




Kent Parks & Recreation Department

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

TO: Dave Ruller, Jim Silver
FROM: John Idone 
DATE: July 25, 2011
RE: Kent Parks & Recreation Donations

* M E S S A G E *

Kent Parks & Recreation Department has received the following checks to assist with the Department Projects.

\$75.00 from Evelyn Colville (Beech/ Norwood Neighborhood) for Tree in Memory of Jack Weiss

\$75.00 from Evelyn Colville Beech/ Norwood Neighborhood) for Tree in Memory of Frances Meloy

\$150.00 from for Evelyn Colville Beech/ Norwood Neighborhood) Tree in Memory of Laura & Loris Troyer

\$1,000.00 from Wayside Furniture in Akron for Park Programs

\$1,000.00 from Sylvia Coogan Memorial Fund for Art in the Park

The funds have been forwarded to Budget and Finance and will be held until Council formally accepts them. Please request the necessary authorization from City Council to accept this donation. Your attention to this matter is sincerely appreciated.

PC: Budget & Finance
Linda Copley, Clerk of Council
Kent Parks & Recreation Board



CITY OF KENT, OHIO

DEPARTMENT OF FINANCE

To: Dave Ruller, City Manager

From: David A. Coffee, Director of Budget and Finance

A handwritten signature in blue ink, appearing to read "D. Coffee", is positioned to the right of the "From:" line.

Date: August 8, 2011

Re: *Updated* FY2011 Appropriation Amendments, Transfers, and Advances

Consistent with dialogue between Kent City Council and City Administration while in Executive Session on August 3, 2011, I am respectfully requesting the addition of an unauthorized appropriation amendment that will enable disbursement of loan funds when they are required. While there was no formal action taken at that time to authorize this amendment, to ensure the City is able to disburse these funds in the form of a loan when they are needed, I have taken the liberty of adding this item to the Ordinance Title and Appropriation Amendment attachment that will be presented for approval by Kent City Council at the August 17, 2011 meeting.

I have also included on this memo the verbal addition that I made to our Appropriation Amendment request that was authorized at the August 3, 2011 Council Committee Meeting.

The following appropriation amendments are in addition to those requested in my July 20, 2011 memorandum:

Fund 301 – Capital

Increase \$ 70,000

Capital – Additional appropriation to fund possible supplemental requirements for Bar’N Site Environmental remediation work per Engineering Div. memo of 7/27/11 from J. Bowling.

Fund 820 – UDAG

Increase \$ 375,000

Operations & Maintenance / Additional appropriation to fund an Economic Development loan to assist downtown developers in completing their funding package with other lenders. Execution of a loan agreement is anticipated between College Town Kent, LLC and the City of Kent with a 5 year term for repayment.



CITY OF KENT, OHIO

DEPARTMENT OF ECONOMIC DEVELOPMENT

This term sheet and commitment letter is subject to formal action and approval by Kent City Council on August 17, 2011.

1. Project Assumptions

- Borrower: College Town Kent, LLC
- Borrower's Contact: **Randy Ruttenberg**, Principal
Fairmount Properties
2618 N. Moreland Blvd
Cleveland, OH 44120
(216) 514-8700 (w)
(216) 514-1484 (f)
Email: rjruttenberg@yahoo.com
- For the purpose of carrying out the City's Downtown Urban Renewal Plan dated December, 2005, and to provide for the productive development and reuse of property and to create jobs and employment opportunities. To develop sites and facilities in support of commerce.
- The City of Kent proposes to provide a direct loan to College Town Kent, LLC for the purposes of redevelopment of the Central Business District parcels as provided in Land Development Agreement (ordinance 2010-78) and Supplement to Development Agreement (ordinance 2011-59).
- Borrower will invest \$27,000,000 in developing 185,000 sq. ft. mixed-use portion of downtown Kent's redevelopment district including two new corporate offices for The Davey Tree Expert Company and AMETEK, LLC.
- The Project will enable the Borrower to develop the properties as outlined in the LDA and Supplement to Development Agreement. The City assistance will be used to complete the financing as required by the project lenders (Huntington Bank/First Merit Bank) and will be utilized directly for construction expenses.
- Without the City assistance, Borrower would be unable to move forward with the Project due to its inability to obtain financing on similar terms.
- As a condition for receiving the City Assistance, Borrower will agree to meet all of the conditions of the LDA and Supplement to Development Agreement. Construction will be underway and the City's loan can be drawn down when Building A is under construction and Building B construction (footers) has commenced.
- Borrower anticipates a Project start date of August 17, 2011 and a Project completion date of December 31, 2012

2. Financial Terms of the City of Kent project loan

- Loan amount of up to \$375,000
- Issuer: City of Kent
- Interest Rate: 4%
- Term of loan to be 5 years.
- The first year and a half (18 months) will be interest only with remaining balance being amortized over the remaining forty two (42) months in equal monthly installments.

3. Timing
 - Borrower's project is scheduled to begin construction on August 17, 2011.
 - Borrower's loan request is scheduled for formal approval by Kent City Council on August 17, 2011.
4. Disbursement of City Assistance Proceeds
 - City Assistance proceeds disbursements will occur when Building A is under construction and Building B construction (footers) has commenced.
 - All drawdown requests will be made directly to the Development. Verification of construction expenditures will be required for disbursement of City funds.
 - The loan draws will be for non-construction related expenditures.
5. Security
 - A personal guarantee from Edward Dunlap
6. Fees and Costs Payable by Borrower
 - A processing and commitment fee of \$300 for the City loan is due at the time of closing.
7. Prepayment
 - Prepayment of the loan will not be subject to penalty.
9. Covenants
 - Borrower will maintain operations in at the Project Site throughout the term of the City assistance. If Borrower leaves the Project Site, The City of Kent will have the right to accelerate the City assistance and all remaining principal, interest and fees will become immediately due in full.
 - Cross default with all other Borrower agreements.
10. Other Conditions to Closing and Funding of the City Assistance
 - All other financing sources for the Project must be identified and closed, the terms of other financing must be acceptable to the City.
 - Borrower shall provide evidence of Borrower's required equity contribution.
 - Borrower shall execute and deliver loan and collateral documents, satisfactory, in form and substance, to the City.
 - Borrower shall furnish to the City at Borrower's cost customary loan closing documents and items, including, without limitation, lien and litigation searches, insurance certificates, legal opinion letter, certificate of good standing, authorizing resolutions and copies of organizational documents of Borrower, Project cost certificates and plans and specifications for the Project, all in form and substance satisfactory to the City Manager.
 - The property lease has been executed by both parties.
11. Indemnification
 - Borrower shall defend, indemnify and hold the City and any officials of the City harmless against any and all loss, cost, expense, claims or actions arising out of or connected with the City Assistance, regardless of whether the City Assistance closes or disbursement of proceeds of the City Assistance actually occurs.



City Of Kent Fire Department

320 S. Depeyster St.
Kent, Ohio 44240
330.676.7393
330.676.7374 Fax

TO: Dave Ruller, City Manager
Jim Silver, Law Director
Bill Lillich, Safety Director

FROM: Jim Williams, Fire Chief *JW*

DATE: August 3, 2011

SUBJECT: Donation

The Kent Fire Department has received a check for \$20.00 from John Wellsey Salter II. He has requested that the money be earmarked for the use by the Fire Department for the purchase of medical or fire equipment.

The check has been forwarded to Budget and Finance and will be held until City Council formally accepts the donation. Please request the necessary authorization from City Council to accept this donation. Your attention to this matter is sincerely appreciated.

CC Budget and Fiannce



**REPLAT of LOTS 10 R and 20 R
 CREATING LOTS 10R1, 10R2, 10R3, 10R4
 AND DEDICATING ACORN ALLEY AND ALLEY No. 5 EXTENSION
 ORIGINAL FRANKLIN TOWNSHIP LOT 24
 T 3 N, R 9 W
 CITY OF KENT
 COUNTY OF PORTAGE, STATE OF OHIO**

REFERENCES:
 1. COUNTY TAX MAPS
 2. DEEDS
 3. PLATS
 4. TITLE REPORT

BASIS OF BEARING:
 AND ALL OTHER NORTH SIZES
 TIED TO CITY OF KENT SURVEY CONTROL
 71°-24'-01", 71°-32'-02", 71°-30'-01" &
 71°-25'-01"

OWNERS ACCEPTANCE (CITY OF KENT):

I, WE, THE UNDERSIGNED OWNER(S) AND HEIRE(S) OF LOTS AND OTHER
 INTERESTS IN AND TO THE LANDS SHOWN WITHIN THIS REPLAT, DO
 HEREBY DECLARE THIS PLAT TO BE OUR FREE ACT AND DEED.

WITNESSES

STATE OF OHIO

BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY, PERSONALLY
 APPEARED THE ABOVE NAMED _____ WHO ACKNOWLEDGED
 THE FOREGOING INSTRUMENT AND THE SAME IS THIS FREE
 ACT AND DEED.
 IN TESTIMONY WHEREOF, I HAVE HEREIN SET IN MY HAND AND OFFICIAL
 SEAL, AT _____ OHIO, THIS ____ DAY OF ____
 20____.

MY COMMISSION EXPIRES _____

NOTARY PUBLIC _____

APPROVALS:

APPROVED BY THE CITY OF KENT ZONING INSPECTOR
 THIS ____ DAY OF ____, 20____.

HEATHER C. PHILE ZONING INSPECTOR

APPROVED FOR TRANSFER BY THE KENT CITY DEVELOPMENT ENGINEER
 THIS ____ DAY OF ____, 20____.

JENNIFER K. BARDONE DEVELOPMENT ENGINEER

UNLESS THE AUTHORITY HERETOIN IS TAKEN BY OTHERS, THIS PLAT, OF THE
 CITY OF KENT, OHIO, IS HEREBY FILED IN THE OFFICE OF THE
 CLERK OF THE CITY OF KENT, OHIO, IN ACCORDANCE WITH ORDINANCE
 20____, PASSED BY THEM THIS ____ DAY OF ____
 20____.

UNGA CORLEY, CLERK OF COUNCIL _____

RECEIVED FOR RECORD THIS ____ DAY OF ____, 20____.

PORTAGE COUNTY TAX MAP DEPARTMENT _____

ENTERED FOR TRANSFER THIS ____ DAY OF ____, 20____.

PORTAGE COUNTY AUDITOR _____

FILED FOR RECORD THIS ____ DAY OF ____, 20____ AT ____ M.

RECORDED THIS ____ DAY OF ____, 20____ AS

PORTAGE COUNTY RECORDER _____

REV.	DATE	DESCRIPTION

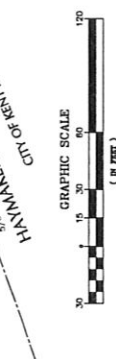
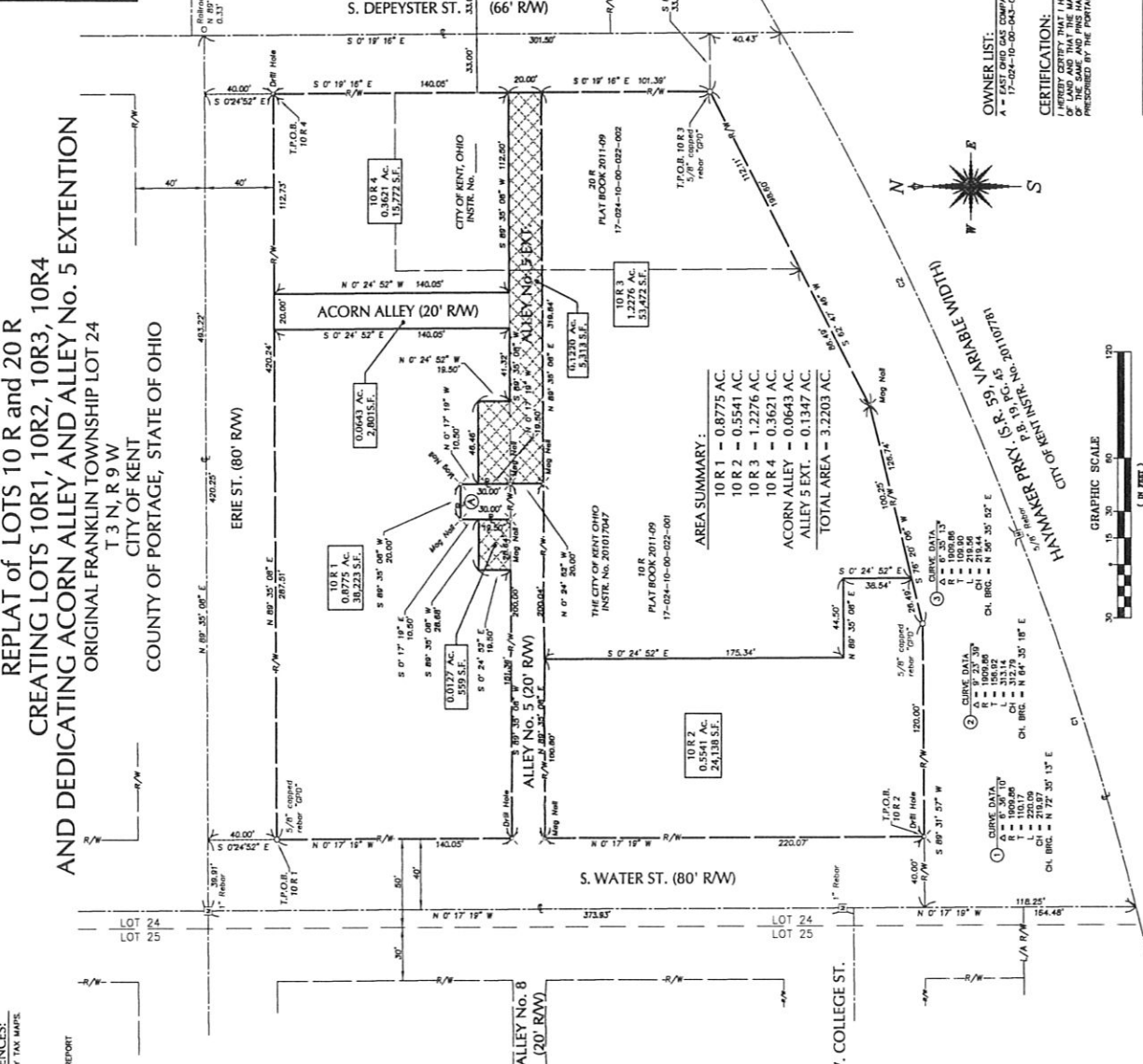
REPLAT of LOTS 10R & 20R
 S. WATER ST., ERIE ST., S. DEPEYSTER ST.
 and HANNAKER PKY. (S.R. 59)
 CITY OF KENT
 COUNTY OF PORTAGE

ISSUED	
REVISED	
DATE	

OWNER LIST:
 A = EAST OHIO GAS COMPANY VOL. 364, PG. 129
 A = 17-02-10-00-000-000

CERTIFICATION:
 I HEREBY CERTIFY THAT I HAVE SUPERVISED THE ACCURACY AND
 PRECISION OF THIS MAP OR PLAT AND THAT I AM A LICENSED SURVEYOR
 OF THE SAME, AND THAT THE MAP OR PLAT IS A CORRECT REPRESENTATION
 PREPARED BY THE PORTAGE COUNTY SUBDIVISION REGULATIONS.

2008255.00
 1 of 1
 JAMES E. KARBING, P.E. No. 7539 DATE



OWNER LIST:
 A = EAST OHIO GAS COMPANY VOL. 364, PG. 129
 A = 17-02-10-00-000-000

CERTIFICATION:
 I HEREBY CERTIFY THAT I HAVE SUPERVISED THE ACCURACY AND
 PRECISION OF THIS MAP OR PLAT AND THAT I AM A LICENSED SURVEYOR
 OF THE SAME, AND THAT THE MAP OR PLAT IS A CORRECT REPRESENTATION
 PREPARED BY THE PORTAGE COUNTY SUBDIVISION REGULATIONS.

JAMES E. KARBING, P.E. No. 7539 DATE

City Mgr

CITY OF KENT
HEALTH BOARD MEETING
August 9, 2011 5:30 PM.
KENT CITY HEALTH DEPARTMENT OFFICES
325 S. DEPEYSTER STREET
KENT, OH 44240
Phone (330) 678-8109 Fax (330) 678-2082

AGENDA

- I. MINUTES July 12, 2011 Meeting

- II. OPEN COMMENTS
 - A. Update on Consolidation Task Force - Ken Slenkovich

- III. REPORTS
 - A. Statistical Report for July 2011
 - B. Expenditures & Encumbrances July 2011
 - C. Commissioner's Report for July 2011

- IV. OLD BUSINESS
 - A. Gene Roberts request to transfer Health Dept. Laboratory to Service Dept.

- V. NEW BUSINESS
 - A. Transfer Retail Food Establishment License RFE 11-32 Convenient Food Mart to a new owner.
 - B. Vacant position on the Consolidation Task Force – John Gwinn's term Expired 7/11/2011.

- VI. EXECUTIVE SESSION
 - A. Personnel Matters - Health Commissioners Position

- VII. ADJOURN MEETING

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

trr

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

Kent City Health Department
 325 S. Depeyster Street
 Kent, Ohio 44240
 HEALTH BOARD MINUTES
 July 12, 2011

Members Present

Doug Wagener
 Pam Freeman
 Jack Amrhein
 Chris Woolverton

Not Present

Susan Roxburgh

Others Present

John Ferlito
 Anthony Bartholomew D.O.
 John Bradshaw
 John Gwinn
 Liz Zorc

The Health Board meeting of July 12, 2011 was called to order by President pro-tem, Pam Freeman.

The minutes from the June 14, 2011 meeting were distributed and reviewed by the Health Board members prior to the meeting.

Motion: A motion was made by Chris Woolverton and seconded by Doug Wagener to approve the June 14, 2011 minutes. No objections. The motion passed.

Open Comments

Statistical Report for June 2011: No Comment

Expenditures and Encumbrances for June 2011:

<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>AMOUNT</u>
NEHA	Membership dues for J. Bradshaw	\$95.00
Ace Plastics	50 Solid Waste Stickers for Trucks	\$106.00
Treasurer, State of Ohio	Child abuse and family violence prevention transmittal fees – for May 2011	\$1,078.17
Ohio Division of Real Estate	Burial permit transmittal fees for May 2011	80.00
Treasurer, State of Ohio	R.S. License Renewal for J. Demboski	\$74.00
Bissler & Sons Funeral Home	Services provided for the indigent cremation of a Kent Resident	\$1,000.00
Ohio St. Board of Sanitarian Registration	R. S. License Renewal for J. Bradshaw	\$74.00
Cole Parmer	Replacement of Lab convection oven	\$2,495.00
	TOTAL	\$5,002.17

<u>Travel & Reimbursements</u>		
Jonnette Demboski	Reimbursement for Mileage during the month of May 2011	\$61.00
	TOTAL	\$61.00

Motion: A motion was made by Doug Wagener and seconded by Jack Amrhein to approve the Expenditures and Encumbrances for the month of May, 2011. The motion passed.

Commissioner's Report

Enclosed is a copy of the amended Kent Health Department Annual Newsletter for 2011. Copies have been distributed to the Kent Free Library and the KSU Library.

At the Kent Heritage Festival, 10 Temporary Food Service licenses were issued and inspected, and 23 Mobile Food Services were inspected.

John Ferlito distributed a draft letter from John Gwinn to Gene Roberts for Health Board discussion under Old Business.

Old Business

Election of Officers for the Board of Health – John Gwinn's term expired 7/11/2011. A new Health Board President needs to be elected as well as President pro tem. Some discussion occurred regarding responsibilities of the President. A nomination was made and Chris Woolverton accepted the role of President. Pam Freeman accepted a continuance as President pro tem.

Motion: A motion was made by Doug Wagener and seconded by Jack Amrhein to approve Chris Woolverton as the new Health Board President effective immediately. No objections. The motion passed.

Motion: A motion was made by Doug Wagener and seconded by Jack Amrhein to approve Pam Freeman to remain the Health Board President pro tem. No objections. The motion passed.

A draft letter, prepared by John Gwinn, was distributed inviting Gene Roberts back to the Board to revisit his request to consider a transfer of the Health Department Laboratory to the Service Department.

John Gwinn stated that he had spoken to Gene Roberts regarding this subject.

Chris Woolverton stated that the Board had previously asked John Bradshaw to research and report statistics about the Laboratory. John Bradshaw stated that as he remembers the conversation, the assignment was at his discretion for completion. He said he was planning to present a report as part of the Department's transitional period. Chris asked that even if it is anecdotal oral information, think through what is critical for the Board to know as they engage the Service Director.

Motion: A motion was made by Pam Freeman and seconded by Doug Wagener to reopen the issue of transferring the Health Department Laboratory to the Service Department. No objections. The motion passed.

Gene Roberts will be invited to attend the Health Board Meeting September 13, 2011, to review information on the current and future of the Lab structure.

Motion: A motion was made by Pam Freeman and seconded by Doug Wagener to request Gene Roberts and John Bradshaw create reports on the Lab structure to discuss at the September 13, 2011 Board of Health Meeting. There was no objection. The motion passed.

New Business

Chris Woolverton stated that on behalf of the Health Board, a thank you is extended to John Gwinn for his many years of service, and for getting the Health Board to where it is today.

Motion: A motion was made by Doug Wagener and seconded by Pam Freeman to enter into Executive Session at 6:13 p.m. to discuss personnel matters. Members approved by roll call vote: Woolverton-Aye; Amrhein-Aye; Freeman-Aye; Wagener-Aye.

Motion: A motion was made by Pam Freeman and seconded by Doug Wagener to return from Executive Session at 6:30 p.m. Members approved by roll call vote. Woolverton-Aye; Amrhein-Aye; Freeman-Aye; Gwinn-Aye; Roxburgh-Aye; Wagener-Aye.

Motion: A motion was made by Jack Amrhein and seconded by Pam Freeman to adjourn the July 12, 2011, meeting at 6:30 p.m.. There was no objection. The meeting was adjourned.

Approved:

Chris Woolverton, President

John Bradshaw, Acting Secretary

KENT HEALTH DEPARTMENT STATISTICAL REPORT 2011

	July 2011	YTD 2011	July 2010	YTD 2010
HEALTH DEPT. \$ COLLECTED				
FamAbuse fund	\$ 394.50	\$ 2,965.50	\$ 393.00	\$ 2,728.50
Vital Stats Rev.	\$ 2,235.50	\$ 16,804.50	\$ 2,227.00	\$ 15,461.50
Child Abuse	\$ 789.00	\$ 5,931.00	\$ 786.00	\$ 5,457.00
State VS	\$ 2,367.00	\$ 17,793.00	\$ 2,358.00	\$ 16,371.00
B Perm Rev	\$ 12.50	\$ 109.50	\$ 15.50	\$ 105.00
B Perm State	\$ 62.50	\$ 547.50	\$ 77.50	\$ 525.00
Food Estab.	\$ 0.00	\$ 11,653.00	\$ 0.00	\$ 10,346.25
Food Service	\$ 902.40	\$ 42,096.40	\$ 631.00	\$ 39,563.90
FSO Vending	\$ 0.00	\$ 649.50	\$ 0.00	\$ 655.00
Home Sewage	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Housing	\$ 19,250.00	\$ 44,890.00	\$ 13,460.00	\$ 38,330.00
Swim Pools	\$ 0.00	\$ 3,280.00	\$ 0.00	\$ 3,262.50
SolWst(Trks)	\$ 0.00	\$ 795.00	\$ 0.00	\$ 855.00
Tattoo Parlors	\$ 0.00	\$ 300.00	\$ 0.00	\$ 300.00
*Misc(Xerox, etc.)	\$ 70.00	\$ 125.00	\$ 0.00	\$ 34.70
R&R \$50; Paternity \$20	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
**ST Subsidy	\$ 0.00	\$ 624.00	\$ 0.00	\$ 5,455.82
TOTAL COLLECTED	\$ 26,083.40	\$ 148,563.90	\$ 19,948.00	\$ 139,451.17
TO STATE				
FamAbuse fund	\$ 382.68	\$ 2,876.62	\$ 381.19	\$ 2,646.53
Food Estabs	\$ 0.00	\$ 1,064.00	\$ 0.00	\$ 1,008.00
Bur.Permits	\$ 62.50	\$ 487.50	\$ 77.50	\$ 525.00
Child Abuse	\$ 765.33	\$ 5,753.07	\$ 762.42	\$ 5,293.29
State VS QTRLY	\$ 2,367.00	\$ 17,793.00	\$ 2,358.00	\$ 16,371.00
Food Service	\$ 56.00	\$ 3,468.00	\$ 28.00	\$ 3,388.00
Food Vendors	\$ 0.00	\$ 138.00	\$ 0.00	\$ 138.00
Swim Pools	\$ 0.00	\$ 1,030.00	\$ 0.00	\$ 925.00
Wells	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
TOTAL	\$ 3,633.51	\$ 32,610.19	\$ 3,607.11	\$ 30,294.82
TOTAL ASSETS				
	\$ 22,449.89	\$ 115,953.71	\$ 16,340.89	\$ 109,156.35
+Admin fee to Vital Stats	\$ 35.51	\$ 266.81	\$ 35.37	\$ 245.60
-3% FamAbuse	\$ 11.84	\$ 88.88	\$ 11.79	\$ 81.89
-3% ChildAbuse	\$ 23.67	\$ 177.93	\$ 23.58	\$ 163.71

STATISTICAL REPORT Cont.

July 2011

YTD 2011

July 2010

YTD 2010

INSPECTIONS

Animal Bites (9)	24	51	0	43
Complaints	60	274	60	351
Food Estabs	22	138	20	132
Food Service	95	445	76	451
FSO Vending	4	42	0	31
Home Sewage	0	0	0	0
Housing	197	862	168	845
Schools	1	36	0	32
Solid Waste	0	44	0	27
Swimming Pls	36	98	20	98
Septic Haul.	0	0	0	0
Tattoo Parlors	3	10	5	10
Other	0	0	0	0
TOTAL	442	2,000	349	2,020

PERMIT/lic.

Food Estabs	0	38	0	36
Food Service 2 + 4 temps)	6	148	14	153
FS Vending	0	23	0	23
Home Sewage	0	0	0	0
Housing	137	327	96	289
Solid Waste	0	44	0	48
Swim Pools	0	15	0	14
Septic Haul.	0	0	0	0
Tattoo Parlors	0	3	0	3
Other	0	0	0	0
TOTAL	143	598	110	566

MOSQ.CONT.

Sites Treat.	0	36	4	36
Adulticide	0	4	0	2
Tot Man Hrs	13.3	74.2	21	78.0

COMPLAINTS

Received	13	115	35	141
Abated	12	106	34	139

LEGAL.COMPL.

Filed	0	1	0	2
Pre-trials	0	0	0	0
Trials	0	0	0	0

COMM.DISEASE

11	351	10	243
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VNA CLINICS IMMUNIZATIONS

8	41	9	35
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35 Births / 228 Deaths

3 Bir / 261 Dea

BIRTHS / DEATH CERTS. ISSUED

263	1973	264	1821
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KENT FIRE DEPARTMENT

JULY 2011 MONTHLY INCIDENT REPORT

FIRE RESPONSE INFORMATION

	CURRENT PERIOD			YEAR TO DATE		
	2011	2010	2009	2011	2010	2009
Summary of Fire Incident Alarms						
City Of Kent	39	49	54	292	319	342
Kent State University	11	10	5	120	95	114
Franklin Township	18	13	6	85	91	60
Sugar Bush Knolls	1	0	0	1	0	0
RESPONSES	69	72	65	500	505	516
Mutual Aid Received by Location						
City Of Kent	1	0	0	3	5	9
Kent State University	0	0	0	0	0	0
Franklin Township	0	1	0	0	6	3
Sugar Bush Knolls	0	0	0	0	0	0
TOTAL	1	1	0	3	11	11
Mutual Aid Given	2	3	7	27	28	25
TOTAL FIRE INCIDENTS	71	75	72	527	533	541

EMERGENCY MEDICAL RESPONSE INFORMATION

Summary of Medical Responses						
City Of Kent	206	197	195	1372	1383	1350
Franklin Township	41	30	28	191	192	207
Kent State University	12	10	7	164	171	152
Sugar Bush Knolls	0	0	0	5	7	3
Mutual Aid Given	2	4	5	14	20	16
TOTAL RESPONSES	261	241	235	1746	1773	1728
Mutual Aid Received by Location						
City Of Kent	2	0	2	9	7	25
Franklin Township	0	0	0	2	1	7
Kent State University	0	0	0	2	0	3
Sugar Bush Knolls	0	0	0	0	0	0
TOTAL	2	0	2	13	8	35
Total Fire and Emergency Medical Incidents	332	316	307	2273	2306	2269



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: AUGUST 5, 2011
TO: KENT CITY BOARD OF ZONING APPEALS
FROM: HEATHER PHILE, DEVELOPMENT PLANNER *[Signature]*
RE: STAFF REPORT FOR THE AUGUST 15, 2011 BOARD OF ZONING APPEALS MEETING

The following case appears on the agenda for the August 15, 2011 Board of Zoning Appeals meeting:

NEW BUSINESS

CASE NO.: BZ11-016

APPLICANT: THE ZAREMBA GROUP, LLC (CVS)

SITE LOCATION: 500 South Water Street

STATUS OF APPLICANT: The applicant is the representative for the owner.

REQUESTED ACTION: The applicant is requesting the following:

- 1) A 17-foot variance from the 20-foot minimum parking setback / landscaping strip requirement to allow parking to be 3 feet from the West Summit Street right-of-way (Section 1167.10(b)(1)), and
- 2) A 28.5-foot variance from the 30-foot minimum front yard building setback to allow a new building to be 1.5 feet from the front yard property line along Alley 11 (Section 1137.04(a)).

ZONING: This property is currently located in the R-C: High Density Residential – Commercial Zone District.

TRAFFIC: The property is accessible from South Water and West Summit Streets, as well as Alley 11.

SURROUNDING LAND USES: The property is surrounded by multi-family residential on the west and south sides and by commercial uses on the east and north sides.

APPLICABLE CODE SECTIONS: 1167.0(b)(1) and 1137.04(a)

Page 2
Board of Zoning Appeals Staff Report
August 15, 2011 meeting

ANALYSIS:

This property is located on the Southwest corner of South Water and West Summit Streets. This property is currently home to an existing CVS store that was constructed in 1995. The property is zoned R-C: High Density Residential – Commercial.

The applicant is proposing to raze the existing CVS building and the two single family homes west of this parcel. They will then construct a new 13,600 square foot building with a two-lane drive-through pharmacy on the west side of the building. The applicant is also proposing to relocate the ingress/egress location on West Summit Street, so that it is further from the intersection at South Water Street. A second ingress/egress is planned off of the alley.

The new building will require two variances. The first variance pertains to the landscaping strip along the front yard that separates the right-of-way from the parking area. The applicants are requesting a 17-foot variance to allow the parking area along West Summit Street to be three feet from the front property line. The applicant explains that in order to have the amount of parking required by CVS, they are pushing the parking on Summit Street closer to the property line. The original plans showed three rows of parking on the South Water side of the building, with a small strip of landscaping between the street and parking area, which would have required a variance. The plans have been revised so that now there are two rows of parking on both street sides of the building and some parking along the retaining wall on the west side of the property. The parking layout as it is currently presented makes for better traffic flow on the property.

The second variance request is relief from the front yard building setback along the alley. The applicant and the City have been conducting research to determine the correct property line locations for this parcel. The applicant has discovered that the alley may not have been dedicated to the City which means it may not be a public alley. Their research shows that the property line is on the south side of the alley, making the alley a private drive. If this is the case, a variance would not be required, as this would now be a side yard and the new building would meet the 10-foot setback requirement. The applicant has stated that after the new CVS is constructed and improvements made to the alley, they would formally give the alley to the City, making it a dedicated, public alley. If this happens, a new survey must be drawn, which will show the building to be 1.5 feet from the alley right-of-way line. Instead of asking the applicant to go before the Board of Zoning Appeals a second time, granting this variance now would hopefully streamline the process for the future dedication. To date, the City has not found any information stating this is a dedicated alley. An easement would need to be granted to the City for emergency vehicle access, and to any other property that has access off of the alley, if the property owners do not dedicate the alley to the City.

cc: Applicant
Case file
Gary Locke, Community Development Director
Jennifer Barone, Development Engineer
Eric Fink, Asst. Law Director

AGENDA

CITY OF KENT
BOARD OF ZONING APPEALS
PUBLIC HEARINGS & BUSINESS MEETING
AUGUST 15, 2011
7:00PM
COUNCIL CHAMBERS – KENT CITY HALL
325 SOUTH DEPEYSTER STREET

I. CALL TO ORDER

II. PLEDGE

III. ROLL CALL

IV. PREAMBLE

V. ADMINISTRATION OF THE OATH

VI. NEW BUSINESS

A. BZ11-017 THE ZAREMBA GROUP, LLC (CVS)
500 SOUTH WATER STREET

Sections: 1167.10(b)(1) and 1137.04(a)

Requests: The applicant is requesting the following:

- 1) A 17-foot variance from the 20-foot minimum parking setback / landscaping strip requirement to allow parking to be 3 feet from the West Summit Street right-of-way (Section 1167.10(b)(1)), and
- 2) A 28.5-foot variance from the 30-foot minimum front yard building setback to allow a new building to be 1.5 feet from the front yard property line along Alley 11 (Section 1137.04(a)).

1. Public Comment

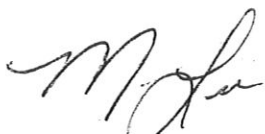
2. Board of Zoning Appeals Discussion / Action

VII. OTHER BUSINESS

VIII. ADJOURNMENT

**KENT POLICE DEPARTMENT
JUNE 2011**

	JUNE 2010	JUNE 2011	TOTAL 2010	TOTAL 2011
CALLS FOR SERVICE	1636	1450	10434	9862
FIRE CALLS	321	295	1994	1941
ARRESTS, TOTAL	152	147	1070	950
JUVENILE ARRESTS	16	12	86	101
O.V.I. ARRESTS	15	15	118	111
TRAFFIC CITATIONS	208	160	1758	1550
PARKING TICKETS	155	121	1606	1336
ACCIDENT REPORTS	49	49	394	426
Property Damage	31	28	232	275
Injury	6	12	57	55
Private Property	10	4	81	72
Hit-Skip	2	5	24	24
OVI Related	1	1	7	13
Pedestrians	0	0	2	2
Fatafs	0	0	0	0
U.C.R. STATISTICS				
Homicide	0	1	0	1
Rape	1	3	4	5
Robbery	1	2	5	6
Assault Total	15	17	104	101
Serious	0	3	19	12
Simple	15	14	85	89
Burglary	14	12	56	61
Larceny	46	37	222	208
Auto Theft	4	2	13	12
Arson	0	0	3	2
TOTAL	81	74	407	396
CRIME CLEARANCES				
Homicide	0	1	0	1
Rape	1	0	3	1
Robbery	1	0	2	2
Assault Total	13	12	81	80
Serious	0	1	11	10
Simple	13	11	70	70
Burglary	4	2	8	8
Larceny	4	4	25	27
Auto Theft	1	1	5	3
Arson	1	0	2	1
TOTAL	25	20	126	123



**KENT POLICE DEPARTMENT
JULY 2011**


	JULY 2010	JULY 2011	TOTAL 2010	TOTAL 2011
CALLS FOR SERVICE	1915	1559	12252	11421
FIRE CALLS	345	2272	2311	4213
ARRESTS, TOTAL	196	148	1234	1098
JUVENILE ARRESTS	19	18	107	119
O.V.I. ARRESTS	31	16	136	127
TRAFFIC CITATIONS	288	150	2018	1700
PARKING TICKETS	110	140	1734	1476
ACCIDENT REPORTS	45	39	448	465
Property Damage	17	17	272	292
Injury	10	5	66	60
Private Property	15	13	84	85
Hit-Skip	3	4	26	28
OVI Related	2	0	8	13
Pedestrians	0	0	2	2
Fatals	0	0	0	0
U.C.R. STATISTICS				
Homicide	0	1	1	2
Rape	0	0	5	5
Robbery	0	2	5	8
Assault Total	16	16	116	117
Serious	3	1	18	13
Simple	13	15	98	104
Burglary	22	9	75	70
Larceny	38	35	260	243
Auto Theft	2	2	15	14
Arson	8	5	6	7
TOTAL	86	70	483	466
CRIME CLEARANCES				
Homicide	0	1	1	2
Rape	0	0	3	1
Robbery	0	2	3	4
Assault Total	10	14	89	94
Serious	1	0	10	10
Simple	9	14	79	84
Burglary	1	2	9	10
Larceny	6	6	31	33
Auto Theft	0	0	5	3
Arson	0	0	2	1
TOTAL	17	25	143	148

M. A. ...



CITY OF KENT, OHIO

DEPARTMENT OF LAW

TO: DAVE RULLER, CITY MANAGER
FROM: JAMES R. SILVER, LAW DIRECTOR 
DATE: AUGUST 3, 2011
RE: MONTHLY REPORTS – APRIL, MAY & JUNE, 2011

Attached are the monthly reports per council's request. If you have any questions or require further information, please let me know.

LAW DEPARTMENT

Monthly Report



4/1/11 to 4/30/11

- 1) Reviewed contracts for the following:
 - a) Haymaker Landscaping;
 - b) Ameritect;
 - c) R & R spring cleanup;
 - d) Ohio Edison for reclamation plant;
 - e) KSU Foundation easement;
 - f) Smartbill, Inc.;
 - g) Ameritech Purchase Agreement;
 - h) Arcadis for 2011 Bridge Inspections;
 - i) AC Lawn care agreement; and
 - j) Ambulance contract with township.
- 2) Festival insurance form applications: Two (2)
- 3) Did research in the following areas:
 - a) Driving city vehicles;
 - b) School TIF agreement;
 - c) Vacant / abandoned buildings; and
 - d) Military leave.
- 4) Prosecution: Sixty (60) hearings (trials, pre-trials or suppression hearings), record sealing notices and destruction / sale of contraband forms.
- 5) Jerry Sales Estate property: Continuing the process to sell properties. Sale date for properties is Tuesday, July 26, 2011 @ 6:00 p.m. in Council Chambers.
- 6) Brady Lake lawsuit: Trial set for January 19, 2011 was continued. No new date. Waiting for rulings on motions.
- 7) Kent Hotel, LLC vs. City of Kent: Set for Trial September 13, 2011.
- 8) Lawsuit filed by Paul Webster against City (Federal court). One of Mr. Webster's cases has been dismissed by the Federal Court. Waiting on Court of Appeals decision for the remaining case.

LAW DEPARTMENT Monthly Report

4/1/11 to 4/30/11

- 9) Rebecca Vujanov v. Kent – Attend Mediation – Matter not resolved. Defendant requested continuance of January Trial date.
- 10) Five (5) new claims against the City.
- 11) Mortgage Foreclosure filed against Alfreda and Davin Strong for breaking mortgage restrictions on City Home Improvement loan for owner – occupied houses – Mediation Conference scheduled for June 15, 2011.
- 12) Now in Court of Appeals over the taking of Lloyd Atkinson's property for Crain Avenue Bridge Project over value of his property.

LAW DEPARTMENT

Monthly Report

5/1/11 to 5/31/11

- 1) Reviewed contracts for the following:
 - a) Purchase 527 Franklin Avenue;
 - b) Jones & Stuckey, Inc. to review bridge load levels;
 - c) Plans Examiner;
 - d) Summit Street engineering with URS Corp.;
 - e) Cintas;
 - f) School parking lot agreement;
 - g) JP Striping for roads; and
 - h) Academic Youth Sports – mowing.
- 2) Festival insurance form applications: Two (2)
- 3) Did research in the following areas:
 - a) Civil Service;
 - b) Enterprise Zones;
 - c) Vacant buildings;
 - d) Old Hotel – sidewalks;
 - e) Review Citizen – Police Academy outline;
 - f) Job descriptions;
 - g) S.B. 5;
 - h) Negotiations;
 - i) Plum Creek Restoration project; and
 - j) Nuisance properties.
- 4) Prosecution: Sixty six (66) hearings (trials, pre-trials or suppression hearings), record sealing notices and destruction / sale of contraband forms.
- 5) Jerry Sales Estate property: Continuing the process to sell properties. Attend Court hearing.
- 6) Brady Lake lawsuit: Trial set for January 19, 2011 was continued. No new date. Waiting for rulings on motions.
- 7) Kent Hotel, LLC vs. City of Kent: Set for Trial September 13, 2011.