near the rear of Walls School. The concern is described below:**
"There's a small group of moms who have kids at Walls Elementary and the kids use the school path that connects the back side of the school to Oakwood Drive. The moms said that the path is in the curve on Oakwood and the combination of no sidewalk plus poor site distance (lots of trees impairing the view) makes this an unsafe street location -- which is bad because so many kids use it.

The moms wanted a crossing guard or speed bumps put in. I suggested that they contact the homeowner association and contact you so that our staff could review the situation from a traffic safety and engineering perspective. I said that there is often simpler solutions than speed bumps, including cutting the trees back and better warning signage."
- The committee discussed how this issue developed due to the informal creation of the walkway as the housing development grew, and some of the property was ceded to the school system. We also felt that there needs to be more involvement with the residents impacted by the use of the path, so we will forward the policy, notify the school system and meet with representatives when a written request is submitted consistent with the sign request policy. (Copy attached).
10. **The committee discussed problems on S. Lincoln St. related to the truck traffic that is entering and leaving the Province Development.** Often the trucks stop in the street in a manner that creates inconvenience for other motorists, as well as the danger of the proximity to the hill crest to the north. It was recommended that all city staff that is involved in oversight of this project encourage the developer to provide quick ingress/egress of the trucks, or provide a flagger at the entrance point. The developer also needs to have all private vehicles into the project area that are currently parking on the devil strip on both sides of the street.

(From Jim Bowling)

All,

I followed up with Rebekah and Mr. Wright today and we discussed the issues more fully. The following is a summary of the discussion:

- The parking spots immediately in front of their building were used primarily for three functions: 1) Quick Customer pick-up of parts, etc.; 2) Staging for when their staff arrive and load up in the morning; & 3) Large truck deliveries that sometimes extend into the street, primarily into the lane where the parking was located or parked in the area where on-street parking was located.
- They are concerned about the lack of parking for customers in front of their building
- They are concerned about material deliveries now that the parking lane is gone (partially from the unknown of how much traffic will be using Water Street after the project is completed)
- They are looking to pave their parking lot that is just north of the building after the bridge project is complete
- We looked at the area to the north of the Star of the West drive where the City may allow a License to Occupy the R/W (behind the sidewalk) for Wright H&C to get a couple of parking spots.

We agreed to the following next steps/actions:

- Engineering will take traffic counts and re-evaluate the striping needs next year after traffic has adjusted to the new roadways
- Engineering will send them design drawings that we have that may assist them in the layout of their parking lot
- Engineering will look into how many spots may be achieved in the R/W north of Star of the West's drive
- The Wrights will contact Dan and Bill directly to discuss their concerns and some potential options that are operational in nature (dedicating the two spots just south of their building; fire access through their property; deliveries on street; enforcement etc.)
- We (Jim, Dan and Bill) will bring the issues up to the Traffic Engineering and Safety Committee and potentially Parking Action Committee

Rebekah...please add anything that I may have missed or misinterpreted in the above.

Jim

>>> "Rebekah Wright" <rebekah@wrightheating.com> 10/7/2011 2:23 PM >>>
Greetings, all,

While we appreciate Jim's prompt response, the situation merits additional discussion as to the impact of this situation on our operation. We realize we are not among the new, more glamorous businesses on which much attention has been focused, yet with the investments made in staying in one spot for almost 40 years, perhaps more than a cursory review is appropriate. We welcome you to visit us here to walk the site, review our loading/delivery requirements and discuss potential resolutions.

If a mutually convenient time can be established among you, we will be available at that time. In general, mornings are best. As a possibility, may I suggest next Thursday, 10/13, immediately after the KACC Davey breakfast?

Best regards,

Rebekah

Criteria and policy on the erection of precautionary signs in residential neighborhoods.

**Adopted by City Council at the Health and Public Safety Committee meeting of
December 8, 1999**

1. Signs shall be posted if special protection need. Deaf child, etc., the city will erect the signs as the need arises.
2. Based upon neighborhood requests, the following criteria will apply:
 - a. Street has a minimum of twelve houses and is recognized by the Traffic Engineering & Safety Committee as being used as a through street;
 - b. Twenty cars per hour, or,
 - c. Having hazardous traffic patterns on a frequent basis.
3. Or, based upon a neighborhood request, the following criteria will apply:

If a petition is submitted by a minimum of 70% of the residents on the street which includes the presentation of the neighborhood's perception of the street meeting the other conditions listed.