

ORDINANCE NO. 2011- 113**AN ORDINANCE APPROPRIATING FROM THE VARIOUS FUNDS OF THE CITY OF KENT TO INDIVIDUAL ACCOUNTS FOR THE CURRENT EXPENSES OF THE CITY FOR THE FISCAL YEAR ENDING DECEMBER 31, 2012.**

WHEREAS, it is provided by law that an annual appropriation ordinance shall be passed by Council; and

WHEREAS, the Ohio Revised Code and the Charter of the City of Kent provide for such ordinance and the method of enacting the same.

NOW, THEREFORE, BE IT ORDAINED by the Council of the City of Kent, Portage County, Ohio, at least a majority (5) of all members elected thereto concurring:

SECTION 1. That to provide for the current expenses and other expenditures of the City of Kent for the fiscal year ending December 31, 2012, the appropriations set forth in Exhibit "A" attached hereto and incorporated herein, are hereby authorized.

SECTION 2. That this Council finds that the budget approved by Council and the appropriation of funds to implement the budget represent the judgment of Council concerning the personnel and other objects of expenditure needed to administer programs approved for the fiscal year, but that conditions may change during the fiscal year and may call for staff reduction or increases, depending upon the facts in each instance, and that, in recognition of this fact, the City Manager shall review requests for additional positions and for filling vacant positions within the limitations of the budget and, consistent with the payroll ordinance, after making a study of each request, the City Manager shall have the authority to approve, disallow, or postpone such requests for additional personnel.

SECTION 3. That every contract for goods and/or services for which funds are herein appropriated is hereby authorized and approved without need for further legislation and the departmental director, commissioner, or officer having supervision or management control over the line item account or accounts from which such funds shall be drawn is hereby authorized to sign such contracts with or without prior competitive biddings as such director, commissioner, or officer shall decide, upon such terms or specifications as such director, commissioner, or officer shall desire, on behalf of the City of Kent, it being the intention of this Council that the authorizations hereby given satisfy fully the requirements of Ohio Revised Code Sections 731.14, 733.02, 735.05 and 737.03 and Article VII, Section 35 of the Charter of the City of Kent, Ohio and supersede completely the requirements of Revised Code Section 723.52 and 723.53 and constitute and exercise of the powers given to this Council by Section 3, Article XVIII of the Ohio Constitution, as determined by the Supreme Court of Ohio in the case of State ex rel, Cronin v. Wald, 26 OS (2nd) 22, 55 00 (2nd) 12,268 NE (2nd) 581 (1971), and exercised by virtue of Article I, Section 3 of the Charter of the City of Kent, Ohio; provided, however, that nothing contained herein shall be construed so as to reduce the powers given the Board of Control pursuant to Article XIII, Section 61(c) of the City's Charter.

SECTION 4. That the Director of Budget and Finance (hereinafter, "The Director") be and is hereby authorized and directed to draw his or her warrants against the appropriations hereinafter set forth on Exhibit "A", which is attached hereto and made a part hereof upon presentation of proper certificates and vouchers therefor.

SECTION 5. That the Director is authorized to make the transfer and reimbursements which have been herein above appropriated and which are described on Exhibit "A", which is attached hereto and made a part hereof.

SECTION 6. That any single expenditure not exceeding \$10,000 may be made against the contingency line in any particular fund for a purpose consistent with said fund use by written instructions from the City Manager to the Director, which instruction shall include a description of the expenditure which is to be made, the amount to be expended, and the contingency fund against which the expenditure shall be made. Said instructions may consist of a standard purchase order form which is countersigned by the City Manager and bears the added instructions "Charge to contingency fund per Appropriations Ordinance" or

some other similar language. In the case of single expenditures which exceed \$10,000, charges against the contingency funds shall be made in an identical manner and shall also require prior Board of Control approval, in which instance the instructions to the Director shall bear the language "Charge to Contingency Fund per Board of Control authorization" or other similar words. Regardless of whether a contingency fund expenditure exceeds \$10,000, the same is hereby authorized without need for further legislation and the City Manager is hereby authorized to sign any and all such contracts which may relate hereto, with or without prior competitive biddings, as the City Manager shall decide, upon such terms or specifications as he or she shall desire, on behalf of the City of Kent, it being the intention of this Council that the authorizations hereby given satisfy fully the requirements of Ohio Revised Code Sections 731.14, 733.02, 735.05 and 737.03 and Article VII, Section 35 of the Charter of the City of Kent, Ohio and supersede completely the requirements of Revised Code Sections 723.52 and 723.53 and constitute an exercise of the powers given to this Council by Section 3, Article XVIII of the Ohio Constitution, as determined by the Supreme Court of Ohio in the case of State ex rel. Cronin v. Wald, 26 OS the Charter of the City of Kent, Ohio.

SECTION 7. That the City Manager is hereby authorized to sign any and all lease agreements, as the City Manager shall decide, upon such terms or specifications as he or she shall desire, on behalf of the City of Kent, it being the intention of this Council that the authorizations hereby given satisfy fully the requirements of Ohio Revised Code Section 721.03 and Article VII, Section 35 of the Charter of the City of Kent, Ohio and supersede completely the requirements of Ohio Revised Code Section 721.03 and constitute an exercise of the powers given to this Council by Section 3, Article XVIII of the Ohio Constitution. It is further the intent of Council that this authorization be retroactive to January 1, 1994. The lease authorization granted herein to the City Manager applies to properties rented at market value as determined by the Real Estate Broker retained by the City of Kent to manage said properties; that if there are special circumstances for a specific property, or if a property is to be rented at a rate below market value, the City Manager shall seek approval from City Council for the lease of said property.

SECTION 8. That it is found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council 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 9. That this ordinance shall take effect and be in force from and after the earliest date allowed by law.

PASSED: 11/16/2011
DATE

MAYOR AND PRESIDENT OF COUNCIL

ATTEST: _____
CLERK OF COUNCIL

I hereby certify that Ordinance No. 2011- 113 was duly enacted on this 16 day of November, 2011 by the Council of the City of Kent, Ohio.

Linda M. Copley, Clerk of Council

2012 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Department Total</u>
<u>General Fund (001)</u>						
City Council	\$164,819	\$18,200				\$183,019
Mayor	\$7,752	\$2,250				\$10,002
Community Support		\$74,000				\$74,000
City Manager	\$241,961	\$54,000				\$295,961
Urban Renewal		\$100,550				\$100,550
Human Resources	\$55,478	\$17,018				\$72,496
Civil Service	\$100,534	\$30,700				\$131,234
Law	\$321,653	\$114,800				\$436,453
Budget & Finance	\$179,676	\$119,600				\$299,276
Community Development	\$434,223	\$195,650				\$629,873
Economic Development	\$106,910	\$18,500				\$125,410
Health	\$279,821	\$115,680				\$395,501
Permit Parking		\$17,100				\$17,100
Public Planting		\$36,200				\$36,200
Main Street Program		\$75,000				\$75,000
Service Administration	\$53,600	\$513,600	\$6,000			\$573,200
Shade Tree		\$81,000	\$15,000			\$96,000
Rental Units		\$42,000				\$42,000
COAF Grant (EPA Brwnfld)		\$0				\$0
Building	\$197,325	\$37,500				\$234,825
Land banking		\$120,000				\$120,000
Engineering	\$166,577	\$114,650				\$281,227
Safety Director	\$135,797	\$28,400				\$164,197
Police	\$3,297,752	\$577,050				\$3,874,802
Fire	\$1,486,269					\$1,486,269
Miscellaneous & Sundry		\$306,300				\$306,300
Contingency					\$100,000	\$100,000
Fund Total	\$7,230,147	\$2,809,748	\$21,000	\$0	\$100,000	\$10,160,895
<u>West Side Fire (101)</u>						
Fire	\$240,398	\$24,000				\$264,398
Fund Total	\$240,398	\$24,000	\$0	\$0	\$0	\$264,398
<u>Street Construction Maintenance & Repair (102)</u>						
Service	\$880,032	\$707,275				\$1,587,307
Contingency					\$25,000	\$25,000
Fund Total	\$880,032	\$707,275	\$0	\$0	\$25,000	\$1,612,307
<u>State Highway (103)</u>						
Service		\$60,000				\$60,000
Fund Total	\$0	\$60,000	\$0	\$0	\$0	\$60,000
<u>Recreation (106)</u>						
Parks & Recreation	\$1,011,446	\$530,600	\$1,168,551			\$2,710,597
Fund Total	\$1,011,446	\$530,600	\$1,168,551	\$0	\$0	\$2,710,597
<u>Food Service (107)</u>						
Health	\$51,056	\$1,900				\$52,956
Fund Total	\$51,056	\$1,900	\$0	\$0	\$0	\$52,956

2012 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/Debt Service</u>	<u>Contingency</u>	<u>Department Total</u>
<u>Income Tax (116)</u>						
Budget/Finance/IncTaxAdmin	\$248,879	\$346,650				\$595,529
Managed Reserve				\$29,860		\$29,860
Fund Total	\$248,879	\$346,650	\$0	\$29,860	\$0	\$625,389
<u>Revolving Housing (120)</u>						
Health	\$82,474	\$12,500				\$94,974
Fund Total	\$82,474	\$12,500	\$0	\$0	\$0	\$94,974
<u>State & Local Forfeits (121)</u>						
Police						\$0
Fund Total	\$0	\$0	\$0	\$0	\$0	\$0
<u>Drug Law Enforcement (122)</u>						
Police						\$0
Fund Total	\$0	\$0	\$0	\$0	\$0	\$0
<u>Enforcement & Education (123)</u>						
Police						\$0
Fund Total	\$0	\$0	\$0	\$0	\$0	\$0
<u>Income Tax Safety (124)</u>						
Police	\$2,437,715					\$2,437,715
Fund Total	\$2,437,715	\$0	\$0	\$0	\$0	\$2,437,715
<u>Law Enforcement Trust (125)</u>						
Police						\$0
Fund Total	\$0	\$0	\$0	\$0	\$0	\$0
<u>Community Development Block Grant (126)</u>						
Community Development	\$10,977	\$320,105	\$90,000			\$421,082
Fund Total	\$10,977	\$320,105	\$90,000	\$0	\$0	\$421,082
<u>Neighborhood Stabilization (127)</u>						
Community Development						\$0
Fund Total	\$0	\$0	\$0	\$0	\$0	\$0
<u>Fire & E.M.S. (128)</u>						
Fire	\$2,171,723	\$413,955	\$230,000			\$2,815,678
Fund Total	\$2,171,723	\$413,955	\$230,000	\$0	\$0	\$2,815,678
<u>Wireless 911 (129)</u>						
Safety		\$73,000				\$73,000
Fund Total	\$0	\$73,000	\$0	\$0	\$0	\$73,000
<u>Swimming Pool Inspections (130)</u>						
Health	\$3,938	\$400				\$4,338
Fund Total	\$3,938	\$400	\$0	\$0	\$0	\$4,338
<u>Justice Assistance Grant (131)</u>						
Police (JAG)	\$0	\$0	\$0	\$0	\$0	\$0
Fund Total	\$0	\$0	\$0	\$0	\$0	\$0

2012 ORIGINAL APPROPRIATIONS

<u>Fund - Department/Division</u>	<u>Personnel & Benefits</u>	<u>Other than Personnel & Benefits</u>	<u>Capital</u>	<u>Reserve/ Debt Service</u>	<u>Contingency</u>	<u>Department Total</u>
<u>Water (201)</u>						
Service	\$1,399,158	\$889,925	\$620,000			\$2,909,083
Service (Capital Facilities)			\$130,000			\$130,000
Admin. Support	\$490,363	\$17,600				\$507,963
Budget & Finance (Debt)				\$50,960		\$50,960
Contingency					\$50,000	\$50,000
Fund Total	\$1,889,521	\$907,525	\$750,000	\$50,960	\$50,000	\$3,648,006
<u>Sewer (202)</u>						
Service	\$1,381,525	\$863,870	\$0			\$2,245,395
Service (Capital Facilities)			\$0			\$0
Health	\$374,833	\$60,200	\$0			\$435,033
Admin. Support	\$490,363	\$14,500	\$0			\$504,863
Budget & Finance (Debt)				\$1,056,769		\$1,056,769
Contingency					\$50,000	\$50,000
Fund Total	\$2,246,721	\$938,570	\$0	\$1,056,769	\$50,000	\$4,292,060
<u>Utility Billing (204)</u>						
Budget & Finance		\$82,175				\$82,175
Fund Total	\$0	\$82,175	\$0	\$0	\$0	\$82,175
<u>Solid Waste (205)</u>						
Service	\$74,016	\$415,350				\$489,366
Fund Total	\$74,016	\$415,350	\$0	\$0	\$0	\$489,366
<u>Storm Water Utility (208)</u>						
Service	\$421,848	\$58,000				\$479,848
Service (Capital Facilities)			\$100,000			\$100,000
Budget & Finance (Debt)				\$4,967		\$4,967
Fund Total	\$421,848	\$58,000	\$100,000	\$4,967	\$0	\$584,815
<u>Guaranteed Deposits (230)</u>						
Budget & Finance		\$1,000				\$1,000
Fund Total	\$0	\$1,000	\$0	\$0	\$0	\$1,000
<u>Capital Projects (301)</u>						
Safety			\$138,000			\$138,000
Service			\$29,551			\$29,551
Service (Capital Facilities)			\$5,883,000			\$5,883,000
Budget & Finance			\$14,688			\$14,688
Contingency				\$2,524,308	\$25,000	\$2,549,308
Fund Total	\$0	\$0	\$6,065,239	\$2,524,308	\$25,000	\$8,614,547
<u>Municipal Public Improvement Tax Increment Equivalent (302)</u>						
Service (Capital Facilities)						\$0
Budget & Finance (Debt)				\$5,309,500		\$5,309,500
Fund Total	\$0	\$0	\$0	\$5,309,500	\$0	\$5,309,500
<u>Debt Service (402)</u>						
Budget & Finance (Debt)				\$323,302		\$323,302
Fund Total	\$0	\$0	\$0	\$323,302	\$0	\$323,302

2012 ORIGINAL APPROPRIATIONS - SCHEDULE OF OPERATING TRANSFERS AND TEMPORARY ADVANCES

<u>Paying Fund</u>	<u>Original</u>	<u>Receiving Fund</u>
<u>Operating Transfers</u>		
Fund 116 - Income Tax	\$2,300,000	Fund 001 - General
Fund 116 - Income Tax	\$428,211	Fund 102 - St Const Maint & Repair
Fund 116 - Income Tax	\$2,607,826	Fund 124 - Income Tax Safety
Fund 116 - Income Tax	\$2,607,826	Fund 128 - Fire & E.M.S.
Fund 116 - Income Tax	\$2,107,064	Fund 301 - Capital Projects
Fund 116 - Income Tax	\$270,762	Fund 402 - Debt Service
Fund 116 - Income Tax	\$160,000	Fund 807 - Health Insurance
Total Fund 116 Income Tax	\$10,481,689	
Fund 201 - Water	\$41,088	Fund 204 - Utility Billing
Fund 202 - Sewer	\$41,088	Fund 204 - Utility Billing
Subtotal - Total Operating Transfers	\$10,563,865	
<u>Temporary Advances</u>		
Fund 001 - General	\$140,000	Fund 205 - Solid Waste (Recycling)
Fund 106 - Recreation	* \$20,000	Fund 001 - General
Fund 208 - Storm Water	* \$30,000	Fund 116 - Income Tax
Subtotal - Total Advances	\$190,000	
Grand Total - All Transfers & Advances	\$10,753,865	

* Designates Repayment of Advance