



CITY OF KETTERING

PEGGY LEHNER, MAYOR • JACQUE FISHER, VICE MAYOR
BRYAN N. SUDDITH • LISA DUVALL • SHANE SULLIVAN • JYL HALL • BOB SCOTT

KETTERING COUNCIL AGENDA

June 11, 2024

Kettering Government Center – South Building
3600 Shroyer Rd. Kettering, Ohio 45429

6:00 P.M. **WORKSHOP** Deeds Room
7:30 P.M. **REGULAR MEETING** Council Chambers

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES

May 28, 2024- Council Meeting & Workshop Minutes

PROCLAMATIONS, SPECIAL PRESENTATIONS, AWARDS, SPECIAL RESOLUTIONS, APPOINTMENTS TO BOARDS AND COMMISSION

Proclamation Juneteenth Day

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

(5 Minute Limit per Speaker)

ORDINANCES IN SECOND READING

1. To provide for the table of organization, position classification plan, compensation plan and pay schedules and rules and regulations pertaining to conditions of work and supplemental benefits for the employees of the City of Kettering, Ohio, and to repeal Ordinance No. 4404-23.
2. To amend Chapter 947 of the Codified Ordinances regarding street lighting assessment procedure.
3. To amend the traffic control map and the traffic control file of the City of Kettering to show the installation of traffic signs on various city streets in the City of Kettering, Ohio.
4. To amend the traffic control map and the traffic control file of the City of Kettering to show the installation of traffic signs on various city streets in the City of Kettering, Ohio.

RESOLUTIONS

5. Authorizing Acceptance of a donation from the Community Foundation for Kettering.
6. To amend Resolution 10990-24 regarding equipment purchases.
7. Authorizing the City Manager to contract with The Kliengers Group for the purchase of design services.
8. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for the replacement of HVAC equipment at the Frazee Pavilion.
9. Authorizing the City Manager to contract with AT&T for the purchase of an upgrade to the Vesta 911 System.
10. Authorizing the City Manager to purchase bunker gear for the Fire Department.
11. Accepting the National Opioid Litigation Settlement with the Kroger Co. as negotiated through the One Ohio Memorandum of Understanding.
12. Authorizing the City Manager to accept additional grant funds, on behalf of the Kettering Municipal Court, from the Ohio Department of Rehabilitation and Correction.

13. To make supplemental appropriations for current expenses and other expenditures of the City of Kettering, State of Ohio, during the fiscal year ending December 31, 2024.

ORDINANCES IN FIRST READING

14. Extending the moratorium on adult use cannabis operators within the City of Kettering, Ohio and declaring an emergency.

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT/COMMUNITY UPDATE

OTHER BUSINESS NOT ON WRITTEN AGENDA

Audience Participation (5 Minute Limit per Speaker)

CITY COUNCIL REPORT/UPDATE

The City of Kettering wishes to make certain that all citizens have the opportunity to actively participate in their local government. If you have a disability and require accommodations to participate in a Council meeting, please contact the Clerk of Council at 296-2416 so that reasonable modifications can be made.

KETTERING CITY CALENDAR
2024

June 17	7:00 p.m.	Planning Commission
June 19	All Day	Government Center Closed
June 20	6:30 p.m.	Sustainability Committee
June 24	6:00 p.m. 7:00 p.m. 7:30 p.m.	Board of Community Relations Board of Zoning Appeals Sister Cities
June 25	6:00 p.m. 7:30 p.m.	Council Workshop City Council Meeting

Proclamation

Whereas:

Juneteenth is a day dedicated to recognize, reflect and confront the shameful legacy of systemic racism within our country; and

WHEREAS: On June 19, 1865, enslaved Americans in Galveston, Texas were informed that in accordance with a proclamation from President Abraham Lincoln, all slaves are freed from bondage; and

WHEREAS: More than two years had passed before the news reached African Americans living in Galveston, Texas that slavery had been abolished; and

WHEREAS: The following year, the first official Juneteenth celebrations took place in Texas and have continued throughout the United States; and

WHEREAS: In celebration of freedom; Juneteenth is a day that should be recognized by all Americans; and

WHEREAS: The Kettering community will be commemorating the city's third annual Juneteenth Celebration on Wednesday, June 19, 2024 at the Lincoln Park Civic Commons and this event will feature live music, food trucks, local vendors and children's activities; and

WHEREAS: The meaning behind Juneteenth will continue to have a profound impact in the Kettering community as we work toward shared freedom for all persons.

NOW, THEREFORE, I, Peggy Lehner, Mayor of the City of Kettering, Ohio, on behalf of City Council and the community, do hereby proclaim

June 19, 2024

to be

JUNETEENTH DAY

in the City of Kettering, Ohio, and encourage all citizens to commemorate the past, but to also work toward a better future for tomorrow.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Kettering, Ohio, to be affixed this 11th day of June, in the Year of our Lord, Two Thousand and Twenty-Four.

PEGGY LEHNER
Mayor of the City of Kettering, Ohio

CITY OF KETTERING, OHIO

AN ORDINANCE

By:

No.

TO PROVIDE FOR THE TABLE OF ORGANIZATION, POSITION CLASSIFICATION PLAN, COMPENSATION PLAN AND PAY SCHEDULES AND RULES AND REGULATIONS PERTAINING TO CONDITIONS OF WORK AND SUPPLEMENTAL BENEFITS FOR THE EMPLOYEES OF THE CITY OF KETTERING, OHIO, AND TO REPEAL ORDINANCE NO 4404-23.

The Council of the City of Kettering, State of Ohio, acting under its Home Rule powers granted pursuant to Kettering's City Charter and the Ohio Constitution, Article XVIII, Section 3 and 7, hereby ordains as follows:

Article I. TABLE OF ORGANIZATION AND POSITION CLASSIFICATION PLAN.

This article establishes the Table of Organization and Position Classification Plan for the City of Kettering, Ohio. The provisions of this article apply to all positions for officials and for full-time, part-time and temporary employees of the City of Kettering.

NAME OF OFFICE, DEPARTMENT OR DIVISION PAY GRADE

A. OFFICE OF THE CITY MANAGER PAY GRADE

Regular Full-Time Positions

- 1..... City Manager..... Reference Section 208
- 2..... Assistant City Manager (Reference Section 208) 726
- 1..... Community Information Manager..... 707 thru 714
- 2..... Administrative Assistant II or Management Assistant 106 or 108

Regular Part-Time Positions

- * Administrative Aide 854 thru 862
- * Clerk..... 850 thru 856

B. DEPARTMENT OF LAW PAY GRADE

Regular Full-Time Positions

- 1..... Law Director..... 724
- 1..... Assistant Law Director 713 thru 721
- *1 Prosecuting Attorney II 714 thru 719
- *1 Prosecuting Attorney I 705 thru 715
- 1..... Administrative Assistant I or II 104 or 106
- 3..... Clerk or Aide I or II or Administrative Assistant I 100, 102 or 104

Regular Part-Time Positions

- * Clerk..... 850 thru 856

Part-Time Intermittent/Temporary Positions

- * Clerk..... 810

*NOTE: Total to be employed controlled by budget dollar authorization

C.	<u>DEPARTMENT OF HUMAN RESOURCES</u>	<u>PAY GRADE</u>
	<u>Regular Full-Time Positions</u>	
	1..... Human Resource Director.....	722
	1..... Human Resource Manager.....	714 thru 718
	1..... Compliance and Inclusion Manager.....	712
	2..... Human Resource Coordinator.....	711
	1..... Human Resource Technician.....	8
	1..... Administrative Assistant I or II.....	104 or 106

	<u>Regular Part-Time Positions</u>	
	*..... Clerk.....	850 thru 856

	<u>Part-Time Intermittent/Temporary Positions</u>	
	*..... Human Resource Aide.....	810 thru 812

D.	<u>DEPARTMENT OF FINANCE</u>	<u>PAY GRADE</u>
	<u>Regular Full-Time Positions</u>	
	1..... Finance Director.....	722
	1..... Assistant Finance Director.....	720
	1..... Budget Manager.....	718
	1..... Tax Manager/Tax Administrator.....	715 thru 718
	1..... Purchasing Manager.....	715 thru 718
	2..... Financial Analyst.....	713 thru 715
	1..... Administrative Assistant I or II.....	104 or 106
	8..... Finance Technician II.....	8
	4..... Finance Technician I.....	3 thru 5
	1..... Clerk or Aide I or II.....	100 or 102

	<u>Regular Part-Time Positions</u>	
	*..... Finance Technician II.....	8
	*..... Finance Technician I.....	3 thru 5
	*..... Finance Aide.....	854 thru 859
	*..... Clerk.....	850 thru 856

	<u>Part-Time Intermittent/Temporary Positions</u>	
	*..... Tax Intern.....	813 thru 815
	*..... Finance Aide.....	810 thru 812
	*..... Clerk.....	810

E.	<u>DEPARTMENT OF ADMINISTRATIVE SYSTEMS</u>	<u>PAY GRADE</u>
	1. Administrative Support Division	
	<u>Regular Full-Time Positions</u>	
	1..... Administrative Systems Director.....	722
	1..... GIS Manager.....	718
	2..... Administrative Designer.....	102 thru 104
	1..... Clerk or Aide I or II.....	100 or 102
	<u>Regular Part-Time Positions</u>	
	*..... GIS Technician.....	5
	*..... Administrative Designer.....	102 thru 104
	*..... Word Processing Operator.....	851 thru 857
	*..... Clerk.....	850 thru 856

*NOTE: Total to be employed controlled by budget dollar authorization.

Part-Time Intermittent/Temporary Positions
 * Administrative Aide 810 thru 813

2. Information Systems Division

Regular Full-Time Positions
 1..... Information System Manager 714 thru 718
 2..... Information System Technician 7 thru 10
 1..... Desktop Support Technician 5

Regular Part-Time Positions
 * Administrative Aide 854 thru 859
 * Clerk 850 thru 856

Part-Time Intermittent/Temporary Positions
 * Administrative Aide 810 thru 813

F. VOLUNTEER OFFICE PAY GRADE

Regular Full-Time Positions
 1..... Volunteer Administrator 706 thru 712
 1..... Assistant Volunteer Administrator 706

Regular Part-Time Positions
 * Administrative Aide 854 thru 860
 * Clerk 850 thru 856

Part-Time Intermittent/Temporary Positions
 * Administrative Aide 810 thru 812
 * Clerk 810

G. DEPARTMENT OF PLANNING AND DEVELOPMENT PAY GRADE

Regular Full-Time Positions
 1..... Planning and Development Director 722
 2..... Engineer or Architect 719
 2..... City Planner 714 thru 718
 1..... Neighborhood Services Manager / City Planner 714 thru 718
 1..... Senior Building Inspector 715
 **4..... Inspector 9 thru 13
 **3..... Property Maintenance Inspector 7 thru 9
 1..... CDBG Program Manager 718
 1..... CDBG Program Coordinator 710
 1..... CDBG Housing Specialist 9 thru 13
 2..... Administrative Assistant I or II 104 or 106
 1..... Planning & Development Technician 3 thru 05

Regular Part-Time Positions
 * Planning and Development Aide 854 thru 859
 * Clerk 850 thru 856

*NOTE: Total to be employed controlled by budget dollar authorization.

**NOTE: Part-Time Inspectors may be employed at Full-Time Inspector rates, total to be employed controlled by budget dollar authorization.

<u>Part-Time Intermittent/Temporary Positions</u>	
* Planning and Development Aide.....	810 thru 813
* Planning and Development Technician.....	810 thru 811
* Clerk.....	810

H. ECONOMIC DEVELOPMENT PAY GRADE

<u>Regular Full-Time Positions</u>	
1..... Economic Development Manager.....	714 thru 718

<u>Regular Part-Time Positions</u>	
* Administrative Aide.....	854 thru 859
* Clerk.....	850 thru 856

<u>Part-Time Intermittent/Temporary Positions</u>	
* Administrative Aide.....	810 thru 812
* Clerk.....	810

I. DEPARTMENT OF PUBLIC SAFETY PAY GRADE

1. Department of Police

<u>Police Officer Positions</u>	
1..... Chief of Police.....	722
2..... Captain.....	720
6..... Lieutenant.....	505
10..... Sergeant.....	504
***67 Patrol Officer.....	304, 305 or 306

<u>Regular Full-Time Civilian Positions</u>	
* Police Cadet.....	5
2..... Uniformed Deputy Bailiff.....	8
5..... Jailer.....	6
1..... Administrative Assistant I or II.....	104 or 106
1..... Administrative Assistant I.....	104
5..... Police Records Specialist.....	100 or 102
1..... Community Service Specialist.....	3 thru 6
1..... Crime Analyst.....	706

<u>Regular Part-Time Positions</u>	
* Accreditation Administrator.....	104
* Court Security Officer.....	6
* Clerk.....	850 thru 856
* Aide.....	852 thru 855
* Administrative Aide.....	854 thru 862

<u>Part-Time Intermittent/Temporary Positions</u>	
* Aide.....	810 thru 811

*NOTE: Total to be employed controlled by budget dollar authorization.

***NOTE: The City Manager is authorized to overfill up to two (2) Patrol Officer positions with Lieutenants or Captains at the corresponding pay grades.

2. Department of Fire

Regular Full-Time Firefighting Positions

1.....	Fire Chief.....	722
2.....	Assistant Chief.....	720
1.....	Fire Marshal.....	716
5.....	Battalion Chief.....	606
15.....	Captain (Appointed prior to 9/23/13).....	605
	(Appointed on or after 9/23/13).....	605-1
57.....	Firefighter I, II, III.....	401, 402 or 403
	(with Paramedic Certification).....	404, 405 or 406

Regular Full-Time Non-Firefighting Positions

1.....	Fire Service Specialist.....	8
1.....	Administrative Assistant I or II.....	104 or 106
1.....	Clerk or Aide I or II.....	100 or 102

Regular Part-Time Positions

*	Fire Aide.....	850 thru 859
*	Clerk.....	850 thru 856

3. Public Safety Dispatch

Regular Full-Time Positions

2.....	Civilian Dispatch Supervisor.....	710
17.....	Public Safety Dispatcher.....	80 thru 82

Regular Part-Time Positions

*	Public Safety Dispatcher.....	80 thru 82
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4. Division of Civil Defense As established by Ordinance No. 151 6/24/54

J. DEPARTMENT OF ENGINEERING PAY GRADE

Regular Full-Time Positions

1.....	City Engineer.....	722
1.....	Assistant City Engineer.....	720
3.....	Civil Engineer.....	719
1.....	Engineering Surveyor.....	714
1.....	Design Engineer.....	715
1.....	Senior Safety Supervisor.....	710
1.....	Engineering Technician IV.....	12
2.....	Traffic Signal Technician (Appointed prior to 6/16/14).....	11
	(Appointed on or after 6/16/14).....	10
3.....	Engineering Technician III - Construction Inspector.....	10
3.....	Engineering Technician – CAD Design/Surveyor/Traffic.....	
	(Appointed prior to 5/21/18).....	7 thru 11
	(Appointed on or after 5/21/18).....	7 thru 10
1.....	Administrative Assistant I or II.....	104 or 106

Regular Part-Time Positions

*2.....	Safety Supervisor.....	851 thru 857
*14.....	Crossing Guard (Appointed prior to 1/1/14).....	851 thru 856
	Crossing Guard I (Appointed on or after 1/1/14).....	851 thru 853
	Crossing Guard II (Appointed on or after 1/1/14).....	853 thru 855
*	Clerk.....	850 thru 856

*NOTE: Total to be employed controlled by budget dollar authorization.

Part-Time Intermittent/Temporary Positions

*	Engineering Aide II	814 thru 815
*	Engineering Aide I	810 thru 813
*	Clerk	810

K. DEPARTMENT OF PUBLIC SERVICE PAY GRADE

1. Facilities Division

Regular Full-Time Positions

1.....	Project Manager	719
1.....	Facility Maintenance Manager	716
1.....	Facility Maintenance Supervisor	714
3.....	Buildings Maintenance Mechanic	209 thru 211
8.....	Buildings Service I or II	
	Buildings Service I	202 thru 205
	Buildings Service II	206 thru 208
13.....	Buildings Attendant	200
1.....	Administrative Assistant I or II	104 or 106

Regular Part-Time Positions

*	Clerk	850 thru 856
*	Maintenance Aide	850 thru 853

2. Streets Division

Regular Full-Time Positions

1.....	Public Service Director	722
1.....	Street Maintenance Manager	716
3.....	Street Maintenance Supervisor	714
4.....	Street Service IV	208 thru 209
35.....	Street Service I, II or III	
	Street Service I	200 thru 201
	Street Service II	202 thru 205
	Street Service III	206 thru 207
1.....	Administrative Assistant I or II	104 or 106

Regular Part-Time Positions

*	Clerk	850 thru 856
*	Maintenance Aide	850 thru 853

3. Vehicle Maintenance Center

Regular Full-Time Positions

1.....	Fleet Manager	716
1.....	Lead Equipment Mechanic	211
4.....	Equipment Mechanic I or II	
	Equipment Mechanic I	202 thru 205
	Equipment Mechanic II	206 thru 210
1.....	Parts Inventory Attendant	200 thru 205
1.....	Clerk or Aide I or II	100 or 102

Regular Part-Time Positions

*	Clerk	850 thru 856
*	Maintenance Aide	850 thru 853

*NOTE: Total to be employed controlled by budget dollar authorization.

L. DEPARTMENT OF PARKS, RECREATION AND CULTURAL ARTS PAY GRADE

Regular Full-Time Positions

1.....	Parks, Recreation and Cultural Arts Director	722
3.....	PRCA Superintendent.....	718
2.....	PRCA Manager III	716
4.....	PRCA Manager II	714
2.....	PRCA Manager I	712
9.....	PRCA Supervisor	705 thru 709
10.....	Facility Coordinator	50 thru 54
1.....	Fitness Coordinator.....	50 thru 54
14.....	Parks Service I, II or III	
	Parks Service I.....	200 thru 201
	Parks Service II.....	202 thru 205
	Parks Service III.....	206 thru 208
1.....	Administrative Assistant I or II	104 or 106
2.....	Clerk or Aide I or II	100 or 102

Regular Part-Time Positions

*	..... PRCA Tech I	3
*	..... Program Specialist II	858 thru 862
*	..... Program Specialist I	850 thru 858
*	..... Clerk.....	850 thru 856

Part-Time Intermittent/Temporary Positions

*	..... Program Specialist V.....	812 thru 832
*	..... Program Specialist IV.....	811/05 thru 813
*	..... Program Specialist III	811/02 thru 812
*	..... Program Specialist II	810/04 thru 811
*	..... Program Specialist I	810

M. OFFICE OF CLERK OF COUNCIL PAY GRADE

Regular Full-Time Positions

1.....	Clerk of Council.....	Reference Section 412
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Regular Part-Time Positions

* Administrative Aide	854 thru 862
* Clerk.....	850 thru 856

N. OFFICE OF THE SENIOR SERVICES COORDINATOR PAY GRADE

Regular Full-Time Positions

1.....	Senior Services Coordinator	706 thru 712
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*NOTE: Total to be employed controlled by budget dollar authorization.

END OF ARTICLE

Article II. COMPENSATION PLAN AND PAY SCHEDULES.

This article establishes a Compensation Plan and Pay schedules for all full-time, part-time and temporary positions in the City Administration.

Section 200. PAY SCHEDULES FOR POSITIONS IN PAY GRADES 3 THROUGH 54.

The following pay tables prescribe the basic hourly and annual rates of pay for Pay Grades 3 through 54. Employees normally enter at Step A but may enter at Step B, C, D, E or F at the discretion of the City Manager. Step rate increases to B, C, D, E and F may be granted by the City Manager after each nine (9) months of service. Normal minimum time from entry to Step F is 45 months. In recognition of outstanding job performance, the City Manager may grant step rate increases in shorter periods of time. Hourly rates are controlling.

PAY SCHEDULES FOR POSITIONS IN PAY GRADES 3 THROUGH 13.

STEP RATES

<u>PAY GRADE</u>	<u>BASIS</u>	<u>A / 1</u>	<u>B / 2</u>	<u>C / 3</u>	<u>D / 4</u>	<u>E / 5</u>	<u>F / 6</u>
3	Hour	\$22.91	\$24.12	\$25.20	\$26.62	\$27.92	\$29.88
	Year	47,653	50,170	52,416	55,370	58,074	62,150
4	Hour	\$24.12	\$25.20	\$26.62	\$27.92	\$29.43	\$31.53
	Year	50,170	52,416	55,370	58,074	61,214	65,582
5	Hour	\$25.20	\$26.62	\$27.92	\$29.43	\$30.74	\$32.65
	Year	52,416	55,370	58,074	61,214	63,939	67,912
6	Hour	\$26.62	\$27.92	\$29.43	\$30.74	\$32.17	\$34.26
	Year	55,370	58,074	61,214	63,939	66,914	71,261
7	Hour	\$27.92	\$29.43	\$30.74	\$32.17	\$33.79	\$36.07
	Year	58,074	61,214	63,939	66,914	70,283	75,026
8	Hour	\$29.43	\$30.74	\$32.17	\$33.79	\$35.62	\$37.66
	Year	61,214	63,939	66,914	70,283	74,090	78,333
9	Hour	\$30.74	\$32.17	\$33.79	\$35.62	\$37.24	\$39.57
	Year	63,939	66,914	70,283	74,090	77,459	82,306
10	Hour	\$32.17	\$33.79	\$35.62	\$37.24	\$39.23	\$41.54
	Year	66,914	70,283	74,090	77,459	81,598	86,403
11	Hour	\$33.79	\$35.62	\$37.24	\$39.23	\$41.16	\$43.57
	Year	70,283	74,090	77,459	81,598	85,613	90,626
12	Hour	\$35.62	\$37.24	\$39.23	\$41.16	\$43.20	\$45.71
	Year	74,090	77,459	81,598	85,613	89,856	95,077
13	Hour	\$37.24	\$39.23	\$41.16	\$43.20	\$45.34	\$47.84
	Year	77,459	81,598	85,613	89,856	94,307	99,507

NOTE: Rates in the above pay table are effective from and after 12/18/2023.

Employees in Pay Grades 3 through 13 assigned to a shift with working hours between 6:00 p.m. and 6:00 a.m. shall receive fifteen cents (15¢) per hour in addition to the basic straight time rates for those hours worked between 6:00 p.m. and 6:00 a.m.; except that non-sworn Public Safety Dispatchers and Jailers assigned to a shift in which one-half (½) or more of the working hours are between 3:00 p.m. and 7:00 a.m. for Dispatchers, and between 4:00 p.m. and 8:00 a.m. for Jailers, shall receive fifty cents (50¢) per hour in addition to the basic straight time rates for those hours worked between 3:00 p.m. and 7:00 a.m. and 4:00 p.m. and 8:00 a.m., respectively. A paid unworked holiday, paid sick leave and paid unworked vacation leave shall be credited as hours worked, for the computation of shift differential pay, for non-sworn Public Safety Dispatchers and Jailers.

PAY SCHEDULES FOR POSITIONS IN PAY GRADES 50 THROUGH 54.

STEP RATES

<u>PAY GRADE</u>	<u>BASIS</u>	<u>A / 1</u>	<u>B / 2</u>	<u>C / 3</u>	<u>D / 4</u>	<u>E / 5</u>
50	Hour	\$19.03	\$19.43	\$19.75	\$20.10	\$20.54
	Year	39,582	40,414	41,080	41,808	42,723
51	Hour	\$20.10	\$20.54	\$20.91	\$21.22	\$21.60
	Year	41,808	42,723	43,493	44,138	44,928
52	Hour	\$21.22	\$21.60	\$21.98	\$22.26	\$22.72
	Year	44,138	44,928	45,718	46,301	47,258
53	Hour	\$22.72	\$23.00	\$23.50	\$23.81	\$24.17
	Year	47,258	47,840	48,880	49,525	50,274
54	Hour	\$23.81	\$24.17	\$24.56	\$24.92	\$25.25
	Year	49,525	50,274	51,085	51,834	52,520

NOTE: Rates in the above Pay Table are effective from and after 12/18/2023.

Section 200-a. PAY SCHEDULES FOR POSITIONS IN PAY GRADES 80 THROUGH 82.

Pay Grade 80 sets the basic rates of pay for a Public Safety Dispatcher. Step rate increases for satisfactory performance and employee development may be granted by the City Manager as follows:

Step rate increases to Pay Grade 80, Steps B, C, D, E or F may be granted after a minimum of nine (9) months of service at the preceding step.

Pay Grade 81 sets the basic rates of pay for a Public Safety Dispatcher who holds an Associate Degree and has satisfactorily completed two years as a Kettering Public Safety Dispatcher. Step rate increases for satisfactory performance and employee development may be granted by the City Manager as follows:

Step rate increases to Pay Grades 81, Step D may be granted after a minimum of six (6) months of service at the preceding step.

Step rate increases to Pay Grades 81, Steps E or F may be granted after a minimum of nine (9) months of service at the preceding step.

Pay Grade 82 sets the basic rates of pay for a Public Safety Dispatcher who holds a Baccalaureate Degree and has satisfactorily completed two years as a Kettering Public Safety

Dispatcher. Step rate increases for satisfactory performance and employee development may be granted by the City Manager as follows:

Step rate increases to Pay Grades 82, Step D may be granted after a minimum of six (6) months of service at the preceding step.

Step rate increases to Pay Grades 82, Steps E or F may be granted after a minimum of nine (9) months of service at the preceding step.

In all cases, hourly rates are controlling for pay rates within Pay Grades 80 through 82.

In recognition of outstanding job performance, the City Manager may grant step increases in shorter periods of time.

STEP RATES

<u>PAY GRADE</u>	<u>BASIS</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>
80	Hour	\$28.39	\$29.69	\$31.07	\$32.66	\$34.40	\$36.38
	Year	59,051	61,755	64,626	67,933	71,552	75,670
81	Hour				\$33.11	\$34.87	\$36.88
	Year				68,869	72,530	76,710
82	Hour				\$33.58	\$35.37	\$37.41
	Year				69,846	73,570	77,813

NOTE: Rates in the above Pay Table are effective from and after 05/22/2023.

Section 201. PAY SCHEDULES FOR POSITIONS IN PAY GRADES 100 THROUGH 112.

The following pay tables prescribe the basic hourly and annual rates of pay for Pay Grades 100 through 112. Employees normally enter at Step A but may enter at Step B, C, D, E or F at the discretion of the City Manager. Step rate increases to B, C, D, E, and F may be granted by the City Manager after each nine (9) months of service. Normal minimum time from entry to Step F is 45 months. In recognition of outstanding job performance, the City Manager may grant step rate increases in shorter periods of time. Hourly rates are controlling.

STEP RATES

<u>PAY GRADE</u>	<u>BASIS</u>	<u>A / 1</u>	<u>B / 2</u>	<u>C / 3</u>	<u>D / 4</u>	<u>E / 5</u>	<u>F / 6</u>
100	Hour	\$20.48	\$21.64	\$22.59	\$23.69	\$24.96	\$26.62
	Year	42,598	45,011	46,987	49,275	51,917	55,370
101	Hour	\$21.64	\$22.59	\$23.69	\$24.96	\$26.13	\$27.92
	Year	45,011	46,987	49,275	51,917	54,350	58,074
102	Hour	\$22.59	\$23.69	\$24.96	\$26.13	\$27.53	\$29.45
	Year	46,987	49,275	51,917	54,350	57,262	61,256
103	Hour	\$23.69	\$24.96	\$26.13	\$27.53	\$28.88	\$30.74
	Year	49,275	51,917	54,350	57,262	60,070	63,939

104	Hour	\$24.96	\$26.13	\$27.53	\$28.88	\$30.26	\$32.05
	Year	51,917	54,350	57,262	60,070	62,941	66,664
105	Hour	\$26.13	\$27.53	\$28.88	\$30.26	\$31.84	\$33.69
	Year	54,350	57,262	60,070	62,941	66,227	70,075
106	Hour	\$27.53	\$28.88	\$30.26	\$31.84	\$33.39	\$35.40
	Year	57,262	60,070	62,941	66,227	69,451	73,632
107	Hour	\$28.88	\$30.26	\$31.84	\$33.39	\$35.08	\$37.06
	Year	60,070	62,941	66,227	69,451	72,966	77,085
108	Hour	\$30.26	\$31.84	\$33.39	\$35.08	\$36.76	\$38.78
	Year	62,941	66,227	69,451	72,966	76,461	80,662
109	Hour	\$31.84	\$33.39	\$35.08	\$36.76	\$38.61	\$40.84
	Year	66,227	69,451	72,966	76,461	80,309	84,947
110	Hour	\$33.39	\$35.08	\$36.76	\$38.61	\$40.57	\$42.92
	Year	69,451	72,966	76,461	80,309	84,386	89,274
111	Hour	\$35.08	\$36.76	\$38.61	\$40.57	\$42.63	\$44.75
	Year	72,966	76,461	80,309	84,386	88,670	93,080
112	Hour	\$36.76	\$38.61	\$40.57	\$42.63	\$44.75	\$46.94
	Year	76,461	80,309	84,386	88,670	93,080	97,635

NOTE: Rates in the above Pay Table are effective from and after 12/18/2023.

Employees in Pay Grades 100 through 112 assigned to a shift with working hours between 6:00 p.m. and 6:00 a.m. shall receive fifteen cents (15¢) per hour in addition to the basic straight time rates for those hours worked between 6:00 p.m. and 6:00 a.m.

Section 202. PAY SCHEDULES FOR POSITIONS IN PAY GRADES 200 THROUGH 211.

The following pay tables prescribe the basic hourly and annual rates of pay for Pay Grades 200 through 211. Employees normally enter at Step A but may enter at Step B, C, D, E or F at the discretion of the City Manager. Step rate increases may be granted by the City Manager after each nine (9) months of service. Normal minimum time from entry to Step F (top step) in Pay Grades 200 through 211 is 45 months. In recognition of outstanding job performance, the City Manager may grant step rate increases in shorter periods of time. **Step A only applies to employees hired after February 19, 1996.** Hourly rates are controlling.

STEP RATES

<u>PAY GRADE</u>	<u>BASIS</u>	<u>*A / 1</u>	<u>B / 2</u>	<u>C / 3</u>	<u>D / 4</u>	<u>E / 5</u>	<u>F / 6</u>
200	Hour	\$21.73	\$22.70	\$23.75	\$24.81	\$25.93	\$27.10
	Year	45,198	47,216	49,400	51,605	53,934	56,368
201	Hour	\$22.70	\$23.75	\$24.81	\$25.93	\$27.10	\$28.30
	Year	47,216	49,400	51,605	53,934	56,368	58,864
202	Hour	\$23.75	\$24.81	\$25.93	\$27.10	\$28.30	\$29.57
	Year	49,400	51,605	53,934	56,368	58,864	61,506

203	Hour	\$24.81	\$25.93	\$27.10	\$28.30	\$29.57	\$30.93
	Year	51,605	53,934	56,368	58,864	61,506	64,334
204	Hour	\$25.93	\$27.10	\$28.30	\$29.57	\$30.93	\$32.32
	Year	53,934	56,368	58,864	61,506	64,334	67,226
205	Hour	\$27.10	\$28.30	\$29.57	\$30.93	\$32.32	\$33.76
	Year	56,368	58,864	61,506	64,334	67,226	70,221
206	Hour	\$28.30	\$29.57	\$30.93	\$32.32	\$33.76	\$35.28
	Year	58,864	61,506	64,334	67,226	70,221	73,382
207	Hour	\$29.57	\$30.93	\$32.32	\$33.76	\$35.28	\$36.87
	Year	61,506	64,334	67,226	70,221	73,382	76,690
208	Hour	\$30.93	\$32.32	\$33.76	\$35.28	\$36.87	\$38.52
	Year	64,334	67,226	70,221	73,382	76,690	80,122
209	Hour	\$32.32	\$33.76	\$35.28	\$36.87	\$38.52	\$40.26
	Year	67,226	70,221	73,382	76,690	80,122	83,741
210	Hour	\$33.76	\$35.28	\$36.87	\$38.52	\$40.26	\$42.06
	Year	70,221	73,382	76,690	80,122	83,741	87,485
211	Hour	\$35.28	\$36.87	\$38.52	\$40.26	\$42.06	\$43.97
	Year	73,382	76,690	80,122	83,741	87,485	91,458

NOTE: Rates in the above Pay Table are effective from and after 02/26/2024.
 *Step "A" only applies to hires after 2/19/1996.

Section 203. PAY SCHEDULES FOR POSITIONS IN PAY GRADES 304 THROUGH 306.

Pay Grade 304 sets the basic rates of pay for a Patrol Officer.

Pay Grade 305 sets the basic rates of pay for a Patrol Officer who holds an Associate Degree and has satisfactorily completed two years as a Kettering Patrol Officer.

Pay Grade 306 sets the basic rates of pay for a Patrol Officer who holds a Baccalaureate Degree and has satisfactorily completed two years as a Kettering Patrol Officer.

In all cases, hourly rates are controlling for pay rates within Pay Grades 304 through 306.

Step rate increases for satisfactory performance and employee development may be granted by the City Manager as follows:

Step rate increases to Pay Grade 304, Steps B and C may be granted after a minimum of six (6) months service at the preceding step.

Step rate increases to Pay Grades 304, 305 or 306, Steps D, E, F and G may be granted after a minimum of twelve (12) months service at the preceding step.

Accelerated advancement within Pay Grades 304, 305 or 306 may be granted by the City Manager in recognition of exceptional performance and employee development.

STEP RATES

<u>PAY</u> <u>GRADE</u>	<u>BASIS</u>	<u>A / 1</u>	<u>B / 2</u>	<u>C / 3</u>	<u>D / 4</u>	<u>E / 5</u>	<u>F / 6</u>	<u>G / 7</u>
304	Hour	\$ 36.98	\$ 38.63	\$ 40.37	\$ 42.08	\$ 43.76	\$ 46.46	\$ 48.50
	Year	76,918	80,350	83,970	87,526	91,021	96,637	100,880
*305	Hour	** Associate Degree			\$ 42.66	\$ 44.35	\$ 47.16	\$ 49.21
	Year				88,733	92,248	98,093	102,357
*306	Hour	*** Bachelor Degree			\$ 43.27	\$ 45.04	\$ 47.90	\$ 49.94
	Year				90,002	93,683	99,632	103,875

NOTE: Rates in the above Pay Table are effective from and after 2/12/2024.

*An Educational Incentive is incorporated into Pay Grades 305 and 306.

A Patrol Officer who resigned and subsequently is reinstated in the Kettering Police Department may receive full credit for service prior to date of resignation to meet minimum service requirements for advancement through Pay Grades 304, 305 or 306. A Patrol Officer may receive credit for prior service as a police officer with another municipality to meet minimum service requirements for advancement within Pay Grade 304, depending upon an evaluation of the prior service by the Chief of Police and Human Resource Director. Prior service with another municipality shall not be utilized to meet minimum service requirements for eligibility for promotion.

No person shall be eligible to receive an original appointment to the position of Patrol Officer before the age of 21. Nothing in this section shall prevent the recruitment of personnel for the Police Cadet program for the purpose of training persons to become Patrol Officers, provided that such cadets have reached the age of eighteen (18) at the time of said appointment.

Section 204. PAY SCHEDULES FOR POSITIONS IN PAY GRADES 401 THROUGH 406.

The following pay tables prescribe the basic hourly and annual rates of pay for Firefighters in Pay Grades 401 through 406. Firefighters may be assigned to either 40 or 48-hour workweek schedules at the discretion of the Fire Chief and shall be paid at the appropriate hourly rate for the regular hours worked on that schedule. The Fire Chief shall determine if overtime pay shall be based on the 40-hour workweek hourly rate or 48 hour workweek hourly rate.

Pay Grades 401 through 403 set the basic rates of pay for a Firefighter.

Pay Grades 404 through 406 set the basic rates of pay for a Firefighter who holds and maintains a certification from the State of Ohio as an EMT-Paramedic. This Paramedic Incentive is in lieu of previous provisions granting service credit to Firefighters with EMT-Paramedic certifications.

Step rate increases within Pay Grades for satisfactory performance and employee development may be granted by the City Manager as follows (hourly rates are controlling):

- to 401 B or 404 B after a minimum of six (6) months of service at the preceding step rate;
- to 402 B or 405 B after a minimum of twelve (12) months of service at the preceding step rate;
- to 403 B or 406 B after a minimum of twelve (12) months at step rate 403 A or 406 A;
- to 403 C or 406 C after a minimum of twelve (12) months at step rate 403 B or 406 B.

Advancement in Pay Grades from 401 to 403 or from 404 to 406 for qualifying performance and attainment of required skills may be granted by the City Manager as follows:

to 402 A or 405 A after a minimum of six (6) months of service at step rate 401 B or 404 B;
to 403 A or 406 A after a minimum of twelve (12) months of service at step rate 402 B or 405 B.

STEP RATES

<u>PAY GRADE</u>	<u>BASIS</u>	<u>A</u>	<u>B</u>	<u>C</u>
401	Hour (48 hr week sched)	\$29.57	\$30.81	
	Hour (40 hr week sched)	35.49	36.97	
	Year	73,819	76,898	
402	Hour (48 hr week sched)	\$32.22	\$33.53	
	Hour (40 hr week sched)	38.66	40.24	
	Year	80,413	83,699	
403	Hour (48 hr week sched)	\$34.95	\$36.77	\$38.82
	Hour (40 hr week sched)	41.94	44.13	46.59
	Year	87,235	91,790	96,907

STEP RATES

<u>PAY GRADE</u>	<u>BASIS</u>	<u>A</u>	<u>B</u>	<u>C</u>
*404	Hour (48 hr week sched)	\$30.46	\$31.73	
	Hour (40 hr week sched)	36.55	38.08	
	Year	76,024	79,206	
*405	Hour (48 hr week sched)	\$33.18	\$34.54	
	Hour (40 hr week sched)	39.82	41.45	
	Year	82,826	86,216	
*406	Hour (48 hr week sched)	\$36.00	\$37.87	\$39.99
	Hour (40 hr week sched)	43.20	45.45	47.99
	Year	89,856	94,536	99,819

NOTE: Rates in the above Pay Table are effective from and after 12/18/23.

The City Manager is authorized to waive the minimum service requirements for advancement, as indicated above, to the extent necessary to align Firefighters in the career progression plan in a manner consistent with the above description.

A Firefighter who resigned and subsequently was reinstated in the Kettering Fire Department may receive full credit for service prior to date of resignation to meet minimum service requirements for advancement from Pay Grade 401 up to Pay Grade 403 or from Pay Grade 404 up to Pay Grade 406.

A Firefighter may receive credit for prior service as a Regular Full-Time Firefighter with another municipality to meet minimum service requirements for advancement from Pay Grade 401 up to Pay Grade 403 or from Pay Grade 404 up to Pay Grade 406, depending upon an evaluation of the prior service by the Human Resource Director and the Fire Chief. Prior service with another municipality shall not be utilized to meet minimum service requirements for eligibility to compete

in a competitive promotional examination or to obtain added credit for seniority on examinations for promotion to Captain (Pay Grade 605).

No person shall be eligible to receive an original appointment to the Fire Department before the age of 18. Nothing in this section shall prevent the recruitment of personnel for the Fire Cadet program for the purpose of training persons to become Firefighters, provided that such cadets have reached the age of 18 at the time of said appointment.

Section 205. PAY SCHEDULES FOR POSITIONS IN PAY GRADES 504 AND 505.

The following pay tables prescribe the basic hourly and annual rates of pay for police supervisory, command, and administrative management positions. Police Officers normally enter each Pay Grade at Step A.

Step rate increases within pay grades for satisfactory performance and employee development may be granted by the City Manager. Such increases are normally granted after six (6) months of service at each step, however, the City Manager may either accelerate or withhold such advancements based on the officer's performance and development.

Advancement to the rank of Sergeant at Pay Grade 504 may be granted by the City Manager to Patrol Officers as a promotion based on the results of Civil Service competitive examinations and procedures. A Patrol Officer must have three (3) years of service as a Kettering Patrol Officer at the time Civil Service testing is implemented in order to compete and be eligible for promotion to the rank of Sergeant.

Advancement to the rank of Lieutenant at Pay Grade 505 may be granted by the City Manager to Sergeants in Pay Grade 504 as a promotion based on the results of Civil Service competitive examinations and procedures. A Sergeant must have one (1) year of service as a Kettering Police Sergeant at the time Civil Service testing is implemented in order to compete and be eligible for promotion to the rank of Lieutenant.

The rank of Captain is that assigned to the positions of Assistant Chiefs of Police. Assistant Chiefs of Police (Police Captains) are included in the unclassified service and therefore the selection and rights of Assistant Chiefs of Police (Police Captains) are not subject to those rules or laws pertaining to Classified Civil Service employees. The appropriate fringe benefits for Assistant Chiefs of Police (Police Captains) are to be determined by the City Manager.

It shall be at the discretion of the City Manager to either fill or leave vacant positions at the rank of Sergeant, Lieutenant and Captain.

STEP RATES

PAY GRADE	BASIS	A / 1	B / 2
504	Hour	\$54.10	\$55.48
	Year	112,528	115,398
505	Hour	\$58.23	\$59.65
	Year	121,118	124,072

NOTE: Rates in the above Pay Table are effective from and after 12/18/23.

Section 206. PAY SCHEDULES FOR POSITIONS IN PAY GRADES 605.

The following pay tables prescribe the basic annual rates of pay for position of Fire Captain. The shown hourly rates are not controlling but are based on a 40-hour workweek schedule for comparison purposes only. Fire Captains may be assigned to either 40 or 48-hour workweek schedules at the discretion of the Fire Chief and shall be paid at the appropriate hourly rate for the regular hours worked on that schedule. Fire Captains enter each Pay Grade at Step A.

A step rate increase to 605 B or 605-1 B may be granted by the City Manager after a minimum of six (6) months of service at 605 A or 605-1 A.

Step rate increases to 605 C and D or 605-1 C and D may be granted by the City Manager after a minimum of twelve (12) months of service in each step.

Accelerated advancement or withholding of such advancements in Pay Grade 605 or 605-1 may be granted by the City Manager based upon the employee's performance and development.

Advancement to Fire Captain in Pay Grade 605 A or 605-1 A may be granted by the City Manager to Firefighters in Pay Grade 403 or 406, who have three (3) years of actual service as a Kettering Firefighter, as a promotion, based on the results of Civil Service competitive examination and procedures.

It shall be at the discretion of the City Manager to either fill or leave vacant positions at the rank of Fire Captain.

Fire Captains appointed to the Pay Grade 605 series prior to 9/23/13, are eligible to be paid at the following Step Rates for Pay Grade 605:

STEP RATES

<u>PAY GRADE</u>	<u>BASIS</u>	<u>A / 1</u>	<u>B / 2</u>	<u>C / 3</u>	<u>D / 4</u>	<u>COMMENTS</u>
605	Hour (48-hr. week schedule)	\$44.26	\$45.36	\$46.41	\$47.60	Fire Captain
	Hour (40-hr. week schedule)	\$53.11	\$54.43	\$55.69	\$57.12	(appointed prior to 9/23/13)
	Year	110,469	113,214	115,835	118,810	

Fire Captains appointed to the Pay Grade 605 series on or after 9/23/13, are eligible to be paid at the following Step Rates for Pay Grade 605-1:

<u>PAY GRADE</u>	<u>BASIS</u>	<u>A / 1</u>	<u>B / 2</u>	<u>C / 3</u>	<u>D / 4</u>	
605-1	Hour (48-hr. week schedule)	\$43.15	\$44.37	\$44.92	\$45.48	Fire Captain
	Hour (40-hr. week schedule)	\$51.78	\$53.24	\$53.90	\$54.58	(appointed on or after 9/23/13)
	Year	107,702	110,739	112,112	113,526	

NOTE: Rates in the above Pay Table are effective from and after 12/18/23.

Section 206-a. PAY SCHEDULES FOR POSITIONS IN PAY GRADES 606.

The following pay tables prescribe the basic annual rates of pay for positions of Fire Battalion Chief. The shown hourly rates are not controlling but are based on a 40-hour workweek schedule for comparison purposes only. Fire Battalion Chiefs may be assigned to either 40 or 48-hour workweek schedules at the discretion of the Fire Chief and shall be paid at the appropriate hourly rate for the regular hours worked on that schedule. Fire Battalion Chiefs enter each Pay Grade at Step A.

A step rate increase to 606 B may be granted by the City Manager after a minimum of six (6) months of service at 606 A.

Step rate increases to 606 C and D may be granted by the City Manager after a minimum of twelve (12) months of service in each step.

Accelerated advancement or withholding of such advancements in Pay Grade 606 may be granted by the City Manager based upon the employee's performance and development.

Advancement to the rank of Fire Battalion Chief at Pay Grade 606 may be granted by the City Manager to Fire Captains in Pay Grade 605 or 605-1. A Fire Captain must have at least one (1) year of service as a Kettering Fire Captain at the time Civil Service testing is implemented in order to compete and be eligible for promotion to the rank of Battalion Chief.

It shall be at the discretion of the City Manager to either fill or leave vacant positions at the rank of Fire Captain or Fire Battalion Chief. Fire Battalion Chiefs are eligible to be paid at the following Step Rates for Pay Grade 606:

STEP RATES

PAY GRADE	BASIS	A / 1	B / 2	C / 3	D / 4
606	Hour (56-hr. week schedule)	\$47.57	\$48.17	\$48.79	\$49.83
	Hour (40-hr. week schedule)	\$57.08	\$57.80	\$58.55	\$59.80
	Year	118,726	120,224	121,784	124,384

NOTE: Rates in the above Pay Table are effective from and after 12/18/2023.

Section 207. PAY SCHEDULES FOR POSITIONS IN PAY GRADES 705 THROUGH 724.

The following pay tables prescribe the maximum basic rates of pay for Pay Grades 705 through 724. The City Manager determines the rates of pay provided employees in these pay grades with the restriction that an employee may not receive more than that maximum rate assigned to the position. Hourly rates are controlling for computation.

PAY GRADES

PAY GRADE	BASIS	MAXIMUM PAY RATE	PAY GRADE	BASIS	MAXIMUM PAY RATE
705	Hour	\$32.65	714	Hour	\$50.21
	Year	67,912		Year	104,437
706	Hour	\$34.26	715	Hour	\$52.88
	Year	71,261		Year	109,990

707	Hour	\$35.65	716	Hour	\$55.41
	Year	74,152		Year	115,253
708	Hour	\$37.66	717	Hour	\$58.10
	Year	78,333		Year	120,848
709	Hour	\$39.57	718	Hour	\$60.97
	Year	82,306		Year	126,818
710	Hour	\$41.54	719	Hour	\$64.01
	Year	86,403		Year	133,141
711	Hour	\$43.57	720	Hour	\$67.15
	Year	90,626		Year	139,672
712	Hour	\$45.71	721	Hour	\$70.54
	Year	95,077		Year	146,723
713	Hour	\$47.84	722	Hour	\$74.03
	Year	99,507		Year	153,982
			724	Hour	\$81.57
				Year	169,666
			726	Hour	\$89.77
				Year	186,722

NOTE: Rates in the above Pay Table are effective from and after 12/18/2023.

Section 208. PAY SCHEDULE FOR THE POSITION OF CITY MANAGER AND ASSISTANT CITY MANAGER

- A. The annual base salary and any other benefit which the City Manager will be eligible to receive may be authorized by a valid, written agreement between the City and the City Manager. In the event of a conflict between this Ordinance and any then valid written agreement between the City and the City Manager as to the annual base salary and/or any other benefit or component thereof that the Manager is eligible to receive, then the provisions of the written agreement will prevail. In the event either this Ordinance or the then valid written agreement is silent regarding the annual base salary and/or any other benefit or component thereof that the Manager is eligible to receive, but the other respective document speaks to same, then the provisions of the document that speaks to the annual base salary and/or other benefit or component thereof, will prevail.
- B. The City Manager may, once annually, convert up to a maximum of 12 days of their accrued vacation leave, in whole hour increments at a ratio of 6:5, to a maximum payment of up to 10-days equivalent in cash. The rules governing this vacation leave conversion program shall be filed with and approved by the Ohio Public Employees Retirement System. Eligibility to convert such leave requires that all of the following apply to the City Manager:
1. Has, at the time of filing a request with the Finance Director to convert leave, an accrued vacation leave balance equal to or greater than the amount of hours requested to be converted;

2. The amount of vacation leave converted into a cash payment in one calendar year must not exceed the amount of vacation leave accrued in the prior calendar year; and
3. Has a record of at least 25 years of accumulated public service. Evidence of such accumulated public service may include a record of accumulated public service on file with the City of Kettering, as indicated by the employee's "Date of Hire" or "Leave Date" or a record of accumulated or purchased service credit on file with any of the Ohio Retirement Systems.

C. In addition to the Assistant City Manager's salary, the City may, at the discretion of the City Manager, contribute an amount equal to 1.0% of their salary to a qualified deferred compensation plan as selected by the Assistant City Manager.

Section 209. PAY SCHEDULES FOR SPECIAL CATEGORIES OF PART-TIME/TEMPORARY/SEASONAL AND REGULAR PART-TIME POSITIONS.

The City Manager may determine pay levels for employees filling part-time/temporary and Regular Part-Time positions as appropriate within the pay ranges authorized by the following tables. Positions covered by these pay tables are excluded from the classified Civil Service. Employees in these pay tables are normally employed 40 hours per week or less.

A. PAY TABLES FOR PART-TIME/TEMPORARY/SEASONAL POSITIONS

PAY GRADE	BASIS	STEP RATE												
		1	2	3	4	5	6	7	8	9	10	11	12	13
810	HOUR	\$10.50	\$10.65	\$10.80	\$10.95	\$11.10	\$11.25	\$11.40	\$11.55	\$11.70	\$11.85	\$12.00	\$12.15	\$12.30
811	HOUR	\$11.25	\$11.40	\$11.55	\$11.70	\$11.85	\$12.00	\$12.15	\$12.30	\$12.45	\$12.60	\$12.75	\$12.90	\$13.05
812	HOUR	\$12.00	\$12.15	\$12.30	\$12.45	\$12.60	\$12.75	\$12.90	\$13.05	\$13.20	\$13.35	\$13.50	\$13.65	\$13.80
813	HOUR	\$12.75	\$12.90	\$13.05	\$13.20	\$13.35	\$13.50	\$13.65	\$13.80	\$13.95	\$14.10	\$14.25	\$14.40	\$14.55
814	HOUR	\$13.50	\$13.65	\$13.80	\$13.95	\$14.10	\$14.25	\$14.40	\$14.55	\$14.70	\$14.85	\$15.00	\$15.15	\$15.30
815	HOUR	\$14.25	\$14.40	\$14.55	\$14.70	\$14.85	\$15.00	\$15.15	\$15.30	\$15.45	\$15.60	\$15.75	\$15.90	\$16.05
816	HOUR	\$15.00	\$15.15	\$15.30	\$15.45	\$15.60	\$15.75	\$15.90	\$16.05	\$16.20	\$16.35	\$16.50	\$16.65	\$16.80
817	HOUR	\$15.75	\$15.90	\$16.05	\$16.20	\$16.35	\$16.50	\$16.65	\$16.80	\$16.95	\$17.10	\$17.25	\$17.40	\$17.55
818	HOUR	\$16.50	\$16.65	\$16.80	\$16.95	\$17.10	\$17.25	\$17.40	\$17.55	\$17.70	\$17.85	\$18.00	\$18.15	\$18.30
819	HOUR	\$17.25	\$17.40	\$17.55	\$17.70	\$17.85	\$18.00	\$18.15	\$18.30	\$18.45	\$18.60	\$18.75	\$18.90	\$19.05
820	HOUR	\$18.00	\$18.15	\$18.30	\$18.45	\$18.60	\$18.75	\$18.90	\$19.05	\$19.20	\$19.35	\$19.50	\$19.65	\$19.80
821	HOUR	\$18.75	\$18.90	\$19.05	\$19.20	\$19.35	\$19.50	\$19.65	\$19.80	\$19.95	\$20.10	\$20.25	\$20.40	\$20.55
822	HOUR	\$19.50	\$19.65	\$19.80	\$19.95	\$20.10	\$20.25	\$20.40	\$20.55	\$20.70	\$20.85	\$21.00	\$21.15	\$21.30
823	HOUR	\$20.25	\$20.40	\$20.55	\$20.70	\$20.85	\$21.00	\$21.15	\$21.30	\$21.45	\$21.60	\$21.75	\$21.90	\$22.05
824	HOUR	\$21.00	\$21.15	\$21.30	\$21.45	\$21.60	\$21.75	\$21.90	\$22.05	\$22.20	\$22.35	\$22.50	\$22.65	\$22.80
825	HOUR	\$21.75	\$21.90	\$22.05	\$22.20	\$22.35	\$22.50	\$22.65	\$22.80	\$22.95	\$23.10	\$23.25	\$23.40	\$23.55
826	HOUR	\$22.50	\$22.65	\$22.80	\$22.95	\$23.10	\$23.25	\$23.40	\$23.55	\$23.70	\$23.85	\$24.00	\$24.15	\$24.30
827	HOUR	\$23.25	\$23.40	\$23.55	\$23.70	\$23.85	\$24.00	\$24.15	\$24.30	\$24.45	\$24.60	\$24.75	\$24.90	\$25.05
828	HOUR	\$24.00	\$24.15	\$24.30	\$24.45	\$24.60	\$24.75	\$24.90	\$25.05	\$25.20	\$25.35	\$25.50	\$25.65	\$25.80
829	HOUR	\$24.75	\$24.90	\$25.05	\$25.20	\$25.35	\$25.50	\$25.65	\$25.80	\$25.95	\$26.10	\$26.25	\$26.40	\$26.55
830	HOUR	\$25.50	\$25.65	\$25.80	\$25.95	\$26.10	\$26.25	\$26.40	\$26.55	\$26.70	\$26.85	\$27.00	\$27.15	\$27.30
831	HOUR	\$26.25	\$26.40	\$26.55	\$26.70	\$26.85	\$27.00	\$27.15	\$27.30	\$27.45	\$27.60	\$27.75	\$27.90	\$28.05
832	HOUR	\$27.00	\$27.15	\$27.30	\$27.45	\$27.60	\$27.75	\$27.90	\$28.05	\$28.20	\$28.35	\$28.50	\$28.65	\$28.80
833	HOUR	\$27.75	\$27.90	\$28.05	\$28.20	\$28.35	\$28.50	\$28.65	\$28.80	\$28.95	\$29.10	\$29.25	\$29.40	\$29.55

NOTE: Rates in the above Pay Table are effective from and after 12/18/2023.

B. PAY TABLES FOR REGULAR PART-TIME POSITIONS

STEP RATES

<u>PAY GRADE</u>	<u>BASIS</u>	<u>A / 1</u>	<u>B / 2</u>	<u>C / 3</u>	<u>D / 4</u>	<u>E / 5</u>
850	HOUR	\$14.60	\$14.92	\$15.35	\$15.72	\$16.03
851	HOUR	\$15.72	\$16.03	\$16.42	\$16.82	\$17.26
852	HOUR	\$16.82	\$17.26	\$17.48	\$17.93	\$18.29
853	HOUR	\$17.93	\$18.29	\$18.64	\$19.03	\$19.43
854	HOUR	\$19.03	\$19.43	\$19.75	\$20.10	\$20.54
855	HOUR	\$20.10	\$20.54	\$20.91	\$21.22	\$21.60
856	HOUR	\$21.22	\$21.60	\$21.98	\$22.26	\$22.72
857	HOUR	\$22.72	\$23.00	\$23.50	\$23.81	\$24.17
858	HOUR	\$23.81	\$24.17	\$24.56	\$24.92	\$25.25
859	HOUR	\$24.92	\$25.25	\$25.67	\$25.99	\$26.42
860	HOUR	\$25.99	\$26.42	\$26.78	\$27.05	\$27.50
861	HOUR	\$27.05	\$27.50	\$27.89	\$28.30	\$28.59
862	HOUR	\$28.30	\$28.59	\$28.96	\$29.43	\$29.75

NOTE: Rates in the above Pay Table are effective from and after 12/18/2023.

Section 210. INDEPENDENT CONTRACTORS AND SPECIAL EMPLOYEES.

- A. The City Manager is authorized to enter into agreements with non-employee Independent Contractors to provide those services that the City Manager determines to be in the best interests of this city. Such agreements shall be limited by budgetary authorization intended for such purposes, be outside the control of this Personnel Ordinance, and shall be consistent with the City Charter and any laws, ordinances, rules and regulations that are applicable in this city.
- B. The City Manager may also hire employees for specialized purposes as follows:
 - 1. The City Manager is authorized to enter into agreements to hire individuals as employees so as to obtain their personal services which the City Manager determines are in the best interests of this city. Such employees shall be known as "Special Employees," whose status shall be temporary and/or seasonal and whose term of employment shall be set by individual agreement. The compensation and benefits for such "Special Employees" shall be set and controlled by contractual agreements which shall be limited by budgetary authorization intended for such

purposes. The City shall make deductions from the "Special Employee's" pay as required by law, such as federal, state and local tax withholdings and any contributions to FICA/Medicare or the applicable State of Ohio Retirement System, that may apply.

2. In addition to the authority in Section 210 B1 above, the City Manager is also authorized to hire and establish pay rates for "Special Employees" whose status shall be temporary and/or seasonal and whose terms and conditions of employment are not controlled by individual agreement, including, but not limited to, pay per participant compensation arrangements and any applicable pay scales. The compensation and benefits for such "Special Employees" shall be set and controlled by the City Manager, which shall be limited by budgetary authorization intended for such purposes and shall not exceed an hourly rate of sixty dollars (\$60.00) per hour. The City shall make deductions from the "Special Employee's" pay as required by law, such as federal, state and local tax withholdings and any contributions to FICA/Medicare or the applicable State of Ohio Retirement System, that may apply.

Section 211. COMPENSATION FOR OVERTIME WORK.

- A. 1. All full-time, part-time and temporary employees in Pay Grades 3 through 54, 100 through 112, and 200 through 211, with the exception of Jailers are eligible for overtime compensation for all authorized hours in excess of eight (8) hours per day or forty (40) hours per week, provided that on the employee's sixth day they shall receive overtime pay for only that time worked in excess of forty (40) hours for their whole week. An exception to this provision is made when such an employee's work schedule consists of four ten-hour days. In this situation, employees in the above described pay grades are eligible for overtime compensation for all authorized hours in excess of ten (10) hours per day or forty (40) hours per week, provided that on the employee's fifth day they shall receive overtime pay for only that time worked in excess of forty (40) hours.
2. All employees in Pay Grades 810 through 862 are eligible for overtime compensation for all authorized hours in excess of forty (40) hours per week.
- B. 1. "Patrol Officers assigned to a watch" means those officers who are assigned to duties which are performed substantially, continuously around the clock every day of the week and ordinarily involve relieving another officer assigned to the same post at the beginning of duty and being relieved by another officer assigned to the same post at the conclusion of the day.
2. a) Subject to Call. Patrol Officers are subject to call during both paid and unpaid meal periods.
- b) Those Not Assigned To A Watch. Patrol Officers not assigned to a watch (such as detectives, jailer, court officer, academy personnel, uniformed dispatcher, etc.) will be scheduled for an unpaid meal period or not, as determined by the City to be suitable for the duties of the assignment. The total scheduled hours of work in either case will for a normal work day be deemed to be 8 hours worked, and there shall be no more than 9 hours between scheduled starting and quitting times of an eight-hour work day.

- C. 1. Firefighters in Pay Grades 401 through 406 who are assigned to work schedules which average forty (40) hours per week shall receive overtime compensation only for that time worked in excess of an average forty (40) hour workweek as established by a rotating shift schedule.
2. Firefighters in Pay Grades 401 through 406 assigned to rotating shifts which average forty-eight (48) hours per week shall receive overtime compensation only for the time worked in excess of an average forty-eight (48) hour workweek as established by a rotating shift schedule. Overtime pay shall be based on comparative forty (40) hour workweek rates.
- D. A paid unworked holiday, paid sick leave or paid unworked vacation shall be credited as time worked for the purpose of computing overtime for any work performed in the same workweek.
- E. Pay for overtime work shall be at the rate of one and one-half (1 ½) the regular rate with the following exceptions (police business meetings and training sessions scheduled by Supervisory or Command Police Officers for Police Patrol Officers in Pay Grades 304 through 306 shall not be considered an exception):
1. Employees in Pay Grades 3 through 54, 100 through 112, and 200 through 211 (with the exception of Jailers) shall receive double their regular rate for work on Sundays and all holidays, unless Sunday or a holiday is a regularly scheduled work day. If Sunday is a regularly scheduled workday, the seventh day of the workweek shall be treated as Sunday for overtime purposes.
2. Police Cadets and Jailers; and Firefighters in Pay Grades 401 through 406 assigned to work schedules which average forty (40) hours per week shall receive double their regular rate of pay for work on a holiday in excess of a regular eight (8) hour shift.
3. Police Officers in Pay Grades 304 through 306 and 504 through 505, and Jailers, shall receive double their regular rate for overtime hours worked on Easter Sunday. The City Manager may, at their sole discretion, extend similar double-time provisions to Regular Part-Time employees in the Police Department who work on Easter Sunday in excess of their regularly scheduled hours.
4. Firefighters in Pay Grades 401 through 406 who are assigned to forty-eight (48) hour workweek schedules shall receive double the comparative forty (40) hour rate of pay for work on a holiday in excess of a regular twenty-four (24) hour shift.
- F. Any full-time employee eligible for overtime compensation who is called in for emergency duty shall receive a minimum of two (2) hours compensation at the overtime rate.
- G. When employees, other than Regular Full-Time City employees, are called in as volunteers for emergency duties, they may be employed at rates comparable to those paid to Regular Full-Time employees who regularly perform such tasks and paid from appropriate funds as determined by the City Manager.
- H. Employees in Pay Grades 200 through 211 called for emergencies, such as snow removal, shall be paid one and one-half times the regular rate for hours worked outside normal working hours even though time worked during that workweek does not exceed forty (40) hours. The City Manager may extend this same provision to other hourly paid employees when they are assisting in emergencies normally handled by employees in Pay Grades 200 through 211.

- I. The City Manager may authorize payment from City Funds for overtime work performed by employees who are not considered as Regular Full-Time employees.
- J. The City Manager may authorize a premium payment at one and one-half (1½) times an hourly paid employee's regular hourly rate of pay if it is necessary to substantially adjust such an employee's work schedule without adequate notice. It shall be at the discretion of the City Manager to determine what constitutes a substantial schedule change and adequate notice to the employee.
- K. Whenever it is necessary for an off-duty Fire Battalion Chief to appear in the Municipal Court, before the prosecutor for a pretrial conference, or in any other court on matters pertaining to City business, a minimum of two (2) hours overtime shall be credited per appearance day at time and one-half the appropriate hourly rate.
- L. At the employee's option, and with the consent of the employee's supervisor, the employee shall have the privilege of taking compensatory time off in lieu of overtime compensation; in which case the employee may have time off at one times, one and one-half times, or double time the overtime hours worked, if for the hours worked the employee would otherwise be paid one time, one and one-half times, or double time the regular rate.
- M. Employees in Pay Grades 715 through 724 are not eligible for overtime compensation. The City Manager is authorized to establish reasonable standards under which employees in Pay Grades 705 through 714, 504 and 505, and 605 through 606 may receive overtime compensation.
- N. The City Manager is authorized to make adjustments in the normal schedule of duty hours for employees in Pay Grades 705 through 724, and 606 granting time off from normal schedule of duty hours when appropriate, in recognition that employees in bona fide executive, administrative, and professional capacities are often required to follow irregular work schedules which exceed the normal 40 hours per week and in recognition that employees in these capacities are exempt from the provisions for overtime compensation.
- O. Jailers, who are unable to take a 30-minute meal break during their shift, are eligible to receive 30 minutes of overtime compensation with supervisory approval.

Section 212. GENERAL PROVISIONS PERTAINING TO APPOINTMENT ADVANCEMENT AND CONDITIONS OF WORK.

- A. The regular workweek for a Regular Full-Time employee shall consist of five (5) eight hour days.
- B. The City Manager is authorized to fill Regular Full-Time positions with one or more part-time employees at hourly pay rates not to exceed the normal hourly rate for the full-time position. In cases where a part-time employee is assigned to a pay grade normally utilized for Regular Full-Time employees, it shall be at the City Manager's discretion to determine appropriate levels of fringe benefits.
- C. All employees shall be paid bi-weekly or on a schedule deemed appropriate by the City Manager. The Finance Director is authorized to either compensate hourly paid employees for the actual number of hours worked during a pay period or for the average number of hours they work per pay period plus any overtime compensation earned.

- D. The City Manager may fill a vacant position, as authorized by the Table of Organization and Position Classification Plan, with a person in a different classification and pay grade. The position being filled may not be paid at a higher basic rate than that identified from the Table of Organization. The position being filled may be in another department, division or office from that identified in the Table of Organization, but the total number of positions authorized for the City may not be exceeded.
- E. The number of personnel authorized by Article I of this Ordinance may be varied to provide a training period of four (4) weeks for a new employee. The City Manager may exceed the number of personnel authorized, by more than four (4) weeks, in circumstances where a special training program is required or for other extenuating circumstances. The City Manager may temporarily replace any Regular Full-Time employee on sick leave, vacation or leave of absence. Such replacement shall be compensated in accordance with this Ordinance at the discretion of the City Manager.
- F. The number in a pay grade designation authorized by the Table of Organization and Position Classification Plan in Article I may temporarily be exceeded so that an employee may be placed in a higher pay grade designation because of increased duties and responsibilities. In this respect, the City Manager is bound only by the total authorized positions for the entire Department. Nothing herein contained shall permit transgressions of the rules and regulations as established by the Civil Service Commission.
- G. An employee advanced to a higher position through a permanent promotion or reclassification may, or may not, receive an increase in pay at the sole discretion of the City Manager. The effective date for any such pay increase shall be determined at the sole discretion of the City Manager.
- H. It shall be at the discretion of the City Manager to either fill or leave vacant any positions authorized by this Ordinance.
- I. The City Manager is authorized to exceed the total number of personnel authorized by Article I for any position when they determine it appropriate to do so in order to comply with a directive of, or otherwise satisfy, a court, the Kettering Civil Service Commission, or other review agency. The City Manager may, at their sole discretion, exceed the total number of personnel authorized by Article I, for a temporary or extended period of time, when they identify circumstances they deem justifies such action.
- J. The City Manager is authorized to establish different rates of pay for positions delineated by this Ordinance. However, such rates of pay may not exceed the maximum rate specified for the position(s) by the designated pay grades.
- K. It is within the City Manager's authority to close any or all City facilities in the event of extreme weather or other emergency situations. It is also at the City Manager's discretion to determine if and how City employees who either work or don't work under such circumstances be compensated.
- L. The City Manager is authorized to set initial accrual rates for vacation leave and initial sick leave balances for employees, with consideration to prior employment and length of service. This authorization confirms the City Manager's authority to continue the practice of crediting service time for vacation leave accrual purposes and transferring unused sick leave balances from prior public service with the State of Ohio or its political subdivisions and other Ohio public agencies, to the extent they deem appropriate. Furthermore, the City Manager is authorized to adopt similar practices for employees having prior public

service outside the State of Ohio, or who were previously employed in private sector or federal employment.

- M. In a Payroll Year consisting of more than twenty-six (26) biweekly Pay Periods, the annual salary rates set forth in this Ordinance, as well as the annual sick leave and vacation leave accrual rates, may be exceeded so as to insure that employees' biweekly earnings, and sick leave and vacation leave accrual rates, remain at the same level as in biweekly Pay Periods falling within a twenty-six (26) Pay Period Payroll Year. This provision also applies to the City Manager and members of City Council.
- N. The City Manager is authorized to compensate City employees for the home care of City-owned canines.
- O. For employees that receive City-paid deferred compensation as part of their total annual compensation, the hourly-pay-rate used to compute the conversion of paid-leave-to-cash shall also include the calculable hourly rate for such deferred compensation. Such paid-leave-to-cash conversions include: Terminal pay for accumulated vacation leave or sick leave that is subject to conversion at separation from employment; accumulated leave that is subject to conversion in conjunction with any City-administered leave conversion program; any conversions of paid-leave-to-cash that may be payable to a deceased employee's estate as a final payroll transaction; and any conversions of accumulated sick leave to cash that is payable as a death benefit to a beneficiary or an employee's estate.

Article III. SUPPLEMENTARY BENEFITS FOR REGULAR FULL-TIME EMPLOYEES.

Section 300. EMPLOYEE HEALTH INSURANCE.

- A. Coverage provided by the employee group health benefit plan(s) shall be as stated in the plan documents on file with the City's insurance carriers. The City shall pay its share of the cost of insurance coverage for all Regular Full-Time employees who request coverage and subscribe to an available plan designation. The City Manager is authorized to make available to and determine the rate of contribution to be paid by Regular Full-Time employees who the City Manager deems eligible for health insurance through the City's group plan(s). The City Manager, may, at their discretion, provide an Employee Wellness Program to eligible employees.
- B. The City may, at the City Manager's discretion, continue to pay its share of the insurance costs for Regular Full-Time employees who are ill but have exhausted all accumulated Leave and are being carried in a status of Leave Without Pay. The City Manager may, at their discretion, continue insurance coverage for employees seeking a disability retirement for a limited period of time beyond the employee's date of separation; or for the family of a deceased employee for a limited period of time beyond the employee's death. Extension of such coverage is subject to requirements of the group health benefit plan(s) as allowed by the law.
- C. The City Manager may, at their discretion, authorize that the City contribute to Health Savings Accounts or Health Reimbursement Accounts for medical care for City employees in addition to contributing to a medical insurance policy.
- D. The City Manager may authorize payment to an employee or insurance carrier in order to reduce the City's insurance liability for an employee and/or family members.
- E. The City Manager may insure or self-insure, in whole or in part, for insurance plans under this Section when, in their sole determination, doing so would be in the best interest of the City for economic or administrative reasons.

F. The City Manager may, at their discretion, provide Optional Dental Insurance and/or Vision Insurance to employees and elected officials as deemed eligible.

Section 301. EMPLOYEE LIFE INSURANCE.

Effective on the date of hire and allowed by policy, the City will provide each Regular Full-Time employee in Pay Grades 3 through 54, 80 through 82, 100 through 112, 200 through 211, 304 through 306, 401 through 406, 504 and 505, 605 through 606, and 705 through 724, with a term life insurance policy in an amount not to exceed the employee's base annual salary at the time of death plus an equal amount for accidental death and dismemberment coverage.

Where there are changes in term life insurance coverages above, the amount of term life insurance coverage applicable to eligible employees shall be as provided for in previous Ordinances, until such time as new life insurance coverage is obtained and implemented by the City.

The City Manager may insure or self-insure, in whole or in part, for insurance plans under this Section when, in their sole determination, doing so would be in the best interest of the City for economic or administrative reasons.

Voluntary term life insurance coverage, as allowed by policy, may be made available for purchase by eligible employees on their own life, and the life of eligible dependents, including spouse and child(ren). Regular Full-Time employees, elected officials and Regular Part-Time employees who the City Manager deems eligible may purchase voluntary life insurance through the City's group plan(s).

Section 302. AUTHORIZED ABSENCE.

A. VACATION LEAVE

- Regular Full-Time employees (excluding Firefighters in Pay Grades 401 through 406, Fire Captains in Pay Grades 605 and 605-1, Fire Battalion Chiefs in Pay Grade 606, Patrol Officers in Pay Grades 304 through 306 and Police Sergeants and Lieutenants in Pay Grades 504 and 505) are entitled to Vacation Leave with pay at the following accrual rates in accordance with the length of service criteria as indicated below:

<u>Length of Service</u>	<u>Days per Year</u>	<u>Hours per Year</u>
Up to 5 years	10	80
Over 5 and up to 10 years	12	96
Over 10 and up to 15 years	16	128
Over 15 and up to 20 years	20	160
Over 20 and up to 25 years	23	184
Over 25 years	25	200

Vacation Leave shall be accrued on a prorated basis as determined by the City Manager.

- Fire Battalion Chiefs in Pay Grade 606, are entitled to Vacation Leave with pay at the following accrual rates in accordance with the length of service criteria as indicated below:

<u>Length of Service</u>	<u>Days per Year</u>	<u>Hours per Year</u>
Up to 5 years	10	80

Over 5 and up to 10 years	13	112
Over 10 and up to 15 years	18	144
Over 15 and up to 20 years	21	168
Over 20 years	25	200

Fire Battalion Chiefs assigned to work schedules which average forty-eight (48) hours per week accrue Vacation Leave at rates of 1.2 times the hourly rates shown above. When a Fire Battalion Chief is transferred to a forty-eight (48) hour workweek schedule, any balance of Vacation Leave is multiplied by 1.2. When a Fire Battalion Chief is transferred off a forty-eight (48) hour week schedule, any balance of Vacation Leave will be multiplied by five-sixths (5/6).

Vacation Leave shall be accrued on a prorated basis as determined by the City Manager.

3. Regular Part-Time employees accrue Vacation Leave at the same rate as Regular Full-Time employees subject to the Vacation Leave accrual table in Section 302.A.(1); however, such leave is prorated on actual hours worked. Regular Part-Time employees are identified in the Table of Organization (Article I.) as holding Regular Part-Time positions in contrast to Part-Time/Temporary positions which are seasonal or intermittent.
4. Vacation Leave accrued and Vacation Leave taken shall be accounted for on a Vacation Year basis. The Vacation Year extends from the first day of the pay period closest to October 1st of one calendar year through the last day of the pay period closest to September 30th of the following calendar year, however, the City Manager is authorized to designate alternate Vacation Year periods for employees. The City Manager may also extend Vacation Year periods for employees on a case-by-case basis. An employee may not use Vacation Leave for a period of ninety (90) days after initial appointment or last break in service, unless special exception is made by the City Manager on an individual basis to waive or reduce this period.
5. An employee may carry accumulated Vacation Leave forward to the next Vacation Year. The total amount of accrued Vacation Leave may not exceed thirty (30) days at the beginning of any Vacation Year, except that when an employee in Pay Grades 3 through 54, 80 through 82, 100 through 112, 200 through 211, 304 through 306, 401 through 406, 504 and 505, 605 through 606, and 705 through 724 has provided written notice of their commitment to retire on a specific date, in which case no limit shall be placed on the accumulation of their Vacation Leave from the date of receipt of such notice of their retirement date or for the period of one year preceding their retirement date, whichever is shorter. Vacation Leave actually taken during any Vacation Year may be charged to Vacation Leave accruing during such Vacation Year without regard to the thirty (30) day limitation. Accrued Vacation Leave in excess of thirty (30) days (two hundred eighty-eight (288) hours for Firefighters, Fire Captains and Fire Battalion Chiefs working forty-eight (48) hour average workweeks) is dropped and lost at the end of the last day of each Vacation Year.
6. When an employee reaches an anniversary date entitling the employee to an increased rate of accumulation, they shall be credited with the increased rate at the start of the pay period closest to the anniversary date. Eligibility to use this additional accumulation begins as soon as accumulation begins.
7. To provide flexibility in vacation scheduling, employees with over one year's service shall be permitted, at the discretion of the City Manager, to obtain up to ten (10) days of Vacation Leave credit in advance of accrual. Advance credit, however, shall

be covered by Vacation Leave accrual by the end of the Vacation Year, unless special exception is made by the City Manager on an individual basis to extend the allowable time period to cover advance credit by Vacation Leave accrual. The City Manager is authorized to make special exception, on an individual basis, to waive or reduce the one-year service requirement for authorizing an advance of Vacation Leave credit to an employee. The City Manager may authorize employees to contribute earned vacation hours to an account for utilization by other employees or employee groups to fulfill the obligations of collective bargaining agreements.

8. The primary purpose of Vacation Leave is to provide employees the opportunity for rest and recuperation. Therefore, it is expected that employees will normally schedule one vacation period per year rather than accumulate Vacation Leave from year to year. Although scheduling of employee Vacation Leave shall be the responsibility of department directors and chiefs and shall be consistent with an efficient work schedule, the requests and needs of employees shall be given due consideration.
9. Whenever an employee shall leave the City's employ, they shall be entitled to remuneration for the amount of unused Vacation Leave they have accumulated except for employees who leave the City's employment before completing six (6) months of service.

B. SICK LEAVE

1. Regular Full-Time employees accrue Sick Leave at the rate of 15 days, or 120 hours per year on a prorated basis as determined by the City Manager. Fire Battalion Chiefs assigned to forty-eight (48) hour workweek schedules accrue Sick Leave at 1.2 times the normal rate or 168 hours per year. When a Fire Battalion Chief is transferred to a forty-eight (48) hour workweek schedule any balance of Sick Leave will be multiplied by 1.2. When a Fire Battalion Chief is transferred off a forty-eight (48) hour workweek schedule, any balance of Sick Leave will be multiplied by five-sixths (5/6). The total amount of accrued Sick Leave for Fire Battalion Chiefs in Pay Grade 606 on a forty-eight (48) hour workweek schedule may not exceed 2,496 hours. The total amount of accrued Sick Leave for employees on a 40 hour workweek schedule in Pay Grades 3 through 54, 100 through 112, 606, and 705 through 724 may not exceed 2,080 hours. Regular Part-Time employees accrue Sick Leave at the same rate as Regular Full-Time employees; however, the amount of leave accrued is prorated based upon actual hours worked. Employees who are ill and have exhausted all accrued Sick Leave may be granted, at the discretion of the City Manager, up to ten (10) days of Sick Leave credit in advance of accrual. Advance credit, however, shall be covered by Sick Leave accrual within one 12-month period, unless special exception is made by the City Manager on an individual basis to extend the allowable time period to cover advance credit by Sick Leave accrual or to waive the requirement for repayment of advanced Sick Leave.
2. Sick Leave is not to be used as vacation or time off. The City Manager or the City Manager's representative may at any time request a doctor's certificate as proof of illness before Sick Leave compensation is paid.
3. One-half of all accumulated Sick Leave shall be paid to a designated beneficiary upon the death of a current employee, except that no more than 260 days sick leave accumulation shall be counted in computing death benefits for the beneficiary of an employee eligible to accrue Sick Leave. Such payment will be in a lump sum based upon the employee's hourly rate of pay at the time of death (excluding any premium

pay). If there is no valid written designation of beneficiary on file, or if the designation is for any reason ineffective, the payment shall be made to the employee's estate except that the City may authorize the payment of such amount to any one or more of the surviving spouse, adoptive parents, lineal descendants by adoption, or blood relatives of the employee, or a beneficiary to receive payments after the death of the employee under the State Retirement System, and any such payment shall be in complete discharge of liability with respect to the amount so paid.

4. At retirement an employee who has accumulated fifty (50) or more Sick Leave days may convert one-third of all accumulated Sick Leave days in excess of fifty (50), but not more than 260 days, to a lump sum payment. A Fire Battalion Chief's Sick Leave will be computed on a forty (40) hour workweek basis at retirement so as to apply these provisions. These provisions do not apply to service separations other than retirements.

C. INJURY LEAVE

1. Leave with pay may be granted by the City Manager for service connected occupational illness or injury. Compensation for lost time received by the employee from the Bureau of Workers' Compensation and/or the Industrial Commission shall be paid to the Finance Director for such times as the employee received full wages from the City.
2. Injury Leave provisions also apply to Regular Part-time employees.

D. FUNERAL LEAVE

Up to three (3) days Funeral Leave may be granted when a death occurs in the immediate family of an employee, except that up to five (5) days may be granted in the event of the death of an employee's spouse, child, stepchild, parent or parent-in-law. For the purposes of this ordinance, an immediate family is interpreted to include spouse, parent, child, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, grandparent-in-law, stepchild, grandchild, half-brother, half-sister, or other relative living in the same household. One (1) day's funeral leave may be granted when the death is of a more distant relative. The City Manager may establish different Funeral Leave schedules to accommodate special work schedules or circumstances. Funeral Leave provisions also apply to Regular Part-Time employees.

E. MILITARY LEAVE

1. Short Term Military Leave

a. All Regular Full-Time employees are entitled to leave to perform military duty in the uniformed services, either state or federal, for up to 22 eight-hour work days or 176 hours in any calendar year. An employee taking such Military Leave shall receive the difference between their military pay and their regular pay for the period of military duty upon presentation to the Finance Director of satisfactory evidence of military pay. The City shall continue to provide group medical insurance and group life insurance coverage during the employee's military leave. During such Short Term Military Leave, an employee shall be considered to be on a leave of absence without separating the employee from their public service position.

b. These Short Term Military Leave provisions also apply to Regular Part-Time employees on a prorated basis.

2. Extended Military Leave

a. All Regular Full-Time employees are entitled to leave to perform military duty in the uniformed services, either state or federal. Any absence beyond that provided for in Paragraph E. 1. a. of this Subsection, that is not otherwise covered by a City approved paid leave of absence, may result in a separation from the employee's public service position until they return to employment with the City of Kettering. Such leave shall be known as "Extended Military Leave."

b. Regular Full-Time employees called to begin active service in the uniformed services pursuant to an Order by the President of the United States, an Act of Congress or by action of the Governor, shall receive the following Extended Military Leave benefits, subject to the following limitations:

i. Any questions regarding an employee's eligibility for Extended Military Leave benefits or the procedures to followed, shall be subject to the City Manager's authority.

ii. An eligible employee's Extended Military Leave benefits, paid leave and City-provided group medical insurance coverage, will continue throughout the duration of their active military duty, not to exceed a period of 24 months from the commencement of their Extended Military Leave. The extension of City-provided group medical insurance coverage may be subject to restrictions by the insurance carrier, insurance contract or other medical plan documents.

iii. Payment of paid "Military Leave" to an eligible employee on Extended Military Leave, shall be in an amount equal to the difference between the employee's regular wage as a City of Kettering public employee and the sum of the employee's gross military pay and allowances received for the period of military duty, contingent upon presentation to the Finance Director of satisfactory evidence of military pay. The Finance Director is authorized to make estimated advance Military Leave payments in the administration of this provision.

iv. Eligible employees may elect to receive continuation of City provided group health insurance coverage, including eligible dependent coverage; however, such coverages are subject to the same exclusions and limitations currently in effect by the carrier or as may be placed in effect by the carrier subsequent to the passage of this Ordinance. In a similar manner, the City Manager may, at their discretion, authorize eligible employees to receive the continuation of other insurance benefits. The premium cost for such coverage shall be paid by the City, to the same extent such premium costs are paid for by the City for other similarly classed employees.

c. Except for as provided in Section 302. Authorized Absence, Subsection E. Military Leave, no other Extended Military Leave benefits are provided.

3. Authority - The provisions of Section 302. Authorized Absence, Subsection E. Military Leave, are intended to entirely replace the provisions of O.R.C. Section 5923.05.

F. AUTHORIZED LEAVE-WITHOUT-PAY

1. BIRTHING PARENT AND BONDING LEAVE. A regular full-time or regular part-time employee who is pregnant may use a combination of different leaves, if necessary, during the course of a pregnancy and the birth of the child(ren). Sick Leave may be used under the conditions set forth in Policy No. 301: Sick Leave. Unless supported by satisfactory medical evidence, sick leave for childbirth will not be available beyond six (6) weeks after the birth of the child(ren). Earned Vacation Leave, Personal Leave and EDOs may be used at any time during the course of the pregnancy, and/or following the birth of the child(ren), in accordance with Policy No. 302: Vacation Leave, and Policy No. 303: Personal Leave and EDOs.
2. SPECIAL LEAVE. Leave-Without-Pay for personal reasons may be granted by the City Manager upon request for periods not in excess of ninety (90) calendar days. Employees absent due to illness may be granted such leave after Sick Leave has expired. Such leave may be extended or renewed beyond a total of ninety (90) calendar days with the approval of the City Manager. Upon return from such leave, the employee will be reinstated to the employee's old position, if it is available, or to one of equal grade. The City may, at the employee's request, continue to pay its share of the premium for the employee's medical care and life insurance.

G. JURY DUTY

When an employee is called to serve as a juror in any court, the City Manager may authorize that the employee continue to receive their regular City pay during that period they serve as a juror. Jury Duty provisions also apply to Regular Part-Time employees.

H. ADMINISTRATIVE LEAVE

The City Manager has the authority to grant paid administrative leave when in their discretion no other type of leave is appropriate.

Section 303. HOLIDAYS.

- A. The following eleven (11) days shall be holidays for which all Regular Full-Time and Regular Part-Time employees shall receive their regular compensation:

New Year's Day	
Dr. Martin Luther King, Jr. Day	Third Monday in January
Presidents' Day	Third Monday in February
Memorial Day	Last Monday in May
Juneteenth	
Independence Day	
Labor Day	First Monday in September
Thanksgiving Day	Fourth Thursday in November
Day After Thanksgiving	
Christmas Eve	
Christmas Day	

- B. For employees in Pay Grades 304 through 306, and Pay Grades 504 and 505, December 31st is designated as a holiday in lieu of the Day After Thanksgiving.
- C. The City Manager is authorized to make adjustments in the holidays designated in "A" and "B" above, particularly when any of the above designated days falls on a Saturday or Sunday, providing that there shall be a total of eleven (11) paid holidays recognized for any one calendar year.
- D. Crossing Guards shall receive their regular compensation (i.e., holiday pay) for all City recognized holidays above, with the exception of Juneteenth and Independence Day. In addition, Crossing Guards shall also receive their regular compensation for any School District Calamity Day or In-Service Day / Professional Trade Day that occurs while schools are in session. No holiday pay shall be due Crossing Guards for holidays and/or school breaks recognized by the School District that differ from City recognized holidays.
- E. Full-Time employees eligible for overtime compensation, except those described in paragraph G, shall receive two (2) times their regular rate in addition to their regular compensation (holiday pay) for work performed on the day observed as the holiday, or for Firefighters, on the actual holiday, unless the holiday is a regular scheduled work day. An exception is that the City Manager may stipulate that one and one half (1 ½) times the regular rate be paid for such overtime on Labor Day.
- F. Fire Battalion Chiefs working a four (4) 10-hour day/work schedule will receive 10 hours holiday pay if the recognized holiday falls on the employee's normally scheduled work day; if the recognized holiday does not fall on a Fire Battalion Chief's normally scheduled work day, the Fire Battalion Chief will receive no holiday pay. The City Manager may make adjustments in a Fire Battalion Chief's holiday hours/pay to avoid potential inequities resulting due to a Fire Battalion Chief's schedule.
- G. Fire Department personnel assigned to rotating or other shifts which require an employee to regularly work a full work schedule during the week in which a holiday occurs will be paid an extra day's pay for each such holiday. Such Regular Full-Time employees who are regularly eligible for overtime pay shall receive double their regular rate for work on a holiday in excess of a regular eight (8) hour shift or twenty-four (24) hour shift for Firefighters assigned to a forty-eight (48) hour average workweek schedule. The City Manager may, at their sole discretion, extend similar double-time provisions to Regular Part-Time employees in the Police Department who work on a holiday in excess of their regularly scheduled hours.
- H. PERSONAL LEAVE AND EARNED DAYS OFF
1. In addition to the eleven (11) paid holidays indicated above in this Section, each Regular Full-Time employee may be granted three (3) days (24 hours) of paid Personal Leave annually. Regular Full-Time Police Department Uniformed Deputy Bailiffs and Jailers may be granted four (4) days (32 hours) of paid Personal Leave annually. Paid Personal Leave must be scheduled in advance and be approved by the department director.
 2. Personal Leave will be accounted for on an annual basis, as determined by the City Manager, with no accumulation or carryover from one year to the next. An employee is entitled to their Personal Leave credit for the year during which they received an initial appointment, provided employment commenced prior to October 1st, except that an employee may not receive credit for their third, fourth or fifth day of paid Personal Leave unless employment commenced prior to July

1st. An employee is not entitled to a Personal Leave day until a minimum of thirty (30) days have elapsed after initial appointment or last break in service, unless special exception is made by the City Manager on an individual basis to waive or reduce this period.

3. A Fire Battalion Chief assigned to a forty-eight (48) average hour workweek schedule shall not receive Personal Leave days but instead shall receive one 24-hour tour of duty off with pay (EDO) in each 21-day continuous work cycle. EDOs will be assigned by the Chief or the Chief's designee. With the Chief's approval, the City will allow platoon employees to trade EDOs with members of their own shift within the 21-day work cycle. The scheduling of all EDOs is subject to scheduling requirements as determined by the Chief or the Chief's designee. All EDOs shall be scheduled as approved by the Chief or the Chief's designee. Fire Battalion Chiefs will receive one additional EDO annually to be scheduled at their discretion subject to approval by the Chief or the Chief's designee. The Fire Chief will determine the smallest increments in which EDOs are accounted for, with no accumulation or carryover from one year to the next.

Section 304. EDUCATIONAL ASSISTANCE.

- A. The City will pay 80% of the tuition costs, necessary fees and texts for courses related to a Regular Full-Time employee's current position or their preparation for career advancement. The maximum payment for all Regular Full-Time employees shall be \$1,000 per calendar year.
- B. Requests for educational assistance must be submitted by an employee to the City Manager through division and department directors and the Director of Human Resources.
- C. If the employee's service with the City is terminated for any reason within two (2) years of completion of the course, the City Manager may require that they return the City's outlay on a pro rata basis.
- D. The City Manager may authorize the advance of educational assistance for an employee from future years and formulate an equitable arrangement for pay back to the City should the employee terminate their service with the City.

Section 305. UNIFORM ALLOWANCE.

- A. Upon appointment, Regular Full-Time employees in the positions of Police Chief, Fire Chief, Police Captain, Assistant Fire Chief, Fire Battalion Chief, Police Lieutenant, Fire Captain, Civilian Dispatch Supervisor, Police Sergeant, Patrol Officer and Firefighter shall be furnished minimum uniform requirements which remain City property until the individual has served one (1) year. All of the above employees issued uniforms shall receive an annual uniform allowance to be distributed in four (4) equal payments at the beginning of each quarter except that the uniform maintenance allowance is only paid to an eligible employee after the employee's completion of one (1) year of service. In the event that an employee leaves the City's employment prior to the end of the quarter, no refund on uniform allowance shall be required. The Police Chief and Police Captains, shall receive an annual uniform maintenance allowance of \$1,500. The Fire Chief, Assistant Fire Chiefs and Fire Battalion Chiefs shall receive an annual uniform maintenance allowance of \$700 (beginning in 2013), in conjunction with their participation in a Quartermaster Program.

- B. The City Manager is authorized to provide a uniform allowance or purchase (or reimburse employees for the purchase) or rent uniforms, including safety/work shoes, for those employees for whom they determine such an arrangement is appropriate. The extent and provision of such arrangement shall be at the discretion of the City Manager. All clothing furnished shall remain the property of the City.
- C. In lieu of, or in combination with, the annual uniform allowances specifically provided for in Section 305.A., the City Manager is authorized to purchase or rent uniforms, including safety/work shoes, as provided for in Section 305.B. When using this provision, the City Manager may reduce or eliminate such allowances and vary the amount and interval of any allowance to be paid to an employee.

Section 306. ANNUAL PHYSICAL EXAMINATION OF CITY MANAGER, DEPARTMENT AND DIVISION DIRECTORS.

The City Manager may authorize payment to an appropriate medical facility or physician, for the administration of an annual physical examination to employees and/or officials at the level of City Manager, Assistant City Manager, Department Director and Division Director.

Section 307. FLEXIBLE SPENDING ACCOUNTS, HEALTH SAVINGS ACCOUNTS AND HEALTH REIMBURSEMENT ACCOUNTS

- A. Regular Full-Time employees, and other employees, as deemed eligible by the City Manager, may participate in Flexible Spending Accounts (FSAs), Health Savings Accounts (HSAs), Health Reimbursement Accounts (HRAs) and other benefit arrangements qualifying under Sections 105, 125 and 223 of the Internal Revenue Code. Such accounts are provided for under a Plan Document (the "Plan") and allow eligible employees to take advantage of tax-effective opportunities to pay for certain benefits with before-tax dollars.
- B. On behalf of the City of Kettering, the City Manager is authorized to sign Plan Documents (the "Plan") adopting, implementing, maintaining and revising Flexible Spending Accounts, Health Savings Accounts, Health Reimbursement Accounts, and other accounts; all such accounts qualifying under Sections 105, 125 and 223 of the Internal Revenue Code.
- C. On behalf of the City of Kettering, the City Manager is authorized to sign agreements, and amendments to same, with a third party administrator in order to provide for the administration of the Plan or portions thereof. The City Manager is authorized to set Plan Year effective dates for each Plan Account, and to set eligibility dates for various employee groups to begin Plan participation.
- D. The Plan's design may include the following Accounts (illustrative only), which are subject to the provisions of the Plan and applicable IRS regulations:
 1. Dependent Care – Flexible Spending Account — Employees may pay for qualifying dependent/child care expenses on a before-tax basis.
 2. Medical Reimbursement – Flexible Spending Account and Health Savings Accounts, and Health Reimbursement Accounts — Employees may pay for qualifying unreimbursed health care expenses incurred for themselves and eligible dependents on a before-tax basis.

Article IV. ADMINISTRATIVE AND PROCEDURAL MATTERS.

Section 400. The Finance Director may expend City funds as approved by the City Manager for supplies, food, beverages and staff support at meetings, work sessions or other gatherings of City employees, Council, Boards, Commissions, Committees, Volunteers and guests.

The City Manager is authorized, and at their sole discretion, may approve the purchase of alcoholic beverages for the functions stated in Sections 400 and 401, especially where they deem such purchase and consumption is consistent with the promotion of the general business of the City, the welfare of the municipality, and recognition determined to be in the best interests of the City.

Section 401. In recognition of years of service and in recognition of special contributions made by members of City Council, City Employees, members of boards and commissions and other volunteers, the City Manager may authorize the expenditure of City funds, as appropriate, for service awards, recognition awards, items of monetary value and to assume/offset payroll withholdings that an award recipient might otherwise be obligated for, in a manner consistent with such recognition.

Section 402. CLAIMS FOR LOSS OF EMPLOYEE PROPERTY.

- A. The City will not accept responsibility for any loss of employee's personal property incurred either on or off of duty except when an employee has been suddenly and unexpectedly called out for emergency duty without an opportunity to divest themselves of personal property attached to the employee's body, such as apparel, fountain pens, watches, dentures or inexpensive jewelry. In no case will the City assume responsibility for expensive watches, jewelry, or other costly items which should be insured by the owners.
- B. No reimbursement will be made to employees for articles that are not normally worn or attached to the body or for articles that are deliberately taken to work by them for their own satisfaction. Nor will any reimbursement be made to employees by the City for losses sustained as a result of their misconduct. In those cases, where reimbursement is authorized, it will be limited to no more than the actual cost of repairs or to the original cost of the items.

Section 403. PERSONNEL BONDS.

The following personnel shall be separately bonded for amounts not less than indicated:

Finance Director	\$25,000
Clerk of Courts (set by judges)	6,000
All other employees as deemed necessary by the City Manager	

All employees not covered by separate bond shall be included in the "Public Employees Blanket Coverage Endorsement." All such bonds shall be faithful performance bonds.

Section 404. POLICE PROFESSIONAL LIABILITY INSURANCE.

The City will provide Police Professional Liability Compensatory Damage Insurance Coverage for each Full-Time Police Officer while acting within the scope of their employment.

Section 405. LEGAL SERVICES FOR KETTERING SCHOOL BOARD.

The Law Director, although it is determined and provided not to be required as part of their normal duties, may contract with the Kettering City Board of Education to provide it legal services.

Section 406.

The City will pay the Ohio Supreme Court registration fees for all Full-Time City Attorneys.

Section 407. CAR ALLOWANCE.

The City Manager, at their sole discretion, may authorize payment of a car allowance in the amount of not more than \$375 per month, in lieu of providing City vehicles, to certain staff.

Section 408. EFFECTIVE DATE OF COMPUTATIONS.

Any changes in Article I Table of Organization and Position Classification Plan or the benefits for Full-time, part-time and temporary employees, shall be computed from and after the earliest date provided by law, unless otherwise provided.

The effective date of computations for pay schedules and compensation for Regular Full-Time employees shall be computed from and after December 18, 2023, unless otherwise provided.

Compensation for the Mayor and other Council Members is controlled by and subject to Section 3-5 of the City Charter and the Codified Ordinances, Chapter 125.

The effective date of computations for the pay schedule for non-sworn Public Safety Dispatchers in Pay Grades 80 through 82, Section 200a, shall be computed from and after May 22, 2023.

The effective date of computations for pay schedules in Section 202, (Pay Grades 200 through 211), shall be computed from and after February 26, 2024.

The effective date of computations for pay schedules in Section 203, (Pay Grades 304 through 306), shall be computed from and after February 12, 2024.

The effective date of computations for pay schedules in Section 204, (Pay Grades 401 through 406), shall be computed from and after December 18, 2023.

The effective date of computations for pay schedules in Section 205, (Pay Grades 504 and 505), shall be computed from and after December 18, 2023.

The effective date of computations for pay schedules in Section 206 (Pay Grades 605 and 605-1) shall be computed from and after December 18, 2023.

The effective date of computations for pay schedules in Section 206-a., (Pay Grade 606), shall be computed from and after December 18, 2023.

The effective date of computations for pay schedules for Part-Time and Temporary employees in Section 209, paragraph A, and Regular Part-Time employees in Section 209, paragraph B, shall be computed from and after December 18, 2023.

Section 409. ORDINANCES REPEALED.

Ordinance No. 4404-23 is hereby repealed in its entirety; except that employees shall be compensated as provided for in previous Ordinances until the effective dates of these new pay schedules.

Section 410. GRANTING OF PAY INCREASES AND OTHER SUPPLEMENTAL BENEFITS.

Nothing in the pay schedules or supplemental benefits authorized by this Ordinance shall be construed to require the City to grant increases in pay or benefits above the rates or levels as were authorized in previous Ordinances. Increases in pay or benefits are at the discretion of the City Manager. Similarly, at the sole discretion of the City Manager, any one or more employees (including employees who separated employment after the effective date of pay or benefit increases, however, before such increases are calculated, paid or realized) may or may not receive part or all of any general or across-the-board pay increases or increases in benefits authorized by the City Council, or may receive it at whatever date is determined by the City Manager.

Section 412. OFFICE OF CLERK OF COUNCIL

As City Council appoints the Clerk of Council, City Council will set the Clerk’s compensation and benefits in a separate resolution. In case of the temporary absence or disability of the Clerk, the Mayor or the City Manager may appoint an acting Clerk to perform the Clerk’s duties during such absence or disability. The Mayor shall have all authority necessary to manage and supervise, in conjunction with the City Manager, all employees in the Office of Clerk of Council, including the Clerk of Council; such authority shall be the same as the City Manager’s authority to manage and supervise all other employees of the City and includes, by way of example and not limitation, authority to assign additional duties, approve leave time, payroll, and schedules, evaluate employee performance, and discipline employees. The Mayor shall report to City Council from time to time regarding the exercise of this authority.

Section 413. EFFECTIVE DATE OF ORDINANCE.

This ordinance shall take full force and effect from and after the earliest period provided by law.

Passed this _____ day of _____, 2024

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL:

AMY J. HAYSLIP,
Clerk of Council

THEODORE A. HAMER, III
Law Director

(Requested by Human Resource Department)

CITY OF KETTERING, OHIO

AN ORDINANCE

By:

No.

**TO AMEND CHAPTER 947 OF THE CODIFIED ORDINANCES
REGARDING STREET LIGHTING ASSESSMENT PROCEDURE**

Be It Ordained by the Council of the City of Kettering, State of Ohio, that:

Section 1. Section 947.01(a) of the Codified Ordinances is amended to read as follows:

947.01 STREET LIGHTING PETITION AND PROCEDURE.

(a) The Council of the City of Kettering upon receipt of a petition for street lighting may, by Resolution, declare the necessity to proceed with the improvement. The Resolution shall state the location, the lots or lands to be assessed, the method of levying the special assessments, the mode of payment, number of installments and the estimated assessments.

The Clerk of Council shall provide for notice of the passage of the Resolution of Necessity by publication of such notice on the City web site for two (2) consecutive weeks.

The Clerk of Council shall file a copy of the Resolution with the County Auditor within 15 days following the passage of the Resolution.

The City Engineer, after the adoption of the Resolution of Necessity to proceed, shall cause the improvement to be constructed in accordance with the plans and specifications pursuant to the agreement with the public utility.

Following construction, the Engineer shall determine the actual cost of the improvement and the Council shall assess by Resolution all the lots and lands described in the Resolution of Necessity. The Clerk shall publish notice of the passage of the Resolution of Assessment once in a newspaper of general circulation in the municipality that the assessment has been made and is on file in the Office of the Clerk. The Clerk shall certify a copy of the Assessment Resolution to the County Auditor within 20 days after passage.

Section 2. Section 947.02(a) of the Codified Ordinances is amended to read as follows:

947.02 STREET LIGHTS RENEWAL AND RECALCULATION.

(a) The Council of the City of Kettering may, by Resolution, direct that street light assessments be renewed or recalculated to conform to changes in the contracts between the City of Kettering and the Public Utility.

The City Engineer shall prepare and file in the Office of the Clerk of Council the renewed, recalculated assessments and the Council Clerk shall provide notice that the renewed and recalculated assessments are on file and available for public inspection by publication of such notice on the City web site for two (2) consecutive weeks.

Not less than five (5) days following the date of the last publication, Council may, by Resolution, adopt the renewed and recalculated assessments.

Section 3. Section 947.03 of the Codified Ordinances is amended to read as follows:

947.03 NOTIFICATION.

The City Engineer shall prepare and file a list of owners of any lot or parcel of land which will be assessed in excess of \$500.00 per year. The Clerk of Council shall notify such owners by certified mail addressed to such owner at the owner's last known address or to the address to which tax bills are sent. If it appears that one or more of the owners cannot be found, the Clerk shall serve such owners by publication of such notice on the City web site for two (2) consecutive weeks.

Section 4. Any title page or listing of section titles of the Codified Ordinances requiring modification to reflect the amendment of the Codified Ordinances as expressed in this ordinance shall be so modified.

Section 5. Each section and provision of this ordinance are hereby declared to be independent divisions and subdivisions and, notwithstanding any other evidence of legislative intent, it is hereby declared to be the controlling legislative intent that if any provision(s) of this ordinance, or the application thereof to any person or circumstance is held to be invalid, the remaining sections or provisions and the application of such sections and provisions to any person or circumstances other than those to which it is held invalid, shall not be affected thereby, and it is hereby declared that such sections and provisions would have been passed independently of such section or provision so known to be invalid.

Section 4. As provided in Section 4-8 of the City Charter, this Ordinance shall be effective two weeks after adoption.

Passed by Council this _____ day of _____ 2024.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

AMY J. HAYSLIP,
Clerk of Council

THEODORE A. HAMER III,
Law Director

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

AN ORDINANCE

By:

No.

TO AMEND THE TRAFFIC CONTROL MAP AND THE TRAFFIC CONTROL FILE OF THE CITY OF KETTERING TO SHOW THE INSTALLATION OF TRAFFIC SIGNS ON VARIOUS CITY STREETS IN THE CITY OF KETTERING, OHIO

Be It Ordained by the Council of the City of Kettering, State of Ohio, that:

Section 1. The Traffic Control Map and the Traffic Control file of the City of Kettering, Ohio are hereby amended to show:

- A. NO PARKING ANY TIME – Display Lane, east side starting from a point 580 feet north of East David Road through the northeast side of the cul-de-sac.

Section 2. The City Engineer is hereby directed to have signs erected or taken down in accordance with this amendment.

Section 3. As permitted in Section 406.03 of the Codified Ordinances of the City of Kettering, Ohio, the temporary traffic control authorization has been used to quickly install these regulations.

Section 4. As provided in Section 4-8 of the City Charter, this Ordinance shall be effective two weeks after adoption.

Passed by Council this _____ day of _____ 2024.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

AMY J. HAYSLIP,
Clerk of Council

THEODORE A. HAMER III,
Law Director

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

AN ORDINANCE

By:

No.

TO AMEND THE TRAFFIC CONTROL MAP AND THE TRAFFIC CONTROL FILE OF THE CITY OF KETTERING TO SHOW THE INSTALLATION OF TRAFFIC SIGNS ON VARIOUS CITY STREETS IN THE CITY OF KETTERING, OHIO

Be It Ordained by the Council of the City of Kettering, State of Ohio, that:

Section 1. The Traffic Control Map and the Traffic Control file of the City of Kettering, Ohio are hereby amended to show:

- A. NO PARKING FIRE LANE – On the west side of Isaac Prugh Way, starting approximately 210’ north of Lincoln Park Blvd North, heading north approximately 100’ to the south side of the north entrance to 694 Isaac Prugh Way.

Section 2. The City Engineer is hereby directed to have signs erected or taken down in accordance with this amendment.

Section 3. As permitted in Section 406.03 of the Codified Ordinances of the City of Kettering, Ohio, the temporary traffic control authorization has been used to quickly install these regulations.

Section 4. As provided in Section 4-8 of the City Charter, this Ordinance shall be effective two weeks after adoption.

Passed by Council this _____ day of _____ 2024.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

AMY J. HAYSLIP,
Clerk of Council

THEODORE A. HAMER III,
Law Director

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING ACCEPTANCE OF A DONATION FROM THE
COMMUNITY FOUNDATION FOR KETTERING**

Be It Resolved by the Council of the City of Kettering, Ohio that:

Section 1. The City Manager, on behalf of the City, is hereby authorized to take all necessary and proper action to accept a \$1,500.00 donation from the Community Foundation for Kettering. The donation will be used to support the community hot dog roasts put on by the Partners for a Healthy Youth committee.

Section 2. City Council hereby expresses its gratitude and appreciation to the Community Foundation for Kettering for the generous donation and the positive impact it will have on the City and its residents.

Section 3. As provided in Section 4-8 of the City Charter, this Resolution shall take full force and effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2024.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

AMY J. HAYSLIP,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$1,500.00
Amount Budgeted: \$0
Acct. No.: 2421-72220

(Requested by: Parks, Recreation and Cultural Arts Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**TO AMEND RESOLUTION 10990-24 REGARDING
EQUIPMENT PURCHASES**

WHEREAS, Resolution 10990-24 authorized the City Manager to purchase equipment through sealed bids, negotiated quotes, or a cooperative purchasing program; and

WHEREAS, Resolution 10990-24 authorized the purchase of (2) crew cab vehicles for the City's Parks Maintenance Department; and

WHEREAS, a Parks Maintenance vehicle was recently taken out of service by the City's Vehicle Maintenance Center, which now requires the replacement of a SUV in place of a crew cab vehicle;

NOW, THEREFORE, Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. Resolution 10990-24 is amended to authorize the City Manager to purchase (1) SUV and (1) crew cab vehicle in place of (2) crew cab vehicles.

Section 2. In all other respects, Resolution 10990-24 shall remain in full force and effect.

Section 3. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2024.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

AMY J. HAYSLIP,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$110,000.00
 (For both vehicles)
Amount Budgeted: \$110,000.00
 (For both vehicles)
Acct. No.: 2453-77740

(Requested by: Finance Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO CONTRACT WITH
THE KLIENGENS GROUP FOR THE PURCHASE OF DESIGN
SERVICES**

Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. Pursuant to Subsection I of Section 152.02 of the Codified Ordinances of the City of Kettering, the City Manager is hereby authorized, on behalf of the City, to contract with The Kliengers Group for the purchase of design services for the Governors Place Boulevard Streetscape Design, waiving sealed bidding. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2024.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

AMY J. HAYSLIP,
Clerk of Council

THEODORE A. HAMER, III
Law Director

Estimated Cost: \$44,400.00
Amount Budgeted: \$0
Acct. No. 5820-77750

(Requested by: Parks, Recreation and Cultural Arts Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT
FOR THE REPLACEMENT OF HVAC EQUIPMENT AT THE
FRAZE PAVILION**

Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. On the basis that the City can often obtain lower prices and more favorable purchasing conditions through competitive bargaining and negotiated quotations than through sealed bids, the City Manager, on behalf of the City, is hereby authorized to use such bargaining and negotiation procedures and to enter into one or more contracts for the replacement of HVAC equipment at the Frazee Pavilion. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2024.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

AMY J. HAYSLIP,
Clerk of Council

THEODORE A. HAMER, III,
Law Director

Estimated Cost: \$175,000.00
Amount Budgeted: \$175,000.00
Acct. No.: 8070-77750

(Requested by: Public Service Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO CONTRACT WITH
AT&T FOR THE PURCHASE OF AN UPGRADE TO THE VESTA
911 SYSTEM**

Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. Pursuant to Subsection I of Section 152.02 of the Codified Ordinances of the City of Kettering, the City Manager is hereby authorized, on behalf of the City, to contract with AT&T for the purchase of an upgrade to the Vesta 911 System, waiving sealed bidding. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2024.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

AMY J. HAYSLIP,
Clerk of Council

THEODORE A. HAMER, III
Law Director

Estimated Cost: \$82,429.96
Amount Budgeted: \$0 (E911 Funds)
Acct. No. Fund 225

(Requested by: Police Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO PURCHASE
BUNKER GEAR FOR THE FIRE DEPARTMENT**

Be It Resolved by the Council of the City of Kettering, State of Ohio:

Section 1. Pursuant to Subsection "I" of Section 152.02 of the Codified Ordinances of the City of Kettering, this Council hereby authorizes the City Manager, on behalf of the City, to enter into one or more agreements with Phoenix Safety Outfitters for the purchase of bunker gear for the Fire Department. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2024.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

AMY J. HAYSLIP,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$46,788.00
Amount Budgeted: \$46,788.00
Acct. No.: 0700-72240

(Requested by: Fire Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**ACCEPTING THE NATIONAL OPIOID LITIGATION SETTLEMENT
WITH THE KROGER CO. AS NEGOTIATED THROUGH THE ONE
OHIO MEMORANDUM OF UNDERSTANDING**

WHEREAS, the City of Kettering, Ohio is a municipal entity formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and legal counsel, separately are engaged in litigation seeking to hold the Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused throughout the State of Ohio by their misfeasance, nonfeasance, and malfeasance; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments, share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, the State and its Local Governments, subject to completing formal documents effectuating the parties' agreements, have drafted and Kettering has adopted, and hereby reaffirms its adoption of, the *One Ohio* Memorandum of Understanding ("MOU") relating to the allocation and use of the proceeds of any potential settlements described; and

WHEREAS, the MOU was drafted to maintain all individual claims while allowing the State and Local Governments to cooperate in exploring all possible means of resolution; and

WHEREAS, this Council understands that an additional purpose of the MOU is to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Ohio, as well as to permit collaboration and explore potentially earlier resolution of the opioid litigation against Opioid Pharmaceutical Supply Chain Participants; and

WHEREAS, nothing in the MOU binds any party to a specific outcome, but rather, any resolution under the MOU requires acceptance by the State of Ohio and the Local Governments; and

WHEREAS, a settlement agreement is being proposed to the State of Ohio and Local Governments by **THE KROGER CO.** (the "Settling Entity") to resolve governmental entity claims in the State of Ohio using the structure of the MOU and is available at <https://nationalopioidsettlement.com/>; and

WHEREAS, this Council wishes to agree to and participate in the settlement agreement proposed by the Settling Entity ("Proposed Settlement");

NOW THEREFORE, Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. The City Manager is authorized to accept the Proposed Settlement on behalf of the City. The City Manager is further authorized to execute the any participation agreement and any other agreements, documents, forms, and instruments as needed to effectuate the Proposed Settlement. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. It is found and determined that all formal actions of the Council relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

Section 3. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2024.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

AMY J. HAYSLIP,
Clerk of Council

THEODORE A. HAMER III,
Law Director

(Requested by: Law Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ACCEPT
ADDITIONAL GRANT FUNDS, ON BEHALF OF THE
KETTERING MUNICIPAL COURT, FROM THE OHIO
DEPARTMENT OF REHABILITATION AND CORRECTION**

Be It Resolved by the Council of the City of Kettering, Ohio that:

Section 1. The City Manager, on behalf of the Kettering Municipal Court, is hereby authorized to accept additional, previously applied for, grant funds from Ohio Department of Rehabilitation and Correction, Bureau of Community Sanctions Grant ("Grant") in the amount of \$350.00. The City Manager is further authorized to sign any related agreements and instruments and any amendments thereto that the City Manager deems appropriate.

Section 2. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2024.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

AMY J. HAYSLIP,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$350.00
Amount Budgeted: \$0
Acct. No.: Special Grants & Programs

(Requested by: Judge Long and Judge Dressel)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF KETTERING, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2024

Be It Resolved by the Council of the City of Kettering, State of Ohio, that:

Section 1. To provide for the current expenses and other expenditures of the City of Kettering during the fiscal year ending December 31, 2024, the following supplemental sums are set aside and appropriated:

A. From the Parks & Recreation Fund:

PARKS & RECREATION DEPARTMENT
Operating Expenses \$ 1,500.00

B. From the Special Grants and Programs Fund:

Other \$ 82,850.00

C. From the Capital Improvement Fund:

STREET SURFACING \$ 44,400.00

Section 2. The Director of Finance is authorized to adjust appropriations within any fund or department as long as the adjustments made do not exceed the total appropriation authorized within that fund or department.

Section 3. The Clerk of Council is authorized and directed to forward a copy of this Resolution to the Montgomery County Auditor.

Section 4. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2024.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

AMY J. HAYSLIP,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$128,750.00
Amount Budgeted: \$0.00
Acct. No. Various

(Requested by: Finance Department)

CITY OF KETTERING, OHIO

AN EMERGENCY ORDINANCE

By:

No.

**EXTENDING THE MORATORIUM ON ADULT USE
CANNABIS OPERATORS WITHIN THE CITY OF
KETTERING, OHIO AND DECLARING AN
EMERGENCY**

WHEREAS, State Issue 2 enacted Ohio Revised Code Chapter 3780 which legalized the commercial growing, processing, and selling of cannabis (marijuana) for adult use in the State of Ohio and was effective on December 7, 2023; and

WHEREAS, for the purposes of this Ordinance, “adult use cannabis operator” has the same meaning as in State Issue 2 and Chapter 3780 of the Ohio Revised Code; and

WHEREAS, Ohio Revised Code Chapter 3780 authorizes municipalities to entirely prohibit or limit the number of adult use cannabis operators in their jurisdictions; and

WHEREAS, Article 18 of the Ohio State Constitution grants authority to municipalities to exercise all powers of local self-government, including the ability to control land use; and

WHEREAS, on November 28, 2023, City Council passed Ordinance No. 4402-23 enacting a moratorium on adult use cannabis operators within the City in order to study the benefits and consequences related to adult use cannabis operators within the City of Kettering and determine whether such activities should be allowed, limited, or entirely prohibited; and

WHEREAS, the State’s administrative rules are not fully completed and to date four bills have been introduced in the 135th Ohio General Assembly that, if enacted, would change Chapter 3780 and may in turn require changes to the State’s administrative rules regulating adult use cannabis operators; and

WHEREAS, given the current uncertainty in applicable State statutes and administrative rules, an extension of the moratorium is needed to allow additional time for City Council to continue studying whether adult use cannabis operators should be entirely prohibited in the City of Kettering or should be allowed with limitations; and

WHEREAS, City Staff also needs additional time for studying the issues and to develop recommendations for City Council on zoning, limiting, and/or prohibiting adult use cannabis operators so that any necessary regulations conform to the City’s goals and Strategic Plan and help ensure the public peace, health, safety, and welfare of its citizens;

NOW, THEREFORE, Be It Ordained by the Council of the City of Kettering, State of Ohio, at least five of the members concurring, that:

Section 1. The moratorium imposed by Ordinance No. 4402-23 is extended through the end of June 30, 2025. During the moratorium, no adult use cannabis operators shall locate or operate in the City of Kettering and the issuance and processing of any permits or authorizations related to adult use cannabis operators in the City of Kettering is prohibited. The purpose of this extension is as stated in the recital paragraphs.

Section 2. City Council instructs the City Manager and City Staff to continue their review of the law and related issues and to make recommendations for City Council’s consideration.

Section 3. This Ordinance is declared to be an emergency measure necessary for the immediate preservation of the peace, health, safety, and general welfare of the citizens of Kettering and in order to institute an extension of the moratorium imposed by Ordinance No. 4402-23 before its expiration. Therefore, this Ordinance shall be effective immediately upon its adoption.

Passed by Council this _____ day of _____ 2024.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

AMY J. HAYSLIP,
Clerk of Council

THEODORE A. HAMER III,
Law Director

(Requested by: Law Department)