

ORDINANCE NO. 2024 - 131

AN ORDINANCE APPROPRIATING FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2025, AND DECLARING AN EMERGENCY.

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

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

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio:

SECTION 1. That to provide for the current expenses and other expenditures of the City of Kent for the fiscal year ending December 31, 2025, the appropriations set forth in Exhibit "A" attached hereto and incorporated herein, are hereby authorized.

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

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

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

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

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

contingency funds shall be made in an identical manner and shall also require prior Board of Control approval, in which instance the instructions to the Director shall bear the language "Charge to Contingency Fund per Board of Control authorization" or other similar words. Regardless of whether a contingency fund expenditure exceeds \$10,000, the same is hereby authorized without need for further legislation and the City Manager is hereby authorized to sign any and all such contracts which may relate hereto, with or without prior competitive biddings, as the City Manager shall decide, upon such terms or specifications as he or she shall desire, on behalf of the City of Kent, it being the intention of this Council that the authorizations hereby given satisfy fully the requirements of Ohio Revised Code Section 735.05 and supersede completely the requirements of Revised Code Sections 723.52 and 723.53 and constitute an exercise of the powers given to this Council by Section 3, Article XVIII of the Ohio Constitution, as determined by the Supreme Court of Ohio in the case of State ex rel. Cronin v. Wald, 26 OS the Charter of the City of Kent, Ohio.

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

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

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

PASSED: December 18, 2024
Date

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

EFFECTIVE: December 18, 2024
Date

ATTEST: Kathleen Coleman
Kathleen Coleman
Interim Clerk of Council

I, KATHLEEN COLEMAN, INTERIM CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. 2024-131, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON December 18, 2024.

(SEAL)

Kathleen Coleman
KATHLEEN COLEMAN
INTERIM CLERK OF COUNCIL

Exhibit A

2025 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
General Fund (001)						
City Council	\$ 232,425	\$ 81,695	\$ -	\$ -	\$ -	\$ 314,120
Mayor	13,725	3,400				17,125
Community Support		122,000				122,000
City Manager	398,785	55,597				454,382
Community Engagement	114,375	32,800				147,175
Information Technology	304,930	629,165				934,095
Urban Renewal		33,600				33,600
Human Resources	134,680	26,932				161,612
Law	376,840	121,743				498,583
Budget & Finance	562,980	149,625				712,605
Community Development	710,100	192,131				902,231
Economic Development	145,445	33,830				179,275
Public Parking		90,600				90,600
Main Street Program		75,600				75,600
Service Administration	171,410	451,809				623,219
Shade Tree		132,180	20,000			152,180
Sustainability	109,090	27,500				136,590
Building	420,830	46,785				467,615
Land banking		5,000				5,000
Engineering	286,530	181,476				468,006
Miscellaneous & Sundry		470,250				470,250
Contingency					100,000	100,000
Fund Total	<u>3,982,145</u>	<u>2,963,718</u>	<u>20,000</u>	<u>-</u>	<u>100,000</u>	<u>7,065,863</u>
West Side Fire (101)						
Fire	<u>213,185</u>	<u>38,800</u>				<u>251,985</u>
Fund Total	<u>213,185</u>	<u>38,800</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>251,985</u>
Street Construction Maintenance & Repair (102)						
Service	1,447,610	1,203,264				2,650,874
Contingency					25,000	25,000
Fund Total	<u>1,447,610</u>	<u>1,203,264</u>	<u>-</u>	<u>-</u>	<u>25,000</u>	<u>2,675,874</u>
State Highway (103)						
Service		100,000				100,000
Fund Total	<u>-</u>	<u>100,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>100,000</u>
Recreation (106)						
Parks & Recreation	<u>1,406,570</u>	<u>620,545</u>	<u>120,100</u>			<u>2,147,215</u>
Fund Total	<u>1,406,570</u>	<u>620,545</u>	<u>120,100</u>	<u>-</u>	<u>-</u>	<u>2,147,215</u>
Food Service (107)						
Health	<u>108,085</u>	<u>24,365</u>				<u>132,450</u>
Fund Total	<u>108,085</u>	<u>24,365</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>132,450</u>
Health Department (110)						
Administration	420,125	217,105				637,230
Workforce Grant	97,045	56,750				153,795
Tobacco Grant	20,000	24,000				44,000
Other Grants	4,855	123,555				128,410
Fund Total	<u>542,025</u>	<u>421,410</u>	<u>0</u>	<u>0</u>	<u>0</u>	<u>963,435</u>

2025 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Income Tax (116)</u>						
Budget/Finance/IncTaxAdmin	159,840	652,400				812,240
Managed Reserve				25,540		25,540
Fund Total	<u>159,840</u>	<u>652,400</u>	<u>-</u>	<u>25,540</u>	<u>-</u>	<u>837,780</u>
<u>Revolving Housing (120)</u>						
Health	159,305	21,295				180,600
Fund Total	<u>159,305</u>	<u>21,295</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>180,600</u>
<u>State & Local Forfeits (121)</u>						
Police						-
Fund Total	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Drug Law Enforcement (122)</u>						
Police		15,000				15,000
Fund Total	<u>-</u>	<u>15,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>15,000</u>
<u>Enforcement & Education (123)</u>						
Police		11,000				11,000
Fund Total	<u>-</u>	<u>11,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>11,000</u>
<u>Income Tax Safety (124)</u>						
Police	9,298,700	849,123				10,147,823
Fund Total	<u>9,298,700</u>	<u>849,123</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>10,147,823</u>
<u>Law Enforcement Trust (125)</u>						
Police						-
Fund Total	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Community Development Block Grant (126)</u>						
Community Development	1,155	162,275	170,000			333,430
Fund Total	<u>1,155</u>	<u>162,275</u>	<u>170,000</u>	<u>-</u>	<u>-</u>	<u>333,430</u>
<u>Fire & E.M.S. (128)</u>						
Fire	6,402,980	942,609	767,600			8,113,189
Fund Total	<u>6,402,980</u>	<u>942,609</u>	<u>767,600</u>	<u>-</u>	<u>-</u>	<u>8,113,189</u>
<u>Wireless 911 (129)</u>						
Safety						-
Fund Total	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>
<u>Swimming Pool Inspections (130)</u>						
Health	8,410	500				8,910
Fund Total	<u>8,410</u>	<u>500</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>8,910</u>
<u>Police Pension (132)</u>						
Police	160,000					160,000
Fund Total	<u>160,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>160,000</u>
<u>Fire Pension (133)</u>						
Fire	160,000					160,000
Fund Total	<u>160,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>160,000</u>

2025 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>UDAG / EDA-RLF (134)</u>						
City Manager/C.D.		50,000				50,000
Fund Total	-	50,000	-	-	-	50,000
<u>CHIP Grant (136)</u>						
City Manager/C.D.		75,000				75,000
Fund Total	-	75,000	-	-	-	75,000
<u>Local American Rescue Plan Act (138)</u>						
ARPA						0
Fund Total	-	-	-	-	-	0
<u>Water (201)</u>						
Service	2,146,095	1,205,099	2,770,000			6,121,194
Service (Capital Facilities)			225,000			225,000
Admin. Support	512,850	211,664	142,500			867,014
Budget & Finance (Debt)				124,204		124,204
Contingency					50,000	50,000
Fund Total	2,658,945	1,416,763	3,137,500	124,204	50,000	7,387,412
<u>Sewer (202)</u>						
Service	1,905,950	1,001,390	1,089,000			3,996,340
Service (Capital Facilities)			850,000			850,000
Admin. Support	438,290	144,764	63,300			646,354
Budget & Finance (Debt)				157,522		157,522
Contingency					50,000	50,000
Fund Total	2,344,240	1,146,154	2,002,300	157,522	50,000	5,700,216
<u>Utility Billing (204)</u>						
Budget & Finance		106,140				106,140
Fund Total	-	106,140	-	-	-	106,140
<u>Solid Waste (205)</u>						
Admin Support	49,630	177,494				227,124
Service	435,555	41,100	70,000			546,655
Fund Total	485,185	218,594	70,000	-	-	773,779
<u>Storm Water Utility (208)</u>						
Service	437,355	63,550	160,000			660,905
Service (Capital Facilities)			1,525,000			1,525,000
Admin. Support	319,320	89,960	4,800			414,080
Budget & Finance (Debt)				13,346		13,346
Fund Total	756,675	153,510	1,689,800	13,346	-	2,613,331

2025 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
Guaranteed Deposits (230)						
Budget & Finance		1,000				1,000
Fund Total	-	1,000	-	-	-	1,000
Capital Projects (301)						
Safety			115,000			115,000
Service			881,000			881,000
Service (Capital Facilities)			22,126,000			22,126,000
Administrative	286,530		90,400			376,930
Budget & Finance (Debt)				73,155		73,155
New City Hall (Debt)				456,520		456,520
Contingency					25,000	25,000
Fund Total	286,530	-	23,212,400	529,675	25,000	24,053,605
Municipal Public Improvement Tax Increment Equivalent (302)						
Service (Capital Facilities)						-
Budget & Finance (Debt)				419,685		419,685
Fund Total	-	-	-	419,685	-	419,685
Police Facility (303)						
Safety (Capital Facilities)		66,000	30,000			96,000
Budget & Finance (Debt)				1,030,260		1,030,260
Fund Total	-	66,000	30,000	1,030,260	-	1,126,260
Internal Service (807)						
Health Insurance		4,410,000				4,410,000
Fund Total	-	4,410,000	-	-	-	4,410,000
Total Appropriations	\$ 30,581,585	\$ 15,669,465	\$ 31,219,700	\$ 2,300,232	\$ 250,000	\$ 80,020,982
Original Appropriations	\$ 30,581,585	\$ 15,669,465	\$ 31,219,700	\$ 2,300,232	\$ 250,000	\$ 80,020,982
Amendment #1						-
Amendment #2						-
Amendment #3						-
Amendment #4						-
Amendment #5						-
Amendment #6						-
Amendment #7						-
Amendment #8						-
	\$ 30,581,585	\$ 15,669,465	\$ 31,219,700	\$ 2,300,232	\$ 250,000	\$ 80,020,982

2025 ORIGINAL APPROPRIATIONS - SCHEDULE OF OPERATING TRANSFERS AND TEMPORARY ADVANCES

<u>Operating Transfers</u>	<u>Paying Fund</u>	<u>Original</u>	<u>Request</u>	<u>Change</u>	<u>Receiving Fund</u>
Fund 116 - Income Tax		\$ 4,336,500			Fund 001 - General
Fund 116 - Income Tax		700,000			Fund 102 - St Const Maint & Repair
Fund 116 - Income Tax		4,567,280			Fund 124 - Income Tax Safety
Fund 116 - Income Tax		4,567,280			Fund 128 - Fire & E.M.S.
Fund 116 - Income Tax		3,813,280			Fund 301 - Capital Projects
Fund 116 - Income Tax		2,283,640			Fund 303 - Police Facility
Total Fund 116 Income Tax		20,267,980	-	-	
Fund 201 - Water		55,000			Fund 204 - Utility Billing
Fund 202 - Sewer		55,000			Fund 204 - Utility Billing
Fund 001 - General		700,000			Fund 110 - Health
Fund 001 - General		4,700,000			Fund 124 - Income Tax Safety
Fund 001 - General		3,700,000			Fund 128 - Fire & EMS
Subtotal - Total Operating Transfers		9,210,000	-	-	
Grand Total - All Transfers		\$ 29,477,980	\$ -	\$ -	

