



# CITY OF KENT, OHIO

CITY COUNCIL

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NAME: Adam Stephens PHONE: \_\_\_\_\_ (HOME)

ADDRESS: REDACTED REDACTED (CELL)

EMAIL: REDACTED

EDUCATION: Bachelor of Science, Electrical and Computer Engineering, Ohio University

OCCUPATION: Senior Software Engineer

PLACE OF EMPLOYMENT: CalmWave, Inc

POLITICAL PARTY: None

(OPTIONAL EXCEPT WHEN APPLYING FOR CIVIL SERVICE COMMISSION AND INCOME TAX BOARD OF REVIEW WHERE INFORMATION IS REQUIRED BY LAW)

EXPERIENCE RELATED TO THIS APPOINTMENT: 2025 Charter Review Commission Chairperson

WHY ARE YOU INTERESTED IN THIS APPOINTMENT? I want to contribute to Kent being an awesome community to work in, through thoughtful and inclusive development. I hope to continue to learn more about the inner workings of city government.

ANYTHING YOU CARE TO ADD, SUCH AS EXPERIENCE ASSOCIATED WITH THE CITY:

Kent homeowner, Roosevelt graduate, former KSU professor

I WOULD LIKE TO BE CONSIDERED FOR:

1st CHOICE: Planning Commission 2nd CHOICE: \_\_\_\_\_

SIGNATURE: AS DATE: 2026/02/03

\*\*\* The City of Kent reserves the right to perform background checks.



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NAME: Mariah Taylor PHONE: \_\_\_\_\_ (HOME)

ADDRESS: REDACTED REDACTED (CELL)

EMAIL: REDACTED

EDUCATION: BBA-Accounting

OCCUPATION: Senior Internal Auditor

PLACE OF EMPLOYMENT: University of Akron

POLITICAL PARTY: Independent

(OPTIONAL EXCEPT WHEN APPLYING FOR CIVIL SERVICE COMMISSION AND INCOME TAX BOARD OF REVIEW WHERE INFORMATION IS REQUIRED BY LAW)

EXPERIENCE RELATED TO THIS APPOINTMENT: I served on the Kent State University Staff Council and VIBE (finance and admin) group for 2 years in which we

evaluated policies impartially, represented the employees, amended and enforced bi-laws and operated within a rule-based governance structure while maintaining confidentiality and professionalism.

WHY ARE YOU INTERESTED IN THIS APPOINTMENT? My experience in staff governance has shown me the value of impartial, process-driven decision-making.

and I want to apply that perspective to support equitable civil service practices in my own city. In addition, I value public service and want to contribute to a system that promotes fairness, accountability, and trust between the city and its employees.

ANYTHING YOU CARE TO ADD, SUCH AS EXPERIENCE ASSOCIATED WITH THE CITY:

N/A

I WOULD LIKE TO BE CONSIDERED FOR:

1<sup>st</sup> CHOICE: Civil Service Commision 2<sup>nd</sup> CHOICE: Civil Service Commision

SIGNATURE: \_\_\_\_\_ DATE: 02/04/206

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# MARIAH TAYLOR



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## OBJECTIVE

Detail-oriented, driven and efficient accounting professional with 14 years of working experience. I am seeking an opportunity to contribute practiced knowledge in analytical reasoning and problem-solving skills to execute in-depth financial audits, evaluation of processes and to deliver comprehensive reports to improve the overall operation and financial health of a high education organization.

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## EDUCATION

### **BACHELOR OF BUSINESS ADMINISTRATION-ACCOUNTING**

Kent State University

DEC '25

### **MASTER OF BUSINESS ADMINISTRATION**

University of Akron

PENDING

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## EXPERIENCE

### **SENIOR INTERNAL AUDITOR**

University of Akron | Akron, OH

FEB '26 - Present

### **STRATEGIC SOURCING AGENT**

Kent State University | Kent, OH

AUG '23 – JAN '26

- Bid RFPs and establish contracts promoting compliancy with university spend in accordance with Ohio Revised Code and Federal Guidelines.
- Sourcing for suppliers that align with the evolving needs of the university and individual departments.
- Negotiate prices and conditions (terms) of existing and pending contracts to produce cost savings while maintaining a standard of quality.
- Manage, create and administratively supervise the logistics of orders including approval of purchase orders, shipping and vendor management.
- Gather, analyze and interpret data related to purchasing and supply chain management.
- Liaison between suppliers and end users to promote optimized relationships.
- Create comprehensive financial reports to improve the overall financial health of departments through analysis of the ERP system
- Assist departmental staff with understanding operational issues, creating solutions, implementing new processes and evaluate current functions for optimum improvement.
- ERP system trainer, manual author and liaison for university-wide communications.
- Lead contact for the following contractual areas, trainings, reporting and policy implementations:
  - CBT(Travel)

- 
- Fed Ex
  - Verizon (Communications)
  - Amazon
  - Enterprise (Rental)

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### **SPECIAL ASSISTANT**

University Events and Protocol Kent State University | Kent, OH  
MAY '22 – AUG '23

Budget manager for commencement ceremonies, student engagement and Presidential related events.

### **SPECIAL ASSISTANT**

Center for Architecture and  
Environmental Design Kent State  
University | Kent, OH  
JAN '22- MAY '22

Assist with budget processing, event  
planning and any search advisory  
involvement.

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### **ACCOUNTS PAYABLE CLERK**

Accounts Payable Kent State University | Kent, OH  
MARCH '19- JAN '22

Facilitate timely and efficient payments to suppliers both foreign and domestic in nature (including PCard, purchase orders, check requests and wires).

### **ADDITIONAL WORK EXPERIENCE:**

#### **Auditing Supervisor**

Best Buy-Streetsboro, OH '18

#### **Redemptions Supervisor**

Millenium-Hudson, OH '16 – '18

#### **Lead Teller**

Liberty Bank-Twinsburg, OH '15- '16

First Merit- Fairlawn, OH '14 – '15

Chase Bank- Ravenna, OH '11- '13

#### **Financial Aid Assistant**

Fortis College, Ravenna, OH '10- '11

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## **Campus and Community Engagement**

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**KSU Hyde Park Forum 2023:** First place and **People's Choice Award** (voted on by the audience)

**KSU VIBE** (Voices Inspiring Better Engagement): '24-present

Divisional (Finance and Administration) resource to enhance employee engagement by sharing ideas, information and communicating on issues and topics.

**KSU Staff Counsel:** '25-present

Serves as the unified voice of classified and unclassified staff across all Kent State campuses. We provide a platform for sharing ideas, exchanging information, and addressing issues that affect staff and the broader university community. Through advocacy, collaboration, and service, KSU-SC works to promote a positive and inclusive work environment, while advancing Kent State's commitment to excellence in higher education.

**Mama's Meals:** '20-present

Prepare and deliver meals to senior and disabled citizens in the local Portage County area.

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## **TECHNICAL SKILLS**

- Microsoft Office: Word, PowerPoint, Excel and Access (SQL queries)
  - Workday, Banner, Chrome River, Jaeggar (formerly Flashcart), ESM (ERP)
  - Ohio Revised Code (Contract)
  - Power BI and Cognos (Reporting)
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NAME: Darlene Rocco PHONE: REDACTED (HOME)

ADDRESS: REDACTED REDACTED (CELL)

EMAIL: REDACTED

EDUCATION: MA, MPH

OCCUPATION: Director, Clinical Quality

PLACE OF EMPLOYMENT: Optum Health

POLITICAL PARTY: Democrate

(OPTIONAL EXCEPT WHEN APPLYING FOR CIVIL SERVICE COMMISSION AND INCOME TAX BOARD OF REVIEW WHERE INFORMATION IS REQUIRED BY LAW)

EXPERIENCE RELATED TO THIS APPOINTMENT: over 20 years in leadership and people leading roles,  
responsible for developing, enforcing, and continuously improving policies and procedures that ensure fairness, transparency, and consistency.

WHY ARE YOU INTERESTED IN THIS APPOINTMENT? I am interested in serving on the Kent Civil Service Commission because

I value public service, fair governance, and systems that promote accountability and transparency within local government.

ANYTHING YOU CARE TO ADD, SUCH AS EXPERIENCE ASSOCIATED WITH THE CITY:

Served on the 2025 Citizens Charter Review Commission

I WOULD LIKE TO BE CONSIDERED FOR:

1<sup>st</sup> CHOICE: Civil Service Commission 2<sup>nd</sup> CHOICE: Board of Health

SIGNATURE: \_\_\_\_\_ DATE: 2/5/2026

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# Darlene Rocco

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*MPH, MA-SLP CCC, LNHA, CPHQ, LSSGB*

## Executive Summary

### **Healthcare Executive | Quality & Patient Experience Leader | Data-Driven Strategist**

Visionary leader with 15+ years of experience driving enterprise-wide quality improvement, customer experience transformation, and operational excellence in complex healthcare organizations. Proven ability to align strategic initiatives with organizational goals, optimize processes, and leverage data insights to deliver measurable outcomes. Skilled in quality management, audit oversight, and leading high-performing teams to achieve accreditation success and superior customer satisfaction.

## Core Competencies

- Strategic Leadership & Organizational Alignment
- Quality Assurance & Risk-Based Audit Programs
- Data Analytics & Enterprise Insights
- Process Improvement & Operational Efficiency
- Regulatory Compliance & NCQA Accreditation
- System Operations & Release Management
- Change Management & Cross-Functional Collaboration

## Professional Experience

### **Director, Clinical Quality | Optum Health | Feb 2021 – Present**

- Spearheaded NCQA Utilization Management Accreditation, ensuring compliance and program integrity across multiple business units.
- Directed enterprise-level process improvement initiatives, improving operational efficiency.
- Implemented data-driven strategies to enhance quality metrics, leveraging analytics to identify trends and drive interventions.
- Expanded and strategically aligned clinical quality functions to support organizational growth and customer experience goals.
- Designed and executed an enhanced policy and procedure development and review system, achieving 100% timely annual review.
- Partnered with cross-functional teams to improve customer experience strategy, increasing satisfaction scores by 10%.

- Facilitated Utilization Management, Quality Improvement, and Quality Executive Committees

### **Sr. Manager, Quality Improvement | Optum Health | Aug 2020 – Feb 2021**

- Designed and executed Quality Assurance Review processes, mitigating risk and ensuring adherence to regulatory standards.
- Led internal and external audits of delegated activities by reducing compliance gaps.
- Modernized member experience survey programs, doubling participation and improving satisfaction scores to 85%.

### **Nursing Home Administrator | Various Skilled Nursing Facilities | Feb 2011 – Sept 2019**

- Directed financial and clinical operations for facilities up to 130 beds, managing teams of 200 employees.
- Improved CMS star ratings from 1 to 4–5 stars through strategic quality initiatives and staff engagement programs.
- Implemented risk management and compliance programs, reducing deficiencies and enhancing operational integrity.

### **Speech Language Pathologies | Various Skilled Nursing Facilities | January 2001 – February 2011**

- Held clinical and operational roles within rehabilitation, including Director and Regional Director overseeing up to 10 departments.

### **Education & Certifications**

- Master of Public Health (MPH) – Kent State University
- Master of Arts (MA) – Kent State University
- Bachelor of Arts (BA) – Thiel College
- Certifications: CPHQ, LSSGB, LNHA, CCC-SLP

### **Additional Highlights**

- Expertise in NCQA and CMS standards and guidelines.
- Strong analytical and project management skills.
- Customer-oriented with excellent communication and facilitation abilities.
- Experienced in conflict resolution and cross-functional leadership.



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NAME: Robert J. Hamer PHONE: REDACTED (HOME)  
ADDRESS: REDACTED REDACTED (CELL)  
EMAIL: REDACTED

EDUCATION: Master of Science in Human Resources from Villanova University, BSBA from Youngstown State

OCCUPATION: Chief Human Resources Officer (CHRO)

PLACE OF EMPLOYMENT: Ron Marhofer Auto Family

POLITICAL PARTY: Independent

(OPTIONAL EXCEPT WHEN APPLYING FOR CIVIL SERVICE COMMISSION AND INCOME TAX BOARD OF REVIEW WHERE INFORMATION IS REQUIRED BY LAW)

EXPERIENCE RELATED TO THIS APPOINTMENT: I have extensive education and experience in HR, Talent, Acquisition, and workforce development in large and small, private and public organizations, and municipal.

WHY ARE YOU INTERESTED IN THIS APPOINTMENT? I see this as a great opportunity to help directly utilize my skills and abilities to contribute directly to the community where I live.

ANYTHING YOU CARE TO ADD, SUCH AS EXPERIENCE ASSOCIATED WITH THE CITY:

My current roles have allowed me to regularly participate with city and university event sponsorship

I WOULD LIKE TO BE CONSIDERED FOR:

1<sup>st</sup> CHOICE: Civil Service Commission 2<sup>nd</sup> CHOICE: Design and Preservation Committee

SIGNATURE:  DATE: 02-05-2026

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Contact

REDACTED

### Top Skills

Compensation Strategies

Interviewing

Deferred Compensation

### Certifications

Cultivating Cultural Competence and Inclusion

Masters Certificate in Organizational Leadership

Veterans at Work Certification

Senior Professional in Human Resources® (SPHR®) Certification

Excel Data Visualization Part 1: Mastering 20+ Charts and Graphs

### Honors-Awards

Top 10 Tech CHROs in America

# Robert Hamer SPHR

Chief Human Resources Officer

Greater Cleveland

## Summary

Robert Hamer was named chief human resources officer (CHRO) of Ron Marhofer Auto Family in July 2023. Before that, he began his career at Marhofer in February 2019 as HR Director. As a member of the Executive Team, Robert oversees all aspects of human resource development, strategy, and execution for our 400+ employees. As a seasoned HR and business leader, he utilizes his expertise to align strategic planning with capabilities and culture to deliver results and generate growth. He strives to create a diverse and inclusive workplace where every employee feels valued, fostering a collegial employee centric atmosphere. In doing so, Robert facilitates a culture that fuels innovation, curiosity, and ongoing opportunity and desire for personal growth. In December 2025 Robert was named one of the top Technology CHROs in America by HR Tech Magazine. Prior to Marhofer Companies, Robert oversaw HR at Vista Windows, a multistate manufacturing firm. His first foray into HR was with Home Depot, a Fortune 30 company and one of the world's most recognizable retail brands. Throughout his 20 years with the Home Depot, he held various roles in Human Resources and Operations Management. Robert is also a member of SHRM's Executive network, has served on Ashland University's Engineering Leadership Board. He has served as an advisor for Opportunities for Ohioans with Disabilities, been a part of Prairie Township's JED Board, and fundraising chair for multiple nonprofit agencies. He is passionate about using and sharing his skills and expertise within his community.

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## Experience

Ron Marhofer Auto Family

7 years 1 month

Chief Human Resources Officer

July 2023 - Present (2 years 8 months)

Ohio, United States

Reporting directly to the CEO and President, I am responsible for developing and executing human resource strategy in support of the overall business plan and strategic direction of all business entities in the organization, specifically in the areas of succession planning, talent management, change management, organizational and performance management, training and development, and compensation. Provides strategic people leadership by articulating business needs and plans to the executive management team, shareholders and the board of directors through use of HR Analytics.

#### Human Resources Director

February 2019 - July 2023 (4 years 6 months)

Cuyahoga Falls, Ohio

Responsible for overseeing the development and execution of a value-added human capital strategy , specifically in the areas of succession planning, talent management, change management, organizational and performance management, training and development, and compensation.

Provides strategic leadership by articulating HR needs and plans to the executive management team, shareholders and directors.

#### Supervisory Responsibilities:

- Directly responsible for supervision of all employees in Human Capital, Payroll, Facilities, Maintenance, Safety Departments

#### Duties/Responsibilities:

- Establish and implement HR efforts that effectively communicate and support the company's mission and strategic vision.
- Develop HR plans and strategies to support the achievement of the overall business operations objectives.
- Function as a strategic business adviser to the executive/senior management of each business regarding key organizational and management issues.
- Work with the company's executive management team to establish a sound plan of management succession that corresponds to the strategy and objectives of the company.
- Develop comprehensive strategic recruiting and retention plans to meet the human capital needs of strategic goals.
- Develop and implement comprehensive compensation and benefits plans that are competitive and cost-effective.
- Provide overall leadership and guidance to the HR function by overseeing talent acquisition, career development, succession planning, retention, training, leadership development, compensation and benefits globally.

Vista Window Company

## Multi-Plant Human Resources & Safety Manager

April 2018 - February 2019 (11 months)

Ohio & Georgia

- Develop human resources initiatives into corporate structure to enable equitable, efficient, and effective management of various plants in Georgia and Ohio
- Direct all aspects of human resources from recruiting to retirement while managing employee relations and labor services in complex and demanding organizations located over a large geographic area
- Provided advice to the management on appropriate disciplinary and other corrective techniques to help in resolving complex conduct and performance problems
- Train managers and supervisors regarding performance management processes
- Collaborate with executives, managers, supervisors, and employees in interpreting and applying laws as well as regulations and policies on multiple HR functions such as grievances, appeals, and adverse actions
- Determine obscure or underlying cause of misconduct and poor performance by conducting probing and analysis
- Produce technical and legal documents of action in resolving labor-related matters as well as written policies on management-employee relations
- Keenly monitor personnel management and employee and labor relations contracts

### Notable Achievements

- Developed employee handbook, standard operating procedure (SOP), and document tracking process; along with new candidate tracking, payroll management, and human resource information system (HRIS)
- Pioneered multi-channel pay and performance structure for all exempt and non-exempt employees across the organization
- Established safety programs which decreased workers compensation by 18% and recordable rate by 90%

## Independent Consultant

Employee Relations Consultant

December 2017 - March 2018 (4 months)

Savannah, Georgia Area

## The Home Depot

District Human Resources Manager

September 2013 - November 2017 (4 years 3 months)

- Oversaw strategic executive-level HR leadership and change management operations for 1,700 employees across multiple sites
- Steered efforts in implementing data-driven solutions for HR program implementation, compliance management, culture change, employee engagement, and HR business processes
- Guided and coached staff in achieving organizational goals based on HR operations and policies
- Managed HR transformations through new policies and procedures, performance evaluation directives, and human capital strategies for process outsourcing operations
- Evaluated current people, processes, and benefits using Six Sigma methodology at strategic and tactical levels while creating solutions in alignment with strategic organizational goals and objectives
- Held responsibility in building consensus and aligning personnel around core organization profit growth objectives
- Presided over training and development programs for more than 23,000 hourly and salaried employees

#### Notable Achievements

- Established advanced leadership program for the professional development of 150 senior leaders throughout the region
- Took charge of forecasting and executing over \$100M payroll budget for more than 1,700 hourly and 40 salaried workers

#### The Home Depot

16 years

#### Store General Manager

2002 - 2013 (11 years)

- Spearheaded HR payroll implementation, culture change, employee engagement, and business processes
- Built and maintained customer relationships and program growth to achieve financial metrics and sustain service standards for \$32M store
- Demonstrated effectiveness in hiring, training, and retaining a team of qualified associates that communicated and represented the organizational philosophy
- Assumed responsibility for the maintenance of labor forecasting, payroll budget, and controllable expenses to increase profit
- Provided oversight with the daily, weekly, and monthly processes to ensure operational integrity as well as with onsite and offsite inventory to achieve balance of top-selling items and increase sales opportunities

- Handled all human resources related-tasks at the store-level including recruiting, onboarding, and 1-9 compliance, performance management, payroll and scheduling, health and safety, and store security
- Supervised a team of 130 associates and 15 hourly and four salaried managers

#### Notable Achievement

- Surpassed annual sales and profit plan for seven consecutive years

#### Store Operations Manager

2000 - 2002 (2 years)

Led the store's operations team in proactively managing operational workload and providing support to management, owning operational initiatives, and contributing to the long-term strategy. Drove results in a fast-paced \$64M store sales environment while remaining flexible and efficient with a high level of professionalism. Strategized on how to better support internal customers on operational policies, practices, procedures, and communications to execute company initiatives and increase compliance.

- Recognized opportunities within the company to be more efficient and cost effective while remaining focused on priorities by providing recommendations and executing tasks to implement improvements.
- Inspired change to find the most efficient way to execute operational initiatives, influencing business partners to deliver the support needed.

#### Store Merchandising Manager

July 1999 - January 2000 (7 months)

#### Management Staff

September 1997 - January 2000 (2 years 5 months)

Managed Key areas of new store openings

#### Mahoning County Career & Technical Center

Teacher

January 1996 - June 1997 (1 year 6 months)

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## Education

#### Villanova University

Master of Science (M.S.), Human Resources Development · (2017)

Bachelor of Science - BS, Business Administration, Management and  
Operations · (1998)



# CITY OF KENT, OHIO

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## DEPARTMENT OF COMMUNITY DEVELOPMENT

**Date:** February 23, 2026

**To:** Dave Ruller, City Manager

**From:** Kailyn Cyrus, Zoning and Grants Coordinator

**Cc:** Bridget Susel, Community Development Director; Kathy Coleman, Clerk of Council; Patti Long, Assistant to the City Manager; PY2026 CDBG Action Plan File

**Re:** PY2026 Community Development Block Grant (CDBG) Project Funding Recommendations

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The City is preparing its funding request for the Program Year (PY) 2026 Community Development Block Grant Program (CDBG). The request is submitted to the U.S. Department of Housing and Urban Development (HUD) on an annual basis and must include a list of proposed programs that will be implemented with CDBG funding during the year. The City has not received notice yet from HUD regarding its PY2026 allocation amount, so the following recommendations are based on the CDBG funding level the City received for PY2025, which was \$265,000.

The PY2026 CDBG “Request for Proposals (RFP)” was issued on January 15, 2026, and the City received a total of six (6) project proposals seeking CDBG funding assistance. The total amount of funding requested was \$304,000. Based on a review of these proposals and in consideration of all applicable CDBG regulatory requirements, staff is recommending Council approval of the projects and amounts as outlined below at its May meeting. Formal approval in May allows time for a public comment period and a second public hearing to take place prior to formal authorization.

### **2026 CDBG Funding and Project Recommendations**

<b>1. City of Kent, Engineering Department – Elm Street Reconstruction</b>
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This activity provides funding to assist with the design and full-depth reconstruction of Elm Street from Cedar Street to South Water Street. The work involves rehabilitation of the asphalt pavement, new sidewalks, concrete curb and gutter and new storm sewers to improve drainage along the roadway. This is a multi-year project, and construction is scheduled to begin in 2027.

Funding Requested: \$170,000      **PY2026 Funding Recommended: \$157,000**  
PY2025 CDBG Funding: \$159,857



**7. City of Kent, Community Development – Administration**

These funds are used to cover grant administration costs such as the cost of staff, supplies, advertising, postage, copying, travel costs for training, and other related costs. Funding for this activity is counted toward the Planning and Administration 20% funding limitation.

Funding Requested: N/A

**PY2026 Funding Recommended: \$2,000**

PY2025 CDBG Funding: \$2,000

**8. Fair Housing Consultant – Fair Housing Services**

These funds will be used to cover the cost associated with the provision of fair housing services. The consultant will provide counseling in the areas of housing discrimination and landlord-tenant issues. They'll investigate fair housing complaints and provide a variety of public education and outreach services in the City. Funding for this activity is counted toward the Planning and Administration 20% funding limitation.

Funding Requested: 24,000

**PY 2026 Funding Recommended: \$24,000**

PY2025 CDBG Funding: \$19,000

**NOTE:** The Akron-Canton Regional Food Bank requested \$5,000 for Food Distribution services. Due to the federal reporting requirements of the CDBG program, the Community Development Department determined that these services may be better aligned with the City's Social Service Grant Program. Staff will forward an application to the Akron-Canton Regional Food Bank when the RFP for that program is issued.

A spreadsheet summarizing the requested and recommended funding amounts has been attached for review. Copies of all submitted PY2026 CDBG proposals also are available for review at the Community Development Department.





# CITY OF KENT, OHIO

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## DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: February 19, 2026  
TO: Dave Ruller, City Manager  
FROM: Bridget Susel, Community Development Director *BOS*  
RE: Sublease Renewal: Haymaker Farmers' Market

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The City of Kent leases the unimproved area on the west side of Franklin Avenue, just south of the Over Easy Restaurant paved parking area, from the Akron Barberton Cluster (ABC) Railway Company (aka Wheeling Lake Erie Railroad (WLER)), in order to provide space for additional long-term parking in the downtown business district.

Since 2012, the City has allowed the Haymaker Farmers' Market to sublease this area for use on Saturday's, from 9:00 a.m. to 1:00 p.m. This year's outdoor season will begin with the first Saturday in April and extend through the last Saturday in November. The Haymakers' Farmers Market is an incorporated nonprofit organization, and it leases the space from the City for the nominal annual fee of \$1.00.

I am respectfully requesting time at the March 4, 2026 Council Committee session to discuss this item in greater detail and to request Council's authorization, with emergency, for the renewal of the sub-lease with the Haymaker Farmers' Market.

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

Thank you.

Attachments

Cc: Hope Jones, Law Director  
Kathy Coleman, Clerk of Council

*CITY OF KENT, OHIO*



***SUB-LAND LEASE***

**THIS SUB-LEASE**, made this \_\_\_\_ day of \_\_\_\_\_, **2026**, between **THE CITY OF KENT, OHIO**, whose address is 301 South Depeyster Street, Kent, Ohio 44240, hereinafter referred to as SUB-LESSOR, and **HAYMAKER FARMERS' MARKET**, which has its summer market operations at the intersection of Franklin Avenue and Summit Street, Kent, Ohio 44240, hereinafter referred to as SUB-LESSEE.

**I. PREMISES**

SUB-LESSOR does hereby lease unto SUB-LESSEE certain unimproved land, located in the City of Kent, Portage County, Ohio, hereinafter called "the premises," as shown on the map attached hereto and hereby made a part hereof, described as follows:

*Being a rectangular parcel of land located north of Summit Street, west of Franklin Avenue and east of LESSOR's main line track containing an area of 0.168 acres, more or less as shown in green, attached hereto as Exhibit "A."*

SUB-LESSOR currently leases the subject premises from Akron Barberton Cluster Railway Company (the ORIGINAL LESSOR) pursuant to a land lease agreement dated October 26, 2011, No. 35-04380, as amended July 16, 2014.

**II. TERMS AND CONDITIONS**

In consideration of the covenants and agreements herein contained and other good and valuable consideration, and intending to be legally bound, it is agreed as follows:

**1. Use.** SUB-LESSEE shall use and occupy the premises solely for the purpose of a farmers' market held on Saturday morning (9:00 a.m. to 1:00 p.m.).

**2. Term and Rent.** To hold the demised premises for and during the term of April 4, 2026 through November 28, 2026 (unless sooner terminated as hereinafter provided) for the rent or sum of one dollar (\$1.00) payable in advance.

3. **Expenses.** SUB-LESSOR shall be responsible for snow plowing costs, any utility costs or charges and shall maintain insurance on the premises pursuant to their lease with ORIGINAL LESSOR.

4. **Approval of Plans.** SUB-LESSEE, prior to erecting any structure on the premises, shall submit plans to, and secure approval in writing of, SUB-LESSOR and the ORIGINAL LESSOR. SUB-LESSEE shall not erect or place or allow to be erected or placed on the premises any buildings, structures, fixtures or obstructions of any kind, either temporary or permanent.

5. **Fire and Damage.** SUB-LESSEE shall cooperate with SUB-LESSOR and shall promptly comply with fire prevention measures requested by SUB-LESSOR. SUB-LESSEE shall make no electrical installation or alterations in and to the improvements or electrical circuits (whether for power, light, heat or other purposes) located on the premises except by a duly licensed electrician, and shall make no installation of natural gas, propane, kerosene or other combustion fuel heating or cooling units, except by licensed heating or cooling contractor; and no such alterations or installations shall be made without prior written approval of the ORIGINAL LESSOR.

6. **Ordinances and Regulations.**

6.1 SUB-LESSEE, at SUB-LESSEE's sole cost and expense, shall comply with all applicable ordinances, rules, regulations, requirements and laws of any governmental authority having jurisdiction over the premises or SUB-LESSEE's intended use thereof, including but not limited to zoning, health, safety, building or environmental matters. SUB-LESSEE shall supply SUB-LESSOR and ORIGINAL LESSOR with copies of letters or certificates of approval of SUB-LESSEE's use.

7. **Maintenance and Repairs.**

7.1 SUB-LESSEE will not create or permit any nuisance in, on or about the premises, and SUB-LESSEE shall maintain the premises in a neat and clean condition. Any approved structures of SUB-LESSEE shall be erected and/or maintained on the premises by SUB-LESSEE to the satisfaction of the ORIGINAL LESSOR.

7.2 SUB-LESSEE will not utilize the City of Kent trash containers or the area near the trash containers, for the disposal of produce, perishable products, boxes, crates, storage containers, bags of trash or any other form of refuse generated by vendors operating on the premises.

7.3 SUB-LESSEE will not make, or permit to be made, any improvements or alterations to the premises without the written consent of the ORIGINAL LESSOR. Approval by the ORIGINAL LESSOR of any improvements or installations made by SUB-LESSEE, or failure of the ORIGINAL LESSOR to object to any work done or material used, or the method of construction or installation, shall not be construed as an admission of

responsibility by the ORIGINAL LESSOR or SUB-LESSOR or as a waiver of any of SUB-LESSEE's obligations under this Sub-Lease.

7.4 All work performed by SUB-LESSEE, or SUB-LESSEE contractor(s), pursuant to Section 7 shall be subject to the written approval of the ORIGINAL LESSOR's Chief Engineer or his duly authorized representative.

**8. Service and Utilities.** The ORIGINAL LESSOR will be under no obligation to furnish the premises with water, gas, sewage, electricity, heat or other services and supplies that may be necessary or desirable in connection with SUB-LESSEE use and occupancy of the premises. The SUB-LESSOR shall bear all costs of utilities used on the premises, including heat, electricity, hot water and sewer use charges. SUB-LESSEE shall reimburse SUB-LESSOR for any utilities SUB-LESSEE uses.

**9. Adjacent Areas.** Except as provided in Section 10 hereafter, SUB-LESSEE shall not use, for utility lines or otherwise, any property of the ORIGINAL LESSOR and SUB-LESSOR other than the premises herein leased without first obtaining ORIGINAL LESSOR's prior written consent and complying with all requirements of the ORIGINAL LESSOR applicable thereto.

**10. Ingress and Egress.** The ORIGINAL LESSOR, SUB-LESSOR and SUB-LESSEE shall have the right to use, in common with SUB-LESSOR and others authorized by SUB-LESSOR, existing driveway(s) or other property designated by SUB-LESSOR as means of Ingress to and Egress from the premises. SUB-LESSOR shall be under no obligation with respect to the condition or maintenance of said driveway(s) or other property, and SUB-LESSEE use of same shall be subject to all of the covenants, terms and conditions of this Sub-Lease.

**11. Pipe and Wire Lines.** The ORIGINAL LESSOR shall at all times have the right to maintain and/or construct, and to permit others to maintain and/or construct, overhead and/or underground pipe and/or wire lines now or hereafter installed upon or across the premises, and to use, repair, renew and remove the same.

**12. Claim of Title.**

12.1 SUB-LESSEE shall not at any time own or claim any right, title or interest in or to the premises, nor shall the exercise of this Sub-Lease for any length of time give rise to any right, title or interest in or to the premises, other than the Sub-Leasehold herein created.

12.2 SUB-LESSEE shall pay all debts incurred to, and shall satisfy all liens of contractors, subcontractors, mechanics, laborers and material suppliers in respect to any construction, alteration and/or repair in and to the demised premises, and any improvements thereof. Further, SUB-LESSEE shall have no authority to create any liens for labor or material on or against SUB-LESSOR or the ORIGINAL LESSOR's interest in the premises and shall specify in all contracts let by SUB-LESSEE for any construction, erection,

installation, alteration, maintenance or repair of any building or other improvement on the premises.

### **13. Termination, Notices and Removal.**

13.1 This Sub-Lease may be terminated by either party at any time upon not less than thirty (30) days' notice in writing sent by registered or certified mail to the other party. However, in the event of a breach of any of the covenants, terms and conditions hereof by SUB-LESSEE, SUB-LESSOR shall have the right to terminate this Sub-Lease immediately.

13.2 Should original LESSOR terminate its lease with SUB-LESSOR, this Sub-lease between SUB-LESSOR and SUB-LESSEE shall also terminate.

13.3 Should SUB-LESSOR default on their lease terms to the ORIGINAL LESSOR, SUB-LESSEE may contact ORIGINAL LESSOR in efforts to step-in for SUB-LESSOR, correct the default of SUB-LESSOR, and take SUB-LESSOR'S role in the original land lease agreement dated October 26, 2011, No. 35-04380.

13.4 All notices and communications concerning this Sub-Lease shall be addressed to SUB-LESSOR or the SUB-LESSEE at their respective addresses hereinabove set forth or at such other, the ORIGINAL LESSOR, address as either party may designate in writing to the other party.

13.5 Upon termination of this Sub-Lease by expiration of term or any other reason, SUB-LESSEE shall remove all buildings or structures (except tracks, rail facilities and other designated property of the ORIGINAL LESSOR), within the time specified in any notice of termination or at the latest within fifteen (15) days after such termination. In effecting such removal, the premises shall be restored by SUB-LESSEE to a condition satisfactory to the ORIGINAL LESSOR, including the removal of all structures and facilities (whether on the surface or underground) to ground level, and the filing of all excavations and holes, which shall be tamped, compacted and graded uniformly. If SUB-LESSEE shall fail to make the removal in the manner and time set forth herein, after notice to do so, SUB-LESSOR or the ORIGINAL LESSOR may remove said buildings, structures, and/or facilities and make said restoration, all at the sole risk, cost and expense of SUB-LESSEE, and may also dispose of any removed items without necessity to account for the same or to give further notice to SUB-LESSEE.

13.6 If SUB-LESSEE shall fail to make removal of any such property, SUB-LESSOR or the ORIGINAL LESSOR shall have the option to elect and notify SUB-LESSEE that all right, title and interest of SUB-LESSEE in certain building(s), structure(s) and/or facility(ies) shall be forfeit and may also dispose of any removed items without necessity to account for the same or to give further notice to SUB-LESSEE.

13.7 If SUB-LESSEE shall fail to make removal of any such property, the ORIGINAL LESSOR shall have the further option to elect and notify SUB-LESSEE that all

right, title and interest of SUB-LESSEE in certain building(s) and/or facility(ies) shall be forfeit and shall vest absolutely in the ORIGINAL LESSOR as of the date of notice of such election.

13.8 In the event that SUB-LESSEE prepays monthly or annual rentals in advance and this Sub-Lease is terminated by notice of either party (other than for breach or cause), SUB-LESSOR shall refund to SUB-LESSEE the proration of any prepaid base rental and taxes paid in advance, which SUB-LESSEE shall accept in full settlement, satisfaction and discharge of the remainder of the term or period.

**14. Lessor.** The term "the ORIGINAL LESSOR" as used in Section 14 hereof shall include any other company or companies whose property at the aforesaid location may be leased or operated by ORIGINAL LESSOR.

**15. Insurance.**

15.1 Prior to commencement of occupation or use of the premises/track for activities provided herein, SUB-LESSEE, at its sole cost and expense, shall procure and shall maintain during continuance of this Sub-Lease Public Liability Insurance covering liability assumed by SUB-LESSEE under this Sub-Lease with a combined single limit of not less than Two Million (\$2,000,000.00) Dollars for personal injury and property damage per occurrence. SUB-LESSEE shall furnish the ORIGINAL LESSOR's Director of Real Estate, 100 East First Street, Brewster, Ohio 44613 a certificate of insurance referring to this Sub-Lease by date, name of SUB-LESSOR, description of Sub-Lease and location covered. The certificate shall be endorsed to provide for thirty (30) days' notice to said Director of Real Estate prior to termination of or change in the coverage provided. If a higher limit of liability is required by the ORIGINAL LESSOR, the ORIGINAL LESSOR shall provide SUB-LESSEE written notice of the limit required and within thirty (30) days thereafter SUB-LESSEE shall provide revised certificate of insurance for the increased required limit. Furnishing of this insurance by SUB-LESSEE shall not limit SUB-LESSEE liability under this Sub-Lease but shall be additional security there for. SUB-LESSOR shall be named as an additional insured on said policy.

15.2 The insurance requirements herein are minimum requirements for this Agreement and in no way limit the indemnity covenants contained in this Agreement. The ORIGINAL LESSOR in no way warrants that the minimum limits contained herein are sufficient to protect SUB-LESSOR from liabilities that may arise out of the performance of the services under this Agreement by SUB-LESSOR, its agents, representatives, employees or subcontractors and SUB-LESSOR is free to purchase additional insurance as may be determined necessary.

**16. Condemnation.** Should the premises or any part thereof be condemned, appropriated and/or acquired for public use, then this Sub-Lease, at the option of SUB-LESSOR or the ORIGINAL LESSOR, shall terminate upon the date when the premises or part thereof shall be taken. No part of any damages or award shall belong to SUB-LESSEE, except to the extent of any specific award from the governmental authority for improvements

and/or facilities of SUB-LESSEE. SUB-LESSOR's land shall be valued as of such date (or other legal date of valuation) as vacant land, without consideration of this Sub-Lease or SUB-LESSEE improvements on said land as an enhancement or detriment to said land value. Improvements and/or facilities of SUB-LESSEE not so condemned, appropriated and/or acquired shall be removed in accordance with Section 13 hereof.

**17. Successors and Assigns.**

17.1 The terms, covenants and provisions hereof shall inure to the benefit of and be binding upon the successors and assigns of SUB-LESSOR and the ORIGINAL LESSOR and the successors and assigns of SUB-LESSEE.

17.2 However, SUB-LESSEE shall not transfer, assign, encumber or sublet this Sub-Lease or any part of the premises or any part of the premises or any rights and privileges herein granted except to a subsidiary, parent or common controlled affiliate as approved by SUB-LESSOR. This covenant shall also apply whether such sale or transfer is made voluntarily by SUB-LESSEE or involuntarily in any proceeding at law or in equity to which SUB-LESSEE may be a party whereby any of the rights, duties and obligations of SUB-LESSEE shall be sold, transferred, conveyed, encumbered, abrogated or in any manner altered, without the prior notice to and consent of the ORIGINAL LESSOR and SUB-LESSOR. In the event of any such unauthorized sale, transfer, assignment, sublease or encumbrance of this Sub-Lease, or any of the rights and privileges hereunder, the ORIGINAL LESSOR or SUB-LESSOR, at its option, may immediately terminate this Sub-Lease by giving SUB-LESSEE or any such assignee written notice of such termination and LESSOR or SUB-LESSOR may thereupon enter and retake possession of the premises.

**18. Severability.** It is understood and agreed that this Sub-Lease is executed by all parties under current interpretation of any and all applicable federal, state, county, municipal or other local statute, ordinance or law. Further, it is understood and agreed that each and every separate division (paragraph, clause, item, term, condition, covenant or agreement) herein contained shall have independent and severable status from each other separate division or combination thereof for the determination of legality so that if any separate division herein is determined to be unconstitutional, illegal, violative of trade or commerce, in contravention of public policy, void, voidable, invalid or unenforceable for any reason, that separate division shall be treated as a nullity but such holding or determination shall have no effect upon the validity or enforceability of each and every other separate division herein contained or any other combination thereof.

**19. Breach or Waiver.** If under the provisions hereof SUB-LESSOR shall institute proceedings and a compromise or settlement thereof shall be made, the same shall not constitute a permanent or general waiver of any covenant herein contained nor of any of SUB-LESSOR's rights hereunder. No waiver by SUB-LESSOR of any breach of any covenant, condition or agreement herein contained shall operate as a permanent waiver of such covenant, condition or agreement itself or of any subsequent breach thereof. No payment by SUB-LESSEE or receipt by SUB-LESSOR of a lesser amount than the monthly installments

of rent herein stipulated shall be deemed to be other than on account of the earliest stipulated rent, nor shall any endorsement or statement on any check or letter accompanying a check for payment of rent be deemed an accord and satisfaction and SUB-LESSOR may accept such check or payment without prejudice to SUB-LESSOR's right to recover the balance of such rent or to pursue any other remedy provided in this Sub-Lease. No re-entry by SUB-LESSOR after a breach shall be considered an acceptance of a surrender of the Sub-Lease.

**20. Train Protection.** In case of any construction work which may be performed by the SUB-LESSEE at or near the ORIGINAL LESSOR's tracks or facilities, the SUB-LESSEE agrees to notify SUB-LESSOR and the ORIGINAL LESSOR forty-eight (48) hours in advance and further agrees to pay the cost of such supervision or train protection as, in the sole discretion of the ORIGINAL LESSOR, may be necessary or proper for the safe operation of trains.

**21. Snow and Ice Removal.** It is hereby understood and agreed that the ORIGINAL LESSOR shall not at any time be responsible for the removal of snow and/or ice on or about the leased premises. Such snow and/or ice removal shall be at the sole risk and expense of the SUB-LESSOR and shall be performed in such a manner so as not to obstruct or interfere with any of the ORIGINAL LESSOR's operations on or about the leased premises, including the ORIGINAL LESSOR's own snow removal operations. In carrying out the foregoing, the SUB-LESSOR shall not plow, place, dump or deposit snow onto or upon the property of the ORIGINAL LESSOR, nor shall the SUB-LESSEE permit nor tolerate any of the foregoing.

**22. Fiber Optics.** It is the responsibility of the SUB-LESSEE to have knowledge of, locate, and protect against damage to fiber optic cables along, across or under the Railway's property and right-of-way. Any damage to or disruption of any fiber optic cable will be the sole responsibility of SUB-LESSEE, which will indemnify and hold harmless the Railway for any expenses resulting therefrom. Before any construction may commence, the following number, where applicable, must be called: **DIG SAFE 1-800-362-2764** provided that calling such number or numbers shall not release or otherwise diminish the remaining obligations of SUB-LESSEE hereunder.

**23. Environmental Compliance.**

23.1 SUB-LESSEE represents that it has conducted a complete inspection of the Premises and except as noted herein, finds the Premises to be reasonably free from pollution-induced conditions. It is understood between the parties that, at the time this Sub-Lease is entered into, the condition of the premises meets all federal, state, and local laws, rules, and regulations designed to prevent or control the discharge of substances into the land, water and air.

23.2 Without limiting any other provisions of this Sub-Lease, SUB-LESSEE will at all times maintain and keep the Premises and all improvements and property now or hereafter erected or placed thereon, at its expense, including but not limited to the structures,

equipment, and operations, in compliance with all federal, state, and local laws, rules and regulations designed to prevent the discharge of substances on the land, water, or air.

23.3 Without limiting any other provision this Sub-Lease, SUB-LESSOR and ORIGINAL LESSOR shall have the right to enter and inspect the Premises in order to determine whether SUB-LESSEE is complying with such laws, rules, or regulations, but no such inspection or absence of inspection by the SUB-LESSOR or the ORIGINAL LESSOR shall be construed to relieve SUB-LESSEE of its obligations to comply with all such laws, rules or regulations.

**24. Quiet Enjoyment.** Nothing herein contained shall imply or import a covenant on the part of SUB-LESSOR or ORIGINAL LESSOR of quiet enjoyment.

**25. Hold-Over Clause.** If SUB-LESSEE, with consent of SUB-LESSOR, holds over and remains in possession of demised premises after expiration of said term, this Sub-Lease shall be considered as renewed and shall continue in effect upon the same terms and conditions as are herein contained until terminated by either party giving the other written notice of intention to terminate same in the manner herein provided and with like effect.

**26. Notices.** Any notice or other communication required to be given to a party hereto shall be in writing and either hand-delivered or mailed by registered or certified mail, return receipt requested, postage prepaid, addressed as set forth below. For all purposes hereunder, "receipt" shall be deemed to occur on the date of actual receipt.

**As to SUB-LESSOR:**

CITY OF KENT, OHIO  
c/o City Manager  
319 South Water Street  
Kent, Ohio 44240

**As to SUB-LESSEE:**

HAYMAKER FARMERS' MARKET  
c/o HFM Board President

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(Print Mailing Address)  
Kent, Ohio 44240

**As to ORIGINAL LESSOR:**

AKRON BARBERTON CLUSTER RAILWAY COMPANY  
100 East First Street  
Brewster, OH 44613

**27. General Provisions.**

27.1 A determination that any part of this Agreement is invalid shall not affect the validity or enforceability of any other part of this Agreement.

27.2 This Agreement shall be governed by the laws of the State of Ohio.

27.3 Section headings are inserted for convenience only and shall not affect the construction or interpretation of this Agreement.

27.4 This Agreement contains the entire agreement of the parties and supersedes any prior written or oral understandings, agreements or representations.

27.5 This Agreement may not be amended, waived or discharged except by an instrument in writing signed by the parties.

[REMAINDER OF PAGE INTENTIONALLY BLANK]

**III. EXECUTION**

**IN WITNESS THEREOF**, the parties hereto have caused this Sub-Lease to be executed, in duplicate as of the day and year first above written.

**HAYMAKER FARMERS' MARKET**

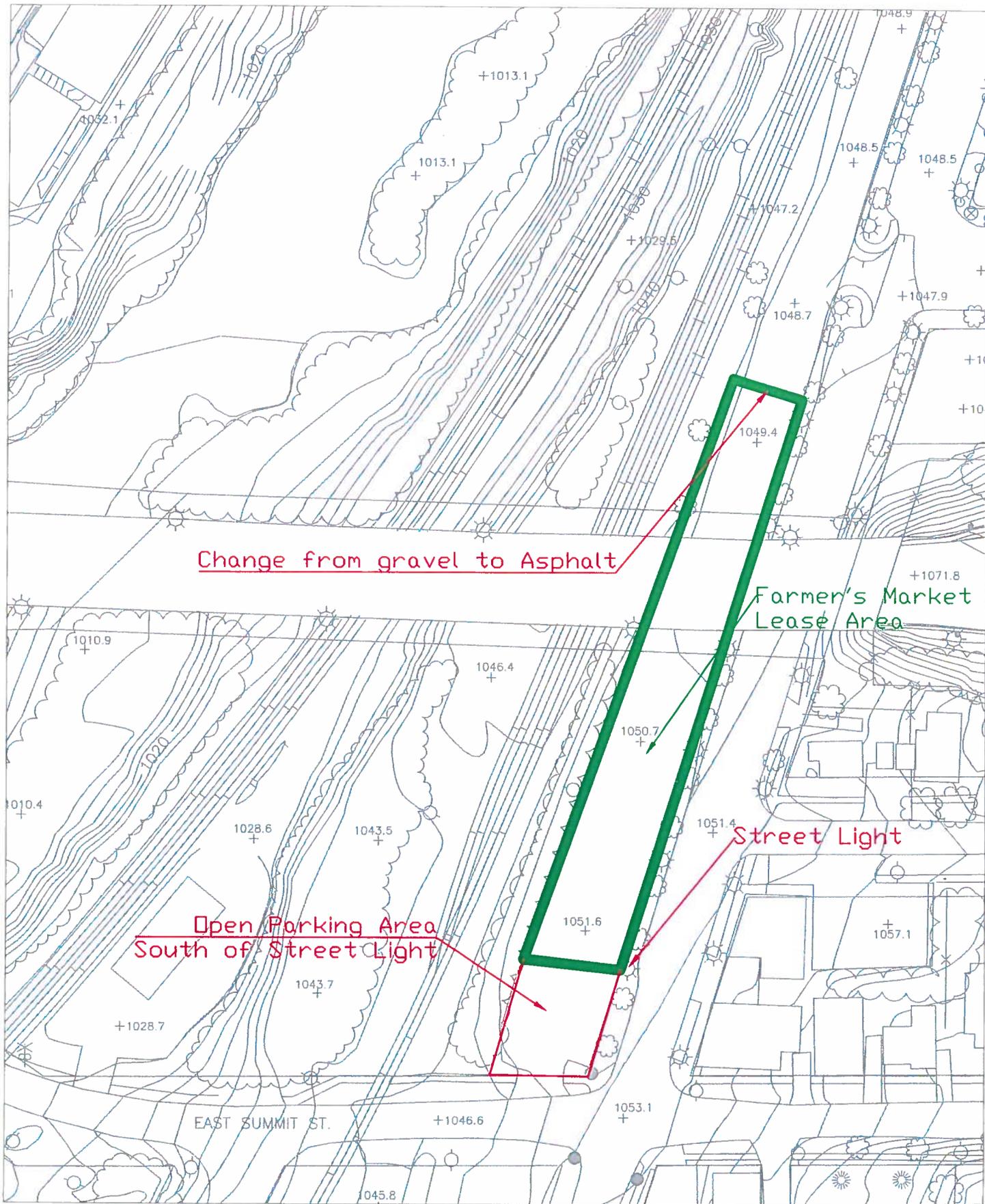
\_\_\_\_\_  
Mekal Banyasz, President  
Board of Directors

**CITY OF KENT, OHIO**

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

APPROVED AS TO FORM:

\_\_\_\_\_  
Hope L. Jones, Law Director  
City of Kent, Ohio



Farmers Market Exhibit "A"



# CITY OF KENT, OHIO

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## DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: February 22, 2026  
TO: Dave Ruller, City Manager  
FROM: Bridget Susel, Community Development Director *BOS*  
RE: KCO Chapter 1337 "Flood Damage Control" Amendments

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The Community Development Department had a monitoring visit with the Ohio Department of Natural Resources (ODNR) in March of 2025 to review the City's compliance with Federal Emergency Management Agency (FEMA) flood damage control regulations. The City of Kent received a positive monitoring report, but ODNR did report that FEMA had updated its regulations, so the City needed to update its local ordinance to align with the new FEMA regulations.

ODNR had a second meeting with Community Development Department staff in late August 2025 to review and provide the City with a model ordinance that incorporated all of the FEMA updated language.

I am respectfully requesting time at the March 4, 2026 Council Committee meeting to discuss the attached proposed amendments to Chapter 1337 in greater detail and to request Council authorization, with emergency, of the proposed amendments.

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

Thank you.

Attachment

Cc: Hope Jones, Law Director  
Kathy Coleman, Clerk of Council

## CHAPTER 1337

### SPECIAL PURPOSE FLOOD DAMAGE ~~CONTROL~~ REDUCTION

#### Flood Damage ~~Control~~ Reduction

[1337.01](#) General Provision.

[1337.02](#) Definitions.

[1337.03](#) Administration.

[1337.04](#) Use and Development Standards for Flood Hazard Reduction.

[1337.05](#) Appeals and Variances.

[1337.06](#) Enforcement and Penalty.

[1337.07](#) Adoption

#### CROSS REFERENCES

Flood control bonds; public capital improvement see Ohio Const. Art. VIII, Sec. 21; Ohio R.C. 129.70 et seq., [as amended](#)

County Commission flood control aid to governmental units see Ohio R.C. 307.77, [as amended](#)

Basis of zoning districts see Ohio R.C. 713.10, [as amended](#)

Levees - see Ohio R.C. 717.01, [as amended](#)

Construction permits and prohibitions for dams, dikes or levees see Ohio R.C. 1521.06, [as amended](#)

~~Marking flood areas~~ Action to enforce national flood inspection program standards see Ohio R.C. 1521.14, [as amended](#)

Floodplain Management Ordinance or Resolution see Ohio R.C. 1521.18, [as amended](#)

~~Ohio Water Commission see Ohio R.C. 1525.01 et seq.~~

Conservancy districts, purpose see Ohio R.C. 6101.04, [as amended](#)

#### SECTION 1337.01: GENERAL PROVISIONS

(a) **Statutory Authorization**

ARTICLE XVIII, Section 3, of the Ohio Constitution grants municipalities the legal authority to adopt land use and control measures for promoting the health, safety, and general welfare of its citizens. Therefore, the City Council of Kent, State of Ohio, does ordain as follows:

(b) **Findings of Fact**

The City of Kent has special flood hazard areas that are subject to periodic inundation which may result in loss of life and property, health and safety hazards, disruption of commerce and governmental services, extraordinary public expenditures for flood protection and relief, and impairment of the tax base. Additionally, structures that are inadequately elevated, floodproofed, or otherwise protected from flood damage also

contribute to the flood loss. In order to minimize the threat of such damages and to achieve the purposes hereinafter set forth, these regulations are adopted.

(c) **Statement of Purpose**

It is the purpose of these regulations to promote the public health, safety and general welfare, and to:

- 1) Protect human life and health;
- 2) Minimize expenditure of public money for costly flood control projects;
- 3) Minimize the need for rescue and relief efforts associated with flooding and generally undertaken at the expense of the general public;
- 4) Minimize prolonged business interruptions;
- 5) Minimize damage to public facilities and utilities such as water and gas mains, electric, telephone and sewer lines, streets and bridges located in areas of special flood hazard;
- 6) Help maintain a stable tax base by providing for the proper use and development of areas of special flood hazard so as to protect property and minimize future flood blight areas;
- 7) Ensure that those who occupy the areas of special flood hazard assume responsibility for their actions;
- 8) Minimize the impact of development on adjacent properties within and near flood prone areas;
- 9) Ensure that the flood storage and conveyance functions of the floodplain are maintained;
- 10) Minimize the impact of development on the natural, beneficial values of the floodplain;
- 11) Prevent floodplain uses that are either hazardous or environmentally incompatible; and
- 12) Meet community participation requirements of the National Flood Insurance Program.

(d) **Methods of Reducing Flood Loss**

In order to accomplish its purposes, these regulations include methods and provisions for:

- 1) Restricting or prohibiting uses which are dangerous to health, safety, and property due to water hazards, or which result in damaging increases in flood heights or velocities;
- 2) Requiring that uses vulnerable to floods, including facilities, which serve such uses, be protected against flood damage at the time of initial construction;
- 3) Controlling the alteration of natural floodplains, stream channels, and natural protective barriers, which help accommodate or channel flood waters;
- 4) Controlling filling, grading, dredging, excavating, and other development which may increase flood damage; and,
- 5) Preventing or regulating the construction of flood barriers, which will unnaturally divert flood, waters or which may increase flood hazards in other areas.

(e) **Lands to Which These Regulations Apply**

These regulations shall apply to all areas of special flood hazard within the jurisdiction of the City of Kent as identified in Section 1337.01(f), including any additional areas of special flood hazard annexed by the City of Kent.

(f) **Basis for Establishing the Areas of Special Flood Hazard**

For the purposes of these regulations, the following studies and/or maps are adopted:

- 1) Flood Insurance Rate Maps (FIRM) and Flood Insurance Study (FIS) for Portage County, Ohio and Incorporated Areas dated March 7, 2017, effective March 8, 2017.
  - 2) Other studies and/or maps, which may be relied upon for establishment of the flood protection elevation, delineation of the 100-year floodplain, floodways or delineation of other areas of special flood hazard.
  - 3) Any hydrologic and hydraulic engineering analysis authored by a registered Professional Engineer in the State of Ohio which has been approved by the City of Kent as required by Section 41337.04(c) Subdivisions and Other New Developments.
- Any revisions to the aforementioned maps and/or studies are hereby adopted by reference and declared to be a part of these regulations. Such maps and/or studies are on file at the Service Administration Complex located at 930 Overholt Road, Kent, Ohio 44240.

**(g) Abrogation and Greater Restrictions**

These regulations are not intended to repeal any existing ordinances including subdivision regulations, zoning or building codes. In the event of a conflict between these regulations and any other ordinance, the more restrictive shall be followed. These regulations are not intended to repeal, abrogate or impair any existing easements, covenants or deed restrictions. However, where this ordinance and another ordinance, easement, covenant or deed restriction conflict or overlap, whichever imposes the more stringent restrictions shall prevail.

**(h) Interpretation**

In the interpretation and application of these regulations, all provisions shall be:

- 1) Considered as minimum requirements;
- 2) Liberally construed in favor of the governing body; and,
- 3) Deemed neither to limit nor repeal any other powers granted under State statutes.

Where a provision of these regulations may be in conflict with a State or Federal law, such State or Federal law shall take precedence over these regulations.

**(i) Warning and Disclaimer of Liability**

The degree of flood protection required by these regulations is considered reasonable for regulatory purposes and is based on scientific and engineering considerations. Larger floods can and will occur on rare occasions. Flood heights may be increased by man-made or natural causes. These regulations do not imply that land outside the areas of special flood hazard or uses permitted within such areas will be free from flooding or flood damage. These regulations shall not create liability on the part of the City of Kent, any officer or employee thereof, or the Federal Emergency Management Agency, for any flood damage that results from reliance on these regulations or any administrative decision lawfully made thereunder.

**(j) Severability**

Should any section or provision of these regulations be declared by the courts to be unconstitutional or invalid, such decision shall not affect the validity of the regulations as a whole, or any part thereof, other than the part so declared to be unconstitutional or invalid.

## **1337.02 DEFINITIONS**

Unless specifically defined below, words or phrases used in these regulations shall be interpreted so as to give them the meaning they have in common usage and to give these regulations the most reasonable application.

### **Accessory Structure**

**means** A structure on the same lot with, and of a nature customarily incidental and subordinate to, the principal structure.

### **Appeal**

**means** A request for review of the floodplain administrator's interpretation of any provision of these regulations or a request for a variance.

### **Base Flood**

**means** The flood having a one percent chance of being equaled or exceeded in any given year. The base flood may also be referred to as the 1% chance annual flood or one-hundred (100) year flood.

### **Base (100-Year) Flood Elevation (BFE)**

**means** The water surface elevation of the base flood in relation to a specified datum, usually the National Geodetic Vertical Datum of 1929 or the North American Vertical Datum of 1988, and usually expressed in Feet Mean Sea Level (MSL). In Zone AO areas, the base flood elevation is the lowest adjacent natural grade elevation plus the depth number (from 1 to 3 feet).

### **Basement**

**means** Any area of the building having its floor subgrade (below ground level) on all sides.

### **Development**

**means** Any manmade change to improved or unimproved real estate, including but not limited to buildings or other structures, mining, dredging, filling, grading, paving, excavation or drilling operations or storage of equipment or materials.

### **Enclosure Below the Lowest Floor**

See "Lowest Floor."

### **Executive Order 11988 (Floodplain Management)**

**means** Issued by President Carter in 1977, this order requires that no Federally assisted activities be conducted in or have the potential to affect identified special flood hazard areas, unless there is no practicable alternative.

### **Federal Emergency Management Agency (FEMA)**

**means** The agency with the overall responsibility for administering the National Flood Insurance Program.

### **Fill**

**means** A deposit of earth material placed by artificial means.

### **Flood or Flooding**

**means** A general and temporary condition of partial or complete inundation of normally dry land areas from:

1. The overflow of inland or tidal waters, and/or
2. The unusual and rapid accumulation or runoff of surface waters from any source.

### **Flood Hazard Boundary Map (FHBM)**

**Usually** The initial map, **usually** produced by the Federal Emergency Management Agency, or U.S. Department of Housing and Urban Development, for a community depicting approximate special flood hazard areas.

### **Flood Insurance Rate Map (FIRM)**

**means** An official map on which the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development has delineated the areas of special flood hazard.

### **Flood Insurance Risk Zones**

**means** Zone designations on FHBMs and FIRMs that indicate the magnitude of the flood hazard in specific areas of a community. Following are the zone definitions:

#### Zone A:

Special flood hazard areas inundated by the 100-year flood in any given year; base flood elevations are not determined.

#### Zones A1-30 and Zone AE:

Special flood hazard areas inundated by the 100-year flood in any given year; base flood elevations are determined.

#### Zone AO:

Special flood hazard areas inundated by the 100-year flood in any given year; with flood depths of 1 to 3 feet (usually sheet flow on sloping terrain); average depths are determined.

#### Zone AH:

Special flood hazard areas inundated by the 100-year flood in any given year; flood depths of 1 to 3 feet (usually areas of ponding); base flood elevations are determined.

#### Zone A99:

Special flood hazard areas inundated by the 100-year flood to be protected from the 100-year flood by a Federal flood protection system under construction; no base flood elevations are determined.

#### Zone B and Zone X (shaded):

Areas of 500-year flood; areas subject to the 100-year flood with average depths of less than 1 foot or with contributing drainage area less than 1 square mile; and areas protected by levees from the base flood.

#### Zone C and Zone X (unshaded):

Areas determined to be outside the 500-year floodplain.

### **Flood Insurance Study (FIS)**

**means**—The official report in which the Federal Emergency Management Agency or the U.S. Department of Housing and Urban Development has provided flood profiles, floodway boundaries (sometimes shown on Flood Boundary and Floodway Maps), and the water surface elevations of the base flood.

### **Floodproofing**

Any combination of structural and non-structural additions, changes, or adjustments to structures which reduce or eliminate flood damage to real estate or improved real property, water and sanitary facilities, structures and their contents.

### **Flood Protection Elevation (FPE)**

~~means~~ The Flood Protection Elevation, or FPE, is the base flood elevation, plus two feet (2ft) of freeboard. In areas where no base flood elevations exist from any authoritative source, the flood protection elevation can be historical flood elevations, or base flood elevations determined and/or approved by the floodplain administrator.

### **Floodway**

~~means~~ A floodway is the channel of a river or other watercourse and the adjacent land areas that have been reserved in order to pass the base flood discharge. A floodway is typically determined through a hydraulic and hydrologic engineering analysis such that the cumulative increase in the water surface elevation of the base flood discharge is no more than a designated height. In no case shall the designated height be more than one foot at any point within the community.

The floodway is an extremely hazardous area, and is usually characterized by any of the following: Moderate to high velocity flood waters, high potential for debris and projectile impacts, and moderate to high erosion forces.

### **Freeboard**

~~means~~ A factor of safety usually expressed in feet above a flood level for the purposes of floodplain management. Freeboard tends to compensate for the many unknown factors that could contribute to flood heights greater than the height calculated for a selected size flood and floodway conditions, such as wave action, obstructed bridge openings, debris and ice jams, and the hydrologic effect of urbanization in a watershed.

### **Historic structure**

~~means~~ Any structure that is:

- 1) Listed individually in the National Register of Historic Places (a listing maintained by the U.S. Department of Interior) or preliminarily determined by the Secretary of the Interior as meeting the requirements for individual listings on the National Register;
- 2) Certified or preliminarily determined by the Secretary of the Interior as contributing to the historical significance of a registered historic district or a district preliminarily determined by the Secretary to qualify as a registered historic district; or
- 3) Individually listed on the State of Ohio's inventory of historic places maintained by the Ohio Historic Preservation Office.
- 4) Individually listed on a local inventory of local historic places maintained by City of Kent's historic preservation program, which program is certified by the Ohio Historic Preservation Office.

### **Hydrologic and hydraulic engineering analysis**

**means** An analysis performed by a professional engineer, registered in the State of Ohio, in accordance with standard engineering practices as accepted by FEMA, used to determine flood elevations and/or floodway boundaries.

### **Letter of Map Change (LOMC)**

**means** An official FEMA determination, by letter, to amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, and Flood Insurance Studies. LOMCs are broken down into the following categories:

- 1) **Letter of Map Amendment (LOMA)**  
A revision based on technical data showing that a property was incorrectly included in a designated special flood hazard area. A LOMA amends the current effective Flood Insurance Rate Map and establishes that a specific property is not located in a special flood hazard area.
- 2) **Letter of Map Revision (LOMR)**  
A revision based on technical data that, usually due to manmade changes, shows changes to flood zones, flood elevations, floodplain and floodway delineations, and planimetric features. One common type of LOMR, a LOMR-F, is a determination concerning whether a structure or parcel has been elevated by fill above the base flood elevation and is, therefore, excluded from the special flood hazard area.
- 3) **Conditional Letter of Map Revision (CLOMR)**  
A comment by FEMA regarding a proposed project that would, upon construction, affect the hydrologic or hydraulic characteristics of a flooding source and thus result in the modification of the existing regulatory floodway, the effective base flood elevations, or the special flood hazard area. A CLOMR does not amend or revise effective Flood Insurance Rate Maps, Flood Boundary and Floodway Maps, or Flood Insurance Studies.

### **Lowest floor**

**means** The lowest floor of the lowest enclosed area (including basement) of a structure. This definition excludes an "enclosure below the lowest floor" which is an unfinished or flood resistant enclosure usable solely for parking of vehicles, building access or storage, in an area other than a basement area, provided that such enclosure is built in accordance with the applicable design requirements specified in these regulations for enclosures below the lowest floor.

### **Manufactured home**

**means** A structure, transportable in one or more sections, which is built on a permanent chassis and is designed for use with or without a permanent foundation when connected to the required utilities. The term "manufactured home" does not include a "recreational vehicle". For the purposes of these regulations, a manufactured home includes manufactured homes and mobile homes as defined in Chapter 4781 of the Ohio Revised Code.

### **Manufactured home park**

**means** As specified in the Ohio Adm. Code 4781-12-01(K), a manufactured home park means any tract of land upon which three or more manufactured homes, used for habitation are parked, either free of charge or for revenue purposes, and includes any roadway, building, structure, vehicle, or enclosure used or intended for use as part of the facilities of the park. A tract of land that is

subdivided and the individual lots are not for rent or rented, but are for sale or sold for the purpose of installation of manufactured homes on the lots, is not a manufactured home park, even though three or more manufactured homes are parked thereon, if the roadways are dedicated to the local government authority. Manufactured home park does not include any tract of land used solely for the storage or display for sale of manufactured homes.

### Mean sea level

For purposes of the National Flood Insurance Program, the National Geodetic Vertical Datum (NGVD) of 1929 or other datum, to which base flood elevations shown on a community's Flood Insurance Rate Map are referenced.

### National Flood Insurance Program (NFIP)

**means** A Federal program enabling property owners in participating communities to purchase insurance protection against losses from flooding. This insurance is designed to provide an insurance alternative to disaster assistance to meet the escalating costs of repairing damage to buildings and their contents caused by floods. Participation in the NFIP is based on an agreement between local communities and the Federal government that states if a community will adopt and enforce floodplain management regulations to reduce future flood risks to all development in special flood hazard areas, the Federal government will make flood insurance available within the community as a financial protection against flood loss.

### New construction

**means** Structures for which the "start of construction" commenced on or after effective date of a floodplain regulation adopted by the City of Kent ~~Flood Insurance Rate Map, March 15, 1978~~, and includes any subsequent improvements to such structures. [For the purposes of determining insurance rates, structures for which the "start of construction" commenced on or after the effective date of an initial FIRM date of March 15, 1978, and includes any subsequent improvements to such structures.](#)

### Person

Includes any individual or group of individuals, corporation, partnership, association, or any other entity, including State and local governments and agencies. An agency is further defined in the Ohio Rev. Code §111.15(A)(2) as any governmental entity of the State and includes, but is not limited to, any board, department, division, commission, bureau, society, council, institution, State college or university, community college district, technical college district, or State community college. "Agency" does not include the general assembly, the controlling board, the adjutant general's department, or any court.

### Recreational vehicle

**means** A vehicle which is (1) built on a single chassis, (2) 400 square feet or less when measured at the largest horizontal projection, (3) designed to be self-propelled or permanently towable by a light duty truck, and (4) designed primarily not for use as a permanent dwelling but as temporary living quarters for recreational, camping, travel, or seasonal use.

### Registered Professional Architect

**means** A person registered to engage in the practice of architecture pursuant to Ohio Rev. Code §4703.01 and 4703.19.

### **Registered Professional Engineer**

**means** A person registered as a professional engineer pursuant to Ohio Rev. Code Chapter 4733.

### **Registered Professional Surveyor**

**means** A person registered as a professional surveyor pursuant to Ohio Rev. Code Chapter 4733.

### **Special Flood Hazard Area**

Also known as “Areas of Special Flood Hazard”, it is the land in the floodplain subject to a one percent or greater chance of flooding in any given year. Special flood hazard areas are designated by the Federal Emergency Management Agency on Flood Insurance Rate Maps, Flood Insurance Studies, Flood Boundary and Floodway Maps and Flood Hazard Boundary Maps as Zones A, AE, AH, AO, A1-30, or ~~and~~ A99. Special flood hazard areas may also refer to areas that are flood prone and designated from other Federal, State or local sources of data including but not limited to historical flood information reflecting high water marks, previous flood inundation areas, and flood prone soils associated with a watercourse.

### **Start of construction**

**means**—The date the building permit was issued, provided the actual start of construction, repair, reconstruction, rehabilitation, addition, placement, or other improvement was within 180 days of the permit date. The actual start means either the first placement of permanent construction of a structure on a site, such as the pouring of slab or footings, the installation of piles, the construction of columns, or any work beyond the stage of excavation; or the placement of a manufactured home on a foundation. Permanent construction does not include land preparation, such as clearing, grading, and filling; nor does it include the installation of streets and/or walkways; nor does it include excavation for a basement, footings, piers, or foundations or the erection of temporary forms; nor does it include the installation on the property of accessory buildings, such as garages or sheds not occupied as dwelling units or not part of the main structure. For a substantial improvement, the actual start of construction means the first alteration of any wall, ceiling, floor, or other structural part of a building, whether or not that alteration affects the external dimensions of a building.

### **Structure**

**means** A walled and roofed building, manufactured home, or gas or liquid storage tank that is principally above ground.

### **Substantial Damage**

**means** Damage of any origin sustained by a structure whereby the cost of restoring the structure to the ‘before damaged’ condition would equal or exceed 50 percent of the market value of the structure before the damage occurred.

### **Substantial Improvement**

**means** Any reconstruction, rehabilitation, addition, or other improvement of a structure, the cost of which equals or exceeds fifty percent (50%) of the market value of the structure before the "start of construction" of the improvement. This term includes structures which have incurred "substantial damage," regardless of the actual repair work performed. The term does not, however, include:

~~Any improvement to a structure that is considered "new construction."~~

- 1) Any project for improvement of a structure to correct existing violations of State or local health, sanitary, or safety code specifications which have been identified by the local code enforcement official and which are the minimum necessary to assure safe living conditions; or
- 2) Any alteration of a "historic structure," provided that the alteration would not preclude the structure's continued designation as a "historic structure."

### **Variance**

~~means~~ A grant of relief from the standards of these regulations consistent with the variance conditions herein.

### **Violation**

~~means~~ The failure of a structure or other development to be fully compliant with these regulations.

## **SECTION 1337.03: ADMINISTRATION**

### **(a) Designation of the Floodplain Administrator**

The ~~Chief Building Official~~ **Community Development Director and/or their designees** is hereby appointed to administer and implement these regulations and is referred to herein as the Floodplain Administrator.

### **(b) Duties and Responsibilities of the Floodplain Administrator**

The duties and responsibilities of the Floodplain Administrator shall include but are not limited to:

- 1) Evaluate applications for permits to develop in special flood hazard areas.
- 2) Interpret floodplain boundaries and provide flood hazard and flood protection elevation information.
- 3) Issue permits to develop in special flood hazard areas when the provisions of these regulations have been met, or refuse to issue the same in the event of noncompliance.
- 4) Inspect buildings and lands to determine whether any violations of these regulations have been committed.
- 5) Make and permanently keep all records for public inspection necessary for the administration of these regulations including Flood Insurance Rate Maps, Letters of Map Amendment and Revision, records of issuance and denial of permits to develop in special flood hazard areas, determinations of whether development is in or out of special flood hazard areas for the purpose of issuing floodplain development permits, elevation certificates, floodproofing certificates, variances, and records of enforcement actions taken for violations of these regulations.
- 6) Enforce the provisions of these regulations.
- 7) Provide information, testimony, or other evidence as needed during variance hearings.
- 8) Coordinate map maintenance activities and FEMA follow-up.
- 9) Conduct substantial damage determinations to determine whether existing structures, damaged from any source and in special flood hazard areas identified by FEMA, must meet the development standards of these regulations.

(c) **Floodplain Development Permits**

It shall be unlawful for any person to begin construction or other development activity including but not limited to filling, grading, construction, alteration, remodeling, or expanding any structure; or alteration of any watercourse wholly within, partially within or in contact with any identified special flood hazard area, as established in Section 1.6, until a floodplain development permit is obtained from the Floodplain Administrator. Such floodplain development permit shall show that the proposed development activity is in conformity with the provisions of these regulations. No such permit shall be issued by the Floodplain Administrator until the requirements of these regulations have been met.

(d) **Application Required**

An application for a floodplain development permit shall be required for all development activities located wholly within, partially within, or in contact with an identified special flood hazard area. Such application shall be made by the owner of the property or his/her authorized agent, herein referred to as the applicant, prior to the actual commencement of such construction on a form furnished for that purpose. Where it is unclear whether a development site is in a special flood hazard area, the Floodplain Administrator may require an application for a floodplain development permit to determine the development's location. Such applications shall include, but not be limited to:

- 1) Site plans drawn to scale showing the nature, location, dimensions, and topography of the area in question; the location of existing or proposed structures, fill, storage of materials, drainage facilities, and the location of the foregoing.
- 2) Elevation of the existing, natural ground where structures are proposed.
- 3) Elevation of the lowest floor, including basement, of all proposed structures.
- 4) Such other material and information as may be requested by the Floodplain Administrator to determine conformance with, and provide enforcement of these regulations.
- 5) Technical analyses conducted by the appropriate design professional registered in the State of Ohio and submitted with an application for a floodplain development permit when applicable:
  - A. Floodproofing certification for non-residential floodproofed structure as required in Section 1337.04(e).
  - B. Certification that fully enclosed areas below the lowest floor of a structure not meeting the design requirements of Section ~~1337~~ 1337.04(d)(5) are designed to automatically equalize hydrostatic flood forces.
  - C. Description of any watercourse alteration or relocation that the flood carrying capacity of the watercourse will not be diminished, and maintenance assurances as required in Section ~~1337~~ 1337.04(i)(3).
  - D. A hydrologic and hydraulic analysis demonstrating that the cumulative effect of proposed development, when combined with all other existing and anticipated development will not increase the water surface elevation of the base flood by more than one foot in special flood hazard areas where the Federal Emergency

Management Agency has provided base flood elevations but no floodway as required by Section ~~1337~~ 1337.04(i)(2).

- E. A hydrologic and hydraulic engineering analysis showing impact of any development on flood heights in an identified floodway as required by Section 1337.04(i)(1).
- F. Generation of base flood elevation(s) for subdivision and other new developments as required by Section 1337.04(c).

(e) **Review and Approval of a Floodplain Development Permit Application**

1) Review

- A. After receipt of a complete application, the Floodplain Administrator shall review the application to ensure that the standards of these regulations have been met. No floodplain development permit application shall be reviewed until all information required in Section 1337.03(d) has been received by the Floodplain Administrator.
- B. The Floodplain Administrator shall review all floodplain development permit applications to assure that all necessary permits have been received from those Federal, State or local governmental agencies from which prior approval is required. The applicant shall be responsible for obtaining such permits as required including permits issued by the U.S. Army Corps of Engineers under Section 10 of the Rivers and Harbors Act and Section 404 of the Clean Water Act, and the Ohio Environmental Protection Agency under Section 401 of the Clean Water Act.

2) Approval

Within thirty (30) days after the receipt of a complete application, the Floodplain Administrator shall either approve or disapprove the application. If the Floodplain Administrator is satisfied that the development proposed in the floodplain development application conforms to the requirements of this ordinance, the Floodplain Administrator shall issue the permit. All floodplain development permits shall be conditional upon the commencement of work within 180 days. A floodplain development permit shall expire 180 days after issuance unless the permitted activity has been substantially begun and is thereafter pursued to completion.

(f) **Inspections**

The Floodplain Administrator shall make periodic inspections at appropriate times throughout the period of construction in order to monitor compliance with permit conditions.

(g) **Post-Construction Certifications Required**

The following as-built certifications are required after a floodplain development permit has been issued:

- 1) For new or substantially improved residential structures, or nonresidential structures that have been elevated, the applicant shall have a *Federal Emergency Management Agency Elevation Certificate* completed by a registered professional surveyor to record as-built elevation data. For elevated structures in Zone A and Zone AO areas without a base flood

elevation, the elevation certificate may be completed by the property owner or owner's representative.

- 2) For all development activities subject to the standards of Section 1337.03(j)(1), a Letter of Map Revision.
- 3) For new or substantially improved nonresidential structures that have been floodproofed in lieu of elevation, where allowed, the applicant shall supply a completed *Floodproofing Certificate for Non-Residential Structures* completed by a registered professional engineer or architect together with associated documentation.

**(h) Revoking a Floodplain Development Permit**

A floodplain development permit shall be revocable, if among other things, the actual development activity does not conform to the terms of the application and permit granted thereon. In the event of the revocation of a permit, an appeal may be taken to the Appeals Board in accordance with Section 1337.05 of these regulations.

**(i) Exemption from Filing a Development Permit**

1) An application for a floodplain development permit shall not be required for maintenance work such as roofing, painting, and basement sealing, or for small nonstructural development activities (except for filling and grading) valued at less than ~~five thousand dollars (\$5,000)~~ two thousand five hundred dollars (\$2,500).

~~1. Development activities in an existing or proposed manufactured home park that are under the authority of the Ohio Department of Health and subject to the flood damage reduction provisions of the Ohio Administrative Code Section 3701.~~

~~2. Major utility facilities permitted by the Ohio Power Siting Board under Section 4906 of the Ohio Revised Code.~~

~~3. Hazardous waste disposal facilities permitted by the Hazardous Waste Siting Board under Section 3734 of the Ohio Revised Code.~~

~~4. Development activities undertaken by a Federal agency and which are subject to Federal Executive Order 11988 B Floodplain Management.~~

2) State and Federal Development

A. Development that is funded, financed, undertaken, or preempted by State agencies shall comply with minimum NFIP criteria.

B. Before awarding funding or financing or granting a license, permit, or other authorization for a development that is or is to be located within a 100-year floodplain, a State agency shall require the applicant to demonstrate to the satisfaction of the agency that the development will comply with minimum NFIP criteria and any applicable local floodplain management resolution or ordinance as required by Ohio Revised Code Section 1521.13. This includes, but is not limited to:

1. Development activities in an existing or proposed manufactured home park that are under the authority of the Ohio Department of Commerce and subject to the flood damage reduction provisions of the Ohio Administrative Code Section 4781-12.

2. Major utility facilities permitted by the Ohio Power Siting Board under Section 4906 of the Ohio Revised Code.

3. Hazardous waste disposal facilities permitted by the Hazardous Waste Siting Board under Section 3734 of the Ohio Revised Code.
4. Development activities undertaken by a Federal agency and which are subject to:
  - i. Federal Executive Order 11988 – Floodplain Management.
  - ii. Each Federal agency has a responsibility to evaluate the potential effects of any actions it may take in a floodplain; to ensure that its planning programs and budget request reflect consideration of flood hazards and floodplain management; and to prescribe procedures to implement the policies and requirements of EO 11988.

Any proposed action exempt from filing for a floodplain development permit is also exempt from the standards of these regulations.

**(j) Map Maintenance Activities**

To meet National Flood Insurance Program minimum requirements to have flood data reviewed and approved by FEMA, and to ensure that the City of Kent’s flood maps, studies and other data identified in Section 1337.01(f) accurately represent flooding conditions so appropriate floodplain management criteria are based on current data, the following map maintenance activities are identified:

1) Requirement to Submit New Technical Data

- A. For all development proposals that impact floodway delineations or base flood elevations, the community shall ensure that technical data reflecting such changes be submitted to FEMA within six months of the date such information becomes available. These development proposals include:
  1. Floodway encroachments that increase or decrease base flood elevations or alter floodway boundaries;
  2. Fill sites to be used for the placement of proposed structures where the applicant desires to remove the site from the special flood hazard area;
  3. Alteration of watercourses that result in a relocation or elimination of the special flood hazard area, including the placement of culverts; and
  4. Subdivision or other new development proposals requiring the establishment of base flood elevations in accordance with Section 1337.04(c).
- B. It is the responsibility of the applicant to have technical data, required in accordance with Section 1337.03(j)(1), prepared in a format required for a Conditional Letter of Map Revision or Letter of Map Revision, and submitted to FEMA. Submittal and processing fees for these map revisions shall be the responsibility of the applicant.
- C. The Floodplain Administrator shall require a Conditional Letter of Map Revision prior to the issuance of a floodplain development permit for:
  1. Proposed floodway encroachments that increase the base flood elevation; and
  2. Proposed development which increases the base flood elevation by more than one foot (1ft) in riverine areas where FEMA has provided base flood elevations but no floodway.

D. Floodplain development permits issued by the Floodplain Administrator shall be conditioned upon the applicant obtaining a Letter of Map Revision from FEMA for any development proposal subject to Section 1337.03(j)(1)A.

2) Right to Submit New Technical Data

The Floodplain Administrator may request changes to any of the information shown on an effective map that does not impact floodplain or floodway delineations or base flood elevations, such as labeling or planimetric details. Such a submission shall include appropriate supporting documentation made in writing by the ~~Mayor~~ City Manager of the City of Kent and may be submitted at any time.

3) Annexation / Detachment

Upon occurrence, the Floodplain Administrator shall notify FEMA in writing whenever the boundaries of the City of Kent have been modified by annexation or the community has assumed authority over an area, or no longer has authority to adopt and enforce floodplain management regulations for a particular area. In order that the City of Kent's Flood Insurance Rate Map accurately represent the City of Kent boundaries, include within such notification a copy of a map of the City of Kent suitable for reproduction, clearly showing the new corporate limits or the new area for which the City of Kent has assumed or relinquished floodplain management regulatory authority.

(k) Data Use and Flood Map Interpretation

The following guidelines shall apply to the use and interpretation of maps and other data showing areas of special flood hazard:

- 1) In areas where FEMA has not identified special flood hazard areas, or in FEMA identified special flood hazard areas where base flood elevation and floodway data have not been identified, the Floodplain Administrator shall review and reasonably utilize any other flood hazard data available from a Federal, State, or other source.
- 2) Base flood elevations and floodway boundaries produced on FEMA flood maps and studies shall take precedence over base flood elevations and floodway boundaries by any other source that reflect a reduced floodway width and/or lower base flood elevations. Other sources of data, showing increased base flood elevations and/or larger floodway areas than are shown on FEMA flood maps and studies, shall be reasonably used by the Floodplain Administrator.
- 3) The Floodplain Administrator shall make interpretations, where needed, as to the exact location of the flood boundaries and areas of special flood hazard. A person contesting the determination of the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 1337.05, Appeals and Variances.
- 4) Where an existing or proposed structure or other development is affected by multiple flood zones, by multiple base flood elevations, or both, the development activity must comply with the provisions of this ordinance applicable to the most restrictive flood zone and the highest base flood elevation affecting any part of the existing or proposed structure; or for other developments, affecting any part of the area of the development.

**(I) ~~When Use of Preliminary Flood Insurance Rate Map and/or Flood Insurance Study Data have been provided by FEMA~~**

1) Zone A:

- A. Within Zone A areas designated on an effective FIRM, data from the preliminary FIRM and/or FIS shall be reasonably utilized as best available data.
- B. When all appeals have been resolved and a notice of final flood elevation determination has been provided in a Letter of Final Determination (LFD), BFE and floodway data from the preliminary FIRM and/or FIS shall be used for regulating development.

2) Zones AE, A1-30, AH, and AO:

- A. BFE and floodway data from a preliminary FIS or FIRM restudy are not required to be used in lieu of BFE and floodway data contained in an existing effective FIS and FIRM. However,
  - 1. Where BFEs increase in a restudied area, communities have the responsibility to ensure that new or substantially improved structures are protected. Communities are encouraged to reasonably utilize preliminary FIS or FIRM data in instances where BFEs increase and floodways are revised to ensure that the health, safety, and property of their citizens are protected.
  - 2. Where BFEs decrease, preliminary FIS or FIRM data should not be used to regulate floodplain development until the LFD has been issued or until all appeals have been resolved.
- B. If a preliminary FIRM or FIS has designated floodways where none had previously existed, communities should reasonably utilize this data in lieu of applying the encroachment performance standard of Section 4.9(B) since the data in the draft or preliminary FIS represents the best data available.

3) Zones B, C, and X:

Use of BFE and floodway data from a preliminary FIRM or FIS are not required for areas designated as Zone B, C, or X on the effective FIRM which are being revised to Zone AE, A1-30, AH, or AO. Communities are encouraged to reasonably utilize preliminary FIS or FIRM data to ensure that the health, safety, and property of their citizens are protected.

~~A. Upon the issuance of a Letter of Final Determination by the FEMA, the preliminary flood hazard data shall be used and replace all previously existing flood hazard data provided from FEMA for the purposes of administering these regulations.~~

~~B. Prior to the issuance of a Letter of Final Determination by FEMA, the use of preliminary flood hazard data shall only be required where no base flood elevations and/or floodway areas exist or where the preliminary base flood elevations or floodway area exceed the base flood elevations and/or floodway widths in existing flood hazard data provided from FEMA. Such preliminary data may be subject to change and/or appeal to FEMA.~~

~~(4) The Floodplain Administrator shall make interpretations, where needed, as to the exact location of the flood boundaries and areas of special flood hazard. A person~~

~~contesting the determination of the location of the boundary shall be given a reasonable opportunity to appeal the interpretation as provided in Section 1337.05, Appeals and Variances.~~

~~—(5) Where a map boundary showing an area of special flood hazard and field elevations disagree, the base flood elevations or flood protection elevations (as found on an elevation profile, floodway data table, established high water marks, etc.) shall prevail.~~

**(m) Substantial Damage Determinations**

Damages to structures may result from a variety of causes including flood, tornado, wind, heavy snow, fire, *etc.* After such a damage event, the Floodplain Administrator shall:

- A. Determine whether damaged structures are located in special flood hazard areas;
- B. Conduct substantial damage determinations for damaged structures located in special flood hazard areas; and
- C. ~~Make reasonable attempt to notify~~ **Require** owners of substantially damaged structures ~~of the need~~ to obtain a floodplain development permit prior to repair, rehabilitation, or reconstruction.

Additionally, the Floodplain Administrator may implement other measures to assist with the substantial damage determination and subsequent repair process. These measures include issuing press releases, public service announcements, and other public information materials related to the floodplain development permits and repair of damaged structures; coordinating with other Federal, State, and local agencies to assist with substantial damage determinations; providing owners of damaged structures materials and other information related to the proper repair of damaged structures in special flood hazard areas; and assist owners of substantially damaged structures with Increased Cost of Compliance insurance claims.

**SECTION 1337.04: USE AND DEVELOPMENT STANDARDS FOR FLOOD HAZARD REDUCTION**

The following use and development standards apply to development wholly within, partially within, or in contact with any special flood hazard area as established in Section 1337.01(f), 1337.03(k)(1), **1337.03(l)**:

**(a) Use Regulations**

1) Permitted Uses:

All uses not otherwise prohibited in this section or any other applicable land use regulation adopted by the City of Kent are allowed provided they meet the provisions of these regulations.

2) Prohibited Uses:

A. Private water supply systems in all special flood hazard areas identified by FEMA, permitted under Section 3701 of the Ohio Revised Code.

B. Infectious waste treatment facilities in all special flood hazard areas, permitted under Section 3734 of the Ohio Revised Code.

**(b) Water and Wastewater Systems**

The following standards apply to all water supply, sanitary sewerage and waste disposal systems ~~not otherwise regulated~~ in the absence of any more restrictive standard provided under the Ohio Revised Code or applicable State rules:

- 1) All new and replacement water supply systems shall be designed to minimize or eliminate infiltration of floodwaters into the systems;
- 2) New and replacement sanitary sewerage systems shall be designed to minimize or eliminate infiltration of flood waters into the systems and discharge from the systems into flood waters; and,
- 3) On-site waste disposal systems shall be located to avoid impairment to or contamination from them during flooding.

(c) **Subdivisions and Other New Developments** ~~Large Developments (50 lots or 5 acres,--  
whichever is less)~~

- 1) All subdivision proposals and all other proposed new development shall be consistent with the need to minimize flood damage and are subject to all applicable standards in these regulations;
- 2) All subdivision proposals and all other proposed new development shall have public utilities and facilities such as sewer, gas, electrical, and water systems located and constructed to minimize or eliminate flood damage;
- 3) All subdivision proposals and all other proposed new development shall have adequate drainage provided to reduce exposure to flood damage; and
- 4) In all areas of special flood hazard where base flood elevation data are not available, the applicant shall provide a hydrologic and hydraulic engineering analysis that generates base flood elevations for all subdivision proposals and other proposed developments containing at least 50 lots or 5 acres, whichever is less.
- 5) The applicant shall meet the requirement to submit technical data to FEMA in Section 1337.03(j)(1)A.4. when a hydrologic and hydraulic analysis is completed that generates base flood elevations as required by Section 1337.04(c)(4).

(d) **Residential Structures**

The requirements of this Section apply to new construction of residential structures and to substantial improvements of residential structures in zones A, A1-30, AE, AO, and AH, when designated on the community's effective FIRM, and when designated on a preliminary or final FIRM issued by FEMA under the circumstances provided in Section 1337.03(l).

- 1) New construction and substantial improvements shall be anchored to prevent flotation, collapse, or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Where a structure, including its foundation members, is elevated on fill to or above the base flood elevation, the requirements for anchoring (Section 1337.04(d)(1)) and construction materials resistant to flood damage (Section 1337.04(d)(2)) are satisfied.
- 2) New construction and substantial improvements shall be constructed with methods and materials resistant to flood damage.
- 3) New construction and substantial improvements shall be constructed with electrical, heating, ventilation, plumbing and air conditioning equipment and other service

facilities that are designed and/or elevated so as to prevent water from entering or accumulating within the components during conditions of flooding.

- 4) New construction and substantial improvement of any residential structure, including manufactured homes, shall have the lowest floor, including basement, elevated to or above the flood protection elevation. Where flood protection elevation data are not available the structure shall have the lowest floor, including basement, elevated at least two feet above the highest adjacent natural grade.
- 5) New construction and substantial improvements, including manufactured homes, that do not have basements and that are elevated to the flood protection elevation using pilings, columns, posts, or solid foundation perimeter walls with openings to allow the automatic equalization of hydrostatic pressure may have an enclosure below the lowest floor provided the enclosure meets the following standards:
  - A. Be used only for the parking of vehicles, building access, or storage; and
  - B. be designed and certified by a registered professional engineer or architect to automatically equalize hydrostatic flood forces on exterior walls by allowing for the entry and exit of floodwaters; or
  - C. have a minimum of two openings on different walls having a total net area not less than one square inch for every square foot of enclosed area, and the bottom of all such openings being no higher than one foot above grade. The openings may be equipped with screens, louvers, or other coverings or devices provided that they permit the automatic entry and exit of floodwaters.
- 6) Manufactured homes shall be affixed to a permanent foundation and anchored to prevent flotation, collapse or lateral movement of the structure resulting from hydrodynamic and hydrostatic loads, including the effects of buoyancy. Methods of anchoring may include, but are not limited to, use of over-the-top or frame ties to ground anchors.
- 7) Repair or rehabilitation of historic structures upon a determination that the proposed repair or rehabilitation will not preclude the structure's continued designation as a historic structure and is the minimum necessary to preserve the historic character and design of the structure, shall be exempt from the development standards of Section 1337.04(d).
- 8) In AO Zones, new construction and substantial improvement shall have adequate drainage paths around structures on slopes to guide floodwaters around and away from the structure.

(e) **Nonresidential Structures**

The requirements of this Section apply to new construction and to substantial improvements of nonresidential structures in Zones A, A1-30, AE, AO, and AH, when designated on the community's effective FIRM, and when designated on a preliminary or final FIRM issued by FEMA under the circumstances provided in Section 1337.03(1).

- 1) New construction and substantial improvement of any commercial, industrial or other nonresidential structure shall meet the requirements of Section 1337.04(d)(1)-(3) and (5)-(8).
- 2) New construction and substantial improvement of any commercial, industrial or other non-residential structure shall either have the lowest floor, including basement,

elevated to or above the level of the flood protection elevation; or, together with attendant utility and sanitary facilities, shall meet all of the following standards:

- A. Be dry floodproofed so that the structure is watertight with walls substantially impermeable to the passage of water to the level of the flood protection elevation;
  - B. Have structural components capable of resisting hydrostatic and hydrodynamic loads and effects of buoyancy; and,
  - C. Be certified by a registered professional engineer or architect, through the use of a *Federal Emergency Management Agency Floodproofing Certificate*, that the design and methods of construction are in accordance with Section 4.5(B)(1) and (2).
- 3) Where flood protection elevation data are not available the structure shall have the lowest floor, including basement, elevated at least two feet above the highest adjacent natural grade.

**(f) Accessory Structures**

Structures that are 600 square feet or less which are used for parking and storage only are exempt from elevation or dry floodproofing standards within zones A, A1-30, AE, AO, and AH designated on the community's FIRM. ~~Relief to the elevation of dry floodproofing standards may be granted for accessory structures containing no more than 600 square feet.~~

Such structures must meet the following standards:

- 1) They shall not be used for human habitation;
- 2) They shall be constructed of flood resistant materials;
- 3) They shall be constructed and placed on the lot to offer the minimum resistance to the flow of floodwaters;
- 4) They shall be firmly anchored to prevent flotation;
- 5) Service facilities such as electrical and heating equipment shall be elevated or floodproofed to or above the level of the flood protection elevation; and
- 6) They shall meet the opening requirements of Section 1337.04(d)(5)C;

**(g) Recreational Vehicles**

Recreational vehicles on sites within zones A, A1-A30, AE, AO, or AH must meet at least one of the following standards:

- 1) They shall not be located on sites in special flood hazard areas for more than 180 days, or
- 2) They must be fully licensed and ready for highway use, or
- 3) They must be placed on the site pursuant to a floodplain development permit issued under Sections 1337.03(c) and 1337.03(d) and must meet all standards of Section 1337.04(d).

**(h) Above Ground Gas or Liquid Storage Tanks**

- A. Within zone A, A1-A30, AE, AO, or AH, new or substantially improved above ground gas or liquid storage tanks shall be anchored to prevent flotation or lateral movement resulting from hydrodynamic and hydrostatic loads.

(i) **Assurance of Flood Carrying Capacity**

Pursuant to the purpose and methods of reducing flood damage stated in these regulations, the following additional standards are adopted to assure that the reduction of the flood carrying capacity of watercourses is minimized:

1) **Development in Floodways**

- A. In floodway areas, development shall cause no increase in flood levels during the occurrence of the base flood discharge. Prior to issuance of a floodplain development permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that the proposed development would not result in any increase in the base flood elevation; or
- B. Development in floodway areas causing increases in the base flood elevation may be permitted provided all of the following are completed by the applicant:
  - 1. Meet the requirements to submit technical data in Section 1337.03(j)(1);
  - 2. An evaluation of alternatives, which would not result in increased base flood elevations and an explanation why these alternatives are not feasible;
  - 3. Certification that no structures are located in areas that would be impacted by the increased base flood elevation;
  - 4. Documentation of individual legal notices to all impacted property owners within and outside the community, explaining the impact of the proposed action on their property; and
  - 5. Concurrence of the City Manager of the City of Kent and the Chief Executive Officer of any other communities impacted by the proposed actions.

2) **Development in Riverine Areas with Base Flood Elevations but No Floodways**

- A. In riverine special flood hazard areas identified by FEMA where base flood elevation data are provided but no floodways have been designated, the cumulative effect of any proposed development, when combined with all other existing and anticipated development, shall not increase the base flood elevation more than 1.0 (one) foot at any point. Prior to issuance of a floodplain development permit, the applicant must submit a hydrologic and hydraulic analysis, conducted by a registered professional engineer, demonstrating that this standard has been met; or,
- B. Development in riverine special flood hazard areas identified by FEMA where base flood elevation data are provided but no floodways have been designated causing more than one foot increase in the base flood elevation may be permitted provided all of the following are completed by the applicant:
  - 1. An evaluation of alternatives which would result in an increase of one foot or less of the base flood elevation and an explanation why these alternatives are not feasible;
  - 2. Section 1337.04(i)(1)B., items 1. and 3.-5.

3) **Alterations of a Watercourse**

For the purpose of these regulations, a watercourse is altered when any change occurs within its banks. The extent of the banks shall be established by a field determination of the “bankfull stage.” The field determination of “bankfull stage” shall be based on methods presented in Chapter 7 of the *USDA Forest Service General Technical Report RM-245, Stream Channel Reference Sites: An Illustrated Guide to Field Technique* or other applicable publication available from a Federal, State, or other authoritative

source. For all proposed developments that alter a watercourse, the following standards apply:

- A. The bankfull flood carrying capacity of the altered or relocated portion of the watercourse shall not be diminished. Prior to the issuance of a floodplain development permit, the applicant must submit a description of the extent to which any watercourse will be altered or relocated as a result of the proposed development, and certification by a registered professional engineer that the bankfull flood carrying capacity of the watercourse will not be diminished.
- B. Adjacent communities, the U.S. Army Corps of Engineers, and the Ohio Department of Natural Resources, Division of Water, must be notified prior to any alteration or relocation of a watercourse. Evidence of such notification must be submitted to the Federal Emergency Management Agency.
- C. The applicant shall be responsible for providing the necessary maintenance for the altered or relocated portion of said watercourse so that the flood carrying capacity will not be diminished. The Floodplain Administrator may require the permit holder to enter into an agreement with the City of Kent specifying the maintenance responsibilities. If an agreement is required, it shall be made a condition of the floodplain development permit.
- D. The applicant shall meet the requirements to submit technical data in Section 1337.03(j)(1)A.3 when an alteration of a watercourse results in the relocation or elimination of the special flood hazard area, including the placement of culverts.

## **SECTION 1337.05: APPEALS AND VARIANCES**

### **(a) Appeals Board Established**

- 1) The City of Kent's Board of Building Appeals is hereby appointed to serve as the Appeals Board for these regulations as established by Chapter 1309 of the Kent Codified Ordinances.
- 2) Records of the Appeals Board shall be kept and filed in the Service Administration Complex located at 930 Overholt Road, Kent, Ohio 44240.

### **(b) Powers and Duties**

- 1) The Appeals Board shall hear and decide appeals where it is alleged there is an error in any order, requirement, decision or determination made by the Floodplain Administrator in the administration or enforcement of these regulations.
- 2) Authorize variances in accordance with Section 1337.05(d) of these regulations.

### **(c) Appeals**

Any person affected by any notice and order, or other official action of the Floodplain Administrator may request and shall be granted a hearing on the matter before the Appeals Board provided that such person shall file, within **sixty (60) days** ~~30-days~~ of the date of such notice and order, or other official action, a brief statement of the grounds for such hearing or for the mitigation of any item appearing on any order of the Floodplain Administrator's decision. Such appeal shall be in writing, signed by the applicant, and be filed with the Floodplain Administrator. Upon receipt of the appeal, the Floodplain Administrator shall transmit said notice and all pertinent information on which the Floodplain Administrator's decision was made to the Appeals Board.

Upon receipt of the notice of appeal, the Appeals Board shall fix a reasonable time for the appeal, give notice in writing to parties in interest, and decide the appeal within a reasonable time after it is submitted.

**(d) Variances**

Any person believing that the use and development standards of these regulations would result in unnecessary hardship may file an application for a variance. The Appeals Board shall have the power to authorize, in specific cases, such variances from the standards of these regulations, not inconsistent with Federal regulations, as will not be contrary to the public interest where, owing to special conditions of the lot or parcel, a literal enforcement of the provisions of these regulations would result in unnecessary hardship.

1) Application for a Variance

- A. Any owner, or agent thereof, of property for which a variance is sought shall make an application for a variance by filing it with the Floodplain Administrator, who upon receipt of the variance shall transmit it to the Appeals Board.
- B. Such application at a minimum shall contain the following information: Name, address, and telephone number of the applicant; legal description of the property; parcel map; description of the existing use; description of the proposed use; location of the floodplain; description of the variance sought; and reason for the variance request.

2) Notice for Public Hearing

The Appeals Board shall schedule and hold a public hearing within thirty (30) days after the receipt of an application for a variance from the Floodplain Administrator. Prior to the hearing, a notice will be posted on the bulletin board located at City Hall, 319 S. Water Street, Kent.

3) Public Hearing

At such hearing, the applicant shall present such statements and evidence as the Appeals Board requires. In considering such variance applications, the Appeals Board shall consider and make findings of fact on all evaluations, all relevant factors, standards specified in other sections of these regulations and the following factors:

- A. The danger that materials may be swept onto other lands to the injury of others.
- B. The danger to life and property due to flooding or erosion damage.
- C. The susceptibility of the proposed facility and its contents to flood damage and the effect of such damage on the individual owner.
- D. The importance of the services provided by the proposed facility to the community.
- E. The availability of alternative locations for the proposed use that are not subject to flooding or erosion damage.
- F. The necessity to the facility of a waterfront location, where applicable.
- G. The compatibility of the proposed use with existing and anticipated development.
- H. The relationship of the proposed use to the comprehensive plan and floodplain management program for that area.
- I. The safety of access to the property in times of flood for ordinary and emergency vehicles.
- J. The expected heights, velocity, duration, rate of rise, and sediment transport of the floodwaters and the effects of wave action, if applicable, expected at the site.

- K. The costs of providing governmental services during and after flood conditions, including maintenance and repair of public utilities and facilities such as sewer, gas, electrical, and water systems, and streets and bridges.

4) Variances shall only be issued upon:

- A. A showing of good and sufficient cause.
- B. A determination that failure to grant the variance would result in exceptional hardship due to the physical characteristics of the property. Increased cost or inconvenience of meeting the requirements of these regulations does not constitute an exceptional hardship to the applicant.
- C. A determination that the granting of a variance will not result in increased flood heights beyond that which is allowed in these regulations; additional threats to public safety; extraordinary public expense, nuisances, fraud on or victimization of the public, or conflict with existing local laws.
- D. A determination that the structure or other development is protected by methods to minimize flood damages.
- E. A determination that the variance is the minimum necessary, considering the flood hazard, to afford relief.

Upon consideration of the above factors and the purposes of these regulations, the Appeals Board may attach such conditions to the granting of variances, as it deems necessary to further the purposes of these regulations.

5) Other Conditions for Variances

- A. Variances shall not be issued within any designated floodway if any increase in flood levels during the base flood discharge would result.
- B. Generally, variances may be issued for new construction and substantial improvements to be erected on a lot of one-half acre or less in size contiguous to and surrounded by lots with existing structures constructed below the base flood level, providing items in Section 1337.05(d)(2)A. to K. have been fully considered. As the lot size increases beyond one-half acre, the technical justification required for issuing the variance increases.
- C. Any applicant to whom a variance is granted shall be given written notice that the structure will be permitted to be built with a lowest floor elevation below the base flood elevation and the cost of flood insurance will be commensurate with the increased risk resulting from the reduced lowest floor elevation.

(e) Procedure at Hearings

- 1) All testimony shall be given under oath.
- 2) A complete record of the proceedings shall be kept, except confidential deliberations of the Board, but including all documents presented and a verbatim record of the testimony of all witnesses.
- 3) The applicant shall proceed first to present evidence and testimony in support of the appeal or variance.
- 4) The administrator may present evidence or testimony in opposition to the appeal or variance.
- 5) All witnesses shall be subject to cross-examination by the adverse party or their counsel.

- 6) Evidence that is not admitted may be proffered and shall become part of the record for appeal.
- 7) The Board shall issue subpoenas upon written request for the attendance of witnesses. A reasonable deposit to cover the cost of issuance and service shall be collected in advance.
- 8) The Board shall prepare conclusions of fact supporting its decision. The decision may be announced at the conclusion of the hearing and thereafter issued in writing or the decision may be issued in writing within a reasonable time after the hearing.

**(f) Appeal to the Court**

Those aggrieved by the decision of the Appeals Board may appeal such decision to the Portage County Court of Common Pleas, pursuant to Ohio Rev. Code Chapter 2506. ~~As provided in Chapter 2506 of the Ohio Revised Code.~~

**SECTION 1337.06: ENFORCEMENT AND PENALTY**

**(a) Compliance Required**

- 1) No structure or land shall hereafter be located, erected, constructed, reconstructed, repaired, extended, converted, enlarged or altered without full compliance with the terms of these regulations and all other applicable regulations which apply to uses within the jurisdiction of these regulations, unless specifically exempted from filing for a development permit as stated in Section 1337.03(i).
- 2) Failure to obtain a floodplain development permit shall be a violation of these regulations and shall be punishable in accordance with Section 1337.06(c).
- 3) Floodplain development permits issued on the basis of plans and applications approved by the Floodplain Administrator authorize only the use, and arrangement, set forth in such approved plans and applications or amendments thereto. Use, arrangement, or construction contrary to that authorized shall be deemed a violation of these regulations and punishable in accordance with Section 1337.06(c).

**(b) Notice of Violation**

Whenever the Floodplain Administrator determines that there has been a violation of any provision of these regulations, they shall give notice of such violation to the person responsible therefore and order compliance with these regulations as hereinafter provided. Such notice and order shall:

- 1) Be put in writing on an appropriate form;
- 2) Include a list of violations, referring to the section or sections of these regulations that have been violated, and order remedial action, which, if taken, will effect compliance with the provisions of these regulations;
- 3) Specify a reasonable time for performance;
- 4) Advise the owner, operator, or occupant of the right to appeal;
- 5) Be served on the owner, occupant, or agent in person. However, this notice and order shall be deemed to be properly served upon the owner, occupant, or agent if a copy thereof is sent by registered or certified mail to the person's last known mailing address, residence, or place of business, and/or a copy is posted in a conspicuous place in or on the dwelling affected.

(c) **Violations and Penalties**

Any owner, contractor, developer, operator or designer in violation of the standards set forth in this section shall be subject to a civil offense in accordance with Section [501.13](#) of the Codified Ordinances, including the right to notice, the right to answer a charge, the right to appeal, the amount of the fine, and the City's right to have the fine increase. Issuing a Notice of Civil Offense does not limit the City of Kent from pursuing any other additional remedies not prohibited by ordinance.

**SECTION 1337.07: ADOPTION**

This Ordinance shall take effect from and after the earliest period allowed by law and replaces Ordinance Number Ordinance no. 2009-60, codified as Chapter 1337 Flood Damage Control of the City's Building Code, which is hereby repealed.



# CITY OF KENT, OHIO

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## DEPARTMENT OF ECONOMIC DEVELOPMENT

DATE: February 23, 2026  
TO: Dave Ruller, City Manager  
FROM: Eric Helmstedter, Economic Development Director  
RE: 2026 *Celebrate Kent!* Grant Program

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Since 2007, the City of Kent has committed funding on an annual basis to support the *Celebrate Kent!* Grant Program, which was established to promote economic development by supporting entities that organize and host events that attract visitors to the Kent community.

This year's "Request for Proposals (RFP)" was issued on January 22, 2026 and the City received a total of ten proposals from six different organizations. The total amount of funding requested was \$19,200.00, which exceeds the \$15,000.00 appropriated for the 2026 *Celebrate Kent!* Grant Program. Only one grant application was received requesting diversity grant funding so the available balance of \$800.00 was applied to funding other events. Attached is a summary table of the funding requests and the final funding award amount for each eligible project.

The grant funding is included annually in the budget so no formal action by Council is necessary and typically an information only report is issued to Council describing what organizations and events received funding. Since there are several new Council members this year, staff is respectfully requesting time at the March 4, 2026 Council Committee meeting to provide a brief explanation about the *Celebrate Kent!* Grant Program and a summary of this year's funding award recipients.

I am respectfully requesting time at the March 4, 2026 Council Committee meeting to present an information only update on the 2026 *Celebrate Kent!* Program. Please let me know if you have any questions regarding the attached materials or if you need any additional information to add this to the agenda. Thank you.

### Attachments

cc: Bridget Susel, Community Development Director  
Dan Morganti, Assistant Community Development Director  
Kathy Coleman, Clerk of Council  
Rhonda Hall, Budget & Finance Director

**2026 Celebrate Kent  
Funding Amounts**

Organization	Program	2026 Requested Funding	2026 Projected Match Funding	2026 Recommended Funding	2025 Actual Funding	Percentage Change 25-26	2025 Reported Attendance
Haymaker Farmers' Market	Music @ the Market	\$ 4,000	\$ 5,200	\$ 2,775	\$ 3,000	-7.50%	35,568
Standing Rock Cultural Arts	Downtown Innovative Community Events (D.I.C.E.), 5 Events	\$ 1,000	\$ 1,000	\$ 725	\$ 800	-9.38%	120
Standing Rock Cultural Arts	"Who's Your Mama?" Earth Day w/Environmental Film Festival	\$ 1,000	\$ 1,000	\$ 725	\$ 800	-9.38%	220
Kent Jaycees	Kent Craft Beer Fest	\$ 2,000	\$ 2,000	\$ 1,625	\$ 1,800	-9.72%	1,500
Crooked River Arts Council	Kent Beatlefest	\$ 1,500	\$ 2,562	\$ 1,125	\$ 1,200	-6.25%	3,500
Crooked River Arts Council	Kent American Roots	\$ 1,500	\$ 2,562	\$ 1,125	\$ 1,200	-6.25%	4,000
Crooked River Arts Council	Kent Blues Fest	\$ 2,500	\$ 2,562	\$ 2,350	\$ 2,500	-6.00%	10,000
Crooked River Arts Council	Kent Rocks	\$ 2,500	\$ 2,562	\$ 2,350	\$ 2,500	-6.00%	7,500
Kent State University	Flashes First Friday	\$ 2,000	\$ 2,000	\$ 1,000	\$ -		1,800
<b>FUNDING AVAILABLE \$13,800 (\$800 Balance Available From Diversity)</b>		\$ 18,000	\$ 21,448	\$ 13,800	\$ 13,800		64,208

**2026 Diversity Grant  
Recommended Funding Amounts**

Organization	Program	2026 Requested Funding	2026 Projected Match Funding	2026 Recommended Funding	2025 Actual Funding	Percentage Change 25-26	2025 Reported Attendance
South End Juneteenth Committee	5th Annual Juneteenth Block Party	\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200	0.00%	75
<b>FUNDING AVAILABLE \$2,000</b>		\$ 1,200	\$ 1,200	\$ 1,200	\$ 1,200		75



# CITY OF KENT, OHIO

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## DEPARTMENT OF COMMUNITY DEVELOPMENT

**TO:** Potential *Celebrate Kent!* Program Applicant

**FROM:** Eric Helmstedter, Economic Development Director

**DATE:** January 22, 2026

**SUBJECT:** *Celebrate Kent!* Program Request for Proposals

Attached are a Request for Proposals (RFP), application and statement of success form for the City's *Celebrate Kent!* and Diversity Grant Program. If you would like the City to mail you a hard copy of the application and supporting documentation, please send me an e-mail at [eric.helmstedter@kentohio.gov](mailto:eric.helmstedter@kentohio.gov) listing "Celebrate Kent!" in the subject line and I will get a copy in the mail to you.

Please be aware that the total funding available to support all *Celebrate Kent!* And Diversity Grant projects is \$15,000 for FY 2026. If you have any questions, please do not hesitate to contact me. ***The deadline for submitting applications for this year's round of funding is Thursday, February 12, 2026, at 5:00pm.***

We look forward to reviewing this year's *Celebrate Kent!* Proposals.

Attachments

## REQUEST FOR PROPOSALS

The City of Kent is accepting applications from qualified applicants for the FY 2026 round of the City's *Celebrate Kent!* Grant Program for events that take place between January 1, 2026, and December 31, 2026. Attached is a brief description of the program. The submission deadline for organizations interested in applying for funding is Thursday, February 12, 2026, at 5:00 p.m.

The total funding available to support all *Celebrate Kent!* projects is \$13,000 for FY 2026.

Kent City Council also has authorized \$2,000 in annual *Celebrate Kent!* Grant funds to be designated and made available to support events focused on diversity. Information on what applies to this diversity grant opportunity has been included in the attached guidelines.

All applications received by the stated deadline will be reviewed by the Economic and Community Development Departments to verify submitted applications are complete and to determine the eligibility of proposed projects. A list of recommended projects and grant funding levels will be developed and then forwarded to the Kent City Council for consideration and funding approval.

As proposals are evaluated, greater weight will be given to the following factors:

- The past attendance for previously held events based on submitted statements of success
- Previously held events that are expanded to attract new attendees
- New events designed to attract first time visitors to downtown Kent
- Events that are staged in a public space(s) near multiple downtown businesses
- Events that are staged in multiple downtown private venues

Questions concerning the *Celebrate Kent!* Grant Program should be directed to Eric Helmstedter at 330-676-7582 or via email at [eric.helmstedter@kentohio.gov](mailto:eric.helmstedter@kentohio.gov).

### COMPLETED PROPOSALS SHOULD BE RETURNED TO:

The City of Kent  
Community Development Department  
930 Overholt Road  
Kent, Ohio 44240  
ATTN.: Eric Helmstedter

Phone: 330-676-7582 Fax: 330-678-8030  
E-mail: [eric.helmstedter@kentohio.gov](mailto:eric.helmstedter@kentohio.gov)

# *Celebrate Kent!*

## PROGRAM GUIDELINES

### PROGRAM GOAL:

To provide new opportunities to celebrate the quality of life enjoyed by City of Kent residents and share with those outside of the community the attributes that make Kent a unique and exciting place to work, play, learn and live.

### OBJECTIVES:

1. Attract Kent residents, and visitors from other communities to downtown activities and events.
2. Promote the City's attributes to those outside of the City.
3. Create additional commercial opportunities for businesses operating in the downtown district.

### PROGRAM REQUIREMENTS:

1. The project needs to be oriented towards attracting people to the Kent downtown district and must be held within the downtown district.
2. Applicants must be, or represent, a Kent company or organization.
3. Funding is intended to support **verifiable program expenses** which includes hard costs such as materials, advertisements, flyers, printing, etc. Funding for administrative purposes such as salaries, general office supplies, agency overhead, payment for services provided by applicant employees or representatives, etc. will not be considered eligible project costs.
4. At the completion of the event(s) the applicant must submit a Statement of Success report to the City of Kent summarizing and documenting the results of the event(s), and explaining how the stated program goals and objectives were met.
5. Grant funds will be disbursed on a reimbursement basis only for eligible expenses as identified in the Project Description and Project Budget sections of the submitted application. All invoices must be for goods or services specific to the event only and must specify the quantity of the item or service provided. All eligible expenses must be documented through **third-party invoices and proof of payment**. Hand written receipts or bills that are not formalized company invoices will not be accepted. No disbursements will be authorized until the report mentioned in item number 4 has been received by the City of Kent.
6. Each dollar of grant funding must be matched with one-dollar from another source, or two-dollars of in-kind contribution. A combination of both cash and in-kind contributions is permissible; however, separate and distinct accounting procedures must be maintained for each of the two sources. Evidence of all matching contributions, be they in-kind or cash, must be verifiable, and accepted by the City of Kent prior to reimbursement.
7. Grants must be completed within one year of the date of the executed grant agreement. The final invoice for payment must be submitted no later than **60 days after the funded event occurs** or the applicant will forfeit their grant funds.
8. All 2026 *Celebrate Kent!* Grant agreements must be signed within 30 days of notification of grant award.
9. If an organization is submitting an application for multiple events, it should submit one application covering all of the events.

## **Diversity Grants**

The term diversity will be applied broadly to include a myriad of focus areas, including but not limited to ethnicity, gender, disability, race, socio-economic status, national origin, religion, sexual orientation, culture, etc.

Events that will be eligible for diversity grant funding consideration will be evaluated to determine if the event will:

1. Promote diversity and inclusion through engagement in events that encourage residents and visitors from varying diversity dimensions and backgrounds to attend or participate;
2. Focus on event ideas that encourage involvement of participants from outside of traditional neighborhood footprint and different from immediate peer group;
3. Be incorporated as a component of a larger event if measurable diversity outcomes can be identified;
4. Not be used for political candidates, petitions, issues, or lobbying activities.

## ***Celebrate Kent!* APPLICATION**

In the space below, please respond to each of the following application components. Attachments are welcome; however, they **may not** be substituted for one or more of the application requirements.

**PROJECT TITLE:**

**PROJECT DATE(S):**

**APPLICANT ORGANIZATION:**

**CONTACT PERSON:**

**ADDRESS:**

**PHONE NUMBER:**

**FAX NUMBER:**

**EMAIL ADDRESS:**

**TOTAL AMOUNT OF FUNDING REQUEST:**

**PROJECT DESCRIPTION:** In the space below please provide a general description of the proposed project (Feel free to attach additional sheets if necessary).

**PROJECT BUDGET:** Using the attached *Celebrate Kent!* Budget Worksheet, please provide an estimated line item budget for the proposed project to include: grant monies being requested; the amount and source of additional funding; and a listing of all projected expenses (Feel free to attach additional sheets if necessary).

***Celebrate Kent!***  
**STATEMENT OF SUCCESS**

**(To be completed when requesting expense reimbursement)**

Upon completion of the project activities, all grant recipients must submit third party documentation of match funding (1:1 cash, 2:1 in-kind), third-party invoices and proof of payment for approved eligible expenses, and a report that lists the results of the program. At a minimum, the report should list the date/time of the event, the number of participants and the overall objective of the project.

Please complete the attached report and submit it to the Community Development Department, 930 Overholt Road, Kent, Ohio 44240, ATTN.: Eric Helmstedter. Feel free to attach additional sheets if necessary. Grant monies may not be disbursed until the attached report has been submitted and approved. Reimbursements may take up to six-weeks to process.

**PROJECT TITLE:** \_\_\_\_\_

**APPLICANT ORGANIZATION:** \_\_\_\_\_

**CONTACT PERSON:** \_\_\_\_\_

***Celebrate Kent!* GRANT AMOUNT AWARDED: \$** \_\_\_\_\_

**STATEMENT OF GOALS ACHIEVED:**

**NUMBER OF PEOPLE SERVED:**

**ECONOMIC IMPACT:**

**NON-CITY OF KENT FUNDING SOURCES USED:**

## Celebrate Kent! Budget Worksheet

### Categories

Budget Item	Expense/Cost	Amount Requested	Match Funding (1:1 Cash, 2:1 In-Kind)	Explanation of Expense/Cost
Advertising				
Equipment				
Materials				
Printing				
Rental Fees				
Vendors				
OTHER (explain below):				
<b>GRAND TOTAL</b>				

**ONLY 10% OF APPROVED FUNDS MAY BE MOVED FROM ONE BUDGET ITEM CATEGORY TO ANOTHER**



# CITY OF KENT, OHIO

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## DEPARTMENT OF PUBLIC SERVICE

### MEMO

TO: Dave Ruller, City Manager  
Council

FROM: Melanie A. Baker, Service Director

DATE: 2 / 17 / 2026

SUBJECT: NOPEC Community Event Sponsorship Grant 2026

The City of Kent is the recipient of the 2026 NOPEC Community Sponsorship Grant for \$2,000.00. This is an annual grant that is available for communities to use to sponsor an event that is free and open to all residents of the community and can provide an engagement opportunity for NOPEC to connect with community residents. This year's allocation will be committed to the Kent Area Chamber of Commerce for the Heritage Festival which will be held in July.

I respectfully request that the acceptance of this award be added as an item for the March 4, 2026, Council meeting. I further request approval of this award.

Thank you for your time and consideration of this request.

Please find attached the email with the letter of award confirmation.

**From:** [NOPEC Sponsorships](#)  
**To:** [Melanie Baker](#)  
**Cc:** [Jerry Fiala](#)  
**Subject:** Reminder: Complete your Community Event Sponsorship Application  
**Date:** Tuesday, January 27, 2026 4:07:12 PM

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Greetings from the Community Outreach Team,

You are receiving this email because you have not completed your Community Event Sponsorship application yet. This program is offered to provide financial support to our amazing communities to host events throughout the year.

**Kent** has been rewarded **\$2000** for 2026. The deadline to claim your award is **April 30<sup>th</sup>**. You still have time to register your community and complete your application using your community code, **6034**.

If you have any questions, we encourage you to reach out to the Community Outreach team. You can also view the Sponsorship Guidelines at: [nopecsponsorships.org](https://nopecsponsorships.org). Thank you for your continuous support of NOPEC.

Best Wishes,

Lauren Vladyka  
Community Engagement Administrator  
[sponsorships@nopec.org](mailto:sponsorships@nopec.org)  
(440) 772-0429

**CAUTION: EXTERNAL SENDER** Do not click any links, open any attachments, or REPLY to the message unless you trust the sender and know the content is safe.



# CITY OF KENT, OHIO

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## DEPARTMENT OF PUBLIC SERVICE

### MEMO

TO: Dave Ruller, City Manager  
Council

FROM: Melanie A. Baker, Service Director

DATE: 2/17/2026

SUBJECT: NOPEC Energized Community Grant - 2026

Please find attached the email received from NOPEC on January 27, 2026, notifying the City of the receipt of \$49,965.00 in grant money from the 2026 Energized Community grant.

As our energy partner, NOPEC has made this grant available to the City for the last 10 years. The City has recently been able to use past years grant funding to replace and upgrade motors and boilers for greater energy efficiency at the water reclamation facility, street light audit for energy efficiency, the HVAC unit for Fire Station 1 replacement, and new energy efficient door openers at SAC to name a few.

I request that Council approve the acceptance of this grant and allow us to place the dollars in escrow with NOPEC until such time a project meeting the criteria of the grant is found and the moneys can be used.

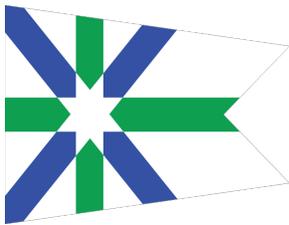
**From:** [Rhonda Hall](#)  
**To:** [Melanie Baker](#)  
**Subject:** FW: 2026 NEC Grant Award Details  
**Date:** Tuesday, January 27, 2026 10:43:53 AM  
**Attachments:** [NEC Grant One-Sheet 2026.pdf](#)  
[NEC Grant Program Policies 2026 JAN2026.pdf](#)  
[2026 NOPEC Energized Community Grant Agreement JAN2026.docx](#)  
[Template - City or Village Ordinance to accept 2026 JAN2026.docx](#)  
[image001.png](#)

---

FYI – I think this what you normally take care of putting together?

Let me know if you need anything from me. Thank you

*Rhonda*



*Rhonda C. Hall, CPA*  
*Budget & Finance Director*  
*City of Kent*  
*319 S. Water Street*  
*Kent, Ohio 44240*  
*330.678.8102*

---

**From:** NOPEC Grants <grants@nopecinc.org>  
**Sent:** Tuesday, January 27, 2026 10:37 AM  
**To:** Jack Amrhein <Jack.Amrhein@KentOhio.gov>  
**Cc:** Rhonda Hall <Rhonda.Hall@KentOhio.gov>; Craig Brown <cbrown@nopec.org>  
**Subject:** 2026 NEC Grant Award Details

Good morning,

Congratulations! The City of Kent has been awarded a NOPEC Energized Community (NEC) Grant in the amount of \$49965 for 2026. The NEC Grant website will be available to you starting Monday February 2, 2026.

The 2026 NEC Grant process utilizes a grant website that you may have used over the past few years. If you have previously created a sign on, you will not need to make a new one.

If you are new to the NEC Grant program, please contact me so we can set up a call to walk through the process.

**Important Dates & Deadlines:**

- 1. June 30, 2026: Deadline to complete your online profile accepting the 2026 NEC Grant Award**
  - a. To accept the 2026 NEC Grant award, please complete the community profile at [www.nopecgrants.org](http://www.nopecgrants.org). This includes your designated grant representative uploading legislation accepting the funding and an executed 2026 NEC Grant Agreement. These documents and other helpful handouts can be found in the NEC Grant website and attached to this email.
  
- 2. November 30, 2026: Deadline to submit disbursements for 2024 NEC Grant Balances & the last day to submit any disbursements before our system shuts down for annual updates**

Contact me at [grants@nopecinc.org](mailto:grants@nopecinc.org) for additional help or information. I look forward to working with you!

Sincerely,  
Jessica

Jessica Renner, MPA, OhioCED  
Director of Economic Development and Community Investment  
440-249-7072  
[www.nopec.org](http://www.nopec.org) | [Facebook](#) | [LinkedIn](#)

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**CITY OF KENT, OHIO**  
**DEPARTMENT OF BUDGET AND FINANCE**  
Rhonda C. Hall, CPA, Director

**To:** Dave Ruller, City Manager  
**From:** Rhonda C. Hall, CPA, Director of Budget and Finance  
**Date:** February 23, 2026  
**Re:** FY2026 Appropriation Amendment #2

---

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

**Fund 106 – Parks & Recreation**

Increase       \$       8,400     Parks & Rec/Parks & Rec/ Other (O&M) – Add'l appropriations to cover PO's accidentally closed, per A. Manley 2/19/2026 memo.

**Fund 120 – Revolving Housing**

Increase       \$       23,000     Revolving Housing/Other (O&M) – Appropriation of amount withheld from Orig. 2026 Approved Budget due to Cert. of Est. Resources compliance; City had to file Amendment with County before appropriating remainder of KCC Approved Budget per R. Hall.

**Fund 134 – UDAG / EDA RLF**

Increase       \$       500,000     UDAG/EDA RLF / Other (O&M) – Add'l appropriations to cover financial assistance provided to local companies, per B. Susel 2/20/2026 memo.

**Fund 128 – Fire and EMS**

Increase       \$       144,000     Fire & EMS/ Personnel & Benefits – Appropriation of amount withheld from Orig. 2026 Approved Budget due to Cert. of Est. Resources compliance; City had to file Amendment with County before appropriating remainder of KCC Approved Budget per R. Hall.

Increase       \$       1,950         Fire & EMS/ Capital – Appropriate donated funds to the vehicle replacement PO, per J. Samel 2/17/2026 memo.

**Fund 202 – Sewer**

Increase       \$       7,500         Capital / Debt Service – Approp add'l funds to cover OPWC Primary Clarifier loan payments per B. Huff 2/2/2026 memo.

**Fund 205 – Solid Waste**

Increase       \$       20,000     Solid Waste / Personnel & Benefits – Appropriation of amount withheld from Orig. 2026 Approved Budget due to Cert. of Est. Resources compliance; City had to file Amendment with County before appropriating remainder of KCC Approved Budget per R. Hall.

**Fund 301 – Capital Improvements**

Increase       \$       27,500     Capital / SVC – Capital Facilities – Appropriate for N Manuta St Imprvt related to the infiltration basin per J. Bowling 2/20/2026 memo.

Increase       \$       150,000     Capital / SVC – Capital Facilities – Apprp. add'l funds to cover costs for Cuyahoga River Sewer Relocation project, per J. Bowling 2/20/2026 memo.

# memo

## CITY OF KENT PARKS AND RECREATION DEPARTMENT

**To:** Rhonda Hall, Budget & Finance Director  
**From:** Angela Manley, Parks & Recreation Director  
**Date:** February 19, 2026  
**Re:** Appropriation Request

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We would like to re-appropriate the amount listed below from the 2025 Budget to the same line item in the 2026 Budget. The original purchase order was voided in error.

<b>Account Line</b>	<b>Amount</b>
106 03 530 301 7420	\$8,400.00

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# CITY OF KENT, OHIO

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## DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: February 20, 2026  
TO: Rhonda Hall, Budget & Finance Director  
FROM: Bridget Susel, Community Development Director  
RE: Appropriations Request: Economic Development RLF (Program Income)

---

The City of Kent Community Development Department administers an Economic Development (ED) Revolving Loan Fund (RLF) that provides low interest loans to businesses operating in the Kent community. The RLF funds are maintained at Hometown Bank, and the payments are issued by the bank once loans are approved by the RLF Committee. In January, staff issued two different loan payments to businesses in the amounts of \$22,785.00 and \$60,000.00. The 2026 approved budget only has \$70,000.00 in the line used to fund these loans so additional funds need appropriated so that purchase orders can be issued to document the January 2026 RLF loan payments.

In addition to the appropriations needed to fully account for the above referenced two RLF loans, on February 18, 2026, Council authorized the City to enter into an acquisition assistance agreement with Copen Machine that will provide \$450,000 in financial assistance from the ED RLF fund for the acquisition of a property that will enable the company to expand its operations. This \$450,000 also will need to be appropriated.

The \$450,000 from the RLF fund will be reimbursed to the account through future anticipated increases in income tax collections from the new job creation expected to be generated from Copen Machine's expansion as a result of the acquisition. The Community Development Department will be coordinating in the coming months with the Budget & Finance Department on establishing a financial tracking protocol for the ED RLF fund reimbursement.

Based on the above, the current negative balance in the ED RLF budget "Program Income Expenditures" line 134-04-540-410-7730 will be as follows:

\$70,000.00 (2026 budget "Program Income Expenditures" line 134-04-540-410-7730)  
- \$82,785.00 (two different loans issued 1-7-26 for \$22,785.00 and \$60,000.00)  
- **\$12,785.00** (2026 budget fund shortfall)

Based on the above shortfall and the need to also appropriate the \$450,000 for the above referenced down payment assistance, I am respectfully requesting the appropriation of **\$500,000.00** in RLF funds to the Economic Development **“Program Income Expenditures” line (134-04-540-410-7730)** be presented to Council at its March 4, 2026 meeting to ensure adequate funding is available in the line for the approved loans and to have some additional funding available in the 2026 budget for possible future loan activity later in the year.

Please let me know if you need any additional information in order to include this with your March appropriations request. Thank you in advance for your assistance.

Cc: Brian Huff, Controller  
Eric Helmstedter, Economic Development Director  
Dan Morganti, Assistant Community Development Director



# City of Kent Fire Department

320 S. Depeyster Street • Kent, Ohio 44240  
P: (330) 676-7393 F: (330) 676-7374



Date: February 17, 2026

To: Dave Ruller, City Mgr.  
Rhonda Hall, Director Budget & Finance

From: James Samels, Fire Chief *JCS*

Re: KSU Donation

Dave,

I received a donation from Kent State University for \$1,950.00. Brenda Richardson from their Budget & Finance advised that they've had an account idle since 2002, that collected money after the tragedy of 9-11-01. The original intent was to collect money for FDNY vehicles that needed emergency replacement. Since the account has been idle so long, they wanted to close it out by donating to the Kent Fire Department for a similar purpose as the money was originally intended.

I informed her we have a vehicle replacement account. She asked that it be accepted and directed into this account for local support. I am requesting we accept the \$1,950.00 donation and that it is allocated to our capital fire department vehicle replacement line 128-01-510-108.7630.

Let me know if you have any questions or concerns.

Thank you.



CITY OF KENT, OHIO  
DEPARTMENT OF BUDGET AND FINANCE

**To:** Rhonda Hall, CPA, Director of Budget and Finance

**From:** Brian Huff, CPA, Controller

**Date:** February 2, 2026

**Re:** Appropriation Amendment Needed

---

**An amendment to appropriations in fund 202 is being requested for additional funds to cover debt principal payments from OPWC for the Primary Clarifier. I am asking for an increase of \$7,500 in appropriations to 202-07-550-800-7812.**

**Thanks for your attention to this matter.**

*Brian Huff*

**Brian Huff, Controller**

CITY OF KENT  
DEPARTMENT OF PUBLIC SERVICE  
DIVISION OF ENGINEERING

MEMO

TO: Rhonda Hall  
Dave Ruller

FROM: Jim Bowling *Job*

DATE: February 20, 2026

RE: Capital Projects (Fund 301) - Appropriation Requests

The Service Department is requesting to appropriate \$177,500 from the Capital Fund (301) for the following projects:

- **N Mantua Street Improvements (2023CIP008)** – We are requesting \$27,500 for this project, \$7,500 will be reimbursed by the Davey Tree Company. The additional funds are needed to cover additional costs for subsurface utility locating and specialized design of an infiltration basin. The needs for these two tasks were identified while completing the design of the project. The project is currently scheduled to advertise for bids in early 2027.
- **Cuyahoga River Sewer Relocation (2024CIP008)** – We are requesting \$150,000 to perform planning, conceptual imagery creation, and other tasks associated with non-sewer related items that are be considered along with the project.

We appreciate the consideration of these requests.

Please let me know if there are any questions.

c: Melanie Baker  
Brian Huff  
Cori Wimer  
Brian Hanna  
Cathy Wilson



# CITY OF KENT, OHIO

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## DEPARTMENT OF PUBLIC SERVICE

### MEMO

TO: Dave Ruller, City Manager

FROM: Melanie A. Baker, Service Director

DATE: 1/15/2026

SUBJECT: Codified Ordinance 353.02 Parking Regulation Authorization  
Request for a change of language on the following streets:  
Nathan Drive and Phillip Drive

---

It was brought the attention of the TE&S committee at their December 3, 2025, that the streets of Nathan Drive and Phillips drive off of Fairchild and Adrian Avenue had some improperly placed "NO PARKING" signs. It was determined that all streets in that area should be reviewed for the safety of the neighborhood and that the NO PARKING signage should be verified of its location on the appropriate side of the street and that it corresponded with the City Codified Ordinances.

Upon further investigation the following was found and documented.

**ADRIAN AVE.** NO PARKING EAST SIDE; NO PARKING WEST SIDE BETWEEN FAIRCHILD AVE. AND COTTAGE GATE DR.

(Ord. 2016-38. Passed 4-20-16.)

*This street is marked correctly as per code but could use more signs and better placement.*

**BRUCE DR** NO PARKING ON SOUTH/WEST SIDES.

(Ord. 2005-126. Passed 10-19-05.)

This street is marked correctly as per code.

**COTTAGE GATE** NO PARKING ON NORTH/EAST SIDE; PARKING PERMITTED IN DESIGNATED SPACES IN CUL-DE-SAC AREAS.

(Ord. 2005-126. Passed 10-19-05.)

This street is marked correctly as per code. However, there are 2 NO parking signs in weird places, we believe at the request of the development.

One location:

is on the cul-de-sac in the area where there is no parking spaces located. This sign here to deter people from parking on the inside of the cul-de-sac.

Second Location:

is located where the pull off for mail delivery is located. Without the sign I believe people would park in this pull off.

**NATHAN DR.** NO PARKING SOUTH SIDE. (Ord. 2006-101. Passed 08-23-06.)

This parking designation must be changed to NO PARKING NORTH SIDE. The hydrants are located on the north side.

**NICHOLAS DR** NO PARKING NORTH SIDE, NO PARKING RESTRICTIONS SOUTH SIDE AND CUL-DE-SAC

This street is marked correctly as per code.

**PHILLIP DR.** NO PARKING SOUTH SIDE. (ORD. 2006-101. PASSED 08-23-06)

This parking designation must be changed to NO PARKING NORTH SIDE. The hydrants are located on the north side.

We respectfully request that Council allow for the language to be changed as follows for the following code section and streets with the emergency clause:

**353.02 PARKING REGULATION AUTHORIZATION.**

The following regulations and restrictions are hereby authorized for enforcement on the described streets, alleys, rights-of-way, and through-ways within the City.

**NATHAN DR. NO PARKING SOUTH SIDE. (~~Ord. 2006-101. Passed 08-23-06.~~) NORTH SIDE.**

**PHILLIP DR. NO PARKING SOUTH SIDE. (~~ORD. 2006-101. PASSED 08-23-06~~) NORTH SIDE.**

I thank you in advance for consideration of this request.

No Parking restriction - proposed changes:

The No Parking restriction as per code is currently located on the south side of Nathan Drive and Phillip Drive. As shown in red. 

This needs to be changed to No Parking on the north side of Nathan Drive and Phillip Drive as indicated in green 

All else meets code.



KENT POLICE DEPARTMENT  
JANUARY 2026

	JANUARY 2025	JANUARY 2026	TOTAL 2025	TOTAL 2026
CALLS FOR SERVICE	1362	1469	1362	1469
KENT FIRE CALLS	503	550	503	550
BRIMFIELD FIRE CALLS	162	166	162	166
ARRESTS, TOTAL	116	106	116	106
JUVENILE ARRESTS	16	9	16	9
O.V.I. ARRESTS	5	10	5	10
TRAFFIC CITATIONS	114	127	114	127
PARKING TICKETS	670	342	670	342
ACCIDENT REPORTS	78	63	78	63
Property Damage	49	39	49	39
Injury	7	6	7	6
Private Property	17	10	17	10
Hit-Skip	4	7	4	7
OVI Related	1	1	1	1
Pedestrians	0	0	0	0
Fatals	0	0	0	0
U.C.R. STATISTICS				
Homicide	0	0	0	0
Rape	0	0	0	0
Robbery	0	0	0	0
Assault Total	23	28	23	28
Serious	2	7	2	7
Simple	21	21	21	21
Burglary	1	4	1	4
Larceny	14	19	14	19
Auto Theft	2	0	2	0
Arson	0	0	0	0
Human Trafficking: Servitude	0	0	0	0
Human Trafficking: Sex Acts	0	0	0	0
TOTAL	40	51	40	51
CRIME CLEARANCES				
Homicide	0	0	0	0
Rape	0	0	0	0
Robbery	0	0	0	0
Assault Total	29	23	29	23
Serious	2	4	2	4
Simple	27	19	27	19
Burglary	0	3	0	3
Larceny	4	4	4	4
Auto Theft	2	0	2	0
Arson	0	0	0	0
Human Trafficking: Servitude	0	0	0	0
Human Trafficking: Sex Acts	0	0	0	0
TOTAL	35	30	35	30

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TRAFFIC TICKETS

Jan-26

TRAFFIC OFFENSE	TICKETS
Child Restraint system required	1
Delinquent - Juvenile	1
Drivers and Passengers Required to Wear Seat Belts	1
Driving in Marked Lanes or Continuous Lines of Traffic	2
Driving onto Roadway from Place Other Than Roadway:Duty to Yield	1
Driving Under Suspension	16
Expired or Unlawful License Plates	7
Failure of Comply with Order of Signal of Police Officer	1
Failure to Control	9
Hazardous Zones	2
Headlights	1
Hit Skip	4
Improper Turn	1
Maximum Speed Limits; Assured Clear Distance Ahead	33
Motor Vehicle Stop Lights	1
No Operator's License	4
One Way Streets & Rotary Traffic Islands	2
Open Container	3
Operation of Vehicle at Stop Signs	5
Operation of Vehicle at Yield Signs	5
Overtaking & Passing on Right	1
OVI	10
Reckless Operation	2
Right of Way (turning left)	1
Signals Before Changing Course, Turning or Stopping	2
Starting and Backing Vehicles	4
Traffic Control Signals & Lights	2
Use of Sunscreening, Nontransparent and Reflectorized Materials	1
Using Cell While Driving	3

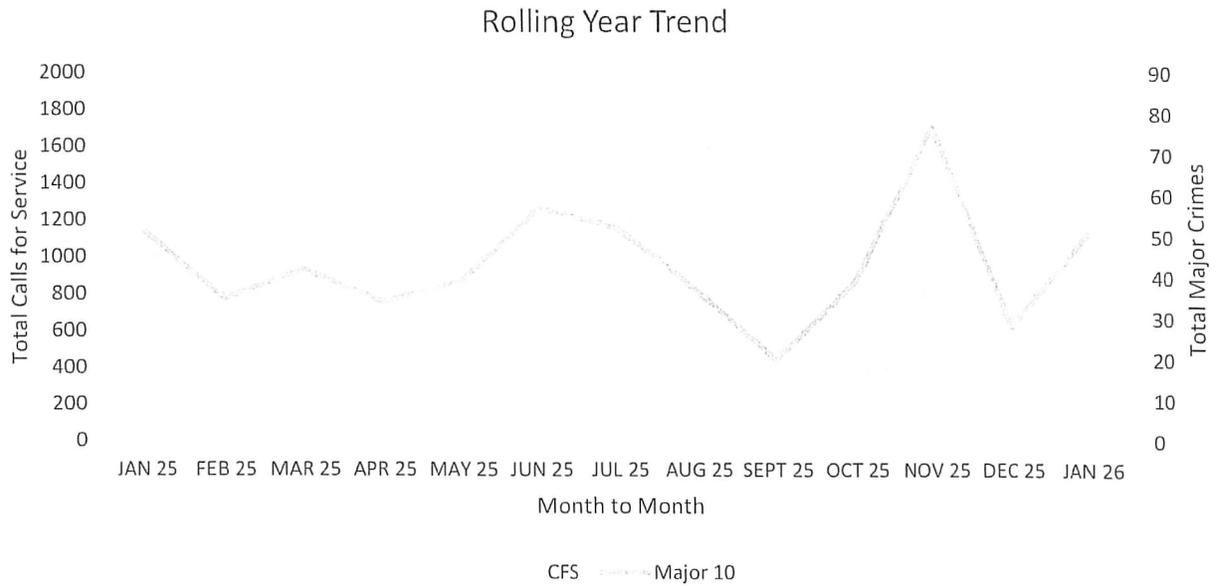
**ENFORCEMENT STATISTICS**

Jan-26

	TRAFFIC CITATIONS	ARRESTS	OVI
CAPT	SHEARER		
CAPT	ENNEMOSER		
CAPT	GAYDOSH		
LT	TREHARN		
LT	LEWIS		
LT	WHEELER	6	
LT	SHORT	1	
LT	NELSON	1	
SGT	SOIKA	1	
SGT	HADAWAY	1	
SGT	KUNKA	7	2
SGT	FULLER	1	
DET	JACOBS		
DET	GORMSEN		
DET	DOMER		
PTL	POE	1	
DET	MARINO		
PTL	HILBRUNER	8	
PTL	AUCKLAND	2	
PTL	CARNAHAN	5	
PTL	BROOKS	6	2
PTL	SMITH	10	
PTL	DRISCOLL	19	1
PTL	CUTLIP		
DET	NOAH		
PTL	MCNULTY	9	
PTL	ELLIS	7	
PTL	SCHMITT	3	1
PTL	BRUNO		
PTL	STREBEL	5	1
PTL	KERN	10	
PTL	KNAPP	10	
PTL	BOLGRIN	4	1
PTL	JONES	5	
PTL	FELTOON	2	
PTL	LAWRENCE	6	2
	OTHER		
	127	106	10

# Calls for Service and Major Crimes

The FBI requests data for Uniform Crime Statistics over 10 Major Crimes: Homicide, Rape, Robbery, Assault, Burglary, Larceny, Auto Theft, Arson, Human Trafficking: Servitude and Human Trafficking: Sex Acts.





Individual Totals	0	14	8	0	1	21	0	0	0
TOTAL	22		22			0			

**B. Race/Ethnicity**

	Alleged Victim/Complainant	Alleged Offender	Unclear Participant
Asian	0	0	0
African American	9	8	0
Caucasian	13	10	0
Native American	0	0	0
Hispanic	0	4	0
Other	0	0	0
TOTAL	22	22	0

**C. Age**

	Alleged Victim/Complainant	Alleged Offender	Unclear Participant
0-17	2	3	0
18-40	13	17	0
41-59	7	2	0
60-84	0	0	0
85-Older	0	0	0
TOTAL	22	22	0

**D. Sex**

	Alleged Victim/Complainant	Alleged Offender	Unclear Participant
Male	4	17	0
Female	18	5	0
TOTAL	22	22	0

**II. Total Number of Domestic Violence/Dispute Calls:**

19

**III. Results of Calls:**

Calls With DVI Charge	Calls With No DVI Charge	
	Other Charge	No Charge
19	0	0

**IV.**

**Agency:\***

Kent Police Department

**ORI:**

OH0670300

**Agency Phone:**

(330) 673-3221

**Agency Email:\***

michael.lewis@kentohio.gov

**Officer Phone:\***

(330) 673-7732

**Officer Email:\***

elizabeth.sadowski@kentohio.gov

**Officer:**

esadowski06650

**Officer Name:**

Sadowski, Elizabeth

**V.**

**Date Agency Completed:**

(Submitted date)



**County:**

Portage

**Month of Report:\***

January

**Year of Report:\***

2026

Save

Print

Submit

Exit w/o Saving

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Bureau of Criminal Identification & Investigation  
P.O. Box 365  
London, Ohio 43140  
[www.OhioAttorneyGeneral.gov](http://www.ohioattorneygeneral.gov/) (<http://www.ohioattorneygeneral.gov/>)