



# CITY OF KETTERING

DONALD E. PATTERSON, MAYOR • ROBERT SCOTT, VICE MAYOR  
BRUCE E. DUKE • TONY KLEPACZ • BILL LAUTAR • AMY SCHRIMPF • JOSEPH D. WANAMAKER

## KETTERING COUNCIL AGENDA

**August 8, 2017**

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

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

### **PLEDGE OF ALLEGIANCE**

### **INVOCATION**

### **APPROVAL OF MINUTES**

July 25, 2017- Council Meeting & Workshop Minutes

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

### **PUBLIC HEARINGS**

### **PUBLIC COMMENT ON LEGISLATION**

(5 Minute Limit per Speaker)

### **ORDINANCES IN SECOND READING**

1. To amend sections 436.01 and 436.07 and enact section 436.011 of the Codified Ordinances of the City of Kettering.

### **RESOLUTIONS**

2. Authorizing the City Manager to advertise for bids and contract for the construction of a new fire station at 1300 West Dorothy Lane and to use competitive bargaining and negotiated quotes and contract for related goods and services.
3. Authorizing the City Manager to enter into a cost sharing agreement with the Board of Education of the Kettering City School District for a School Resource Officer.
4. Authorizing the City Manager to enter into a cost-sharing agreement with the Board of Education of the Kettering City School District for the Safety Supervisors Section Program for the 2017-2018 school year.
5. Authorizing the City Manager to enter into cost participation agreements with the Board of Commissioners of Montgomery County, Ohio for roadway and/or storm sewer construction in association with replacement of water mains.
6. Authorizing the City Manager to enter into an agreement for recoating of the roof structure over the main pool at the Kettering Recreation Complex.
7. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for repair of the simulated rock façade at the Kettering Recreation Complex Water Park.
8. Authorizing the City Manager to submit the 2017 Annual Action Plan to the U.S. Department of Housing and Urban Development and execute the required certifications to enable the City to receive Community Development Block Grant and Home Funds for program year 2017.

- 9. Authorizing the City Manager to accept grant funds from the Ohio Arts Council.
- 10. Authorizing the City Manager to accept a grant from the Ohio Arts Council.
- 11. 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, 2017.

**ORDINANCES IN FIRST READING**

- 12. Vacating a portion of right-of-way abutting 3717 Wilmington Pike.

**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**  
**2017**

August 7	7:00 p.m.	Planning Commission
August 8	4:00 p.m. 6:00 p.m. 7:30 p.m.	Partners for Healthy Youth Council Workshop City Council Meeting
August 14	7:00 p.m.	Board of Zoning Appeals
August 15	5:00 p.m.	Kettering Arts Council
August 16	8:00 a.m.	Volunteer Advisory Council
August 21	7:00 p.m. 7:00 p.m.	Planning Commission Board of Community Relations
August 22	6:00 p.m. 7:30 p.m.	Council Workshop City Council Meeting
August 28	7:00 p.m. 7:30 p.m.	Board of Zoning Appeals Sister Cities
September 4	All Day	Government Center Closed- Labor Day
September 11	7:00 p.m.	Board of Zoning Appeals
September 12	4:00 p.m. 6:00 p.m. 7:30 p.m.	Partners for Healthy Youth Council Workshop City Council Meeting

CITY OF KETTERING, OHIO

AN ORDINANCE

By:

No.

**TO AMEND SECTIONS 436.01 AND 436.07 AND  
ENACT SECTION 436.011 OF THE CODIFIED  
ORDINANCES OF THE CITY OF KETTERING**

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

Section 1. Section 436.01 of the Codified Ordinances is amended to read as follows:

436.01 DRIVER'S LICENSE REQUIRED

- (a)(1) No person, except a person expressly exempted under Ohio R.C. Sections 4507.03, 4507.04, or 4507.05, shall operate any motor vehicle upon a public road or highway or any public or private property used by the public for purposes of vehicular travel or parking in this Municipality unless the person has a valid driver's license issued under Ohio R.C. Chapter 4507 or a valid commercial driver's license issued under Ohio R.C. Chapter 4506.
- (2) No person, except a person expressly exempted under Ohio R.C. Sections 4507.03, 4507.04, or 4507.05, shall operate any motorcycle upon a public road or highway or any public or private property used by the public for purposes of vehicular travel or parking in this Municipality unless the person has a valid license as a motorcycle operator that was issued upon application by the registrar of motor vehicles under Ohio R.C. Chapter 4507. The license shall be in the form of an endorsement, as determined by the registrar, upon a driver's license or commercial driver's license, if the person has a valid license to operate a motor vehicle or commercial motor vehicle, or in the form of a restricted license as provided in Ohio R.C. Section 4507.14, if the person does not have a valid license to operate a motor vehicle or commercial motor vehicle.
- (b) Upon the request or motion of the prosecuting authority, a noncertified copy of the law enforcement automated data system report or a noncertified copy of a record of the registrar of motor vehicles that shows the name, date of birth, and social security number of a person charged with a violation of division (a)(1) or (a)(2) of this section may be admitted into evidence as prima facie evidence that the person did not have either a valid driver's license or commercial driver's license at the time of the alleged violation of division (a)(1) of this section or a valid license as a motorcycle operator either in the form of an endorsement upon a driver's license or commercial driver's license or a restricted license at the time of the alleged violation of division (a)(2) of this section. The person charged with a violation of division (a)(1) or (a)(2) of this section may offer evidence to rebut this prima facie evidence.
- (c) Whoever violates this section is guilty of operating a motor vehicle or motorcycle without a valid license and shall be punished as follows:
- (1) If the offender has never held a valid driver's license or commercial driver's license issued by this state or any other jurisdiction, or, in a case involving the operation of a motorcycle by the offender, if the offender has never held a valid license as a motorcycle operator, either in the form of an endorsement upon a driver's license or commercial driver's license

or in the form of a restricted license, the offense is an unclassified misdemeanor. When the offense is an unclassified misdemeanor, the offender shall be sentenced pursuant to C.O. Section 698.02, Section 698.03, or Ohio R.C. Sections 2929.21 to 2929.28, except that the offender shall not be sentenced to a jail term; the offender shall not be sentenced to a community residential sanction pursuant to Ohio R.C. Section 2929.26; the offender may be fined up to \$1,000; and, notwithstanding Ohio R.C. Section 2929.27(A)(3), the offender may be ordered pursuant to Ohio R.C. Section 2929.27(C) to serve a term of community service of up to 500 hours. The failure of an offender to complete a term of community service imposed by the court may be punished as indirect criminal contempt under Ohio R.C. Section 2705.02(A) that may be filed in the underlying case.

- (2) If the offender's driver's license or commercial driver's license or permit or, in a case involving the operation of a motorcycle by the offender, the offender's driver's license or commercial driver's license bearing the motorcycle endorsement or the offender's restricted license was expired at the time of the offense, the offense is a minor misdemeanor.

Section 2. Section 436.011 of the Codified Ordinances is enacted to read as follow:

#### 436.011 NONRESIDENT LICENSE AND LICENSE RESTRICTION

(a) No nonresident of Ohio shall drive any motor vehicle upon a public road or highway or any public or private property used by the public for purposes of vehicular travel or parking in this Municipality unless the nonresident has in the nonresident's possession a valid and current driver's license or commercial driver's license issued to the nonresident by another jurisdiction recognized by the State of Ohio. No nonresident of Ohio, upon demand of any police officer at any time or place, shall fail to prove lawful possession or the nonresident's right to operate such motor vehicle, or fail to establish proper identity.

(b) No person shall operate any motor vehicle in violation of any restriction imposed on the person's driver's license or commercial driver's license by the registrar of motor vehicles pursuant to Ohio R.C. Sections 4506.12 or 4507.14.

(c) Whoever violates this section is guilty of an unclassified misdemeanor. When the offense is an unclassified misdemeanor, the offender shall be sentenced pursuant to C.O. Section 698.02, Section 698.03, or Ohio R.C. Sections 2929.21 to 2929.28, except that the offender shall not be sentenced to a jail term; the offender shall not be sentenced to a community residential sanction pursuant to Ohio R.C. Section 2929.26; the offender may be fined up to \$1,000; and, notwithstanding Ohio R.C. Section 2929.27(A)(3), the offender may be ordered pursuant to Ohio R.C. Section 2929.27(C) to serve a term of community service of up to 500 hours. The failure of an offender to complete a term of community service imposed by the court may be punished as indirect criminal contempt under Ohio R.C. Section 2705.02(A) that may be filed in the underlying case.

Section 3. Section 436.07 of the Codified Ordinances is amended to read as follows:

#### 436.07 DRIVING UNDER SUSPENSION OR REVOCATION

(a) No person, whose driver's license or commercial driver's license or permit or nonresident operating privilege has been suspended under any provision of the Ohio Revised Code or under any applicable law in any other jurisdiction in which the person's license or permit was issued, shall operate any motor vehicle upon the public roads and highways or upon any public or private property used by the public for purposes of vehicular travel or parking within this Municipality during the period of suspension, unless the person is granted limited driving privileges by a court and is operating the vehicle in accordance with the terms of the limited driving privileges.

(b) No person shall operate any motor vehicle upon a highway or any public or private property used by the public for purposes of vehicular travel or parking in this Municipality in violation of any restriction of the person's driver's license or commercial driver's license or permit imposed under Ohio R.C. Sections 4506.10(D) or 4507.14.

(c) No person who is granted occupational driving privileges, limited driving privileges, or unlimited driving privileges by any court shall operate any motor vehicle upon any public or private property used by the public for purposes of vehicular travel or parking within this Municipality except in accordance with the terms of such privileges.

(d) It is an affirmative defense to any prosecution brought pursuant to this section that the alleged offender drove under suspension because of a substantial emergency, provided that no other person was reasonably available to drive in response to the emergency.

(e) Upon the request or motion of the prosecuting authority, a noncertified copy of the law enforcement automated data system report or a noncertified copy of a record of the registrar of motor vehicles that shows the name, date of birth, and social security number of a person charged with a violation of division (a), (b), or (c) of this section may be admitted into evidence as prima facie evidence that the license of the person was under suspension at the time of the alleged violation of division (a) of this section, the person operated a motor vehicle in violation of a restriction at the time of the alleged violation of division (b) of this section or an alleged violation of the driving privileges of division (c). The person charged with a violation of division (a), (b), or (c) of this section may offer evidence to rebut this prima facie evidence.

(f) Whoever violates this section is guilty of an unclassified misdemeanor. When the offense is an unclassified misdemeanor, the offender shall be sentenced pursuant to C.O. Section 698.02, Section 698.03, or Ohio R.C. Sections 2929.21 to 2929.28, except that the offender shall not be sentenced to a jail term; the offender shall not be sentenced to a community residential sanction pursuant to Ohio R.C. Section 2929.26; the offender may be fined up to \$1,000; and, notwithstanding Ohio R.C. Section 2929.27(A)(3), the offender may be ordered pursuant to Ohio R.C. Section 2929.27(C) to serve a term of community service of up to 500 hours. The failure of an offender to complete a term of community service imposed by the court may be punished as indirect criminal contempt under Ohio R.C. Section 2705.02(A) that may be filed in the underlying case.

(g) If the vehicle is registered in the offender's name and if, within three years of the offense, the offender previously has been convicted of or pleaded guilty to two violations of this section, or any combination of two violations of this section or Ohio R.C. Sections 4510.11, 4510.111, 4510.14, 4510.16, 4510.21, or 4510.037, or of a substantially similar municipal ordinance, the court, in addition to any other sentence that it imposes on the offender, may order the immobilization of the vehicle involved in the offense for 60 days and the impoundment of that vehicle's license plates for 60 days in accordance with Ohio R.C. Sections 4503.233 and 4507.02.

(h) If the vehicle is registered in the offender's name and if, within three years of the offense, the offender previously has been convicted of or pleaded guilty to three or more violations of this section, or any combination of three or more violations of this section or Ohio R.C. Sections 4510.11, 4510.111 or 4510.14, 4510.16, 4510.21, or 4510.037, or of a substantially similar municipal ordinance, the court, in addition to any other sentence that it imposes on the offender, may order the criminal forfeiture of the vehicle involved in the offense to the state.

(i) Any order for immobilization and impoundment under this section shall be issued and enforced under Ohio R.C. Sections 4503.233 and 4507.02, as

applicable. The court shall not release a vehicle from immobilization ordered under this section unless the court is presented with current proof of financial responsibility with respect to that vehicle.

(j) Any order of criminal forfeiture under this section shall be issued and enforced under Ohio R.C. Section 4503.234. Upon receipt of the copy of the order from the court, neither the registrar of motor vehicles nor a deputy registrar shall accept any application for the registration or transfer of registration of any motor vehicle owned or leased by the person named in the declaration of forfeiture. The period of registration denial shall be five years after the date of the order, unless, during that period, the court having jurisdiction of the offense that led to the order terminates the forfeiture and notifies the registrar of the termination. The registrar then shall take necessary measures to permit the person to register a vehicle owned or leased by the person or to transfer registration of the vehicle.

(k) The offender shall provide the court with proof of financial responsibility as defined in Ohio R.C. Section 4509.01. If the offender fails to provide that proof of financial responsibility, then, in addition to any other penalties provided by law, the court may order restitution pursuant to Ohio R.C. Section 2929.28 in an amount not exceeding \$5,000 for any economic loss arising from an accident or collision that was the direct and proximate result of the offender's operation of the vehicle before, during, or after committing the offense for which the offender is sentenced under this section.

Section 4. This Ordinance shall take full force and effect from and after the earliest date allowed by law.

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

\_\_\_\_\_  
DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
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 ADVERTISE FOR BIDS AND  
CONTRACT FOR THE CONSTRUCTION OF A NEW FIRE STATION AT  
1300 WEST DOROTHY LANE AND TO USE COMPETITIVE  
BARGAINING AND NEGOTIATED QUOTES AND CONTRACT FOR  
RELATED GOODS AND SERVICES**

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

Section 1. The City Manager is hereby authorized to advertise for bids and to contract for the construction of a new fire station at 1300 West Dorothy Lane in accordance with Chapter 152 of the Administrative Code, entitled Purchases and Contracts. The City Manager is further authorized to enter into any amendments to said contract(s) that the City Manager determines are beneficial to the interests of the City.

Section 2. Bids for such project shall be in accordance with the specifications on file in the Department of Finance, office of the Purchasing Manager. The bids shall be opened at the time and place named in the advertisement for bids, unless extended by the City; or unless, within seventy-two hours prior to the published time for the opening of bids, excluding Saturdays, Sundays, and legal holidays, any modification of the plans or specifications for the project for which bids are solicited is issued and mailed or otherwise furnished to persons who have obtained plans or specifications for the project in which event the time for opening of bids shall be extended one week, with no further advertising of bids required.

Section 3. The City of Kettering shall and does reserve the right (a) to reject any or all bids so received, (b) to waive any irregularities in a bid, (c) to hold any bid up to sixty (60) days unless the time for awarding the contract is extended by mutual consent of the City and the bidder whose bid the City subsequently accepts or, (d) to accept that bid which in the judgment of the City Manager is in the best interest of the City.

Section 4. The City Manager is further authorized to advertise for bids and/or use competitive bargaining and negotiated quotes, as deemed by the City Manager to be most advantageous to the City, and enter into one or more contracts to procure goods and services for the new fire station. The City Manager is further authorized to enter into any amendments to said contract(s) that the City Manager determines are beneficial to the interests of the City.

Section 5. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

\_\_\_\_\_  
DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER, III,  
Law Director

Estimated Cost:       \$5,649,000.00  
Amount Budgeted:     \$5,649,000.00  
Acct. No.:             6647-77750

(Requested by: Fire Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ENTER INTO A  
COST SHARING AGREEMENT WITH THE BOARD OF  
EDUCATION OF THE KETTERING CITY SCHOOL DISTRICT  
FOR A SCHOOL RESOURCE OFFICER**

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

Section 1. The City Manager is hereby authorized, on behalf of the City of Kettering, to enter into a cost sharing agreement with the Board of Education of the Kettering City School District for a School Resource Officer. The City Manager is further authorized to enter into any amendments that, in the City Manager's opinion, are beneficial to the interests of the City.

Section 2. This Resolution shall take full force and effect immediately upon its adoption.

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

\_\_\_\_\_  
DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER, III,  
Law Director

Estimated Cost: \$108,676.61 (\$32,603.01 – City; \$76,073.60 – School District)  
Amount Budgeted: \$108,676.61  
Acct. No. 0600-Personnel

(Requested by: Police Department)



CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ENTER INTO A  
COST-SHARING AGREEMENT WITH THE BOARD OF  
EDUCATION OF THE KETTERING CITY SCHOOL DISTRICT  
FOR THE SAFETY SUPERVISORS SECTION PROGRAM FOR  
THE 2017-2018 SCHOOL YEAR**

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

Section 1. The City Manager is hereby authorized to enter into an agreement with the Board of Education of the Kettering City School District to share the cost of maintaining the Engineering Department's Safety Section Program for adult crossing guards and safe route monitoring for elementary school areas and elementary students for the 2017-2018 school year. The City Manager is further authorized to enter into any amendments to said agreement that, in the City Manager's opinion, are beneficial to the interests of the City.

Section 2. This Resolution shall take full force and effect immediately upon its adoption.

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

\_\_\_\_\_  
DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER, III,  
Law Director

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ENTER INTO COST PARTICIPATION AGREEMENTS WITH THE BOARD OF COMMISSIONERS OF MONTGOMERY COUNTY, OHIO FOR ROADWAY AND/OR STORM SEWER CONSTRUCTION IN ASSOCIATION WITH REPLACEMENT OF WATER MAINS**

WHEREAS, the City of Kettering is currently planning to make capital improvements with the following projects ("City Projects"):

1. Hilton/Glenbeck/Gaylord/West  
Reconstruction of Hilton Drive from Stockton Avenue to Cardington Road.  
Resurfacing of Glenbeck Avenue and Gaylord Avenue.
2. Wenzler Park Neighborhood  
Resurfacing of roadways in the Wenzler Park neighborhood.
3. Waving Willow  
Replacement of a storm sewer and resurfacing of roadway on Waving Willow Drive

WHEREAS, Montgomery County wishes to replace and upgrade the existing water mains in association with roadway and/or storm sewer construction for the projects; and

WHEREAS, the work required by the parties can be included in one contract administered by one of the parties acting as the lead agency which will result in administrative efficiencies and cost savings; and the parties will each pay for the cost of its work through reimbursement of the party acting as lead agency;

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

Section 1. The City Manager is hereby authorized to enter into one or more cost participation agreements with the Board of Commissioners of Montgomery County, Ohio for the Projects listed in the recital paragraphs above. The City Manager is further authorized to enter into any amendments to said agreement(s) that the City Manager determines are beneficial to the interests of the City.

Section 2. 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 \_\_\_\_\_ 2017.

\_\_\_\_\_  
DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER, III,  
Law Director

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ENTER INTO  
AN AGREEMENT FOR RECOATING OF THE ROOF  
STRUCTURE OVER THE MAIN POOL AT THE  
KETTERING RECREATION COMPLEX**

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 to enter into an agreement for recoating of the roof structure over the main pool at the Kettering Recreation Complex. The City Manager is further authorized to enter into any amendments to said agreement as the City Manager determines to be in the best interests of the City.

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 \_\_\_\_\_ 2017.

\_\_\_\_\_  
DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER, III,  
Law Director

Estimated Cost: \$41,300.00  
Amount Budgeted: \$50,000.00  
Acct.: 6603-77720

(Requested by: Public Service Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR REPAIR OF THE SIMULATED ROCK FAÇADE AT THE KETTERING RECREATION COMPLEX WATER PARK**

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 use of competitive bargaining and negotiated quotations than through sealed bids, the City Manager is hereby authorized to use such bargaining and negotiation procedures and to enter into one or more agreements for repair of the simulated rock façade at the Kettering Recreation Complex Water Park. The City Manager is further authorized to enter into any amendments to the agreement(s) that, in the City Manager's opinion, are in the best interests of the City.

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 \_\_\_\_\_ 2017.

\_\_\_\_\_  
DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER, III,  
Law Director

Estimated Cost: \$84,984.45  
Amount Budgeted: \$75,000.00  
Acct. No.: 6113-77750

(Requested by: Public Service Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO SUBMIT THE 2017 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND EXECUTE THE REQUIRED CERTIFICATIONS TO ENABLE THE CITY TO RECEIVE COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME FUNDS FOR PROGRAM YEAR 2017**

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

Section 1. As required by the U.S. Department of Housing and Urban Development ("HUD") and to enable the City to receive Community Development Block Grant Funds and HOME Program Funds for Program Year 2017, this Council hereby approves the Program Year Action Plan for 2017 ("Action Plan"), and the City Manager is hereby authorized to submit the Action Plan and to execute the associated and required certifications to HUD. A copy of the Action Plan and the associated and required certifications are attached hereto as Exhibit "A".

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 \_\_\_\_\_ 2017.

\_\_\_\_\_  
DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER, III,  
Law Director

(Requested by Planning and Development Department)

**EXHIBIT "A"**

(52 total pages, including this page)

## Executive Summary

### AP-05 Executive Summary - 91.200(c), 91.220(b)

#### 1. Introduction

City of Kettering has prepared the Year 2 Annual Action Plan as required under 24 CFR 91.220. The Year 2 Action Plan for 2017 identifies the activities to be funded with Community Development Block Grant (CDBG) resources received during the program year. This document accounts for CDBG activities implemented in the City of Kettering only, as the housing-related activities funded through the HOME program in Kettering are accounted for by the City of Dayton, the lead agency in the HOME Consortium.

The City of Kettering will receive \$494,462 in CDBG funding for Program Year 2017. This represents a slight increase in funding from the previous program year. These funds will be used to further the creation and retention of affordable housing, revitalizing blighted areas, and assisting low-income households and neighborhoods.

The activities included in this plan address priority needs in the areas of Housing, Public Services, Neighborhood Revitalization and Economic Development.

All of the anticipated HOME funds, \$150,000 are reported in the City of Dayton's Annual Action Plan. All of the HOME funds will benefit low or moderate-income households and an estimated 90% of the CDBG project funds will provide a direct benefit to households or persons considered low or moderate income. The majority of the proposed activities address the HUD objective of **Decent Housing** but there are several activities promoting a **Suitable Living Environment** and **Expanded Economic Opportunities**.

#### 2. Summarize the objectives and outcomes identified in the Plan

This could be a restatement of items or a table listed elsewhere in the plan or a reference to another location. It may also contain any essential items from the housing and homeless needs assessment, the housing market analysis or the strategic plan.

#### Program Year 2017 Outcomes

## **Owner Occupied Housing Rehabilitation**

*National Objective: LMH*

Provide low interest loans and/or grants to 25 homeowners for home repairs to increase availability of safe decent housing.

## **Fair Housing**

*National Objective: LMH/LMC*

Operate fair housing programs increase the accessibility to safe, decent housing, serving 100 persons

## **Housing Counseling**

*National Objective: LMC*

Provide pre (first time homebuyer) and post (foreclosure) purchase counseling to LMI households to sustain decent housing in neighborhoods, serving 25 households.

## **Relocation (Voluntary)**

*National Objective: LMH*

On an as-needed basis, the city will assist up to four (4) homeowners with temporary relocation due to required LBP safety issues, to increase the availability of safe decent housing.

## **Disposition of Property – Infill**

*National Objective: LMH*

Market and maintain the CDBG assisted property for sale to increase availability of safe, decent housing. At least 3 properties will be developed for affordable housing opportunities.

## **Objective: Suitable Living Environment**

### **Senior Resource Coordinator**

Provide a resource to assist elderly residents with social service concerns, assisting at least 1,000 elderly residents to improve the sustainability of a suitable living environment.

### **Demolition**



*National Objective: SBS*

Improve access to a LMA to sustain a suitable living environment, demolishing 2 structures.

**Acquisition**

*National Objective: LMA*

Acquisition for demolition of one (2) blighted structure to sustain a suitable living environment,

**Objective: Expand Economic Opportunities**

**Business Loan Program –**

*National Objective: LMJ*

Assist 2 businesses with low interest loans to expand and/or stabilize to increase the affordability of creating economic opportunities

**Objectives and Outcomes**

**3. Evaluation of past performance**

This is an evaluation of past performance that helped lead the grantee to choose its goals or projects.

Funding was not received until 7 months after the start of our program year.

In addition to funding constraints to the programs, many of Kettering's residents are hesitant to take on any additional debt in order to finance housing rehabilitation projects through the city's low-interest loan programs. That, coupled with a reduction in equity many individuals have experienced due to continued turmoil in the housing market, has reduced the number of individuals who qualify for low-interest loan programs through the CDBG program. Though, recent reports have discussed signs that the housing market is set to begin a slow ascent from today's lows, which may free up equity, making more individuals and families eligible for the city's low-interest loan programs. However, despite the nationwide improvement in housing values, housing values in Ohio remain depressed and have been largely flat since early 2011. Housing values in the Dayton Metropolitan Statistical Area have even shown slight declines in value during the same time (based on data from the St. Louis Federal Reserve).

**Continued Monitoring**

CDBG program activities are monitored annually to determine each program's performance with regards to addressing a specific need. After this review, programs are adjusted or redesigned as deemed appropriate to address the needs of residents. In addition, under the Consolidated Plan, the city will annually monitor our performance

#### **4. Summary of Citizen Participation Process and consultation process**

Summary from citizen participation section of plan.

Summary from citizen participation section of plan.

The City of Kettering continues to make efforts to further citizen involvement and consultation with other local agencies and organizations while working on the Annual Action Plan for PY 2017, Prior to sending out the request for release of funds, the city posted notices in the two public libraries in the city as well as at the government center in an effort to solicit interest or comments from citizens regarding the environmental review process and/or the various programs the city has planned for PY 2017.

As with PY 2016, the city sent out surveys to several local agencies and stakeholders involved in community development in the region in order to attract more comments. By the response deadline of January 10, 2017, 82 surveys were returned. The city also held two public meetings to solicit citizen comments. The first meeting was held on **September 16, 2016** at 10AM in the Deeds Conference room at 3600 Shroyer Road. The second meeting was held in the same place on **August 1, 2017** Both public meetings were advertised in the Dayton Daily News.

#### **5. Summary of public comments**

This could be a brief narrative summary or reference an attached document from the Citizen Participation section of the Con Plan.

The main avenues Kettering uses to attract public comments and responses to community needs are public hearings, surveys and public postings regarding the AAP, such as when the city is about to send HUD the RROF. The responses are summarized in the attachemnt below.

#### **6. Summary of comments or views not accepted and the reasons for not accepting them**

N/A

All comments received by the city were accepted. Summary is provided in attached consultation section.

#### **7. Summary**

As discussed above, PY17 will continue along the path adopted in the 5-year Consolidated Plan. Primary goals include demolition and clearance of blighted structures and rehabilitation of existing structures. CDBG will continue to provide for appropriate public services for fair housing, foreclosure and first time homebuyer counseling and senior services.

**PR-05 Lead & Responsible Agencies - 91.200(b)**

**1. Agency/entity responsible for preparing/administering the Consolidated Plan**

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

<b>Agency Role</b>	<b>Name</b>	<b>Department/Agency</b>
Lead Agency	KETTERING	
CDBG Administrator	KETTERING	Planning and Development
HOPWA Administrator		
HOME Administrator		
HOPWA-C Administrator		

**Table 1 – Responsible Agencies**

**Narrative**

The City of Kettering’s Planning and Development Department is the lead entity responsible for administering the CDBG programs covered by the Consolidated Plan. The PY17 Annual Action Plan was developed in full accordance with the City of Kettering’s Citizen Participation Plan. The Planning and Development Department focuses on neighborhood revitalization through collaborative efforts with other city departments, government offices, and non-profit and private organizations. The department also administers a wide range of community-based programs with the objective of improving economic opportunities and housing conditions within the city.

**Consolidated Plan Public Contact Information**

## **AP-10 Consultation - 91.100, 91.200(b), 91.215(l)**

### **1. Introduction**

The City of Kettering is continuing to improve upon the consultation process for the PY 2017 Annual Action Plan. Steps taken involve the emailing and/or mailing of **community surveys** to several local stakeholders and agencies.

The organizations and groups who received surveys include:

- Kettering Senior Services
- County Corp Development
- Fifth Third Bank
- AARP
- Montgomery County
- City of Kettering
- Board of Community Relations
- Ombudsman Office
- Dayton Metro Library
- Christ United Methodist Church
- HBA of Dayton
- Wright Patt Credit Union, Inc.
- Franklin Foundation, Inc.
- Miami Valley Fair Housing Center
- County Corp
- Community Action Partnership
- Greater Dayton Premier Management/ DMHA
- HomeOwnership Center
- Graceworks Housing
- City of Kettering
- Public Health - Dayton & Montgomery County
- Area Agency on Aging
- Oberer (Developer)
- Miami Valley Housing Opportunities
- Eastway
- Miami Valley Regional Planning Commission
- Christ UMC
- Dayton Ombudsman
- Greater Dayton RTA
- Key Bank

- PNC Bank
- Huntington Bank
- NHS
- Public Health of Dayton & Montgomery County
- Code Credit Union
- Past Program Recipients
- First Bank
- Miller Valentine (Developer)
- PWC
- Graceworks
- Homebuilders Association

As is typical, the city held two **public meetings** at the Kettering Government Center for the purpose of soliciting citizen comments. The city has published announcements in the Dayton Daily News about the time and location of these meetings.

An additional step the city has taken is to post **public notices** prior to submitting our Request for Release of Funds (RROF) at public libraries in the city as well as the government center with the hope that more citizens would be interested in making comments.

**Provide a concise summary of the jurisdiction’s activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(l)).**

The City of Kettering continues to make efforts to improve on the consultation process during the making of the Annual Action Plan. Surveys covering important community needs were sent to several local and state agencies that focus on a variety of different community needs (housing, accessibility, housing counseling, senior services, economic development, etc...). This year, 82 surveys were returned.

In addition to the surveys, two public meetings were held during the process of creating the PY 2017 plan where both citizens and agencies were invited to participate in the process. Those meetings were held on September 16, 2016 and August 1, 2017, respectively.

Beyond surveys and meetings, the city regularly consults with and has partnerships with the Homeless Solutions board, which the Planning and Development Director is a board member; the HomeOwnership Center of Greater Dayton and the Miami Valley Fair Housing Center which the Community Development Manager is a board member as well as on going consultations with the Neighborhood Housing Services, Hamilton. The City of Kettering coordinates with the public housing agency on as needed basis.

With respect to economic development activities, the city has joined with regional partners, Dayton and Montgomery County for a micro-enterprise loan program. Kettering also partners with the Miami Valley Fair Housing Center to operate a fair housing program. In order to ensure compliance with program requirements, monthly desk monitoring and at least one on-site visit with all sub-recipients are carried out. The timeliness of expenditures is also monitored on a monthly basis, with adjustments being made on an as needed basis.

**Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness.**

N/A

**Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards for and evaluate outcomes of projects and activities assisted by ESG funds, and develop funding, policies and procedures for the operation and administration of HMIS**

N/A

Kettering does not receive ESG funding.

**2. Agencies, groups, organizations and others who participated in the process and consultations**

**Table 2 – Agencies, groups, organizations who participated**

1	<b>Agency/Group/Organization</b>	DAYTON METROPOLITAN HOUSING AUTHORITY
	<b>Agency/Group/Organization Type</b>	PHA
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Public Housing Needs
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	GDPM participated by completing surveys
2	<b>Agency/Group/Organization</b>	Area Agency on Aging
	<b>Agency/Group/Organization Type</b>	Services-Elderly Persons
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Non-Homeless Special Needs Anti-poverty Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The Area Agency on Aging Participated by completing a survey
3	<b>Agency/Group/Organization</b>	Kettering Senior Services
	<b>Agency/Group/Organization Type</b>	Services-Elderly Persons Services-Health
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Needs of Disabled and Seniors
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Kettering Seniors Services participated by attending public meetings and completing services
4	<b>Agency/Group/Organization</b>	Oberer Land Development
	<b>Agency/Group/Organization Type</b>	Housing



	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Housing Development
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Oberer participated by completing a survey
5	<b>Agency/Group/Organization</b>	Franklin Foundation
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing Services-Elderly Persons Foundation
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Franklin Foundation participated by completing a survey and attending a public meeting
6	<b>Agency/Group/Organization</b>	COUNTY CORP
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Economic Development
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	County Corp participated by completing a survey
7	<b>Agency/Group/Organization</b>	Board of Community Relations
	<b>Agency/Group/Organization Type</b>	Planning organization Civic Leaders
	<b>What section of the Plan was addressed by Consultation?</b>	Anti-poverty Strategy

	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The Board of Community Relations participated by attending a public meeting
8	<b>Agency/Group/Organization</b>	MONTGOMERY COUNTY
	<b>Agency/Group/Organization Type</b>	Housing Services - Housing Other government - County
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Economic Development Anti-poverty Strategy Lead-based Paint Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Montgomery County participated by completing a survey
9	<b>Agency/Group/Organization</b>	CAP OF GREATER DAYTON AREA
	<b>Agency/Group/Organization Type</b>	Services-Children Services-Education Services-Employment Regional organization
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Economic Development
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	CAP participated by completing a survey
10	<b>Agency/Group/Organization</b>	Economic Development Dept. of Kettering
	<b>Agency/Group/Organization Type</b>	Services-Employment Other government - Local Grantee Department

	<b>What section of the Plan was addressed by Consultation?</b>	Economic Development
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The Economic Development Dept. participated by completing a survey
11	<b>Agency/Group/Organization</b>	Access Center for Independent Living
	<b>Agency/Group/Organization Type</b>	Services-Persons with Disabilities
	<b>What section of the Plan was addressed by Consultation?</b>	Housing Need Assessment Services and Modifications for Disabled Persons
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	The Access Center participated by completing a survey
12	<b>Agency/Group/Organization</b>	Miami Valley Fair Housing Center
	<b>Agency/Group/Organization Type</b>	Service-Fair Housing
	<b>What section of the Plan was addressed by Consultation?</b>	Fair Housing
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Miami Valley Fair Housing participated by completing a survey
13	<b>Agency/Group/Organization</b>	Public Health of Dayton and Montgomery County
	<b>Agency/Group/Organization Type</b>	Services-Health Publicly Funded Institution/System of Care Regional organization
	<b>What section of the Plan was addressed by Consultation?</b>	Lead-based Paint Strategy
	<b>Briefly describe how the Agency/Group/Organization was consulted. What are the anticipated outcomes of the consultation or areas for improved coordination?</b>	Public Health participated by completing a survey

Identify any Agency Types not consulted and provide rationale for not consulting

Eastway Behavioral Health, Greater Dayton RTA, MVRPC, Ombudsman, Financial Institutions, and Senior Resource Connection, MVHO, St. Marys Development were all invited to complete surveys and attend the public meetings but did not respond or attend.

**Other local/regional/state/federal planning efforts considered when preparing the Plan**

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care		

Table 3 - Other local / regional / federal planning efforts

**Narrative**

High Priority items for seniors from Senior Providers were emergency repairs, minor repairs, rental housing rehab, construction of affordable rental housing, healthy housing modifications, senior services, financial counseling, and accessibility improvements.

High Priority items from Housing Developers and Providers included: Sidewalk improvements, emergency repairs, accessibility improvements, new affordable housing for owner occupants, homebuyer assistance, financial and housing counseling, comprehensive updates for homeowners, Affordable rehabbed homeownership housing, family sized rental housing, rehabbed rental housing, street lights.

High Priority Items from Partners, Sub-Recipients and Social Service Providers: Emergency repairs, accessibility modifications, lead remediation, new affordable rental housing, senior services, community-wide accessibility improvements.

**AP-12 Participation - 91.401, 91.105, 91.200(c)**

**1. Summary of citizen participation process/Efforts made to broaden citizen participation  
Summarize citizen participation process and how it impacted goal-setting**

Based on the May 10, 2017 CPD waiver of 24 CFR 91.105(b)(4) and 24 CFR 91.115(b)(4) the city of Kettering held a 14 instead of 30 day comment period. We did however, issue surveys on August 26, 2016, September 8, 2016 and January 10, 2017 to make sure we had stakeholder and citizen feedback.

Additionally the first public meeting was held on September 16,2016, the second was August 1, 2017.

All responses were included in the goal setting process.

**Citizen Participation Outreach**

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
1	Public Meeting	Non-targeted/broad community				
2	Internet Outreach	program participants and stakeholders	82 responses received			

Table 4 – Citizen Participation Outreach

## Expected Resources

### AP-15 Expected Resources - 91.420(b), 91.220(c)(1,2)

#### Introduction

The primary resources available to implement the Annual Action Plan come from two HUD entitlement programs: Community Development Block Grant (CDBG) and the HOME Investment Partnerships (HOME). Of the three programs, CDBG is the largest and most flexible source, providing eligibility for a variety of activities. During the program year 2017, Kettering will receive \$494,462 in CDBG funding with \$150,000 in HOME funds. In addition there will be \$446,365.45 in reprogram funds available, and we are anticipating \$261,579 in program income to be received during the program year.

#### Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	494,462	261,579	446,365	1,202,406	1,200,000	Kettering's entitlement allocation for PY17 was a 2% increase over PY16. However the PY18 budget calls for the elimination of the CDBG program. We are cautiously optimistic that we will receive close to our typical allocation.

Table 5 - Expected Resources – Priority Table

**Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied**

The Federal funds listed above (CDBG ) will help to leverage the following:

Federal:

- The City of Kettering will continue to spend NSP2 income program dollars. Approximately \$200,000 is available for expenditure, which will be used to create affordable housing. At least \$140,000 will be leveraged from private funds for first mortgages.

State:

- Kettering also has approximately \$120,000 in program income from a State of Ohio CHIP grant. These funds will continue to be used for housing rehab.

Local:

- The city will continue to work with local non-profit and faith based partners to assist in our housing rehab program and homebuyer programs.

**If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan**

Currently, there are several publicly owned parcels of land that will receive funds from the CDBG program. The city has compiled a listing of the developable city-owned properties throughout the city with the goal of prioritizing which lots should be targeted for development during 2017. During 2016, construction of a new house was completed on one of these properties in the Wiles Creek Neighborhood. In 2017, new construction on 2 additional lots will be completed .

**Discussion**



## Annual Goals and Objectives

### AP-20 Annual Goals and Objectives - 91.420, 91.220(c)(3)&(e)

#### Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Economic Development Incentives	2016	2020	Non-Housing Community Development	Community Wide	Expansion of Economic Opportunities	CDBG: \$55,000	Businesses assisted: 3 Businesses Assisted
2	Expand, Maintain and Improve Affordable Housing	2016	2020	Affordable Housing Public Housing Homeless	Community Wide	Revitalization of Neighborhoods Quality of Affordable Housing	CDBG: \$595,929	Homeowner Housing Rehabilitated: 40 Household Housing Unit
3	Public Services	2016	2020	Non-Homeless Special Needs Non-Housing Community Development	Community Wide	Provision and Coordination of Public Services	CDBG: \$88,307	Public service activities other than Low/Moderate Income Housing Benefit: 50 Persons Assisted
4	Planning and Program Administration	2016	2020	General Administrative	Community Wide		CDBG: \$151,208	Other: 1 Other
5	Demolition of Abandoned Structures	2016	2020	Non-Housing Community Development	Community Wide	Revitalization of Neighborhoods	CDBG: \$46,804	Buildings Demolished: 5 Buildings

Table 6 – Goals Summary

#### Goal Descriptions

1	<b>Goal Name</b>	Economic Development Incentives
	<b>Goal Description</b>	Provide low interest loans for job creation and retention and small grants to micro-enterprise businesses.
2	<b>Goal Name</b>	Expand, Maintain and Improve Affordable Housing
	<b>Goal Description</b>	Provide low interest, no interest and deferred loans as well as grants for owner occupied housing repair.
3	<b>Goal Name</b>	Public Services
	<b>Goal Description</b>	Funding to the Miami Valley Fair Housing Center to conduct fair housing education services as well as receiving and investigating fair housing complaints. Also, funding to Senior Service Coordinator for the purpose of providing outreach and referral services to elderly residents to link them with available social services. And funding to the Homeownership Center of Greater Dayton to provide counseling during the pre and post purchase process.
4	<b>Goal Name</b>	Planning and Program Administration
	<b>Goal Description</b>	
5	<b>Goal Name</b>	Demolition of Abandoned Structures
	<b>Goal Description</b>	Clearance and demolition of vacant, blighted structures.



## AP-35 Projects - 91.420, 91.220(d)

### Introduction

The City of Kettering carefully selected projects that would maximize impact as total available resources remain very limited. The City of Kettering continues to focus much of the available resources on housing rehabilitation assistance for LMI residents. Other programs include Fair Housing services, pre and post-purchase housing counseling, disposition (managing and selling of city-owned lots), acquisition for demolition of blighted structures, funding of a senior services coordinator, and business loans.

#	Project Name
1	Housing Rehabilitation
2	Fair Housing Services
3	Senior Coordinator
4	Pre and Post-Purchase Counseling
5	Planning and Program Administration
6	Demolition
7	Disposition of Property
8	Relocation
9	Acquisition
10	Business Loans
11	Micro-Enterprise Grant Program

Table 7 – Project Information

### Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

A significant portion of funds are being allocated toward improving housing conditions throughout the community for LMI households and individuals. This will help broaden the availability of affordable housing, which is a key priority for the city. The main obstacle to meeting the goal of increasing access to affordable housing is the ongoing turbulence of the housing market. Foreclosure filings remain high in the Dayton Area according to records available from the Montgomery County Clerk of Courts. In order to address issues in the housing market related to foreclosures, the city will continue to increase its focus on pre-and-post purchase housing counseling. This will attempt to help stem and prevent foreclosures in our community

**AP-38 Project Summary**  
**Project Summary Information**

1	<b>Project Name</b>	Housing Rehabilitation
	<b>Target Area</b>	Community Wide
	<b>Goals Supported</b>	Expand, Maintain and Improve Affordable Housing
	<b>Needs Addressed</b>	Quality of Affordable Housing
	<b>Funding</b>	CDBG: \$638,626
	<b>Description</b>	Housing rehabilitation loans and grants for low and moderate income homeowners.
	<b>Target Date</b>	12/31/2017
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	12 low to moderate income families will benefit from the housing rehabilitation activities.
	<b>Location Description</b>	community wide - to be determined based on applications recieved.
	<b>Planned Activities</b>	Housing Reab Loan program , Action Delivery Costs, Emergeny Home Repair Grant, Handicapped Accessibility Grant, Fire Safety Grant.
2	<b>Project Name</b>	Fair Housing Services
	<b>Target Area</b>	Community Wide
	<b>Goals Supported</b>	Public Services
	<b>Needs Addressed</b>	Provision and Coordination of Public Services
	<b>Funding</b>	CDBG: \$34,000
	<b>Description</b>	Conducting fair housing education services as well as receive and investigate fair housing complaints.
	<b>Target Date</b>	12/31/2017
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	100 persons
	<b>Location Description</b>	Community Wide
	<b>Planned Activities</b>	Fair Housing Education services as well as recieve and investigate fair housing complaints.
3	<b>Project Name</b>	Senior Coordinator
	<b>Target Area</b>	Community Wide
	<b>Goals Supported</b>	Public Services

	<b>Needs Addressed</b>	Provision and Coordination of Public Services
	<b>Funding</b>	CDBG: \$29,307
	<b>Description</b>	The office of the Senior Services Coordinator will be located in two areas within the City of Kettering, benefiting the senior community throughout the City of Kettering.
	<b>Target Date</b>	12/31/2017
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	At least 1,000 senior citizen residents of Kettering will benefit from this service
	<b>Location Description</b>	community-wide
	<b>Planned Activities</b>	Provides outreach and referral services to elderly residents to link with social services.
4.	<b>Project Name</b>	Pre and Post-Purchase Counseling
	<b>Target Area</b>	Community Wide
	<b>Goals Supported</b>	Public Services
	<b>Needs Addressed</b>	Provision and Coordination of Public Services
	<b>Funding</b>	CDBG: \$25,000
	<b>Description</b>	Counseling for pre-purchase (first time home buyer) and post purchase (foreclosure) counseling.
	<b>Target Date</b>	12/31/2017
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	50 households will benefit from this activity.
	<b>Location Description</b>	
	<b>Planned Activities</b>	Provide pre-purchase counseling to first time homebuyers and foreclosure counseling to
5	<b>Project Name</b>	Planning and Program Administration
	<b>Target Area</b>	Community Wide
	<b>Goals Supported</b>	Planning and Program Administration
	<b>Needs Addressed</b>	
	<b>Funding</b>	CDBG: \$151,208
	<b>Description</b>	Funding for the administrative aspect of the City of Kettering's CDBG programs.

	<b>Target Date</b>	12/31/2017
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	
	<b>Location Description</b>	
	<b>Planned Activities</b>	
6	<b>Project Name</b>	Demolition
	<b>Target Area</b>	Community Wide
	<b>Goals Supported</b>	Demolition of Abandoned Structures
	<b>Needs Addressed</b>	Revitalization of Neighborhoods
	<b>Funding</b>	CDBG: \$56,804
	<b>Description</b>	Demolition and clearance of blighted properties
	<b>Target Date</b>	12/31/2017
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Many families will benefit from the removal of vacant and abandoned properties, removing blight and improving neighborhoods.
	<b>Location Description</b>	Community Wide.
	<b>Planned Activities</b>	Demolition and clearance of blighted properties.
7	<b>Project Name</b>	Disposition of Property
	<b>Target Area</b>	Community Wide
	<b>Goals Supported</b>	Expand, Maintain and Improve Affordable Housing
	<b>Needs Addressed</b>	Revitalization of Neighborhoods
	<b>Funding</b>	CDBG: \$25,000
	<b>Description</b>	Dispose of CDBG owned property for the purpose of redevelopment.
	<b>Target Date</b>	12/31/2017
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Neighborhoods will benefit from the disposition of vacant and abandoned property.
	<b>Location Description</b>	2808 Gaylord and Osage are the only remaining CDBG owned lots for disposition. This does not include any that may be acquired during the program year for demolition.



	<b>Planned Activities</b>	Disposition of CDBG-acquired property for infill housing opportunities. This funding goes primarily toward financing the maintenance of lots.
<b>8</b>	<b>Project Name</b>	Relocation
	<b>Target Area</b>	Community Wide
	<b>Goals Supported</b>	Expand, Maintain and Improve Affordable Housing
	<b>Needs Addressed</b>	Quality of Affordable Housing
	<b>Funding</b>	CDBG: \$1,000
	<b>Description</b>	funding for relocation of housing rehabilitation clients who require lead paint abatement services to the degree that it would be unsafe to remain in the home.
	<b>Target Date</b>	12/31/2017
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	Up to two families will, as needed, be temporarily relocated due to housing rehabilitation actions involving lead based paint.
	<b>Location Description</b>	
	<b>Planned Activities</b>	Provide for the temporary, voluntary relocation for families while lead based paint remediation occurs in their owner occupied housing unit.
<b>9</b>	<b>Project Name</b>	Acquisition
	<b>Target Area</b>	Community Wide
	<b>Goals Supported</b>	Demolition of Abandoned Structures
	<b>Needs Addressed</b>	Revitalization of Neighborhoods
	<b>Funding</b>	CDBG: \$136,461
	<b>Description</b>	Acquisition for Demolition
	<b>Target Date</b>	12/31/2017
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	
	<b>Location Description</b>	
	<b>Planned Activities</b>	
<b>10</b>	<b>Project Name</b>	Business Loans
	<b>Target Area</b>	Community Wide

	<b>Goals Supported</b>	Economic Development Incentives
	<b>Needs Addressed</b>	Expansion of Economic Opportunities
	<b>Funding</b>	CDBG: \$100,000
	<b>Description</b>	Funding for for-profit businesses to create and/or retain jobs for low and moderate income persons in Kettering.
	<b>Target Date</b>	12/31/2017
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	
	<b>Location Description</b>	
	<b>Planned Activities</b>	Low interest business loans for companies that create and/ or retain jobs available to low and moderate income individuals.
11	<b>Project Name</b>	Micro-Enterprise Grant Program
	<b>Target Area</b>	Community Wide
	<b>Goals Supported</b>	Economic Development Incentives
	<b>Needs Addressed</b>	Expansion of Economic Opportunities
	<b>Funding</b>	CDBG: \$5,000
	<b>Description</b>	Provide small grants to micro-enterprise businesses in Kettering
	<b>Target Date</b>	12/31/2017
	<b>Estimate the number and type of families that will benefit from the proposed activities</b>	
	<b>Location Description</b>	
	<b>Planned Activities</b>	Small grants for micro-enterprise businesses

## **AP-50 Geographic Distribution - 91.420, 91.220(f)**

### **Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed**

The City of Kettering has several census tracts and block groups considered Low and Moderate-Income. Additionally, there are two areas that have a minority population that is at least 10 percentage points higher than the city's rate overall. African-Americans make up 3.3 % of the city's population. Census Tract 218, Oak Creek and Bk Group 1 of Census Tract 211 are considered concentrated. The attached map shows these areas.

Assistance will be available community-wide, with all programs being focused on individuals who are considered to be low-to-moderate income, but special attention will be paid to the Wiles Creek and Oak Creek target areas for projects such as new housing construction and the acquisition and subsequent demolition or rehabilitation of blighted structures. With regards to Kettering's other programs (housing rehab, fair housing, housing counseling, senior service assistance, relocation, etc...), assistance will be available to LMI residents throughout the whole city.

### **Geographic Distribution**

<b>Target Area</b>	<b>Percentage of Funds</b>
Community Wide	100

Table 8 - Geographic Distribution

### **Rationale for the priorities for allocating investments geographically**

Investments are focused on housing for low-to-moderate income individuals and families, regardless of where their residence is located. However, special attention is paid to LMI census tracts and block groups throughout the city. To see improvements of local target areas, one needs to look no further than the Wiles Creek neighborhood. A FEMA grant from 2005 made it possible to remove several homes from the floodway while NSP and CDBG/HOME funds have allowed for the acquisition and subsequent demolition of several blighted structures, leaving vacant lots, many of which have seen the construction of new, affordable single-family homes.

### **Discussion**

Currently the city is planning on allocating the vast majority of funds on a city-wide basis.



## **AP-85 Other Actions - 91.420, 91.220(k)**

### **Introduction**

In addition to the city's numerous housing-oriented programs, the CDBG program also finances several other important community services. These include:

- **Public improvements/infrastructure**, with a focus on street improvements
- **Public services**, with the priority areas being services to seniors, services to youth, and lead hazard screenings
- **Economic Development**, with the priority area being assistance to for-profit businesses that provide jobs and services to LMI individuals

### **Actions planned to address obstacles to meeting underserved needs**

The City of Kettering will continue to focus heavily on pre- and post-purchase housing counseling. This will attempt to stem and prevent foreclosures in our community.

### **Actions planned to foster and maintain affordable housing**

A majority of Kettering's CDBG-funded programs involve rehabilitation assistance to homes for LMI individuals and families. These projects will continue to be the priority area for the CDBG program. In addition to these important programs, the city will continue to utilize Federal funds for the purpose of acquiring existing homes either for the purpose of ground-up rehabilitations or for the purpose of demolition to make way for new construction. These programs have already added several new affordable homes to the community and more rehabilitations/new construction projects are in the pipeline.

### **Actions planned to reduce lead-based paint hazards**

To address the lead-based paint issues throughout the community, the city will continue to contract with the Combined Health District of Montgomery County for lead assessment and clearance services. Actions to evaluate and reduce lead-based paint are incorporation into the housing rehabilitation process as follows:

1.) **Advice and Information:** as the client application is reviewed the age of the housing is noted. If the home is older than 1978, the client is advised of potential lead based paint hazards and provided with verbal information and pamphlets.

2.) **Inspection and Assessment:** Once approved for assistance, the home will be inspected for housing

code violations and improvements needed to meet the city's residential rehabilitation standards. The licensed Montgomery County Lead Inspector will perform a lead assessment inspection.

3.) **Identification and Abatement:** If lead based paint is identified, owners will be instructed on safe ways to clean and maintain their homes. Abatement requirements, if any, will be explained. If the homeowner chooses to participate in the rehabilitation program, all lead hazards will be removed or controlled by the city's lead hazard programs.

### **Actions planned to reduce the number of poverty-level families**

Over the next year, the City of Kettering will attempt to reduce the number of poverty-level families by continuing to work with the Montgomery County Job Center. The Job Center is challenged with the responsibility of developing programs that will change the current welfare system, effectively utilizing existing employment and training resources within the community and reducing the number of families dependent upon public assistance as a result of being employed.

Kettering must continue to coordinate and promote social services available to city residents. Further refinement of communication and coordination with the community as a whole and with appropriate social service agencies will be emphasized to help address a variety of pertinent community needs and personal needs to families and individuals. The city continues to educate residents about the available services. This includes referring our housing rehabilitation clients to social service agencies. The School District and the City have just established a new Child and Family Services Coordinator position that will provide social service referrals. Additionally, all elderly residents in the city have access to the CDBG-funded Senior Resources Coordinator to determine any needs or issues that could be addressed by a social service agency.

### **Actions planned to develop institutional structure**

To maximize our relatively small allocation of Federal funds, it is critical that the City of Kettering continue to invest its CDBG and HOME dollars in projects that generate substantial improvements in target area neighborhoods. Higher visibility projects will help to foster private investment, which is essential to the success of sustaining the redevelopment strategy.

To improve efficiency, the city will direct funding through a more focused delivery mechanism. This mechanism includes enhanced partnerships and targeted focused areas of expenditures. These partnerships include working with very strong non-profit organizations such as the Miami Valley Fair Housing Center, the HomeOwnership Center of Greater Dayton and County Corp Development.

### **Actions planned to enhance coordination between public and private housing and social service agencies**

The City of Kettering anticipations that during the next year, coordination between public and private

housing, health and social service agencies will continue with participation in various activities within the Miami Valley.

Staff members are representatives on regional boards and committees, such as the Montgomery County Affordable Housing Options Committee, which is comprised of representatives from the public housing authority, the community action agency, County Corp, city and county governments, financial institutions, realty companies, housing and service providers, and building/development companies. This committee meets on a regular basis to assist in implementing the Montgomery County Homeless Solutions 10-year plan, review and recommend projects for Housing Trust funding and share information on housing issues. In addition, the Community Development Manager serves on the Greater Dayton Homeownership Advisory Board. This board advises the homeownership center on programming. Staff members also meet regularly with the Accessibility Project to discuss solutions for the lack of accessible housing.

Kettering also has representation on the Miami Valley Fair Housing Center board. The city staff is regularly in contact with other agencies and organizations at the local, state and Federal levels that deal with low-income housing relating issues.

## **Discussion**

### **MONITORING**

Annually, the CDBG program activities are monitored to determine each program's performance in addressing a specific need. After this review, programs are adjusted or redesigned as deemed appropriate to address the needs of residents. Under the Consolidated Plan, the city will annually monitor our performance in addressing the priorities identified and determine the degree at which the goals have been met.

The City of Kettering, Planning and Development department administers most of the projects defined in the annual action plan with the following exceptions. The city has a subrecipient agreement with the Miami Valley Fair Housing Center to operate a fair housing program and also has a subrecipient agreement with the HomeOwnership Center for the provision of housing counseling services. The city also funds the Senior Resource Coordinator who reports to the City Manager's office.

Actions to ensure compliance include both desk monitoring monthly and at least one on-site visit with all subrecipients. The timeliness of expenditures will also be monitored on a monthly basis, with

adjustments to be made as needed.



## Program Specific Requirements

### AP-90 Program Specific Requirements - 91.420, 91.220(I)(1,2,4)

#### Introduction

#### Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
<b>Total Program Income:</b>	<b>0</b>

#### Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	90.00%

## **Discussion**

The City of Kettering has identified that \$1,202,406.76 will be available for projects during PY17. These funds have all been programmed for eligible projects that will meet the city's community development goals.

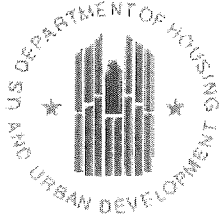
**EXHIBIT I**  
**CDBG Program Year 2017 - SOURCES OF FUNDS**

Sources	Amount	Program Income Breakdown
PY 2017 CDBG Grant Allocation	\$ 494,462.00	
Reprogrammed Funds	\$ 446,365.45	
<b>Estimated Program Income</b>	<b>\$ 261,579.31</b>	*some of this is RL carover
<i>Sale of CDBG Acquired Property</i>	\$ 241,579.31	
<i>disposition of CDBG property</i>	\$ 241,579.31	
<i>Econmic Development Repayments</i>	\$ -	
RLF: Housing Rehabilitation	\$ 20,000.00	
<b>TOTAL FUNDS</b>	<b>\$ 1,202,406.76</b>	

**Program Year 2017- PROPOSED USE OF FUNDS**

**CDBG**

Eligible Activities	Entitlement Funds PY15	Re-Programmed funds	Revolving Loan Funds/ Prog. Income	Total
<b>Housing Rehabilitation</b>				
Housing Rehab Loan	\$ 89,946.59	\$ 94,838.91	\$ 72,696.93	\$ 257,482.43
Action Delivery Costs	\$ 153,566.43	\$ 157,512.08		\$ 311,078.51
Emergency Home Repair Grant (CAP)	\$ 24,065.00	\$ 1,000.00		\$ 25,065.00
Handicapped Accessibility Grant	\$ 10,000.00			\$ 10,000.00
FIRE safety grant	\$ 5,000.00			\$ 5,000.00
lead abatement grant		\$ 30,000.00		\$ 30,000.00
<b>Category Total</b>	<b>\$ 282,578.02</b>	<b>\$ 283,350.99</b>	<b>\$ 72,696.93</b>	<b>\$ 638,625.94</b>
<b>Public Services</b>				
			<b>CAP:</b>	<b>\$ 88,307.38</b>
fair housing			\$ 34,000.00	\$ 34,000.00
senior coord	\$ 29,307.38			\$ 29,307.38
Housing Counseling/ Pre & Post purchas	\$ 25,000.00			\$ 25,000.00
<b>Category Total</b>	<b>\$ 54,307.38</b>	<b>\$ -</b>	<b>\$ 34,000.00</b>	<b>\$ 88,307.38</b>
<b>Neighborhood Revitalization</b>				
				\$ -
Disposition of property			\$ 25,000.00	\$ 25,000.00
Relocation (voluntary)			\$ 1,000.00	\$ 1,000.00
demolition	\$ 26,803.99		\$ 30,000.00	\$ 56,803.99
Acquisition (land bank)	\$ 28,578.81	\$ 45,000.00	\$ 62,882.38	\$ 136,461.19
<b>Category Total</b>	<b>\$ 55,382.80</b>	<b>\$ 45,000.00</b>	<b>\$ 118,882.38</b>	<b>\$ 219,265.18</b>
<b>Public Facilities / Infrastructure</b>				
				\$ -
<b>Category Total</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>Economic Development</b>				
Business Loans	\$ 69,000.00		\$ 31,000.00	\$ 100,000.00
accessibility				\$ -
micro-enterprise			\$ 5,000.00	\$ 5,000.00
<b>Category Total</b>	<b>\$ 69,000.00</b>	<b>\$ -</b>	<b>\$ 36,000.00</b>	<b>\$ 105,000.00</b>
<b>Planning and Program Administration</b>				
			<b>CAP:</b>	<b>\$ 151,208.26</b>
Program Administration	\$ 33,193.80	\$ 118,014.46		\$ 151,208.26
				\$ -
				\$ -
<b>Category Total</b>	<b>\$ 33,193.80</b>	<b>\$ 118,014.46</b>	<b>\$ -</b>	<b>\$ 151,208.26</b>
<b>TOTAL</b>	<b>\$ 494,462.00</b>	<b>\$ 446,365.45</b>	<b>\$ 261,579.31</b>	<b>\$ 1,202,406.76</b>



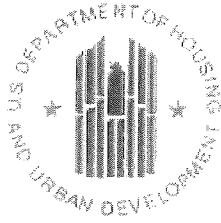
# SF 424

The SF 424 is part of the CPMP Annual Action Plan. SF 424 form fields are included in this document. Grantee information is linked from the 1CPMP.xls document of the CPMP tool.

Complete the fillable fields (blue cells) in the table below. The other items are pre-filled with values from the Grantee Information Worksheet.

August 8, 2017	Applicant Identifier	Type of Submission	
Date Received by state	State Identifier	Application	Pre-application
Date Received by HUD	Federal Identifier	<input type="checkbox"/> Construction	<input type="checkbox"/> Construction
		<input checked="" type="checkbox"/> Non Construction	<input type="checkbox"/> Non Construction
<b>Applicant Information</b>			
<b>Kettering</b>		OH 392526 KETTERING	
3600 Shroyer Rd		07-469-8606 DUNS#	
Street Address Line 2		City of Kettering	
Kettering	Ohio	Planning and Development Department	
45429-2799	U.S.A>	Community Development Division	
<b>Employer Identification Number (EIN):</b>		County: Montgomery/Greene	
31-60000617		Program Year Start Date (01/01/2017)	
<b>Applicant Type:</b>		<b>Specify Other Type if necessary:</b>	
Local Government: City		Specify Other Type	
<b>Program Funding</b>		U.S. Department of Housing and Urban Development	
Catalogue of Federal Domestic Assistance Numbers; Descriptive Title of Applicant Project(s); Areas Affected by Project(s) (cities, Counties, localities etc.); Estimated Funding			
<b>Community Development Block Grant</b>		14.218 Entitlement Grant	
CDBG Project Titles		Description of Areas Affected by CDBG Project(s)	
\$494,462	\$Additional HUD Grant(s) Leveraged	Describe	
\$Additional Federal Funds Leveraged		\$Additional State Funds Leveraged	
\$Locally Leveraged Funds		\$Grantee Funds Leveraged	
\$261,579 program income/ loan repayments		\$446,365 Unspent prior year funds	
Total Funds Leveraged for CDBG-based Project(s)			
<b>Home Investment Partnerships Program</b>		14.239 HOME	
HOME Project Titles		Description of Areas Affected by HOME Project(s)	
\$HOME Grant Amount	\$Additional HUD Grant(s) Leveraged	Describe	
\$Additional Federal Funds Leveraged		\$Additional State Funds Leveraged	
\$Locally Leveraged Funds		\$Grantee Funds Leveraged	

\$Anticipated Program Income		Other (Describe)	
Total Funds Leveraged for HOME-based Project(s)			
<b>Housing Opportunities for People with AIDS</b>		14.241 HOPWA	
HOPWA Project Titles		Description of Areas Affected by HOPWA Project(s)	
\$HOPWA Grant Amount	\$Additional HUD Grant(s) Leveraged	Describe	
\$Additional Federal Funds Leveraged		\$Additional State Funds Leveraged	
\$Locally Leveraged Funds		\$Grantee Funds Leveraged	
\$Anticipated Program Income		Other (Describe)	
Total Funds Leveraged for HOPWA-based Project(s)			
<b>Emergency Shelter Grants Program</b>		14.231 ESG	
ESG Project Titles		Description of Areas Affected by ESG Project(s)	
\$ESG Grant Amount	\$Additional HUD Grant(s) Leveraged	Describe	
\$Additional Federal Funds Leveraged		\$Additional State Funds Leveraged	
\$Locally Leveraged Funds		\$Grantee Funds Leveraged	
\$Anticipated Program Income		Other (Describe)	
Total Funds Leveraged for ESG-based Project(s)			
Congressional Districts of:		Is application subject to review by state Executive Order 12372 Process?	
3	3		
Is the applicant delinquent on any federal debt? If "Yes" please include an additional document explaining the situation.		<input type="checkbox"/> Yes	This application was made available to the state EO 12372 process for review on DATE
		<input checked="" type="checkbox"/> No	Program is not covered by EO 12372
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A	Program has not been selected by the state for review
Person to be contacted regarding this application			
Angela	W	Brown	
Community Development Manager	937-296-2524	937-296-3240	
angela.brown@ketteringoh.org	<a href="http://www.ketteringoh.org">www.ketteringoh.org</a>	Other Contact	
Signature of Authorized Representative		Date Signed	



# SF 424

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Date Received by HUD	Federal Identifier	<input type="checkbox"/> Construction	<input type="checkbox"/> Construction
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<b>Applicant Information</b>			
<b>Kettering</b>		OH 392526 KETTERING	
3600 Shroyer Rd		07-469-8606 DUNS#	
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<b>Employer Identification Number (EIN):</b>		County: Montgomery/Greene	
31-60000617		Program Year Start Date (01/01/2017)	
<b>Applicant Type:</b>		<b>Specify Other Type if necessary:</b>	
Local Government: City		Specify Other Type	
<b>Program Funding</b>		U.S. Department of Housing and Urban Development	
Catalogue of Federal Domestic Assistance Numbers; Descriptive Title of Applicant Project(s); Areas Affected by Project(s) (cities, Counties, localities etc.); Estimated Funding			
<b>Community Development Block Grant</b>		14.218 Entitlement Grant	
CDBG Project Titles		Description of Areas Affected by CDBG Project(s)	
\$494,462	\$Additional HUD Grant(s) Leveraged	Describe	
\$Additional Federal Funds Leveraged		\$Additional State Funds Leveraged	
\$Locally Leveraged Funds		\$Grantee Funds Leveraged	
\$261,579 program income/ loan repayments		\$446,365 Unspent prior year funds	
Total Funds Leveraged for CDBG-based Project(s)			
<b>Home Investment Partnerships Program</b>		14.239 HOME	
HOME Project Titles		Description of Areas Affected by HOME Project(s)	
\$HOME Grant Amount	\$Additional HUD Grant(s) Leveraged	Describe	
\$Additional Federal Funds Leveraged		\$Additional State Funds Leveraged	
\$Locally Leveraged Funds		\$Grantee Funds Leveraged	

\$Anticipated Program Income		Other (Describe)	
Total Funds Leveraged for HOME-based Project(s)			
<b>Housing Opportunities for People with AIDS</b>		14.241 HOPWA	
HOPWA Project Titles		Description of Areas Affected by HOPWA Project(s)	
\$HOPWA Grant Amount	\$Additional HUD Grant(s) Leveraged	Describe	
\$Additional Federal Funds Leveraged		\$Additional State Funds Leveraged	
\$Locally Leveraged Funds		\$Grantee Funds Leveraged	
\$Anticipated Program Income		Other (Describe)	
Total Funds Leveraged for HOPWA-based Project(s)			
<b>Emergency Shelter Grants Program</b>		14.231 ESG	
ESG Project Titles		Description of Areas Affected by ESG Project(s)	
\$ESG Grant Amount	\$Additional HUD Grant(s) Leveraged	Describe	
\$Additional Federal Funds Leveraged		\$Additional State Funds Leveraged	
\$Locally Leveraged Funds		\$Grantee Funds Leveraged	
\$Anticipated Program Income		Other (Describe)	
Total Funds Leveraged for ESG-based Project(s)			
Congressional Districts of:		Is application subject to review by state Executive Order 12372 Process?	
3	3	<input type="checkbox"/> Yes	
Is the applicant delinquent on any federal debt? If "Yes" please include an additional document explaining the situation.		<input checked="" type="checkbox"/> No	
<input type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	<input type="checkbox"/> N/A	This application was made available to the state EO 12372 process for review on DATE Program is not covered by EO 12372 Program has not been selected by the state for review

Person to be contacted regarding this application		
Angela	W	Brown
Community Development Manager	937-296-2524	937-296-3240
angela.brown@ketteringoh.org	www.ketteringoh.org	Other Contact
Signature of Authorized Representative		Date Signed



**CERTIFICATIONS**

In accordance with the applicable statutes and the regulations governing the consolidated plan regulations, the jurisdiction certifies that:

**Affirmatively Further Fair Housing** --The jurisdiction will affirmatively further fair housing.

**Uniform Relocation Act and Anti-displacement and Relocation Plan** -- It will comply with the acquisition and relocation requirements of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970, as amended, (42 U.S.C. 4601-4655) and implementing regulations at 49 CFR Part 24. It has in effect and is following a residential anti-displacement and relocation assistance plan required under 24 CFR Part 42 in connection with any activity assisted with funding under the Community Development Block Grant or HOME programs.

**Anti-Lobbying** --To the best of the jurisdiction's knowledge and belief:

1. No Federal appropriated funds have been paid or will be paid, by or on behalf of it, to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with the awarding of any Federal contract, the making of any Federal grant, the making of any Federal loan, the entering into of any cooperative agreement, and the extension, continuation, renewal, amendment, or modification of any Federal contract, grant, loan, or cooperative agreement;
2. If any funds other than Federal appropriated funds have been paid or will be paid to any person for influencing or attempting to influence an officer or employee of any agency, a Member of Congress, an officer or employee of Congress, or an employee of a Member of Congress in connection with this Federal contract, grant, loan, or cooperative agreement, it will complete and submit Standard Form-LLL, "Disclosure Form to Report Lobbying," in accordance with its instructions; and
3. It will require that the language of paragraph 1 and 2 of this anti-lobbying certification be included in the award documents for all subawards at all tiers (including subcontracts, subgrants, and contracts under grants, loans, and cooperative agreements) and that all subrecipients shall certify and disclose accordingly.

**Authority of Jurisdiction** --The consolidated plan is authorized under State and local law (as applicable) and the jurisdiction possesses the legal authority to carry out the programs for which it is seeking funding, in accordance with applicable HUD regulations.

**Consistency with plan** --The housing activities to be undertaken with Community Development Block Grant, HOME, Emergency Solutions Grant, and Housing Opportunities for Persons With AIDS funds are consistent with the strategic plan in the jurisdiction's consolidated plan.

**Section 3** -- It will comply with section 3 of the Housing and Urban Development Act of 1968 (12 U.S.C. 1701u) and implementing regulations at 24 CFR Part 135.

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

## Specific Community Development Block Grant Certifications

The Entitlement Community certifies that:

**Citizen Participation** -- It is in full compliance and following a detailed citizen participation plan that satisfies the requirements of 24 CFR 91.105.

**Community Development Plan** -- Its consolidated plan identifies community development and housing needs and specifies both short-term and long-term community development objectives that have been developed in accordance with the primary objective of the CDBG program (i.e., the development of viable urban communities, by providing decent housing and expanding economic opportunities, primarily for persons of low and moderate income) and requirements of 24 CFR Parts 91 and 570.

**Following a Plan** -- It is following a current consolidated plan that has been approved by HUD.

**Use of Funds** -- It has complied with the following criteria:

1. Maximum Feasible Priority. With respect to activities expected to be assisted with CDBG funds, it has developed its Action Plan so as to give maximum feasible priority to activities which benefit low- and moderate-income families or aid in the prevention or elimination of slums or blight. The Action Plan may also include CDBG-assisted activities which the grantee certifies are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community, and other financial resources are not available (see Optional CDBG Certification).

2. Overall Benefit. The aggregate use of CDBG funds, including Section 108 guaranteed loans, during program year(s) \_\_\_\_\_ [a period specified by the grantee of one, two, or three specific consecutive program years], shall principally benefit persons of low and moderate income in a manner that ensures that at least 70 percent of the amount is expended for activities that benefit such persons during the designated period.

3. Special Assessments. It will not attempt to recover any capital costs of public improvements assisted with CDBG funds, including Section 108 loan guaranteed funds, by assessing any amount against properties owned and occupied by persons of low and moderate income, including any fee charged or assessment made as a condition of obtaining access to such public improvements.

However, if CDBG funds are used to pay the proportion of a fee or assessment that relates to the capital costs of public improvements (assisted in part with CDBG funds) financed from other revenue sources, an assessment or charge may be made against the property with respect to the public improvements financed by a source other than CDBG funds.

In addition, in the case of properties owned and occupied by moderate-income (not low-income) families, an assessment or charge may be made against the property for public improvements financed by a source other than CDBG funds if the jurisdiction certifies that it lacks CDBG funds to cover the assessment.

**Excessive Force** -- It has adopted and is enforcing:

1. A policy prohibiting the use of excessive force by law enforcement agencies within its jurisdiction against any individuals engaged in non-violent civil rights demonstrations; and
2. A policy of enforcing applicable State and local laws against physically barring entrance to or exit from a facility or location which is the subject of such non-violent civil rights demonstrations within its jurisdiction.

**Compliance with Anti-discrimination laws** -- The grant will be conducted and administered in conformity with title VI of the Civil Rights Act of 1964 (42 U.S.C. 2000d) and the Fair Housing Act (42 U.S.C. 3601-3619) and implementing regulations.

**Lead-Based Paint** -- Its activities concerning lead-based paint will comply with the requirements of 24 CFR Part 35, Subparts A, B, J, K and R.

**Compliance with Laws** -- It will comply with applicable laws.

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

**OPTIONAL Community Development Block Grant Certification**

Submit the following certification only when one or more of the activities in the action plan are designed to meet other community development needs having particular urgency as specified in 24 CFR 570.208(c):

The grantee hereby certifies that the Annual Plan includes one or more specifically identified CDBG-assisted activities which are designed to meet other community development needs having particular urgency because existing conditions pose a serious and immediate threat to the health or welfare of the community and other financial resources are not available to meet such needs.

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

**Specific HOME Certifications**

The HOME participating jurisdiction certifies that:

**Tenant Based Rental Assistance** -- If it plans to provide tenant-based rental assistance, the tenant-based rental assistance is an essential element of its consolidated plan.

**Eligible Activities and Costs** -- It is using and will use HOME funds for eligible activities and costs, as described in 24 CFR §§92.205 through 92.209 and that it is not using and will not use HOME funds for prohibited activities, as described in §92.214.

**Subsidy layering** -- Before committing any funds to a project, it will evaluate the project in accordance with the guidelines that it adopts for this purpose and will not invest any more HOME funds in combination with other Federal assistance than is necessary to provide affordable housing;

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

## Emergency Solutions Grants Certifications

The Emergency Solutions Grants Program recipient certifies that:

**Major rehabilitation/conversion/renovation** – If an emergency shelter’s rehabilitation costs exceed 75 percent of the value of the building before rehabilitation, the recipient will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed rehabilitation.

If the cost to convert a building into an emergency shelter exceeds 75 percent of the value of the building after conversion, the recipient will maintain the building as a shelter for homeless individuals and families for a minimum of 10 years after the date the building is first occupied by a homeless individual or family after the completed conversion.

In all other cases where ESG funds are used for renovation, the recipient will maintain the building as a shelter for homeless individuals and families for a minimum of 3 years after the date the building is first occupied by a homeless individual or family after the completed renovation.

**Essential Services and Operating Costs** – In the case of assistance involving shelter operations or essential services related to street outreach or emergency shelter, the recipient will provide services or shelter to homeless individuals and families for the period during which the ESG assistance is provided, without regard to a particular site or structure, so long the recipient serves the same type of persons (e.g., families with children, unaccompanied youth, disabled individuals, or victims of domestic violence) or persons in the same geographic area.

**Renovation** – Any renovation carried out with ESG assistance shall be sufficient to ensure that the building involved is safe and sanitary.

**Supportive Services** – The recipient will assist homeless individuals in obtaining permanent housing, appropriate supportive services (including medical and mental health treatment, victim services, counseling, supervision, and other services essential for achieving independent living), and other Federal State, local, and private assistance available for these individuals.

**Matching Funds** – The recipient will obtain matching amounts required under 24 CFR 576.201.

**Confidentiality** – The recipient has established and is implementing procedures to ensure the confidentiality of records pertaining to any individual provided family violence prevention or treatment services under any project assisted under the ESG program, including protection against the release of the address or location of any family violence shelter project, except with the written authorization of the person responsible for the operation of that shelter.

**Homeless Persons Involvement** – To the maximum extent practicable, the recipient will involve, through employment, volunteer services, or otherwise, homeless individuals and families in constructing, renovating, maintaining, and operating facilities assisted under the ESG program, in providing services assisted under the ESG program, and in providing services for occupants of facilities assisted under the program.

**Consolidated Plan** – All activities the recipient undertakes with assistance under ESG are consistent with its consolidated plan.

**Discharge Policy** – The recipient will establish and implement, to the maximum extent practicable and where appropriate, policies and protocols for the discharge of persons from publicly funded institutions or systems of care (such as health care facilities, mental health facilities, foster care or other youth facilities, or correction programs and institutions) in order to prevent this discharge from immediately resulting in homelessness for these persons.

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title

## Housing Opportunities for Persons With AIDS Certifications

The HOPWA grantee certifies that:

**Activities** -- Activities funded under the program will meet urgent needs that are not being met by available public and private sources.

**Building** -- Any building or structure assisted under that program shall be operated for the purpose specified in the consolidated plan:

1. For a period of not less than 10 years in the case of assistance involving new construction, substantial rehabilitation, or acquisition of a facility,
2. For a period of not less than 3 years in the case of assistance involving non-substantial rehabilitation or repair of a building or structure.

\_\_\_\_\_  
Signature of Authorized Official

\_\_\_\_\_  
Date

\_\_\_\_\_  
Title



## **APPENDIX TO CERTIFICATIONS**

### **INSTRUCTIONS CONCERNING LOBBYING CERTIFICATION:**

#### **Lobbying Certification**

This certification is a material representation of fact upon which reliance was placed when this transaction was made or entered into. Submission of this certification is a prerequisite for making or entering into this transaction imposed by section 1352, title 31, U.S. Code. Any person who fails to file the required certification shall be subject to a civil penalty of not less than \$10,000 and not more than \$100,000 for each such failure.

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ACCEPT  
GRANT FUNDS FROM THE OHIO ARTS COUNCIL**

WHEREAS, the City has applied for a grant from the Ohio Arts Council in the amount of \$9,363.00 for the grant period July 1, 2017 through June 30, 2018; and

WHEREAS, said Grant funds will be used to support "ARTLOCAL", a program focused on creating new, collaborative artworks in Kettering neighborhoods, with the funds from this grant period designated for Cities of Service and the Oak Park neighborhood; and

WHEREAS, the City's grant application has been approved;

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

Section 1. This City Council hereby authorizes the City Manager to take all necessary and proper action to accept the above-described grant from the Ohio Arts Council. Furthermore, this Council hereby affirms all matters and statements included in the grant application.

Section 2. This Resolution shall take full force and effect immediately upon its adoption.

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

\_\_\_\_\_  
DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER, III  
Law Director

Estimated Cost: \$18,726.00 (Ohio Arts Council - \$9,363; City - \$9,363)  
Amount Budgeted: \$0  
Acct. No.: 2793

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

**CITY OF KETTERING, OHIO**

**A RESOLUTION**

By:

No.

**AUTHORIZING THE CITY MANAGER TO ACCEPT A  
GRANT FROM THE OHIO ARTS COUNCIL**

WHEREAS, the City has previously applied for a grant from the Ohio Arts Council; and

WHEREAS, the City's grant application has been approved in the amount of \$21,050.00;  
and

WHEREAS, said Grant funds will be used for general operating support of Rosewood  
Arts Centre programs between July 1, 2017 and June 30, 2018;

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

Section 1. The City Manager is hereby authorized, on behalf of the City of Kettering, to  
take all necessary and proper action to accept the above-described grant from the Ohio  
Arts Council. Furthermore, this Council hereby affirms all matters and statements  
included in the grant application.

Section 2. This Resolution shall take full force and effect immediately upon its adoption.

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

\_\_\_\_\_  
DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER, III,  
Law Director

Estimated Cost: \$21,050.00

Amount Budgeted: \$0

Acct. No.: 2441

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

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, 2017

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, 2017, the following supplemental sums are set aside and appropriated:

A. From the General Fund:

TRANSFERS TO OTHER FUNDS		
Special Grants & Programs Fund	\$	9,363.00

B. From the Special Grants & Programs Fund:

Other	\$	18,726.00
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C. From the Capital Improvement Fund:

PARKS & RECREATION	\$	6,825.00
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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. This Resolution shall take full force and effect immediately upon its adoption.

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

\_\_\_\_\_  
DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER, III  
Law Director

(Requested by: Finance Department)

CITY OF KETTERING, OHIO

AN ORDINANCE

By:

No.

VACATING A PORTION OF RIGHT-OF-WAY ABUTTING 3717  
WILMINGTON PIKE

WHEREAS, on June 26, 2017, the Planning Commission, in Case No. PC-17-020, considered and recommended approval of an application to vacate a certain portion of public right-of-way abutting 3717 Wilmington Pike; and

WHEREAS, on July 25, 2017, this Council held a public hearing on the application and Planning Commission's recommendation and during the public hearing no party came forward in opposition; and

WHEREAS, this Council is satisfied that there is good cause for vacating said public right-of-way, that vacation of the right-of-way will not be detrimental to the public interest, and that such vacation should be made;

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

Section 1. Approval is hereby granted for the vacation of 0.001 acres, more or less, of public right-of-way, more particularly described and depicted in Exhibit 1, attached hereto and incorporated herein, which abuts the property commonly known as 3717 Wilmington Pike.

Section 2. The vacated right-of-way shall revert to 3717 Wilmington Pike (Parcel No. N64 01902 0007) as shown in Exhibit 1 (see Instrument No. 2016-00070634 of the Montgomery County Recorder's Office for legal description of the lot).

Section 3. The Clerk of Council is directed and authorized to prepare a certified copy of this Ordinance, and the Planning and Development Director of this City is hereby directed and authorized to accept the certified copy of this Ordinance from the Clerk of Council and, upon satisfaction of all Planning Commission conditions, if any, to further cause that same certified ordinance and any other necessary documents to be properly delivered to the Montgomery County Recorder for appropriate recordation. The City Manager is authorized to sign any instruments necessary to effectuate the vacation.

Section 4. This Ordinance shall take full effect from and after the earliest period provided by law.

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2017.

\_\_\_\_\_  
DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER III,  
Law Director

(Requested By: Planning and Development Department)

**EXHIBIT "1"**

(4 total pages, including this page)

LEGAL DESCRIPTION  
WILMINGTON PIKE R/W VACATION

Adjacent to Lot 7, Oakdale Plat

Situate in Section 23, Town 2, Range 6, M.Rs., in the City of Kettering, Montgomery County, Ohio, and being part of the Wilmington Road, (now Wilmington Pike), right of way as dedicated by the Oakdale Plat as recorded in Plat Book "K" page 38 of the plat records of said county, being adjacent and contiguous to Lot 7 of said plat, and being more particularly bounded and described, with stations and offsets referenced to the centerline of Wilmington Pike as recorded in Plat Book 77 page 44, as follows:

Beginning for reference at an iron pin set at the northeast corner of said Lot, being the intersection of the south right of way line of Cloverfield Avenue (50') with the west line of Wilmington Pike (width varies), 35.00 feet left of Station 140+71.83;

Thence with the east line of said Lot and said west right of way line South 39° 50' 56" East 15.65 feet to an iron pin set 35.00 feet left of centerline Station 140+56.18, said pin being the TRUE POINT OF BEGINNING for the vacation parcel herein described;

Thence along the arc of a new curve to the right, being the new west right of way line of Wilmington Pike, 7.60 feet, said arc having a radius of 25.50 feet, a central angle of 17° 04' 23" and a chord bearing South 48° 09' 34" East 7.57 feet to an iron pin set 33.91 feet left of centerline Station 140+48.69;

Thence along a new line, being the new west right of way line of Wilmington Pike, South 39° 37' 23" East 22.14 feet to an iron pin set 33.99 feet left of centerline Station 140+26.55;

Thence along the arc of a new curve to the right, being the new west right of way line of Wilmington Pike, 9.00 feet, said arc having a radius of 41.50 feet, a central angle of 12° 25' 24" and a chord bearing South 33° 24' 41" East 8.98 feet to an iron pin set in the existing west right of way line and said east line of Lot 7, 35.00 feet left of centerline Station 140+17.63;

Thence with the existing west right of way line and said east line of Lot 7 North 39° 50' 56" West 38.56 feet to the TRUE POINT OF BEGINNING, containing 0.001 acres, (35 SF), more or less, subject to all legal easements and restrictions of record.

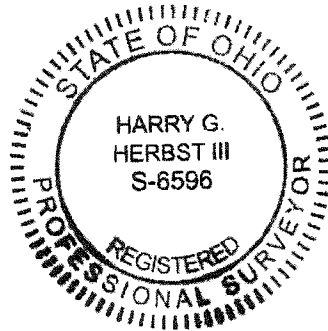
This description is based upon a field survey performed in February, 2016 by LJB Inc. under contract to the City of Kettering, Ohio, with bearings based upon the Ohio State Plane Coordinate System, South Zone, NAD 83, 2011 adjustment, by GPS utilizing ODOT VRS.

Iron Pins referred to as "set" shall be 5/8" by 30" reinforcing rod set by LJB Inc. with cap stamped "LJB INC."

Evidence of occupation supports the monumentation found in the field and the property lines recited in this description.

Description prepared by:

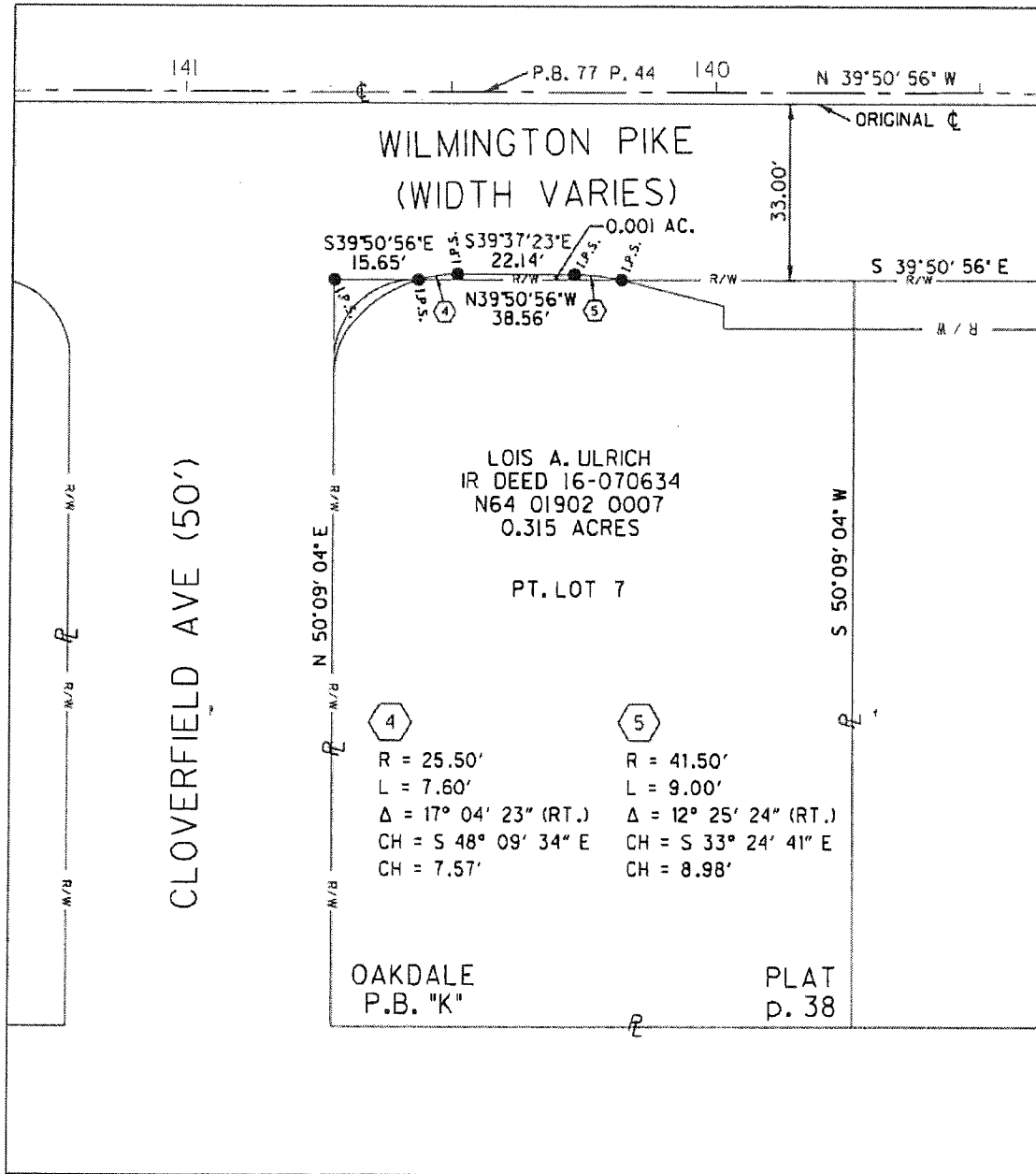
LJB Inc.



By: Harry G. Herbst III  
Harry G. Herbst III, Ohio P.S. #6596

Date: 6/13/2017





WILMINGTON PIKE R/W VACATION 0.001 AC.



LJB Inc. • 2500 Newmark Drive  
Miamisburg, OH 45342  
(937) 259-5000 tel • (937) 259-5100 fax • LJBinc.com

