



# CITY OF KETTERING

LASHAUNAH KACZYNSKI

CLERK OF COUNCIL

## KETTERING COUNCIL AGENDA

**August 28, 2018**

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**

August 14, 2018- Council Meeting & Workshop Minutes

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

Proclamation      Ohio Scenic River Month  
Presentation      Auditor of State Award

### **PUBLIC HEARINGS**

1. P.C. 18-015- Request for Zoning District Map Amendment to reclassify land from R-1 Suburban Residence to I-Industrial Designation.

### **PUBLIC COMMENT ON LEGISLATION**

(5 Minute Limit per Speaker)

### **ORDINANCES IN SECOND READING**

### **RESOLUTIONS**

2. Authorizing the City Manager to enter into and implement a collective bargaining agreement with the International Association of Firefighters Local #2150- Fire Captains, which is consistent with a tentative agreement reached by the bargaining teams.
3. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for an emergency backup dispatch center to be installed at Fire Headquarters.
4. Authorizing the City Manager to contract for professional engineering design services for the Ridgeway Road Bridge Replacement Project (City Project No. 03-904C).
5. Authorizing the City Manager to enter into an agreement with the Miami Valley Fair Housing Center for operation of the City's fair housing program.
6. 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.
7. Authorizing the City Manager to enter into a grant agreement with Brigid's Path for CDBG funds.
8. 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, 2018.

**ORDINANCES IN FIRST READING**

**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 invites people with disabilities to enjoy our programs, services, parks, and facilities. Contact Anna Breidenbach at [anna.breidenbach@ketteringoh.org](mailto:anna.breidenbach@ketteringoh.org) or call 296-2439 for more information about our accessibility, inclusion, and special programs initiatives. For TTY assistance, contact Ohio Relay Service at 800-750-0750.

**KETTERING CITY CALENDAR**  
**2018**

August 27	7:30 p.m.	Sister Cities
August 28	6:00 p.m. 7:30 p.m.	Council Workshop City Council Meeting
September 3	All Day	Government Center Closed- Labor Day
September 10	7:00 p.m.	Board of Zoning Appeals
September 11	6:00 p.m. 7:30 p.m.	Council Workshop City Council Meeting
September 17	7:00 p.m. 7:00 p.m.	Planning Commission Board of Community Relations

# Office of the Mayor

# Proclamation

**Whereas:**

On February 28, 1968, Ohio became a pioneer in the conservation movement with the passage of the Ohio Scenic Rivers Act, the first scenic rivers act in the nation which created a program to preserve and protect rivers throughout the State of Ohio; and

**WHEREAS:** Ohio has approximately 60,000 miles of rivers and streams with parts of 14 of them being designated as being wild, scenic or recreational rivers; and

**WHEREAS:** The Little Miami River was the first river in Ohio to gain the status as a state and national scenic river and the only one whose entire 107 miles is declared a scenic river; and

**WHEREAS:** Kettering is situated on a tributary of the Little Miami River which is vital to the health of the river; and

**WHEREAS:** The Little Miami River and its tributaries provide tourist, recreational, economic, and health benefits to the people of the region; and

**WHEREAS:** Locally, the Little Miami Watershed Network, Little Miami River Kleeners, and local groups are dedicated to the restoration and protection of the rivers and streams in the Little Miami River's watershed; and

**WHEREAS:** The 50<sup>th</sup> anniversary of the signing of the Ohio Scenic Rivers Act provides an opportunity to reflect on the progress that has been made to protect the state's longest designated river and a chance to reaffirm Kettering's commitment to the preservation and protection of Ohio's natural resources.

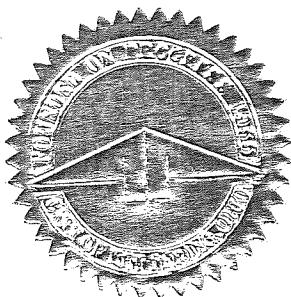
**NOW, THEREFORE, I, Donald E. Patterson, Mayor of the City of Kettering, Ohio, do hereby proclaim:**

**SEPTEMBER 2018**

**to be**

**OHIO SCENIC RIVER MONTH**

in the City of Kettering, and recognizes the 50<sup>th</sup> anniversary of the Ohio Scenic Rivers Act and encourages all citizens in Kettering to enjoy, experience, preserve and protect the Little Miami State and National Scenic River.



**IN WITNESS WHEREOF,** I have hereunto set my hand and caused the Seal of the City of Kettering, Ohio, to be affixed this 28<sup>th</sup> day of August in the Year of our Lord, Two Thousand Eighteen.

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

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ENTER INTO  
AND IMPLEMENT A COLLECTIVE BARGAINING  
AGREEMENT WITH THE INTERNATIONAL  
ASSOCIATION OF FIREFIGHTERS LOCAL #2150 – FIRE  
CAPTAINS, WHICH IS CONSISTENT WITH A TENTATIVE  
AGREEMENT REACHED BY THE BARGAINING TEAMS**

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 a collective bargaining agreement with the International Association of Firefighters Local #2150 – Fire Captains, which is consistent with a Tentative Agreement reached by the bargaining teams.

Section 2. Furthermore, the City Manager is hereby authorized to enter into any subsequent amendments to said agreement, as long as the City Manager determines the effect of any amendment is in the best interest of the City.

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

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

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

ATTEST:

CERTIFICATE OF APPROVAL

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

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

(Requested by: Human Resources Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE  
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT  
FOR AN EMERGENCY BACKUP DISPATCH CENTER TO BE  
INSTALLED AT FIRE HEADQUARTERS**

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

Section 1. On the basis that the City can often obtain lower prices and more favorable purchasing conditions through competitive bargaining and negotiated quotations than through sealed bids, the City Manager is hereby authorized to use such bargaining and negotiation procedures and to enter into one or more contracts for an Emergency Backup Dispatch Center to be installed at Fire Headquarters. The City Manager is further authorized to enter into amendments to said contracts which, in the City Manager's opinion, are in the 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 \_\_\_\_\_ 2018.

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

ATTEST:

CERTIFICATE OF APPROVAL

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

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

Estimated Cost:     \$132,000.00  
Amount Budgeted:   \$132,000.00  
Acct. No.:            Various Cost Centers

(Requested by: Police Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO CONTRACT FOR  
PROFESSIONAL ENGINEERING DESIGN SERVICES FOR THE  
RIDGEWAY ROAD BRIDGE REPLACEMENT PROJECT (CITY  
PROJECT NO. 03-904C)**

WHEREAS, Resolution No. 10167-18 authorized the City Manager to use competitive bargaining and negotiated quotes to select an Engineering Design Services Consultant for the Ridgeway Road Bridge Replacement Project; and

WHEREAS, an Engineering Design Services Consultant has been selected through that process; and

WHEREAS, Resolution No. 10167-18 indicated that funding for Engineering Design Services would be included in the 2019 Budget; and

WHEREAS, a very compressed project schedule and availability of Municipal Bridge Program grant funds necessitates beginning the design work in 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 to contract with EMH&T for professional engineering design services for the Ridgeway Road Bridge Replacement Project (City Project No. 03-904C). The City Manager is further authorized to enter into amendments to said contract which, in the City Manager's opinion, are in the 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 \_\_\_\_\_ 2018.

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

ATTEST:

CERTIFICATE OF APPROVAL

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

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

Estimated Cost: \$121,582.00  
Amount Budgeted: \$0  
Acct. No.: 5262-77750

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ENTER INTO AN  
AGREEMENT WITH THE MIAMI VALLEY FAIR HOUSING  
CENTER FOR OPERATION OF THE CITY'S FAIR HOUSING  
PROGRAM**

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

Section 1. Pursuant to Subsection "I" of Section 152.02 of the Codified Ordinances of the City of Kettering, the City Manager is hereby authorized to enter into a one-year agreement with the Miami Valley Fair Housing Center for operation of the City's fair housing program. The City Manager is further authorized to enter into any amendments to the agreement that, in the City Manager's opinion, are in the interests of the City and further the program.

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

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

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

ATTEST:

CERTIFICATE OF APPROVAL

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

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

Estimated Cost: \$38,000.00  
Funds Available: \$38,000.00  
Acct. No. 3830-72550

(Requested by: Planning and Development Department)

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, in the City Manager's opinion, are in the interests of the City and further the programs.

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

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

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

ATTEST:

CERTIFICATE OF APPROVAL

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

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

Estimated Cost: \$27,000.00  
Funds Available: \$27,000.00  
Acct. No.: 3816-72550

(Requested by: Planning and Development Department)



CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ENTER INTO A  
GRANT AGREEMENT WITH BRIGID'S PATH FOR CDBG  
FUNDS**

WHEREAS, Brigid's Path is located in Kettering and provides medical care to infants suffering from prenatal drug and substance abuse exposure and also provides associated support and counseling services to their families; and

WHEREAS, the services provided by Brigid's Path are eligible for CDBG program funding; and

WHEREAS, a grant of CDBG funds to Brigid's Path was included in the City's approved Annual Action Plan;

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

Section 1. This Council hereby authorizes the City Manager to enter into a grant agreement with Brigid's Path for the use of Community Development Block Grant funds for operational expenses to provide medical care to infants suffering prenatal drug and substance abuse exposure and to provide associated support and counseling services to their families. Terms and conditions that the City Manager deems are appropriate and in the best interests of the City shall also be included. The City Manager is authorized to sign the grant agreement and any other necessary agreements and instruments, including amendments thereto.

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

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2018.

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

ATTEST:

CERTIFICATE OF APPROVAL

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

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

Estimated Cost: \$27,000  
Funds Available: \$27,000  
Acct. No.: Fund 295

(Requested by: Planning and Development 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, 2018

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, 2018, the following supplemental sums are set aside and appropriated:

A. From the General Fund:

ADMINISTRATIVE SYSTEMS	
Operating Expenditures	\$ 22,190.00
TRANSFERS TO OTHER FUNDS	
Capital Improvement Fund	\$ 122,000.00

B. From the Capital Improvement Fund:

STREET SURFACING	\$ 122,000.00
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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 \_\_\_\_\_ 2018.

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

ATTEST:

CERTIFICATE OF APPROVAL

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

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

(Requested by: Finance Department)