

RESOLUTION NO. 2008- 48

A RESOLUTION REQUESTING THE PAYMENT OF CABLE VIDEO SERVICE PROVIDER FRANCHISE FEES FROM AT &T OHIO TO THE CITY OF KENT, OHIO, IN THE AMOUNT OF 5% OF GROSS REVENUES AS DEFINED BY THE STATE OF OHIO, GENERATED BY AT & T OHIO, EFFECTIVE IMMEDIATELY, AND DECLARING AN EMERGENCY.

WHEREAS, the State of Ohio has removed the right of municipalities to franchise the provision of cable video services to its citizens and residents; and

WHEREAS, the State of Ohio still allows for the payment of franchise fees to local municipalities by cable video service providers; and

WHEREAS, AT & T Ohio does provide video cable services within the Kent City limits; and

WHEREAS, the City of Kent wishes to receive 5% of gross revenues as defined by the State of Ohio from AT & T as it is allowed to receive under Ohio law for video service provision.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Kent, Portage County, Ohio, at least three-fourths (3/4) of all members elected thereto concurring:

SECTION 1. That it authorizes the City Manager, or his designee, to request the payment of cable video franchise fees earned by AT & T Ohio in the amount 5% of gross revenues as defined by the State of Ohio.

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

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

PASSED: 2/27/08 _____
DATE PRESIDENT PRO TEM

ATTEST: _____
ACTING CLERK OF COUNCIL

I hereby certify that Resolution No. 2008- 48 was duly enacted this 27th day of _____ February _____, 2008, by the Council of the City of Kent, Ohio.

ACTING CLERK OF COUNCIL