

ORDINANCE NO. 2025 – 068

AN ORDINANCE PROVIDING AN AMENDMENT TO THE CHARTER OF THE CITY OF KENT, OHIO TO BE SUBMITTED AT THE GENERAL ELECTION ON NOVEMBER 4, 2025, WHICH WILL AMEND ARTICLE V, SECTION 5.15 TITLED “RECALL PETITION AND ELECTION” AND DECLARING AN EMERGENCY.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, two-thirds (2/3) of all members elected thereto concurring:

SECTION 1. That the question of the proposed amendment to the Charter of the City of Kent, Ohio, shall be submitted to the vote of the qualified electors of the City of Kent at the General Election to be held on November 4, 2025, at the regular places of voting in this City, during hours provided for by law. Such amendment being to amend Article V, Section 5.15, in the form set for in the ballot text appearing in Section 3 of this ordinance.

SECTION 2. That the ballots for said election shall be entitled, with appropriate language for balloting to be determined by the Board of Elections.

SECTION 3. That the question be submitted on said ballot shall be as follows: Shall the Charter of the City of Kent, Ohio Article V, Section 5.15 titled “Recall Petition and Election” be amended by adding a time frame to ineligibility for office after removal, and expanding that ineligibility to any city appointment or office for one year, and the proposed Section shall provide as follows:

5.15 RECALL PETITION AND ELECTION

The electors shall have the power to remove from office by recall election any elected officer of the City. If an elected officer shall have served for six months of a term, a petition demanding such officer's removal may be filed with the Clerk of Council who shall note thereon the name and address of the person filing the petition and the date of such filing. Such petition shall be signed by at least that number of electors which equals 20% of the total number of votes cast at the next preceding regular municipal election in the City of Kent. In the case of a ward council person the required number of electors shall equal 20% of the total number of votes cast in that ward at the next preceding regular municipal election. Within ten days after the day on which such petition shall have been filed, the Clerk shall determine whether or not it meets the requirements hereof. If the Clerk shall find the petition insufficient, the Clerk shall promptly certify the particulars in which the petition is defective, deliver a copy of this certificate to the person who filed the petition, and make a record of such delivery. Such person shall be allowed a period of twenty days after the day on which such delivery was made in which to make the petition sufficient. If the Clerk shall find the petition sufficient, the Clerk shall promptly so certify to the Council, shall deliver a copy of such certificate to the officer whose removal is sought, and shall make a record of such delivery. If such officer shall not resign within five days after the day on which such delivery shall have been made, the Council shall thereupon fix a day for holding a recall election, not less than sixty nor more than seventy-five days after the date of such delivery. At such recall election this question shall be placed on the ballot: "Shall (naming officer) be allowed to continue as (naming the office)?" with

provision on the ballot for voting affirmatively or negatively on such question. If a majority of the votes cast at such election shall be voted affirmatively, such officer shall remain in office. If a majority of the votes cast shall be voted negatively, such officer shall be considered as removed, the office shall be deemed vacant, and such vacancy shall be filled as provided in this Charter. An officer removed by recall shall not be eligible for appointment to the vacancy created by their own removal, nor shall they be eligible for appointment to any other vacant office of the City where appointments are made by the City Manager for a period of one year following the election in which they were recalled.

SECTION 4. That the Clerk of this Council shall submit forthwith a certified copy of this ordinance to the Portage County Board of Elections.

SECTION 5. That the Board of Elections of Portage County shall cause an appropriate notice to be given of the election to be held on November 4, 2025, on the foregoing amendment to the Charter of this City and otherwise to provide for such election the manner provided by the general laws of the State of Ohio.

SECTION 6. That the Clerk of this Council shall cause the full text of this proposed Charter amendment to be published once a week for two (2) consecutive weeks in a newspaper of general circulation in this City, with the first publication to be made at least fifteen (15) days prior to the General Election to be held November 4, 2025.

SECTION 7. That there is hereby appropriated from the general fund a sufficient sum of money to pay the cost of compliance with Section 6 above.

SECTION 8. 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 pursuant to ORC Section 121.22, 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 including Chapter 107 of the Codified Ordinances of the City of Kent.

SECTION 9. That this ordinance is hereby declared to be an emergency measure necessary for the immediate preservation of the public peace, health, safety, and welfare of the residents of this City, for which reason and other reasons manifest to this Council this ordinance is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: _____

Date

7/16/25

Jerry T. Fiala

Mayor and President of Council

EFFECTIVE: _____

Date

7/16/25

ATTEST: _____

Kathleen Coleman
Clerk of Council

I, KATHLEEN COLEMAN, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND
IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS
OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF *ORDINANCE No.*
0085-068, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON July 16, 20 25.

(SEAL)


KATHLEEN COLEMAN
CLERK OF COUNCIL