



CITY OF KENT, OHIO

Community Engagement Coordinator

TO: Dave Ruller, City Manager

FROM: Dominique Bollenbacher, Community Engagement Coordinator

DATE: 8/28/2025

RE: Yard Beautification Awards Presentation

Mr. Ruller,

I am requesting time before council, to share the recipients of the first ever Neighborhood Beautification Awards here in Kent for the month of August.

The winners are as follows:

Matt and Kate Van Note, 122 Prospect St, Ward 1

Lisa Gallagher/Diane Rankin joint property, 303/319 Overlook Dr, Ward 6

Thank you,
Dominique Bollenbacher



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: July 27, 2026

TO: David Ruller, City Manager

FROM: Bridget Susel, Community Development Director

SUBJECT: Proposed Council Standing Sustainability Committee

Council member Tracy Wallach made a motion which was moved to Committee, regarding establishing a sustainability committee as a new Kent City Council standing committee. Currently, sustainability related topics are discussed with Council under one of the existing standing committees. Depending upon the nature of the topic, historically sustainability matters have been presented to Council under the Community Development Committee, Health & Public Safety Committee, or Committee of the Whole.

A former member of the Sustainability Commission had brought this concept up to staff a few years ago and referenced the City of Cuyahoga Falls as an example of a community that has a standing sustainability committee on its council. The Community Development Department staff reviewed the City of Cuyahoga Falls Council agendas and identified the following:

- **2024:** Cuyahoga Falls City Council Sustainability Committee had one item discussed in 2024, which was the acceptance of the annual NOPEC Energized Community Grant.
- **2025:** Cuyahoga Falls City Council held 41 meetings for the year. The Cuyahoga Falls Council Sustainability Committee was convened three (3) times with all three (3) Sustainability Committee meetings occurring in November 2025 to discuss proposed legislation focused on the placement of a solar array on a landfill owned by the City of Cuyahoga Falls. The NOPEC Energized Community Grant, which had been discussed under the Cuyahoga Falls Council Sustainability Committee in 2024, was discussed under the Cuyahoga Falls Council Public Affairs Committee in 2025.
- **2026:** Cuyahoga Falls City Council has held 25 meetings through July 22, 2026. The Cuyahoga Falls Council Sustainability Committee has not had any agenda items discussed yet this year on a sustainability related topic.

It is important to note that in the City of Kent, the Council committee assignment of a discussion item is not a factor considered by the administration with regards to the work done in any area, including sustainability. The administration will continue its work and all items requiring Council discussion and vote will be assigned to a committee by the Clerk of Council so if the proposed sustainability committee is added as a new committee, work conducted in this area will be assigned accordingly.

The City Manager annually tracks the activities undertaken with Council towards achieving the City's core strategic goals, including the goal "support of natural resources and public health," which encompasses a myriad of sustainability and environmental related initiatives, activities, and projects. Attached is the information compiled annually for the period 2008-2024. Council and the administration addressed an average of 16+ discussion and legislative action items per year since 2008 in support of sustainability, the environment, natural resources, and public health related topics. These efforts will continue even if the proposed new standing sustainability committee is not established.

I am respectfully requesting time at the August 5, 2026 Council Committee meeting so Council can discuss the proposed standing sustainability committee concept in greater detail and make a determination on this agenda item.

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
Julie Morris, Sustainability Coordinator
Dan Morganti, Assistant Community Development Director

Strategic Goal

Support for Natural Resources and Public Health

"to protect and promote the City's natural resources and the public health of residents and visitors."

Natural Resource and Public Health Actions & Events

Objectives:

- Expand the opportunities for Kent residents and visitors to experience & enjoy Kent's natural resources.
- Serve as a model for conservation and environmental practices.
- Develop and promote eco-tourism, eco-recreation and green based business prospects in Kent.
- Support events that showcase the City's natural resources as a quality of life amenity.
- Reduce energy and fuel dependency; have a smaller carbon footprint as a City.
- Preserve and expand wetland areas and create conservation easements for environmentally sensitive areas.
- Provide services and programs to optimize and protect public health for Kent residents and visitors.

2024

- SR59 Alternative Transportation Project
- Climate Action Plan Implementation Underway
- Hired Full Time Sustainability Planner
- Low Frequency Noise Review/Land O'Lake's Project
- City County Water Planning Study Agreement
- Remediation oversight at former RB&W and Triangle Cleaners sites
- City Akron Water Hike and Bike Trail Agreement
- KSU Solar Array Project (3.5 megawatt)
- Tompkins Property EPA Clean Up
- New Freedom Bike Trail Connection Project
- Water Well Production Assessment Underway
- Began the Municipal Energy Management Plan
- Constructed 4 public EV charging stations at City Hall
- Secured \$48,000 in NOPEC grants for energy efficiency
- Tobacco Use Grant
- New homeless funding assistance project (\$8,000)
- Health Department Annual Report

2022

- Climate Action Plan Preparation
- Yard Waste Site Mulching, Composting Update
- Hike and Bike Trail Funding
- City Recycling and Trash Contract Award
- Low Frequency Noise Review
- Sanitary Sewer Ordinance
- NOPEC Energized Community Grant
- New PARTA Trolley Added To Transit Fleet
- New KSU Scooters/E Bikes Introduced in Kent
- Health Department Lease Renewal
- Tobacco 21 Ordinance
- Haymaker Farmer's Market Lease

2020

- EV Station Grant Funding
- Multifamily Recycling Contract Expiration
- Klaben Hike and Bike Trail Agreement
- Brownfield Restoration Agreement
- Bike Friendly City Designation Application
- Anti-Idling Presentation
- City Tree Planting Staff Report
- Parks and Rec ODNR Nature Works Grant Funds
- Parks and Recreation Alcohol Sales in Parks
- Parcel Donation to Kent Parks and Recreation
- Proposed Mass Gathering Restrictions
- COVID19 Masking Ordinance
- COVID19 Staff Report
- Farm Animals in Residential Neighborhoods
- Haymaker Farmer's Market Lease
- Farmer's Market Street Closure Request
- Feral Cats Discussion in Council

2023

- Idling Car Prohibition
- SR59 Alternative Transportation Project
- Climate Action Plan Adopted
- City Recycling and Trash Contract Award
- Low Frequency Noise Review
- City County Pedestrian Improvement Agreement
- Sheetz Leaking Tank Replacement
- City Summit County Metro Parks Trail Agreement
- KSU Solar Array Project (3.5 megawatt)
- Tompkins Property EPA Clean Up
- Hudson Road Paving with Bike Lanes
- New Freedom Bike Trail Connection Project
- Remediation at former World Auto Site, Amtek, RB&W
- Water Production Wells Reconditioned
- New PARTA Ride App and Digital Fare
- NOPEC Approved by PUCO to Resume Aggregation
- Healthy Eating Grant
- Public Entities Health Pool Grant
- Tobacco Use Grant
- Ohio HB 513 Review
- Health Department Annual Report
- Vision Zero Resolution

2021

- Curbside Recycling Status Report
- Proposed Recycling Contract Changes
- Hike and Bike Trail Grant Funding
- Greenhouse Gas Inventory Update
- NOPEC Cell Phone Charging Station
- Chimney Swift Habitat Project
- Sanitary Pump Station Project
- Parks and Recreation Master Plan Contract Award
- Kent Parks MOU for Brady's Leap Trail Project
- Pedestrian Safety Report
- New Portage Hike and Bike Trail Sign
- ODOH Public Health Workforce Grant
- COVID Masking Update
- COVID Mask and Public Gathering Laws
- COVID Update
- PARTA Health Department Lease
- Haymaker Farmer's Market Lease
- Tobacco 21 Amendments

Natural Resource Actions & Events (Continued)

2019

- Geo Tour and Clean Transportation Cruise-In
- Sidewalk Maintenance Requirements
- Mogadore Road Site Remediation Access Agreement
- Bryce Fire Pit Air Quality Discussions
- NEFCO Water and Sewer Plans Update
- 50th Anniversary of the Burning River Festival
- Canoe Livery Contract
- New Bike Trail Easement
- New Bus Shelter Agreement with PARTA
- Brady's Leap Trail Grant Agreement
- Parks and Rec White Water Project Update
- City County Solid Waste Plan Update
- New City Gas Pumps, Removed Old Tank
- Amend Trash and Recycling Contracts
- Haymaker Farmer's Market Lease

2017

- Adopt a Spot Program
- N. Ditch Access Agreement for RB&W Remediation
- Simple Recycling Presentation
- Stormwater rate study ongoing
- Council supports Paris Climate Accord
- Farmer's Market 25th Year Anniversary
- Modified Multi-family Recycling Requirements
- Leaf Collection/Mulching
- Updated City Stormwater Regulations
- West Nile Virus safety campaign
- Updated FEMA Flood Maps go into effect
- PARTA breaks ground on natural gas station
- Parks and Rec facility levy fails
- Who's Your Mama Earth Day
- 31st Tree City USA Designation
- Annual River Clean Up
- Farmer's Market sublease
- Ametek Remediation ongoing
- Bike Sharrows installed on Franklin/Stow Street
- Bike trail extended on Haymaker Parkway
- Monitor permits for Injection wells
- Honored Harold Walker

2015

- Adopt a Spot Program
- Kent Bike Share
- Cuyahoga River Watershed Fest
- Kent Elastomer Wins State Gold Award
- Greentown Kent Sustainability Conference
- Bike & Brainstorm Event
- Solid Waste Ordinance Changes
- Leaf Collection/Mulching
- AMATS Hike and Bike Trail Funds
- Ride/Walk to Downtown Kent Event
- Who's Your Mama Earth Day
- 29th Tree City USA Designation
- Annual River Clean Up

2018

- Geo Tour and Clean Transportation Cruise In
- Adopt a Spot Program
- Volunteers begin Kent Climate Action Plan
- Summit Street stormwater improvements made
- Stormwater rate study ongoing
- KSU announces solar powered bus stop
- City sewer trunk line along river repaired/secured
- Davey Tree volunteers to maintain City Arboretum
- Leaf Collection/Mulching
- Urban Chicken regulations established
- West Nile Virus safety campaign
- New public bike repair station in Kent
- New City public water bottle refill stations installed
- KSU Bike Share services re-bid
- Who's Your Mama Earth Day
- 32nd Tree City USA Designation
- Annual River Clean Up
- Farmer's Market sublease
- Ametek Remediation complete, State declares property "clean"
- Portage County solar coop meeting held
- ODNR Cuyahoga River Trail Designation in Kent
- Monitor permits for Injection wells
- Household Hazardous Waste report to Council
- Kent-Akron bike trail easement agreement

2016

- Adopt a Spot Program
- Bike trail easement
- County begins single stream recycling
- Stormwater rate study ongoing
- Parks and Rec/KSU canoe livery service
- Zip cars introduced on KSU campus
- Stormwater Area Q Project, final phase
- Leaf Collection/Mulching
- Kent hosted regional water conference
- West Nile Virus safety campaign
- Lawn and pesticide notification
- AMATS Hike and Bike Trail Funds
- Parks and Rec land acquisition
- Who's Your Mama Earth Day
- 30th Tree City USA Designation
- Annual River Clean Up
- Farmer's Market sublease
- Ametek Demo and Remediation ongoing
- RB&W Site Contamination
- Plastic bag research presentation
- Monitor permits for Injection wells

2014

- Recycling in Downtown Kent is Back
- Leaf Collection/Mulching
- City Landscape Guidelines
- City Policy for Drilling on City Owned Land
- LEED Policy Modifications
- Proposed Solid Waste Ticketing Program
- AMATS Hike and Bike Trail Funds
- Ride/Walk to Downtown Kent Event
- Who's Your Mama Earth Day
- 28th Tree City USA Designation
- Annual River Clean Up

Natural Resource Actions & Events (Continued)

2013

- Health Department Compost Regulations
- Water Resource Management Amendment
- America in Bloom Recognition
- Relocation of freshwater mussels for Redmond Bridge
- City Energy Savings
- Leaf Collection/Mulching
- Approved Portage County Solid Waste Management Plan
- AMATS Hike and Bike Trail Funds
- Ride/Walk to Downtown Kent Event
- Who's Your Mama Earth Day
- 27th Tree City USA Designation
- Annual River Clean Up

2012

- Considered Fracking Ban Proposal
- RB&W Investigation Completed
- Leaf Collection/Mulching
- Adopt a Spot Program
- Health Dept. Trash Citations
- Updated City Stormwater Ordinance
- New Hike & Bike Trail Agreements
- Applied for ODNR Tree Grant
- Planted 111 New Trees
- Aquaponics Expansion in Kent
- AMATS Hike and Bike Trail Funds
- Ride/Walk to Downtown Kent Event
- New Bike Trail Construction (Tannery)
- Plum Creek Recovery Data
- Who's Your Mama Earth Day
- Purchased 5 acres of wetlands
- Kayak documentary in Kent
- 26th Tree City USA Designation
- Annual River Clean Up

2011

- Soils Clean Up Downtown Block
- Shade Tree Mission Renewed
- Leaf Collection/Mulching
- Adopt a Spot Program
- First Energy Light Bulb Replacement
- New Downtown River Access Built
- AMATS Bike Plan Meeting in Kent
- New River Access in Riverbend
- Planted 154 New Trees
- Samsung Environmental Video
- Tree Inventory Technology Purchased
- AMATS Hike and Bike Trail Funds
- Sustain Great Lakes Grant
- New Signs on Hike and Bike Trail
- New Bike Trail Construction
- New Kent is Green Video
- Who's Your Mama Earth Day
- Plum Creek Project State Award
- Jerry's Cleaner's Remediation
- 25th Tree City USA Designation
- Annual River Clean Up
- Clean Ohio Remediation Grant

2010

- Middle Cuyahoga Watershed Plan
- Emerald Ash Borer Grant
- Environmental Film Festival
- Memorial Tree Fund Project
- Adopt a Spot Program
- Jerry's Cleaners Remediation
- Tree City USA Designation
- Carbon CarBan Event
- Energy Conservation Approved
- River Access Public Meetings
- City-ODOT Bike Trail Agreement
- AMATS Hike and Bike Funds
- Kent Food CoOp First Board
- Annual River Clean Up
- Kent Dam International Honor
- KSU New Bike Share Program
- Davey Tree Orchard Dedication
- Who's Your Mama Earth Day
- Plum Creek Grant Increased
- Area Q, Phase V Constructed
- Clean Ohio Assessment Grant

2009

- City Energy Conservation Program
- Green Economy Expert Panel
- Environmental Film Festival
- Memorial Tree Fund Project
- Adopt a Spot Program
- Kent Sustainability Commission
- Tree City USA Designation
- Emerald Ash Borer Quarantine
- ODNR \$250,000 River Access Grant
- Kent Parks & Rec Promotional Video
- \$1.4 Million for Plum Creek Project
- AMATS Hike and Bike Funds
- DC Lobbying for Multi-Modal
- Agree to Esplanade Extension
- Sidewalk Snow Removal
- Lincoln @ Summit Improvements
- Multi-Modal Environmental Study
- Multi-Modal Land Acquisition
- Lincoln @ SR 59 Crosswalk Work
- Area Q, Phase V Began
- Cuyahoga River Clean Up

2008

- Green Building Design Guidelines
- City Building Green Standards
- Leaf Collection/Mulching
- Adopt a Spot Program
- Kent State Sustainability Task Force
- TV recycling with KSU
- Set Conservation Reduction Goals
- Whitewater Park Study
- Stormwater BMP Regulations Update
- New NEFCO Watershed Coordinator
- Ohio EPA River Quality Report
- Citywide Bike Plan
- Cuyahoga River PBS Movie
- AMATS Hike and Bike Trail Funds
- City/KSU Transportation Seminar
- Walk-N-Roll Presentation
- New Bike Trail Construction
- Sidewalk Snow Removal
- Citywide Bike Plan
- KSU-City Bike Share Research
- Central Gateway Transit Study
- Tree City USA Designation



CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: August 25, 2026

TO: David Ruller, City Manager

FROM: Bridget Susel, Community Development Director *BOS*

SUBJECT: October Recognized as Sustainability Month

In October 2025, the late Mayor Fiala issued a proclamation declaring October 2025 as “Sustainability Month” in a public acknowledgement of the internationally recognized designation. The proclamation was issued as part of the City’s ongoing commitment to the education and outreach component of the City’s Climate Action Plan.

The administration and the Sustainability Commission are requesting that, this year, Kent City Council authorize a resolution permanently recognizing October as “Sustainability Month” in the City of Kent.

I am respectfully requesting time at the September 2, 2026 Council Committee meeting to discuss the proposed resolution in greater detail and to request Council authorization, with emergency, of a resolution declaring October permanently as “Sustainability Month” in the City of Kent.

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
Julie Morris, Sustainability Coordinator
Dan Morganti, Assistant Community Development Director



Proclamation

CITY OF KENT, OHIO

TREE CITY USA

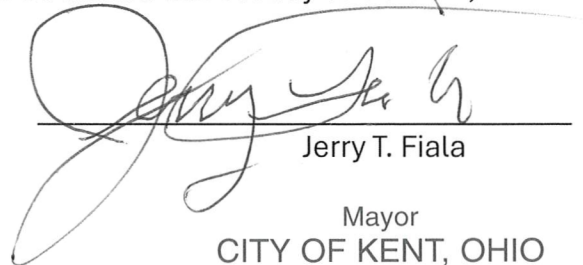
- WHEREAS,** the City of Kent recognizes the well-being of a community is directly linked to the health of our planet, and the Kent community has a long history of working to protect and enhance the environmental, health, and social well-being of those who live, work and play in the City; and
- WHEREAS,** cities across the nation are at the forefront of building a more resilient future by enacting initiatives related to renewable energy, energy efficiency, waste reduction, transportation, and urban green spaces that offer numerous benefits such as cost savings, improved public health, and enhanced quality of life for all residents; and
- WHEREAS,** the City of Kent is committed to implementing policies and practices designed to preserve and protect the Kent community through a commitment to ongoing, responsible, environmental stewardship; and
- WHEREAS,** to honor this commitment, the City of Kent, with the help and input of the community, adopted a Climate Action Plan (CAP) in April 2023 which identified strategies aimed at reducing greenhouse gas emissions, a key contributor to climate change; and
- WHEREAS,** the City of Kent, recognizes the importance of implementing these strategies and continuing to work together as a community to raise awareness of how individual and collective action can lead to a healthier, sustainable, and more resilient future,

Now, Therefore, I, Jerry T. Fiala, Mayor and President of the Kent City Council, in alignment with the Education and Outreach component of the CAP, do hereby proclaim the month of October 2025, as

"SUSTAINABILITY MONTH"

in the City of Kent, Ohio. All residents, businesses, and organizations are urged to join this celebration by participating in activities that promote sustainable practices. Working together can create a brighter, more sustainable future for the City of Kent and beyond.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Official Seal of the City of Kent to be affixed this 1st day of October, 2025.


Jerry T. Fiala
Mayor
CITY OF KENT, OHIO





CITY OF KENT, OHIO

DEPARTMENT OF COMMUNITY DEVELOPMENT

DATE: August 25, 2026

TO: Dave Ruller, City Manager

FROM: Bridget Susel, Community Development Director *BOS*

RE: City Appointment: Destination Kent Convention and Visitors Bureau

The City of Kent has maintained the authority to levy taxes on hotels and motels operating within the City (i.e. bed tax) since the year 2000 (see attached KCO Section 185.01). In addition to this tax, the Ohio Revised Code permits municipalities to levy an additional tax for lodging if “at least 50% of the revenue from the tax levied...is contributed to a convention and visitors” bureau (see attached KCO Section 185.02 and ORC Section 5739.08(B)).

The City had participated in a countywide convention and visitors bureau but in 2016, after the completion of the downtown redevelopment, the City and other entities operating within the City established a new convention and visitors bureau specific to promoting tourism in Kent. The Destination Kent Convention & Visitors Bureau (DKCVB) was organized as a Section 501(c)6 entity through the IRS and a new board was established that included representatives from various City organizations involved in promoting and encouraging tourism in the City of Kent.

The new organization did go dormant for several years as a result of the Covid pandemic, but in late 2024 and early 2025 the organization’s board structure was updated, new by-laws were adopted, and the DKCVB Board began working, again, to support programs, projects, and organizations that actively promoted tourism in the City.

The City of Kent has its Economic Development Director, Eric Helmstedter, assigned as its representative on the DKCVB Board of Directors. Eric’s first term expired on August 27, 2026 so I am respectfully requesting time at the September 2, 2026 Council Committee meeting to answer any questions Council may have regarding the DKCVB and to request Council appoint Eric Helmstedter, with emergency, to a second 3-year term on the Board of Directors.

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

Thank you.

Attachments

Cc: Hope Jones, Law Director
Kathy Coleman, Clerk of Council
Eric Helmstedter, Economic Development Director
Dan Morganti, Assistant Community Development Director

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www.KentOhio.org

CHAPTER 185

Excise Tax on Lodgings

- 185.01 Levy of tax.**
- 185.02 Levy of additional tax.**
- 185.03 Authority for tax.**
- 185.04 Payment**
- 185.05 Filing of return.**
- 185.06 Deposit of moneys collected.**
- 185.07 Rules and regulations.**
- 185.08 Compliance.**
- 185.09 Effective date.**
- 185.10 Effective of late payment.**
- 185.11 Inspection of documents and persons.**
- 185.99 Penalty.**

185.01 LEVY OF TAX.

To provide funds to finance the General Fund of the City and for operating expenses, there is hereby levied a tax of three percent of the amounts received for lodging and for rooms by a hotel or motel within the corporate limits of the City.
(Ord. 2000-104. Passed 12-4-00.)

185.02 LEVY OF ADDITIONAL TAX.

In addition to the tax levied under Section 185.01, there is hereby levied an additional tax of three percent of the amounts received for lodging and for rooms by a hotel or motel within the corporate limits of the City, which tax shall be placed in the General Fund of the City and fifty percent of which shall be contributed to a tourist and convention bureau in the County.
(Ord. 2000-104. Passed 12-4-00.)

185.03 AUTHORITY FOR TAX.

The three percent tax on lodgings levied under Section 185.01 and the additional three percent tax on lodging levied under Section 185.02 are levied under authority of Ohio R.C. Chapter 5739.(Ord. 2000-104. Passed 12-4-00.)

185.04 PAYMENT

Every person, individual, partnership, association or corporation receiving such payments for lodging and room as taxed under this chapter shall file a quarterly return with the Director of Budget & Finance of the City, showing the gross amount received for lodging and rooms collected during the preceding quarter and with such return shall pay the amount of tax shown thereon to be due at a rate of six percent thereof to the City.
(Ord. 2000-104. Passed 12-4-00.)

185.05 FILING OF RETURN

Such return shall be filed with the Director of Budget & Finance on or before the thirtieth day of the month succeeding each quarter period.
(Ord. 2000-104. Passed 12-4-00.)

185.06 DEPOSIT OF MONEYS COLLECTED.

The moneys received by the Director of Budget & Finance under the provisions of this chapter shall be deposited in the General Fund of the City and shall be distributed by the Director in accordance with Section 185.02. (Ord. 2000-104. Passed 12-4-00.)

185.07 RULES AND REGULATIONS.

The Director of Budget & Finance shall prescribe such rules, regulations, and forms for the administration of this chapter and the collection of the tax thereunder as may be required. (Ord. 2000-104. Passed 12-4-00.)

185.08 COMPLIANCE.

No person, individual, partnership, association or corporation shall continue to furnish lodging and hotel or motel rooms for which a charge is made and received unless compliance is made with this chapter by filing a return as provided and paying the tax as levied.

(Ord. 2000-104. Passed 12-4-00.)

185.09 EFFECTIVE DATE.

This chapter as amended shall be effective December 5, 2000.

(Ord. 2000-104. Passed 12-4-00.)

185.10 EFFECT OF LATE PAYMENT.

To any return filed after the thirty day period following each quarter, there shall be an added penalty of ten percent of the tax shown to be due thereon.

(Ord. 2000-104. Passed 12-4-00.)

185.11 INSPECTION OF DOCUMENTS AND PERSONS.

The Director of Budget and Finance may order any person presumed to have information or custody of any documents pertaining to the amounts received for lodging and for rooms by any hotel or motel within the City, to appear before him or her with relevant documents for the purpose of determining the amount of excise tax due under this Chapter.

(Ord. 2000-104. Passed 12-4-00.)

185.99 PENALTY.

Whoever violated any provision of this Chapter by failing to file a return, pay the tax thereunder or appear pursuant to any order of the Director of Budget & Finance issued under Section 185.11, shall be fined not less than one hundred dollars (\$100.00) nor more than one thousand dollars (\$1,000.00) or imprisoned for not more than sixty days or both.

(Ord. 2000-104. Passed 12-4-00.)



Ohio Revised Code

Section 5739.08 Municipal or township excise lodging taxes.

Effective: October 3, 2023

Legislation: House Bill 33

(A) A municipal corporation or township may levy an excise tax for any lawful purpose not to exceed three per cent on transactions by which lodging by a hotel is or is to be furnished to transient guests in addition to the tax levied by section 5739.02 of the Revised Code. If a municipal corporation or township repeals a tax imposed under division (A) of this section, and a county in which the municipal corporation or township has territory has a tax imposed under division (M) of section 5739.09 of the Revised Code in effect, the municipal corporation or township may not reimpose its tax as long as that county tax remains in effect. A municipal corporation or township in which a tax is levied under division (B)(2) of section 351.021 of the Revised Code may not increase the rate of its tax levied under division (A) of this section to any rate that would cause the total taxes levied under both of those divisions to exceed three per cent on any lodging transaction within the municipal corporation or township.

(B) The legislative authority of a municipal corporation or the board of trustees of a township that is not wholly or partly located in a county that has in effect a resolution levying an excise tax pursuant to division (A) of section 5739.09 of the Revised Code may, by ordinance or resolution, levy an additional excise tax not to exceed three per cent on transactions by which lodging by a hotel is or is to be furnished to transient guests. The legislative authority of the municipal corporation or the board of trustees of the township shall deposit at least fifty per cent of the revenue from the tax levied pursuant to this division into a separate fund, which shall be spent solely to make contributions to convention and visitors' bureaus operating within the county in which the municipal corporation or township is wholly or partly located, and the balance of that revenue shall be deposited in the general fund. The municipal corporation or township shall establish all regulations necessary to provide for the administration and allocation of the tax. The regulations may prescribe the time for payment of the tax, and may provide for the imposition of a penalty or interest, or both, for late payments, provided that the penalty does not exceed ten per cent of the amount of tax due, and the rate at which interest accrues does not exceed the rate per annum prescribed pursuant to section 5703.47 of the Revised Code. The levy of a tax under this division is in addition to any tax imposed on the same transaction by a municipal corporation or a township under division (A) of this section.



(C)(1) As used in division (C) of this section, "cost" has the same meaning as in section 351.01 of the Revised Code, and "convention center" has the same meaning as in section 307.695 of the Revised Code.

(2) The legislative authority of the most populous municipal corporation located wholly or partly in a county in which the board of county commissioners has levied a tax under division (D) of section 5739.09 of the Revised Code may amend, on or before September 30, 2002, that municipal corporation's ordinance or resolution that levies an excise tax on transactions by which lodging by a hotel is or is to be furnished to transient guests, to provide for all of the following:

(a) That the rate of the tax shall be increased by not more than an additional one per cent on each transaction;

(b) That all of the revenue from the increase in rate shall be pledged and contributed to a convention facilities authority established by the board of county commissioners under Chapter 351. of the Revised Code on or before May 15, 2002, and be used to pay costs of constructing, expanding, maintaining, operating, or promoting a convention center in the county, including paying bonds, or notes issued in anticipation of bonds, as provided by that chapter;

(c) That the increase in rate shall not be subject to diminution by initiative or referendum or by law while any bonds, or notes in anticipation of bonds, issued by the authority under Chapter 351. of the Revised Code to which the revenue is pledged, remain outstanding in accordance with their terms, unless provision is made by law, by the board of county commissioners, or by the legislative authority, for an adequate substitute therefor that is satisfactory to the trustee if a trust agreement secures the bonds.

(3) The legislative authority of a municipal corporation that, pursuant to division (C)(2) of this section, has amended its ordinance or resolution to increase the rate of the tax authorized by division (B) of this section may further amend the ordinance or resolution to provide that the revenue referred to in division (C)(2)(b) of this section shall be pledged and contributed both to a convention facilities authority to pay the costs of constructing, expanding, maintaining, or operating one or more convention centers in the county, including paying bonds, or notes issued in anticipation of bonds, as



provided in Chapter 351. of the Revised Code, and to a convention and visitors' bureau to pay the costs of promoting one or more convention centers in the county.

(D) As used in division (D) of this section, "eligible municipal corporation" means a municipal corporation that, on September 29, 2017, levied a tax under division (B) of this section at a rate of three per cent and that is located in a county that, on that date, levied a tax under division (A) of section 5739.09 of the Revised Code at a rate of three per cent and that has, according to the most recent federal decennial census, a population exceeding three hundred thousand but not greater than three hundred fifty thousand.

The legislative authority of an eligible municipal corporation may amend, on or before December 31, 2017, that municipal corporation's ordinance or resolution that levies an excise tax on transactions by which lodging by a hotel is or is to be furnished to transient guests, to provide for the following:

(1) That the rate of the tax shall be increased by not more than an additional three per cent on each transaction;

(2) That all of the revenue from the increase in rate shall be used by the municipal corporation for economic development and tourism-related purposes.

(E)(1) As used in division (E) of this section, "cost" and "facility" have the same meanings as in section 351.01 of the Revised Code, except that "facility" does not include a "sports facility," as that term is defined in that section, other than a facility intended to house a major league soccer team.

(2) The legislative authority of a municipal corporation that has a population exceeding three hundred thousand but less than three hundred fifty thousand and that has adopted a resolution or ordinance levying a tax authorized by division (A) of this section may amend the resolution or ordinance to provide that all or a portion of the revenue referred to in division (A) of this section may be pledged and contributed to a convention facilities authority or a port authority to pay the costs of acquiring, constructing, renovating, expanding, maintaining, or operating one or more facilities in the county, including paying bonds, or notes issued in anticipation of bonds, or paying the expenses of maintaining, operating, or promoting one or more facilities.



(3) The legislative authority of any municipal corporation that, pursuant to division (C)(2) of this section, has amended a resolution or ordinance levying the tax authorized by division (D) of section 5739.09 of the Revised Code may further amend the resolution or ordinance to provide that all or a portion of the revenue referred to in division (C)(2)(b) of this section may be pledged and contributed to an issuing authority, as defined in section 5739.093 of the Revised Code, to pay the costs of acquiring, constructing, renovating, expanding, maintaining, or operating one or more facilities in the county, including paying bonds, or notes issued in anticipation of bonds, or paying the expenses of maintaining, operating, or promoting one or more facilities.

DESTINATION KENT CONVENTION AND VISITOR'S BUREAU BOARD MEMBERS

NAME	OCCUPATION	CONTACT INFO	CURRENT TERM EXPIRES	OFFICERS	APPOINTING ENTITY
Eric Helmstedter	Economic Development Director, City of Kent	eric.helmstedter@kentohio.gov (o) 330-676-7582	8/27/2026 1 st term	Chair	Kent City Council
Heather Malarcik	Executive Director, Main Street Kent	heather@mainstreetkent.org (o) 330-677-8000	8/27/2026 1 st term	Treasurer	Main Street Kent
David Schoeffler	General Manager, Kent State University Hotel and Conference Center	dschoeffler@kentstatehotel.com (o) 330-346-0100	8/27/2027 1 st term	Chair Elect	Kent State University Hotel and Conference Center
Mary Jo Cline	Board Member, Kent Area Chamber of Commerce	mary.jo.cline@ametek.com (o) 330-677-3714	8/27/2028 1 st term	Secretary	Kent Area Chamber of Commerce
Dr. Dana Lawless-Andric	Senior AVP, University Outreach and Engagement, Kent State University	dlawless@kent.edu (o) 330-672-1980	8/27/2028 1 st term		Kent State University
Dr. Aviad Israeli	Professor of Service Management, Hospitality and Event Management Program Coordinator, Kent State University	aisraeli@kent.edu (o) 330-672-0210	8/27/2027 1 st term		DKCVB Board of Directors
VACANT			8/27/2026		DKCVB Board of Directors

3 year terms, 2 consecutive term limit per DKCVB Bylaws

Staff:

Dennis Campbell
Executive Director, Kent Area Chamber of Commerce
dcampbell@kentbiz.com
(o) 330-678-9855



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: August 24, 2026

Re: Request Council Resolution to Certify Amounts and Rates for 2027

Please find attached a draft resolution accepting the amounts and rates of the City's various tax levies as determined by the Portage County Budget Commission, and further authorizing the necessary tax levies and certifying them to the Portage County Auditor. This is a recurring process that is required by Ohio Revised Code, Sections 5705.34 & 5705.35 to be submitted to the County Auditor before October 1st of each year.

I am respectfully requesting City Council's approval of this resolution as an authorized agenda item at the September 2, 2026 City Council Meeting.

Thank you in advance for your support of this request and the action being sought. Should there be any questions regarding this matter I would certainly be happy to respond accordingly.

RESOLUTION NO. 2026-xxx

**RESOLUTION ACCEPTING THE AMOUNTS AND RATES AS DETERMINED BY
THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX
LEVIES AND CERTIFYING THEM TO THE COUNTY AUDITOR
(CITY COUNCIL)**

Revised Code, Secs. 5705.34 & 5705.35

The Council of the City of Kent, Portage County, Ohio, met in
Regular session on the 16th day of September, 2026 at the
office of Kent City Council with the following members present:

Mr. _____ moved the adoption of the following Resolution:

WHEREAS, This Council in accordance with the provisions of law has previously adopted a Tax Budget for the next succeeding fiscal year commencing January 1st, 2027; and

WHEREAS, The Budget Commission of Portage County, Ohio has certified its action thereon to this Council together with an estimate by the County Auditor of the rate of each tax necessary to be levied by this Council, and what part thereof is without, and what part within, the ten mill tax limitation; therefore, be it

RESOLVED, By the Council of the City of Kent, Portage County, Ohio, that the amounts and rates, as determined by the Budget Commission in its certification, be and the same are hereby accepted; and be it further

RESOLVED, That there be and is hereby levied on the tax duplicate of said City the rate of each tax necessary to be levied within and without the ten-mill limitation as follows:

OFFICIAL CERTIFICATE OF ESTIMATED RESOURCES

Rev. Code Sec. 5705.34 & 5705.35

Office of the Budget Commission, Portage County, Ravenna, Ohio

To the Taxing Authority of:

KENT CITY

SCHEDULE A

**SUMMARY OF AMOUNTS REQUIRED FROM GENERAL PROPERTY TAX APPROVED
BY BUDGET COMMISSION AND COUNTY AUDITOR'S ESTIMATED TAX RATES**

FUND	AMOUNT APPROVED BY BUDGET COM- MISSION INSIDE 10 M. LIMITATION	AMOUNT APPROVED BY BUDGET COM- MISSION OUTSIDE 10 M. LIMITATION	COUNTY ESTIMATE RATE TO INSIDE 10 M. LIMIT	AUDITOR'S OF TAX BE LEVIED OUTSIDE 10 M. LIMIT
	Column I	Column II	III	IV
General	\$ 2,164,507	\$ 341,258	3.6 & 0.9	1.16
Police Pension	186,265		0.30	
Fire Pension	186,265		0.30	
West Side Fire Station		268,281		0.73
Recreation		1,235,817		3.45
TOTAL	\$ 2,537,037	\$ 1,845,356	4.2 & 1.5	5.34

\$ 4,382,393

COUNTY AUDITOR'S ESTIMATE

\$620,882,067

COUNTY AUDITOR'S ESTIMATE Kent City	OF RATE IN MILLS Field LSD	Kent CSD
LEVIES INSIDE OF 10 MILL	LIMITATION	
County	2.00	2.00
City	1.50	4.20
School	6.50	3.80
JVS		
TOTAL:	10.00	10.00
LEVIES OUTSIDE OF 10 MILL	LIMITATION	
County	12.12	12.12
City	5.34	5.34
School	58.12	114.79
JVS	4.00	0.00
Library	0.00	1.80
Portage Park District	1.00	1.00
TOTAL:	80.58	135.05
TOTAL LEVIES:	90.58	145.05

Tax estimates as they will appear on the 2027 Official Certificate of Estimated Resources.

General Fund	\$ 2,505,765
Police Pension	186,265
Fire Pension	186,265
Westside Fire Station	268,281
Recreation	<u>1,235,817</u>
Tax Revenue Estimate	\$ <u>4,382,393</u>

SCHEDULE B

LEVIES OUTSIDE 10 mill limitation

Levy Purpose	Date of Vote & Duration of Levy	Maximum Rate Authorized to be Levied	County Auditor's Estimate of Yield of Levy
General	01/05/24 5 years	1.16	\$ 341,258
West Side Fire Station	11/04/25 5 years	0.73	268,281
Recreation	11/03/15 Cont	1.00	367,509
Recreation	11/03/15 Cont	0.43	158,029
Recreation	11/03/09 Cont	0.50	184,799
Recreation	11/07/06 Cont	1.52	525,481

and be it further RESOLVED, That the Clerk of this Council be, and is hereby directed to certify a copy of this Resolution to the County Auditor of said County.

Mr. _____ seconded the Resolution and the roll being called upon its adoption the vote resulted as follows:

Mr. _____ , _____

Mr. _____ , _____

Mr. _____ , _____

Mr. _____ , _____

Mr. _____ , _____

Mr. _____ , _____

Mr. _____ , _____

Mr. _____ , _____

Mr. _____ , _____

Adopted the _____ day of _____, _____

President of Council

Clerk of Council

CERTIFICATE OF COPY
ORIGINAL ON FILE

The State of Ohio, Portage County.

I, _____, Clerk of the Council of the City of _____,
in said County, and in whose custody the Files and Records of said Council are required by the
laws of the State of Ohio to be kept, do hereby certify that the foregoing is taken and copied from
the original _____

now on file, that the foregoing has been compared by me with said original document, and that the
same is a true and correct copy thereof.

WITNESS my signature, this _____ day of _____, _____

Clerk of Council

Portage County, Ohio

City

RESOLUTION ACCEPTING THE
AMOUNTS AND RATES AS DETERMINED
BY THE BUDGET COMMISSION AND
AUTHORIZING THE NECESSARY TAX
LEVIES AND CERTIFYING THEM TO THE
COUNTY AUDITOR.

(City Council)

Filed _____, _____

County Auditor



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: August 24, 2026
Re: FY2026 Appropriation Amendment #6

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

Fund 001 – General

Increase \$ 78,000 Budget & Finance / Other (O&M) – Increase approp for Life Force Mgmt and other expenditures per B. Huff 8/24/26 memo.

Fund 102 – Street Construction, Maintenance and Repair (SCMR)

Increase \$ 50,000 Central Maintenance / Other (O&M) – Add'l appropriations to cover rock salt, per B. McKay 8/20/2026 memo

Increase 1,130 Central Maintenance / Other (O&M) – Add'l appropriations to cover fuel tax rebate services, per B. Huff 8/24/26 memo.

Fund 107 – Food Service

Increase \$ 33,900 Food Service / Other (O&M) – Increase appropriations to cover accidentally closed PO from 2024, per B. Huff 8/24/26 memo.

Fund 110 – Health Department

Increase \$ 54,216 Health Dept. / Other (O&M) – Increase appropriations to cover accidentally closed PO from 2024, per B. Huff 8/24/26 memo.

Fund 120 – Housing Fund

Increase \$ 2,184 Housing Fund / Other (O&M) – Increase appropriations to cover accidentally closed PO from 2024, per B. Huff 8/24/26 memo.

Fund 124 – Income Tax Safety

Increase \$ 26,550 Income Tax Safety / Other (O&M) – Increase appropriations to cover refund of Wellness Grant, per B. Huff 8/24/26 memo.

Fund 128 – Fire and EMS

Increase \$ 15,590 Fire & EMS/ Other (O&M) – Increase appropriations to cover refund of Wellness Grant, per B. Huff 8/24/26 memo.

Continued

Fund 138 – ARPA

Increase	\$	3,357.25	ARPA / Capital – Increased appropriations for the Influent Headworks Bldg project since the Heat Digester was under budget and we will be utilizing the ARPA funds instead of Sewer Fund per J. Bowling 6/26/2026 memo.
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Fund 201 – Water

Increase	\$	22,810	Water / SVC – Capital Facilities – Increase approp for fire suppression for PO accidentally closed per B. Huff 8/24/26 memo.
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Fund 202 – Sewer

Increase	\$	70,000	Sewer / Capital – Increase approp for for contingency for PO accidentally closed per B. Huff 8/24/26 memo.
Decrease		(60,000)	Sewer / Capital – Reduce appropriations to to move funds to O&M to cover bio-solids disposals per TJ Grippi 7/21/2026 memo.
Increase		60,000	Capital / Other (O&M) – Add'l appropriations to to move funds to O&M to cover bio-solids disposals per TJ Grippi 7/21/2026 memo.
Decrease		(3,357.25)	Capital / SVC – Capital Facilities – Decreased appropriations for the Influent Headworks Bldg project since the Heat Digester was under budget and we will be utilizing the ARPA funds instead of Sewer Fund per J. Bowling 6/26/2026 memo.

Fund 301 – Capital Improvements

Increase	\$	22,810	Capital / SVC – Capital Facilities – Increase approp for fire suppression for PO accidentally closed per B. Huff 8/24/26 memo.
			Capital / SVC – Capital Facilities – Increase approp since bids were higher than expected and so that we don't reduce the number of streets within the project per J
Increase		150,000	Bowling 8/11/26 memo.
Decrease		(150,000)	Capital / SVC – Capital Facilities – Decrease approp since bids were lower than expected per J Bowling 8/11/26 memo.

Fund 303 – Police Station Levy Fund

Increase	\$	12,300	Police Station Levy / SVC – Capital Facilities – Appropriate funds to cover furniture purchase per J. Ennemoser 8/6/2026 memo.
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CITY OF KENT, OHIO
DEPARTMENT OF BUDGET AND FINANCE

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

From: Brian Huff, CPA, Controller

Date: August 24, 2026

Re: Appropriation Amendment Needed

An amendment to appropriations in funds 001, 102, 107, 110, 120, 124, 128, 201, 202, and 301 are being requested due to the accidental closing of prior year purchase orders for a fire suppression system and water reclamation clarifier and software fees for the health department. Also included in this memo are additional expenses for Life Force Management and City Hall building expenses, and appropriations for a portion of a wellness grant that needs returned, and fees professional services for obtaining a fuel tax refund from the State of Ohio. I am asking for an increase of \$22,810 in appropriations to 201-05-550-605-7680 and \$22,810 to 301-05-560-604-7630 for the fire suppression system, \$78,000 in 001-07-570-708-7390 for Life Force and City Hall expenses, \$1,130 for the services of obtaining a fuel tax refund 102-05-560-602-7340, \$33,900 to 107-02-520-202-7680, \$54,216 to 110-02-520-201-7680, and \$2,184 to 120-02-520-203-7680 for an accidentally closed PO for Tyler software, \$26,550 to 124-01-510-102-7390 and \$15,590 to 128-01-510-108-7390 for the return of part of a grant for wellness, and \$70,000 in 202-05-550-505-7680 for an accidentally closed PO.

Thanks for your attention to this matter.

Brian Huff

Brian Huff, Controller



CITY OF KENT, OHIO

DEPARTMENT OF PUBLIC SERVICE

930 OVERHOLT RD., 2ND FLOOR, KENT, OHIO 44240 (330) 678-8105 FAX (330) 673-1893
www.kentohio.org

8/20/2026

MEMO

To: Rhonda Hall

From: Brad McKay *BM*

RE: Rock Salt

To complete the purchase of rock salt for 2026, we will need an additional \$50,000.00 added to our line #102 05 560 601 7430.

Please let us know when the funds will be added so that we may move forward with a Board of Control to include these funds.

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Rhonda Hall
Dave Ruller

FROM: Jim Bowling

DATE: June 26, 2026

RE: American Rescue Plan Act (ARPA) and Sewer Funds - Appropriation Modification Request

The Service Department requests the following appropriation modifications to the ARPA (138) and Sewer (202) Funds. These adjustments will ensure full use of available local ARPA (138) funds. Because an existing ARPA funded project was completed under budget, we are requesting to replace Sewer funds with the remaining ARPA (138) funds for the Influent Headworks Building project (Project #2021WRF007). The requested modifications are:

Sewer Fund (202) Modifications:

- *Influent Headworks Building (2021WRF007)* – Reduce Appropriations by \$3,357.25

ARPA Fund (138) Modifications:

- *Influent Headworks Building (2021WRF007)* – Appropriate \$3,357.25

Thank you for your consideration of this request.

c: Melanie Baker
Brian Huff
Cori Wimer
Cathy Wilson

City of Kent
Department of Public Service
Division of Water Reclamation

Memo

To: Rhonda Hall
Melanie Baker

From: TJ Grippi

Date: July 21, 2026

RE: Funds Transfer Request

I am requesting the transfer of \$60,000.00 from fund line 7630 *Equipment Items >\$2,500.00* (2026WRF001, *WRF-Misc Plant Equipment*) to line 7390 Misc Contractual. This transfer will cover the additional funds required to dispose of bio-solids and be added to an existing PO for Countywide Landfill.

Thank you for your consideration.

cc: File

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Rhonda Hall
Dave Ruller

FROM: Jim Bowling

DATE: August 11, 2026

RE: Appropriation Modification Request

The Service Department requests the following appropriation modifications listed below:

- **Annual Street and Sidewalk Program (2026CIP001)** – We are requesting \$150,000 in additional appropriations from the Capital (301) Fund for this project. The engineer's opinion of probable construction cost was received for this project, and the cost was higher than budgeted. This request is being made to cover the increase, rather than reducing the number of streets being paved.
- **Sunrise Boulevard Rehabilitation (2025CIP011)** – We are requesting a **reduction** of \$150,000 in appropriation from the Capital (301) Fund for this project. The bids received for this project were lower than the budget amount and the project is nearing completion, so the additional budgetary funds are not required.

Thank you for your consideration of these requests.

c: Melanie Baker
Brian Huff
Brian Hanna
Cathy Wilson



CITY OF KENT, OHIO

Police Department Memorandum

To: Rhonda Hall, Budget and Finance Director
From: Jennifer Ennemoser, Police Administrative Captain
Date: 8/6/2026
Re: Appropriation of Funds for Office Furniture

Ms. Hall,

I am requesting the appropriation of \$12,300.00 from the Police Levy Fund (303-01-510-102-7630 Funds) for the installation of office furniture in the EOC area. Please allocate funds to 301-01-510-116.7630.

Thank you,
Jennifer Ennemoser

David D. Stone
Chief of Police
8/11/2026

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Dave Ruller
Kathy Coleman

FROM: Jim Bowling

DATE: 8/24/26

RE: 1238 West Main Street (Lincoln Dealership) – License Agreement

The Service Department is requesting City Council's approval to execute the attached License Agreement with Klaben Property Management, LLC (KPM). The license agreement permits KPM to occupy a small portion of City owned property located south of KPM's property at 1238 West Main Street. The City's property is used for storm water management (Area Q Detention Basin) and will continue to be used for storm water management for the foreseeable future. KPM has requested to use a small portion of the City's property that is not part of the detention basin for additional storm water management. The two uses are compatible and will not impact the City's use of the property. Therefore, the service department has no objections with executing the attached License agreement.

c: Melanie Baker, Service Director
Bridget Susel, Community Development Director
Cori Wimer, Senior Engineer
Hallie Stone, Development Coordinator
Patti Long, Executive Assistant
Hope Jones, Law Director
Sandy Lance

CITY OF KENT, OHIO
LICENSE AGREEMENT

THIS AGREEMENT is made by and between the CITY OF KENT, OHIO, hereinafter called "City" and KLABEN PROPERTY MANAGEMENT, LLC, hereinafter called the "Licensee."

The City is the owner, in fee simple or by highway easement, of land, hereinafter known as the "Property." For and in consideration of the covenants, conditions, agreements and stipulations of the License expressed herein, the City does hereby agree the Property may be used by the Licensee for the purpose as outlined in Part 1 below, in accordance with the laws and Charter of the City of Kent. The Property is more particularly described in the attached exhibit listed below.

Exhibit "A" - Klaben Lincoln Store Grading Plan
Exhibit "B" – License Area Limits Drawing
Exhibit "C" – License Area Legal Description

The parties hereto covenant and agree as follows:

1. NATURE OF INTEREST:

The Licensee understands that by issuing this license, the City has merely granted the Licensee the right to occupy the right-of-way and this license does not grant or convey to the Licensee any interest in the Property.

2. USE:

2.1 The Property shall be used for the purpose of: stormwater
management, including the installation of an infiltration basin.

and for no other purpose.

2.2 No structural alterations may be made to the City's property without the express written permission of the City of Kent, Director of Public Service.

3. TERM:

The City does hereby agree the Property may be used by the Licensee for a term of one (1) year commencing on _____, 2026, and ending on _____, 2027 unless terminated earlier by either party. This license will automatically renew yearly unless one (1) month before expiration either party notifies the other of its intention to terminate, per Paragraph 14.

4. NECESSARY LICENSES AND PERMITS:

- 4.1** Licensee shall be licensed to do business in the State of Ohio and City of Kent, and upon request, Licensee shall demonstrate to the City that any and all such licenses are in good standing. Correspondence shall be addressed as follows:

All correspondence to the City shall be addressed:

Service Director
City of Kent
930 Overholt Road
Kent, Ohio 44240

All correspondence to the Licensee shall be addressed:

Klaben Property Management, LLC
1250 West Main Street
Kent, Ohio 44240
Attention: Tracee Hilton Rorar

- 4.2** Licensee shall secure all necessary permits required in connection with the use of the Property and shall comply with all federal, state and local statutes, ordinances, rules, or regulations which may affect, in any respect, Licensee's use of the Property. Licensee shall, prior to the commencement of any work, obtain and thereafter maintain, at its sole cost and expense, all licenses, permits, etc., required by law with respect to its business use of the Property.

5. STORAGE AND VENDING:

No storage of materials or supplies of any nature will be permitted on the Property except as directly related to the agreed business use of the Property.

6. TAXES:

Licensee agrees to be responsible for and to timely pay all taxes and/or assessments that may be legally assessed on Licensee's interest, or on any improvements placed by Licensee on said Property, during the continuance of the license hereby created, including any real estate taxes. The Licensee must provide written notice to the City, at the address referenced in Paragraph 4.1, within thirty (30) days of payment of all taxes and/or assessments.

7. DIRECTOR OF PUBLIC SERVICE TO ACT FOR CITY:

The granting of this permit shall not be construed as an abridgment or waiver of any rights which the Director of Public Service has in exercising his jurisdictional powers over the City property, easements or right-of-ways. The City Director of Public Service shall act for and on behalf of the City of Kent in the issuance of and carrying out the provisions of this permit.

8. CITY USE OF PROPERTY:

If for any reason the Director of Public Service or his duly appointed representative deems it necessary to order the removal, reconstruction, relocation or repair of the Licensee's changes to the City's property, then said removal, reconstruction, relocation or repair shall be promptly undertaken at the sole expense of the Licensee's thereof. Failure on the part of the Licensee to conform to the provisions of this permit will be cause for suspension, revocation or annulment of this permit, as the Director of Public Service deems necessary.

9. MAINTENANCE OF PROPERTY:

Licensee shall, at its sole expense, keep and maintain the Property free of all weeds, debris, and flammable materials of every description, and at all times in an orderly, clean, safe, and sanitary condition consistent with neighborhood standards. A high standard of cleanliness, consistent with the location of the area as an adjunct of the City, will be required. Defoliant, noxious, or hazardous materials or chemicals shall not be used or stored on the Property. The

10. MAINTENANCE OF IMPROVEMENTS:

10.1 Licensee, at Licensee's own cost and expense, shall maintain all of his/her improvements to the Property. Licensee shall take all steps necessary to effectively protect the Property from damage incident to the Licensee's use of such Property, all without expense to the City.

10.2 Licensee, shall inspect and maintain the infiltration basin located on the property and adjacent property in accordance with the Inspection and Maintenance Manual shown in Exhibit "D" or as amended with the City's approval in the future.

10.3 Licensee shall be liable to, and shall reimburse the City for, any damage to City owned property that in any way results from or is attributable to the use of said Property by the Licensee or any person entering upon the same with the consent of the Licensee, expressed or implied, to the extent such damage is not caused by the City.

11. **HOLD HARMLESS:**

Licensee shall occupy and use Property at its own risk and expense and shall save the City, its officers, agents, and employees, harmless from any and all claims for damage to property, or injury to, or death of, any person, entering upon same with Licensee's consent, expressed or implied, caused by any acts or omissions of the Licensee, to the extent such damage, injury, or death is not caused by the City.

12. **INSURANCE:**

12.1 At the time of the execution of this Agreement, Licensee shall, at its own expense, take out and keep in force during the terms of this Agreement:

(a) Liability insurance, in a company or companies with an AM Best or comparable rating of at least "A" to protect against any liability to the public incident to the use of, or resulting from injury to, or death of, any person occurring in or about, the Property, in the amount of not less than ***Five Hundred Thousand Dollars (\$500,000.00)***, to indemnify against the claim of one person, and in the amount of not less than ***One Million Dollars (\$1,000,000.00)*** against the claims of two (2) or more persons resulting from any one (1) accident.

(b) Property damage or other insurance in a company or companies with an AM Best or comparable rating of at least "A" to protect Licensee, and the City against any and every liability incident to the use of or resulting from any and every cause occurring in, or about, the Property, including any and all liability of the Licensee, in the amount of not less than ***One Hundred Thousand Dollars (\$100,000.00)***. Said policies shall inure to the benefit, if any, of the Licensee and the City, and shall obligate the insurance carriers to notify Licensee and the City, in writing, not less than thirty (30) days prior to cancellation thereof, or any other change affecting the coverage of the policies. If said policies contain any exclusion concerning property in the care, custody or control of the insured, an endorsement shall be attached thereto stating that such exclusion shall not apply with regard to any liability of the Licensee and the City.

12.2 A copy of the "Certificate of Insurance" will be submitted to the City at the time of execution of license and annually thereafter.

13. **MODIFICATION:**

The terms of this Agreement may be modified upon agreement of the parties.

14. REVOCATION AND TERMINATION:

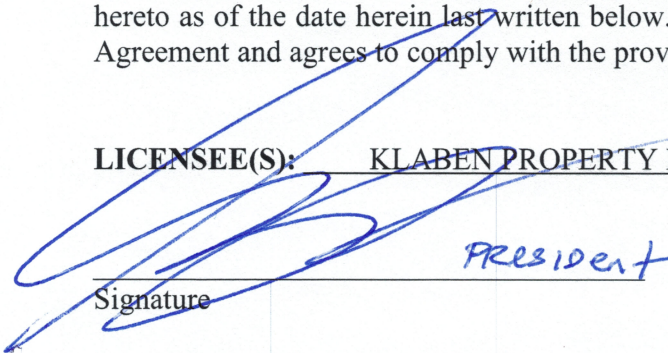
- 14.1** The City may revoke this license at any time. The Licensee may terminate this Agreement at any time.
- 14.2** In the event this license is revoked or the Agreement is terminated the Licensee will peaceably and quietly leave, surrender, and yield up to the City the Property. The Property will be restored to its previous condition at the expense of the Licensee and no costs for removal will be reimbursed by the City.
- 14.3** Upon revocation of the license or upon termination or expiration of Agreement, any personal property, or other appurtenances, including all footings, foundations, and utilities, placed on the City property will be removed by Licensee. If any such appurtenances are not so removed after three hundred and sixty five (365) days written notice from the City to the Licensee, the City may proceed to remove the same and to restore the Property and the Licensee will pay the City, on demand, the reasonable cost and expense of such removal and restoration.

15. RELOCATION:

A Licensee who licenses property from the City shall not be eligible for relocation payments.

IN WITNESS WHEREOF, this Agreement has been executed in duplicate by the parties hereto as of the date herein last written below. Licensee acknowledges receipt of a copy of this Agreement and agrees to comply with the provisions herein contained.

LICENSEE(S): KLABEN PROPERTY MANAGEMENT, LLC


Signature

PRESIDENT

Signature

1250 W. MAIN ST. KENT OHIO 44240

Mailing Address

330-808-5333

Telephone

19 AUGUST 2026

Date

CITY OF KENT, OHIO

Director of Public Service

Date

APPROVED AS TO FORM:

Hope Jones, Law Director
City of Kent

EXHIBIT "A"

Klaben Lincoln Store Grading Plan



O.U.P.S. REFERENCE
A-404-601-136

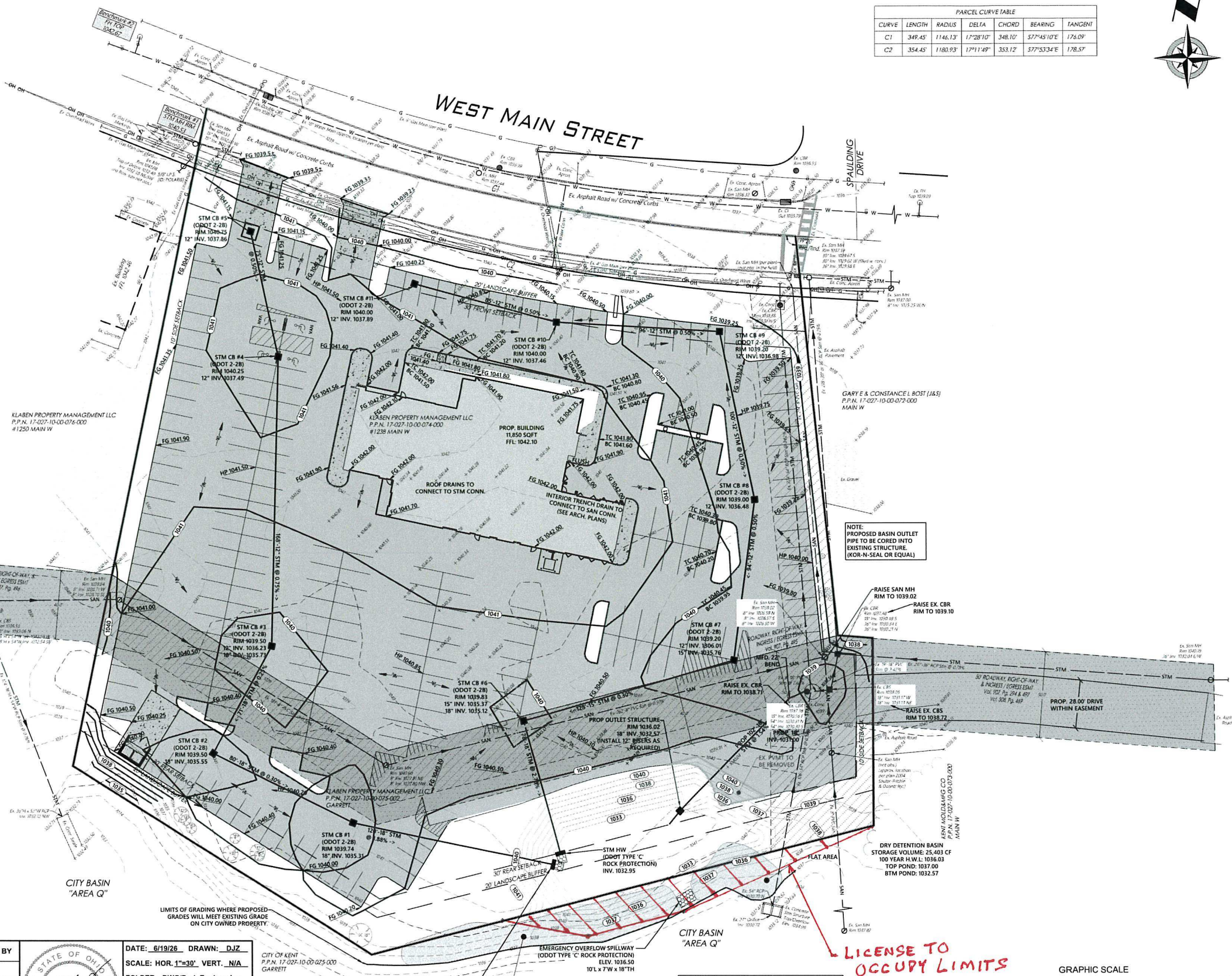
2 WORKING DAYS BEFORE YOU DIG CALL 8-1-1
OHIO UTILITIES PROTECTION SERVICE NON-MEMBERS
MUST BE CALLED DIRECT

EXISTING UNDERGROUND UTILITIES NOTE:
THE SIZE AND LOCATION, BOTH HORIZONTAL AND VERTICAL OF THE
UNDERGROUND UTILITIES SHOWN HEREON, HAVE BEEN OBTAINED BY
A SEARCH OF AVAILABLE RECORDS. THE EXACT LOCATION OF
UNDERGROUND FEATURES CANNOT BE ACCURATELY, COMPLETELY,
AND RELIABLY DEPICTED HEREON. VERIFICATION BY FIELD
OBSERVATION HAS BEEN CONDUCTED. WHERE PRACTICAL.
HOWEVER, POLARIS ENGINEERING & SURVEYING, INC. DOES NOT
GUARANTEE THE COMPLETENESS NOR ACCURACY THEREOF.

NOTE: THIS SURVEY SUBJECT TO CHANGE UPON RECEIPT OF ANY
ADDITIONAL AVAILABLE UNDERGROUND UTILITY INFORMATION.

SYMBOL LEGEND

Ex. Clean Out	Guy Wire
Ex. Catch Basin	Power Pole
Prop. Catch Basin	Light Power Pole
Ex. Curb Inlet	Light Pole
Prop. Curb Inlet	Prop. Light Pole
Ex. Yard Drain	Traffic Signal Pole
Ex. Manhole	Traffic Signal Box
Ex. Sanitary Manhole	Cable TV Box
Prop. Sanitary Manhole	Electrical Box
Ex. Storm Manhole	Telephone (SAC) Box
Prop. Storm Manhole	Power Transformer
Storm Inlet MH	Tree
Ex. Water Valve	Pine Tree
Prop. WL Valve	Bush
Water Meter	Yard Light
Ex. Fire Hydrant	Gasline Marker
Prop. Hydrant	Irrigation Valve
Well	SCB Sprinkler Control Box
Gas Valve	Sprinkler Head
Gas Meter	Sign
Ex. Monument Box	Test Bore
Mailbox	Guard Post
	Stump



PARCEL CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	349.45	1146.13	17°28'10"	348.10	S77°45'10"E
C2	354.45	1180.93	17°11'49"	353.12	S77°53'34"E



KLABEN LINCOLN STORE

CITY OF KENT - PORTAGE COUNTY - OHIO

POLARIS ENGINEERING & SURVEYING, INC.
34600 CUMBER ROAD - SUITE D
CUMBERLAND HILLS, OHIO 44094
(440) 944-4433
www.polaris-es.com



GRADING PLAN

PREPARED FOR:
KLABEN LINCOLN STORE
C/O HUDSON CONSTRUCTION
SERVICES, INC.
35 CHURCH STREET
HUDSON, OHIO 44236
PHONE: (216) 469-6049
CONTACT: DAL JAFFRAY

CONTRACT No.

24024

SHEET	OF
04	10

REV. No.	DATE	BY	DATE: 6/19/26 DRAWN: DJZ
			SCALE: HOR. 1"=30' VERT. N/A
			FOLDER: DWG/Proj. Engineering
			FILENAME: 24024 Site Plan
			TAB: 04-Grading Plan
			BNDY. BY: XXX
			BASE. BY: SRB



NOTE:
ANYONE USING ELEVATIONS ASSOCIATED WITH
THIS PLAN SHALL UTILIZE & CHECK INTO BOTH
BENCHMARKS FOR VERTICAL CONTROL. POLARIS
SHALL BE NOTIFIED IMMEDIATELY OF ANY
IRREGULARITIES.

NOTES:
PER SURVEY INFORMATION, THE LOWEST ELEVATION
AROUND THE PERIMETER OF THE CITY "AREA Q" BASIN
IS 1036.00.
BASIN ELEVATION @ 1037.00 ALONG "AREA Q" WITH 100 YR
H.W.L. OF 1035.89. THE FUNCTIONAL PORTION OF THE BASIN
REMAINS WITHIN THE LIMITS OF THE SUBJECT PARCEL.

LICENSE TO
OCCUPY LIMITS

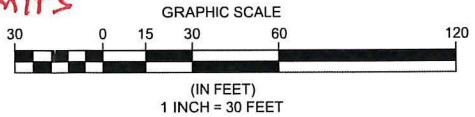


EXHIBIT "B"
License Area Limits Drawing



**POLARIS ENGINEERING
& SURVEYING, INC.**

34600 CHARDON ROAD
SUITE D
WILLOUGHBY HILLS, OH 44094
(440) 944-4433
(440) 944-3722 (Fax)
www.polaris-es.com

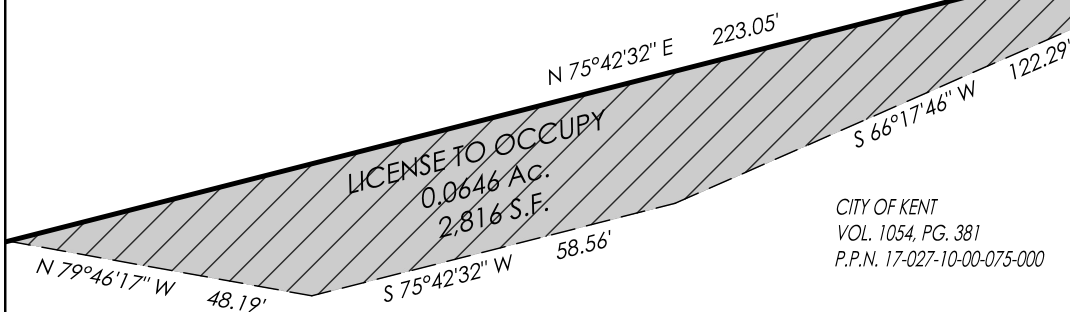
KLABEN PROPERTY
MANAGEMENT LLC
INST: 202412041
P.P.N. 17-027-10-00-075-002

P.O.B.

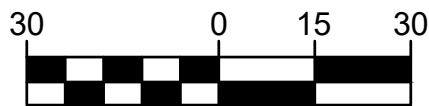
P.P.N. 17-027-10-00-073-000

KENT MOLD & MFG CO
VOL. 508, PG. 469

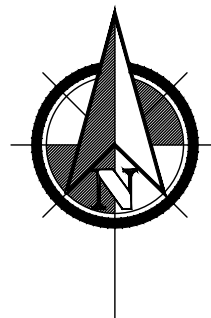
CITY OF KENT
VOL. 1054, PG. 381
P.P.N. 17-027-10-00-075-000



**GRAPHIC
SCALE**



(IN FEET)
1 INCH = 30 FEET



DATE: 8/6/2026
SCALE: HOR. 1"=30'
FOLDER: DWG/Survey
FILENAME: Pond Esmt
TAB: 01-Sketch
DRAWN: RMK

**SKETCH TO ACCOMPANY
LEGAL DESCRIPTION OF
LICENSE TO OCCUPY**

CITY OF KENT - PORTAGE COUNTY - OHIO

CONTRACT No.

24024

SHEET

01

OF

01

EXHIBIT "C"

License Area Legal Description

POLARIS ENGINEERING & SURVEYING INC. – 34600 CHARDON ROAD – WILLOUGHBY HILLS - OHIO

**LEGAL DESCRIPTION
LICENSE TO OCCUPY**

SITUATED IN THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND FURTHER KNOWN AS BEING PART OF LOT 27, ORIGINAL FRANKLIN TOWNSHIP, BEING TOWNSHIP NUMBER 3 NORTH IN THE 9TH RANGE WEST OF TOWNSHIPS IN THE CONNECTICUT WESTERN RESERVE;

BEGINNING IN THE WESTERLY LINE OF LAND CONVEYED TO KENT MOLD & MFG CO BY VOLUME 508, PAGE 469 OF PORTAGE COUNTY RECORDS (PPN: 17-027-10-00-073-000), AT THE SOUTHEASTERLY CORNER OF LAND CONVEYED TO KLABEN PROPERTY MANAGEMENT LLC BY INSTRUMENT NUMBER 202412041 OF PORTAGE COUNTY RECORDS (PPN: 17-027-10-00-075-002);

COURSE 1: THENCE **SOUTH 66°17'46" WEST, 122.29 FEET** TO A POINT;

COURSE 2: THENCE **SOUTH 75°42'32" WEST, 58.56 FEET** TO A POINT;

COURSE 3: THENCE **NORTH 79°46'17" WEST, 48.19 FEET** TO THE SOUTHEASTERLY LINE OF SAID KLABEN PROPERTY MANAGEMENT LLC;

COURSE 4: THENCE **NORTH 75°42'32" EAST** ALONG SAID SOUTHEASTERLY LINE OF KLABEN PROPERTY MANAGEMENT LLC, **223.05 FEET** TO THE PLACE OF BEGINNING, SUBJECT TO ALL LEGAL HIGHWAYS AND EASEMENTS OF RECORD. DESCRIBED IN AUGUST, 2026 POLARIS ENGINEERING AND SURVEYING INC. THIS DESCRIPTION HAS BEEN MADE IN ACCORDANCE WITH THE PROVISIONS OF CHAPTER 4733-37 OF THE OHIO ADMINISTRATIVE CODE. BEARINGS REFER TO THE OHIO STATE COORDINATE SYSTEM OF 1983 (NORTH ZONE) BASED ON THE ODOT CORS/VRS SYSTEM NAD83 (2011) DATUM.



A handwritten signature in black ink that reads "Ryan Kramer".

RYAN KRAMER, OHIO REGISTERED
PROFESSIONAL LAND SURVEYOR #8971
8/6/2026

EXHIBIT "D"
Inspection and Maintenance Manual

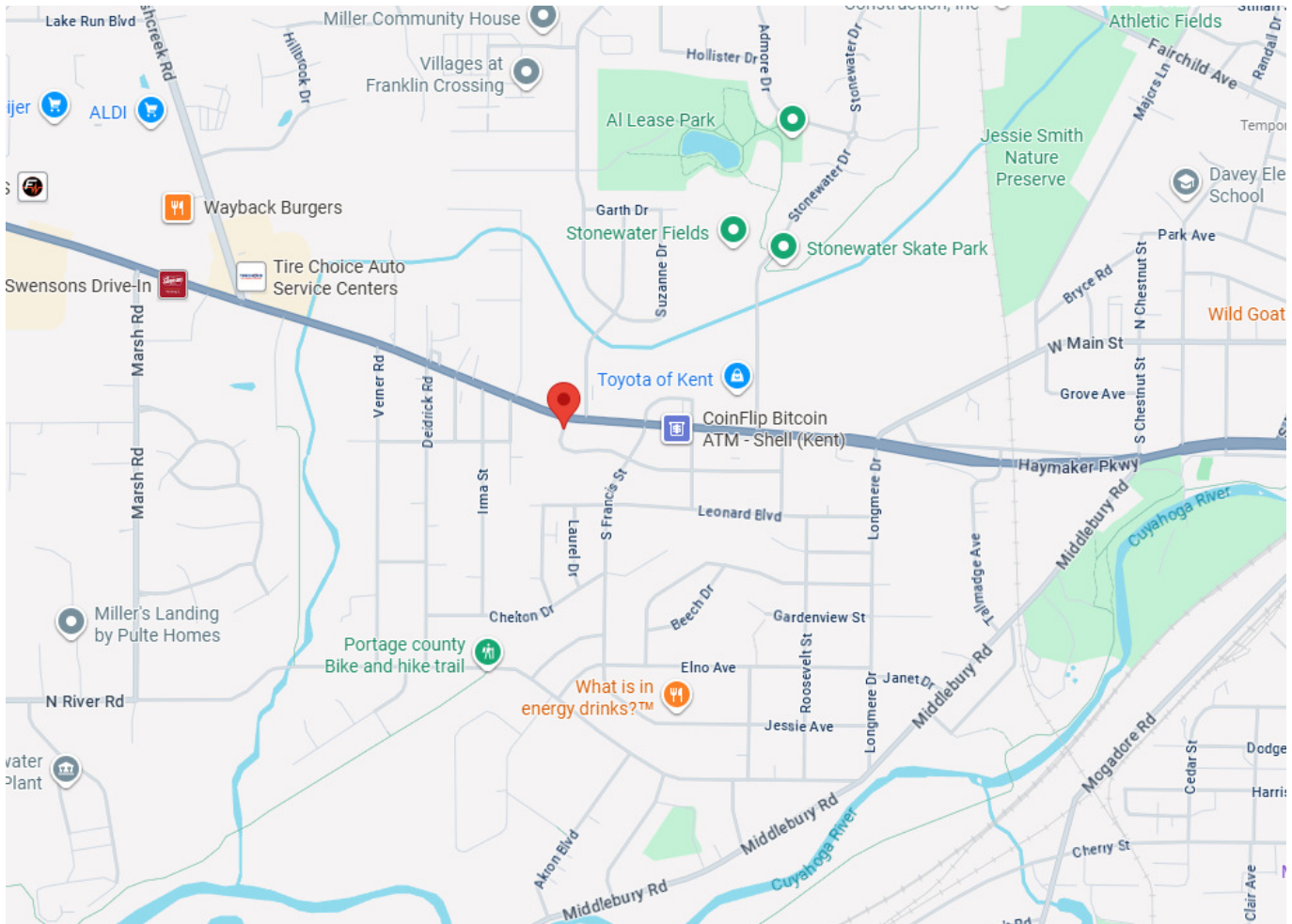
I & M MANUAL

Inspection & Maintenance Manual

Klaben Lincoln Store

1238 West Main Street

City of Kent – Portage County – Ohio



***The Owner of the property will be responsible for the Stormwater SCM's in perpetuity.**

Owner

Klaben Lincoln Store
1238 West Main Street
Kent, Oh 44240
Ph: 330.808.5333
Contact: Al Klaben

Post Construction BMP Designer:

Polaris Engineering & Surveying, INC.
34600 Chardon Road, Suite D
Willoughby Hills, Ohio 44094
(440) 944-4433

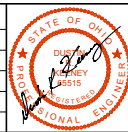
Table of Contents

APPENDIX 'A'	Site Plan
APPENDIX 'B'	Outlet Structures
APPENDIX 'C'	Post Construction Practices - o WQ Basin Maintenance Plan - o Operation & Maintenance Inspection Report

Appendix A

Site Plan

REV. No.	DATE	BY



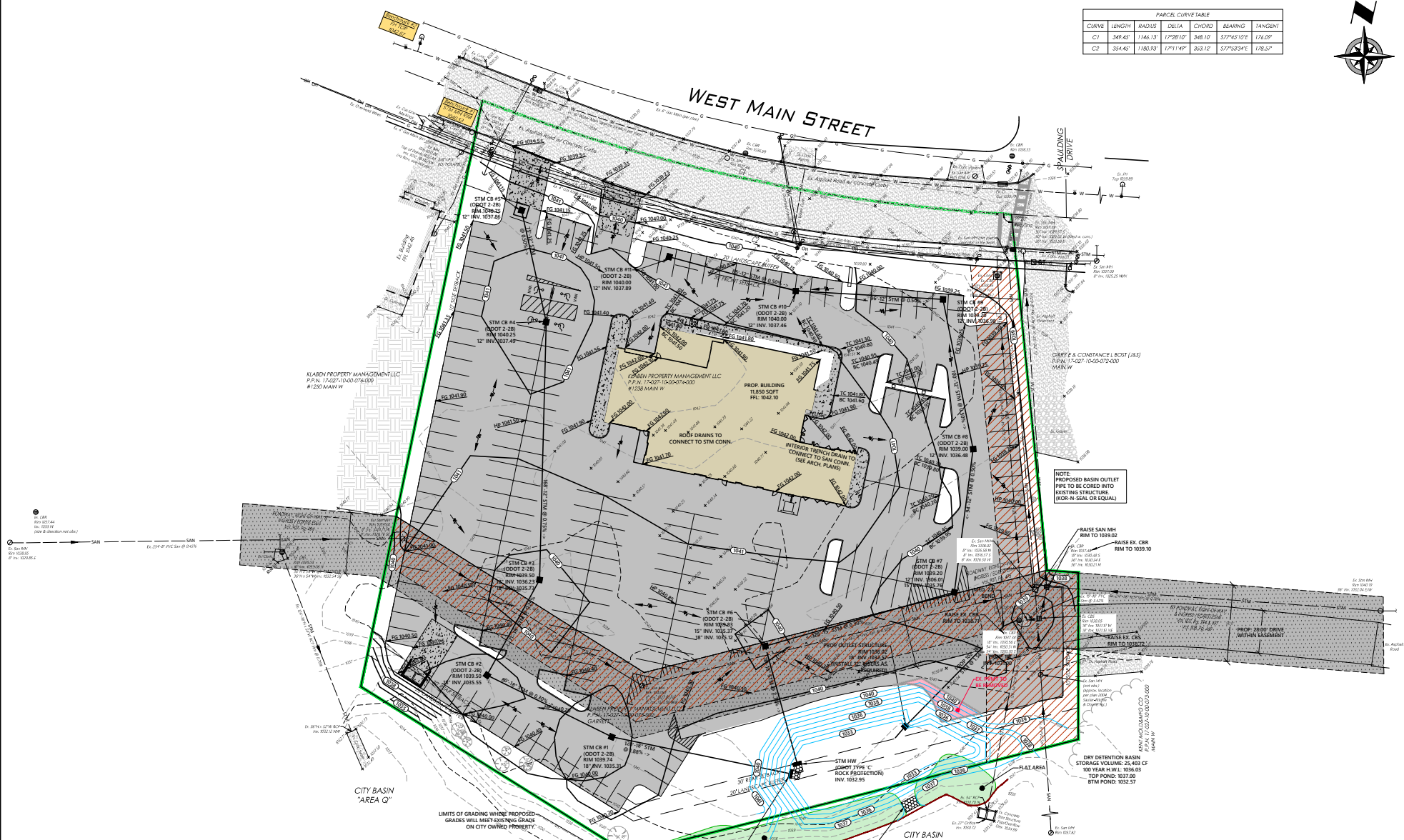
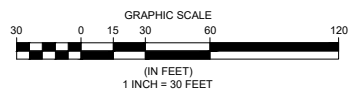
DATE: 6/18/26 DRAWN: DJZ
 SCALE: HOR. 1"=30' VERT. N/A
 FOLDER: DWG/Pro/Engineering
 FILENAME: 24024 Site Plan
 TAB: I&M Site Plan
 BNDY. BY: XXX
 BASE. BY: SRB

NOTE:
 ANYONE USING ELEVATIONS ASSOCIATED WITH THIS PLAN SHALL UTILIZE & CHECK INTO BOTH BENCHMARKS FOR VERTICAL CONTROL. POLARIS SHALL BE NOTIFIED IMMEDIATELY OF ANY IRREGULARITIES.

CITY OF KENT
 P.P.N. 17-025-10-000-000-000
 G-AREY

NOTE:
 PER SURVEY INFORMATION, THE LOWEST ELEVATION AROUND THE PERIMETER OF THE CITY "AREA Q" IS 1036.00.
 BASIN ELEVATION @ 1037.00 ALONG "AREA Q" WITH 100 YR H.W. OF 1036.85. THE FUNCTIONAL PORTION OF THE BASIN REMAINS WITHIN THE LIMITS OF THE SUBJECT PARCEL.

NOTE:
 ANYONE USING ELEVATIONS ASSOCIATED WITH THIS PLAN SHALL UTILIZE & CHECK INTO BOTH BENCHMARKS FOR VERTICAL CONTROL. POLARIS SHALL BE NOTIFIED IMMEDIATELY OF ANY IRREGULARITIES.



PARCEL CURVE TABLE					
CURVE	LENGTH	RADIUS	DELTA	CHORD	BEARING
C1	349.45	1146.13	175°10'	348.10	S77°45'10"E
C2	354.45	1180.93	171°14'	353.12	S77°53'34"E



KLABEN LINCOLN STORE
 CITY OF KENT - PORTAGE COUNTY - OHIO

POLARIS ENGINEERING & SURVEYING, INC.
 10000 GARDEN CITY CENTER
 CLEVELAND, OHIO 44124
 (440) 544-4433
 www.polaris-es.com



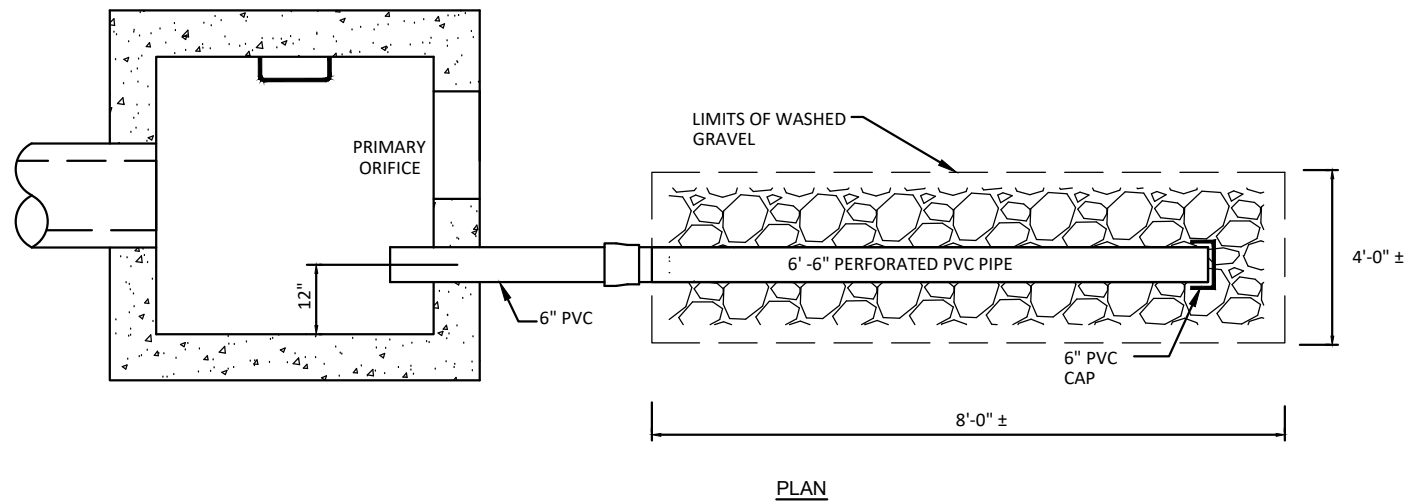
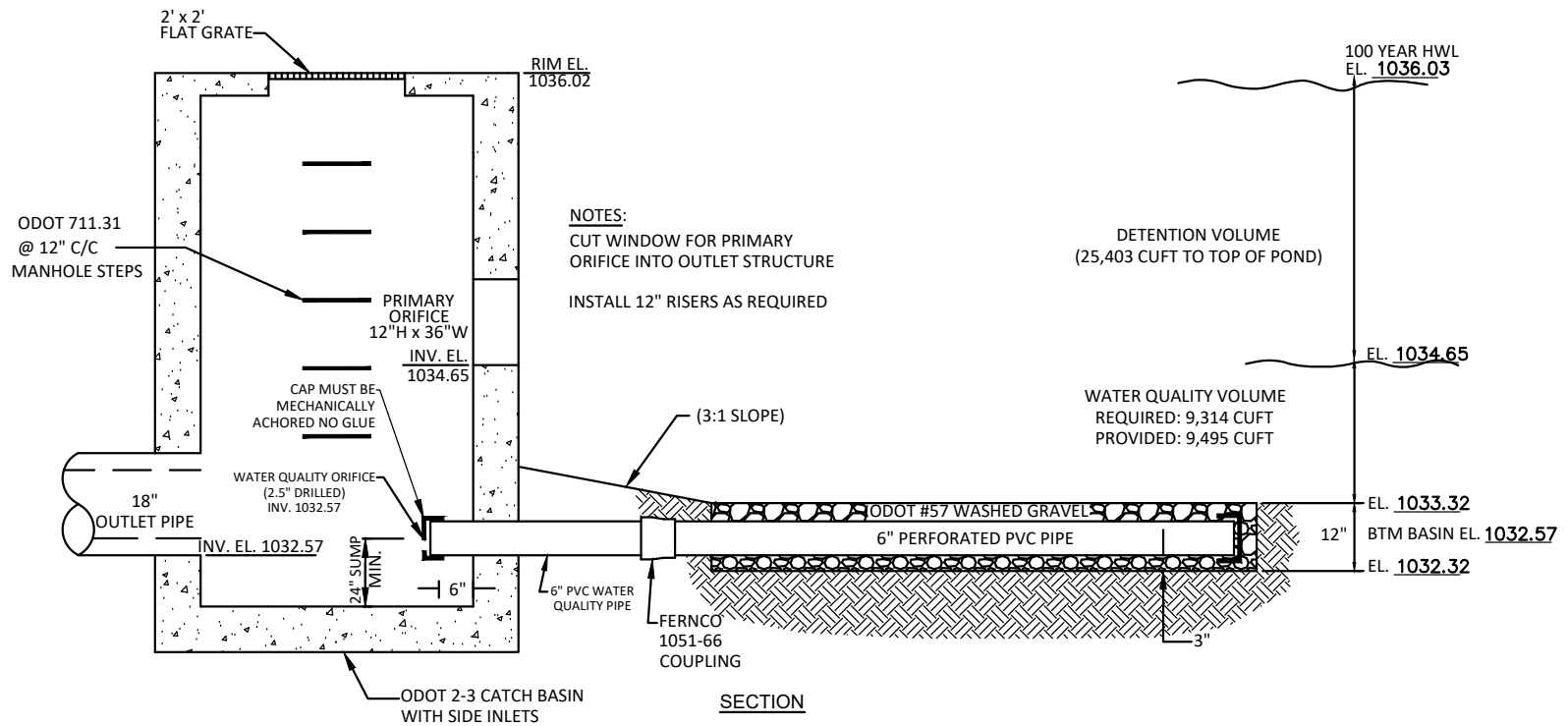
SITE PLAN

PREPARED FOR:
 KLABEN LINCOLN STORE
 CO-HOODSON CONSTRUCTION SERVICES, INC.
 35 CHURCH STREET
 HUDSON, OHIO 44236
 PHONE: (216) 489-6048
 CONTACT: DAL JAFFRAY

CONTRACT No.	24024
SHEET	01
OF	01

Appendix B

Outlet Structures



INFILTRATION DETENTION POND OUTLET STRUCTURE
NOT TO SCALE

Appendix C

Post Construction Practices

Infiltration Basin with Extended Detention Operation & Maintenance Plan

Design Feature	Frequency of Inspection (minimum)	What to Look For
Access Easement	Annually	Ensure there are no encroachments into or damage to the easement that would prohibit equipment from reaching the basin to perform maintenance activities
Sources of Inflow	4 times annually & after every storm event exceeding 1" of rainfall	Check the structural integrity of the pipe, headwall and outlet protection (e.g. rip rap apron). Clean catch basins as needed when sediment buildup due to the sump and trap occurs. Opening of trap should always be unencumbered by sediment.
Rip Rap Traps at Inflow Pipes	4 times annually & after every storm event exceeding 1" of rainfall	Check for sediment buildup in rock traps. If sediment laden rock is to be removed and replaced. Rock should be replaced every 5 years even if sediment is not visible as small particles may exist below the surface of the rock.
Wq Outlet (2.5" orifice at 1032.57)	Standard Maintenance	Ensure there are no blockages caused by trash and debris build-up
Secondary Outlet (12"x36" window at 1034.65)	Standard Maintenance	Ensure there are no blockages caused by trash and debris build-up
Emergency Spillway	Annually	- Ensure there are no blockages caused by trash and debris build-up or illegal dumping - Ensure there is no erosion of the spillway bottom and side slopes
Outlet Structure	Annually	- Check structural integrity - ensure there are no cracks, settling, heaving, pipe separation, or blockages within - Ensure all the joints/seams between riser sections and pipe penetrations within the outlet structure are watertight.
Outlet Pipe or Channel	Annually	Check the structural integrity of the pipe, headwall and outlet protection
Main Pool Area	- Monitor annually - Survey the elevation of accumulated sediments at least every 10-years	- Monitor the accumulation of sediment and corresponding loss of storage capacity. If sediment buildup is visibly significant a survey of the basin will be required to determine volume reduction from sediment and required elevations for possible dredging of basin. - If standing water remains in the basin under the primary orifice level for longer than 3 days after a rain event the bottom will require cleaning and replacement with native soil or materials that exhibit similar infiltration rates to that of the existing soil. - Dethatching and scarifying of basin bottom may be required to ensure infiltration. - Ensure there is an appropriate location to dispose of dredged sediments on or off the site.
Inside and outside slopes	- Mow at least once each year during the growing season - Monitor annually	- Ensure adequate vegetative cover with no rills and gullies or slumping of side slopes. - Woody vegetation that becomes established on fill embankments should be removed.
Vegetation introduced for water quality purposes (e.g. nutrient uptake, shading, etc...)	Annually	- Only grass to be allowed to grow within basin. - Monitor for the presence of invasive species – remove as necessary.
Pond Drain (if Applicable)	Annually	Ensure the drain functions properly by opening and closing

Additional Long Term Maintenance Notes:

- Any lawn mowing activities within the basin area to be performed by light walk behind mower to prevent compaction of native soils through weight of mower and vibrations from mower.
- All grass clippings are to be removed from basin area after mowing activities have been completed to ensure clippings to not cause unintended clogging of native soils.
- No vegetation other than grass shall be installed within the infiltration basin.
- No mulch or any other form of landscape cover is to be installed within the infiltration basin.

Operation and Maintenance Inspection Report for Stormwater Management Ponds

(Adapted from Watershed Management Institute, Inc.)

Inspector Name _____ Project Location _____
 Inspection Date _____
 Stormwater Pond _____
 Normal Pool _____
 Normally Dry _____ Watershed _____

Inspection Items	Checked? Yes / No	Maintenance Needed? Yes / No	Inspection Frequency	Comments
Pond Components				
1. Embankment and Emergency spillway				
a. Adequate vegetation and ground cover			A	
b. Embankment erosion			A	
c. Animal burrows			A	
d. Unauthorized plantings			A	
e. Cracking, bulging, or sliding of dam				
i. Upstream face			A	
ii. Downstream face			A	
iii. At or beyond toe			A	
Upstream				
Downstream			A	
iv. Emergency spillway			A	
f. Pond, toe & chimney drains clear and functioning			A	
g. Leaks on downstream face			A	
h. Abutment protection or riprap failures			A	
i. Visual settlement or horizontal misalignment of top of dam			A	
j. Emergency spillway clear of debris			A	
k. Other (specify)			A	
2. Riser and principal spillway				
Type: Reinforced concrete				
Corrugated pipe				
Masonry				
a. Low flow orifice obstructed			A	
b. Low flow trash rack			A	
i. Debris removal necessary				
ii. Corrosion control			A	
c. Weir trash rack			A	
i. Debris removal necessary				
ii. Corrosion control			A	

Inspection Items		Checked? Yes / No	Maintenance Needed? Yes / No	Inspection Frequency	Comments
d.	Excessive sediment accumulation inside riser			A	
e.	Concrete/Masonry condition			A	
i.	Cracks or displacement				
ii.	Minor spalling (<1")			A	
iii.	Major spalling (rebars exposed)			A	
iv.	Joint failures			A	
v.	Water tightness			A	
f.	Metal pipe condition			A	
g.	Control valve			A	
i.	Operational/exercised				
ii.	Chained and locked			A	
h.	Pond drain valve			A	
i.	Operational/exercised			A	
ii.	Chained and locked			A	
i.	Outfall channels flowing			A	
j.	Other (specify)			A	
3.	Permanent pool (wet ponds)				
a.	Undesirable vegetative growth			M	
b.	Floating or floatable debris removal required			M	
c.	Visible pollution			M	
d.	High Water Marks			M	
e.	Shoreline problems			M	
f.	Other (specify)			M	
4.	Sediment forebays				
a.	Sedimentation Noted			M	
b.	Sediment removal when depth < 50% design depth			M	
5.	Dry pond areas				
a.	Vegetation adequate			M	
b.	Undesirable vegetative growth			M	
c.	Undesirable woody vegetation			M	
d.	Low flow channels clear of obstructions			M	
e.	Standing water or wet spots			M	
f.	Sediment and/or trash accumulation			M	
g.	Other (specify)			M	
6.	Condition of outfalls into pond				
a.	Riprap failures, (Gravel Verges)			A,S	
b.	Slope erosion			A,S	
c.	Storm drain pipes			A,S	
d.	Endwalls/headwalls			A,S	
e.	Other (specify)			A,S	

Inspection Items		Checked? Yes / No	Maintenance Needed? Yes / No	Inspection Frequency	Comments
7.	Other				
a.	Encroachments on ponds or easement area			M	
b.	Complaints from residents (describe on back)			M	
c.	Aesthetics			M	
i.	Grass height				
ii.	Graffiti removal necessary			M	
iii.	Other (specify)			M	
d.	Any public hazards (specify)			M	
e.	Maintenance access			M	
8.	Constructed wetland areas				
a.	Vegetation healthy and growing			A	
b.	Evidence of invasive species			A	
c.	Excessive sedimentation in wetland area			A	

Inspection Frequency Key A=Annual, M=Monthly, S=After major storm

Summary

1. Inspectors Remarks: _____

2. Overall condition of Facility (Check one)

_____ Acceptable

_____ Unacceptable

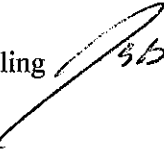
3. Dates any maintenance must be completed by:

Inspectors Signature

CITY OF KENT
DEPARTMENT OF PUBLIC SERVICE
DIVISION OF ENGINEERING

MEMO

TO: Dave Ruller
Kathy Coleman

FROM: Jim Bowling 

DATE: 8/21/26

RE: North Mantua Street Improvement Project – Right of Way Donation

The Service Department is requesting council's approval to accept the attached donation of temporary easements, permanent right of way, and shared use path easements from the Kent City School District Board of Education to complete the North Mantua Street Improvement Project. The donations are from one parcel located along the corridor.

The following is a list of the easements required.

Property Owner	R/W Plan Number	Description	Easement Area
Kent City School District	1-SC	Shared Use Path	1.6815 acres
Board of Education	1-T1	Temporary	0.0055 acres
	1-T2	Temporary	2.4344 acres
	1-SH	Permanent	0.0416 acres

The above donations follow the Federal Uniform Relocation Act that is required when using Federal Funding. This donation represents the last of the properties required to be acquired for the project.

All property is scheduled to be acquired and the right-of-way cleared by November 2026.

c: Melanie Baker, Service Director
Brian Hanna, Senior Engineer
Patti Long, Executive Assistant
Hope Jones, Law Director
Rhonda Hall, Budget and Finance Director
Sandy Lance

DONATION LETTER

July 8, 2026

Mr. Tom Larkin, Superintendent
Kent City School District Board of Education
321 N Depeyster St
Kent, OH 44240

Re: POR-43-12.74
1-SH, 1-SC, 1-T1, and I-T2
PID 121376

Dear Mr. Tom Larkin, Superintendent
Kent City School District Board of Education:

Your real property is needed by the City of Kent for a transportation improvement project. As such, you are hereby advised that you have the right to have your property appraised by a competent appraiser and you have the right to accompany the appraiser on the inspection of your property. You have the right to be provided a written offer for the full amount of the fair market value as determined by the agency based upon the appraisal. You have the right to negotiate with the agency and if an acceptable agreement cannot be reached, the right to have the value determined by a court of law. You also have the right to be paid the full amount of the fair market value before being required to surrender possession of your property. Notwithstanding these rights, we understand you are willing to waive all, or any part of your rights noted and willingly agree to donate the property needed for the transportation project. The property is described in the attached Exhibit A which is incorporated herein.

Please be advised that if you desire to use the donation for a tax deduction, you should seek advice from the Internal Revenue Service or a tax expert regarding the current rules for appraisal valuation

The Kent City School District Board of Education will donate 0.042-acres of Standard Highway Easement, 1.682-acres of Scenic Easement, 0.006-acres of Temporary Easement, and 2.434-acres of Temporary Easement of parcel number 1. The Kent City School District Board of Education will not pursue a property appraisal. This is all the proposed rights of way for this parcel.

The undersigned hereby acknowledges that he/she has been fully advised by an City of Kent representative of his rights reflected above and agrees to: (1) Waive the right to receive just compensation for the property, (2) Release City of Kent from obtaining an appraisal of the acquired property and (3) Execute the necessary conveyance instrument to transfer said property to City of Kent.

Respectfully,

City of Kent

City of Kent, City Manager

Date

Print name

Thomas P. Larkin
Kent City School District Board of Education

8/20/26
Date

Thomas P Larkin
Print name

EASEMENT

Kent City School District Board of Education, the Grantor(s), as a GIFT/DONATION to the Grantee, City of Kent; does quit claim to the Grantee, its successors and assigns, an easement, which is more particularly described in Exhibit A, attached, the following described real estate:

PARCEL(S): 1-SC

POR-43-12.74

SEE EXHIBIT A ATTACHED

Portage County Current Tax Parcel No. 17-042-00-00-004-000

Prior Instrument Reference: (Book 808, Page 587), (Book 868, Page 587), (Book 676, Page 646), (Book 866, Page 251), (Book 866, Page 253), Portage County Recorder's Office.

The property conveyed is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

As consideration for the transfer of property without compensation by Grantor, Grantee, by its acceptance and recordation of this instrument, agrees as follows:

(A) All alternatives to a proposed alignment of the highway project shall be studied and considered pursuant to the "National Environmental Policy Act of 1969," 83 Stat. 852, 42 U.S.C.A. 4321 et seq., as amended.

(B) Acceptance of the donation shall not influence the environmental assessment of the highway project, including the decision relative to the need to construct the project or selection of its specific location.

(C) The donated interest shall revert to the grantor or his successors or assigns if the interest is not required for the alignment chosen for the highway project after public hearings, if hearings are required, and adoption of the environmental document.

As consideration for the transfer of property without compensation by Grantor, Grantee, by its acceptance and recordation of this instrument, agrees that if at anytime the property granted, or any part thereof, shall cease to be used for the purposes for which granted, namely as and for, or in connection with, a road that shall be open to the public without charge, then Grantee shall vacate its road over the property granted, or the relevant part thereof, to Grantor or Grantor's then current successor in interest of record at no cost.

IN WITNESS WHEREOF Kent City School District Board of Education has hereunto set their hands on the 20th day of August, 2026.

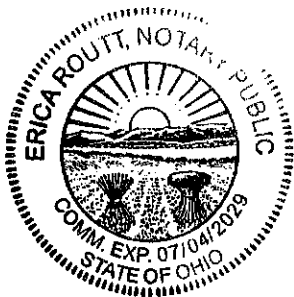
Ther P. Lawli

Kent City School District Board of Education

STATE OF OHIO, COUNTY OF PORTAGE SS:

The foregoing instrument was acknowledged before me this 20th day of August, 2026, by Kent City School District Board of Education.

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



Erica Routt

NOTARY PUBLIC

My Commission expires: July 04, 2029

This document was prepared by or on behalf of the City of Kent.

EXHIBIT A

LPA RX

Ver. Date 04/10/26

Page 1 OF 4

Rev. 06/09

PID 121376

PARCEL 1-SC

POR-43-12.74

**PERPETUAL EASEMENT FOR SHARED USE PATH EASEMENT PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF KENT, PORTAGE COUNTY, OHIO**

An exclusive perpetual easement for public bike, pedestrian and other modes of active transportation purposes, the right to preserve the use and development of an area adjacent to the highway in a manner consistent with the nature and intent of the City of Kent Proposed Bicycle Facilities plan, Safe Routes to Schools plan, Climate Action plan and Lake Rockwell Trail plan as it pertains only to the shared use path construction and/or maintenance work deemed appropriate by the City of Kent, Portage County, Ohio its successors and assigns forever. Any future alterations or modifications to the shared used path alignment, path width and/or grading can only be made with the express written consent and approval from both the Kent City School District (Grantor) and the City of Kent (Grantee).

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

(Surveyor's description of the premises follows)

Situated in State of Ohio, County of Portage, City of Kent, City Lot 42, and being a parcel of land that is left (west) of the centerline of State Route 43, 66.00 feet wide, and being part of a parcel of land conveyed to Kent City School District Board of Education by Document 202204071 Official Records Portage County and bounded and described as follows:

Beginning at a 3/4-inch iron pin monument found in the centerline of said State Route 43 and being North 24 degrees 32 minutes 13 seconds East, 2.53 feet from the intersection of said centerline of State Route 43 and the North line of City of Kent, City Lot 42 and the South line of Franklin Township, Lot 49, Station 125+00.29;

Thence South 24 degrees 32 minutes 13 seconds West, 773.97 feet along the centerline of said State Route 43 passing through said City Lot 42 to an angle point, Station 117+26.32;

Thence South 22 degrees 34 minutes 10 seconds West, 500.06 feet continuing along the centerline of said State Route 43 to an angle point, Station 112+26.26;

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EXHIBIT A

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Thence South 22 degrees 35 minutes 36 seconds West, 541.26 feet continuing along the centerline of said State Route 43 to a point, Station 106+85.00;

Thence North 67 degrees 24 minutes 24 seconds West, 33.00 feet to a point on the westerly right of way line of line of State Route 43 to its intersection with a point on the easterly line of parcel of land conveyed to Kent City School District Board of Education by Volume 808, Page 587 of the Official Records Portage County and being the **Principal Place of Beginning** of the parcel herein described, Station 106+85.00, 33.00 feet left;

Thence with the following twenty (20) courses:

- 1) **North 67 degrees 24 minutes 24 seconds West, 20.00 feet to point, Station 106+85.00, 53.00 feet left;**
- 2) **North 02 degrees 38 minutes 04 seconds East, 101.07 feet to point, Station 107+80.00, 87.50 feet left;**
- 3) **North 26 degrees 10 minutes 11 seconds East, 120.23 feet to point, Station 109+00.00, 80.00 feet left;**
- 4) **North 60 degrees 28 minutes 06 seconds East, 57.01 feet to point, Station 109+45.00, 45.00 feet left;**
- 5) **North 13 degrees 07 minutes 52 seconds East, 106.45 feet to point, Station 110+50.00, 62.50 feet left;**
- 6) **North 26 degrees 40 minutes 44 seconds East, 35.09 feet to point, Station 110+85.00, 60.00 feet left;**
- 7) **North 06 degrees 15 minutes 08 seconds East, 151.06 feet to point, Station 112+30.00, 102.50 feet left;**
- 8) **North 10 degrees 48 minutes 04 seconds East, 122.58 feet to point, Station 113+50.00, 127.50 feet left;**
- 9) **North 33 degrees 11 minutes 20 seconds East, 40.70 feet to point, Station 113+90.00, 120.00 feet left;**
- 10) **North 04 degrees 08 minutes 04 seconds East, 63.25 feet to point, Station 114+50.00, 140.00 feet left;**

EXHIBIT A

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- 11) **North 22 degrees 34 minutes 10 seconds East, 75.00 feet** to point, Station 115+25.00, 140.00 feet left;
- 12) **North 35 degrees 16 minutes 50 seconds East, 136.34 feet** to point, Station 116+58.00, 110.00 feet left;
- 13) **North 22 degrees 34 minutes 10 seconds East, 52.00 feet** to point, Station 117+10.00, 110.00 feet left;
- 14) **North 42 degrees 43 minutes 09 seconds East, 46.07 feet** to point, Station 117+50.00, 95.00 feet left;
- 15) **North 59 degrees 07 minutes 45 seconds East, 70.46 feet** to point, Station 118+08.00, 55.00 feet left;
- 16) **North 23 degrees 11 minutes 56 seconds East, 130.04 feet** to its intersection with the southerly line of a parcel of land conveyed to The Davey Tree Expert Company by Volume 1013, Page 203 of the Official Records Portage County, Station 119+38.00, 58.04 feet left;
- 17) **South 89 degrees 42 minutes 55 seconds East, 27.46 feet** along the southerly line of said parcel of land conveyed to The Davey Tree Expert Company to its intersection with the westerly line of State Route 43 from which point a 5/8 inch iron pin found bears 0.10 feet South 00 degrees 17 minutes 05 seconds West and 0.10 feet North 65 degrees 27 minutes 47 seconds West to its intersection with the westerly line of said State Route 43, Station 119+49.28, 33.00 feet left;
- 18) **South 24 degrees 32 minutes 13 seconds West, 223.53 feet** along the southerly line of said State Route 43 to an angle point, Station 117+25.75, 33.00 feet left (on extended back tangent);
- 19) **South 22 degrees 34 minutes 10 seconds West, 500.61** continuing along the southerly line of said State Route 43 to an angle point, Station 112+26.25, 33.00 feet left (on extended back tangent);
- 20) **South 22 degrees 35 minutes 36 seconds West, 541.26** continuing along the southerly line of said State Route 43 to the **Principal Place of Beginning** containing 73245 square feet or 1.6815 acres of land of which 0.0000 acres of land are within P.R.O.

EXHIBIT A

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The bearings used in this description are based on ODOT Ohio County Coordinate System, Portage County NAD 83 (2011).

The above-described parcel being part of Auditor's Parcel Number 17-042-00-00-004-000.

This description was prepared by John M. Zaranec, Jr., P.S. 7126 of Euthenics Inc. and was based on a survey performed by Euthenics Inc. in July 2025.



A handwritten signature in black ink, appearing to read "John M. Zaranec, Jr.", written over a horizontal line.

John M. Zaranec Jr. P.S. 7126 April 10, 2026

TEMPORARY EASEMENT

Kent City School District Board of Education, the Grantor(s), as a GIFT/DONATION, does grant to City of Kent, the Grantee, the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 1-T1

POR-43-12.74

SEE EXHIBIT A ATTACHED

Portage County Current Tax Parcel No. 17-043-00-00-004-000

Prior Instrument Reference: (Book 808, Page 587), (Book 868, Page 587), (Book 676, Page 646), (Book 866, Page 251), (Book 866, Page 253), Portage County Recorder's Office.

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

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

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

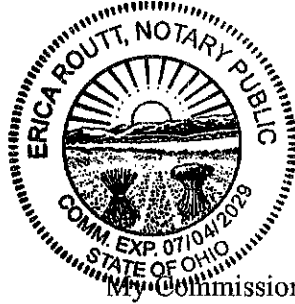
IN WITNESS WHEREOF Kent City School District Board of Education has hereunto set their hands on the 20th day of August, 2026.

Ther P. C. C.
Kent City School District Board of Education

STATE OF OHIO, COUNTY OF PORTAGE SS:

The foregoing instrument was acknowledged before me this 20th day of August, 2026, by Kent City School District Board of Education.

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



Erica Routt
NOTARY PUBLIC

My Commission expires: July 04, 2029

EXHIBIT A

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Ver. Date 03/18/26

PID 121376

**PARCEL 1-T1
POR-43-12.74
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
PURPOSE OF TEMPORARY
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF KENT, PORTAGE COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in State of Ohio, County of Portage, City of Kent, City Lot 42, and being a parcel of land that is left (west) of the centerline of State Route 43, 66.00 feet wide, and being part of a parcel of land conveyed to Kent City School District Board of Education by Document 202204071 Official Records Portage County and bounded and described as follows:

Beginning at a 3/4-inch iron pin monument found in the centerline of said State Route 43 and being North 24 degrees 32 minutes 13 seconds East, 2.53 feet from the intersection of said centerline of State Route 43 and the North line of City of Kent, City Lot 42 and the South line of Franklin Township, Lot 49, Station 125+00.29;

Thence South 24 degrees 32 minutes 13 seconds West, 773.97 feet along the centerline of said State Route 43 passing through said City Lot 42 to an angle point, Station 117+26.32;

Thence South 22 degrees 34 minutes 10 seconds West, 500.06 feet continuing along the centerline of said State Route 43 to an angle point, Station 112+26.26;

Thence South 22 degrees 35 minutes 36 seconds West, 614.21 feet along the centerline of said State Route 43 to its intersection with the northerly line of a parcel of land conveyed to Carolyn Brown and Raymond Raenala by Document 200616057 Official Records Portage County, Station 106+12.05;

Thence North 89 degrees 46 minutes 13 seconds West, 57.31 feet along the northerly line of said parcel of land conveyed to Carolyn Brown and Raymond Raenala to a point, Station 105+90.25, 53.00 feet left;

Thence North 22 degrees 35 minutes 36 seconds East, 22.25 feet to a point and being the **Principal Place of Beginning** of the parcel herein described, Station 106+12.50, 53.00 feet left;

EXHIBIT A

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Thence with the following four (4) courses:

- 1) **North 67 degrees 24 minutes 24 seconds West, 16.00 feet** to point, Station 106+12.50, 69.00 feet left;
- 2) **North 22 degrees 35 minutes 36 seconds East, 15.00 feet** to point, Station 106+27.50, 69.00 feet left;
- 3) **South 67 degrees 24 minutes 24 seconds East, 16.00 feet** to point, Station 106+27.50, 53.00 feet left;
- 4) **South 22 degrees 35 minutes 36 seconds West, 15.00 feet** to the **Principal Place of Beginning** containing 240 square feet or 0.0055 acres of land of which 0.0000 acres of land are within P.R.O.

The bearings used in this description are based on ODOT Ohio County Coordinate System, Portage County NAD 83 (2011).

The above-described parcel being part of Auditor's Parcel Number 17-042-00-00-004-000.

This description was prepared by John M. Zaranec, Jr., P.S. 7126 of Euthenics Inc. and was based on a survey performed by Euthenics Inc. in July 2025.



A handwritten signature in black ink, appearing to read "John M. Zaranec, Jr.", written over a light blue horizontal line.

John M. Zaranec Jr. P.S. 7126 March 18, 2026

TEMPORARY EASEMENT

Kent City School District Board of Education, the Grantor(s), as a GIFT/DONATION, does grant to City of Kent, the Grantee, the temporary easement(s) to exclusively occupy and use for the purposes mentioned in Exhibit A the following described real estate:

PARCEL(S): 1-T2

POR-43-12.74

SEE EXHIBIT A ATTACHED

Portage County Current Tax Parcel No. 17-043-00-00-004-000

Prior Instrument Reference: (Book 808, Page 587), (Book 868, Page 587), (Book 676, Page 646), (Book 866, Page 251), (Book 866, Page 253), Portage County Recorder's Office.

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

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

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

IN WITNESS WHEREOF Kent City School District Board of Education has hereunto set their hands on the 20th day of August, 2026.

Ther P. Carlin

Kent City School District Board of Education

STATE OF OHIO, COUNTY OF PORTAGE SS:

The foregoing instrument was acknowledged before me this 20th day of August, 2026, by Kent City School District Board of Education.

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



Erica Routt

NOTARY PUBLIC

My Commission expires: July 04, 2029

EXHIBIT A

LPA RX 887 T

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Ver. Date 03/23/26

PID 121376

**PARCEL 1-T2
POR-43-12.74
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY TO
PURPOSE OF TEMPORARY
FOR 24 MONTHS FROM DATE OF ENTRY BY THE
CITY OF KENT, PORTAGE COUNTY, OHIO**

[Surveyor's description of the premises follows]

Situated in State of Ohio, County of Portage, City of Kent, City Lot 42, and being a parcel of land that is left (west) of the centerline of State Route 43, 66.00 feet wide, and being part of a parcel of land conveyed to Kent City School District Board of Education by Document 202204071 Official Records Portage County and bounded and described as follows:

Beginning at a 3/4-inch iron pin monument found in the centerline of said State Route 43 and being North 24 degrees 32 minutes 13 seconds East, 2.53 feet from the intersection of said centerline of State Route 43 and the North line of City of Kent, City Lot 42 and the South line of Franklin Township, Lot 49, Station 125+00.29;

Thence South 24 degrees 32 minutes 13 seconds West, 773.97 feet along the centerline of said State Route 43 passing through said City Lot 42 to an angle point, Station 117+26.32;

Thence South 22 degrees 34 minutes 10 seconds West, 500.06 feet continuing along the centerline of said State Route 43 to an angle point, Station 112+26.26;

Thence South 22 degrees 35 minutes 36 seconds West, 541.26 feet continuing along the centerline of said State Route 43 to a point, Station 106+85.00;

Thence North 67 degrees 24 minutes 24 seconds West, 33.00 feet to a point on the westerly right of way line of line of State Route 43 to its intersection with a point on the easterly line of parcel of land conveyed to Kent City School District Board of Education by Volume 808, Page 587 Official Records Portage County and being the **Principal Place of Beginning** of the parcel herein described, Station 106+85.00, 33.00 feet left;

Thence with the following nineteen (19) courses:

EXHIBIT A

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- 1) **North 67 degrees 24 minutes 24 seconds West, 25.00 feet to point, Station 106+85.00, 58.00 feet left;**
- 2) **North 01 degrees 06 minutes 10 seconds West, 98.29 feet to point, Station 107+75.00, 97.50 feet left;**
- 3) **North 02 degrees 27 minutes 25 seconds East, 79.88 feet to point, Station 108+50.00, 125.00 feet left;**
- 4) **North 31 degrees 52 minutes 08 seconds West, 43.01 feet to point, Station 108+75.00, 160.00 feet left;**
- 5) **North 40 degrees 24 minutes 44 seconds East, 220.58 feet to point, Station 110+85.00, 92.50 feet left;**
- 6) **North 05 degrees 21 minutes 21 seconds East, 261.68 feet to point, Station 113+35.00, 170.00 feet left;**
- 7) **North 30 degrees 41 minutes 58 seconds East, 70.71 feet to point, Station 114+05.00, 160.00 feet left;**
- 8) **North 08 degrees 23 minutes 40 seconds West, 58.31 feet to point, Station 114+55.00, 190.00 feet left;**
- 9) **North 86 degrees 00 minutes 15 seconds East, 55.90 feet to point, Station 114+80.00, 140.00 feet left;**
- 10) **North 22 degrees 34 minutes 10 seconds East, 45.00 feet to point, Station 115+25.00, 140.00 feet left;**
- 11) **North 35 degrees 16 minutes 50 seconds East, 136.34 feet to point, Station 116+58.00, 110.00 feet left;**
- 12) **North 22 degrees 34 minutes 10 seconds East, 52.00 feet to point, Station 117+10.00, 110.00 feet left;**
- 13) **North 42 degrees 43 minutes 09 seconds East, 46.07 feet to point, Station 117+50.00, 95.00 feet left;**
- 14) **North 59 degrees 07 minutes 45 seconds East, 70.46 feet to point, Station 118+08.00, 55.00 feet left;**

EXHIBIT A

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- 15) **North 23 degrees 11 minutes 56 seconds East, 130.04 feet** to its intersection with the southerly line of a parcel of land conveyed to The Davey Tree Expert Company by Volume 1013, Page 203 Official Records Portage County, Station 119+38.00, 58.04 feet left;
- 16) **South 89 degrees 42 minutes 55 seconds East, 27.46 feet** along the southerly line of said parcel of land conveyed to The Davey Tree Expert Company to its intersection with the westerly line of State Route 43 from which point a 5/8 inch iron pin found bears 0.10 feet South 00 degrees 17 minutes 05 seconds West and 0.10 feet North 65 degrees 27 minutes 47 seconds West to its intersection with the westerly line of said State Route 43, Station 119+49.28, 33.00 feet left;
- 17) **South 24 degrees 32 minutes 13 seconds West, 223.53 feet** along the southerly line of said State Route 43 to an angle point, Station 117+25.75, 33.00 feet left (on extended back tangent);
- 18) **South 22 degrees 34 minutes 10 seconds West, 500.61** continuing along the southerly line of said State Route 43 to an angle point, Station 112+26.25, 33.00 feet left (on extended back tangent);
- 19) **South 22 degrees 35 minutes 36 seconds West, 541.26** continuing along the southerly line of said State Route 43 to the **Principal Place of Beginning** containing 106,043 square feet or 2.4344 acres of land of which 0.0000 acres of land are within P.R.O.

The bearings used in this description are based on ODOT Ohio County Coordinate System, Portage County NAD 83 (2011).

The above-described parcel being part of Auditor's Parcel Number 17-042-00-00-004-000.

This description was prepared by John M. Zaranec, Jr., P.S. 7126 of Euthenics Inc. and was based on a survey performed by Euthenics Inc. in July 2025.



A handwritten signature in black ink, appearing to read "John M. Zaranec, Jr.", written over a horizontal line.

John M. Zaranec Jr. P.S. 7126 March 24, 2026

POR-43-12.74 1-T2 PG 3 OF 3

EASEMENT

Kent City School District Board of Education, the Grantor(s), as a GIFT/DONATION to the Grantee, City of Kent; does quit claim to the Grantee, its successors and assigns, an easement, which is more particularly described in Exhibit A, attached, the following described real estate:

PARCEL(S): 1-SH

POR-43-12.74

SEE EXHIBIT A ATTACHED

Portage County Current Tax Parcel No. 17-042-00-00-004-000

Prior Instrument Reference: (Book 808, Page 587), (Book 868, Page 587), (Book 676, Page 646), (Book 866, Page 251), (Book 866, Page 253)), Portage County Recorder's Office.

The property conveyed is being acquired by Grantee for a public purpose, namely the establishment, construction, reconstruction, widening, repair or maintenance of a public road.

As consideration for the transfer of property without compensation by Grantor, Grantee, by its acceptance and recordation of this instrument, agrees as follows:

(A) All alternatives to a proposed alignment of the highway project shall be studied and considered pursuant to the "National Environmental Policy Act of 1969," 83 Stat. 852, 42 U.S.C.A. 4321 et seq., as amended.

(B) Acceptance of the donation shall not influence the environmental assessment of the highway project, including the decision relative to the need to construct the project or selection of its specific location.

(C) The donated interest shall revert to the grantor or his successors or assigns if the interest is not required for the alignment chosen for the highway project after public hearings, if hearings are required, and adoption of the environmental document.

As consideration for the transfer of property without compensation by Grantor, Grantee, by its acceptance and recordation of this instrument, agrees that if at anytime the property granted, or any part thereof, shall cease to be used for the purposes for which granted, namely as and for, or in connection with, a road that shall be open to the public without charge, then Grantee shall vacate its road over the property granted, or the relevant part thereof, to Grantor or Grantor's then current successor in interest of record at no cost.

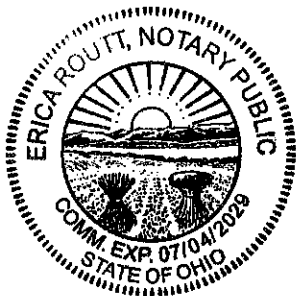
IN WITNESS WHEREOF Kent City School District Board of Education has hereunto set their hands on the 20th day of August, 2026.

Theresa L. Loe
Kent City School District Board of Education

STATE OF OHIO, COUNTY OF PORTAGE SS:

The foregoing instrument was acknowledged before me this 20th day of August, 2026, by Kent City School District Board of Education.

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



Erica Routt
NOTARY PUBLIC

My Commission expires: July 04, 2029

EXHIBIT A

LPA RX 871 SH

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Ver. Date 03/18/26

PID 121376

**PARCEL 1-SH
POR-43-12.74
PERPETUAL EASEMENT FOR HIGHWAY PURPOSES
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
THE CITY OF KENT, PORTAGE COUNTY, OHIO**

An exclusive perpetual easement for public highway and road purposes, including, but not limited to any utility construction, relocation and/or utility maintenance work deemed appropriate by the The City Of Kent, Portage County, Ohio, its successors and assigns forever.

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

[Surveyor's description of the premises follows]

Situated in State of Ohio, County of Portage, City of Kent, City Lot 42, and being a parcel of land that is left (west) of the centerline of State Route 43, 66.00 feet wide, and being part of a parcel of land conveyed to Kent City School District Board of Education by Document 202204071 Official Records Portage County and bounded and described as follows:

Beginning at a 3/4-inch iron pin monument found in the centerline of said State Route 43 and being North 24 degrees 32 minutes 13 seconds East, 2.53 feet from the intersection of said centerline of State Route 43 and the North line of City of Kent, City Lot 42 and the South line of Franklin Township, Lot 49, Station 125+00.29;

Thence South 24 degrees 32 minutes 13 seconds West, 773.97 feet along the centerline of said State Route 43 passing through said City Lot 42 to an angle point, Station 117+26.32;

Thence South 22 degrees 34 minutes 10 seconds West, 500.06 feet continuing along the centerline of said State Route 43 to an angle point, Station 112+26.26;

EXHIBIT A

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Thence South 22 degrees 35 minutes 36 seconds West, 614.21 feet along the centerline of said State Route 43 to its intersection with the northerly line of a parcel of land conveyed to Carolyn Brown and Raymond Raenala by Document 200616057 Official Records Portage County, Station 106+12.05;

Thence North 89 degrees 46 minutes 13 seconds West, 35.68 feet along the northerly line of said parcel of land conveyed to Carolyn Brown and Raymond Raenala to its intersection with the westerly line of said State Route 43 from which point a 5/8 inch iron pin found bears 0.13 feet North 00 degrees 13 minutes 47 seconds East and 0.82 feet North 89 degrees 46 minutes 13 seconds West and being the **Principal Place of Beginning** of the parcel herein described, Station 105+98.48, 33.00 feet left;

Thence with the following four (4) courses:

- 1) **North 89 degrees 46 minutes 13 seconds West, 21.63 feet** along the Northerly line of said parcel of land conveyed to Carolyn Brown and Raymond Raenala to a point therein, Station 105+90.25, 53.00 feet left;
- 2) **North 22 degrees 35 minutes 36 seconds East, 94.75 feet** to point, Station 106+85.00, 53.00 feet left;
- 3) **South 67 degrees 24 minutes 24 seconds East, 20.00 feet** to its intersection with the westerly line of said State Route 43, Station 106+85.00, 33.00 feet left;
- 4) **South 22 degrees 35 minutes 36 seconds West, 86.52 feet** along the westerly line of said State Route 43 to the **Principal Place of Beginning** containing 1813 square feet or 0.0416 acres of land of which 0.0000 acres of land are within P.R.O.

The bearings used in this description are based on ODOT Ohio County Coordinate System, Portage County NAD 83 (2011).

The above-described parcel being part of Auditor's Parcel Number 17-042-00-00-004-000.

This description was prepared by John M. Zaranec, Jr., P.S. 7126 of Euthenics Inc. and was based on a survey performed by Euthenics Inc. in July 2025.

EXHIBIT A

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A handwritten signature in black ink, appearing to read "John M. Zaranec Jr.", written over a horizontal line.

John M. Zaranec Jr. P.S. 7126 March 18, 2026



CITY OF KENT, OHIO

DEPARTMENT OF PUBLIC SERVICE

MEMO

TO: Dave Ruller, City Manager
Jack Amrhein, Mayor
Kent City Council

FROM: Melanie A. Baker, Service Director

DATE: 8/25/2026

SUBJECT: NOPEC Preferred Pricing – Municipal Group Program

NOPEC is developing and has created a new group purchasing program to allow municipalities and their diverse usage to create a greater group buying power collective. This group will consist of municipalities currently enrolled in NOPEC and it will give them more ability to competitively bid their diverse energy usage.

Municipalities have many different users of power. Some are large users, like our sewer and water plants, that can get greater savings based on their larger consumption of energy, while other municipal buildings are smaller, and usage does not afford the ability to take advantage of greater savings. This would be buildings like city hall, FD, PD the SAC and our pump stations. Municipal streetlight program(s), also do not gain competitive pricing due to their function and use.

This preferred pricing program is designed specifically for municipal users; it will give us better buying power by combining our unique needs with other municipalities and it will hopefully provide all of us with more competitive pricing for longer terms.

We have begun the process of exploring this program by providing a letter of exclusivity with NOPEC and a letter of Authorization to NOPEC to shop energy prices on our behalf.

This program requires legislation to allow us to join the group and take advantage of the pricing bid. Therefore, once the bids are in, should we desire to accept the rates approved, the legislation requested will allow us to join. The beauty of this process is that we are not committed, until we are aware of the pricing and until this legislation is approved. We should be aware of the bids by mid-September, which should allow us time to approve the legislation.

The legislation request is before you to allow us to participate in this program. I am also asking for the emergency clause as our current contracts will end on or around October 1, 2026.

I wish to thank you in advance for your consideration and approval of this legislation.

Attached is the explanation of the program from NOPEC and the sample legislation.



Preferred Pricing Municipal Group Program

A New Group Purchasing Program for Competitive Municipal Energy Pricing

July, 2026

Managed by



PROGRAM DESCRIPTION

A New Group Purchasing Program for Competitive Municipal Energy Pricing

NOPEC's Ennovate Advisors division has developed a new group purchasing solution for municipal energy accounts that may be too large, complex, or otherwise ineligible for NOPEC's standard aggregation program. By combining these accounts from multiple participating NOPEC member communities, NOPEC can use greater group buying power to run a competitive supplier bidding process and seek the best available pricing on behalf of participating communities.

Program Benefits

Competitive Bidding | Greater Buying Power
Dedicated Account Manager | Ongoing Pricing Support

Real Results from Participating Communities

Austintown Township

20.94% decrease

City of Parma

19.9% decrease

City of Eastlake,
Streetlight Accounts

Avoided 38.79% increase

City of Lyndhurst

Avoided 19.67% increase

Interested in Participating?

Communities can begin exploring this program without making a commitment. Submitting the Letter of Authorization (LOA), Letter of Exclusivity (LOE), and recent utility bills simply allows NOPEC to review accounts and prepare the group for competitive bidding; the community is not committed unless it passes the required ordinance or resolution by October 1, 2026.

Key Dates & Next Steps

September 1: Deadline to Submit LOA, LOE, and Recent Bills

This exploratory step allows NOPEC to review your accounts and prepare them for competitive bidding. **This step does not commit your community to participate. The LOE can be rescinded at any time.**

October 1: Pass an Ordinance or Resolution

To move forward, Council must pass an ordinance or resolution by Oct. 1 designating an authorized individual, such as the Mayor, Fiscal Officer, or Trustee, to execute a supply contract when pricing is secured. **This is when your community commits to participating.**

October 1-5: Execute Supply Contract

NOPEC will provide specific instructions for the day the designated individual should execute the recommended supply contract. Because supplier pricing is time-sensitive, the contract may need to be signed on a specific day within this window.

If Needed: Send Cancellation Notice to Current Supplier

If applicable, your community will send a cancellation notice to its current supplier so the accounts can transition to the selected supply contract.

November 1: New Pricing Begins

Once the contract is executed and the supplier transition is complete, the new pricing is expected to be reflected on accounts beginning Nov. 1.

Municipal Program Pricing: What to Expect

After interested communities submit paperwork by Sept. 1, Ennovate Advisors will combine the municipal electric and natural gas loads and bid them with multiple suppliers. Communities will receive the negotiated program price in mid-September, before deciding whether to pass the required ordinance or resolution to commit to the program by Oct. 1.

SAMPLE LEGISLATION

SAMPLE LEGISLATION

CITY OF _____, OHIO
_____ COUNTY
ORDINANCE NO. _____

AN ORDINANCE AUTHORIZING THE CITY TO PARTICIPATE IN AN AGGREGATED COMPETITIVE PROCUREMENT OF ELECTRIC ENERGY AND/OR NATURAL GAS FOR MUNICIPAL ACCOUNTS PROGRAM ADMINISTERED BY NOPEC; AUTHORIZING THE MAYOR OR THE MAYOR’S DESIGNEE TO EXECUTE ENERGY SUPPLIER AGREEMENTS; AND DECLARING AN EMERGENCY.

WHEREAS, the City of _____, Ohio (the “City”) owns and operates municipal buildings, facilities, street lighting, and other utility accounts, as applicable, requiring electric energy and/or natural gas service; and,

WHEREAS, the City desires to obtain competitively priced electric energy and/or natural gas supply for such municipal accounts through a competitive procurement process; and,

WHEREAS, the City is a member of the Northeast Ohio Public Energy Council (“NOPEC”) and participates in NOPEC’s electricity and/or natural gas aggregation program(s); and,

WHEREAS, NOPEC has established a new program to assist commercial and industrial electricity and natural gas customers in achieving savings through its Ennovate division, and has substantial experience conducting competitive procurements for governmental and other entities; and,

WHEREAS, NOPEC’s Ennovate division has developed a program to aggregate the City’s load with the municipal loads of other NOPEC member participating political subdivisions to increase purchasing leverage, enhance supplier competition, and improve the opportunity to obtain favorable pricing and contract terms (the “Program”); and,

WHEREAS, the Council desires for the City’s municipal accounts to participate in the Program and to approve and execute any resulting energy supply agreement(s) with energy supplier(s); and,

WHEREAS, the Council further finds that participation in the Program is in the best interests of the City, its residents, and taxpayers.

NOW, THEREFORE, BE IT ORDAINED BY THE COUNCIL OF THE CITY OF _____, COUNTY OF _____, AND STATE OF OHIO, THAT:

SAMPLE LEGISLATION

SECTION 1. Unless and until this Ordinance is amended or repealed by the Council, the City is hereby authorized to participate in the Program administered by NOPEC for the purchase of electric energy supply and/or natural gas supply for municipal accounts designated by the City, and the City authorizes NOPEC's Ennovate division from time to time to include the City's municipal electricity and/or natural gas accounts in an aggregated procurement with the municipal accounts of other participating NOPEC member political subdivisions for the purpose of obtaining competitive pricing and favorable contract terms.

SECTION 2. Unless and until this Ordinance is amended or repealed by the Council, upon presentation of supplier proposal(s) by NOPEC's Ennovate division, the Mayor, or such other City official(s) as the Mayor designates, is authorized from time to time to execute successive energy supply agreements with the energy supplier(s) selected through the Program including extensions, renewals, replacement agreements, amendments, and other ancillary documents necessary to implement such procurements.

The Mayor may designate, in writing, the Finance Director, City Manager, or another appropriate City official to act on the Mayor's behalf for the purpose of reviewing energy supplier proposal(s) and executing the agreements necessary to implement such procurements under this Section if the Mayor is unavailable during the applicable execution window.

SECTION 3. The Mayor, Finance Director, and other appropriate City official(s) designated by the Mayor are authorized to execute such agreements with NOPEC's Ennovate division, other additional documents, and take such further actions as may be necessary or appropriate to carry out the intent of this Ordinance. Any actions previously taken by City officials consistent with the authority granted herein are hereby ratified and confirmed.

SECTION 4. The authority granted by this Ordinance is intended to establish an ongoing procurement process for the City's municipal electric energy and natural gas accounts' requirements.

SECTION 5. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the public health, safety, and welfare of the City, and for the further reason that this Ordinance is required to be immediately effective in order to maximize the potential benefits through the Program.

SAMPLE LEGISLATION

DATED ADOPTED: _____, 2026 _____
President of Council

Submitted to the Mayor for his/her approval on
this ____ day of _____, 2026

ATTEST:
this ____ day of _____, 2026 Approved by the Mayor
_____, 2026

Clerk of Council