



City of Kent
Wednesday, March 2, 2022
City Council Committee Meetings
320 S. Depeyster Street, Kent, OH 44240

AMENDED AGENDA

6:55 P.M. BOARD OF CONTROL

7:00 P.M. Council Committee Meetings

1. Call to Order
2. **Presentation of Certificate to Mr. Stanley Boykin**
3. Committee of the Whole (Chair Fiala/ Vice-Chair Amrhein)
 - 3.1. Review of City Flag Design (Fiala)
 - 3.2. Preparation for Consideration of NAACP New Committee Request to Address Race and Diversity in Kent (David Ruller)
 - 3.3. Board and Commission Interviews (Fiala/Wilkens)
4. Community Development Committee (Chair Kuhar/Vice-Chair Rosenberg)
 - 4.1. Celebrate Kent/Diversity Grants Review (Bridget Susel)
 - 4.2. PY2022 CDBG Proposed Projects (Bridget Susel)
5. Land Use Committee (Chair Ferrara/Vice- Chair Shaffer Bish)
 - 5.1. Acknowledgement and correction of Parcels Excluded in 1917 Annexation (Bridget Susel)
6. Streets, Sidewalks & Utilities Committee (Chair Sidoti/ Vice-Chair Wallach)
 - 6.1. Main Street Kent Art and Wine Festival (Bridget Susel)
 - 6.2. Water Service Request - 1677 SR 59 (Jim Bowling)
7. Finance Committee (Chair DeLeone/Vice-Chair Wallach)
 - 7.1. Surplus Fitness Equipment to Auction (Angela Manley)

7.2. IT Support Contract Renewal (Nick Cecil)

7.3. Budget Amendment (Rhonda Hall)

8. EXECUTIVE SESSION- To Discuss Board & Commission Applicants

9. Adjourn

Any person who requires an auxiliary aid or service for effective communication or a modification of policies and procedures to participate in any City or City Council public meeting or event should contact the Clerk of Council at 330-676-7555 or councilclerk@kent-ohio.org. Any request for auxiliary aid or other accommodation should be made as soon as possible, but no later than forty-eight hours prior to the event.



COUNCIL MEMORANDUM

To: David Ruller, City Manager
Mayor Fiala
Councilmembers

From: Amy Wilkens, Clerk of Council

Date: March 2, 2022

Item: 3.1. - Review of City Flag Design (Fiala)

Summary: City Council has requested the topic of the City flag design to be revisited and voted on. Attached is a copy of the resolution passed in 1975 when the flag was designed and a copy of the new flag design that was proposed to Council on July 21, 2021.

Prepared by: Amy Wilkens, Clerk of Council

Attachments: 1. City Flag

RECORD OF ORDINANCES

00001

National Graphics Corp., Cols., O.

Form No. 2806-A

RESOLUTION

~~Ordinance~~ No. 1975-155

Passed OCTOBER 15 19 75

EMERGENCY RESOLUTION ADOPTING THE DESIGN FOR AN OFFICIAL FLAG FOR THE CITY OF KENT, OHIO.

WHEREAS, Keith Bauer, a fourth grader at the Holden School in Kent, Ohio, submitted a design for the Kent City flag to the Jaycee-Janes; and

WHEREAS, the Jaycee-Janes thereafter submitted to the Council of the City of Kent said design for said flag; and

WHEREAS, the members of the Council of the City of Kent believe the submitted design to be an excellent symbol and flag for the Municipality.

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

SECTION 1. The City of Kent recognizes that there is a need for a City flag which will properly symbolize some of the major attractions of our Municipality.

SECTION 2. The City of Kent therefore declares that the design of the Kent City flag from and after the date of this resolution shall be in form the same as the design submitted by Keith Bauer, a member of the fourth grade at Holden School.

SECTION 3. Said design shall be as follows:

The background shall be blue symbolizing the Cuyahoga River trimmed in gold, the City color; within the borders of the flag shall be a tree symbolizing the tree city motto and a lamp of knowledge symbolizing the presence and contributions of our school system and Kent State University.

SECTION 4. This Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, safety, health and welfare of the residents of the City of Kent and shall take effect and be in force immediately after proper passage and approval by the Mayor.

PASSED: October 15, 1975
DATE

William B. Harrington
PRESIDENT OF COUNCIL

ATTEST: Larel Lockhart
CLERK OF COUNCIL

APPROVED: October 15, 1975
DATE

Joseph M. Sorboro
MAYOR

Published by title only in the Grand Courier on October 24, 1975 by Larel Lockhart, clerk.





July 21, 2021

This is the final selection of the new city flag.

We need 2 things to go forward.

#1 a motion to proceed with the design as presented / above:

#2 a motion to revise resolution 1975-155 passed in October 15th. 1975
so that it reflects the new design above.

Thank you,



CITY OF KENT, OHIO

CLERK OF COUNCIL

MEMO

August 11, 2021

To: Dave Ruller, City Manager
Patti Long, Assistant to the City Manager

From: Amy Wilkens, Clerk of Council

Re: City Flag

Mayor Fiala was asked in 2018 to review the current City Flag design and work with council members, staff and members of the community on its redesign. He has request input over the years from City Council members, students and staff in the Kent School District and City Administration and Staff. A small committee was formed to review design ideas for a new flag, and at the July 21, 2021 Regular Council meeting, a newly prototype of the City Flag was presented to City Council. At the Mayor's request, a motion was made to approve the new design and amend the original ordinance to align with it. The motion passed 6-0-0.



COUNCIL MEMORANDUM

To: David Ruller, City Manager
From: Jerry Fiala
Date: March 2, 2022
Item: 3.2. - Preparation for Consideration of NAACP New Committee Request to Address Race and Diversity in Kent (David Ruller)

Summary: As chairman of the Committee of the Whole, I would like to use the February 2nd meeting to have the staff provide an overview of what's already underway so that we have better context to discuss the NAACP request at our March 2nd Committee meeting. I've asked Dave and the staff to begin the discussion at the February meeting by reviewing these items, which will include a refresher of the recommendations of the Multicultural Subcommittee from 2016 and the status of the Kent Heart and Soul project.

Prepared by: Amy Wilkens, Clerk of Council

Attachments: None



COUNCIL MEMORANDUM

To: David Ruller, City Manager
From: Amy Wilkens, Clerk of Council
Date: March 2, 2022
Item: 3.3. - Board and Commission Interviews (Fiala/Wilkens)

Summary: Time is being requested to interview candidates for the Shade Tree Commission, which currently has two vacancies.

Prepared by: Amy Wilkens, Clerk of Council

Attachments: 1. 03.02.22 Candidate letter to Council



Boards and Commissions March 2022 Candidates

Shade Tree Commission Two (2) Vacancies

❖ Rebekkah Berryhill	New Applicant
❖ Jason Knowles	New Applicant
❖ Maggie Margulies	New Applicant

Vacancies Remain on the Following Boards and Commissions:

- Board of Building Appeals (1)
- Board of Zoning Appeals (1)
- Civil Service (1)
- Loan Review (1-Local Attorney)
- Planning Commission (1)
- Stormwater (2)



Online Form Submittal: Online Boards & Commissions Application

noreply@civicplus.com <noreply@civicplus.com>
To: councilclerk@kent-ohio.org

Wed, Feb 9, 2022 at 2:52 PM

Online Boards & Commissions Application

Note

First Name	Rebekkah
Last Name	Berryhill
Address	462 Needham Ave
City	Kent
State	OH
Zip Code	44240
Home Phone Number	3306066951
Cell Phone Number	3306066951
Email Address	rberryhi@kent.edu
# of years you have lived in Kent	31
Education	B.A. Education- Kent State University
Place of Employment	Kent State University
Political Party	Democrat
Are you a registered voter?	Yes
Which boards, commissions and committees are you applying for:	Shade Tree Commission
Please provide educational and professional background to assist Council in review of your application.	I have worked in the Grounds department at Kent State University for over 25 years, I currently manage the department. I have experience in maintaining a tree inventory, experience interacting with the university community and city of Kent community. I have worked toward securing the Tree Campus USA designation since the program's inception. I have a passion for all things green and growing.
Why are you interested in this appointment?	I consider the city of Kent my home, I recognize and respect the value that trees add to communities as a whole.



Online Form Submittal: Online Boards & Commissions Application

noreply@civicplus.com <noreply@civicplus.com>
To: councilclerk@kent-ohio.org

Wed, Feb 9, 2022 at 3:05 PM

Online Boards & Commissions Application

Note

First Name	Jason
Last Name	Knowles
Address	1293 Gale Dr
City	Kent
State	OH
Zip Code	44240
Home Phone Number	<i>Field not completed.</i>
Cell Phone Number	3305543387
Email Address	jason@knowlesforestry.com
# of years you have lived in Kent	20
Education	B.S., Urban Forestry, 1993, Western Illinois University, Macomb, Illinois
Place of Employment	Self
Political Party	<i>Field not completed.</i>
Are you a registered voter?	Yes
Which boards, commissions and committees are you applying for:	Shade Tree Commission
Please provide educational and professional background to assist Council in review of your application.	Municipal forestry consultant for nearly 30 years (CV attached)
Why are you interested in this appointment?	I would like to use my experience to get more involved and give back to my community.
Resume or other	Curriculum Vitae.pdf

Curriculum Vitae
Jason Knowles

Consulting Forester
jason@knowlesforestry.com
January 2022

Jason is a consulting forester responsible for providing urban forestry services to municipalities, colleges, universities, parks, and private properties. He has experience in the planting, pruning, protection, fertilization, treatment, removal, risk assessment, and appraisal of trees. This experience has given him extensive knowledge in urban forestry operations and the credentials needed to consult effectively with municipal personnel, private property owners, land managers, urban forestry professionals, insurance providers, legal advisors and others in need of such services.

Education

B.S., Urban Forestry, 1993, Western Illinois University, Macomb, Illinois
A.S., Applied Science, 1991, Black Hawk East Community College, Kewanee, Illinois

Experience

2007-Present Owner, Knowles Municipal Forestry, LLC, Kent, Ohio
1998-2007 Senior Urban Forester, Davey Resource Group, Stow, Ohio
1993-1998 Inventory Arborist, ACRT, Inc., Cuyahoga Falls, Ohio
1992-1993 Nursery Sales and Management, Timber Hill Nursery, Macomb, Illinois

Certifications/Special Training

ISA Certified Arborist/Municipal Specialist (#PD-0438AM)
ISA Tree Risk Assessment Qualified (TRAQ)
Ohio Department of Agriculture Commercial Applicator (#110427)
ODNR Division of Forestry Tree Commission Academy Graduate
Tree Biomechanics Research Week and Symposium (Aug 2019)
Trees and the Law Courses

Professional Affiliations

International Society of Arboriculture
Ohio, Chapter, International Society of Arboriculture
Society of Municipal Arborist
Ohio Independent Arborist Association

Professional & Civic Leadership

2017-Present Board of Governors, Secretary, Ohio Independent Arborist Association
2013-Present Board Member, Tree Biomechanics Research Week and Symposium
2007-Present Chairman, Tree Advisory Board, Kent State University

Speaking Engagements

January 29, 2021 OIAA Seminar “Urban Park Tree Risk and Management”
March 8, 2019 North Coast Urban Forestry Conference “Infrastructure Replacement and Trees”
June 15-16, 2016 Instructor for the Ohio Chapter ISA’s Municipal Specialist Prep Course

<i>Feb. 15, 2014</i>	Instructor for the Ohio Chapter ISA's first Municipal Specialist Prep Course
<i>Oct. 24, 2013</i>	NW Ohio Urban Forestry Seminar "Considerations before Doing a Tree Inventory"
<i>April 2, 2013</i>	Northern Illinois TCUSA Conference "Inventories – a Tool for Storm Preparedness"
<i>Mar. 26, 2013</i>	South/Central Illinois TCUSA Conference "Inventories – a Tool for Storm Preparedness"
<i>June 14, 2012</i>	Genesee County Conservation Workshop "Urban Tree Inventory and Evaluation"
<i>Dec. 1, 2010</i>	Certified Arborist Preparation Course – "Urban Forestry & Risk"
<i>Oct. 5, 2010</i>	Southwest Ohio Urban Forestry Conference – "Street Tree Inventories"
<i>Aug. 13, 2010</i>	Northeast Urban and Community Forestry Conference – "Street Tree Inventory-A Complete Management System"
<i>Mar. 12, 2010</i>	North Coast Urban Forestry Conference – "Street Tree Inventories"

History of Litigation Support/Expert Witness

<i>September 2021</i>	for Dworken & Bernstein Co. L.P.A. in Mathew E. Melis, et al. v. City of Olmstead Falls, Ohio, et al., Court of Common Pleas, Cuyahoga County, Ohio
<i>February 2018</i>	for Hanna, Campbell & Powell, LLP, Akron, OH in Berkshire Farms v. Bontrager Excavating, Stark County Court of Common Pleas, Canton, OH
<i>August 2017</i>	for Isaac Wiles, Columbus, OH in Shiff v. McKain/CSF Homes
<i>December 2016</i>	for Kevin J. Breen Co., LLC, Fairlawn, OH in Kerns, et al v. ODOT, Ohio Court of Claims, Columbus, OH
<i>September 2015</i>	for John C. Collins Co. LPA, Akron OH in Saledidine v Vulicevic, Summit County Court of Common Pleas, Akron OH
<i>March 2015</i>	for Hahn Loeser & Parks, LLP, Cleveland, OH in Conley v. Suchovsky, et al., Portage County Court of Common Pleas, Ravenna, OH
<i>February 2015</i>	for Law Office of Stephen J. Proe, Seven Hills, OH in Barto v. Sunoco
<i>November 2013</i>	for Ross M. Babbitt Co., LPA, Cleveland OH in Kuryla v. First Energy
<i>September 2009</i>	for Moore & Scribner, Akron OH Nicholson Trial, Summit County Court of Common Pleas, Akron, OH



Online Form Submittal: Online Boards & Commissions Application

1 message

noreply@civicplus.com <noreply@civicplus.com>
To: councilclerk@kent-ohio.org

Fri, Feb 11, 2022 at 12:52 PM

Online Boards & Commissions Application

Note

First Name	Maggie
Last Name	Margulies
Address	462 Needham Ave
City	Kent
State	Oh
Zip Code	44240
Home Phone Number	Field not completed.
Cell Phone Number	4408212078
Email Address	maggiemargulies@gmail.com
# of years you have lived in Kent	9
Education	Bachelor's Degree
Place of Employment	Summit Metro Parks
Political Party	Field not completed.
Are you a registered voter?	Yes
Which boards, commissions and committees are you applying for:	Shade Tree Commission
Please provide educational and professional background to assist Council in review of your application.	B.A. Biology Minor: Geology Mount Holyoke College Groundskeeper, KSU 8 years Senior Horticulturalist, Stan Hywet Hall & Gardens, 3 years Park Technician, Summit Metro Parks, 8 months Proficient in plant/tree ID, installation and maintenance
Why are you interested in this appointment?	I'm extremely interested in helping determine what types of trees be planted now for the enjoyment of future residents and

also see the tree canopy of Kent increase with native, non-invasive trees.

Resume or other
qualifications

Field not completed.

Email not displaying correctly? [View it in your browser.](#)



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: February 22, 2022

TO: Dave Ruller, City Manager

FROM: Bridget Susel, Community Development Director *Bod.*

RE: Proposed Diversity Grant Program

Per Council's request, the Community Development Department reviewed diversity grant programs from other communities to identify proposed models and determine the level of funding that may be needed in order to develop and implement a diversity grant program in Kent.

The Community Development Department is recommending Council consider authorizing staff to adjust the application requirements for funding assistance currently utilized for the Celebrate Kent! and the Neighborhood Grant Program (NGP) to include diversity focused projects, initiatives, and events and earmark a portion of the 2022 appropriations for these two programs to support diversity grants.

Staff anticipates that larger community events focusing on promoting diversity will receive grant support through the Celebrate Kent! grant program and smaller projects and initiatives highlighting diversity that are \$250 or less can be supported through the NGP.

Staff is recommending the term diversity be applied broadly to include a myriad of focus areas, including but not limited to ethnicity, gender, disability, race, socio-economic status, national origin, religion, sexual orientation, culture, etc. Guidelines to be included in the application for diversity grant requests under both programs will specify that any event, program, or project will:

- Promote diversity and inclusion through engagement in events or projects that encourage residents and visitors from varying diversity dimensions and backgrounds to attend or participate;
- Focus on project or event ideas that encourage involvement of participants from outside of traditional neighborhood footprint and different from immediate peer group;
- Be incorporated as a component of a larger event, project or educational curriculum if measurable diversity outcomes can be identified;
- Not be used for political candidates, petitions, issues, or lobbying activities.

I am respectfully requesting time at the March 2, 2022 Council Committee meeting to discuss the recommendations for the proposed diversity grant program with Council and if the revisions to the Celebrate Kent! and Neighborhood Grant Program are supported by Council, request Council authorization, with emergency, in order to initiate the proposed changes and incorporate the diversity grant component into the two existing programs.

If you need any additional information in order to add this item to the Council Committee agenda, please let me know.

Cc: Hope Jones, Law Director
Amy Wilkens, Clerk of Council



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

Date: February 22, 2022

To: Dave Ruller, City Manager

Cc: Bridget Susel, Community Development Director; Amy Wilkens, Clerk of Council, Patti Long, Assistant to the City Manager, PY2022 CDBG Action Plan File

From: Kathy Petsko, Grants & Neighborhood Programs Coordinator

Re: PY2022 CDBG Funding & Project Recommendations

The City is preparing its funding request for the PY2022 Community Development Block Grant Program (CDBG). The funding request is submitted to the U.S. Department of Housing and Urban Development (HUD) on an annual basis and must include a list of proposed programs that will be implemented with CDBG funding during the year. The City has not received notice yet from HUD on its PY2022 allocation, so the following funding recommendations are based on the CDBG funding level the City received for PY2021, which was \$303,720. A total of seven (7) project proposals were received this year seeking CDBG funding assistance and the total amount of funding requested was 311,337. Based on a review of these proposals and in consideration of all applicable CDBG regulatory requirements, staff is recommending Council approval of the below projects and amounts at its May meeting. Formal approval in May allows time for a public comment period and a second public hearing to take place prior to authorization.

1. City of Kent, Engineering Department – Walnut Street Reconstruction

This activity provides funding to assist with the design and full depth reconstruction of Walnut Street from Harris Street to Dodge Street. The work involves new sidewalks, concrete curb and gutter, catch basins and storm sewers to improve drainage along the roadway. This is a multi-year project and construction is scheduled for 2023 (Phase 2 – Harris to Dodge).

Funding Requested: \$160,000
PY2021CDBG Funding: \$160,000
Phase II

PY 2022 Funding Recommended: \$160,000

3. City of Kent, Police Department – Neighborhood Policing Program

The Neighborhood Policing Program provides additional patrols and police visibility primarily in low-to-moderate income neighborhoods and in assisted housing complexes. The program has a goal of improving communication, trust and understanding between residents and the Police Department. Funding for this activity is counted toward the Public Service 15% funding limitation.

Funding Requested: \$24,000
PY2021CDBG Funding: \$18,000

PY 2022 Funding Recommended: \$18,000

4. CAC of Portage County – Furnace Inspection/Targeted Replacement Program

The applicant is requesting funding from the CDBG program to continue its “Kent Furnace Inspection/Targeted Replacement Program” that provides the services of furnace inspections, tune-ups, or the replacement of failing or inefficient furnaces and/or hot water tanks for low-to-moderate income Kent households.

Funding Requested: \$35,000
PY2021 CDBG Funding: \$35,000

PY 2022 Funding Recommended: \$35,000

5. Family & Community Services – Homeless Shelter Services

The Homeless Shelter Services program provides services at Miller Community House, which is an emergency homeless shelter. Funding helps pay for shelter nights spent by Kent residents including needed case management, counseling and housing placement. Funding for this activity is counted toward the Public Service 15% funding limitation.

Funding Requested: \$15,000
PY2021CDBG Funding: \$15,000

PY 2022 Funding Recommended: \$15,000

6. Family & Community Services – Silver Meadows Renovations

Family & Community Services is requesting CDBG funds to replace the siding, gutters and downspouts on three (3) permanent supporting housing duplexes located at 692-694 Silver Meadows, 717-719 Silver Meadows, and 733-735 Silver Meadows. They are comprised of five(5) two-bedroom units and one (1) three-bedroom unit. The project will provide safe and decent housing for the low- to moderate-income residents of the city of Kent.

Funding Requested: \$58,000
PY2021 CDBG Funding: \$45,000

PY 2022 Funding Recommended: \$50,000

7. Coleman Health Services – 209 S. Prospect Apartment Rehabilitation

Coleman Professional Services (dba Coleman Health Services) is requesting CDBG funds to rehabilitate a vacant apartment for an extremely low-income person with serious persistent mental illness. The rehabilitation will include repairing walls, replacing the existing flooring, tub, water closet and vanity and demolishing/replacing the existing exterior landing at entry door.

Funding Requested: \$9,000
PY2021 CDBG Funding: \$0

PY 2022 Funding Recommended: \$9,000

7. Ohio Small Business Development Center – Small Business Counseling

Funds will be used to provide one-to-one business counseling, as well as business workshops/training, for low- to moderate-income residents of the City of Kent.

Funding Requested: \$5,000
PY2021 CDBG Funding: \$5,000

PY 2022 Funding Recommended: \$5,000

8. City of Kent, Community Development – Administration

These funds are used to cover grant administration costs such as the cost of staff, supplies, advertising, postage, copying, travel costs for trainings, and other related costs. Funding for this activity is counted toward the Planning and Administration 20% funding limitation.

Funding Requested: N/A
PY2021 CDBG Funding: \$6,766

PY 2022 Funding Recommended: \$1,720

9. Fair Housing Consultant– Fair Housing Services

These funds will be used to cover the cost associated with the provision of fair housing service. The consultant will provide counseling in the areas of housing discrimination and landlord-tenant issues. They'll investigate fair housing complaints and provide a variety of public education and outreach services in the City. Funding for this activity is counted toward the Planning and Administration 20% funding limitation.

Funding Requested: \$19,000
PY2021 CDBG Funding: \$19,000

PY 2022 Funding Recommended: \$19,000

A spreadsheet summarizing the requested and recommended funding amounts has been attached for review. Copies of all submitted PY2022 CDBG proposals also are available for review at the Community Development Department.

PY2022 CDBG Allocation (8-1-22 to 7-31-23)				
Applicant	Project	CDBG Request	2022 Funding Recommended	Funds Awarded in PY2021
Coleman Health Services	209 S. Prospect Apartment Rehab	\$9,000	\$9,000	\$0
CAC	Targeted Furnace Replacement	\$35,000	\$35,000	\$35,000
Engineering Department	Walnut St. Phase II	\$160,000	\$160,000	\$160,000
F&CS	Silver Meadows Renovations	\$58,000	\$50,000	\$0
F&CS	Homeless Shelter Services	\$15,000	\$15,000	\$15,000
Kent Police Department	Neighborhood Policing	\$24,000	\$18,000	\$18,000
Ohio Small Business Dev. Center	Small Business Counseling	\$5,000	\$5,000	\$5,000
Administration	Administration		\$0	\$6,720
Fair Hsg Contact Serv.	Fair Housing		\$19,000	\$19,000
TOTAL		\$306,000	\$311,000	
2021 Allocation (used for estimate):		\$306,793		
Public Service Cap (15%):		\$46,019	\$38,000	\$38,000
Administration Cap (20%):		\$61,359	\$19,000	\$30,766



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: February 21, 2022

TO: Dave Ruller, City Manager

FROM: Bridget Susel, Community Development Director *BDS*

RE: 1917 Annexation Correction for Two Parcels

Both the City of Kent and Franklin Township received written notice from an attorney representing a property owner in the River Bend subdivision. Attorney Golubski's letter reported that two parcels, which are currently listed on the Portage County tax maps as part of Franklin Township, are actually located within the jurisdictional boundary of the City of Kent.

Attorney Golubski forwarded the 1917 documentation, which included Kent Village Ordinance 151 that has as an attachment the "Petition for Annexation of Territory" that lists the boundaries of the area to be included in the 1917 annexation. In the 6th line of the first paragraph of the petition, it provides the details of the boundaries of the territory to be annexed and the statement includes the clause "to the center of the Cuyahoga River..." Based on the copy of the 1917 tax map provided by Attorney Golubski, however, whoever did the tax map back in 1917 did not mark the northern boundary of the territory annexed by Kent in the center of the Cuyahoga River, as described in the annexation petition, so the two parcels currently in question are depicted on the tax map as falling within Franklin Township's southern boundary on the 1917 tax map.

I have attached the Portage County Auditor's property information for both parcels. The aerial maps show that both parcels are located within the boundaries of the Cuyahoga River and do actually have their respective northern most boundary stop at the center of the River. Neither parcel can be developed since they both are located underwater:

- Parcel 12-050-00-00-011-000: 1.28 acreage; assessed parcel valuation of \$180.00; total real property taxes payable of \$10.36.
- Parcel 12-050-00-00-012-000: .775 acreage; assessed parcel valuation of \$110.00; total real property taxes payable of \$6.34.
- NOTE: There is an assessment of \$18.45 annually on each of the parcels, but is unclear what the assessment is for.

Since the legal description of the boundaries listed in the petition for annexation approved in 1917 reports the northern boundary as the center of the Cuyahoga River, the preponderance of the evidence provided supports Attorney Golubski's statement that the intent was for these two parcels to be included in Kent (Village of at that time). In order for Portage County to make the necessary changes, however, both the City of Kent and Franklin Township will need to have legislation approved by their respective legislative authorities affirming this conclusion based on the evidence from 1917 provided by Attorney Golubski.

I am respectfully requesting time at the March 2, 2022 Committee session to discuss this matter in greater detail and to request Council's authorization, with emergency, for the City to affirm the two parcels specified are included in the City of Kent's jurisdictional boundary based on the legal description language included in the 1917 petition for annexation.

If you need any additional information in order to add this to the agenda, please let us know.

Thank you.

Cc: Hope Jones, Law Director
Amy Wilkens, Clerk of Council

Attachments

David Golubski, Esq.
250 S Chestnut St, Ste 23
Ravenna, OH 44266

RECEIVED
JAN 20 2022

January 12, 2022

LAW DEPARTMENT
CITY OF KENT

City of Kent, c/o Law Director Hope Jones
320 S Depeyster Street
Kent, OH 44240

Dear Ms. Jones:

I represent Crooked River Land Company in the replat of lots in the Riverbend Subdivision. The replat includes Portage County parcels 12-050-00-00-011-000 and 12-050-00-012-000. These two parcels are currently listed and taxed as being in Franklin Township. However, during a title search, it was discovered that these parcels were annexed into the City of Kent in 1917. Please see the annexation documents that are attached to this letter. Please share this information with the Kent City Council.

I have contacted the Portage County Auditor and requested a change to the property and tax records to correctly show these parcels as being in the City of Kent. I am writing this letter to inform the Franklin Township Trustees and the City of Kent of this information. Corresponding letters were sent to both parties.

Please feel free to contact my office if you have any questions regarding this matter.

Sincerely,

A handwritten signature in blue ink, appearing to read 'D. Golubski', with a stylized flourish extending from the end.

David M. Golubski, Esq.

The State of Ohio County of Portage; SS.
In Re. Application of the Village of Kent for)
Annexation of Territory.)

Before the Commissioners of
Portage County, State of Ohio:

P.E.TITION

The Village of Kent respectfully represents that by ordinance duly passed by its Council on the 26th day of November, 1917, the following described territory, to-wit: "Situated in Lots 50, 41, 32 and 23 of Franklin Township, Portage County, Ohio, and bounded as follows: Beginning at a point in the east line of Lot 42 of said Township and at the northeast corner of the present corporate limits of said Village of Kent, thence S. 89° 45' E. 540 feet to the center of the Cuyahoga River, thence up stream along the center of said River (through lots 41 and 50) to the point where said center of said river crosses the easterly line of said lot 41, thence south along the easterly side of Lots 41, 32 and 23 to the southeast corner of said lot 23, thence west along the south side of Lot 23 to the south west corner of said lot 23, thence north along the present corporation line to the place of beginning, and contains 460 acres of land, no part of which is contained in any County or City Infirmary."
An accurate map of said territory is hereto attached and a certified copy of said ordinance. Said Village respectfully petitions that said territory may be annexed to said Village.

Village of Kent,

By Britton S. Johnson, Solicitor.

December 1917.

Transcript of the proceedings of the Board of County Commissioners of Portage County, Ohio, relative to the annexation of territory to the Village of Kent.

Minutes of the meeting held December 3rd, 1917.

The Board of County Commissioners of Portage County, Ohio, hereby acknowledge receipt of a petition for annexation of certain territory in the Village of Kent, with certified copy of an ordinance duly passed by the council of said village on the 26th day of November 1917 attached hereto, which is herewith received and caused to be filed with the County Auditor for the inspection of any and all persons interested.

Said Board of Commissioners hereby fixes as the time and place for the hearing of such petition: The office of said Commissioners at the Court House at Ravenna, Ohio, at 9 o'clock A.M. Central Standard time, on the 4th day of February A.D. 1918, and the clerk of the said board is hereby directed to communicate such fact to Britton S. Johnson, Solicitor of said Village, being the person designated in such ordinance as the one authorized to prosecute the proceedings necessary to affect such annexation, that due notice as required by law be given.

Ravenna, Ohio.

December 3rd, 1917/

To Britton S. Johnson,
Solicitor of Kent Village:

NOTICE

Take notice that in relation to the application made in Kent Village in petition for the annexation of certain territory to be annexed to Kent Village, this day filed with the Board of County Commissioners of Portage County, Ohio, that said Board has received such petition and caused the same to be filed with the County Auditor for the inspection of all persons interested herein; that said Board of County Commissioners has fixed as the time and place for the hearing of such petition.

The office of said Commissioners at the Court House at Ravenna, Ohio, at 9 o'clock A.M. Central Standard Time on the 4th day of February A.D. 1918; and that due notice shall be given as required by law by you as the designated person to affect such annexation as provided in the ordinance duly passed by the council of Kent Village on the 26th day of November 1917.

Fred Baehle

County Auditor

Record of meeting of February 4, 1918.

A hearing was held at the County Commissioners office on the matter of extending the Kent incorporation lines, and the decision was withheld until February 11th, 1918.

Minutes of meeting February 11th, 1918.

All of the proceedings, description of territory and service of notice having been regular and correctly made.

It was moved by Smith and seconded by Witsman that the petition filed by the council of the Village of Kent, Ohio, for the annexation of certain territory lying in the township lots No. 50, 41, 32, and 23 of Franklin Township, Portage County, Ohio, which territory is east of and adjacent to the present limits of the said Village of Kent, and specifically described in the said petition as filed with the Board of County Commissioners on the 3rd day of December, 1917, be approved and the request in said petition be granted. All voted "Aye"

I hereby certify that the foregoing is a true copy of the record of proceedings of the Commissioners of Portage County, Ohio, relative to the annexation of certain territory to the Village of Kent, Portage County, Ohio:

Fred Baehle

County Auditor

I, A.H. Lawson, being first duly sworn, depose and say that I am Business Manager of 'The Courier', a weekly newspaper of general circulation, printed and published in the county of Portage and state of Ohio, and that the notice hereto annexed was published in said newspaper for six consecutive weeks commencing on the 5th day of Dec. 1917.

A.H. Lawson

Printers' Fees, \$.....

Notary Fees, \$.....

Total \$.....

(SEAL)

Sworn to and subscribed before me this 2nd day of Feb'y A.D. 1918

W.W. Reed Notary Public

Legal notice

Notice is hereby given that a petition, with an ordinance attached thereto duly passed by the council of the village of Kent, Ohio, on the 26th day of November, 1917, has been filed with the County Commissioners of Portage County, Ohio, signed by the Village of Kent by Britton S. Johnson, Solicitor, with plat attached of the proposed territory to be annexed to said village, which is now on file in the Auditor's office at Ravenna, Ohio, praying for the annexation to said village of Kent of the following described territory, to-wit: Situated in Lots 50, 41, 32 and 23 of Franklin Township, Portage County, Ohio, and bounded as follows: Beginning at a point in the East line of Lot 42 of said township and at the Northeast corner of the present corporate limits of said village of Kent, thence South 89 degrees 45 minutes East 540 feet to the center of the Guyahoga River; thence up stream along the center of said river (through lots 41 and 50) to the point where said center line of said river crosses the Easterly line of said Lot 41; thence South along the Easterly side of Lots 41, 32 and 23 to the Southeast corner of said lot 23; thence West along the South side of lot 23 to the Southwest corner of said Lot 23; and thence north along the present East corporation line to the place of beginning, and contains 460 acres of land, more or less. Said Board of County Commissioners has fixed February 4, A.D. 1918, at 9 o'clock A.M., Central Standard time, at its office at the Court House at Ravenna, as the time and place for the hearing of such petition.

Britton S. Johnson,
Solicitor of Kent Village.

(D 6-13-20-27-Y 3-10)

A F F I D A V I T .

State of Ohio, County of Portage, SS:

Britton S. Johnson, being first duly sworn, deposes and says, that on the 13th day of December 1917, he posted the attached notice, in front of the plant of the Mason Tire and Rubber Company which is within the territory described in said notice and that same was posted more than six weeks before February 4th, 1918, the date of hearing fixed in said notice.

Britton S. Johnson

Sworn to and subscribed before me this 4th day of February, 1918.

Harry Hodges Notary Public

LEGAL NOTICE.

Notice is hereby given that a petition, with an ordinance attached thereto duly passed by the council of the village of Kent, Ohio, on the 26th day of November 1917, has been filed with the County Commissioners of Portage County, Ohio, signed by the Village of Kent by Britton S. Johnson, Solicitor, with plat attached of the proposed territory to be annexed to said village, which is now on file in the Auditor's office at Ravenna, Ohio, praying for the annexation to said village of Kent, of the following described territory, to-wit: Situated in Lots 50, 41, 32 and 23 of Franklin Township, Portage County, Ohio, and bounded as follows: Beginning at a point in the east line of Lot 42 of said township and at the Northeast corner of the present corporate limits of said village of Kent, thence South 89 degrees 45' East 540 feet to the center of the Guyahoga River; thence up stream along the center of said river (through lots 41 and 50) to the point where said center line of said river crosses the Easterly line of said Lot 41; thence South along the Easterly side of Lots 41, 32 and 23 to the Southeast corner of said lot 23; thence West along the South side of Lot 23 to the Southwest corner of said Lot 23; and thence North along the present East corporation line to the place of beginning, and contains 460 acres of land, more or less. Said Board of County Commissioners has fixed February 4th, A.D. 1918 at 9 o'clock A.M. Central Standard time, at its office at the Court House at Ravenna, as the time and place for the hearing of such petition.

Britton S. Johnson

Solicitor of Kent Village.

Received for record April 24th, 1918 at 3:00 P.M.

Recorded May 7th, 1918

Filed Feb. 7, 1918.

John J. Shanley Sr., Recorder
J. C. Moreshead Deputy

XXX

PROPOSED EXTENSION OF THE VILLAGE OF KENT OHIO

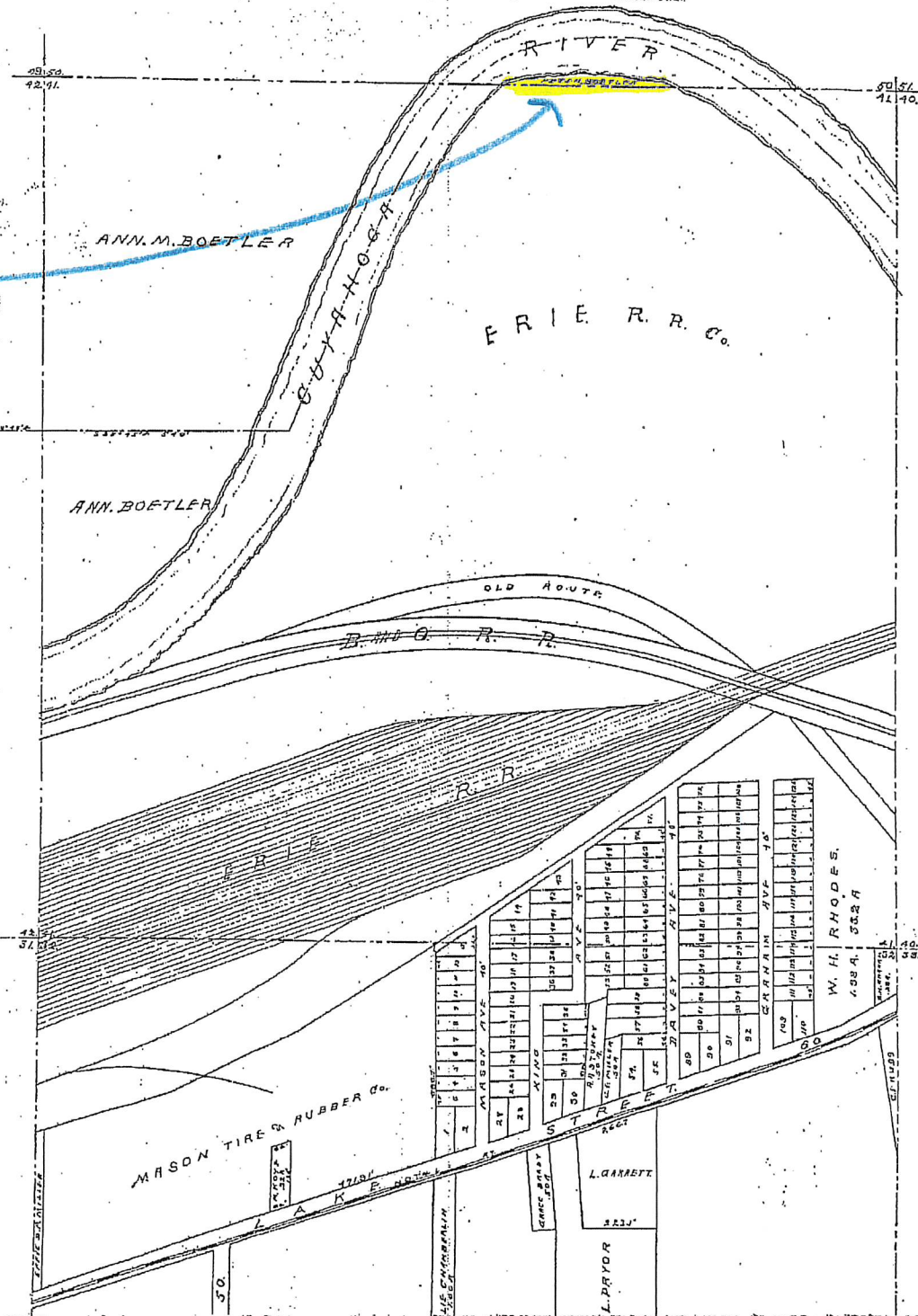
AUTHORIZED BY COUNCIL NOV 26th 1917

SCALE 1" = 200'

E.S. ROYER & CO.
VILLAGE ENGINEER

Vol. 04 Page 08

LAND
Involved
X



Vol. 04 Page 08

Ordinance No. 151

Passed, Nov. 26.

1917

An Ordinance.

An Ordinance to authorize annexation of certain territory to the Village of Kent, Ohio.

Be it ordained by the Council of the Village of Kent, State of Ohio:—

Section 1.

That the annexation of the ~~territory~~ ^{territory} of the Village of ~~the following described territory~~ ^{the following described territory}; situated in lots 50-41-32 and 23 of Franklin Township, Portage County, Ohio, and bounded as follows: Beginning at a point in the east line of lot 42 of said township, and at the southeast corner of the present corporate limits of said Village of Kent, thence S 89° 45' E. ft. to the center of Cuyahoga River, thence upstream along the center of said river (through lots 41 and 50) to the point where said center of said river crosses the center line of said lot 41, thence south along the eastern side of lots 41, 32 and 23 to the southeast corner of said lot 23, thence south along the present corporate limits to the place of beginning, and contains 480 acres of land no part of which is contained in any county or city infirmity; be and the same is hereby authorized.

Section 2.

That the collector be and is hereby authorized to prosecute the proceedings necessary to effect said annexation.

Section 3.

This Ordinance shall take effect and be in force from and after the earliest period allowed by law.

Passed November 26, 1917.

W. W. Reed, Clerk.

W. L. Drury, Mayor.

Ordinance No. 152.

An Ordinance to prevent dumping of wooden, inflammable and paper materials and gaseous substances producing noxious gases in the stone quarry south of Summit Street and between the Erie R.R. and Magazine Rd. and permitting the dumping there of dirt of non-inflammable and non-gaseous matter.

Be it ordained by the Council of the Village of Kent, Ohio:—

Section 1.

That it shall be lawful to dump ashes, dirt and any non-inflammable material, wooden, papers or garbage as herein after provided; into the stone quarry pit, situated between the Erie R.R. and Magazine Rd. and south of Summit Street and said pit is and on the premises of the Erie R.R. and R.

Section 2.

It shall be lawful to dump into said stone quarry any inflammable material, wood or paper of any sort.

Portage County, Ohio - Property Record Card
Parcel: 12-050-00-00-011-000
Card: 1

GENERAL PARCEL INFORMATION

Owner CROOKED RIVER LAND COMPANY LTD
Property Address ST RT 43
Mailing Address 127 EAST MAIN ST
RAVENNA OH 44266
Land Use 501 - RESID UNPLAT 0-09.99 ACRES
Legal Description LOT 50 NO TRANSFER WITHOUT
PROPERTY LINE SURVEY

VALUATION

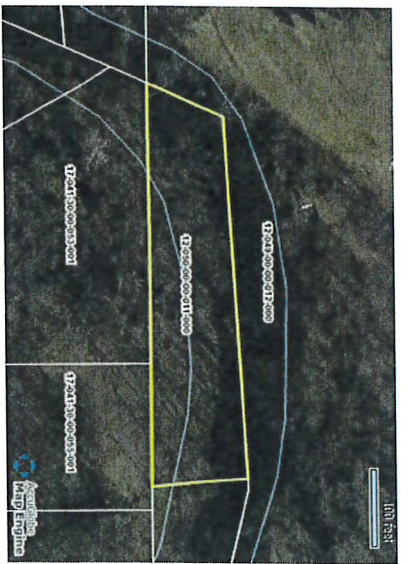
	Appraised	Assessed
Land Value	\$500.00	\$180.00
Improvements Value	\$0.00	\$0.00
CAUV Value	\$0.00	\$0.00
Taxable Value	\$180.00	

LAND

Land Type	Acreage	Depth	Frontage	D. Factor	Value
A4 - Undeveloped	1.288	0	0	0	450

AGRICULTURAL

Land Type	Land Usage	Soil Type	Acres	Value
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A sketch is unavailable for this parcel.

RESIDENTIAL

ADDITIONS

IMPROVEMENTS

SALES

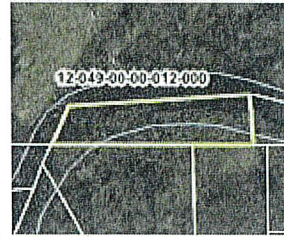
Date	Buyer	Seller	Price
9/21/2021	CROOKED RIVER LAND	CROOKED RIVER LAND COO	
1/15/2004	CROOKED RIVER LAND CO**PARCEL RE-PLATTED		0
1/15/2004	**PARCEL RE-PLATTED	RIVER BEND EAST INC &	0
12/15/1995	RIVER BEND EAST INC &	Unknown	0

COMMERCIAL

Data For Parcel 12-050-00-00-011-000

Tax Data

Parcel: 12-050-00-00-011-000
Owner: CROOKED RIVER LAND COMPANY LTD
Address: ST RT 43



[+] Map this property.

[Click here to view proposed levy data for this parcel.](#)

Tax Rates

Full Tax Rate: 136.7
Effective Tax Rate: 63.084105

Escrow

Escrow Prepay Program: NO
Escrow Amount Paid: \$0.00

Tax Lien

Tax Lien Sold: NO

Property Tax

Tax Year 2021 Payable 2022						
	Delinquency	Adjust	First Half	Adjust	Second Half	Adjust
Charge:	\$0.00	\$0.00	\$12.30	\$0.00	\$12.30	\$0.00
Credit:			(\$6.63)	\$0.00	(\$6.63)	\$0.00
Rollback:			(\$0.49)	\$0.00	(\$0.49)	\$0.00
Reduction:			\$0.00	\$0.00	\$0.00	\$0.00
Homestead:			\$0.00	\$0.00	\$0.00	\$0.00
Sales Credit:			\$0.00	\$0.00	\$0.00	\$0.00
Net Tax:	\$0.00		\$5.18		\$5.18	
CAUV Recoupment:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Special Assessments:	\$0.00		\$9.23		\$9.22	
Penalty/Interest:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Net Owed:	\$0.00		\$14.41		\$14.40	\$28.81
Net Paid:	\$0.00		\$0.00		\$0.00	\$0.00
Net Due:	\$0.00		\$14.41	Pay This Amount	\$14.40	Pay This Amount \$28.81

Special Assessments

Assessment: 1 ▼ of 1

10-699 STORM WATER DISTRICT

Delinquency **Adjust** **First Half** **Adjust** **Second** **Adjust**

Portage County, Ohio - Property Record Card

Parcel: 12-050-00-00-012-000

Card: 1

GENERAL PARCEL INFORMATION

Owner CROOKED RIVER LAND COMPANY LTD
 Property Address ST RT 43
 Mailing Address 127 E MAIN ST
 RAVENNA OH 44266
 Land Use 501 - RESID UNPLAT 0-09.99 ACRES
 Legal Description LOT 50 NO TRANSFER WITHOUT
 PROPERTY LINE SURVEY

VALUATION

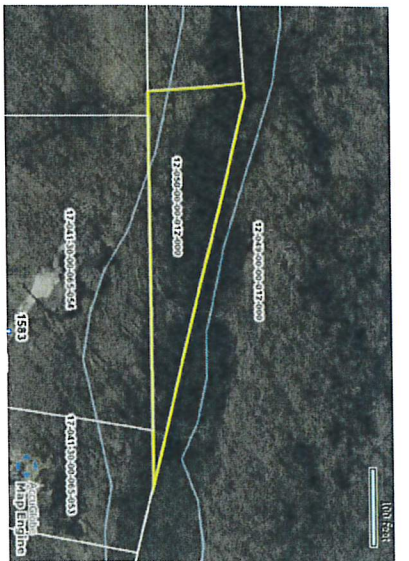
	Appraised	Assessed
Land Value	\$300.00	\$110.00
Improvements Value	\$0.00	\$0.00
CAUV Value	\$0.00	\$0.00
Taxable Value		\$110.00

LAND

Land Type	Acreage	Depth	Frontage	D. Factor	Value
A4 - Undeveloped	0.775	0	0	0	270

AGRICULTURAL

Land Type	Land Usage	Soil Type	Acres	Value
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A sketch is unavailable for this parcel.

RESIDENTIAL

ADDITIONS

IMPROVEMENTS

SALES

Date	Buyer	Seller	Price
9/21/2021	CROOKED RIVER LAND	CROOKED RIVER LAND COO	0
1/15/2004	CROOKED RIVER LAND CO**PARCEL RE-PLATTED		0
1/15/2004	**PARCEL RE-PLATTED	RIVER BEND EAST INC &	0
12/15/1995	RIVER BEND EAST INC &	Unknown	0

COMMERCIAL

Data For Parcel 12-050-00-00-012-000

Tax Data

Parcel: 12-050-00-00-012-000
 Owner: CROOKED RIVER LAND COMPANY LTD
 Address: ST RT 43



[+] Map this property.

[Click here to view proposed levy data for this parcel.](#)

Tax Rates

Full Tax Rate: 136.7
 Effective Tax Rate: 63.084105

Escrow

Escrow Prepay Program: NO
 Escrow Amount Paid: \$0.00

Tax Lien

Tax Lien Sold: NO

Property Tax

Tax Year 2021 Payable 2022						
	Delinquency	Adjust	First Half	Adjust	Second Half	Adjust
Charge:	\$0.00	\$0.00	\$7.52	\$0.00	\$7.52	\$0.00
Credit:			(\$4.05)	\$0.00	(\$4.05)	\$0.00
Rollback:			(\$0.30)	\$0.00	(\$0.30)	\$0.00
Reduction:			\$0.00	\$0.00	\$0.00	\$0.00
Homestead:			\$0.00	\$0.00	\$0.00	\$0.00
Sales Credit:			\$0.00	\$0.00	\$0.00	\$0.00
Net Tax:	\$0.00		\$3.17		\$3.17	
CAUV Recoupment:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Special Assessments:	\$0.00		\$9.23		\$9.22	
Penalty/Interest:	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00
Net Owed:	\$0.00		\$12.40		\$12.39	\$24.79
Net Paid:	\$0.00		\$0.00		\$0.00	\$0.00
Net Due:	\$0.00		\$12.40	Pay This Amount	\$12.39	Pay This Amount \$24.79

Special Assessments

Assessment: 1 ▼ of 1

10-699 STORM WATER DISTRICT

Delinquency Adjust First Half Adjust Second Adjust

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

NAME OF EVENT Main Street Kent Art & Wine Festival
ORGANIZATION SPONSORING EVENT Main Street Kent
APPLICANT NAME Heather Malarcik PHONE 330-677-8000
ADDRESS 154 N. Water St. Kent, OH 44240

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

Heather Malarcik 330-696-9117 Lesley Sickle 330-554-9586

DATE OF EVENT Sat., June 4, 2022 NO. OF PARTICIPANTS 3,000+
REQUESTED PERMIT TIME: Start Set up 8am Start Event 12pm
End Event 9pm End Cleanup 11pm
IF PARADE: STARTING POINT n/a ENDING POINT n/a

USE OF CITY WATER NEEDED? no

(IF YES, PLEASE EXPLAIN)

USE OF CITY ELECTRIC NEEDED? yes

(IF YES, PLEASE EXPLAIN)

In addition to the application please submit the following information:

- Attach map to application showing proposed streets to be blocked off for event, and route of parade or race. (May be hand drawn.)
- Proof of Insurance is required before permit can be issued.
- Please attach list of possible vendors/booths to be part of event (food, retail, etc.).

Please submit application for permit at least 30 days in advance, but no sooner than one year in advance. For additional requirements please review Chapter 316 of The Codified Ordinance of the City of Kent. Please be advised that the use of marking paint on City pavement, curbs, sidewalks or other property is prohibited except if purchased at cost from Service Department (330-678-8105).

By signing this application, I am certifying that I have received a copy of the rules and regulations of Chapter 316 of the Codified Ordinances of the City of Kent, and I fully understand that should the permit be approved, it can be revoked if any of the provisions of this Chapter are violated.

Heather Malarcik

Name of Applicant

Heather Malarcik

Signature of Applicant

Office Use. Do not write below this line.

Sent to:

Safety, Service, Fire, Police, and Health Departments for review and approval
via _____ on _____.

MEMORANDUM AGREEMENT _____ YES _____ NO _____

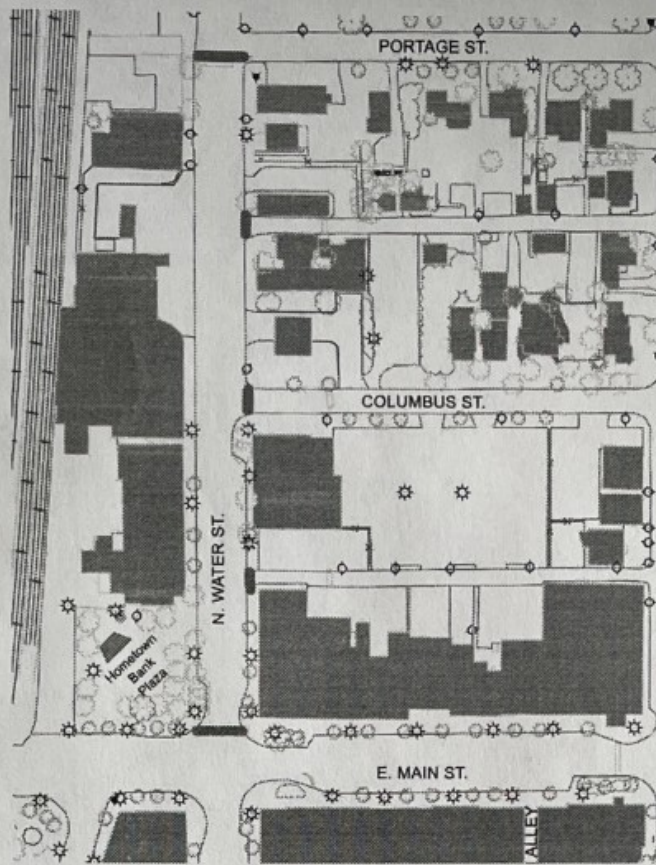
APPLICATION APPROVED _____ APPLICATION DISAPPROVED _____

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

Law Director

Date

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



Main Street Kent is planning the 2022 Art & Wine Festival for Sat., June 4, noon to 9pm. The proposed event footprint is on N. Water St., beginning at Main St. and extending to Portage St., to include the Hometown Bank Plaza. We need to present this to Kent City Council in March, so we are asking for local business owners' approval. Please sign below if you do not oppose this road closure, which will last from approximately 8am to 11pm. We appreciate your support!

Name	<u><i>[Signature]</i></u> Each + Every	Date	<u>1/24/22</u>
Name	<u><i>[Signature]</i></u> Jacobson Woodworks	Date	<u>1/25/22</u>
Name	<u>Michael Lewis Hometown Bank</u>	Date	<u>1/26/22</u>
Name	<u>Jeff Ingram, SRCA</u>	Date	<u>1/27/22 email</u>
Name	<u>Beth Budzar, Scribbles</u>	Date	<u>1/27/22 email</u>
Name	<u>Matt McMinn, Dirty Skate Co.</u>	Date	<u>1/30/22 email</u>
Name	<u>Stacey Lasher, GRAZERS</u>	Date	<u>1/30/22 email</u>
Name	<u>Jim Tribuzzo, Brewhouse Pub</u>	Date	<u>2/1/22 phone</u>
Name	_____	Date	_____
Name	_____	Date	_____
Name	_____	Date	_____
Name	_____	Date	_____

Category	Business Name	Contact Name	Email	Phone		
FOOD	Erie Street Kitchen	Jeff Crowe	jcrowe401@me.com			
FOOD	GRAZERS	Stacey	grazerskent@gmail.com			
FOOD	Brooks Homestyle BBQ	Joella Brooks	brookshomestylebbq@gmail.com			
FOOD	Popped!	Gwen Rosenberg	gwen@shoppopped.com			
FOOD	Daisy Pops	Amy Mucha	amy@daisycak.es			



MAINSTR-61

OWITTELSBERGER

CERTIFICATE OF LIABILITY INSURANCE

DATE (MM/DD/YYYY)

5/7/2021

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

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

PRODUCER Maury, Donnelly & Parr 24 Commerce St. Baltimore, MD 21202	CONTACT NAME:		
	PHONE (A/C, No, Ext): (410) 685-4625	FAX (A/C, No): (410) 685-3071	
	E-MAIL ADDRESS:		
	INSURER(S) AFFORDING COVERAGE		
INSURED Main Street Kent 138 E. Main Street, Suite 201B Kent, OH 44240	INSURER A: American Casualty Co. of Reading, PA		NAIC # 20427
	INSURER B:		
	INSURER C:		
	INSURER D:		
	INSURER E:		
	INSURER F:		

COVERAGES

CERTIFICATE NUMBER:

REVISION NUMBER:

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

INSR LTR	TYPE OF INSURANCE	ADDL INSD	SUBR WVD	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS
A	☒ COMMERCIAL GENERAL LIABILITY ☐ CLAIMS-MADE ☒ OCCUR GEN'L AGGREGATE LIMIT APPLIES PER: ☒ POLICY ☐ PRO-JECT ☐ LOC OTHER:	X		6011968579	2/1/2021	2/1/2022	EACH OCCURRENCE \$ 1,000,000
							DAMAGE TO RENTED PREMISES (Ea occurrence) \$ 300,000
							MED EXP (Any one person) \$ 10,000
							PERSONAL & ADV INJURY \$ 1,000,000
							GENERAL AGGREGATE \$ 2,000,000
							PRODUCTS - COMP/OP AGG \$ 2,000,000
	AUTOMOBILE LIABILITY ☐ ANY AUTO OWNED AUTOS ONLY ☐ SCHEDULED AUTOS ☐ HIRED AUTOS ONLY ☐ NON-OWNED AUTOS ONLY						COMBINED SINGLE LIMIT (Ea accident) \$
							BODILY INJURY (Per person) \$
							BODILY INJURY (Per accident) \$
							PROPERTY DAMAGE (Per accident) \$
	UMBRELLA LIAB ☐ OCCUR EXCESS LIAB ☐ CLAIMS-MADE DED ☐ RETENTION \$						EACH OCCURRENCE \$
							AGGREGATE \$
	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH) ☐ Y / N If yes, describe under DESCRIPTION OF OPERATIONS below		N / A				PER STATUTE ☐ OTH-ER ☐
							E.L. EACH ACCIDENT \$
							E.L. DISEASE - EA EMPLOYEE \$
							E.L. DISEASE - POLICY LIMIT \$

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)
The City of Kent is listed as an additional insured.

CERTIFICATE HOLDER

CANCELLATION

City of Kent 930 Overheat Road Kent, OH 44240	SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE 

MEMORANDUM
DIVISION OF ENGINEERING
City of Kent Department of Public Service

DATE: February 14, 2022
TO: Dave Ruller, City Manager
FROM: Rhonda Boyd, Senior Engineer *R. Boyd*
SUBJECT: Water Service Request- Human Bean
1713 E. Main Street/SR 59

The Engineering Division has received a request for water service for 1713 E. Main Street/SR 59 in Franklin Township. The proposed use is a coffee shop, The Human Bean. The site is located in front of ACME Plaza on the north side of SR59.

The property owner did sign the JEDD agreement, therefore the site is not subject to the City water rate plus a 50% surcharge. They have estimated the demand to be 600 GPD. For this estimated demand, the utilization charge would be \$948.75. There are no fees for waterline assessment since the water extension was paid by ACME during the original development of the frontage.

Should you require any additional information, please contact the Division of Engineering.

C: Melanie Baker, Director of Public Service
Jim Bowling, P.E., City Engineer
Hope Jones, Law Director
File



17 South Main Street, Suite 401
Akron, Ohio 44308
(330) 376-6611

January 27, 2022

Kent Utilities Department

Kent, Ohio 44313
PO Box 5192
Kent, OH 44240

Re: Request for Water Service for Albrecht, Incorporated's Lessee - The Human Bean (East Main, S.R. 59)

Dear Sir,

Albrecht, Incorporated is requesting permission for connection to the Kent City water service for Albrecht's lessee, The Human Bean, located at Kent Plaza, East Main Street, OH-59; 1709 E. Main, Kent, OH 44240 (parcel 12-022-00-00-062-004).

Should you have any questions concerning this request or would like to review and discuss further please feel free to contact me at (330) 344-9077 or by email at asands@albrechtinc.com.

Sincerely,

A handwritten signature in blue ink that reads 'Andrew J. Sands'. The signature is fluid and cursive, with the first and last names being more prominent.

Andrew J. Sands P.E.
Director of Construction and Facilities
Albrecht, Incorporated

memo

CITY OF KENT PARKS AND RECREATION DEPARTMENT

To: Dave Ruller, City Manager
Cc: City Council
From: Angela Manley, Director
Date: February 22, 2022
Re: City Property for Public Auction

Please find an attached list of items in need of approval for public auction. These items consist of fitness related equipment and accessories, office items and a trailer. With the exception of the trailer, all of the items are associated with the Parks and Recreation Fitness Center, which closed on December 31, 2021. We will be using GovDeals.com for our online auction, which will be publicized to the public through our website and social media pages.

I respectfully request your approval to move forward with the sale of these items.

2022 Kent Parks and Recreation Public Auction Items

- (4) Precor 956i Experience Treadmill
- (2) Precor AMT 100I Elliptical
- (7) Precor Spinner® Ride Indoor Bike
- (1) Precor 846i-R Experience Recumbent Exercise Bike
- (1) Proform Sr30 Recumbent Bike
- (1) Concept 2 Indoor Rowing Machine
- (10) WaveMaster Kickboxing Pads
- (1) HOIST HD-1900 Dual Pulley System
- (1) Hoist Dual Series HD-3900
- (1) Hoist Dual Series HD-3403
- (1) Hoist Dual Series HD-3400
- (1) Hoist Dual Series HD-3200
- (1) Hoist Dual Series HD-3800
- (1) Hoist Dual Series HD-3600
- (1) Hoist Dual Series HD-3100
- (1) Hoist Dual Series HD-3300
- (1) Precor Angled Leg Press 601
- (1) GPR378 Pro Power Steel Squat Rack
- (2) Body Solid Adjustable Bench
- (1) Body Solid Olympic Plate Rack
- (2) Small Weight Dumbbell Storage Tower
- (1) Heavy Weight Dumbbell Storage Rack
- (1) Weight Storage Stairs
- (1) Weighted Bars Vertical Storage Rack
- (8) 5 lbs. plates.
- (10) 10 lb plates.
- (8) 25 lb plates.
- (2) 35 lb plates.
- (4) 45 lb plates.
- (8) 10 pound Kettlebells
- (4) 15 pounds Kettlebells
- (4) 5 lb Kettlebells
- (1) 20 lb kettlebell
- (4) 1 lb dumbbells
- (18) 2 lbs dumbbells
- (22) 3 lbs dumbbells
- (12) 4 lbs dumbbells
- (23) 5 lbs dumbbells
- (4) 6 lbs dumbbells
- (4) 7 lbs dumbbells
- (6) 8 lbs dumbbells
- (8) 9 lbs dumbbells
- (24) 10 lbs dumbbells
- (8) 12 lbs dumbbells
- (6) 15 lbs dumbbells
- (5) 20 lbs dumbbells
- (5) 25 lbs dumbbells
- (2) 30 lbs dumbbells
- (2) 35 lbs dumbbells
- (2) 40 lbs dumbbells
- (2) 45 lbs dumbbells
- (2) 50 lbs dumbbells
- (2) 55 lbs dumbbells
- (2) 60 lbs dumbbells
- (2) 65 lbs dumbbells
- (2) 70 lbs dumbbells
- (2) 75 lbs dumbbells
- (2) 80 lbs dumbbells
- (2) Medicine Ball Racks
- (2) 4 lb Hard Medicine balls
- (4) 1b Hard Medicine balls
- (2) 6 lb Hard Medicine balls

- (1) 10 lb Hard Medicine balls
- (5) 3 lb Soft Medicine balls
- (4) 5 Soft Medicine balls
- (1) 6 Soft Medicine balls
- (1) 8 Soft Medicine balls
- (1) 10 Soft Medicine balls
- (1) 15 Soft Medicine balls
- (1) Plyometric Platform Box-12"
- (1) Plyometric Platform Box -18"
- (1) Plyometric Platform Box- 24"
- (1) Plyometric Platform Box- 30"
- (1) Heavy Tractor Tire
- (1) 30' Indoor Battle Rope
- (1) Flat Bench Press
- (2) Olympic Classic 7' Weight Bar
- (1) Olympic Trap Bar
- (1) Olympic Curl Bar
- (1) Wall mounted Pull up Bar
- (3) 5 Lb. Padded Weight Bars
- (10) 9 Lb. Padded Weight Bars
- (10) 12 Lb. Padded Weight Bars.
- (5) 15 Lb. Padded Weight Bars
- (4) 18 Lb. Padded Weight Bars.
- (22) Stability Balls
- (17) Step Platforms
- (72) Step Platforms Risers
- (9) Yoga Blocks
- (5) Yoga straps
- (1) Agility ladder
- (1) Large Desk
- (1) Electric Open Sign
- (2) Flat Screen Televisions
- (2) TV Wall Mounts
- (5) Cubbie Towers
- (6) Steel trash cans
- (74) Steel padded chairs
- (2) small refrigerators
- (1) microwave.
- Black Padded Gym Flooring
- Brown Padded Gym Flooring
- (1) Mobile Trailer
- (30) Silver Sneakers Balls
- (2) Ball Bag
- (22) Large buckets
- (22) Cardio weighted drumming stix
- (5) Bosu balance trainer
- (2) Rotating Pushup handles
- (20) Kneepads sliders
- (9) Jump ropes
- (7) Very Light Round Resistance bands
- (5) Light Round Resistance bands
- (5) Medium Round Resistance bands
- (7) Heavy Round Resistance bands
- (5) Heavy Resistance bands
- (7) Medium Resistance bands
- (17) Light Resistance bands
- (13) Very light Resistance bands
- (2) Resistance band attachment bars
- (46) Heavy Zumba Shake Weights
- (14) Light Zumba Shake Weights
- (2) Gymnastics tri fold tumbling mats.
- (1) Gymnastics large ramp.
- (1) Gymnastics small ramp
- (1) Gymnastics cartwheel block
- (1) Gymnastics Springboard
- (1) Gymnastics mailbox tumbling aid
- (1) Gymnastics Octagon roller
- (6) Gymnastics hula hoops and standing blocks.
- (1) Gymnastics balance beam



CITY OF KENT, OHIO

Information Technologies Department Memorandum

To: Dave Ruller, City Manager
From: Nicholas Cecil, IT & Communications Manager
Date: 2/16/2022
Re: Managed Services Agreement with QualityIP

Mr. Ruller,

I request that City Council approve the agreement between the City of Kent and QualityIP. We have been working with QualityIP since May, 2017 on many IT projects, the new phone system, backup infrastructure, network design and implementation. They are currently engaged with us on an hourly basis to assist with IT needs that I am unable to complete on my own. As you are aware, those needs are much more than one person can fill, so I have worked on a proposal with QualityIP to take on a larger role in our day-to-day operation.

I ask that this agreement be placed on the March 2nd, 2022 agenda so that Council may consider approving the agreement.

I have attached a copy of the agreement for review. Please contact me if you have any questions or concerns

Thank you.

We have prepared a quote for you

IT Agreement Renewal

QUOTE # 008951 V2

PREPARED FOR

City of Kent

PREPARED BY

Ryan Markham

We know IT.

The evolution of your business is a journey like no other and it's essential that your technology evolves with it. Now, more than ever, you need robust IT solutions to stay competitive, expert advice to simplify your options, and best practices to tie it all together to streamline your systems. Our friendly technicians enjoy the challenge of combining their expertise to bring you the solution that's right for you.

You belong with us.

This purchase is just the beginning of our collaboration together. We'll be here with you every step of the way to make sure that your technology is advancing your boldest business goals. As CEO of Quality IP, I am proud of our team of experts. We consistently deliver unparalleled solutions, support, and customer service.
Quality IP—Knows IT. Put us to work for you.



Ryan Markham
CEO, QualityIP



QualityIP
Knows IT

Main: (330) 931-4141
Email: ryanm@qualityip.com
Web: <https://www.qualityip.com>



Thursday, February 10, 2022

City of Kent
Nicholas Cecil
930 Overholt Rd.
Kent, OH 44240
nicholas.cecil@kent-ohio.org

Dear Nicholas,

Our call yesterday was very helpful to establish the framework for our IT agreement renewal. You explained how you'd provide the higher level networking functions to control costs, so we took out our firewall/phone system support and CIO planning responsibilities. We kept networking labor in for switch replacement and phone system moves/adds/changes. There was discussion around migrating to Office 365 when the Google contract expires in 12 months, so we included hours to prep for that migration, and we included time for AD monitoring.

Many tier 1 tasks were handled by Gary and Mae directly, so we added HelpDesk hours to centralize ticket support, which allows onsite resources to focus on the task at hand. Our initial agreement was designed around QualityIP providing high level support with HelpDesk remotely. Our model changed as ticket demand increased, so we provided Mae onsite 16 hours per week while also providing our agreed upon services. Mae has proven to be a major part of IT tickets being resolved in a timely fashion, and we'd like to continue this design so everyone remains happy. I've factored in 24 hours of regular onsite time per week into our agreement renewal.

The City of Kent has grown in device counts since our original agreement. We started with 150 workstations // 5 servers in 2019, and today we have 173 workstations // 20 servers, along with backup licensing for 20 servers // 5 firewalls. Reducing the networking and CIO responsibilities allowed us to add new device management, more HelpDesk support hours and provide static onsite resources, all while reducing costs from our 2019 proposal. I've priced this agreement to accurately reflect the services provided, with a municipality discount to help meet budget. Let us know if you have any questions.

We appreciate our relationship with City of Kent and we look forward to our continued success!!

A handwritten signature in black ink, appearing to read "Ryan Markham".

Ryan Markham
President / CEO
QualityIP

Managed Security		Recurring	Qty	Ext. Recurring
Firewall Monitoring Security Service Administration, monitoring and maintenance of firewall infrastructure, freeing clients from the burden of policy management, upgrades and patch deployment.		\$75.00	2	\$150.00
Network Topology Administration (Performance Edition) Instantly know how everything on a network is connected with a complete map of physical and logical topologies		\$35.00	5	\$175.00
External Vulnerability Scanning + Remediation Pinpoint your most critical threats and prioritize patching		\$125.00	1	\$125.00
Automated Change Management and Auditing		\$50.00	1	\$50.00
Recurring Subtotal				\$500.00

Managed Services		Recurring	Qty	Ext. Recurring
Managed IT - Workstation + Encryption - Computer Cleanup with Optimization - Hardware/Software Asset Management - Hardware Resource Monitoring - HelpDesk Ticket Management - Technician Remote Access - Windows Patch Management - Managed BitLocker Full Disk Encryption		\$22.00	180	\$3,960.00
Managed IT for Servers - Drive Space Monitoring - Event Log Monitoring - Hardware/Software Asset Management - Hardware Resource Monitoring - HelpDesk Ticket Management - Technician Remote Access - Windows Patch Management		\$50.00	16	\$800.00
Managed Backup -- Veeam - Fast and Reliable Image Based Backups - Daily Review of Backup Software Alerts - Granular Recovery with Scalable Design		\$50.00	12	\$600.00

Managed Services		Recurring	Qty	Ext. Recurring
Encrypted Offsite Backup Transfer Management (SAC to PD + PD to SAC) - Offsite transfer to secure data facility - Accelerated, automated off-site replication - LAN- and WAN-based replication - Bandwidth throttling to control network usage - Ability to set retention policies for local and off-site backup images - Verification and re-verification of backup images		\$50.00	5	\$250.00
HelpDesk Software + Management System Licensing ConnectWise user		\$150.00	1	\$150.00
Managed Password Service for Administrators - Securely share, store, synchronize, and audit passwords - Meet strict compliance objectives - Keep your critical information safe from intruders - Monitor and report on the access permissions of your staff - Revoke access with the click of a button instead of manually changing passwords - Automate and synchronize password updates - Store and share dozens or hundreds of passwords among many people		\$100.00	1	\$100.00
Recurring Subtotal				\$5,860.00

Managed Support		Recurring	Qty	Ext. Recurring
Virtual Chief Information Officer		\$184.54	4	\$738.16
Virtual Chief Information Security Officer Responsible for establishing and maintaining the enterprise vision, strategy, and program to ensure information assets and technologies are adequately protected.		\$184.54	2	\$369.08
Onsite IT Services (average of 24 hours per week)		\$97.26	96	\$9,336.96
Remote IT HelpDesk Services		\$97.26	32	\$3,112.32

Managed Support		Recurring	Qty	Ext. Recurring
Telecom Coordinator Spectrum relationship management for agreement upgrades, renewals and service outage reporting.		\$109.61	1	\$109.61
Microsoft Gold Certified Services (Active Directory, Office 365, SharePoint)		\$123.69	5	\$618.45
Cisco Premier Certified Services (Firewalls, Phone System, Switches)		\$112.22	1	\$112.22
Recurring Subtotal				\$14,396.80

Municipality Discount		Recurring	Qty	Ext. Recurring
Local Government Discount (12 month contract)		(\$5,000.00)	1	(\$5,000.00)
Recurring Subtotal				(\$5,000.00)

IT Agreement Renewal



Prepared by:

QualityIP

Ryan Markham
(833) KNOWS-IT
ryanm@qualityip.com

Prepared for:

City of Kent

930 Overholt Rd.
Kent, OH 44240
Nicholas Cecil
(330) 676-7506
nicholas.cecil@kent-ohio.org

Quote Information:

Quote #: 008951

Version: 2
Delivery Date: 02/10/2022
Expiration Date: 03/31/2022

Recurring Expenses Summary

Description	Amount
Managed Security	\$500.00
Managed Services	\$5,860.00
Managed Support	\$14,396.80
Municipality Discount	(\$5,000.00)
Recurring Total:	\$15,756.80

Summary of Selected Payment Options

Description	Amount
Term Options: Managed IT Agreement	
Selected Recurring Payment	\$15,756.80

Taxes, shipping, handling and other fees may apply. We reserve the right to cancel orders arising from pricing or other errors.

QualityIP

Signature: 
Name: Ryan Markham
Title: President / CEO
Date: 02/10/2022

City of Kent

Signature: _____
Name: Nicholas Cecil
Date: _____

Managed IT Agreement

Thank you for selecting QualityIP!

We are committed to providing you with the highest quality services. Please let us know if you have questions or concerns.

By this Monitoring/Managed IT Services Agreement ("Agreement"), Quality IP, LLC. ("QualityIP") and City of Kent ("Client") agree as follows:

1. **Services.** During the term of this Agreement QualityIP agrees to provide the services described in the attached Quote 008951 with respect to the Computer System identified in Quote 008951. "Computer System" means the computer hardware and the computer software listed in Quote 008951.
2. **Term.** This Agreement is effective as of the client signature date and shall continue for 12 months, and thereafter shall automatically renew for successive terms of 12 months unless terminated as provided herein.
3. **Fees.** Client shall pay QualityIP fees for the services described within 10 days of invoice.
4. **Client Responsibilities:** Within 5 business days of the occurrence of any of the following events Client will notify QualityIP of the occurrence of such event: (i) any change to the Computer System, including the addition, deletion, replacement, or damage to any hardware or the addition or deletion of any software; (ii) any change to Client's internet connection or provider; and (iii) any malfunctions of the Computer System or Client's internet connections.
5. **Warranty Disclaimer.** While QualityIP believes that the monitoring and management IT services described on Quote 008951 will help to maximize the performance of the Computer System and increase the likelihood of early detection of potential problems, QualityIP does not warrant that the products or services provided herein will achieve any particular results or prevent any particular problems or malfunctions. As such, QualityIP makes no warranties whatsoever, express or implied, including but not limited to warranties for merchantability or fitness for any particular purpose with respect to its products and services.
6. **Limitation of Liability.** Under no circumstances shall QualityIP have any liability for any losses, claims, demands, penalties, actions, causes of action, suits, obligations, liabilities, damages, delays, costs or expenses, including attorney's fees caused, directly or indirectly, in whole or in part, by (i) any acts or omissions of Client, its employees or contractors; (ii) a third party; (iii) abuse, misuse, alteration or use the Computer System by Client or others; (iv) causes beyond its control, including strikes, riots, earthquakes, epidemics, wars, terrorism, fires, floods, weather, heat, humidity, cold, power failures, telecommunications interruption, computer malfunctions, software malfunctions, acts of God and any other failure, interruption or error not directly caused by QualityIP. No action against QualityIP arising out of or concerning this Agreement (whether based in contract or tort) may be brought more than one (1) year after the termination of this Agreement. In all events and under all circumstances, QualityIP's liability is

limited, in the aggregate, to the amount of fees actually paid to QualityIP for the services rendered. Under no circumstances shall QualityIP have any liability for any incidental, consequential, special, indirect, delay, economic or property damages whatsoever (including any damages for loss of business, loss of business profits, business interruption, loss of business information, or other pecuniary loss), even if QualityIP or its suppliers were advised of the possibility of such damage.

7. **Interference.** Client shall not, directly or indirectly, during the term of this Agreement and for 12 months following the termination of this Agreement, induce or influence any employee of QualityIP to terminate their relationship with QualityIP. Employing, granting an interest in any business to, or otherwise compensating an ex employee of QualityIP for services of any nature during the 12 months following the end of such person's employment with QualityIP is conclusively presumed to be a violation of this provision.

8. **Confidentiality.** Each party shall treat the information received from the other party that is designated as confidential ("Confidential Information") as a trade secret and strictly confidential. Neither party shall use any Confidential Information except in connection with performance of this Agreement. Neither party shall disclose any Confidential Information to any person except those persons within its organization who need to know such information to perform this Agreement. Upon termination of this Agreement, each party shall either return or destroy all of the other's Confidential Information in their possession.

9. **QualityIP's Property.** The software and programs installed by QualityIP to enable it to provide the services described in Quote 008951 are the sole and exclusive property of QualityIP (Management Software). The Management Software may only be possessed and used by Client in connection with this Agreement. Under no circumstances may any Management Software be copied or transferred. Upon termination of this Agreement, Client shall cease using the Management Software and shall immediately uninstall and return the Management Software to QualityIP (retaining no copies). Client shall, upon the termination of this Agreement, permit QualityIP to come onto its premises and have access to the Computer System for the purpose of removing the Management Software. Notwithstanding the termination of this Agreement, and in addition to any other remedy available to QualityIP, Client shall remain responsible for the payment of the fees set forth on Quote 008951 until such time as the Management Software is uninstalled and returned to QualityIP.

10. Client shall not subcontract, assign, or transfer any interest, obligation or right under this Agreement without prior written consent from QualityIP, and any such attempt shall be null and void. Any dissolution, merger, consolidation, reorganization or transfer of a majority of the assets or stock of Client shall constitute an assignment of this Agreement. Subject to the foregoing, this Agreement shall be binding upon and inure to the benefit of the parties and their successors or assigns.

11. **Termination.** By QualityIP. QualityIP may terminate this Agreement in the event Client: (i) fails to make payments as and when required; (ii) commits any other breach of this Agreement; (iii) is the subject of a dissolution or bankruptcy action; or (iv) suffers the appointment of a receiver or trustee. If any of these events occurs, in addition to all other remedies available to QualityIP,

QualityIP may immediately cease providing services to Client and the entire amount of the fees identified in Quote 008951 accrued and unpaid together with the fees remaining to be paid through the end of the then existing term of this Agreement shall become immediately due and payable in full in a lump sum.

By Client. Client may terminate this Agreement if QualityIP notifies Client of an increase in fees or the discontinuance of any of the services identified in Quote 008951 (unless such services are proposed to be replaced by equal or better services) by notifying QualityIP within 15 days after QualityIP notifies Client of the fee or service change. In this event Client shall remain responsible to pay the fees identified in Quote 008951 through the effective date of the termination. If Client fails to terminate this Agreement within said period of time, Client shall be deemed to have accepted the changed terms.

By Either Party. Either QualityIP and Client may terminate this Agreement effective at the end of the then current term of this Agreement by providing the other written notice of termination not less than 60 days prior to the end of the existing term. In this event Client shall remain responsible to pay the fees identified in Quote 008951 through the effective date of the termination.

12. Remedies. In the event Client violates this Agreement, QualityIP shall have all rights and remedies set forth in this Agreement together with those available to it at law and in equity, specifically including the right to obtain temporary and permanent injunctive orders, to recover damages sustained as a result of such breach, and to recover all costs and expenses. Client shall pay all attorney's fees and court costs incurred by QualityIP with respect to enforcing or defending any claim arising out of or related to this Agreement, including attorney's fees and costs incurred to enforce or collect any judgment, order or award. Such attorney's fees and expenses shall be made part of any award, judgment or order entered in favor of QualityIP. All of QualityIP's rights and remedies are cumulative and may be exercised concurrently and/or consecutively and as often as the occasion therefore arises.

13. Law and Forum. This Agreement shall be construed and enforced in accordance with the laws of the State of Ohio, excluding its conflict of laws, and the laws of the United States of America. The forum for resolving any dispute arising out of or concerning this Agreement shall be the Portage County, Ohio Court of Common Pleas, or the United States District Court for the Northern District of Ohio Eastern Division, Akron, Ohio. QualityIP and Client consent to the jurisdiction and venue of said courts and waive any defense they may have to the jurisdiction or venue of said courts.

14. Severability. Each and every provision of this Agreement is severable from the other provisions. As such, if any provision of this Agreement is held to be invalid, such invalidity shall not affect any of the remaining provisions of this Agreement, all of which shall remain in full force and effect. Furthermore, it is expressly agreed that the invalid provision shall not be totally avoided if it is possible to modify such provision and make it valid. If it is possible to modify such provision, then such modification shall be made in a manner that maintains, to the greatest extent possible, the legal, economic and practical effect of such provision as it was originally written.

15. Entire Agreement. This Agreement, including Quote 008951, constitutes the entire understanding of the parties with respect to its subject matter, and all prior agreements, understandings and representations are canceled in their entirety.
16. Taxes. Client shall be solely responsible for any taxes or similar charges arising out of this Agreement, including all applicable customs, duties, sales taxes, use taxes, value-added taxes, excise charges or brokerage fees. Client shall also be solely responsible for assessing and remitting payment for any such items to the appropriate authorities.
17. Modification. This Agreement may only be modified by written agreement of the parties. Except as otherwise provided in this Agreement, no course of dealing or the failure or delay of a party to enforce any provision of this Agreement shall constitute a modification of this Agreement or the waiver of any of its provisions.
18. Survival. The provisions of Sections 6, 7, 8, 9, 11, 12, 13, 14, 17, and 18 shall survive the termination of this Agreement and shall remain enforceable according to their terms.
19. Electronic or facsimile signatures are binding.



CITY OF KENT, OHIO
DEPARTMENT OF BUDGET AND FINANCE
Rhonda C. Hall, CPA, Director

To: Dave Ruller, City Manager
From: Rhonda C. Hall, CPA, Director of Budget and Finance
Date: February 23, 2022
Re: FY2022 Appropriation Amendments

The following appropriation amendments for the March Council Committee Agenda are hereby requested:

Fund 001 – General

Increase	\$	30,000	Community Devl / Other (O&M) – Appropriation for the issuance of RFQ for Climate Change Action Plan per B. Susel 2/20/22 memo.
Increase		15,000	Economic Devl / Other (O&M) – Appropriation for the Celebrate Kent! in 2022 per B. Susel 2/23/2022 memo.
Increase		19,500	Engineering / Personnel & Benefits – Appropriate add'l funds to cover IT new hire and payout of previous IT Manager per B. Huff 1/31/22 memo.

Fund 106 – Parks & Recreation

Increase	\$	3,300	Parks & Rec / Other (O&M) – Re-Approp the 2021 OH Department of Job & Family Services pandemic support grant per A. Manley 1/28/22 memo.
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Fund 128 – Fire & EMS

Increase	\$	20,000	Fire & EMS / Other (O&M) – Appropriate add'l funds for the maintenance costs of the donated Franklin Township Equipment per B. Myers 2/21/22 memo.
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Fund 201 – Water

Increase	\$	2,600	Water / Personnel & Benefits – Appropriate add'l funds to cover IT new hire and payout of previous IT Manager per B. Huff 1/31/22 memo.
Increase		50,000	Capital / SVC – Capital Facilities – Appropriate add'l funds to cover IT new hire and payout of previous IT Manager per B. Huff 1/31/22 memo.

Fund 202 – Sewer

Increase	\$	2,340	Sewer / Personnel & Benefits – Appropriate add'l funds to cover IT new hire and payout of previous IT Manager per B. Huff 1/31/22 memo.
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Fund 205 – Solid Waste

Increase	\$	780	Solid Waste / Personnel & Benefits – Appropriate add'l funds to cover IT new hire and payout of previous IT Manager per B. Huff 1/31/22 memo.
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930 OVERHOLT RD., KENT, OH 44240
(330) 678-8102 – Director and General Accounting
(330) 678-8103 Income Tax (330) 678-8104 Utility Billing FAX (330) 676-7584

Continued

Fund 208 – Storm Water

Increase	\$	780	Storm Water / Personnel & Benefits – Appropriate add'l funds to cover IT new hire and payout of previous IT Manager per B. Huff 1/31/22 memo.
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Fund 301 – Capital

Increase	\$	78,800	Capital / SVC – Capital Facilities – Re-appropriate 2021 and prior year funds for IT System build out, host server for virtual server, Windows 10 Upgrade, backup firewall and Virtualization Software Relicensing per N. Cecil 2/21/2022 memo.
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Increase		28,200	Capital / SVC – Capital Facilities – Appropriate additional funds for IT System build out, host server for virtual server, and backup firewall per N. Cecil 2/21/2022 memo.
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CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: February 20, 2022

TO: Rhonda Hall, Budget & Finance Director

FROM: Bridget Susel, Community Development Director

RE: Appropriations Request: RFQ for Climate Change Action Plan

The Community Development Department will be issuing a Request for Qualifications (RFQ) to identify qualified consulting firms and select one to lead the development and completion of Milestone 2 (adoption of emissions reduction targets for community) and Milestone 3 (develop local climate action plan) of the City's Action Plan to address climate change. The City recently completed its greenhouse gas inventory (GHG), which was the first milestone in the Action Plan, and the subsequent phases require a consultant who has experience working in the field of climate change.

The cost for the needed work is expected to not exceed \$30,000.00.

I am respectfully requesting the appropriation of \$30,000.00 to the Community Development Department Professional Services line (001.04.540.401.7340) to allow for the issuance of the RFQ and the subsequent execution of an agreement with the selected consultant in order to have work begin this spring.

Please let me know if you need any additional information in order to process this request.

Thank you.

February 7, 2022

Dear Members of Kent City Council,

We, the members of the Sustainability Commission, are grateful that you have approved the Community Greenhouse Gas Emissions Inventory Report on December 15. During the presentation, Community Development Director Bridget Susel mentioned that we would need additional staff support to achieve the next mitigation milestones.

We wish to endorse Ms. Susel's request to hire a consultant to coordinate and assist in the efforts of the Commission and our Ad Hoc Committee to complete the city's Climate Action Plan.

We are astonished and grateful for the amount and quality of research and work already done by the Ad Hoc Committee, but we are also realizing that we have hit the limit of what we can expect of volunteers. Cities who have successfully created and implemented a Climate Action Plan have had professional leadership.

We suggest the following parameters for the consultant position:

- The final plan will follow the template and guidelines of ICLEI -- Local Governments for Sustainability. (ICLEI.org has a global network of more than 2500 local and regional governments committed to sustainable urban development. The City of Kent is a member and the Ad Hoc Committee has been using their educational materials.)
- The consultant will help foster engagement and involvement of the wider community to ensure understanding and "buy-in" of the final plan.
- Involve 2 members of the Sustainability Commission and/or the Ad Hoc Committee in the interview and selection process for the consultant.

Sincerely,

The Members of the Sustainability Commission

Renee Ruchotzke, Chair

Andrew Scholl

Wilder Hritz

MaryJane Stone

Rick Hawksley



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: February 23, 2022

TO: Rhonda Hall, Budget & Finance Director

FROM: Bridget Susel, Community Development Director *B.S.*

RE: Appropriations Request: Celebrate Kent! 2022 Grant Program

In 2010, the City of Kent implemented an economic development grants program to support events that attracted visitors to the downtown area, which benefitted the small businesses operating in the City's central business district. The funding appropriated annually for the Celebrate Kent! Program was \$15,000.00, but this funding was eliminated in 2020 and 2021 in response to the safety restrictions associated with the pandemic and the resulting budgetary concerns experienced by the City.

With pandemic restrictions lessening, the Community Development Department plans to, once again, make funding for the Celebrate Kent! Program available in 2022.

I am respectfully requesting the appropriation of \$15,000.00 in General Fund-Division 410 (economic development), line 7390 (misc. contractual services), be presented to Council in March 2022 to support the Celebrate Kent! Program in 2022.

Thank you for your consideration of this matter. Please let me know if you need any additional information in order process this request.

Cc: Tom Wilke, Economic Development Director



CITY OF KENT, OHIO
DEPARTMENT OF BUDGET AND FINANCE

To: Rhonda Hall, CPA Director of Budget and Finance

From: Brian Huff, CPA, Controller

Date: January 31, 2022

Re: Appropriation Amendments Needed

An amendment to appropriations is needed in the following accounts due to a retirement payout of the IT Manager, and the higher salary of the new IT Manager. We are asking for \$19,500 in 001-09-570-728-7001 (Engineering), \$2,600 in 201-07-570-728- \$2,340 in 202-07-570-728-7001, \$780 to 205-07-570-728-7001, \$780 to 208-07-570-728-7001.

Thanks for your attention to this matter.

Brian Huff, Controller

memo

CITY OF KENT PARKS AND RECREATION DEPARTMENT

To: Rhonda Hall, Budget & Finance Director
From: Angela Manley, Parks & Recreation Director
Date: January 28, 2022
Re: Re-Appropriation Request - Parks & Recreation Pandemic Grant

We would like to re-appropriate the 2021 Ohio Department of Job & Family Services pandemic support grant, issued by Ohio Child Care Resource and Referral Association (OCCRRA), to the same line item in the 2022 Budget:

Account Line	Amount
106 530 301 7420	\$3,300.00

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Rhonda Hall
Dave Ruller

FROM: Jim Bowling *JSB*

DATE: February 17, 2022

RE: Paint KSU 400,000 Ground including Lead Abatement – Appropriations Request
(2017WTP004)

The Service Department is requesting to appropriate \$50,000 from the Water Fund (Fund 201) to complete a project to paint the KSU 250,000 gallon water tower. The project also includes lead abatement in the exterior paint, modifications required by the OEPA and abandoning of the adjacent 400,000 gallon water tower. A portion (\$17,650) of the appropriation being requested will be reimbursed by a no-interest loan previously received from the Ohio Public Works Commission.

The additional funding is required due to higher than expected inflation and the project being delayed from the pandemic.

Please let me know if there are any questions.

c: Melanie Baker
Brian Huff
Rhonda Boyd
Brian Johnson
Cathy Wilson



CITY OF KENT, OHIO

Information Technologies Department Memorandum

To: Rhonda Hall, Finance Director
From: Nicholas Cecil, IT & Communications Manager
Date: 02/21/2022
Re: Appropriations Amendment Request

1. **2019KSS001 IT System Buildout** - I am requesting a re-appropriation of funds in the amount of \$38,800 into the 2022 CIP. This amount was budgeted in 2019 as project 2019KSS001. The project was not started in 2019 and re-appropriated to 2020 and 2021 where it the project was started. It was again delayed in 2021 due to COVID-19 and budgetary concerns. I am also requesting an additional amount of \$11,200 into the 2022 CIP for a total of \$50,000 to complete the project.
2. **2019KSS003 Additional Host Server for Virtual Environment** - I am requesting a re-appropriation of funds in the amount of \$15,000 into the 2022 CIP. This amount was budgeted in 2019 as project 2019KSS003. The project was not started in 2019 and re-appropriated to 2020 and 2021. It was again delayed in 2021 due to COVID-19 and budgetary concerns. I am also requesting an additional amount of \$15,000 into the 2022 CIP for a total of \$30,000 to complete the project.
3. **2019KSS004 Windows 10 Upgrades** - I am requesting a re-appropriation of funds in the amount of \$20,000 into the 2022 CIP. This project was started in 2019 with additional funds appropriated in 2020. This amount was budgeted in 2019 as project 2019KSS004. Although some funds were utilized during 2021, the project was not completed.
4. **2019KSS005 Backup Firewall and Service** - I am requesting an appropriation of additional funds in the amount of \$2,000 into the 2022 CIP.
5. **2020KSS002 Virtualization Software Relicensing** - I am requesting a re-appropriation of funds in the amount of \$5,000 into the 2022 CIP. This amount was budgeted in 2020 and 2021 as project **2020KSS002**. No funds were utilized during 2021, the project was put on hold due to COVID-19 and budgetary concerns.