



## 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 28, 2017**

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

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

#### **PLEDGE OF ALLEGIANCE**

#### **INVOCATION**

#### **APPROVAL OF MINUTES**

November 14, 2017 - Council Meeting & Workshop Minutes

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

#### **PUBLIC HEARINGS**

1. P.C. 17-026 – Request for the rezoning of 2200 E. David Rd. from R-4 (multi-family residential) to R-1 (single-family residential).

#### **PUBLIC COMMENT ON LEGISLATION**

(5 Minute Limit per Speaker)

#### **ORDINANCES IN SECOND READING**

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

#### **RESOLUTIONS**

3. Authorizing the City Manager to enter into an agreement with the HomeOwnership Center of Greater Dayton to provide counseling services as part of the City's housing and foreclosure prevention programs.
4. Authorizing the City Manager to accept donation of the Kettering Veterans Memorial, Charles F. Kettering History Walk, and related funds from the Kettering Parks Foundation.
5. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for asphalt path repair and improvements in various parks.
6. 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**

#### **CERTIFICATIONS AND PETITIONS**

Petition- A petition to Keep the Ridgeway Bridge was received on November 14, 2017 and is on file in the Clerk of Council's office.

#### **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 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
December 19	6:00 p.m. 7:30 p.m.	Council Workshop City Council Meeting

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

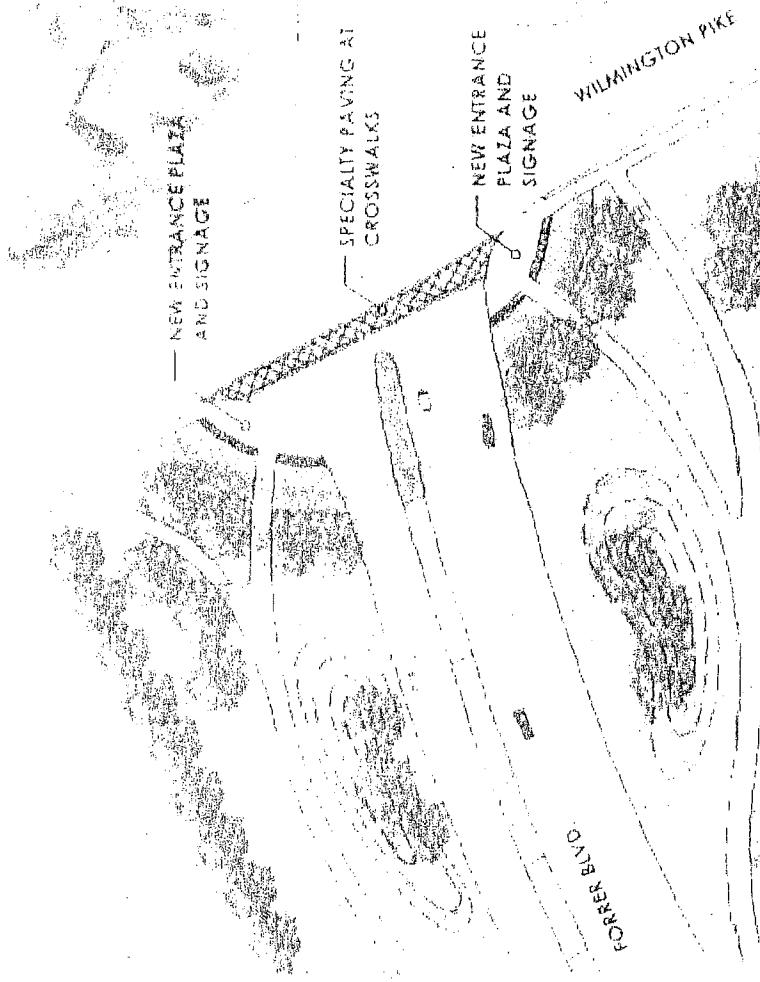
ATTEST:

CERTIFICATE OF APPROVAL:

\_\_\_\_\_  
AMY J. HAYSLIP,  
Acting Clerk of Council

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

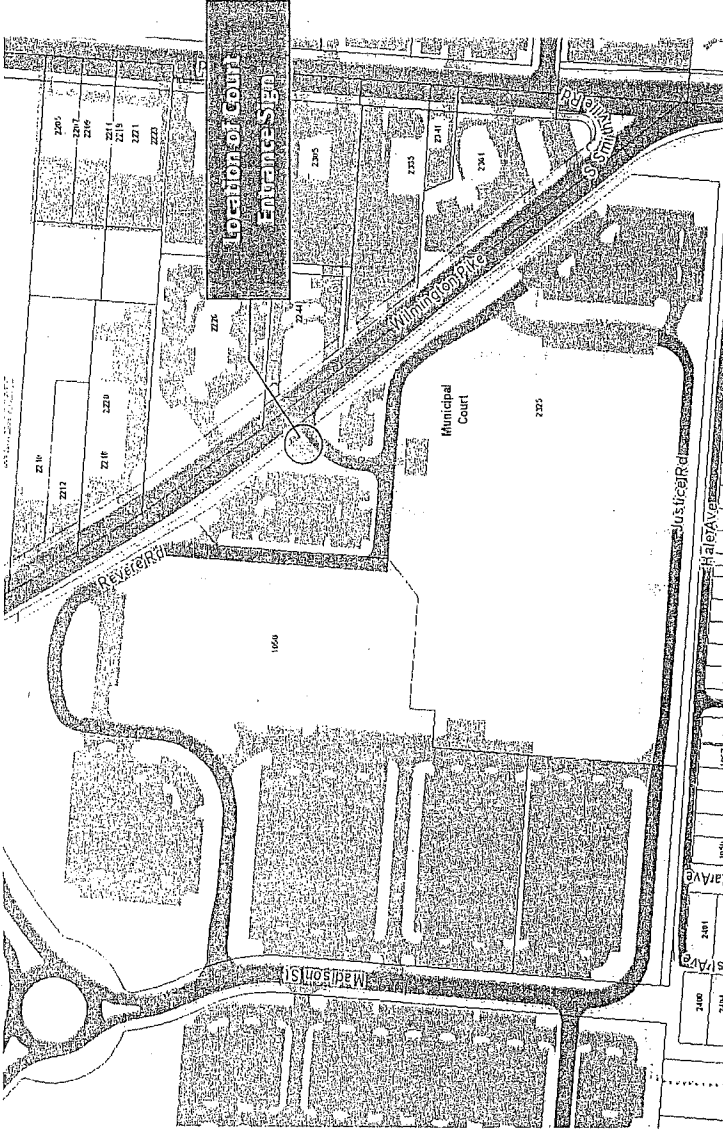
(Requested by: Planning and Development Department)



## PC-17-025 Modification to EDO #15

### Kettering Business Park Entrance Sign Location

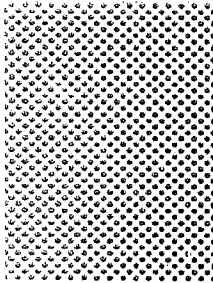
EDO-15 - EXHIBIT P-1  
SIGN ONE LOCATIONS  
2 SIGNS ONE AT THE NORTHWEST  
CORNER AND ONE AT THE SOUTHWEST  
CORNER OF FORER AND WILMINGTON PIKE



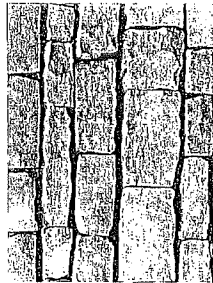
PC-17-025 Modification to EDO #15

Kettering Business Park Court Entrance Sign Location

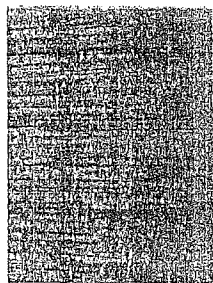
EDO-15 - EXHIBIT P-2  
SIGN TWO LOCATION  
1 SIGN - AT THE NORTHWEST  
CORNER OF WILMINGTON PIKE AND THE  
ENTRANCE TO THE COURT'S FACILITY



Perforated Stainless Steel



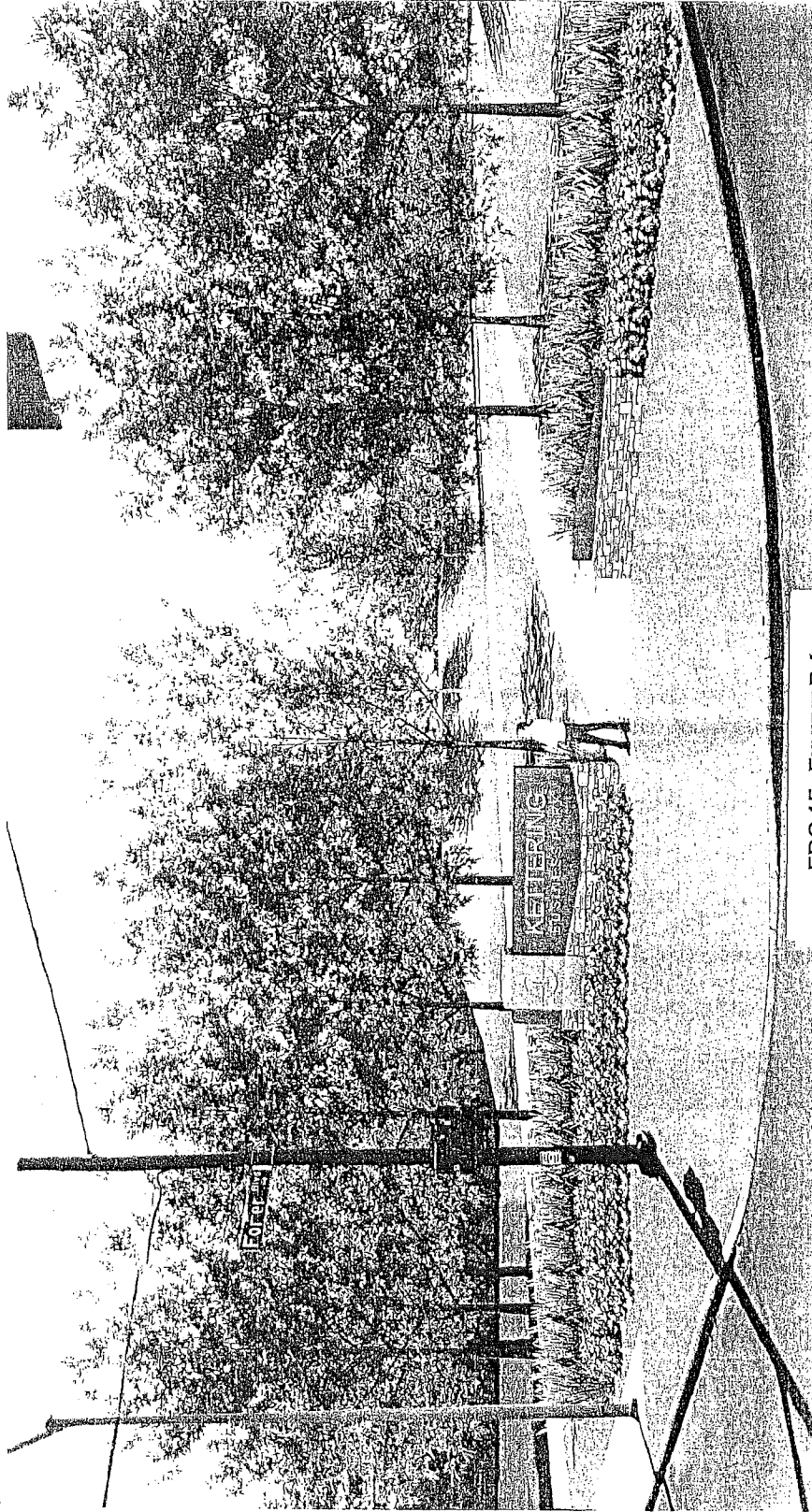
Cut Limestone Facade



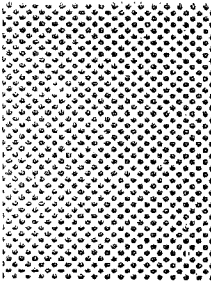
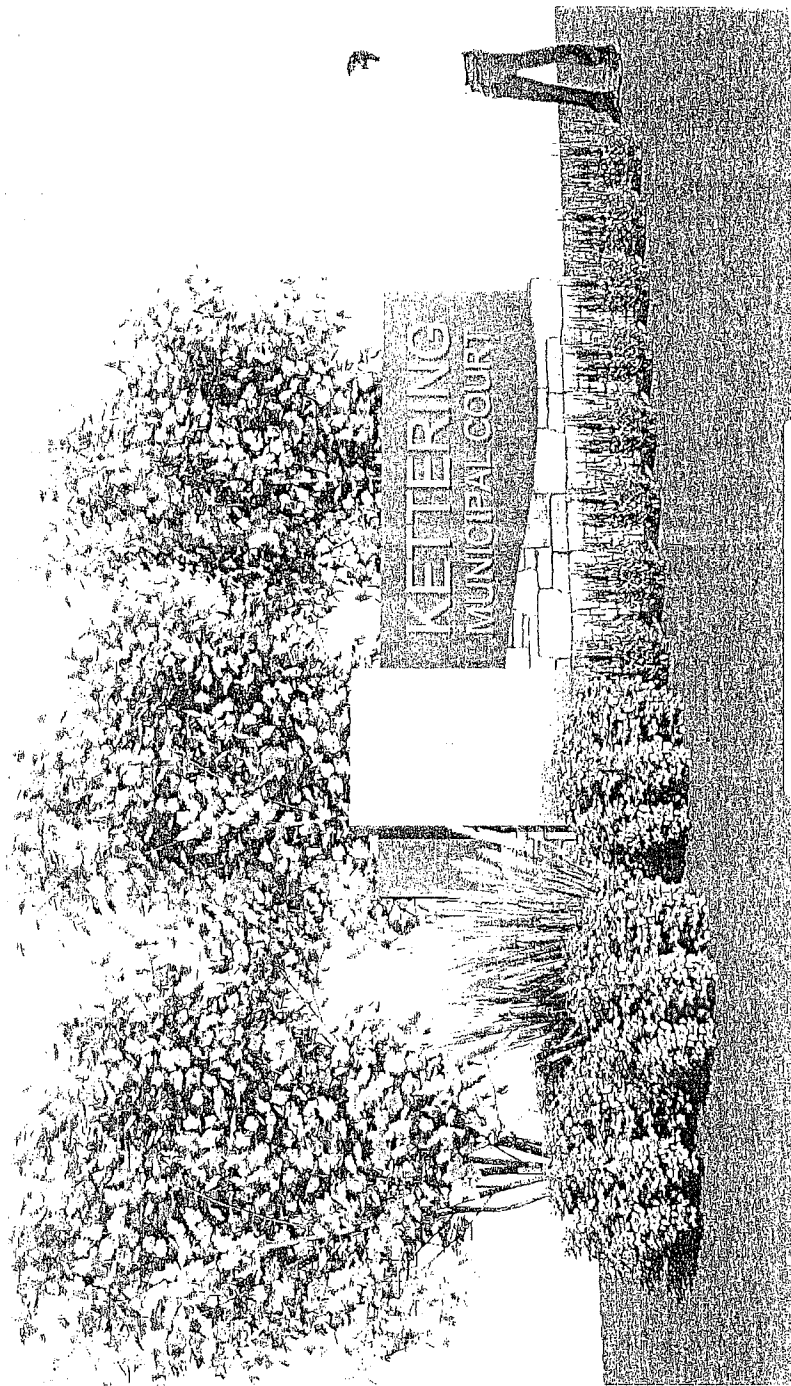
Weathering Steel

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

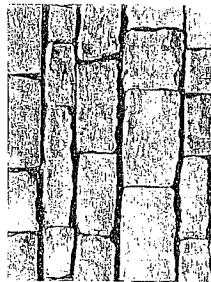
PREFERRED KETERING BUSINESS PARK SIGN



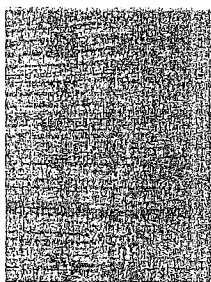
EDO-15 - EXHIBIT P-4  
SIGN ONE DESIGN CONTEXT  
CONCEPT DESIGN FOR SIGNS & COHORT WALLS  
WITHIN ENTRY LANDSCAPING AND PLAZA  
14.2.2009 - PRELIMINARY CONCEPT BY K&L



Perforated Stainless Steel



Cut Limestone Facade



Weathering Steel

**EDO-15 - EXHIBIT P-5**  
**SIGN TWO DESIGN CONCEPT**

1 SIGN - WALL HEIGHT 5' WITH A LOGO PANEL A  
MAXIMUM OF 6' IN HEIGHT, WALL LENGTH  
ABOUT 11' WITH STONE BASE & METAL PANEL

KETTERING MUNICIPAL COURT



CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ENTER INTO AN  
AGREEMENT WITH THE HOMEOWNERSHIP CENTER OF  
GREATER DAYTON TO PROVIDE COUNSELING SERVICES AS  
PART OF THE CITY'S HOUSING AND FORECLOSURE  
PREVENTION PROGRAMS**

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

Section 1. The City Manager is hereby authorized, pursuant to Subsection "I" of Section 152.02 of Chapter 152 of the Codified Ordinances of the City of Kettering, to enter into a one-year agreement with The Homeownership Center of Greater Dayton to provide counseling services as part of the City's housing and foreclosure prevention programs. The City Manager is further authorized to enter into any amendments to the agreement that the City Manager determines are in the best 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

\_\_\_\_\_  
AMY J. HAYSLIP,  
Acting Clerk of Council

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

Estimated Cost: \$25,000.00  
Funds Available: \$25,000.00  
Acct. No.: 3816-72550

(Requested by: Planning and Development Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ACCEPT DONATION  
OF THE KETTERING VETERANS MEMORIAL, CHARLES F.  
KETTERING HISTORY WALK, AND RELATED FUNDS FROM  
THE KETTERING PARKS FOUNDATION**

WHEREAS, the Kettering Parks Foundation ("KPF") constructed two memorials: the Kettering Veterans Memorial and Charles F. Kettering History Walk (collectively the "Project") in Delco Park in the City of Kettering; and

WHEREAS, the Kettering Veterans Memorial serves to honor all who served in any of the five branches of the United States of America Armed Forces; and

WHEREAS, the Charles F. Kettering History Walk highlights the history, inventions, and philanthropic contributions of Mr. Kettering, after whom this City was named; and

WHEREAS, KPF desires to donate the Project, remaining Project funds, and funds to maintain and repair the Project, to the City;

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 accept donation of the Kettering Veterans Memorial, Charles F. Kettering History Walk, and leftover Project funds from the Kettering Parks Foundation. The City Manager is further authorized to accept additional funds from KPF for a maintenance reserve fund to help pay for repair, replacement, and/or maintenance of the Project elements. The City Manager is further authorized to enter into one or more agreements with KPF related to these donations and to enter into any amendments thereto that the City Manager deems to be in 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

\_\_\_\_\_  
AMY J. HAYSLIP,  
Acting Clerk of Council

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

(Requested by: Parks, Recreation and Cultural Arts)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE  
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT  
FOR ASPHALT PATH REPAIR AND IMPROVEMENTS IN  
VARIOUS PARKS**

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 asphalt path repair and improvements at Delco, Indian Riffle, Southdale, and Kennedy parks. The City Manager is further authorized to enter into any amendments to the agreement(s) that the City Manager determines 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

\_\_\_\_\_  
AMY J. HAYSLIP,  
Acting Clerk of Council

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

Estimated Cost: \$46,500.00  
Amount Budgeted: \$60,000.00  
Acct. No.: 6100-77750

(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:

HUMAN RESOURCES DEPARTMENT	
Operating Expenses	\$ 10,000.00
POLICE DEPARTMENT	
Personal Service	\$ 250,000.00
FIRE DEPARTMENT	
Personal Service	\$ 25,000.00
Operating Expenses	\$ 700,000.00
TRANSFERS TO OTHER FUNDS	
Street Maintenance Fund	\$ 109,000.00
Police Pension Fund	\$ 105,000.00
Parks & Recreation Fund	\$ 154,000.00
Capital Improvement Fund	\$ 32,000.00

B. From the Street Maintenance Fund:

STREET DEPARTMENT	
Operating Expenses	\$ 184,000.00

C. From the Police Pension Fund:

POLICE DEPARTMENT	
Personal Service	\$ 105,000.00

D. From the Special Grants & Programs Fund:

Other	\$ 75,000.00
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E. From the Capital Improvement Fund:

STREETSCAPE IMPROVEMENTS	\$ 32,000.00
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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

\_\_\_\_\_  
AMY J. HAYSLIP,  
Acting Clerk of Council

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

(Requested by: Finance Department)