



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

November 14, 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

October 24, 2017- Council Meeting & Workshop Minutes

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

Presentation Montgomery County Environmental Services
Proclamation Small Business Saturday

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

(5 Minute Limit per Speaker)

ORDINANCES IN SECOND READING

RESOLUTIONS

1. Authorizing the City Manager to purchase, through a state or local cooperative purchasing program, annual post warranty maintenance and Life Cycle for the Dispatch radio console.
2. Authorizing the City Manager to negotiate and enter into contracts for entertainment for the Frazee Pavilion 2018 performance season.
3. 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

4. To amend the provisions of Economic Development Overlay District No. 15 (Kettering Business Park).

CERTIFICATIONS AND PETITIONS

Certification- Planning Commission recommends approval of P.C. 17-026 – Rezoning of 2200 E. David from R-4 to R-1. Request for the rezoning from R-4 (multi-family residential) to R-1 (single-family residential) for the eastern third of the property located at 2200 E. David Road. A public hearing on this request will be held on Tuesday, November 28, 2017 at the Kettering City Council meeting.

MANAGER'S REPORT/COMMUNITY UPDATE

OTHER BUSINESS NOT ON WRITTEN AGENDA

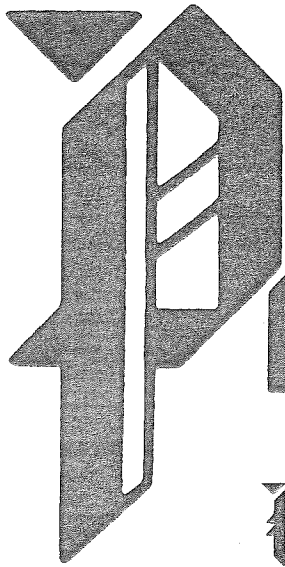
Audience Participation (5 Minute Limit per Speaker)

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

November 14	4:00 p.m. 6:00 p.m. 7:30 p.m.	Partners for Healthy Youth Council Workshop City Council Meeting
November 15	8:00 a.m.	Volunteer Advisory Council
November 20	7:00 p.m.	Planning Commission Meeting
November 23	All Day	Government Center Closed – Thanksgiving
November 24	All Day	Government Center Closed
November 27	7:00 p.m. 7:30 p.m.	Board of Zoning Appeals Sister Cities
November 28	6:00 p.m. 7:30 p.m.	Council Workshop City Council Meeting
December 4	7:00 p.m.	Planning Commission Meeting
December 5	5:30 p.m. 7:30 p.m.	Council Workshop City Council Meeting
December 11	7:00 p.m.	Board of Zoning Appeals
December 18	7:00 p.m.	Planning Commission Meeting



Office of the Mayor

Proclamation

Whereas:

The City of Kettering, Ohio, celebrates our local small businesses and the contributions they make to our local economy and community; according to the United States Small Business Administration, there are currently 28.8 million small businesses in the United States, they represent 99.7 percent of all businesses with employees in the United States, are responsible for 63 percent of net new jobs created over the past 20 years; and

WHEREAS: *Small businesses employ 48 percent of the employees in the private sector in the United States; and*

WHEREAS: *on average, 33 percent of consumers' holiday shopping will be done at small, independently-owned retailers and restaurants; and*

WHEREAS: *89 percent of consumers in the United States agree that small businesses contribute positively to the local community by supplying jobs and generating tax revenue; and*

WHEREAS: *91 percent of all consumers believe that supporting small, independently-owned restaurants is important; and*

WHEREAS: *93 percent of consumers in the United States agree that it is important for people to support the small businesses that they value in their community; and*

WHEREAS: *The City of Kettering, Ohio supports our local businesses that create jobs, boost our local economy and preserve our neighborhoods; and*

WHEREAS: *Advocacy groups as well as public and private organizations across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.*

NOW, THEREFORE, I, Donald E. Patterson, Mayor of the City of Kettering, Ohio, do hereby proclaim

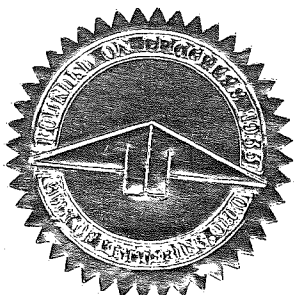
November 25, 2017

to be

SMALL BUSINESS SATURDAY

in the City of Kettering and urge the residents of our community, and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.

IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Kettering, Ohio, to be affixed this 14th day of November in the Year of our Lord, Two Thousand and Seventeen.



DONALD E. PATTERSON
Mayor of the City of Kettering, Ohio

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO PURCHASE,
THROUGH A STATE OR LOCAL COOPERATIVE PURCHASING
PROGRAM, ANNUAL POST WARRANTY MAINTENANCE AND
LIFE CYCLE FOR THE DISPATCH RADIO CONSOLE**

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

Section 1. Pursuant to Section 152.04 of the Codified Ordinances of the City of Kettering, the City Manager is hereby authorized to purchase, through a state or local cooperative purchasing program, annual post warranty maintenance and Life Cycle for the Dispatch radio console.

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

AMY J. HAYSLIP,
Acting Clerk of Council

THEODORE A. HAMER, III,
Law Director

Estimated Cost: \$32,000.00
Amount Budgeted: \$32,000.00
Acct. No. 0610-72350

(Requested by: Police Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND
ENTER INTO CONTRACTS FOR ENTERTAINMENT FOR THE
FRAZE PAVILION 2018 PERFORMANCE SEASON**

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

Section 1. The City Manager is hereby authorized to negotiate and enter into contracts for entertainment for the Frazee Pavilion 2018 performance season.

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

AMY J. HAYSLIP,
Acting Clerk of Council

THEODORE A. HAMER, III,
Law Director

Estimated Cost: \$300,000.00
Amount Budgeted: \$0
Acct. No. 2200-72550

(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 Frazee Pavilion Operations Fund:

HUMAN SERVICES	
Operating Expenses	\$ 300,000.00

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

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

Section 4. 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

AMY J. HAYSLIP,
Acting Clerk of Council

THEODORE A. HAMER, III
Law Director

(Requested by: Finance Department)

CITY OF KETTERING, OHIO

AN ORDINANCE

By:

No.

**TO AMEND THE PROVISIONS OF ECONOMIC
DEVELOPMENT OVERLAY DISTRICT NO. 15
(KETTERING BUSINESS PARK)**

WHEREAS, after giving the required notice, the City of Kettering Planning Commission conducted a public hearing on October 2, 2017 regarding an application to amend the text of Economic Development Overlay District No. 15 ("EDO No. 15") in Planning Commission Case No. PC 17-025; and

WHEREAS, after the public hearing, the Kettering Planning Commission voted to recommend that City Council approve the proposed amendment; and

WHEREAS, after giving the required notice, City Council held a public hearing on October 24, 2017 regarding the Kettering Planning Commission's recommendation;

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

Section 1. Having considered the report and recommendation of the Planning Commission, the criteria set forth in Sections 1153.12.9, Consistency, through 1153.12.15, Other Factors, of Chapter 1153 of the Zoning Code, and the staff report and evidence presented at the public hearing, City Council finds that the application to amend the text of EDO No. 15 should be approved.

Section 2. The following amendments are made to EDO No. 15.

A. Section 4.5 (H)(1) (Site Identification Signs (Kettering Business Park)) is amended to read:

"1. Primary Site Identification Signs for the Kettering Business Park shall include the following.

a. Sign One: Two ground signs shall be permitted (which may be identical), one located at the northwest and one located at the southwest corners of Forrer Blvd. and Wilmington Pike (see Exhibit P-1).

b. Two low wall elements which are cohort to Sign One are permitted at the northwest and southwest corners of Forrer Blvd. and Wilmington Pike (see Exhibit P-3).

c. Sign Two: One ground sign shall be permitted and shall be located at either the northwest or the southwest corner of Wilmington Pike and the Municipal Court entrance (see Exhibit P-2).

d. The design and approximate sizes of Sign One and Sign Two are shown on Exhibits P-3 and P-5, which are considered Design Concepts. The Kettering Zoning Administrator has the authority to approve modifications to these two signs to achieve the same quality and design aesthetic for final installation at the two entrances included in Exhibits P-3 and P-5.

e. The design context for Sign One is shown on Exhibit P-4. The landscaping and plaza appearance shown in this exhibit are considered a Design Concept. The Kettering Zoning Administrator has the authority to approve modifications to this design concept to achieve the same quality

and design aesthetic for final implementation of the improvements shown in Exhibit P-4.

f. The Zoning Administrator shall also have the authority to approve another Kettering Business Park entrance sign, to be called Sign Three, which could be located at the Composite Drive entrance at Wilmington Pike. Such sign shall have the same size and design characteristics as Sign Two.

g. Whenever the requirements of Exhibits P-1 through P-5 are in conflict with the requirements of Exhibit L, the standards articulated by Exhibits P-1 through P-5 take precedence over Exhibit L.”

B. “EXHIBIT P Primary Site Identification Signs for the Kettering Business Park” shall be added to the Table of Exhibits.

C. Exhibits P-1 through P-5, attached hereto, shall be attached to and incorporated into EDO No. 15 as Exhibits P-1 through P-5.

Section 3. The Planning and Development Director of this City shall prepare a revised version of EDO No. 15 to reflect and properly incorporate the amendments made by this ordinance.

Section 4. The Clerk of Council shall publish a summary of this ordinance within two weeks after its adoption.

Section 5. If any portion of this Ordinance is found by a court of competent jurisdiction to be invalid or unlawful, City Council finds and declares that the remainder of this ordinance would be and is enforceable and would have been adopted notwithstanding the finding of invalidity or unlawfulness.

Section 6. This ordinance shall take full force and effect from and after the earliest period provided by law.

Passed by Council this _____ day of _____ 2017.

DONALD E. PATTERSON, Mayor

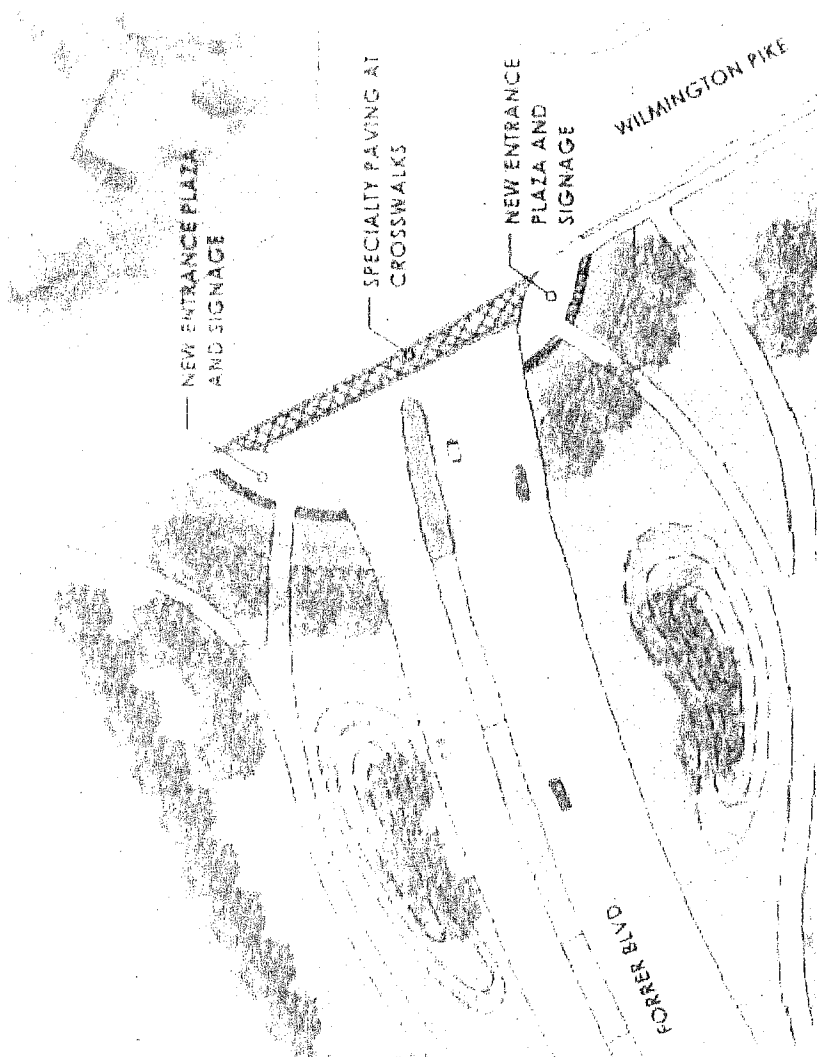
ATTEST:

CERTIFICATE OF APPROVAL:

AMY J. HAYSLIP,
Acting Clerk of Council

THEODORE A. HAMER III,
Law Director

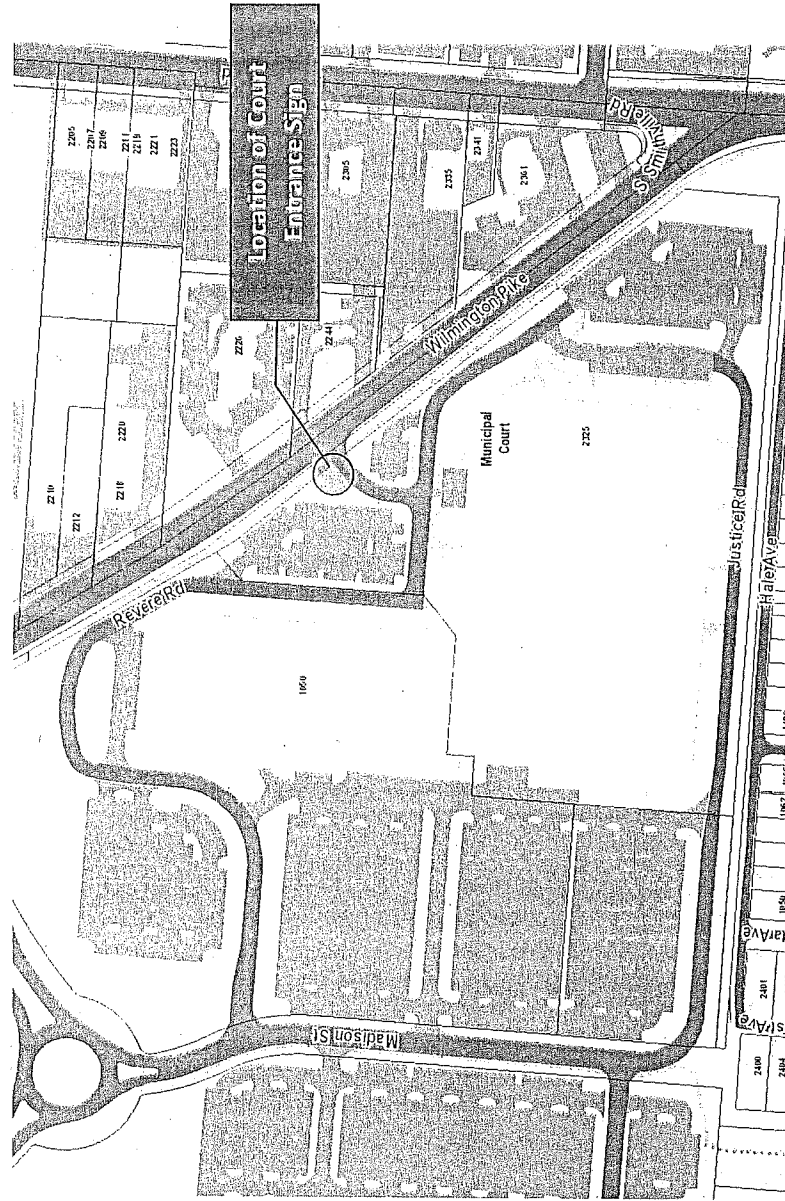
(Requested by: Planning and Development Department)



PC-17-025 Modification to EDO #15

Kettering Business Park Entrance Sign Location

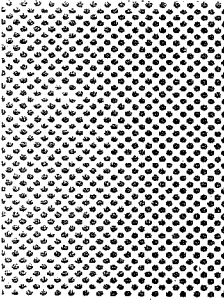
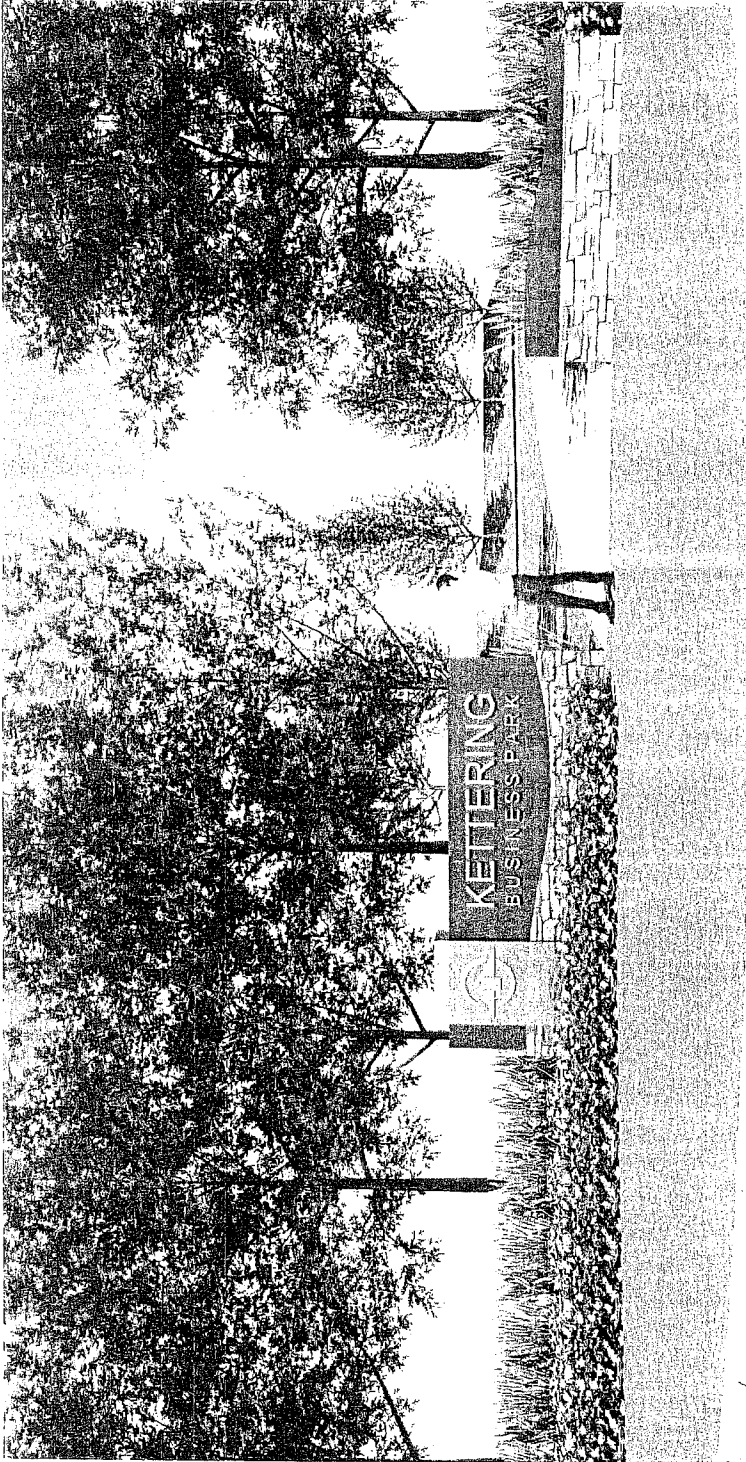
EDO-15 - EXHIBIT P-1
SIGN ONE LOCATIONS
 2 SIGNS - ONE AT THE NORTHWEST
 CORNER AND ONE AT THE SOUTHWEST
 CORNER OF FORRER AND WILMINGTON PIKE



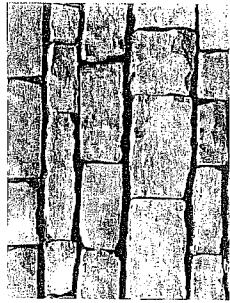
PC-17-025 Modification to EDO #15

Kettering Business Park Court Entrance Sign Location

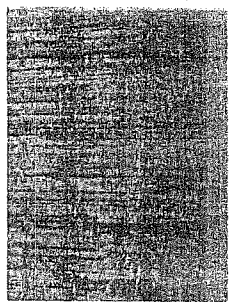
EDO-15 - EXHIBIT P-2
 SIGN TWO LOCATION
 1. SIGN - AT THE NORTHWEST
 CORNER OF WILMINGTON PIKE AND THE
 ENTRANCE TO THE COURTS FACILITY



Perforated Stainless Steel



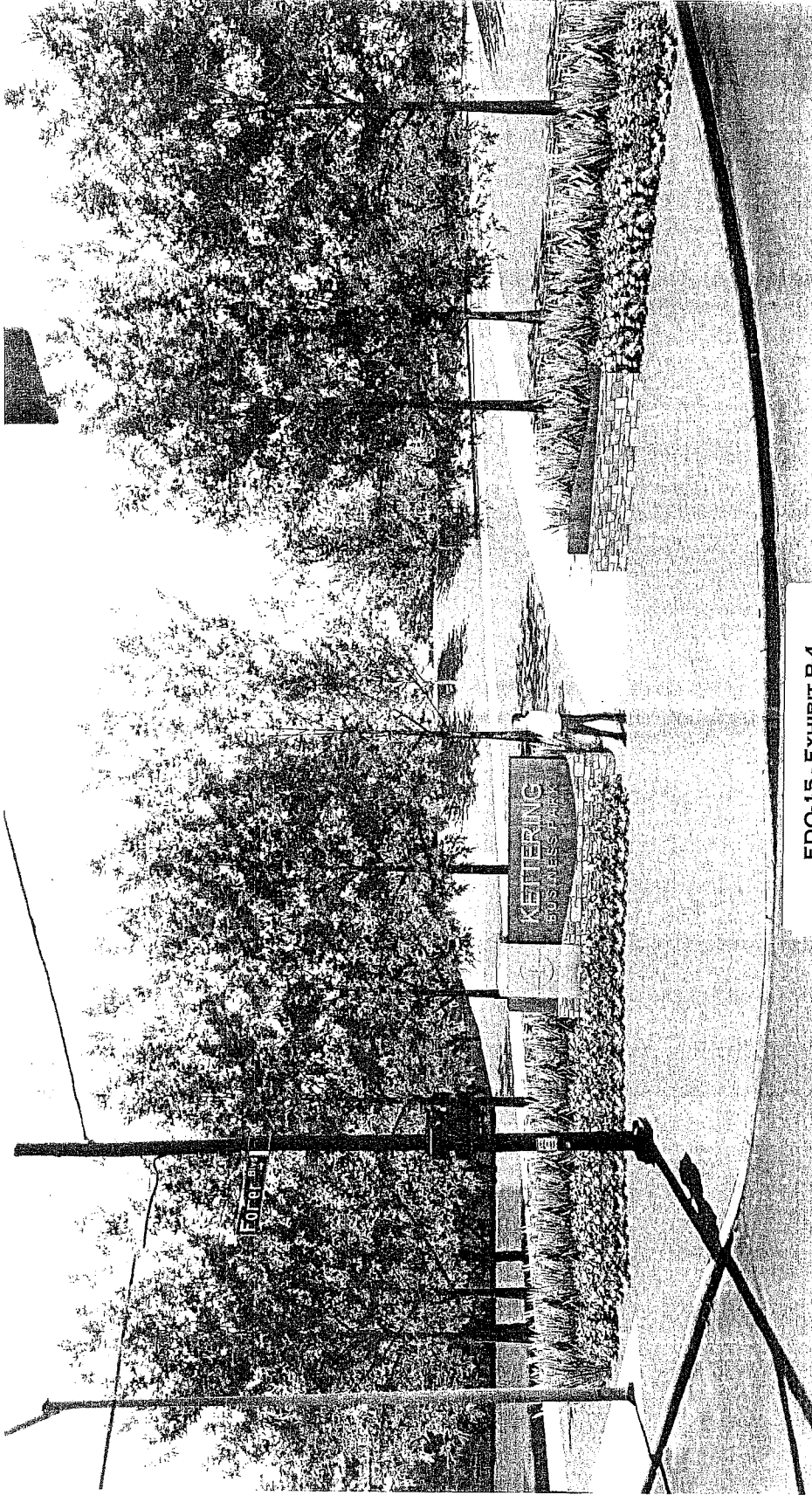
Cut Limestone Facade



Weathering Steel

EDO-15 - EXHIBIT P-3
SIGN ONE DESIGN CONCEPT
2 SIGNS - WALL HEIGHT 6', WITH A LOGO PANEL
A MAXIMUM OF 7' IN HEIGHT, WALL LENGTH
ABOUT 16' WITH STONE BASE & METAL PANEL

PREFERRED KETTERING BUSINESS PARK SIGN

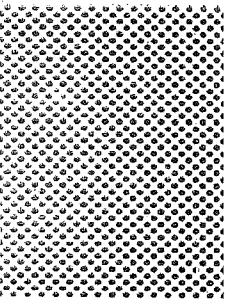
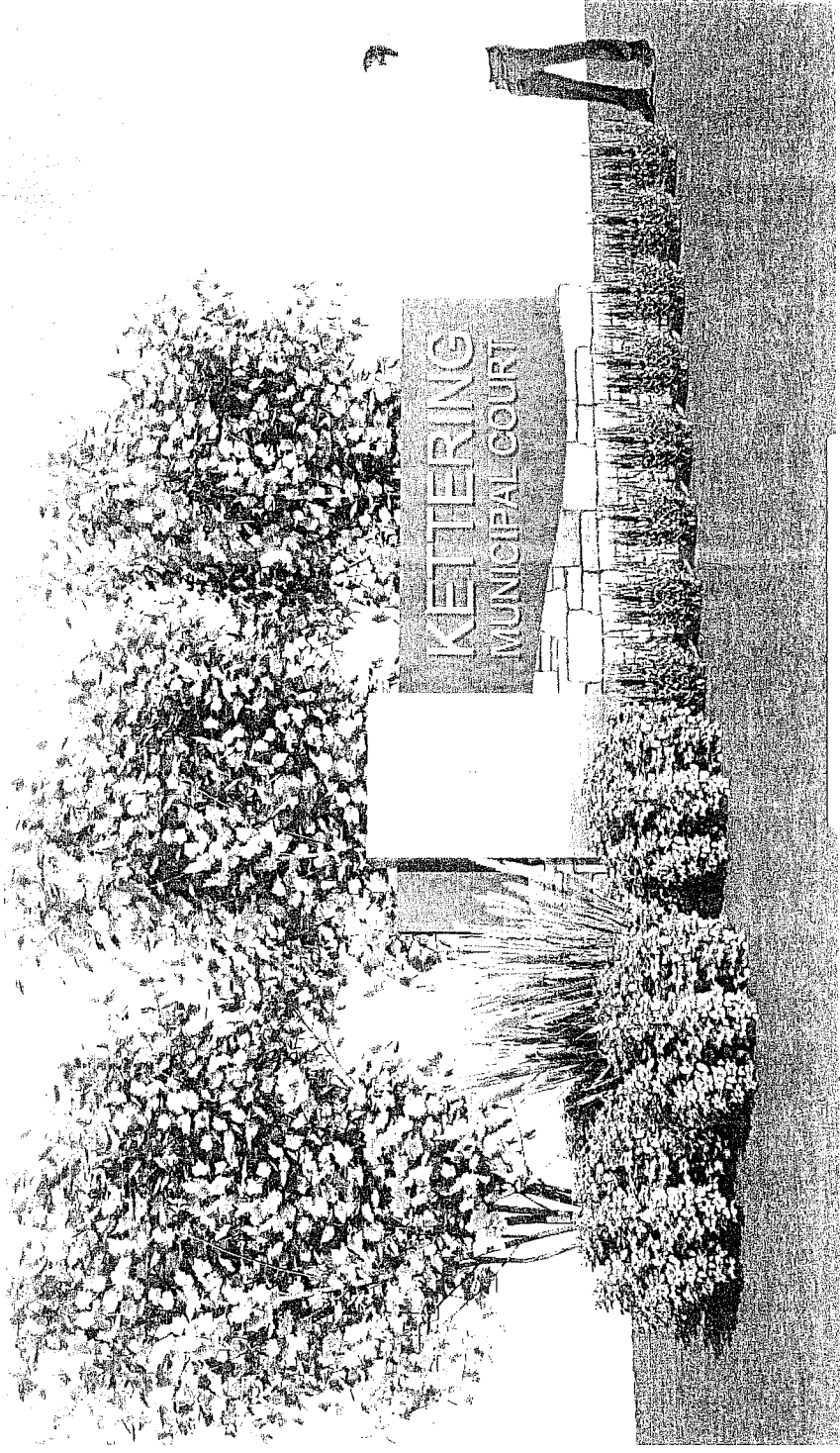


EDO-15 - EXHIBIT P-4
SIGN ONE DESIGN CONTEXT
CONCEPT DESIGN FOR SIGNS & COHORT WALLS
WITHIN ENTRY LANDSCAPING AND PLAZA

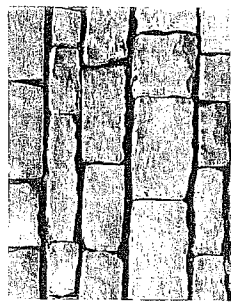
SOUTHWEST CENTER OF FORMS & WALKABILITY
© 2008 SW CENTER OF FORMS & WALKABILITY

PREFERRED: ENTRY LANDSCAPING & PLAZA

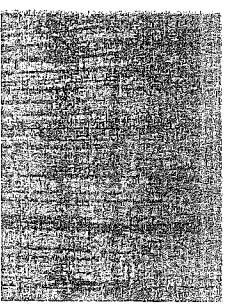




Perforated Stainless Steel



Cut Limestone Facade



Weathering Steel

EDO-15 - EXHIBIT P-5
SIGN TWO DESIGN CONCEPT
1 SIGN WALL HEIGHTS WITH ALCOO PANEL A
WITH WALL HEIGHTS WITH ALCOO PANEL A
ABOUT 11' WITH STONE BASE & METAL PANEL



CERTIFICATION

DATE: November 7, 2017
TO: Mayor and Council, City of Kettering
FROM: Planning Commission
SUBJECT: PC-17-026 – Rezoning of 2200 E. David from R-4 to R-1

Planning Commission hereby certifies that a public hearing was held at their meeting on November 6, 2017 with a decision reached at that meeting.

Planning Commission hereby submits its recommendation to City Council that the requested rezoning from R-4 to R-1 for the eastern third of the property located at 2200 E. David Road be approved.

Vote of the Planning Commission

The motion recommending approval was passed by a vote of 4:0.

Reason for Request

This case involves a request to rezone a small triangular parcel that is associated with the former Kettering Fire Station #36 located at the southeast corner of Bigger Road and E. David Road. The designation would change from R-4 (multi-family residential) to R-1 (single-family residential). The R-1 designation already exists for the western two-thirds of the former fire station property, which specifically includes the large majority of the former fire station building. The current rezoning request would simply place the entire property into a single R-1 designation. Since the City has committed to selling the site as a single family home, the R-1 designation is the most appropriate.

Respectfully submitted,

KETTERING PLANNING COMMISSION



By: Ronald L. Hundt, Zoning Administrator
Planning and Development Department