

ORDINANCE NO. 2026 - 49

**AN ORDINANCE AMENDING THE SR59 ALTERNATIVE TRANSPORTATION IMPROVEMENT AGREEMENT BETWEEN THE CITY OF KENT, PARTA AND FRANKLIN TOWNSHIP WHICH WAS EXECUTED ON OCTOBER 5, 2023 TO EXPAND THE ROLE OF THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) AS A PROJECT PARTNER AND DECLARING AN EMERGENCY.**

**WHEREAS**, the City of Kent entered into an Agreement dated October 5, 2023 with PARTA and Franklin Township to pursue funding for active transportation improvements on State Route 59 from Horning Road to State Route 261; and

**WHEREAS**, the design of the project has progressed and scope has expanded, in part at the request of ODOT that owns the portion of the project outside of the City, therefore recommending the amendment to add ODOT as a project partner.

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

**SECTION 1.** Council does hereby authorize amending the SR59 Alternative Transportation Improvement Agreement to expand the role of the ODOT as a project partner and is more fully described in Exhibit "A" attached hereto and incorporated herein.

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

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

PASSED: May 20, 2026  
Date

  
\_\_\_\_\_  
Jack Amrhein  
Mayor and President of Council

EFFECTIVE: May 20, 2026  
Date

ATTEST: Kathleen Coleman  
Kathleen Coleman  
Clerk of Council

I, KATHLEEN COLEMAN, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *ORDINANCE* No. 2026-49, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON May 20, 2026.

(SEAL)

  
KATHLEEN COLEMAN  
CLERK OF COUNCIL

CITY OF KENT  
DEPARTMENT OF PUBLIC SERVICE  
DIVISION OF ENGINEERING

MEMO

TO: Dave Ruller  
Kathy Coleman

FROM: Jim Bowling *Job*

DATE: April 14, 2026

RE: SR 59 Alternative Transportation Improvements – Amendment to Interagency Design Agreement

We are requesting City Council time to present the attached amendment to our Interagency Design Agreement for the SR 59 Alternative Transportation Improvements Project. In October 2023 the City, Franklin Township and PARTA entered the attached agreement to complete the design of Alternative Transportation Improvements on SR 59 from Horning Road to SR 261. The proposed improvements for SR 59 are shown in the figures below:



Figure 1 – Existing Corridor Lane Widths and Pedestrian/Bike Facilities

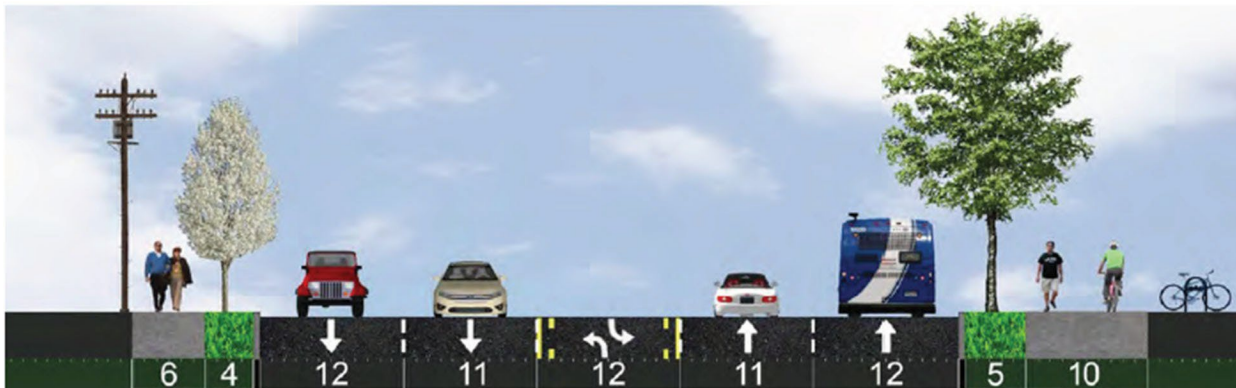


Figure 2 – Proposed Corridor Lane Widths and Pedestrian/Bike Facilities



Figure 3 – Proposed mid-block crossing with pedestrian islands

The design of the project was started with the assistance of a \$666,000 grant from the Ohio Department of Transportation (ODOT) Highway Safety Improvement Program (HSIP). As the design of the project has progressed, the project scope has expanded, in part at the request of ODOT that owns the portion of the project outside of the City. Therefore, we recommend amending the design agreement to include the following:

- Add ODOT as a project partner
- Add reconstruction of three traffic signals to the project
- ODOT will be responsible for acquiring the right-of-way required for the signal reconstruction work
- ODOT will pursue and apply for Federal and State funding sources to assist in the ultimate completion of the project.
- No additional funds are required for the design from the City, Franklin Township or PARTA

In addition, while the design has been progressing we have been able to secure \$6.228 million in construction funding specifically with the aid of ODOT. The project is currently programmed in the capital plan for construction to start in 2027.

Thank you for considering this request.

C: Melanie Baker  
Jon Giaquinto  
Rhonda Hall  
Brian Huff  
Cathy Wilson

**SR 59 ALTERNATIVE TRANSPORTATION IMPROVEMENTS**

**AGREEMENT – DESIGN PHASE**

**OHIO DEPARTMENT OF TRANSPORTATION  
PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY  
FRANKLIN TOWNSHIP  
AND  
CITY OF KENT**

**AMENDMENT NO. 1**

**ALL PARTIES BEING IN THE STATE OF OHIO**

This Amendment No. 1 to the SR 59 ALTERNATIVE TRANSPORTATION IMPROVEMENTS Agreement executed this \_\_\_\_ day of \_\_\_\_\_ 2026, is made and entered into between the Ohio Department of Transportation (“ODOT”), Portage Area Regional Transportation Authority (“PARTA”), Franklin Township (“Township”) and the City of Kent, Ohio, duly formed under the laws of the State of Ohio (the “City”).

**WITNESSETH:**

**WHEREAS**, on October 5, 2023, PARTA, the Township and the City entered into an agreement to progress the SR 59 ALTERNATIVE TRANSPORTATION IMPROVEMENTS project, hereinafter referred to as the “Project”, through the design phase, and;

**WHEREAS**, the Project has obtained Federal Highway Safety Improvement Program (HSIP) and ODOT Preservation Funds for the project, and;

**WHEREAS**, ODOT maintains the portion of SR 59 within the Township, and;

**WHEREAS**, ODOT desires to add traffic signal reconstruction to the project scope, and;

**WHEREAS**, permanent right of way will be required for traffic signal reconstruction and sidewalk installation;

**NOW, THEREFORE**, in consideration of the mutual covenants, promises, conditions and terms to be kept and performed, it is agreed between the parties to enter this Amendment No. 1 as follows:

- Add the following to Section 2 on page 3:

“K. The project scope includes the design of the reconstruction of three existing traffic signals. The traffic signals are located at SR 59/Sixth Avenue, SR 59/Rhodes Road/Ashton Lane, and SR 59/SR 261. These traffic signals are owned and maintained by ODOT.”

- Add the following after Section 2 on page 3:

**“Section 3. Right of Way Acquisition for the Project**

- A. ODOT shall undertake the right of way acquisition for the Project in a workmanlike manner.
- B. Permanent right of way will be required from two properties along the north side of the intersection of SR 59/Rhodes Road/Ashton Lane. These are required for traffic signal reconstruction and sidewalk installation.
- C. ODOT will prepare the necessary plans and legal descriptions for the permanent right of way.
- D. ODOT will prepare the necessary documents and perform the negotiations to acquire the permanent right of way from each property owner.
- E. Right of way acquisition will be funded at 100% by ODOT.
- F. ODOT will record the final, signed permanent right of way with the Portage County Records office.

**Section 4. Construction Funding Pursuits**

- A. ODOT, PARTA, the Township, and the City agree to pursue and apply for Federal & State funding sources to assist in the ultimate completion of the project.”

IN WITNESS WHEREOF, the parties hereto have offered their hands and seals.

CITY OF KENT

WITNESS:

\_\_\_\_\_

Approved and Accepted by:

\_\_\_\_\_  
Dave Ruller  
City Manager

\_\_\_\_\_  
Date

Approved as to form:

\_\_\_\_\_  
Hope Jones, Law Director  
City of Kent

Date: \_\_\_\_\_

**Certificate of Director of Budget and Finance**

It is hereby certified that the amount \_\_\_\_\_ dollars (\$\_0\_) required to meet the contract, agreement, obligation, payment or expenditure, for the above, has been lawfully appropriated or authorized or directed for such purpose and is in the City Treasury or in the process of collection to the credit of the Capital Funds free from any obligation or certificates now outstanding.

\_\_\_\_\_  
Rhonda Hall, Director of Budget and Finance

\_\_\_\_\_  
Date

PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY

WITNESS:

\_\_\_\_\_

Approve and Accepted by:

\_\_\_\_\_  
Claudia Amrhein  
General Manager  
Portage Area Regional Transportation  
Authority

\_\_\_\_\_  
Date

Approved as to form:

\_\_\_\_\_  
Legal Counsel  
Portage Area Regional Transportation Authority

Date: \_\_\_\_\_

FRANKLIN TOWNSHIP

WITNESS:

\_\_\_\_\_

Approved and Accepted by:

\_\_\_\_\_  
Lise` S. Russel  
Fiscal Officer

\_\_\_\_\_  
Date

Approved as to form:

\_\_\_\_\_  
Legal Council  
Franklin Township

Date: \_\_\_\_\_

**Certificate of Fiscal Officer**

It is hereby certified that the amount \_\_\_\_\_dollars  
(\$ 0 ) required to meet this commitment has been lawfully appropriated or authorized or  
directed for such purpose and is in the Township Treasury or in the process of collection to the credit of  
the SR 59 Enhancement Fund #4301 free from any obligation or certificates now outstanding.

\_\_\_\_\_  
Lise` S. Russell, Fiscal Officer

\_\_\_\_\_  
Date

OHIO DEPARTMENT OF TRANSPORTATION

WITNESS:

\_\_\_\_\_

Approved and Accepted by:

\_\_\_\_\_

Lau`ren Phillis  
Planning Engineer

\_\_\_\_\_  
Date

**SR 59 ALTERNATIVE TRANSPORTATION IMPROVEMENTS**

**AGREEMENT- DESIGN PHASE**

**PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY  
FRANKLIN TOWNSHIP  
AND  
CITY OF KENT**

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

This Agreement, dated October 5, 2023, is a written agreement made and entered into between the Portage Area Regional Transportation Authority ("PARTA"), Franklin Township ("Township") and the City of Kent, Ohio, duly formed under the laws of the State of Ohio (the "City").

**WITNESSETH:**

**WHEREAS,** PARTA, the Township and the City desire to continue their joint efforts for the improvement of State Route 59 ("SR 59")-generally located from Homing Road to State Route 261; known as the SR 59 Alternative Transportation Improvements Project (the "Project"), and

**WHEREAS,** PARTA, the Township and the City have previously shared resources to complete a planning and funding phase to obtain Federal Highway Safety Improvement Program (BSIP) funds, and

**WHEREAS,** the City has applied for and received Federal funding through the HSIP- finance a majority of the design for this Project, and;

**WHEREAS,** All parties agree to pursue and apply for federal and state funding sources to assist in the ultimate completion of the project; and

**WHEREAS,** the Ohio Department of Transportation (ODOT) has agreed that the City serve as the responsible lead agency to administer the Project, and;

**WHEREAS,** the City will enter into a Local Public Agency (LPA) Local-Let Federal agreement with ODOT to administer the Project, and;

**WHEREAS,** all parties agree to pay for the local share of the construction of the Project, with an amount to be determined after completion of the design phase, and to be included in a separate agreement;

**NOW, THEREFORE**, in consideration of the promises and covenants contained in this Agreement, the parties hereto agree as follows:

### **Section 1. Incorporation of Recitals**

The preceding recitals are hereby incorporated by reference into this Agreement.

### **Section 2. Design of the Project**

- A. PARTA, the Township and the City shall undertake the design of the Project in a workmanlike manner.
- B. All parties agree that the Project shall include the improvements as generally defined in the Connecting Communities PARTA SR 59 Alternative Transportation Improvements study dated December 2021.
- C. All parties shall collaboratively select a design consultant to provide professional surveying and engineering services for the preliminary and final design of the proposed Project.
- D. The City will provide management services and act as the lead agency of the Project, at no cost to the Township and PARTA.
- E. The City will hire the design consultant selected by the parties.
- F. The City hereby agrees that all contracts for the design of the Project shall be entered into in compliance with the applicable provisions of State and Local laws including Federal requirement for the procurement of professional services.
- G. The Township and PARTA, as major stakeholders of the Project, shall be active in the project development, review of the detailed design plans and attendance/participation at regular project meetings.
- H. The cost of the professional engineering services not covered by any grant ("local share") shall be paid for by the parties based on the following shares and limits:
  - PARTA's share is 1/2 (50%) up to \$37,000
  - City's share is 1/3 (33.33%) up to \$24,667
  - Township's share is 1/6 (16.67%) up to \$12,333

- I. The City will pay for the professional design services and PARTA and the Township will reimburse the City for their share upon receipt of invoices from the City.
- J. The parties to this Agreement covenant that all design with respect to the Project is made in reliance on this Agreement

IN WITNESS WHEREOF, the parties hereto have offered their hands and seals.

CITY OF KENT

WITNESS:

Gath Wilson


Approved and Accepted by:



Dave Ruller  
City Manager

10/4/2023

Approved as to foDjl:



Hope Jones, 1st Deputy Director  
City of Kent

Date: 10-03-2023

**Certificate of Director of Budget and Finance**

It is hereby certified that the amount TWENTY FOUR THOUSAND SIX HUNDRED SIXTY SEVEN dollars (\$24,677) required to meet the contract, agreement, obligation, payment or expenditure, for the above, has been lawfully appropriated or authorized or directed for such purpose and is in the City Treasury or in the process of collection to the credit of the Capital Funds free from any obligation or certificates:--

Rhonda 1, Director of Budget and finance

October 5, 2023

Date

PORTAGE AREA REGIONAL TRANSPORTATION AUTHORITY

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WITNESS:

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·c laudia Amrhein  
General Manager  
Portage Area Regional Transportation  
Authority

11- ).../. ?-PJ-J

Date

Approved as to form:



Legal Counsel  
Portage Area Regional Transportation Authority

Date: 09/21/2023

FRANKLIN TOWNSHIP

WITNESS:

Jenny August

Approved and Accepted by:

Lise S. Russell  
Lise S. Russell  
Fiscal Officer

10/3/13  
Date

Approved as to form:

\_\_\_\_\_  
Legal Council  
Franklin Township

Date: \_\_\_\_\_

**Certificate of Fiscal Officer**

It is hereby certified that the amount Twelve Thousand Three Hundred Thirty-Three dollars (\$12,333) required to meet this commitment has been lawfully appropriated or authorized or directed for such purpose and is in the Township Treasury or in the process of collection to the credit of the SR 59 Enhancement Fund #4301 free from liability or certificates now outstanding.

Lise S. Russell  
Lise S. Russell, Fiscal Officer

10/3/13  
Date