

ORDINANCE NO. 2025 – 067

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 5.03 TITLED “REMOVAL” 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 5.03, 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 5.03 titled “Removal” be amended by identifying the Ohio Revised Code definition for “crimes of moral turpitude,” and the proposed Section shall provide as follows:

5.03 REMOVAL

The Council shall be the judge of the election and qualifications of its own members. It may remove any member for gross misconduct, or malfeasance in or disqualification for office, or for conviction while in office for a crime, or if adjudicated legally incompetent, or for a violation of the oath of office or persistent failure to abide by the rules of Council, or absence from three consecutive regular meetings of the Council unless one or more of such absences shall have been excused by the Council; provided, however that such removal shall not take place without the affirmative vote of three-fourths of the remaining members of Council nor until the accused member shall have been notified in writing of the charge or charges against him or her at least fifteen days in advance of a public hearing upon such charge or charges and the member or member's counsel shall have been given an opportunity to be heard, present evidence, and examine, under oath, all witnesses appearing in support of such charge or charges. The accused member shall not vote on the question of removal.

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: 7/16/25
Date

Jerry T. Fiala
Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: 7/16/25
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. 2025-067, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON July 16, 2025.

(SEAL)

Kathleen Coleman
KATHLEEN COLEMAN
CLERK OF COUNCIL