



City of Kent
Special City Council Meeting
319 S. Water Street, Kent, Ohio 44240
Council Chambers

Wednesday, July 22, 2026 7:00pm

AGENDA

1. ROLL CALL

2. CONSENT AGENDA

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

- 2.1 DRAFT 2026-61** AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR, UPON THE ISSUANCE OF A CERTIFICATE OF AVAILABILITY OF FUNDS, TO PAY CERTAIN PURCHASE ORDERS MADE THAT EXCEED \$3000.00; AND DECLARING AN EMERGENCY.
- 2.2 DRAFT 2026-62** AN ORDINANCE AUTHORIZING THE CITY BUDGET & FINANCE DIRECTOR AND LAW DIRECTOR, OR THEIR DESIGNEES, TO SIGN AN ADDENDUM TO THE EMPLOYMENT CONTRACT BETWEEN THE CITY OF KENT AND DAVID RULLER AND DECLARING AN EMERGENCY.
- 2.3 DRAFT 2026-63** A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF KENT, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2027, SUBMITTING THE SAME TO THE COUNTY AUDITOR, AND DECLARING AN EMERGENCY
- 2.4 DRAFT 2026-64** AN ORDINANCE AMENDING ORDINANCE NO. 2025-111, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 17, 2025; SO AS TO ADJUST APPROPRIATIONS, TRANSFERS AND ADVANCES FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2026; AND DECLARING AN EMERGENCY
- 2.5 DRAFT 2026-65** AN ORDINANCE AUTHORIZING THE KENT FIRE DEPARTMENT TO APPLY FOR THE STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT THROUGH THE DEPARTMENT OF HOMELAND SECURITY AND FEMA, AND TO ACCEPT ANY GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATIONS OF FUNDS WHICH PROVIDES

FUNDING FOR THREE (3) FIREFIGHTER/PARAMEDIC POSITIONS FOR A PERIOD OF THREE (3) YEARS AND DECLARING AN EMERGENCY.

- 2.6 DRAFT 2026-66** AN ORDINANCE AUTHORIZING THE KENT FIRE DEPARTMENT TO APPLY FOR THE FIRE PREVENTION AND SAFETY GRANT (FP&S) THROUGH FEMA, AND TO ACCEPT ANY GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATIONS TO PURCHASE A MODEL TECH HAZARD KITCHEN SAFETY PROP AND DECLARING AN EMERGENCY.
- 2.7 DRAFT 2026-67** AN ORDINANCE AUTHORIZING THE KENT FIRE DEPARTMENT TO APPLY FOR THE ASSISTANCE TO FIREFIGHTERS GRANT (AFG) THROUGH FEMA, AND TO ACCEPT ANY GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATIONS TO PURCHASE TEN (10) SETS OF FIREFIGHTER'S TURNOUT GEAR AND DECLARING AN EMERGENCY.
- 2.8 DRAFT 2026-68** AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A JOINT USE AGREEMENT BETWEEN THE CITY OF KENT, THE DAVEY TREE EXPERT COMPANY AND KENT CITY SCHOOL DISTRICT TO OUTLINE THE SHARED USE OF THE EXISTING JOHN DAVEY ARBORETUM IN CONJUNCTION WITH THE NEW DAVEY SEED CAMPUS AND DECLARING AN EMERGENCY
- 2.9 DRAFT 2026-69** A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED (WRF SCADA Replacement)
- 2.10 DRAFT 2026-70** A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED (SR 59 Alternative Transportation Improvements)
- 2.11 DRAFT 2026-71** AN ORDINANCE AMENDING SECTION 509.12 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED "UNLAWFUL NOISE", AND DECLARING AN EMERGENCY.

3. STANDING COMMITTEES AND LEGISLATION

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

3.1.1 Sustainability Commission Appointment – Ash D'Angelo

3.1.1.1 MOTION TO APPOINT ASH D'ANGELO TO THE SUSTAINABILITY COMMISSION

Any person who requires an auxiliary aid or service for effective communication or a modification of policies and procedures to participate in any City or City Council public meeting or event should contact the Clerk of Council at 330-678-8007. Any request for auxiliary aid or other accommodation should be made as soon as possible, but no later than forty-eight hours prior to the event.

- 3.1.1.2 MOTION TO AUTHORIZE INSERTION OF NAME INTO DRAFT 2026-72
- 3.1.1.3 MOTION TO SUSPEND THREE READINGS OF DRAFT 2026-72
- 3.1.1.4 MOTION TO APPROVE **DRAFT 2026-72 A RESOLUTION APPOINTING ASH D'ANGELO TO THE SUSTAINABILITY COMMISSION AND DECLARING AN EMERGENCY.**

4. ADJOURN

ORDINANCE NO. 2026 - 61

AN ORDINANCE AUTHORIZING THE FINANCE DIRECTOR, UPON THE ISSUANCE OF A CERTIFICATE OF AVAILABILITY OF FUNDS, TO PAY CERTAIN PURCHASE ORDERS MADE THAT EXCEED \$3000.00; AND DECLARING AN EMERGENCY.

WHEREAS, the Finance Director is required by ORC 5705.41(D) to certify the availability of funds to pay for goods or services upon all contracts and purchase orders; and,

WHEREAS, if the Certification of the Finance Director is not attached to the contract or purchase order over Three Thousand Dollars and No Cents (\$3,000.00) Council must pass an ordinance allowing for a warrant for payment to be issued upon the Finance Director's certification that at the time of making the contract or order and at the time of the certification there was sufficient funds necessary for the payment of such contract and orders; and,

WHEREAS, the Finance Director has indicated that such a certification described above can be executed.

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

SECTION 1. That the Finance Director is authorized to make such warrants as are necessary to pay the due and owing amounts detailed in Exhibit "A", attached hereto and made an integral part hereof.

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

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

PASSED: _____
Date

Jack Amrhein
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Kathleen Coleman
Clerk of Council

I, KATHLEEN COLEMAN, 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.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20____.

(SEAL)

KATHLEEN COLEMAN
CLERK OF COUNCIL

Purchase Order Report

G/L Date Range 06/09/26 - 07/06/26

Sort by Department - Purchase Order Number
Detail Listing

Purchase Order	2026-00001428	G/L Date	06/11/2026	Amount	3,442.80
Description	FD Grease/Sludge Separator/Tank Wash Out	Deliver by Date		Voided	.00
Department	01.108 Safety Department, Fire Services/Prevention/EMS	Printed Date	06/11/2026	Discounted	.00
Vendor	1553 - Rice Oil Co., LLC	Completed Date		Expensed	3,442.80
Type	Then/Now	Expiration Date		Remaining	.00
Status	Open			Encumbered	.00

Item 1	Description	Maint of Equip & Facilities - FD Grease/Sludge Separator/Tank Wash Out	Status	Open	Amount	3,442.80
	Quantity	1.0000	Vendor Part Number		Voided	.00
	U/M	Each	Contract Number		Discounted	.00
	Price per Unit	3,442.80	Discount	0%	Expensed	3,442.80
					Remaining	.00
					Encumbered	.00

G/L Account
128-01-510-108.7350 (Fire & EMS-Safety Department-Safety Services-Fire Services.Maint of Equip & Facilities)

Project

Amount
3,442.80

Purchase Order	2026-00001441	G/L Date	06/16/2026	Amount	14,030.59
Description	FD 17 Squad Algae throughout Fuel System Repair	Deliver by Date		Voided	.00
Department	01.108 Safety Department, Fire Services/Prevention/EMS	Printed Date	06/23/2026	Discounted	.00
Vendor	5471 - Sarchione Ford Randolph	Completed Date		Expensed	14,030.59
Type	Then/Now	Expiration Date		Remaining	.00
Status	Open			Encumbered	.00

Item 1	Description	Maint of Equip & Facilities - FD 17 Squad Algae throughout Fuel System Repair	Status	Open	Amount	14,030.59
	Quantity	1.0000	Vendor Part Number		Voided	.00
	U/M	Each	Contract Number		Discounted	.00

Price per Unit		14,030.59	Discount		0%	Expensed		14,030.59
						Remaining		.00
						Encumbered		.00
G/L Account		Project				Amount		
128-01-510-108.7350 (Fire & EMS-Safety Department-Safety Services-Fire Services,Maint of Equip & Facilities)						14,030.59		
Purchase Order	2026-00001437	G/L Date	06/15/2026			Amount		13,976.00
Description	CM Utility Locating Service	Deliver by Date				Voided		.00
Department	05.560 Public Services Department,Central Maintenance Division	Printed Date	06/23/2026			Discounted		.00
Vendor	5661 - USIC Locating Services, LLC	Completed Date				Expensed		.00
Type	Then/Now	Expiration Date				Remaining		13,976.00
Status	Open					Encumbered		13,976.00
Item 1	Description	Misc Contractual	Status	Open	Amount		3,494.00	
	Quantity	1.0000	Vendor Part Number		Voided		.00	
	U/M	Each	Contract Number		Discounted		.00	
	Price per Unit	3,494.00	Discount	0%	Expensed		.00	
					Remaining		3,494.00	
					Encumbered		3,494.00	
G/L Account		Project				Amount		
102-05-560-601.7390 (SCMR-Service Department-Central Maintenance-Transportation - Central Maint..Misc Contractual)						3,494.00		
Item 2	Description	Misc Contractual	Status	Open	Amount		3,494.00	
	Quantity	1.0000	Vendor Part Number		Voided		.00	
	U/M	Each	Contract Number		Discounted		.00	
	Price per Unit	3,494.00	Discount	0%	Expensed		.00	
					Remaining		3,494.00	

Encumbered 3,494.00

G/L Account Project

201-05-550-605.7390 (Water-Service Department-Basic Utility Services-Central Maintenance Distribution.Misc Contractual)

Amount
3,494.00

Item 3	Description	Misc Contractual	Status	Open	Amount	3,494.00
	Quantity	1.0000	Vendor Part Number		Voided	.00
	U/M	Each	Contract Number		Discounted	.00
	Price per Unit	3,494.00	Discount	0%	Expensed	.00
					Remaining	3,494.00
					Encumbered	3,494.00

G/L Account Project

202-05-550-605.7390 (Sewer-Service Department-Basic Utility Services-Central Maintenance Distribution.Misc Contractual)

Amount
3,494.00

Item 4	Description	Misc Contractual	Status	Open	Amount	3,494.00
	Quantity	1.0000	Vendor Part Number		Voided	.00
	U/M	Each	Contract Number		Discounted	.00
	Price per Unit	3,494.00	Discount	0%	Expensed	.00
					Remaining	3,494.00
					Encumbered	3,494.00

G/L Account Project

208-05-550-605.7390 (Storm Water-Service Department-Basic Utility Services-Central Maintenance Distribution.Misc Contractual)

Amount
3,494.00

ORDINANCE NO. 2026 - 62

AN ORDINANCE AUTHORIZING THE CITY BUDGET & FINANCE DIRECTOR AND LAW DIRECTOR, OR THEIR DESIGNEES, TO SIGN AN ADDENDUM TO THE EMPLOYMENT CONTRACT BETWEEN THE CITY OF KENT AND DAVID RULLER AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent has entered into an employment agreement initially in 2005 with David Ruller to be the City Manager of Kent; and

WHEREAS, the parties agree to grant a four percent (4%) cost of living raise and one percent (1%) merit raise to the Employment Contract signed June 15, 2024; and

WHEREAS, time is of the essence.

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

SECTION 1. That Kent City Council hereby authorizes the Budget & Finance Director and the Law Director or their designees to execute the Addendum to the Employment Contract between the City of Kent and Dave Ruller, attached hereto as Exhibit "A", with David Ruller as City Manager of Kent.

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

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

PASSED: _____
Date

Jack Amrhein
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Kathleen Coleman
Clerk of Council

I, KATHLEEN COLEMAN, 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. _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

KATHLEEN COLEMAN
CLERK OF COUNCIL

ADDENDUM

THIS ADDENDUM is entered into by the City of Kent, Ohio ("City") and the City Manager, David Ruller ("Employee") to modify an employment agreement entered into between the parties on June 15, 2024.

WHEREAS, the Kent City Council wishes to grant Employee a four percent (4%) cost of living raise and one percent (1%) merit raise.

NOW THEREFORE, it is hereby agreed between the parties that:

- 1) Ruller will receive a four percent (4%) cost of living raise and one percent (1%) merit raise.
- 2) Ruller will receive a five percent (5%) increase to the monies the City provides for his deferred compensation fund.

The remaining June 15, 2024 contract shall remain in full effect.

Witness our signatures, this _____ day of _____, 2026.

Approved by City Council, on _____ in Ordinance 2026-_____.

FOR THE CITY OF KENT, OHIO:

BY THE EMPLOYEE:

Rhonda Hall
Budget & Finance Director

David Ruller

Hope L. Jones
Law Director

APPROVED AS TO FORM:

Hope L. Jones, Law Director
City of Kent, Ohio`

RESOLUTION NO. 2026 - 63

A RESOLUTION ADOPTING THE TAX BUDGET OF THE CITY OF KENT, OHIO, FOR THE FISCAL YEAR BEGINNING JANUARY 1, 2027, SUBMITTING THE SAME TO THE COUNTY AUDITOR, AND DECLARING AN EMERGENCY.

WHEREAS, a tentative Tax budget for the City of Kent, Ohio, has been prepared for the fiscal year beginning January 1, 2027 showing detailed estimates of all balances that will be available at the beginning of the year 2027 for the purposes of such year, and of all revenue to be received for such fiscal year including all general and special taxes, fees, costs, percentages, penalties, allowances, prerequisites, and all other types of classes of revenue; also estimates of all expenditures or charges in or for the purpose of such fiscal year to be paid or met from the said revenues or balances; and otherwise conforming with the requirement of law; and

WHEREAS, said budget has been made conveniently available for public inspection for at least ten (10) days, be and having at least two (2) copies thereof on file in the office of the Director of Budget and Finance; and

WHEREAS, the Council has held a hearing on said budget of which public notice was given by publication not less than ten (10) days previous to the date thereof.

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

SECTION 1. That the Tax budget of the City of Kent, Ohio for the fiscal year beginning January 1, 2027, heretofore prepared and submitted to this Council, copies of which have been and are on file in the office of the Director of Budget and Finance, be and it is hereby adopted as the official Tax budget of the City of Kent, Ohio, for the fiscal year beginning January 1, 2027.

SECTION 2. That the Clerk be and is hereby authorized and directed to certify two (2) copies of said budget and two (2) copies of this Resolution and to transmit same to the Auditor of Portage County, Ohio, not later than July 20, 2026.

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

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

PASSED: _____
Date

Jack Amrhein
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Kathleen Coleman
Clerk of Council

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

(SEAL)

KATHLEEN COLEMAN
CLERK OF COUNCIL

DRAFT

ORDINANCE NO. 2026 - 64

AN ORDINANCE AMENDING ORDINANCE NO. 2025-111, THE CURRENT APPROPRIATION ORDINANCE, PASSED DECEMBER 17, 2025; SO AS TO ADJUST APPROPRIATIONS, TRANSFERS AND ADVANCES FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2026; AND DECLARING AN EMERGENCY.

WHEREAS, it is necessary to amend current appropriations, transfers and advances for the expenses and other expenditures for the City of Kent, Ohio, for the fiscal year ending December 31, 2026.

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

SECTION 1. That the current appropriations Ordinance No. 2025-111 passed December 17, 2025, as amended by Ordinance No. 2026-12, passed 2/18/26, as amended by Ordinance No. 2026-26, passed 3/18/26, as amended by Ordinance No. 2026-30, passed 4/15/26, as amended by Ordinance No. 2026-58, passed 6/17/26, be amended as set forth in Exhibit "A", attached hereto and incorporated herein, so as to increase appropriations in Fund 001, General; Fund 106, Parks & Recreation; Fund 301, Capital Improvements; and so as to decrease Fund 201, Water; and Declaring an Emergency.

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

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

PASSED: _____
Date

Jack Amrhein
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Kathleen Coleman
Clerk of Council

I, KATHLEEN COLEMAN, 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.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20____.

(SEAL)

KATHLEEN COLEMAN
CLERK OF COUNCIL

Exhibit A

2026 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>General Fund (001)</u>						
City Council	\$ 241,770	\$ 151,280	\$ -	\$ -	\$ -	\$ 393,050
Mayor	13,755	12,000				25,755
Community Support		122,000				122,000
City Manager	421,255	103,355				524,610
Community Engagement	124,250	44,100				168,350
Information Technology	325,930	685,210				1,011,140
Urban Renewal		35,500	220,000			255,500
Human Resources	146,100	35,985				182,085
Law	402,220	143,715				545,935
Budget & Finance	543,410	201,875				745,285
Community Development	829,550	476,955				1,306,505
Economic Development	151,325	43,275				194,600
Public Parking		94,030				94,030
Main Street Program		75,600				75,600
Service Administration	219,110	387,975				607,085
Shade Tree		168,675	20,000			188,675
Sustainability	115,280	3,400				118,680
Building	464,550	99,900				564,450
Land banking		5,000				5,000
Engineering	320,150	122,800				442,950
Miscellaneous & Sundry		542,100				542,100
New City Hall Facility			1,149,000			1,149,000
Contingency					100,000	100,000
Fund Total	4,318,655	3,554,730	1,389,000	-	100,000	9,362,385
<u>West Side Fire (101)</u>						
Fire	179,850	38,800				218,650
Fund Total	179,850	38,800	-	-	-	218,650
<u>Street Construction Maintenance & Repair (102)</u>						
Service	1,604,380	1,379,920				2,984,300
Contingency					25,000	25,000
Fund Total	1,604,380	1,379,920	-	-	25,000	3,009,300
<u>State Highway (103)</u>						
Service		125,000				125,000
Fund Total	-	125,000	-	-	-	125,000
<u>Recreation (106)</u>						
Parks & Recreation	1,676,145	645,285	120,100			2,441,530
Fund Total	1,676,145	645,285	120,100	-	-	2,441,530
<u>Food Service (107)</u>						
Health	105,145	26,740				131,885
Fund Total	105,145	26,740	-	-	-	131,885
<u>Health Department (110)</u>						
Administration	590,030	196,680				786,710
Workforce Grant	97,945	3,250				101,195
Other Grants	0	115,055				115,055
Fund Total	687,975	314,985	-	-	-	1,002,960

2026 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Income Tax (116)</u>						
Budget/Finance/IncTaxAdmin	152,820	687,400				840,220
Managed Reserve				25,540		25,540
Fund Total	152,820	687,400	-	25,540	-	865,760
<u>Revolving Housing (120)</u>						
Health	163,610	23,670				187,280
Fund Total	163,610	23,670	-	-	-	187,280
<u>State & Local Forfeits (121)</u>						
Police						-
Fund Total	-	-	-	-	-	-
<u>Drug Law Enforcement (122)</u>						
Police		20,000				20,000
Fund Total	-	20,000	-	-	-	20,000
<u>Enforcement & Education (123)</u>						
Police		11,000				11,000
Fund Total	-	11,000	-	-	-	11,000
<u>Income Tax Safety (124)</u>						
Police	9,492,915	955,420				10,448,335
Fund Total	9,492,915	955,420	-	-	-	10,448,335
<u>Law Enforcement Trust (125)</u>						
Police						-
Fund Total	-	-	-	-	-	-
<u>Community Development Block Grant (126)</u>						
Community Development		175,155	159,857			335,012
Fund Total	-	175,155	159,857	-	-	335,012
<u>Fire & E.M.S. (128)</u>						
Fire	6,624,890	971,600	3,341,550			10,938,040
Fund Total	6,624,890	971,600	3,341,550	-	-	10,938,040
<u>Wireless 911 (129)</u>						
Safety						-
Fund Total	-	-	-	-	-	-
<u>Swimming Pool Inspections (130)</u>						
Health	8,410	500				8,910
Fund Total	8,410	500	-	-	-	8,910
<u>Police Pension (132)</u>						
Police	180,000					180,000
Fund Total	180,000	-	-	-	-	180,000
<u>Fire Pension (133)</u>						
Fire	180,000					180,000
Fund Total	180,000	-	-	-	-	180,000

2026 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>UDAG / EDA-RLF (134)</u>						
City Manager/C.D.		570,000				570,000
Fund Total	-	570,000	-	-	-	570,000
<u>CHIP Grant (136)</u>						
City Manager/C.D.		160,000				160,000
Fund Total	-	160,000	-	-	-	160,000
<u>Local American Rescue Plan Act (138)</u>						
ARPA			23,388.56			23,388.56
Fund Total	-	-	23,388.56	-	-	23,388.56
<u>Water (201)</u>						
Service	2,216,890	1,454,530	934,955			4,606,375
Service (Capital Facilities)			248,050			248,050
Admin. Support	540,640	198,955	40,500			780,095
Budget & Finance (Debt)				41,799		41,799
Contingency					50,000	50,000
Fund Total	2,757,530	1,653,485	1,223,505	41,799	50,000	5,726,319
<u>Sewer (202)</u>						
Service	1,970,665	1,069,750	10,706,861.44			13,747,276.44
Service (Capital Facilities)			3,435,760			3,435,760
Admin. Support	459,540	168,155	39,950			667,645
Budget & Finance (Debt)				106,430		106,430
Contingency					50,000	50,000
Fund Total	2,430,205	1,237,905	14,182,571.44	106,430	50,000	18,007,111.44
<u>Utility Billing (204)</u>						
Budget & Finance		149,440				149,440
Fund Total	-	149,440	-	-	-	149,440
<u>Solid Waste (205)</u>						
Admin Support	52,270	176,910				229,180
Service	462,880	40,500				503,380
Fund Total	515,150	217,410	-	-	-	732,560
<u>Storm Water Utility (208)</u>						
Service	462,880	65,850	74,250			602,980
Service (Capital Facilities)			750,000			750,000
Admin. Support	376,260	88,670	1,650			466,580
Budget & Finance (Debt)				13,347		13,347
Fund Total	839,140	154,520	825,900	13,347	-	1,832,907

2026 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Fund & Department Total</u>
<u>Guaranteed Deposits (230)</u>						
Budget & Finance		1,000				1,000
Fund Total	-	1,000	-	-	-	1,000
<u>Capital Projects (301)</u>						
Safety			231,000			231,000
Service			987,900			987,900
Service (Capital Facilities)			25,420,856			25,420,856
Administrative	320,150		502,900			823,050
Parks & Recreation			10,000			10,000
Budget & Finance (Debt)				63,265		63,265
New City Hall (Debt)				456,920		456,920
Contingency					25,000	25,000
Fund Total	320,150	-	27,152,656	520,185	25,000	28,017,991
<u>Municipal Public Improvement Tax Increment Equivalent (302)</u>						
Service (Capital Facilities)						-
Budget & Finance (Debt)				414,025		414,025
Fund Total	-	-	-	414,025	-	414,025
<u>Police Facility (303)</u>						
Safety (Capital Facilities)		66,000	120,000			186,000
Budget & Finance (Debt)				1,029,150		1,029,150
Fund Total	-	66,000	120,000	1,029,150	-	1,215,150
<u>Internal Service (807)</u>						
Health Insurance		4,553,410				4,553,410
Fund Total	-	4,553,410	-	-	-	4,553,410
Total Appropriations	\$ 32,236,970	\$ 17,693,375	\$ 48,538,528	\$ 2,150,476	\$ 250,000	\$ 100,869,349
Original Appropriations	\$ 31,410,370	\$ 16,554,240	\$ 20,605,557	\$ 2,142,976	\$ 250,000	\$ 70,963,143
Amendment #1	589,600	455,085	26,541,371	-	-	27,586,056
Amendment #2	187,000	508,400	179,450	7,500	-	882,350
Amendment #3	-	9,100	298,150	-	-	307,250
Amendment #4	50,000	156,045	-	-	-	206,045
Amendment #5	-	10,505	914,000			924,505
Amendment #6						-
Amendment #7						-
Amendment #8						-
	\$ 32,236,970	\$ 17,693,375	\$ 48,538,528	\$ 2,150,476	\$ 250,000	\$ 100,869,349

2026 ORIGINAL APPROPRIATIONS - SCHEDULE OF OPERATING TRANSFERS AND TEMPORARY ADVANCES

<u>Paying Fund</u>	<u>Original</u>	<u>Request</u>	<u>Change</u>	<u>Receiving Fund</u>
<u>Operating Transfers</u>				
Fund 116 - Income Tax	\$ 4,336,500			Fund 001 - General
Fund 116 - Income Tax	800,000			Fund 102 - St Const Maint & Repair
Fund 116 - Income Tax	4,654,138			Fund 124 - Income Tax Safety
Fund 116 - Income Tax	4,654,138			Fund 128 - Fire & E.M.S.
Fund 116 - Income Tax	4,034,138			Fund 301 - Capital Projects
Fund 116 - Income Tax	2,327,070			Fund 303 - Police Facility
Total Fund 116 Income Tax	20,805,984	-	-	
Fund 201 - Water	59,720	\$ 74,720	\$ 15,000	Fund 204 - Utility Billing
Fund 202 - Sewer	59,720	74,720	15,000	Fund 204 - Utility Billing
Fund 001 - General	0	50,000	50,000	Fund 106 - Parks and Rec
Fund 001 - General	700,000			Fund 110 - Health
Fund 001 - General	5,700,000			Fund 124 - Income Tax Safety
Fund 001 - General	4,400,000			Fund 128 - Fire & EMS
Subtotal - Total Operating Transfers	10,919,440	199,440	80,000	
Grand Total - All Transfers	\$ 31,725,424	\$ 199,440	\$ 80,000	

ORDINANCE NO. 2026 - 65

AN ORDINANCE AUTHORIZING THE KENT FIRE DEPARTMENT TO APPLY FOR THE STAFFING FOR ADEQUATE FIRE AND EMERGENCY RESPONSE (SAFER) GRANT THROUGH THE DEPARTMENT OF HOMELAND SECURITY AND FEMA, AND TO ACCEPT ANY GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATIONS OF FUNDS WHICH PROVIDES FUNDING FOR THREE (3) FIREFIGHTER/PARAMEDIC POSITIONS FOR A PERIOD OF THREE (3) YEARS AND DECLARING AN EMERGENCY.

WHEREAS, the Kent Fire Department would like to apply for the Staffing for Adequate Fire and Emergency Response (SAFER) grant through the Department of Homeland Security and FEMA; and

WHEREAS, this grant will provide funding for three (3) Firefighter/Paramedic positions over a three (3) year period, such as salaries, benefits, etc; and

WHEREAS, the City's cost share would be 25% (\$100,000) in years 1 and 2 and 75% for year three (3) (\$300,000).

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

SECTION 1. That Kent City Council authorizes the Kent Fire Department to apply for the Staffing for Adequate Fire and Emergency Response (SAFER) grant through the Department of Homeland Security and FEMA.

SECTION 2. That the Kent City Council hereby approves the City's acceptance of any such grant, if awarded to the City, with corresponding appropriations for its use.

SECTION 3. 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 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jack Amrhein
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Kathleen Coleman
Clerk of Council

I, KATHLEEN COLEMAN, 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.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20____.

(SEAL)

KATHLEEN COLEMAN
CLERK OF COUNCIL

ORDINANCE NO. 2026 - 66

AN ORDINANCE AUTHORIZING THE KENT FIRE DEPARTMENT TO APPLY FOR THE FIRE PREVENTION AND SAFETY GRANT (FP&S) THROUGH FEMA, AND TO ACCEPT ANY GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATIONS TO PURCHASE A MODEL TECH HAZARD KITCHEN SAFETY PROP AND DECLARING AN EMERGENCY.

WHEREAS, the Kent Fire Department would like to apply for the Fire Prevention and Safety Grant (FP&S) through FEMA; and

WHEREAS, this grant will provide funding for a Model Tech Hazard Kitchen Safety prop and be utilized as part of a fire safety education program to teach people about the hazards of kitchen and cooking fires; and

WHEREAS, the cost of the prop would be \$8,995, of which \$8,547 would be covered by the grant and the City's share would be \$447.75.

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

SECTION 1. That Kent City Council authorizes the Kent Fire Department to apply for the Fire Prevention and Safety Grant (FP&S) through FEMA for a Model Tech Hazard Kitchen Safety prop.

SECTION 2. That the Kent City Council hereby approves the City's acceptance of any such grant, if awarded to the City, with corresponding appropriations for its use.

SECTION 3. 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 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jack Amrhein
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Kathleen Coleman
Clerk of Council

I, KATHLEEN COLEMAN, 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.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20____.

(SEAL)

KATHLEEN COLEMAN
CLERK OF COUNCIL

ORDINANCE NO. 2026 - 67

AN ORDINANCE AUTHORIZING THE KENT FIRE DEPARTMENT TO APPLY FOR THE ASSISTANCE TO FIREFIGHTER'S GRANT (AFG) THROUGH FEMA, AND TO ACCEPT ANY GRANT, IF AWARDED, WITH CORRESPONDING APPROPRIATIONS TO PURCHASE TEN (10) SETS OF FIREFIGHTER'S TURNOUT GEAR AND DECLARING AN EMERGENCY.

WHEREAS, the Kent Fire Department would like to apply for the Assistance to Firefighters Grant (AFG) through FEMA; and

WHEREAS, this grant will provide funding for ten (10) sets of firefighter's turnout gear; and

WHEREAS, the cost for ten (10) sets of gear will be \$51,340, of which a match by the City is approximately ten percent (10%) which will be \$4,667.27.

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

SECTION 1. That Kent City Council authorizes the Kent Fire Department to apply for the Assistance to Firefighters Grant (AFG) through FEMA.

SECTION 2. That the Kent City Council hereby approves the City's acceptance of any such grant, if awarded to the City, with corresponding appropriations for its use.

SECTION 3. 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 4. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety and welfare of the residents of this City, for which reason and other reasons manifest to this Council this ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____
Date

Jack Amrhein
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Kathleen Coleman
Clerk of Council

I, KATHLEEN COLEMAN, 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.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20____.

(SEAL)

KATHLEEN COLEMAN
CLERK OF COUNCIL

ORDINANCE NO. 2026 – 68

AN ORDINANCE AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO A JOINT USE AGREEMENT BETWEEN THE CITY OF KENT, THE DAVEY TREE EXPERT COMPANY AND KENT CITY SCHOOL DISTRICT TO OUTLINE THE SHARED USE OF THE EXISTING JOHN DAVEY ARBORETUM IN CONJUNCTION WITH THE NEW DAVEY SEED CAMPUS AND DECLARING AN EMERGENCY.

WHEREAS, City of Kent owns and operates The John Davey Arboretum located at 1499 North Mantua Street with no parking facilities on site; and

WHEREAS, City of Kent, Davey Tree Expert Company and the Kent City School District have come to an agreement with the following:

- 1) Construct a new sidewalk on North Mantua Street to connect the JDA cabin and public restroom to the new SEED Campus Arboretum Parking Lot;
- 2) Permit visitors to the JDA to use the SEED Campus Arboretum Parking Lot;
- 3) Permit visitors to the SEED Campus Arboretum to use the JDA public restroom.

WHEREAS, the costs to construct the sidewalk are included in the North Mantua Improvement Project budget.

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

SECTION 1. That Kent City Council does hereby authorize the City Manager, or his designee, to enter into a Joint Use Agreement between the City of Kent, the Davey Tree Expert Company and Kent City School District to outline the shared use of the existing John Davey and is more fully described in Exhibit “A” attached hereto and incorporated herein.

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

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

PASSED: _____
Date

Jack Amrhein
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Kathleen Coleman
Clerk of Council

I, KATHLEEN COLEMAN, 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.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20_____.

(SEAL)

KATHLEEN COLEMAN
CLERK OF COUNCIL

DRAFT

THE JOHN DAVEY ARBORETUM
JOINT USE AGREEMENT

CITY OF KENT
KENT CITY SCHOOL DISTRICT
AND
THE DAVEY TREE EXPERT COMPANY

**ALL PARTIES BEING IN THE COUNTY OF PORTAGE,
STATE OF OHIO**

This Agreement, dated _____ 2026, is an agreement made and entered into between The Davey Tree Expert Company (“Davey”), Kent City School District (“School District”) and the City of Kent, Ohio, duly formed under the laws of the State of Ohio (“City”).

WITNESSETH:

WHEREAS, Kent owns and operates The John Davey Arboretum (JDA) at 1499 North Mantua Street, which has no parking facilities on site, but has a restroom facility on site, and desires to see the JDA be more utilized; and

WHEREAS, Kent and Davey have an existing Agreement involving the maintenance of the JDA, included in Attachment “A”; and

WHEREAS, Davey is constructing an arboretum on the Davey Science, Employee Education and Development (SEED) Campus that is adjacent to The John Davey Arboretum, and it will have a parking facility on site, but no restroom facility site; and

WHEREAS, the City, Davey and the School District are jointly completing a project to improve North Mantua Street adjacent to both the JDA and SEED Arboretum (“Project”); and

WHEREAS, Davey and City entered into agreement on April 21, 2025 to jointly investigate the possibilities inherent to the JDA and SEED Arboretum and plan how they could become a destination place for visitors, included in Attachment “B”; and

WHEREAS, a proposed coordination diagram was developed depicting how the JDA and SEED Arboretum could be physically connected, included in Attachment “C”; and

WHEREAS, all parties desire to collaborate and partner to implement measures to physically connect and to permit and facilitate the public to jointly use both the JDA and SEED Arboretum.

THEREFORE, all parties commit to the following to physically connect the JDA and the SEED Arboretum and to jointly facilitate the public use of both the JDA and SEED Arboretum:

CONSTRUCTION

The proposed coordination diagram (Attachment “C”) depicts two paths to connect the JDA and SEED Arboretum. One path, the main concrete path, will be constructed as part of the Project. The second path, a mulched path, will be constructed by Davey with the completion of the SEED Arboretum. Davey will coordinate with the City on the details of the mulched path prior to its construction.

JOINT USE

The visitors, guests and users of the JDA shall have the right to use the SEED Arboretum parking lot based on the following expectations and conditions:

- The parking lot will be available to the public seasonally corresponding roughly with the times that the public restroom is open at the JDA.
- Davey shall maintain ownership and operational control of the parking lot, and will not unreasonably withhold access to the parking lot from the public and JDA visitors, guests and users.
- The City can make reasonable requests to utilize the parking lot during closed times for events at the JDA. Reasonable requests shall be approved by Davey.

The visitors, guests and users of the SEED Arboretum shall have the right to use the JDA restroom based on the following expectations and conditions:

- The restroom will be available to visitors, guests and users of the SEED Arboretum seasonally from dawn till dusk.
- The City will winterize the restroom with the other City Parks and Recreation Facilities.
- The City shall maintain ownership and operational control of the restroom facility, and will not unreasonably withhold access to the restroom from the public and SEED Arboretum visitors, guests and users.
- Davey can make reasonable requests to utilize the restroom facilities during closed times for events at the SEED Arboretum. Reasonable requests shall be approved by the City.

MAINTENANCE/OPERATIONS

Nothing in this agreement is intended to transfer the owners' maintenance responsibilities and operational control of their respective facilities, beyond what has been agreed to in the existing agreement included in Attachment "A". The City and Davey commit to the following regarding maintenance/operations of their facilities:

- The City shall maintain the restroom in the JDA in good, sanitary working conditions and shall maintain the restroom in a condition to be utilized by the public.
- Davey shall maintain the parking lot in a condition that ensures that the lot can be utilized by the public.
- The City is not relinquishing their rights to reasonably use/close the restroom for events, maintenance or other short duration needs.
- Davey is not relinquishing their rights to reasonably use/close the parking lot for events, maintenance, misuse, or other short duration needs.

PAYMENT

The construction of the concrete path connecting the JDA and SEED Arboretum shall be included in a separate agreement by the parties. No payments for the remaining terms of this agreement are required by the parties.

TERM & RENEWAL

The term of this Agreement shall be ten (10) years from the execution date of this Agreement ("Original Term"). If the City and Davey desire to extend the agreement beyond the initial ten (10) year term, they shall agree to the renewal in writing.

Upon completion of the concrete path, the City and Davey can terminate the remaining terms of the agreement with no less than a 90-day notice to the other parties.

SEVERABILITY

In the event any one or more of the provisions contained in the Agreement shall be determined to be invalid and the remaining provisions can be given effect, then in such event the remaining provisions shall remain in full force and effect.

AMENDMENTS

Parties may request changes to this Agreement. Any changes, modifications, revisions, or amendments to this Agreement shall be mutually agreed upon by all parties and shall be in a writing identified as an amendment to this Agreement and signed by all parties.

CITY OF KENT

Approved and Accepted by:

Dave Ruller
City of Kent, City Manager

Date: _____

Witness: _____

Angela Manley
City of Kent, Parks and Recreation Director

Date: _____

Witness: _____

Approved as to Form:

Hope Jones
City of Kent, Law Director

Date: _____

THE DAVEY TREE EXPERT COMPANY

Approved and Accepted by:

Name:

Title:

Date: _____

Witness: _____

KENT CITY SCHOOL DISTRICT

Approved and Accepted by:

Tom Larkin
Superintendent

Date: _____

Witness: _____

ATTACHMENT "A"



MEMORANDUM OF UNDERSTANDING AND AGREEMENT

THIS MEMORANDUM OF UNDERSTANDING AND AGREEMENT dated this ____ day of _____, 2018 ("Agreement"), is made by and between The Davey Tree Expert Company, 1500 N. Mantua Street, Kent, Ohio 44240 ("Davey Tree") and the City of Kent, Ohio Parks and Recreation Department, 497 Middlebury Road, P.O. Box. 5192, Kent, Ohio 44240 (the "City").

1. **Purpose.** The purpose of this Agreement is to establish the terms and conditions under which Davey Tree will provide the services set forth in paragraph 2 below to the City for the John Davey Arboretum.

2. **Services.** Davey Tree will perform the following landscaping services for the John Davey Arboretum (referred to herein as John Davey Arboretum or job site):

2.1. Re-landscaping of John Davey Arboretum Sign as depicted in Exhibit A, which includes the following:

- Remove existing Chamaecyparis and stones.
- Elevate/prune existing Heptacodium.
- Mulch with 2" hardwood mulch.
- Install the following:

Quantity	Description
4	Large boulders
1	8' Cotinus tree
14	#7 Wine & Rose Weigela
14	#5 Itea Henrys Garnet (Sweetspire)
11	#1 Amsonia Pretty lady Diana (Bluestar)
50	#1 Angelina Sedum

- Supplemental watering to allow proper establishment of perennials and shrubs.

The value of the services set forth in paragraph 2.1 is \$7,000.00.

2.2. Yearly Maintenance of John Davey Arboretum to include the following:

- 23 Weekly Visits: mow, string trim, hard surface edge and bed detail, as needed.
- 4 Lawn Care Visits: turf fertilization and broadleaf weed control.
- Pruning: selective pruning of all existing plant material, removal of dead wood, and other pruning, as needed.
- 1 Spring Clean Up Visit: deep edge all beds, tree rings, and mulch.
- 1 Fall Clean Up Visit: leaf removal and perennial cut-back.

The value of the services set forth in paragraph 2.2 is \$8,500.00.

2.3. Additional Services to include the following:

- Prepare and repaint both sides of John Davey Arboretum sign.

- Top-dress path around cabin with new limestone.

The value of the services set forth in paragraph 2.3 is \$2,000.00.

2.4. Davey Tree will perform only those services set forth in this paragraph 2. The City understands and agrees that Davey Tree is not required and does not agree to perform any services that are not expressly described herein.

3. **Payment.** In exchange for the mutual covenants herein, Davey Tree will provide the services set forth in paragraph 2 free of charge, at no cost to the City.

4. **Term.** The term of this Agreement shall commence on [MONTH] [DAY], 2018 and shall terminate on [MONTH] [DAY], [YEAR]. Within thirty (30) days of the termination date, the parties may, upon mutual written agreement, extend this Agreement.

5. **Termination.** This Agreement shall terminate: (i) upon the occurrence of a material breach of a material provision by a party if such breach is not cured within thirty (30) days after written notice of such breach is received by the breaching party from the non-breaching party identifying the matter constituting the material breach; (ii) upon sixty (60) days advance written notice by the terminating party; or (iii) at any time upon the mutual, written consent of both parties.

6. **Warranties.** Davey Tree shall perform the services set forth in paragraph 2 in accordance with applicable federal, state, and local laws and industry standards. **Davey Tree disclaims all other warranties of any kind, express or implied, including any warranty of merchantability or fitness for any particular purpose.**

7. **Amendments.** Either party may request changes to this Agreement. Any changes, modifications, revisions, or amendments to this Agreement shall be mutually agreed upon by Davey Tree and the City and shall be in a writing identified as an amendment to this Agreement and signed by Davey Tree and the City.

8. **Limitation of Liability.** In no event shall Davey Tree be liable to the City for any lost or prospective profits or any other punitive, consequential, incidental, or indirect loss or damage, whether based in contract, strict liability, tort, or otherwise with respect to this Agreement, regardless of the foreseeability or cause thereof.

9. **Release of Claims Relating to Job Site Conditions.** The City hereby releases Davey Tree from all claims of any kind, including claims for personal injury, death, and property damages, arising from or relating to any condition of the job site or any hazard on the job site that existed prior to the execution of this Agreement, whether known or unknown.

10. **Indemnification.** The City shall indemnify, defend, and hold harmless Davey Tree from and against all claims, damages, losses, and expenses, including attorneys' fees, arising out of, resulting from, or relating to any breach by the City of this Agreement, the condition of the job site or any hazards on the job site prior to the execution of this Agreement, and/or any acts or omissions by the City or any of its employees, agents, contractors, or representatives.

11. **Force Majeure.** Davey Tree shall not be subject to any liability or damages for delay in performance or non-performance as a result of the storm conditions, fire, flood, ice, natural catastrophe, labor dispute, accident, riot, act of governmental authority, act of God, act of terrorism, or other contingencies and circumstances beyond Davey Tree's control interfering with its performance under this Agreement.

12. **Assignment.** The City may not assign any of its rights under this Agreement without the prior written consent of Davey Tree. This Agreement does not confer upon any third party any right to claim damages against Davey Tree.

13. **Relationship of the Parties.** The relationship of the parties to each other is that of independent contractors. Nothing herein shall create any association, joint venture, partnership, or agency relationship of any kind between the parties.

14. **Severability.** If any term of this Agreement is held invalid, illegal, or unenforceable, such term shall be limited to the extent necessary to comply with applicable law and if such limitation is not possible, severed and inoperative, and the remainder of this Agreement shall remain operative and binding on the parties.

15. **Governing Law.** The parties' rights and duties under this Agreement shall be governed by Ohio law, without regard to choice-of-law rules.

16. **Counterparts.** This Agreement may be executed in one or more counterparts, each of which shall be deemed an original and all of which taken together shall constitute one and the same agreement.

17. **Entire Agreement.** This Agreement constitutes the entire agreement between the parties with respect to the subject matter hereof and supersedes and replaces all prior agreements, oral and written, between the parties relating to the subject matter hereof.

18. **Notice.** All notices and demands of any kind or nature that either party to this Agreement may be required or may desire to serve upon the other in connection with this Agreement shall be in writing and may be served personally, by certified mail, facsimile, or by commercial overnight carrier, to the following addresses:

Davey Tree
Sandra Reid
The Davey Tree Expert Company
1500 N. Mantua Street
Kent, Ohio 44240

The City
John Idone
Director of Parks and Recreation
497 Middlebury Road
P.O. Box 5192
Kent, Ohio 44240

IN WITNESS WHEREOF, the parties caused this Agreement to be executed by their authorized representatives as of the date set forth above.

The Davey Tree Expert Company

The City of Kent, Ohio Parks and Recreation
Department

By: _____

By: _____

Name: _____

Name: _____

Title: _____

Title: _____

Date: _____

Date: _____

EXHIBIT A



DAVEY 
Proven Solutions for a Growing World

ATTACHMENT "B"

THE JOHN DAVEY ARBORETUM

CITY OF KENT AND THE DAVEY TREE EXPERT COMPANY

ALL PARTIES BEING IN THE COUNTY OF PORTAGE, STATE OF OHIO

This Agreement, dated April 21, 2025, is an agreement made and entered into between The Davey Tree Expert Company ("Davey") and the City of Kent, Ohio, duly formed under the laws of the State of Ohio (the "City").

WITNESSETH:

WHEREAS, Kent owns and operates The John Davey Arboretum (JDA) at 1499 North Mantua Street and desires to see the facility be more utilized; and

WHEREAS, Davey is constructing an arboretum on the Davey Science, Employee Education and Development (SEED) Campus that is adjacent to The John Davey Arboretum; and

WHEREAS, Davey desires to seek Level IV accreditation from the Interactive Community of Arboreta for their constructed arboretum. This accreditation is only held by 45 arboretums worldwide; and

WHEREAS, to achieve the Level IV accreditation, Davey's arboretum will require public access and educational/research components among other criteria; and

WHEREAS, Davey and the City wish the Davey arboretum and the JDA to become a destination place for visitors; and

WHEREAS, both the City and Davey to desire investigate the possibilities created by having the Davey Arboretum and the JDA adjacent to each other.

THEREFORE, The City and Davey commit to collaborate and partner to complete a conceptual study investigating the possibilities created by the two arboretums being located adjacent to each other. In the effort to complete this study the City and Davey agree to the following:

Davey:

- Take the lead role in completing the conceptual study. The study will be conducted with the Parks and Recreation Board's ("Board") input and presented to the "Board" upon completion.
- Jointly with the City, hire a consultant to assist in the planning process.
- Davey shall fund 50% of the planning consultant's services, up to \$10,000.

- Pursue outside funding for the completion of the project.

City:

- Assist Davey in the completion of the conceptual study, including facilitating the Board's input and presenting the results to the Board upon completion of the study.
- Jointly with Davey, hire a consultant to assist in the planning process.
- The City shall fund 50% of the planning consultant's services, up to \$10,000.
- Pursue outside funding for the completion of the project.

Schedule:

The City and Davey will diligently pursue hiring the consultant and thereafter completion of the planning process in an effort to complete process by December, 2025. This date can be adjusted by the mutual agreement of both parties. In addition, both parties will continually pursue outside funding sources until the project is completed or abandoned by both parties.

In witness whereof, the Parties hereto have agreed and offered their hands and seals:

CITY OF KENT

Approved and Accepted by:



Dave Ruller
City of Kent, City Manager

Date: 4/21/2025

Witness: Cathy Wilson

Approved and Accepted by:



Kathleen Wilson

Chair, Parks & Recreation Board

Date: 4-17-25

Witness: Anne Marley
4-17-25

Approved as to Form:

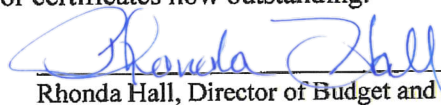


Hope Jones
City of Kent, Law Director

Date: 4/21/25

Certificate of Director of Budget and Finance

It is hereby certified that the amount TEN THOUSAND Dollars (\$10,000) required to meet this commitment has been lawfully appropriated or authorized or directed for such purpose and is in the City Treasury or in the process of collection to the credit of the CAPITAL Fund free from any obligation or certificates now outstanding.

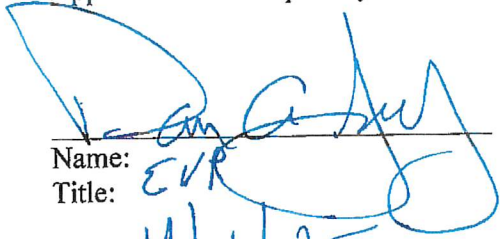


Rhonda Hall, Director of Budget and Finance

April 21, 2025
Date

THE DAVEY TREE EXPERT COMPANY

Approved and Accepted by:


Name: _____
Title: EVP
Date: 4/11/25

Witness: _____

COORDINATION DIAGRAM
DAVEY TREE/CITY & HEAT
ENTRANCES ROUNDABOUT
SMITH GROUP JAN 31, 2026

NOTES

- S** ENTRY SIGN & STONE WALL
- W** STONE WALL (BY OTHERS)



AUTHORIZING LEGISLATION 2026-69

A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the City of Kent, Ohio is planning to make capital improvements to WRF SCADA Replacement (2028WRF008); and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs,

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

Section 1: The City Manager is hereby authorized to apply to the OPWC for funds as described above.

Section 2: The City Manager is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

PASSED: _____
Date

Jack Amrhein
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Kathleen Coleman
Clerk of Council

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

(SEAL)

KATHLEEN COLEMAN
CLERK OF COUNCIL

AUTHORIZING LEGISLATION 2026-70

A RESOLUTION AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION STATE CAPITAL IMPROVEMENT AND / OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM(S) AND TO EXECUTE CONTRACTS AS REQUIRED

WHEREAS, the State Capital Improvement Program and the Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure, and

WHEREAS, the City of Kent, Ohio is planning to make capital improvements to SR 59 Alternative Transportation Improvements (2022CIP025); and

WHEREAS, the infrastructure improvement herein above described is considered to be a priority need for the community and is a qualified project under the OPWC programs,

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

Section 1: The City Manager is hereby authorized to apply to the OPWC for funds as described above.

Section 2: The City Manager is authorized to enter into any agreements as may be necessary and appropriate for obtaining this financial assistance.

PASSED: _____
Date

Jack Amrhein
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Kathleen Coleman
Clerk of Council

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

(SEAL)

KATHLEEN COLEMAN
CLERK OF COUNCIL

ORDINANCE NO. 2026-71

AN ORDINANCE AMENDING SECTION 509.12 OF THE CODIFIED ORDINANCES OF THE CITY OF KENT TITLED "UNLAWFUL NOISE", AND DECLARING AN EMERGENCY.

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

SECTION 1. That Kent City Council does hereby amend Section 509.12 of the Codified Ordinances of the City of Kent titled "Unlawful Noise" per the Exhibit "A" attached hereto and incorporated herein.

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

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

PASSED: _____
Date

Jack Amrhein
Mayor and President of Council

EFFECTIVE: _____
Date

ATTEST: _____
Kathleen Coleman
Clerk of Council

I, KATHLEEN COLEMAN, 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.* _____, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON _____, 20____.

KATHLEEN COLEMAN
CLERK OF COUNCIL

(SEAL)

EXHIBIT "A"

509.12 UNLAWFUL NOISE

(b) Unlawful Noise - Enumerated. The following acts, among others, are declared to be loud, disturbing, injurious and unnecessary and unlawful noises in violation of this section, but this enumeration shall not be deemed to be exclusive, namely:

(1) Horns and Signal Devices. The sounding of any horn or signal device on any automobile, motorcycle, bus or train, or any other vehicle while not in motion, except as a danger signal or to give warning of intent to get into motion, or, if in motion, only as a danger signal after or as brakes are being applied and decelerating of the vehicle has begun; the creation by means of such signal devices of any unreasonably loud or harsh sounds; and the sounding of any signal device for any unreasonable or unnecessary period of time.

(2) Radio, Stereo, Musical Instruments. The playing of any radio, stereo, television set, amplified or unamplified musical instruments, loudspeaker, tape recorder, or other electronic sound-producing devices, in such a manner or with such volume at any time or place so as to annoy or disturb the quiet, comfort or repose of persons in any office or in any dwelling, hotel, hospital or other type of residence, or of any persons in the vicinity.

(b) If the private property is included in the City's Designated Outdoor Refreshment Area then such radio, stereo or musical instruments as defined above being played outdoors shall be allowed from 7:00 a.m. to 10:00 p.m. Sunday through Thursday and 7:00 a.m. to 11:00 p.m. Friday and Saturday. Such outdoor music shall be played in the manner described above. This subsection will be in effect for 120 days from its adoption.

RESOLUTION 2026-72

A RESOLUTION APPOINTING ASH D'ANGELO TO THE SUSTAINABILITY COMMISSION AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kent, Portage County, Ohio, at least a majority of all members elected thereto concurring:

SECTION 1. That ASH D'ANGELO IS hereby appointed to the SUSTAINABILITY COMMISSION

NAME
ASH D'ANGELO

TERM
July 23, 2026 – July 22, 2029

SECTION 2. As stated in Section 150.01 of the Codified Ordinances of the City of Kent, any person hereby appointed shall forfeit his or her term if he or she is absent from three (3) regular meetings of the Board or Commission to which he or she is appointed, unless one or more of these absences has been excused by the majority of members thereof.

SECTION 3. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this Resolution 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 meeting open to the public in compliance with all legal requirements of Section 121.22 of the Ohio Revised Code.

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

PASSED: _____
Date _____ Jack Amrhein
Mayor and President of Council

EFFECTIVE: _____
Date _____

ATTEST: _____
Kathleen Coleman
Clerk of Council

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

(SEAL)

KATHLEEN COLEMAN
CLERK OF COUNCIL