

ORDINANCE NO. 2023 -097

AN ORDINANCE APPROPRIATING FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024, AND DECLARING AN EMERGENCY.

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

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

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

SECTION 1. That to provide for the current expenses and other expenditures of the City of Kent for the fiscal year ending December 31, 2024, the appropriations set forth in Exhibit "A" attached hereto and incorporated herein, are hereby authorized.

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

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

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

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

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

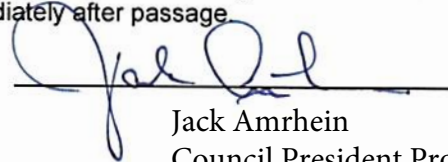
contingency funds shall be made in an identical manner and shall also require prior Board of Control approval, in which instance the instructions to the Director shall bear the language "Charge to Contingency Fund per Board of Control authorization" or other similar words. Regardless of whether a contingency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

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

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

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

PASSED: December 20, 2023
Date


Jack Amrhein
Council President Pro Tem

EFFECTIVE: December 20, 2023
Date

ATTEST: Amy Wilkens
Amy Wilkens, CMC
Clerk of Council

I, AMY WILKENS, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. 2023-097, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON December 20, 2023.

(SEAL)


AMY WILKENS, CMC
CLERK OF COUNCIL

Exhibit A

2024 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>General Fund (001)</u>						
City Council	\$ 193,420	\$ 46,380	\$ -	\$ -	\$ -	\$ 239,800
Mayor	13,490	3,400				16,890
Community Support		106,000				106,000
City Manager	407,400	53,800				461,200
Community Engagement	106,590	5,100				111,690
Information Technology	275,315	449,354				724,669
Urban Renewal		37,700				37,700
Human Resources	120,116	25,415				145,531
Civil Service	41,730	26,720				68,450
Law	373,130	118,260				491,390
Budget & Finance	512,285	141,670				653,955
Community Development	746,985	186,855				933,840
Economic Development	148,100	33,750				181,850
Health	639,690	285,590				925,280
Public Parking		85,600				85,600
Main Street Program		70,000				70,000
Service Administration	190,509	399,200				589,709
Shade Tree		121,885	20,000			141,885
Sustainability		70,000				70,000
Building	385,165	46,185				431,350
Land banking		8,000				8,000
Engineering	323,720	107,500				431,220
Miscellaneous & Sundry		457,250				457,250
Contingency					100,000	100,000
Fund Total	<u>4,477,645</u>	<u>2,885,614</u>	<u>20,000</u>	<u>-</u>	<u>100,000</u>	<u>7,483,259</u>
<u>West Side Fire (101)</u>						
Fire	332,460	37,200				369,660
Fund Total	<u>332,460</u>	<u>37,200</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>369,660</u>
<u>Street Construction Maintenance & Repair (102)</u>						
Service	1,375,400	1,143,965				2,519,365
Contingency					25,000	25,000
Fund Total	<u>1,375,400</u>	<u>1,143,965</u>	<u>-</u>	<u>-</u>	<u>25,000</u>	<u>2,544,365</u>
<u>State Highway (103)</u>						
Service		87,200				87,200
Fund Total	<u>-</u>	<u>87,200</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>87,200</u>
<u>Recreation (106)</u>						
Parks & Recreation	1,416,700	701,850	224,000			2,342,550
Fund Total	<u>1,416,700</u>	<u>701,850</u>	<u>224,000</u>	<u>-</u>	<u>-</u>	<u>2,342,550</u>
<u>Food Service (107)</u>						
Health	127,785	24,340	7,500			159,625
Fund Total	<u>127,785</u>	<u>24,340</u>	<u>7,500</u>	<u>-</u>	<u>-</u>	<u>159,625</u>
<u>Income Tax (116)</u>						
Budget/Finance/IncTaxAdmin	146,525	663,600				810,125
Managed Reserve				25,540		25,540
Fund Total	<u>146,525</u>	<u>663,600</u>	<u>-</u>	<u>25,540</u>	<u>-</u>	<u>835,665</u>

2024 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Revolving Housing (120)</u>						
Health	178,695	21,270	6,300			206,265
Fund Total	178,695	21,270	6,300	-	-	206,265
<u>State & Local Forfeits (121)</u>						
Police						-
Fund Total	-	-	-	-	-	-
<u>Drug Law Enforcement (122)</u>						
Police		15,000				15,000
Fund Total	-	15,000	-	-	-	15,000
<u>Enforcement & Education (123)</u>						
Police		11,000				11,000
Fund Total	-	11,000	-	-	-	11,000
<u>Income Tax Safety (124)</u>						
Police	7,911,965	801,740				8,713,705
Fund Total	7,911,965	801,740	-	-	-	8,713,705
<u>Law Enforcement Trust (125)</u>						
Police						-
Fund Total	-	-	-	-	-	-
<u>Community Development Block Grant (126)</u>						
Community Development	1,685	199,300				200,985
Fund Total	1,685	199,300	0	-	-	200,985
<u>Fire & E.M.S. (128)</u>						
Fire	6,282,490	847,370	814,600			7,944,460
Fund Total	6,282,490	847,370	814,600	-	-	7,944,460
<u>Wireless 911 (129)</u>						
Safety						-
Fund Total	-	-	-	-	-	-
<u>Swimming Pool Inspections (130)</u>						
Health	10,460		1,200			11,660
Fund Total	10,460	-	1,200	-	-	11,660
<u>Police Pension (132)</u>						
Police	160,000					160,000
Fund Total	160,000	-	-	-	-	160,000
<u>Fire Pension (133)</u>						
Fire	160,000					160,000
Fund Total	160,000	-	-	-	-	160,000
<u>UDAG / EDA-RLF (134)</u>						
City Manager/C.D.		60,000				60,000
Fund Total	-	60,000	-	-	-	60,000
<u>CHIP Grant (136)</u>						
City Manager/C.D.	20,000	155,000				175,000
Fund Total	20,000	155,000	-	-	-	175,000

2024 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Local American Rescue Plan Act (138)</u>						
ARPA						0
Fund Total	-	-	-	-	-	0
<u>Water (201)</u>						
Service	2,062,257	1,158,670	1,212,500			4,433,427
Service (Capital Facilities)			200,000			200,000
Admin. Support	529,672	164,973	301,500			996,145
Budget & Finance (Debt)				106,545		106,545
Contingency					50,000	50,000
Fund Total	2,591,929	1,323,643	1,714,000	106,545	50,000	5,786,117
<u>Sewer (202)</u>						
Service	1,446,494	963,495	1,086,100			3,496,089
Service (Capital Facilities)			25,000			25,000
Admin. Support	456,045	130,073	173,500			759,618
Budget & Finance (Debt)				363,285		363,285
Contingency					50,000	50,000
Fund Total	1,902,539	1,093,568	1,284,600	363,285	50,000	4,693,992
<u>Utility Billing (204)</u>						
Budget & Finance		98,400				98,400
Fund Total	-	98,400	-	-	-	98,400
<u>Solid Waste (205)</u>						
Admin Support	75,650	176,790	9,000			261,440
Service	394,968	40,500	120,000			555,468
Fund Total	470,618	217,290	129,000	-	-	816,908
<u>Storm Water Utility (208)</u>						
Service	394,968	62,850				457,818
Service (Capital Facilities)			150,000			150,000
Admin. Support	331,258	78,800	20,000			430,058
Budget & Finance (Debt)				13,350		13,350
Fund Total	726,226	141,650	170,000	13,350	-	1,051,226
<u>Guaranteed Deposits (230)</u>						
Budget & Finance		1,000				1,000
Fund Total	-	1,000	-	-	-	1,000

2024 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
Capital Projects (301)						
Safety			105,000			105,000
Service			804,000			804,000
Service (Capital Facilities)			2,698,000			2,698,000
Administrative	338,969		727,000			1,065,969
Budget & Finance (Debt)				62,280		62,280
New City Hall (Debt)			150,000	176,010		326,010
Contingency					25,000	25,000
Fund Total	<u>338,969</u>	<u>-</u>	<u>4,484,000</u>	<u>238,290</u>	<u>25,000</u>	<u>5,086,259</u>
Municipal Public Improvement Tax Increment Equivalent (302)						
Service (Capital Facilities)						-
Budget & Finance (Debt)				435,905		435,905
Fund Total	<u>-</u>	<u>-</u>	<u>-</u>	<u>435,905</u>	<u>-</u>	<u>435,905</u>
Police Facility (303)						
Safety (Capital Facilities)		66,000		811,250		877,250
Budget & Finance (Debt)						0
Fund Total	<u>-</u>	<u>66,000</u>	<u>-</u>	<u>811,250</u>	<u>-</u>	<u>877,250</u>
Debt Service (402)						
Budget & Finance (Debt)				284,990		284,990
Fund Total	<u>-</u>	<u>-</u>	<u>-</u>	<u>284,990</u>	<u>-</u>	<u>284,990</u>
Internal Service (807)						
Health Insurance		4,300,000				4,300,000
Fund Total	<u>-</u>	<u>4,300,000</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>4,300,000</u>
Total Appropriations	<u>\$ 28,632,091</u>	<u>\$ 14,896,000</u>	<u>\$ 8,855,200</u>	<u>\$ 2,279,155</u>	<u>\$ 250,000</u>	<u>\$ 54,912,446</u>
Original Appropriations	\$ 28,632,091	\$ 14,896,000	\$ 8,855,200	\$ 2,279,155	\$ 250,000	\$ 54,912,446
Amendment #1						-
Amendment #2						-
Amendment #3						-
Amendment #4						-
Amendment #5						-
Amendment #6						-
Amendment #7						-
Amendment #8						-
	<u>\$ 28,632,091</u>	<u>\$ 14,896,000</u>	<u>\$ 8,855,200</u>	<u>\$ 2,279,155</u>	<u>\$ 250,000</u>	<u>\$ 54,912,446</u>

2024 ORIGINAL APPROPRIATIONS - SCHEDULE OF OPERATING TRANSFERS AND TEMPORARY ADVANCES

<u>Operating Transfers</u>	<u>Paying Fund</u>	<u>Original</u>	<u>Request</u>	<u>Change</u>	<u>Receiving Fund</u>
Fund 116 - Income Tax		\$ 3,800,000			Fund 001 - General
Fund 116 - Income Tax		400,000			Fund 102 - St Const Maint & Repair
Fund 116 - Income Tax		4,360,970			Fund 124 - Income Tax Safety
Fund 116 - Income Tax		4,360,970			Fund 128 - Fire & E.M.S.
Fund 116 - Income Tax		3,902,770			Fund 301 - Capital Projects
Fund 116 - Income Tax		2,180,485			Fund 303 - Police Facility
Total Fund 116 Income Tax		19,005,195	0	0	
Fund 201 - Water		55,000			Fund 204 - Utility Billing
Fund 202 - Sewer		55,000			Fund 204 - Utility Billing
Fund 001 - General		4,500,000			Fund 124 - Income Tax Safety
Fund 001 - General		3,500,000			Fund 128 - Fire & EMS
Subtotal - Total Operating Transfers		8,110,000	0	0	
Grand Total - All Transfers		\$ 27,115,195	\$ -	\$ -	