

August 16, 2016

Key for reading this Section

~~Strikeout is deleted text from original/current ordinance or from previous draft.~~

Black text is the current code.

Red text is draft language proposed by fire and legal.

Some code sections are in green. I do not know why. Might be a hyperlink?

It does not mark anything.

PART FIFTEEN - FIRE PREVENTION CODE

- Chap. 1501. Ohio Fire Code
- Chap. 1502. National Fire Codes (Repealed)
- Chap. 1503. Open Burning
- Chap. 1505. Smoke Detection and Alarm Devices
- Chap. 1507. Bureau of Fire Prevention (Repealed)
- Chap. 1509. Fire Prevention Board (Repealed)
- Chap. 1511. Fire Damaged Structures
- Chap. 1519. Fireworks
- Chap. 1521. Underground Storage Tanks (Repealed)

CHAPTER 1501

Ohio Fire Code

- 1501.01 Adoption.
- 1501.02 Purpose.
- 1501.03 Application.
- 1501.04 Enforcement.
- 1501.05 Compliance.
- 1501.06 Posting arson laws.
- 1501.07 Setting fires which spread.
- 1501.08 Unfriendly fires in buildings; alarm duties.
- 1501.09 Disclosure of true Fire Safety Inspector status.
- 1501.10 Fire equipment sale or use; certification of installers.
- 1501.11 Copies.
- 1501.12 Conflict.
- 1501.99 Penalty.

CROSS REFERENCES

- See sectional histories for similar State law
- Appeals of orders - see Ohio R. C. 119.12
- State certification of firefighters - see Ohio R.C. 737.08, 737.22, 3737.33
- State certification of Fire Safety Inspectors - see Ohio R.C. 3737.01(C), 3737.34
- Fire investigation - see Ohio R.C. 737.27, 3737.24 et seq.
- Entry and inspection - see Ohio R. C. 737.34 et seq., 3737.14, 3737.41, 3737.42
- Common Pleas Court jurisdiction - see Ohio R.C. 3737.44(A), 3737.51(H)
- Ohio Fire Code - see Ohio R. C. 3737. 82 et seq.; OAC Ch. 1301:7-1 et seq.
- Fire extinguishing and alarm systems in rest and nursing homes - see Ohio R. C. 3721.071
- Self-service filling stations - see Ohio R. C. 3741.14
- Fireworks - see Ohio R.C. 3743.27, 3743.32 et seq.

1501.01 ADOPTION.

(a) There is hereby adopted by the Municipality, the **most current version of the 1998 Ohio Fire Code (OFC) in its entirety including appendices, as approved by the State Fire Marshal of Ohio.** ~~based on the BOCA National Fire Prevention Code/1996, Chapters 2 through 44 as published by the Building Officials and Code Administrators International Inc., with deletions, substitutions, and amendments as approved by the State of Ohio.~~ The BOCA National Fire Prevention Code/1996 administrative requirements are not adopted material and are replaced with administrative requirements promulgated by the State of Ohio, **Ohio Administrative Code OAC Chapters 1301:7-1 through 1301:7-5**, as the same now exists or as may be amended by future editions thereof.

(b) The effective date for each rule of the ~~1998~~ Ohio Fire Code varies and is indicated in each chapter individually.

(c) Where a special provision is made in a use group classification of ~~OBBC~~ **Ohio Building Code** and is inconsistent with a general provision of ~~OBBC~~ **Ohio Building Code** relating to buildings generally, the special provision governs, unless it appears that the provisions are cumulative. (OAC 4101:2-1-07).
(Ord. 1998-69. Passed 8-12-98. Amended by Ord. _____, Passed _____)

1501.02 PURPOSE.

~~The purpose of the Ohio Fire Code as adopted herein is to prescribe minimum standards and regulations governing conditions hazardous to life and property from fire or explosion.~~

The purpose of this code is to establish the minimum requirements consistent with nationally recognized good practice for providing a reasonable level of life safety and property protection from the hazards of fire, explosion or dangerous conditions in new and existing buildings, structures and premises, and to provide safety to fire fighters and emergency responders during emergency operations.

1501.03 APPLICATION.

The Ohio Fire Code as adopted herein applies to the use of all lands and properties within the Municipality and such other lands or properties owned by the Municipality which are situated outside the corporate limits thereof.

1501.04 ENFORCEMENT.

(a) No person shall serve as Municipal Fire Safety Inspector unless he/she has received a certificate issued by the **Ohio Department of Public Safety, Division of EMS** ~~Ohio Superintendent of Public Instruction~~ under ~~former~~ Ohio R. C. 3303.07 or **ORC 4765.55** evidencing his/her satisfactory completion of a fire safety inspection training program. (ORC 3737.34). **Only Municipal Fire Safety Inspectors may enforce Chapter 1501.**

(b) ~~Upon discovery of a violation of the Ohio Fire Code or the City of Kent Fire Prevention Code, in the sole discretion of the Municipal Fire Safety Inspector, the Municipal Fire Safety Inspector may seek to enforce the Ohio Fire Code or the City of Kent Fire Prevention Code, by initiating a criminal proceeding. For Municipal criminal proceedings, the complaint, warrant or summons, or the issuance of a citation in minor misdemeanor cases shall be, as is prescribed in the Ohio Rules of Criminal Procedure, by referencing the numerical designation of the applicable Municipal ordinance, including the specific provision of the Ohio Fire Code, or any order issued pursuant thereto, provided such order fixes a reasonable time for abatement of the violation. State enforcement proceedings for violation of Ohio R.C. Chapter 3737 or the Ohio Fire Code shall be as is prescribed in Ohio R. C. 3737.41 to 3737.46.~~

(1) **For Municipal criminal proceedings, the complaint, warrant or summons, or the issuance of a citation in minor misdemeanor cases shall be, as is prescribed in the Ohio Rules of Criminal Procedure, by referencing the numerical designation of the applicable Municipal**

ordinance, including the specific provision of the Ohio Fire Code, or any order issued pursuant thereto, provided such order fixes a reasonable time for abatement of the violation. State enforcement proceedings for violation of Ohio R.C. Chapter 3737 or the Ohio Fire Code shall be as is prescribed in Ohio R. C. 3737.41 to 3737.46.

- (2) A copy of such complaint or citation shall be prominently posted at or near each place a violation referred to occurs.
- (3) Upon request of the Municipal Fire Safety Inspector, the Municipal Legal Officer shall institute and prosecute any necessary action or proceeding to enforce this chapter or Ohio R. C. Chapter 3737.

(c) ~~A copy of such complaint or citation shall be prominently posted at or near each place a violation referred to occurs.~~ Upon discovery of a violation of the Ohio Fire Code or the City of Kent Fire Prevention Code, in the sole discretion of the Municipal Fire Safety Inspector, the Municipal Fire Safety Inspector may seek to enforce the Ohio Fire Code or the City of Kent Fire Prevention Code, by issuing a Fire Safety Notice of Violation.

- (1) The Fire Safety Notice of Violation will include but is not limited to:
 - i. The date the violation is issued.
 - ii. Pertinent code sections of the Ohio Fire Code or the City of Kent Fire Prevention Code that are being violated.
 - iii. Each violation will be numbered.
 - iv. Location of the property/business.
 - v. The person(s) owner/occupant being issued the citation.
 - vi. The signature of the Municipal Fire Safety Inspector.
 - vii. Imposition of inspection fees in accordance with the fee chart in 1501.04(e).

- (2) Service of Fire Safety Notice of Violation must be delivered by one or more of the following methods:
 - i. Hand delivered in person to business owner/occupant
 - ii. Certified Mail
 - iii. Electronic correspondence, if requested by the owner/occupant

- (3) Once Fire Safety Notice of Violation is issued:
 - i. The owner/occupant shall have thirty days (30) from the date on the Fire Safety Notice of Violation to correct the listed violations. The owner/occupant may contact the Fire Department Inspection Bureau before the end of the thirty day period if they wish to request a re-inspection prior to the end of the thirty day period. If a violation creates an immediate life safety hazard, the inspector may designate a shorter time frame to correct the violation.
 - ii. A re-inspection will be scheduled on or after the thirty day period.
 - iii. If all violations are corrected at the first re-inspection, no inspection fees will be assessed.

- iv. If there are violations that are not corrected, then inspection fees in accordance with the fee chart in 1501.04(e) may be imposed at the discretion of the Municipal Fire Safety Inspector.
- v. Unless the violation creates an immediate life safety hazard, subsequent re-inspections shall be (15) days from the previous re-inspection.
- vi. ~~There will be a fifty-dollar re-inspection fee for the second re-inspection. For each additional re-inspection up to three (3) the fee will be \$ 100 for each re-inspection.~~
- vii. If the violations have not been corrected after four (4) re-inspections have been completed, a Notice of Citation may be issued.
- viii. ~~If a violation is considered to be an immediate danger to life safety hazard then the violation may go directly to Notice of Citation and applicable fines may be imposed.~~

(4) Bases to waive inspection fees after assessing a Fire Safety Notice of Violation pursuant to 1501.04(c)(3)(iv) against a property owner may include but are not limited to:

- i. If parts or equipment have been ordered to resolve the violation, then proof must be provided in the form of an invoice or receipt that the items have been ordered.
- ii. A service professional has been scheduled to perform the necessary work. Proof must be provided in the form of an invoice or notice on company letterhead stating that the appointment has been scheduled.
- iii. The business owner demonstrates reasonable progress on correcting violations.
- iv. The interests of justice so require.

(d) ~~Upon request of the Municipal Fire Safety Inspector, the Municipal Legal Officer shall institute and prosecute any necessary action or proceeding to enforce this chapter or Ohio R. C. Chapter 3737.~~ Upon discovery of a violation of the Ohio Fire Code or the City of Kent Fire Prevention Code, in the sole discretion of the Municipal Fire Safety Inspector, the Municipal Fire Safety Inspector may seek to enforce the Ohio Fire Code or the City of Kent Fire Prevention Code, by issuing a Fire Safety Notice of Citation

- (1) The Fire Safety Notice of Citation will include, but is not limited to:
- i. The date the citation is issued.
 - ii. Pertinent code sections of the Ohio Fire Code or the City of Kent Fire Prevention Code that are being violated.
 - iii. Each violation will be numbered.
 - iv. Location of the property/business.
 - v. The person(s) owner/occupant being issued the citation.
 - vi. The signature of the Municipal Fire Safety Inspector.
 - vii. The possible penalty fee that may be imposed per violation.
 - viii. Each violation is subject to a fee fine of \$250 per violation.

- (2) **Delivery Service of Fire Safety Notice of Citation** must be delivered by any of the following means:
- i. Hand delivered in person to business owner/occupant (signature of person receiving document)
 - ii. Certified Mail (signature of person receiving document)
 - iii. Electronic correspondence, if requested by the owner/occupant request

(3) **Once Fire Safety Notice of Citation is issued**

- i. Once a Notice of Citation is issued, an automatic fine of \$250 per violation will be levied.
- ii. The owner/occupant shall have ten days (10) from the date on the Fire Safety Notice of Citation to correct the listed violations. The owner/occupant may contact the Fire Department Inspection Bureau before the end of the ten day period if they wish to request a re-inspection prior to the end of the ten day period. If a violation creates an immediate life safety hazard, the Municipal Fire Safety Inspector may designate a shorter time frame to correct the violation.
- iii. A re-inspection will be scheduled on or after the ten day period.
- iv. If there are violations that are not corrected in the time frame allotted by the Municipal Fire Safety Inspector, a new citation of \$250 for each remaining violation may be issued at the discretion of the Municipal Fire Safety Inspector.

(4) **Bases to reduce or waive the inspection fees and fines after assessing a Fire Safety Notice of Citation pursuant to 1501.04(d)(3)(iv) against a property owner may include but are not limited to:**

- i. If parts or equipment have been ordered to resolve the violation, then proof must be provided in the form of an invoice or receipt that the items have been ordered.
- ii. A service professional has been scheduled to perform the necessary work. Proof must be provided in the form of an invoice or notice on company letterhead stating that the appointment has been scheduled.
- iii. The business owner demonstrates reasonable progress on correcting violations.
- iv. The interests of justice so require.

(e) **A Contractor for new construction or a large remodel may request a “partial inspections” of life safety systems.**

- (1) A Contractor requesting partial inspections must disclose the nature of the partial inspection to the Municipal Fire Safety Inspector when scheduling the inspection.

- (2) A Contractor requesting partial inspections must disclose the nature of the partial inspection to the Municipal Fire Safety Inspector when scheduling the inspection.
- (3) Prior to commencing the inspection, the Municipal Fire Safety Inspector and Contractor must designate which areas of the new construction or large remodel shall be subject to review during the partial inspection.
- (4) If the Municipal Fire Safety Inspector and Contractor cannot agree on which areas shall be subject to inspection, the partial inspection request shall be denied.
- (5) For convenience, the Municipal Fire Safety Inspector and Contractor may agree to divide a project into multiple areas for inspection purposes.
- (6) Each specific area, for billing purposes only, shall be treated as a separate structure, allowing for no charge on the initial inspection and first re-inspection. At the Municipal Fire Safety Inspector's discretion, multiple re-inspections of the same area may incur a re-inspection fee.

(f) **Proposed Fee Schedule Chart and Fine Chart**

EVENT	Charge*	Fine or Fee
Initial Inspection	\$0	Not applicable
First re-inspection after issuing a Fire Safety Notice of Violation	\$0	Not applicable
Second re-inspection after issuing a Fire Safety Notice of Violation	\$50	Fee
Third re-inspection after issuing a Fire Safety Notice of Violation	\$100	Fee
Fourth re-inspection after issuing a Fire Safety Notice of Violation	\$100	Fee
Fire Safety Notice of Citation	\$250 per violation	Fine
Acceptance testing initial inspection	\$0	Not applicable
Acceptance testing re-inspection	\$100	Fee
Life Safety System initial inspection	\$0	Not applicable
Life Safety System re-inspection fee	\$100	Fee

* This fee or fine is in addition to any and all prior fees or fines that have been assessed but not yet collected.

(g) **Rights of Appeal**

- (1) If a property owner receives a Fire Safety Notice of Violation or a Fire Safety Notice of Citation based upon a violation of the Ohio Fire Code, the property owner may appeal the Municipal Fire Safety Inspector's decision to the State of Ohio Board of Building Appeals in accordance with ORC 3781.19.

(2) If a property owner receives a Fire Safety Notice of Violation or a Fire Safety Notice of Citation based upon a violation of the City of Kent Fire Prevention Code, the property owner may appeal the Municipal Fire Safety Inspector's decision to the City of Kent Fire Chief.

(i) An appeal under this ordinance must be delivered in writing to the City of Kent Fire Chief within fourteen (14) days of the date on the Fire Safety Notice of Violation or Fire Safety Notice of Citation.

(ii) If the appeal is received in a timely fashion, the City of Kent Fire Chief shall schedule a Hearing at the convenience of the parties, but no later than thirty (30) days of receiving the appeal.

(iii) The City of Kent Fire Chief may conduct the Hearing or appoint a representative or board of representatives to act as Hearing Officer(s).

(iv) The Hearing may be informal, but all witnesses shall be placed under oath and recorded. The City of Kent Fire Chief or the Hearing Officer(s) shall consider any sworn testimony and/or any written evidence submitted.

(v) The decision of the City of Kent Fire Chief or the Hearing Officer(s) shall be final, subject only to any appeal allowed under State of Ohio law.

1501.05 COMPLIANCE.

(a) No person shall knowingly violate any provision of the Ohio Fire Code as adopted herein or any order issued pursuant thereto.

(ORC 3737.51(A))

(b) No person shall fail to comply with the fire prevention measures or fire protection activities as prescribed in the Ohio Fire Code, or fail to obtain a permit or license for the various uses or activities as required by such Code, or fail to comply with the Municipal application and plan submission and processing requirements including payment of the fees designated therefor.

1501.06 POSTING ARSON LAWS.

The owner, operator or lessee of any transient residential building shall post the provisions of Ohio R. C. 2909.02 and 2909.03 in a conspicuous place in each room occupied by guests in such building. The owner, operator or lessee of any nontransient residential building, institution, school or place of assembly shall post the provisions of such sections in conspicuous places upon such premises. No person shall fail to comply with this section.

(ORC 3737.61)

1501.07 SETTING FIRES WHICH SPREAD.

No person shall set, kindle or cause to be set or kindled any fire, which through his/her negligence, spreads beyond its immediate confines to any structure, field or wood lot.

(ORC 3737.62)

1501.08 UNFRIENDLY FIRES IN BUILDING; ALARM DUTIES.

(a) The owner, operator or lessee, an employee of any owner, operator or lessee, an occupant, and any person in direct control of any building regulated under the Ohio Basic Building Code, upon the discovery of an unfriendly fire, or upon receiving information that there is an unfriendly fire on the premises, shall immediately, and with all reason-able dispatch and diligence, call or otherwise notify the Fire Department concerning the fire, and shall spread an alarm immediately to all occupants of the building.

(b) For the purposes of this section, "unfriendly fire" means a fire of a destructive nature as distinguished from a controlled fire intended for a beneficial purpose.

(c) No person shall fail to comply with this section.

(ORC 3737.63)

1501.09 DISCLOSURE OF TRUE FIRE SAFETY INSPECTOR STATUS.

No person who is not a certified Fire Safety Inspector shall act as such or hold himself out to be such, unless prior to commencing any inspection function, he/she discloses the purpose for which he/she is making such inspection and the fact that he/she is not employed by any state or local fire service or agency, and that he/she is not acting in an official capacity for any governmental subdivision or agency.

(ORC 3737.64)

1501.10 FIRE EQUIPMENT SALE OR USE; CERTIFICATION OF INSTALLERS.

(a) No person shall sell, offer for sale, or use any fire protection or fire fighting equipment that does not meet the minimum standards established by the Ohio Fire Marshal in the Ohio Fire Code.

(b) Except for public and private mobile fire trucks, no person shall service, test, repair or install for profit any fire protection or fire fighting equipment without a certificate issued by the Ohio Fire Marshal.

(ORC 3737.65)

~~1501.11 COPIES.~~ ACCEPTANCE TESTING

~~Copies of Codes as adopted in this chapter are on file with the Council Clerk for inspection by the public, and also on file in the County Law Library, and the Clerk has copies available for distribution to the public at cost.~~

(a) Initial Acceptance Test

- (1) ~~A City of Kent Certified Municipal Fire Safety Inspector will conduct the initial acceptance test without imposing a fee.~~
- (2) ~~If the acceptance test has to be stopped and re-scheduled, subsequent tests may have a fee of \$100 each~~

(b) Reasons for stopping the Acceptance Testing test may include but are not limited to:

- (1) Work not fully completed.
- (2) Failure of a component of the system being tested or the testing equipment.
- (3) Contractor not being able to supply a valid license to perform the work that was completed.
- (4) Contractor not being able to supply an approved set of architectural stamped drawings.
- (5) Contractor fails to appear at the scheduled appointment.
- (6) Contractor fails to coordinate with other involved contractors that are required to complete the acceptance test.

1501.12 CONFLICT.

(a) The rules of the Ohio Board of Building Standards including the Ohio Basic Building Code shall supersede and govern any order, standard, or rule of the Department of Commerce, Division of State Fire Marshal including the Ohio Fire Code, in all cases where such orders, standards, or rules are in conflict with such rules of the Ohio Basic Building Code, except that rules adopted and orders issued by the State Fire Marshal pursuant to Ohio R.C. Chapter 3743 entitled "Fireworks" prevail in the event of conflict.

(OAC 4101:2-1-04(B))

(b) In all other cases of conflict between the Ohio Fire Code and any other Municipal ordinance or technical code adopted thereby, the more restrictive provision shall govern.

1501.99 PENALTY.

(a) Criminal Penalties.

(1) Whoever violates Section 1501.05(a) is guilty of a misdemeanor of the first degree. (ORC 3737.99(B))

(2) Whoever violates Sections 1501.05(b) or 1501.06 is guilty of a minor misdemeanor. (ORC 3737.99(C))

(3) Whoever violates Sections 1501.07 or 1501.09 is guilty of a misdemeanor of the fourth degree. (ORC 3737.99(D))

(4) Whoever violates Sections 1501.08 or 1501.10 is guilty of a misdemeanor of the third degree. (ORC 3737.99(E))

(b) Civil Penalties.

(1) **Civil penalties under this Chapter are governed by 1501.04 Enforcement.** ~~Any person who has received a citation for a serious violation of the Ohio Fire Code or any order issued pursuant to it, shall be assessed a civil penalty of not more than one thousand dollars (\$1,000) for each such violation.~~

~~—(2)— Any person who has received a citation for a violation of the Ohio Fire Code or any order issued pursuant to it, and such violation is specifically determined not to be of a serious nature, may be assessed a civil penalty of not more than one thousand dollars (\$1,000) for each such violation.~~

~~— (3) — Any person who fails to correct a violation for which a citation has been issued within the period permitted for its correction, may be assessed a civil penalty of not more than one thousand dollars (\$1,000) for each day during which such failure or violation continues.~~

~~— (4) — Any person who violates any of the posting requirements, as prescribed by Section 1501.04(c), shall be assessed a civil penalty of not more than one thousand dollars (\$1,000) for each violation.~~

~~— (5) — Due consideration to the appropriateness of the penalty with respect to the gravity of the violation, the good faith of the person being charged, and the history of previous violations shall be given whenever a penalty is assessed under this chapter.~~

~~— (6) — For purposes of this section, a serious violation shall be considered to exist if there is a substantial probability that an occurrence causing death or serious physical harm to persons could result from a condition which exists, or from one or more practices, means, methods, operations or processes which have been adopted or are in use, unless the person did not and could not with the exercise of reasonable diligence, know of the presence of the violation.~~

~~— (7) (2) Civil penalties imposed by this chapter shall be paid to the Municipal Chief Fiscal Officer for deposit into the General Revenue Fund. Such penalties may be recovered in a civil action in the name of the Municipality brought in the Court of Common Pleas.~~

~~(ORC 3737.51(B) to (H))~~

CHAPTER 1502
National Fire Codes

~~**1502.01**—Adopted; file and distribution copies.~~

~~**1502.99**—Penalty.~~

~~(THIS CHAPTER WAS REPEALED BY ORDINANCE NO. 2016-___, PASSED BY
KENT CITY COUNCIL ON _____, 2016)~~

CROSS REFERENCES

~~Adoption by reference—see Ohio R.C. 731.231~~

~~Fire Protection equipment in rooming houses—see BLDG. [1365.01](#)~~

~~**1502.01**—ADOPTED; FILE AND DISTRIBUTION COPIES.~~

~~—(a)—There is hereby adopted and incorporated by reference as if set out at length herein for the purpose of prescribing regulations governing conditions hazardous to life and property from fire or explosion, the 1981 Edition of the National Fire Codes published by the National Fire Protection Association, as the same now exists or as may be amended by future editions thereof, except such portions that may be deleted, modified or amended by ordinance of Council.~~

~~—(b)—One complete copy of the National Fire Codes shall be on file with the Clerk of Council for inspection by the public. In addition, the Clerk shall have copies for distribution to the public at cost. At least one copy of such code shall be on file in the County Law Library. Should future editions of said Code be published they shall become effective within the City as of the date when all of the copies thereof which are required to be placed on file or made available pursuant hereto are so filed or made available with the persons or at the places hereby designated.~~

~~(Ord. 1981-176. Passed 12-16-81.)~~

~~**1502.99**—PENALTY.~~

~~—Whoever violates any provision of the National Fire Codes is guilty of a fourth degree misdemeanor as defined in Section [501.99](#).~~

~~(Ord. 1978-205. Passed 12-20-78.)~~

**The following chapters are unchanged.
Council is not being asked to modify these Chapters at this time.**

**CHAPTER 1503
Open Burning**

- 1503.01 Definitions.**
- 1503.02 Relations to other prohibitions.**
- 1503.03 Restrictions; notice and permission.**
- 1503.04 Burning Refuse.**
- 1503.99 Penalty.**

CROSS REFERENCES

See sectional histories for similar State law
Air pollution control. - see Ohio R.C. Ch. 3704
Municipal authorization for open burning - see Ohio R.C.3704.12
Spreading fire through negligence - see Ohio R.C. 3737.62
Bonfires and outdoor rubbish fires - see OAC 1301:7-7-03

1503.01 DEFINITIONS.

As used in this chapter, certain terms are defined as follows:

(a) "Agricultural waste" means any matter generated by crop, horticultural or livestock production practices, and includes such items as bags, cartons, dry bedding, landscape wastes and structural materials that are generated in agricultural activities, but does not include garbage; dead animals; motor vehicles and parts thereof; nor economic poisons and containers therefor, unless the manufacturer has identified open burning as a safe disposal procedure.

(b) "Economic poisons" include but are not restricted to pesticides such as insecticides, fungicides, redenticides (sic), miticides, nematocides and fumigants; herbicides, seed disinfectants; and defoliants.

(c) "Garbage" means any matter resulting from the handling, processing, preparation, cooking and consumption of food or food products

(d) "Landscape waste" means any vegetable or plant matter, except garbage, including trees, tree trimmings, branches, stumps, brush, weeds, leaves, grass, shrubbery, yard trimmings and crop residues.

(e) "Ohio EPA" means the Ohio Environmental Protection Agency and its delegate agencies or its Director as the context or applicable law may require.

(f) "Open burning" means the burning of any materials wherein air contaminants resulting from combustion are emitted directly into the ambient air, without passing through a stack or chimney from an enclosed chamber. For purposes of this definition, a chamber shall be regarded as enclosed, when during the time combustion takes place, only such apertures, ducts, stacks, flues or chimneys as are necessary to provide combustion air and to permit the escape of exhaust gas, are open. Enclosed chamber also includes commercially manufactured grills, smokers, or other cooking apparatus in good working order.

(g) "Residential waste" means any matter, including landscape wastes, generated on a one, two or three-family residence as a result of residential activities, but not including garbage.

(OAC 3745-10-01.)

(h) "Approved Container" means an enclosure which surrounds and contains embers, hot ashes and sparks sufficiently to prohibit any spread of the fire beyond permissible dimensions.

(Ord. 1996-74. Passed Oct. 16, 1996.)

1503.02 RELATIONS TO OTHER PROHIBITIONS.

(a) Notwithstanding any provision in this chapter, no open burning shall be conducted in any area where an air alert, warning or emergency under Ohio Administrative Code Chapter 3745-25 is in effect.

(b) No provisions of this chapter permitting open burning, and no permission to open burn granted by the Ohio EPA, shall exempt any person from compliance with any section of the Ohio Revised Code, including Ohio R.C. 1503.20, or any regulation of any State Department, including the Ohio Department of Natural Resources, or any local ordinance or regulation dealing with open burning. (OAC 3745-19-02.)
(Ord. 1996-74. Passed Oct. 16, 1996).

1503.03 RESTRICTIONS; NOTICE AND PERMISSION.

(a) No person shall cause or allow open burning in the Municipality, except as provided in subsections (b) through (d) herein.

(b) Open burning shall be allowed for the following purposes without notification to or permission from the Ohio EPA:

(1) Cooking for human consumption.

(2) Heating tar, welding, acetylene torches, highway safety flares, heating for warmth of outdoor workers, smudge pots and similar occupational needs.

Fires allowed by subsection (b)(1) and (2) hereof shall not be used for waste disposal purposes and shall be of minimum size sufficient for their intended purpose: the fuel shall be chosen to minimize the generation and emission of air contaminants.

Fires allowed by subsection (b)(1) hereof shall meet the following requirements:

(1) Notification of the Fire Department is requested prior to any fire being kindled.

(2) No person shall kindle or maintain a fire or authorize any fire to be kindled or maintained unless:

(a) The location is not less than fifty feet from any structure or motor vehicle on adjacent property, and adequate provision is made to prevent fire from spreading to within fifty feet of any structure or motor vehicle.

(b) Fires in approved containers shall be permitted, provided that such fires are not less than 15 feet from any structure.

(c) The fire shall be constantly attended by a competent person until such fire is extinguished. This person shall have fire extinguishing equipment readily available.

(d) The fire shall be limited in size to three foot by three foot.

(3) The Fire Department shall prohibit open burning that will be offensive or objectionable due to Smoke or odor emissions when atmospheric conditions make such fires hazardous or endangering to persons. The Fire Department shall order the extinguishment of any open burning which it determines to be hazardous or endangering to persons.

(c) Open burning shall be allowed for the following purposes with prior notification to the Ohio EPA as provided by Ohio Administrative Code 3745-19-05:

(1) Prevention or control of disease or pests, with written or verbal verification to the Ohio EPA from the local Health Department, cooperative extension service, Ohio Department of Agriculture, or U.S. Department of Agriculture, that open burning is the only appropriate disposal method.

(2) Ceremonial purposes. Ceremonial fires shall be less than five feet by five feet in dimension and shall burn no longer than three hours.

(d) Open burning shall be allowed for the following purpose with prior written permission from the Ohio EPA as provided by Ohio Administrative Code 3745-19-05

(1) Recognized silvicultural, range or wildlife management practices Fires allowed by subsection (c)(1) to (3) hereof shall not be used for waste disposal purposes, and the fuel shall be chosen to minimize the generation and emission of air contaminants.

(a) Open burning shall be allowed for the following uses upon receipt of written permission from the Ohio EPA as provided by Ohio Administrative Code 3745--19-05, provided that any conditions specified in the permission are followed:

(1) Disposal of hazardous or toxic materials where the Ohio EPA determines that there its no practical alternate method of disposal.

(2) Instruction in methods of fire fighting or for research in the control of fires.

(3) In emergency or other extraordinary circumstances for any purpose determined to be necessary by the Ohio EPA.

(4) Recognized agricultural or horticultural management purposes to maintain or increase the quantity or quality of agricultural or horticultural production. (OAC 3745-19-03)

(Ord. 1996-74. Passed 10-16-96)

1503.04 BURNING REFUSE.

(a) Except as otherwise provided by law, no person shall burn any refuse, rubbish, waste or other material, or, being the owner or in possession or control of any premises within the Municipality, cause, procure or knowingly permit such burning in such a manner as to produce smoke or odors which are offensive, injurious or in any way prejudicial to the health or comfort of any person within the Municipality or injurious or destructive to any property therein.

1503.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the third degree and shall be fined not more than five hundred dollars (\$500.00) or imprisoned not more than sixty days, or both.

DRAFT

CHAPTER 1505

Smoke Detection and Alarm Devices

- 1505.01** Detector or alarm required.
- 1505.02** Wiring for electrically operated devices.
- 1505.03** Compliance with Codes.
- 1505.04** Testing laboratory approval.
- 1505.99** Penalty.

CROSS REFERENCES

Fire extinguishing and alarm systems in rest and nursing homes - see Ohio R.C. 3721.071

Smoke detection equipment in apartments - see Ohio R.C. 3781.104

Smoke detection equipment in rooming houses - see BLDG. [1365.01](#)

1505.01 DETECTOR OR ALARM REQUIRED.

All new buildings or structures or any portion thereof erected within the City, to be occupied or used by persons for whom sleeping accommodations are provided therein, shall require the installation of automatic smoke detection and alarm devices or automatic smoke and heat detection devices installed by the contractor, builder, owner or developer. Such devices shall be installed adjacent to all sleeping quarters or where otherwise specified by the Fire Chief or Building Inspector.

(Ord. 1975-45. Passed 9-17-95.)

1505.02 WIRING FOR ELECTRICALLY OPERATED DEVICES.

Where electrically operated smoke detection or heat detection devices are used, they shall be wired from the overhead kitchen lighting circuit with either an electric box suitable for mounting such device, as determined by the electrical inspector, or a recessed clock outlet receptacle not subject to loss of power by a wall switch. A restraining method satisfactory to the electrical inspector shall be installed at the plug-in.

(Ord. 1975-45. Passed 9-17-75.)

1505.03 COMPLIANCE WITH CODES.

All installations shall be made in accordance with the most recent edition of the National Fire Protection Association Code, the National Electrical Code and any existing applicable code or subsequently adopted code.

(Ord. 1975-45. Passed 9-17-75.)

1505.04 TESTING LABORATORY APPROVAL.

All smoke detector and/or heat detector device installed shall be listed with the Underwriters' Laboratories, Inc. (ULI), Factory Mutual System (FMS) or any other recognized laboratory listed in the Ohio Building Code concerning reliability and performance of such devices.

(Ord. 1975-45. Passed 9-17-75.)

1505.99 PENALTY.

Whoever violates any provision of this chapter is guilty of a misdemeanor of the fourth degree as defined in Section 501.99.
(Ord. 1979-9. Passed 1-17-79.)

CHAPTER 1507

Bureau of Fire Prevention

EDITOR'S NOTE: This chapter was repealed by Ordinance 1988-30, passed April 20, 1988.

CHAPTER 1509

Fire Prevention Board

EDITOR'S NOTE: This chapter was repealed by Ordinance 1988-30, passed April 20, 1988.

DRAFT

The following chapters are unchanged and therefore not expanded upon in this document.

CHAPTER 1511

Fire Damaged Structures

- 1511.01** Minimum fire loss requirement.
- 1511.02** Amount of insurance proceeds to be deposited with City.
- 1511.03** Pro rata contributions required when multiple coverage exists.
- 1511.04** Chief Building Inspector designated to receive funds.
- 1511.05** Time limit on notice by City to named insured.
- 1511.06** Disposition of funds.
- 1511.99** Penalty.

CROSS REFERENCE

Investigation of fires - see Ohio R.C. 737.27, 3737.24 et seq.

CHAPTER 1519

Fireworks

- 1519.01** Definitions.
- 1519.02** Public exhibition permit required; fee; bond; records.
- 1519.03** Unlawful conduct by exhibitor.
- 1519.04** Possession, sale or discharge prohibited; exceptions.
- 1519.05** Application.
- 1519.99** Penalty.

CROSS REFERENCES

Manufacturers to comply with building and zoning ordinances - see Ohio R.C. 3743.06(F)

Wholesalers to comply with building and zoning ordinances - see Ohio R. C. 3743.19(G)

Arrests, seizure of fireworks by certified fire safety inspector - see Ohio R.C. 3743.68

Conflict of Fire Marshal's rules with rules of Ohio Board of Building Standards -see Ohio R.C. 3781.11(D)

CHAPTER 1521

Underground Storage Tanks

(THIS CHAPTER WAS REPEALED BY ORDINANCE NO. 1998-70, PASSED BY KENT CITY COUNCIL ON AUGUST 12, 1998)

Summary

For many years, the Fire Department has been charged with the responsibility of inspecting new and old buildings to verify that life safety systems are in compliance with modern standards. The Fire Department was permitted significant latitude in how it proceeded to enforce these standards, with access to both criminal and civil penalties. In many instances, warnings and gentle reminders are sufficient to procure compliance. The Fire Department is concerned, however, that without ordinances permitting warnings or time for repairs, the Fire Department is required to proceed directly to criminal or civil penalties. Further, some contractors have taken advantage of the Fire Department not having a clear policy regarding when to charge for multiple inspections of the same site without ever correcting the problem.

With this in mind, the purpose of these fire code modifications is to further clarify the process the Fire Department will follow when a property owner does not abide by the fire code. Policies permitting the Fire Department to provide warnings and allow time for correction are codified, but immediate criminal and civil penalties are available for serious offenses.

Finally, the National Fire Code is repealed. The City already follows the State Fire Code. In some instances, the State and National Fire codes conflict. Deleting the National Fire Code will eliminate this problem.

IF we revise more of the fire code, please consider...

If we decide to update 1503 as well, consider the following:

Typo in 1503.03(c - missing)(2)(a) -- frown/from

Make sure language about Fire Prevention Code is accurate (open burning, addresses, etc.)

DRAFT

- (2) A Contractor requesting partial inspections must disclose the nature of the partial inspection to the Municipal Fire Safety Inspector when scheduling the inspection.
- (3) Prior to commencing the inspection, the Municipal Fire Safety Inspector and Contractor must designate which areas of the new construction or large remodel shall be subject to review during the partial inspection.
- (4) If the Municipal Fire Safety Inspector and Contractor cannot agree on which areas shall be subject to inspection, the partial inspection request shall be denied.
- (5) For convenience, the Municipal Fire Safety Inspector and Contractor may agree to divide a project into multiple areas for inspection purposes.
- (6) Each specific area, for billing purposes only, shall be treated as a separate structure, allowing for no charge on the initial inspection and first re-inspection. At the Municipal Fire Safety Inspector's discretion, multiple re-inspections of the same area may incur a re-inspection fee.

(f) Proposed Fee Schedule Chart and Fine Chart

EVENT	Charge*	Fine or Fee
Initial Inspection	\$0	Not applicable
First re-inspection after issuing a Fire Safety Notice of Violation	\$0	Not applicable
Second re-inspection after issuing a Fire Safety Notice of Violation	\$50	Fee
Third re-inspection after issuing a Fire Safety Notice of Violation	\$100	Fee
Fourth re-inspection after issuing a Fire Safety Notice of Violation	\$100	Fee
Fire Safety Notice of Citation	\$250 per violation	Fine
Acceptance testing initial inspection	\$0	Not applicable
Acceptance testing re-inspection	\$100	Fee
Life Safety System initial inspection	\$0	Not applicable
Life Safety System re-inspection fee	\$100	Fee

* This fee or fine is in addition to any and all prior fees or fines that have been assessed but not yet collected.

(g) Rights of Appeal

- (1) If a property owner receives a Fire Safety Notice of Violation or a Fire Safety Notice of Citation based upon a violation of the Ohio Fire Code, the property owner may appeal the Municipal Fire Safety Inspector's decision to the State of Ohio Board of Building Appeals in accordance with ORC 3781.19.



CITY OF KENT, OHIO

DEPARTMENT OF FINANCE

To: Dave Ruller, City Manager
From: David A. Coffee, Director of Budget and Finance
Date: August 29, 2016
Re: FY2016 Appropriation Amendments, Transfers, and Advances

The following appropriation amendments for the September Council Committee Agenda are hereby requested:

Fund 001 – General

Increase \$ 100,000 City Hall Facility / Other (O&M) – Addt'l funding to pay costs of various preliminary studies and planning to help define optimal criteria for a new City Administration Building including functional mix, size and location.

Increase \$ 25,000 Law Department / Other (O&M) – Addt'l funding to provide outside legal services for defense in pending liability case for Estate of Yon (Peters).

Increase \$ 8,000 Health Department / Other (O&M) – Addt'l funding to meet lease obligation for occupancy at new location for remainder of 2016.

Fund 106 – Parks and Recreation

Increase \$ 15,000 Parks and Recreation / Capital –Additional funding for demolition of deteriorated property at 745 Longcoy Ave. owned by P&R per J. Idone 7/25/16 memo.

Fund 126 – Community Development Block Grant (CDBG)

Increase \$ 15,000 Community Development / Other (O&M) – Re-appropriation of CDBG funding for Public Service Contracts, per B. Susel 7/14/16 memo.

Fund 201 – Water

Increase \$ 8,750 Service / Central Maintenance / Capital - Addt'l appropriation to contribute to High Speed Roll-Up Doors for Central Maint. Garage (Energy Conservation) project, to be significantly funded via NOPEC Grant reimbursement, per J. Bowling 7/28/16 memo.

Decrease \$ 55,000 Service / Capital Facilities / Capital - Reduce 2016 appropriations for Majors/Stinaff/Cuyahoga Waterline Replacement and Avondale/Berkley Loop Waterline projects, that are being deferred to future fiscal years due to re-prioritization per J. Bowling 8/29/16 memo.

Continued

Fund 202 – Sewer

Increase	\$	8,750	Service / Central Maintenance / Capital - Addt'l appropriation to contribute to High Speed Roll-Up Doors for Central Maint. Garage (Energy Conservation) project, to be significantly funded via NOPEC Grant reimbursement, per J. Bowling 7/28/16 memo.
Decrease	\$	170,000	Service / Capital / WRF – Reduce appropriation for MCC Replacement Project to be deferred into future budget year to be determined, per B. Schesventer 6/9/16 memo.
Increase	\$	514,100	Service / Capital / WRF – Re-appropriation of prior year funding for Digester Heat Exchanger Project, per B. Schesventer 6/9/16 memo.
Increase	\$	50,000	Service / Capital Facilities / Capital –Additional funding to provide assessment of sanitary sewer lines condition at 800 Mogadore Rd. via cleaning and televising contract, per J. Bowling 8/24/16 memo.
Decrease	\$	50,000	Service / Capital Facilities / Capital – Reduce 2016 appropriation for Majors/Stinaff/Cuyahoga Waterline Replacement project, that is being deferred to a future fiscal year due to re-prioritization per J. Bowling 8/29/16 memo.
Increase	\$	28,000	Service / Capital Facilities / Capital –Additional funding to provide emergency replacement of storm sewer and headwall that has fallen into the Cuyahoga River at Stow Street Bridge, per J. Bowling 8/24/16 memo.


Fund 301 – Capital Projects

Increase	\$	17,500	Service / Central Maintenance / Capital - Addt'l appropriation to contribute to High Speed Roll-Up Doors for Central Maint. Garage (Energy Conservation) project, to be significantly funded via NOPEC Grant reimbursement, per J. Bowling 7/28/16 memo.
Increase	\$	6,500	Service / Central Maintenance / Capital – Re-appropriation of 2015 project to develop comprehensive time and attendance reporting system for Central Maintenance staff, per J. Osborne 6/3/16 memo.
Increase	\$	90,000	Capital / SVC-Capital Facilities – Addt'l appropriation to fund more 2016 coverage in the 2016 Annual Street & Sidewalk Program, to be funded with released prior year project encumbrances, per J. Bowling 8/9/16 memo.

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: David Coffee
Dave Ruller

FROM: Jim Bowling 

DATE: August 9, 2016

RE: 2016 – Appropriations Request

The Service Department is requesting the following appropriations for 2016 to address critical items in the City that can not be delayed till 2017. A detailed description of the needs are included.

2016 Annual Street and Sidewalk Program: This year's street and sidewalk program has seen a significant amount of pavement and sidewalk repairs needed on the streets included in the program. In order to complete all the streets programmed, the staff is requesting an additional \$90,000 in appropriations from the Capital Fund (301). The additional funds requested will be offset by releasing \$90,000 in encumbered funds from the 2014 Street Program (PO# 15-1842). The punch list items for the 2014 program was recently finalized and the project is nearing final payment.

Since, the annual street and sidewalk program is the primary vehicle for the City to maintain the critical street infrastructure in the City, it is important to use every dollar available to complete the program.

City Administration Building: To continue the evaluation of the proposed City Administration Building the Service Department is requesting \$100,000 in appropriations from the General Fund (001) to complete preliminary studies to help define the scope of the new facility. The preliminary studies are anticipated to include site evaluations, space programming, parking requirements, cost estimates and other evaluations to assist the City in determining the proposed building's size and location.

If there are any questions on either of the above requests, please let me know.

c: Brian Huff
Pat Homan




CITY OF KENT, OHIO

Office of the City Manager

RECEIVED

JUN 30 2016

BY

CITY OF KENT
BUDGET & FINANCE

To: Dave Coffee, Budget and Finance Director
From: Dave Ruller, City Manager
Subject: City Hall Fund Appropriation Request
Date: June 29, 2016

The City Manager's Office would like to request funds to be appropriated to the city hall fund (001-09-570-727-7340) for preplanning work related to the new city administration building. These funds will be used for the citizen survey administration and data analysis on the new city hall. The proposed cost of this service will be \$14,750.00. Additionally, staff is requesting \$3,250.00 for the assistance of an intern to complete various tasks related to the new city administration building including items such as public information brochures, site location information, and more. The total for this appropriation request is \$18,000.00.



KENT HEALTH DEPARTMENT

414 E. MAIN ST., P.O. BOX 5192, KENT, OHIO 44240 (330) 678-8109 FAX (330) 678-2082

To: Dave Coffee

From: Jeff Neistadt, Health Commissioner

Date: August 29, 2016

RE: Budget amendment for lease at 414 E. Main Street

Dear Mr. Coffee:

This memo serves as a request for a budget amendment of \$8,000 to pay for our lease at 414 E. Main Street in Kent. The \$8,000 will cover the monthly payments from May 1, 2016 through December 31, 2016.


Sincerely,

Jeff Neistadt, MS, RS/REHS
Health Commissioner



Kent Parks & Recreation Department

497 Middlebury Road Kent, Ohio 44240 (330) 673-8897 FAX: (330) 673-8898

TO: Dave Ruller, David Coffee
FROM: John Idone 
DATE: July 25, 2016
RE: FY 2016 Parks & Recreation Budget Revision & Appropriation

In order to remove the deteriorated house at 745 Longcoy Avenue an additional appropriation and budget revision are necessary. Please forward this request for city council approval to appropriate an additional \$15,000 from the Parks and Recreation unencumbered balance. Please increase Fund 106 Cost Center 530 Program 301 Line 7390 Miscellaneous Contractual by \$15,000 in order to complete this project.

Let me know if you need any additional information.

Enc.
Linda Jordan
P & R Board



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: July 14, 2016
TO: David Coffee, Budget & Finance Director
FROM: Bridget Susel, Community Development Director *B.S.*
RE: Appropriations Request: CDBG Social Service Contracts Funding

The City of Kent Community Development Department has a little more than \$27,276.31 available in prior year unprogrammed CDBG funding that was not appropriated as part of the City's 2016 budget.

Family & Community Services has recently contacted the Community Development Department staff concerning a CDBG eligible capital need at one of its Kent facilities.

I am respectfully requesting the re-appropriation of \$15,000 in Community Development CDBG funding, to assist with a portion of the needed costs, be presented to Council for consideration at the August 3, 2016 Committee session. The funding should be re-appropriated to the CDBG public service contracts line (001-540-401-126-7570).

Please let me know if you need any additional information in order to process this request.

Thank you.

Cc: Dan Morganti, Grants & Neighborhood Programs Coordinator

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE

MEMO

Date: July 28, 2016

To: David Coffee, Budget & Finance Director

From: James Bowling, City Engineer 

RE: NOPEC Powering Our Community Grant – Appropriation Request

Our awarded NOPEC Powering Our Community Grant of \$244,620 from November 10, 2010 has remaining grant funds available after completion of our third energy conservation project. The proposed project approved by NOPEC, titled the Solar Hot Water Heated Undercarriage Wash Rack Project, was never initiated due to increased costs from the original estimated budget for the Grant. On the application the project was budgeted for \$20,000 through NOPEC Grant funds with a match of \$10,000 of City funds, totaling \$30,000 for the completion of the project. On January 19, 2011 we received the first distribution from NOPEC for this project. The dispersed check amount of \$10,000 was deposited into the Capital Fund (301) awaiting the project initiation. The remaining distribution of \$10,000 was to be dispersed to the City at the time of project completion.

On June 10, 2016 the City was notified through NOPEC that the remaining Grant funds are still available for a third energy conservation project. The amount of Grant funds remaining for the final distribution has increased from \$10,000 to \$14,691 due to the savings on project cost from the Multi Building Energy Efficiency Project completed by Brewer Garrett. Therefore in total, the City has \$24,691 in Grant funds remaining. The Service Department is requesting funds need to be appropriated for expenditure during 2016.

The Service Department would like to use the remaining Grant funds for the purchase and installation of two automatic High Speed Roll-Up Doors as an equipment upgrade to the existing garage doors in the Central Maintenance Garage. Installation of the full perimeter High Speed Roll-Up Doors will seal all drafts for environmental control and will minimize the heat loss and therefore reduce energy consumption in our Central Maintenance Department Garage. In addition, the speed door installation will save money utilized for the continual maintenance needed to keep the current large doors functional due to their daily frequent usage. NOPEC has reviewed and preliminarily approved this project for use of the remaining grant funds.

We have obtained proposals for the installation of the High Speed Roll-Up Doors and estimated a budget of \$35,000 for the project. Therefore, we are requesting \$35,000 in appropriations from the following funds with the associated reimbursements from NOPEC.

Fund	% Split	Appropriation Request	Grant Reimbursement
301	50%	\$17,500	\$12,345
201	25%	\$8,750	\$6,173
202	25%	\$8,750	\$6,173

If you have any questions on the above request, please feel free to contact myself or Hallie Pirro.

Cc: Dave Ruller, City Manager
Brian Huff, Controller
John Osborne, Utilities Manager
Gerald Shanley, Facilities Manager
Hallie Pirro
file

City of Kent
Department of Public Service
Division of Water Reclamation

Memo

To: David Coffee
Dave Ruller

From: William Schesventer

Date: June 9, 2016

RE: 2016 Appropriation Request.
MCC Project Appropriation Reduction Request.

The Water Reclamation Division is requesting appropriations of monies from the Sewer Fund that had previously been approved but not re-appropriated for in 2016. The following paragraph describes the need afforded by this request.

Digester Heat Exchanger Project: This project involves the replacement of heat exchangers installed in the anaerobic digester building (circa 1963) to maintain digesting sludge at specific temperatures to facilitate organic reduction.

Original CIP Year	Fund	Re-Appropriation Request	Project Number
2011	202-Capital	\$514,100.00	2011WRF010

Fund: 202-Capital

Total re-appropriation request: **\$514,100.00**

Additionally I request an appropriation reduction to the MCC replacement project as follows.

MCC Replacement Project: These monies will not be utilized at this time, the entire MCC replacement project, which consists of 5 phases, will be re-visited in 2017.

Original CIP Year	Fund	Appropriation Reduction Request	MCC Replacement Project
2016	202-Capital	\$170,000.00	Phase II

Fund: **202-Capital**

Total appropriation reduction request: **\$170,000.00**

Cc: James Bowling

Brian Huff

MEMORANDUM
DIVISION OF ENGINEERING
City of Kent Department of Public Service

DATE: August 24, 2016

TO: David Coffee
Dave Ruller

FROM: Jim Bowling *JLB*

SUBJECT: Sanitary Fund – Appropriation Request

As part of the property owners' continued environmental cleanup of 800 Mogadore Road (former RB&W), the property owner attempted to televise two of the City's sanitary sewers (27" & 24") that cross the site in an easement. The televising was being done to determine if the construction of the property owner's on site hazardous material containment system damaged the sanitary sewers. During their attempt to televise the sewers, it was discovered that a significant amount of sediment and debris was discovered in the sewers. These sewers serve approximately 40% of the City and are critical to the functioning of the sewer system.


Therefore, in an effort to maintain efficient use of our sanitary sewer system and to televise the condition of our sewers, we are requesting \$50,000 in appropriations from the sanitary fund to clean and televise the sewers.

C: Bridget Susel
Melanie Baker
Brian Huff
Cori Finney
Eric Gorczynski

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: David Coffee
Dave Ruller

FROM: Jim Bowling 

DATE: August 29, 2016

RE: Appropriation Reduction Request

The Engineering Division is requesting to reduce the 2016 appropriations for two projects, the Majors/Stinaff/Cuyahoga Waterline Replacement Project and the Avondale/Berkley Loop Wateline Project. The total reductions in appropriations for both project are shown below:

- Fund 201 – (\$55,000)
- Fund 208 – (\$50,000)

These reductions are being provided due to the re-prioritization of projects being performed as part of the capital planning process.

Please contact me if you have any questions on the above request.

c: Melanie Baker
Rhonda Boyd
Cori Finney
Cathy Wilson
file

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Dave Coffee
Dave Ruller

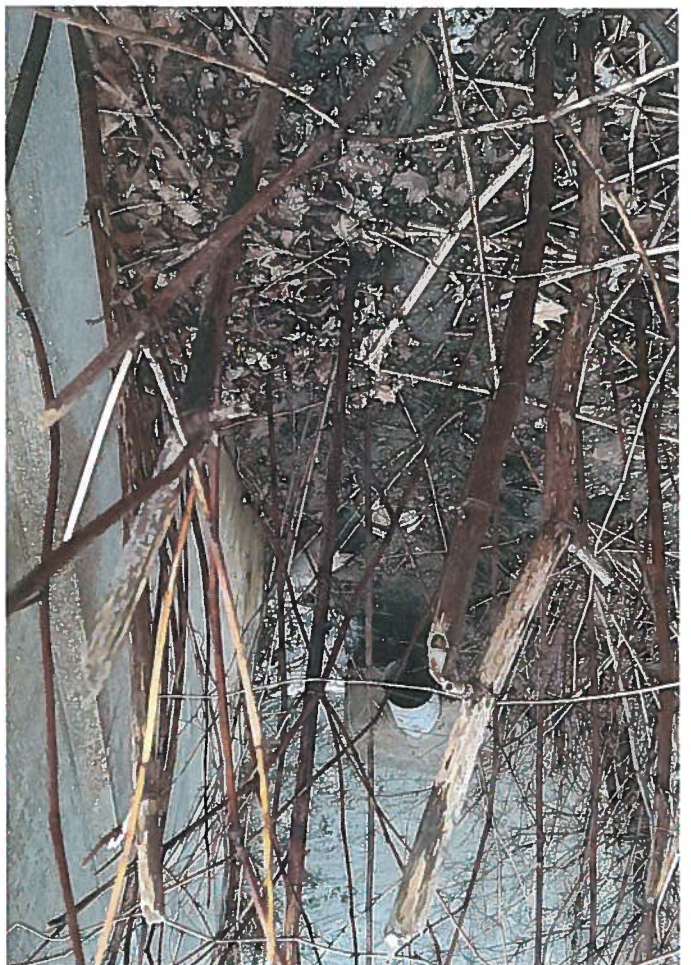
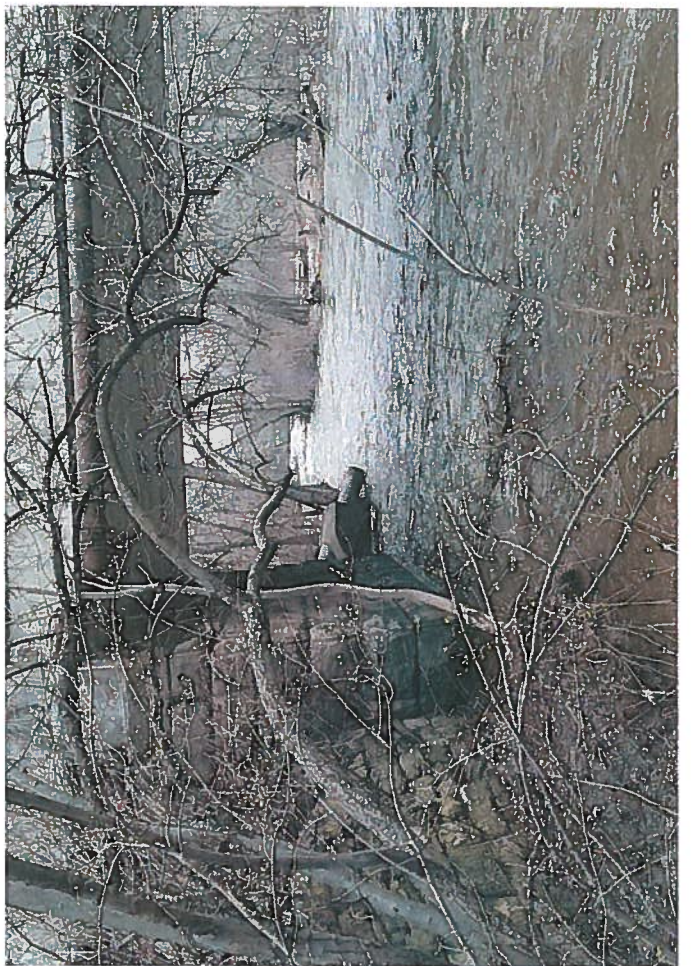
FROM: Jim Bowling *JB*

DATE: August 29, 2016

RE: Stow Street Bridge Storm Sewer Outfall Replacement
Appropriation Request

The Service Department is requesting to appropriate \$28,000.00 in 208 funds to replace the existing corrugated metal storm sewer and headwall at the northwest corner of the Stow Street Bridge that has failed (see attached photos). The replacement is required to be performed by an outside contractor, because the equipment needed for the replacement is larger than currently available to the Central Maintenance Division.

c: Melanie Baker
Cori Finney
Cathy Wilson



CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
CENTRAL MAINTENANCE

MEMO

Date 6/3/2016

To: David Coffee; Dave Ruller

From: John Osborne, Utilities Manager 

RE: 2015 Capital Improvement Program – Re-appropriation for 2016

The project for a time keeping system needs to be carried over to 2016. The project is important to Central Maintenance to develop a comprehensive system for our complicated time and attendance reporting.

Original CIP Year	Fund	Re-appropriation Request	P.O.
2015	301-05-560-604-7630	\$6,500.00	2015-2293

Thank you for your consideration on this matter.

Cc

James Bowling
Gerald Shanley

file



CITY OF KENT, OHIO

MAYOR

M E M O

To: Kent City Council
From: Jerry T. Fiala, Mayor
Date: May 4, 2016
In re: Salary Review

Kent City Charter Section 5.04 reads as follows:

The Council shall also have the power to fix the salaries or compensation for all its members. Every two (2) years, prior to fixing Council members salaries, a non-partisan group of citizens shall be appointed by Council to review and make recommendations on the salaries of the Council members. Salary adjustments shall not take effect until the next term of the Council members.

I think it is time to convene a Salary Review Committee to review the salaries of the elected officials. Any changes do not take effect until the new terms commence, which in this case would be for the at-large members and the Mayor beginning in January 2018 with the ward Council members beginning in January 2020.

I would like to suggest everyone bring one name to a Work Session on June 1, 2016. At that time, we will draw names. In the past, we have had three members. I would like to suggest we also have two alternates. The last time we did this, one member quit abruptly, stalling the process.

Let me know if you have any questions.

A handwritten signature in black ink, appearing to read "Fiala", with a stylized flourish above the letters.

This meeting of the Salary review Committee of Kent City Council was called to order at 6:01 PM on Thursday, August 4 by Mr. Wilson, Chair.

Present: Mr. Finley, Mr. Wilson, Mr. Bard (Alternate #2) and Ms. Wilen (Alternate #1), Mr. Flynn

Motion to approve minutes form 7/21/2016

Made by Mr. Finley, seconded by Mr. Flynn and carried a voice vote of 3-0

No general public attendees and/or comments

Chair Wilson offered to group that we can have a general discussion or continue in Roberts Rule with motions, 2nd's and discussion.

It was agreed to have discussion from Alternates and proceed.

Ms. Wilen (Alt #1) expressed her feelings for keeping council pay the same and was unsure about the Mayor then suggesting maybe \$500 - \$1000 increase for Mayor.

Mr. Bard (Alt #2) expressed is feelings of the poor showing of council last meeting when all were invited to attend or submit in writing their feelings on committee's role. Only 3 council members and the Mayor showed and only 1 of the council members expressed a need to increase pay for the positions. He mentioned the existing fund available to council and Mayor to offset qualified expenses but that it would actually have to be funded in budget. Overall, Mr. Bard expressed no interest in increasing pay.

Motion to increase Mayors pay by \$1,000 and leave Council pay unchanged

Made by Mr. Flynn, 2nd by Mr. Finley for discussion.

Discussion regarding Mayor being representative of city and expectation of more involvement and expense. Motion carried a voice vote of 3-0

Recommendation to council by committee is to raise Mayor pay by \$1,000 annually and to leave council pay unchanged.

Meeting Adjourned by Chair at 6:34 PM.

Respectfully Submitted,


Mike Finley, Secretary

Aug 5, 2016

Wayne Wilson chair

MEMORANDUM
DIVISION OF ENGINEERING
City of Kent Department of Public Service

DATE: August 26, 2016
TO: Dave Ruller
FROM: Jim Bowling, Deputy Service Director/Superintendent of Engineering
SUBJECT: Sidewalk Snow Shoveling – Pilot Program



The Service Department is requesting council time to present the results of the 2015-2016 Sidewalk Snow Removal Pilot Program. The pilot program was an initiative offered to supplement the property owner's efforts to meet their obligations for snow and ice removal as specified in the Kent Codified Ordinances 521.15 and 521.16. The program provided for the City to use a temporary seasonal park maintenance worker to remove snow from portions of SR 43 and SR 59 (see attached map) after 2" or more of accumulation. The snow removal effort would only occur during regular work hours, Monday – Friday, not including holidays. The cost of the program was approximately \$47,000, which included purchasing the equipment and for a temporary seasonal park maintenance worker.

The winter of 2015-2016 was relatively mild and there were only a few significant snow events where the equipment was deployed. The service department received no significant feedback from adjacent property owners or pedestrians reporting problems, concerns or positive comments on the program. In the spring, expected damage to adjacent landscaping caused by the operations was noted by both the Parks and Recreation's and Service Department's staff. However, the adjacent property owners addressed the damage without request to the service department.


The Service Department believes that the mild winter of 2015-2016 was inconclusive to determine the success/failure of the program. If council would like to continue the pilot program for another season, it would require \$16,500 from the general fund. We respectfully request council's input and direction on the matter.

C: Melanie Baker
David Coffee
John Idone
Gerald Shanley
file



City of Kent, Ohio

Office of the City Manager

To: Mayor and Members of Council
From:  Suzanne Stemnock, Executive Assistant
Date: August 19, 2016
RE: New Event Road Closure

The City Manager's Office has obtained an application for a special event that requires a street closure not previously approved by Council. The application is for the event, "New Center for Architecture Grand Opening" sponsored by Kent State University. This request will take place on October 7th and is for safe pedestrian street crossing during the event.

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

Thank you.

APPLICATION FOR SPECIAL EVENT
PARADES, FESTIVALS, CARNIVALS, PUBLIC ASSEMBLIES, ETC.
City of Kent, 319 S. Water Street, Kent, OH 44240

NAME OF EVENT New Center for Architecture Grand Opening

ORGANIZATION SPONSORING EVENT Kent State University

APPLICANT NAME Joseph Graham PHONE 330-672-9617

ADDRESS 615 Loop Rd, Suite 101 Harbourt Hall, Kent OH 44242

NAMES AND PHONE NUMBERS OF ALL PERSONS WHO ARE IN CHARGE AND/OR WILL BE IN A RESPONSIBLE POSITON DURING THE EVENT:

Joseph Graham 330-541-3165

DATE OF EVENT October 7, 2016 NO. OF PARTICIPANTS 500

REQUESTED PERMIT TIME: Start Set up 2:00pm Start Event 3:00pm

End Event 5:00pm End Cleanup 5:00pm

IF PARADE: STARTING POINT N/A ENDING POINT N/A

USE OF CITY ELECTRIC NEEDED? No
(IF YES, PLEASE EXPLAIN)

In addition to the application please submit the following information:

- Attach map to application showing proposed streets to be blocked off for event, and route of parade or race. (May be hand drawn.)
- Proof of Insurance is required before permit can be issued.
- Please attach list of possible vendors/booths to be part of event (food, retail, etc.). *No vendors*

Please submit application for permit at least 30 days in advance, but no sooner than one year in advance. For additional requirements please review Chapter 316 of The Codified Ordinance of the City of Kent. Please be advised that the use of marking paint on City pavement, curbs, sidewalks or other property is prohibited except if purchased at cost from Service Department (330-678-8105).

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.

Joseph Graham

Name of Applicant

Signature of Applicant

Digitally signed by Joseph A. Graham
Date: 2016.08.16 12:58:04 -04'00'

Office Use. Do not write below this line.

Sent to: Safety, Service, Fire, Police, and Health Departments for review and approval
via email on 8/19/16.

MEMORANDUM AGREEMENT YES NO
APPLICATION APPROVED APPLICATION DISAPPROVED

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

Law Director

8-22-16

Date

IF APPLICATION IS APPROVED, PERMIT WILL BE ISSUED BY THE CITY MANAGER.



Area requested of S. Lincoln Street to be temporarily closed from 2:00pm -5:00pm on October 7th, 2016. Closed for pedestrian safe crossing only. Emergency services would have full access.

Date: _____

New Special Event Road Closure Petition

Name: Judy Smith
Address: 226 S. Lincoln
Kent, Oh 44240
Signature: Judy Smith

Name: Judy Smith
Address: 230 S. Lincoln
Kent, Oh 44240
Signature: Judy Smith

Name: _____
Address: _____
Signature: _____

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Name: _____
Address: _____
Signature: _____

Pizzuto, Cynthia

From: John Richardson (02954) <US285014@starbucks.com>
Sent: Friday, August 19, 2016 9:20 AM
To: Pizzuto, Cynthia
Subject: Re: Architecture Building Open House October 7th

Cindy,

I understand and I welcome the new business from the Architecture Building open house.

I have no issue with the road closure and understand that it will be from 2pm to 5pm on October 7th.

Thanks,

John Richardson
Store Manager 2954
Coffee Master

From: Pizzuto, Cynthia <cpizzut1@kent.edu>
Sent: Friday, August 19, 2016 8:20:10 AM
To: John Richardson (02954)
Subject: Architecture Building Open House October 7th

Hi John,

Thank you for speaking with me today concerning the road closure on October 7, 2016.

As I explained, Kent State will be hosting an open house for the new Architecture Building and will be closing Lincoln Street from State Route 59 to College Avenue. This is a temporary close and will only be from 2PM to 5PM.

If you could just respond to this email that you are aware of this closure and have no issues, I would greatly appreciate it.

Please feel free to call me if you have any further questions.

Thanks again for your response.

Cindy

Cynthia L. Pizzuto
Accounting Assistant
Kent State University
Office of the University Architect

Pizzuto, Cynthia

From: Dean Kline <cbs4kent@aol.com>
Sent: Thursday, August 18, 2016 4:46 PM
To: Pizzuto, Cynthia
Subject: Re: Architecture Building Open House October 7th

Hi Cynthia, this is in response to your request, I do not have any problems with Lincoln being closed on Oct. 7th from 2-5pm.

I would like to mention if you have any need for gifts to pass out at your event such as flash drives or mugs or any other gift type items, I would be happy to provide a quote, I also would be happy to give you coupons to pass out for Campus Book & Supply for any apparel item if you have any interest. Thank you for your consideration.

Dean Kline
CAMPUS BOOK & SUPPLY - KENT
330-677-1400 FAX 330-677-5733

-----Original Message-----

From: Pizzuto, Cynthia <cpizzut1@kent.edu>
To: 'cbs4kent@aol.com' <cbs4kent@aol.com>
Sent: Thu, Aug 18, 2016 2:28 pm
Subject: Architecture Building Open House October 7th

Hi Mr. Kline,

Thank you for speaking with me today concerning the road closure on October 7, 2016.

As I explained, Kent State will be hosting an open house for the new Architecture Building and will be closing Lincoln Street from State Route 59 to College Avenue. This is a temporary close and will only be from 2PM to 5PM.

If you could just respond to this email that you are aware of this closure and have no issues, I would greatly appreciate it.

Please feel free to call me if you have any further questions.

Thanks again for your response.

Cindy

Cynthia L. Pizzuto
Accounting Assistant
Kent State University
Office of the University Architect
330-672-9619



CITY OF KENT, OHIO

Office of City Council

DATE: September 7, 2016
FROM: Honorable Mayor and Members of Kent City Council
TO: Members of the Board of Zoning Appeals and Planning Commission

As our appointed members of the Board of Zoning Appeals and Planning Commission, the Mayor and Members of Council thank you for all you do to support thoughtful and progressive development in the City of Kent.

For many years the pace of development in Kent was relatively slow but in the last 6 years that pace has quickened and shows few signs of slowing down.

The transformative development that is underway in Kent has led to rediscovery of the role of a vibrant downtown in attracting investment, elevating the quality of life, and making Kent a true destination. You have been a critical part of enabling that economic recovery and we are grateful for your impactful role in the process.

As you have surely noticed, the redevelopment has been a great boost to our local businesses and economic stability – but we are starting to experience some growing pains and our success has led to a new set of challenges in calibrating an appropriate pace of development moving forward.

We've worked hard over the last ten years to spark investment and promote major redevelopment projects but now we must work equally hard to ensure a sustainable pace of development.

To do that, we've had to adjust our priorities to be more selective and strategic in promoting new development. Our goal is to keep the development momentum working in our favor but at a pace that is meaningful and manageable.

That's where we need your help. Your work as volunteers on our development related Commissions sets the tone and pace for redevelopment. We look to you to translate our broad community goals into your project-by-project decisions.

By all measures this an extraordinarily important time in Kent, and how we manage development together will set Kent on a course that will have consequences for decades to come.

That's why we're taking the time to reach out to you and make sure we're making decisions in support of each other.

To help both of us better understand the current development environment in Kent, we hired a consulting group in 2014-15 to complete a *Comprehensive Community Housing Study and Needs Analysis* for the community.

The primary objectives for commissioning the research study included:

- Compiling data that can guide public policy decisions in the area of housing and identify proposed action items that can be implemented to promote the appropriate blend of housing opportunities throughout the City;
- Providing a measured assessment of housing supply, present and future, unmet housing demand across various demographic categories, and provide a comprehensive understanding of short-to-longer term housing supply and demand;
- Identifying community specific housing priorities, policy alternatives and intervention strategies.

The *Comprehensive Community Housing Study and Needs Analysis* was completed in March of this year and it provides the first in-depth analysis of the current state of housing throughout the community and identifies emerging trends that need to be taken into consideration when evaluating current and future housing initiatives.

The 63 page report is comprehensive in its scope and several key findings were identified that we, as members of City Council, find to be relevant when engaging in discussions and decisions on housing related matters, including:

- Since 2012, new multi-family housing projects have added more than 2,100 beds-for-rent to the housing market and this type of residential development has significantly outpaced all other new residential construction activities combined;
- Slightly more than 20 single-family housing units have been constructed since 2011;
- Additional multi-family development in the City can be attributed to a marked increase in the number of properties zoned as single-family structures that have been converted, legally or illegally, to rooming houses;
- Enrollment and retention trends for incoming freshmen at KSU have increased since 2010, but these gains needs to be balanced against population projections for persons aged 15-24 years, which are expected to decline an average of 12% in northeast Ohio over the next 15 years.

These results highlight the fact that recent new residential development in the Kent community has not been diversified across various housing types and that in many long established residential neighborhoods, conversions of single-family dwellings to rooming houses has begun to erode the number of available owner-occupied properties.

As the legislative representatives for the City of Kent, it is our responsibility to provide housing policy guidance that encourages the appropriate application of regulatory requirements in order to allow for an adequate balance between new rental housing development and the preservation of existing single-family housing stock.

We greatly appreciate and value the time all of you have dedicated to assisting the City with its planning and development activities. As you continue your efforts to support the City of Kent, we ask that you remain cognizant of the findings delineated in the *Comprehensive Community Housing Study and Needs Analysis*.

We urge you to apply the City's Zoning Code in the strictest manner possible when executing your duties as a way to ensure an appropriate mix of residential rental housing options that can meet the needs of people at different stages in life, and with varying economic means, while also stabilizing and maintaining residential neighborhoods throughout the community.

As you work to uphold the Zoning Code, if you see areas where it comes up short, let us know so that we can talk about possible changes and stay unified in managing development.



CITY OF KENT, OHIO

TO: All City Board, Committee and Commission Members
FROM: James R. Silver, Law Director
DATE: 8-27-16
SUBJECT: Duties and Responsibilities

Membership on the City's Boards and Commissions change as volunteers rotate through their terms yet there are few opportunities to provide volunteers with training or orientation about their role as Council appointees.

In recognition of the challenges facing Kent's Board and Commission volunteers, the members of Kent City Council thought it might be helpful for me to send you a memo to provide guidance on the general purpose of the City's volunteer commissions.

As you have all been kind and gracious enough to volunteer your time to be on a Commission, we thank you. Without your efforts, the City has fewer opportunities for citizen input which is the basis of good local government. Your commitment to the City is very much appreciated.

With that being said, there are some general guidelines that Council would like me to pass on to you.

Your appointment to a Commission begins with an oath, wherein you swear or affirm to obey the laws of the State of Ohio and the City of Kent. Simply stated, City Council needs you to adhere to that oath and follow the laws of the City.

Your rulings or findings as a Commission member may have varying degrees of interpretation of the laws but ultimately your decisions need to be based on legal facts. Where questions of law come up most frequently, the City has assigned legal staff to attend your meetings in order to help you understand how the relevant laws impact your decisions.

Whenever you're in doubt of the legal aspects of the discussion, please ask. In most cases the City is legally liable for the decisions that you make so we have a vested interest to make sure it conforms to the legal standards and we're happy to share our legal advice.

As Commission members you review situations, you look at the facts, and apply the laws of the City to those facts and circumstances. This sounds easy enough, until you have a room full of people in front of you who are testifying against certain aspects of your legal interpretation of the law.

In those circumstances it can be very difficult to decide what to do and to cast your vote according to the legal basis. City Council understands those pressures but it is imperative to do your best to hold the line and follow the laws and rules and regulations of the City of Kent.

City Council has spent many years trying to improve the quality of life for the residents of the City. To do that has required adopting new laws and modifying old ones which can be met with resistance by those members of the community that are affected by the changes.

In recent years, the adoption of the exterior property maintenance code, updating the housing code (with inspection of all rental properties), adding civil penalties for health, safety and property maintenance violations are a few of the code changes put in place by City Council. The purpose of these regulations has been to keep our property values up, to keep blight out of our neighborhoods, and to encourage growth in Kent that is beneficial to all of the residents of the City.

Making these changes has not always been easy but they were too important to City Council and the majority of Kent's residents and businesses to defer out of a concern over push back from a vocal minority of interest groups.

Council has made significant investments to time and City resources to help these changes succeed, and they ask you to keep these long term City goals in mind – and hopefully embrace these goals as your own.

In making decisions, please try to do what is best for the City. What is best for the City may or may not be best for the person testifying before your Commission but please consider the long term consequences of your decisions on the neighbors and residents of Kent before casting your vote.

Likewise, there may be times when you personally don't like the City's laws or rules and regulations or goals. As difficult as it might be, sitting as a Commission member in a public meeting is perhaps not the best time to express your personal opinions.

You are welcome, and encouraged, to bring proposed changes to the City's codes, rules and regulations to City Council for review and potential adoption. Council selected you because they believed in your abilities to serve the community and they value your insights on how make positive change -- but until changes are adopted by City Council, please support and follow the laws that are in place.

If you have any questions, please let me know. The City staff and I will do our best to respond to you. Again, thank you for your time and talents in serving on City Boards, Commissions and Committees.



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: August 25, 2016
TO: Dave Ruller, City Manager
FROM: Bridget Susel, Community Development Director *BOD*
RE: TREX Transfer Request

The City has received a TREX transfer permit request from "Pizza Fire" which is one of the two new restaurants that will be operating on the first floor of the Avant 220 building. Pizza Fire is currently working with a legal representative to identify both a D1 and a D2 license which will allow for the sale and service of beer and wine at the new establishment.

Based on the information provided to the City, all of the requirements specified in the City's TREX Guidelines which were approved by Council on May 15, 2013, have been met, including:

1. Investment in the physical structure is \$133 per square foot and leasehold improvements is \$137 per square foot, for a total investment per square foot of \$270 which exceeds the City's minimum investment level requirement of \$175 per square foot;
2. Operation is located within the City of Kent Commercial-Downtown District (C-D);
3. Management has agreed to notify the City of the source of the permit(s) in writing prior to authorizing endorsement of TREX to the Division of Liquor Control;
4. Willingness to enter into development agreement with the City of Kent if Council grants approval of the TREX transfer request;
5. Recognition from the applicants that they will seek Council approval if the permit is to be transferred to another individual, corporation, LLC or partnership located within the City of Kent.

I am respectfully requesting time at the September 7, 2016 Committee session to discuss this TREX transfer proposal in greater detail and seek Council approval, with emergency, of the TREX transfer request.

Please let me know if you need any additional information in order to add this to the September 7th agenda.

Thank you.

Cc: Jim Silver, Law Director
Tom Wilke, Economic Development Director
Michelle Lee, Chief of Police

**City of Kent
Income Tax Division**

July 31, 2016

Income Tax Receipts Comparison - (Excluding 0.25% Police Facility Receipts)

Monthly Receipts

Total receipts for the month of July, 2016	\$1,070,843
Total receipts for the month of July, 2015	\$1,844,744
Total receipts for the month of July, 2014	\$1,073,397

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 July 31, 2016	\$8,387,712	59.35%
Total receipts January 1 through July 31, 2015	\$8,889,858	60.92%
Total receipts January 1 through July 31, 2014	\$7,622,830	58.19%

Year-to-date Receipts Through July 31, 2016 - 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>
2016	\$ 14,133,510	\$ 14,133,510	\$ 8,387,712	59.35%	40.65%

Comparisons of Total Annual Receipts for Previous Eight Years

<u>Year</u>	<u>Total Receipts</u>	<u>Percent Change From Prior Year</u>
2008	\$ 10,712,803	1.63%
2009	\$ 10,482,215	-2.15%
2010	\$ 10,453,032	-0.28%
2011	\$ 10,711,766	2.48%
2012	\$ 12,063,299	12.62%
2013	\$ 12,397,812	2.77%
2014	\$ 13,099,836	5.66%
2015	\$ 14,592,491	11.39%

Submitted by

David A. Coffey

, Director of Budget and Finance

2016 CITY OF KENT, OHIO
Comparison of Income Tax Receipts
(Excluding 0.25% Police Facility Receipts)
as of Month Ended July 31, 2016

Monthly Receipts				Comparisons	
Month	2014	2015	2016	Amount	Percent Change
January	\$ 935,222	\$ 1,133,206	\$ 1,154,690	\$ 21,484	1.90%
February	992,427	1,025,924	1,099,532	73,608	7.17%
March	1,027,737	1,092,324	1,182,357	90,032	8.24%
April	1,393,884	1,432,498	1,413,680	(18,818)	-1.31%
May	1,029,906	1,188,681	1,226,790	38,109	3.21%
June	1,170,257	1,172,480	1,239,820	67,340	5.74%
July	1,073,397	1,844,744	1,070,843	(773,901)	-41.95%
August	997,630	1,126,103			
September	983,247	934,913			
October	1,138,675	1,148,218			
November	1,152,778	1,262,728			
December	1,204,676	1,230,671			
Totals	\$ 13,099,836	\$ 14,592,491	\$ 8,387,712		

Year-to-Date Receipts				Comparisons	
Month	2014	2015	2016	Amount	Percent Change
January	\$ 935,222	\$ 1,133,206	\$ 1,154,690	\$ 21,484	1.90%
February	1,927,649	2,159,130	2,254,221	95,091	4.40%
March	2,955,386	3,251,454	3,436,578	185,124	5.69%
April	4,349,270	4,683,953	4,850,258	166,305	3.55%
May	5,379,176	5,872,634	6,077,048	204,414	3.48%
June	6,549,433	7,045,114	7,316,868	271,754	3.86%
July	7,622,830	8,889,858	8,387,712	(502,147)	-5.65%
August	8,620,460	10,015,961			
September	9,603,707	10,950,874			
October	10,742,382	12,099,092			
November	11,895,160	13,361,820			
December	13,099,836	14,592,491			
Totals	\$ 13,099,836	\$ 14,592,491			

2016 CITY OF KENT, OHIO
Comparison of Income Tax Receipts from Kent State University
(Excluding 0.25% Police Facility Receipts)
as of Month Ended July 31, 2016

Monthly Receipts				Comparisons	
Month	2014	2015	2016	Amount	Percent Change
January	\$ 397,519	\$ 414,915	\$ 421,390	\$ 6,475	1.56%
February	361,700	380,146	385,108	4,962	1.31%
March	404,469	419,335	442,123	22,788	5.43%
April	412,661	421,050	422,702	1,652	0.39%
May	396,992	410,426	459,795	49,369	12.03%
June	425,614	445,804	410,589	(35,214)	-7.90%
July	374,686	389,954	0	(389,954)	-100.00%
August	389,902	400,211			
September	332,001	336,026			
October	407,748	407,766			
November	456,507	466,654			
December	418,293	424,587			
Totals	\$ 4,778,094	\$ 4,916,874	\$ 2,541,708		

Year-to-Date Receipts				Comparisons	
Month	2014	2015	2016	Amount	Percent Change
January	\$ 397,519	\$ 414,915	\$ 421,390	\$ 6,475	1.56%
February	759,219	795,061	806,499	11,437	1.44%
March	1,163,689	1,214,397	1,248,622	34,225	2.82%
April	1,576,350	1,635,447	1,671,324	35,877	2.19%
May	1,973,342	2,045,873	2,131,119	85,246	4.17%
June	2,398,956	2,491,676	2,541,708	50,032	2.01%
July	2,773,643	2,881,630	2,541,708	(339,922)	-11.80%
August	3,163,545	3,281,842			
September	3,495,546	3,617,868			
October	3,903,294	4,025,633			
November	4,359,801	4,492,287			
December	4,778,094	4,916,874			
Totals	\$ 4,778,094	\$ 4,916,874			

2016 CITY OF KENT, OHIO
Comparison of Income Tax Receipts from Kent State University
(Excluding 0.25% Police Facility Receipts)

Comparisons of Total Annual Receipts for Previous Eight Years

Year	Total Receipts	Percent Change
2008	\$ 3,919,539	5.71%
2009	\$ 4,090,788	4.37%
2010	\$ 4,267,465	4.32%
2011	\$ 4,246,372	-0.49%
2012	\$ 4,436,666	4.48%
2013	\$ 4,603,095	3.75%
2014	\$ 4,778,094	3.80%
2015	\$ 4,916,874	2.90%

2016 CITY OF KENT, OHIO
Comparison of Income Tax Receipts
Police Facility Dedicated Income Tax Receipts - 1/9 of Total (0.25%)
as of Month Ended July 31, 2016

Monthly Receipts				Comparisons	
Month	2014	2015	2016	Amount	Percent Change
January	\$ 116,890	\$ 141,635	\$ 144,319	\$ 2,684	1.90%
February	124,039	128,226	137,426	9,200	7.17%
March	128,453	136,525	147,779	11,254	8.24%
April	174,216	179,042	176,690	(2,352)	-1.31%
May	128,723	148,568	153,332	4,763	3.21%
June	146,266	146,544	154,960	8,417	5.74%
July	134,159	230,567	133,840	(96,727)	-41.95%
August	124,690	140,747			
September	122,892	116,851			
October	142,318	143,511			
November	144,081	157,823			
December	150,569	153,817			
Totals	\$ 1,637,295	\$ 1,823,856	\$ 1,048,346		

Year-to-Date Receipts				Comparisons	
Month	2014	2015	2016	Amount	Percent Change
January	\$ 116,890	\$ 141,635	\$ 144,319	\$ 2,684	1.90%
February	\$ 240,929	\$ 269,861	281,745	11,884	4.40%
March	\$ 369,382	\$ 406,386	429,524	23,138	5.69%
April	\$ 543,598	\$ 585,428	606,214	20,786	3.55%
May	\$ 672,321	\$ 733,997	759,546	25,549	3.48%
June	\$ 818,586	\$ 880,540	914,506	33,965	3.86%
July	\$ 952,745	\$ 1,111,107	1,048,346	(62,761)	-5.65%
August	\$ 1,077,435	\$ 1,251,854			
September	\$ 1,200,327	\$ 1,368,705			
October	\$ 1,342,645	\$ 1,512,216			
November	\$ 1,486,726	\$ 1,670,040			
December	\$ 1,637,295	\$ 1,823,856			
Totals	\$ 1,637,295	\$ 1,823,856			

2016 CITY OF KENT, OHIO
Comparison of Total Income Tax Receipts - Including Police Facility Receipts
as of Month Ended July 31, 2016

Monthly Receipts				Comparisons	
Month	2014	2015	2016	Amount	Percent Change
January	\$ 1,052,112	\$ 1,274,841	\$ 1,299,009	\$ 24,168	1.90%
February	1,116,466	1,154,150	1,236,958	82,807	7.17%
March	1,156,190	1,228,849	1,330,135	101,285	8.24%
April	1,568,100	1,611,541	1,590,370	(21,170)	-1.31%
May	1,158,629	1,337,250	1,380,122	42,872	3.21%
June	1,316,523	1,319,024	1,394,780	75,756	5.74%
July	1,207,556	2,075,311	1,204,684	(870,627)	-41.95%
August	1,122,320	1,266,850			
September	1,106,139	1,051,764			
October	1,280,993	1,291,729			
November	1,296,859	1,420,551			
December	1,355,243	1,384,487			
Totals	\$ 14,737,131	\$ 16,416,347	\$ 5,456,472		

Year-to-Date Receipts				Comparisons	
Month	2014	2015	2016	Amount	Percent Change
January	\$ 1,052,112	\$ 1,274,841	\$ 1,299,009	\$ 24,168	1.90%
February	2,168,578	2,428,991	2,535,967	106,976	4.40%
March	3,324,768	3,657,840	3,866,102	208,261	5.69%
April	4,892,868	5,269,381	5,456,472	187,091	3.55%
May	6,051,497	6,606,631	6,836,594	229,963	3.48%
June	7,368,020	7,925,654	8,231,374	305,719	3.86%
July	8,575,576	10,000,966	9,436,058	(564,908)	-5.65%
August	9,697,896	11,267,815			
September	10,804,035	12,319,580			
October	12,085,028	13,611,309			
November	13,381,888	15,031,860			
December	14,737,131	16,416,347			
Totals	\$ 14,737,131	\$ 16,416,347			



**Main Street Kent 2016
Accomplishments: Q2 Report**

Marketing Committee – This committee is led by Pam Petrus of DIVERSA Advertising, focusing on the marketing aspect of our mission. Executing events all year long, we entice visitors and Kent residents to the downtown district. We also promote the businesses and features of downtown Kent through web, email, billboard, radio, print and social media.



- ← **Good Times Magazine** – We placed a full-page ad featuring the tenth annual Main Street Kent Art & Wine Festival and other signature events in this publication – 100,000 copies.



Explore Magazines – We are placing ads in ten area magazines received by subscribers of the Record-Courier newspapers throughout the year. More people at our events means more people will be able to see what our city has to offer, and then come back! (Above, on the right.)

Social Media – Our focus on marketing via social media continues to increase, strengthening our presence on Twitter and Instagram, and continuing to cultivate our solid following on Facebook.

Website – Traffic to the MSK website continues to grow, with **736,013 unique visitors** to date. Our committee pays special attention to the analytics derived by Google, so we know where site traffic originates and what pages get the most attention, so we can better plan our content strategy.

Leaderboard Ads – Each month, we place an ad on recordpub.com, which receives a minimum of 50,000 impressions. A theme is chosen based on events, seasonal activity, or other interesting things about Kent. This drives traffic to our website as well. See example below:



Travel Host Magazine – MSK has partnered with the City of Kent, Acorn Alley, College Town Kent, KSU, and the KACC to put together a 2-page spread in this magazine, which is published six times per year. Other ad contributors include The Kent Stage, Pufferbelly, Ray's Place and the Kent State University Hotel & Conference Center. This publication is distributed in hotels, rest stops, and other travel information portals.



VCB Guide – Main Street Kent contributed this half-page ad (left), focused on downtown events for the 2016 VCB Guide.

Art & Wine Festival – Our tenth annual event was a total success! Nearly fifty artists, eight Ohio wineries, several local foodies and entertainers made this event our best yet. After a decade of experience, this signature event has become a tremendous source of income for Main Street Kent. Our net profit surpassed **\$29,000** this year!

“Best Hometown” Application – Each year, Ohio Magazine nominates five cities in the state for “Best Hometown.” Naturally, we pulled a group of people together to compose an application for Kent! We also sent a black squirrel, some Popped! caramel corn, stickers and other fun Kent memorabilia so they could get a flavor for our great city. We’ll find out in late August if Kent is a winner.



WNIR “Word of Mouth” Campaign – A new effort at gaining attention in the NE Ohio market, we worked with radio personality Angela Bellios on this 30-day campaign. We had a group meeting with many downtown business

owners, so Angela could learn about all of the goodness of downtown Kent, then Angela informed WNIR listeners about the fabulous offerings of downtown Kent including events, shops, restaurants, and community.

Design Committee – The Design Committee is led by Jeff Meyers of DS Architecture. Under his leadership, the committee organized and proactive, with a great variety of expertise in the group. Activity includes involvement in planning the Kent Creativity Festival (www.kent.edu/kcf), bringing the Inside|Out program of the Akron Art Museum to Kent (August through October <https://akronartmuseum.org/inside-out>), updating the downtown kiosk maps, implementing the “Traveling Stanzas Utility Box Art” project, the Adopt-A-Spot program, a downtown banner “refresh” and even more things on the horizon.



Clean Up Kent Day – On April 27th, dozens of volunteers gathered to clean up trash and eliminate graffiti in the downtown district. Scouts, KSU students, committee members, and other community volunteers worked for over three hours to get the job done, making a lasting positive impact on our beautiful downtown. The next Clean Up Kent Day is scheduled for Sat., Oct. 22nd with a smaller graffiti clean up scheduled for August 9th. Maintenance is key!



Adopt-A-Spot – On May 28th, our Adopt-A-Spot volunteer gardeners met at the PARTA facility to pick up their flowers for planting day! This year, we changed flower vendors and were thrilled with the results. Pettiti's Garden Center has delivered a wonderful product and their staff has been very helpful to us. We also chose a new vendor for our hanging flower baskets, and are thrilled with the beautiful baskets provided by Battaglia's. Additionally, we have consulted with KSU grounds keeper Bekkah Berryhill on plant selection and care, resulting in additional improvements.



Business Enhancement Committee – The Business Enhancement Committee is led by Eric Decker, a board member from Portage Community Bank. The focus remains on driving traffic through the doors of older business as well as newer ones. In addition, the committee searches out opportunities for the businesses to work together, whether on an event, a promotion, or otherwise.



Chocolate Walk – Feb. 6, 2016. For four years, this event has been a popular downtown adventure, generating profits for Main Street Kent and great foot traffic for participating businesses. Two hundred

tickets were sold at \$20 each. Business owners met many new customers and had great sales during the event. This year, the Kent State University Hotel & Conference Center donated an overnight stay, dinner for two at the Nineteen 10 restaurant, and a bottle of champagne for our big drawing, in which all attendees were entered to win. Guests drove from over an hour away to be a part of this popular event, which kicked off at the Destination Kent Visitor Centre.



Sidewalk Sale – On Sat., June 25th, College Town Kent held their annual "Summer Tour" offering free samples, fun activities, sales, etc. so we invited the rest of the downtown businesses to partake in a city-wide Sidewalk Sale! If people are coming downtown for one reason, we like to give them even more reasons to stay...and spend!

Operations Committee – Leadership for MSK is based in our Executive Committee: President – Mike Finley, Vice President – Regan Gettens, Treasurer – Mike Lewis, Secretary – Joan Conaway

- **Annual Evaluation** – Our annual evaluation with Heritage Ohio took place on February 12th. Main Street Kent is recognized as proficient in the ten criteria set by the National Main Street Center, scoring a **99/100!**



- **Annual Awards Celebration** – Our annual awards celebration was held on Thurs., June 16th at the Kent Historical Society Museum. Awards were presented to: Volunteer of the Year – Mary Organ; Small Business of the Year – McKay Bricker; Large Business of the Year – College Town Kent; the Ronald Burbick Award – Kent City Council; and Non-profit of the Year – the Kent community, in honor of the Dan Smith Community Park. We celebrated another successful year of work in downtown Kent,

and all of the people who make it possible. Handmade ceramic awards containing the Main Street Kent image above were presented to all winners.

- **Strategic Planning** – We are continually focused on succession planning for our Board of Directors, fundraising, and the overall sustainability of our downtown. This is reflected in our plans and projects on the committee level.
- **New Board Member Recruitment** – The MSK Board of Directors continues to grow and diversify. In 2016, this new member has joined the team:
 - **Julie Kenworthy** – Kent Historical Society; active Design Committee member



Pictured: (back row, left to right) Mike Lewis, Regan Gettens, Tom Wilke, Eric Decker, Mike Finley, Mike Beder; (front row, left to right) Julie Kenworthy, Jeff Meyers, Heather Malarcik, Pam Petrus, Joan Conaway, Mike Carr

Not pictured: Tom Hatch, Lesley Sickle (staff), Nancy Whitehead

- **Volunteers** – We could not accomplish our mission without the help of our volunteers. This includes our Board of Directors, committee members, and all of the great people who dedicate their valuable time to various Main Street Kent projects and events. Volunteers are our greatest assets!

Jan. 51 hrs + Feb. 77 hrs + Mar. 62 + Apr. 305 hrs + May 209 hrs + June 233 hrs

TOTAL = 937 hours!

We greatly appreciate the ongoing support of the City of Kent! We look forward to continuing our partnership with all of the organizations (<http://www.mainstreetkent.org/our-supporters>) that help us continue our mission: ***Working to strengthen and beautify downtown Kent while fostering economic development, historic preservation, and a sense of community.***

Main Street Kent
INCOME ELIGIBLE FOR CITY MATCH
 January - June, 2016

	TOTAL
Income	
4030 Corporate Sponsors & Foundations	
4031 Board Member Donations	1,425.00
4034 Art Wine Sponsorship	4,838.45
4040 Friend of Main Street Kent	945.35
4047 International Festival Sponsors	1,000.00
4048 Legacy Partners (10k+)	4,750.00
4050 Progressive Event Sponsors	1,700.00
Total 4030 Corporate Sponsors & Foundations	14,658.80
4065 Fundraisers	
4071 Annual Dinner Income	1,937.43
4073 Art & Wine Festival Income	156.07
4075 Artists payments for festival	2,505.00
4079 Wine Sales / Raffle Sales	38,473.34
4081 Winery payments for Festival	2,150.00
Total 4073 Art & Wine Festival Income	43,284.41
4083 Chocolate Walk Income	3,877.88
4091 Progressive Events Income	3,520.41
Total 4065 Fundraisers	52,620.13
4100 In Kind Donations	865.80
4150 Marketing & Advertising Campaigns	250.00
Total Income	\$68,394.73
Gross Profit	\$68,394.73
Expenses	
Total Expenses	
Net Operating Income	\$68,394.73
Net Income	\$68,394.73

Thursday, Aug 04, 2016 12:47:57 PM PDT GMT-4 - Cash Basis