



City of Kent
CHARTER REVIEW COMMISSION
319 S. Water Street, Kent, Ohio 44240

Tuesday, June 17, 2025

6:00pm

AGENDA

CALL TO ORDER

Roll call

APPROVAL OF MINUTES

June 10, 2025 minutes

REVIEW OF PROPOSED LANGUAGE FOR REVISED ARTICLES

- Preamble
- Article V – The Council and Mayor
 - 5.01 – Number, Selection, Term
 - 5.03 – Removal
 - 5.15 – Recall Petition and Election
- Article VI – City Manager
 - 6.03 – Acting City Manager
 - 6.04 – Duties of City Manager
- Article VII – Administrative Departments
 - 7.03(E) – Director of Public Safety
- Article VIII – Boards & Commissions
 - 8.03 – Parks and Recreation Board
 - 8.07 – Charter Review
- Article IX – Elections
 - 9.02 Nonpartisan Elections
- Article XII – Miscellaneous
 - 12.03 – Obsolete Language

PUBLIC DISCUSSION

NEW BUSINESS

OLD BUSINESS

ADJOURNMENT

PREAMBLE

We, the people of the City of Kent, Ohio, grateful to ~~Almighty God~~ for the freedoms we enjoy, pursuant to the provisions of the Constitution of the State of Ohio, extending to municipalities the privilege of "Home-rule" in order to secure for ourselves and posterity practical and efficient methods in administering the affairs of the City, to protect the interests and insure the continued welfare of the community and to enjoy all the privileges of local self-government, do adopt this Charter.

5.01 NUMBER, SELECTION, TERM.

Until enlarged by the procedures established by the general laws of the State of Ohio, the Council shall be composed of ~~seven~~ **nine** members, three of whom shall be elected at large and ~~four~~ **six** of whom shall be elected from wards. (~~EDITOR'S NOTE: Council is now composed of six members elected from wards and three members selected at large.~~)

During the years 1964 and 1965, the Council shall be composed of the seven members elected to Council at the November 5, 1963, regular municipal election, or any successor appointed to fill a vacancy.

At the regular municipal election to be held in the year 1965, four members shall be elected from wards, one from each ward, for a two-year term expiring December 31, 1967. At the regular municipal election to be held in the year 1965 and every fourth year thereafter, members elected at large shall be elected for four-year terms. At the regular municipal election to be held in the year 1967 and every fourth year thereafter, members shall be elected from wards, one from each ward, for four-year terms.

All members of Council shall assume office on the first day of January next following their election.

5.03 REMOVAL.

The Council shall be the judge of the election and qualifications of its own members. It may remove any member for gross misconduct, or malfeasance in or disqualification for office, or for conviction while in office for a crime involving moral turpitude **as defined by the Ohio Revised Code**, or if adjudicated legally incompetent, or for a violation of the oath of office or persistent failure to abide by the rules of Council, or absence from three consecutive regular meetings of the Council unless one or more of such absences shall have been excused by the Council; provided, however that such removal shall not take place without the affirmative vote of three-fourths of the remaining members of Council nor until the accused member shall have been notified in writing of the charge or charges against him or her at least fifteen days in advance of a public hearing upon such charge or charges and the member or member's counsel shall have been given an opportunity to be heard, present evidence, and examine, under oath, all witnesses appearing in support of such charge or charges. The accused member shall not vote on the question of removal. (Amended 11-7-95)

5.15 RECALL PETITION AND ELECTION.

The electors shall have the power to remove from office by recall election any elected officer of the City. If an elected officer shall have served for six months of a term, a petition demanding such officer's removal may be filed with the Clerk of Council who shall note thereon the name and address of the person filing the petition and the date of such filing. Such petition shall be signed by at least that number of electors which equals 20% of the total number of votes cast at the next preceding regular municipal election in the City of Kent. In the case of a ward council person the required number of electors shall equal 20% of the total number of votes cast in that ward at the next preceding regular municipal election. Within ten days after the day on which such petition shall have been filed, the Clerk shall determine whether or not it meets the requirements hereof. If the Clerk shall find the petition insufficient, the Clerk shall promptly certify the particulars in which the petition is defective, deliver a copy of this certificate to the person who filed the petition, and make a record of such delivery. Such person shall be allowed a period of twenty days after the day on which such delivery was made in which to make the petition sufficient. If the Clerk shall find the petition sufficient, the Clerk shall promptly so certify to the Council, shall deliver a copy of such certificate to the officer whose removal is sought, and shall make a record of such delivery. If such officer shall not resign within five days after the day on which such delivery shall have been made, the Council shall thereupon fix a day for holding a recall election, not less than sixty nor more than seventy-five days after the date of such delivery. At such recall election this question shall be placed on the ballot: "Shall (naming officer) be allowed to continue as (naming the office)?" with provision on the ballot for voting affirmatively or negatively on such question. If a majority of the votes cast at such election shall be voted affirmatively, such officer shall remain in office. If a majority of the votes cast shall be voted negatively, such officer shall be considered as removed, the office shall be deemed vacant, and such vacancy shall be filled as provided in this Charter. ~~The officer removed by such recall election shall not be eligible for appointment to the vacancy created thereby.~~ **An officer removed by recall shall not be eligible for appointment to the vacancy created by their own removal, nor shall they be eligible for appointment to any other vacant office of the City for a period of one year following the election in which they were recalled.**

6.03 ACTING CITY MANAGER.

By letter filed with the Clerk of Council, the Manager shall, within sixty (60) days of appointment, designate, subject to approval of the Council, a qualified City Administrative officer to exercise the powers and perform the duties of Manager during any absence or ~~disability~~ **inability to perform such duties**. During such absence or disability, the Council may revoke such designation at any time and appoint another qualified City administrative officer to serve until the Manager shall return, the disability shall cease, or a new manager is appointed.

6.04 POWERS AND DUTIES OF THE CITY MANAGER.

The City Manager shall be the chief administrative officer of the City. The Manager shall be responsible to the Council for the administration of all City affairs placed in his or her charge by or under this Charter. The Manager shall have the following powers and duties:

A) Appoint and, when he or she deems it necessary for the good of the service, suspend or remove all City employees and appointive administrative officers provided for by or under the Charter, except as otherwise provided by law, the Charter, or personnel rules adopted pursuant to this Charter. He or she may authorize any administrative officer who is subject to the direction and supervision of the Manager to exercise these powers with respect to subordinate officers in that department, office or agency.

B) Direct and supervise the administration of all departments, offices and agencies of the City, except as otherwise provided by this Charter.

C) Attend all Council meetings and shall have the right to take part in discussion but may not vote.

D) See that all laws, provisions of this Charter and acts of Council, subject to enforcement personally or by officers subject to his or her direction and supervision, are faithfully executed.

E) Prepare and submit to Council and make available to the public, an annual budget providing a complete financial plan of all City funds and activities for the ensuing fiscal year which, except as required by law or this Charter, shall be in such form as the Manager deems desirable unless Council requires otherwise. He or she shall explain the budget both in fiscal terms and in terms of work programs, including any major changes from the current year in financial policies, expenditures, and revenues, together with the reasons for such changes, and a summary of the City's debt position.

F) Prepare and submit annually to the Council and make available to the public, a capital program to including a list of all capital improvements proposed, pending, or in process of construction or acquisition, with appropriate supporting information as to the necessity for such improvements. The capital program shall further include cost estimates, methods of financing and recommended time schedules for each such improvement and the estimated annual cost of operating and maintaining the facilities to be constructed or acquired.

G) Submit to the Council and make available to the public a complete report on the finances and administrative activities of the City as of the end of each fiscal year.

H) Make such other reports as the Council may require concerning the operations of City departments, offices and agencies subject to his or her direction and supervision.

I) Keep the Council fully advised as to the financial condition and future needs of the City and make such recommendations to the Council concerning the affairs of the City as he or she deems desirable.

J) Perform such other duties as are specified in this Charter or may be required by the Council. (Amended 11-4-75.)

K) The City Manager shall be recognized as head of the City government by the Governor, or other designated State of Ohio authorities, for purposes of military law and Emergency Management, with timely notice to the Mayor and the City Council whenever this particular authority is exercised. (Added 11-8-2005)

L) The City Manager will annually submit and Economic Development Strategic Plan to the Council and the public. The Plan will outline goals and objectives for achieving and maintaining a sustainable Kent economy. The yearly review will report on performance and metrics and resource needs for strategy implementation. The report shall also include a five year forecast.

7.03 (E) DIRECTOR OF SAFETY

1) QUALIFICATIONS.

The Director of Safety shall have the experience, training and knowledge which shall qualify him or her, in the opinion of the Manager, for appointment to that office.

2) DUTIES.

The Director of Safety shall make all necessary rules and regulations for the government of the Department of Safety and the several divisions thereof, including Emergency Management, and shall be charged with the duty of enforcing all police, health, safety and sanitary regulations that may be prescribed by ordinances or rules of the City or the general laws of the State of Ohio. The Director shall perform such other duties, consistent with the office, as may be required by this Charter, by ordinance, or as directed by the Manager.

3)

The Director of Safety shall ensure that all citizens have the ability to obtain complaint forms in an anonymous manner and that those forms be available in different locations, such as City Hall and on the City's official website.

4)

The Director of Safety shall present an annual report to Council of all public safety complaints and the status of each that were received the previous year.



LAW DEPARTMENT MEMORANDUM KENT, OHIO

To: The Charter Review Commission
Cc: Kathleen Coleman, Council Clerk
From: Hope L. Jones, Law Director
Date: June 16, 2025
Re: Proposed Amendment-Parks and Recreation

Commission,

I proposed the following change to Article VIII, Section 8.03 (**bold in proposed language, strikethrough is current language**):

8.03 PARK AND RECREATION BOARD.

The Park and Recreation Board shall consist of five (5) members who are electors of the City. Four (4) members shall be appointed by the Council and one (1) member shall be appointed by the Board of Education and they shall serve without compensation for terms of five (5) years; provided, however, that members of the present Board of Park Commissioners and Recreation Commission shall complete their unexpired terms as the initial members of the Park and Recreation Board. Thereafter, successors shall be appointed as follows: one (1) by the Council for a five (5) year term commencing January 1, 1976; one (1) by the Board of Education for a five (5) year term commencing January 1, 1977 and one (1) by Council for a three (3) year term beginning January 1, 1977; thereafter, each member shall be appointed for a five (5) year term and shall continue in office until a successor is appointed.

The Board shall elect one of its own members as chairman to serve a term of two (2) years. Vacancies on the Board shall be filled in the same manner as original appointments were made. The organization and duties of the Board shall be as provided for in the ordinances of Council. ~~The Park and Recreation Board shall be subject to the purchasing, and financial appropriations and other regulatory ordinances~~

~~or resolutions of City Council, but shall have the power and duty to employ a Director subject, however, to the confirmation of such employment by a majority of the members of Council, and such other employees as are necessary to the execution of its duties and~~
it- The Board shall advise the Director and Council regarding Parks and Recreation development opportunities, control, equipment, recreational offerings, master planning, and any other item brought before the Board by the Director. and manage playgrounds, playfields, gymnasiums, swimming pools, indoor recreation centers and any lands or buildings owned by the City for park or recreation purposes. The Director shall be responsible to the Park and Recreation Board the City Manager and shall not be subject to civil service. The Park and Recreation Board may remove the Director or such other employees for cause.

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8.07 CHARTER REVIEW.

Beginning in 2030 and every five (5) years, the Council shall appoint a Charter Review Commission to review the provisions of this Charter and make such recommendations to the Council for its amendment as the Commission may deem appropriate. The Commission shall consist of nine (9) residents of the Municipality, not holding any other elected or appointed office in the Municipality. Council shall endeavor to select a Commission that is a diverse cross section of the City keeping in mind age, race, ethnicity, and ensuring each ward is represented.

The Commission shall meet at least once a month and shall report its findings and recommendations to the Council within six (6) months after its first meeting. Upon receiving the report, Council shall publish it and consider its recommendations; Council may submit any proposed amendments to the electors in accordance with the Constitution and laws of the State of Ohio. The Council shall appropriate sufficient funds to the Commission for staff help or costs related to copying, meeting space, or other related administrative expenses.

9.02 Nonpartisan Elections

All elections for the office of Mayor and members of City Council shall be conducted on a nonpartisan basis. No political party designation or affiliation shall appear on any nominating petition or ballot for any City elective office. A primary election shall be held when more than two persons have filed valid nominating petitions for the same office. In such case, all qualified candidates shall appear on a single, nonpartisan primary ballot. The names of the two candidates receiving the highest number of votes for each office in the primary election shall be certified to the general election ballot, regardless of political affiliation. If two or fewer candidates qualify for an elective office, no primary election shall be held for that office, and the names of all qualified candidates shall appear on the general election ballot. The procedures for the conduct of such nonpartisan elections, including filing deadlines, ballot preparation, and canvassing of results, shall be in accordance with the general laws of the State of Ohio, except as otherwise provided in this Charter.

12.03 Deletion of Obsolete Language, Rearrangement, Reprinting and Correction of Typographical Errors in the Charter

The Director of Law, with the approval of Council, may delete any Charter language that has become obsolete as a result of the passage of time, an amendment to the Charter or the preemption of State or Federal law. No such change shall be made that affects the substance or meaning of this Charter or any part thereof or amendment thereto. All deletions must be set forth in a Staff Note detailing the date of the deletion accompanied by a brief explanation. The location of the Staff Notes will be at the end of the Charter. Following any election at which an amendment to the Charter is adopted or at any time when obsolete language is deleted, the Director of Law with the approval of Council, may, prior to reprinting the Charter, make such changes therein, including the numbers, titles and arrangement of articles and sections hereto, as may be necessary or desirable to maintain or assure the logical and consistent ordering thereof, but no such change shall be made in such a way as to affect the substance or meaning of this Charter or any part thereof or amendment thereto. The Director of Law may correct typographical errors appearing in the Charter, but shall make no change that will affect the substance or meaning of this Charter or any part thereof or amendment thereto. (