



City of Kent
CHARTER REVIEW COMMISSION

319 S. Water Street, Kent, Ohio 44240

Tuesday, June 24, 2025

6:00pm

AGENDA

CALL TO ORDER

Roll call

APPROVAL OF MINUTES

June 10, 2025 minutes

June 17, 2025 minutes

REVIEW OF PROPOSED LANGUAGE FOR REVISED ARTICLES

- **Article V – The Council and Mayor**
 - 5.01 – Number, Selection, Term
- **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

PUBLIC DISCUSSION

NEW BUSINESS

OLD BUSINESS

ADJOURNMENT

City of Kent Charter Review Commission Meeting

319 S. Water St., Kent, Ohio 44240

June 10, 2025

MINUTES

Prepared from video recording

Present: Jason Gartland; Tom Mahon; Dawn Albright; Barb Hipsman-Springer; Julie Hurd-Schmidt; Craig Berger; Jeff Roeger; Don Schjeldahl; Jasmine Jefferson;; Adam Stephens; Brian Bialik; Todd Milton; Emma Kelly; Kai Carpenter; Darlene Rocco

Also Present: Hope Jones, Law Director; Roger Sidoti, Council-at-Large

- Adam called the meeting to order.
- Motion to approve minutes from 5/27/25 meeting was made by Brian; seconded by Barb and carried by unanimous voice vote.
- The commissioners reviewed Articles VII-XII. Discussion included:

Article VII – Boards and Commissions

8.03 Park and Recreation Board

Roger Sidoti explained to the commission that there is a widely held misbelief that Parks and Recreation is separate from the City, but in fact it is not. He suggested providing clarity in the Charter to help dispel that misbelief. Hope will develop some language.

8.07 Charter Review

Discussion included specifying a diverse demographic for Charter Review commission; changing membership from 15 to 9 members; and holding charter review every 5 years instead of ten. Note was made that operational items can be suggested along with suggested amendments, but should not be part of the amendment itself.

Straw poll: Include aspiration for the commission to include a cross section of the population; change membership to 9; and hold charter review every 5 years.

MAJORITY: YES

Article IX – Elections

9.02 General Laws to Apply

All elections non-partisan: discussion around process involved, other municipalities who conduct non-partisan elections, and general support for the idea of reflecting local concerns rather than national politics.

Straw poll: Change 9.02 to state that elections in the City of Kent will be non-partisan. MAJORITY: YES

Article XII – Miscellaneous

12.03 Rearrangement and Reprinting of Charter

Discussion regarding wording, adding notes to end. Discussion about the power of law director/council vs. the voters. Will continue to work on.

Straw poll: Replace 12.03 with alternative wording TBD. Majority: YES

There being no further business, the meeting was adjourned at 8:15.

The next meeting will be held on June 17, 2025 at 6:00pm at City Hall.

City of Kent Charter Review Commission Meeting

319 S. Water St., Kent, Ohio 44240

June 17, 2025

MINUTES

Present: Jason Gartland; Tom Mahon; Dawn Albright; Barb Hipsman-Springer; Julie Hurd-Schmidt; Craig Berger; Jeff Roeger; Don Schjeldahl; Jasmine Jefferson; Adam Stephens; Brian Bialik; Todd Milton; Kai Carpenter; Darlene Rocco

Also Present: Hope Jones, Law Director; Kathy Coleman, Clerk of Council; Roger Sidoti, Council-at-Large; Melissa Celko, Ward 1 Council member

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- Adam called the meeting to order at 6:00pm.
 - The commissioners reviewed proposed changes to Articles. Discussion included:
 - **PREAMBLE**
Motion to approve amended version of Preamble as previously discussed, i.e., removal of the phrase “to Almighty God,” was made by Craig, seconded by Brian, and passed 9-5. *Amended.version.will.be.submitted.to.Council.for.approval;*
 - **5.01 NUMBER, SELECTION, TERM**
Discussion of updates to wording to reflect size of Council and reference to ward boundary changes due to census. Motion to update language and return for vote was made by Don, seconded by Jasmine, and carried 14-0.
 - **5.03 REMOVAL**
Motion to approve amended version of 5.03 as previously discussed, i.e., addition of the phrase “as defined by the Ohio Revised Code” after the phrase “moral turpitude” was made by Brian, seconded by Don, and carried 11-3. *Amended.version.will.be.submitted.to.Council.for.approval;*
 - **5.15 RECALL PETITION AND ELECTION**
Motion to approve amended version of 5.15 as previously discussed, i.e., replacement of last sentence with “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” was made by Jasmine, seconded by Craig, and carried 14-0. *Amended.version.will.be.submitted.to.Council.for.approval;*

- **6.03 ACTING CITY MANAGER**

Motion to approve amended version of 6.03 as previously discussed, i.e., replace the word “disability” with “inability to perform duties” was made by Barb, seconded by Jason, and carried 14-0. *Amended.version.will.be.submitted.to.Council.for.approval;*

- **6.04 POWERS AND DUTIES OF THE CITY MANAGER**

Discussion regarding the addition of another component to the City Manager’s responsibilities, to wit: “The City Manager will annually submit an 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, report on performance and metrics and resource needs for strategy implementation, include a 5 year forecast, and include any other section required by City Council.” Motion to update the language and return for vote was made by Brian, seconded by Craig, and carried 13-1-0.

- **7.03(E) DIRECTOR OF SAFETY**

Discussion regarding the addition of two components to the Director of Safety’s responsibilities, to wit: “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” and “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.” Concerns included: the tone of the language being punitive; the language not being clear enough, i.e., “public safety complaints” could be misinterpreted, it should specify personnel or processes, not generalized complaints; lack of a timeline; due process not being supported; and not holding the DoS accountable enough. After discussion, it was decided that a subcommittee would be formed to continue working on this section. Jason and Tom volunteered and other members were asked to participate.

- **8.07 CHARTER REVIEW**

Discussion regarding amended version of 8.07 as previously discussed, i.e., addition of specific process timeline, and number and diversity of members. Further discussion revolved around including an introductory meeting with council and the public; ensuring the commission was in place by the first of the year in which it would review the Charter; and other time-related considerations to ensure the commission had enough time to conduct a thorough review.

Motion to continue fine tuning and return for vote was made by Jason, seconded by Craig, and carried 14-0.

- 9.02 NONPARTISAN ELECTIONS

Discussion regarding amended version of 9.02 as previously discussed, i.e., declaration that all elections for Mayor and City Council be conducted on a nonpartisan basis. Further discussion around what would trigger a primary and associated processes. Motion to include language about the primary process and return for vote was made by Barb, seconded by Kai, and carried 14-0.

- 12.03 DELETION OF OBSOLETE LANGUAGE, REARRANGEMENT, REPRINTING AND CORRECTION OF TYPOGRAPHICAL ERRORS IN THE CHARTER

This article was pulled from discussion by Hope.

- MISCELLANEOUS

- Motion to officially invite department heads to remaining Charter Review meetings was made by Jason, seconded by Tom, and carried 14-0
- Parks and Recreation will be discussed at the next meeting.

- ADJOURNMENT

There being no further business, motion to adjourn was made by Craig, seconded by Tom, and carried 14-0. The meeting was adjourned at 8:28pm.

The next meeting will be held on June 24, 2025 at 6:00pm at City Hall.

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 elected 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.

If the city changes ward lines following a decennial census or by ordinance for another reason, a council member who was elected from one ward, but now resides in another, shall complete the remainder of their council term. In the election following the member's four-year term, said member must run in the newly drawn ward in which they reside.

BARB

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 inability to perform relevant duties**, ~~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, **is able to perform relevant duties**, 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 an 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; include a five year forecast; and include any other information required by council's goals and objectives.

Proposed Charter Amendment — City of Kent, Ohio

Section 7.0.3 (E) (3) – Public Safety Complaint Form Access and Reporting Requirements

(A) Establishment of Complaint Forms

The Director of Public Safety shall be responsible for the creation, maintenance, and public availability of complaint forms for units within the Department of Public Safety, specifically including:

1. The Kent Police Department;
2. The Kent Fire Department including Emergency Medical Services (EMS).

Each complaint form shall be made available for download and electronic submission through the official website of the City of Kent. The electronic version shall include functionality to accept electronic signatures consistent with the requirements of Chapter 1306 of the Ohio Revised Code (Ohio's Uniform Electronic Transactions Act). A unique case reference number will be issued for the tracking of said complaints.

(B) Physical Access and Submission

Printed versions of the aforementioned form shall be made available at City Hall, at no cost and without inquiry as to the reason for the request, to any person. The City shall accept submission of completed physical forms by:

1. United States Mail; and
2. In-person delivery to City personnel designated by the City who are not directly employed by, or subordinate to, the Kent Police Department, Fire Department, or EMS.

(C) Annual Reporting to Council

The Director of Public Safety shall submit an annual report to City Council no later than March 1 of each calendar year, detailing all public safety complaints received in the preceding calendar year relating to the Police Division, and Fire Division including EMS. The report shall also include updates on any investigations that remain open at the time of reporting.

The annual report shall include, at minimum:

1. A summary of the investigative findings for each closed complaint received;
2. The names, titles, and/or ranks of all personnel identified in each closed complaint;
3. The final disposition or outcome of each closed investigation, including any disciplinary actions taken; and
4. The number of open investigations, listed with the case reference number

City Council shall retain authority to request additional information, records, or supplemental reporting as may be necessary to ensure transparency and accountability within the Department of Public Safety.

Updated 6/21/2025

7.0.3 (E) Director of Safety

3) Additional Duties

The Director of Safety shall be responsible for the creation of and making publicly available unique complaint forms for each safety department, which includes the police department, fire department, and EMS. These complaint forms must be available on the City of Kent website and able to be submitted through the website. These complaint forms must also be available in print at City Hall, at no cost and without question as to why the form is requested. Submission of printed forms must be available through mail and hand delivered to designated City Hall Employees that may not have a direct connection to the police department, fire department, or EMS. Failure of the Director of Safety to provide access or acceptance of these complaint forms shall have committed malfeasance.

The Director of Safety shall be required to present annual reports to City Council of each safety departments' complaints which includes the police department, fire department, and EMS. Each annual report shall be completed and presented to City Council by March 1, of each year. Each report shall contain all complaints submitted in the prior year, plus updates of all open complaints from all prior years. The reports shall include the following information on closed complaints: accurate summaries of each complaint, name(s) of the municipal personnel involved in each complaint, and outcomes of each complaint. The reports shall include the following information on open complaints: general topic of each complaint, names(s) of the municipal personnel involved in each complaint, and number of days since the complaint was submitted. Additional sections for these report may be requested by City Council. City Council may also request additional reports on open complaints.



Closed Complaint

Complaint Summary	Municipal Personnel Involved	Outcome of Complaint
<u>Destruction of Property</u> Officer broke the homeowner's video doorbell.	Officer Terry	Officer ordered to attend training on homeowner property rights and The City replaced the homeowner's video doorbell.
<u>Misuse of Emergency Equipment</u> Officer activated the cruiser emergency equipment to go through a stop light without responding to an emergency call.	Officer Brady	Officer ordered to attend training on proper use of emergency equipment and forfeited 3 vacation days.
<u>Misuse of Emergency Equipment</u> Officer activated the cruiser emergency equipment to go through a stop light then turned off the equipment in response to a silent emergency call.	Officer Miranda	Officer was found to have acted properly. Complainant was informed that the officer acted appropriately as they were responding to a no light, no siren, silent emergency call.

Open Complaint

Complaint Topic	Municipal Personnel Involved	Days Open*
Destruction of Property	Officer Terry	900 days
Misuse of Emergency Equipment	Officer Brady	180 days
Misuse of Emergency Equipment	Officer Miranda	100 days**

*Since this is a calendar year report if the complaint is submitted in December, complaints can be closed up to the date of the annual report. If the report were delivered to City Council in March then even a December 28th complaint will have been open for 60+ days.

**As we know above Officer Miranda acted properly. City Council when finding out more information, may ask why it is taking 100+ days to clear Officer Miranda and inform the complainant that the officer acted appropriately.

**Proposed Amendment to 8.07
SECOND DRAFT**

8.07 Charter Review

Beginning in 2030 and every five (5) years thereafter, 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, gender, ethnicity, and ensuring each ward is represented. The term of the Commission shall end immediately following Council’s final vote on the Commission’s recommended amendments.

The President Pro-Tem of Council shall be responsible for launching the Charter Review process in the October preceding the year in which the review is to occur. The President Pro-Tem shall direct the Clerk of Council to create and publish an application for prospective Commission members by October 1st of the year preceding the review year with a submission deadline of October 31st; the Clerk of Council shall collect all completed applications and make them available to every member of Council for their review. All nine members of the Commission shall be formally appointed by Council no later than November 30th preceding the review year.

At its initial organizational meeting, the Commission shall elect from among its members a Chair and Vice-Chair, who shall preside over its meetings. Following the Commission’s organizational meeting, the President Pro-Tem of Council shall work with the Chair and Vice-Chair to host an Introductory Meeting by February 1st of the review year that is open to the public and to which members of Council, city employees, and Charter Review Commissioners are invited. This meeting shall minimally provide information about the Charter, its role in governing the City, the Charter Review process, the roles of Commissioners, Council members, city employees, and members of the public throughout the process, and an established timeline. The Introductory Meeting shall be recorded and made publicly available no later than one week following its occurrence.

The Commission shall meet at least once a month and shall provide an interim report of its progress to Council by April of the review year. During the Charter Review process, the Commission shall host at least one public meeting in addition to the Introductory Meeting to present proposed amendments and collect public feedback. The public meeting shall be recorded and made publicly available no later than one week following its occurrence.

Following the second public meeting and no later than June 15th, the Commission shall report its final findings and recommendations to the Council. Upon receiving the

Commission's 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; should it submit proposed amendments to the electors, Council will appropriate the requisite funds for associated ballot expenses. The Council shall appropriate sufficient funds to the Commission for staff help, costs related to copying, meeting space, or other related administrative expenses.

DRAFT

**Proposed Amendment to 9.02
SECOND DRAFT**

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 office of Mayor or for a City Council ward seat. In such cases, all qualified candidates shall appear on a single, nonpartisan primary ballot, and the names of the two candidates receiving the highest number of votes shall be certified to the general election ballot, regardless of political affiliation.

A primary election shall also be held when more than six persons have filed valid nominating petitions for the three at-large City Council seats up for election. In such cases, all qualified candidates shall appear on a single, nonpartisan primary ballot, and the names of the six candidates receiving the highest number of votes shall be certified to the general election ballot, regardless of political affiliation.

If two or fewer candidates qualify for an elective office for which only one seat is to be filled, or six or fewer candidates qualify for the three at-large City Council seats, no primary election shall be held for that office or offices, 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.