

ORDINANCE NO. 2019 - 101

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO APPROVE A NEW SPECIAL EVENT APPLICATION FROM THE CITY OF KENT AND KENT STATE UNIVERSITY FOR THE 2019 KENT CREATIVITY FESTIVAL "PLAN B" TO BE HELD ON SATURDAY, SEPTEMBER 28, 2019, AND THE TEMPORARY CLOSURE OF ERIE STREET BETWEEN HAYMAKER PARKWAY AND DEPEYSTER STREET, ERIE STREET BETWEEN DEPEYSTER STREET AND WATER STREET, AND A PORTION OF THE SOUTH WATER STREET PARKING LOT, A "PLAN B" FOR GREEN ENERGY OHIO TOUR-CLEAN TRANSPORTATION DRIVE-IN SCHEDULED TO BE HELD IN CONJUNCTION WITH KENT CREATIVITY FESTIVAL AND DECLARING AN EMERGENCY.

WHEREAS, the Kent Creativity Festival "Plan B" location is a precautionary measure in the event that this year's festival cannot be held on campus grounds; and

WHEREAS, the "Plan B" location would temporarily close Erie Street between Haymaker Parkway and Depeyster Street and Erie Street between Depeyster Street and Water Street beginning at 7 a.m. on Saturday, September 28th and continue until 6 p.m. that evening; and

WHEREAS, additionally, the Green Energy Ohio Tour-Clean Transportation Drive-In is scheduled to be held in conjunction with Kent Creativity Festival in the parking lot of the City Health Department office on KSU's campus. A proposed precautionary "Plan B" location for the Clean Transportation Drive-In is in the South Water Street Parking Lot; and

WHEREAS, the Kent City Council consents to authorizing the City Manager or his designee to sign the Special Event Application as long as he is comfortable and believes the safety and security of the City's citizens will not be adversely affected; and

WHEREAS, the time is of the essence as the event is scheduled for September 28, 2019.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That the Kent City Council authorizes the City Manager or his designee to execute the Special Event Application from the City of Kent and Kent State University in substantial conformance with the Special Event Application attached hereto as Exhibit "A", as long as the City Manager or his designee believes the safety and security of Kent's citizens are adequately protected and authorizing a "Plan B" for the Green Energy Ohio Tour-Clean Transportation Drive-In.

SECTION 2. 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 3. 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: August 21, 2019
Date

EFFECTIVE: August 21, 2019
Date



Jerry T. Fiala
Mayor and President of Council

ATTEST:



Dawn Bishop
Interim Clerk of Council

I, DAWN BISHOP, INTERIM CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *ORDINANCE* No. _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

DAWN BISHOP
INTERIM CLERK OF COUNCIL

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

NAME OF EVENT Kent Creativity Festival (Precautionary Plan B)
ORGANIZATION SPONSORING EVENT City of Kent/Kent State University
APPLICANT NAME John R. Crawford-Spinelli PHONE 330-672-8386
ADDRESS KSU, PO Box 5190, Kent, OH 44242

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

Dan Morganti, City of Kent, Office 330-678-8108
Gloria Tilenni, KSU College of the Arts, Office 330-672-8386

DATE OF EVENT Saturday, Sept. 28, 2019 NO. OF PARTICIPANTS 30 artists

REQUESTED PERMIT TIME: Start Set up 7 a.m. Start Event 11 a.m.
End Event 5 p.m. End Cleanup 6 p.m.

IF PARADE: STARTING POINT _____ ENDING POINT _____

USE OF CITY WATER NEEDED? Yes, 4 artists need water
(IF YES, PLEASE EXPLAIN)

USE OF CITY ELECTRIC NEEDED? Yes, 9 artists will need electricity
(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.).

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.

John R. Crawford-Spinelli
Name of Applicant

John R. Crawford-Spinelli
Signature of Applicant

Office Use. Do not write below this line. _____ Sent to:
Safety, Service, Fire, Police, and Health Departments for review and approval
via _____ on _____

MEMORANDUM AGREEMENT _____ YES _____ NO
APPLICATION APPROVED _____ APPLICATION DISAPPROVED _____

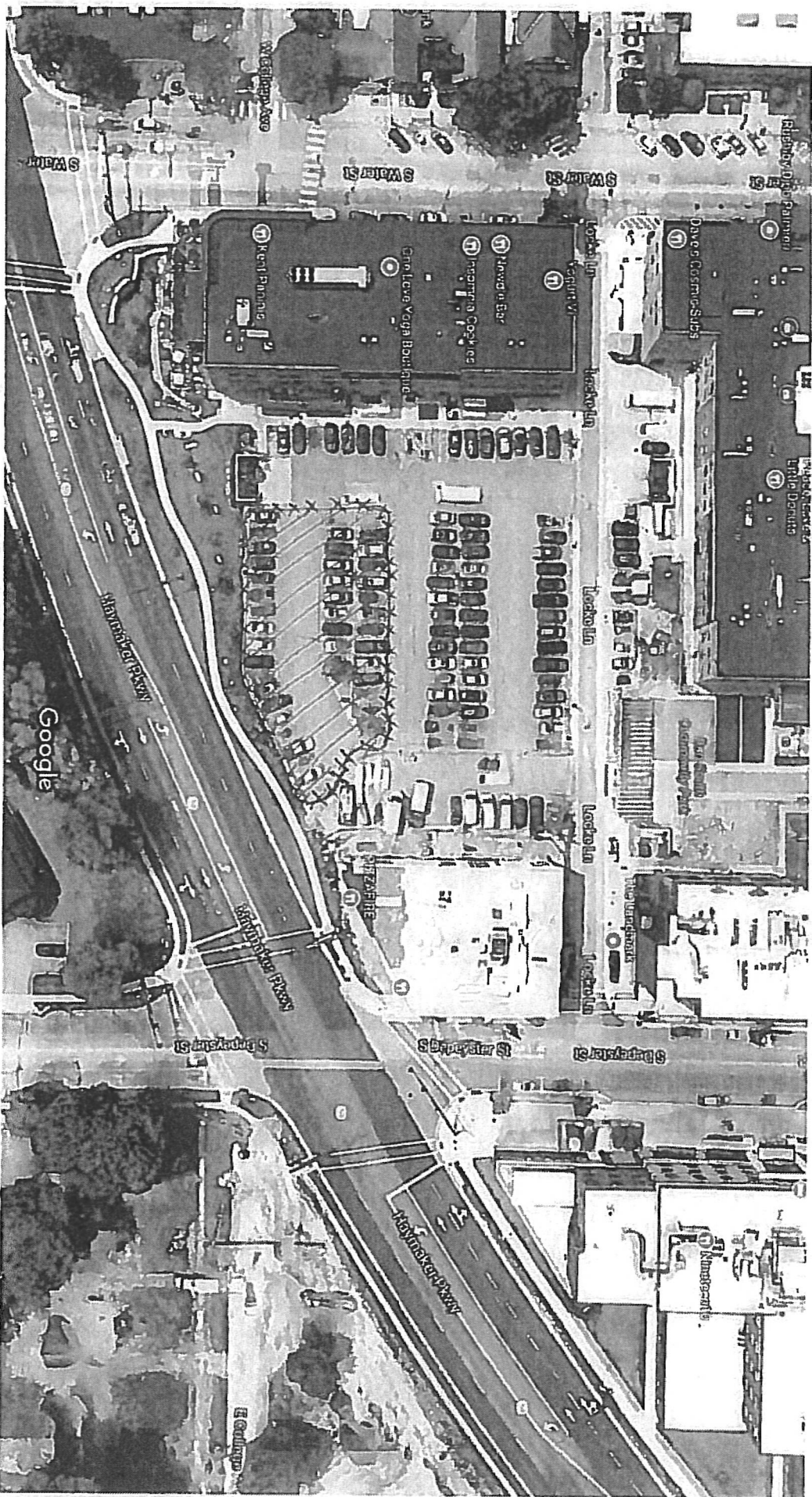
PROOF OF INSURANCE REQUIRED BY ORDINANCE 316.04 HAS BEEN REVIEWED AND APPROVED.

John R. Crawford-Spinelli
Law Director

7-24-19
Date

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

Google Maps



Imagery ©2017 Google, Map data ©2017 Google United States 50 ft

Location in Cruise Transportation

<https://www.google.com/maps/@41.1519011,-81.3570144,140m/data=!3m1!1e3>



CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)
06/13/2019

THIS CERTIFICATE IS ISSUED AS A MATTER OF INFORMATION ONLY AND CONFERS NO RIGHTS UPON THE CERTIFICATE HOLDER. THIS CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must have ADDITIONAL INSURED provisions or be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER
Marsh USA Inc
200 Public Square, Suite 3760
Cleveland, OH 44114

CONTACT NAME:
PHONE (A/C, No, Ext):
FAX (A/C, No):
E-MAIL:
ADDRESS:

CN101360767-KenSt-PRIM-19-20

INSURED
Kent State University
Attn: Elaine Ramhoff
310 Harbourt Hall, 615 Loop Rd
Kent, OH 44242-0001

INSURER(S) AFFORDING COVERAGE		NAIC #
INSURER A : IUC Insurance Consortium		
INSURER B : N/A		N/A
INSURER C : N/A		N/A
INSURER D :		
INSURER E :		
INSURER F :		

COVERAGES CERTIFICATE NUMBER: CLE-005422961-22 REVISION NUMBER: 2

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSR LTR	TYPE OF INSURANCE	ADD'L SUBH (INSR) WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY <input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PRO-JECT <input type="checkbox"/> LOC <input type="checkbox"/> OTHER		IUC-IC-GL JULY 2019-20	07/01/2019	07/01/2020	EACH OCCURRENCE \$ 5,000,000 DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 100,000 MED EXP (Any one person) \$ NOT COVERED PERSONAL & ADV INJURY \$ 5,000,000 GENERAL AGGREGATE \$ 5,000,000 PRODUCTS - COMP/OP AGG \$ Incl in Gen. Agg
A	<input checked="" type="checkbox"/> AUTOMOBILE LIABILITY <input checked="" type="checkbox"/> ANY AUTO <input type="checkbox"/> OWNED AUTOS ONLY <input type="checkbox"/> SCHEDULED AUTOS <input type="checkbox"/> HIRED AUTOS ONLY <input type="checkbox"/> NON-OWNED AUTOS ONLY		IUC-IC-AL JULY 2019-20	07/01/2019	07/01/2020	COMBINED SINGLE LIMIT (Ea accident) \$ 5,000,000 BODILY INJURY (Per person) \$ BODILY INJURY (Per accident) \$ PROPERTY DAMAGE (Per accident) \$
	<input type="checkbox"/> UMBRELLA LIAB <input type="checkbox"/> OCCUR <input type="checkbox"/> EXCESS LIAB <input type="checkbox"/> CLAIMS-MADE <input type="checkbox"/> DED <input type="checkbox"/> RETENTION \$					EACH OCCURRENCE \$ AGGREGATE \$
	<input type="checkbox"/> WORKERS COMPENSATION AND EMPLOYERS' LIABILITY <input type="checkbox"/> ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) <input type="checkbox"/> Y/N <input checked="" type="checkbox"/> N/A If yes, describe under DESCRIPTION OF OPERATIONS below					<input type="checkbox"/> PER STATUTE <input type="checkbox"/> OTH-ER E L EACH ACCIDENT \$ E L DISEASE - EA EMPLOYEE \$ E L DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
City of Kent is named as an additional insured for any events sponsored and/or approved by Kent State University

CERTIFICATE HOLDER

CITY OF KENT
LAW OFFICE
319 S WATER ST
PO BOX 5192
KENT, OH 44240

CANCELLATION

SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.

AUTHORIZED REPRESENTATIVE
of Marsh USA Inc.

Kate Kenny

Kate W. Kenny