



City of Kent
Wednesday, November 20, 2024
Regular City Council Meeting
320 S. Depeyster Street, Kent, OH 44240

AGENDA

6:55 P.M. Board of Control

7:00 P.M. Regular Council Meeting

1. Roll Call
 - 1.1. Motion to excuse Mr. Hook
2. Opening Remarks and Pledge of Allegiance - Mr. Clapper
3. Communications
 - 3.1. Public Comment- Anyone wishing to address Council must submit their written comments to the Clerk of Council at councilclerk@kentohio.gov by 4:30 p.m. on the meeting day. If also requesting to speak at the meeting, comments are limited to three (3) minutes.
 - 3.2. Written Communication (All placed on file in the Clerk of Council's office)
 - On 10/29/24, Mr. Ruller shared an email from Ms. Susel to Dave Dix, in response to his concerns about the lack of an historic district within the City of Kent and his opinions on why that might be so. Ms. Susel provided a brief outline of the history between the City, the public and the Historical Society, and provided documentation of the efforts the City has taken to address these concerns. She shared with Mr. Dix the current practice of historic designation of individual properties at the owner's request, and encouraged him to contact her regarding any future questions on the subject.
 - On 10/31/24, Mr. Jason Stewart of Gale Drive in Kent, submitted an application for a position on the Loan Review Board.
 - On 11/06/24, Jim Collver of the Celtic Club sent an email thanking the Mayor for his help with the 15th Annual Celtic Club Fights Cancer bridge display in downtown Kent on October 18.
 - 3.3. City Manager's Report
4. Consent Agenda

- 4.1. Items listed under the Consent Agenda are considered routine. Each item will be read individually into the record and the Consent Agenda will then be enacted as a whole by one motion and one roll call. There will be no separate discussion of these items. If discussion by Council is desired on any item on the Consent Agenda, that item will be removed from the Consent Agenda by Council motion and considered in its normal sequence under the Regular Order of Business.

4.2. Motion for Minutes Approval and Recommended Actions

4.2.1. October 16, 2024 Regular Council meeting minutes

4.2.2. November 6, 2024 Council Committee Meeting minutes

4.2.3 Recommended Actions:

Accept and authorize the agreement to obtain temporary easements, for right-of-way purposes, to install, construct, and reconstruct the roadway for the project known as East Main Street Improvement Project, and declaring an emergency.

Extend and execute the Mutual Aid Agreement with Kent State University and the Kent Police Department to provide for the mutual assistance, interchange, and use of police personnel and equipment, and declaring an emergency.

Renew the lease agreement with West River Medical LLC for the use of parking spaces in the municipal lot and declaring an emergency.

Accept the director's deed from the Ohio Department of Transportation for a remnant parcel of land that was created with the construction of SR 261 and declaring an emergency.

Accept and allocate CDC funding in the amount of \$50,000 to maintain accredited status for the City of Kent Health Department, and declaring an emergency.

Authorize the Director of Budget and Finance of the City of Kent to request the county auditor to advance any property taxes that have been collected prior to the normal February settlement date from the proceeds of the 2024 tax year collection, and declaring an emergency.

Authorize the adjustment of appropriations, transfers and advances from the various funds of the City of Kent for the current expenses of the City for the fiscal year ending December 31, 2024, and declaring an emergency.

- 4.2.4. **DRAFT 2024-111 AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE FOLLOWING AGREEMENTS WITH THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING TEMPORARY EASEMENTS, FOR RIGHT-OF-WAY PURPOSES, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY FOR THE PROJECT KNOWN AS THE EAST MAIN STREET IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY.**

- 4.2.5. **DRAFT 2024-112** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXTEND AND EXECUTE THE MUTUAL AID AGREEMENT WITH KENT STATE UNIVERSITY SO AS TO PROVIDE FOR THE MUTUAL ASSISTANCE, INTERCHANGE, AND USE OF POLICE PERSONNEL AND EQUIPMENT, FROM THE DATE OF THIS ORDINANCE UNTIL TERMINATED BY EITHER PARTY, AND DECLARING AN EMERGENCY.
- 4.2.6. **DRAFT 2024-113** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RENEW A LEASE AGREEMENT WITH WEST RIVER MEDICAL, LLC (WRM) FOR THE USE OF PARKING SPACES IN THE MUNICIPAL LOT AND DECLARING AN EMERGENCY.
- 4.2.7. **DRAFT 2024-114** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ACCEPT THE DIRECTOR'S DEED FROM THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR A REMNANT PARCEL OF LAND THAT WAS CREATED WITH THE CONSTRUCTION OF SR 261 AND DECLARING AN EMERGENCY.
- 4.2.8. **DRAFT 2024-115** AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT AND ALLOCATE A CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC) FUNDING IN THE AMOUNT OF \$50,000 TO MAINTAIN ACCREDITED STATUS FOR THE CITY OF KENT HEALTH DEPARTMENT, AND DECLARING AN EMERGENCY
- 4.2.9. **DRAFT 2024-116** A RESOLUTION REQUESTING THE COUNTY AUDITOR TO ADVANCE ANY PROPERTY TAXES THAT HAVE BEEN COLLECTED PRIOR TO THE NORMAL FEBRUARY SETTLEMENT DATE FROM THE PROCEEDS OF THE 2024 TAX YEAR COLLECTION PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.
- 4.2.10 **DRAFT 2024-117** AN ORDINANCE AMENDING ORDINANCE NO. 2023-97, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 20, 2023; SO AS TO ADJUST APPROPRIATIONS, TRANSFERS AND ADVANCES FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024; AND DECLARING AN EMERGENCY.

5. Standing Committees & Legislation

Committee of the Whole Chair Mayor Fiala/ Vice-Chair Amrhein

5.1.1. Action(s) Recommended: NONE. See Consent Agenda, as applicable

5.2. **Community Development** Chair Rosenberg/ Vice-Chair Clapper

5.2.1. Action(s) Recommended: NONE. See Consent Agenda, as applicable

5.3. **Health & Safety Committee** Chair Amrhein/ Vice-Chair Sidoti

5.3.1. Action(s) Recommended: NONE. See Consent Agenda, as applicable

5.4. **Land Use Committee** Chair Shaffer Bish/ Vice-Chair Hook

5.4.1. Action(s) Recommended: NONE. See Consent Agenda, as applicable

5.5. **Streets, Sidewalks and Utilities** Chair Sidoti/ Vice-Chair Clapper

5.5.1. Action(s) Recommended: NONE. See Consent Agenda, as applicable

5.6. **Finance Committee** Chair DeLeone/ Vice-Chair Celko

5.6.1. Action(s) Recommended: NONE. See Consent Agenda, as applicable

6. Unfinished Business

7. New Business

8. Councilmembers' Comments

9. Mayor's Report

10. Executive Session

10.1. Conferences with an attorney for the public body concerning disputes involving the public body that are the subject of pending or imminent court action;

11. Return to Regular Meeting

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 330-678-8007. 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.

ORDINANCE NO. 2024 – 111

AN ORDINANCE ACCEPTING AND AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO EXECUTE THE FOLLOWING AGREEMENTS WITH THE CITY OF KENT, OHIO, WITH THE CITY OBTAINING TEMPORARY EASEMENTS, FOR RIGHT-OF-WAY PURPOSES, TO INSTALL, CONSTRUCT AND RECONSTRUCT THE ROADWAY FOR THE PROJECT KNOWN AS EAST MAIN STREET IMPROVEMENT PROJECT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Council desires to obtain temporary easements and are granted the easements from the following:

- 1) Graves West Virginia, LLC (15T) - \$2,475
- 2) Montgomery & Claudia Miller (22T) - \$2,985

WHEREAS, the City needs the property for right-of-way purposes to install, construct and reconstruct the roadway and sidewalks for the project known as East Main Street Improvement Project; and

WHEREAS, time is of the essence because the sooner the City acquires the necessary right-of-way for this project, the sooner construction may begin.

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

SECTION 1. That Council does hereby accept and authorizes the City Manager or his designee to execute the agreement for the City of Kent to obtain temporary easements for right-of-way purposes to install, construct and reconstruct the roadway and sidewalks for the project known as East Main Street Improvement Project in substantial conformity with the terms of the Agreement marked as Exhibit “A”, on file in the Council office.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Kathleen Coleman
Interim Clerk of Council

I, KATHLEEN COLEMAN, INTERIM CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *ORDINANCE No.* 2024-111, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON November 20, 2024.

(SEAL)

KATHLEEN COLEMAN
INTERIM CLERK OF COUNCIL

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Dave Ruller
Kathy
Coleman

FROM: Jon Giaquinto

DATE: 11/7/24

RE: East Main Street Improvement Project – Right of Way Purchase – Parcels 15 and 22

The Service Department is requesting council time for approval to purchase temporary right of way on two parcels within the East Main Street Improvement project. All purchases follow the Federal Uniform Relocation Act that is required when using Federal Funding. To determine the Fair Market Value Estimate (FMVE), an appraisal is completed from an ODOT pre-qualified appraiser. That appraisal is also reviewed by a separate ODOT pre-qualified appraisal.

All right of way must be cleared by November 2024 to start construction in 2025.

Attached to this memo is the property map for the project highlighting the parcels included in this request. The Service Department is requesting payments be approved for the following owner.

Property Owner	R/W Plan Number	Description	Amount
Graves West Virginia, LLC	15T	Temporary	\$2,475
Montgomery and Claudia Miller	22T	Temporary	\$2,985

The City will be reimbursed 90% by ODOT and 5% by KSU for these purchases. Thus far, 30 have signed, 1 donation, and 1 appropriation.

c: Melanie Baker, Service Director
Jim Bowling, City Engineer
Patti Long, Executive Assistant
Hope Jones, Law Director
Rhonda Hall, Budget and Finance Director
Sandy Lance

TEMPORARY EASEMENT

Graves West Virginia Properties, LLC, a Minnesota limited liability company, the Grantor(s), in consideration of the sum of \$2,475.00, to be paid by City of Kent, Portage County, Ohio, the Grantee, does grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 15-T

POR-59-2.14

SEE EXHIBIT A ATTACHED

Portage County Current Tax Parcel No. 17-023-10-00-199-000

Prior Instrument Reference: #202410720, Portage County Recorder's Office.

To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is thirty-six (36) months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement(s) interest granted is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

IN WITNESS WHEREOF Graves West Virginia Properties, LLC, a Minnesota limited liability company, has caused its name to be subscribed by Eric Stadtherr, its duly authorized Director of Construction and Facilities, and its duly authorized agent on the 10th day of October, 2024.

GRAVES WEST VIRGINIA PROPERTIES, LLC, A
MINNESOTA LIMITED LIABILITY COMPANY

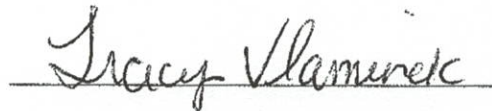
By: 

STATE OF Minnesota, COUNTY OF Kandiyohi SS:

BE IT REMEMBERED, that on the 10th day of October, 2024, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Eric Stadtherr who acknowledged being the Director of Construction and Facilities and duly authorized agent of Graves West Virginia Properties, LLC, a Minnesota limited liability company, and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity. No oath or affirmation was administered to N/A with regard to the notarial act.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.





NOTARY PUBLIC

My Commission expires: 1/31/2028

This document was prepared by: City of Kent, Portage County, Ohio

EXHIBIT A

LPA RX 887 T

Page 1 of 2

Rev. 07/09

Ver. Date 02/15/23

PID 112026

**PARCEL 15-T
POR-59-2.14 (E. MAIN STREET AREA IMPROVEMENTS)
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
REGRADE
FOR 36 MONTHS FROM DATE OF ENTRY BY THE
CITY OF KENT, PORTAGE COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Portage, City of Kent, being part of Original Lot 23 in Franklin Township, Township 3 North, Range 9 West, being part of lands described in the deed to ALFRED E. DAIGNEAU, TRUSTEE OF THE ALFRED E. DAIGNEAU TRUST U/A 11/9/93 (Grantor) as recorded in Instruments 200510262, 201914313 and 201914315 on file in the Portage County Recorder's Office and laying on the left side of the centerline of right-of-way of East Main Street (State Route 59) as shown on the East Main Street Area Improvements right-of-way plans prepared by Arcadis U.S., Inc for and on file with the City of Kent, Ohio, and more fully described as follows:

Beginning on the westerly right-of-way line of Linden Road as shown on said right-of-way plans at 20.55 feet left of Linden Road Station 1+58.00;

1. Thence South 00° 04' 02" East, continuing along said westerly right-of-way line, a distance of 8.15 feet being 20.55 feet left of Linden Road Station 1+49.85;
2. Thence South 43° 23' 09" West, continuing along said westerly right-of-way line, a distance of 13.87 feet to the northerly right-of-way line of said East Main Street being 40.00 feet left of Station 127+59.29;
3. Thence South 89° 31' 04" West, leaving the said westerly right-of-way line and along the said northerly right-of-way line, a distance of 84.61 feet to the Grantor's southwesterly corner being 40.00 feet left of Station 126+74.68;
4. Thence North 00° 44' 45" West, along the Grantor's westerly line, a distance of 5.00 feet being 45.00 feet left of Station 126+74.66;
5. Thence North 89° 31' 04" East, leaving the Grantor's westerly line and through the Grantor, a distance of 86.34 feet being 45.00 feet left of Station 127+61.00;

EXHIBIT A

LPA RX 887 T

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6. Thence North 30° 43' 45" East, continuing through the Grantor, a distance of 15.37 feet to the **Point of Beginning**;

The above-described easement contains 0.011 acres (475 square feet, including 0.000 acres within the present road occupied) all within Parcel Number 17-023-10-00-199-000 and subject to all legal highways and easements of record;

This description was prepared by Arcadis, U.S., Inc. under the supervision of Robert G. Hoy, Ohio Professional Surveyor No. 8142, and is based on a field survey performed by Arcadis U.S., Inc. in August 2022.

Bearings in this description are on the Ohio State Plane Coordinate System, NAD83(2011), North Zone, Grid North, U.S. Survey Feet.

The stations are from the existing centerline of right-of-way of East Main Street (State Route 59) as shown on said East Main Street Area Improvements right-of-way plans unless noted otherwise.

Arcadis U.S., Inc.

Robert G. Hoy, Ohio Professional Surveyor No. 8142

TEMPORARY EASEMENT

Montgomery F. Miller and Claudia L. Miller, Co-Trustees of The Miller Trust UAD June 9, 2016, the Grantor(s), in consideration of the sum of \$2,985.00, to be paid by City of Kent, Portage County, Ohio, the Grantee, do grant to Grantee the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 22-T

POR-59-2.14

SEE EXHIBIT A ATTACHED

Portage County Current Tax Parcel No. 17-023-10-00-149-000 and 17-023-10-00-148-000
Prior Instrument Reference: #201609655, Portage County Recorder's Office.

To have and to hold the temporary easement(s), for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement(s) granted to the Grantee is thirty-six (36) months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

The temporary easement(s) interest granted is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

IN WITNESS WHEREOF The Miller Trust UAD June 9, 2016 by and through Montgomery F. Miller and Claudia L. Miller, the Co-Trustees of The Miller Trust UAD June 9, 2016, has hereunto subscribed their names on the 11th day of September, 2024.

THE MILLER TRUST UAD JUNE 9, 2016

By: Monty F. Miller, Co-Trustee
MONTGOMERY F. MILLER, CO-TRUSTEE

By: Claudia L. Miller Co-Trustee
CLAUDIA L. MILLER, CO-TRUSTEE

STATE OF OHIO, COUNTY OF Portage SS:

BE IT REMEMBERED, that on the 11th day of September, 2024, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Montgomery F. Miller and Claudia L. Miller, who acknowledged being the Co-Trustees of The Miller Trust UAD June 9, 2016, and who acknowledged the foregoing instrument to be the voluntary act and deed of said The Miller Trust UAD June 9, 2016. No oath or affirmation was administered to through Montgomery F. Miller and Claudia L. Miller with regard to the notarial act.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



Abigail Jane Vilyus

NOTARY PUBLIC

My Commission expires: 3/6/2029

This document was prepared by: City of Kent, Portage County, Ohio

EXHIBIT A

LPA RX 887 T

Page 1 of 2

Rev. 07/09

Ver. Date 2/15/23

PID 112026

**PARCEL 22-T
POR-59-2.14 (E. MAIN STREET AREA IMPROVEMENTS)
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
REGRADE
FOR 36 MONTHS FROM DATE OF ENTRY BY THE
CITY OF KENT, PORTAGE COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the State of Ohio, County of Portage, City of Kent, being part of Original Lot 23 in Franklin Township, Township 3 North, Range 9 West, being part of lands described in the deed to MONTGOMERY F. MILLER & CLAUDIA L. MILLER, CO-TRUSTEES OF THE MILLER TRUST UAD JUNE 9TH, 2016 (Grantor) as recorded in Instrument 201609655 on file in the Portage County Recorder's Office and laying on the left side of the centerline of right-of-way of East Main Street (State Route 59) as shown on the East Main Street Area Improvements right-of-way plans prepared by Arcadis U.S., Inc for and on file with the City of Kent, Ohio, and more fully described as follows:

Beginning on the westerly right-of-way line of Frances Drive as shown on said right-of-way plans at 25.00 feet right of Frances Drive Station 1+60.00;

1. Thence along the arc of a curve to the right, along the westerly right-of-way line of said Frances Drive and along the Grantor's easterly line, a distance of 31.42 feet to the northerly right-of-way line of said East Main Street being 40.00 feet left of Station 140+74.48; said curve having a radius of 20.00 feet, a central angle of 89° 59' 57", and a chord length of 28.28 feet which bears South 44° 27' 02" West;
2. Thence South 89° 27' 01" West, leaving the said westerly right-of-way line and along said northerly right-of-way line, a distance of 140.00 to the Grantor's southwesterly corner being 40.00 feet left of Station 139+34.48;
3. Thence North 00° 32' 59" West, leaving said northerly line and along the Grantor's westerly line, a distance of 5.00 feet being 45.00 feet left of Station 139+34.48;
4. Thence North 89° 27' 01" East, leaving the Grantor's westerly line and through the grantor, a distance of 16.52 feet being 45.00 feet left of Station 139+51.00;

EXHIBIT A

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5. Thence North 72° 31' 22" East, continuing through the Grantor, a distance of 24.04 feet being 52.00 feet left of Station 139+74.00;
6. Thence South 83° 50' 24" East, continuing through the Grantor, a distance of 51.35 feet being 46.00 feet left of Station 140+25.00;
7. Thence North 89° 27' 01" East, continuing through the Grantor, a distance of 50.00 feet being 46.00 feet left of Station 140+75.00;
8. Thence North 53° 44' 32" East, continuing through the Grantor, a distance of 23.99 feet to the **Point of Beginning**;

The above-described easement contains 0.028 acres (1204 square feet, including 0.000 acres within the present road occupied) within Parcel Numbers 17-023-10-00-149-000 and 17-023-10-00-148-000 and subject to all legal highways and easements of record;

This description was prepared by Arcadis, U.S., Inc. under the supervision of Robert G. Hoy, Ohio Professional Surveyor No. 8142, and is based on a field survey performed by Arcadis U.S., Inc. in August 2022.

Bearings in this description are on the Ohio State Plane Coordinate System, NAD83(2011), North Zone, Grid North, U.S. Survey Feet.

The stations are from the existing centerline of right-of-way of East Main Street (State Route 59) as shown on said East Main Street Area Improvements right-of-way plans unless noted otherwise.

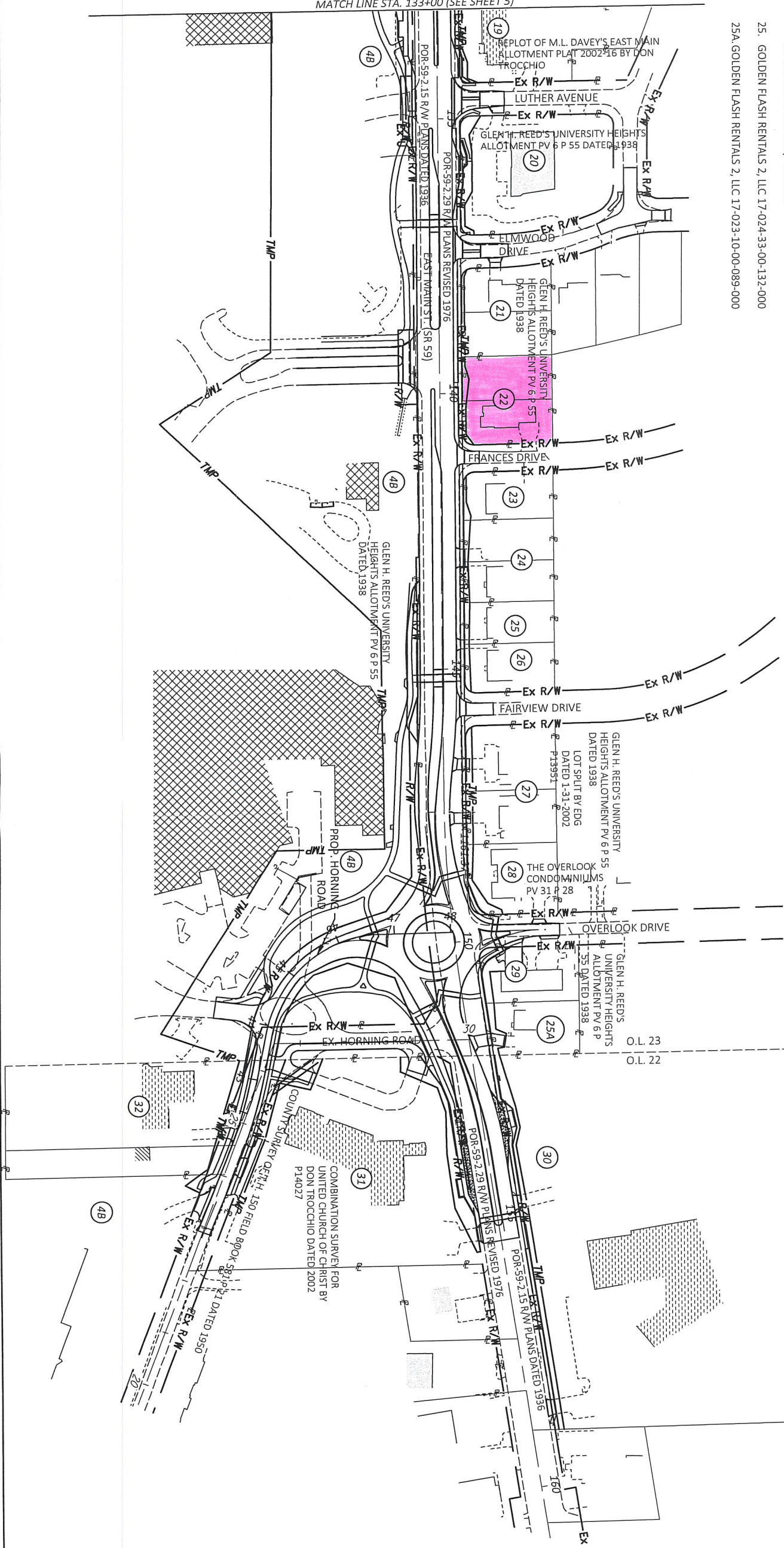
Arcadis U.S., Inc.
Robert G. Hoy, Ohio Professional Surveyor No. 8142

REV. BY	DATE	DESCRIPTION
DATE COMPLETED		5/15/23

PORTAGE COUNTY
CITY OF KENT
FRANKLIN TOWNSHIP, T 3 N, R 9 W
O.L. 22, 23, 24

OWNERSHIP NAME, NUMBER, PERMANENT PARCEL NUMBER

48. STATE OF OHIO 17-023-00-00-001-000
19. FAITH LUTHERAN CHURCH OF KENT, OHIO 17-023-10-00-163-001
20. KENT INVESTORS LLC 17-023-10-00-150-000
21. GEORGE ACKERMAN & DIANE E. GROVE-ACKERMAN
17-023-10-00-146-000, -147-000
22. MONTGOMERY F. MILLER & CLAUDIA L. MILLER, CO-TRUSTEES OF THE
MILLER TRUST UAD JUNE 9TH, 2016 17-023-10-00-148-000, -149-000
23. JAMES H. TRUEMAN II & JUDITH TRUEMAN HARDEN
17-023-10-00-129-000
24. SOUTHWARD PRESERVE, LLC, AN OHIO LIMITED LIABILITY COMPANY
17-023-10-00-130-000, -131-000
25. GOLDEN FLASH RENTALS 2, LLC 17-024-33-00-132-000
- 55A. GOLDEN FLASH RENTALS 2, LLC 17-023-10-00-089-000
26. DEBRA J. PAISLEY 17-023-00-00-133-000
27. ESCAPE PLAN 1, LLC 17-023-10-00-112-001, -002
28. PRIZM PROPERTY GROUP OF OHIO, LLC 17-023-33-10-210-000
29. MARIA C. ROCK 17-023-10-00-088-000
30. THE FIRST METHODIST CHURCH OF KENT, OHIO, A CORPORATION NOT
FOR PROFIT 17-022-00-00-049-000
31. THE UNITED CHURCH OF CHRIST OF KENT, OHIO, AN OHIO NON PROFIT
CORPORATION 17-022-00-00-018-000
32. THOMAS J. TOBIN BISHOP TRUSTEE 17-022-00-00-045, -046



PID NO.

112026

R/W DESIGNER
BJW
R/W REVIEWER

PROPERTY MAP 2 OF 2

E.MAIN STREET AREA IMPROVEMENTS

6 / 44

$$\frac{178}{216}$$

ORDINANCE NO. 2024-112

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO EXTEND AND EXECUTE THE MUTUAL AID AGREEMENT WITH KENT STATE UNIVERSITY SO AS TO PROVIDE FOR THE MUTUAL ASSISTANCE, INTERCHANGE, AND USE OF POLICE PERSONNEL AND EQUIPMENT, FROM THE DATE OF THIS ORDINANCE UNTIL TERMINATED BY EITHER PARTY, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent found it to be beneficial for the health, safety, and welfare of its citizens to enter into a mutual aid agreement with Kent State University for police protection; and

WHEREAS, the City of Kent wishes to expand that mutual aid agreement with Kent State University to allow for interactive law enforcement efforts in certain areas of town as described in the agreement attached hereto as Exhibit "A"; and

WHEREAS, time is of the essence. The sooner the ordinance is adopted, the sooner the additional police interaction will be available, making the City a safer place to live.

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

SECTION 1. That the City Manager, or his designee, is hereby authorized to extend and execute the Mutual Aid Agreement with Kent State University so as to provide for the mutual assistance and interchange and use of police personnel and equipment from the date of this Ordinance until terminated by either party; a copy of said agreement is marked as Exhibit "A", attached hereto and incorporated herein.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Kathleen Coleman
Interim Clerk of Council

I, KATHLEEN COLEMAN, INTERIM CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. 2024-112, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON November 20, 2024.

(SEAL)

KATHLEEN COLEMAN
INTERIM CLERK OF COUNCIL

DRAFT

CITY OF KENT AND KENT STATE UNIVERSITY MUTUAL AID AGREEMENT FOR EMERGENCY POLICE SERVICES AND JOINT POLICE PATROL AUTHORITY

THIS AGREEMENT made this ____ day of _____ 2024, by and between the City of Kent, Ohio, hereinafter called the “CITY”, acting pursuant to Ordinance No._____, passed _____, and Kent State University, hereinafter called the “UNIVERSITY”, acting pursuant to Board of Trustees resolution 2009-38.

WITNESSETH:

WHEREAS, the CITY and the UNIVERSITY maintain separate police departments pursuant to Sections 3 and 7 of Article XVIII of the Ohio Constitution and the Ohio Revised Code Section 3345.04 AND 3345.041 respectively; and

WHEREAS, the CITY and the UNIVERSITY desire to provide for the mutual assistance and interchange and use of their police personnel and equipment in situations where one department needs and requests the assistance of the other; and

WHEREAS, the CITY, by virtue of Article XVIII of the Ohio Constitution, and the UNIVERSITY, by virtue of Ohio Revised Code Section 3345.041, are empowered to provide such mutual assistance by means of this Agreement;

NOW, THEREFORE, in consideration of the promises and obligations which are hereinafter set forth, the parties hereto agree as follows:

- 1) The law enforcement officers of the University shall have full authority to enforce both state laws and municipal ordinances while outside the jurisdiction of the University and in the Jurisdiction of the City if:
 - a) University officers observe violations or are responding to calls for services within the geographical boundaries of the joint patrol district, within the City of Kent. The joint patrol district is defined by the area described within the perimeter of the following streets: South Lincoln St. from E. Main St. southward to Summit St., west to S. Willow St., north to E. Main St., east to S. Lincoln St., the beginning point. The full right-of-way of each of these streets shall be included in the district; or
 - b) They are participating in a cooperative enforcement effort that has been approved in advance by the officers in charge of both jurisdictions; OR
 - c) Their assistance is requested by the police officer in charge of the city staff, and such assistance is approved by the police officer in charge of the University unless exigent circumstances necessitate the on-scene officer(s) to request the approval for assistance without delay.

- 2) The law enforcement officers of the City shall have the same authority provided to officers of the University within the same geographical boundaries of the joint patrol district, in other areas of the university upon approval as provided for in Section 1(b), or when their assistance is requested by the police officer in charge of the university staff and such assistance is approved by the police officer in charge of the City unless exigent circumstances necessitates the on-scene officer(s) to request the approval for assistance without delay.
- 3) The necessity, availability, and use of police equipment or personnel requested shall be subject to priority of use by the responding party within its own territorial limits. The discretion as to what police resources are necessary or available to the responding party for use in the emergency or disaster, lies solely with the Chief of Police of the responding party's police department, or designate. It is agreed there shall be no reimbursement by either party for loss or damage to equipment of the other while engaged in activity pursuant to this agreement.
- 4) Further, the parties may enter into mutual assistance for criminal investigations, or other public safety related functions which transcend the individual jurisdictional boundaries of the individual agencies. In such a circumstance, the parties may agree to enter into written memoranda of agreement regarding the nature and scope of such a joint operation.
- 5) When the UNIVERSITY's police officers are rendering assistance to the CITY in areas within the corporate limits of the CITY and not on UNIVERSITY property, they shall have full police authority commensurate with the authority enjoyed by the CITY's police officers.
- 6) In the event police resources are actively engaged within the territorial limits of the requesting party and such responding resources are required in the home area, the right is reserved to withdraw any and all of such police personnel and equipment for servicing the home area. It is agreed that no liability shall arise in any event for a failure to respond to a police emergency from a requesting party or for the necessary withdrawal of police facilities by either hereto.
- 7) A reasonable charge, as mutually agreed upon by the parties, may be made or levied for the services furnished in non-emergency situations by either party pursuant to the Agreement. Each party shall assume the expense of loss or damage to equipment or apparatus that may occur while in the requesting party's territorial limits or while responding to a call pursuant to this Agreement. The CITY will not indemnify and hold harmless the UNIVERSITY for any damages awarded by the Court of Claims in any civil action arising from any action or omission of any UNIVERSITY law enforcement officer acting pursuant to the Agreement. The UNIVERSITY will not indemnify and hold harmless the CITY for any damages awarded by the Court of Claims in any civil action arising from any action or omission of any CITY law enforcement officer acting pursuant to the Agreement. In addition, to the extent provided for in Ohio law, each party expressly waives any and all claims against the other party for compensation for any loss, damage, personal injury, or death occurring as a result of or in connection with the performance of this Agreement. Nothing in this Agreement is intended to interfere with or waive the statutory rights and protections provided to each party including but not limited to immunity and indemnities provided by Ohio law.
- 8) All personnel of the responding agency, when responding to a call from a requesting agency, shall be acting within the scope of their employment of the responding party while en route to, en route from and while acting within the territory of the requesting party and shall report promptly to the senior ranked officer of the requesting party or other officer requesting assistance.

- 9) When additional assistance is called, pursuant to the terms of this contract, the senior police officer of the requesting party present and in charge of the department of such party shall have full charge of and authority over any assisting equipment and personnel responding pursuant to such a call.
- 10) Police officers who are rendering emergency assistance to the other department shall be entitled to all the rights and benefits of the Chapter 4123 of the Ohio Revised Code and the police pension fund, as applicable, to the same extent as when performing services within their respective territories.
- 11) Radio communication between parties shall be conducted on radio frequencies shared by both parties.
- 12) Neither of the parties hereto shall be liable for any damages to the other party for failure to answer, neglect in answering any call for additional police protection, for inadequacy, negligent operation of equipment and apparatus, for any cause whatsoever growing out of such use of said equipment and apparatus, or lack of performance of duties by police department members. Neither of said parties shall be liable in any manner or event for damages for personal injuries suffered by any member of said police department of the other contracting party hereto.
- 13) This Agreement shall be in effect for the period beginning _____ through _____, provided however, that either party may withdraw from such mutual aid agreement upon giving the other party at least sixty (60) days prior written notice to such effect.
- 14) The parties agree herewith to an annual review of administrative procedures, policies, and their effects as may relate to the operation of this Agreement.
- 15) This Agreement contains the entire agreement between the parties hereto and shall not be modified, amended or supplemented or any rights herein waived, unless such amendment or modification to this Agreement is (1) in writing; (2) refers to this Agreement and (3) executed by an authorized representative of each party. This Agreement supersedes any and all previous agreements, whether written or oral, between the parties.

Signatures on the following page

INTENDING TO BE LEGALLY BOUND, said parties hereby have, upon the dates hereinafter set forth, caused this Agreement to be executed.

KENT STATE UNIVERSITY:

BY: _____ DATE: _____
Mark Polatajko
Senior Vice President
Finance & Administration

CITY OF KENT, OHIO:

BY: _____ DATE: _____
David Ruller
City Manager

DRAFT

ORDINANCE NO. 2024-113

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO RENEW A LEASE AGREEMENT WITH WEST RIVER MEDICAL, LLC (WRM) FOR THE USE OF PARKING SPACES IN THE MUNICIPAL LOT AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent would like to renew a lease agreement with West River Medical, LLC (307 West Main street) for the use of parking spaces in the municipal lot; and

WHEREAS, the parking spaces being used are located on the northwest corner of West Main Street and Gougler Avenue as described in the agreement attached hereto as Exhibit "A"; and

WHEREAS, expense of landscaping, snow plowing, and general trash pickup associated with the parking lot will be shared by the City and WRM.

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

SECTION 1. That Kent City Council authorizes the City Manager, or his designee, to renew a lease agreement with West River Medical, LLC to continue to use parking spaces in the municipal lot and is more fully outlined on Exhibit "A", attached hereto and incorporated herein.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Kathleen Coleman
Interim Clerk of Council

I, KATHLEEN COLEMAN, INTERIM CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. 2024-113, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON November 20, 2024.

(SEAL)

KATHLEEN COLEMAN
INTERIM CLERK OF COUNCIL

DRAFT

PARKING LOT AGREEMENT

This agreement is entered into by and between the City of Kent, Ohio (hereafter the City), and West River Medical, LLC (hereafter WRM), their heirs, successors, and assigns, to be effective on _____ November, 2024.

Whereas, WRM purchased the building located at 307 West Main Street, Kent, Ohio; and

Whereas, WRM wishes the exclusive use of the parking spaces in the municipal lot on the northwest corner of West Main Street and Gougler Avenue, more fully described in "Exhibit A," during the business hours Monday-Friday, 7:00 a.m. -5:00 p.m.; and

Whereas, the City would like to provide public access to parking, after work hours and on the weekends;

Now therefore, it is agreed between the parties that:

1. The City and WRM will have access in the parking lot at the times outlined in this agreement between the City and WRM.
2. The expense of landscaping, snow plowing, and general trash pickup associated with the parking lot will be shared by the City and WRM. WRM will provide proof of costs incurred for landscaping, snowplowing and general trash pickup and invoice the City, once annually, a not to exceed amount of \$5,000.00 per year. The parking lot will be snow plowed in a manner consistent with City standards.
3. The City will continue to insure the City's parking lot and will provide for any capital repairs to the parking lot, including resurfacing and striping, as needed.

This agreement will renew automatically on an annual basis for a period of five (5) years and can be continued for an additional five (5) years upon agreement of both parties.

The parties hereby set their signature to this agreement, in the City of Kent, Portage County, Ohio on the dates set out below.

CITY OF KENT, OHIO

Dave Ruller, City Manager

Date _____

WEST RIVER MEDICAL, LLC

Dr. Scott Hussing

Date _____

APPROVED AS TO FORM

Hope Jones, Law Director
City of Kent

5485 McCORMICK ROAD
P.O. BOX 528
RAVENNA, OH 44266

PH 330-296-2375

DON TROCCHIO
REGISTERED SURVEYOR

City of Kent, Ohio to City of Kent, Ohio
Northwest corner W. Main & Gougler Ave. (new parking lot)

Situated in the City of Kent, County of Portage and State of Ohio and known as being part of original Franklin Township Lot No.25 and is further described as follows;

Beginning at a point in the northerly line of West Main Street, 100' wide at this point, at its intersection with the westerly line of Gougler Ave., 60' wide; said point has observed NAD 83 Ohio State Plane Rectangular Grid Coordinates of N543890.125 E2282303.621 and is witnessed by a drill hole I set in the sidewalk bearing N 89° - 29' - 22" E a distance of 2.00 feet from said beginning point;

Thence along the northerly line of West Main Street S 89° - 29' - 22" W a distance of 161.47 feet to a point intending to be on the dividing line between lands on the east now or formerly owned by the K.D.C.R. Corp. (180/15) and lands on the west now or formerly owned by R.C. Ackworth (259/289); an iron pipe was found N 81° - 25' - 18" W a distance of 1.78 feet from said point;

Thence along said dividing line N 00° - 28' - 41" W a distance of 102.64 feet to an iron pipe set and passing over an iron rod set at a distance of 7.00 feet;

Thence S 86° - 05' - 04" E a distance of 168.72 feet to a point in the westerly line of Gougler Ave.; this point is witnessed by a drill hole I set in the sidewalk bearing S 86° - 05' - 04" E a distance of 2.00 feet from said point;

Thence along the westerly line of Gougler Ave. S 03° - 49' - 48" W a distance of 89.88 feet to the beginning and containing 0.3643 acres of land be the same more or less as surveyed and described in April 1998 by Don Trocchio Registered Surveyor No.6445;

Note: Bearings used in this description are Grid North, NAD 83, Ohio State Plane Rectangular Coordinates, North Zone; all grid dimensions have been divided by a combined scale factor of 0.99989367 to obtain surface dimensions;

ORDINANCE NO. 2024 - 114

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ACCEPT THE DIRECTOR'S DEED FROM THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) FOR A REMNANT PARCEL OF LAND THAT WAS CREATED WITH THE CONSTRUCTION OF SR 261 AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent desires to accept the Director's Deed from the Ohio Department of Transportation for a remnant parcel of land that was created with the construction of SR261 and is described as Parcel No. 56-WD; and

WHEREAS, ODOT has no planned use for the remnant parcel and the transfer of the property to the City will allow us to legally maintain the cul-de-sac on Burnett Road.

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

SECTION 1. That Council does hereby authorize the City Manager, or his designee, to accept the Director's Deed from the Ohio Department of Transportation for a remnant parcel of land and is more fully described in Exhibit "A" attached hereto and incorporated herein.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council, this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Kathleen Coleman
Interim Clerk of Council

I, KATHLEEN COLEMAN, INTERIM CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF **ORDINANCE No. 2024-114**, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON **November 20**, 20 **24**.

(SEAL)

KATHLEEN COLEMAN
INTERIM CLERK OF COUNCIL

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Dave Ruller
Kathy Coleman

FROM: Jim Bowling *Job*

DATE: October 14, 2024

RE: Burnett Road Director's Deed

The Service Department is seeking City Council's time to request their approval to accept the attached Director's Deed from the Ohio Department of Transportation. The Deed is for a remnant parcel of land that was created with the construction of SR 261. The remnant parcel (shown below) contains the portion of the cul-de-sac on Burnett Road that is in the City of Kent. The transfer of this parcel via Director's Deed will allow us to legally maintain the cul-de-sac.



Remnant Parcel to be
transferred

C: Melanie Baker
Hope Jones
Sandy Lance

Director's Deed
STATE OF OHIO
DEPARTMENT OF TRANSPORTATION

KNOW ALL MEN BY THESE PRESENTS THAT:

WHEREAS, in connection with the maintenance and construction of the state highway system within City of Kent, Portage County, Ohio, the State of Ohio, Department of Transportation, acquired via a Warranty Deed the fee title of the following parcel(s):

<u>GRANTOR</u>	<u>PARCEL NO.</u>	<u>VOLUME</u>	<u>PAGE</u>
Tri-County Investment Company	Parcel 56-WD Por-261-0.00	Volume 870, Page 13 Portage County Recorder	

WHEREAS, the Director of Transportation, after consulting with the Director of Natural Resources, has determined that the property described in Exhibit A ["Premises"] is not needed by the State of Ohio for highway or recreation purposes; and

WHEREAS, the Director of Transportation, State of Ohio, has determined that the City of Kent is a City eligible under R.C. 5501.45? and therefore eligible under Section 5501.45 of the Ohio Revised Code to have the Premises conveyed to it upon such consideration as may be determined by the Director of Transportation to be fair and reasonable without competitive bidding; and

WHEREAS, the Director of Transportation has entered into a certain contract with the City of Kent for the sale and purchase of the Premises; and

WHEREAS, the Director of Transportation has determined that the City of Kent has fulfilled its obligations under the above-mentioned contract for the sale and purchase of the Premises; and

NOW THEREFORE, the State of Ohio, by Jack Marchbanks, Ph.D., Director of Transportation, pursuant to the provisions of Section 5501.45 the Ohio Revised Code, for the consideration specified in the above mentioned contract for the sale and purchase of the Premises and the agreements and exceptions and/or reservations contained herein, the receipt of which is hereby acknowledged, does hereby release and forever Quitclaim unto the City of Kent, its successors and assigns forever, the Grantee herein, all of the rights, titles and interests the State of Ohio may have in and over the Premises more particularly described in Exhibit A attached hereto.

PROVIDED, HOWEVER, Grantor hereby reserves unto itself, its successors and assigns, any and all of the oil and gas and their constituents, sulfur, coal, lignite, uranium, and other fissionable material, geothermal energy, base and precious metals, rock, stone, gravel, and any other mineral substances presently in or under the premises described in Exhibit A. The within reservation of the aforesaid materials and minerals pertains to the exclusive right to execute any and all oil and gas leases and any other mineral leases or other contractual arrangements whereby the right of exploring, mining, removing and marketing of the hereinabove reserved minerals could be transferred by Grantor to third parties, and the within reservation also pertains to the exclusive right to receive any and all bonuses, royalties, shut-in and/or delayed marketing payments and any other types of rental or lease payments associated with any of the aforementioned leases or other contractual arrangements with third parties; together with the ownership of any future reversionary oil and gas and their constituents, and other mineral rights, in total, upon the expiration of any such lease or other contractual arrangement with third parties. The foregoing reservation does not include a right to enter upon or use the surface of the premises described in Exhibit A.

IT IS PROVIDED FURTHER THAT the within grant and conveyance to the above-named Grantee is specifically conditioned upon and subject to the following rights of reversion hereby reserved by Grantor:

A. CONTINUED PUBLIC USE

If Grantee should ever fail to use the Premises for a public purpose, then and in that event Grantee shall be divested forthwith of all of the Premises conveyed by these presents, and thereupon all of the rights, titles and interests conferred upon and vested in Grantee by this conveyance shall revert immediately to the State of Ohio and its successors and assigns for the use and benefit of the Department of Transportation.

B. NON-DISCRIMINATION

By accepting the within conveyance, Grantee for itself, its personal representatives, successors in interest, and assigns, as part of the consideration hereof does hereby covenant and agree that:

- (1) No person on the grounds of race, color, national origin, sex, age, disability, low-income status or limited English proficiency shall be excluded from participation in, be denied the benefits of, or be otherwise subjected to discrimination in the use of the above described property.
- (2) In the construction of any improvements on, over, or under the above described property and the furnishing of services thereon, no person on the grounds of race, color, national origin, sex, age, disability, low-income status or limited English proficiency shall be excluded from the participation in, be denied the benefits of, or be otherwise subjected to discrimination.
- (3) The above described property shall be used in a manner that at all times is in compliance with all other requirements imposed by or pursuant to Title 49, Code of Federal Regulations, U.S. DOT, Subtitle A, Office of the Secretary, Part 21, Nondiscrimination in Federally-assisted programs of the U.S. DOT – Effectuation of Title VI of the Civil Rights Act of 1964, and as said Regulations may be amended.
- (4) In the event that any of the above nondiscrimination covenants is breached, the State of Ohio, Department of Transportation, shall have the unfettered right to re-enter the above described property, and said property will thereupon revert to and vest in and become the absolute property of the State of Ohio and its successors and assigns for the use and benefit of the Department of Transportation.
- (5) All of the foregoing nondiscrimination covenants shall be and are covenants running with the land.

IN TESTIMONY WHEREOF, I, Gery Noirot, P.E., the duly authorized representative of Jack Marchbanks, Ph.D., Director of Transportation, pursuant to the provisions of Section 5501.45 of the Ohio Revised Code, for and in the name of the State of Ohio, have signed this instrument at Akron, Ohio, on this the 17th day of May, 2024.

STATE OF OHIO
DEPARTMENT OF TRANSPORTATION


JACK MARCHBANKS, PH.D., Director

By: Gery Noirot, P.E.

STATE OF OHIO, COUNTY OF SUMMIT SS:

BE IT REMEMBERED, that on this the 17th day of May, 2024, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Gery Noirot, P.E., the duly authorized representative of Jack Marchbanks, Ph.D., Director of Transportation, who acknowledged the foregoing instrument to be the voluntary act and deed of the State of Ohio, Department of Transportation. No oath or affirmation was administered to Gery Noirot, P.E. with regard to the notarial act.

IN TESTIMONY WHEREOF, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.



Kristin N. Bergdorf
Resident Summit County
Notary Public, State of Ohio
My Commission Expires:

Kristin Bergdorf
NOTARY PUBLIC
My Commission expires: 4/10/2026

This form RE 74-08 was updated to conform to new notarial language requirements as per Revised Code 147.542.

This document was prepared by or for the State of Ohio, Department of Transportation, on forms approved by the Attorney General of Ohio.

DEED OF CORRECTION
WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS:

TRI-COUNTY INVESTMENT COMPANY, A PARTNERSHIP AKA THE TRI-COUNTY INVESTMENT COMPANY A
That TRI-COUNTY INVESTMENT CO., consisting of JOHN ORESKOVICH, CHARLES I. FOULSEN, RICHARD
WHITE, JOSEPH DELMEDICO and ENGELA DELMEDICO (admitted as one (1) partner and
BURTON D. MORGAN, being all the partners

hereinafter referred to as the grantor (as used herein, Grantor includes the plural and words in the masculine in-
cludes the feminine) in consideration of the sum of ONE THOUSAND THREE HUNDRED ONE AND NO/ 100 -----

----- Dollars (\$ 1,301.00)
to him paid by the State of Ohio, the Grantee, the receipt whereof is hereby acknowledged, does hereby grant,
bargain, sell and convey to the said Grantee, its successors and assigns forever, the following described real estate:

Situated in the Township of Franklin, County of Portage, State of
Ohio, and in ~~Section~~ Lot 3, Town 3-N, Range 9-W, and bounded and described as follows:

6-22-71
PARCEL NO. 56-WD

Being a parcel of land lying on the left side of the centerline of a survey, made by the Depart-
ment of Highways, and recorded in Book 19, Page 14-16, of the records of Portage County
and being located within the following described points in the boundary thereof:

Commencing at the intersection of existing Summit Road (C.H. 148) with existing
Burnett Road (C.H. 95); thence S. 03° 11' 30" W., along the existing centerline of Burnett
Road (C.H. 95), a distance of 1265.44 feet to a point on a proposed northerly limited
access line of S.R. 261, the place of beginning of this conveyed parcel; thence S. 61°
07' 16" W., along said limited access line, a distance of 97.56 feet to a point; thence
N. 03° 11' 30" E., along a proposed westerly right of way line of Burnett Road, a distance
of 227.19 feet to a point; thence continue along said westerly right of way, bearing
N. 42° 12' 08" E., a distance of 83.69 feet to a point on the existing westerly right
of way of Burnett Road; thence S. 86° 48' 30" E., a distance of 30.00 feet to a point
on the centerline of existing Burnett Road; thence S. 03° 11' 30" W., along said centerline,
same being the grantor's easterly property line, a distance of 240.42 feet to the place
of beginning, containing 0.46 acre of land, of which 0.29 acre is to be acquired, and
0.17 acre is within the existing highway right of way.

Grantor retains the rights of ingress and egress to existing Burnett Road (north)
via Cul-de-sac.

Description for the above parcel is based on a survey made by Clifton M. Newhall,
Registered Surveyor Number 2684.

THIS IS A DEED OF CORRECTION TO CORRECT VARIOUS BEARINGS AND DISTANCES FOR DEED
PREVIOUSLY RECORDED IN VOLUME 843 PAGE 567 PER RE-ESTABLISHMENT TO BRIMFIELD-FRANKLIN
TOWNSHIP LINE BY COUNTY ENGINEER.

NO TRANS

O. K. MAP DEPT. *
Date <u>6-27-71</u> <u>CS</u>
KENT <u>3</u> <u>SL 7.1</u>
<u>.46</u>

Grantor claims title by instrument(s) of record in D.B. 807 Page 404 Portage County Recorder's
Office.

TO HAVE AND TO HOLD the real estate with all the rights, privileges and appurtenances thereto belonging to
the Grantee, its successors and assigns forever.

And the said grantor, for himself and his heirs, executors, administrators and assigns does hereby covenant
with the said Grantee, its successors and assigns, that he is the true and lawful owner of the said premises, and has
full power to convey the same; and that the title so conveyed is free and clear from all liens and encumbrances
whatsoever, EXCEPT ZONING ORDINANCES AND UTILITY EASEMENTS OF RECORD

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and further, that he does Warrant at will Defend the same against all claims of all persons whomsoever.

IN WITNESS WHEREOF, the said grantor, who hereby releases all right and expectance of dower herein, has hereunto set his hand this 7TH day of January, 1971.

TRI-COUNTY INVESTMENT COMPANY, A PARTNERSHIP
aka THE TRI-COUNTY INVESTMENT COMPANY
aka TRI-COUNTY INVESTMENT CO.

BY JOHN ORESKOVICH, a Partner

BY CHARLES I. POULSEN, a Partner

BY RICHARD K. WHITE, a Partner

STATE OF OHIO, COUNTY Summit, ss.

BE IT REMEMBERED, That on this 7TH day of January, 1971, before me the subscriber, a Notary Public in and for said county, personally came the above named

and acknowledged the signing of the foregoing deed to be their voluntary act and deed.

In testimony whereof, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

STATE OF OHIO, COUNTY Summit, ss.

BE IT REMEMBERED, That on this 15TH day of January, 1971, before me the subscriber, a Notary Public in and for said county, personally came the above named

and acknowledged the signing of the foregoing deed to be his voluntary act and deed.

In testimony whereof, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

STATE OF OHIO, COUNTY, ss.

BE IT REMEMBERED, That on this day of before me the subscriber, a Notary Public in and for said county, personally came the above named

and acknowledged the signing of the foregoing deed to be voluntary act and deed.

In testimony whereof, I have hereunto subscribed my name and affixed my official seal on the day and year last aforesaid.

Notary Public

This instrument prepared by F. H. Strahl for the State of Ohio, Dept. of Highways

DEED OF CORRECTION
WARRANTY DEED
FROM O.P.W.
TRI-COUNTY INVESTMENT COMPANY,
a Partnership aka
THE TRI-COUNTY INVESTMENT COMPANY aka
TRI-COUNTY INVESTMENT CO.

Address 14 Whitehall Drive
Tallmadge, Ohio 44278
TO THE
STATE OF OHIO

S. R. 261 County Portage
Section 0.00

Parcel No. 56-ND
NO TRANSFER

TRANSFERRED
6/7/91

VICTOR BIASELLA
AUDITOR

Received June 8, 1971

At 9:45 o'clock A.M.

Recorded June 9, 1971

In Portage County

Record of Deeds Vol. Page
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Recorder's Fee \$ 3.50

To the County Recorder:

As soon as this deed has been recorded, it should be returned to the Department of Highways, at

Reverna, Ohio 44266

JOSHUA R. SANDS, SUPV.,
R/W ENGINEERING

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WL

P.R.O.	0.04	Ac.
T.B.A.	0.13	Ac.
TOTAL	0.17	Ac.

FRANKLIN TWP.
BRIMFIELD TWP.

(65 WL)	P.R.O.	0.05	Ac.
	T.B.A.	7.33	Ac.
	<u>TOTAL</u>	<u>7.38</u>	<u>Ac.</u>

P.R.O.	0.16 Ac.
T.B.A.	0.16 Ac.
<u>TOTAL</u>	<u>0.32 Ac.</u>

FRANKLIN TWP. $\frac{D}{L}$ $\frac{8946.44}{S 89^{\circ}-33'E}$
BRIMFIELD TWP.

STELLA BURNETT

55
4/1

181

864.84' $589^{\circ}-47'W$ A

55	P.R.O.	0.11 Ac.
WD	T.B.A.	0.14 Ac.
	<u>TOTAL</u>	<u>0.25 Ac.</u>

55 P.R.O. 0.90 Ac.
WL T.B.A. 17.86 Ac.

TOTAL 18.76 Ac.

P.R.O.	0.10	Ac.
T.B.A.	0.12	Ac.
TOTAL	0.22	Ac.

BRIMFIELD TWP
LOT 7
R-9-W T-2-N

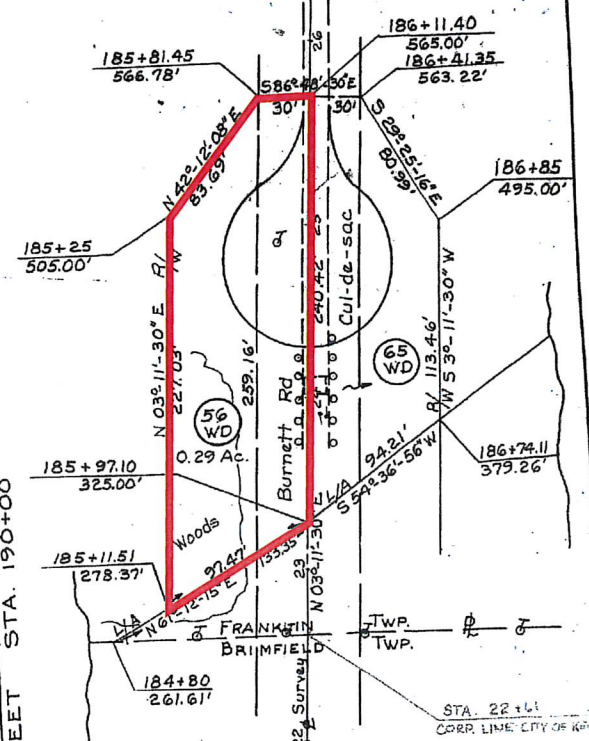
57 WL	P.R.O. 0.37	Ac.
	T.B.A. 42.08	Ac.
	<u>TOTAL 42.45</u>	Ac.

END SHEET STA. 190+00

POR-261-

FED. RD. DIVISION	STATE	PROJECT	
2	OHIO		

197
213

$$\frac{20}{36}$$


RIGHT OF WAY DETAIL
FOR PROPOSED CUL-DE-SAC

Added Pcl. 55 WD-1	1/22/69 R.L.
Change Title & Acreage - Pcl. 57 WL	3/14/69 R.
Completion Date	11/20/68

Page 37 of 45

ORDINANCE NO. 2024 - 115

AN ORDINANCE AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ACCEPT AND ALLOCATE A CENTERS FOR DISEASE CONTROL AND PREVENTION (CDC) FUNDING IN THE AMOUNT OF \$50,000 TO MAINTAIN ACCREDITED STATUS FOR THE CITY OF KENT HEALTH DEPARTMENT, AND DECLARING AN EMERGENCY

WHEREAS, the City of Kent Health Department has been awarded a Centers for Disease Control and Prevention (CDC) funding in the amount of \$50,000 to maintain accredited status; and

WHEREAS, the City wishes to accept said funding.

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

SECTION 1. That Kent City Council hereby authorizes the City Manager, or his designee, to accept the funding from the Center for Disease Control and Prevention (CDC) in the amount of \$50,000 for the City of Kent Health Department to maintain accredited status, and for the Budget and Finance Director to appropriate the award into the proper funds.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Kathleen Coleman
Interim Clerk of Council

I, KATHLEEN COLEMAN, INTERIM CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF **ORDINANCE No. 2024-115**, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON **November 20, 2024**.

(SEAL)

KATHLEEN COLEMAN
INTERIM CLERK OF COUNCIL



CITY OF KENT, OHIO

HEALTH DEPARTMENT

From: Joan Seidel, Health Commissioner

Sent: Tuesday, October 15, 2024

To: Patricia Long

Subject: CDC Funding Acceptance and Allocation

I am asking for Committee time to request Council accept and allocate \$50,000 in funding that is available to the City from the Center for Disease Control (CDC) as a result of the City Health Department becoming accredited.

The CDC is administering this funding through their grant system because that is the most efficient means of distribution, but it is not technically a grant; it is assistance funding provided to health departments that achieve accredited status.

If approved by Council, the funds would be deposited into the Health Department Workforce grant budget line and would be used to support the Department's efforts to maintain accreditation.

DRAFT

RESOLUTION NO. 2024 - 116

A RESOLUTION REQUESTING THE COUNTY AUDITOR TO ADVANCE ANY PROPERTY TAXES THAT HAVE BEEN COLLECTED PRIOR TO THE NORMAL FEBRUARY SETTLEMENT DATE FROM THE PROCEEDS OF THE 2024 TAX YEAR COLLECTION PURSUANT TO SECTION 321.34 OF THE OHIO REVISED CODE, AND DECLARING AN EMERGENCY.

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

SECTION 1. That the County Auditor is hereby authorized and directed to pay to the Director of Budget and Finance of the City of Kent, Ohio, all monies now in the hands, and that may hereafter come into the hands, of the County Treasurer, which are payable to the City of Kent, from the proceeds of the 2024 tax year collection, including, without limitation, revenues from personal property taxes, real property taxes, and special assessments.

SECTION 2. That the Director of Budget and Finance of the City of Kent is hereby authorized and directed to furnish a copy of this Resolution to the County Auditor.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formal action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 4. That this Resolution is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this Resolution is hereby declared to be an emergency measure and shall take effect and be in force immediate after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Kathleen Coleman
Interim Clerk of Council

I, KATHLEEN COLEMAN, INTERIM CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF RESOLUTION No. 2024-116, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON November 20, 2024.

(SEAL)

KATHLEEN COLEMAN
INTERIM CLERK OF COUNCIL



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: October 15, 2024
Re: Advance of Property Taxes Resolution

Dave,

The City is permitted by Section 321.34 of the Ohio Revised Code to request the County advance to the City any property taxes that have been collected prior to the normal February settlement date. Passage of this resolution will enable the City to receive at least a portion of its property taxes approximately four to six weeks prior to the actual settlement date. I am respectfully requesting City Council's approval of a resolution for this purpose to be placed on the City Council agenda for November 6, 2024.

Thank you.

ORDINANCE NO. 2024 - 117

AN ORDINANCE AMENDING ORDINANCE NO. 2023-97, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 20, 2023; SO AS TO ADJUST APPROPRIATIONS, TRANSFERS AND ADVANCES FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2024; AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to amend current appropriations, transfers and advances for the expenses and other expenditures for the City of Kent, Ohio, for the fiscal year ending December 31, 2024.

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

SECTION 1. That the current appropriations Ordinance No. 2023-97 passed December 20, 2023, as amended by Ordinance No. 2024-17, passed 2/21/24, as amended by Ordinance No. 2024-44, passed 5/15/24, as amended by Ordinance 2024-056, passed 6/19/24, as amended by Ordinance 2024-70, passed 7/24/24, as amended by Ordinance No. 2024-84, passed 8/21/24 be amended as set forth in Exhibit "A", attached hereto and incorporated herein, so as to increase appropriations in Fund 001, General; Fund 124, Income Tax Safety; Fund 128, Fire & EMS; and decreasing Fund 201, Water; Fund 202, Sewer; and Fund 301, Capital Improvements and Declaring an Emergency.

SECTION 2. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting of this Council and that all deliberations of this Council, and of any of its committees that resulted in such formation action, were in meetings open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

SECTION 3. That this Ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reason manifest to this Council this Ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediate after passage.

PASSED: _____
Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Kathleen Coleman
Interim Clerk of Council

I, KATHLEEN COLEMAN, INTERIM CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF ORDINANCE No. 2024-117, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON November 20, 20 24.

(SEAL)

KATHLEEN COLEMAN
INTERIM CLERK OF COUNCIL



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: October 22, 2024
Re: FY2024 Appropriation Amendment #6

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

Fund 001 – General

Increase \$ 70,000 Law / Other (O&M) – Add'l appropriations to cover additional legal services for 2024

Fund 124 – Income Tax Safety

Increase \$ 22,190 Income Tax Safety / Other (O&M) – Reappropriate First Responder Recruitment Grant funds received in 2023 to be paid in 2024, per N. Shearer 10/22/24 memo.

Fund 128 – Fire & EMS

Increase \$ 11,810 Fire & EMS / Other (O&M) – Reappropriate First Responder Recruitment Grant funds received in 2023 to be paid in 2024, per N. Shearer 10/22/24 memo.

Fund 201 – Water

Decrease \$ (200,000) Water / O&M – Reduce appropriate due to bids higher than expected for the Wellfield Devlp, project moved to 2025, per J. Bowling 10/8/24 memo.

Fund 202 – Sewer

Decrease \$ (100,000) Sewer / O&M – Reduce appropriate of the Motor Control Replcmt due to higher priority projects postponing expense, per J. Bowling 10/8/24 memo.

Fund 301 – Capital Improvements

Decrease \$ (150,000) Capital / SVC – Capital Facilities – Red approp. for Walnut St. Phase 2 Reconst due to lower than expected costs, per J. Bowling 10/8/24 memo.

Decrease (150,000) Capital / SVC – Capital Facilities – Red approp. for the Hudson Rd. Improvement since project being delayed by Franklin Township, per J. Bowling 10/8/24 memo.

Decrease (50,000) Capital / SVC – Capital Facilities – Red approp. for Franklin/Erie Street Curb Ext since it is being included with a diff project, per J. Bowling 10/8/24 memo.



LAW DEPARTMENT MEMORANDUM KENT, OHIO

To: Rhonda Hall, Budget and Finance Director
From: Hope L. Jones, Law Director
Date: August 26, 2024, Revised 10/8/2024
Re: Appropriation Request

Ms. Hall,

I have used much more money on Professional Services this year than expected. I am requesting that \$70,000 be added to the Law Department's fund 001-06-570-707-7340. If you have any questions regarding this request, I would be happy to talk to you.

Thank you, Rhonda.

Hope

Kent Police Department

MEMORANDUM

#

To: Kent City Council
Dave Ruller, City Manager
From: Chief Nicholas Shearer
Date: October 17, 2024
Subject: Grant Funding-Reappropriation

This memorandum serves as a request funds be reappropriated from 2023 to 2024 for the Ohio EMA ARPA recruiting grant. In 2023, we received a grant and had funds appropriated in the amount of \$34,000 for the purpose of first responder recruiting. After issuing a request for qualifications, we received a bid on this project in the amount of \$31,500. I am requesting this amount be reappropriated from 2023 to 2024 so we can execute this contract.

These funds should be appropriated to the following accounts for this project:

124-01-510-102-7340-\$22,190.00
128-01-510-108-7340-\$11,810.00

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Rhonda Hall
Dave Ruller

FROM: Jim Bowling

DATE: October 8, 2024

RE: Appropriations Modification Request - **REVISED**

The Service Department is requesting to modify the appropriations for the following projects scheduled for 2024.

- **Wellfield Development (2011WTP004)** – We are requesting to reduce the appropriations by \$200,000 from the Water Fund for the project. Estimates for the next phase in this project came in significantly higher than previously budgeted and therefore will be programmed for 2025.
- **Walnut Street Reconstruction – Phase 2 (2019CIP009)** – We are requesting to reduce the appropriations by \$150,000 from the Capital Fund for the project. The project was bid and the costs came in lower than budgeted. Construction will be completed this year and the appropriations will not be needed.
- **Hudson Road Improvements (2023CIP007)** - We are requesting to reduce the appropriations by \$150,000 from the Capital Fund for the project. This project is being led by Franklin Township and they had to delay the project due to construction cost increases.
- **Franklin/Erie Curb Extension (2020CIP008)** - We are requesting to reduce the appropriations by \$50,000 from the Capital Fund for the project. This appropriation is not needed as the work is included in the development of 211 Franklin Street.
- **Motor Control Center Replacement (2014WRF004)** - We are requesting to reduce the appropriations by \$100,000 from the Sewer Fund for the project. Higher priority needs have required this project to be postponed.

The net effect of the above requests to the respective funds are shown below:

- Water Funds – (-\$200,000)
- Sewer Funds – (-\$100,000)
- Capital Funds – (-\$350,000)

We appreciate the consideration of these requests.

Please let me know if there are any questions.

DRAFT

c: Melanie Baker
 Brian Huff
 Cori Wimer
 Bill Schesventer
 John Ellison
 Gary Labajetta
 Jon Giaquinto
 Pat Homan
 Cathy Wilson