

**THE CITY OF KENT, OHIO
COMMUNITY DEVELOPMENT COMMITTEE
WEDNESDAY, AUGUST 2, 2017**

Chair John Kuhar called the meeting of the Community Development Committee of the Kent City Council to order at 7:02 p.m.

PRESENT: MR. JACK AMRHEIN, MR. MICHAEL DeLEONE, MR. GARRET FERRARA, MR. KUHAR, MS. MELISSA LONG, MS. HEIDI SHAFFER, MR. ROGER SIDOTI, AND MR. ROBIN TURNER.

ALSO PRESENT: MR. DAVE RULLER, CITY MANAGER; MR. JIM SILVER, LAW DIRECTOR; MS. BRIDGET SUSEL, DIRECTOR OF COMMUNITY DEVELOPMENT; MS. MELISSA BAKER, PUBLIC SERVICE DIRECTOR; MR. TOM WILKE, ECONOMIC DEVELOPMENT DIRECTOR; MR. DAVID COFFEE, FINANCE DIRECTOR; MR. JIM BOWLING; CITY ENGINEER AND MS. TARA GRIMM, CMC, CLERK OF COUNCIL.

ABSENT: MR. JERRY T. FIALA, MAYOR AND PRESIDENT OF COUNCIL AND MS. TRACY WALLACH.

There was 1 item on the Agenda.

1. Consideration of recommendations by the TIRC to terminate the existing CRA with the former Record Publishing Company.

Ms. Susel referred to her memo to the City Manager dated July 25, 2017 and explained how GateHouse Media, LLC acquired Record Publishing Company, LLC earlier this year and has taken over the daily operations. She is seeking authorization, with emergency, to terminate the CRA agreement between the City of Kent and the Record Publishing Company, LLC, effective as of the date of property transfer, which occurred on or about February 6, 2017. Originally, the City of Kent entered into a Community Reinvestment Area (CRA) Agreement with Record Publishing Company on June 2, 2011 that granted an exemption of 75% of the annual real property taxes associated with a large renovation project that was completed in 2013. The agreement was to be effective for a twelve year period and required the company to create and retain eighty-two (82) full-time and five (5) part-time permanent positions resulting in a minimum annual payroll of \$2,675,000.

Ms. Susel Further explained how the terms of the CRA agreement do not automatically transfer when there is a change in ownership, so in June, she sent a letter to GateHouse Media requesting the company contact the City if it had an interest in negotiating a new CRA agreement. GateHouse Media was advised that the terms of a new agreement will be based on the employment levels and annual payroll amount GateHouse Media anticipates maintaining. The City did not receive any response from GateHouse Media. A meeting of the Tax Incentive Review Council (TIRC) was held on July 25, 2017 and the members of the TIRC voted unanimously to make a recommendation to Kent City Council to terminate the agreement.

Mr. Kuhar referred to Council for questions.

Ms. Shaffer questioned what the City's loss would be.

Ms. Susel commented on how the CRA is based on real property taxes, the exemption of those real property taxes and how our loss is in income tax. The school district was made aware that they will no longer be getting back \$16,000-\$18,000.

There were no further comments from the audience or Council.

MOTION TO TERMINATE THE CRA AGREEMENT WITH THE FORMER RECORD PUBLISHING COMPANY, LLC WITH AN EMERGENCY CLAUSE made by Mr. Ferrara, seconded by Mr. Sidoti, and CARRIED by a voice vote of 8-0

Hearing no further business before this Committee, Chair Kuhar adjourned the meeting at 7:07 p.m.

Tara Grimm, CMC
Clerk of Council

ACTION RECOMMENDED:

- 1) AUTHORIZE THE TERMINATION OF THE CRA AGREEMENT WITH THE FORMER
RECORD PUBLISHING COMPANY, LLC WITH AN EMERGENCY CLAUSE**

**THE CITY OF KENT, OHIO
FINANCE COMMITTEE
WEDNESDAY, AUGUST 2, 2017**

Chair Michael DeLeone called the meeting of the Finance Committee of Kent City Council to order at 7:35 p.m.

PRESENT: MR. JACK AMRHEIN, MR. MICHAEL DeLEONE, MR. GARRET FERRARA, MR. JOHN KUJAR, MS. MELISSA LONG, MS. HEIDI SHAFFER, MR. ROGER SIDOTI, MR. ROBIN TURNER, AND MS. TRACY WALLACH.

ALSO PRESENT: MR. DAVE RULLER, CITY MANAGER; MR. JIM SILVER, LAW DIRECTOR; MS. BRIDGET SUSEL, DIRECTOR OF COMMUNITY DEVELOPMENT; MS. MELISSA BAKER, PUBLIC SERVICE DIRECTOR; MR. TOM WILKE, ECONOMIC DEVELOPMENT DIRECTOR; MR. DAVID COFFEE, FINANCE DIRECTOR; MR. JOHN IDONE, PARKS AND RECREATION DIRECTOR; MR. JIM BOWLING; CITY ENGINEER AND MS. TARA GRIMM, CMC, CLERK OF COUNCIL.

ABSENT: MR. JERRY T. FIALA, MAYOR AND PRESIDENT OF COUNCIL

There were 4 items on the Agenda.

1. Accept the award of grant for funds up to \$3,457 from the Ohio Arts Council for the Kent Creativity Festival.

Mr. Ruller reported that this grant award for Kent Creativity Festival is in thanks to Mr. Dan Morganti. Kent has a great arts community and festivals and is happy to see them showcased with momentum to continue. Sometimes artists are like herding cats, partly because of their individualistic ideas. He then referred to Ms. Susel.

Ms. Susel added that Mr. Morganti submitted the grant with a 1:1 match. The Kent State University Foundation provided the match. She joked about Mr. Morganti attending the arts meeting as he is a very black and white kind of person and complimented him on doing a great job.

Ms. Wallach questions when the Kent Creativity Festival is.

Ms. Susel responded September 30th from 11-5 on the esplanade.

Ms. Shaffer questioned the courthouse parking lot going through paving at last year's festival and if the parking lot will be available for this event's parking.

Ms. Susel stated she will ask the County for permission to use the parking lot.

No one in the audience had any questions.

MOTION TO ACCEPT THE AWARD OF GRANT FOR FUNDS UP TO \$3,457 FROM THE OHIO ARTS COUNCIL FOR THE KENT CREATIVITY FESTIVAL WITH AN EMERGENCY CLAUSE made by Mr. Ferrara, seconded by Ms. Wallach. The motion CARRIED by a voice vote of 9-0.

Mr. DeLeone moved onto the next item.

2. Consideration of request for a 2017 Budget Appropriation Amendment

Mr. Coffee respectfully asked Council to approve the budget appropriations amendment as presented in the memo dated July 24, 2017 in City Manager's Communications. A copy of the City Manager's Communications is on file in the Clerk's Office.

Mr. Sidoti asked if this is a yearly appropriation amendment.

Mr. Coffee replied we request these as needed and tries to limit the number of times appropriation amendments are requested.

Mr. DeLeone commented that it seems like it has been requested on a monthly basis.

Mr. Coffee pointed out we have has success in reducing the number or appropriation amendment requests however, we require these to keep our budget in-line.

No one in the audience had any questions.

MOTION TO APPROVE THE 2017 BUDGET APPROPRIATIONS AS PRESENTED WITH AN EMERGENCY CLAUSE made by Mr. Amrhein, second by Mr. Sidoti. The motion carried by a voice vote of 9-0.

3. Consideration of requests to certify delinquent accounts to the Portage County Auditor's Office that authorizes the County to apply tax liens for property addresses in arrears for:

1) Delinquent non-utility debtors; 2) Delinquent City utility debtors; 3) Non-Payment of bills for Kent residents resulting from annual concrete repair programs; and 4) Authorize the submission of the certifying ordinances to the Portage County Auditor's Office for the City's special assessment and sidewalk program from prior years.

Mr. Coffee stated certifying these items to the Auditor is a last resort by authorizing the Auditor to place liens on properties who incurred the obligations. There will be 4 separate Ordinances.

Council nor the audience had any questions.

MOTION TO AUTHORIZE THE CERTIFICATION OF DELINQUENT ACCOUNTS TO THE PORTAGE COUNTY AUDITOR'S OFFICE THAT AUTHORIZES THE COUNTY TO APPLY TAX LIENS FOR PROPERTY ADDRESSES IN ARREARS, FOR: 1) DELINQUENT NON-UTILITY DEBTORS; 2) DELINQUENT CITY UTILITY DEBTORS; 3) NON-PAYMENT OF BILLS FOR KENT RESIDENTS RESULTING FROM ANNUAL CONCRETE REPAIR PROGRAMS; AND 4) AUTHORIZE THE SUBMISSION OF THE CERTIFYING ORDINANCES TO THE PORTAGE COUNTY AUDITOR'S OFFICE FOR THE CITY'S SPECIAL ASSESSMENT AND SIDEWALK PROGRAM FROM PRIOR YEARS, WITH AN EMERGENCY CLAUSE made by Mr. Amrhein, seconded by Ms. Shaffer. The motion CARRIED by a voice vote of 9-0.

4. City Manager evaluation outcome.

Mr. DeLeone explained how Council performed their evaluation on the City Manager, Dave Ruller. Council is proposing a three and one-quarter percent (3.25%) raise, retroactive to his anniversary date and to bring him current with the White book.

MOTION TO AUTHORIZE A THREE AND ONE-QUARTER PERCENT (3.25%) PAY RAISE FOR THE CITY MANAGER, DAVE RULLER, WHICH BRINGS HIM CURRENT WITH THE "WHITE BOOK", AND BE PAID RETROACTIVE TO HIS ANNIVERSARY DATE made by Ms. Shaffer, seconded by Mr. Amrhein. The motion CARRIED by a voice vote of 9-0.

Ms. Shaffer commended Mr. Ruller on his usual stellar performance and is proud of him and the City.

Mr. Ferrara thanked Mr. Ruller as his evaluation reflects well on him, the City and Council.

Hearing no further business before this Committee, Chair DeLeone adjourned the meeting at 7:45 p.m.

Tara Grimm, CMC
Clerk of Council

ACTION RECOMMENDED:

- 1) **ACCEPT THE AWARD OF GRANT FOR FUNDS UP TO \$3,457 FROM THE OHIO ARTS COUNCIL FOR THE KENT CREATIVITY FESTIVAL WITH AN EMERGENCY CLAUSE.**
- 2) **APPROVE THE 2017 BUDGET APPROPRIATIONS AS PRESENTED WITH AN EMERGENCY CLAUSE.**
- 3) **AUTHORIZE THE CERTIFICATION OF DELINQUENT ACCOUNTS TO THE PORTAGE COUNTY AUDITOR'S OFFICE THAT AUTHORIZES THE COUNTY TO APPLY TAX LIENS FOR PROPERTY ADDRESSES IN ARREARS, FOR: 1) DELINQUENT NON-UTILITY DEBTORS; 2) DELINQUENT CITY UTILITY DEBTORS; 3) NON-PAYMENT OF BILLS FOR KENT RESIDENTS RESULTING FROM ANNUAL CONCRETE REPAIR PROGRAMS; AND 4) AUTHORIZE THE SUBMISSION OF THE CERTIFYING ORDINANCES TO THE PORTAGE COUNTY AUDITOR'S OFFICE FOR THE CITY'S SPECIAL ASSESSMENT AND SIDEWALK PROGRAM FROM PRIOR YEARS, WITH AN EMERGENCY CLAUSE.**
- 4) **AUTHORIZE A THREE AND ONE-QUARTER PERCENT (3.25%) PAY RAISE FOR THE CITY MANAGER, DAVE RULLER, WHICH BRINGS HIM CURRENT WITH THE "WHITE BOOK", AND BE PAID RETROACTIVE TO HIS ANNIVERSARY DATE**

**THE CITY OF KENT, OHIO
LAND USE COMMITTEE MEETING
WEDNESDAY, AUGUST 2, 2017**

Chair Garret Ferrara called the Land Use Committee Meeting to order at 7:07 p.m.

PRESENT: MR. JACK AMRHEIN, MR. MICHAEL DeLEONE, MR. GARRET FERRARA, MR. JOHN KUCHAR, MS. MELISSA LONG, MS. HEIDI SHAFFER, MR. ROGER SIDOTI, AND MR. ROBIN TURNER.

ALSO PRESENT: MR. DAVE RULLER, CITY MANAGER; MR. JIM SILVER, LAW DIRECTOR; MS. BRIDGET SUSEL, DIRECTOR OF COMMUNITY DEVELOPMENT; MS. MELISSA BAKER, PUBLIC SERVICE DIRECTOR; MR. TOM WILKE, ECONOMIC DEVELOPMENT DIRECTOR; MR. DAVID COFFEE, FINANCE DIRECTOR; MR. JOHN IDONE, PARKS AND RECREATION DIRECTOR; MR. JIM BOWLING; CITY ENGINEER AND MS. TARA GRIMM, CMC, CLERK OF COUNCIL.

ABSENT: MR. JERRY T. FIALA, MAYOR AND PRESIDENT OF COUNCIL AND MS. TRACY WALLACH (arrived 7:13 p.m.)

There was 1 item on the Agenda.

1. Consideration of City Support for the Paris Climate Agreement.

Mr. Ruller stated Ms. Susel, Mr. Wicks and the Sustainability Commission did a terrific job proposing language for this Resolution.

Ms. Shaffer thanked and appreciates the efforts in this collaborative effort. She felt the draft of the Resolution read well.

Ms. Julie Morris of 424 E. Summit St. and member of the Sustainability Commission read from a prepared statement. **(See Attachment #1)**

There were no comments from Council.

Chair Ferrara referred to the audience.

Ms. Miriam Jackson of 215 E. Oak St. read from a prepared statement **(See Attachment #2)**

MOTION TO AUTHORIZE THE PROPOSED RESOLUTION FOR THE PARIS CLIMATE AGREEMENT WITH THE WORDS “TO BE” INSERTED BEFORE THE WORD “DEVELOPED” IN SECTION 1 IN THE PROPOSED DRAFT was made by Ms. Shaffer, seconded by Mr. Amrhein.

Ms. Shaffer commented how she is thrilled with this whole process and the ideas implemented during collaboration.

Mr. Amrhein was intrigued listening to Ms. Jackson’s statement as she always provide interesting history.

Mr. Kuhar asked what the result of accepting and adopting this resolution is going to accomplish.

Chair Ferrara interrupted Mr. Kuhar stating he was asking a hypothetical question instead of speaking to the Motion.

Ms. Shaffer clarified with Clerk Grimm the exact insert location of the words “to be” in the draft of the Resolution to be presented to Council at their next Regular meeting.

The Motion CARRIED by a voice vote of 9-0.

2. Consideration of a recommendation of the Sustainability Commission for the City to initiate curbside recycling of clothing and home goods in partnership with Simple Recycling.

Mr. Ruller began by stating this proposal was unanimously endorsed by the Sustainability Commission, then referred to Ms. Baker.

Ms. Baker thanked and noted how Mr. Wicks and the Sustainability Commission for their unanimous decision to support "Simple Recycling". This free program allows residents to take out more from our waste stream such as clothing, rags, t-shirts, underwear, etc. Approximately 70 lbs. of these recyclable items are put into our landfills per person per year. The recycled materials are then sent off to car manufacturers and used as stuffing in seats, as well as made into insulation for housing and buildings. Anything that is still good enough, but not re-saleable is shipped off to developing countries. They also accept toys, rugs, and small household appliances. This is a true "recycler" and is at no cost to the City. These items can be placed out on the curb on your regular garbage pick-up day as long as they are placed in their orange or green bags. The City will receive a side benefit of a penny (\$.01) per pound or twenty dollars (\$20.00) per ton. Ms. Baker commented on how in her City, they use this service and she puts items out every 3 months or so.

Ms. Wallach questioned if there will be some type of rollout, flyers and stating that these items are not going to the Goodwill, Veterans or other various organizations.

Ms. Baker explained that "Simple Recycling" does all of the rollout and advertising. They provide us a customizable letter. The company then sends information out 1 month before, 2 weeks before and 1 week before. There is no cost to the City except for the time it will take to provide them a list of addresses within the City.

Ms. Kuhar questioned how a resident would receive replacement bags and what other household items they recycle.

Ms. Baker stated the company leaves replacement bags, even sometimes will leave them on porches or doorsteps. Bags will also be available at the Public Service Administration building. Most small household appliances are scrapped.

Ms. Kuhar further questioned if "Simple Recycling" was a non-profit or for-profit company.

Ms. Baker responded "for-profit".

Ms. Shaffer asked where the closest resale store is for Simple Recycling.

Ms. Baker stated they are near the Cleveland area, one in Parma, and possibly we could have them put an affiliated store here in Kent.

After hearing no further comment from Council, Chair Ferrara referred to the audience.

Ms. Julie Morris of 424 E. Summit St. clarified the difference between local entities should still be receiving donations of these items too. The letter will be drafted so residents understand that we still want them to donate to their normal organizations; however this is a supplement for people who just throw these items in the trash. We can tailor the letter to meet our needs.

Ms. Julie Nelson of 337 Whetstone Drive added how recycled shoes are ground down and used to make roads. This is a privately owned company based out of Solon with affiliate stores in Cleveland, one of which is called "Value World." They take appliance that are in good condition. The items must be in their orange or green bag and they will take the item regardless of the bag's condition such as the bag contents being soaking wet.

Ms. Shaffer asked if anyone knows what the extent Goodwill recycles.

Chair Ferrara interrupted and told Ms. Shaffer to "Google it."

Ms. Wallach would like to see us use the orange bags as we currently use green bags for trash in Kent.

Ms. Kuhar questioned if Goodwill is a non-profit, do they donate anything they are selling.

Mr. Nelson clarified the landfill is their target. We still want people to donate, but recycle the things they would normally put in the trash.

Mr. Kuhar commented that the company obviously has overhead to meet, provides a service for recycling, and there is a return for everything that goes out including putting items in their retail store.

Mr. Sidoti pulled up Simple Recycling's website. He questioned how residents will be able to contact them and if they have questions on how this all works.

Ms. Baker stated that all their contact information is on all their paperwork. From personally working with them, she has found it to be easy access and the City will have its own representative form the company.

Mr. Sidoti also saw on their website that they have a variety of stores, not just Value World and asked Ms. Baker if they were a conglomerate.

Ms. Baker answered their original set-up is with affiliates.

MOTION TO AUTHORIZE THE INITIATION OF CURBSIDE RECYCLING OF CLOTHING AND HOUSEHOLD ITEMS WITH SIMPLE RECYCLING was made by Mr. Amrhein, seconded by Ms. Shaffer.

Mr. Amrhein was excited to see the City be responsible and utilize a groundbreaking effort such as this.

Ms. Shaffer likes the idea of this innovative business that supports a green economy.

Mr. Kuhar will support the Motion as government supports private enterprises that help us to not waste products.

Mr. Sidoti also will support the Motion and congratulated the Sustainability Commission in meeting our vision and what citizens believe in. This show their hard work and fruit of their labor.

After hearing no further business, Chair Ferrara adjourned the meeting at 7:35 p.m.

Tara Grimm, CMC
Clerk of Council

ACTION RECOMMENDED:

- 1) **AUTHORIZE THE PROPOSED RESOLUTION FOR THE PARIS CLIMATE AGREEMENT WITH THE WORDS "TO BE" INSERTED BEFORE THE WORD "DEVELOPED" IN SECTION 1 IN THE PROPOSED DRAFT.**
- 2) **AUTHORIZE THE INITIATION OF CURBSIDE RECYCLING OF CLOTHING AND HOUSEHOLD ITEMS WITH SIMPLE RECYCLING.**

ATTACHMENT #1

It was suggested that the Sustainability Commission provide a brief statement about the Resolution we drafted last week and that is up for discussion this evening related to Kent providing support for the Paris Climate Agreement. I am a commission member, but this is my own statement about the experience overall and in support of the Resolution.

Mr. Ruller had provided the commission with a helpful Resolution template that incorporated language from other Resolutions recently drafted by the City of Akron and Yellow Springs, Ohio in support of the Paris Climate Agreement.

Together with the members from the Kent Environmental Council, City staff and an employee of Davey Tree, who came with the very fortunate experience of working with other cities to draft Climate Action Plans as part of the Compact of Mayors. We went item by item through the suggested template making changes and additions that would underscore the importance and urgency of responding to climate change and generating 2 suggestions for how Kent can begin to take action on support of the Paris Accord.

It was an inspiring, collaborative effort that produced the Resolution you will consider tonight. The Resolution opens up a solutions-oriented way forward that connects us with the global and regional efforts to support the Paris Accord while still allowing the climate Action Plan to be scaled to and reflective of the unique needs of our City.

I thank you all for your consideration and we are ready to answer and questions you may have related to our suggestions we made in this Resolution.

Thank you for your time.

Miriam Jackson, Statement on the City of Kent and the Paris Climate Accords, 8/2/17

Good evening. Tonight, my subject is the resolution pending before Council expressing its intent to accept the goals and guidelines agreed to at the Paris Climate Summit by the Obama administration. Such a resolution is necessary because President Trump saw fit, at the recent G-20 meeting in Hamburg, Germany, to withdraw our nation from its obligations under the Paris agreement. In the face of overwhelming evidence of the global climate crisis and its horrific impact on human and non-human inhabitants of the only Earth we have, President Trump, alone among G-20 leaders, chose to withdraw American commitment to the goals set by the Paris accords and insist instead on pursuing deadly fossil fuel production in the United States.

In the 1930s, isolationist attitudes among some Americans were popular. The rise of fascism and Nazism in Europe under Mussolini and Hitler were Europe's problem, they said. Former aviator Charles Lindbergh publicized the work of "America First," an organization with Nazi sympathies and one which made it easier for Hitler to build his power in Germany and later Europe. I don't think it's a coincidence that Donald Trump called his campaign vision for our nation "America First" also.

It was not feasible, even in the 1930s, for the USA to hole in, refuse to participate in the League of Nations and ignore the growing danger across the Atlantic. Had the USA worked with England, France and the Soviet Union, for instance, to isolate Hitler and impose strict sanctions when he violated international law, Hitler might have been less able to start the world holocaust of World War II.

But neither the United States nor the British and French chose to confront Hitler diplomatically or to work with Stalin instead of hoping, as Winston Churchill did, that the Soviets and the Germans would kill each other off. The result was Hitler's steady takeover of other people's land, leading ultimately to the death and destruction of World War II. Even then, the United States stayed out of the war until its colony of Hawaii was bombed by the Japanese on December 7, 1941.

When the war finally ended in August of 1945, the US was the undisputed world power in military and economic terms. Britain, France, Germany, the USSR and Japan were exhausted from the years of war, whether they'd won or lost. But now, in 2017, that situation has changed, and the stature of our nation has been much reduced internationally. Much of that is due to the rise of China, South Korea, Japan and Germany as powerhouses. But some of that is also due to the fact that our nation is over-extended militarily and also lacks the political, economic and environmental vision to move appropriately into the rest of the 21st century.

How do we create such vision and regain stature? By honoring the commitment made by the Obama administration to the Paris Climate Accords. The world climate crisis is getting worse every day and addressing it will take the full cooperation of all the world's nations. It will also take a national commitment to move to Green Energy in all areas of our domestic policies: the same kind of commitment made by John F. Kennedy 55 years ago to land a man on the moon. On this question, President Obama was ambivalent, with his insistence that all forms of energy were acceptable. But at least he supported the Accords. For only by means of cooperating with the Paris Accords and a domestic drive toward complete Green Energy can our nation regain meaningful world leadership and offer its people clean jobs and a healthy future.

I just said we'd have to implement such foreign and domestic policies to "regain" international leadership. That is because President Trump's unconscionable withdrawal from the Accords, alone among G-20 leaders, shifted leadership to Germany's Angela Merkel. Chancellor Merkel is hardly a radical person. But she does recognize the realities around her, one of which is the need to combat the climate crisis by all available means. I understood her rueful conclusion that G-19 would have to proceed without President Trump but I was deeply ashamed that the Trump administration chose to withdraw from such a crucial international agreement.

You on Kent City Council have the opportunity to pass a resolution placing city policy in line with the world climate goals to which President Obama rightly committed us. Cities all over the nation are doing the same. The ailing Earth has become a very small place and we as Kentites must play our small part to make sure we leave a recovering Earth to our children. Thank you.

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Dave Ruller
Tara Grimm

FROM: Jon Giaquinto

DATE: 7/7/17

RE: SR 43 Traffic Improvement Project – Right of Way Purchase (Packet B)

Engineering is requesting council time for approval to purchase temporary right of way and permanent right of way, to execute one land purchase contract and to request payments to the following owners. This expense is necessary to obtain right of way and access rights to construct the SR 43 Traffic Improvement Project which is scheduled to start construction in 2018. Attached to this memo is the property map for the project with the affected parcels highlighted.

<u>Property Owner</u>	<u>R/W Plan Number</u>	<u>Take Description</u>	<u>Amount</u>
Anderson Realty, Inc.	5-T	Temporary	\$400
Shirey Enterprises, Inc.	10-T	Temporary	\$1,000
Nemer Properties Ltd.	14-WD	Permanent	\$5,625

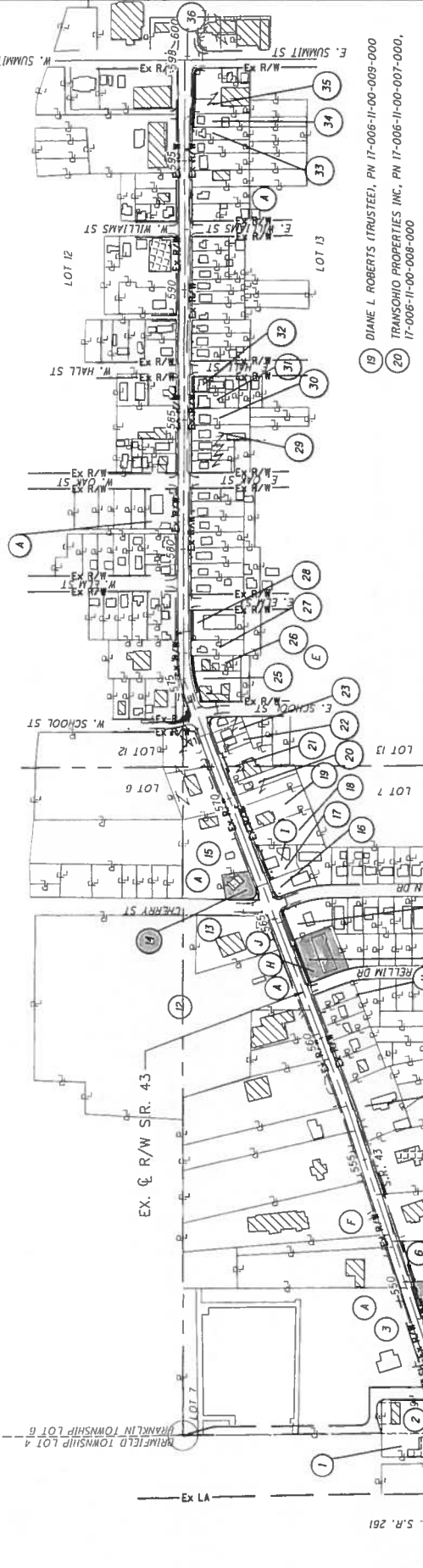
In addition, Engineering is requesting council time for approval to purchase the following personal property (signage), to execute two Bill of Sale contracts and to request payments to the following third party personal property owner. This expense is necessary to remove encroachments within the work limits of the project.

<u>Property Owner</u>	<u>R/W Plan Number</u>	<u>Take Description</u>	<u>Amount</u>
Goose 2.5 LP (Bill of Sale to Marc Glassman, Inc.)	2-SH	Marc's Exit Sign	\$2,000
Deville Developments, LLC (Bill of Sale to Marc Glassman, Inc.)	3-SH	Marc's Exit Sign	\$2,000

The above values were obtained according to the federal right-of-way acquisition process. This process is required for the city to use Federal Funds. The process includes an appraisal and separate review of the appraisal by appraisers pre-approved by the State DOT. The City will be reimbursed 80% by ODOT.

To date, 6 of 23 owners totaling 7 of 26 parcels required have agreed to compensation for the temporary/permanent right-of-way required to complete the project.

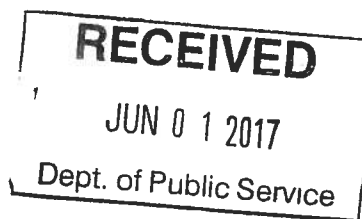
C: Melanie Baker, Service Director, Jim Bowling, City Engineer, Suzanne Stemnock, HR Director, Jim Silver, Law Director, David Coffee, Budget and Finance Director, Sandy Lance, Law Secretary



- | OWNERSHIP NAME AND NUMBER | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
|---|---|---|---|---|---|---|---|---|---|----|----|----|----|----|----|----|
| DAVID M KOLAR, PH 45-004-00-00-052-000 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| GOOSE 2.5 LP, PH 17-006-00-00-001-001 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| DEVILLE DEVELOPMENTS LLC, PH 17-006-00-00-001-000 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| FALLS SAVINGS BANK, FBS, PH 17-006-20-00-001-000, 17-006-20-00-002-001, 17-006-00-00-027-000, 17-006-00-00-028-001, | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| ANDERSON REALTY INC, PH 17-006-00-00-026-000 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| MORGAN NGUYEN PROPERTIES INC, PH 17-006-00-00-025-000 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| BELLI PROPERTIES LTD LLC, PH 17-006-00-00-024-000 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| WATER STREET CHURCH, PH 17-006-00-00-022-000 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| WILLIAM TODD KNIERIEM, PH 17-006-00-00-021-000 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| SHREY ENTERPRISES INC, PH 17-006-12-00-002-000 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| THOMAS L & BARBARA J HERSHBERGER, PH 17-006-12-00-001-000 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| JENSEN CENTER LTD, PH 17-006-00-00-020-000 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| O'REILLY AUTO ENTERPRISES LLC, PH 17-006-00-00-020-001 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| HEMER PROPERTIES LTD, 17-006-11-00-001-000 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| FAMILY DOLLAR STORES OF OHIO INC, PH 17-006-11-00-003-000 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| 17-01-10-00-002-000 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |
| BMW PROPERTIES LLC, PH 17-024-10-00-003-000 | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 | 9 | 10 | 11 | 12 | 13 | 14 | 15 | 16 |

	REV. BY	DATE	DESCRIPTION
16			UNIFORM WATER ST LLL, PN 17-006-11-00-013-000
17			SOUTHWATER PROPERTIES LLC, PN 17-006-11-00-012-003
18			LEONARDO CO LTD, PN 17-006-11-00-010-000

TranSystems



TRANSYSTEMS REAL ESTATE CONSULTING, INC.
39 WEST MCKINLEY WAY
POLAND, OHIO 44514
TELEPHONE: 330-726-5316
FAX: 330-757-7799
www.transystems.com

LETTER OF TRANSMITTAL

TO: City of Kent
930 Overholt Road
Kent, Ohio 44240

DATE: 5/30/2017

PROJECT: POR-43-10.26

ATTN: Jon P. Giaquinto, PE, Senior Engineer

SUBJECT: Acquisition- Signed Parcel

RE: Parcel 2-BS1 – (Marc Glassman, Inc.)

WE ARE SENDING YOU

☒ ATTACHED

☐ UNDER SEPARATE COVER

THE FOLLOWING INFORMATION:

☒ W-9 FORM (ORIGINAL)

☐ TEMPORARY EASEMENT
(COPY)

☐ OPERATING AGREEMENT

☐ CONTRACT (ORIGINAL)

☒ BILL OF SALE FROM
TENANT (ORIGINAL)

☒ BLUE SHEET (COPY)

☐ UTILITY EASEMENT

☒ RESOLUTION (COPY)

☐ RE-46 OF THE TITLE (COPY)

DISPOSITION:

☒ FOR PAYMENT

☐ FOR REVIEW AND COMMENT

☐ APPROVED AS NOTED

☒ FOR APPROVAL

☐ APPROVED OR SUBMITTED

☐ OTHER: _____

☐ AS REQUESTED

COMMENTS:

Enclosed please find a copy of the signed billing package for the above referenced parcel. Please proceed with having the original Bill of Sale counter signed by the City and send the original for our file. Please proceed with processing a check payable to Marc Glassman Inc. in the amount of \$2,000.00 and send it to: TranSystems – 39 W. McKinley Way, Poland, Ohio 44514 – Attn: Jim Fisher, Project Manager-TREC. Upon receipt, we will proceed with the closing process.

COPY TO: FILE

SIGNED:

James M. Fisher
JAMES M. FISHER, PROJECT MANAGER

**BILL OF SALE FROM TENANT
(Structures) and/or Miscellaneous
Improvements**

This Contract made and entered into this 23rd day of MAY, 2017 by Marc Glassman, Inc., hereinafter called Owner and the City of Kent, Portage County, Ohio, hereinafter called the LPA, and is based on the following understanding:

Situated on Parcel No. 2-SH, on an area of land fee owned by Goose 2.5, L.P., an Ohio limited partnership the following described structure(s)/improvement(s) for the purpose of this Agreement shall be considered to be real property, the same as if attached to the land.

LIST STRUCTURES/IMPROVEMENTS AND COMPENSATION FOR EACH

"Marc's Exit" Sign -- \$2,000.00

It is mutually agreed and understood by and between the Owner of said structure(s)/improvement(s) and the LPA as follows:

1. The sum \$2,000.00, is the entire amount of money to be paid to Owner for the above-referenced structure(s)/improvement(s).
2. The Owner of said structure(s)/improvement(s) is to remain in possession of the structure(s) /improvement(s) for a period of time after the execution of this Agreement, which period of time is set forth in paragraph three. The Owner shall keep any insurance policies in effect on the structure(s) /improvement(s) so long as he has possession of same, and the LPA shall be subrogated to any and all claims for damages to the buildings after title passes.
3. The Owner will remain in possession of the structure(s)/improvement(s), and all attached fixtures and equipment and shall protect and preserve the same as they now exist, and shall deliver peaceful unoccupied possession thereof to the LPA, its employees or assigns at the closing or as directed by the Superintendent of Engineering / Deputy Service Director, James Bowling, P.E.
4. It is agreed that the following fixtures and/or equipment:
"Marc's Exit" Sign or other items that are normally considered a part of, and add to the value of the structure(s), shall be delivered by the owner, intact.
5. The Owner of said structure(s)/improvement(s) shall assign all rights of access to the structure(s) /improvement(s) to the LPA, thus granting the LPA the right to enter onto the land described herein, where the

structure(s)/improvement(s) are located, to removed the structure(s)/improvement(s) in accordance with plans on file and/or for the purpose of removing materials from the structure(s) via the most direct and practical route to the nearest public highway or street.

IN WITNESS WHEREOF Marc Glassman, Inc. has hereto set its hand on 5/23/2017

Grantor Signature: [Signature]

Name Printed

KENNETH S. SUSTIN, Secretary

STATE OF OHIO, COUNTY OF CUYAHOGA ss:

BE IT REMEMBERED, that on the 23rd day of MAY, 2017, before me the subscriber, a Notary Public in and for said state and county, personally came the above named KENNETH SUSTIN, who acknowledged being the SECRETARY and duly authorized agent of Marc Glassman, Inc., and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity.

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

BETH ANN HALLORAN
NOTARY PUBLIC, STATE OF OHIO
Recorded in Medina County
My Comm. Expires Nov. 20, 2021

[Signature]
NOTARY PUBLIC
My Commission expires: NOV. 20, 2021

THE CITY OF KENT, PORTAGE COUNTY, OHIO

By: James Bowling, P.E.
Superintendent of Engineering / Deputy Service Director

Date: _____

**RESOLUTION OF
Marc Glassman Inc.**

WHEREAS, the City of Kent desires to acquire a certain parcel or parcels of land for highway purposes on and over certain lands, owned by this Corporation, and more particularly described as follows:

PARCEL(S): 2-BS1
POR-43-10.26

SEE EXHIBIT A ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

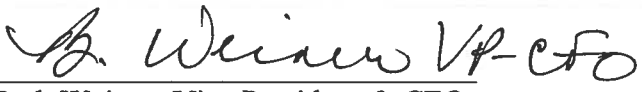
WHEREAS, the City of Kent has offered the sum of \$2,000.00 for the purchase of said certain parcel or parcels of land.

NOW THEREFORE BE IT RESOLVED by the Board of Directors of Marc Glassman Inc., that Ken Sustain, Corporate Secretary, shall be, and hereby is, the duly authorized, empowered and acting agent of Marc Glassman Inc., for the purpose of executing and delivering to City of Kent all necessary instruments to effect a good and sufficient conveyance of said certain parcel or parcels of land from Marc Glassman Inc., to City of Kent, for the hereinabove mentioned consideration.


Ken Sustain, Corporate Secretary

I, Beth Weiner, Vice President & CFO, of Marc Glassman Inc., hereby certify that on May 23, 2017, there was held a meeting of the Board of Directors of said corporation, at which a quorum was present; that this is a true and correct copy of a resolution adopted at said meeting, and that this resolution is in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto subscribed my signature on May 23, 2017.


Beth Weiner, Vice President & CFO

RE 22 1

APPORTIONMENT OF RIGHT OF WAY COSTS

REV. 01/2012

Please print on Blue Paper

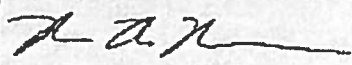
Fee Owner Goose 2.5 LPBS - 1 Third Party

BS - 2 _____

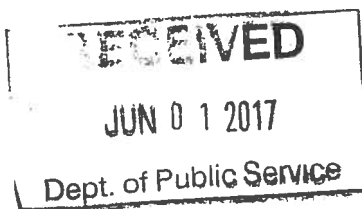
BS - 3 _____

BS - 4 _____

County PORTAGERoute 43Section 10.26Parcel No. 2P.I.D. 93442State Job # 441022Federal Project N/A

	PAR NO.	ITEMS INCLUDED IN THE APPRAISAL	FMVE Apportionment					
			Total	FEE	BS-1	BS-2	BS-3	BS-4
LAND	2-SH	0.009 ac. Comm. Land @ \$300,000/ac	\$2,700	\$2,700				
FENCE								
TREES-SHRUBS								
OTHER	2-SH	Marc's Exit Sign- \$2,000	\$2,000		\$2,000			
	2-SH	35 sf Conc. Paving- \$225	\$225	\$225				
	2-SH	355 sf Lawn- \$145	\$145	\$145				
BLOOD								
DAMAGE TO RESIDUE								
Total:			\$5,070	\$3,070	\$2,000			
FMVE APPORTIONMENT BY BRUCE B. BOWMAN TYPED NAME			TOTAL AMOUNT PAID TO / FOR THE OWNER					
SIGNATURE					DATE MAY 3, 2017			

REMARKS:



LETTER OF TRANSMITTAL

TO: City of Kent DATE: 5/30/2017
930 Overholt Road
Kent, Ohio 44240

PROJECT: POR-43-10.26

ATTN: Jon P. Giaquinto, PE, Senior Engineer SUBJECT: Acquisition- Signed Parcel

RE: Parcel 3-BS1 – (Marc Glassman, Inc.)

WE ARE SENDING YOU

☒ ATTACHED ☐ UNDER SEPARATE COVER

THE FOLLOWING INFORMATION:

☒ W-9 FORM (ORIGINAL)	☐ TEMPORARY EASEMENT (COPY)	☐ OPERATING AGREEMENT
☐ CONTRACT (ORIGINAL)	☒ BILL OF SALE FROM TENANT (ORIGINAL)	☒ BLUE SHEET (COPY)
☐ UTILITY EASEMENT	☒ RESOLUTION (COPY)	☐ RE-46 OF THE TITLE (COPY)

DISPOSITION:

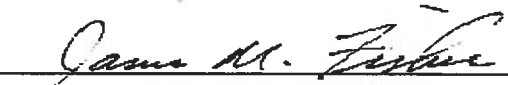
☒ FOR PAYMENT	☐ FOR REVIEW AND COMMENT	☐ APPROVED AS NOTED
☒ FOR APPROVAL	☐ APPROVED OR SUBMITTED	☐ OTHER: _____
☐ AS REQUESTED		

COMMENTS:

Enclosed please find a copy of the signed billing package for the above referenced parcel. Please proceed with having the original Bill of Sale counter signed by the City and send the original for our file. Please proceed with processing a check payable to Marc Glassman Inc. in the amount of \$2,000.00 and send it to: TranSystems – 39 W. McKinley Way, Poland, Ohio 44514 – Attn: Jim Fisher, Project Manager-TREC. Upon receipt, we will proceed with the closing process.

COPY TO: FILE

SIGNED:


JAMES M. FISHER, PROJECT MANAGER

**BILL OF SALE FROM TENANT
(Structures) and/or Miscellaneous
Improvements**

This Contract made and entered into this 23 day of MAY, 2017 by Marc Glassman, Inc., hereinafter called Owner and the City of Kent, Portage County, Ohio, hereinafter called the LPA, and is based on the following understanding:

Situated on Parcel No. 3-SH, on an area of land fee owned by Deville Developments, LLC, an Ohio limited liability company the following described structure(s)/improvement(s) for the purpose of this Agreement shall be considered to be real property, the same as if attached to the land.

LIST STRUCTURES/IMPROVEMENTS AND COMPENSATION FOR EACH

"Marc' Enter" Sign -- \$2,000.00

It is mutually agreed and understood by and between the Owner of said structure(s)/improvement(s) and the LPA as follows:

1. The sum \$2,000.00, is the entire amount of money to be paid to Owner for the above-referenced structure(s)/improvement(s).
2. The Owner of said structure(s)/improvement(s) is to remain in possession of the structure(s) /improvement(s) for a period of time after the execution of this Agreement, which period of time is set forth in paragraph three. The Owner shall keep any insurance policies in effect on the structure(s) /improvement(s) so long as he has possession of same, and the LPA shall be subrogated to any and all claims for damages to the buildings after title passes.
3. The Owner will remain in possession of the structure(s)/improvement(s), and all attached fixtures and equipment and shall protect and preserve the same as they now exist, and shall deliver peaceful unoccupied possession thereof to the LPA, its employees or assigns at the closing or as directed by the Superintendent of Engineering / Deputy Service Director, James Bowling, P.E.
4. It is agreed that the following fixtures and/or equipment:
"Marc's Enter" Sign or other items that are normally considered a part of, and add to the value of the structure(s), shall be delivered by the owner, intact.
5. The Owner of said structure(s)/improvement(s) shall assign all rights of access to the structure(s) /improvement(s) to the LPA, thus granting the LPA the right to enter onto the land described herein, where the

structure(s)/improvement(s) are located, to removed the structure(s)/improvement(s) in accordance with plans on file and/or for the purpose of removing materials from the structure(s) via the most direct and practical route to the nearest public highway or street.

IN WITNESS WHEREOF Marc Glassman, Inc. has hereto set its hand on 5/28/2017

Grantor Signature: _____

Name Printed _____

[Signature]
KENNETH S. SUSTIN, SECRETARY

STATE OF OHIO, COUNTY OF CUYAHOGA ss:

BE IT REMEMBERED, that on the 23rd day of MAY, 2017, before me the subscriber, a Notary Public in and for said state and county, personally came the above named KENNETH SUSTIN, who acknowledged being the SECRETARY and duly authorized agent of Marc Glassman, Inc., and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity.

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

BETH ANN HALLORAN
NOTARY PUBLIC, STATE OF OHIO
Recorded in Medina County
My Comm. Expires Nov. 20, 2021

[Signature]
NOTARY PUBLIC
My Commission expires: NOV. 20, 2021

THE CITY OF KENT, PORTAGE COUNTY, OHIO

By: _____
James Bowling, P.E.
Superintendent of Engineering / Deputy Service Director

Date: _____

**RESOLUTION OF
Marc Glassman Inc.**

WHEREAS, the City of Kent desires to acquire a certain parcel or parcels of land for highway purposes on and over certain lands, owned by this Corporation, and more particularly described as follows:

PARCEL(S): 3-BS1
POR-43-10.26

SEE EXHIBIT A ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF

WHEREAS, the City of Kent has offered the sum of \$2,000.00 for the purchase of said certain parcel or parcels of land.

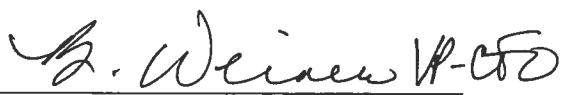
NOW THEREFORE BE IT RESOLVED by the Board of Directors of Marc Glassman Inc., that Ken Sustain, Corporate Secretary, shall be, and hereby is, the duly authorized, empowered and acting agent of Marc Glassman Inc., for the purpose of executing and delivering to City of Kent all necessary instruments to effect a good and sufficient conveyance of said certain parcel or parcels of land from Marc Glassman Inc., to City of Kent, for the hereinabove mentioned consideration.



Ken Sustain, Corporate Secretary

I, Beth Weiner, Vice President & CFO, of Marc Glassman Inc., hereby certify that on May 23, 2017, there was held a meeting of the Board of Directors of said corporation, at which a quorum was present; that this is a true and correct copy of a resolution adopted at said meeting, and that this resolution is in full force and effect and has not been revoked.

IN WITNESS WHEREOF, I have hereunto subscribed my signature on May 23, 2017.


Beth Weiner, Vice President & CFO

RE-22-1

APPORTIONMENT OF RIGHT OF WAY COSTS

REV 01/2012

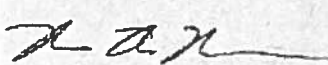
Please print on Blue Paper

County PORTAGERoute 43Section 10.26Parcel No. 3P.I.D. 93442State Job # 441022Federal Project N/AFee Owner Deville DevelopmentsBS - 1 Third Party

BS - 2 _____

BS - 3 _____

BS - 4 _____

	PAR NO.	ITEMS INCLUDED IN THE APPRAISAL	FMVE Apportionment					
			Total	FEE	BS-1	BS-2	BS-3	BS-4
LAND	3- SH	0.027 ac. Comm. Land @ \$200,000/ac	\$5,400	\$5,400				
FENCE								
TREES-SHRUBS								
OTHER	3- SH	Marc's Enter Sign- \$2,000	\$2,000		\$2,000			
	3- SH	125 sf Conc. Paving	\$790	\$790				
	3- SH	250 sf Lawn	\$100	\$100				
	3- SH	787 sf Asphalt Paving	\$2,955	\$2,955				
BLDG								
DAMAGE TO RESIDUE								
Total:			\$11,245	\$9,245	\$2,000			
FMVE APPORTIONMENT BY BRUCE B. BOWMAN TYPED NAME			TOTAL AMOUNT PAID TO / FOR THE OWNER					
SIGNATURE					DATE MAY 8, 2017			

REMARKS:

**RECEIVED**

JUN 22 2017

Dept. of Public Service

TRANSYSTEMS REAL ESTATE CONSULTING, INC.
39 WEST MCKINLEY WAY
POLAND, OHIO 44514
TELEPHONE: 330-726-5316
FAX: 330-757-7799
www.transystems.com

LETTER OF TRANSMITTAL

TO: City of Kent DATE: 6/21/2017
930 Overholt Road
Kent, Ohio 44240

ATTN: Jon P. Giaquinto, PE, Senior Engineer PROJECT: POR-43-10.26

RE: Parcel 5-T (Anderson Realty, Inc.) SUBJECT: Acquisition- Signed Parcel

WE ARE SENDING YOU☒ ATTACHED☐ UNDER SEPARATE COVER**THE FOLLOWING INFORMATION:**☒ W-9 FORM (ORIGINAL)☒ TEMPORARY EASEMENT
(COPY)☐ OPERATING AGREEMENT☐ CONTRACT (ORIGINAL)☐ LICENSE AGREEMENT
(ORIGINAL)☒ FRONT PAGE OF VA (COPY)☐ UTILITY EASEMENT☐ BILL OF SALE (ORIGINAL)☒ RE-46 OF THE TITLE (COPY)**DISPOSITION:**☒ FOR PAYMENT☐ FOR REVIEW AND COMMENT☐ APPROVED AS NOTED☒ FOR APPROVAL☐ APPROVED OR SUBMITTED☐ OTHER: _____☐ AS REQUESTED**COMMENTS:**

Enclosed please find a copy of the signed billing package for the above referenced parcel. Please proceed with processing a check payable to Anderson Realty, Inc. in the amount of \$400.00 and send it to: TranSystems – 39 W. McKinley Way, Poland, Ohio 44514 – Attn: Jim Fisher, Project Manager-TREC. Upon receipt, we will proceed with the closing process.

COPY TO: FILE

SIGNED:

James M. Fisher
JAMES M. FISHER, PROJECT MANAGER

TEMPORARY EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT: Anderson Realty, Inc., an Ohio corporation, the Grantor(s) herein, in consideration of the sum of \$400.00, to be paid by the City of Kent, Portage County, Ohio, the Grantee herein, does hereby grant, bargain, sell, convey and release to said Grantee, its successors and assigns, a temporary easement to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 5-T

POR-43-10.26

SEE EXHIBIT A ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF
Portage County Current Tax Parcel No. 17-006-00-00-024-000
Prior Instrument Reference: OR 197, Pg. 353, Portage County Recorder's Office.

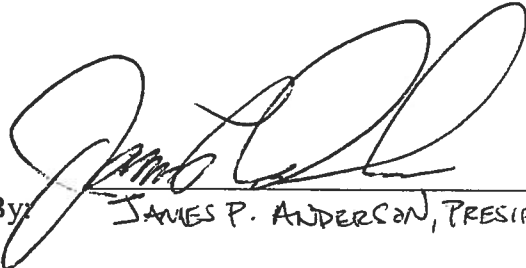
To have and to hold said temporary easement, for the aforesaid purposes and for the anticipated period of time described below, unto the Grantee, its successors and assigns.

The duration of the temporary easement herein granted to the Grantee is 12 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

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

IN WITNESS WHEREOF Anderson Realty, Inc., an Ohio corporation has caused its name to be subscribed by James P. Anderson, its duly authorized President, and its duly authorized agent on the 13 day of June, 2017.

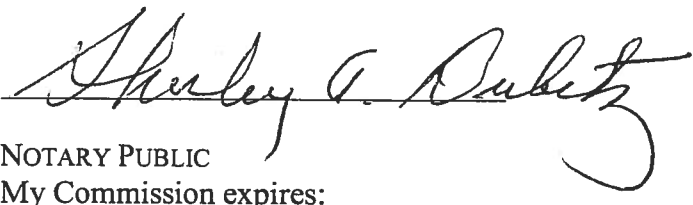
ANDERSON REALTY, INC., AN OHIO CORPORATION

By: 
JAMES P. ANDERSON, PRESIDENT

STATE OF OHIO, COUNTY OF Portage ss:

BE IT REMEMBERED, that on the 13 day of June, 2017, before me the subscriber, a Notary Public in and for said state and county, personally came the above named James P. Anderson, who acknowledged being the President and duly authorized agent of Anderson Realty, Inc., an Ohio corporation, and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity.

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


NOTARY PUBLIC
My Commission expires: _____

SHIRLEY A. DABBERT
NOTARY PUBLIC, STATE OF OHIO
My Commission Is For Life

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

EXHIBIT A

LPA RX 887 T

Page 1 of 2

Rev. 07/09

Ver. Date 10/13/16

PID 93442

**PARCEL 5-T
POR-43-10.26
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
RECONSTRUCT DRIVE
FOR 12 MONTHS FROM DATE OF ENTRY BY THE
CITY OF KENT, PORTAGE COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Kent, County of Portage, State of Ohio, being part of Lot 6 in Franklin Township, and being part of lands described in the deed to ANDERSON REALTY, INC. (Grantor) as recorded in Deed Volume 197 Page 353 on file in the Portage County Recorder's office and laying on the right side of the existing centerline of right-of-way of State Route 43 as recorded as Plat _____ and as shown on the POR-43-10.26 right-of-way plans prepared by Arcadis U.S., Inc. for the City of Kent, Ohio, and more fully described as follows:

Beginning on the existing easterly right of way line of said State Route 43 at 30.00 feet right of Station 549+16.93;

1. Thence North 71° 44' 49" East, through the Grantor, a distance of 8.00 feet being 38.00 feet right of Station 549+16.93;
2. Thence South 18° 15' 11" East, continuing through the Grantor, a distance of 79.05 feet to the Grantor's southerly line being 38.00 feet right of Station 548+37.88;
3. Thence South 88° 50' 49" West, along said southerly line, a distance of 8.37 feet to said existing easterly right of way line of said State Route 43 being 30.00 feet right of Station 548+40.34;
4. Thence North 18° 15' 11" West, along said existing easterly right of way line, a distance of 76.59 feet to the **Point of Beginning**.

The above described easement contains 0.014 acres (623 square feet, including 0.000 acres within the present road occupied), within Parcel Number 17-006-00-00-026-000 and subject to all legal highways and easements of record.

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

EXHIBIT A

LPA RX 887 T

Page 2 of 2

Rev. 07/09

Inc. in September 2014 under the direction of Robert G. Hoy, Ohio Professional Surveyor No. 8142;

Bearings in this description are based on the Ohio State Plane Coordinate System, NAD83(2011), North Zone, Grid North;

Grantor claims title as recorded in Deed Volume 197 Page 353 of Portage County Deed Records.

The stations referred are from the existing centerline of right-of-way of State Route 43 as shown on the POR-43-10.26 right-of-way plans unless noted otherwise.

Robert M. Hoy 3/20/17
Arcadis U.S., Inc. Date
Robert G. Hoy, Ohio Professional Surveyor No. 8142



VALUE ANALYSIS (\$10,000 OR LESS)

OWNER'S NAME

Anderson Realty, Inc.,
an Ohio corporation

COUNTY POR

ROUTE 43

SECTION 10.26

PID # 93442

STATE JOB # 441022

Based on comparable sales, which are attached, the following values have been established. All temporary parcels are to be of 12 months in duration.

Parcel #	Net Take Area	Land	Improvement(s)	Remarks	Total
5-T	0.014 acres	0.014 acres commercial land TCE @ \$275,000/ac X 10% R _L for 12 months = \$400, rounded	None	Temporary easement for the purpose of performing the work necessary to reconstruct drive for 12 months from date of entry by the City of Kent, Portage County, Ohio	\$400
Total					\$400

Conflict of Interest Certification [49CFR 24.102(n) and OAC 5501: 2-5-06(B)(3)(a)]

1. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
2. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this compensation recommendation.
3. I have no direct or indirect present or contemplated future personal interest in such property or in any benefit from the acquisition of such property valued, and no personal interest with respect to the parties involved.
4. In recommending the compensation for the property, I have disregarded any decrease or increase in the fair market value of the real property that occurred prior to the date of valuation caused by the public improvement for which such property is acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to physical deterioration within the reasonable control of the owner.
5. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

 SIGNATURE OF PERSON PREPARING ANALYSIS TYPED NAME: John D. D'Angelo, MAI		April 25, 2017 DATE		 REVIEWER'S CONCURRENCE TYPED NAME: Bruce Bowman		5/3/2017 DATE	
NAME OF AGENCY (IF DIFFERENT FROM ODOT) City of Kent							
TITLE: Superintendent of Engineering / Deputy Service Director				 AGENCY SIGNATURE ESTABLISHING FMVE TYPED NAME: James Bowling, P.E.			
DATE: 5/9/17							
ADMINISTRATIVE SETTLEMENT:							
SIGNATURE TYPED NAME:				DATE F.M.V.E. AMOUNT ADDITIONAL AMOUNT TOTAL SETTLEMENT			

(SEE REVERSE SIDE FOR ADDITIONAL DOCUMENTATION)

TITLE REPORT



C/R/S	POR-43-10.26
PARCEL	5-T
PID	93422
SJN	441022

INSTRUCTION:

- (1) R.C. 163.01 (C) defines "owner" as "any individual, partnership, association, or corporation having any estate, title, or interest in any real property sought to be appropriated." The City of Kent expands this definition to include, but is not limited to, all fee owners, life tenants, remaindermen, mortgagees, tenants and subtenants (whether or not a lease is recorded), occupants, possessors, lienholders, easement owners, judgement creditors, etc.
- (2) The City of Kent procedures require that pertinent attachments be part of the Title Report/Title Chain in compliance with Section 5102.04 (II)(J) of the Ohio Department of Transportation's Real Estate Procedures Manual.

(1) **FEE OR OTHER PRIMARY OWNERS**

Name & Address	Marital Status (Spouse's Name)	Interest
Anderson Realty, Inc., an Ohio corporation	N/A	Fee Simple, Full Interest

Parcel / Mailing Address:
1585 S Water Street
Kent, OH 44240

Statutory Agent:
James P. Anderson
201 E Summit Street
Kent, OH 44240

(2) **BRIEF DESCRIPTION OF SUBJECT PREMISES**

(From deed to present owner or other instruments containing a valid description. Give deeds of record, include the size of each parcel)

Current Deed: OR 197, Pg. 353 (Attached)

County of Portage, State of Ohio, City of Kent, known as being part of Lot #6, formerly Franklin Township, metes and bounds, and containing 0.7468 acres, reserving the right to install and maintain a sanitary sewer in a strip of land 10' wide bounded on the west by the street right of way and a lone 10' east of and parallel to said right of way

PPN: 17-006-00-00-024-000 (0.75 acres)

(3-A) **MORTGAGES, LIENS AND ENCUMBRANCES**

Name & Address	Date Filed	Amount & Type of Lien
None Found		

(3-B) **LEASES**

Name & Address	Commercial/Residential	Term
None Found		

(3-C) **EASEMENTS**

Name & Address	Type
None Found	

(4) **DEFECTS IN TITLE-IRREGULARITIES-COMMENTS** (Record or Off Record)

None Found

(5) **TAXES AND SPECIAL ASSESSMENTS** (List by auditor's tax parcel number, description, amount, etc.)

County: Portage City: Kent School District: Kent CSD

AUD. PAR. NO(S)	Land – 100%	Building – 100%	Total – 100%	Taxes per ½ year
170060000026000	<u>\$163,400</u>	<u>\$214,800</u>	<u>\$378,200</u>	<u>\$4,950.92 1st ½ 16 paid</u>

(6) **CAUV (Current Agricultural Use Value)**

Is the property under the CAUV Program: Yes: ☐ No: ☒
Comments:

This Title Report covers the time period from 1/24/1997 to 4/24/2017. The undersigned hereby verifies that this Title Report is an abstract of the real estate records for that period of time, which reflects all currently relevant instruments and proceedings of record and those of record matters personally known by the undersigned pertaining to Parcel(s) 5-T and presently standing in the name of Anderson Realty, Inc. as the same are entered upon the several public records of Portage County, Ohio.

Date & Time 4/24/2017 7:59 AM (am/pm)

Signed Abby Vilyus

Print Name Abby Vilyus

UPDATE TITLE BLOCK

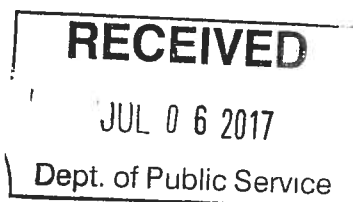
This Title Report covers the time period from _____ to _____. The undersigned hereby verifies that this Title Report is an abstract of the real estate records for that period of time, which reflects all currently relevant instruments and proceedings of record and those of record matters personally know by the undersigned pertaining to Parcel(s) _____ and presently standing in the name of _____ as the same are entered upon the several public records of _____.

Date & Time _____ (am/pm)

Signed _____

Print Name _____

Comments from the agent who prepared the Title Update



TRANSYSTEMS REAL ESTATE CONSULTING, INC.
55 PUBLIC SQUARE, SUITE 1900
CLEVELAND, OHIO 44113
TELEPHONE: 330-726-5317
www.transystems.com

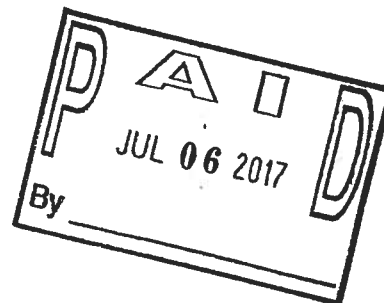
May 26, 2017

Shirey Enterprises, Inc., an Ohio corporation
C/O Daniel Shirey
359 Eckwood Drive
Kent, Ohio 44240

Project: POR-43-10.26
Parcel: 10-T (Temporary Easement)

Address of Property: 1413-1443 S. Water Street; Kent, OH 44240

Dear Mr. Shirey:



This letter is to advise you of the impending roadway improvement of S.R. 43 / Beryl Drive, S.R. 43 Cherry Street / Bowman Drive and S.R. 43 / School Street in the City of Kent, Portage County, Ohio, for the project referred to as POR-43-10.26. TranSystems Real Estate Consulting, Inc. has been retained as an agent acting on behalf of the City of Kent to secure the right of way necessary for the project.

Enclosed please find the following materials:

1. An Acquisition Brochure-"When ODOT Needs Your Property"
2. The Notice of Intent to Acquire and Good Faith Offer in the amount of One Thousand Dollars (\$1,000.00) for the right of way needed for this project with the Plan Letter Attachment.
3. A Print of Property Map, Summary Page and the R/W plan sheets for Parcel 10-T with the T area shaded in green.
4. A Copy of the Value Analysis that was prepared for the City of Kent's use of the property, with the comparable sales attached.
5. The Temporary Easement with legal descriptions attached.
6. A W-9 form.

The purpose of the project is for the installation of a new fiber interconnect for the S.R. 43 traffic signals between Summit Street and S.R. 261, signal timing improvements and the addition of a dual left turn lane and signal modifications at S.R. 261 will also be constructed as a part of this project.

The project's right of way clear date is 11/1/2017. The project will be awarded to a contractor Spring 2018, with construction to begin shortly thereafter. The real property needed for the POR-43-10.26 project requires the acquisition of only a part of your property. The agency needs to acquire from you parcel 10-T. The acquisition is further explained as follows.

With respect to compensation for the required right of way, it is TranSystems Real Estate Consulting, Inc.'s & the City of Kent's sincere desire to reach a mutually satisfactory settlement with each owner affected by this project. The enclosed copy of the Value Analysis states the highest and best use of the property is commercial development. It contains comparable sales data as well as the appraiser's evaluation. Based on recent comparable sales of property in the immediate vicinity, the City of Kent's offer is \$1,000.00, which equates to \$300,000.00 / Acre. The offer is broken out as follows:

\$1,000.00	(\$300,000 / acre x 0.033 acre x 10% x 1 year) for the rental of the land in the temporary easement (T) area for up to 12 months from the date of entry by the contractor
------------	---

Upon acceptance of the offer, the enclosed copy of the Temporary Easement document must be signed and notarized. I would need a copy of the Corporate Resolution or other documentation authorizing that individual to sign the acquisition documents on behalf of the corporation. The W-9 form must be completed and signed as the company would any other tax form using its Federal Tax ID number. Payment can be expected by the mail, approx. 6-8 weeks after the properly signed documents are returned to me.

Please contact me at 330-726-5317 (direct) once you have had an opportunity to review this information or for any questions you may have. If after your review of the enclosed information, everything appears to be in order and is acceptable, please return the properly executed Temporary Easement, Corporate Resolution/Signature Authorization and W-9 form to me.

Respectfully,

A handwritten signature in black ink, appearing to read 'AVNort', followed by a long horizontal flourish line.

Andrew Van Nort
Right of Way Specialist-TREC
(Representing the City of Kent, Portage County, Ohio)

c: File
Enclosures

TEMPORARY EASEMENT

KNOW ALL MEN BY THESE PRESENTS THAT: Shirey Enterprises, Inc., an Ohio corporation, the Grantor(s) herein, in consideration of the sum of \$1,000.00, to be paid by the City of Kent, Portage County, Ohio, the Grantee herein, does hereby grant, bargain, sell, convey and release to said Grantee, its successors and assigns, a temporary easement to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 10-T

POR-43-10.26

SEE EXHIBIT A ATTACHED HERETO AND BY THIS REFERENCE MADE A PART HEREOF
Portage County Current Tax Parcel No. 17-006-12-00-002-00
Prior Instrument Reference: #201325085, Portage County Recorder's Office.

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

The duration of the temporary easement herein granted to the Grantee is 12 months immediately following the date on which the work described above is first commenced by the Grantee, or its duly authorized employees, agents, and contractors.

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

IN WITNESS WHEREOF Shirey Enterprises, Inc., an Ohio corporation has caused its name to be subscribed by Daniel Shirey, its duly authorized President, and its duly authorized agent on the 5th day of July, 2017.

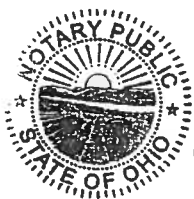
SHIREY ENTERPRISES, INC., AN OHIO CORPORATION

By: _____

STATE OF OHIO, COUNTY OF Stark ss:

BE IT REMEMBERED, that on the 5 day of July, 2017, before me the subscriber, a Notary Public in and for said state and county, personally came the above named Daniel Shirey, who acknowledged being the President and duly authorized agent of Shirey Enterprises, Inc., an Ohio corporation, and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity.

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



JENNIFER KINTZ
Notary Public, State of Ohio
My Comm. Expires June 02, 2019

NOTARY PUBLIC

My Commission expires:

June 2, 2019

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

EXHIBIT A

LPA RX 887 T

Page 1 of 2

Rev. 07/09

Ver. Date 10/13/16

PID 93442

**PARCEL 10-T
POR-43-10.26
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
REGRADE
FOR 12 MONTHS FROM DATE OF ENTRY BY THE
CITY OF KENT, PORTAGE COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in the City of Kent, County of Portage, State of Ohio, being part of Lot 6 in Franklin Township, and being part of Sublots 1, 2, and 3 as shown on Miller Allotment as recorded in Volume 6 Page 59 of Portage County Plat Records, and being part of lands described in the deed to SHIREY ENTERPRISES, INC. (Grantor) as recorded in Instrument 201325085 on file in the Portage County Recorder's office and laying on the right side of the existing centerline of right-of-way of State Route 43 as recorded as Plat _____ and as shown on the POR-43-10.26 right-of-way plans prepared by Arcadis U.S., Inc. for the City of Kent, Ohio, and more fully described as follows:

Beginning on the existing easterly right of way line of said State Route 43 at 30.00 feet right of Station 563+97.86 being the Grantor's northwesterly corner;

1. Thence North 69° 10' 11" East, along the Grantor's northerly line, a distance of 8.00 feet being 38.00 feet right of Station 563+97.86;
2. Thence South 20° 49' 49" East, through the Grantor, a distance of 180.46 feet to the existing northerly right of way line of Rellim Drive being 38.00 feet right of Station 562+17.39;
3. Thence South 69° 10' 11" West, along said existing northerly right of way line, a distance of 8.00 feet to said existing easterly right of way line of said State Route 43 being 30.00 feet right of Station 562+17.39;
4. Thence North 20° 49' 49" West, along said existing easterly right of way line, a distance of 180.46 feet to the **Point of Beginning**.

The above described easement contains 0.033 acres (1,444 square feet, including 0.000 acres within the present road occupied), within Parcel Number 17-006-12-00-002-000 and subject to all legal highways and easements of record.

EXHIBIT A

LPA RX 887 T

Page 2 of 2

Rev. 07/09

This description was prepared by Arcadis U.S., Inc. under the supervision of Robert G. Hoy, Ohio Professional Surveyor No. 8142, and is based on a field survey performed by Arcadis U.S., Inc. in September 2014 under the direction of Robert G. Hoy, Ohio Professional Surveyor No. 8142;

Bearings in this description are based on the Ohio State Plane Coordinate System, NAD83(2011), North Zone, Grid North;

Grantor claims title as recorded in Instrument 201325085 of Portage County Deed Records.

The stations referred are from the existing centerline of right-of-way of State Route 43 as shown on the POR-43-10.26 right-of-way plans unless noted otherwise.

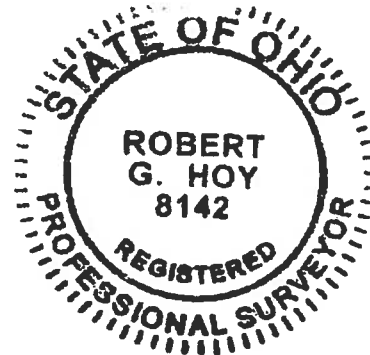
Robert G. Hoy

3/20/17

Arcadis U.S., Inc.

Date

Robert G. Hoy, Ohio Professional Surveyor No. 8142





The State of Ohio

Bob Taft

Secretary of State

878821

Certificate

It is hereby certified that the Secretary of State of Ohio has custody of the Records of Incorporation and Miscellaneous

Filings; that said records show the filing and recording of: ARF

of:

SHIREY ENTERPRISES, INC.

United States of America
State of Ohio
Office of the Secretary of State

Recorded on Roll 4199 at Frame 1534 of
the Records of Incorporation and Miscellaneous Filings.

Witness my hand and the seal of the Secretary of State at

Columbus, Ohio, this 17TH day of AUG ,

A.D. 19 94 .



Bob Taft

Bob Taft
Secretary of State

ARTICLES OF INCORPORATION
OF
SHIREY ENTERPRISES, INC.

04199-1534
9408713801
APPROVED
By.....
Date.....
Amount.....

The undersigned, desiring to form a Corporation for profit under the Ohio General Corporation Law, hereby certifies:

ARTICLE I

The name of the Corporation shall be Shirey Enterprises, Inc.

ARTICLE II

The place in Ohio where the principal office of the Corporation is to be located is in the City of Kent, County of Portage.

ARTICLE III

The Corporation is formed for the purpose of engaging in any lawful act or activity for which corporations may be formed under Section 1701.01 et seq. of the Ohio Revised Code.

ARTICLE IV

The maximum number of shares which the Corporation is authorized to have outstanding is 850 shares of common stock without par value.

ARTICLE V

Except as otherwise authorized by the Directors or Shareholders, no holder of shares of the Corporation of any class, now or hereafter authorized, shall have any preferential or pre-emptive right to subscribe for, purchase or receive any shares of the Corporation of any class, now or hereafter authorized, or any options or warrants for such shares, or any rights to subscribe to or purchase such shares or any securities, bonds or other evidences of indebtedness convertible into or exchangeable for such shares,

which may at any time be issued, sold or offered for sale by the Corporation.

ARTICLE VI

The Corporation may redeem or purchase shares of any kind or class issued by it, to such extent, at such time, in such manner and upon such terms as its Board of Directors shall determine; provided, however, that the Corporation shall not redeem or purchase its own shares if immediately thereafter its assets would be less than its liabilities plus stated capital, or if the Corporation is insolvent, or if there is reasonable ground to believe that by such redemption or purchase it would be rendered insolvent.

ARTICLE VII

A Director of this Corporation shall not be disqualified by such office from dealing or contracting with this Corporation as a vendor, purchaser, employee, agent or otherwise; nor shall any transaction or contract or act of this Corporation be void or voidable or in any way invalidated or affected by reason of the fact that any organization or member of any organization of which such Director is a member or any corporation of which such Director is a shareholder or director is in any way interested in such transaction or contract or act, provided that the fact that such member, such organization, or such corporation is so interested in such transaction or contract or act has been disclosed or is known to the Board of Directors of this Corporation or such members thereof as shall be present at any meeting of such Board of Directors at which action upon any such transaction or contract or

act shall be taken; and provided that if such fact is so disclosed or known, no such Director shall be accountable or responsible to this Corporation for, or in respect of, any such transaction or contract or act of this Corporation or for any gains or profits realized by him by reason of the fact that he or any organization of which he is a member, shareholder or director is interested in such transaction or contract or act.

ARTICLE VIII

In the case of any proposal or proceeding for the (1) adoption of a Code of Regulations; (2) sale, exchange or other disposition of all, or substantially all, of the assets of the Corporation; (3) merger or consolidation of the Corporation into a domestic corporation; (4) merger or consolidation of the Corporation into a foreign corporation; (5) combination or majority share acquisition wherein this Corporation is the acquiring corporation; or (6) the voluntary dissolution of this Corporation, whereunder Shareholder authorization is required by the General Corporation Law of Ohio, such Shareholder authorization shall be sufficient if the proposal or proceeding in question shall have received the affirmative vote of not less than a majority of the shares of the entire voting power of the Corporation or of the shares of every class entitled to vote upon the proposal or proceeding; provided, however, if the General Corporation Law or these Articles shall, as to the proposal or proceeding in question, require the affirmative vote of more than a majority of the voting power of the Corporation or of any class

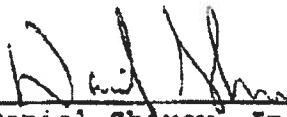
04199-1537

of shares of the Corporation, then such proposal or proceeding must receive the affirmative vote so specified.

ARTICLE IX

Any provision contained in these Articles of Incorporation may be amended, altered or repealed by the affirmative vote or consent of the holders of shares entitling them to exercise a majority of the voting power of the Corporation or by the affirmative vote of a majority of the holders of shares of every particular class entitled by law or these Articles of Incorporation to vote on such amendment, alteration or repeal, unless a greater vote is mandatory under these Articles or the statutes of the State of Ohio.

IN WITNESS WHEREOF, the undersigned has hereunto set his name this 3rd day of August, 1994.

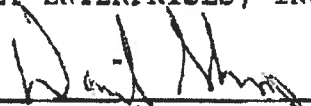


Daniel Shirey, Incorporator

ORIGINAL APPOINTMENT OF AGENT

The undersigned, being the Incorporator of Shirey Enterprises, Inc., hereby appoints Daniel Shirey, a natural person and resident of the State of Ohio as its agent, upon whom any process, notice or demand required or permitted by statute to be served upon the Corporation may be served. His complete address is Daniel Shirey, 1443 South Water Street, Kent, Portage County, Ohio 44240.

SHIREY ENTERPRISES, INC.

By: 
Daniel Shirey, Incorporator

July 31, 1994

SHIREY ENTERPRISES, INC.

Gentlemen:

I hereby accept appointment as agent of your Corporation upon whom process, tax notices or demands may be served.


Daniel Shirey, Statutory Agent

AGZ009C1.W51

VALUE ANALYSIS (\$10,000 OR LESS)**OWNER'S NAME**

Shirey Enterprises, Inc., an Ohio
corporation

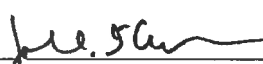
COUNTY POR**ROUTE** 43**SECTION** 10.26**PID #** 93442**STATE JOB #** 441022

Based on comparable sales, which are attached, the following values have been established. All temporary parcels are to be of 12 months in duration.

Parcel #	Net Take Area	Land	Improvement(s)	Remarks	Total
10-T	0.033 acres	0.033 acres commercial land TCE @ \$300,000/ac X 10% R _L for 12 months = \$1,000, rounded	None	Temporary easement for the purpose of performing the work necessary to regrade for 12 months from date of entry by the City of Kent, Portage County, Ohio	\$1,000
				Total	\$1,000

Conflict of Interest Certification [49CFR 24.102(n) and OAC 5501: 2-5-06(B)(3)(a)]

1. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
2. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this compensation recommendation.
3. I have no direct or indirect present or contemplated future personal interest in such property or in any benefit from the acquisition of such property valued, and no personal interest with respect to the parties involved.
4. In recommending the compensation for the property, I have disregarded any decrease or increase in the fair market value of the real property that occurred prior to the date of valuation caused by the public improvement for which such property is acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to physical deterioration within the reasonable control of the owner.
5. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

 SIGNATURE OF PERSON PREPARING ANALYSIS TYPED NAME: John D. D'Angelo, MAI	April 26, 2017 DATE	 REVIEWER'S CONCURRENCE TYPED NAME: Bruce Bowman	5/3/2017 DATE
NAME OF AGENCY (IF DIFFERENT FROM ODOT) City of Kent			
TITLE: Superintendent of Engineering / Deputy Service Director		 AGENCY SIGNATURE ESTABLISHING FMVE TYPED NAME: James Bowling, P.E.	
ADMINISTRATIVE SETTLEMENT:			
SIGNATURE TYPED NAME:		F.M.V.E. AMOUNT _____ ADDITIONAL AMOUNT _____ TOTAL SETTLEMENT _____	
DATE			

(SEE REVERSE SIDE FOR ADDITIONAL DOCUMENTATION)

TITLE REPORT



C/R/S	POR-43-10.26
PARCEL	10-T
PID	93422
SJN	441022

INSTRUCTION:

- (1) R.C. 163.01 (C) defines "owner" as "any individual, partnership, association, or corporation having any estate, title, or interest in any real property sought to be appropriated." The City of Kent expands this definition to include, but is not limited to, all fee owners, life tenants, remaindermen, mortgagees, tenants and subtenants (whether or not a lease is recorded), occupants, possessors, lienholders, easement owners, judgement creditors, etc.
- (2) The City of Kent procedures require that pertinent attachments be part of the Title Report/Title Chain in compliance with Section 5102.04 (II)(J) of the Ohio Department of Transportation's Real Estate Procedures Manual.

(1) **FEE OR OTHER PRIMARY OWNERS**

Name & Address	Marital Status (Spouse's Name)	Interest
Shirey Enterprises, Inc., an Ohio corporation	N/A	Fee Simple, Full Interest

Parcel Address:
1413 Water Street
Kent, OH 44240

Mailing Address:
359 Eckwood Drive
Kent, OH 44240

Statutory Agent:
Daniel Shirey
1443 S Water Street
Kent, OH 44240

(2) **BRIEF DESCRIPTION OF SUBJECT PREMISES**

(From deed to present owner or other instruments containing a valid description. Give deeds of record, include the size of each parcel)

Current Deed: #201325085 (Attached)

Parcel 1: Situated in the City of Kent, County of Portage and State of Ohio and known as being Sublot No. 1 and part of Sublot No. 2 of the Miller Allotment Vol. 6, Page 59 in Franklin Township Lot 6, metes and bounds

Parcel 2: Situated in the City of Kent, County of Portage and State of Ohio and known as being all of Sublot No. 3 and part of Sublot No. 2 of the Miller Allotment Vol. 6, Page 59 in Franklin Township Lot 6, metes and bounds

PPN: 17-006-12-00-002-00 (0.682 acres)

(3-A) **MORTGAGES, LIENS AND ENCUMBRANCES**

Name & Address	Date Filed	Amount & Type of Lien
None Found		

(3-B) **LEASES**

Name & Address	Commercial/Residential	Term
None Found		

(3-C) **EASEMENTS**

Name & Address	Type
None Found	

(4) **DEFECTS IN TITLE-IRREGULARITIES-COMMENTS** (Record or Off Record)

None Found

(5) **TAXES AND SPECIAL ASSESSMENTS** (List by auditor's tax parcel number, description, amount, etc.)

County: Portage City: Kent School District: Kent CSD

AUD. PAR. NO(S)	Land – 100%	Building – 100%	Total – 100%	Taxes per ½ year
17-006-12-00-002	<u>\$148,500</u>	<u>\$254,000</u>	<u>\$402,500</u>	<u>\$5,269.22 1st ½ 16 Paid</u>

(6) **CAUV (Current Agricultural Use Value)**

Is the property under the CAUV Program: Yes: ☐ No: ☒
Comments:

This Title Report covers the time period from 12/13/2013 to 3/9/2017. The undersigned hereby verifies that this Title Report is an abstract of the real estate records for that period of time, which reflects all currently relevant instruments and proceedings of record and those of record matters personally known by the undersigned pertaining to Parcel(s) 10-T and presently standing in the name of Shirey Enterprises, Inc. as the same are entered upon the several public records of Portage County, Ohio.

Date & Time 3/9/2017 7:59 AM (am/pm)

Signed 

Print Name Abby Vilyus

UPDATE TITLE BLOCK

This Title Report covers the time period from _____ to _____. The undersigned hereby verifies that this Title Report is an abstract of the real estate records for that period of time, which reflects all currently relevant instruments and proceedings of record and those of record matters personally know by the undersigned pertaining to Parcel(s) _____ and presently standing in the name of _____ as the same are entered upon the several public records of _____.

Date & Time _____ (am/pm)

Signed _____

Print Name _____

Comments from the agent who prepared the Title Update

**RECEIVED**

JUL 03 2017

Dept. of Public Service

TRANSYSTEMS REAL ESTATE CONSULTING, INC.
39 WEST MCKINLEY WAY
POLAND, OHIO 44514
TELEPHONE: 330-726-5316
FAX: 330-757-7799
www.transystems.com

LETTER OF TRANSMITTAL

TO: City of Kent
930 Overholt Road
Kent, Ohio 44240

DATE: 6/30/2017

PROJECT: POR-43-10.26

ATTN: Jon P. Giaquinto, PE, Senior Engineer

SUBJECT: Acquisition- Signed Parcel

RE: Parcel 14-WD (Nemer Properties, Ltd.)

WE ARE SENDING YOU☒ ATTACHED☐ UNDER SEPARATE COVER**THE FOLLOWING INFORMATION:**☒ W-9 FORM (ORIGINAL)☐ TEMPORARY EASEMENT
(COPY)☒ RESOLUTION☒ CONTRACT (ORIGINAL)☐ LICENSE AGREEMENT
(ORIGINAL)☒ FRONT PAGE OF VA (COPY)☐ UTILITY EASEMENT☐ BILL OF SALE (ORIGINAL)☒ RE-46 OF THE TITLE (COPY)**DISPOSITION:**☒ FOR PAYMENT☐ FOR REVIEW AND COMMENT☐ APPROVED AS NOTED☒ FOR APPROVAL☐ APPROVED OR SUBMITTED☐ OTHER: _____☐ AS REQUESTED**COMMENTS:**

Enclosed please find a copy of the signed billing package for the above referenced parcel. Please proceed with having the original Contract counter signed by the City and send a copy for our file. Please proceed with processing a check payable to Nemer Properties, Ltd., in the amount of \$5,625.00 and send it to: TranSystems – 39 W. McKinley Way, Poland, Ohio 44514 – Attn: Jim Fisher, Project Manager-TREC. Upon receipt, we will proceed with the closing process.

COPY TO: FILE

SIGNED:

James M. Fisher
JAMES M. FISHER, PROJECT MANAGER

CONTRACT FOR SALE AND PURCHASE OF REAL PROPERTY
WITHOUT BUILDING(S)

PARCEL(S): 14-WD
POR-43-10.26

This Agreement is by and between the City of Kent, Portage County, Ohio ["Purchaser"] and Nemer Properties, Ltd., an Ohio limited liability company ["Seller"; "Seller" includes all of the foregoing named persons or entities]. Purchaser and Seller are referred to collectively in this Agreement as "Parties."

In consideration of the mutual promises, agreements and covenants herein contained the Parties contract as follows:

1. Price and Consideration

Purchaser shall pay to Seller the sum of \$5,625.00, which sum shall constitute the entire amount of compensation due Seller for: (a) the real property to be conveyed, including all fixtures; (b) any and all damages to any residual lands of Seller; (c) Seller's covenants set forth herein; (d) any and all supplemental instruments reasonably necessary to transfer the title of the subject property; and (e) na.

Seller shall be exclusively responsible for all delinquent taxes and assessments, including penalties and interest, and for all other real estate taxes and assessments that are a lien as of the date on which this Agreement closes. The taxes and assessments for the current calendar year shall be prorated on an estimated basis to the date of acquisition of title or date of possession, whichever is earlier in time. Seller shall be responsible for any and all future installments of any special assessments levied and assessed against the real property, whether or not any such special assessment has been certified to the county auditor for collection, provided that such installments of special assessments shall be a lien on the subject real property as of the date of transfer of title. Purchaser may withhold in escrow a sufficient amount of the purchase money to satisfy the foregoing items to be paid by Seller; any balance remaining after such taxes, assessments, etc., are discharged shall be paid to Seller and any deficiency shall be the responsibility of Seller.

2. Estate Sold and Deed to Transfer

Seller, upon fulfillment of all the obligations and terms of this Agreement, shall sell and convey to Purchaser, its successors and assigns, the property which is more particularly described in Exhibit A attached hereto and by this reference incorporated herein, together with all improvements now located thereon and all fixtures of every nature now attached to or used with said land and improvements including, but not limited to, driveways, signs, utility fixtures, shrubbery and trees.

If the rights, titles and estates described in Exhibit A constitute the fee simple in, to and of the real property, then such sale and conveyance by Seller shall be by a good and sufficient general warranty deed with, if applicable, full release of dower. In the event the rights, titles, and estates described in

Exhibit A constitute something less than the fee simple of the real property, then such sale and conveyance by Seller shall be by a good and sufficient deed or other instrument regularly and ordinarily used to transfer such lesser rights, titles and estates with, if applicable, full release of dower.

3. Limited Access Parcels - Waiver of Abutters' Rights

If the property described in Exhibit A is designated by Purchaser as a limited access parcel, then Seller further agrees to release to Purchaser, its successors and assigns, any and all abutters' rights, including access rights, appurtenant to any remaining lands of Seller (from which the property described in Exhibit A is being severed) in, over, on, from and to the property described in Exhibit A.

4. Supplemental Instruments

Seller agrees to execute any and all supplemental instruments or documents necessary to vest Purchaser with the rights, titles and interests described in Exhibit A.

5. Warranty of Title

Seller shall, and hereby does, warrant that the property described in Exhibit A is free and clear from all liens and encumbrances whatsoever, except: (a) easements, restrictions, conditions and covenants of record; (b) all legal highways; (c) zoning and building laws, ordinances, rules and regulations; and (d) any and all taxes and assessments not yet due and payable.

6. Elimination of Others' Interests

Seller shall assist, in whatever manner reasonably possible under the circumstances, to procure and deliver to Purchaser releases and cancellations of any and all other rights, titles and interests in the property described in Exhibit A, such as, but not limited to, those belonging to tenants, lessees, mortgagees or others now in possession or otherwise occupying the subject premises, and all assessment claims against said property.

Seller and Purchaser agree that if a mortgagee of Seller or of a predecessor in title fails to cooperate with the efforts to obtain a release of that mortgagee's mortgage lien secured by the property described in Exhibit A, then and in that event this Agreement shall become null and void and the parties to this Agreement shall be discharged and released from any and all obligations created by this Agreement; for the purposes of this provision, the term "fails to cooperate" shall include a demand or request by any such mortgagee for a fee to process such a release of that mortgagee's mortgage lien that Purchaser, in its sole discretion, deems to be excessive.

7. No Change in Character of Property

Seller shall not change the existing character of the land or alter, remove, destroy or change any improvement located on the property described in Exhibit A. If, prior to the date on which possession of the subject property is surrendered to Purchaser, the subject property suffers any damage, change, alteration or destruction then, and without regard to the cause thereof, Seller shall restore the subject

property to the condition it was in at the time Seller executed this Agreement; in the alternative, Seller may agree to accept the abovementioned purchase price less the costs associated with such restoration. If the Seller refuses to either restore the premises or accept the decreased consideration as aforementioned, then Purchaser, at its option after discovery or notification of such damage, change, alteration or destruction, may terminate and cancel this Agreement upon written notice to Seller.

8. Offer to Sell

If Seller executes this Agreement prior to Purchaser, then this Agreement shall constitute and be an Offer to Sell by Seller that shall remain open for acceptance by Purchaser for a period of 20 days immediately subsequent to the date on which Seller delivers such executed Agreement to Purchaser. Upon Purchaser's acceptance and execution of this Agreement within said period of 20 days, this Agreement shall constitute and be a valid Contract for Sale and Purchase of Real Property that is binding upon the Parties.

9. Designation of Escrow Agent

Seller agrees that Purchaser may designate an escrow agent to act on behalf of the Parties in connection with the consummation and closing of this Agreement.

10. Closing Date

The consummation and closing of this Agreement shall occur at such time and place as the Parties may agree, but no later than 10 days after Purchaser notifies Seller in writing that Purchaser is ready to consummate and close this Agreement. Provided, however, in no event shall such consummation and closing occur more than 120 days after the last date on which one of the Parties executes this Agreement.

11. Physical Possession of Structures Occupied by Seller

Seller shall surrender physical possession of the land and improvements to Purchaser not later than the date on which Purchaser tenders the purchase price to Seller.

12. Control of Property Occupied by Seller's Tenant(s)

Control of property occupied by Seller's tenant(s) shall be assumed by Purchaser on the date Purchaser tenders the purchase price to Seller. From that date forward, Purchaser shall be entitled to collect and retain as its own funds any and all rental payments thereafter made by such tenant(s). If any rents due under the lease(s) with Seller have been prepaid by Seller's tenant(s), then said prepaid rents shall be prorated to the date on which the purchase price is tendered by Purchaser, and said prepaid rents shall be paid to Seller and Purchaser in accordance with such proration.

13. Binding Agreement

Any and all of the terms, conditions and provisions of this Agreement shall be binding upon and shall inure to the benefit of Seller and Purchaser and their respective heirs, executors, administrators, successors and assigns.

14. Multiple Originals

This Agreement may be executed in two or more counterparts, each of which will be deemed an original, but all of which together shall constitute but one and the same instrument.

15. Entire Agreement

This instrument contains the entire agreement between the Parties, and it is expressly understood and agreed that no promises, provisions, terms, warranties, conditions or obligations whatsoever, either express or implied, other than herein set forth, shall be binding upon Seller or Purchaser.

16. Amendments and Modifications

No amendment or modification of this Agreement shall be valid or binding upon the Parties unless it is made in writing, cites this Agreement and is signed by Seller and Purchaser.

IN WITNESS WHEREOF, the parties hereto, namely the City of Kent, Portage County, Ohio and Nemer Properties, Ltd., an Ohio limited liability company have executed this Agreement on the date(s) indicated immediately below their respective signatures.

NEMER PROPERTIES, LTD., AN OHIO
LIMITED LIABILITY COMPANY

Robert Nemer
By: Robert Nemer, President/Owner
Date: 6/5/17

STATE OF OHIO, COUNTY OF Summit ss:

BE IT REMEMBERED, that on the 5 day of June, 2017, before me the subscriber, a Notary Public in and for said state and county, personally came the above named ROBERT G. NEMER, who acknowledged being the PRESIDENT/OWNER and duly authorized agent of Nemer Properties, Ltd., an Ohio limited liability company, and who acknowledged the foregoing instrument to be the voluntary act and deed of said entity.

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

Robert J. Nemer

NOTARY PUBLIC

My Commission expires

ROBERT J. NEMER, ATTORNEY
NOTARY PUBLIC • STATE OF OHIO
My commission has no expiration date
Section 147.03 O.R.C.

THE CITY OF KENT, PORTAGE COUNTY, OHIO

James Bowling, P.E.
Superintendent of Engineering / Deputy Service Director

Date: _____

STATE OF OHIO, COUNTY OF PORTAGE ss:

BE IT REMEMBERED, that on the _____ day of _____, 2017, before me the subscriber, a Notary Public in and for said state and county, personally came the above named James Bowling, P.E., the Superintendent of Engineering and Deputy Service Director and duly authorized representative of the City of Kent, Portage County, Ohio, who acknowledged the signing of the foregoing instrument to be the voluntary act and deed of the City of Kent, Portage County, Ohio.

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

NOTARY PUBLIC
My Commission expires: _____

EXHIBIT A

LPA RX 851 WD

Page 1 of 2

Rev. 06/09

Ver. Date 10/13/16

PID 93442

**PARCEL 14-WD
POR-43-10.26
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF KENT, PORTAGE COUNTY, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

[Surveyor's description of the premises follows]

Situated in the City of Kent, County of Portage, State of Ohio, being part of Lot 6 in Franklin Township, and being part of lands described in the deed to NEMER PROPERTIES, LTD. (Grantor) as recorded in Deed Volume 378 Page 8 on file in the Portage County Recorder's office and laying on the left side of the existing centerline of right-of-way of State Route 43 as recorded as Plat _____ and as shown on the POR-43-10.26 right-of-way plans prepared by Arcadis U.S., Inc. for the City of Kent, Ohio, and more fully described as follows:

Commencing at a 1 inch diameter pin found in a monument box at the intersection of the centerline of right of way of State Route 43 and the centerline of right of way of Cherry Street as shown on said Plat and on said right-of-way plans being Station 565+45.34; said pin being South 89° 02' 36" East, a distance of 963.97 feet from a 1 inch pin found in a monument box found at intersection of the centerline of right of way of Cherry Street and the centerline of right of way of Franklin Avenue;

Thence North 20° 49' 49" West, along said centerline of right of way of said State Route 43, a distance of 44.30 feet being Station 565+89.64;

Thence South 69° 10' 11" West, leaving said centerline of right of way, a distance of 30.00 feet to the intersection of the existing westerly right of way line of said State Route 43 and the existing northerly right of way line of said Cherry Street and to the intersection of the Grantor's easterly line and the Grantor's southerly line being 30.00 feet left of Station 565+89.64 being the **Point of Beginning**;

EXHIBIT A

LPA RX 851 WD

Page 2 of 2

Rev. 06/09

1. Thence North $89^{\circ} 02' 36''$ West, along said existing northerly right of way line of said Cherry Street and along the Grantor's southerly line, a distance of 44.30 feet being 30.00 feet left of Cherry Street Station 9+11.40 where a capped rebar set; said rebar referenced North $89^{\circ} 09' 27''$ West a distance of 83.63 feet by an iron pin found;
2. Thence along the arc of a curve deflecting to the left non-tangent to the previous course, leaving said existing northerly right of way line and leaving the Grantor's southerly line and through the Grantor, a distance of 58.53 feet to the existing westerly right of way line of said State Route 43 being the Grantor's easterly line being 30.00 feet left of Station 566+33.94 where a capped rebar set; said curve having a radius of 30.00 feet, a central angle of $111^{\circ} 47' 13''$, and a chord length of 49.68 feet which bears North $35^{\circ} 03' 47''$ East;
3. Thence South $20^{\circ} 49' 49''$ East, non-tangent to the previous course and along said existing westerly right of way line and the Grantor's easterly line, a distance of 44.30 feet to the **Point of Beginning**.

The above described parcel contains 0.010 acres (451 square feet, including 0.000 acres within the present road occupied), within Parcel Number 17-006-11-00-001-000 and subject to all legal highways and easements of record.

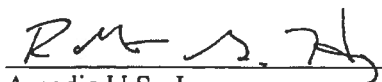
This description was prepared by Arcadis U.S., Inc. under the supervision of Robert G. Hoy, Ohio Professional Surveyor No. 8142, and is based on a field survey performed by Arcadis U.S., Inc. in September 2014 under the direction of Robert G. Hoy, Ohio Professional Surveyor No. 8142;

Bearings in this description are based on the Ohio State Plane Coordinate System, NAD83(2011), North Zone, Grid North;

Grantor claims title as recorded in Volume 378 Page 8 of Portage County Deed Records.

The stations referred are from the existing centerline of right-of-way of State Route 43 as shown on the POR-43-10.26 right-of-way plans unless noted otherwise.

Capped rebar set is a 5/8 inch diameter, 30 inches long rebar set with Ohio surveyor's identification cap.

 3/20/17
Arcadis U.S., Inc. Date
Robert G. Hoy, Ohio Professional Surveyor No. 8142



CERTIFIED RESOLUTION OF

Nemer Properties, Ltd., an Ohio limited liability company

The undersigned, being the President/Owner of Nemer Properties, Ltd., an Ohio limited liability company, hereby certify that on the 5 day of JUNE, 2017, the resolutions set forth below were duly adopted by the President/Owner of the Company; that such Robert Nemer, President/Owner, is duly authorized and empowered to adopt such resolutions, that the same are in full force and effect and have not been revoked or modified and that such resolutions were duly adopted (a) at a meeting of the Company (b) by the written consent of the Company in accordance with the governing documents of said Company and the provisions of the applicable law with respect thereto.

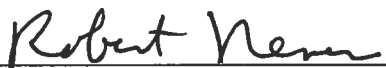
WHEREAS, in connection with the development, construction, use and/or operation of the POR-43-10.26 project, the City of Kent, Portage County, Ohio, desires to acquire a certain parcel or parcels of real property and/or interests therein owned by this Company and more particularly described on Exhibit "A" attached hereto and made a part hereof (the "Property Interests") for the use of the City of Kent, Portage County, Ohio;

WHEREAS, the City of Kent, Portage County, Ohio has offered the sum of Five Thousand, Six Hundred Twenty Five and 00/100 Dollars (\$5,625.00) as consideration to the Company for the purchase of the Property Interests;

WHEREAS, the Company desires to accept such offer and hereby authorizes Robert Nemer, President/Owner of the Company, to take all action, do all things and enter into all documents and instruments necessary or desirable with respect to the acceptance of the above offer and the consummation of the transaction contemplated thereby.

NOW THEREFORE BE IT RESOLVED, that the President/Owner of the Company, Robert Nemer, is hereby authorized and directed to take all action and do all things necessary or desirable on behalf of the Company to implement and carryout the above resolution and consummate the transaction contemplated thereby and to enter into, execute and deliver all documents and instruments on behalf of this Company with respect to the foregoing including, but not limited to, all agreements, deeds, instruments of conveyance, bills of sale, licenses and certificates.

IN WITNESS WHEREOF, the undersigned has executed this instrument this 5 day of JUNE, 2017.


Robert Nemer, President/Owner

VALUE ANALYSIS (\$10,000 OR LESS)**OWNER'S NAME**

Nemer Properties, Ltd., an Ohio limited liability company

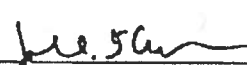
COUNTY POR**ROUTE** 43**SECTION** 10.26**PID #** 93442**STATE JOB #** 441022

Based on comparable sales, which are attached, the following values have been established.

Parcel #	Net Take Area	Land	Improvement(s)	Remarks	Total
14-WD	0.010 acres	0.010 acres commercial land @ \$300,000/ac = \$3,000	296 SF Concrete Paving @ \$7/SF less 25% depreciation = \$1,555, rounded; 115 SF Landscape Area @ \$8/SF = \$920; and 40 SF Asphalt Paving @ \$5/SF less 25% depreciation = \$150 Total = \$2,625	All right, title, and interest in fee simple without limitation of existing access rights in the name and for the use of the City of Kent, Portage County, Ohio	\$5,625
				Total	\$5,625

Conflict of Interest Certification [49CFR 24.102(n) and OAC 5501: 2-5-06(B)(3)(a)]

1. My engagement in this assignment was not contingent upon developing or reporting predetermined results.
2. My compensation for completing this assignment is not contingent upon the development or reporting of a predetermined value or direction in value that favors the cause of the client, the amount of the value opinion, the attainment of a stipulated result, or the occurrence of a subsequent event directly related to the intended use of this compensation recommendation.
3. I have no direct or indirect present or contemplated future personal interest in such property or in any benefit from the acquisition of such property valued, and no personal interest with respect to the parties involved.
4. In recommending the compensation for the property, I have disregarded any decrease or increase in the fair market value of the real property that occurred prior to the date of valuation caused by the public improvement for which such property is acquired, or by the likelihood that the property would be acquired for such improvement, other than that due to physical deterioration within the reasonable control of the owner.
5. I have no bias with respect to the property that is the subject of this report or to the parties involved with this assignment.

 SIGNATURE OF PERSON PREPARING ANALYSIS TYPED NAME: John D. D'Angelo, MAI		April 22, 2017 DATE		 REVIEWER'S CONCURRENCE TYPED NAME: Bruce Bowman		5/5/2017 DATE	
NAME OF AGENCY (IF DIFFERENT FROM ODOT) City of Kent							
TITLE: Superintendent of Engineering / Deputy Service Director				 AGENCY SIGNATURE ESTABLISHING FMVE TYPED NAME: James Bowling, P.E.			
ADMINISTRATIVE SETTLEMENT:							
SIGNATURE TYPED NAME:				DATE F.M.V.E. AMOUNT _____ ADDITIONAL AMOUNT _____ TOTAL SETTLEMENT _____			

(SEE REVERSE SIDE FOR ADDITIONAL DOCUMENTATION)

TITLE REPORT

C/R/S	POR-43-10.26
PARCEL	14-WD
PID	93422
SJN	441022

INSTRUCTION:

- (1) R.C. 163.01 (C) defines "owner" as "any individual, partnership, association, or corporation having any estate, title, or interest in any real property sought to be appropriated." The City of Kent expands this definition to include, but is not limited to, all fee owners, life tenants, remaindermen, mortgagees, tenants and subtenants (whether or not a lease is recorded), occupants, possessors, lienholders, easement owners, judgement creditors, etc.
- (2) The City of Kent procedures require that pertinent attachments be part of the Title Report/Title Chain in compliance with Section 5102.04 (II)(J) of the Ohio Department of Transportation's Real Estate Procedures Manual.

(1) **FEE OR OTHER PRIMARY OWNERS**

Name & Address	Marital Status (Spouse's Name)	Interest
Nemer Properties, Ltd., an Ohio limited liability company	N/A	Fee Simple, Full Interest

Parcel Address:
1330 S Water Street
Kent, OH 44240

Mailing Address:
1390 Berkshire Road
Stow, OH 44224

Statutory Agent:
Thomas Knoll
3475 Ridgewood Road
Akron, OH 44333

(2) **BRIEF DESCRIPTION OF SUBJECT PREMISES**

(From deed to present owner or other instruments containing a valid description. Give deeds of record, include the size of each parcel)

Current Deed: OR 378, Pg. 8 (Attached)

City of Kent, County of Portage, State of Ohio
Being part of Subdivision No. 4 of Lot No. 6 of Franklin Township, containing 0.142 acres

PPN: 17-006-11-00-001 (0.142 acres)

(3-A) **MORTGAGES, LIENS AND ENCUMBRANCES**

Name & Address	Date Filed	Amount & Type of Lien
None Found		

(3-B) **LEASES**

Name & Address	Commercial/Residential	Term
#200225153 (Attached) Nemer Properties, Ltd. Tenant: Subway Real Estate Corp., a Delaware corporation 325 Bic Drive; Milford, CT 06460 Date Filed: 8/16/2002	Commercial	5 years with three 5 year renewal options

(3-C) **EASEMENTS**

Name & Address	Type
None Found	

(4) **DEFECTS IN TITLE-IRREGULARITIES-COMMENTS** (Record or Off Record)

None Found

(5) **TAXES AND SPECIAL ASSESSMENTS** (List by auditor's tax parcel number, description, amount, etc.)

County: Portage City: Kent School District: Kent CSD

AUD. PAR. NO(S)	Land – 100%	Building – 100%	Total – 100%	Taxes per ½ year
17-006-11-00-001-000	\$43,400	\$82,500	\$125,800	\$1,647.19 1 st ½ 16 Paid

(6) **CAUV (Current Agricultural Use Value)**

Is the property under the CAUV Program: Yes: ☐ No: ☒
Comments:

This Title Report covers the time period from 7/10/1956 to 4/21/2017. The undersigned hereby verifies that this Title Report is an abstract of the real estate records for that period of time, which reflects all currently relevant instruments and proceedings of record and those of record matters personally known by the undersigned pertaining to Parcel(s) 14-WD and presently standing in the name of Nemer Properties, Ltd., an Ohio limited liability company as the same are entered upon the several public records of Portage County, Ohio.

Date & Time 4/21/2017 7:59 AM (am/pm)

Signed



Print Name Andrew Van Nort

UPDATE TITLE BLOCK

This Title Report covers the time period from _____ to _____. The undersigned hereby verifies that this Title Report is an abstract of the real estate records for that period of time, which reflects all currently relevant instruments and proceedings of record and those of record matters personally know by the undersigned pertaining to Parcel(s) _____ and presently standing in the name of _____ as the same are entered upon the several public records of _____.

Date & Time _____ (am/pm)

Signed _____

Print Name _____

Comments from the agent who prepared the Title Update



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: July 25, 2017

TO: Dave Ruller, City Manager

FROM: Bridget Susel, Community Development Director/CRA Housing Officer *BDS*

RE: CRA Agreement: Record Publishing Company, LLC

GateHouse Media, LLC acquired Record Publishing Company, LLC earlier this year and has taken over the daily operations at the 1050 West Main Street, Kent, Ohio location. The City of Kent entered into a Community Reinvestment Area (CRA) Agreement with Record Publishing Company on June 2, 2011 that granted an exemption of 75% of the annual real property taxes associated with a large renovation project that was completed in 2013. The agreement was to be effective for a twelve year period and required the company to create and retain eighty-two (82) full-time and five (5) part-time permanent positions resulting in a minimum annual payroll of \$2,675,000.

The terms of the CRA agreement do not automatically transfer when there is a change in ownership so a letter was sent to GateHouse Media requesting the company contact the City if it had an interest in negotiating a new CRA agreement. GateHouse Media was advised that the terms of a new agreement will be based on the employment levels and annual payroll amount GateHouse Media anticipates maintaining at the 1050 West Main Street, Kent, Ohio facility.

The City did not receive any response from GateHouse Media, LLC so a meeting of the Tax Incentive Review Council (TIRC) was held on July 25, 2017 and the members of the TIRC voted unanimously to make a recommendation to Kent City Council to terminate the agreement.

I am respectfully requesting time at the August 2, 2017 Committee session to discuss the Tax Incentive Review Council recommendation with the members of City Council and to seek authorization, with emergency, to terminate the CRA agreement between the City of Kent and the Record Publishing Company, LLC, effective as of the date of property transfer, which occurred on or about February 6, 2017.

Please let me know if you need any additional information in order to add this item to the agenda.

Thank you.

Cc: Tom Wilke, Economic Director
Jim Silver, Law Director
Tara Grimm, Clerk of Council



CITY OF KENT, OHIO

SUSTAINABILITY COMMISSION

MEMO

DATE: July 26, 2017

TO: Dave Ruller, City Manager

FROM: Harrison Wicks, Executive Assistant to the City Manager

RE: Draft Resolution of Support for the Paris Climate Agreement

During a special meeting on July 24, 2017, the Sustainability Commission approved a draft resolution of support for the Paris Climate Agreement. The commission believes that the City of Kent has a responsibility to protect and enhance the quality of life for all those who live, work, learn and play in our community, without compromising the ability of future generations to meet their own needs.

I would like to request time at the August 2, 2017 Council Committee session to discuss the resolution of support for the Paris Climate Agreement.

If you need any additional information in order to add this item to the Council Committee agenda, please let me know.

Thank you for your consideration of this request.

David Coffee, Budget & Finance Director
Tara Grimm, Clerk of Council

A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF KENT IN SUPPORT OF THE PARIS CLIMATE AGREEMENT.

WHEREAS, consensus exists among the world's leading climate scientists that global warming caused by emissions of greenhouse gases from human activities, which has led to climate change, is among the most significant problems facing the world today; and

WHEREAS, global climate change has led to increased occurrences of extreme weather events and to adverse impacts on ecosystems, demographic patterns and socio-economic activities; and

WHEREAS, responding to climate change provides communities an opportunity to be a leader in a green economy; developing products, services and knowledge that are required when transitioning to a climate-resilient future; and

WHEREAS, the City of Kent desires to protect and enhance the quality of life for all those who live, work, learn and play in our community, without compromising the ability of future generations to meet their own needs; and

WHEREAS, actions that reduce greenhouse gas emissions also have the potential to improve air and water quality, public health, energy security, social equity, our local economy and natural environment, and the quality of life in Kent; and

WHEREAS, the City of Kent has demonstrated its commitment to sustainability through a series of initiatives, including signing on to the U.S. Conference of Mayors' Climate Protection Agreement in 2007, the creation of a Sustainability Commission, energy efficiency improvements to existing city buildings, and a commitment to LEED certifications for new construction; and

WHEREAS, the City of Kent recognizes the important role that local communities will play in taking immediate action to significantly curb greenhouse gas emissions; and

WHEREAS, protecting our planet is of the utmost importance and requires a comprehensive effort at all levels-including government policies, industry standards, and household practices.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. The City of Kent commits to consider for adoption the climate action plan developed by the Sustainability Commission in response to the City's support of the Paris Climate Agreement and in accordance with this resolution.

SECTION 2. The City of Kent agrees to join the Compact of Mayors, and thereby stands in solidarity with communities across the nation and the world in support of the Paris Climate Agreement.



CITY OF KENT, OHIO

SUSTAINABILITY COMMISSION

MEMO

DATE: July 26, 2017

TO: Dave Ruller, City Manager

FROM: Harrison Wicks, Executive Assistant to the City Manager

RE: Simple Recycling - Curbside Clothing & Home Goods Recycling Program

During a regular meeting on July 10, 2017, the Sustainability Commission approved a motion to recommend the Simple Recycling - Curbside Clothing & Home Goods Recycling Program to City Council for consideration. The commission believes the recycling program will be a benefit to the City and its residents. Additionally, the program is administered by Simple Recycling which handles all aspects of the program from launch, to collection, to process and management. This will require little to no staff help.

I would like to request time at the August 2, 2017 Council Committee session to discuss the Simple Recycling - Curbside Clothing & Home Goods Recycling Program.

If you need any additional information in order to add this item to the Council Committee agenda, please let me know.

Thank you for your consideration of this request.

David Coffee, Budget & Finance Director
Tara Grimm, Clerk of Council



CITY OF KENT, OHIO

DEPARTMENT OF PUBLIC SERVICE

MEMO

DATE: July 25, 2017
TO: Dave Ruller, City Manager
FROM: Melanie A. Baker, Service Director
SUBJECT: Simple Recycling – Free Curbside Recycling.

The Sustainability Commission has been working hard on many different projects to help the City increase its recycling potential. One such example of this effort is that the Commission has been looking into the Simple Recycling program. This program promotes curbside recycling of household goods and clothing.

This program has been in business for over 50 years and is located in several states across the country. They collect:

Men's Clothing	Glasses
Women's Clothing	Sleeping Bags
Children's Clothing	Small Appliances
Coats and Jackets	Small Furniture
Jewelry	Irons
Shoes	Radios
Purses	Lamps
Hats	Hair Dryers
Toys	Tools
Pictures	Microwaves
Mirrors	Coffee Makers
Blankets	Silver Ware
Drapes/Curtains	Dishes
Pillows	Pots / Pans
Sleeping Bags	Back Packs
Small Appliances	

The average person throws away 70 pounds of clothing per year. That adds up to 3.8 billion pounds of unnecessary waste added to our landfills. The need for recycling these items out of our trash stream will help the environment in many ways. The recycling of these items decreases the

use of natural resources, such as water used in growing crops for clothing and petroleum used in creating textiles.

Nearly 100% of the clothing collected is recycled. The clothes are recycled in 3 different manners. The nicer clothes that can go for retail use are sent to Simple Recycling affiliate stores (similar to thrift stores.) More worn clothes go to developing countries. The unusable textiles go to manufactures that recycle them into car seat stuffing and automobile insulation, baseball and softball stuffing, wiping clothes, rug making, and stuffing for toys, just to name a few.

The best part of Simple Recycling is that they offer this program at zero cost to partner municipalities and its residents. In addition Simple Recycling handles all aspects of the program from launch, to collection, to process and management. This will require little to no staff help. The initial set up with address for the mailings and the occasional request for bags is about all the City will be involved in the program.

Residents will receive a letter / notice from Simple Recycling explaining the program and the process. Residents are asked to place their items into their green or orange bags and place at the curb the same day as trash pick-up. When the recycling is picked up the resident is left additional bags and so they can recycle again. If residents need more bags they can call Simple Recycling for more bags or go on line and request more bags. It is really as SIMPLE as that.

Simple Recycling does compensate the City for material diverted from the waste stream at a rate of \$0 .01 / pound or \$20.00 / ton.

I believe this program is beneficial to the City of Kent in pushing our idea of a recycling community. I have started this program in the last municipality from which I came. Once it caught on with the residents, the community did receive periodic checks for small dollar amounts. I currently have this program where I live and would recommend that the City of Kent pursue this alternative option for recycling clothing and small house hold items.

If you should have any questions or comments please free to contact me.



**FREE CURBSIDE
CLOTHING & HOME GOODS
RECYCLING PROGRAM**

FREE

**TURN
KEY**

**SIMPLE
& EASY**

**SAVE \$
MAKE \$**

www.SimpleRecycling.com • Info@SimpleRecycling.com

Who is Simple Recycling?

We have over 50 years of experience in clothing & household discard collection

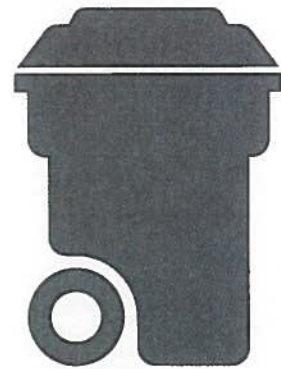
Our sister company manages clothing & household discard donation programs in partnership with non-profit organizations¹

Environmental Impact Facts

Clothing, Appliances, Durables, & Furniture account for 15% of local waste stream



**85% OF TEXTILES
ARE NOT RECYCLED
OR DONATED**



**EPA ESTIMATES
70 LBS./PERSON OF CLOTHING
ARE THROWN AWAY EACH YEAR**

(YOUR CITY'S POPULATION X 70LBS = MILLIONS OF LBS./YEAR)

Source

1. <http://www.weardonaterecycle.org>

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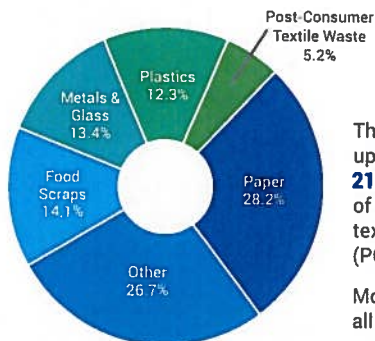
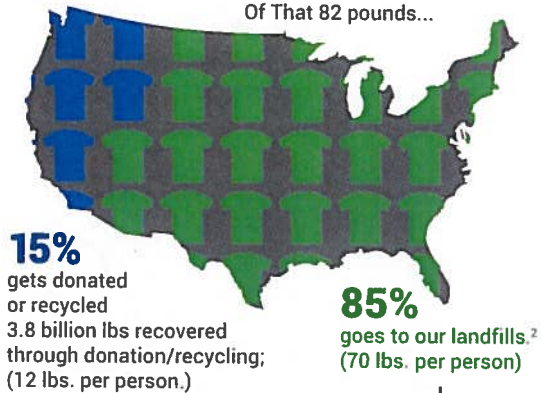
THE FACTS ABOUT TEXTILE WASTE

The U.S. generates an average of **25 BILLION POUNDS** of textiles* per year.¹

That's about **82 POUNDS** per U.S. resident.

* Textiles includes clothing, footwear, accessories, towels, bedding, drapery, etc.

Of That 82 pounds...



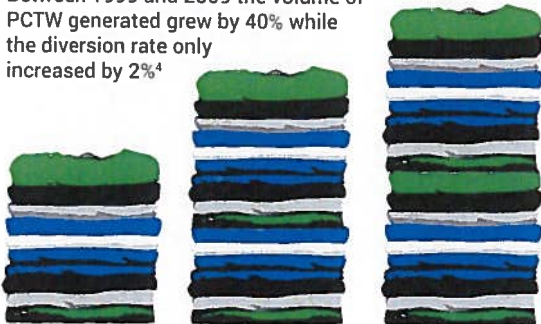
USEPA Municipal Solid Waste Generation

That **85%** adds up to about **21 BILLION POUNDS** of post-consumer textile waste (PCTW) PER YEAR

More than **5.2%** of all municipal solid waste generated in the U.S.³

AND THIS AMOUNT IS GROWING

Between 1999 and 2009 the volume of PCTW generated grew by 40% while the diversion rate only increased by 2%⁴



This Model has been Tested & Proven

Excerpt from USA Today, April 23, 2013 -

"Clothes recycling is going curbside in more U.S. towns as global prices rise for the used apparel, shoes and linens that Americans often toss in the trash.

Since September, more than a dozen local governments -- in Arizona, Massachusetts, New Jersey, Pennsylvania and Washington State -- have begun curbside pickup of textiles, often in special bags next to bins containing paper and cans."²



Source
2 <http://www.usatoday.com/story/news/nation/2013/04/20/recycling-clothes-expands-curbside/2092351/>

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COST TO YOUR RESIDENTS = \$0
COST TO YOUR CITY = \$0



Details & Logistics

Simple Recycling provides:

- Free residential curbside pickup service
- Specially designed recycling collection bags
- All informational materials
- All trucking, pickup expenses & program management
- Local jobs
- All related insurance coverage
- Drop boxes in locations of city's choosing (if desired)

Your city provides:

- Supplemental notification & information to residents



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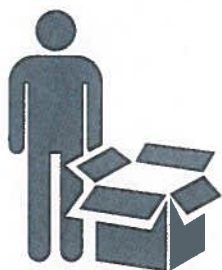
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THE LIFE CYCLE OF SECONDHAND CLOTHING



WHAT HAPPENS TO YOUR RECYCLED USED CLOTHING?

Once a resident determines that their clothing, shoes, handbags, or household textiles have reached the end of their useful life, materials are collected by Simple Recycling and collected clothing is sorted and graded for condition.



10-20%

Top quality materials are sold to local thrift stores where they create access to low cost clothing and jobs for local residents.



80%

The vast majority of clothing collected is not resaleable in the U.S. so it is further sorted for international export or broken down for raw materials.



45%

Reused and Repurposed
Majority exported as secondhand clothing.



30%

Recycled and Converted
Reclaimed wiping rags are used in various ways as industrial and residential absorbents.



20%

Recycled into Fiber
Post-consumer fiber is used to make home insulation, carpet padding, and raw material for the automotive industry.



Only **5%** ends up as waste.

Thrift industry employs nearly 100,000 workers in the U.S. with over \$1 billion wages paid. In addition, private sector recyclers create an additional 15,000 to 20,000 jobs nationally.¹

WE MAKE IT SIMPLE TO DRAMATICALLY REDUCE TEXTILE WASTE.

Source
1. "Textile Recycling in the U.S." Report submitted to SMART by Dr. Jana Hawley PhD, Univ. of Missouri 2009

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donate recycle don't throw away®



Textile Recycling Fact Sheet

You and your students are probably used to recycling aluminum, paper, glass, and other items. But did you know that clothing and other textiles can be recycled too? Here are some textile recycling facts to share with your class:

The basics

- The Environmental Protection Agency estimates that the average person throws away **70 pounds** of clothing per year. That adds up to **3.8 billion pounds of unnecessary waste added to our landfills**.
- Clothing and household textiles currently make up **5.2% of the waste in landfills**.
- A textile is any item made from cloth or an artificial fabric like vinyl. Textiles are used for clothing, linens, bedding, upholstery, curtains, carpets, and other items. **Any textile item, even if it's worn, torn, or stained, can be recycled.** You can even recycle a single shoe! Items simply need to be clean and dry.
- Recycling clothing and textiles **decreases the use of natural resources**, such as water used in growing crops and petroleum used in creating new clothing and textiles. It also decreases the need for chemicals used in manufacturing new textiles and the pollution caused by the manufacturing process.

How are recycled textiles used?

- Resold at charities' secondhand clothing stores
- Sent to developing countries
- Turned into wiping cloths, which are used in a variety of industries and businesses (everything from manufacturers to repair shops, construction industries, stores, and maintenance and custodial departments)
- Processed back into fibers and turned into paper, yarn, insulation, carpet padding, and other items

Where can clothing and textiles be recycled?

If your town doesn't accept textiles with other recyclables, donate your items to a local recycling center or charity. **Nearly 100% of donated items are recycled.** The recycling center or charity will determine which items are usable as clothing, which can be sold and turned into wiping rags, and which can be sold and processed back into fibers to make new products. Charities and recyclers generate revenue for their programs, and textiles get a second (or third or fourth) life. To locate a donation center near you, visit www.smartasn.org.

donate recycle don't throw away®



More Textile Recycling Facts

What are specific textiles recycled into?

Here are a few examples:

- Stuffed toys and pillows become car seat stuffing and automobile insulation.
- T-shirts, sheets, towels, and clothing become wiping cloths.
- Denim becomes home insulation.
- Shoe soles become paving material.
- Sweaters and coats become carpet padding.
- Curtains and drapes become stuffing for pillows, sleeping bags, and animal beds.
- Wool sweaters and materials become baseball and softball filling.
- Velvet materials become jewelry box lining.
- Leftover fabric scraps become paper money.

Additional resources

- *Something From Nothing* by Phoebe Gilman (Scholastic, 1992); geared for students from preschool to grade 3, this adaptation of a Yiddish folktale follows a piece of fabric as it goes from a baby blanket to a jacket to a vest to a tie, and so on.
- *The Travels of a T-Shirt in the Global Economy* by Pietra Rivoli (John Wiley, 2005); good source of background information about what happens to used clothing.
- *Salaula: The World of Secondhand Clothing and Zambia* by Karen Tranberg Hansen (University of Chicago Press, 2000); good source of information about the used clothing industry in Africa.



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: July 25, 2017

TO: Dave Ruller, City Manager

FROM: Bridget Susel, Community Development Director

RE: Ohio Arts Council Grant 2017

The City of Kent has received a \$3,457.00 award through the Ohio Arts Council (OAC) "ArtSTART" grant program. The grant will be used to support some of the costs associated with the 2nd annual Kent Creativity Festival which will be held on Saturday, September 30, 2017 from 11:00 a.m. to 5:00 p.m. The grant has a 1:1 match requirement which will be met through private donation funding managed by the KSU Foundation (not-for-profit).

I would like to request time at the August 2, 2017 Council Committee session to discuss the ArtSTART grant and to request, with emergency, the appropriation of the \$3,457.00 grant and authorization for the City to enter into an agreement with the Ohio Arts Council for the funding award.

If you need any additional information in order to add this item to the Council Committee agenda, please let me know.

Thank you for your consideration of this request.

Cc: Dan Morganti, Grants & Neighborhood Programs Coordinator
David Coffee, Budget & Finance Director
Tara Grimm, Clerk of Council



CITY OF KENT, OHIO

DEPARTMENT OF FINANCE

To: Dave Ruller, City Manager
From: David A. Coffee, Director of Budget and Finance
Date: July 24, 2017
Re: FY2017 Appropriation Amendments, Transfers, and Advances

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

Fund 106 – Parks and Recreation

Decrease	\$ 25,000	Parks and Recreation / Capital – Deferment of 2017 Building Renovations Project in order to fund increase in Portage Hike & Bike Rt 59 Trail Segment Project also budgeted in 2017.
Decrease	\$ 10,000	Parks and Recreation / Capital – Deferment of 2017 Park & Trail Paving & Sealing Project in order to fund increase in Portage Hike & Bike Rt 59 Trail Segment Project also budgeted in 2017.
Increase	\$ 35,000	Parks and Recreation / Capital – Increase funding for Portage Hike & Bike Rt 59 Trail Segment Project budgeted in 2017.

Fund 127 – NSP – Neighborhood Stabilization Program

Increase	\$ 20,500	NSP / Other (O&M) – Funding for RLF (Revolving Loan Fund) for repayment to General Fund of prior year advance per B. Susel memo dated 7/17/2017.
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Fund 201 – Water

Decrease	\$ 20,000	Capital / SVC-Capital Facilities / Capital - Reduce funding related to Tonkin Court Reconstruction Project per J. Bowling 6/13/2017 memo.
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Fund 202 – Sewer

Increase	\$ 10,000	Capital / SVC-Capital Facilities / Capital - Addt'l funding related to Tonkin Court Reconstruction Project per J. Bowling 6/13/2017 memo.
Decrease	\$ 100,000	Capital / SVC-Capital Facilities / Capital - Reduce funding related to the River Street Sanitary Sewer Replacement Project per J. Bowling 7/7/2017 memo.

continued



Fund 208 – Storm Water

Increase	\$ 55,000	Capital / SVC-Capital Facilities / Capital - Addt'l funding related to Tonkin Court Reconstruction Project per J. Bowling 6/13/2017 memo.
Increase	\$ 40,000	Capital / SVC-Capital Facilities / Capital - Addt'l funding for emergency replacement of Linden Rd. Storm Sewer segment per J. Bowling 7/12/2017 memo.
Decrease	\$ 100,000	Capital / SVC-Capital Facilities / Capital - Reduce funding related to the River Street/Mill Race Storm Outfall Project per J. Bowling 7/7/2017 memo.

Fund 301 – Capital

Decrease	\$ 45,000	Capital / SVC-Capital Facilities / Capital - Reduce funding related to Tonkin Court Reconstruction Project per J. Bowling 6/13/2017 memo.
Decrease	\$ 195,750	Capital / SVC-Capital Facilities / Capital - Reduce funding related to 2017 Annual Street Program to facilitate ODOT POR-261 Resurfacing Project per J. Bowling 7/17/2017 memo.
Increase	\$ 195,750	Capital / SVC-Capital Facilities / Capital - Addt'l funding related to ODOT POR-261 Resurfacing Project per J. Bowling 7/17/2017 memo.

The following intra-fund transfers/advances are hereby requested:

Transfer \$ 48,000	From: Fund 202 / Sewer Fund - Contingency
	To: Fund 202 / Sewer Fund – Capital / SVC-Capital Facilities / Capital - Transfer to fund emergency Sanitary Sewer Replacement for S. Chestnut Street needed in conjunction with S. Chestnut St./Middlebury Rd. Rehabilitation Project per J. Bowling 5/25/2017 memo.



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: July 17, 2017

TO: David Coffee, Budget & Finance Director

FROM: Bridget Susel, Community Development Director *BDS*

RE: Appropriations Request: NSP Repayment to General Fund

I am requesting that a total of \$20,478.05 in available Neighborhood Stabilization Program (NSP) Revolving Loan Funds (RLF) be appropriated to the City's General Fund.

The NSP grant was awarded to the City by the State of Ohio to assist with needed residential demolition and new construction activities. The grant funding was provided on a reimbursement basis and the \$20,478.05 is the balance of the NSP funds that need to be reimbursed to the City's General Fund in order to finalize the grant close-out process.

I am respectfully requesting that this item be presented to Council with your next appropriations request. Once the appropriation is approved, the Community Development staff will complete a withdrawal from the NSP RLF account and issue the re-payment to the City.

Please let me know if you need any additional information. Thank you in advance for your assistance.

CC: Dan Morganti, Grants & Neighborhood Programs Coordinator



David Coffee <coffeed@kent-ohio.org>

Re: Portage H&B - Contract

1 message

David Coffee <coffeed@kent-ohio.org>

Wed, Jul 12, 2017 at 11:10 AM

To: James Bowling <bowlingj@kent-ohio.org>

Cc: John Idone <idone@kent-ohio.org>

Thank you both. We will proceed accordingly.

On Wed, Jul 12, 2017 at 10:57 AM, James Bowling <bowlingj@kent-ohio.org> wrote:

Dave,

I spoke with John and he is planning on the following capital projects to be delayed to fund the bike trail contract.

1. Building Renovations - \$25,000 (entire amount shown in 2017 budget)
2. Park & Trail Paving & Sealing - \$10,000 (partial amount in 2017 budget)

Please let me know if you need any additional information.

Jim

--

David A. Coffee
Director of Budget and Finance
City of Kent, Ohio
(330) 678-8102



Kent Parks & Recreation Department

497 Middlebury Road Kent, Ohio 44240 (330) 673-8897 FAX: (330) 673-8898

TO: Dave Coffee

FROM: John Idone

DATE: July 8, 2017

RE: 2017 Capital Budget

As we discussed, all other P & R Line 62 capital projects will be frozen in order to fund the 59 Segment of The Portage. It is anticipated that change orders proposed could reduce the total contract. As the project progresses P & R will contact B & F to release some of the postponed projects as they come available.

Your cooperation and consideration in this matter is sincerely appreciated.

C: Jim Bowling

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: David Coffee
Dave Ruller

FROM: Jim Bowling *JS*

DATE: July 12, 2017

RE: Linden Road Storm Sewer – Emergency Appropriations Request

The Engineering Division is requesting to appropriate \$40,000 from the Storm Fund (208) to perform an emergency replacement of approximately 220 feet of storm sewer on Linden Road. The issue was discovered during our concrete repair project on Linden Road when a home owner informed us of a potentially failed storm sewer on Linden Road. We commenced an investigation of the report and found that the existing clay storm sewer on Linden has failed in several locations including a complete blockage of the sewer in one location.

The storm sewer is required to be replaced before we replace the pavement on Linden Road, which is currently out to bid and scheduled to be paved prior to Kent State's fall semester commencing. To accomplish this, we have contacted three contractors for quotes, with the lowest quote being \$34,106. We are attempting to have this work completed in the next five weeks.



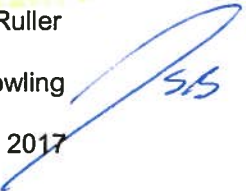
If there are any questions on the above request, please let me know.

c: Melanie Baker
Brian Huff
Cori Finney
Cathy Wilson
file

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: David Coffee
Dave Ruller

FROM: Jim Bowling 

DATE: July 7, 2017

RE: Appropriation Reduction Request

The Engineering Division is requesting to reduce the 2017 appropriations for two projects, the River Street/Mill Race Storm Outfall and the River Street Sanitary Sewer Replacement. The total reductions in appropriations for both projects are shown below:

- Fund 202 (Sanitary) - \$100,000
- Fund 208 (Storm) - \$100,000

The reductions are being provided due to constructions costs coming under the budget cost.

Please contact me if you have any questions on the above request.

cc: Melanie Baker
Cori Finney
Cathy Wilson
file

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Dave Coffee
Dave Ruller

FROM: Jim Bowling 

DATE: June 13, 2017

RE: Tonkin Court Reconstruction Project - Appropriation Revision Request

We recently opened construction bids for the Tonkin Court Reconstruction Project. The bids were good and the overall cost of the project is within budget. However, the funds from which the appropriations were allocated need to be revised to align with the pricing of the individual items. This requires increases in appropriations from the Sanitary (202) and Storm (208) funds with corresponding decreases in the Capital (301) and Water (201) funds.

Therefore, the engineering division is requesting the following appropriation changes to complete the Tonkin Court Reconstruction Project:

Appropriation Increases:

- Sanitary Fund (202) - \$10,000
- Storm Fund (208) - \$55,000
- Total - \$65,000**

Appropriation Reductions:

- Water Fund (201) - \$20,000
- Capital Fund (301) - \$45,000
- Total - \$65,000**

c: Melanie Baker
Brian Huff
Rhonda Boyd
Cathy Wilson
file

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Dave Ruller
Tara Grimm
David Coffee

FROM: Jim Bowling *JB*

DATE: July 17, 2017

RE: ODOT POR- 261 - 0.00; PID 98381
Final Legislation, Contract Approval and Appropriations Requests

The Ohio Department of Transportation (ODOT) has requested final legislation and approval to execute a contract for the resurfacing of SR 261 (attached). The project, which previously received Kent City Council approval under resolution 2016-76 has increased its project limits. The current project includes the resurfacing of SR 261 in Kent starting at the county line and continuing east for 3.51 miles. ODOT will be milling the existing pavement approximately 1 ½" thick, performing pavement repairs, adding a single chip seal layer and then paving with a fine graded asphalt polymer overlay (1 1/4" thick). They also will be revising the cross walk striping on SR 261 at Franklin and SR 43 to be more visible by using the ladder style cross walk design. This was done at our request as we have discussed the pedestrian crossings of SR 261 recently.

The project is scheduled to be sold in 2017 with construction to be completed in 2018, which is a year sooner than the original schedule presented to council in 2016. Therefore, the City's funding that was programmed to be paid in 2018 will need to be revised. ODOT currently estimates the City's share to be \$195,750. Therefore, we are requesting the following appropriation revisions so that the project can be accelerated:

- Appropriate \$195,750 for the ODOT POR- 261 Resurfacing (PID 98381)
- Appropriation Reduction of \$195,750 from the Annual Street and Sidewalk Program (2017CIP001)

The appropriation reduction from this year's street program will be put back into the street program in 2018 as part of the upcoming Capital Plan update.

The Service Department recommends approval to participate with ODOT on this project.

c: Melanie Baker
Pat Homan
file

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Dave Coffee
Melanie Baker

FROM: Jim Bowling *JB*

DATE: May 25, 2017

RE: South Chestnut Street – Sanitary Sewer Replacement
Sanitary Contingency Funds Request

This memo is intended to memorialize our discussions on the need to use Sanitary Contingency Funds to replace a section of sanitary sewer on S. Chestnut Street. During the development of the S. Chestnut St/Middlebury Rd Street Rehabilitation Project it was discovered that a 300 ft section of the sanitary sewer on S. Chestnut was in poor condition. In addition, we also discovered that the pavement on S Chestnut has failed to the point that we need to perform a full depth pavement replacement on S. Chestnut. Both of the above issues, lead us to recommending the replacement of the sanitary sewer prior to the completion of the rehabilitation project. Our opinion of probable construction cost for the sanitary sewer replacement is \$48,000, with contingencies. We are currently obtaining quotes from up to three contractors to perform this work.

The rehabilitation project will be bidding next week, therefore the sanitary sewer will need to be replaced in June, so that the rehabilitation project can be started early in July. This does not leave enough time to make a separate appropriation request to council prior to entering into a contract to replace the sewer, thereby requiring the use of the sanitary contingency funds. If there are any questions on this request, please let us know.

C: Dave Ruller
Brian Huff
Pat Homan
Cori Finney
Cathy Wilson



CITY OF KENT, OHIO

DEPARTMENT OF FINANCE

TO: Dave Ruller, City Manager
Jim Silver, City Law Director

FROM: David Coffee, Director of Budget and Finance *David A. Coffee*

DATE: July 20, 2017

SUBJECT: Request for Ordinance Certifying Delinquent Non-Utility Debtors to Portage County

Annually Kent City Council receives listings of unpaid delinquent mowing bills, property maintenance violations-citations, zoning violations-citations, and other code enforcement violations to be placed as a tax lien on the real property that generated the delinquent charges.

In continuation of this annual "housekeeping practice" I am respectfully requesting City Council authorization for an ordinance certifying the attached list of delinquent and otherwise uncollectable fines/fees to the County Auditor in order to allow for the placement of the certified amount on the real property tax list and duplicate against the property served by the non-payment of various code enforcement actions, and declaring an emergency.

A request for City Council approval of a separate ordinance to provide certification of listings for Utility Billing outstanding delinquent debts is also being submitted under separate cover. The County has indicated that separate ordinances are required in order for us to distinguish their remittance of collected amounts in a way that will enable City revenue accounting entries to the appropriate funds.

Thank you in advance for your support and assistance in this matter.

City of Kent: Delinquent Fines/Unpaid Fees: Dept. Community Development 7/17/17

Owner Name	Address	Parcel Number	Amount	Date Incurred	Description
FISHER STEVEN R	214 E SUMMIT	17-013-10-00-052-000	10,800	10/7/16-1/30/17	1411.12, 1411.06, 1411.02, 1417.05 4 COs each
FISHER STEVEN R	214 E SUMMIT	17-013-10-00-052-000	300	8/23/16	1414.03 CO
IZALDINE DONNA M	224 COLUMBUS	17-024-34-00-073-000	900	7/13/16, 7/22/16	521.13 2 COs
ROBINSON ANGELA M & FRED L COOPER	542 LAKE	17-031-22-00-038-000	300	9/16/16	1410.04f CO
CLEGG PATRICK D	1216 MUNROE FALLS	17-010-70-00-046-000	1200	7/6/17	1411.05, 1410.04f, 1411.11, 1411.06 COs
RENNECKER TERRY L & CAROL J	535 BOWMAN	17-006-11-00-074-000	1530	8/25/16-6/8/17	mowing and fines
JACKOW JENNIFER M	245 CHERRY	17-007-10-00-080-000	340	7/22/16	mowing and fine
JONES NATALIE L	731 CUYAHOGA	17-030-20-00-278-000	570	5/14/17, 6/22/17	mowing and fines
MOYSEENKO MARY E	421 DODGE	17-012-20-00-116-000	335	6/8/17	mowing and fine
BILLITER ROBERT L	115 W ELM	17-012-20-00-053-000	1000	8/4/16-6/1/17	mowing and fines
WEST PAMELA D	464 S FRANCES	17-010-10-00-103-000	340	6/15/17	mowing and fine
LANDMAN LEASING LLC	1057 GRAHAM	17-041-10-00-050-000	315	2/2/17	trash pickup and fine
BOZEMAN TOM JR & DORIS ELAINE	521 W GRANT	17-043-30-00-019-000	675	7/21/16, 5/18/17	mowing and fines
MCCOURT OPAL M (TOD) (LEORA WOLFF)	222 HARRIS	17-007-10-00-019-000	970	5/14/17, 6/8/17	mowing and fines
ROBERTS JAMES F & ETHEL M	lot HARRIS	17-007-10-00-046-000	335	5/25/17	mowing and fine
POLEFKO THOMAS R	1144 HUDSON	17-043-00-00-002-000	580	7/21/16, 6/8/17	mowing and fines
CRAKER JANE E	222 LAKE	17-031-22-00-154-000	330	6/12/17	mowing and fine
DEGREGIO PATRICK M	249 1/2 LAKE ST	17-031-21-00-045-000	330	5/18/17	mowing and fine
THOMPSON JAMES V	554 LONGCOY	17-030-10-00-138-000	340	6/22/17	mowing and fine
CLEGG PATRICK D	1216 MUNROE FALLS	17-010-70-00-046-000	570	11/17/16, 6/8/17	mowing and fines
KORDINAK MARIE M	1070 NORWOOD	17-010-80-00-087-000	1925	7/28/16-7/3/17	mowing and fines
BECK HOWARD P	819 RANDALL	17-030-20-00-250-000	340	10/13/16	mowing and fine
BACHTEL ERICA T	121 W SCHOOL	17-012-20-00-174-000	335	6/29/17	mowing and fine
SULLIVAN NADINE HULBERT AKA NADINE H	336 SILVER MEADOWS	17-028-20-00-112-000	870	5/1/17, 6/8/17	mowing and fines
PHRENECON TRUST AUTHORITY LLC	216 UNIVERSITY	17-024-33-00-090-000	340	6/29/17	mowing and fine

FISHEL SHARON B	431 WOLCOTT	17-030-10-00-049-000	335	5/18/17	mowing and fine

Total for Dept. of Community Development : \$26,205

City of Kent: Delinquent Fines/Unpaid Fees: Dept. of Health 7/10/17

Owner Name	Address	Parcel Number	Amount	Date Incurred	Description
Paulus Drive LLC	714/716 Paulus Drive	17-011-20-00-026-000	\$20	07/28/2016	16-47
Patricia Smith	599 Woodside Drive	17-031-22-00-053-000	\$20	10/14/2016	16-71
John Heint	321 Park	17-025-10-00-070-000	\$140	10/18/2016	16-74
Michal Sittek	800 Franklin	17-012-20-00-012-000	\$20	10/31/2016	16-82
Vernon Bachtel	550 Franklin	17-030-20-00-118-000	\$20	12/19/2016	16-99
Robert McIntosh	326 Pleasant	17-031-10-00-008-000	\$20	12/21/2016	16-102
Arthur Property Management	330 Pleasant	17-031-10-00-009-000	\$20	02/14/2017	17-11
Plaso Properties	747/749 Akron Blvd.	17-009-20-00-017-000	\$20	03/17/2017	17-23
Plaso Properties	743/745 Akron Blvd.	17-009-20-00-016-000	\$20	03/17/2017	17-24
Eric Channell	436 Stinaff	17-030-20-00-192-000	\$120	05/25/2017	17-50

Total for Dept. of Health :

\$ 420.00



CITY OF KENT, OHIO

DEPARTMENT OF FINANCE

TO: Dave Ruller, City Manager
Jim Silver, City Law Director
FROM: David Coffee, Director of Budget and Finance *David A. Coffee*
DATE: July 20, 2017
SUBJECT: Request for Ordinance Certifying Delinquent City Utility Debtors to Portage County

In October of 2012 Kent City Council approved Ordinance 2012-110 amending Sections 913.07, 915.72, 921.24 and 935.14 of the Kent Codified Ordinances allowing for the certification of delinquent water use charges, wastewater use charges, storm water utility charges and recycling/solid waste collection charges to the County Auditor to be placed as a tax lien on the real property that generated the delinquent charges. This action aligned the City's possible enforcement remedies for the above listed "Utility Billing Charges" with already existing "housekeeping authority" for other City code enforcement violations and special assessments.

In continuation of this practice I am respectfully requesting City Council authorization for an ordinance certifying the attached list of delinquent and otherwise uncollectable Utility Billing Accounts to the County Auditor in order to allow for the placement of the certified amount on the real property tax list and duplicate against the property served by the non-payment of utility bills, and declaring an emergency.

A request for City Council approval of a separate ordinance to provide certification of listings for non-Utility Billing outstanding delinquent debts is also being submitted under separate cover. The County has indicated that separate ordinances are required in order to separate their remittance of collected amounts so that City revenue accounting entries can be made to the appropriate funds.

Thank you in advance for your support and assistance in this matter.

City of Kent: Delinquent Fines and Unpaid Fees				Dept: Utility Billing		Date Delinquent or Cost Incurred	Description of Fine/Unpaid Fee	Owner Address If Different
Owner Name	Address	Parcel Number	Amount					
A & H Investments	318 E Summit St	17-013-10-00-057-000	\$51.82	8/22/2016	WATER/SEWER	314 S Lincoln St Kent, Ohio 44240		
Anderson, Amelie	418 Woodard	17-030-20-00-050-000	\$52.36	3/29/2017	WATER/SEWER			
Andexler, Gerald	1241 Overbrook	17-010-10-00-009-000	\$296.24	9/7/2016	WATER/SEWER	930 Dogwood LN Madison, WV 25130		
Barone, Rick	1320 Franklin	17-007-10-00-015-001	\$208.34	10/28/2016	WATER/SEWER	2584 Industry Rd Atwater, Ohio 44201		
Beck Eric	819 Randall	17-030-20-00-250-000	\$206.84	11/29/2016	WATER/SEWER	2720 Woodview Dr Broadview Hts, Ohio 44147		
Brown, Carolyn & Raenala	630 Tallmadge	17-011-20-00-089-006	\$22.14	3/31/2017	WATER/SEWER	Huntington Nat'l Bank 1 First American Way Roanoke, TX 76262		
Bukovac, Mike	471 Francis	17-010-10-00-020-002	\$22.70	8/31/2016	WATER/SEWER	710 Beryl Dr Kent Ohio 44240		
Cooper, Mark & Terrie	1528 Statesman	17-007-20-00-034-000	\$49.02	2/16/2016	WATER/SEWER	3788 Cook Rd Rootstown, Ohio 44272		
Daniels, Doria	322 Dodge	17-012-20-00-214-000	\$610.01	10/21/2016	WATER/SEWER	1200 Cedar St Kent, Ohio 44240		
Falstad, Gary	440 Striaff	17-030-20-00-193-000	\$32.75	12/12/2016	WATER/SEWER	7427 Sylvan Dr Kent, Ohio 44240		
Family & Community Service	163 Currie Hall	17-007-20-00-041-000	\$15.35	7/27/2016	WATER/SEWER	705 Oakwood Suite 221 Ravenna, Ohio 44266		
Fazio, Vincent	211 Franklin	17-025-40-00-022-000	\$532.92	1/9/2017	WATER/SEWER	965 Edgewater Kent, Ohio 44240		
Fazio, Vincent	112 W Erie	17-025-40-00-021-000	\$2,360.05	4/14/2017	WATER/SEWER			
Garrett Townhomes	429 Garrett	17-027-10-00-086-000	\$62.31	1/5/2017	WATER/SEWER	2133 Greenway Dr Uniontown, Ohio 44685		
Garrett Townhomes	433 Garrett	17-027-10-00-088-000	\$148.06	1/2/2017	WATER/SEWER	2133 Greenway Dr Uniontown, Ohio 44685		
Hauch Housing	436 E Summit	17-013-10-00-093-000	\$200.90	8/19/2016	WATER/SEWER	314 S Lincoln Kent, Ohio 44240		
Hershiser, Scott	445 Burns	17-030-20-00-207-000	\$134.55	9/28/2016	WATER/SEWER	1223 Lake Martin Kent, Ohio 44240		
Hershiser, Scott	436 Burns	17-030-20-00-211-000	\$53.81	5/5/2017	WATER/SEWER	1223 Lake Martin Kent, Ohio 44240		
Hostetter, Larry	315 N Lincoln	17-024-33-00-061-000	\$29.55	8/8/2016	WATER/SEWER	1221 Etter Rd Mogadore, Ohio 44260		
Johnson, Angela	526 Vine	17-013-10-00-046-000	\$228.28	10/26/2016	WATER/SEWER			
Jones, Natalie	731 Cuyahoga	17-030-20-00-278-000	\$191.50	3/28/2017	WATER/SEWER			
Kotum, George	432 Relim	17-006-12-00-114-000	\$67.78	5/10/2017	WATER/SEWER			
Langston, Brian	1543 Statesman	17-007-20-00-039-000	\$103.55	8/23/2016	WATER/SEWER	2150 Glenwood Dr Twinsburg, Ohio 44087		
Langston, Peggy	1532 Statesman	17-007-20-00-033-000	\$94.00	1/13/2017	WATER/SEWER	3933 Klein Ave Stow, Ohio 44224		
Leasing Landman	1055 Graham	17-032-10-00-078-000	\$200.29	4/4/2017	WATER/SEWER	6252 Ohio St Kent, Ohio 44240		
Leasing Landman	1052 Graham	17-032-10-00-076-001	\$23.90	4/4/2017	WATER/SEWER	6252 Ohio St Kent, Ohio 44240		
Mercer, Sean	500 E School St	17-013-20-00-305-000	\$14.51	8/25/2016	WATER/SEWER	509 ValleyView Kent, Ohio 44240		
Milburn, Jason K	1056 Verona	17-029-10-00-033-000	\$23.03	4/4/2017	WATER/SEWER	1472 South Blvd Kent, Ohio 44240		
Mou, Xiaozhen	1078 Hollister	17-028-30-00-035-000	\$63.01	10/10/2016	WATER/SEWER	2146 Weston Dr. Hudson, Ohio 44236		
Moyseenko, Mary	421 Dodge	17-012-20-00-116-000	\$53.63	9/8/2016	WATER/SEWER	1115 Erin Dr Kent, Ohio 44240		
Namkrow, Annevar	1096 Graham	17-041-10-00-040-000	\$45.73	8/8/2016	WATER/SEWER	5200 Hayes Rd Ravenna, Ohio 44266		
Portage Housing Limited	1674 Olympus	17-004-00-00-018-004	\$82.00	3/30/2017	WATER/SEWER	231 W Main St Ravenna, Ohio 44266		
Property Group Mahramas	1823 Gemini	17-003-10-00-027-000	\$16.03	8/13/2016	WATER/SEWER	PO Box 8942 Warren, Ohio 44484		
Property Management Reed	769 Akron Blvd # A	17-009-20-00-024-000	\$51.10	2/24/2017	WATER/SEWER	2792 Santa Anita Dr Stow, Ohio 44224		
Rafferty, Matthew	987 Morris Rd	17-014-10-00-009-000	\$29.04	8/8/2016	WATER/SEWER	7363 Winsted Rd Hudson, Ohio 44236		
Rock, John	113 Overlook	17-023-10-00-088-000	\$20.33	2/1/2017	WATER/SEWER	6430 Peck Rd Ravenna, Ohio 44266		
Sega, Rudy	1132 Silver Meadows	17-028-10-00-117-000	\$327.63	3/28/2017	WATER/SEWER			
Sittek, Michael	800 Franklin	17-012-20-00-012-000	\$120.98	8/22/2016	WATER/SEWER	24185 Chardon Rd Mayfield Village, Ohio 44143		
Sizemore, Cody	829 Randall	17-000-20-00-249-000	\$56.18	11/1/2016	WATER/SEWER	1002 Naturewood Circle Kent, Ohio 44240		
Stanley, Dennis	234 W Elm	17-012-20-00-161-000	\$99.02	11/7/2016	WATER/SEWER			
Tipton, Chuck	1067 Hudson Rd	17-043-00-00-030-000	\$17.72	3/1/2017	WATER/SEWER	8113 Ferguson Rd Streetsboro, Ohio 44241		
Verma, Bipin B	1664 Olympus	17-004-00-00-019-000	\$47.23	9/22/2016	WATER/SEWER	1389 Berkshire Stow, Ohio 44224		
VFW-Captain Brady Post #3703	500 VFW Parkway	17-011-10-00-023-000	\$2,098.59	9/21/2016	WATER/SEWER			



CITY OF KENT, OHIO

DEPARTMENT OF FINANCE

TO: Dave Ruller, City Manager
Jim Silver, City Law Director

FROM: David Coffee, Director of Budget and Finance

DATE: July 20, 2017

SUBJECT: Request for Ordinance Certifying Unpaid Concrete Sidewalk Repair Bills to Portage County

A handwritten signature in blue ink that reads "David A. Coffee".

City of Kent Codified Ordinance 521.06 allows for the certification of unpaid property owner billings for sidewalk repairs to the County Auditor to be placed as a lien on the real property that generated the unpaid expenses. This action aligns with the City's financial enforcement remedies for City code enforcement violations, unpaid utility bills, and special assessments. Unpaid Sidewalk Repair Bills, when applicable, are a part of these annual "housekeeping actions" to collect outstanding monies that are owed to the City.

In continuation of this practice I am respectfully requesting City Council authorization for an ordinance certifying the attached lists for the 2014 and 2016 Annual Concrete Repair Programs of Unpaid Concrete Sidewalk Repair Accounts to the County Auditor in order to allow for the placement of the certified amount on the real property tax list and duplicate against the property having had required sidewalk repairs, and declaring an emergency.

The County has indicated that separate ordinances are required in order to separate their remittance of collected amounts so that City revenue accounting entries can be made to the appropriate funds.

Thank you in advance for your support and assistance in this matter.

2014 ANNUAL CONCRETE REPAIR PROGRAM

Ohio Revised Code 715.261

Kent Codified Ordinance 521.06

	PARCEL I.D. #	ADDRESS	PROPERTY OWNER	AMOUNT
1	17-005-00-00-002-000	1249 Morris Rd.	Mitchell V.Reed	\$648.66
2	17-005-10-00-038-000	1437 Morris Rd.	Barbara Bellamy	\$386.13
3	17-005-10-00-072-000	1519 Morris Rd.	Robert & Lou Anna Fisher	\$712.14
4	17-025-10-00-005-000	216 Lowell Dr.	James & Megan Geldhof	\$282.00
5	17-025-10-00-007-000	226 Lowell Dr.	Sean Ammon	\$117.50
6	17-006-20-00-001-000	1597 S. Water St.	Fifth Third Bank	\$2,148.30
7	17-006-20-00-044-000	1605 S. Water St.	Jonathan & Stacey LTD	\$816.97
8	17-025-10-00-071-000	315 Park Ave.	Sherry Cooper	\$94.00
TOTAL				\$5,205.70

2016 Street Program; Rockwell/Whittier/Woodard Street Rehabilitation

Ohio Revised Code 715.261
Kent Codified Ordinance 521.06

PARCEL I.D.	ADDRESS	PROPERTY OWNER	AMOUNT
1 17-030-20-00-139-000	427 Rockwell St.	Anderson R. Hawes	\$1,627.40
2 17-030-20-00-018-000	432 Rockwell St.	Holly Gwathney	\$1,325.65
3 17-030-20-00-019-000	440 Rockwell St.	John & Pamela Heini	\$1,757.00
4 17-030-20-00-136-000	445 Rockwell St.	Carmen Pirro	\$702.60
5 17-030-20-00-132-001	503 Rockwell St.	Stephen Boyles/Century 21 Mgmt	\$1,703.90
6 17-030-20-00-027-000	534 Rockwell St.	Daniel & Holly Schweitzer	\$646.40
7 17-025-10-00-030-000	301 Woodard Ave.	William E. Horning	\$1,600.52
8 17-030-20-00-033-000	302 Woodard Ave.	Lawrence & Kathryn Housel	\$474.50
9 17-030-20-00-029-000	335 Woodard Ave.	Charles & Karyn Glaimo	\$1,792.26
10 17-030-20-00-123-000	413 Woodard Ave.	Kevin & Christina Walter	\$1,026.00
11 17-030-20-00-117-000	554 Fairchild Ave.	Laura & David Hill	\$1,444.42
12 17-030-20-00-054-000	608 Fairchild Ave.	James & Lynda Best	\$385.20
13 17-025-10-00-015-000	223 Whittier Dr.	Kimberly Kaplan Quinn	\$1,253.00
14 17-025-10-00-009-000	241 Whittier Dr.	George & Michele Keith	\$465.00
15 17-030-20-00-040-000	247 Whittier Dr.	George & Michele Keith	\$558.00
			<u>\$16,761.85</u>



CITY OF KENT, OHIO

DEPARTMENT OF FINANCE

TO: Dave Ruller, City Manager
Jim Silver, City Law Director
FROM: David Coffee, Director of Budget and Finance *David A. Coffee*
DATE: July 20, 2017
SUBJECT: Request for Ordinance Certifying Special Assessments to Portage County

City of Kent Codified Ordinance Chapter 925 allows for special assessments related to costs associated with public improvements to Kent property. Property owners are provided with an opportunity to directly pay the proportional costs of those public improvements related to their specific properties. When those costs are not paid by the stated deadlines the City certifies the costs to the County Auditor to be placed as a lien on the real property that generated the unpaid expenses. This action aligns with the City's financial enforcement remedies for City code enforcement violations, unpaid utility bills, and sidewalk repair program. Special Assessments, when applicable, are a part of these annual "housekeeping actions" to collect outstanding monies that are owed to the City.

In continuation of this practice I am respectfully requesting City Council authorization for an ordinance certifying the attached list for Area Q Phase 5 Storm Sewer Improvement Accounts to the County Auditor in order to allow for the placement of the certified amount on the real property tax list and duplicate against the property having benefited from those improvements, and declaring an emergency.

The County has indicated that separate ordinances are required in order to separate their remittance of collected amounts so that City revenue accounting entries can be made to the appropriate funds.

Thank you in advance for your support and assistance in this matter.

**Area Q Phase 5 Storm Sewer Improvements
Final Assessments**

Parcel ID	Address	Tax Mailing Address - If Different	Current Owner	Final Assessment
17-010-40-00-042-000	437 Deidrick Road		Brian Lindegarde	\$2,140.00
17-010-40-00-044-000	451 Deidrick Road		Daniel Randall	\$2,124.25
17-010-40-00-045-000	459 Deidrick Road		Ricky Mauck and Karen Pogwizd	\$2,110.00
17-010-40-00-046-000	465 Deidrick Road		Jose Giner III	\$2,110.38
17-010-40-00-048-000	501 Deidrick Road		Charles and Theresa Pope	\$2,918.79
17-010-40-00-050-000	507/509 Deidrick Road	3044 Silverview Dr. Stow Ohio 44224	Gregory and Susan Byerly	\$2,850.25
17-010-40-00-016-001	521 Deidrick Road		James Stewart	\$3,405.48
17-010-40-00-018-000	1307 Chelton Drive		Robin Alvares	\$3,287.65
17-010-40-00-019-000	vacant Irma Street			
17-010-40-00-020-000	vacant Irma Street	1307 Chelton Drive	Robin Alvares	\$2,003.50
17-010-40-00-021-000	vacant Irma Street			
17-010-40-00-012-000	1322 Chelton Drive		Brenda Newkirk	\$2,877.99
17-010-40-00-017-000	1325 Chelton Drive		John and Katja Kagarise	\$2,428.00
17-010-40-00-013-000	1326 Chelton Drive	3690 Bassett Road, Rootstown, Ohio 44272	Shands Plymale	\$2,950.49
17-010-40-00-016-000	1327 Chelton Drive		Glenn and Lori Foldessy	\$4,664.35
17-010-40-00-011-002	vacant Chelton Drive	1567 Overlook Rd. Kent, Ohio 44240	Jean Wenrich	\$2,167.06
17-010-40-00-011-001	vacant Chelton Drive	1567 Overlook Rd. Kent, Ohio 44240	Jean Wenrich	\$2,179.51
17-010-40-00-054-003	461 Irma Street		Grant Galley	\$2,107.77
17-010-40-00-030-000	466 Irma Street		Robert and Anita Simmons	\$1,847.50
17-010-40-00-055-000	469 Irma Street		Jim Mercury	\$2,077.75
17-010-40-00-029-000	474 Irma Street		Louis and Sheila Bauza	\$4,304.88
17-010-40-00-056-000	477 Irma Street		Robert and Courtney Reinard II	\$2,344.75
17-010-40-00-027-000	480 Irma Street		George and Pamela Hudson	\$2,910.90
17-010-40-00-028-000	vacant Irma	480 Irma Street	George and Pamela Hudson	\$2,574.81
17-010-40-00-026-000	482/484 Irma Street	112 Frances St. Kent, Oh 44240	CLC Holdings LLC	\$3,426.25
17-010-40-00-057-000	485/487 Irma Street	7698 Diagonal Rd. Kent, Ohio 44240	Richard and Heather Wise	\$2,459.11
17-010-40-00-058-000	489 Irma Street		Joseph and Donna Creary Jr.	\$2,300.50
17-010-40-00-059-000	491 Irma Street		Charles and Kay Barnes	\$2,212.00
17-010-40-00-024-000	506 Irma Street		Jane Hunter	\$2,757.06
17-010-40-00-061-000	513 Irma Street		Krystyna Duszkievicz	\$3,807.25
17-010-40-00-001-000	1277 Munroe Falls-Kent Rd		Jefferty Booher and Kaycee Miller	\$2,713.75

Total Assessments \$78,061.95

**KENT POLICE DEPARTMENT
JUNE 2017**

	JUN 2016	JUN 2017	TOTAL 2016	TOTAL 2017
CALLS FOR SERVICE	2264	2064	14730	13672
FIRE CALLS	342	320	1954	2093
ARRESTS, TOTAL	167	123	1126	1001
JUVENILE ARRESTS	3	4	54	56
O.V.I. ARRESTS	8	17	102	93
TRAFFIC CITATIONS	271	246	1950	1649
PARKING TICKETS	497	1191	4164	6570
ACCIDENT REPORTS	55	46	577	365
Property Damage	35	26	415	208
Injury	8	4	59	40
Private Property	11	12	77	95
Hit-Skip	1	3	18	14
OVI Related	0	1	8	8
Pedestrians	0	0	4	0
Fatals	0	0	0	0
U.C.R. STATISTICS				
Homicide	0	0	1	0
Rape	0	0	0	1
Robbery	1	1	4	6
Assault Total	21	15	105	99
Serious		4		1
Simple		17		14
Burglary	6	7	42	45
Larceny	30	32	144	169
Auto Theft	5	4	10	6
Arson	0	0	1	0
Human Trafficking: Servitude	0	0	0	0
Human Trafficking: Sex Acts	0	0	0	0
TOTAL	63	59	307	326
CRIME CLEARANCES				
Homicide	0	0	2	0
Rape	0	0	0	1
Robbery	1	0	2	3
Assault Total	19	12	89	85
Serious		3		1
Simple		16		11
Burglary	1	2	12	8
Larceny	4	3	33	30
Auto Theft	1	0	3	1
Arson	0	0	1	0
Human Trafficking: Servitude	0	0	0	0
Human Trafficking: Sex Acts	0	0	0	0
TOTAL	26	17	142	128

**City of Kent
Income Tax Division**

June 30, 2017

Income Tax Receipts Comparison - (Excluding 0.25% Police Facility Receipts)

Monthly Receipts

Total receipts for the month of June, 2017	\$1,291,517
Total receipts for the month of June, 2016	\$1,239,820
Total receipts for the month of June, 2015	\$1,172,480

Year-to-date Receipts and Percent of Total Annual Receipts Collected

	<u>Year-to-date Actual</u>	<u>Percent of Annual</u>
Total receipts January 1 through June 30, 2017	\$7,520,780	52.55%
Total receipts January 1 through June 30, 2016	\$7,316,868	51.77%
Total receipts January 1 through June 30, 2015	\$7,045,114	48.28%

Year-to-date Receipts Through June 30, 2017 - Budget vs. Actual

<u>Year</u>	<u>Annual Budgeted Receipts</u>	<u>Revised Budgeted Receipts</u>	<u>Year-to-date Actual Receipts</u>	<u>Percent Collected</u>	<u>Percent Remaining</u>
2017	\$ 14,311,290	\$ 14,311,290	\$ 7,520,780	52.55%	47.45%

Comparisons of Total Annual Receipts for Previous Nine Years

<u>Year</u>	<u>Total Receipts</u>	<u>Change From Prior Year</u>
2008	\$ 10,712,803	1.63%
2009	\$ 10,482,215	-2.15%
2010	\$ 10,453,032	-0.28%
2011	\$ 10,711,766	2.48%
2012	\$ 12,063,299	12.62%
2013	\$ 12,397,812	2.77%
2014	\$ 13,099,836	5.66%
2015	\$ 14,592,491	11.39%
2016	\$ 14,133,033	-3.15%

Submitted by



Director of Budget and Finance

2017 CITY OF KENT, OHIO
Comparison of Income Tax Receipts
(Excluding 0.25% Police Facility Receipts)
as of Month Ended June 30, 2017

Monthly Receipts				Comparisons	
Month	2015	2016	2017	Amount	Percent Change
January	\$ 1,133,206	\$ 1,154,690	\$ 1,228,846	\$ 74,156	6.42%
February	1,025,924	1,099,532	1,072,047	(27,485)	-2.50%
March	1,092,324	1,182,357	1,133,943	(48,413)	-4.09%
April	1,432,498	1,413,680	1,561,337	147,657	10.44%
May	1,188,681	1,226,790	1,233,090	6,300	0.51%
June	1,172,480	1,239,820	1,291,517	51,697	4.17%
July	1,844,744	1,070,843			
August	1,126,103	1,219,361			
September	934,913	1,109,848			
October	1,148,218	1,226,785			
November	1,262,728	1,020,285			
December	1,230,671	1,169,043			
Totals	\$ 14,592,491	\$ 14,133,033	\$ 7,520,780		

Year-to-Date Receipts				Comparisons	
Month	2015	2016	2017	Amount	Percent Change
January	\$ 1,133,206	\$ 1,154,690	\$ 1,228,846	\$ 74,156	6.42%
February	2,159,130	2,254,221	2,300,893	46,671	2.07%
March	3,251,454	3,436,578	3,434,836	(1,742)	-0.05%
April	4,683,953	4,850,258	4,996,173	145,915	3.01%
May	5,872,634	6,077,048	6,229,263	152,215	2.50%
June	7,045,114	7,316,868	7,520,780	203,912	2.79%
July	8,889,858	8,387,712			
August	10,015,961	9,607,073			
September	10,950,874	10,716,920			
October	12,099,092	11,943,705			
November	13,361,820	12,963,990			
December	14,592,491	14,133,033			
Totals	\$ 14,592,491	\$ 14,133,033			

2017 CITY OF KENT, OHIO
Comparison of Income Tax Receipts from Kent State University
(Excluding 0.25% Police Facility Receipts)
as of Month Ended June 30, 2017

Monthly Receipts				Comparisons	
Month	2015	2016	2017	Amount	Percent Change
January	\$ 414,915	\$ 421,390	\$ 436,131	\$ 14,741	3.50%
February	380,146	385,108	398,208	13,099	3.40%
March	419,335	442,123	441,069	(1,054)	-0.24%
April	421,050	422,702	474,495	51,793	12.25%
May	410,426	459,795	428,818	(30,977)	-6.74%
June	445,804	410,589	425,646	15,057	3.67%
July	389,954	0			
August	400,211	808,425			
September	336,026	350,859			
October	407,766	469,297			
November	466,654	447,327			
December	424,587	438,817			
Totals	\$ 4,916,874	\$ 5,056,433	\$ 2,604,367		

Year-to-Date Receipts				Comparisons	
Month	2015	2016	2017	Amount	Percent Change
January	\$ 414,915	\$ 421,390	\$ 436,131	\$ 14,741	3.50%
February	795,061	806,499	834,338	27,840	3.45%
March	1,214,397	1,248,622	1,275,407	26,786	2.15%
April	1,635,447	1,671,324	1,749,902	78,579	4.70%
May	2,045,873	2,131,119	2,178,721	47,602	2.23%
June	2,491,676	2,541,708	2,604,367	62,659	2.47%
July	2,881,630	2,541,708			
August	3,281,842	3,350,133			
September	3,617,868	3,700,992			
October	4,025,633	4,170,289			
November	4,492,287	4,617,616			
December	4,916,874	5,056,433			
Totals	\$ 4,916,874	\$ 5,056,433			

2017 CITY OF KENT, OHIO
Comparison of Income Tax Receipts from Kent State University
(Excluding 0.25% Police Facility Receipts)

Comparisons of Total Annual Receipts for Previous Nine Years

Year	Total Receipts	Percent Change
2008	\$ 3,919,539	5.71%
2009	\$ 4,090,788	4.37%
2010	\$ 4,267,465	4.32%
2011	\$ 4,246,372	-0.49%
2012	\$ 4,436,666	4.48%
2013	\$ 4,603,095	3.75%
2014	\$ 4,778,094	3.80%
2015	\$ 4,916,874	2.90%
2016	\$ 5,056,433	2.84%

2017 CITY OF KENT, OHIO
Comparison of Income Tax Receipts
Police Facility Dedicated Income Tax Receipts - 1/9 of Total (0.25%)
as of Month Ended June 30, 2017

Monthly Receipts				Comparisons	
Month	2015	2016	2017	Amount	Percent Change
January	\$ 141,635	\$ 144,319	\$ 153,588	\$ 9,269	6.42%
February	128,226	137,426	133,991	(3,435)	-2.50%
March	136,525	147,779	141,727	(6,052)	-4.10%
April	179,042	176,690	195,145	18,455	10.44%
May	148,568	153,332	154,119	787	0.51%
June	146,544	154,960	161,421	6,461	4.17%
July	230,567	133,840			
August	140,747	152,403			
September	116,851	138,715			
October	143,511	153,331			
November	157,823	127,521			
December	153,817	146,114			
Totals	\$ 1,823,856	\$ 1,766,430	\$ 939,992		

Year-to-Date Receipts				Comparisons	
Month	2015	2016	2017	Amount	Percent Change
January	\$ 141,635	\$ 144,319	\$ 153,588	\$ 9,269	6.42%
February	\$ 269,861	\$ 281,745	287,579	5,834	2.07%
March	\$ 406,386	\$ 429,524	429,306	(218)	-0.05%
April	\$ 585,428	\$ 606,214	624,451	18,237	3.01%
May	\$ 733,997	\$ 759,546	778,570	19,025	2.50%
June	\$ 880,540	\$ 914,506	939,992	25,486	2.79%
July	\$ 1,111,107	\$ 1,048,346			
August	\$ 1,251,854	\$ 1,200,749			
September	\$ 1,368,705	\$ 1,339,464			
October	\$ 1,512,216	\$ 1,492,795			
November	\$ 1,670,040	\$ 1,620,316			
December	\$ 1,823,856	\$ 1,766,430			
Totals	\$ 1,823,856	\$ 1,766,430			

2017 CITY OF KENT, OHIO
Comparison of Total Income Tax Receipts - Including Police Facility Receipts
as of Month Ended June 30, 2017

Monthly Receipts				Comparisons	
Month	2015	2016	2017	Amount	Percent Change
January	\$ 1,274,841	\$ 1,299,009	\$ 1,382,434	\$ 83,426	6.42%
February	\$ 1,154,150	\$ 1,236,958	1,206,038	(30,920)	-2.50%
March	\$ 1,228,849	\$ 1,330,136	1,275,670	(54,465)	-4.09%
April	\$ 1,611,541	\$ 1,590,370	1,756,482	166,112	10.44%
May	\$ 1,337,250	\$ 1,380,122	1,387,209	7,087	0.51%
June	\$ 1,319,024	\$ 1,394,780	1,452,938	58,158	4.17%
July	\$ 2,075,311	\$ 1,204,684			
August	\$ 1,266,850	\$ 1,371,764			
September	\$ 1,051,764	\$ 1,248,563			
October	\$ 1,291,729	\$ 1,380,115			
November	\$ 1,420,551	\$ 1,147,806			
December	\$ 1,384,487	\$ 1,315,157			
Totals	\$ 16,416,347	\$ 15,899,464	\$ 8,460,772		

Year-to-Date Receipts				Comparisons	
Month	2015	2016	2017	Amount	Percent Change
January	\$ 1,274,841	\$ 1,299,009	\$ 1,382,434	\$ 83,426	6.42%
February	2,428,991	2,535,966	2,588,472	52,506	2.07%
March	3,657,840	3,866,102	3,864,142	(1,960)	-0.05%
April	5,269,381	5,456,472	5,620,624	164,152	3.01%
May	6,606,631	6,836,594	7,007,833	171,239	2.50%
June	7,925,654	8,231,374	8,460,772	229,398	2.79%
July	10,000,966	9,436,058			
August	11,267,815	10,807,822			
September	12,319,580	12,056,385			
October	13,611,309	13,436,500			
November	15,031,860	14,584,306			
December	16,416,347	15,899,464			
Totals	\$ 16,416,347	\$ 15,899,464			