

Memo

To: City Council
From: David W. Kuhn, City Solicitor
CC: Mayor; Auditor
Date: January 23, 2007
Re: Correspondence from City of Kent, Ohio

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CITY CLERK'S OFFICE

Attached for your information is correspondence received from the Law Director of Kent, Ohio.



CITY OF KENT, OHIO

DEPARTMENT OF LAW

January 18, 2007

Dear Sir or Madam:

Enclosed please find a proposal the City of Kent is making to the State legislation. If you have any interest in pursuing this with us, please let me know.

Very truly yours,

A handwritten signature in black ink, appearing to read "James R. Silver". The signature is fluid and cursive, with a large initial "J" and "S".

James R. Silver
Law Director

JRS/sl
Enclosure



CITY OF KENT, OHIO

DEPARTMENT OF LAW

January 18, 2007

State Representative Kathleen Chandler
77 South High Street, 10th Floor
Columbus, Ohio 43215-6111

State Senator Kimberly A. Zurz
Senate Building
Room #228, Second Floor
Columbus, Ohio 43215

Re: My File No. 628

Dear Representative Chandler and Senator Zurz:

The Kent City Council has asked me to pursue a change in legislation at the State level, regarding the ability of a municipality in Ohio to implement a citywide "sin" tax. Specifically we would like a tax on alcohol, sold in Kent, similar to ORC Sections 4301.43, 4301.424 and 351.26 for Counties to use for sports facility construction.

Currently, only a County government can implement such a tax. The Kent City Council would like this option extended to municipalities with some modifications. We do not wish to build a sports facility. We would like to earmark revenues generated for use by the police and fire departments.

The basic reasoning for this change is as follows:

- a) The City of Kent, population 28,200 +, plus approximately 20,000 Kent State University students, has 42 bars within the City limits and at least 3 other establishments that sell alcohol on a carry out basis.
- b) A significant portion of the City's fire, police and EMS calls concern responses to incidents involving the use of alcohol.
- c) With the cut backs in local government revenue sharing monies and the proposed step by step cut backs in personal property taxes, Cities have less money to fund police, fire and EMS. The number of calls to police, fire and EMS have not decreased.

State Representative Kathleen Chandler

State Senator Kimberly A. Zurz

January 18, 2007

Page 2 of 2

- d) It seems like a logical conclusion to allow municipalities like Kent to tax the items that cause a portion of the need for municipal safety forces.

Would you please explore the options for Kent and the other Ohio municipalities and pursue such a change for the Revised Code? The Kent City Council would certainly appreciate any help you can provide. A proposed statute is attached for your consideration.

Should you need more information or assistance in drafting proposed legislation, please contact me. The city will try to provide whatever you need to propound this change.

Very truly yours,



James R. Silver
Law Director

JRS/sl

cc: Dave Ruller, City Manager
Kent City Council Members