RESOLUTION NO. 2018-121

A RESOLUTION AUTHORIZING THE CITY MANAGER, OR HIS DESIGNEE, TO ENTER INTO AN AGREEMENT BETWEEN MAIN STREET KENT AND THE CITY OF KENT TO GRANT MAIN STREET KENT UP TO SEVENTY THOUSAND DOLLARS ($70,000) TO PROMOTE ECONOMIC DEVELOPMENT AND REVITALIZATION TO THE CITY OF KENT, AND DECLARING AN EMERGENCY.

WHEREAS, the City of Kent wishes to enter into an agreement with Main Street Kent; and

WHEREAS, the City of Kent wishes to grant Main Street Kent up to Seventy Thousand Dollars ($70,000) for the 2019 and 2020 calendar years with a City option to renew the agreement at Seventy Thousand Dollars ($70,000) for calendar year 2021, to promote economic development and revitalization to the City of Kent.

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 Council does hereby authorize the City Manager, or his designee, to enter into an Agreement with Main Street Kent and to grant Main Street Kent up to Seventy Thousand Dollars ($70,000) for the 2019 and 2020 calendar years with a City option to renew the agreement at Seventy Thousand Dollars ($70,000) for calendar year 2021, to promote economic development and revitalization to the City of Kent, and is more fully described in Exhibit "A" attached hereto and incorporated herein.

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 Resolution is hereby declared to be an emergency measure and shall take effect and be in force immediately after passage.

PASSED: November 14, 2018

Date

Jerry T. Fiala
Mayor and President of Council

EFFECTIVE: November 14, 2018

Date

ATTEST: Tara Grimm, MMC
Clerk of Council

1, TARA GRIMM, CLERK OF COUNCIL FOR THE CITY OF KENT, COUNTY OF PORTAGE, AND STATE OF OHIO, AND IN WHOSE CUSTODY THE ORIGINAL FILES AND RECORDS OF SAID COUNCIL ARE REQUIRED TO BE KEPT BY THE LAWS OF THE STATE OF OHIO, HEREBY CERTIFY THAT THE FOREGOING IS A TRUE AND EXACT COPY OF RESOLUTION No. __________, ADOPTED BY THE COUNCIL OF THE CITY OF KENT ON __________, 20__________.

(SEAL)

TARA GRIMM, MMC
CLERK OF COUNCIL
AGREEMENT

THIS AGREEMENT made this ___ day of ______, 2018 by and between the City of Kent, Ohio, hereinafter referred to as “CITY” and Main Street Kent, hereinafter referred to as “GRANTEE”.

WHEREAS, GRANTEE desires to receive funding from the CITY and agrees to abide by the Grant Requirements attached hereto as “EXHIBIT A;” and

WHEREAS, GRANTEE will sponsor various activities within the City of Kent; and

WHEREAS, GRANTEE and the CITY have agreed to a two (2) year commitment from the CITY with the CITY having the option to renew the agreement for a third year; and

WHEREAS, the Kent City Council has contributed to Grant Programs to support the economic revitalization of the local economy; and

WHEREAS, the Kent City Council approved a grant of Seventy Thousand Dollars and no cents ($70,000.00) to the GRANTEE for calendar years 2019 and 2020, with a CITY option to renew the agreement at Seventy Thousand Dollars and no cents ($70,000.00) for calendar year 2021.

NOW, THEREFORE, THE PARTIES MUTUALLY AGREE AS FOLLOWS:

1. GRANTEE agrees to abide by the terms and conditions of the Grant Requirements as delineated in “EXHIBIT A.”

2. CITY agrees to grant GRANTEE Seventy Thousand Dollars and no cents ($70,000.00) for eligible expenses related to the Downtown Program in accordance with GRANTEE’s Program Description and Program Budget. The CITY will donate the Seventy Thousand Dollars and no cents ($70,000.00) to exercise its option to renew the agreement for calendar year 2021.

3. In return for this consideration, the GRANTEE agrees to provide City Council with four (4) quarterly reports throughout the year indicating the activities undertaken, estimates of the economic impact generated through its efforts, and a financial statement for the GRANTEE for year to date. Reports shall be submitted as follows:
   a. January 1st - March 31st: Due April 30th
   b. April 1st - June 30th: Due July 31st
   c. July 1st- September 30th: Due October 31st
EXHIBIT "A"

d. October 1st – December 31st: Due January 31st

4. This Agreement shall be binding upon the parties, their successors and assigns.

WITNESS:                        CITY OF KENT, OHIO

______________________________________________

David Ruller, City Manager, City of Kent

Approved as to Form:

Hope Jones, Law Director, City of Kent

WITNESS:                        MAIN STREET KENT

______________________________________________

Regan Gettans, President
Main Street Kent Board of Directors

CERTIFICATE OF DIRECTOR OF BUDGET AND FINANCE

It is hereby certified that the amount of $70,000.00 required to meet the contract, agreement, obligation, payment or expenditure for the above has been lawfully appropriated or authorized or directed for such purposes and is in the City Treasury or in the process of collection to the credit of the General Fund, free from any obligation or certificates now outstanding.

______________________________________________

Date

David Coffee,
Director of Budget & Finance, City of Kent
GOAL:
To provide opportunities to promote economic development and revitalization of the Kent central business district; to celebrate the quality of life enjoyed by the residents of the City of Kent; and share with those outside of the community the attributes that make Kent a unique and exciting place to work, go to school, and to live.

OBJECTIVES:
1. Attract City of Kent residents, and visitors from other communities, to downtown events.
2. Promote the City’s attributes to those outside of the community.
3. Create additional commercial opportunities for downtown retail operations.
4. Help to enhance a positive business climate for additional investment by businesses in the Kent downtown area.

PROGRAM AND ADMINISTRATIVE REQUIREMENTS:
1. The project should be oriented toward attracting people to downtown Kent.
2. Funding is intended to support verifiable program expenses and reasonable administrative costs.
3. The GRANTEE shall submit reports to the City of Kent, four (4) times a year, summarizing and documenting the results of the pursuit of the stated goal and objectives as stated in Section 3.
4. GRANTEE shall maintain the necessary records to adequately document the financial activity and transactions of the organization, including but not limited to, revenues received, itemized expenditures and outlays, procurement activities, and unobligated fund balances for the GRANTEE’s fiscal year. The CITY reserves the right to access and review these records for monitoring purposes in order to ensure the GRANTEE is performing in accordance with generally accepted financial and accounting principals and the program’s stated goal and objectives.
5. The GRANTEE shall submit a copy of its most recent Annual Audit within six (6) months of the end of the GRANTEE’s most recent fiscal year and include copies of any management letter or other communication from the entity performing the audit which describes deficiencies and/or prescribed corrective actions. The GRANTEE shall also provide the CITY with written evidence showing what actions it has or is undertaking to address any such deficiencies.
6. The GRANTEE shall be current at all times in paying City Income Tax due the City of Kent, Ohio and in withholding the proper amount of income tax due the CITY from its employees.