

X original to KPD
3/25/09

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

NAME OF EVENT Main Street Kent Wine + Art Festival

ORGANIZATION SPONSORING EVENT Main Street Kent

APPLICANT NAME Mary Gilbert, Main Street Kent PHONE 330-677-8000

ADDRESS 138 East Main Street, Suite #201B, Kent, OH, 44240

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

Mary Gilbert, 138 East Main Street, Suite #201B, Kent, OH, 44240

DATE OF EVENT June 6, 2009 NO. OF PARTICIPANTS approx. 200

REQUESTED PERMIT START TIME (INCLUDES SET-UP) 11:00am END TIME (INCLUDES CLEAN-UP) 11:00p.m.

ACTUAL EVENT START TIME 1:00pm EVENT END TIME 9:00pm

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.) OVER →

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.

Mary Gilbert
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 _____

Name Date APPLICATION DISAPPROVED _____

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



----- Fence

Block off w/ Fencing =
Home Savings Plaza
and North Water
(between main + Alley #3)

Citizens Ad Hoc Sidewalk Snow Removal Committee

Meeting 1: Jan. 19, 2009

Attendance: Heidi Shaffer, facilitator; Andrew Fontanarosa, Dianne Centa, Randy Ruchotzke, committee members; Peter Paino, Rick Hawksley, audience participants.

Call to order at 7 pm

Ms. Shaffer reviewed the charter of the committee as to research, discuss and make recommendations to council regarding sidewalk snow removal in Kent. Council asked for creative and cost-effective suggestions, keeping in mind the city has limited resources.

Ms. Shaffer asked each member to give a brief bio, and then explain why they are interested in this topic and what issues each wanted to address. She said since the group was small, they could probably have more of a discussion after the introductions.

Mr. Ruchotzke said he walks or bikes to KSU to work every day. He has lived in Ames, IA, Cedar Falls, IA, and Bloomington, IN. He said the comparison of these communities to Kent was striking to him because of the lack of sidewalk upkeep in Kent. When he was younger he worked for a property management company shoveling sidewalks because the city he lived in fined \$50 for unshoveled sidewalks and it was cheaper to pay him than to get fined.

Mr. Ruchotzke said that in other places he has lived property owners would shovel because a majority did and that those who did not would not look good. He said it was a matter of civic pride.

Mr. Ruchotzke said he joined the community because he was trying to get the city to respond to his complaints. He said he called the city on a number of properties several times but nothing was ever done. He talked to property owners and wrote letters. He stopped supporting businesses that did not shovel their walks. He said he talked with business managers to tell them he was boycotting their business and also thanked businesses that did shovel. Other businesses that did not clear - and may have made the sidewalks worse.

Mr. Ruchotzke said this is a public safety issue and it also involves kids walking to school. He said that KSU does a good job on their walks.

Mr. Paino, a business owner and Kent resident, attended the meeting to voice his opinion. He said he was frustrated that every year council talks about doing something about the problem but nothing happens. He is here to make sure something comes of this. Mr. Paino said there are other communities that have good ordinances and that enforce them. There should be a penalty for noncompliance or the ordinance is not worth much. He talked to the Code Enforcement Officer about instilling civic pride and said that it is a challenge.

Mr. Paino pointed out that only a few sidewalks on main walkways such as W. Main St. were shoveled and it seemed that owner-occupied houses did slightly better than rental properties. Mr. Paino said that the Health Department could include snow removal as part of the licensing agreement.

Mr. Paino said that the condition of the sidewalks is due to lack of a penalty and community pride. He said he is especially upset about businesses that clear parking lots but do not bother to clear sidewalks.

Dianne Centa introduced herself as a KSU employee and a person who walks as much as possible. She walked to the meeting tonight and her car has not been on the road since the snow began a few weeks ago. She said she had a great deal of difficulty getting to the meeting because she had to climb over big piles and that she has a knee problem. She has to wear a brace when she walks while there is snow everywhere. She said she is concerned about other people having to climb over piles or walk in the streets.

Ms. Centa said KSU had problems clearing their sidewalks last year but she called them and the problem areas are now taken care of. She said she is troubled by the snow plows that sometimes make things worse at the corners and by putting piles of snow over sidewalks. She did some research about the city of Bozeman, MT, where they give a courtesy notice to people who do not shovel and then fine them if the work is not done in a specified period.

Andrew Fontanarosa introduced himself as a KSU student who is in student government and has an obligation to his constituents. He is from a suburb near Youngstown that doesn't have many sidewalks so this is a new issue to him. He said it might also be a new issue to off-campus students who may not think about the responsibility of shoveling walks. Mr. Fontanarosa said his landlord specifically discussed the responsibility with him when he signed the lease. There was a shovel at the house that he rents on S. Depeyster St. Mr. Fontanarosa said he is a runner and he goes out even when it is snowy.

Rick Hawksley introduced himself as a walker and an active citizen who is always talking about this issue. He said that most people do not think about clearing snow except on their driveways. He said he thought that snow plow drivers should be given sensitivity training to not pile snow on sidewalks and at intersections.

Mr. Hawksley said this has long been a dream to make lots of recommendations but especially to follow up with what has been done in the past. Mr. Hawksley passed out the snow removal ordinance from Bowling Green, OH, that he said might give us some ideas. He said the City of Kent has taken a "good neighbor" approach but that doesn't seem to be effective enough.

Mr. Hawksley said that it would be difficult to enforce the ordinance all at once but we might recommend targeting certain sections of the city and rotating the enforcement around. Mr. Hawksley said that the city has few resources but we do have a new code enforcement officer.

Ms. Shaffer said she wondered whether sidewalk maintenance was a part of the property code now or the one we are looking at adopting. Mr. Hawksley said he did not think so.

Mr. Paino asked if we could consider connecting sidewalk maintenance to boarding house licensing.

Mr. Hawksley said it is unconstitutional to treat types of properties differently regarding maintenance code issues.

Mr. Hawksley said he suggested to the City Manager to include attention to sidewalks in parking bans due to anticipated snow accumulation.

Ms. Shaffer said she wondered whether there were some better neighborhoods and some worse neighborhoods and if so, why? Ms. Shaffer asked if the committee members thought if this was a rental vs. owner-occupied issue. Mr. Ruchotzke said in his

observations that did not seem to be true. Mr Hawksley said he thought rental properties were slightly less likely to have walkways shoveled. Ms. Shaffer said she thought there may be a tipping point - if most people shoveled, then others would eventually comply. Ms. Shaffer said she saw whole streets that were done by one person with a snowblower.

Mr Hawksley said maybe awards could be given to people who do more than their share. Mr. Paino said maybe the city could shovel sidewalks for hire, especially for businesses. Ms. Shaffer asked if he meant an addition to the city's revenue stream. Ms. Shaffer said they should research private landscapers who do this work, too. Other committee members said that was the responsibility of the business owners.

Mr. Paino and Mr. Ruchotzke discussed a strategy of shaming businesses for not clearing walkways. They said they planned to draw up a letter and deliver it to businesses that do not shovel as a consciousness raising tool. Ms. Shaffer said maybe they should also have a thank you letter for businesses that did clear walkways.

Ms. Centa said that businesses like apartment complexes hire people to shovel internal walkways but then do not do the public walkways in front of the complex. Is this because they don't know they are supposed to do it or because they get away with it she said.

The committee discussed the role of the code enforcement officer and said that he could call the property management companies and remind them to clear walkways.

Ms. Shaffer said she heard he was already knocking on doors.

Mr. Hawksley asked the committee to think about the sidewalks as a utility. He said extra maintenance could be done if residents were charged a little bit more on their utility bills. This could support enforcement and the city clearing sidewalks on main routes.

Ms. Shaffer wondered whether people that didn't walk much could buy into that and said that drivers don't want to hit pedestrians so that could be a driver issue, too. Mr. Ruchotzke said he thought the city was divided into walkers and non-walkers and that they may not have the same values.

Ms. Shaffer said she thought good sidewalk maintenance was an economic development issue which is important to everyone. If a person wants to invest in the city the condition of the sidewalks would say that this town doesn't care about itself.

Actions planned:

1) Mr. Paino will draft letter to business owners for committee review via email. Mr. Ruchotzke and other members will take letter to businesses. Need to discuss who will sign the letter and whether it should come from the Committee.

2) Ms. Shaffer will talk with the City Manager and Service Director about how we can do better right now with what we have.

3) Committee members may write letters to the editor and encourage other citizens to discuss the issue.

4) Mr. Fontanarosa will talk with Student Senate about the issue and maybe more students may be interested in coming to the meetings.

5) Mr. Hawksley suggested we ask Troy to do research regarding enforcement in other communities such as Cuyahoga Falls and Cleveland Heights.

Mr. Roberts said he will do some research. Committee members are also asked to research.

6) Ms. Shaffer will contact the Law Director, Service Director and possibly Code

Enforcement officer to attend the next meeting.
Mr. Silver, law director, and Mr. Roberts, service director, said they will participate.

Next meeting scheduled: Mon. Feb. 2, 2009, 7 pm, Council Chambers

Sidewalk Snow Removal Ad Hoc Committee Meeting 2: Feb. 2, 2009

In Attendance:

Committee Members: Dianne Centa, Randy Ruchotzke, Andrew Fontanarosa
Audience Participants: Karl Liske, Kevin Gareau, Stacey Carmany, Jim Soyars, Lori Dent, Mary Kenneley, Sean Kaine, Cynthia Krieger, Joan Inderhees, James Buechele, Peter Paino, Rick Hawksley, Rick Fredrick, Robin Turner

Presenters: Jim Silver, Kent Law Director; Gene Roberts, Kent Service Director

Facilitator: Heidi Shaffer, Kent City Council

Call to order 7pm

Ms. Shaffer welcomed the audience and introduced committee. She said she became more interested in the problem of snow-covered sidewalks when she saw a blind woman go into a busy street to get around a pile of snow on a sidewalk last March. Ms. Shaffer said she thought it was not just a matter of convenience, but it was a public safety issue. She said the committee was charged with brainstorming ideas and making recommendations to Council, keeping in mind that resources were limited. Ms. Shaffer thanked the participants for their interest and said that the agenda would permit audience participation after each presentation, once committee members had an opportunity to ask questions.

Ms. Shaffer asked committee members if they had an opportunity to review the minutes. They said they had. Ms. Centa offered a revision from "community" to "committee" pg. 1 paragraph 5. Mr. Ruchotzke moved to approve minutes with revision. Mr. Fontanarosa seconded.

Mr. Silver was introduced and invited to speak. He stated that our city ordinances are misdemeanors and said he doesn't know of other communities that consider snow removal issues as criminal. In his opinion our ordinance is impractical because the police would have to enforce and that there is not enough time or interest by police to do this. If there was an effort to ticket people they would have to send it by certified mail and it would take too long. The city would have to hire a contractor to clear sidewalks by a bidding process which could cost \$300-500,000 per year which would include billing costs.

Mr. Silver said that the only Ohio city he knows has an enforcement system using tickets is Bowling Green. He stated that it is based on complaints and that the BG law director does not like it. He said it generates many citizen complaints to council members and city administrators.

Mr. Silver passed out the Supreme Court of Ohio case Brinkman v. Ross (1993) and read over the highlighted area regarding the court "rejected the notion that a landowner owes a duty to the general public to remove natural accumulations of ice and snow from public sidewalks...even where a city ordinance requires the landowner to keep the sidewalks free of ice and snow." Mr. Silver said this meant that we could not make people clear the sidewalks. He said that we have discussed this several times as a community and that it always comes back to a lack of funds to be able to do the work ourselves.

Ms. Centa asked about unnatural accumulations of snow such as piles put on sidewalks by snowplows. She said this seems to discriminate against people who travel on foot. Mr. Silver said that snow has to be put somewhere. He said that the roads were priorities because police and fire need to respond to calls. He said that there were not enough people or equipment to do the sidewalks because the priorities were to clear roads and fix water lines and that Mr. Roberts would be discussing the Service Dept.'s constraints.

Ms. Centa asked if we couldn't enforce the ordinance regarding piles of snow that are put on sidewalks. Mr. Silver said the action would have to be witnessed (by police) who could write a ticket that might generate \$25 down the road which would probably not be a good use of police time. Mr. Silver said this is an ugly problem that is not easily solved and any real solution would require more money such as a tax levy or an assessment district.

Ms. Dent asked if community service workers could be assigned to clear sidewalks. Mr Roberts spoke up to say there is a dependability problem with people that have been assigned by the courts.

Ms. Kennely asked whether if we had more snow removal equipment like the one we have now if the job could be done.

Ms. Shaffer asked if she could hold the question for Mr. Robert's presentation since he would be dealing with questions of equipment and manpower.

Mr. Paino said we have an ordinance that one cannot shovel or plow snow onto sidewalks. Why not license snow plow drivers to work in the city as part of an enforcement strategy? He said he cannot understand why we can't enforce this ordinance now.

Mr. Silver said the problem was witnessing and proving which company did the job.

Mr. Hawksley asked why couldn't the person who paid the bill be required to disclose who did it. He said if the same driver plowed 5 feet of snow into the street would that be enforced? Ms. Kennely said she talked to a city worker from Ravenna who said that if someone plows snow onto a sidewalk the code enforcement person or service director would call the business. She suggested that maybe next year we could have a system in place to do the same thing with businesses that block sidewalks and to ask them to keep sidewalks clear. She said she didn't think a fine would be the answer.

Mr. Silver said a criminal citation would not work but maybe work through small claims court. He said the question without fines would be to how to make people do it. Ms. Kennely said that we could work more closely with businesses - talk to them. She said too much emphasis is on citizens (residents?) regarding possible enforcement such as fines.

Mr. Silver said we should be referring to all "property owners" not just one subset.

Ms. Inderhees asked why the city and the Chamber of Commerce couldn't work together to communicate to businesses the importance of clearing sidewalks. She said she is familiar with many businesses near campus that do not clear sidewalks and she said she cannot understand why they would have a flagrant disregard for safety of their customers and other pedestrians. She said that maybe legislation is fraught with problems so maybe shaming would be a strategy to focus on.

Ms. Kennely said she is concerned for people with disabilities such as blind people and people in wheelchairs. She said she couldn't find a place to let her friend who is in a wheelchair out of the van downtown because of the snow between parking places and the sidewalk.

Ms. Shaffer asked Mr. Silver if the ADA says anything about snow-covered walks and blockages

on sidewalks. She said the city went to a lot of trouble to install ADA-compliant ramps at intersections but that people cannot use them when there is snow.

Mr. Silver said that the ADA has not mandated for the state of Ohio regarding this issue. He said that it would be a criminal action to go after plowing companies for blocking sidewalks. He reiterated that the court has determined that snow and ice are normal parts of living in Ohio. Ms. Krieger told a story about how she slipped and fell in a snow-covered parking lot and was disabled since then with a head injury. She said people need to be responsible for others and that living here is a choice that has responsibilities. She said she doesn't understand the reasoning behind the Ohio Supreme Court's decision.

Mr. Buechele said he is a student who lives on S. Lincoln St. where many walks are not clear. He asked how long we have had the ordinance on the books and said he doesn't see a point to having an ordinance if we don't enforce it. He said the city should get rid of the criminal ordinance. Mr. Silver said he agrees.

Mr. Turner said he was concerned that pedestrians were 2nd class citizens. He said that he does not drive now and so has to walk. He said he has been forced to walk in the street and has had some close calls with cars because of the conditions of the sidewalks. He said the community needs to have a consensus that this is a safety priority and that we need to look at the high problem areas right now before there is a tragedy. He said there should be a way to alert traffic about pedestrians and to be concerned about accidents with pedestrians. He said if we fail to do something this year we would be pushing closer to peril.

Mr. Hawksley asked Mr. Silver to clarify the differences between civil and criminal actions. Mr. Silver said we already have a civil action in place but we would need to hire the staff to carry it out. He said it would be like Bowling Green where staff are sent out to take pictures and give tickets. Then if it is not done someone would have to be hired to do it. It is labor intensive, he said.

Mr. Hawksley said we should consider ticketing but to hire a contractor quickly to take care of the problem rather than taking too long. He said that compliance is likely to happen once people are notified and that city staff would not have to keep going back. He said this is what happened in Bowling Green according to the article he passed out at the last meeting.

Mr. Fontanarosa asked Mr. Silver to distinguish between civil and criminal penalties.

Mr. Silver said a civil enforcement action would involve saying if you don't clear your sidewalks the city can do it and charge a fee. The criminal action would involve levying a fine. He said that there was possibly a legal concern for equal protection if the city decided to target just the main thoroughfares vs. the residential neighborhoods for fines or other enforcement. Mr. Fredrick asked if we could target certain areas but to think of giving an incentive - a carrot rather than a stick.

Service Director Gene Roberts gave a presentation showing that Kent has doubled in land mass since the 1970s and has also increased greatly in land (road?) miles but there has been no increase in staff. Only about half of the staff are available for general work such as plowing snow. In 1974 there were 28 people who averaged 3.74 miles and .43 of cul de sacs. In 2006 there were 20 people who averaged 5.74 miles and 2.20 cul de sac. There are more cul de sacs now and they are more labor intensive (than urban grid streets).

Mr. Roberts said in the 70s there was a CETA grant (federal funding) to hire 8-10 people to clear sidewalks but then the federal funding went away and the city stopped doing sidewalks not adjacent to city property.

Mr. Roberts described the current service department operations: 19 employees available to

plow snow. Since 1974 there has been more regulation and so they can only work 16 hours during snow events before taking time off. If there are waterline breaks fresh people need to come in to fix them. Staff are less available than they were in 1974 to clear sidewalks. Mr. Roberts said that the highest priority roads to plow are emergency routes - St. Route 59 is highest according to safety forces. He said the only place to put snow in some places like St. Rt. 43 is on the sidewalks. In the past they plowed only the center lanes of the street but now they plow the whole street.

Mr. Roberts showed the 2008 Sidewalks Map and said there are 108 miles of city sidewalks. 35 miles of primary sidewalks and 12 miles of St. Rt. sidewalks. With the best machine that can move snow and ice they can clear about 1/2 mile per hour so they could clear the State Route sidewalks in 24 hours per person or 8 hours for 3 tractors.

Mr. Roberts said the equipment they have now (ATV) does an excellent job on 4-6 " of powder or even wet snow but not ice. He showed a picture of the vehicle and said it had a salt spreader. He said it is effective if they can get it out right after a snow before it gets icy.

Mr. Roberts said he talked with the Ravenna Service Director and they were out clearing after the last snow with a back hoe, 2 John Deere tractors with V-hoes, and a dump truck. The Kaboda (sp?) tractor was stuck. He showed a photo of the sidewalks that were done that still had 4-6 " of snow on them. He said that Ravenna is also struggling with the work because of how much snow fell.

Ms. Kenneley said that Ravenna uses individuals who do not have CDLs and cannot drive snow plows to clear sidewalks. She said they start when there is 3-5" of snow. She said Ravenna provides this service to residents as a convenience. In response to Mr. Paino's question, she said she learned the business owners were supposed to clear sidewalks in downtown.

Mr. Roberts said Ravenna pays \$5 less per hour than Kent's minimum classification. He said our equipment would not be enough for the job. Mr. Hawksley asked Mr. Roberts about how KSU does their walks and Mr. Roberts said they have great equipment.

Ms. Shaffer said maybe they could ask someone from KSU to address the committee. Mr. Hawksley asked if we could plow sidewalks with a blower that would throw the snow off to the side. Mr. Roberts said that there may be problems with different setbacks but a snowblower auger with a discharge would be good to have.

Mr. Paino said that he feels it necessary to try to come up with a plan. He said the city does a great job with the streets so maybe we could do some of the sidewalks, too.

Mr. Roberts said the city is responsible for bridges and city property but if the city does some People's sidewalks than people will call to complain if their walks are not done.

Mr. Paino suggested that an argument could be made for areas in Kent where the sidewalk is near the street so that ordinary shoveling is impossible.

Mr. Liske said he was a mailman before retiring and that he thought of an idea to make lanes for non-motorized traffic by making more one-way streets year-round. Both lanes would be plowed but one lane reserved for pedestrians. He said maybe something temporary could be done during snow emergencies such as putting out cones to make a pedestrian lane. He said with climate change we were probably going to have more intense winter snow storms and should plan ahead.

Ms. Inderhees said she agreed that January was an extraordinary snow month but what about the ordinary ones where the sidewalks are still not manageable. She said she understands how

unusual events press all resources but that we need to have a plan for typical winters, too. She said she walks to work and it is not easy after most snowfalls.

Mr. Roberts said it costs less to clear 12" of snow in one event than several events with fewer inches so that it is probably better to do it for larger accumulations.

Ms. Inderhees said she thought it would be foolhardy for the city to do all of the sidewalks because of the cost. If individual property owners would do their share then the city could focus on just a few areas. She said there should be a stronger focus on the business community to work together on the issue.

Mr. Roberts said the city talked with the Main St. program to try to get an agreement to use 1 snowplow operator for downtown but they couldn't get an agreement. There is a hodge-podge approach he said. Ms. Kennely brought up school routes and the safety of school crossings and intersections along route.

Mr. Soyars (Director of Business Services Kent City Schools) said he came to represent the school district and came to the meeting especially on behalf of the children who walk to school. He said he has received complaints from parents regarding the safety of the sidewalks. He gave the example of St. Rt. 43 on the way to Roosevelt HS. He said he stopped at a business that had not cleared the walks and left his business card. The next day the walks had been cleared.

(Mr. Soyars gave a letter to the committee outlining his concerns about students walking in streets alongside traffic and getting injured by falling on snow and ice on sidewalks. He attached maps with walk zones for the schools where he said the sidewalks need to be cleared.)

[Students also walk to bus stops outside of the walk zones.]

Ms. Shaffer asked if school newsletters contained information about the necessity of clearing sidewalks for students and Mr. Soyars said that he thought that should be pursued.

Mr. Turner said he likes the "good neighbor" policy that Kent has taken but that he sees a need for government intervention and immediacy of action. He said that priority should be given to areas around facilities where elderly people live and around schools. He said we should either be able to get people onto sidewalks or craft a safer on-road situation like using safety cones. He said we should look at code enforcement efforts to make people more aware of the issue. Mr. Hawksley asked Mr. Silver if we could reduce speed limits on main streets when there is a snow emergency to help drivers see pedestrians who walk in the street.

Mr. Silver said he is not sure if we have the authority but that the Sheriff's Dept. can do this county-wide.

Ms. Inderhees asked Mr. Soyars if the bus fleet could be increased to take kids to school during snow emergencies. Mr. Soyars said there would be a lot of logistics to figure out quickly like how to rearrange routes. He said kids who miss school because they have to walk during snow emergencies can be excused for that - like a snow day for walkers.

Ms. Krieger said she wondered what snow intensive states like Maine do? She said we need to put a lot of the responsibility back on the citizens and to counter the sense of entitlement. She suggested courtesy knocks.

Ms. Shaffer asked Mr. Roberts what recommendations he had for the committee.

Mr. Roberts said there could be a potential for a special assessment district or for targeted

enforcement districts. He said there was a need for definitions of what was reasonably clear. He said he also thought the city could license plow drivers at no charge to them but that they would be given a rule book to follow including not putting snow on sidewalks or at intersections. He said the city would ask for addresses of where they plow so that they could trace it back to "the guy who turns the wrench". He said plow drivers have to buy licenses in Cuyahoga Falls. Mr. Roberts said for plow drivers the easiest place to put the snow is at the intersections. He said he is experimenting with other options such as angle cuts. He said he is looking at equipment that can cut through icy snow piles at intersections. He said a front-end loader would be needed but that he is checking with other communities to see what they do.

Mr. Hawksley said we need to do sidewalks immediately after a snow as it is cheaper and safer. He said we could look at staffing up to do this.

Ms. Krieger said she called the city manager's office and someone at the office told her that there was a concern over court cases where someone was sued if they cleared their walks. Mr. Silver said that if people try to clear the walks most courts will say you made an effort and that walkers are at their own risk. He said that was not 100% but that you would probably have to go out of your way to make your walks worse like run water on them before the courts would hold you responsible.

Mr. Hawksley said that city staff probably shouldn't say that to people (that they could be sued if they cleared their sidewalks).

Mr. Paino said there are the realities of the city services and the budget and economy. It would be unrealistic to get more money out of the city budget. What we should do is modify the criminality to make it a civil offense and use the code enforcement officer. We should register snow plow drivers so they can do a better job on commercial properties. Mr. Paino said it was important that something positive happen from this effort.

Mr. Silver said it was up to Council to set priorities.

Ms. Dent said she lives in Indian Valley and she walks with her guide dog around the city. She had to walk on Franklin Ave to get to the post office and she couldn't get through on the sidewalks on Rt. 43 so she had to walk in the street. She said she can't go over curbs when they are piled high. She said they are unsafe for everyone, not just disabled people. She said she can't get out for weeks at a time because of the sidewalks and that she worried about her own safety and the safety for drivers, too.

Mr. Turner said he is concerned about how to deal with private businesses and that government should be responsible for doing more.

Ms. Shaffer asked the committee members if they were ready to make recommendations for council. For example, was it a good idea to reduce the penalties from criminal to civil?

Mr. Ruchotzke said he would like to study more before making recommendations regarding enforcement. He said he would like to invite someone from Bowling Green to address the committee to see how their enforcement was working. He said he has never seen a place as bad as Kent and he has lived in several other places. He wanted to look for ways to increase civic pride but he said we might need to reserve mechanisms such as steep fines to change behavior.

Mr. Fontanarosa said he is not sure about the criminal vs. civil penalties and would wait for another meeting with the committee to make up his mind. He said he thought we should prioritize non-legal options combined with the threat of a penalty because there might need to be a backbone. He said there should be at least one more meeting to digest the information but that action should take place soon to keep the momentum going. Even though this is an unusual winter memories fade.

Ms. Centa wondered if Bowling Green makes any money or loses money from the enforcement efforts. She said fines seem logical because of the nuisance created. She said she wants to follow up with Bowling Green and with the Kent code enforcement officer.

Mr. Ruchotzke said he cannot see a difference between responding to the snow on the sidewalks vs. tall grass. He said it would be good to talk with the code enforcement officer, too.

Mr. Soyars said the committee could consider high school students who want to do community service (like "adopt-a-spot").

Actions:

1. Ask Service Director or code enforcement officer from Bowling Green to do a presentation (in person or by speaker-phone).
2. Ask Troy Loomis to attend next meeting.
3. Discuss "staffing up" and equipment needs with city manager and council.
4. Encourage citizens to talk to businesses that do not clear sidewalks. Kent City Schools notify mailing/phone list of importance of clearing walks and intersections.
5. Raise issue of licensing snow plow operators with Council. (Heidi and Rick discussed.)
6. Ask City Manager to work with Chamber to notify businesses of their duty to clear sidewalks.

Sidewalk Snow Removal Committee Meeting
March 2, 2009

Attendance: Dianne Centa, Andrew Fontanarosa, Randy Ruchotzke, Lori Dent, Rick Fredrick, Dr. Maynard A. Jordan, Rick Hawksley, Troy Loomis, Bridget Susel, Heidi Shaffer

Call to order: 7 pm

Minutes of Feb. 2 and Feb. 9 were approved with some typo corrections.

Ms. Shaffer reviewed the minutes with the group, particularly outlining the Bowling Green enforcement program. Members of the committee assisted.

A correction was made to the enforcement strategy of targeted areas. All of the targeted area was enforced, but there was a different starting point each time and then the staff member would proceed in a clockwise direction through each school zone, for example.

How billing was done needed to be clarified. It was thought that they put it on the water bill. Mr. Hawksley said there is no more space on Kent water bills to add anything.

Ms. Shaffer asked if there were any new ideas.

Oakwood Village was discussed. Fire department shovels walks for registered seniors who pay a nominal fee in advance for the service. Ms. Shaffer commented that most of these programs refer to driveways and that included the Oakwood Village program. (Maybe they also do walks?)

There was a discussion about service learning programs at the high school and whether we could assign students to particular elderly/disabled property owners for snow shoveling. Interest in talking further with Mr. Soyars about student resources was expressed.

There was a brief discussion about Boston's program using hand-held PDA devices. A picture would be taken and a citation placed on the home's door. The devices might be too expensive for Kent.

The committee, city staff and members of the public discussed making recommendations to council, using a powerpoint presentation w/ photos, testimonies.

!

DRAFT RECOMMENDATIONS: "Fair, firm and consistent" (Troy)

CITY RESPONSIBILITIES: More clean-up for equity in snow removal

) City to clean up State Route sidewalks (12K per event). Would need to invest in more equipment. 3 persons each working 8-hr. shift. How to pay for?

2) City to clean up blockages at sidewalk crossings.

- train snow plow drivers to avoid piling up at intersections
 - may need new equipment, employee time
- (could use people assigned to community service if available)

3) City to offload snow from sidewalks and at curbs if necessary (downtown, the bridge, some intersections/bus stops.) This would happen after roads are plowed and the snow emergency is over.

4) City to clean up around bus stops. Ask PARTA /Kent schools for support.

5) License snow plow drivers (Gene) OR (see below)

6) Ask businesses to supply snow removal company name for the central data base. Send out a fact sheet to companies. (Troy)

7) City to enforce ordinances we have by adapting a program similar to Bowling Green's.

- sign up disabled persons for volunteer shoveling program - HS service learning program, KSU student groups
- bill people similar to what Health Dept. does, not how we handle tall grass/weeds. That has to go to Small Claims Court.

8) Participate in widespread public awareness campaign during the summer/fall. (Bridget, Troy, Dave)

- attend PTA meetings, clubs, neighborhood associations, student groups
- get into school newsletters, neighborhood associations, TCB
- send notice to landlords, attend Fair Housing contract forum (tag onto already scheduled public meetings).
- Businesses - Chamber of Commerce, follow up with personal contact by Troy. Main St.
- Invest in citizen alert technology to remind people of snow parking bans and to clear sidewalks.

COUNCIL RESPONSIBILITIES

1) Refer enforcement strategy based on Bowling Green model to city manager to work out details and come back with a plan by mid-May.

2) Ask Mr. Silver to:

- rewrite ordinance 521.15 Snow and Ice Removal to be consistent with enforcement program.
- revise Ordinance 521.16 Snow and Ice Removal Affecting Right of Ways
 - add “sidewalks” or “pedestrianwalkways” in addition to streets
 - revise penalty from criminal to civil fine of significance enforced by code officer, police doing parking ban enforcement, who else?

3) Fund city cleanup after plowing.

4) Plan for sidewalks where lacking using sidewalk fund

PROPERTY OWNER RESPONSIBILITIES

All sidewalks would have to be clear to their width by 24 hours after snowfall ends. Judgement would be employed by city staff regarding whether to enforce.

Targeted enforcement would occur in areas around schools and in high pedestrian traffic areas. (Areas to be defined by staff, supported by school walker maps supplied by Mr. Soyars.)

Complaint-driven enforcement would occur in other areas (ex. subdivisions not in school walk zones).

All property owners except medically disabled. (Alternatively, we could offer seniors a pay in advance system for contractor clean-up but that would have to be subsidized.)

Landlords can require tenants to clear walks but property owners hold final responsible and would be billed. People going out of town need to find someone to do it for them. (Support the economy!)

Residential properties would have their walks cleared by the contractor if not done. Businesses would be fined. Need to determine amounts.

SUMMARY OF DRAFT RECOMMENDATIONS

I. Recommend Kent adopt a program similar to Bowling Green's. Recommend that Staff put together a plan tailored to Kent that would include:

- 1) Decide who would enforce program and supervise contractor
- 2) Define the targeted areas - schools, high pedestrian areas, near campus, downtown, bus line, senior apartments
- 3) Develop a process for medically disabled to sign up for help and link up with a program that would match volunteers to addresses.
- 4) Work out billing process for contractor work modeled on Health Dept. not code enforcement (too long, expensive - ends up in court).
- 5) Rework ordinances to fit enforcement program, include sidewalks in language and convert the misdemeanor charge to a civil fine.
- 6) Decide who would be able to write citations
- 7) Work with committee to plan a public awareness campaign during the summer and fall 2009.

II. Recommend city hire a contractor or work in-house to clear intersections, bus stops, downtown. Offload snow from curbs to make more accessible.

- 1) Explore ways to avoid putting snow at crosswalks and on sidewalks.
Training of city plow operators, database of business plow operators to send information sheet prior to season.
- 2) Ask Council to provide more funds for city sidewalk snow clean-up.

NEXT MEETING: MONDAY, MARCH 9, 7 PM COUNCIL CHAMBERS

Agenda: Deliberate on recommendations. Decide how to present to council.

City of Kent Snow and Ice Removal Ordinance

521.14

GENERAL OFFENSES CODE

50C

shall be in violation of this chapter and subject to the penalties contained herein. (Ord. 2002-78. Passed 8-14-02)

521.15. SNOW AND ICE REMOVAL.

(a) The owner, occupant or other person having the care of any building, premises or unimproved lot of land abutting any street where there is a graded sidewalk or a sidewalk graded and paved shall, within the first twenty-four hours after daylight after any snow ceases to fall, cause the same to be removed from the paved or traveled part of such sidewalk. The provisions of this section shall also apply to the falling of snow or ice from any building or from any other source onto a sidewalk.

(b) Snow or ice shall not be moved into the gutter when the gutter has been previously cleaned, and in no event shall snow or ice from any area other than the pedestrian walk be moved in the gutter.

(c) Whenever a sidewalk or any part thereof along any building, premises or unimproved lot of land is encumbered with ice, the owner, occupant or other person having the care of such premises or lot, shall cause such sidewalk to be made safe and convenient by removing the ice therefrom, or by covering the same with sand or other suitable substance.

(d) In the event the owner, occupant or person having the care of any building, premises or unimproved lot within the City, fails to comply with the provisions of subsection (a) hereof the Director of Service is authorized to cause such sidewalk to be made safe by removal of snow or ice therefrom, or by covering the same with sand or other suitable substance as the Director may determine at his/her discretion.

(e) After completion of the work, as authorized in subsection (d) hereof, the Director of Service shall give five days notice by certified mail to the owner of such land, at his/her last known address, to pay the cost of the removal of such snow or ice, or of the covering of the same with sand or other suitable substance. This notice shall be accompanied by a statement of the amount of cost incurred, and that in the event the cost of this work is not paid within five days after the mailing of such notice, then this amount shall be certified to the County Auditor for collection the same as other taxes and assessments are collected. (Ord. 1976-20. Passed 2-18-76.)

521.16 SNOW AND ICE REMOVAL AFFECTING PUBLIC RIGHT OF WAYS.

(a) No owner, occupant or other person having the responsibility of removal, or the person who actually removes the snow from any building, premises or improved or unimproved lot abutting any street, shall remove snow and ice from the premises of said property so as to cause an obstruction in the travel or parking lane of any abutting street, or to cause a view obstruction on the abutting roadway, or at ingress or egress points to the roadway.

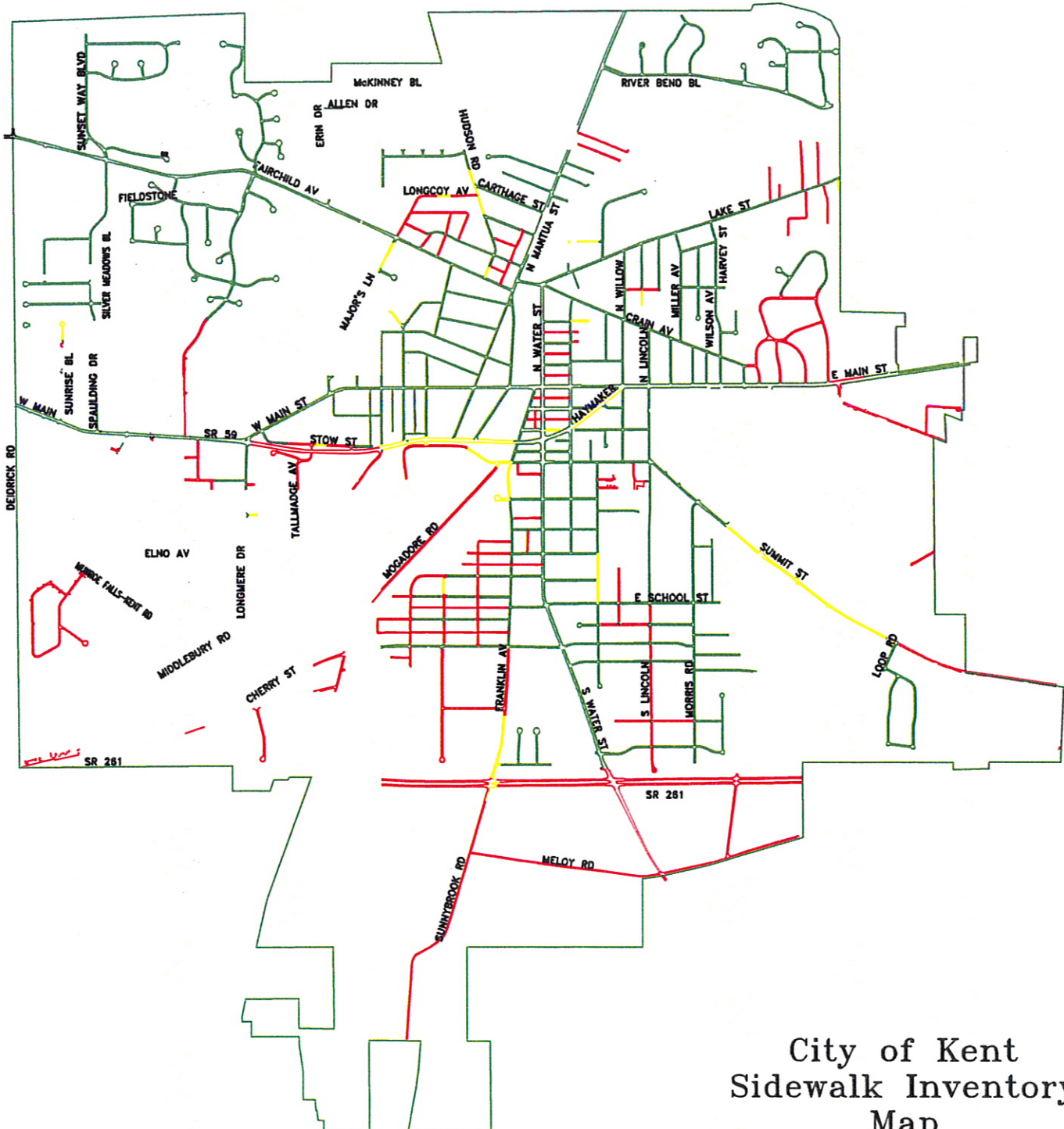
(b) Whoever violates provision 521.16 (a) is guilty of a minor misdemeanor. (Ord. 1997-64. Passed 9-17-97)

521.17. DEAD TREES AND BRANCHES

(a) No owner or occupant of any premises shall permit a dead tree or any dead portion of a tree to stand so near to a public sidewalk or roadway as to endanger users thereof, should all or part of it fall. No such owner or occupant shall permit a dead branch to overhand a public sidewalk or roadway.

2008 City of Kent, Sidewalks

- No Sidewalks
- Sidewalks One Side of Street
- Sidewalks Both Sides of Street



City of Kent
Sidewalk Inventory
Map
Mar. 13, 2008.

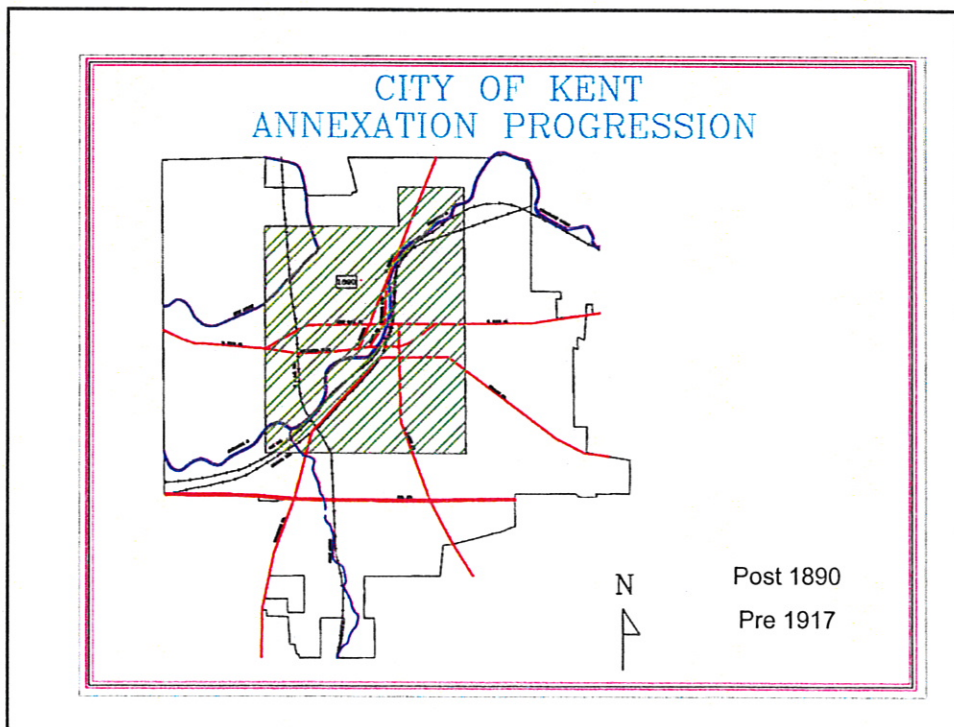
City of Kent Sidewalk Snow Removal Estimates

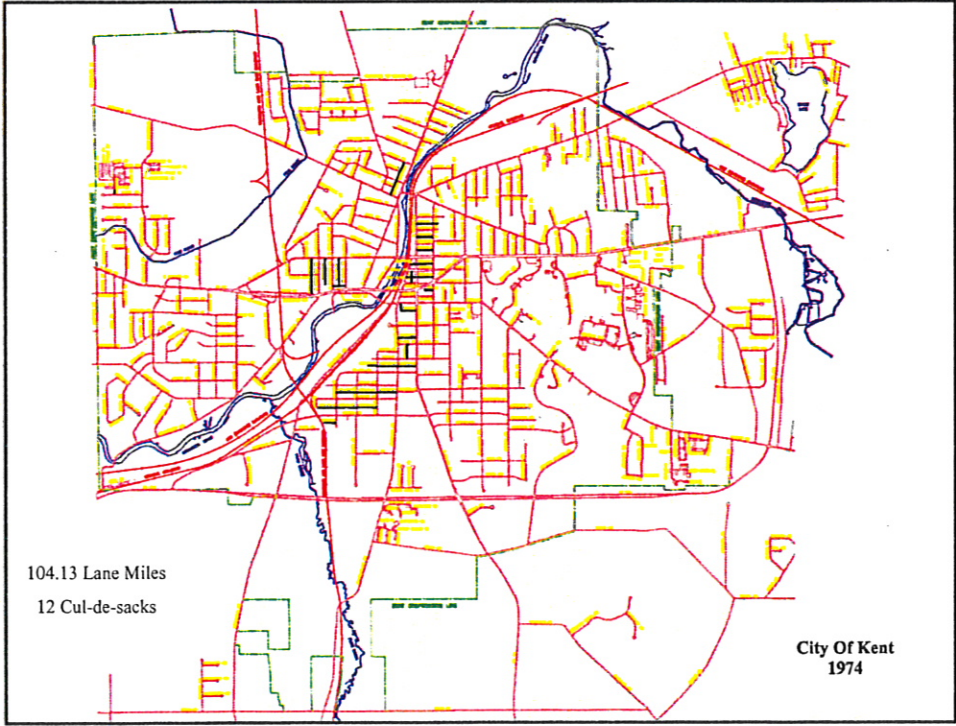
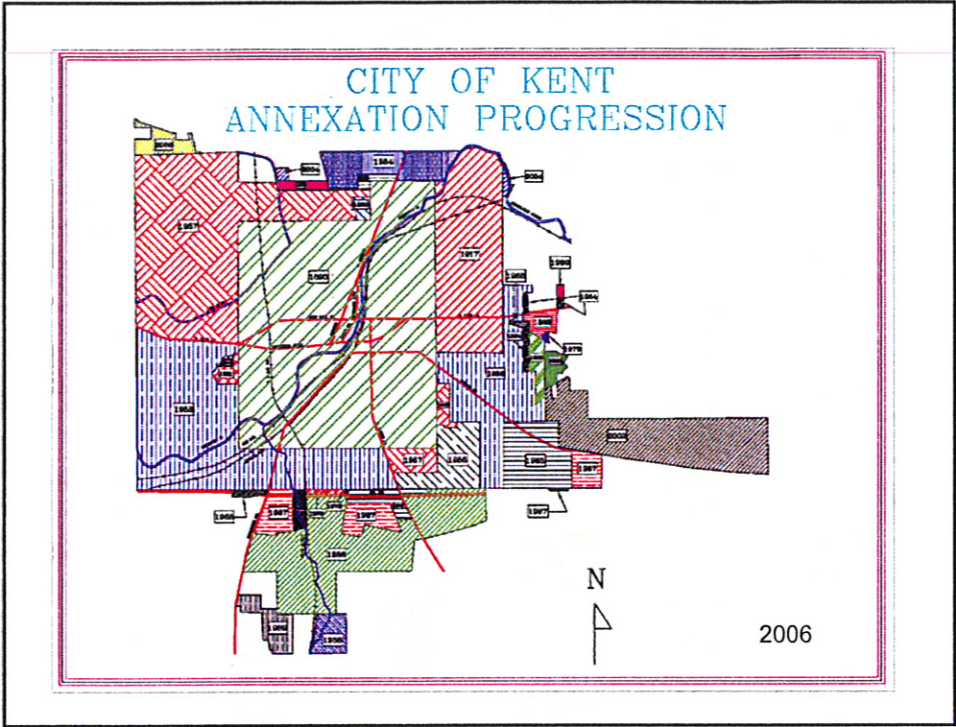
City Sidewalks	Value	Unit	Value	Unit
Total length	571,229	LF	108	Mi.
Total Area at 4-ft. wide	2,284,917	SF	253,880	SY
Total length along primary plow routes	184,486	LF	35	Mi.
Total area along primary plow routes	737,944	SF	81,994	SY
Total length along State Routes	63,558	LF	12	Mi.
Total area along State Routes	254,232	SF	28,248	SY
Manpower Production Estimate Snow Removal	Minutes per 50-ft.	Ttl. Length	Primary	State
4" Event, 10 min. per 50-ft. of walk in Man Hours	10	1,904.10	614.95	211.86
Work Force Cost for Temp. Help	\$ 12.00	\$ 22,849.17	\$ 7,379.44	\$ 2,542.32
Work Force Required to Complete in 8-Hours		238.01	76.87	26.48
Work Force Required to Complete in 40-Hours		47.60	15.37	5.30
8" Event, 15 min. per 50-ft. of walk in Man Hours	15	2,856.15	922.43	317.79
Work Force Cost for Temp. Help	\$ 12.00	\$ 34,273.76	\$ 11,069.16	\$ 3,813.48
Work Force Required to Complete in 8-Hours		357.02	115.30	39.72
Work Force Required to Complete in 40-Hours		71.40	23.06	7.94
12" Event, 25 min. per 50-ft. of walk in Man Hours	25	4,760.24	1,537.38	529.65
Work Force Cost for Temp. Help	\$ 12.00	\$ 57,122.93	\$ 18,448.60	\$ 6,355.80
Work Force Required to Complete in 8-Hours		595.03	192.17	66.21
Work Force Required to Complete in 40-Hours		119.01	38.43	13.24
ATV Production Estimate Snow Removal	Minutes per 50-ft.	Ttl. Length	Primary	State
4" Event, 2 min. per 50-ft. of walk in Hours w\ ATV	2	380.82	122.99	42.37
Work Force Cost for Temp. Help	\$ 12.00	\$ 4,569.83	\$ 1,475.89	\$ 508.46
Work Force Required to Complete in 8-Hours		47.60	15.37	5.30
Work Force Required to Complete in 40-Hours		9.52	3.07	1.06
8" Event, 3 min. per 50-ft. of walk in Hours w\ ATV	3	571.23	184.49	63.56
Work Force Cost for Temp. Help	\$ 12.00	\$ 6,854.75	\$ 2,213.83	\$ 762.70
Work Force Required to Complete in 8-Hours		71.40	23.06	7.94
Work Force Required to Complete in 40-Hours		14.28	4.61	1.59
12" Event, 5 min. per 50-ft. of walk in Hours w\ ATV	5	952.05	307.48	105.93
Work Force Cost for Temp. Help	\$ 12.00	\$ 11,424.59	\$ 3,689.72	\$ 1,271.16
Work Force Required to Complete in 8-Hours		119.01	38.43	13.24
Work Force Required to Complete in 40-Hours		23.80	7.69	2.65

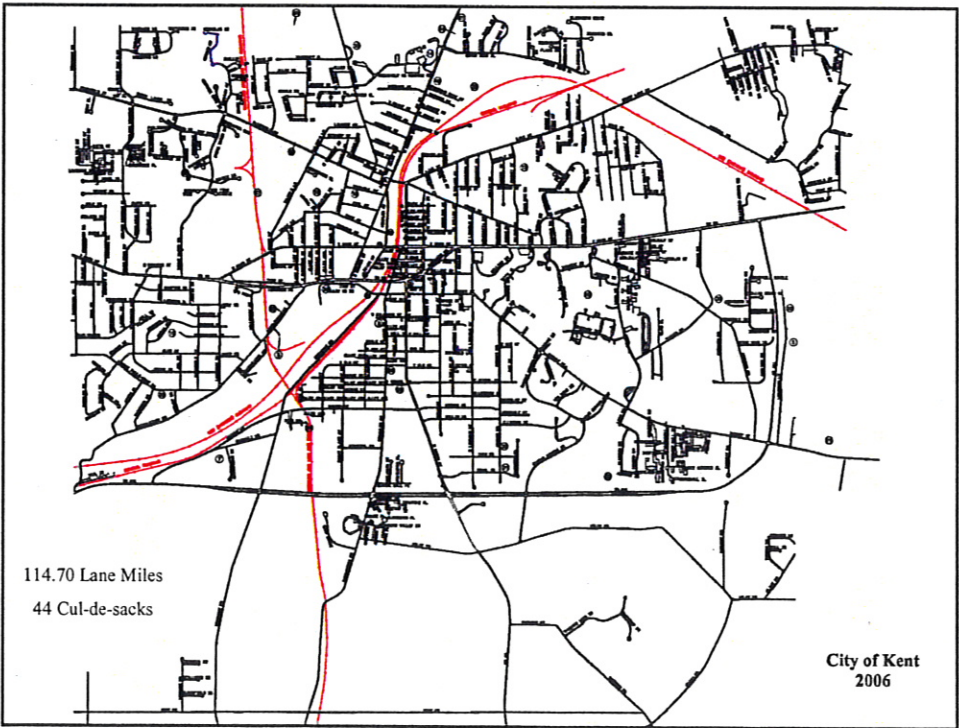
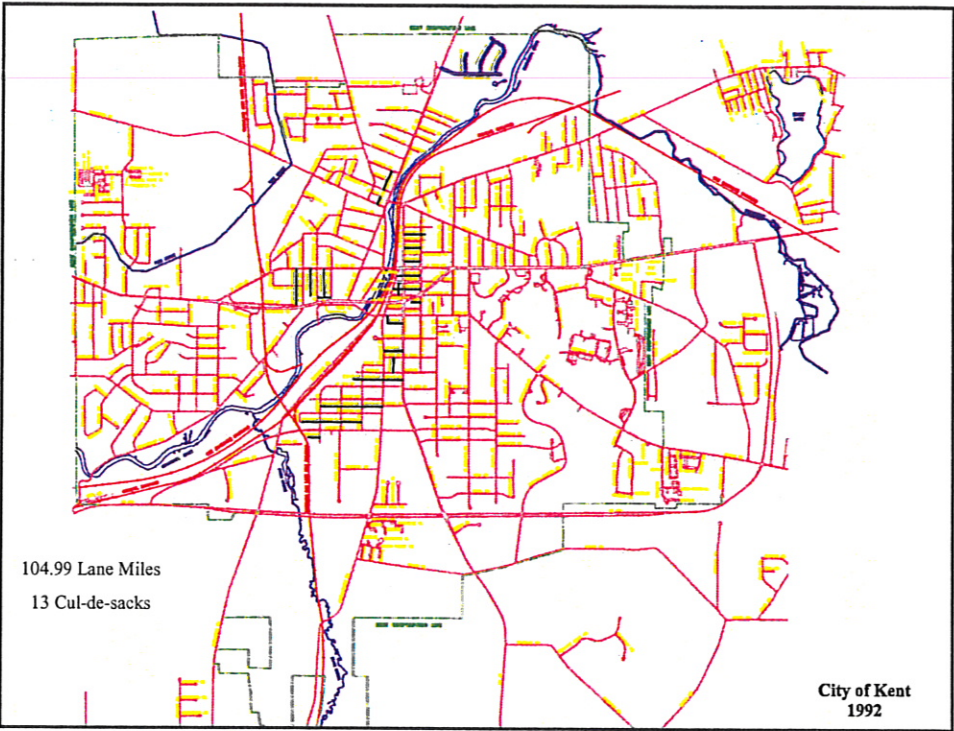
City of Kent

Sidewalk Snow Removal

Feb. 2, 2009







Central Maintenance Staffing

	1974	1992	% 74-92	2006	% 74-06
Center Line Miles:	104.13	104.99	0.83%	114.70	10.15%
Cul-de-sacks:	12.00	13.00	8.33%	44.00	266.67%
	1978	1992	% 74-92	2006	% 74-06
Central Maintenance Staff (1974 includes 8 CETA Employees working by Federal Grant):	28	20	-28.57%	20	-28.57%
Mile per Staff:	3.72	5.25		5.74	
Cul-de-sack per Staff:	0.43	0.65		2.20	

Current Central Maintenance Staffing

No.	Position	Typical Assignments
Mng	Cent. Maint Manager	Management of Division
Serv	Arborist Supervisor	City Trees & Management
1	Chief Operator No. 1	Transportation & Misc. Other
2	Chief Operator No. 2	Water Distribution
3	Chief Operator No. 3	Sewer System
4	Repair Operator No. 1	Transportation & Misc. Other
5	Repair Operator No. 2	Water Distribution
6	Repair Operator No. 3	Sewer System
7	Service Tech (Gardner)	Sign Shop & Master Gardner
8	City Carpenter	Carpentry
9	Service Worker No. 1	Meter Repair
10	Service Worker No. 2	Meter Slips
11	Service Worker No. 3	Water Distribution
12	Service Worker No. 4	Sewer System
13	Service Worker No. 5	Sewer System
14	Service Worker No. 6	Sewer System
15	Service Worker No. 7	Transportation & Misc. Other
16	Service Worker No. 8	Transportation & Misc. Other
17	Service Worker No. 9	Transportation & Misc. Other
18	Service Worker No. 10	Transportation & Misc. Other
19	Service Worker No. 11	Transportation & Misc. Other

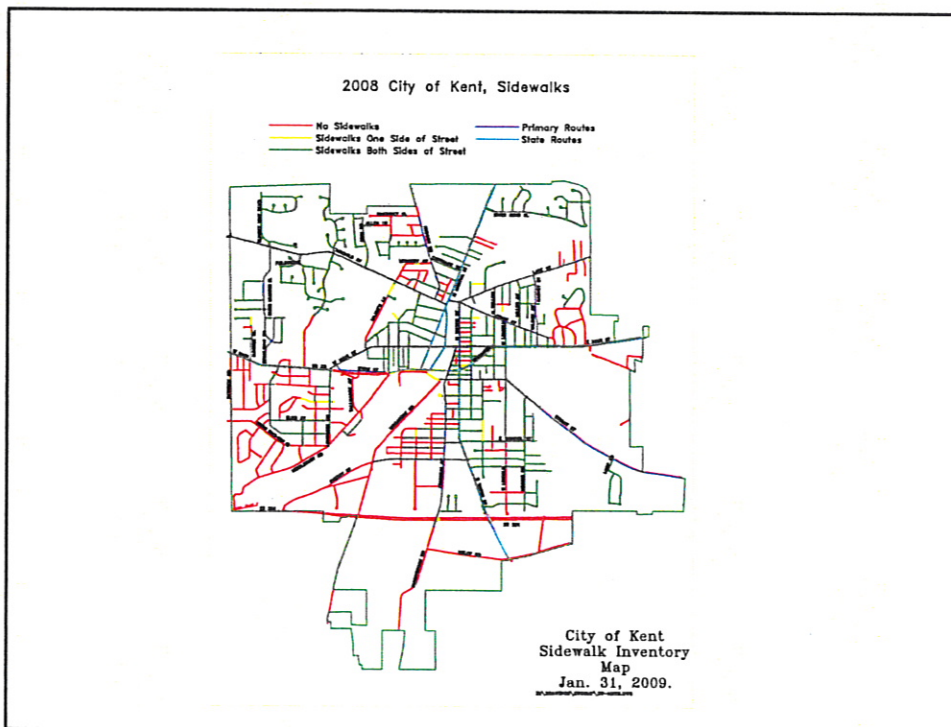
Total Number of Employees =	19
Total Number of Employee Work Weeks =	988
Total Number of Employee Work Days =	4,940
Total Number of Employee Work Hours =	39,520
2008 Total Vacation Hours =	1,940
2008 Total Floating Holiday Hours =	608
2008 Total Sick Leave Hours =	1,341
2008 Total Comp time Hours =	616
2008 Total All Leave =	4,505
Total Adjusted Number of Employee Work Hours =	35,015
Total Adjusted Number of Employee Work Days =	4,377
Total Adjusted Number of Employee Work Weeks =	875.4
Total Adjusted Number of Employees =	16.8

Why the Mains are Primary

Main Routes Cleared			
Response Route	Avg. Speed (mph)	Dist. (mi)	Time (Min)
South on S. Depeyster St.	6	0.049	0.49
West on Summit St.	10	0.095	0.57
South on S. Water St.	35	1.014	1.74
East on Beryl to S. Lincoln	8	0.176	1.32
Total Distance & Travel Time:		1.334	4.12
Main Routes Uncleared			
Response Route	Avg. Speed (mph)	Dist. (mi)	Time (Min)
South on S. Depeyster St.	6	0.049	0.49
West on Summit St.	10	0.095	0.57
South on S. Water St.	15	1.014	4.06
East on Beryl to S. Lincoln	8	0.176	1.32
Total Distance & Travel Time:		1.334	6.44
Increased Time:			2.32
Percent Increase:			56%

Main Routes, SR43, SR59, Summit, Fairchild, Hudson, Main, Lake, Crain and others are plowed to maintain the best response time for Emergency Responders

The benefit to response time of plowing the main routes is to provide a place for the motoring public to pull over and allow Fire, EMS and Police a safe route through traffic for the longest distance typically traveled



STATE & PRIMARY ROUTES

Name	From	To
STATE ROUTES		
GUGLER AVE	MAIN ST. W.	MANTUA ST. N.
HARVEY ST	424' SOUTH OF DORA	LAKE ST.
HAYMAKER PKWY (S)	MIDDLEBURY RD.	CORP. LIMIT
MAIN ST E	WILLOW ST.	MIDWAY DR.
MAIN ST W	W. CORP. LIMIT	LONGMERE DRIVE
MANTUA ST N	MAIN ST. W.	N. CORP. LIMIT
MANTUA ST S	HAYMAKER	MAIN ST. W.
WATER ST S	DEVON PL.	HAYMAKER
PRIMARY ROUTES		
CHERRY ST	MOGADORE RD.	WATER ST. S.
CRAIN AVE	MANTUA ST. N.	LUTHER AVE.
DEPEYSTER ST S	SUMMIT ST.	S.R. 59 BYPASS
FAIRCHILD AVE	NEWCOMER RD	MANTUA ST N.
FRANKLIN AVE	INDIAN VALLEY	MAIN ST. W.
HUDSON RD	FAIRCHILD AVE.	McKINNEY BLVD.
LAKE ST	CRAIN AVE.	E. CORP. LIMIT
MAIN ST E	WATER ST.	WILLOW ST.
MAIN ST W	LONGMERE DRIVE	WATER ST.
SCHOOL ST W	FRANKLIN AVE.	WATER ST. S.
SILVER MEADOWS BL	SUZANNE DR.	FAIRCHILD AVE.
SPALDING DR	MAIN ST.	GARTH DR.
STOW ST	MAIN ST. W.	ALLEY #33
SUMMIT ST E	WATER ST.	CORP. LIMIT
SUMMIT ST W	MOGADORE RD.	WATER ST. S.
WATER ST N	MAIN ST.	CRAIN AVE.
WATER ST S	HAYMAKER	MAIN ST.
WILSON-HARVEY	MAIN ST.	LAKE ST.

State Routes include all of SR59 & SR43

Primary Routes List can be expanded or reduced.

Public Sidewalks

- There Are 108 Miles of City Sidewalks
- There Are 35 Miles of Primary City Sidewalks (32% of total)
- There Are 12 Miles of State Route City Sidewalks (11% of total or 34% of Primary City Sidewalks)

History

- 1977 The Federal Government provided C.E.T.A. funds to local governments and the City of Kent used the funds to hire laborers. Part of the work assigned to the C.E.T.A. employees was the removal of snow from public sidewalks. The City also purchased snow plows and one snow blower to remove snow. The program did not last past the Federal funding. The program was never considered a success.

Post Storm Conditions



Current Efforts



Ravenna Efforts

Saturday Jan. 31



Production Estimates Shoveling

City of Kent Snow Removal Estimates

City Streets	Value	Unit	Value	Unit
Total Length	271,229	LF	106	MI
Total Area at 4-8 wide	2,284,917	SF	293,880	ST
Total Length along primary side roads	184,486	LF	31	MI
Total area along primary side roads	727,744	SF	87,964	ST
Total Length along State Routes	43,318	LF	12	MI
Total area along State Routes	254,212	SF	28,248	ST
Manpower Production Estimate Snow Removal				
	Manpower hrs	Tot Length	Priority	Size
10' Street, 10 min per 1/2 mi. of work in 8-Hour	10	1,204.10	414.95	211.86
Work Force Cost for Temp. Help	\$ 12.00	\$ 14,449.20	\$ 3,379.44	\$ 2,542.32
Work Force Required to Complete in 8-Hours		238.01	36.87	26.48
Work Force Required to Complete in 4-Hours		476.01	73.74	52.96
15' Street, 15 min per 1/2 mi. of work in 8-Hour	15	2,256.15	622.43	317.79
Work Force Cost for Temp. Help	\$ 12.00	\$ 27,073.80	\$ 11,069.16	\$ 8,411.88
Work Force Required to Complete in 8-Hours		357.02	115.20	89.72
Work Force Required to Complete in 4-Hours		714.01	230.40	179.44
20' Street, 20 min per 1/2 mi. of work in 8-Hour	20	4,760.24	1,337.38	629.63
Work Force Cost for Temp. Help	\$ 12.00	\$ 57,122.88	\$ 18,448.60	\$ 14,118.60
Work Force Required to Complete in 8-Hours		595.03	192.72	147.21
Work Force Required to Complete in 4-Hours		1190.01	385.44	294.42
ATV Production Estimate Snow Removal				
	Manpower hrs	Tot Length	Priority	Size
2' Street, 2 min per 1/2 mi. of work in Hours w/ ATV	2	380.82	122.09	62.37
Work Force Cost for Temp. Help	\$ 12.00	\$ 4,569.84	\$ 1,475.89	\$ 904.46
Work Force Required to Complete in 8-Hours		47.60	15.17	8.30
Work Force Required to Complete in 4-Hours		95.20	30.34	16.60
3' Street, 3 min per 1/2 mi. of work in Hours w/ ATV	3	571.23	184.49	103.56
Work Force Cost for Temp. Help	\$ 12.00	\$ 6,854.76	\$ 2,213.43	\$ 1,361.34
Work Force Required to Complete in 8-Hours		71.40	23.06	12.44
Work Force Required to Complete in 4-Hours		142.80	46.12	24.88
4' Street, 4 min per 1/2 mi. of work in Hours w/ ATV	4	858.08	277.48	151.52
Work Force Cost for Temp. Help	\$ 12.00	\$ 10,296.96	\$ 3,689.72	\$ 2,271.16
Work Force Required to Complete in 8-Hours		119.01	38.43	19.24
Work Force Required to Complete in 4-Hours		238.01	76.86	38.48

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3/13/2008 1:11

State Routes = 63,558 LF

Number of Average 50' City Lot = 1,271

Total Hours to Clear at Avg. Clear time 25 Min. Each = 530

Total 8-hr. Days to Clear at Avg. Clear time 25 Min. Each = 66.21

or 66 individuals to clear in one day

Production Estimates Tractor

City of Kent Snow Removal Estimates

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Work Force Required to Complete in 4-Hours		238.01	76.86	38.48

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State Routes = 63,558 LF

State Routes = 12 Mi.

Time to Clear in Hours At Average Speed of 1/2 MPH = 24 Hours

Or Three Tractors in 8 Hours

(Note: 1/2 MPH assumed unsure actual equipment ability until purchased and field tested)

Current City Codified Ordinances

- 521.04. SIDEWALK OBSTRUCTIONS; DAMAGE OR INJURY. Does not apply to snow removal and is enforced by Police.
- 521.06. DUTY TO KEEP SIDEWALKS IN REPAIR AND CLEAN. Does not apply to snow removal and is enforced by Service Director
- 521.15. SNOW AND ICE REMOVAL. Does apply to snow removal and is enforced by Service Director
- 521.16 SNOW AND ICE REMOVAL AFFECTING PUBLIC RIGHT OF WAYS. Does apply to snow removal and is enforced by Police

City of Bowling Green Snow Removal Ordinance

§ 98.03 SNOW AND ICE COVERED SIDEWALKS DECLARED A NUISANCE; REMOVAL OF SNOW AND ICE FROM SIDEWALKS.

(A) Sidewalks in the city which are not free of snow and ice within 24 hours after the abatement of any storm during which snow and ice may have accumulated are a public nuisance.

(B) The Municipal Administrator or his or her designee shall annually insert a notice in the utility bills delivered in the month of November, and shall also publish a notice once in the newspaper of general circulation in the month of November, that shall demand that occupants and property owners regularly clean and keep all sidewalks abutting their premises free and clear of snow and ice within 24 hours after the abatement of any storm during which such snow and ice may have accumulated during the coming winter. Said notice shall also make occupants and owners aware of the fact that failure to comply with this section will result in the cleaning of the sidewalks by the city and an assessment of such cost plus any additional costs related to notice of payment to the property owner. Such notice shall also advise owners and occupants that they may be issued citations for failure to comply which could result in fines in addition to the assessment for cleaning the sidewalks.

(C) The owners or occupants of each single residential, commercial, or industrial property and the owner of any multiple residential, commercial, or industrial property, or of any unoccupied or unimproved property abutting upon public walks shall clear such walks of snow and ice within 24 hours after such snow event ceases.

(D) Should any such snow and ice be found within the city after the provisions of division (B) have been complied with, the Municipal Administrator or his or her designee may cause these sidewalks to be cleaned at the expense of the city. Thereupon, the expense of cleaning plus the cost of mailing or serving the notice for payment shall be billed to the property owner by regular mail. Upon failure to reimburse the city this amount within 30 days thereafter, the Council shall make written return to the County Auditor of the action taken, with the statement for the charges of the services, the amount paid for the performance of such labor, the fees of the officers who made the service with the notice and return, and the proper description of the premises, along with a request that such amount be entered upon the tax duplicate, to become a lien upon such lands from and after the date of the entry, and to be collected as other taxes and returned to the city according to law.

(E) Any law enforcement officer, the Municipal Administrator or Municipal Administrator's designee shall be authorized to issue citations for any violation of this section.

(1980 Code, § 98.03) (Ord. 3071, passed 1-3-1974; Am. Ord. 3190, passed 10-21-1974; Am. Ord. 4405, passed 3-5-1984; Am. Ord. 7669, passed 5-7-2007; Am. Ord. 7684, passed 7-16-2007; Am. Ord. 7820, passed 10-6-2008)

Frequently Asked Questions

Question: I am physically unable to clear my sidewalk, what can I do?

The City offers assistance for sidewalk clearings to qualified individuals. To find out if you qualify, call the Public Works Department at (419) 354-6227 for more information.

Question: I'm frustrated because it seems that the moment I clear my driveway, the plow comes along and pushes snow on the end of my driveway.

Shoveling snow is hard work and it is understandable that you may be frustrated when the plow driver deposits snow into your freshly shoveled area. However, there is no reasonable way to make allowances for each driveway and curb cut in the City. You can help cut down on the amount of snow in the roadway by NOT shoveling or blowing your snow into the street. Try to keep your snow to the sides of your driveway.

Question: Why is the snow plowed to the center of some streets?

Snow is pushed to the center of certain streets to aid in keeping sidewalks clear for pedestrians. This can only be done on wide streets and is limited because it involves more work. Once the storm abates and crews are able, the snow will be hauled away in dump trucks.



City of Bowling Green, Ohio

SNOW REMOVAL GUIDELINES



City of Bowling Green, Ohio

For additional information:
(419) 354-6218
www.bgoohio.org

City of Bowling Green
Planning Dept
(419) 354-6218

Citizen Requirements for Snow Removal

Under the City's Codified Ordinances (Sections 98.02 and 98.03), BG Citizens have certain requirements related to snow removal:

SNOW AND ICE TO BE REMOVED FROM SIDEWALKS

All property owners are required to clear snow and ice from sidewalks abutting their premises within twenty-four hours after the abatement of any storm during which such snow and ice have accumulated.

Failure to clear sidewalks may result in a civil infraction citation, or a criminal citation for a minor misdemeanor with maximum penalty of \$100 per violation. The City will have its contractor clear the sidewalk and bill all incurred cost to the property owner.

REMOVE VEHICLES FROM STREET

"Snow Streets" are designated throughout the City.

Designated snow streets are marked with blue and white signs.

Any vehicle parked on a snow street must be removed within two hours after accumulation of two-inches of snow or after the time a snow emergency is declared.

Vehicles parked in violation of snow regulations are subject to towing at the owner's expense and/or a citation.

Even if you don't live on a snow street, it is very helpful to remove vehicles from the street whenever possible. Doing so will expedite the roadway snow removal process.

DON'T PUT SNOW IN THE STREET

Citizens and plowing contractors should NOT shovel, plow, or blow snow onto the City street. This delays the process of clearing the streets and is prohibited.

City's Response to Quickly Clear Streets

The City is prepared to respond to winter weather conditions and will work quickly to clear the roadways. The application of salt is used to minimize icy roadways and assist in melting the snow.

City-operated plow trucks will push snow out of the roadway as soon as snowfall begins. The first priority for plowing is given to the City's main arterial streets. Once the storm abates and conditions improve, the snowplows widen all streets by moving the accumulated snow to the curb line and clearing intersections.

The City will commit its resources and personnel to address snow removal from the beginning of snowfall until all City roadways are cleared.



**City of Kent
Income Tax Division**

March 31, 2009

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

Monthly Receipts

Total receipts for the month of March, 2009	\$845,720
Total receipts for the month of March, 2008	\$852,617
Total receipts for the month of March, 2007	\$735,480

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 March 31, 2009	\$2,661,393	
Total receipts January 1 through March 31, 2008	\$2,647,317	24.71%
Total receipts January 1 through March 31, 2007	\$2,485,138	23.58%

Year-to-date Receipts Through March 31, 2009 - 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>
2009	\$ 11,100,000	\$ 11,100,000	\$ 2,661,393	23.98%	76.02%

Comparisons of Total Annual Receipts for Previous Five Years

<u>Year</u>	<u>Total Receipts</u>	<u>Percent Change From Prior Year</u>
2004	\$ 9,581,902	-1.22%
2005	\$ 10,188,261	6.33%
2006	\$ 10,151,202	-0.36%
2007	\$ 10,540,992	3.84%
2008	\$ 10,712,803	1.63%

Submitted by , Director of Budget and Finance - Interim

4.15.09

2009 CITY OF KENT, OHIO
Comparison of Income Tax Receipts
for Month Ended March 31, 2009

Month	Monthly Receipts			Comparisons	
	2007	2008	2009	Amount	Percent Change
January	\$ 987,236	\$ 1,012,461	\$ 731,968	\$ (280,493)	-27.70%
February	762,422	782,239	1,083,705	301,466	38.54%
March	735,480	852,617	845,720	(6,897)	-0.81%
April	1,331,384	1,207,724			
May	697,113	749,292			
June	798,916	848,840			
July	964,849	921,824			
August	772,227	757,111			
September	773,661	827,748			
October	1,027,516	960,601			
November	766,989	887,150			
December	923,199	905,196			
Totals	\$ 10,540,992	\$ 10,712,803	\$ 2,661,393		

Month	Year-to-Date Receipts			Comparisons	
	2007	2008	2009	Amount	Percent Change
January	\$ 987,236	\$ 1,012,461	\$ 731,968	\$ (280,493)	-27.70%
February	1,749,658	1,794,700	1,815,673	20,973	1.17%
March	2,485,138	2,647,317	2,661,393	14,076	0.53%
April	3,816,522	3,855,041			
May	4,513,635	4,604,333			
June	5,312,551	5,453,173			
July	6,277,400	6,374,997			
August	7,049,627	7,132,108			
September	7,823,288	7,959,856			
October	8,850,804	8,920,457			
November	9,617,793	9,807,607			
December	10,540,992	10,712,803			
Totals	\$ 10,540,992	\$ 10,712,803			

2009 CITY OF KENT, OHIO
Comparison of Income Tax Receipts from Kent State University
for Month Ended March 31, 2009

Monthly Receipts				Comparisons	
Month	2007	2008	2009	Amount	Percent Change
January	\$ 314,973	\$ 328,155	\$ 344,562	\$ 16,407	5.00%
February	286,113	304,739	346,922	42,183	13.84%
March	307,993	359,268	344,275	(14,993)	-4.17%
April	342,472	324,465			
May	308,937	321,356			
June	304,326	321,029			
July	281,361	304,548			
August	302,157	320,946			
September	282,966	306,590			
October	321,719	341,832			
November	326,890	342,612			
December	328,024	343,999			
Totals	\$ 3,707,931	\$ 3,919,539	\$ 1,035,759		

Year-to-Date Receipts				Comparisons	
Month	2007	2008	2009	Amount	Percent Change
January	\$ 314,973	\$ 328,155	\$ 344,562	\$ 16,407	5.00%
February	601,086	632,894	691,484	58,590	9.26%
March	909,079	992,162	1,035,759	43,597	4.39%
April	1,251,551	1,316,627			
May	1,560,488	1,637,983			
June	1,864,814	1,959,012			
July	2,146,175	2,263,560			
August	2,448,332	2,584,506			
September	2,731,298	2,891,096			
October	3,053,017	3,232,928			
November	3,379,907	3,575,540			
December	3,707,931	3,919,539			
Totals	\$ 3,707,931	\$ 3,919,539			

2009 CITY OF KENT, OHIO
Comparison of Income Tax Receipts from Kent State University
for Month Ended March 31, 2009

Comparisons of Total Annual Receipts for Previous Five Years

<u>Year</u>	<u>Total Receipts</u>	<u>Percent Change</u>
2004	\$ 3,371,065	2.50%
2005	\$ 3,452,767	2.42%
2006	\$ 3,542,080	2.59%
2007	\$ 3,707,931	4.68%
2008	\$ 3,919,539	5.71%

**NORTHEAST OHIO MAYORS AND
CITY MANAGERS' ASSOCIATION**

APRIL 16, 2009

TRANSPORTATION BUDGET SIGNED BY GOVERNOR

Governor Ted Strickland has signed into law the state's \$9.6 billion state transportation budget that is the result of the first bipartisan conference committee in 14 years that worked out differences between the House and Senate-passed versions of the bill.

The Governor and House Democrats came away with approval for a \$250 million passenger rail project linking Cleveland, Columbus and Cincinnati, but not without Republicans securing a requirement that the funding obtain a "super majority" 5-2 vote in the state Controlling Board, with at least two members from each chamber voting for the funding. The state's trucking industry won in conference committee a long-fought battle to increase the speed of trucks on the interstate to 65 mph, the same as passenger vehicles. Republicans stripped out of the final bill House-passed proposals to allow for speed cameras in construction zones and to allow law enforcement officers to pull over motorists not using their seat belt even if they have committed no other violation. Republicans were also successful in defeating the Strickland Administration's proposal to raise vehicle registration fees by \$5.75, although the bill does contain fee increases for vanity plates and increased in late registration fees. The bill also funds the Ohio Department of Public Safety, which Republicans sought to move to the state's General Revenue Fund budget.

The transportation bill contained several unrelated provisions of particular interest to the Mayors. The measure contained language requiring state and local governments using federal stimulus money for construction projects to reimburse utilities for the cost of relocating service lines, but it was vetoed by the Governor. Also, an amendment added in the Senate that proposed to alter the state building code by allowing the nine-member Residential Construction Advisory Committee to choose to adopt the latest building standards was deleted in Conference Committee

**HOUSE AND SENATE BOTH HOLD HEARINGS ON STATE BUDGET; HOUSE
REPUBLICANS FILE COMPLAINT SEEKING EDUCATION REFORM EVIDENCE**

The Senate Finance and Financial Institutions Committee began hearings on the state's \$54.3 billion two-year budget proposal (H.B. 1) this week -- a week before the House Finance & Appropriations Committee is scheduled to vote the bill out of committee for consideration by the full House of Representatives.

Meanwhile, hearings began this week in the Senate Education Committee on the portions of the bill devoted to Governor Strickland's education reform plan. Some Senate Republicans have suggested separating the reform language from the rest of the budget and giving it more time for consideration. Under that scenario, Senate Republicans would pass a budget that continues the

current education funding formula. Earlier, House Republicans asked Speaker Armond Budish (D-Beechwood) to remove it from the state's \$54.3 billion spending bill due to its complexity.

House Democrats were expected Thursday to introduce a revised school funding formula that caps increases per district at 1.9 percent rather than the 15 percent and 16 percent caps contained in the original version. The new version also will increase the average teacher salary to more than \$50,000 and alter charter school funding to provide those schools incentives to find a traditional public school sponsor. That sets up a potential showdown with the Senate, where Education Committee Chairman Gary Cates (R-West Chester) has said that the upper chamber will restore all charter school funding, regardless of their sponsor.

Meanwhile, Rep. Sean Morgan (R-Huber Heights) has filed a complaint with the Ohio Supreme Court seeking to compel the Strickland Administration to release the "evidence" that makes up the background for the Governor's evidence-based education reform plan. Morgan is seeking emails, communication and documents related to the formulation of the Governor's education plan.

In a related move, House Republicans have introduced a bill to re-create the Legislative Budget Office. The original budget office was eliminated in 2001 by Republican legislative leaders due to political differences.

STATE RECEIPTS IN MARCH FALL \$60 MILLION BELOW ESTIMATES

Total fiscal year collections for the State of Ohio now stand \$195.8 million below the Office of Budget and Management's revised estimate as a result of a \$60.4 million shortfall in March. The month's total tax intake was 4.8% below projections, bringing total fiscal year General Revenue Fund revenues to \$471.9 million or 2.5% below projections.

Meanwhile, although Medicaid caseloads experienced their largest increase since 2002, state spending on Medicaid is still within estimates. March marked the 14th consecutive month of Medicaid enrollment increases.

APPEALS COURT RULES LOCAL BUILDING CODE ORDINANCES ARE NOT PROTECTED BY THE HOME RULE AMENDMENT

The Tenth District Court of Appeals in Columbus has upheld a lower court ruling that building codes established by local ordinance in the City of Dublin (a Columbus suburb) are not protected by the Home Rule Amendment. At issue was whether Dublin could enforce local ordinances requiring that homes built in Dublin have higher ceilings and lower staircase slopes than is required by the state code.

APPEALS COURT ORDERS CITY OF CINCINNATI TO COMPENSATE PROPERTY OWNERS FOR SEWAGE OVERFLOWS

The First District Court of Appeals in Cincinnati has ordered the City of Cincinnati, the Hamilton County Board of Commissioners and the Metropolitan Sewer District of Greater Cincinnati to commence compensation proceedings for two property owners who contend that the

city's dumping of raw sewage onto their property constituted a taking for which they were entitled compensation.

TWO OHIO CITIES REJECT TRAFFIC LIGHT CAMERAS

While the Ohio General Assembly was debating the installation of speed cameras in construction zones, the Mayor of Canton abandoned a proposal to install traffic light cameras in that city and the Columbus suburb of Pickerington voted down their plan. Meanwhile, a group calling itself the Coalition Opposed to Additional Spending and Taxes is petitioning to have the cameras removed in Toledo and Chillicothe.

SENATOR WANTS CUYAHOGA COUNTY GOVERNMENT REFORM PLAN ON BALLOT

State Senator Tim Grendell (R-Chesterland) has introduced legislation aimed at placing a new plan to reform Cuyahoga County government on the November ballot. Grendell's plan would give voters a choice between the current three-commissioner system and a new system composed of an elected county executive, two at-large county council members, five district council members, an elected financial officer and an elected prosecutor. Parma Heights Mayor Martin Zanotti has been promoting a plan that would replace the current model with an elected county council of seven or nine members. Two separate reform plans passed each chamber of the Ohio General Assembly last year without gaining support of the other chamber.

LOCAL GOVERNMENT REFORM COMMISSION SETS PRIORITIES

The Commission on Local Government Reform and Collaboration has announced three top priorities for its work. They are: encourage and incentivize local governments to collaborate; understand local tax structure and potential changes to encourage collaboration; and define what collaborations are possible currently. The Commission, which was created by H.B. 521 in the last Ohio General Assembly, announced that it will complete the first phase of its work, which focused on planning and commission governance, by May and expects to collect data and examine best practices in economic development through February 2010. Recommendations are scheduled to be released in June 2010.

STUDY CLAIMS HOME RULE CAUSES DISPARITY IN GOVERNMENT ACCESS

A study released recently by The Citizen Advocate Center claims that the state's home rule law results in citizens' access to local government activities lagging behind state regulations on open meetings. The same study also criticized the state's lack of firm deadlines for agencies to respond to public records requests saying that language calling for documents to be supplied "promptly" is ambiguous and encourages delays.

CASINO BACKERS WIN APPROVAL TO CIRCULATE PETITIONS

Backers of the Ohio Jobs and Growth Plan have captured the approval of the Ohio Ballot Board to circulate petitions seeking to place a measure on the November ballot approving casinos in

Ohio's four largest cities. The Committee has proposed opening full-service casinos in Cleveland, Cincinnati, Columbus and Toledo that supporters claim would produce \$200 million in licensing fees, drive \$1 billion of private investment and create 20,000 jobs. The measure is backed by Penn National Gaming and Dan Gilbert, chairman and founder of Quicken Loans and majority owner of the Cleveland Cavaliers.

Meanwhile, the state's horse track owners, who are not included in the latest casino gambling plan, are backing a proposal by the Ohio State Racing Commission to allow 14,000 video slot machines at the seven racetracks across the state. The tracks would be required to pay \$50 million each over two years to be licensed as agents for operating slot machines and backers estimate the plan would generate \$1.3 billion, with half of that amount to go into a special education fund for primary and secondary schools. Racetrack owners contend that the Governor and Legislature have the authority to approve the plan without amending the state's constitution. Governor Strickland has indicated that he would probably veto any proposal to extend gambling in Ohio without a vote of the people.

HOUSE AND SENATE PASS DUELING MOVIE TAX CREDIT BILLS

While the Ohio House and Senate have both passed movie tax credit legislation, there appears to be a stalemate over which chamber will yield in order to send a version to the Governor. The House-passed version, which is backed by Governor Strickland, is a two-year, \$20 million proposal. The Senate, meanwhile, has given its approval in a party-line vote to a \$100 million tax credit program similar to that approved by the 127th Ohio General Assembly last year, but vetoed by the Governor. The House-version passed by a 83-14 margin, but the emergency clause failed to gain the necessary two-thirds vote for passage.

LEGISLATURE MAY BE FACED WITH EXPANDING UNEMPLOYMENT COMPENSATION BENEFITS TO COLLECT FEDERAL STIMULUS FUNDS

It appears that members of the Ohio General Assembly may have to extend eligibility for unemployment benefits if the state wants to collect the hundreds of millions of dollars of federal stimulus money available to help offset the fund's deficit. Changes the state may face include expanding eligibility for claimants only seeking part-time work; expanding eligibility for those who quit their jobs for a compelling family reason; and to stretch the timeframe for benefits for those enrolled in certain job training programs.

The state had to borrow nearly \$577 million from the federal government since the Ohio Unemployment Compensation Trust Fund went broke last year. The stimulus bill provides for a waiver on those funds, saving the state \$174 million. An additional \$264.5 million is available if certain changes are enacted.

Organizations including the National Federation of Independent Business/Ohio are urging the Governor to reject the funds on the grounds that the one-time boost from the stimulus package will leave Ohio employers paying higher unemployment taxes for years to come. Meanwhile, the chairman of the Unemployment Compensation Advisory Council is taking a wait-and-see attitude, noting that the deadline for accepting the money is still two years away.

HUSTED PROPOSES BIPARTISAN COMMISSION TO DRAW LEGISLATIVE DISTRICTS

Former House Speaker and current State Senator Jon Husted (R-Kettering) has introduced legislation proposing to amend the state constitution to create a bipartisan, seven-member commission to approve new state and federal district lines every ten years. Husted's plan calls for the Republican and Democratic leaders of the Ohio House and Ohio Senate to appoint four members to a commission, with those four appointing three other members. Husted's plan would require a super majority of five affirmative votes to adopt any new redistricting plan.

Presently, the state legislature draws congressional district boundaries, while legislative district lines are drawn by the Apportionment Board, which is composed of a Republican and a Democrat from the Ohio General Assembly, the Governor, the Secretary of State and the Auditor.

Earlier, two of Husted's colleagues in the Senate, Republicans Gary Cates of West Chester and Kevin Coughlin of Cuyahoga Falls introduced a joint resolution (SJR 4) that would change the composition of the state's Apportionment Board. The Cates-Coughlin proposal would change the composition to add the Minority Leaders of the House and Senate and require a super majority of five of the seven members to approve boundaries.

HOUSE SPEAKER PROPOSES EXAMINING DRILLING IN STATE PARKS

House Speaker Armond Budish (D-Beechwood) has told reporters that he would be open to consideration of proposals for drilling for oil and gas on state park land. The comments from the Speaker come on the heels of a report by a state study committee showing that lifting the ban on drilling in state parks could result in \$20 million in lease payments and \$300 million in landowner royalties over ten years. Budish included the prospect of drilling in state parks as one of several alternative methods for funding state expenditures.

HOUSE COMMITTEE RE-EXAMINING PAYDAY LENDING LAW; ADVOCACY CENTER SEEKS STRENGTHENED PROVISIONS

The House Consumer Affairs & Economic Protection Committee is examining reports that payday lenders are taking advantage of loopholes in Ohio law to continue to charge high interest rates. A new report by the Housing Research and Advocacy Center indicates that payday lenders have opted for licensing under the state's Small Loan Act and Mortgage Loan Act to avoid complying with the new Short Term Loan Act that caps interest rates on short-term loans at 28 percent. The report states that despite the passage of the new law last year, payday lenders are boosting loan amounts to increase fees and have begun issuing loans as cash, which in turn they charge customers to cash. The Center recommends that the legislature increase the minimum term for loans under the Small Loan Act and Mortgage Loan Act to 90 days, revise the Consumer Sales Practice Act to include lenders who make loans under the Small Loan Act and Mortgage Loan Act and amend Ohio's check cashing law to prohibit issuing a loan via a check and charging the borrower to cash the check.

OHIO EPA PROPOSES EXPEDITED WATER QUALITY RULE CHANGES

The Ohio EPA is set to issue a stand-alone rule in order to expedite changes to antidegradation, water use designations and statewide criteria and Lake Erie standards. The stand-alone rule, which is related to three comprehensive rules packages recently promulgated by the agency, was released in order to allow these items to move forward. Specifically, the rules would change the submittal, public notice and public hearing requirements for some water quality certifications; revise the designations for human's contacting water in recreation to three classes reflecting the intensity of the recreational use; and restrict disposal of dredge material in the Lake Erie western basin.

SENATE DEMOCRATS SEAT STRAHORN TO FILL VACANCY

The Senate Democratic caucus has selected former State Rep. Fred Strahorn to fill the vacancy in the 5th Senate District seat caused by the resignation of former Senator Tom Roberts. Roberts resigned to take an appointment to the Ohio Civil Rights Commission. The new senator served 8 years in the Ohio House (2001-2008) and was selected over Victor Harris, a military speechwriter who had previously unsuccessfully sought a seat in the Ohio House.

HOUSE BILLS

HB1 BIENNIAL BUDGET (SYKES, V) To make appropriations for the biennium beginning July 1, 2009, and ending June 30, 2011 for the operation of state programs.
Status: 4/15/2009 – Finance Hearings continue

HB2 TRANSPORTATION BUDGET (UJVAGI, P) Make appropriations for programs related to transportation and public safety for the biennium beginning July 1, 2009, and ending June 30, 2011.
Status: 4/1/2009 - SIGNED BY GOVERNOR; eff. 4/1/2009 - (13 vetoes)

HB3 MORTGAGE FORECLOSURES (FOLEY, M) To address the current mortgage foreclosure crisis.
Status: 4/7/2009 - SUBSTITUTE BILL ACCEPTED

HB6 MOTION PICTURE PRODUCTION (PATTEN, M) To authorize refundable nontransferable credits against the corporation franchise tax or income tax for production of motion pictures in Ohio.
Status: 3/10/2009 - Referred to Ways and Means Committee

HB7 BUILDING SUSTAINABILITY STANDARDS (HARRIS, M) To require a building or structure erected or constructed using state capital moneys to adhere to certain sustainability standards.
Status: 3/18/2009 - House Local Government / Public Administration (First Hearing)

HB9 RENTAL PROPERTY FORECLOSURE (CELESTE, T) To require that notice of foreclosure and related sale of residential rental property be given to tenants at that property.
Status: 3/24/2009 - REPORTED OUT AS AMENDED

HB22 BULK DATA (FENDE, L) Authorize public offices to limit the number of bulk data requests, impose charges to cover the actual costs associated with bulk data requests, and charge for the cost of redacting certain information.
Status: 2/25/2009 - House State Government (First Hearing)

HB30 PERS (COMBS, C) Require analysis of each proposed retirement incentive plan for PERS members and to prohibit a member who participates in such a retirement incentive plan from being re-employed by the same employer.
Status: 2/24/2009 - Referred to Committee House Financial Institutions, Real Estate and Securities

HB32 MUNICIPAL PARK IMPROVEMENTS (RUHL, M) Increase the competitive bidding threshold for contracts entered into by a board of park trustees for certain municipal park improvements.
Status: 3/10/2009 - BILL AMENDED

HB35 SANITARY DISTRICTS (DYER, S) To revise the law governing sanitary districts that are organized wholly for the reduction of populations of biting arthropods.
Status: 3/18/2009 - House Local Government / Public Administration (First Hearing)

HB37 COMPETITIVE BIDDING (DYER, S) Require DAS to maintain a web site database including apparent low bidders who failed to be awarded a contract because they were found not to be "responsible."
Status: 3/24/2009 - House Commerce and Labor (First Hearing)

HB39 DISABILITY PARKING (FENDE, L) Require removal of snow or ice from special parking locations designated for persons with disabilities within 24 hours after the weather condition causing the snow or ice ceases.
Status: 3/19/2009 - House Public Safety and Homeland Security (First Hearing)

HB45 VEHICLE HEAD-LIGHTS (UJVAGI, P) Require the headlights of a vehicle to be lighted when its windshield wipers are in use.
Status: 3/4/2009 - Referred to Transportation and Infrastructure Committee

HB49 WATER/SEWER RATES (UJVAGI, P) Authorize a board of county commissioners or a board of trustees of a regional water and sewer district to offer discounts to persons sixty-five year of age or older.
Status: 3/4/2009 - Referred to Local Government / Public Administration Committee

HB53 REGIONAL TRANSIT AUTHORITIES (GARDNER, R) Create additional procedure for subdivisions to join a regional transit authority that levies a property tax and that includes a county having a population of at least 400,000 and allow member to withdraw.
Status: 3/4/2009 - Referred to Transportation and Infrastructure Committee

HB54 DITCH IMPROVEMENT PROCEDURES (MORGAN, S) Allow adjustment of the permanent base of a ditch improvement that is used for maintenance fund assessments and allow certain maintenance procedures to maintain soil/water conservation district improvements.
Status: 3/4/2009 - Referred to Environment and Brownfield Development Committee

HB58 MISUSE OF PUBLIC FUNDS (MCGREGOR, R) Require Auditor of State to establish a fraud-reporting system for residents and public employees to file anonymous complaints of fraud and misuse of public funds by public offices or officials.
Status: 3/5/2009 - Referred to State Government Committee

HB61 ESTATE TAXES (HOTTINGER, J) Reduce the estate tax by increasing the credit amount, to authorize townships and municipal corporations, or electors thereof by initiative, to exempt from the estate tax any estate property located in the township.
Status: 3/5/2009 - Referred to Ways and Means Committee

HB72 DEFERRED COMPENSATION PROGRAM (HOTTINGER, J) Provide for confidentiality of certain records maintained by the Ohio Public Employees Deferred Compensation Board, to require the Treasurer of State to be custodian of the program, require new employees be notified.
Status: 3/18/2009 - Referred to Financial Institutions, Real Estate and Securities Committee

HB77 PUBLIC RECORD INFORMATION (SNITCHLER, T) To exclude the residential and familial information of a federal law enforcement officer from the definition of a public record, and to include those officers among the protected individuals who may replace name with initials.
Status: 3/31/2009 - House Civil and Commercial Law (Second Hearing)

HB85 FIREARMS (BOYD, B) To prohibit any person under twenty-one years of age from possessing a firearm, subject to specified exceptions for lawful hunting, sporting, or educational purposes and for law enforcement officers, and to declare an emergency.
Status: 3/24/2009 - Referred to Public Safety and Homeland Security Committee

HB88 REAL PROPERTY SALE (WAGNER, J) To enable a court of common pleas to order a licensed auctioneer to conduct a sale of real property pursuant to a writ of partition.
Status: 3/31/2009 - House Civil and Commercial Law (First Hearing)

HB107 TO CREATE OIL & GAS LEASING BOARD (JORDAN, K) To create the Oil and Gas Leasing Board and to establish a procedure by which the Board may enter into leases for oil and gas production on land owned or under the control of a state agency for the purpose of providing funding for capital and operating co
Status: 4/1/2009 - Referred to Agriculture and Natural Resources Committee

HB110 NATURAL GAS & OIL PERMITS (ADAMS, J) To authorize the Director of Natural Resources to issue permits and make leases to take and remove natural gas and oil from under the bed of Lake Erie.
Status: 4/1/2009 - Referred to Agriculture and Development Subcommittee

HB111 NONCHARTERED MUNICIPAL CORPORATION (DEGEETER, T) Reduce, from fifteen to ten, the minimum number of days for bidding when a nonchartered municipal corporation sells personal property by Internet auction.
Status: 4/1/2009 - Referred to Local Government / Public Administration Committee

HB117 COMMERCIAL ACTIVITY TAX (JONES, S) To require 30% of commercial activity tax revenue to be used indefinitely for local government purposes.
Status: 4/14/2009 - Referred to Ways and Means Committee

HB119 LAW ENFORCEMENT SERVICES (SNITCHLER, T) To authorize law enforcement agencies to provide law enforcement services to governmental entities in Ohio or other jurisdiction by contract or, in the absence of a contract, with the approval of the governing board of providing agency.
Status: 4/14/2009 - Referred to Public Safety and Homeland Security Committee

HB123 TAX CREDIT-SCIENCE DEGREE (GOYAL, J) Grant an income tax credit to individuals who earn degrees in science, technology, engineering, or math-based fields of study and authorize municipal corporations to grant credits to those qualifying for state credit.
Status: 4/14/2009 - Referred to Ways and Means Committee

HB129 CONCEALED HANDGUNS (ADAMS, J) Authorize a person to carry a concealed handgun without obtaining a license to the same extent as if the person had obtained such a license, except on liquor permit premises, if person qualifies for license; to remove other requirements.
Status: 4/14/2009 - Referred to Public Safety and Homeland Security Committee

HR20 ECONOMIC GROWTH (PATTEN, M) To create the Compact with Ohio Cities Task Force to help cities compete for residents and jobs, and to stimulate economic growth.
Status: 4/1/2009 - ADOPTED BY HOUSE

SENATE BILLS

SB1 BUILDING OHIO JOBS PART II (HUGHES, J) Allocates the remaining \$340 million of targeted investments identified last session as part of the \$1.57 billion bipartisan economic stimulus package.
Status: 3/5/2009 - Referred to Finance

SB2 FEDERAL INFRA-STRUCTURE FUNDING (CAREY, JR., J) Provide for the distribution of moneys received by the state from the federal American Recovery and Reinvestment Act of 2009 by making appropriations and to declare an emergency.
Status: 3/18/2009 - Referred to Finance

SB4 PERFORMANCE AUDITS FOR REGULATORY AGENCIES (SCHAFER, T) Conduct performance audits of the regulatory agencies
Status: 3/10/2009 - Senate State and Local Government (Second Hearing)

SB7 FRAUD REPORTING SYSTEM (WAGONER, M) Establish a fraud-reporting system for residents and public employees to file anonymous complaints of fraud and misuse of public funds by public offices or officials.
Status: 3/10/2009 - Senate State and Local Government (Second Hearing)

SB9 FILM TAX CREDIT (PATTON, T) To authorize income tax credits for investments in motion pictures produced in Ohio.
Status: 3/11/2009 - House Ways and Means (First Hearing)

SB13 FORECLOSURE ACTIONS (MILLER, D) Require a clerk of courts to notify tenants when a foreclosure action is filed, to prepare a publication to assist owners and tenants of foreclosed properties.
Status: 3/4/2009 - Senate Judiciary - Civil Justice (Second Hearing)

SB14 HOME INSPECTORS (MILLER, D) To require the licensure of home inspectors and to create the Ohio Home Inspector Board to regulate the licensure and performance of home inspectors.
Status: 3/10/2009 - Senate Insurance, Commerce and Labor (First Hearing)

SB18 ENVIRONMENTAL LAWS (GIBBS, B) To require the proceeds of fines paid by certain political subdivisions under environmental laws to be expended by the state in the county that incurred the fine and require proceeds deposited in GRF.
Status: 2/24/2009 - Senate Finance (First Hearing)

SB20 MILITARY SERVICE (CAREY, JR., J) To permit state employees to receive longevity and vacation credit for prior military service.
Status: 2/10/2009 - Introduced

SB26 MUNICIPAL CORPORATIONS (SCHAFER, T) To require municipal corporations with more than \$100 million in annual income tax collections to provide a tax credit to nonresident taxpayers.
Status: 3/18/2009 - Senate Ways and Means (Second Hearing)

SB29 DITCH IMPROVEMENT (ROBERTS, T) Adjust the permanent base of a ditch improvement that is used for maintenance fund assessments and to allow a board to use certain ditch maintenance procedures.
Status: 2/10/2009 - Introduced

SB34 HEALTH INSURANCE PROGRAMS (MILLER, D) To create a health insurance program that allows municipal corporations, small employers, and nonprofit corporations or associations to purchase for their employees the same policies provided to state employees.
Status: 3/31/2009 - Senate Insurance, Commerce and Labor (First Hearing)

SB44 PROPERTY OWNERS (MILLER, D) Require county auditors to make reasonable efforts to identify property owners wrongfully receiving the 2.5% property tax rollback,
Status: 2/25/2009 - Senate Ways and Means (First Hearing)

SB46 FORECLOSED RESIDENTIAL PROPERTY (KEARNEY, E) Prohibit requiring a tenant to vacate a foreclosed residential property any earlier than ninety days following a court's confirmation of the sale of the property.
Status: 2/10/2009 - Introduced

SB49 FIREARMS (KEARNEY, E) Impose a ten-year prison term upon a person who discharges a firearm while committing an offense and causes injury or death to a child.
Status: 3/18/2009 - Senate Judiciary - Criminal Justice (Third Hearing)

SB53 RESIDENTIAL FORECLOSURE TRACKING SYSTEM (MILLER, D) Require Director of Commerce to establish a residential foreclosure tracking system
Status: 3/10/2009 - Senate Finance (Third Hearing)

SB66 FIREFIGHTERS (FABER, K) Provide health insurance benefits to dependents of volunteer firefighters killed in the line of duty.
Status: 3/31/2009 - Senate Insurance, Commerce and Labor (Second Hearing)

SB78 STATE INFO DATABASE (COUGHLIN, K) Require state employee pay, agency expenses, and tax credit issuances to be published and accessible through one internet web site.
Status: 3/17/2009 - Referred to Finance Committee

SB83 PERS BENEFITS (FABER, K) To exclude certain compensation when determining retirement benefits under the Public Employees Retirement System.
Status: 3/31/2009 - Senate Health, Human Services and Aging (First Hearing)

SB85 WATER-POLITICAL SUBDIVISIONS (STEWART, J) Authorize certain political subdivisions to contract for engineering, repair, sustainability, water quality management, and maintenance of a water storage tank through a professional service contract under specified conditions.
Status: 3/25/2009 - Referred to State and Local Government Committee

SB88 MILITARY LEAVE (FEDOR, T) Grant annual military leave of up to 768 hours to firefighters and other public employees who do not work a traditional workweek and to entitle these employees to use such leave to cover a work shift used to perform military service.
Status: 4/1/2009 - Introduced

SB90 VACANT HOMES-TAXATION (SEITZ, B) Authorize local governments to exempt homes that have been vacant for at least twelve months from non-school district property taxation for up to three years when purchased by an owner-occupant.
Status: 4/2/2009 - Introduced

SB94 POLICE/FIRE-FIGHTER/EMS WORKERS (PATTON, T) Provide that firefighter, police officer, public emergency medical services worker who is disabled as result of certain cancer or contagious or infectious diseases is presumed to have incurred disease while performing official duties.
Status: 4/7/2009 - Introduced

SB99 COUNTY GOVERNMENT (GRENDALL, T) Permit alternate form of county government in a county having a population of 1.2 million or more to have a county council, an elected fiscal officer, appointed county engineer, county information officer, coroner, and sheriff.
Status: 4/7/2009 - Introduced

SB104 MILITARY LEAVE-PUBLIC EMPLOYEES (FABER, K) Grant annual military leave of up to 408 hours to firefighters and public employees who do not work a traditional 40 hour workweek and allow them to use leave to cover an entire work shift any part of which was used for military service.
Status: 4/9/2009 - Introduced
SB105 BROADCASTING 9-1-1 CALLS (PATTON, T) To prohibit broadcasting an actual 9-1-1 call that has been made available as a public record and to prescribe a penalty,
Status: 4/9/2009 - Introduced

SB107 RACIAL PROFILING (KEARNEY, E) To specify that it is an unlawful discriminatory practice that is within the jurisdiction of the Ohio Civil Rights Commission for any law enforcement agency or officer in Ohio to engage in racial profiling.
Status: 4/9/2009 - Introduced

CITY OF KENT
HEALTH BOARD MEETING
April 21, 2009, 5:30PM
KENT CITY HEALTH DEPARTMENT OFFICES
325 S. DEPEYSTER STREET
KENT, OH 44240
Phone (330) 678-8109 Fax (330) 678-2082



AGENDA

- I. MINUTES March 10, 2009 Meeting

- II. REPORTS
 - A. Statistical Report for March 2009
 - B. Expenditures & Encumbrances for March 2009
 - C. Commissioner's Report for March 2009
 - D. Local Standards and Measurements for Public Health Accreditation

- III. OLD BUSINESS
 - A. Health Board By-Laws
 - B. Public Health standards

- IV. NEW BUSINESS

- V. EXECUTIVE SESSION

- VI. ADJOURN MEETING

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

JBF/trr

cc: Health Board
City Manager
Clerk of Council
Health Staff
Chairman of Health & Public Safety
Mayor
News Media
Post
File

Kent City Health Department
 325 S. Depeyster Street
 Kent, Ohio 44240
 HEALTH BOARD MINUTES
 March 10, 2009

Members Present

John Gwinn
 Chris Woolverton
 Susan Roxburgh
 Jack Amrhein
 Pam Freeman

Others Present

John Ferlito

John Gwinn called to order the Health Board meeting of March 10, 2009.

The minutes from the February 17, 2009, meeting were distributed and reviewed by the Health Board members prior to the meeting.

Motion: A motion was made by Chris Woolverton and seconded by Susan Roxburgh to approve the minutes of the February 2009 meeting. The motion passed.

Statistical Report for February 2009

Expenditures and Encumbrances for February 2009:

VENDOR	ITEM DESCRIPTION	AMOUNT
Lab Safety Supply	Replacement lab cups.	\$97.13
ComDoc	Blanket order for monthly lease payments on copier	\$2,000.00
Union Computer	Cables & Ethernet Port Switch for new copier	\$74.98
ComDoc	Blanket order for Copier Maintenance agreement	\$1,000.00
State Bd. of Sanitarian	Registration fee for Jonnette Demboski to advance from SIT to RS	\$80.00
	TOTAL	\$3,252.11

Travel & Reimbursements		
		0
		0

Motion: A motion was made by Pam Freeman and seconded by Jack Amrhein to approve the Expenditures and Encumbrances for the month of February 2009. The motion passed.

KENT HEALTH DEPARTMENT STATISTICAL REPORT 2009

	March 09	YTD 2009	March 08	YTD 2008
HEALTH DEPT. \$ COLLECTED				
FamAbuse fund	\$ 436.50	\$ 1,227.00	\$ 439.50	\$ 1,249.50
Vital Stats	\$ 2,182.50	\$ 6,135.00	\$ 2,197.50	\$ 6,247.50
Child Abuse	\$ 873.00	\$ 2,454.00	\$ 879.00	\$ 2,499.00
State VS	\$ 1,455.00	\$ 4,090.00	\$ 1,465.00	\$ 4,165.00
B Perm Rev	\$ 16.00	\$ 44.00	\$ 12.00	\$ 42.50
B Perm State	\$ 80.00	\$ 220.00	\$ 60.00	\$ 212.50
Food Estab.	\$ 2,303.00	\$ 9,821.40	\$ 2,118.00	\$ 9,520.40
Food Service	\$ 5,237.00	\$ 35,453.80	\$ 4,602.00	\$ 35,189.00
FSO Vending	\$ 123.00	\$ 795.00	\$ 196.00	\$ 980.00
Home Sewage	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Housing	\$ 1,705.00	\$ 14,460.00	\$ 1,670.00	\$ 11,425.00
Swim Pools	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
SolWst(Trks)	\$ 0.00	\$ 0.00	\$ 15.00	\$ 15.00
Tattoo Parlors	\$ 0.00	\$ 100.00	\$ 0.00	\$ 300.00
*Misc(Xerox, etc.)	\$ 21.45	\$ 21.45	\$ 2.00	\$ 3.00
Septic Service	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
**ST Subsidy	\$ 0.00	\$ 0.00	\$ 0.00	\$ 20.00
TOTAL COLLECTED	\$ 14,432.45	\$ 74,821.65	\$ 13,656.00	\$ 71,868.40
TO STATE				
FamAbuse fund	\$ 423.40	\$ 1,190.18	\$ 426.31	\$ 1,212.01
Food Estabs	\$ 168.00	\$ 952.00	\$ 112.00	\$ 924.00
Bur.Permits	\$ 80.00	\$ 220.00	\$ 60.00	\$ 212.50
Child Abuse	\$ 846.81	\$ 2,380.38	\$ 852.63	\$ 2,424.03
State VS QTRLY	\$ 4,090.00	\$ 4,090.00	\$ 1,465.00	\$ 4,165.00
Food Service	\$ 308.00	\$ 3,080.00	\$ 336.00	\$ 3,976.00
Food Vendors	\$ 24.00	\$ 168.00	\$ 42.00	\$ 198.00
Swim Pools	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Wells	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
TOTAL	\$ 5,940.21	\$ 12,080.56	\$ 3,293.94	\$ 13,111.54
TOTAL ASSETS	\$ 8,492.24	\$ 62,741.09	\$ 10,362.06	\$ 58,756.86
+Admin fee to Vital Stats	\$ 39.29	\$ 110.44	\$ 39.56	\$ 112.46
-3% FamAbuse	\$ 13.10	\$ 36.82	\$ 13.19	\$ 37.49
-3% ChildAbuse	\$ 26.19	\$ 73.62	\$ 26.37	\$ 74.97

INSPECTIONS

Animal Bites	12	17	0	5
Complaints	41	126	83	150
Food Estabs	32	63	28	55
Food Service	84	195	72	185
FSO Vending	13	28	15	20
Home Sewage	0	0	0	0
Housing	109	328	80	287
Schools	0	3	0	1
Solid Waste	0	4	0	0
Swimming Pls	6	14	5	16
Septic Haul.	0	0	0	0
Tattoo Parlors	0	3	0	4
*Other	0	0	0	0
TOTAL	297	781	283	723

PERMIT/lic.

Food Estabs	6	34	4	33
Food Service	11	109	11	112
FS Vending	4	28	8	36
Home Sewage	0	0	0	0
Housing	19	109	17	80
Solid Waste	0	0	0	0
Swim Pools	0	0	0	0
Septic Haul.	0	0	0	0
Tattoo Parlors	0	3	0	4
*Other	0	0	0	0
TOTAL	40	283	40	265

MOSQ.CONT.

Sites Treat.	0	0	0	0
Adulticide	0	0	0	0
Tot Man Hrs	1	1	0	0

COMPLAINTS

Received	32	65	28	57
Abated	33	61	27	48

LEGAL COMPL.

Filed	1	1	0	0
Pre-trials	0	0	1	1
Trials	0	0	0	0

COMM.DISEASE

111	324	83	391
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VNA CLINICS IMMUNIZATIONS

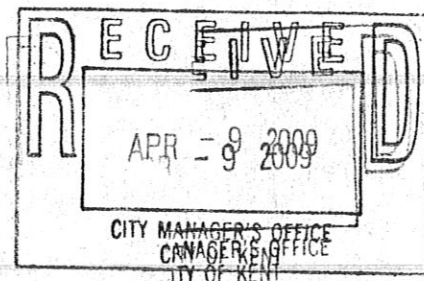
20	41	9	17
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BIRTH/DEATH CERTS. ISSUED

291	818	293	833
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AGENDA

CITY OF KENT
BOARD OF ZONING APPEALS
PUBLIC HEARINGS & BUSINESS MEETING
APRIL 20, 2009
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. BZ09-005 PERFECT CONSTRUCTION
1412 FRANKLIN AVENUE

Sections: 1161.14(a) and 1169.05

Requests: The applicant is requesting the following:

- 1) A 7-foot variance from the 15-foot minimum setback from the main structure requirement to allow an addition to be 8 feet from the existing detached garage (Section 1161.14(a)), and
- 2) A variance from Section 1169.05 to enlarge a legal, non-conforming use by 13.2 percent.

1. Public Comment

2. Board of Zoning Appeals Discussion / Action

B. BZ09-006 DAVID & DEBORAH MCKEE
200 SHERMAN STREET

Section: 1169.05

Request: The applicant is requesting a variance from Section 1169.05 to permit the expansion of a non-conforming rooming/boarding house to allow up to 6 unrelated persons.

1. Public Comment

2. Board of Zoning Appeals Discussion / Action

C. BZ09-007 **GARNET BYRNE
452 SUNRISE BOULEVARD**

Section: 1161.21(a)

Requests: The applicant is requesting a 2-foot variance from the 6-foot maximum fence height to allow an 8-foot high fence in the rear yard (Section 1161.21(a)).

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

VII. MEETING MINUTES

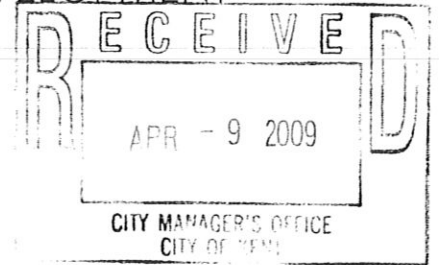
A. MEETING MINUTES FROM THE FEBRUARY 16, 2009 MEETING

VIII. ADJOURNMENT



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT



DATE: APRIL 10, 2009
TO: KENT CITY BOARD OF ZONING APPEALS
FROM: HEATHER PHILE, DEVELOPMENT PLANNER *HP*
RE: STAFF REPORT FOR THE APRIL 20, 2009 BOARD OF ZONING APPEALS MEETING

The following cases appear on the agenda for the April 20, 2009 Board of Zoning Appeals meeting:

NEW BUSINESS

CASE NO.: BZ09-005

APPLICANT: Perfect Construction

SITE LOCATION: 1412 Franklin Avenue

STATUS OF APPLICANT: The applicant is the contractor for the owners of the property.

REQUESTED ACTION: The applicant is requesting the following:

- 1) A 7-foot variance from the 15-foot minimum setback from the main structure requirement to allow an addition to be 8 feet from the existing detached garage (Section 1161.14(a)), and
- 2) A variance from Section 1169.05 to enlarge a legal, non-conforming use by 13.2 percent.

ZONING: This property is currently located in a C: Commercial Zone District.

TRAFFIC: The property is accessible from Franklin Avenue.

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

APPLICABLE CODE SECTIONS: 1161.14(a) and 1169.05

ANALYSIS:

The applicant is proposing to construct a 12-foot by 8-foot room addition onto the north side of the existing house. This property is currently zoned Commercial and contains a legal, non-

conforming use as a single family dwelling. The applicant is requesting two variances; to allow the addition to be less than 15 feet away from a detached accessory structure and to expand the non-conforming use by 13.2 percent.

Section 1161.14(a) states that any detached accessory structure should not be closer than 15 feet from the main structure. Currently, the detached garage is 20 feet from the main structure. After the addition is constructed, it will sit 8 feet from the existing detached garage. The applicant is requesting a 7 foot variance from this section of the code.

The second variance request pertains to the expansion of a non-conforming use. Section 1169.05 states that any building that has a non-conforming use can be altered or expanded with the approval of the Board of Zoning Appeals. The Board can approve the request based on the following findings: 1) That the expansion does not exceed 25 percent of the floor space of the structure; 2) The expansion will not create a nuisance to the surrounding neighborhood or community, and; 3) the expansion will not be a threat to public health and safety. The applicant is proposing to construct a 96 square foot room addition onto the existing 728 square foot home.

This property is approximately 7120 square feet in size with a single family dwelling and a detached garage. The Commercial zone district does not have a minimum lot size requirement. To construct any kind of addition onto this house would require approval by the Board of Zoning Appeals.

Should the Board wish to approve this project, the following language may be used for the motions:

Move that in Case BZ09-005, the Board of Zoning Appeals approve the 7-foot variance from the 15-foot minimum setback from the main structure requirement to allow an addition to be 8 feet from the existing detached garage. This request is from Section 1161.14(a) of the City of Kent Zoning Code.

Move that in Case BZ09-005, the Board of Zoning Appeals approve the variance from Section 1169.05 to enlarge a legal, non-conforming use by 13.2 percent.

<u>CASE NO.:</u>	BZ09-006
<u>APPLICANT:</u>	David & Deborah McKee
<u>SITE LOCATION:</u>	200 Sherman Street
<u>STATUS OF APPLICANT:</u>	The applicant is the owner of the property.
<u>REQUESTED ACTION:</u>	The applicant is requesting a variance from Section 1169.05 to permit the expansion of a non-conforming rooming/board house to allow up to 6 unrelated persons.
<u>ZONING:</u>	This property is currently located in an R-3: High Density Residential Zone District.
<u>TRAFFIC:</u>	The property is accessible from Sherman Street.
<u>SURROUNDING LAND USES:</u>	The property is surrounded by residential uses on all sides.

APPLICABLE CODE SECTIONS: 1169.05

ANALYSIS:

The property at 200 Sherman is currently a legal, non-conforming rooming/boarding house in the R-3 zone district.

In 1986, a previous owner (Rosemary McDill) received for a variance to allow up to 5 unrelated people to reside at this property. With this approval was a condition that when the property was sold, the permitted number of unrelated persons would be reduced to 3. In 2002, Mrs. McDill sold the property to Tom and Tara Winslow. When a request for a Zoning Use Certificate was made, a letter was written that explained the condition of the variance and some other information that was sent to the seller. A copy of this letter was given to the Health Department. The Winslow's received a new license from the Health Department that still allowed them to have up to 5 unrelated people. The Winslow's should have been told they could only have no more than 3 unrelated. Whether this was disclosed to them is uncertain. In 2003, the Winslow's sold the property to the applicants. After their annual inspection from the Health Department for their license, the inspector told them they could possibly fit another person into the house (to make a total of 6 people) and should contact the Zoning Department to see if there are any problems in doing this. After the applicants contacted Jennifer Barone, the Community Development Department did some research and discovered the variance and the condition that remanded the number of residents to three upon the sale of the property. The applicants were not aware of the variance or the conditions until our investigation.

The applicant is now requesting that they be allowed to expand the rooming/boarding house to up to 6 unrelated persons. The applicants are proposing to modify the "dining room" or finish off the third floor attic to make a new bedroom. The applicant would also like to make this variance permanent, with no conditions that make the number of residents be lowered when the property is sold.

In order to increase the number of allowed residents, the applicants must show that there is enough parking for each tenant. The applicants have submitted two possible parking layouts that have been reviewed by our Development Engineer, Jennifer Barone, who thinks that it looks tight, but could be possible to fit up to 6 cars in the rear of the property.

Should the Board wish to approve this project, the following language may be used for the motions:

Move that in Case BZ09-006, the Board of Zoning Appeals approve the variance from Section 1169.05 to permit the expansion of the non-conforming rooming/boarding house at 200 Sherman Street to allow up to 6 unrelated persons.

CASE NO.: BZ09-007

APPLICANT: Garnet Byrne

SITE LOCATION: 452 Sunrise Boulevard

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

REQUESTED ACTION: The applicant is requesting a 2-foot variance from the 6-foot maximum fence height to allow an 8-foot high fence in the rear yard (Section 1161.21(a)).

ZONING: This property is currently located in an R-2: Medium Density Residential Zone District.

TRAFFIC: The property is accessible from Sunrise Boulevard.

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

APPLICABLE CODE SECTIONS: 1161.21(a)

ANALYSIS:

The property at 452 Sunrise Boulevard is a single family dwelling and is zoned R-2: Medium Density Residential.

The applicant is requesting a variance to allow the construction of an 8-foot tall fence around a garden in the rear yard. The purpose of the 8-foot fence would be to help keep unwanted animals out of the garden. The applicant explains that they have tried other measures to keep out the animals, but they have not worked. This fence is designed to keep out deer and large animals and is made of polypropylene.

The City of Kent Codified Ordinances states that a maximum height for fences in the rear yard is 6 feet. This fence would be 8 feet tall. The fence will be placed behind the houses along Sunrise Boulevard and Sheri Drive. A sketch of the property and location of the fence is included with the applicant's application.

A neighbor called to say that there is a deed restriction for the neighborhood for the fence. The fence must be approved by the developer of the subdivision or their heir. This restriction is separate from the zoning and the City has no say in these added restrictions or approvals.

Should the Board wish to approve this project, the following language may be used for the motions:

Move that in Case BZ09-007, the Board of Zoning Appeals approve the 2-foot fence height variance from Section 1161.21(a) to allow an 8-foot tall fence in the rear yard of 452 Sunrise Boulevard.

cc: Applicants
Case files
Gary Locke, Community Development Director
Jennifer Barone, Development Engineer
Eric Fink, Asst. Law Director



KENT POLICE DEPARTMENT
MARCH 2009

	MARCH 2008	MARCH 2009	TOTAL 2008	TOTAL 2009
CALLS FOR SERVICE	1858	1832	5098	5113
FIRE CALLS	304	343	1014	1000
ARRESTS, TOTAL	228	215	610	571
JUVENILE ARRESTS	14	13	54	47
O.V.I. ARRESTS	28	25	63	89
TRAFFIC CITATIONS	363	311	905	931
PARKING TICKETS	252	443	1260	982
ACCIDENT REPORTS	55	55	197	228
Property Damage	37	29	114	133
Injury	8	9	34	29
Private Property	7	15	36	52
Hit-Skip	3	2	13	14
OVI Related	1	0	4	2
Pedestrians	0	0	3	2
Fatals	0	0	0	0
U.C.R. STATISTICS				
Homicide	0	0	0	0
Rape	0	1	4	4
Robbery	4	0	9	4
Assault Total	15	30	55	62
Serious	1	3	6	7
Simple	14	27	49	55
Burglary	14	9	27	17
Larceny	32	46	96	97
Auto Theft	2	1	14	4
Arson	1	2	4	5
TOTAL	68	89	209	193
CRIME CLEARANCES				
Homicide	0	0	0	0
Rape	0	0	0	0
Robbery	2	1	1	4
Assault Total	11	18	12	33
Serious	0	1	2	2
Simple	11	17	10	31
Burglary	1	1	1	2
Larceny	2	8	7	19
Auto Theft	1	0	2	0
Arson	0	0	0	1
TOTAL	17	28	23	59

Letter sent to 46
property owners



CITY OF KENT, OHIO

DEPARTMENT OF PUBLIC SERVICE

930 OVERHOLT RD., 2ND FLOOR, KENT, OHIO 44240 (330) 678-8105 FAX (330) 673-1893

www.kentohio.org

April 10, 2009

Bo-Myer
948 Steels Corners Rd.
Cuyahoga Falls, OH 44221

Re: Subarea Q Phase 4
Storm Drain connections



Dear Sir or Madam,

The City of Kent is preparing to finalize the construction of the Area Q Phase 4 improvements. There are several outstanding items to be completed by the City's contractor; including asphalt, topsoil and seeding throughout the project limits.

We are notifying you at this time that the storm sewer is complete and ready for connection. City of Kent Codified Ordinance 915.02 requires that property owners connect their storm drains to the sewer within six months of being notified that the sewer is approved and available for connection. Please have this work performed before September 10, 2009.

Prior to commencing work, you or your contractor, must obtain a permit from the Division of Engineering. The cost of an excavation permit is \$20.00. A site plan showing the route of the drain connection from the right of way to the building is required. The Division of Engineering can assist property owners and contractors with the details to be shown on the site plan. A plan showing the location of the drain connection installed to serve your property is enclosed.

It would be prudent to have your storm drains connected as soon as possible. We anticipate that the contractor will commence asphalt drive aprons in about a week and topsoil and seeding of lawn areas in about 2 weeks. The trench crossings in the roadway will be repaired with asphalt once the

asphalt plant opens for the season. The roadway surface will be restored with a double chip and seal treatment in late summer 2009.

We recommend that you consider the following when hiring a contractor to perform work on your property:

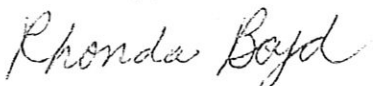
- Ask contractors for references and check with the Better Business Bureau.
- Make sure the contractor is insured to cover workers' compensation, damage, and general liability.
- Get a written contract for all work that includes specific details of the work to be done, materials used and cleanup to be done afterward. It should include a completion date and payment schedule.
- Never pay the entire cost of work up front before the work is complete.

The City cannot recommend private contractors. You can find a list of contractors in our area by looking in the Portage County telephone book under- Excavating Contractors. The final assessments for this project will be sent by certified mail in late June of this year.

Please contact the Division of Engineering at 330-678-8106 should you require any additional information.

By Authority of: Eugene K. Roberts, P.E., Director of Public Service

Sincerely,



Rhonda Boyd, P.E., P.S.
Senior Engineer

c: Jack Amrhein, Kent City Council, Ward 2
David Ruller, City Manager
Eugene K. Roberts, P.E., Director of Public Service
Jim Silver, Law Director
Jim Bowling, P.E., City Engineer
Jennifer Barone, P.E., Development Engineer
File

Certified Letter