



City of Kent
City Council Committee Meeting
319 S. Water St., Kent Ohio 44240

February 4, 2026

MINUTES

CALL TO ORDER

Mayor Jack Amrhein called the Committee meeting to order at 7:00pm.

Present: Ms. Melissa Celko; Mr. Jeff Clapper; Mr. Eric Dreger; Mr. Chris Hook; Ms. Heidi Shaffer Bish; Mr. Benjamin Tipton; Mr. Robin Turner; Ms. Sarah Wesley

Also Present: Mr. Jack Amrhein, Mayor and President of Council; Ms. Kathy Coleman, Clerk of Council; Mr. Dave Ruller, City Manager; Ms. Hope Jones, Law Director; Mr. Jamie Samels, Fire Chief; Joan Seidel, Health Commissioner; Mr. Jim Bowling, City Engineer; Dominique Bollenbacher, Community Outreach Coordinator; Ms. Bridget Susel, Community Development Director; Ms. Rhonda Hall, Finance Director; Mr. Nick Shearer, Police Chief; Sgt. Jim Fuller, KPD; Ofc. Matt Brooks, KPD

MOTION TO EXCUSE MS. WALLACH was made by Mr. Clapper, seconded by Mr. Hook, and carried by unanimous voice vote.

PUBLIC HEARING – Local Historic Property Designation: 237 E Main Street

No public comment.

PUBLIC HEARING – Placement of Land in Agricultural District Application

PPN 17-046-00-00-019-009

See attached summary.

COMMITTEES

Land Use – Chair Clapper/Vice-Chair Hook

Placement of Land in Agricultural District

Pursuant to the public hearing and subsequent discussion of Eric Kolb/Kolb Acres' application for Placement of Farmland in an Agricultural District, Ms. Celko moved to have prepared findings of facts and conclusions to deny the application pursuant to ORC 929.02. Ms. Shaffer Bish seconded the motion and it carried by unanimous roll call vote.

Committee of the Whole – Chair Amrhein/Vice-Chair Clapper

Interview for Civil Service Commission – Kai Carpenter

Ms. Carpenter was interviewed for a position on the Civil Service Commission. She related a positive experience serving on the Charter Review Board and expressed interest in further serving the community. She was advised that the decision on the appointment would be made a special meeting to be held after the committee meeting, and she would be notified of the results by email.

Community Development Committee-Chair Shaffer Bish/Vice-Chair Wallach

Local Historic Designation: 237 E. Main St. (Kent Historical Society)

Ms. Susel reported that the City received a request for a local historic designation for the building at 237 East Main St., which is the home of the Kent Historical Society. The Design and Preservation Committee unanimously recommended this designation. Julia Kenworthy, the executive director of the society, detailed the home's historical significance, noting its ties to the Kent family and emphasizing its restored integrity.

MOTION TO APPROVE THE HISTORICAL DESIGNATION was made by Mr. Clapper, seconded by Ms. Celko, and carried by unanimous voice vote.

Acquisition Assistance Agreement: Copen Machine for 200 W. Williams St. Property

Ms. Susel and Travis Copen spoke to Council regarding the Acquisition Assistance Agreement for the property at 200 West Williams Street involving Copen Machine. Copen Machine is seeking to acquire the site after successful remediation of environmental contaminants. This property has a history of unsuccessful development attempts since 2016 and is zoned industrial, with community opposition to residential rezoning due to its economic importance. The city council has supported acquisition assistance in the form of a forgivable loan tied to job creation; Copen Machine has shown consistent payroll growth and aims to expand operations significantly in the area. The remediation, overseen by the Ohio EPA, is crucial for safe future use and will involve traffic and infrastructure modifications. Mr. Copen stated that Copen Machine is committed to community involvement and transparency throughout this process.

MOTION TO APPROVE THE ACQUISITION ASSISTANCE AGREEMENT was made by Mr. Clapper, seconded by Ms. Celko, and carried by unanimous voice vote.

Amendment to Dual-Use Cannabis Dispensary Agreement (Hours of Operation)

Ms. Susel and Jamie Dulick, the owner of Bliss Ohio, spoke to Council regarding Bliss' hours of operation. Mr. Dulick sought to extend operational hours to align with other local dispensaries, as there have been minimal public concerns or police incidents related to the business. He reported a commitment to a zero-tolerance policy for disruptive behavior, aiming to maintain a safe environment. The proposal includes extending hours on Sundays and slightly adjusting weekday closing times, which the owner plans to formalize with state approval following council affirmation.

MOTION TO APPROVE THE AMENDMENT TO THE DUAL-USE CANNABIS DISPENSARY AGREEMENT was made by Mr. Hook, seconded by Ms. Celko and carried by unanimous voice vote.

Finance Committee – Chair Celko/Vice-Chair Tipton

Proposed 2026 Budget Appropriations Amendment #1

Ms. Hall presented the first budget appropriation amendment of 2026 to Council.

MOTION TO APPROVE THE BUDGET APPROPRIATIONS AMENDMENT was made by Mr. Clapper, seconded by Ms. Shaffer Bish, and carried by unanimous voice vote.

Health and Public Safety – Chair Hook/Vice-Chair Clapper

No report.

Streets, Sidewalks, and Utilities Committee-Chair Wallach/Vice-Chair Tipton

North Mantua Street Grant Application

Mr. Bowling sought Council’s approval to submit a request for \$800,000 to ODOT's Safe Routes to School program for the North Mantua Street project, scheduled to commence in 2027. There is no required city match for this grant, but the city must cover the remaining construction costs.

MOTION TO APPROVE THE NORTH MANTUA STREET GRANT APPLICATION was made by Ms. Celko, seconded by Mr. Clapper, and carried by unanimous voice vote.

EXECUTIVE SESSION

Mr. Clapper moved, and Ms. Wesley seconded, to go into executive session to consider the appointment, employment, dismissal, discipline, promotion, demotion, or compensation of a public employee or official.

RETURN TO REGULAR SESSION AND ADJOURN

Council returned from executive session at 9:17pm. There being no further business, the meeting was adjourned.



City of Kent Clerk of Council

NOTE: This meeting was immediately followed by a Special Council meeting, a copy of the minutes for which are included after the Public Hearing Summary.



CITY OF KENT PUBLIC HEARING SUMMARY

February 4, 2026

Kolb Acres-Agricultural District Application

This public hearing took place prior to the February 4, 2026 Kent City Council Committee meeting. Present during the hearing were Mayor and Council President Jack Amrhein; Council Members Celko, Clapper, Dreger, Hook, Shaffer Bish, Tipton, Turner, and Wesley; and Council Clerk Coleman. Also present were Law Director Jones; City Manager Ruller; KPD Chief Shearer, Sgt. Fuller and Ofc. Brooks; Community Development Director Susel; Health Commissioner Seidel; City Engineer Bowling; Finance Director Hall; Fire Chief Samels; Community Outreach Coordinator Bollenbacher.

Attorney Ben Chojnacki represented the City. Mr. Kolb was not in attendance. The following individuals were sworn in by Law Director Hope Jones:

- Chief Nick Shearer, Kent Police Department
- Sgt. Jim Fuller, Kent Police Department
- Ofc. Matt Brooks, Kent Police Department
- Bridget Susel, Community Development Director
- Darren Hartman, Forest Lakes resident, Kent, Ohio (Mr. Hartman also submitted a notarized copy of his comments to Council)
- Roger Myles, Forest Lakes resident, Kent, Ohio

Following is a summary of the hearing; the video recording of the hearing can be accessed at [City of Kent Council Committee Meeting February 4 2026](#).

Summary of Public Hearing on Agricultural District Application – City of Kent

The City of Kent held a public hearing pursuant to Chapter 929 of the Ohio Revised Code regarding an application submitted by Eric Kolb (Kolb Acres LLC) to designate a parcel of land (Permanent Parcel Number 17-046-000-19-00009) within the city as part of an agricultural district. The hearing aimed to comply with the statutory 30-day requirement for public hearings on such applications.

Legal and Procedural Context

- **Statutory Requirement:** The Ohio Revised Code mandates a public hearing within 30 days of application receipt with no extensions allowed. Failure to hold a hearing within this timeframe results in automatic approval.

- **Applicant’s Burden of Proof:** The applicant must demonstrate that:
 - The land was devoted **exclusively to agricultural production** for the three calendar years prior to application.
 - Agricultural production includes activities such as commercial aquaculture, animal husbandry, poultry husbandry, and farming.
 - Alternatively, the land must qualify under a federal land or conservation program.
 - The land must also meet at least one of two conditions:
 - Total acreage of 10 or more acres.
 - Average yearly gross income of at least \$2,500 from agricultural activities over three years.
 - **Council’s Options:** Approve, approve with modifications, or reject the application. Rejection requires demonstration that approval would cause substantial adverse effects on municipal services, land use, growth, or public health/safety/welfare.
 - **Modification Considerations:** Council must make “every effort” to modify the application by adjusting timeframes, acreage, or waiving certain legal protections associated with agricultural district status.
-

Property and Application Background

- The property was rezoned in December 2023 from medium density residential (R2) to open space recreational zoning, which allows agricultural use.
 - The applicant purchased the property in 2022 and applied for agricultural district designation in January 2026.
 - The land contains approximately 42 acres, including a pond of about 6 acres.
 - Mr. Cobb claims farming hay on 34 acres, producing approximately 500 bales annually for the past three years.
-

Testimony and Evidence Presented Law Enforcement

Testimony

- **Noise Complaints:**
 - Since 2024, multiple noise complaints have been reported related to a diesel pump operating on the property.
 - The pump is used to drain water from the wet/mucky land to allow excavation and equipment use.
 - Police issued four summons for unlawful noise between 2024 and December 2025.
 - Noise violations occurred primarily during nighttime hours, violating the city's noise ordinance.
- **Observations:**
 - Photos and videos showed excavation activity and the noise-generating pump.
 - Officers confirmed the noise was audible beyond the property line and disturbed nearby residents.
- **Conclusion:** Noise issues stem from excavation and water management, not agricultural activities as defined by the state.

Resident Testimony (Forest Lakes Neighborhood)

- Residents reported:
 - Continuous heavy equipment noise and 24/7 pump operation for about two years.
 - Diesel exhaust odors affecting air quality and discouraging outdoor activities.
 - Excavation activities aimed at substantially expanding the existing pond into a recreational lake (>5 acres).
 - Recreational use of the pond, including water skiing and boating, inconsistent with agricultural production.
 - Residents emphasized that they value legitimate agriculture but believe current activities are incompatible with normal agricultural practice and negatively impact their quality of life.
 - They expressed concerns over long-term neighborhood impacts and loss of property rights due to the proposed designation.

City Staff Testimony

- The city confirmed:
 - The floodplain permit for excavation was issued but has expired; reapplication is required.
 - No observed agricultural use consistent with claims on the property.
 - The property includes muck soil, historically a celery farm, but no current farming activities were observed.
 - The rezoning to open space recreational zoning in late 2023 allowed agricultural uses.
 - The applicant's claim of three years of farming is questionable since two of those years predated zoning allowing farming.
 - Auditor's office documentation supporting the application was submitted late and lacked clear evidence of agricultural use or income.
-

Key Issues and Considerations Issue Summary

- No clear evidence of exclusive agricultural use for agricultural use evidence three years; farming claims questionable.
- Repeated noise ordinance violations linked to noise and nuisance excavation/pumping, not farming activities.
- Significant negative impacts from noise, diesel Impact on Neighbors exhaust, and disruption of residential life.
- Property rezoned to open space recreational; Zoning and Permitting floodplain permit for excavation issued and expired.
- Legal Protections of Agricultural District would shield applicant from nuisance claims, limiting neighbors' rights to complain.
- Applicant absent; no direct responses to questions or clarifications provided.

Council Discussion and Outcome

- Council members expressed concerns about the absence of agricultural production evidence.
- The application's factual accuracy, especially regarding farming acreage and duration, was questioned.
- The noise and disruption issues raised by residents were highlighted as inconsistent with agricultural district protections.
- Council noted the **applicant did not meet the evidentiary burden** necessary for approval.

- The council acknowledged the obligation to consider modifications but found insufficient information to do so.
 - The consensus was to **deny the application** based on lack of evidence and adverse community impacts.
-

Final Motion and Vote

- **Motion:** Deny Eric Kolb's application for agricultural district placement pursuant to Ohio Revised Code 929.02.
 - **Vote:** Unanimous approval to deny the application.
-

Key Insights and Conclusions

- **The application failed to demonstrate the statutory requirements of exclusive agricultural use for the required period.**
 - **Noise and nuisance complaints related to excavation activities outweighed any agricultural claims.**
 - **The agricultural district designation would have limited residents' ability to seek remedies for ongoing disturbances.**
 - **The city fulfilled its obligation to hold a timely public hearing and carefully weighed evidence before denying the application.**
 - **Council encouraged the applicant to resubmit with clearer evidence if genuine agricultural use is established.**
-

This hearing reflects the city's commitment to balancing agricultural preservation with residential welfare and ensuring statutory compliance in land use decisions.

**APPLICATION FOR PLACEMENT OF
FARMLAND IN AN AGRICULTURAL DISTRICT
(O.R.C. Section 929.02)**

New Application X
Renewal Application

(See page 4 for General Information regarding this Application)

INSTRUCTIONS FOR COMPLETING APPLICATION

Print or type all entries.

- o List description of land as shown on the most recent tax statement or statements. Show total number of acres.
- o Describe location of property by roads, etc., and taxing district where located.
- o State whether any portion of land lies within a municipal corporation.
Note: See "Where to File" on page 4 to be sure that a copy of this Application is also filed with the Clerk of the municipal legislative body as well as the County Auditor.
- o A renewal application must be submitted after the first Monday in January and prior to the first Monday in March of the year in which the agricultural district terminates for the land to be continued in this program.
- o If the acreage totals 10 acres or more, do not complete Part D.
- o If the acreage totals less than 10 acres, complete either D (1) or (2).
- o Do not complete page 3. This space to be completed by the County Auditor and/or Clerk of the municipal legislative body.

A. **Owner's Name:** Eric Kolb Kolb Acres LLC

Owner's Address:
4469 Deauville Ave. Stow, OH 44224

Owner's Email (optional):¹

Description of Land as Shown on Property Tax Statement:
110- Agr Vacant land qualified CAUV

Location of Property:
Street or Road- 100 Johnson Rd
County- Portage

TAX DISTRICT(S)	PARCEL NUMBER(S)	# of Acres
<u>Kent</u>	<u>17-046-00-00-019-009</u>	<u>39.068</u>
<u>Franklin Twp</u>	<u>13-046-00-00-019-008</u>	<u>.925</u>
Total Number of Acres		<u>39.993</u>

B. Does any of the land lie within a municipal corporation limit or subject to pending annexation?
Yes X No

If YES, REMEMBER a copy of this application must be submitted to the Clerk of the municipal legislative body.

¹ Enter the "internet identifier record" typically know as an electronic mail address, or any other designation used for self-identification or routing in internet communication or posting, provided for the purpose of receiving communication.

C. Is the land presently being taxed at its current agricultural use valuation under Section 5713.31 of the Ohio Revised Code?
 Yes No

If NO, complete the following showing how the land was used the past three years:

	<u>ACRES</u>		
	LAST YEAR	TWO YEARS AGO	THREE YEARS AGO
Cropland	14.785	14.785	14.785
Permanent Pasture used for animal husbandry	—	—	—
Woodland devoted to commercial timber and nursery stock	—	—	—
Land Retirement or Conservation Program pursuant to an agreement with a federal agency	—	—	—
Building areas devoted to agricultural production	—	—	—
Roads, building areas, and all other areas not used for agricultural production	21.283	21.283	21.283
Total Acres	39.068	39.068	39.068

D. Does the land for which the application is being made total 10 acres or more devoted exclusively to agricultural production or devoted to and qualified for payments or other compensation under a land retirement or conservation program under an agreement with an agency of the federal government?
 Yes No

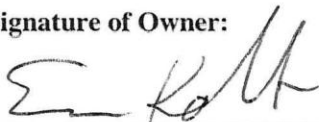
If NO, complete the following:

1. Attach evidence of the gross income for each of the past 3 years, if the average yearly income from agricultural production was at least twenty-five hundred (\$2,500.00) dollars or more, or
2. If the owner anticipates that the land will produce an annual gross income of twenty-five hundred (\$2,500.00) dollars or more, evidence must be attached showing the anticipated gross income.

Authorization and Declaration

By signing this application, I authorize the county auditor or his duly appointed agent to inspect the property described above to verify the accuracy of this application. I declare this application (including accompanying exhibits) has been examined by me and to the best of my knowledge and belief is a true, accurate and correct application. I understand that land removed from this program before the 5-year enrollment period is subject to penalty, in accordance with Section 929.02(D) of the Ohio Revised Code.

Signature of Owner:



Date:

12-1-2025

CAUV Application No. 713

Action of County Auditor

Application Approved X Rejected _____*

Date Application Filed with County Auditor 12/11/2025

Date Filed (if required) with Clerk of Municipal Corporation _____

County Auditor's Signature M. H. K. [Signature] Date 12/18/25

Date Decision Mailed and Emailed¹ to Applicant _____

Email Address ¹ _____

OR

Date Decision Sent Certified Mail to Applicant _____

Certified Mail No. _____

Action of Legislative Body of Municipal Corporation

Application Approved _____ Approved with Modifications _____* Rejected _____*

Date Application Filed with Clerk _____

Date of Public Hearing _____

Date of Legislative Action _____

Clerk's Signature _____ Date _____

Date Decision Mailed and Emailed¹ to Applicant _____

Email Address ¹ _____

OR

Date Decision Sent Certified Mail to Applicant _____

Certified Mail No. _____

* IF MODIFIED OR REJECTED, ATTACH SPECIFIC REASONS FOR MODIFICATION OR REJECTION

¹ Enter the "internet identifier record" typically know as an electronic mail address, or any other designation used for self-identification or routing in internet communication or posting, provided for the purpose of receiving communication.

INFORMATION FOR PLACEMENT OF FARMLAND IN AN AGRICULTURAL DISTRICT

A. WHO MAY FILE?

Any owner of land used for agricultural production may file an application to have the land placed in an agricultural district.

B. WHERE TO FILE

The completed application must be filed with the auditor of the county where the land is located. The applicant will be notified of action taken by the county auditor within 30 days of the filing of the application if the land is not within a municipal corporation or an annexation petition has not been filed. If the land for which an application has been made lies within a municipal corporation limit or if an annexation petition that includes the land has been filed with the Board of County Commissioners under Section 709.02 of the Ohio Revised Code, a copy of the application must also be filed with the Clerk of the legislative body of the municipal corporation. The legislative body is required to conduct a public hearing on the application within 30 days after the application has been filed with the Clerk. Within 30 days of the hearing, the legislative body may approve the application, modify and approve the application as modified, or reject the application.

C. WHEN TO FILE AND RENEWAL

The original application may be filed at any time for placement of land in an agricultural district for a five-year period. If at the end of five years, the owner decides to keep some or all of his or her land in a district, he or she shall submit a renewal application and must meet the same land requirements and use the same application process as the original application. The renewal application may be filed at any time after the first Monday in January and prior to the first Monday in March of the year during which an agricultural district terminates, for a period of time ending on the first Monday in April of the fifth year following the renewal application.

D. WHAT IS "LAND USED FOR AGRICULTURAL PRODUCTION?"

In accordance with Section 929.01(A) of the Revised Code, land is devoted to "agricultural production" when it is used for commercial aquaculture, apiculture, animal husbandry, poultry husbandry; the production for a commercial purpose of field crops, tobacco, fruits, vegetables, timber, nursery stock, ornamental shrubs, ornamental trees; flowers or sod; the growth of timber for a noncommercial purpose if the land on which the timber is grown is contiguous to or part of a parcel of land under common ownership that is otherwise devoted exclusively to agricultural use; or any combination of such husbandry, production, or growth; and includes the processing, drying, storage and marketing of agricultural products when those activities are conducted in conjunction with such husbandry, production, or growth.

"Agricultural production" includes conservation practices provided that the tracts, lots, or parcels of the land or portions thereof that are used for conservation practices comprise not more than twenty-five percent of tracts, lots, or parcels of land that are otherwise devoted exclusively to agricultural use and for which an application is filed.

"Conservation practices" are practices used to abate soil erosion as required in the management of the farming operation, and include, but are not limited to, the installation, construction, development, planting, or use of grass waterways, terraces, diversions, filter strips, field borders, windbreaks, riparian buffers, wetlands, ponds, and cover crops for that purpose.

E. WHAT DOES "TRACTS, LOTS, OR PARCELS OF LAND" MEAN?

Tracts, lots, or parcels mean distinct portions of pieces of land (not necessarily contiguous) where the title is held by one owner, as listed on the tax list and duplicate of the county, is in agricultural production and conforms with the requirements of either D1, D2, or D3 below.

F. ARE THERE ANY OTHER REQUIREMENTS?

1. The land for which the application is made must have been used exclusively for agricultural production or devoted to and qualified for payments or other compensation under a land retirement or conservation program under an agreement with a federal agency for the three consecutive calendar years prior to the year in which application is made. Evidence must be shown on the application. If the land contains timber which is not being grown for commercial purposes the land on which the timber is growing must be contiguous to or part of a parcel under common ownership that is otherwise devoted exclusively to agricultural use.
2. If the total amount of land for which application is made is less than 10 acres, there is an additional requirement that the applicant submit evidence with his application that the activities conducted on the land have produced an average yearly gross income of at least twenty-five hundred dollars over the three years immediately preceding the year in which application is made or that the land will produce an anticipated annual gross income of that amount.
3. Evidence of annual gross income may be satisfied by attaching to the application form a short statement stating the number of animals by species and anticipated market value, number of acres of crops to be grown, their expected yield and price per bushel or similar specific information.

G. IS THERE A PENALTY FOR EARLY WITHDRAWAL?

Land removed from this program before the 5-year enrollment period is subject to penalty, per Section 929.02(D) of the Ohio Revised Code. See County Auditor's Office for details on how the amount of the withdrawal penalty is determined.

H. APPEAL OF APPLICATION

The applicant may appeal the denial of the application to the court of common pleas of the county in which the application was filed within thirty days of the receipt of the notice denying the application. When the land lies within a municipality the applicant may also appeal a decision to modify or reject an application to the court of common pleas of the county in which the application was filed within thirty days of the receipt of the notice of modification or rejection. In addition, the applicant may withdraw an application modified by a legislative body if he or she disapproves of the modifications.

Application for Placement of Farmland in an Agricultural District

From Kathy Coleman <Kathy.Coleman@KentOhio.gov>

Date Tue 1/13/2026 4:11 PM

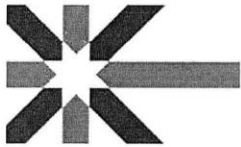
To Jack Amrhein <Jack.Amrhein@KentOhio.gov>; Dave Ruller <Dave.Ruller@KentOhio.gov>; Hope Jones <Hope.Jones@KentOhio.gov>; Bridget O. Susel <bridget.susel@KentOhio.gov>

Hello,

I received in the mail today an "Application for Placement of Farmland in an Agricultural District" from the Auditor's Office regarding Eric Kolb of Kolb Acres LLC. Anyone know what I should do with it?? 😊

Thanks,

Kathy



Kathy Coleman
Clerk of Council
Civil Service Coordinator
(330)676-7555

City of Kent, Ohio

319 S. Water Street, Kent, Ohio 44240

www.kentohio.gov

ORDINANCE NO. 2023-090

AN ORDINANCE AMENDING THE CITY'S ZONING DISTRICTS MAP FOR PARCEL #17-046-00-00-019-009 TO BE REZONED TO O-R: OPEN SPACE-RECREATION DISTRICT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent Planning Commission is recommending a proposed amendment to the City's Zoning Districts Map to allow Parcels #17-046-00-00-019-007 and #17-046-00-00-018-000 (both combined into new parcel #17-046-00-00-019-009) to be re-zoned from R-2: Medium Density Residential District to O-R: Open Space-Recreation District; and

WHEREAS, on November 7, 2023, the Planning Commission voted unanimously to recommend the zoning map change.

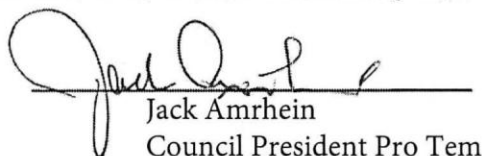
NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, that:

SECTION 1. Kent City Council does hereby authorize the amendment to allow Parcel #17-046-00-00-019-009 to be re-zoned to O-R: Open Space-Recreation District.

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: December 20, 2023
Date

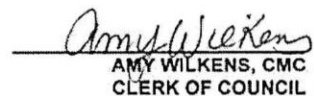

Jack Amrhein
Council President Pro Tem

EFFECTIVE: December 20, 2023
Date

ATTEST: Amy Wilkens
Amy Wilkens, CMC
Clerk of Council

I, AMY WILKENS, 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. 2023-090 ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON December 20, 2023.

(SEAL)


AMY WILKENS, CMC
CLERK OF COUNCIL


Application for Placement of Farmland in an Agricultural District

From Asia O'Grady <aogrady@portageco.com>

Date Thu 1/29/2026 1:13 PM

To Bridget O. Susel <bridget.susel@KentOhio.gov>

Cc Matt Kelly <mkelly@portageco.com>; Matt Adelman <MAdelman@portageco.com>

 2 attachments (3 MB)

KOLB ACRES LLC Letter.pdf; KOLB ACRES LLC.pdf;

You don't often get email from aogrady@portageco.com. [Learn why this is important](#)

Good Afternoon,

Attached is a letter reviewing our determination of the parcel 17-046-00-00-019-009 for the Application for Placement of Farmland in an Agricultural District with all information on file for the Current Agricultural Use Value on the property.

Please let me know if there is any additional information needed.

Best regards,

Asia O'Grady

Portage County Auditor Office

CAUV Clerk

Aogrady@portageco.com

(330) 297-3579

From: Bridget O. Susel <bridget.susel@KentOhio.gov>

Sent: Wednesday, January 21, 2026 11:28:42 AM

To: Matt Kelly <mkelly@portageco.com>; Matt Adelman <madelman@portageco.com>

Cc: Hope Jones <Hope.Jones@KentOhio.gov>; Chojnacki, Benjamin <bchojnacki@ralaw.com>

Subject: Application for Placement of Farmland in an Agricultural District

Good Morning,

The City of Kent received an "Application for Placement of Farmland in an Agricultural District" on January 13, 2026, from Eric Kolb who owns a site that has a small portion located within the boundaries of Franklin Township and the majority of the site situated within the jurisdictional boundary of the City of Kent. Page 3 of the application has been marked as "approved" by the Portage County Auditor's office. Can you please provide the City of Kent with the Portage County Auditor's written comments regarding its review of the application and the Auditor's determination as to how the application complies with ORC Section 929 regarding an agricultural district designation?

Thank you in advance for your assistance.

Portage County Auditor's Office

— CAUV —

January 29, 2026

To whom it may concern,

The Application for Placement of Farmland in an Agricultural District for the parcel 17-046-00-00-019-009, located at 100 Johnson Rd, Kent OH 44240, and owned by Eric Kolb under Kolb Acres LLC, was approved under the same qualification as the Current Agricultural Use Value program.

To qualify for the Current Agricultural Use Value program, the parcel must have ten or more acres must be devoted exclusively to commercial agricultural use; or if under ten acres are devoted exclusively to commercial agricultural use, the farm must produce an average yearly gross income of at least \$2,500. The parcel must also be dedicated to commercial agriculture as defined by the ORC Section 5713.30 A.

Mr. Kolb filed a DTE 109 Initial Application for the Current Agricultural Use Value program for the 2025 tax year which included proof of income and commercial farming of the 39.068-acre parcel during the three prior calendar years preceding the application year, 2022, 2023, and 2024. The application was approved and added for the 2025 tax year and continued upon yearly renewal. Aerial mapping used to add parcels to the CAUV program determined 14.785 acres are dedicated to field crops with plans to expand the cropland. Included are copies of the Kolb Acres LLC CAUV Application, supporting income documents, and the CAUV Renewal for the 2026 tax year which supports the Application for Placement of Farmland in an Agricultural District under the ORC Section 929.

Please feel free to contact Asia O'Grady at 330-297-3579, aogrady@portageco.com with questions or for additional information.

Sincerely,
Matt Kelly
Portage County Auditor

CURRENT AGRICULTURAL USE VALUATION RENEWAL APPLICATION

File with the county auditor prior to the first Monday in March

To continue to receive current agricultural use valuation, the owner must file this renewal application with the county auditor prior to the first Monday in March each year. Failure to do so may result in a tax increase and a penalty. A new owner must file an initial application form (DTE 109) even if the previous owner was on the program. The back of this page has details concerning eligibility requirements.

I declare under penalties of perjury that I have examined this application and, to the best of my knowledge and belief, it is true, correct and complete. I authorize the county auditor to inspect this property and I agree to provide documentation of income, if requested, to verify the accuracy of this application.

E. Kolb

1-28-26 (330) 1203 2599

SIGNATURE OF OWNER

DATE

PHONE

estkolb@comcast.net

E-MAIL

1-2. KOLB ACRES LLC
4469 DEAUVILLE AVE
STOW OH 44224

713

APPLICATION NUMBER

3. **PARCEL NUMBER** **Acres** **PARCEL NUMBER** **Acres**
17 17-046-00-00-019-009 39.0680

4. If the total acres used for a qualifying commercial agricultural purpose is less than ten (10) acres, show the gross income produced from agricultural products last year from these acres \$ 11,100 and projected gross income for the current year \$ 14,500. In the table below, provide the number of bushels or tons per acre by crop, the price per bushel or ton and the gross income for last year. Specify other units of measure as needed. Any income received for rent of land is not included.

Farmed Acres	Use of Land (Crop)	Units/Acre	Price/Unit	Gross Income
				RECEIVED
				JAN 28 2026

PORTAGE COUNTY AUDITOR
WATT KEPP

5. Will the general farming operations on any of these parcels change this year? _____ (yes/no). If yes, please attach an explanation regarding the use of these parcels for this year.

6. List the acreage in each crop or land use for the current year. The entire acreage above must be accounted for below.

Anticipated land use for the current year :	Acres
Commodity crops - corn/soybeans/wheat/oats	
Hay - baled at least twice a year	
Permanent pasture - used for commercial animal husbandry	
Noncommercial woodland - contiguous to 10 (ten) acres of farmed land	
Commercial timber	
Other crops - nursery stock/vegetables/flowers	
Homesite(s) - minimum 1 (one) acre per house	
Roads/waste/pond	
Conservation program - CRP/CREP/etc. (provide the contract and map)	
Conservation practices limited to 25% or less of total acreage (provide map)	
Other use, eg. agritourism, biofuel production	
Total acres - must match acres above	<u>39.068</u>

New

Application no. 713 County Portage Tax year 2025

DTE 109
Rev. 01/19

Initial Application for the Valuation of Land at Its Current Agricultural Use

File with the county auditor prior to the first Monday in March. Include a \$25 filing fee.

1. Owner's name Eric Kolb Phone 330 283-2599 E-mail eskolb8@gmail.com
2. Owner's mailing address 4469 Deauville Ave Stow, OH 44224

110

Parcel number	Acres	Parcel number	Acres
* <u>17-046-00-00-019-009</u>	<u>39.068</u>		
* 17-046-00-00-017-000	2.07	Does not qualify	under different name in future
* 17-007-00-00-019-008	925	Does not qualify	all rural
<u>Total</u>	<u>42.063</u>		

4. If the TOTAL acreage being used exclusively for commercial agriculture purposes is **less than ten acres**, show the total gross income from agricultural products. If the TOTAL acreage is **ten or more acres**, specify the number of acres and land use for the last three years.

Year	Farmed Acres	Use of Land (Crop)	Units/Acre	Price/Unit	Gross Income
Last year	<u>34</u>	<u>HAY</u>	<u>500</u>	<u>75</u>	<u>See Attached</u>
2 years ago	<u>34</u>	<u>HAY</u>	<u>500</u>	<u>55</u>	
3 years ago	<u>34</u>	<u>HAY</u>	<u>500</u>	<u>55</u>	

5. List the acreage in each crop or land use for the current year. The entire acreage above must be accounted for below.

Anticipated land use for the current year:	Acres
Commodity crops – corn/soybeans/wheat/oats	
Hay – baled at least twice a year	<u>34.063</u> (<u>34.063</u>)
Permanent pasture – used for commercial animal husbandry	
Noncommercial woodland – contiguous to 10 (ten) acres of farmed land	
Commercial timber	
Other crops – nursery stock/vegetables/flowers	
Homesite(s) – minimum 1 (one) acre per house	<u>1</u>
Roads/waste/pond	<u>7</u>
Conservation program – CRP/CREP/etc. (provide the contract and map)	
Conservation practices limited to 25% or less of total acreage (provide map)	
Other use, e.g. agritourism, biofuel production	
Total acres – must match acres above	<u>42.063</u>

RECEIVED
 FEB 05 2025
 PORTAGE COUNTY AUDITOR
 MATT KELLY

6. Is this land farmed by someone other than the owner? NO (yes/no) If yes, provide contact information (name and phone number) _____

I declare under penalties of perjury that I have examined this application and, to the best of my knowledge and belief, it is true, correct and complete. I authorize the county auditor to inspect this property and I agree to provide documentation of income, if requested, to verify the accuracy of this application.

Signature of owner: Eric Kolb Date: 2-22-2025

25
2025

County Auditor's Use Only

Receipt for Payment of Fee: I hereby certify that the owner paid the filing fee of \$25 on the date this application was filed.

County auditor: Matt Kelly Date filed with county auditor: 215125

Name on tax list: Eric Kolb - Kolb Acre LLC Taxing district: 17-046-00-00-019-009 Parcel number: 39.068 Number of acres: 39.068

SCHEDULE F
(Form 1040)

Profit or Loss From Farming

OMB No. 1545-0074

2022

Department of the Treasury
Internal Revenue Service

Attach to Form 1040, Form 1040-SR, Form 1040-NR, Form 1041, or Form 1065.
Go to www.irs.gov/ScheduleF for instructions and the latest information.

Attachment
Sequence No. **14**

Name of proprietor: **Eric S Kolb** Social security number (SSN): XXXXXXXXXX

A Principal crop or activity: **Hay** B Enter code from Part IV: **111900** C Accounting method: Cash Accrual

D Employer ID number (EIN) (see instr.):

E Did you "materially participate" in the operation of this business during 2022? If "No," see instructions for limit on passive losses Yes No

F Did you make any payments in 2022 that would require you to file Form(s) 1099? See instructions Yes No

G If "Yes," did you or will you file required Form(s) 1099? Yes No

Part I Farm Income—Cash Method. Complete Parts I and II (Accrual method, complete Parts II and III, and Part I, line 9.)

1a	Sales of purchased livestock and other resale items (see instructions)	1a		
b	Cost or other basis of purchased livestock or other items reported on line 1a	1b		
c	Subtract line 1b from line 1a	1c		0
2	Sales of livestock, produce, grains, and other products you raised	2		2,500
3a	Cooperative distributions (Form(s) 1099-PATR)	3a		
3b	Taxable amount	3b		
4a	Agricultural program payments (see instructions)	4a		
4b	Taxable amount	4b		
5a	Commodity Credit Corporation (CCC) loans reported under election	5a		
b	CCC loans forfeited	5b		
5c	Taxable amount	5c		
6	Crop insurance proceeds and federal crop disaster payments (see instructions):			
a	Amount received in 2022	6a		
b	Taxable amount	6b		
c	If election to defer to 2023 is attached, check here <input type="checkbox"/>	6d	Amount deferred from 2021	
7	Custom hire (machine work) income	7		
8	Other income, including federal and state gasoline or fuel tax credit or refund (see instructions)	8		
9	Gross income. Add amounts in the right column (lines 1c, 2, 3b, 4b, 5a, 5c, 6b, 6d, 7, and 8). If you use the accrual method, enter the amount from Part III, line 50. See instructions	9		2,500

Part II Farm Expenses—Cash and Accrual Method. Do not include personal or living expenses. See instructions.

10	Car and truck expenses (see instructions). Also attach Form 4562	10			23	Pension and profit-sharing plans	23	
11	Chemicals	11			24	Rent or lease (see instructions):	24	
12	Conservation expenses (see instructions)	12			a	Vehicles, machinery, equipment	24a	
13	Custom hire (machine work)	13			b	Other (land, animals, etc.)	24b	
14	Depreciation and section 179 expense (see instructions)	14		976	25	Repairs and maintenance	25	1,625
15	Employee benefit programs other than on line 23	15			26	Seeds and plants	26	
16	Feed	16			27	Storage and warehousing	27	
17	Fertilizers and lime	17			28	Supplies	28	705
18	Freight and trucking	18			29	Taxes	29	
19	Gasoline, fuel, and oil	19		375	30	Utilities	30	
20	Insurance (other than health)	20			31	Veterinary, breeding, and medicine	31	
21	Interest (see instructions):				32	Other expenses (specify):		
a	Mortgage (paid to banks, etc.)	21a			a	Soil Evaluation	32a	2,500
b	Other	21b			b	Travel	32b	144
22	Labor hired (less employment credits)	22			c		32c	
					d		32d	
					e		32e	
					f		32f	
33	Total expenses. Add lines 10 through 32f. If line 32f is negative, see instructions	33					33	6,325
34	Net farm profit or (loss). Subtract line 33 from line 9	34					34	-3,825

If a profit, stop here and see instructions for where to report. If a loss, complete line 36.

35 Reserved for future use.

36 Check the box that describes your investment in this activity and see instructions for where to report your loss.

a All investment is at risk. b Some investment is not at risk.

**SCHEDULE F
(Form 1040)**

Profit or Loss From Farming

OMB No. 1545-0074

2023

Attachment
Sequence No. **14**

Department of the Treasury
Internal Revenue Service

Attach to Form 1040, 1040-SR, 1040-SS, 1040-NR, 1041, or 1065.
Go to www.irs.gov/ScheduleF for instructions and the latest information.

Name of proprietor

Social security number (SSN)

Eric S Kolb

A Principal crop or activity
Hay

B Enter code from Part IV
111900

C Accounting method:
 Cash Accrual

D Employer ID number (EIN) (see instr.)

E Did you "materially participate" in the operation of this business during 2023? If "No," see instructions for limit on passive losses Yes No

F Did you make any payments in 2023 that would require you to file Form(s) 1099? See instructions Yes No

G If "Yes," did you or will you file required Form(s) 1099? Yes No

Part I Farm Income—Cash Method. Complete Parts I and II (Accrual method, complete Parts II and III, and Part I, line 9.)

1a	Sales of purchased livestock and other resale items (see instructions)	1a		
b	Cost or other basis of purchased livestock or other items reported on line 1a	1b		
c	Subtract line 1b from line 1a	1c		0
2	Sales of livestock, produce, grains, and other products you raised	2		2,500
3a	Cooperative distributions (Form(s) 1099-PATR)	3a		
3b	Taxable amount	3b		
4a	Agricultural program payments (see instructions)	4a		
4b	Taxable amount	4b		
5a	Commodity Credit Corporation (CCC) loans reported under election	5a		
b	CCC loans forfeited	5b		
5c	Taxable amount	5c		
6	Crop insurance proceeds and federal crop disaster payments (see instructions):			
a	Amount received in 2023	6a		
b	Taxable amount	6b		
c	If election to defer to 2024 is attached, check here <input type="checkbox"/>	6d	Amount deferred from 2022	
7	Custom hire (machine work) income	7		
8	Other income, including federal and state gasoline or fuel tax credit or refund (see instructions)	8		
9	Gross income. Add amounts in the right column (lines 1c, 2, 3b, 4b, 5a, 5c, 6b, 6d, 7, and 8). If you use the accrual method, enter the amount from Part III, line 50. See instructions	9		2,500

Part II Farm Expenses—Cash and Accrual Method. Do not include personal or living expenses. See instructions.

10	Car and truck expenses (see instructions). Also attach Form 4562	10			23	Pension and profit-sharing plans	23	
11	Chemicals	11			24	Rent or lease (see instructions):		
12	Conservation expenses (see instructions)	12			a	Vehicles, machinery, equipment	24a	
13	Custom hire (machine work)	13			b	Other (land, animals, etc.)	24b	
14	Depreciation and section 179 expense (see instructions)	14		6,640	25	Repairs and maintenance	25	2,011
15	Employee benefit programs other than on line 23	15			26	Seeds and plants	26	
16	Feed	16			27	Storage and warehousing	27	
17	Fertilizers and lime	17			28	Supplies	28	693
18	Freight and trucking	18			29	Taxes	29	4,180
19	Gasoline, fuel, and oil	19		1,400	30	Utilities	30	
20	Insurance (other than health)	20			31	Veterinary, breeding, and medicine	31	
21	Interest (see instructions):				32	Other expenses (specify):		
a	Mortgage (paid to banks, etc.)	21a			a	Legal and professional fees	32a	835
b	Other	21b			b	-----	32b	
22	Labor hired (less employment credits)	22			c	-----	32c	
					d	-----	32d	
					e	-----	32e	
					f	-----	32f	
33	Total expenses. Add lines 10 through 32f. If line 32f is negative, see instructions	33					33	15,759
34	Net farm profit or (loss). Subtract line 33 from line 9	34					34	-13,259
	If a profit, stop here and see instructions for where to report. If a loss, complete line 36.							
35	Reserved for future use.							
36	Check the box that describes your investment in this activity and see instructions for where to report your loss.							
a	<input checked="" type="checkbox"/> All investment is at risk.			b <input type="checkbox"/> Some investment is not at risk.				

For Paperwork Reduction Act Notice, see the separate instructions.

Schedule F (Form 1040) 2023

SCHEDULE F
(Form 1040)

Profit or Loss From Farming

OMB No. 1545-0074

2024

Department of the Treasury
Internal Revenue Service

Attach to Form 1040, 1040-SR, 1040-SS, 1040-NR, 1041, or 1065.
Go to www.irs.gov/ScheduleF for instructions and the latest information.

Attachment
Sequence No. **14**

Name of proprietor Eric S Kolb			Social security number (SSN)
A Principal crop or activity Hay	B Enter code from Part IV 111900	C Accounting method: <input checked="" type="checkbox"/> Cash <input type="checkbox"/> Accrual	D Employer ID number (EIN) (see instr.)
E Did you "materially participate" in the operation of this business during 2024? If "No," see instructions for limit on passive losses			<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
F Did you make any payments in 2024 that would require you to file Form(s) 1099? See instructions			<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
G If "Yes," did you or will you file required Form(s) 1099?			<input type="checkbox"/> Yes <input type="checkbox"/> No

Part I Farm Income—Cash Method. Complete Parts I and II (Accrual method, complete Parts II and III, and Part I, line 9.)

1a Sales of purchased livestock and other resale items (see instructions)	1a	8,600	
b Cost or other basis of purchased livestock or other items reported on line 1a	1b		
c Subtract line 1b from line 1a	1c		8,600
2 Sales of livestock, produce, grains, and other products you raised	2		2,500
3a Cooperative distributions (Form(s) 1099-PATR)	3a		3b Taxable amount
4a Agricultural program payments (see instructions)	4a		4b Taxable amount
5a Commodity Credit Corporation (CCC) loans reported under election	5a		5a
b CCC loans forfeited	5b		5c Taxable amount
6 Crop insurance proceeds and federal crop disaster payments (see instructions):			
a Amount received in 2024	6a		6b Taxable amount
c If election to defer to 2025 is attached, check here <input type="checkbox"/>	6c		6d Amount deferred from 2023
7 Custom hire (machine work) income	7		
8 Other income, including federal and state gasoline or fuel tax credit or refund (see instructions)	8		
9 Gross Income. Add amounts in the right column (lines 1c, 2, 3b, 4b, 5a, 5c, 6b, 6d, 7, and 8). If you use the accrual method, enter the amount from Part III, line 50. See instructions	9		11,100

Part II Farm Expenses—Cash and Accrual Method. Do not include personal or living expenses. See instructions.

10 Car and truck expenses (see instructions). Also attach Form 4562	10		23 Pension and profit-sharing plans	23	
11 Chemicals	11		24 Rent or lease (see instructions):		
12 Conservation expenses (see instructions)	12		a Vehicles, machinery, equipment	24a	2,568
13 Custom hire (machine work)	13		b Other (land, animals, etc.)	24b	
14 Depreciation and section 179 expense (see instructions)	14	22,042	25 Repairs and maintenance	25	10,032
15 Employee benefit programs other than on line 23	15		26 Seeds and plants	26	
16 Feed	16		27 Storage and warehousing	27	
17 Fertilizers and lime	17		28 Supplies	28	2,828
18 Freight and trucking	18		29 Taxes	29	4,958
19 Gasoline, fuel, and oil	19	3,610	30 Utilities	30	1,420
20 Insurance (other than health)	20		31 Veterinary, breeding, and medicine	31	
a Interest (see instructions):			32 Other expenses (specify):		
a Mortgage (paid to banks, etc.)	21a		a Labor	32a	3,000
b Other	21b		b	32b	
22 Labor hired (less employment credits)	22		c	32c	
			d	32d	
			e	32e	
			f	32f	
33 Total expenses. Add lines 10 through 32f. If line 32f is negative, see instructions	33				50,458
34 Net farm profit or (loss). Subtract line 33 from line 9	34				-39,358

If a profit, stop here and see instructions for where to report. If a loss, complete line 36.

35 Reserved for future use.

36 Check the box that describes your investment in this activity and see instructions for where to report your loss.

a All investment is at risk. b Some investment is not at risk.



Parcel ID 17-046-00-00-019-009
 Owner KOLB ACRES LLC
 KOLB ACRES LLC

Property Address 100 JOHNSON RD
 Acreage 39.068

Document

GrNS/Pond 6.313 Ac

GrNS. Ung./waste 17.97

Crop

Ld 0.465

WaB 0.287 + 0.804 = 1.091

Cg 2.325 + 9.056 = 11.381

Da 0.215

GrFB 1.633

COMPLAINT

PORTAGE COUNTY MUNICIPAL COURT

DATE: 11/2/2025

DEPT: KENT POLICE

RAVENNA KENT BRANCH

25-15774
REPORT #

SGT FULLER #221
OFFICER

STATE OF OHIO)
 : SS
PORTAGE COUNTY)

FILED
PORTAGE COUNTY MUNICIPAL COURT
NOV 17 2025
JILL FANKHAUSER, Clerk
KENT, OH

~~(WARRANT)~~ (SUMMONS)
CASE NO. 202502B1464K

Before me, personally came SGT. FULLER #221
Address: 301 S DEPEYSTER ST KENT, OH 44240

Who, being duly sworn according to law, deposes and says that on or about the 2ND day of November, 2025, in the
County of Portage, State of Ohio, one ERIC SCOTT KOLB 02/09/1972 RQ073887
Address: 4469 DEAUVILLE AVE, STOW, OH 44224

did, being a person in possession or control of a premises, make excessive, unnecessary or unusually loud noise, or any
noise which disturbs, annoys, injures or endangers the comfort, repose or health, peace or safety of persons of ordinary
sensibilities.

Said act occurred at 100 JOHNSON RD
in the City of Kent, County of Portage, State of Ohio.

Said act being Unlawful Noise, an unclassified misdemeanor
Contrary to and in violation of City Ordinances 509.12(A) and against the peace and dignity of the State of Ohio.

Complainant: Sgt. Fuller #221 Address: 301 S DEPEYSTER ST KENT, OH 44240
Sworn to and subscribed before me this 2ND day of November, 2025.

PORTAGE COUNTY MUNICIPAL COURT

[Signature]
DEPUTY CLERK

ARRAIGNMENT JOURNAL ENTRY

DATE: _____ PLEA: _____ BOND: _____ CONT: _____
SENTENCE: _____

WHITE/Clerk GREEN/Service YELLOW/Complainant PINK/Prosecutor GOLD/Police

STATE OF OHIO }
PORTAGE COUNTY } SS
I, Jill Fankhauser, Clerk of the Portage
County Municipal Court, within and for
said County hereby certify the foregoing
to be a true copy of the
Complaint
Filed in the foregoing case,
JILL FANKHAUSER, Clerk
By [Signature]

COMPLAINT

PORTAGE COUNTY MUNICIPAL COURT

DATE: 12/4/2025

DEPT: KENT POLICE

RAVENNA KENT BRANCH

FILED
PORTAGE COUNTY MUNICIPAL COURT
DEC 04 2025
JILL FANKHAUSER, Clerk
KENT, OH

25-16946
REPORT #

LAWRENCE #212
OFFICER

STATE OF OHIO)
 : SS
PORTAGE COUNTY)

~~(WARRANT)~~
CASE NO.

(SUMMONS)

2025CRB1550K

Before me, personally came OFC LAWRENCE #212

Address: 301 S DEPEYSTER ST KENT, OH 44240

Who, being duly sworn according to law, deposes and says that on or about the 29th day of November, 2025, in the County of Portage, State of Ohio, one ERIC SCOTT KOLB 02/09/1972 RQ073887

Address: 4469 DEAUVILLE AVE STOW OHIO 44224.

did, being an owner of a premises, make excessive, unnecessary or unusually loud noise, or any noise which disturbs, annoys, injures or endangers the comfort, repose or health, peace or safety of persons of ordinary sensibilities.

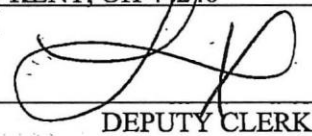
Said act occurred at 100 JOHNSON RD KENT OHIO 44240 in the City of Kent, County of Portage, State of Ohio.

Said act being Unlawful Noise, an unclassified misdemeanor. Contrary to and in violation of City Ordinances 509.12(A) and against the peace and dignity of the State of Ohio.

Complainant: OFC Lawrence #212 Address: 301 S DEPEYSTER ST KENT, OH 44240

Sworn to and subscribed before me this 4th day of December, 2025.

PORTAGE COUNTY MUNICIPAL COURT



DEPUTY CLERK

ARRAIGNMENT JOURNAL ENTRY

DATE: _____ PLEA: _____ BOND: _____ CONT: _____
SENTENCE: _____

WHITE/Clerk GREEN/Service YELLOW/Complainant PINK/Prosecutor GOLD/Police

STATE OF OHIO }
PORTAGE COUNTY } SS
I, Jill Fankhauser, Clerk of the Portage County Municipal Court, within and for said County, hereby certify the foregoing to be a true copy of the
Complaint
Filed in the foregoing case,
JILL FANKHAUSER, Clerk
By: [Signature]

COMPLAINT

PORTAGE COUNTY MUNICIPAL COURT

DATE: 12/1/2025

DEPT: KENT POLICE

RAVENNA KENT BRANCH

FILED
PORTAGE COUNTY MUNICIPAL COURT
DEC 04 2025
JILL FANKHAUSER, Clerk
KENT, OH

25-17009
REPORT #

PTL. CARNAHAN #247
OFFICER

STATE OF OHIO)
 : SS
PORTAGE COUNTY)

(WARRANT)
CASE NO.

(SUMMONS)

2025CRB1551K

Before me, personally came LORI F KLINE

Address: 1145 WINDWARD LN KENT OH 44240

Who, being duly sworn according to law, deposes and says that on or about the 01 day of December, 2025, in the County of Portage, State of Ohio, one ERIC SCOTT KOLB 02/09/1972 RQ073887

Address: 4469 DEAUVILLE AVE STOW OH 44244

did, being an owner of a lot, permit to be made excessive, unnecessary or unusually loud noise, or any noise which disturbs, annoys, injures or endangers the comfort, repose or health, peace or safety of persons of ordinary sensibilities.

Said act occurred at 100 JOHNSON RD
in the City of Kent, County of Portage, State of Ohio.

Said act being Unlawful Noise, an unclassified misdemeanor
Contrary to and in violation of City Ordinances 509.12(A) and against the peace and dignity of the State of Ohio.

Complainant: Lori Kline Address: 1145 WINDWARD LN KENT OH 44240

Sworn to and subscribed before me this 01 day of December, 2025.

PORTAGE COUNTY MUNICIPAL COURT

DEPUTY CLERK

ARRAIGNMENT JOURNAL ENTRY

DATE: _____ PLEA: _____ BOND: _____ CONT: _____
SENTENCE: _____

WHITE/Clerk GREEN/Service YELLOW/Complainant PINK/Prosecutor GOLD/Police

STATE OF OHIO }
PORTAGE COUNTY } SS
I, Jill Fankhauser, Clerk of the Portage
County Municipal Court, within and for
said County hereby certify the foregoing
to be a true copy of the
Complaint
Filed in the foregoing case,
JILL FANKHAUSER, Clerk
By [Signature]

Sworn Testimony of Darrin F. Hartman Regarding Excavation and Lake Expansion Adjacent to Forest Lakes Subdivision

Darrin F. Hartman – Forest Lakes Subdivision

Good evening Mayor, Council Members, and City Administration.

My name is Darrin Hartman. I reside at 1181 Windward Lane in the Forest Lakes Subdivision, which directly borders the property involved in the excavation and lake expansion activity currently being reviewed under the agricultural district application.

I am speaking tonight as a negatively impacted homeowner and as one of several Forest Lakes residents experiencing ongoing and daily impacts from this operation.

Forest Lakes residents respect legitimate agriculture. Many of us chose to live in Kent because we value the balance between residential living and surrounding rural character. We understand that agriculture involves equipment, seasonal operations, and occasional disruption.

However, what is occurring adjacent to our neighborhood is not consistent with normal agricultural practice.

For approximately two years, residents have observed large-scale excavation and land alteration activity involving multiple excavators, sustained truck hauling of soil and materials, and continuous, 24/7 pumping operations.

Based on my direct and repeated observation, as well as observations reported by multiple Windward Lane residents, the primary activity occurring on the property is consistent with expansion of the existing pond into a substantially larger recreational lake estimated to exceed five acres in size.

The scale of excavation, the sustained volume of earth removal, and the prolonged pumping operations are characteristic of recreational water development rather than agricultural land improvement.

Multiple Windward Lane residents, including myself, have personally witnessed water skiing and other recreational water activities occurring on the existing pond. Portions of that pond are partially owned by several Windward Lane property owners. The observed recreational use of the existing water body, combined with the substantial expansion currently underway, strongly indicates that the project is being developed to support expanded recreational boating and water sport activity rather than agricultural production.

At the same time, residents are experiencing continuous and recurring negative impacts from this operation.

We are routinely subjected to sustained heavy equipment noise, including 24/7 pumping system operations. This noise is audible inside homes and across residential properties. The City of Kent has adopted noise ordinances specifically to protect residents from excessive and prolonged operational disturbance, and the impacts residents are experiencing are inconsistent with those protections.

In addition to noise, residents have experienced recurring diesel exhaust odors generated by excavation and pumping equipment operating adjacent to residential property. At times, these odors are noticeable throughout the neighborhood and are strong enough to discourage outdoor activities and opening windows for ventilation.

Residents have also observed equipment operating without apparent sound suppression or adequate exhaust mitigation. The combination of continuous operational noise and diesel exhaust emissions has created ongoing environmental and quality-of-life impacts that extend well beyond what would reasonably be expected from agricultural activity.

Equally concerning is that these operations have continued for an extended period without apparent efforts to minimize impacts to surrounding homes or operate in a manner consistent with respectful neighboring land stewardship.

Ohio Revised Code Section 929.02(B)(1) requires Council to consider whether approval of an agricultural district designation would create a substantial adverse effect on municipal services, efficient land use, orderly development, or public health, safety, or welfare.

Based on the scale, duration, and intensity of excavation occurring directly adjacent to an established residential subdivision, combined with documented recreational water use, residents believe those substantial adverse effects are already present.

Forest Lakes is a long-established residential community. Residents invested in their homes with reasonable expectations that surrounding land uses would remain compatible with residential living. The expansion of heavy excavation and recreational lake development immediately bordering Windward Lane undermines those expectations and raises legitimate concerns regarding long-term neighborhood impact.

Residents of Forest Lakes are not asking the Council to oppose agriculture. We are asking Council to recognize that what is occurring adjacent to our neighborhood is not consistent with normal agricultural practice and is creating measurable and ongoing residential impact.

Agricultural protections exist to preserve farming — not to shield recreational development that disrupts established neighborhoods. What residents are experiencing is not normal agricultural practice, and the impacts to our community are substantial, ongoing, and undeniable.

Thank you for your time and consideration.

Attached to this sworn testimony are video recordings documenting excavation operations, pumping activities, heavy equipment noise, and recreational water use observed on the Kolb Acres property adjacent to the Forest Lakes Subdivision. These exhibits are submitted to provide evidence supporting statements contained herein.

Kent City Council - Exhibit Submissions 02-04-2026

Exhibit	Date	Time	Description	Time
A	6/26/2024	9:03 AM	Pumping equipment audible back upper patio 1181 Windward	:15
B	6/26/2024	7:02 AM	Pumping equipment audible back lower patio 1181 Windward	:14
C	7/4/2025	7:31 PM	Recreational water activity observed from back upper patio	:09
D	10/13/2025	3:26 PM	Excavator with open service door / access hatch open, audible from back lower patio 1181 Windward	:23
E	10/29/2025	1:20 PM	Excavator with open service door / access hatch open, audible from NW corner of Windward Ln.	:16
F	11/15/2025	7:22 AM	Pumping visible and audible back upper patio 1181 Windward	:18
G	2/2/2026	2:56 PM	Large scale excavation operations, excavator audible and visible emissions	:30

Sworn Statement Section (For Notary)

I, Darrin F. Hartman, affirm under penalty of perjury that the statements contained in this testimony are true and accurate to the best of my knowledge and belief.

Signature: Darrin F. Hartman

Printed Name: Darrin F. Hartman

Date: 2/4/26

Subscribed and sworn before me this 4 day of Feb., 2026

Notary Public: [Signature]

My Commission Expires: 10/03/2027



Racheal Gruszewski
Notary Public, State of Ohio
My Commission Expires:
October 3, 2027



CITY OF KENT

Special City Council Meeting

319 S. Water Street, Kent, Ohio 44240

February 4, 2026

MINUTES

At 9:18pm, Mayor Jack Amrhein called the Special City Council meeting to order.

Present: Ms. Melissa Celko; Mr. Jeff Clapper; Mr. Chris Hook; Mr. Eric Dreger; Ms. Heidi Shaffer Bish; Mr. Benjamin Tipton; Mr. Robin Turner; Ms. Sarah Wesley

Also Present: Mr. Jack Amrhein, Mayor and President of Council; Ms. Kathy Coleman, Clerk of Council

MOTION TO EXCUSE MS. WALLACH was made by Mr. Clapper, seconded by Mr. Hook and carried by unanimous voice vote.

VOTING ON BOARDS AND COMMISSIONS APPOINTMENT – CIVIL SERVICE COMMISSION

- MOTION TO APPOINT KAI CARPENTER TO THE CIVIL SERVICE COMMISSION was made by Mr. Clapper, seconded by Ms. Shaffer Bish, and carried by unanimous voice vote.
- MOTION TO AUTHORIZE INSERTION OF NAME INTO DRAFT 2026-10 was made by Ms. Celko, seconded by Mr. Clapper, and carried by unanimous voice vote.
- MOTION TO SUSPEND THREE READINGS OF DRAFT 2026-10 was made by Mr. Clapper, seconded by Mr. Hook, and carried by unanimous roll call vote.
- MOTION TO ADOPT DRAFT 2026-10 A RESOLUTION APPOINTING KAI CARPENTER TO THE CIVIL SERVICE COMMISSION AND DECLARING AN EMERGENCY was made by Ms. Shaffer Bish, seconded by Mr. Clapper, and carried by unanimous roll call vote.

ADJOURNMENT

There being no further business, the meeting was adjourned at 9:20pm.

Kathleen Coleman
Clerk of Council

Jack Amrhein
Mayor and President of Council