

**From:** Gene Roberts  
**To:** Dave Ruller  
**CC:** Sheri Chestnutwood  
**Date:** 2/12/2009 4:42 PM  
**Subject:** Fwd: NOPEC Gas Update  
**Attachments:** TO ALL DEO MEMBER NOPEC COMMUNITIES 2 12 09.doc

Dave,

Attached is an update from NOPEC with updated pricing.

thanks  
gene

>>> "Judy Goslin" <[ignopec@windstream.net](mailto:ignopec@windstream.net)> 2/12/2009 3:13 PM >>>

NORTHEAST OHIO PUBLIC ENERGY COUNCIL

February 12, 2009

TO ALL DEO MEMBER NOPEC COMMUNITIES  
GAS PURCHASES - DEO AREA

Dear NOPEC representative:

In December, we notified you of a gas purchase for September and October that were significantly lower than fixed prices that we had been able to get for this winter. Because the prices have continued to decline, we have now been able to lower our prices significantly beginning in June. NOPEC continues to purchase natural gas in the DEO area at lower rates as we approach next summer and next fall. We have now locked in rates for five months beginning in June at \$8.99 and for November and December at \$8.42. We believe these rates are good rates for those members of your community that prefer a fixed rate and do not choose to shop on their own. We also have a variable rate if any of your residents want to stay in NOPEC but want a variable rate. The following fixed rates will be effective between now and the end of the year.

Gas update as of February 12, 2009 - DEO area

March - May 2009 - \$10.88/mcf

June 2009 - October 2009 - \$8.99/mcf

November - December, 2009 - \$8.42/mcf

If you have any questions about these rates, please contact me at 440.248.1992

Leigh Herington  
Executive Director

Leigh Herington  
Executive Director  
NOPEC



# AGENDA

CITY OF KENT  
BOARD OF ZONING APPEALS  
PUBLIC HEARINGS & BUSINESS MEETING  
FEBRUARY 16, 2009  
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. BZ09-001 ABBE & ANDERSON TURNER  
632 TEMPLE AVENUE

Section: 1169.12

Request: The applicant is requesting a substitution of a non-conforming use of the property at 632 Temple Avenue from a Labor Temple to a cheese and candy processing kitchen.

1. Public Comment

2. Board of Zoning Appeals Discussion / Action

VII. OTHER BUSINESS

- A. Proposed Zoning Code Amendment Discussion
- B. Board Comments

VIII. MEETING MINUTES

- A. Meeting Minutes from the December 15, 2008 meeting

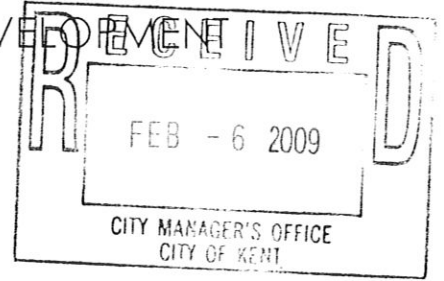
IX. ADJOURNMENT





# CITY OF KENT, OHIO

## DEPARTMENT OF COMMUNITY DEVELOPMENT



**DATE:** FEBRUARY 6, 2009  
**TO:** KENT CITY BOARD OF ZONING APPEALS  
**FROM:** HEATHER PHILE, DEVELOPMENT PLANNER *[Signature]*  
**RE:** STAFF REPORT FOR THE FEBRUARY 16, 2009 BOARD OF ZONING APPEALS MEETING

The following cases appear on the agenda for the February 16, 2009 Board of Zoning Appeals meeting:

### NEW BUSINESS

CASE NO.: BZ09-001

APPLICANT: Abbe & Anderson Turner

SITE LOCATION: 632 Temple Avenue

STATUS OF APPLICANT: The applicant is the potential new owner of the property.

REQUESTED ACTION: The applicant is requesting a substitution of a non-conforming use of the property at 632 Temple Avenue from a Labor Temple to a cheese and candy processing kitchen.

ZONING: This property is currently located in an R-3: High Density Residential Zone District.

TRAFFIC: The property is accessible from Lake Street to Temple Avenue.

SURROUNDING LAND USES: The property is surrounded by residential uses on all sides.

APPLICABLE CODE SECTION: 1169.12

### ANALYSIS:

The property at 632 Temple Avenue is currently zoned R-3: High Density Residential. This property is currently home to a Labor Temple, and is primarily used as a meeting hall for various Labor Union organizations. This use is a legal, non-conforming use in the City.

The applicants would like to use the existing facility as a cheese and candy processing facility. The applicants have a farm in Garrettsville where they raise dairy goats. They would like to produce cheese and candies to sell to local restaurants and at local farmer's markets. In 930 Overholt Rd., Kent, Ohio 44240 • (330) 678-8108 fax (330) 678-8030 • www.KentOhio.org

order to do this, they must have a state licensed and inspected facility. The Turners would like to use the existing Labor Temple and transform the building into their kitchen to process small batches of cheese and candy that they can then sell to the public. The applicants anticipate minimal traffic into and out of the property. Most traffic will be in the form of delivery trucks that will deliver milk from their farm and UPS or Fed-Ex type trucks that will take away the finished product. The only other type of vehicular traffic will come from employees or scheduled visitors. The applicants state that at most, there will be three employees to start with additional employees added as the business grows. The hours of operation will be primarily during daylight hours. Most of the cheese and candy making is done by hand, so there will be little noise from machinery. All of the machinery will be inside the existing building. The applicants state that all of the animals will be kept on their farm and there will be little odor. All driveways and parking areas will remain as is, and no other buildings are currently planned for the site. The applicants will need to do some renovations to the interior of the buildings. On the exterior, they may add a vestibule around one door to meet state codes and possibly widen one other door to allow for bringing in machinery to the building. No other exterior changes are planned at this time.

The City of Kent Codified Ordinances state that a non-conforming use can be substituted for another non-conforming use as long as: 1) The new use is similar and that is equally appropriate or more appropriate to the type of district it is located in; and 2) The new use will not be more intrusive into the neighborhood.

Should the Board wish to approve this project, the following language may be used for the motions:

Move that in Case BZ09-001, the Board of Zoning Appeals approve the substitution of the non-conforming use of the property at 632 Temple Avenue from a Labor Temple to a cheese and candy processing kitchen. The substitution of the non-conforming use is outlined in Section 1169.12 of the City of Kent Codified Ordinances.

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



KENT POLICE DEPARTMENT  
JANUARY 2009

	JANUARY 2008	JANUARY 2009	TOTAL 2008	TOTAL 2009
CALLS FOR SERVICE	1667	1626	1667	1626
FIRE CALLS	347	334	347	334
ARRESTS, TOTAL	192	167	192	167
JUVENILE ARRESTS	21	12	21	12
O.V.I. ARRESTS	21	25	21	25
TRAFFIC CITATIONS	329	291	329	291
PARKING TICKETS	230	313	230	313
ACCIDENT REPORTS	70	91	70	91
Property Damage	32	59	32	59
Injury	18	7	18	7
Private Property	12	20	12	20
Hit-Skip	8	5	8	5
OVI Related	1	1	1	1
Pedestrians	3	0	3	0
Fatals	0	0	0	0
U.C.R. STATISTICS				
Homicide	0	0	0	0
Rape	1	1	1	1
Robbery	2	4	2	4
Assault Total	15	18	15	18
Serious	2	4	2	4
Simple	13	14	13	14
Burglary	8	4	8	4
Larceny	44	26	44	26
Auto Theft	7	0	7	0
Arson	1	0	1	0
TOTAL	78	53	78	53
CRIME CLEARANCES				
Homicide	0	0	0	0
Rape	0	0	0	0
Robbery	1	3	1	3
Assault Total	5	7	5	7
Serious	1	1	1	1
Simple	4	6	4	6
Burglary	0	1	0	1
Larceny	3	7	3	7
Auto Theft	2	0	2	0
Arson	0	0	0	0
TOTAL	11	18	11	18

CITY OF KENT  
HEALTH BOARD MEETING  
February 17, 2009, 5:30PM  
KENT CITY HEALTH DEPARTMENT OFFICES  
325 S. DEPEYSTER STREET  
KENT, OH 44240  
Phone (330) 678-8109 Fax (330) 678-2082

AGENDA

- I. MINUTES January 13, 2009 Meeting
  
- II. REPORTS
  - A. Statistical Report for January 2009
  - B. Expenditures & Encumbrances for January 2009
  - C. Commissioner's Report for January 2009
  
- III. OLD BUSINESS
  - A. City Wide Trash Pick-up
  
- IV. NEW BUSINESS
  - A. Public Health Accreditation
  
- V. EXECUTIVE SESSION
  
- VI. ADJOURN MEETING

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

JBF/trr

cc: Health Board  
City Manager  
Clerk of Council  
Health Staff  
Chairman of Health & Public Safety  
Mayor  
News Media  
Post  
File

Kent City Health Department  
 325 S. Depeyster Street  
 Kent, Ohio 44240  
 HEALTH BOARD MINUTES  
 January 13, 2009

Members Present

John Gwinn  
 Chris Woolverton  
 Pam Freeman  
 Susan Roxburgh  
 Jack Amrhein

Others Present

John Ferlito  
 John Bradshaw

John Gwinn called to order the Health Board meeting of January 13, 2009.

The minutes from the November 2008 meeting were approved as amended.

The minutes from the December 2008, were distributed and reviewed by the Health Board Members prior to the meeting.

**Motion:** A motion was made by President John Gwinn to approve the minutes of the December 2008 meeting with modifications. No members opposed. The motion passed.

**Statistical Report for December 2008**

**Expenditures and Encumbrances for December 2008:**

<u>VENDOR</u>	<u>ITEM DESCRIPTION</u>	<u>AMOUNT</u>
Regional Air Quality Management District	Annual fees for 2009 Agreement for services	\$3120.00
Med Group	Baseline Medical Exam for Jonnette Demboski to participate in Industrial Pretreatment Program	\$125.00
Bissler & Sons	(2) Indigent Cremations of Kent Residents	\$2000.00
	<b>TOTAL</b>	<b>\$5245.00</b>

<u>Travel &amp; Reimbursements</u>		
Jonnette Demboski	Reimbursement for mileage for November 2008	\$32.63
Petty Cash	Reimbursement	\$7.49
		<b>\$40.12</b>

**Motion:** A motion was made by President John Gwinn to approve the Expenditures and Encumbrances for the month December 2008. No members opposed. The motion passed.

### **Commissioner's Report**

The Health Department received a request for transfer of Food Service License #08-134 Precious Children's Childcare LLC Located at 1535 E. Main Street to Kids Kare L.P. Jane Bernhard.

A Survey request was distributed from Marie Fallon the Executive Director of NALBOH for your review. Your participation is voluntary.

The Division of hours for the different programs for 2008 was distributed. In June we started breaking out hours for animal bites, complaints, vital statistics, and tattoo parlor inspections from the general hours.

### **Old Business**

### **New Business**

The Health Department received a request for transfer of Food Service License #08-134 Precious Children's Childcare LLC Located at 1535 E. Main Street to Kids Kare L.P. Jane Bernhard.

**Motion:** A motion was made by President Gwinn to approve the Food Service License transfer from Precious Children Childcare to Kids Kare, LP. No members opposed. The motion passed.

**Motion:** A motion was made by Jack Amrhein and seconded by Pam Freeman to adjourn the Health Board Meeting of January 13, 2009. The motion passed.

Approved:

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John Gwinn, President

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John Ferlito, Secretary



# KENT HEALTH DEPARTMENT STATISTICAL REPORT 2009

	January 09	YTD 2009	January 08	YTD 2008
<b>HEALTH DEPT. \$ COLLECTED</b>				
FamAbuse fund	\$ 363.00	\$ 363.00	\$ 432.00	\$ 432.00
Vital Stats	\$ 1,815.00	\$ 1,815.00	\$ 2,160.00	\$ 2,160.00
Child Abuse	\$ 726.00	\$ 726.00	\$ 864.00	\$ 864.00
State VS	\$ 1,210.00	\$ 1,210.00	\$ 1,440.00	\$ 1,440.00
B Perm Rev	\$ 12.50	\$ 12.50	\$ 17.00	\$ 17.00
B Perm State	\$ 62.50	\$ 62.50	\$ 85.00	\$ 85.00
Food Estab.	\$ 372.40	\$ 372.40	\$ 0.00	\$ 0.00
Food Service	\$ 744.80	\$ 744.80	\$ 0.00	\$ 0.00
FSO Vending	\$ 0.00	\$ 0.00	\$ 28.00	\$ 28.00
Home Sewage	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Housing	\$ 10,200.00	\$ 10,200.00	\$ 7,465.00	\$ 7,465.00
Swim Pools	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
SolWst(Trks)	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Tattoo Parlors	\$ 100.00	\$ 100.00	\$ 300.00	\$ 300.00
*Misc(Xerox, etc.)	\$ 0.00	\$ 0.00	\$ 1.00	\$ 1.00
Septic Service	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
**ST Subsidy	\$ 0.00	\$ 0.00	\$ 20.00	\$ 20.00
<b>TOTAL COLLECTED</b>	<b>\$ 15,606.20</b>	<b>\$ 15,606.20</b>	<b>\$ 12,812.00</b>	<b>\$ 12,812.00</b>
<b>TO STATE</b>				
FamAbuse fund	\$ 352.11	\$ 352.11	\$ 419.04	\$ 419.04
Food Estabs	\$ 28.00	\$ 28.00	\$ 0.00	\$ 0.00
Bur.Permits	\$ 62.50	\$ 62.50	\$ 85.00	\$ 85.00
Child Abuse	\$ 704.22	\$ 704.22	\$ 838.08	\$ 838.08
State VS QTRLY	\$ 0.00	\$ 0.00	\$ 1,440.00	\$ 1,440.00
Food Service	\$ 56.00	\$ 56.00	\$ 0.00	\$ 0.00
Food Vendors	\$ 0.00	\$ 0.00	\$ 6.00	\$ 6.00
Swim Pools	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
Wells	\$ 0.00	\$ 0.00	\$ 0.00	\$ 0.00
<b>TOTAL</b>	<b>\$ 1,202.83</b>	<b>\$ 1,202.83</b>	<b>\$ 2,788.12</b>	<b>\$ 2,788.12</b>
<b>TOTAL ASSETS</b>	<b>\$ 14,403.37</b>	<b>\$ 14,403.37</b>	<b>\$ 10,023.88</b>	<b>\$ 10,023.88</b>
+Admin fee to Vital Stats	\$ 32.67	\$ 32.67	\$ 38.88	\$ 38.88
-3% FamAbuse	\$ 10.89	\$ 10.89	\$ 12.96	\$ 12.96
-3% ChildAbuse	\$ 21.78	\$ 21.78	\$ 25.92	\$ 25.92

## STATISTICAL REPORT Cont.

January 09

YTD 2009

January 08

YTD 2008

**INSPECTIONS**

Animal Bites	2	2	2	2
Complaints	44	44	22	22
Food Estabs	16	16	17	17
Food Service	54	54	63	63
FSO Vending	0	0	2	2
Home Sewage	0	0	0	0
Housing	97	97	99	99
Schools	1	1	0	0
Solid Waste	0	0	0	0
Swimming Pls	8	8	6	6
Septic Haul.	0	0	0	0
Tattoo Parlors	1	1	4	4
*Other	0	0	0	0
<b>TOTAL</b>	<b>223</b>	<b>223</b>	<b>215</b>	<b>215</b>

**PERMIT/lic.**

Food Estabs	1	1	0	0
Food Service	1	1	0	0
FS Vending	0	0	1	1
Home Sewage	0	0	0	0
Housing	64	64	42	42
Solid Waste	0	0	0	0
Swim Pools	0	0	0	0
Septic Haul.	0	0	0	0
Tattoo Parlors	3	3	4	4
*Other	0	0	0	0
<b>TOTAL</b>	<b>69</b>	<b>69</b>	<b>47</b>	<b>47</b>

**MOSQ.CONT.**

Sites Treat.	0	0	0	0
Adulticide	0	0	0	0
Tot Man Hrs	0	0	0	0

**COMPLAINTS**

Received	12	12	15	15
Abated	10	10	10	10

**LEGAL.COMPL.**

Filed	0	0	0	0
Pre-trials	0	0	0	0
Trials	0	0	0	0

**COMM.DISEASE**

47	47	169	169
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**VNA CLINICS IMMUNIZATIONS**

6	6	7	7
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**BIRTH/DEATH CERTS. ISSUED**

242	242	288	288
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# CITY OF KENT, OHIO

## DEPARTMENT OF SAFETY

February 11, 2009

Franklin Township Trustees  
217 Gougler Ave.  
Kent OH 44240

Re. Calculation of Fire Service Incident Rates for 2009

Dear Trustees Beckwith, Benjamin and Falstad,

This letter and attached calculations will represent the City's notice regarding the fire service rates for Franklin Township for 2009. Two unique items contribute to changes to this rate. First is the substantial increase in the number of calls the Kent Fire Department was called on for fire and ems services. So although the number of calls to Franklin Township increased by twenty compared to 2007, this has resulted in these Franklin Township calls representing a lower percentage of total calls for the department. The adjusted total for all incidents is a 9.6% increase.

The second unique issue relating to this service rate notice is the unbudgeted participation in the fire service study by the Portage Area Fire EMS and Rescue Study group. The final calculation for Kent, Franklin and Sugar Bush is \$30,018 for our share in the cost of this study. This figure has been added as a one time expense, and then apportioned on the same basis as the normal budget figures.

Ultimately the net result of these calculations is a reduction of approximately \$30.50 per run for Franklin Township for 2009. Thank you very much for consideration in this matter. If you have any questions, we will be happy to meet with you to discuss this further.

Respectfully submitted,

William Lillich  
2009013 75  
c. Mr. Ruller  
Ms. Rissland  
Chief Williams

## Rate calculation

The preliminary calculation of rates for the year 2009, as determined by the basic contract process, are based on the following data:

- A. The city's cost of operation of the Kent Fire Department for 2009 is budgeted as follows:

Fire Services	\$3,784,473
Community Services	\$210,163
Tech. Rescue	\$34,786
Hazmat	\$16,966
Confined Space	\$11,626
Service study (unbudgeted)	\$30,018
Proportional dispatch cost	\$95,584
Fire pension	\$125,000
Year 2009 total	\$4,308,598

- B. The city's proportioned operation of the Kent Fire Department incident response activity for the year 2008, broken down by response area, was as follows:

	Total runs	Duplicate incidents	Adj total incidents
KENT	3,1341	125	3,009
KSU	531	12	519
TWP	564	40	524
SBK	7	0	7
Total	4,236	177	4,059

The cost per incident estimate for the Kent Fire Department, based on the above data, calculates to \$1,062 per incident. This compares to the cost per incident of \$1,092 that was charged to the Township during 2008.

If this new rate is acceptable, please forward an acknowledgement to my office to enable us to begin the billing process for this year.

Thank you very much for consideration in this matter.

Respectfully submitted,

William Lillich