



# CITY OF KENT, OHIO

## DEPARTMENT OF LAW

**TO: DAVE RULLER**  
**FROM: JAMES R. SILVER & JEFF NEISTADT**   
**DATE: SEPTEMBER 13, 2012**  
**RE: CIVIL PENALTIES FOR SOLID WASTE VIOLATIONS**

City Council referred the idea of civil penalties for people who fail to dispose of solid waste properly back to staff for recommended code language. Attached is our proposal. It is modeled after the civil penalty language previously adopted for some zoning and building violations.

A first offense nets a \$50.00 penalty. A second offense in any twelve (12) month period nets a \$150.00 penalty, while a third offense in any twelve (12) month period nets a \$250.00 penalty. The City can also add the costs of any clean-up paid for by the City to the penalty to be collected.

There is an appeal process in place for property owners who wish to challenge an infraction of the code and penalty.

Finally, the proposal language also lets City Council certify any unpaid penalties to the County Auditor be placed as a lien on the property tax roll.

Staff recommends adoption of the proposal code changes.

## EXHIBIT "A"

### **521.08 SOLID WASTE MANAGEMENT; LITTER CONTROL.**

- (l) In addition to any other penalties or fines imposed for violations of Section 521.08 of the codified ordinances of the City of Kent, Ohio, a fine and abatement costs may be imposed upon real property owners who have failed to clean up their properties in a timely manner after having been notified to do so. The abatement costs will help cover the costs incurred by the City staff in getting garbage cleaned up in a timely manner by real property owners, thereby creating a nuisance.

### **ABATEMENT COSTS**

#### **First Offense:**

- (i) For the first time in any twelve (12) month period that a real property owner does not clean up garbage in a timely manner after having been properly notified to do so in violation of Section 521.08 of the Kent Codified Ordinances, a fine of \$50.00 will be imposed upon the real property owner. The property owner shall be sent a notice by the City of Kent Health Department Commission which explains the amount of the fine, why the fine is being imposed, and that the fine needs to be paid within thirty (30) days of the date of the notice. In addition, any monies paid by the City to have the garbage cleaned will be included in the abatement costs.

#### **Second Offense:**

- (ii) For a second violation of Section 521.08 of the Kent Codified Ordinances within any twelve (12) month period, which is not cleaned up in a timely manner after proper notice, the real property owners will be fined \$150.00 plus any additional abatement costs paid by the City. A letter will be sent to said property owner containing the same information as is required in Section 521.08(1)(i).

#### **Third or Additional Offense:**

- (iii) For a third or additional violation of Section 521.08 of the Kent Codified Ordinances within a twelve (12) month period, which is not cleaned up in a timely manner after proper notice, the real property owner will be fined \$250.00 plus any additional abatement costs paid by the City. A letter will be sent to said property owner containing the information as is required in Section 521.08(1)(i).

#### **Appeal Process:**

- (iv) The owner of a property who receives a notice from the City of Kent Health Commissioner or his designee pursuant to this Chapter may appeal such notice by submitting a written request for reconsideration to the City of Kent Health Commissioner within thirty (30) days of the date of the notice. If the Health Commissioner finds that the facts presented do not support the declaration of a nuisance, or support the allegations that garbage was not disposed of in a timely manner, the City of Kent Health Commissioner shall rescind the notice. Otherwise, the Health Commissioner shall deny the request. The property owner may appeal the decision to the Board of Zoning Appeals within thirty (30) days of the decision. Any such appeal shall not stay any actions by the City to abate the first or any subsequent nuisance activity. In any such appeal, the City must show

by a preponderance of the evidence that each violation stated in the notice being appealed has occurred, and that the declaration of the violation of Section 521.08 or of the intent of the City to assess the property for abatement costs, whichever is applicable, is justified. The City shall be deemed to have failed to have met this standard if the owner demonstrates by a preponderance of evidence that:

- (a) He or she was not the owner at the time of any of the nuisance activity or failure to dispose of garbage in a timely manner that is the basis of the notice; or
- (b) He or she had knowledge of the failure to clean up garbage, but has promptly and vigorously taken all actions necessary, in a timely manner, to abate each action including, without limitation, compliance with the requirements of Kent Code Section 521.08; or

**City's Rights or Authority for Criminal Prosecution.**

- (m) The assessment of any fine and any abatement costs by the City on a property, does not affect or limit the City's right or authority to bring criminal prosecution or other legal action against any person for violation of the City's ordinances.

**Certification of Unpaid Abatement Costs.**

- (n) Fines and abatement costs for violations of Section 521.08 of the Kent Codified Ordinances that are not paid within thirty (30) days from the date property owners are notified of the abatement costs may be certified by the Kent City Council to the Portage County Auditor, to be placed as a tax lien upon the real property where the violation occurred for collection.



# CITY OF KENT, OHIO

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## DEPARTMENT OF ECONOMIC DEVELOPMENT

**Date:** September 25, 2012

**To:** David Ruller, City Manager  
Jim Silver, Law Director  
Bill Lillich, Safety Director  
Linda Jordan, Clerk of Council

**From:** <sup>(PS)</sup> Dan Smith, Economic Development Director

**Subject:** TREX Application- Paying it Forward, LLC  
Molly Taggart & Jessica Rutherford "The Local"

Per the discussion and action at last month's City Council Committee meeting, we have received several inquiries regarding applying for a TREX liquor license. We have also received a formal request from Ms. Molly Taggart and Ms. Jessica Rutherford. They are planning a restaurant/pub "The Local" for the property they have purchased located at 154 N. Depeyster Street. The request has come via their attorney, John Neal. Per the guidelines adopted last month, the current proposal does not quite achieve all of the requirements set forth in the new guidelines. As the new policy provides for projects to be considered on a case-by-case basis, they are requesting time at the October 3<sup>rd</sup> Council Committee meeting to present their business plan and request approval.

Per their letter (attached), they have purchased 154 N. Depeyster Street for \$240,000. They plan on additional investment for renovations, build out and equipment needed for the restaurant. Many of the improvements are currently being draw up or already underway with local architects, David Sommers and Associates. Their total budget for the project is approximately \$750,000. Their plan also projects the new establishment will hire 45 employees.

The overall square footage and number of seats currently falls a little short of the approved guidelines. As a result, they are requesting to be considered on the merits of their project. They will be on hand with their attorney and the architects to present their project and answer questions.

I recommend we honor their request to present the project at the October 3 Council Committee meeting.

August 14, 2012

Hello Dan,

Jessica and I called your office on Friday, July 6th to discuss our project and heard (through your voice mail greeting) that you were on vacation. We hope that your much-deserved trip was fun and relaxing! Additionally, Jessica and I made plans to attend your Thursday, July 26th "Flip Flops" concert in the Brimfield Gazebo to find out, unfortunately, that the show was cancelled due to the pouring rain and gloomy weather. We learned that your performance was rescheduled for the following Thursday evening but we already had meetings planned at our building with representatives from Sysco Food Services and Future POS for that same night.

First and foremost, we wanted to thank you formally for reviewing our recent TREX application submitted by our attorney, John Neal. Getting the TREX application endorsed by the City of Kent is vital for our business plan to be successful.

So that you have a better understanding of where we are in this project, we wanted to bring a few updates to your attention. We have had numerous professional services completed for our new business such as the creation of a personalized soda line from Jean Tyrrell at Private Label Beverages in Twinsburg, a full "Existing Conditions Survey" by Kelly Dunford at Apex Land Surveying in Silver Lake, our logo and brand identity design by Matt McComb at IronFuzz Design in North Canton, and many others that will be completed soon such as testing for asbestos in the building. Jeff Neistadt, Health Commissioner, and Jonnette Demboski, Public Health Sanitarian, from the City of Kent Health Department viewed our building in December 2011 when we were assessing the building condition in our process of ultimately buying the property, and they praised us for contacting them so early in our planning process. Most of the companies and professional consultants we have used and are using are *local* companies, such as our architectural firm, David Sommers and Associates. And, as you know from our last in-person meeting in your conference room on Friday, May 11th, our business adviser is Susan McGann from the KRBA.

In endorsing a TREX application for our minority-owned (all women) entrepreneurial company, *Paying It Forward, LLC*, a clear message would be sent that not only does the City of Kent actively work with larger corporate companies and restaurant chains, but is also willing to allow independent small businesses who want to bring new jobs and tax dollars to this community to have a seat at the proverbial table. We have chosen the City of Kent to invest our time, money, and efforts, and we want our restaurant to be a popular venue for all types of people to visit and work. We are and will continue to be deeply ingrained in the community—so much so that our trade name on file with the State of Ohio is "*The Local*." We plan to operate a unique restaurant and gathering spot for the Kent community.

We know that we will be actively involved members of the Kent business community and be the type of property owners who help to make a neighborhood even better. We are not a "here today, gone tomorrow" type of venture. We have put a great deal of money into this project already, including purchasing the property and building at 154 North Depeyster Street for \$240,000. We plan on putting—and already are—a great deal more money into the renovations, build out, and equipment needed for the restaurant. The potential total cost of our investment is approximately \$750,000.

In taking what was a vibrant church and music scene turned vacant building, and now upgrading the safety and aesthetic features, we will bring more life to the corner of Columbus and North Depeyster. With these major plans that are already in progress, we will be bringing extra dollars to the State of Ohio, Portage County, and the City of Kent. We will add substantial revenue to the economy in numerous ways, for example, in hiring of more professional consultants and services from the local area, in tax dollars through property taxes and sales taxes, and in the form of quality employment for approximately 45 people.

As a resident of the City of Kent for the past eight years and graduate degree holder from Kent State University, I know that the community and neighborhood aspects of this City are what makes it an ideal place to live and work. In particular, this is why my sister and I decided to start a property management business here five years ago, *RTB Rentals, LLC*. I have operated that business in the City for the past five years and have remained ever mindful of Kent as a place where more business opportunities were apparent.

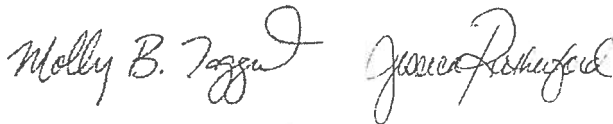
When my best friend and business partner, Jessica, and I have spoken with you or Dave Ruller regarding this project, we were (and are) always aware of the importance of "a sense of place" that was discussed by Dave and KSU President Lester Lefton at the Bowman Breakfast in fall, 2011. The spring, 2012 Bowman Breakfast, featuring public remarks from Ron Burbick (and the private remarks he made to us afterward), only helped to further solidify our feelings about this "place."

We simply ask for the City's endorsement so that we at "*The Local*" can operate on an even playing field with other businesses in downtown Kent. We are working extremely hard to become and remain a viable option in the central business district for decades to come.

We are willing to talk with anyone from the City who may have questions or need to review our plans, including you, Mayor Jerry Fiala, City Manager Dave Ruller, and/or members of the Kent City Council, etc. We are happy to meet in person, over the phone, or send materials in the mail or electronically. Additionally, we are pleased to come to any meetings, including City Council, in order to answer any questions. Lastly, we welcome a visit from the City to see our building if that would be helpful at all.

Please let us know what you would like from us and we will gladly provide it. We look forward to becoming the newest members of the Kent Chamber of Commerce and Main Street Kent.

With our sincerest regards,

The image shows two handwritten signatures in black ink. The first signature on the left is 'Molly B. Taggart' and the second signature on the right is 'Jessica Rutherford'. Both signatures are written in a cursive, flowing style.

Molly Taggart and Jessica Rutherford  
Paying It Forward, LLC  
Trade Name: *The Local*



# CITY OF KENT, OHIO

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## DEPARTMENT OF ECONOMIC DEVELOPMENT

**Date:** September 25, 2012

**To:** David Ruller, City Manager  
Bridget Sussel, CD Director  
Linda Jordan, Clerk of Council

**From:** <sup>DS</sup> Dan Smith, Economic Development Director

**Subject:** Clean Ohio Revitalization Grant Acceptance and Appropriation

Over the past year we have applied for, and been awarded, two Clean Ohio Revitalization Fund (CORF) grants. The two sites include the former R.B.&W. site along Mogadore Road, owned by the Thomas & Betts Corporation and the former AMETEK site at Lake Street that we now own. Both grants have been awarded by the State and are ready for implementation as we work toward final clean-up. This will enable the adaptive reuse of both properties. I am requesting we accept the grants as well as appropriate the grant funding. The following is a quick recap of the two grants:

**R.B.&W.-** The State has awarded \$1,342,210.00 as part of the CORF grant. Matching funds have been provided by the Thomas & Betts Corporation's clean up work, much of the work has already been completed. The State did require we complete a "failure investigation" to determine the best final solution. The cost of this investigation was \$150,000 we agreed to split 50/50 between the City of Kent and Thomas & Betts Corporation. This work is nearly complete and will trigger use of the CORF grant.

**AMETEK-** We just received the AMETEK grant agreement from the State. We have been awarded \$1,084,403.00 with a required 30% match (\$467,467.00) per the terms of the grant. The purchase of the property, \$106,000 completed earlier in the year, can and has been be used as matching funds. The remaining matching funds of \$361,467 have been budgeted. In addition, an Urban Setting Designation (USD) has also been obtained.

With the signing of the grant and funds appropriated, we will be ready to announce a request for proposals in preparation for the final environmental clean-up to begin.

I am respectfully requesting time on the October 3 Council Committee agenda to seek acceptance and appropriation for both of the CORF grants.



# CITY OF KENT, OHIO

## DEPARTMENT OF SAFETY

To: Mr. Ruller

From: William Lillich

Subject: Parking ticket amnesty program

Date: September 17, 2012

Mr. Ruller,

As you are aware, the police department is converting the processing of parking tickets to a new management program. While that is being done, it has been determined that there are in excess of 4,500 tickets outstanding tickets that are older than six months from the date of issuance. Some communities have initiated an amnesty program to try to clear the old records.

In the police department's proposal, the registered owner of a vehicle would be notified that they have thirty days to pay at the original fine, discounting the accelerated fines for delayed payment.

There is a potential for a return of up to \$90,000 in lieu of the current face value of \$244,000. We should have City Council approval to waive these fees for the thirty day period. Mr. Silver is researching the methodology to make this happen. We would like to present this idea to the Council at the October 3 committee meetings.

Respectfully submitted,

A handwritten signature in blue ink that reads "William Lillich".

William Lillich



# KENT POLICE DEPARTMENT

319 SOUTH WATER STREET KENT, OHIO 44240  
330-673-7732

MICHELLE A. LEE  
Chief of Police

9/13/2012

RACHEL E JONES  
1895 BASSWOOD DR  
KENT OH 00000000

Citation Number: A23403  
Date & Time of Citation: 3/7/2010 01:12  
Location of Violation: W COLLGE AT FRANKIN  
License Plate: S190801  
License State: OH  
Violation: 351.06(B) - PARKED FACING WRONG DIR/ANGLE  
Amount Due: 15.00

## PARKING TICKET AMNESTY PROGRAM

Dear registered owner,

A vehicle registered to you has one or more outstanding parking tickets in the City of Kent. This letter is to inform you of those tickets, and give you an opportunity to pay them. Due to some computer issues we have had, notices of unpaid tickets were not sent out in a timely fashion. Late fees were added to the tickets before the owners were given a chance to pay the tickets.

We are giving the owner of the above listed vehicle an opportunity to pay the ticket, with **NO** late fees added. If the ticket(s) are not paid within 30 days of receipt of this letter, the late fees will be reinstated, and the registered owner of the vehicle will be responsible for the full amount.

Please return this letter, along with your payment of \$15.00 to:  
Kent Budget & Finance  
325 S Depeyster St  
Kent, Ohio 44240

You can also pay your parking tickets online at [www.citeserv.com/kent](http://www.citeserv.com/kent)

Thank you

CITY OF KENT  
DEPARTMENT OF PUBLIC SERVICE

MEMO

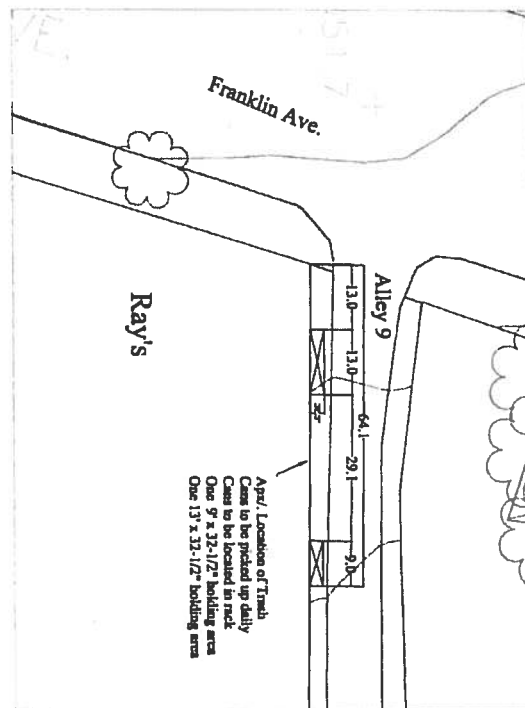
September 23, 2012

To: Dave Ruller, City Manager

From: Gene Roberts, Service Director *GR*

RE: 135 Franklin Avenue, Ray's Use of ROW

Mr. Charlie Thomas of 135 Franklin LLC, owner of Ray's Place located at 135 Franklin Avenue, at the southeast corner of Franklin Avenue and Alley No. 9, has requested use of the alley right-of-way for the purpose of placement of racks for storage of trash cans as shown in figure below.



The request is made in the hopes of correcting a long standing problem regarding animals tearing trash bags and unknown persons dumping trash cans in Alley No. 9. Mr. Thomas is requesting use of the same area currently used no different than anyone else in the City by placing trash in the public right-of-way for pickup with the addition of two metal racks in which trash cans will be placed. It is hoped that by placing the cans in a rack that trash will no longer be scattered in the alley. This proposed resolution is supported by the Health Commissioner and Code Enforcement Officer, as both have worked with Mr. Thomas to find a resolution to complaints received by the City.

Cc: Jim Silver, Law Director  
Jeff Neistadt, Health Commissioner  
Troy Loomis, Code Enforcement Officer  
file

**CITY OF KENT, OHIO**  
**LICENSE AGREEMENT**

THIS AGREEMENT is made by and between the CITY OF KENT, OHIO, hereinafter called "City" and 135 Franklin LLC, hereinafter called the "Licensee."

The City is the owner, in fee simple, of land, hereinafter known as the "Property." For and in consideration of the covenants, conditions, agreements and stipulations of the License expressed herein, the City does hereby agree the Property may be used by the Licensee for the purpose as outlined in Part 1 below, in accordance with the laws and Charter of the City of Kent. The Property is more particularly described in the attached exhibits listed below.

Exhibit "A" – Site Plans  
Exhibit "B" – Shop Drawings.

The parties hereto covenant and agree as follows:

**1. NATURE OF INTEREST:**

The Licensee understands that by issuing this license, the City has merely granted the Licensee the right to occupy the right-of-way and this license does not grant or convey to the Licensee any interest in the Property.

**2. USE:**

**2.1** The Property shall be used for the purpose of: placement of trash can racks and trash cans and for no other purpose.

**2.2** No other structural alterations may be made to the City's property without the express written permission of the City of Kent, Director of Public Service.

**3. TERM:**

The City does hereby agree the Property may be used by the Licensee for a term of one (1) year commencing on October 22, 2012, and ending on October 21, 2012 unless terminated earlier by either party. This license will automatically renew yearly unless one (1) month before expiration either party notifies the other of its intention to terminate per Paragraph 14.

**4. NECESSARY LICENSES AND PERMITS:**

**4.1** Licensee shall be licensed to do business in the State of Ohio and City of Kent, and upon request, Licensee shall demonstrate to the City that any and all such licenses are in good standing. Correspondence shall be addressed as follows:

All correspondence to the City shall be addressed:

Service Director  
City of Kent  
930 Overholt Road  
Kent, Ohio 44240

All correspondence to the Licensee shall be addressed:

135 Franklin LLC  
7692 Ferguson Road  
Kent, Ohio 44240

4.2 Licensee shall secure all necessary permits required in connection with the use of the Property and shall comply with all federal, state and local statutes, ordinances, rules, or regulations which may affect, in any respect, Licensee's use of the Property. Licensee shall, prior to the commencement of any work, obtain and thereafter maintain, at its sole cost and expense, all licenses, permits, etc., required by law with respect to its business use of the Property.

5. **STORAGE AND VENDING:**

No storage of materials or supplies of any nature will be permitted on the Property except as directly related to the agreed business use of the Property.

6. **TAXES:**

Licensee agrees to be responsible for and to timely pay all taxes and/or assessments that may be legally assessed on Licensee's interest, or on any improvements placed by Licensee on said Property, during the continuance of the license hereby created, including any real estate taxes. The Licensee must provide written notice to the City, at the address referenced in Paragraph 4.1, within thirty (30) days of payment of all taxes and/or assessments.

7. **DIRECTOR OF PUBLIC SERVICE TO ACT FOR CITY:**

The granting of this permit shall not be construed as an abridgment or waiver of any rights which the Director of Public Service has in exercising his jurisdictional powers over the City highway system. The City Director of Public Service shall act for and on behalf of the City of Kent in the issuance of and carrying out the provisions of this permit.

8. **CITY USE OF PROPERTY:**

If for any reason the Director of Public Service or his duly appointed representative deems it necessary to order the removal, reconstruction, relocation or repair of the Licensee's changes to the City's property, then said removal, reconstruction, relocation or repair shall be promptly undertaken at the sole

expense of the Licensee's thereof. Failure on the part of the Licensee to conform to the provisions of this permit will be cause for suspension, revocation or annulment of this permit, as the Director of Public Service deems necessary.

**9. MAINTENANCE OF PROPERTY:**

Licensee shall, at its sole expense, keep and maintain the Property free of all weeds, debris, and flammable materials of every description, and at all times in an orderly, clean, safe, and sanitary condition consistent with neighborhood standards. A high standard of cleanliness, consistent with the location of the area as an adjunct of the City, will be required. Defoliant, noxious, or hazardous materials or chemicals shall not be used or stored on the Property.

**10. MAINTENANCE OF IMPROVEMENTS:**

**10.1** Licensee, at Licensee's own cost and expense, shall maintain all of his/her improvements to the Property. Licensee shall take all steps necessary to effectively protect the Property from damage incident to the Licensee's use of such Property, all without expense to the City.

**10.2** Licensee shall be liable to, and shall reimburse the City for, any damage to City owned property that in any way results from or is attributable to the use of said Property by the Licensee or any person entering upon the same with the consent of the Licensee, expressed or implied.

**11. HOLD HARMLESS:**

Licensee shall occupy and use Property at its own risk and expense and shall save the City, its officers, agents, and employees, harmless from any and all claims for damage to property, or injury to, or death of, any person, entering upon same with Licensee's consent, expressed or implied, caused by any acts or omissions of the Licensee.

**12. INSURANCE:**

**12.1** At the time of the execution of this Agreement, Licensee shall, at its own expense, take out and keep in force during the terms of this Agreement:

(a) Liability insurance, in a company or companies to be approved by the City to protect against any liability to the public incident to the use of, or resulting from injury to, or death of, any person occurring in or about, the Property, in the amount of not less than *Five Hundred Thousand Dollars (\$500,000.00)*, to indemnify against the claim of one person, and in the amount of not less than *One Million Dollars (\$1,000,000.00)* against the claims of two (2) or more persons resulting from any one (1) accident.

(b) Property damage or other insurance in a company or companies to be approved by the City to protect Licensee, and the City against any and every liability incident to the use of or resulting from any and every cause occurring in, or about, the Property, including any and all liability of the Licensee, in the amount of not less than *One Hundred Thousand Dollars (\$100,000.00)*. Said policies shall inure to the contingent liabilities, if any, of the Licensee and the City, and shall obligate the insurance carriers to notify Licensee and the City, in writing, not less than thirty (30) days prior to cancellation thereof, or any other change affecting the coverage of the policies. If said policies contain any exclusion concerning property in the care, custody or control of the insured, an endorsement shall be attached thereto stating that such exclusion shall not apply with regard to any liability of the Licensee and the City.

12.2 A copy of the "Certificate of Insurance" will be submitted to the City at the time of execution of license and annually thereafter.

13. **MODIFICATION:**

The terms of this Agreement may be modified upon agreement of the parties.

14. **REVOCAION AND TERMINATION:**

14.1 The City may revoke this license at any time. The Licensee may terminate this Agreement at any time.

14.2 In the event this license is revoked or the Agreement is terminated the Licensee will peaceably and quietly leave, surrender, and yield up to the City the Property. The Property will be restored to its previous condition at the expense of the Licensee and no costs for removal will be reimbursed by the City.

14.3 Upon revocation of the license or upon termination or expiration of Agreement, any personal property, or other appurtenances, including all footings, foundations, and utilities, placed on the City property will be removed by Licensee. If any such appurtenances are not so removed after ninety (90) days written notice from the City to the Licensee, the City may proceed to remove the same and to restore the Property and the Licensee will pay the City, on demand, the reasonable cost and expense of such removal and restoration.

15. **RELOCATION:**

A Licensee who licenses property from the City shall not be eligible for relocation payments.

IN WITNESS WHEREOF, this Agreement has been executed in duplicate by the parties hereto as of the date herein last written below. Licensee acknowledges receipt of a copy of this Agreement and agrees to comply with the provisions herein contained.

**LICENSEE(S):**

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
Telephone

\_\_\_\_\_  
Date

**CITY OF KENT, OHIO**

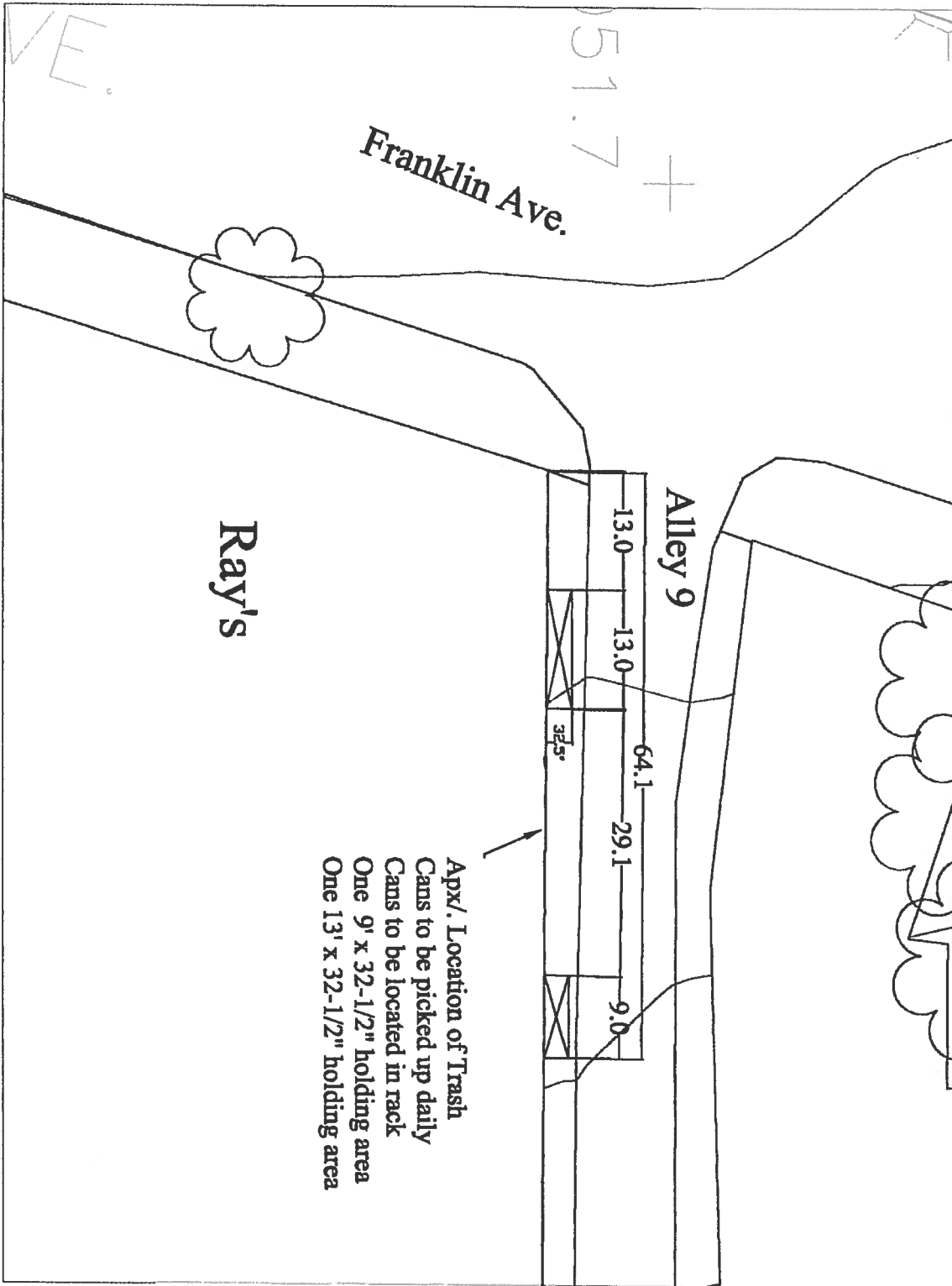
\_\_\_\_\_  
Director of Public Service

\_\_\_\_\_  
Date

**APPROVED AS TO FORM:**

\_\_\_\_\_  
James R. Silver, Law Director  
City of Kent

**EXHIBIT "A"**  
**SITE PLAN**



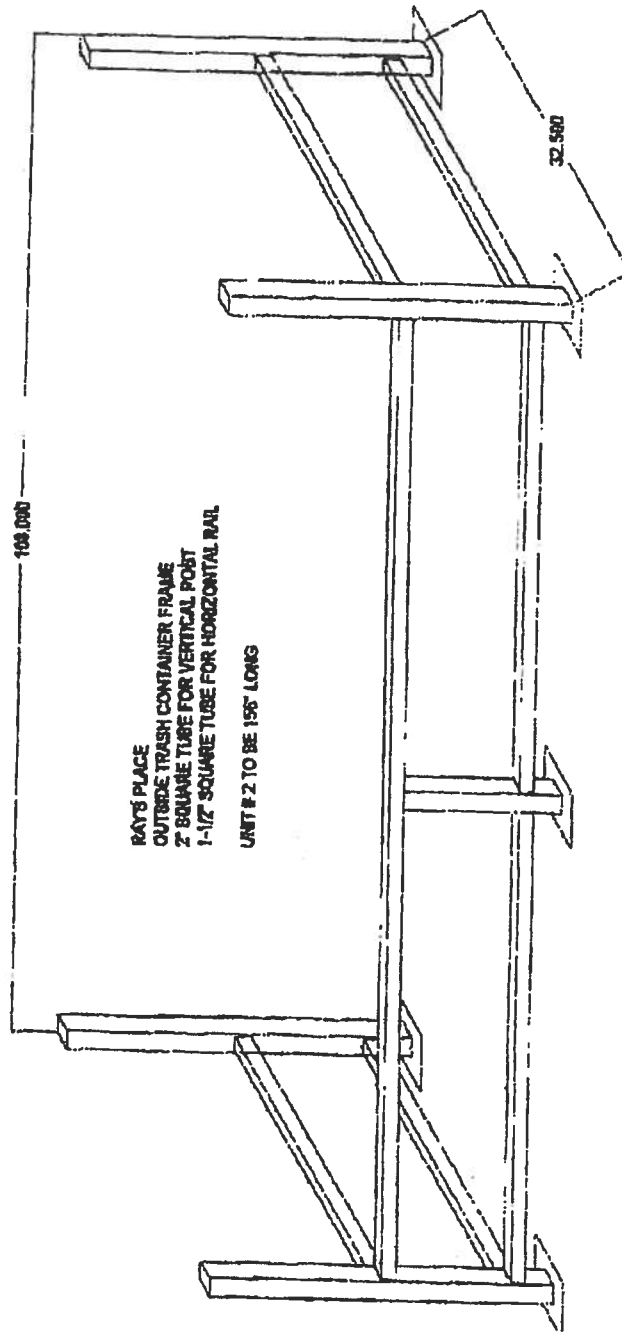
Ray's

Alley 9

Apx/. Location of Trash  
Cans to be picked up daily  
Cans to be located in rack  
One 9' x 32-1/2" holding area  
One 13' x 32-1/2" holding area



**EXHIBIT "B"**  
**TRASH RACK SHOP DRAWING**



This License Agreement is for Right-of-Way show as Exhibit 1 above.

CITY OF KENT  
DRAFT SIDEWALK POLICY  
1996

In 1995, City Council addressed property owner concerns that they should not be responsible for damage to walks caused by City-owned trees by authorizing the Service Director to repair or replace, at 100% City cost, any walk area determined to have been damaged by a City-owned tree. The Service Director was advised to return to City Council with a revised policy to address this change. The following is a draft policy for the Sidewalk Program:

1. The sidewalk repair program shall include drive approaches, curbing related to drives and sidewalks.
2. Properties with no sidewalk located between properties with sidewalks shall be included for installation of sidewalk and drive approaches in accordance with the same policies and procedures as for sidewalk repair and replacement.
3. Locations where City-owned trees are located adjacent to defective sidewalk will be evaluated to determine if the tree caused the problem. Sections of walk damaged by trees will be paid for by the City. The condition of the tree(s) causing walk damage will be evaluated by the City Arborist under the direction of the Service Director. If the tree is determined to be unhealthy or a safety hazard, the Service Director shall order the tree removed in compliance with Shade Tree Commission Policy #18. If the tree is healthy and not considered to be a safety hazard but could cause future damage to the new sidewalk, efforts will be made to install a root barrier or to obtain an easement through City Council from the property owner to permit either the tree or the walk to be placed behind the street right-of-way. If it is determined that these activities will not remedy the problem, the issue will be brought before the Shade Tree Commission for approval to remove the tree. Monthly reports of tree removals related to the Sidewalk program will be forward to the Shade Tree Commission.
4. Property owners will be provided the opportunity to build/repair their own walk and drives or have the City do the work either by contract or with City forces and bill them for the cost. Billings for the work will be based upon the actual contract prices for the most recent sidewalk program contract. They may pay upon receipt of the City's invoice or wait and have the cost added to their tax statement.
5. Property owners who choose to do the work themselves must obtain a permit from the City and have the City inspect the work. The property owner will be reimbursed by the City for walk the City determines was damaged by City-owned trees. The amount of reimbursement will be based upon the actual contract prices for the most recent sidewalk program contract.
6. Assistance will be provided to single family homeowner occupied properties in the amount of 50% of the cost of the improvement. Homeowner occupied single family homeowners falling within the City's income guidelines will receive assistance in the amount of 100% of the cost of the improvements.

7. Street sections will be selected for inclusion in the sidewalk program based upon City Council's review of priority lists.
8. Resident's request for repair of isolated areas of damaged walk may be added to the program by the Service Director based upon inspection to determine that the condition of the walk is within the program guidelines and subject to the availability of funds.
9. City crews will perform sidewalk repairs and replacement in areas where it is determined that City owned trees have caused the major portion of the damage. The City may continue to contract for repairs of other sidewalk program improvements.




# CITY OF KENT, OHIO

## DEPARTMENT OF ECONOMIC DEVELOPMENT

**Date:** September 26, 2012

**To:** David Ruller, City Manager  
David Coffee, Finance Director

**From:**  Dan Smith, Economic Development Director

**Subject:** MAC Trailer Job Creation Tax Credit Final Authorization

As previously discussed, we offered MAC Trailer our Job Creation Tax Credit (JCTC) program to assist with the start of their new facilities in the City of Kent. The credit is up to 24% of the municipal income tax withheld on the qualifying new jobs for a term up to five years, or up to the term offered by the State of Ohio Job Creation Tax Credit Program. Other requirements include:

- The program is restricted to non-retail oriented firms only.
- The program is open to those firms that are new to the City of Kent, or existing companies that are expanding, and who meet the program requirements.
- Depending on the projected payroll to be generated for each qualifying job, the required minimum number of full-time, or full-time equivalent jobs that must be created and maintained by the company within a three-year period is either 10 or 25 employees.
- For companies currently operating in the City of Kent, the existing employment and payroll figures must be maintained in addition to the creation of the requisite number of new jobs.
- New jobs must pay a wage rate at, or above, 150% of the Federal Minimum Wage.
- To be eligible, the company must concurrently secure a tax credit through the State of Ohio Job Creation Tax Credit program as specified by the Ohio Revised Code Section 122.17.

Due to the last requirement (State JCTC approval), we have been waiting for a signed, executed copy of the State's agreement for final approval. The processing of the State paperwork has taken longer than anticipated. MAC Trailer sent me the State agreement earlier this month and said final signature pages would be provided shortly. The State has agreed to a seven year agreement. Our agreement was negotiated for five years and will run concurrently with the State's program retro-active back to January 1, 2012 through December 31, 2016.

Per our conversations, we will remit the credits after the year-end income tax reconciliations are completed. No additional action is required at this time, but I felt it was necessary to clarify MAC Trailers's local JCTC final program approval since a long amount of time had passed since we first approved the local agreement.

**City of Kent  
Income Tax Division**

**August 31, 2012**

***Income Tax Receipts Comparisons - RESTATED - (NET of Refunds)***

**Monthly Receipts**

Total receipts for the month of August, 2012	\$942,880
Total receipts for the month of August, 2011	\$873,559
Total receipts for the month of August, 2010	\$865,224

**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 August 31, 2012	\$7,783,295	71.41%
Total receipts January 1 through August 31, 2011	\$7,268,988	67.86%
Total receipts January 1 through August 31, 2010	\$6,944,012	66.43%

**Year-to-date Receipts Through August 31, 2012 - 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>
2012	\$ 10,900,000	\$ 10,900,000	\$7,783,295	71.41%	28.59%

**Comparisons of Total Annual Receipts for Previous Six Years**

<u>Year</u>	<u>Total Receipts</u>	<u>Percent Change From Prior Year</u>
2006	\$ 10,151,202	-0.36%
2007	\$ 10,540,992	3.84%
2008	\$ 10,712,803	1.63%
2009	\$ 10,482,215	-2.15%
2010	\$ 10,453,032	-0.28%
2011	\$ 10,711,766	2.48%

Submitted by , Director of Budget and Finance

**2012 CITY OF KENT, OHIO**  
**Comparison of Income Tax Receipts**  
**as of Month Ended August 31, 2012**

<b>Monthly Receipts</b>				<b>Comparisons</b>	
<b>Month</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>Amount</b>	<b>Percent Change</b>
January	\$ 952,296	\$ 1,026,357	\$ 1,085,253	\$ 58,896	5.74%
February	785,233	788,986	806,227	17,241	2.19%
March	809,613	823,680	860,826	37,146	4.51%
April	1,026,687	1,057,137	1,239,488	182,351	17.25%
May	877,364	1,006,438	972,050	(34,388)	-3.42%
June	798,635	844,726	915,138	70,412	8.34%
July	828,960	848,105	961,433	113,328	13.36%
August	865,224	873,559	942,880	69,321	7.94%
September	762,176	825,343			
October	961,274	939,121			
November	880,655	843,533			
December	904,915	834,781			
<b>Totals</b>	<b>\$ 10,453,032</b>	<b>\$ 10,711,766</b>	<b>\$ 7,783,295</b>		

<b>Year-to-Date Receipts</b>				<b>Comparisons</b>	
<b>Month</b>	<b>2010</b>	<b>2011</b>	<b>2012</b>	<b>Amount</b>	<b>Percent Change</b>
January	\$ 952,296	\$ 1,026,357	\$ 1,085,253	\$ 58,896	5.74%
February	1,737,529	1,815,343	1,891,480	76,137	4.19%
March	2,547,142	2,639,023	2,752,306	113,284	4.29%
April	3,573,829	3,696,160	3,991,794	295,635	8.00%
May	4,451,193	4,702,598	4,963,844	261,246	5.56%
June	5,249,828	5,547,324	5,878,982	331,658	5.98%
July	6,078,788	6,395,429	6,840,415	444,986	6.96%
August	6,944,012	7,268,988	7,783,295	514,307	7.08%
September	7,706,188	8,094,331			
October	8,667,462	9,033,453			
November	9,548,117	9,876,985			
December	10,453,032	10,711,766			
<b>Totals</b>	<b>\$ 10,453,032</b>	<b>\$ 10,711,766</b>			

**2012 CITY OF KENT, OHIO**  
**Comparison of Income Tax Receipts from Kent State University**  
**as of Month Ended August 31, 2012**

Month	Monthly Receipts			Comparisons	
	2010	2011	2012	Amount	Percent Change
January	\$ 422,779	\$ 406,862	\$ 403,606	\$ (3,256)	-0.80%
February	328,502	336,710	335,895	(815)	-0.24%
March	349,936	362,390	360,114	(2,276)	-0.63%
April	350,591	357,231	362,957	5,727	1.60%
May	348,819	354,925	360,026	5,101	1.44%
June	345,261	349,038	362,330	13,293	3.81%
July	334,650	337,910	379,316	41,406	12.25%
August	381,241	370,933	359,550	(11,382)	-3.07%
September	291,775	298,038			
October	370,956	352,815			
November	370,551	358,685			
December	372,404	360,837			
Totals	\$ 4,267,465	\$ 4,246,372	\$ 2,923,795		

Month	Year-to-Date Receipts			Comparisons	
	2010	2011	2012	Amount	Percent Change
January	\$ 422,779	\$ 406,862	\$ 403,606	\$ (3,256)	-0.80%
February	751,281	743,572	739,501	(4,071)	-0.55%
March	1,101,217	1,105,962	1,099,615	(6,347)	-0.57%
April	1,451,808	1,463,193	1,462,573	(620)	-0.04%
May	1,800,627	1,818,117	1,822,598	4,481	0.25%
June	2,145,888	2,167,155	2,184,929	17,774	0.82%
July	2,480,538	2,505,065	2,564,245	59,180	2.36%
August	2,861,779	2,875,997	2,923,795	47,798	1.66%
September	3,153,554	3,174,035			
October	3,524,510	3,526,851			
November	3,895,061	3,885,535			
December	4,267,465	4,246,372			
Totals	\$ 4,267,465	\$ 4,246,372			

**2012 CITY OF KENT, OHIO**  
**Comparison of Income Tax Receipts from Kent State University**  
**as of Month Ended August 31, 2012**

**Comparisons of Total Annual Receipts for Previous Six Years**

<u>Year</u>	<u>Total Receipts</u>	<u>Percent Change</u>
2006	\$ 3,542,080	2.59%
2007	\$ 3,707,931	4.68%
2008	\$ 3,919,539	5.71%
2009	\$ 4,090,788	4.37%
2010	\$ 4,267,465	4.32%
2011	\$ 4,246,372	-0.49%



**CITY OF KENT  
ARCHITECTURAL REVIEW BOARD  
OCTOBER 2, 2012**

**COMMUNITY DEVELOPMENT DEPARTMENT  
CONFERENCE ROOM  
930 OVERHOLT ROAD  
4:00 P.M.**

**A G E N D A**

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. ADMINISTRATION OF OATH**

**IV. PROJECT REVIEW**

- A. ARB12-022      BAKED IN THE VILLAGE / ANDREA BERRY  
123 NORTH WATER STREET**

**The applicant is requesting review of new building signage.**

- 1) Discussion**
- 2) Recommendation/Action – Certificate of Appropriateness**

- B. ARB12-024      JIMMY JOHN'S FAÇADE AND SIGN REVIEW  
165 EAST MAIN STREET**

**The Board will re-review the façade changes and building signage.**

- 1) Discussion**
- 2) Recommendation/Action – Certificate of Appropriateness**

**V. MEETING SUMMARY      September 18, 2012**

**VI. OTHER BUSINESS**

**VII. ADJOURNMENT**

**KENT CITY PLANNING COMMISSION  
BUSINESS MEETING  
OCTOBER 2, 2012**

**COUNCIL CHAMBERS  
KENT CITY HALL  
325 S. DEPEYSTER STREET  
7:00 P.M.**

**A G E N D A**

**I. CALL TO ORDER**

**II. ROLL CALL**

**III. READING OF PREAMBLE**

**IV. ADMINISTRATION OF OATH**

**V. MEETING MINUTES      September 4, 2012 - September 18, 2012**

**VI. CORRESPONDENCE**

**VII. OLD BUSINESS**

**VII. NEW BUSINESS**

- A. PC12-023      DAVID SOMMERS & ASSOCIATE4S, LLC  
525 E. Main Street  
Site Plan Review**

**The applicant represents Dunkin' Donuts requesting Site Plan Review and Approval for a revised site plan for the construction of a new two story building with a drive thru. The subject property is zoned C-R: Commercial-High Density Residential District.**

- 1)      Public Comment**
- 2)      Planning Commission Discussion/Action**

- B. PC12-025      KLABEN PROPERTY MANAGEMENT,LLC  
1035 W. Main Street  
Conditional Zoning Certificate & Site Plan Review**

**The applicant is seeking a Conditional Zoning Certificate and Site Plan Review and Approval in order to operate a car dealership on the subject property. The subject property is zoned IR-C: Intensive Commercial-Residential District.**

- 1)      Public Hearing**
- 2)      Planning Commission Discussion/Action**

**IX. OTHER BUSINESS**

- 1. Adding photos as a requirement for P.C. application**
- 2. Member Appointment**
- 3. Tardiness**
- 4. Requesting Sustainability Committee to identify and suggest ways to preserve green space.**

**X. ADJOURNMENT**



# CITY OF KENT, OHIO

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## DEPARTMENT OF COMMUNITY DEVELOPMENT

**DATE:** September 25, 2012  
**TO:** Kent City Planning Commission  
**FROM:** Jennifer Barone, PE, Development Engineer  
**RE:** Staff Report for the October 2, 2012 Planning Commission Meeting

The following items appear on the agenda for the October 2, 2012 Planning Commission meeting:

### **NEW BUSINESS:**

**CASE NO:** PC12-023 Dunkin' Donuts

**APPLICANT:** Dave Sommers & Associates, LLC

**SITE LOCATION:** 525 East Main Street

**STATUS OF APPLICANT:** The applicant is the owner's representative.

**REQUESTED ACTION:** Site Plan Review & Approval to construct a Dunkin' Donuts.

**ZONING:** C-R: Commercial – High Density Residential

**TRAFFIC:** The parcel is accessed from East Main Street and University Drive.

**SURROUNDING LAND USES:** The property is surrounded by residential to the north, commercial to the east and west, and KSU to the south.

**APPLICABLE CODE SECTIONS:** Chapters 1113 and 1145 of the Kent Codified Ordinances.

## ANALYSIS:

### *PROJECT DESCRIPTION:*

The Planning Commission approved the site plan for a Dunkin' Donuts store at 525 East Main Street on July 17, 2012 subject to the following conditions:

1. Technical Plan Review & Approval
2. Install an active self regulations noise reducing system on the order board and be in compliance with all relevant local noise ordinances.
3. Install sidewalk to service delivery area.
4. Install 4 to 6 bike racks in the patio area.

Since that approval, Dunkin' Donuts has entered into a purchase agreement for the parcel to the north and are returning to the Planning Commission with a revised site plan.

The store will consist of a two story building with a drive thru. The first floor will be the main service area and the second floor is a loft for additional seating. The facility will seat 46 persons. The hours of operation will 5 am – 10 pm seven days per week.

Restaurants are a permitted use in the C-R District.

### *TRAFFIC/PARKING:*

Ingress and egress is from East Main Street and University Drive. The parking need is based on the number of seats (one space for four seats) requiring 9 parking spaces. The Applicant had received relief from the Board of Zoning Appeals to reduce the number of required parking spaces to seven. The new site plan provides 11 spaces.

The proposed drive thru stacking of cars with the new plan is an improvement over the previous layout.

### *UTILITIES:*

Utilities are available for connection.

### *STORMWATER:*

Storm water calculation will need to be provided to determine if any storm water management is required.

### *SIGNAGE:*

Variances from the BZA for the size and number of signs was granted.

### *LIGHTING/LANDSCAPING/DUMPSTER:*

The proposed lighting fixtures are wall mounted. The landscaping consists of grassed lawn area. An enclosed dumpster is being provided.

**ARCHITECTURAL ADVISORY BOARD:**

The Architectural Review Board will consider this project at the September 18, 2012 meeting. They did not make a recommendation but did want to share their suggestions.

1. The orange line at the top of the building should be removed and placed at a lower level that continues around the entire building.
2. Reconfigure the pole sign such that the larger dimension is vertical instead of horizontal.
3. Continue the base material around the entire building.
4. Include additional vertical line.

**VARIANCES:**

The Board of Zoning Appeals granted the following variances on May 21, 2012.

- a. An 18-foot variance from the 30-foot minimum rear yard setback to allow a new building to be constructed 12 feet from the rear yard property line (Section 1145.04(b)).
- b. A 16.83-foot variance from the 20-foot front yard landscaping strip requirement to allow a parking area to be 3.17 feet from the front property line along West Main Street (Section 1167.10(b)(1)),.
- c. A 17.5-foot variance from the 20-foot front yard landscaping strip requirement to allow a parking area to be 2.5 feet from the front property line along University Drive (Section 1167.10(b)(1)).
- d. A variance from Section 1167.05(b)(5) to allow 7 parking spaces where 10 spaces are required,.
- e. A variance from Section 1165.05(c)(2)(A) to allow a total of 4 signs, where 2 signs are permitted.
- f. A variance from Section 1165.05(c)(2)(C) to allow a total of 194.64 square feet of signage, where 100 square feet maximum is permitted.

On September 17, 2012 the Board of Zoning Appeals granted a 17.5-foot variance from the 20-foot front yard landscaping strip requirement to allow a parking area to be 2.5 feet from the front property line along University Drive (Section 1167.10(b)(1) for the northern most parking space.

**RECOMMENDATION:**

Staff recommends approval.

The Planning Commission may approve, approve with conditions, or disapprove the application. Should Planning Commission wish to make a motion for this project the following language may be used:

I move that in Case PC12-023, the Planning Commission approve the Site Plan to construct a Dunkin' Donuts located at 525 East Main Street subject to the following conditions:

1. Technical plan review.
2. Install an active self regulations noise reducing system on the order board and be in compliance with all relevant local noise ordinances.
3. Install sidewalk to service delivery area.
4. Install 4 to 6 bike racks in the patio area.
5. Incorporate storm water management if the Development Engineer determines it is necessary.
6. Incorporate the suggestions of the Architectural Review Board.

List of Enclosures for this Project:

1. Applicant Cover Letter dated and plans dated August 15, 2102.
2. Aerial Topo and Zoning Map.

<u>CASE NO:</u>	<b>PC12-025</b>
<u>APPLICANT:</u>	Klaben Property Management LLC
<u>SITE LOCATION:</u>	1035 West Main Street
<u>STATUS OF APPLICANT:</u>	The applicant is the owner of the building.
<u>REQUESTED ACTION:</u>	Conditional Zoning Certificate and Site Plan Review & Approval to operate car sales.
<u>ZONING:</u>	IR-C: Intensive Commercial- Residential District
<u>TRAFFIC:</u>	The parcel is accessed from West Main Street.
<u>SURROUNDING LAND USES:</u>	The property is surrounded by commercial uses on all sides.
<u>APPLICABLE CODE SECTIONS:</u>	Chapters 1107, 1113, 1143 and 1171 of the Kent Codified Ordinances.
<u>ANALYSIS:</u>	

*PROJECT DESCRIPTION:*

The applicant would like to operate a car dealership at 1035 West Main Street which previously was Huntington Bank.

Automobile, truck, trailer, boat and farm implementation sales and services, and storage both new and used are conditionally permitted in the IC-R zoning district and are subject to the requirements outlined in Sections 1171.01(2), (3), (5), (9), (11), (39), and (41) of the Kent Codified Ordinances as listed below. Staff believes these conditions have been met.

- (2) Loudspeakers which cause a hazard or annoyance shall not be permitted.
- (3) All points of vehicular entrance or exit shall be located no closer than 200 feet from the intersection of two major thoroughfares, or no closer than 100 feet from the intersection of a major thoroughfare and a local or collector thoroughfare.
- (5) No lighting shall constitute a nuisance or in any way impair safe movement of traffic on any street or highway; no lighting shall shine directly on adjacent properties.
- (9) Such uses shall not require uneconomical extension of utility services at the expense of the community.
- (11) Such uses shall be properly landscaped to be harmonious with surrounding residential uses.
- (39) The design and construction of all access drives, access points to public streets, and parking and services areas shall be approved by the Planning Commission.
- (41) All activities, except those required to be performed at fuel pumps, shall be carried on inside a building; if work is performed on a vehicle, such vehicle shall be entirely within a building.

***TRAFFIC/PARKING:***

The traffic patterns to the parcel remain essentially the same. A grassed area has been removed to display cars and to widen the service driveway on the adjacent parcel to the west. The inventory display areas are shown as large blocks on the plan. The actual parking layout for these areas is not shown to allow flexibility depending on the number of cars to be displayed. Although these are parking spaces, they are for public display and public use. Therefore, the parking stall standards are not applicable. Staff did note that the display area extends to the front property line. The zoning code requires a 20' setback and should be included as a condition of approval.

The required number of parking spaces is 13 and 17 spaces are provided.

***UTILITIES:***

Existing water and sanitary mains will service the utility needs.

***STORMWATER:***

There is a change to the impervious area of the site where the grassed area has been removed. Storm water calculations will need to be provided to determine if any storm water management is required.

***SIGNAGE:***

There are three signs impacted by this new use. The existing SERVICE entrance sign for the adjacent parcel will be moved 5' to the east to allow for the wider drive. It will also be raised to 84" for better visibility. The building sign will be changed to KLABEN and a USED CAR entrance sign will replace the old Huntington Bank free standing sign.

The Planning Commission will need to approve the building and USED CAR entrance signs. The total combined square footage of both signs is 100 square feet.



***LIGHTING/LANDSCAPING/DUMPSTER:***

This is an existing site. Two parking lot lights will be added. No changes to the landscaping are proposed and the dumpster at the Service Department will be used by this building.

***ARCHITECTURAL ADVISORY BOARD:***

This is an existing building. Therefore, the Architectural Review Board review was not required.

***VARIANCES:***

No variances from the Board of Zoning Appeals are required.

**RECOMMENDATION:**

Staff recommends approval.

The Planning Commission may approve, approve with conditions, or disapprove the application. Should Planning Commission wish to make a motion for this project, the following language may be used:

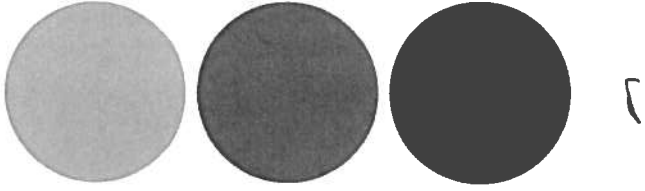
I move that in Case PC12-025, the Planning Commission approve the Conditional Zoning Certificate and Site Plan to operate a car sales business at 1035 West Main Street subject to the following conditions.

1. Technical plan review.
2. Adjusting the inventory display so as to not fall within the 20' front yard parking/landscaping setback or obtain a variance from the BZA.
3. Incorporate storm water management if the Development Engineer determines it is necessary.
4. The building sign and USED CAR entrance signs total square footage shall not exceed 100 square feet.

**List of Enclosures for this Project:**

1. Applicant Cover Letter dated August 1, 2012.
2. Plans dated August 30, 2012
3. Topo map and Zoning Map

cc: Bridget Susel, Interim Community Development Director  
Jim Bowling, City Engineer  
Eric Fink, Assistant Law Director  
Heather Phile, Development Planner  
Applicant  
PC Case File



# 2012 Resident Satisfaction Survey

**Prepared for: The City of Kent**

**PREPARED BY:**



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# Executive Summary

## KEY FINDINGS

### Kent as a Place to Live

- ✓ Kent State University is a true asset to the community. When asked what the residents were most proud of, KSU was the most common response followed by the schools/education system in the city.
- ✓ Infrastructure, Streets and Sidewalk Improvement was the most important problem that needs to be addressed according to city residents. Other important issues include growth management/over-development, high taxes, and education and school issues.
- ✓ Residents are generally happy living in Kent. The majority of respondents, 90%, rated Kent as an excellent or good place to live. The majority of respondents, 79.7%, felt that the appearance of Kent had improved. More than half of respondents, 51.1%, felt that the quality of life in Kent had improved over the past two years while a much smaller percentage, 12.4%, felt that the quality of life in the city had declined.

● ● ●

#### **Most Proud of:**

- “The school system is one of the best in the state”
- “The interaction between the city and the University”
- “All the recent development and growth of the city”



● ● ●

#### **Most Important Issue:**

- “Accommodating a growing city”
- “Try and balance small town feel against business”
- “The taxes keep going up”



- ✓ Other positive ratings: the quality of fire & EMS services (96.6% excellent or good)), development of downtown (89.5%), quality of police protection (87.2%), the relationship between the city and KSU (85.4%), balancing new construction and historic restoration (75.1%) and the quality of city services (71.3%).
- ✓ Other perceptions of the city of Kent include: nearly a third of respondents, 30.2%, feel that there are too many rental houses. Another 39% feel that there are too few bike trails while 34% think that there are not enough bus routes.

- ✓ Having safe streets and maintaining the quality of fire or EMS were most important to city residents.
- ✓ In terms of the jail facility, it was much more important to residents that the jail facility is compliant with regulations (69.6% said it was very important) than having a jail facility in Kent to save money in inmate transportation (27.3%).
- ✓ Other areas that were not as important to city residents were sharing services and equipment with neighboring cities (46.5%) or having a new community recreation center (35.0%).





### Communicating with Residents

- ✓ Less than one-quarter of respondents, 23.2% reported that they receive too little information from Kent. Only a small percentage of respondents, 1% indicated that they receive too much information.
- ✓ The most common source of information about current affairs and entertainment in Kent was newspaper, given by 53% of respondents. Significantly fewer, 20%, receive most of their information from the internet.
- ✓ More than half of respondents, 56.5%, read the Record Courier most often, followed by the Akron Beacon Journal, 21.5%. WKSU 89.7 and WNIR were the two radio stations that were listened to most often.
- ✓ More than half of respondents, 55.5%, used the internet to get information about current events and political issues in the area. The most commonly used internet source was recordpub.com, given by 75% of internet users while kent.patch.com was used by 59% of internet users. Other internet information sources include, in order of importance, the Daily Kent Stater (43%), Facebook (34%), kentwired.com (27%), the city manager's blog (25%), blogs (23%), and Twitter (5%).

### Income Tax Support and Political Involvement

- ✓ Passage of the income tax to build a new police facility is not certain to pass with similar support and opposition levels and a large portion of undecided voters. Overall, more than one-quarter, 27% indicated they will support the income tax with nearly an identical percentage, 28%, indicating they will oppose the tax. A large portion of respondents, 45%, indicated they are undecided as to how they will vote, 18% are leaning towards supporting and 6% leaning against. This does indicate an opportunity for passage if undecided voters can be reached and swayed in favor of the tax.
- ✓ How the respondent felt about Kent as a place to live was directly related to how likely they were to support the income tax. Generally speaking, the more favorable the opinion of Kent as a place to live, the more likely they were to support the income tax.
- ✓ Nearly three-quarters, 74.4%, of respondents indicated they are interested in politics at least a fair amount, with 26.8% indicating that they are interested in politics a great deal.
- ✓ Nearly two-thirds of respondents, 65.4%, reported that they *always* vote. Respondents ages 55 and 64, those with an annual income of \$100,000 or more, college graduates, and home owners were more likely to always vote.
- ✓ Most respondents, 79.5%, reported that they voted in the November 2011 election. Respondents ages 45 and older, those with an annual income of \$50,000 or more, college graduates, married respondents, and home owners were most likely to have voted in the November 2011 election.
- ✓ The majority of respondents, 90.1%, indicated that they were very likely to vote in the November 2012 election. Groups of respondents who were more likely to be very likely to vote in the November election include respondents with an annual income of \$100,000 or more, college graduates, and home owners.



Summary: Kent as a place to live			
		Percentage	N
<b>Most Proud Of</b> <i>(top 3, open ended)</i>	Kent State University	17.2%	N=348
	Schools/Education System	11.5%	
	Small Community/Hometown Feel	10.3%	
<b>Most Important Issue</b> <i>(top 3, open ended)</i>	Street/Sidewalk/Infrastructure Improvement	17.1%	N=321
	Growth Management/Over-Development	16.5%	
	Taxes/High Taxes	16.2%	
<b>Available homes for rent</b>	Too many	30.2%	N=341
	Too few	24.3%	
	Just about the right amount	45.5%	
<b>Number of bike trails</b>	Too many	3.7%	N=378
	Too few	38.6%	
	Just about the right amount	57.7%	
<b>Number of bus routes</b>	Too many	4.0%	N=352
	Too few	34.4%	
	Just about the right amount	61.6%	
<b>Quality of Life in City of Kent</b>	Improved	51.1%	N=403
	Declined	12.4%	
	Remained the same	36.5%	
<b>Appearance of City of Kent</b>	Improved	79.7%	N=404
	Declined	7.4%	
	Remained the same	12.9%	
<b>How often visit downtown</b>	Every day	11.0%	N=409
	Few times a week	31.5%	
	About once a week	19.6%	
	Couple times a month	16.9%	
	About once a month	10.0%	
	A few times a year	6.4%	
	Once a year or less	1.7%	
	Never	2.9%	
<b>Rent or Own Current Residence</b>	Rent	20.9%	N=407
	Own	77.4%	
	Other Arrangement	1.7%	
<b>Expect to move in next 2 years</b>	Stay	84.3%	N=408
	Move	11.8%	
	Unsure	3.9%	
<b>If move, will stay in Kent</b>	Yes	52.6%	N=57
	No	47.4%	

<b>Summary Results: Rating of Areas</b>			
	<b>Positive</b>	<b>Fair</b>	<b>Negative</b>
Quality of Fire and EMS services	96.6%	2.8%	0.5%
Kent as a place to live	89.5%	9.0%	1.4%
The development of downtown	88.7%	8.3%	3.0%
Quality of police protection	87.2%	9.6%	3.2%
Relationship between Kent and KSU	85.4%	10.2%	4.3%
Balancing new construction and restoration of historic buildings	75.1%	17.0%	7.9%
Quality of city services	71.3%	19.3%	9.4%

<b>Summary Results: Importance of Items</b>			
	<b>Very Important</b>	<b>Somewhat Important</b>	<b>Not at all Important</b>
Having safe streets and neighborhoods	96.3%	2.9%	0.7%
Maintaining the quality of fire or EMS services	92.7%	5.9%	1.5%
Maintaining quality of city services	86.7%	12.3%	1.0%
Having a jail facility compliant w/federal, state & safety regs	69.6%	22.6%	7.8%
Having a vibrant downtown	68.4%	25.9%	5.7%
Having a good relationship between city and KSU	65.1%	28.7%	6.2%
Having a balance between new construction & redevelopment	54.1%	36.3%	9.6%
Sharing services and equipment with neighboring cities	46.5%	45.0%	8.5%
Having a new community recreation center	35.0%	40.5%	24.5%
Having a jail facility in Kent that saves cost to transport	27.3%	43.8%	28.9%



Summary: Communication			
		Percentage	N
Amount of Communication Received from City	Too little	23.2%	N=405
	Too much	1.0%	
	Just the right amount	75.8%	
Source of Most Information in Kent (top 3)	Newspaper	52.5%	N=321
	The Internet	20.3%	
	Friends and Family	9.2%	
Use Internet to get political info or current events	Yes	55.5%	N=341
	No	44.5%	
Internet information source	Facebook	34.4%	N=227
	Twitter	5.3%	
	Blogs	23.3%	
	Kentpatch.com	59.0%	
	Recordpub.com	74.9%	
	The Daily Kent Stater	42.7%	
	Kentwired.com	27.3%	
	City Manager's blog (kent360.com)	24.7%	
Summary: Political Involvement and Income Tax Support			
		Percentage	N
Interest in politics	Great deal	26.8%	N=410
	Fair amount	47.6%	
	Only a little	16.6%	
	No interest at all	9.0%	
Frequency of voting	Always	65.4%	N=408
	Nearly always	22.3%	
	Part of time/Seldom	11.3%	
	Never vote	1.0%	
Voted in Election: November 2011	Yes	79.5%	N=410
	No	16.3%	
	Not sure	4.1%	
Vote before or on election day in 2011	On election day	82.7%	N=324
	Before election	17.3%	
Plan to vote early in future elections	Yes	29.5%	N=396
	No	70.5%	
Likelihood of Voting in November Election	Very Likely	90.1%	N=405
	Somewhat Likely	5.8%	
	Not at all Likely	4.1%	
Support for Police Facility Income Tax	Vote for	27.2%	N=393
	Undecided	45.1%	
	Vote Against	27.7%	



# EXECUTIVE SUMMARY

9,000 Surveys Mailed & On-Line  
88 Surveys Completed

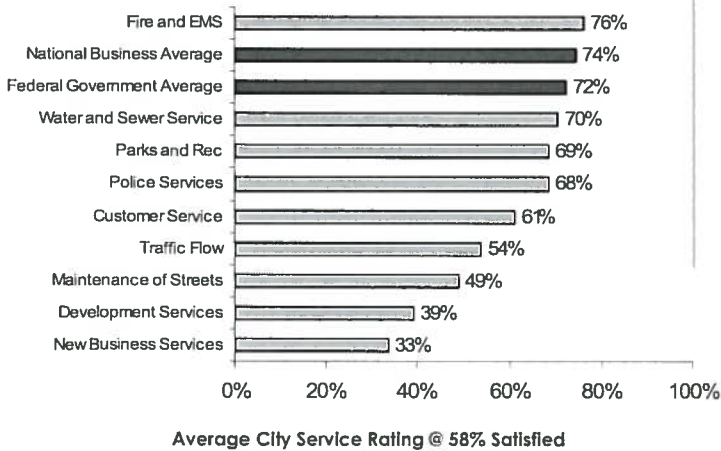
## Kent City Services Budget Survey

1. Please rate your overall satisfaction with services provided by the City of Kent on a scale of 1 to 5 where 1 is "very dissatisfied" and 5 is "very satisfied."

	Satisfaction					Funding for this area should?			Circle your top 2 priorities.		
	Very Dissatisfied	Dissatisfied	Neutral	Satisfied	Very Satisfied	Don't Know	Increase	Stay Same	Decrease	Top Priority	2nd Priority
Police Services	2	3	4	5	na		↑	-	↓	1	2
Fire and EMS	2	3	4	5	na		↑	-	↓	1	2
Parks and Rec	2	3	4	5	na		↑	-	↓	1	2
Maintenance of Streets	2	3	4	5	na		↑	-	↓	1	2
Water and Sewer Service	2	3	4	5	na		↑	-	↓	1	2
Customer Service	2	3	4	5	na		↑	-	↓	1	3
Traffic Flow	2	3	4	5	na		↑	-	↓	1	2
Development Services	2	3	4	5	na		↑	-	↓	1	2
New Business Services	2	3	4	5	na		↑	-	↓	1	3

1% Participation Rate

## Satisfaction Results by Category (out of 100%)



## Citizen's Funding Preferences

When asked whether to increase funding, keep funding the same, or decrease funding, the majority of citizens voted as follows:

### Increase Funds

- Street Maintenance
- Parks and Rec
- Traffic Flow
- Development Services
- New Business Services
- Image of the City
- Neighborhoods
- Town/Gown Relations
- Trash and Litter
- Code Enforcement
- Sidewalks
- Streets
- Graffiti
- New Construction
- Redevelopment
- New Businesses
- Downtown Kent
- Retail Shopping
- Dining Options
- Entertainment Options
- Arts and Culture

### Keep Funds Same

- Police Service
- Fire and EMS
- Water and Sewer Service
- Customer Service
- Quality of City Services
- Feeling Safe in Kent
- Value for Tax Dollars
- Environmental Protection
- City Communications
- Police Protection
- Police Response Time
- Neighborhood Patrol
- Officer Attitudes
- Traffic Enforcement
- Parking Enforcement
- Underage Drinking
- Fire Protection
- Fire Response Time
- Fire Prevention
- Quality of Medical Services
- Firefighter Attitudes
- Maintenance of Homes

### Keep Funds Same

- Maintenance of Businesses
- Private Signs
- Condition of City Buildings
- Spring Clean Up
- Leaf Collection
- Snow Removal
- Brush Collection
- Stormwater Drainage
- Quality of New Homes

### Decrease Funds

- Enforcement of Noise Ordinance

## THE SURVEY

In the Fall 2006 edition of the Tree City Bulletin, a City Services Budget Survey was mailed to approximately 9,000 households. Residents were invited to provide input into helping the City set budget priorities. The survey form was also available on-line at [www.kent360.com](http://www.kent360.com). (50 residents completed the survey on line.)

The survey had 5 categories of questions related to citizen satisfaction with: 1) Overall City Services; 2) Community; 3) Public Safety; 4) City Maintenance; and 5) Growth and Redevelopment. Residents were given a chance to rate their satisfaction from very dissatisfied to very satisfied for each area. Residents were also given a chance to pick what they considered the top two priorities in the City and indicate whether funding should be increased, kept the same, or decreased for each area.

## SATISFACTION RESULTS

As tight budgets grew tighter over the last 5 years, the City sought to focus resources on core services as much as possible, and those efforts were rewarded in the survey with high citizen satisfaction ratings for fire, police and utilities.

Likewise, those service areas that are underfunded, e.g., street maintenance and economic development, appeared to fall victim to the impacts of fiscal stress with low citizen satisfaction ratings.

To that extent, the survey results demonstrate that customer satisfaction is equal parts employee performance and resource capabilities. Exceptional employees can do more with less, but they can't necessarily do everything with less - and that means some less critical service levels will slip and customer satisfaction in those areas will likely follow.

The good news is that as the standards for customer service have climbed, the performance of the City's core service areas have climbed right along with them. Core service satisfaction rates are competitive with national benchmarks for customer satisfaction in both government and private industry.

This suggests that when resources are available, Kent City employees can deliver service as well as anyone in the nation.

## FUNDING PREFERENCES

Balancing tight budgets is a process of choosing what to cut, where to hold the line, and when to increase funds. When posed with these questions, the majority of survey respondents favored keeping funding the same for 59% of the items listed, and increasing funds to the remaining 40% of the high priority items (see list to the left). The only item where a majority of residents favored reducing funding was in the enforcement of the noise ordinance.

For the top rated areas like street maintenance, revitalizing downtown Kent, stimulating new businesses, and improving the image of the City, the majority of residents support spending more money on these items in order to do them better.

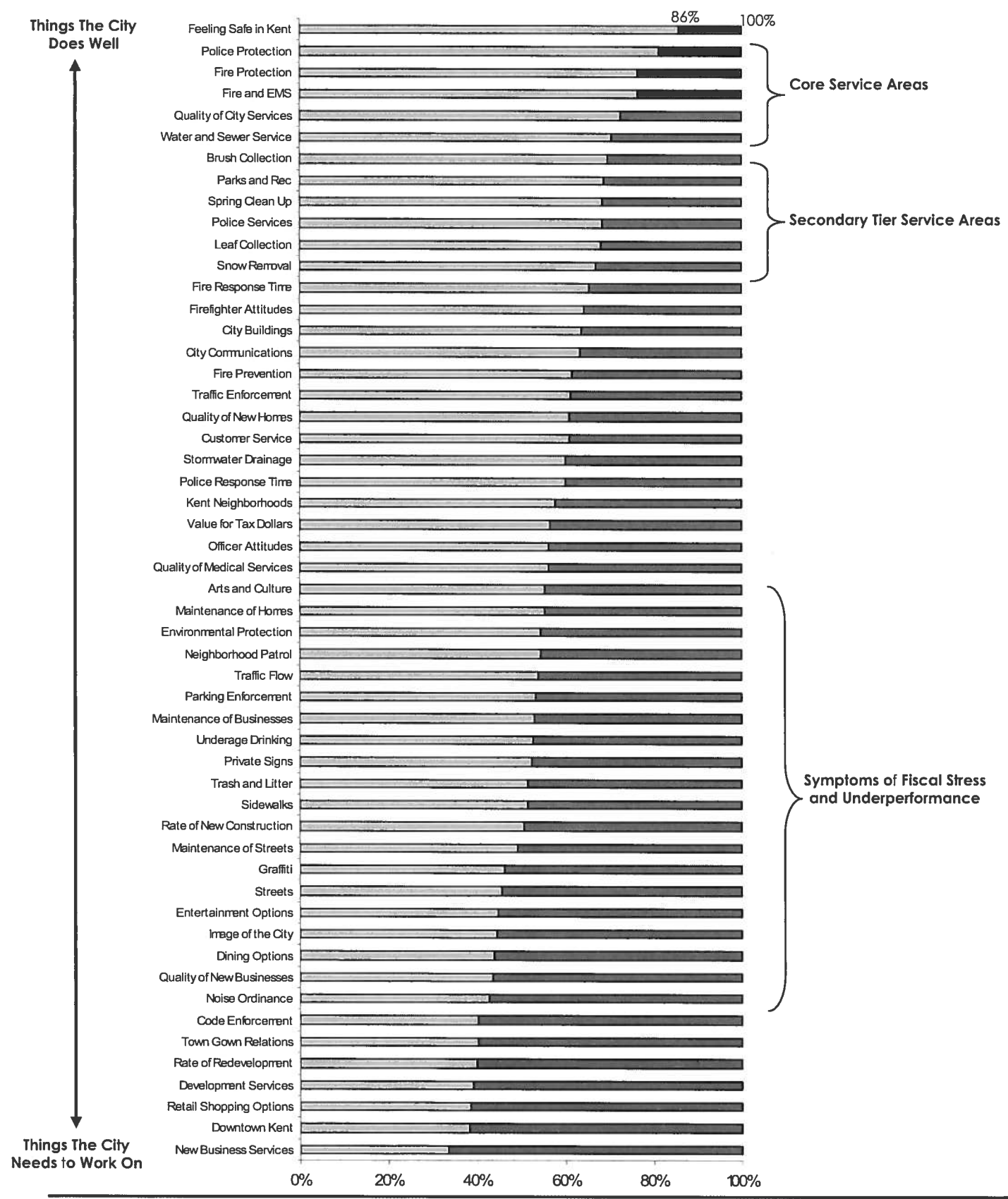
The residents also continue to place a high value on public safety functions, with the majority consistently supporting sustaining funding for police and fire.

**The Highest Vote Was:** 70% of the respondents voted in favor of increasing funding for Street Maintenance.

# Satisfaction Scorecard

## EVALUATING THE RESULTS

Another way of looking at customer satisfaction is to plot the ratings received against a calculated perfect score. Using 100% as a perfect score – which would require every person to report that they are “very satisfied” – the actual survey scores were tabulated, and each service area was charted. The list below illustrates the gap between the actual score (blue bars) and a perfect score (purple bars). The list is also shown in descending order, with the highest scores at the top and the lowest scores at the bottom.



# Overall Priority Rankings

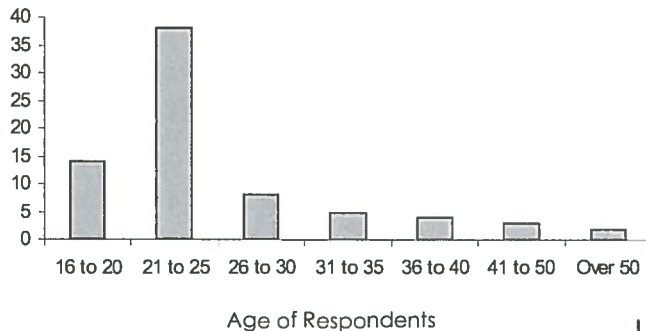
Citizens were asked to rank what they considered to be the top two areas that they believed the city needed to focus on. The outcome of the rankings are displayed below in descending order – meaning that the items at the top of the list received the most votes, and the items at the bottom the least votes. Where different items received the same number of votes, they are reflected as ties in the ranking. The far right column combines all the scores for first and second place votes to give an overall summary ranking.

First Priority	Cumulative Ranking	Second Priority	Cumulative Ranking	1st and 2nd Combined	Cumulative Ranking
<b>Downtown Kent</b>	<b>1</b>	<b>Maintenance of Streets</b>	<b>1</b>	<b>Downtown Kent</b>	<b>1</b>
Police Protection	2	<b>Maintenance of Private Homes</b>	<b>1</b>	New Business Services	2
New Business Services	3	Officer Attitudes	2	Police Protection	3
Police Services	4	Quality of Medical Services	2	Police Services	4
Fire Protection	5	Image of the City	3	Image of the City	4
Image of the City	6	Fire Response Time	3	Fire Protection	5
Code Enforcement	6	Streets	3		
Value for Tax Dollars	7	Development Services	4	Value for Tax Dollars	6
Development Services	8	Value for Tax Dollars	4	Streets	6
Street Maintenance	8	Town Gown Relations	4	Development Services	7
Retail Shopping Options	8	Traffic Enforcement	4	Rate of Redevelopment	8
Neighborhood Patrol	9	Maintenance of Businesses	4	Maintenance of Streets	9
Rate of Redevelopment	9	Rate of Redevelopment	4	Neighborhood Patrol	9
Town Gown Relations	10	Quality of New Businesses	4	Officer Attitudes	9
Officer Attitudes	10	Downtown Kent	4	Code Enforcement	9
Sidewalks	10	New Business Services	5	Retail Shopping Options	9
		Police Response Time	5	Town Gown Relations	10
Police Response Time	11	Neighborhood Patrol	5	Maintenance of Homes	10
Maintenance of Businesses	11	Fire Protection	5		
Snow Removal	11	Dining Options	5	Maintenance of Businesses	11
Maintenance of City Streets	12			Police Response Time	12
Quality of City Services	12	Fire and EMS	6	Sidewalks	13
Trash and Litter	12	Traffic Flow	6	Snow Removal	13
Environmental Protection	13	Quality of City Services	6	Quality of City Services	14
Underage Drinking	13	Kent Neighborhoods	6	Quality of Medical Services	14
Maintenance of Private Homes	13	Underage Drinking	6	Traffic Enforcement	15
Fire and EMS	14	Graffiti	6	Fire Response Time	15
Parks and Recreation	14	Snow Removal	6	Underage Drinking	16
Traffic Flow	14	Retail Shopping Options	6	Quality of New Businesses	16
City Communications	14	Police Services	7	Fire and EMS	17
Traffic Enforcement	14	Parks and Recreation	7	Traffic Flow	17
Stormwater Drainage	14	Environmental Protection	7	Environmental Protection	17
Feeling Safe in Kent	15	Noise Ordinance	7	Trash and Litter	17
Kent Neighborhoods	15	Fire Prevention	7	Parks and Recreation	18
Noise Ordinance	15	Sidewalks	7	Kent Neighborhoods	18
Fire Response Times	15	Entertainment Options	7	City Communications	19
Quality of Medical Services	15	Feeling Safe in Kent	8	Noise Ordinance	19
Quality of New Businesses	15	City Communications	8		
Arts and Culture	15	Police Protection	8	Feeling Safe in Kent	20
		Parking Enforcement	8	Dining Options	20
Rate of New Construction	16	Code Enforcement	8	Arts and Culture	20
Quality of New Homes	16	Condition of City Buildings	8	Graffiti	21
Entertainment Options	16	Spring Clean Up	8	Stormwater Drainage	21
Fire Prevention	17	Leaf Collection	8	Entertainment Options	21
Firefighter Attitudes	17	Arts and Culture	8	Fire Prevention	22
Graffiti	17	Private Signs	8	Spring Clean Up	23
Spring Clean Up	17	Trash and Litter	9	Leaf Collection	23
Leaf Collection	17	Brush Collection	9	Parking Enforcement	24
Brush Collection	17	Water and Sewer Service	9	City Buildings	24
Dining Options	17			Brush Collection	24
		Customer Service	No Votes	Rate of New Construction	24
Water and Sewer Service	No Votes	Firefighter Attitudes	No Votes	Quality of New Homes	24
Customer Service	No Votes	Stormwater Drainage	No Votes	Firefighter Attitudes	25
Parking Enforcement	No Votes	Rate of New Construction	No Votes	Private Signs	25
Private Signs	No Votes	Quality of New Homes	No Votes		
Condition of City Buildings	No Votes				

In total votes, "Downtown Kent" led the way, with **1 out of 2** respondents putting it at the top of their list. 1 in 4 respondents put new businesses, public safety and the image of the City as the next most important priorities.

# EXECUTIVE SUMMARY

On-Line Survey @ [www.kent360.com](http://www.kent360.com)  
75 Surveys Completed



## Where to Live

2 out of 3 students would consider living in Ohio  
1 out of 2 students would consider living in Northeast Ohio  
1 out of 3 students would consider living in Kent

## What's Important

When asked what was most important in selecting a place to live, the priorities were tallied as follows from most to least important:

Safe streets and neighborhoods.  
A vibrant downtown.  
Arts, cultural and entertainment options.  
Lots of gathering places like cafes, outdoor markets, street fairs.  
Over 70%

An affordable place to live.  
A city with many different kinds of job opportunities.  
A place that welcomes diversity.  
A place to raise a family.  
Accessible, walkable streets.  
A good public school system for children.  
A place for people with many different lifestyles.  
Close to small service oriented businesses  
A place that takes care of the environment.  
Over 60%

A place with a strong sense of community.  
Active nightlife (bars, clubs, etc.)  
A vibrant music scene.  
Neighborhoods with interesting and unique character.  
Lots of natural scenic beauty.  
A good public transportation system.  
Near where my friends and family live.  
Close to hiking, biking, jogging trails.  
An area without a lot of traffic congestion.  
Over 50%

Near large malls and shopping centers.  
A place with low taxes.  
4 Seasons climate.  
Easy access to beaches or waterfront.  
A place with professional sports.  
Easy access to outdoor sports (rock climbing, kayaking, biking).  
Over 40%

A place where I can start my own business.  
Warm weather year-round.  
Over 30%

Near gaming/gambling casinos.

## THE SURVEY

Borrowing from the success of the Michigan Cool Cities initiative (<http://www.michigancoolcities.com>), a Kent version of the "cool cities" survey was put on-line at [www.kent360.com](http://www.kent360.com).

As cities compete for the next generation of business leaders, artists, teachers and community stewards, it is imperative to understand the likes, dislikes, needs and desires of today's students. The survey is designed to collect information about how students make choices about where to live, work and play. That information can then become a part of the City of Kent's economic development efforts.

## Where to Live

In terms of location, nearly 40% of the students had a preference to remain in Ohio and another 30% said they would consider staying in Ohio. When asked about living in Kent, 15% preferred to live in Kent (1 out of 6 respondents) but an additional 15% indicated that they would consider Kent if the right opportunities existed.

Whether it's a large city or medium sized city, there were clear preferences for neighborhoods and suburb style living outside and around the downtown core. Furthermore, the students showed very little interest in rural or small town living.

As far as housing choices go, the respondents had a strong preference for single family homes rather than apartment, town-home or duplex living quarters. 81% of the respondents indicated that they're looking to own their home, with nearly a 50-50 split between owning a new home in a new development and an older home in an older neighborhood.

Compared to many of the cities in the region, Kent has a more affordable mix of housing options that would seem to fit well with the survey preferences. Kent has both lower priced, starter-type housing in older, more established neighborhoods, as well as a range of new housing options that are still moderately priced.

## What's Important

When looking at what's most important to today's students, safety appears to be a prerequisite for almost everyone. If you don't have a safe community, all the other factors are irrelevant. (Safety was also the top priority in the Michigan survey).

After safety needs have been met, the fun begins. 3 out of 4 students want to have access to a vibrant downtown, with abundant arts, cultural, entertainment options as well as cafes, outdoor markets and street fairs.

In the next tier of priorities, the practical realities begin to emerge. Students want an affordable place to live that has a lot of jobs to choose from. They want places that welcome diversity and are good places to raise kids, with strong school systems.

Moving further down the list, a sense of community begins to become important, near friends and family with neighborhoods that have interesting historic and architectural character. There's a desire to live in a place that takes care of the environment and provides lots of opportunities for outdoor recreation.

Some of the more traditional economic development issues like shopping centers, low taxes, professional sports, beaches and waterfront are well down the list with less than 1/2 of the respondents showing interest in these items.

Surprisingly, a place to start my own business also ranked very low, as did warm weather – which is good news for Kent.