



CITY OF KENT, OHIO

DEPARTMENT OF LAW

TO: Dave Ruller, City Council
FROM: Jim Silver *[Signature]*
RE: Historic Preservation District
DATE: January 27, 2012

As the City continues to move toward keeping building and housing stock in the City in good repair, another opportunity for preservation is coming to City Council. The City can become a "Certified Local Government" (CLG) under laws designed to protect and preserve historic structures. The State of Ohio controls the CLG process and approval of applications from cities. Many cities in the state have become CLG cities. Tallmadge received the status not too long ago.

Due to timing issues, City staff is bringing this issue to Council's attention at this time. Pursuant to the City's contract with Ron Burbick's LLC for the purchase of the old hotel, the City agreed to work with Mr. Burbick to help him obtain tax credits for the remodeling of the building. He could qualify for up to \$500,000 in tax credits. For our part in this process, the City would need to create an historic district and a committee on Design and Preservation. In general, the committee's purpose would be to a) identify buildings with historical, architectural, or archeological significance. These could be individual buildings or an area, b) establish the building /area as an historic building/area, and c) approve any work done on the exterior of building (issue a Certificate of Appropriateness). To qualify for the tax credits this year, these actions need to be adopted now.

Staff has drafted legislation to establish the Committee and the ordinances to control it. Staff is also proposing to set up the first historic district as the main downtown area. The area is described in another attached document, but it is basically bounded by Columbus St. to the north, Depeyster St. to the east, Haymaker Parkway to the South, and the back end of the properties that abut Water St., on the west side of the street. Areas and buildings can be added to historic areas or deleted at later times.

To begin the process, staff is mailing out a notice of a public hearing to every property owner in the proposed historic district. The hearing is scheduled for 7:00 pm on Wednesday, Feb. 15th, 2012, before the Council meeting begins. Council can discuss the proposed ordinance in committee on the 1st of February. Staff is recommending adoption of the legislation.

There are some restraints the legislation imposes upon property owners in the areas designated as historic. Any improvements, repairs, or alterations to a building's exterior would have to be approved by the Committee. Failure to get the approval ahead of making changes (except in the case of emergency repairs), could result in criminal charges being filed. It will also slow down any work because of the time it will take to get repairs, remodeling, or alterations approved by the Committee. The process will also slow down demolition of structures for the same reasons.

The following items are attached to this memo for your review:

- a) The new proposed chapter 1393, Historic Preservation.
- b) Proposed Rules and Regulations for the new Committee on Design and Preservation.
- c) The proposed historic area and map.
- d) The letter from Bridget Susel giving property owners notice of the hearing.

Thank you for your attention to this matter.

COMMITTEE ON DESIGN AND PRESERVATION RULES & REGULATIONS

ARTICLE I OBJECTIVES

The objectives and purposes of the Committee on Design and Preservation of the City of Kent, Ohio are those as set forth in the Ohio Revised Code and the City's Building Code and Regulations.

ARTICLE II MEMBERSHIP

Section 1 The Committee on Design and Preservation shall consist of five (5) residents of the municipality, who shall serve without pay.

Section 2 The five (5) members of the Committee on Design and Preservation shall be appointed by the City Council for a term of three (3) years. Members may also be appointed by City Council to fill the unexpired term of a vacated seat on the Committee on Design and Preservation.

Section 3 No member shall be appointed for more than two (2) full terms consecutively.

ARTICLE III OFFICERS AND THEIR DUTIES

Section 1 The officers of the Committee on Design and Preservation shall consist of a Chairperson, Vice-Chairperson and Secretary.

Section 2 The Chairperson will be the presiding officer over regular business meetings as well as any special meetings called by the Committee on Design and Preservation. The Chairperson shall perform the following duties:

- (1) The Chairperson shall open the meeting at the appointed time by taking the chair, determining that a quorum is present, and calling the meeting to order.
- (2) The Chairperson may announce the sequence of the order of business to take place at the meeting based on the agenda previously set for the meeting.
- (3) The Chairperson shall recognize both members of the Committee and audience participants who are entitled to the floor.

- (4) The Chairperson shall state and put to a vote all actions and questions that legitimately come before the Committee.
- (5) The Chairperson shall protect the meeting from obviously frivolous or irrelevant motions or discussions.
- (6) The Chairperson shall be responsible for maintaining order during the meeting.
- (7) The Chairperson shall make every effort to expedite the progression of business to come before the Committee, keeping in mind the rights of members and the audience participants.
- (8) Whenever necessary, the Chairperson shall authenticate by signature all acts, motions, orders or approvals of the Committee.
- (9) The Chairperson shall declare the meeting adjourned or in recess when the Committee so decides and shall declare the time and date of continuation when a matter of business is carried over.
- (10) The Chairperson may appoint special ad hoc committees from within the Committee for the purpose of making special studies or reports which may be of benefit to the Committee in its conduct of business.
- (11) The Chairperson may participate in any discussion and shall be a voting member on the Committee.

Section 3

The Vice-Chairperson shall act for the Chairperson in his/her absence.

Section 4

The Secretary shall act as the Chairperson in the event that both the Chairperson and Vice Chairperson are absent from the meeting. The Secretary shall also be responsible for ensuring that proper records are being maintained by the Community Development Director or their designee pertinent to all official Committee business.

ARTICLE IV
ELECTION OF OFFICERS AND TERMS OF OFFICE

Section 1

The Committee shall elect officers in the following situations:

- a) After the beginning of each new calendar year. This election shall be held at the first meeting of each year, unless the Committee is awaiting Council's appointment to an opening on the Committee at

the time of first said meeting. In the latter case, the Committee shall hold elections at its first regular business meeting after which City Council's appointment to replace the vacant seat becomes official.

- b) In the event that any existing officer leaves office during the course of the year. In this case, the Committee shall hold elections at its first regular business meeting after which City Council's appointment to replace the vacant seat becomes official.

During any interim period where such seats are vacant, the remaining officers will ascend to the Chair as defined in Article III, Sections 3 & 4.

Section 2 Officers shall be elected by a majority vote of the membership. Officers shall serve a one (1) year term and may be re-elected to an unlimited number of terms during their membership on the Committee.

Section 3 Any officer may be removed from office by a 4/5 vote of the members of the Committee.

ARTICLE V **MEETINGS**

Section 1 The Committee on Design and Preservation will hold meetings each quarter of the year unless preempted by legal holidays. Meetings will be held on the second Thursday of each quarter. In the event that no agenda has been established for a particular meeting, the meeting may be cancelled.

Section 2 The Committee may schedule special meetings as it deems necessary. Such meetings shall be set by a majority vote of the Committee and shall be set at least forty eight (48) hours prior to the date and time of the meeting and subject to the prescribed public notification requirements as defined by code.

Section 3 A majority of the membership shall constitute a quorum. This will also be the number of affirmative votes necessary to transact business.

Section 4 A voting record of the Committee shall be kept with the official records of meetings. Members may abstain in the event that there is a personal conflict of interest and shall be responsible for explaining the validity of the nature of the conflict of interest.

Section 5 The Building Inspector shall prepare an agenda and related materials for each meeting and be responsible for circulating these materials to all members as well as others having a specific interest in the meeting.

The agenda shall be closed seven (7) calendar days prior to the meeting but this does not preclude the addition of other items. No item may be added to the agenda less than twenty four (24) hours prior to the date of the meeting.

ARTICLE VI
NOTICE OF MEETINGS

Section 1 Notice of meetings and public hearings shall be given by the Building Inspector or the Community Development Director or their designee as prescribed in Chapters 1105, 1107, 1111, and 1113.

Section 2 An agenda of the upcoming meeting will be posted at City Hall and be distributed to Committee members, City Council, the Media and other persons having an interest in the meeting as soon as it becomes available. Late revisions will be distributed as soon as possible and practical.

Section 3 In the event that a special meeting is called less than seven (7) calendar days in advance of its date and time, the Chairperson shall announce and thereby set the agenda for the special meeting at the time that the meeting is called. In all other cases, the agenda shall be prepared and distributed as specified in Article VI, Section 2 above.

ARTICLE VII
MEETING PROCEDURE

Section 1 Meetings shall begin promptly at the designated time and shall be called to order by the Chairperson. In the event that a quorum is not present at that time, the Chairperson may wait a reasonable amount of time before deciding that the meeting will have to be cancelled due to a lack of a quorum. Should this happen, agenda items shall be re-scheduled to the next regular business meeting.

Section 2 Should a meeting be called to order with only three (3) members present, the Chairperson will explain to the audience that a unanimous vote of those present will be required to transact business.

Section 3 Business will be taken in the order in which it has been placed on the agenda. The agenda order may be changed at the pleasure of the Commission by way of a majority vote.

ARTICLE VIII
RECORDS, FILES, AND TRANSCRIPTS

Section 1 All records and files, including meeting agendas, applications, case files, meeting minutes, resolutions or actions by the Committee on Design and Preservation as well as correspondence shall be maintained by the Community Development Department. Such information shall be open to the public during regular City Hall business hours.

ARTICLE IX
UNEXCUSED ABSENCES

Section 1 Any member absent without excuse from three (3) meetings within any single calendar year may be referred, by majority vote of the Committee, to Kent City Council for its consideration to remove such member from the Committee.

Section 2 An unexcused absence shall be defined as one in which a member is absent from an announced meeting and has not contacted the Community Development Department or another Committee member to report the pending absence prior to that meeting.

ARTICLE X
AMENDMENTS

Section 1 These By-Laws may be amended by a four-fifths (4/5) vote of the entire membership of the Committee.

CHAPTER 1393
Historic Preservation

1393.01 PURPOSE.

- (a) The purposes of this Chapter are:
 - 1) To stabilize and increase property values;
 - 2) To strengthen the local economy;
 - 3) To protect, preserve and enhance the distinctive architectural and cultural heritage of historic buildings and historic areas in the City of Kent;
 - 4) To foster civic pride in the beauty of the historic preservation district;
 - 5) To seek alternatives to demolition or incompatible alterations within designated areas and to listed properties before such acts are performed;
 - 6) To afford the widest possible scope of continuing vitality and architectural creativity within appropriate controls and standards;
 - 7) To encourage development of vacant properties that is compatible with local historic character;
 - 8) To protect the property right of owners whose property lies within a designated historic preservation district; and
 - 9) To protect and enhance the City's attractions to prospective residents, businesses and tourists.
- (b) The requirements of this Chapter must be met in addition to the established requirements and standards of the Zoning Ordinance, and other applicable ordinances of the City.
- (c) Where conflicts exist between requirements of this Chapter and other ordinances adopted by Council, the most strict interpretation shall apply and thereby supersede the less strict requirements.

1393.02 DEFINITIONS.

When used in this Chapter, certain words, or terms shall be interpreted as follows:

- (a) "Administrator" means the employee of the City charged with enforcement of the zoning ordinance.
- (b) "Alter" or "Alteration" means any material or visual change other than normal maintenance and repair to the exterior of any structure of historic or architectural significance.
- (c) "Architectural Character" means the architectural style, general design, and general arrangement of the exterior features of a building or other structure including the type and texture of light fixtures, signs and other appurtenant fixtures.
- (d) "Applicant" means any person, persons, association, organization, partnership, unit of government, public body or corporation who applies for a Certificate of Appropriateness in order to undertake an alteration or environmental change within the Historic Preservation District.
- (e) "Certificate of Appropriateness" means a certificate issued by the City, authorizing any new construction, demolition or exterior alteration of a designated

landmark or property within the Historic Preservation District, requiring Design Review by this Chapter of the Codified Ordinances of the City of Kent, Ohio.

- (f) “Committee” means the Committee on Design and Preservation of Kent, Ohio.
- (g) “Construction” means the act of constructing an addition to an existing structure or the erection of a new principal or accessory structure on a lot or property.
- (h) “Contributing property” means any structure or site which has been identified by the Committee on Design and Preservation as having significant value in enhancing, identifying or defining a Historic Preservation District or Local Historic Property. All other structures or sites within a Historic Preservation District or Local Historic Property are noncontributing.
- (i) “Council” means the City Council of Kent, Ohio.
- (j) “Demolition” means the razing or removal in whole or in part of any building or structure.
- (k) “Design Guidelines” means the set of standards set forth in the City of Kent, Ohio Design Guidelines, as adopted by Council.
- (l) “District” means the Kent Overlay Design District / Historic Preservation District.
- (m) “Emergency Repair” means any change, including the construction, reconstruction, alteration or demolition of any feature which in the view of the Administrator is required for the public safety because of an unsafe, insecure or dangerous condition.
- (n) Exclusions: Nothing in these rules, procedures or guidelines shall be construed to prevent the ordinary maintenance and repair of any building or structure within the Kent Design Overlay District / Historic Preservation District provided that the work involves no alteration to exterior architectural features.
- (o) “Historic Preservation District” means any area designated by Council which contains one or more Local Historic Properties. It is also called the Kent Design Overlay District. The Historic Preservation District may also include such other properties designated by Council as necessary to maintain the historic and integrity of the District. The District shall be contained within definable geographic boundaries and may be designated on the Zoning Map of the City.
- (p) “Local Historic Property” means any building, structure, site, or object which has special character or special archaeological, historic or aesthetic value as part of the development, heritage, archaeological or cultural characteristics of Kent, the State of Ohio, or the United States and which has been designated as a such pursuant to the provisions of this Chapter. A Local Historic Property shall also be considered a Contributing Property.
- (q) “Non-contributing Property” means any structure or site within a Historic Preservation District or Local Historic Property that, in the determination of the Committee on Design and Preservation is not considered a Contributing Property as defined herein.
- (r) “Owner” means the owner of record, and the term shall include the plural as well as the singular.
- (s) “Preserve or Preservation” means the act or process of applying measures necessary to sustain the existing form, integrity and materials of an historic property.

- (t) “Reconstruction” means the act or process of depicting, by means of new construction the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.
- (u) “Rehabilitation” means the act or process of making possible a compatible use for a property through repair, alterations, and additions while preserving those portions or features, which convey its historical, cultural, or architectural values.
- (v) “Restoration” means the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.

1393.03 ESTABLISHMENT AND COMPOSITION.

There is hereby established a Committee on Design and Preservation which shall consist of five (5) members appointed by the Mayor and confirmed by Council for staggered three (3) year terms. At start up:

- one will be appointed to a one (1) year term,
- two to a two (2) year term,
- two to a three (3) year term,
- Each member will be appointed thereafter to three (3) year terms so openings will occur each year requiring the appointment of one or two members to a new three (3) year term and subject to the following:
 - (a) The members of the Committee on Design and Preservation shall have, to the highest extent possible, a demonstrated knowledge, experience, or interest in architecture and/or historic preservation. Members must possess a determination to work for the overall improvement of the quality of the physical environment of the City.
 - (b) The Committee members should include, if at all possible, the following: one downtown building owner and two (2) members of the community who are preservation-related professionals such as architects, historians or planners with interest in preserving the historic integrity of the City. Any Committee member may possess one or more of these qualifications at the same time.
 - (c) The members of the Committee shall be City residents, property owners, or business owners; however it is recognized that it may not be possible to find residents who possess the other qualifications.
 - (d) Vacancies shall be filled within sixty (60) days for the remainder of any unexpired terms in the same manner as the original appointments and confirmations.
 - (e) A member of the Kent Community Development staff shall attend the meetings of the Committee as an advisor and liaison with the City.

1393.04 MEETINGS AND RECORDS.

- (a) The Committee on Design and Preservation shall organize consistent with this chapter and the rules adopted by City Council. The Committee shall set a regular meeting time to hold meetings to discuss its business as necessary, provided that the Committee shall meet not less than once per quarter. All meetings shall have previously announced agendas and be held in a public place, advertised in advance and open to the public.
- (b) Three (3) members of the Committee shall constitute a quorum; however, a minimum of three (3) members shall be required to cast an affirmative vote to take official actions.
- (c) No voting member of the Committee on Design and Preservation or advisor to the Committee shall participate in the review of any item for discussion before such Committee if such member or advisor has any direct financial interest in the property involved in such discussion.
- (d) The City Manager shall appoint a City employee to serve as the staff person to take and keep minutes of the Committee. The staff person shall keep, or cause to be kept, a complete record of all decisions and actions of the Committee including the reasons for making these. In addition, the staff person shall prepare an annual report of Committee activities, cases, decisions, special projects and qualifications of its members.
- (e) All rules and procedures, agendas, records, minutes, and annual reports shall be kept on file and available for review, pursuant to the City of Kent's Public Records Retention Schedule.

1393.05 POWERS AND DUTIES.

In addition to those powers and duties otherwise specified in this chapter, the Committee on Design and Preservation shall:

- (a) Establish and use written guidelines for the conservation of Contributing Properties, Local Historic Properties and Historic Preservation Districts in acting on applications for Certificates of Appropriateness. The written guidelines shall be based on the Design Review Standards set forth in Section 1393.09
- (b) Conduct or cause to be conducted a continuing survey(s) of historic and cultural resources within the City, according to guidelines and process approved by the Ohio Historic Preservation Office, hereinafter sometimes referred to as OHPO.
- (c) Maintain a detailed inventory of the designated Contributing Properties, Local Historic Properties and Historic Preservation Districts. Allow the inventory material to be accessible to the public; however, access to archaeological site locations may be restricted. Maintain all inventory items on Ohio Historic or Archaeological inventory forms compatible with OHPO's computerized inventory. The inventory material will be available through duplicates or digital images to the Ohio Historic Preservation Office. Inventory/forms or forms shall be updated periodically to reflect changes, alterations, and demolitions.
- (d) Make recommendations to Council for designation of Contributing Properties, Noncontributing Properties, Local Historic Properties and Historic Preservation Districts.

- (e) Advise City Officials and departments regarding protection of local historic resources.
- (f) Act as a liaison on behalf of the City government to individuals and organizations concerned with historic preservation.
- (g) Work toward the continuing education of citizens regarding historic preservation issues and concerns.
- (h) Conduct or encourage Committee on Design and Preservation members to attend educational sessions at least once a year, or in-depth consultation with the Ohio Historical Preservation Office, pertaining to work or functions of the Committee on Design and Preservation, or historic preservation issues.
- (i) Undertake additional responsibilities upon mutual written agreement between the OHPO and the City. A written agreement will address what duties are to be performed, what staff assistance is needed to perform the work and what level of activity in each area of responsibility will be maintained. All delegated responsibilities must be at no charge to the OHPO.
- (j) Seek expertise before reaching a decision when considering a National Register nomination and other like actions which are normally evaluated by a professional in a specific discipline and that discipline is not represented on the Committee. The Committee may seek assistance of academic or consulting archaeologists.

1393.06 PROCEDURES FOR THE IDENTIFICATION AND DESIGNATION OF CONTRIBUTING PROPERTIES, LOCAL HISTORIC PROPERTIES AND HISTORIC PRESERVATION DISTRICTS.

Any building in the City of Kent fifty (50) years old or which becomes fifty (50) years old and has significant architectural features shall be considered eligible for designation as a Contributing Property or Local Historic Property and/or inclusion in a Historic Preservation District in accordance with the following:

- (a) The Committee on Design and Preservation, with the consent of the owner of the property in question or majority of the property owners for a proposed district, [Each specific lot owner in a proposed district shall have one vote. A multiple property owner will get a vote for each lot they own in the proposed district.] may recommend property or districts within the City to Council for designation as a Contributing Property or Local Historic Property and, possibly, to be part of a Historic Preservation District. Any property owner, organization or interested individual may apply to the Committee for such designation. In determining whether or not to designate such place, building, structure, archaeological site, work of art or object as a historical listed property, the Committee shall consider the following criteria with respect to such item:
 - (1) Its character, interest or value as part of the development, heritage or cultural characteristics of the City, the State of Ohio or the United States.
 - (2) Its location as a site of a significant historic or archaeological event.
 - (3) Its identification with a person or persons who significantly contributed to the culture and development of the City.
 - (4) Its exemplification of the cultural, economic, social or historic heritage of the City.

- (5) Its embodiment of distinguishing characteristic of an architectural type or specimen.
 - (6) Its identification as the work of an architect or master builder whose individual work has influenced the development of the City.
 - (7) Its embodiment of elements of architectural design, detail, materials or craftsmanship which represent a significant architectural innovation.
 - (8) Its relationship to other distinctive areas which are eligible for preservation according to a plan based on an historic, cultural or architectural motif.
 - (9) Its unique location or singular physical characteristic representing an established and familiar visual feature of a neighborhood, community or the City.
 - (10) Its status as either a Contributing or Noncontributing Property.
- (b) Prior to designation, the Committee on Design and Preservation shall notify, in writing, property owners of any proposed designation and/or proposed district(s), as appearing on the Portage County Auditor's current tax list, and hold a public hearing. Notification of such hearing shall be published at least ten (10) days in advance of such hearing, in paper of general circulation in the City. The Committee shall conduct the public hearing and shall provide a reasonable opportunity for all interested parties to express their opinions under such rules as the Committee may adopt for the purpose of governing the proceedings of the hearings.
 - (c) The Committee shall make a determination with respect to the proposed designation within thirty (30) days after the initial consideration of a completed application. The Committee shall set forth in its recommendations such findings of fact which constitute the basis for its decision and shall transmit the recommendation concerning the proposed designation to City Council.
 - (d) Within thirty (30) days after receiving the recommendation of the Committee on Design and Preservation, City Council shall render its decision regarding the proposed designation, giving due consideration to the findings and recommendations of the Committee on Design and Preservation, to the owner's written comments and to the public hearing comments.
 - (e) After a decision by the City Council, the Clerk of Council shall provide written notice to any owner or any person having a legal or equitable interest in the property. If the Council decides to designate a property as a Contributing Property or Local Historic Property and/or the creation of a Historic Preservation District, it shall transmit an ordinance implementing its designation and/or district creation to the Planning Commission for its consideration as a proposed amendment to the City Zoning Code. The Council will consider the adoption of the proposed ordinance in accordance with the statutory requirements governing proposed zoning code amendments. If the proposed ordinance is adopted, the Committee on Design and Preservation shall notify any appropriate county or state offices after a designation is approved.

1393.07 CERTIFICATE OF APPROPRIATENESS REQUIRED.

- (a) A Certificate of Appropriateness must be obtained prior to commencing new construction, reconstruction, rehabilitation, restoration or any other modification, alteration, replacement, or visible changes to the exterior of any building [or structure, or other visible improvements, or demolition] which has been designated a Contributing Property or Local Historic Property or located within a Historic Preservation District. Other visible improvements may include exterior elements such as fences, signs, awnings, balconies, shutters, and satellite dishes.
- (b) No Zoning Certificate or Building Permit shall be issued by the Administrator for any construction, reconstruction, rehabilitation, restoration, or demolition of any structure in a Historic Preservation District, unless a Certificate of Appropriateness has been issued.
- (c) A Certificate of Appropriateness shall not be required in the case of normal and customary building maintenance activities or to paint an architectural feature or other visible exterior improvement, provided such activities do not render the structure concerned incompatible with the standards of this chapter.
- (d) Nothing in this chapter shall prevent a property owner from making emergency repairs to the exterior of a property where such repairs are necessary for the preservation of the structure and not caused by the neglect of the property owner.

1393.08 PROCEDURE FOR CERTIFICATE OF APPROPRIATENESS.

- (a) The application for the Certificate of Appropriateness shall be made on such forms as prescribed by the Administrator, along with such plans, drawings, specifications and other materials as may be needed by the Committee on Design and Preservation to make a determination. At a minimum, such information shall include the following:
 - (1) The required submittal information for a Zoning Certificate as set forth in § _____.
 - (2) Six (6) color photographs of the present facade of each exterior wall of the building which is proposed to be modified or of the existing landscaping, plantings, fence, or other visible exterior improvement(s) to be changed.
 - (3) Six (6) sketches of the proposed changes to each exterior wall or of the proposed additions or changes to landscaping, plantings, fences and/or other visible exterior improvements, drawn to scale and being easily understandable, with said sketches to include structural changes, all windows and doorways, roof lines, signage, and all other related changes and additions.
 - (4) A description of the proposed colors, proposed materials to be used, and all related information fully describing the proposed modifications and additions.
 - (5) For applications involving demolitions, six (6) sketches, drawn to scale, of the construction and other improvements proposed for the site following demolition.
- (b) Applications for Certificate of Appropriateness shall be filed with the Administrator at least fifteen (15) days prior to the meeting of the Committee on Design and Preservation.

- (c) A non-refundable fee of \$25.00 shall be paid to the City for each application for a Certificate of Appropriateness. No application shall be deemed complete unless accompanied by the proper fee.
- (d) The Administrator shall transmit the application to the Committee on Design and Preservation seven (7) days prior to meeting.
- (e) The applicant or his representative or agent will be notified of the meeting date and time at which action on the application is to occur.
- (f) The Committee on Design and Preservation shall make its decision approving, denying, or denying with proposed modifications, the application submitted to it within thirty (30) days after the application was first considered by such Committee at a regular or special meeting. All decisions by the Committee shall be made in a public forum and applicants shall be given written notification of decisions. Any denial shall be based upon failure to comply with the applicable design review standards of § 1393.09 and shall describe the basis for the finding of such Committee on Design and Preservation of such non-compliance.
- (g) After action on the application by the Committee on Design and Preservation, the Administrator shall inform the applicant of the decision in writing.
- (h) Any person aggrieved by the decision of the Committee on Design and Preservation may file an application for variance or appeal the decision to the Board of Zoning Appeals in the same manner an appeal or request for variance is processed according to § _____ of the Codified Ordinances. Any person aggrieved by the decision of the Board of Zoning Appeals may appeal to the Court of Common Pleas of Portage County for relief in accordance with R.C. Chapter 2506.

1393.09 DESIGN REVIEW STANDARDS FOR CERTIFICATE OF APPROPRIATENESS.

The applicable design review standards shall be as follows:

The Standards pertain to historic buildings of all materials, construction types, sizes, and occupancy and encompass the exterior, related landscape features and the building's site and environment as well as attached, adjacent, or related new construction. The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

- (1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
- (2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- (3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
- (4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

- (5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
- (6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials, as close as possible. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
- (7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- (8) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- (9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- (10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

1393.10 DEMOLITION.

- (a) Demolition is strongly discouraged unless the structure lacks historic integrity. If the Committee makes a finding that a building is a Contributing Property or a Local Historic Property, alternatives to demolition should be investigated for up to ninety (90) days before making a decision including, but not limited to:
 - (1) Consultation with civic groups, public agencies and interested citizens;
 - (2) Recommendations for acquisition of the property by public or private bodies;
 - (3) Exploration of the possibility of moving one or more structures or other features.
- (b) Before a Certificate of Appropriateness is issued for demolition, the applicant shall provide information concerning proposed redevelopment of the site and the Committee on Design and Preservation shall review such proposal for compliance with the Design Guidelines.

1393.12 MAINTENANCE.

Nothing in this chapter shall be construed to prevent ordinary maintenance or repair of any designated historic property within the Historic Preservation District, provided such work involves no change in material, design, texture, color, or exterior appearance; nor shall anything in this chapter be construed to prevent any change, including the construction, reconstruction, alteration or demolition of any feature which in the view of the Administrator is required for the public safety because of an unsafe, insecure or dangerous condition.

1393.13 APPEALS.

Any applicant aggrieved by any decision of the Committee on Design and Preservation may appeal the decision to the Board of Zoning Appeals within twenty (20) days after the decision and in accordance with the provisions of the Zoning Code.

1393.14 PENALTY.

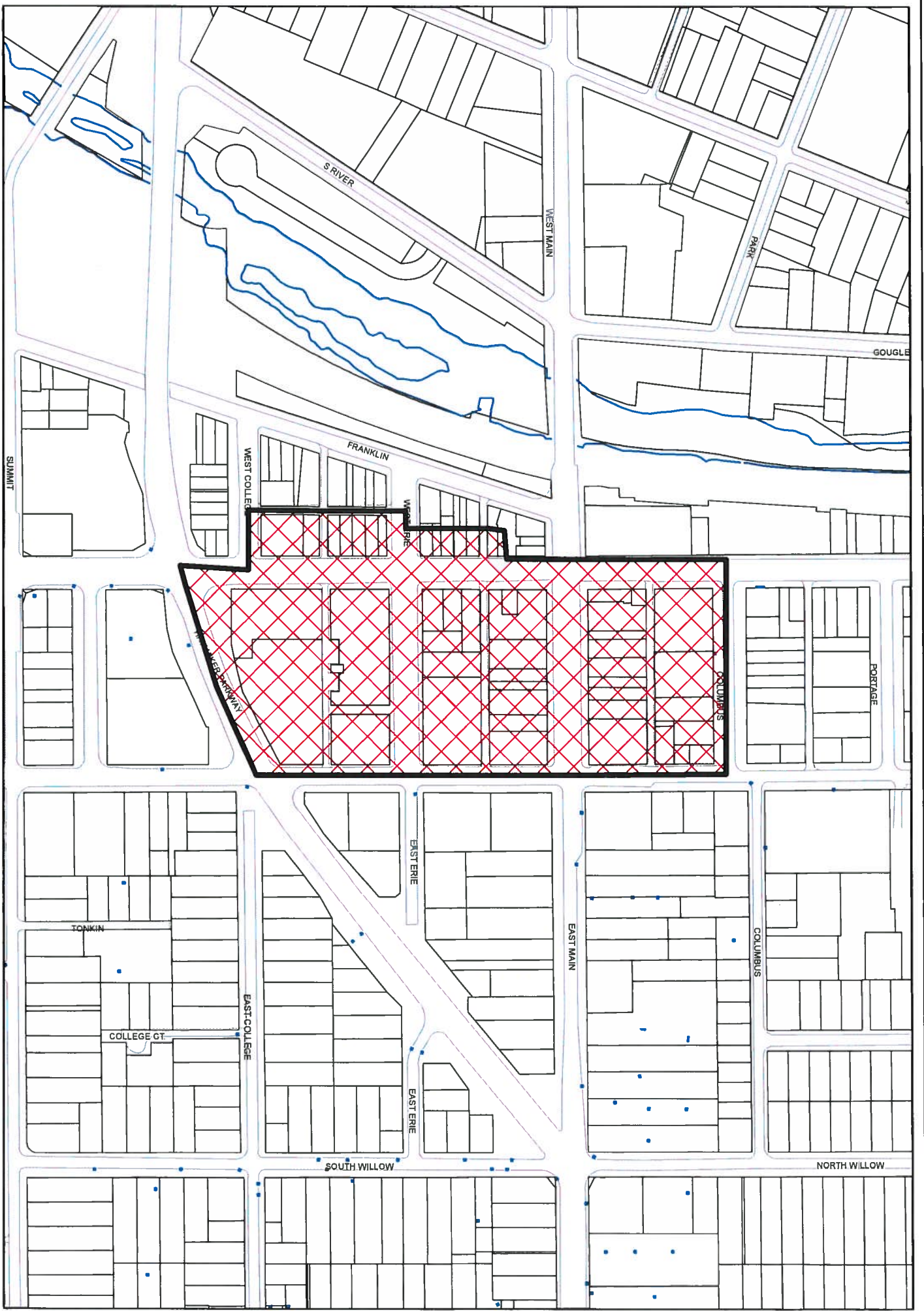
- (a) Any person violating the provisions of this chapter by failing to perform any act required by this chapter or performing any act which is prohibited by this chapter shall be guilty of a minor misdemeanor and upon conviction thereof shall be fined not less than fifty dollars (\$50.00) nor more than one hundred fifty dollars (\$150.00) for each offense. Every day on which a violation exists shall constitute a separate violation and a separate minor misdemeanor.
- (b) Any person who demolishes, alters or constructs a building or structure in violation of this chapter shall be required to restore the building or structure and its site to its appearance prior to the violation. This civil remedy shall be in addition to and not in lieu of any criminal prosecution and penalty.

1393.15 SEVERABILITY.

If any provisions of this chapter or the application thereof are held invalid by a court of competent jurisdiction, such invalidity shall not affect other provisions or applications of this chapter which can be given effect without the invalid provision or application, and to this end the provisions of this chapter are hereby declared severable.

My suggested area would be bounded on the South by Haymaker Parkway. It would be bounded on the west by the western property line for those lots adjacent to the western side of Water Street. The northern boundary would be the southern lot line of the Star of the West Mill (there is a driveway on the southern edge of their property), across N. Water St., then follow Columbus St. as the northern boundary. The eastern boundary would be Depeyster St.

Proposed Historic Preservation District





CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

January 25, 2012

Name
Address
Kent, Ohio 44240

Dear :

The City of Kent is in the process of developing an Historic Preservation Ordinance that will designate a specified area of the downtown central business district as an Historic Preservation District. The creation of a designated Historic Preservation District will allow for the appropriate recognition of buildings and landmarks that are representative of the City's local character and which are significant within the Kent community.

In accordance with the provisions of the Ohio Historic Preservation Office (OHPO) guidelines for drafting an historic preservation ordinance an establishing a specified historic preservation district, this letter serves as notification that public records list you as the owner of record for a property or properties located within the area the City of Kent is proposing as an Historic Preservation District. A map depicting the boundaries of the proposed Historic Preservation District has been enclosed for your review.

If the proposed Historic Preservation Ordinance and Historic Preservation District are approved by Kent City Council, owners of any property that is identified as fifty (50) years old, which becomes fifty (50) years old and/or is located within the designated Historic Preservation District, will need to obtain a Certificate of Appropriateness for all exterior work. The Certificate of Appropriateness will need to be issued "prior to commencing new construction, reconstruction, rehabilitation, restoration, demolition or any other modification, alteration, replacement or visible changes to the exterior of any building, structure or other visible improvement" which is located within the designated Historic Preservation District. A five-member Committee on Design and Preservation will be the body responsible for preliminary project review and the issuance of any Certificate of Appropriateness for exterior work proposed on any structures located within the Historic Preservation District.

The proposed Historic Preservation Ordinance and Historic Preservation District provide the Kent community with the opportunity to guide future exterior property changes in a manner that preserves the local character, historic significance and aesthetic value of a key portion of the City's downtown central business district. The City will be holding a public hearing at 7:00 p.m. on Wednesday, February 15, 2012 in order to provide interested parties with the opportunity to share opinions and comments on the proposed Historic Preservation Ordinance and the establishment of the Historic Preservation District, as depicted on the enclosed map.

If you have any questions prior to the public hearing, please contact the City of Kent Community Development Department at (330) 678-81208.

Sincerely,

Bridget O. Susel
Interim Community Development Director

Enclosures

Cc: Kent City Council
Dave Ruller, City Manager
Jim Silver, Law Director
Historic Preservation Ordinance file, 2012



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

TO BE PUBLISHED ONCE IN THE *RECORD COURIER* AS A DISPLAY ADVERTISEMENT
(BLOCK AD) ON FRIDAY, FEBRUARY 3, 2012

NOTICE OF PUBLIC HEARING

CITY OF KENT HISTORIC PRESERVATION DISTRICT DESIGNATION

**WEDNESDAY, FEBRUARY 15, 2012
7:00 P.M.**

**COUNCIL CHAMBERS
KENT CITY HALL
325 SOUTH DEPEYSTER STREET
KENT, OHIO 44240**

The City of Kent will hold a public hearing on the designation of a Historic Preservation District on Wednesday, February 15, 2012 at 7:00 p.m. in the Council Chambers of Kent City Hall, located at 325 South Depeyster Street, Kent, Ohio. The hearing provides the City with the opportunity to present the public with information regarding the designation of a specified area of the downtown central business district as an Historic Preservation District. The creation of a designated Historic Preservation District will allow for the appropriate recognition of buildings and landmarks that are representative of the City's local character and which are significant within the Kent community. The public hearing also has time allotted for comments and questions from citizens concerning the designated area that the City should consider as it moves forward with developing its Historic Preservation District.

All citizens are encouraged to participate in the public hearing on the City's Historic Preservation District and time will be afforded to any person interested in being heard. Persons with special needs and non-English speaking persons are encouraged to participate in this public hearing and should contact the City of Kent Community Development Department by Friday, February 10, 2012 so that proper accommodations can be arranged.

All written comments or questions should be directed to Bridget Susel, Interim Community Development Director, via email at SuselB@kent-ohio.org or mailed to: City of Kent, Community Development Department, 930 Overholt Road, Kent, Ohio 44240, by Tuesday, February 14, 2012.

The City will submit the Historic Preservation District to the Ohio Historic Preservation Office (OHPO) in March 2012 as part of its application to become a Certified Local Government (CLG).

**THIS PUBLIC HEARING AND ALL OTHER MEETINGS OF THE KENT CITY COUNCIL
ARE OPEN TO THE PUBLIC.**



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: January 26, 2012
TO: Dave Ruller, City Manager
FROM: Bridget Susel, Interim Community Development Director
RE: Renewal of Parking Lot Sub-Lease

BOD.

On April 19, 2011, the City of Kent renewed its lease with the Kent City School District Board of Education for access to thirty (30) parking spaces in the Central School Parking Lot located on the east side of North Mantua Street, between Park Avenue and Rockwell Street.

The City maintains a secondary sub-lease agreement with the Universalist Unitarian Church of Kent (Sub-Lessee) which grants the Sub-Lessee access to these thirty (30) parking spaces on Saturdays, Sundays and weekday evenings after 6 p.m.

The terms of this sub-lease are concurrent with the terms of the primary lease entered into between the City of Kent and the Kent City School District Board of Education. Since this primary lease had a temporary suspension in early 2011 while new lease terms were being finalized, the sub-lease between the City and the Church was also temporarily suspended.

I am respectfully requesting time at the February 1, 2012 Committee session to discuss the sub-lease arrangement with Council and request Council authorization for the City to enter into a sub-lease agreement with the Universalist Unitarian Church of Kent under the same terms as the original sub-lease arrangement.

Please let me know if you need any additional information in order to add this item to the Committee session agenda.

Thank you.

Cc: Jim Silver, Law Director
Linda Copley, Clerk of Council

SUB-LEASE AGREEMENT

THIS LEASE AGREEMENT is entered into between the CITY OF KENT ("Lessee"), an Ohio municipal corporation, and the UNIVERSALIST UNITARIAN CHURCH OF KENT ("Sub-Lessee").

1) The Lessee agrees to lease to the Sub-Lessee thirty (30) parking spaces, plus access to said parking spaces in its parking lot located on the east side of North Mantua Street, between Park Avenue and Rockwell Street. Lessee has the option of designating which thirty (30) spaces may be used. The Lessee has a separate lease in effect with the owner of the property, KENT CITY SCHOOL DISTRICT BOARD OF EDUCATION ("Property Owner")

2. a.) The term of the sub-lease shall run concurrent and correspond with the primary lease between the City of Kent and the Kent City School District Board of Education. The sub-lease between the Lessee and Sub-Lessee shall terminate or need to be suspended concurrent with any termination or suspension of the primary lease. The sub-lease will automatically renew unless either party gives a written notice not to renew to the other party, sixty (60) days prior to the expiration of the sub-lease or any subsequent automatic renewal periods.

b.) It is further agreed by the parties that this sub-lease may be reviewed and may be modified or terminated subject to the consent of the Lessee, Sub-Lessee and the Kent City School District Board of Education.

3) The Sub-Lessee agrees to pay rent for said premises in the amount of One Hundred Dollars (\$100.00) per month, payable on the first (1st) day of each month in advance to the Lessee. Rent payments paid after the fifteenth (15th) of each month will cause an additional Ten Dollar (\$10.00) late fee to be due and owing.

4) Sub-Lessee further agrees to use the premises for parking vehicles on Saturdays, Sundays and on weekday evenings after 6PM. The premises shall not be used for any other purpose without the written consent of both the Lessee and the Kent City School District Board of Education.

5) Upon non-payment of any of the rent for thirty (30) days after it becomes due or upon the breach of any of the agreement herein, the Lessee may terminate this lease and re-enter and repossess the premises without prejudice to the Sub-Lessee.

6) The Lessee agrees that the Sub-Lessee shall be able to use the premises during the term of the lease without any hinderance by the Lessee.

7) The Sub-Lessee will make no alterations to the premises without the written consent of the Lessee and the Kent City School District Board of Education.

8) The Sub-Lessee may not sublet the parking spaces.

9) The Sub-Lessee agrees to hold Lessee and the Kent City School District Board of Education harmless for any and all injuries and damages occurring on the property, including legal costs, if any, unless some act or omission of Lessee was the substantial and proximate cause for such injuries and/or damages incurred.

10) During the term of this Sub-Lease, the Sub-Lessee shall be solely responsible for snow removal needed to provide access for weekend services.

11) In the event an unforeseen event, such as an act of God/natural disaster, occurs which makes one of the Kent City School buildings uninhabitable for students and staff, and the Board of Education thereafter determines that Central School must be re-occupied to maintain the educational program of the District, Lessee and Sub-Lessee agree to surrender the property and void the lease within fifteen (15) days of the Board of Education's written request.

12) This lease shall be governed under the laws of the State of Ohio.

Lessee and Sub - Lessee have executed this agreement this _____ day of _____, 2012.

UNIVERSALIST UNITARIAN CHURCH OF KENT
228 Gougler Avenue
Kent, Ohio 44240

CITY OF KENT, OHIO
325 South Depeyster Street
Kent, Ohio 44240

By: _____
Christopher Gargoline, Moderator
Unitarian Universalist Church of Kent

By: _____
Dave Ruller, City Manager

By: _____
David Coffee
Budget & Finance Director

APPROVED AS TO FORM

James R. Silver, Law Director
City of Kent, Ohio

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Dave Ruller
Linda Copley

FROM: Jim Bowling

DATE: January 18, 2012

RE: Downtown Parking Management Proposal

Staff is requesting council time to discuss parking management changes necessitated by the addition of parking resources and uses in downtown. The downtown development includes construction of several new parking resources owned and maintained by the City. In addition, the overall plan for parking downtown requires more effective use of the existing parking available downtown to support the redevelopment. In order to meet these needs, City Staff in conjunction with representatives from downtown businesses developed a proposed parking management plan. The parking team received direction from the parking action committee on the goals for the parking management plan. A copy of the memo summarizes the goals established are attached.

The staff would like to present the plan developed and approved by the parking action committee and to request approval from council to proceed with the development of the parking management changes.

C: Bill Lillich
Gene Roberts
Gary Locke
Dan Smith
file

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Bill Arthur
Mary Gilbert
Lori Wernhoff
Dan Smith
Bill Lillich
Gary Locke

FROM: Jim Bowling

DATE: October 6, 2010

RE: Parking Management Program - Goals

All,

I appreciate you volunteering your time and knowledge to determine a revised parking program that will allow the continued growth of downtown to be as successful as possible. The following are the goals of the parking management program that we discussed at the October 5, 2010 Parking Action Committee Meeting:

Parking Management Goals:

- The parking program must be business friendly and support office and retail uses in downtown Kent.
- The parking program must be simple. Visitors to our City must be able to find safe, proximate, well maintained parking and know they can leave their car safely in that spot.
- The parking program needs to be flexible and changeable with as little obstacles as possible to react to the market demand that will be generated with the continued development of downtown.
- The parking program should propose a reasonable public investment level to support downtown living and other uses of overnight parking.
- The parking program must not add additional annual operating costs to the City taxpayers.
- The parking program must also address the method of management as this is critical to the proper functioning of the program.
- One agency required to be accountable, responsible and have the authority to manage the program within the guidelines set aside by City Council.

C: Dave Ruller
Howard Boyle
Chuck Ignatz
file

**City of Kent
Income Tax Division**

December 31, 2011

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

Monthly Receipts

Total receipts for the month of December, 2011	\$834,781
Total receipts for the month of December, 2010	\$904,915
Total receipts for the month of December, 2009	\$852,239

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 December 31, 2011	\$10,711,766	102.02%
Total receipts January 1 through December 31, 2010	\$10,453,032	100.00%
Total receipts January 1 through December 31, 2009	\$10,482,215	100.00%

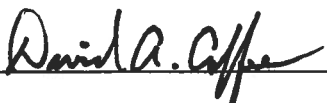
Year-to-date Receipts Through December 31, 2011 - Budget vs. Actual

<u>Year</u>	<u>Annual Budgeted Receipts</u>	<u>Revised Budgeted Receipts</u>	<u>Year-to-date Actual Receipts</u>	<u>Percent Collected</u>	<u>Percent Remaining</u>
2011	\$ 10,500,000	\$ 10,500,000	\$10,711,766	102.02%	-2.02%

Comparisons of Total Annual Receipts for Previous Five Years

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

Submitted by



, Director of Budget and Finance

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

Monthly Receipts				Comparisons	
Month	2009	2010	2011	Amount	Percent Change
January	\$ 731,968	\$ 952,296	\$ 1,026,357	\$ 74,061	7.78%
February	1,083,705	785,233	788,986	3,753	0.48%
March	845,720	809,613	823,680	14,067	1.74%
April	993,055	1,026,687	1,057,137	30,450	2.97%
May	988,003	877,364	1,006,438	129,074	14.71%
June	867,634	798,635	844,726	46,091	5.77%
July	824,083	828,960	848,105	19,145	2.31%
August	858,853	865,224	873,559	8,335	0.96%
September	729,239	762,176	825,343	63,167	8.29%
October	886,840	961,274	939,121	(22,153)	-2.30%
November	820,876	880,655	843,533	(37,122)	-4.22%
December	852,239	904,915	834,781	(70,134)	-7.75%
Totals	\$ 10,482,215	\$ 10,453,032	\$ 10,711,766	258,734	2.48%

Year-to-Date Receipts				Comparisons	
Month	2009	2010	2011	Amount	Percent Change
January	\$ 731,968	\$ 952,296	\$ 1,026,357	\$ 74,061	7.78%
February	1,815,673	1,737,529	1,815,343	77,814	4.48%
March	2,661,393	2,547,142	2,639,023	91,881	3.61%
April	3,654,448	3,573,829	3,696,160	122,331	3.42%
May	4,642,451	4,451,193	4,702,598	251,405	5.65%
June	5,510,085	5,249,828	5,547,324	297,496	5.67%
July	6,334,168	6,078,788	6,395,429	316,641	5.21%
August	7,193,021	6,944,012	7,268,988	324,976	4.68%
September	7,922,260	7,706,188	8,094,331	388,143	5.04%
October	8,809,100	8,667,462	9,033,453	365,991	4.22%
November	9,629,976	9,548,117	9,876,985	328,868	3.44%
December	10,482,215	10,453,032	10,711,766	258,734	2.48%
Totals	\$ 10,482,215	\$ 10,453,032	\$ 10,711,766	258,734	2.48%

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

Monthly Receipts				Comparisons	
Month	2009	2010	2011	Amount	Percent Change
January	\$ 344,562	\$ 422,779	\$ 406,862	\$ (15,917)	-3.76%
February	346,921	328,502	336,710	8,208	2.50%
March	344,275	349,936	362,390	12,454	3.56%
April	346,865	350,591	357,231	6,640	1.89%
May	340,901	348,819	354,925	6,106	1.75%
June	335,596	345,261	349,038	3,777	1.09%
July	320,155	334,650	337,910	3,260	0.97%
August	366,601	381,241	370,933	(10,308)	-2.70%
September	287,150	291,775	298,038	6,263	2.15%
October	348,108	370,956	352,815	(18,141)	-4.89%
November	353,917	370,551	358,685	(11,866)	-3.20%
December	355,737	372,404	360,837	(11,567)	-3.11%
Totals	\$ 4,090,788	\$ 4,267,465	\$ 4,246,372	\$ (21,093)	-0.49%

Year-to-Date Receipts				Comparisons	
Month	2009	2010	2011	Amount	Percent Change
January	\$ 344,562	\$ 422,779	\$ 406,862	\$ (15,917)	-3.76%
February	691,483	751,281	743,572	(7,709)	-1.03%
March	1,035,758	1,101,217	1,105,962	4,745	0.43%
April	1,382,623	1,451,808	1,463,193	11,385	0.78%
May	1,723,524	1,800,627	1,818,117	17,490	0.97%
June	2,059,120	2,145,888	2,167,155	21,267	0.99%
July	2,379,275	2,480,538	2,505,065	24,527	0.99%
August	2,745,876	2,861,779	2,875,997	14,218	0.50%
September	3,033,026	3,153,554	3,174,035	20,481	0.65%
October	3,381,134	3,524,510	3,526,851	2,341	0.07%
November	3,735,051	3,895,061	3,885,535	(9,526)	-0.24%
December	4,090,788	4,267,465	4,246,372	(21,093)	-0.49%
Totals	\$ 4,090,788	\$ 4,267,465	\$ 4,246,372		

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

Comparisons of Total Annual Receipts for Previous Five Years

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

KENT POLICE DEPARTMENT
DECEMBER 2011

	DECEMBER 2010	DECEMBER 2011	TOTAL 2010	TOTAL 2011
CALLS FOR SERVICE	1306	1385	20669	19470
FIRE CALLS	331	304	4087	4105
ARRESTS, TOTAL	124	168	2110	2066
JUVENILE ARRESTS	4	18	186	208
O.V.I. ARRESTS	17	25	214	237
TRAFFIC CITATIONS	193	242	3247	2841
PARKING TICKETS	214	189	2915	2468
ACCIDENT REPORTS	89	76	839	856
Property Damage	59	49	526	540
Injury	7	12	114	125
Private Property	13	12	147	134
Hit-Skip	10	3	52	57
OVI Related	1	5	13	27
Pedestrians	0	2	9	13
Fatals	0	0	0	0
U.C.R. STATISTICS				
Homicide	0	0	1	2
Rape	-2	0	8	6
Robbery	0	0	9	17
Assault Total	17	22	217	235
Serious	0	3	21	33
Simple	17	19	196	202
Burglary	8	13	156	146
Larceny	22	38	451	472
Auto Theft	3	3	24	32
Arson	0	0	19	16
TOTAL	48	76	885	926
CRIME CLEARANCES				
Homicide	0	0	1	2
Rape	0	0	4	1
Robbery	0	1	4	6
Assault Total	9	21	163	182
Serious	0	2	10	20
Simple	9	19	153	162
Burglary	0	0	21	17
Larceny	4	11	50	80
Auto Theft	0	0	7	4
Arson	0	0	3	2
TOTAL	13	33	253	294

M. Lee

CITY OF KENT
HEALTH BOARD MEETING
JANUARY 17, 2012 5:30 PM.
KENT CITY HEALTH DEPARTMENT OFFICES
325 S. DEPEYSTER STREET
KENT, OH 44240
Phone (330) 678-8109 Fax (330) 678-2082

AGENDA

- I. MINUTES December 13, 2011 Meeting
- II. OPEN COMMENTS
- III. REPORTS
 - A. Statistical Report for December 2011
 - B. Expenditures & Encumbrances December 2011
 - C. Commissioner's Report for December 2011
- IV. OLD BUSINESS
 - A. Portage County Public Health Task Force – Improvement Standards
 - B. Transfer of Health Dept. Laboratory to Service Dept.
 - C. Indigent Burials
- V. NEW BUSINESS
 - A. Health Department Staffing and Open Position
 - B. Strategic Planning Project
 - C. Housing Code
 - D. Food Service Policy on Water Main Breaks
- VI. EXECUTIVE SESSION
- VII. ADJOURN MEETING

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

JN/trr

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

Kent City Health Department
 325 S. Depeyster Street
 Kent, Ohio 44240
 HEALTH BOARD MINUTES
 December 13, 2011

Board Members Present

Doug Wagener
 Chris Woolverton
 Susan Roxburgh
 Marchelle Bobbs
 Jack Amrhein

Staff Present

Jeff Neistadt
 Tracy Radovic

Guests Present

Rose Ferraro

Board Members Absent

Pam Freeman

Chris Woolverton called to order the Health Board Meeting of December 13, 2011 at 5:30 pm.

The minutes from the November 8, 2011 meeting were distributed and reviewed by the Health Board members prior to the meeting.

Motion: A motion was made by Doug Wagener and seconded by Susan Roxburgh to approve the minutes of the November 2011 meeting. The motion passed.

Statistical Report for November 2011

Expenditures & Encumbrances

VENDOR	ITEM DESCRIPTION	AMOUNT
Treasurer, State of Ohio	FSO Transmittal fees for October 2011	\$84.00
Treasurer, State of Ohio	Child abuse & Family violence prevention transmittal fees for October	\$1,444.82
Ohio Div. Real Estate	Transmittal fee for Burial Permit Issuance	\$84.00
Standard Register	Receipt forms for Cash drawer	\$485.25
Bissler & Sons F.H.	Cremation Services for indigent Kent Resident Lisa Spaur	\$1,000.00
Bissler & Sons F.H.	Cremation Services for indigent Kent Resident Julie Krepp	\$1,000.00
Taylor Construction & Restoration	Secure & Clean up exterior of property at 221 Columbus St. due to Fire	\$723.03
Wood-Kortright-Borkoski F.H.	Cremation Services for indigent Kent Resident Robert Liber	\$1,000.00
Cole Parmer	Replacement Lab Supplies	\$504.17
Cole Parmer	Replacement Lab Chemicals	\$481.00
Quill Corporation	Xerox paper	\$60.80
AOHC	AOHC dues for Jeff Neistadt for 2012	\$600.00
	TOTAL	\$7,467.07

<u>Travel & Reimbursements</u>		
Jonnette Demboski	Mileage Reimbursement for October	\$214.90
		\$214.90

Motion: A motion was made by Susan Roxburgh and seconded by Doug Wagener to approve the Expenditures and Encumbrances for the month of November 2011. The motion passed.

Commissioner's Report

Tom Beckett's last day is Thursday, December 15th. Trevor Jones from the lab will be replacing Tom and his start date is Tuesday, January 3rd.

Trevor Jones has been shadowing Tom Beckett and Jonnette Demboski on several inspections including housing, food service, and swimming pool inspections. This will continue to occur until his official start date.

There were 3 more indigent burials this month. A PowerPoint presentation on indigent burials was included in the health board packet as a basis for discussion going forward on the issue.

The health department condemned the home located at 221 Columbus Street. The tenant was a hoarder and a fire occurred at the home destroying the main level of the house. There were also reports of several litters of kittens in the home. Animal control and the health department inspected the residence several times for possible evidence of cats still located in the home.

New daily reporting forms have been implemented to accurately account for time and inspections.

The health department had a staff meeting on Thursday, December 8. Topics of discussion included the new daily reporting forms, changes in personnel, and staff responsibilities for the first 3 months of 2012.

As the city is being slow on determining if and how much to reimburse for personal cell phone use, the health department will be getting cell phones in the first part of 2012 for business use only.

The city is currently drafting a new time card policy which may force health department employees to clock in and clock out using the time clock located by side entrance to the building.

The policy is still in draft form and will be discussed at future City Management Meetings.

Jeff will be attending the new Health Commissioner University being held by AOHC on January 18th – 20th in Columbus.

There has been an insurgence of the Lone Star Tick (Rocky Mountain spotted fever) and the Blacklegged Tick (Lyme disease) in Ohio this year. Department of Agriculture and ODH are working diligently together to get out information to the local health departments on this issue.

Jeff stated that he will be chairing a committee with an individual from Kent State University for an event called Heart Chase from the American Heart Association. This would be good opportunity to start working with the University on health related issues and to start to bridge the gap between the City of Kent and Kent State.

Open Comments – Rose Ferraro was invited to the Health Board Meeting to present information on programs offered through the Portage County Health Department.

Rose distributed a Communicable Disease Report for November and the follow-ups done for Kent residents. A discussion took place regarding Pertussis, Chlamydia and Influenza surveillance. There were 2 Cryptosporidium diseases in Kent. 1 was a 15 month old in a homeless shelter and the second was an unemployed student in Kent. Both patients were contacted and educated on the disease.

Portage County distributes The Health Tribune newsletter which goes out monthly. There is a different monthly topic, and the newsletter is meant for communication and educational purposes.

Portage County now has a Child Passenger Safety Program that focuses on proper safety seat restraints for children while being a passenger in a motor vehicle. Through funds provided by the Ohio Department of Health, eligible families can receive a free child safety seat and/or booster seat along with education on properly restraining children.

Portage County provides News Releases to local media, physician's offices, schools, vets, etc., regarding public health issues such as rabies, HIV testing sites, flu shot clinics, etc.

Portage County is continuing with the Public Health Emergency Preparedness program (PHEP) which is run and monitored by Kim Villers. PHEP meets monthly.

Old Business

Doug Wagener gave an update on the Portage County Public Health Community Task Force December meeting. He stated it was a good meeting. A draft report was submitted and task force members were asked to review and comment.

Chris Woolverton stated that now that the 10 essential services have been identified, the Board's goal now is to work with Jeff to outline a strategic plan and then bring those components to the meeting and work on them a little each meeting.

Jeff stated that he has been meeting regularly with Gene Roberts regarding the status of the Health Laboratory. Jeff distributed a packet of information to the Board regarding the transfer of personnel to the service department as well as budgeting requests for staff for 2012. There will be a presentation to council at the January meeting to move this forward.

Motion: A motion was made by Doug Wagener and seconded by Marchelle Bobbs to transfer the Health Laboratory to the Service Department. The motion passed.

Food License fee changes for 2012 – 3rd and Final Reading. Mobiles will increase to \$170 from \$163. Temporary Permits will be reduced from \$38 to \$36. And the Plan Review fee for new operations and establishments will be increased from 20% to 30% of the Health Department Fee. All other fees will stay the same.

New Business

The 2012 Nursing Contract with Portage County was discussed.

Motion: A motion was made by Jack Amrhein and seconded by Doug Wagener to approve the contract with Portage County Health Department for Nursing Services. The motion passed.

Motion: A motion was made by Susan Roxburgh and seconded by Marchelle Bobbs to amend that agreement to include a 30 day termination clause in that agreement. The motion passed.

Jeff told Health Board that Wild Animal Nuisance Laws will be enforced by local health offices.

Jeff stated that the Home Sewage Disposal system Inspections for Kent have been handled by Portage County for quite some time through Resolution 2002-1. It is recommended that this resolution be repealed. Jeff stated that it is no longer necessary

for Portage County Health Department Staff to perform these inspections since he has a sewage system background and is familiar with the laws.

Motion: A recommendation was made by Jeff Neistadt and seconded by Susan Roxburgh to repeal the Resolution 2002-1. The motion passed.

Townhall II 2012 Contract for the medical indigent clinic and the STD testing was discussed. Jeff recommended that the STD testing contract be rescinded, since it has not been used by any residents for a couple years now and that the Indigent Clinic continue with an amendment including 30 day termination language.

Motion: A motion was made by Marchelle Bobbs and seconded by Doug Wagener to rescind the contract for STD Testing with Townhall II. The motion passed.

Motion: A motion was made by Doug Wagener and seconded by Marchelle Bobbs to approve the Medical Indigent Clinic agreement for 2012. The motion passed.

Motion: A motion was made by Doug Wagener and seconded by Marchelle Bobbs to amend the Medical Indigent Clinic agreement for 2012 to include a 30 day termination clause. The motion passed.

Executive Session

Motion: A motion was made by Chris Woolverton and seconded by Doug Wagener to enter into executive session at 7:14 p.m. requesting the presence of the Health Commissioner to discuss the hiring of a new Deputy Health Commissioner. Approved by roll call vote: Roxburgh- Aye; Woolverton- Aye; Bobbs- Aye; Amrhein- Aye; and Wagener- Aye.

Motion: A motion to return from Executive Session at 7:48 pm. was made by Doug Wagener and seconded by Jack Amrhein with nothing to report. Approved by roll call vote: Roxburgh- Aye; Woolverton- Aye; Bobbs- Aye; Amrhein- Aye; and Wagener- Aye.

Being that no further business or discussions were on the Agenda, Chris Woolverton adjourned the December Health Board Meeting.

Motion: A motion to adjourn the meeting of December 13, 2011 was made by Chris Woolverton. With no objection, the meeting adjourned.

Approved:

Chris Woolverton, President

Jeff Neistadt, Secretary

KENT HEALTH DEPARTMENT STATISTICAL REPORT 2011

	Dec. 2011	YTD 2011	December 10	YTD 2010
HEALTH DEPT. \$ COLLECTED				
FamAbuse fund	\$ 534.00	\$ 5,395.50	\$ 369.00	\$ 4,548.00
Vital Stats Rev.	\$ 3,026.00	\$ 30,574.50	\$ 2,091.00	\$ 25,772.00
Child Abuse	\$ 1,068.00	\$ 10,791.00	\$ 738.00	\$ 9,096.00
State VS	\$ 3,204.00	\$ 32,373.00	\$ 2,214.00	\$ 27,288.00
B Perm Rev	\$ 18.50	\$ 198.50	\$ 19.50	\$ 185.00
B Perm State	\$ 92.50	\$ 992.50	\$ 97.50	\$ 925.00
Food Estab.	\$ 408.40	\$ 12,061.40	\$ 372.40	\$ 10,718.65
Food Service	\$ 511.60	\$ 44,474.60	\$ 315.00	\$ 41,390.30
FSO Vending	\$ 0.00	\$ 649.50	\$ 0.00	\$ 655.00
Home Sewage	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Housing	\$ 2,785.00	\$ 73,485.00	\$ 3,320.00	\$ 74,100.00
Swim Pools	\$ 0.00	\$ 3,280.00	\$ 0.00	\$ 3,262.50
SolWst(Trks)	\$ 0.00	\$ 795.00	\$ 0.00	\$ 855.00
Tattoo Parlors	\$ 300.00	\$ 700.00	\$ 0.00	\$ 300.00
*Misc(Xerox, etc.)	\$ 8.00	\$ 225.67	\$ 0.00	\$ 46.90
*overpayment Australia	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
**ST Subsidy	\$ 0.00	\$ 10,701.23	\$ 0.00	\$ 5,455.82
TOTAL COLLECTED	\$ 11,956.00	\$ 226,697.40	\$ 9,536.40	\$ 204,598.17
 TO STATE				
FamAbuse fund	\$ 517.99	\$ 5,233.65	\$ 357.94	\$ 4,411.52
Food Estabs	\$ 28.00	\$ 1,092.00	\$ 28.00	\$ 1,036.00
Bur.Permits	\$ 92.50	\$ 932.50	\$ 97.50	\$ 925.00
Child Abuse	\$ 1,035.96	\$ 10,467.27	\$ 715.86	\$ 8,823.12
State VS QTRLY	\$ 3,204.00	\$ 32,373.00	\$ 2,214.00	\$ 27,288.00
Food Service	\$ 28.00	\$ 3,608.00	\$ 28.00	\$ 3,472.00
Food Vendors*	\$ 0.00	\$ 138.00	\$ 0.00	\$ 138.00
Swim Pools	\$ 0.00	\$ 1,030.00	\$ 0.00	\$ 925.00
Wells	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
TOTAL	\$ 4,906.45	\$ 54,874.42	\$ 3,441.30	\$ 47,018.64
 TOTAL ASSETS	\$ 7,049.55	\$ 171,822.83	\$ 6,095.10	\$ 157,579.52
+Admin fee to Vital Stats	\$ 48.05	\$ 485.43	\$ 33.21	\$ 409.36
-3% FamAbuse	\$ 16.01	\$ 161.86	\$ 11.07	\$ 136.48
-3% ChildAbuse	\$ 32.04	\$ 323.73	\$ 22.14	\$ 272.88

STATISTICAL REPORT Cont.

Dec. 2011

YTD 2011

December 10

YTD 2010

INSPECTIONS

Animal Bites	0	69	6	78
Complaints	21	510	20	545
Food Estabs	16	214	22	237
Food Service	39	794	42	759
FSO Vending	0	60	3	45
Home Sewage	0	0	0	0
Housing	69	1,633	90	1,622
Schools	5	55	13	51
Solid Waste	0	44	0	27
Swimming Pls	0	129	5	144
Septic Haul.	0	0	0	0
Tattoo Parlors	2	14	0	15
Other	0	0	0	0
TOTAL	152	3,522	201	3,523

* () Number of Bites Reported

PERMIT/lic.

Food Estabs	1	40	1	37
Food Service	1	157	1	178
FS Vending	0	23	0	23
Home Sewage	0	0	0	0
Housing	21	523	24	538
Solid Waste	0	44	0	48
Swim Pools	0	15	0	14
Septic Haul.	0	0	0	0
Tattoo Parlors	2	6	0	3
Other	0	0	0	0
TOTAL	25	808	26	841

MOSQ.CONT.

Sites Treat.	0	36	0	38
Adulticide	0	4	0	7
Tot Man Hrs	0	117	0	174

COMPLAINTS

Received	7	191	4	247
Abated	9	187	3	244

LEGAL.COMPL.

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

COMM.DISEASE

	23	460	30	385
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VNA CLINICS IMMUNIZATIONS

	6	114	0	80
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32 Births / 324 Deaths

5 Bir / 241 Dea

BIRTHS / DEATH CERTS. ISSUED

	356	3593	246	3034
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