



# CITY OF KETTERING

DONALD E. PATTERSON, MAYOR • BILL LAUTAR, VICE MAYOR  
BRUCE E. DUKE • JACQUE FISHER • TONY KLEPACZ • ROB SCOTT • JOSEPH D. WANAMAKER

## KETTERING COUNCIL AGENDA

October 23, 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

October 9, 2018- Council Meeting & Workshop Minutes

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

Proclamation	Make a Difference Day
Proclamation	National Arts and Humanities Month
Presentation	State of the Arts

### PUBLIC HEARINGS

### PUBLIC COMMENT ON LEGISLATION

(5 Minute Limit per Speaker)

### ORDINANCES IN SECOND READING

### RESOLUTIONS

1. To amend Resolution No. 10112-18.
2. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for replacement of the roof at the Vehicle Maintenance Center.
3. Authorizing the City Manager to enter into an agreement with the Kettering Development Corporation for assistance with the marketing and sale/lease of real estate.
4. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for irrigation controllers and irrigation system repairs in various parks.
5. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for the repair and installation of fencing systems and accessibility improvements throughout various parks.
6. Authorizing the City Manager to accept a grant from the Community Foundation of Kettering.
7. Authorizing the City Manager to renew an agreement with Bladecutters for the removal of snow and ice at City facilities.
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**

Certification-Planning Commission recommends approval of P.C. 18-018- Request for Zoning District Map Amendment to reclassify land from EDO #18 to a B-Business Designation. A public hearing on this request will be held on Tuesday, November 13, 2018 at the Kettering City Council meeting.

**MANAGER'S REPORT/COMMUNITY UPDATE**

**OTHER BUSINESS NOT ON WRITTEN AGENDA**

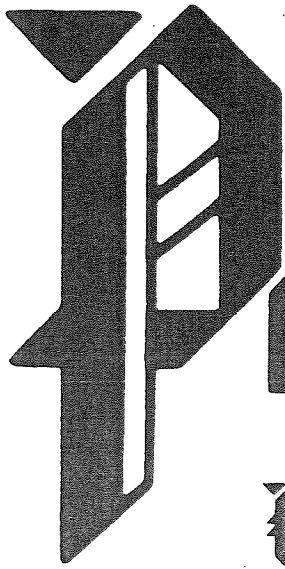
Audience Participation (5 Minute Limit per Speaker)

**CITY COUNCIL REPORT/UPDATE**

The City of Kettering 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**

October 22	7:30 p.m.	Sister Cities
October 23	6:00 p.m. 7:30 p.m.	Council Workshop City Council Meeting
November 5	7:00 p.m.	Planning Commission
November 12	7:00 p.m.	Board of Zoning Appeals
November 13	4:00 p.m. 6:00 p.m. 7:30 p.m.	Partners for Healthy Youth Council Workshop City Council Meeting
November 19	7:00 p.m. 7:00 p.m.	Planning Commission Board of Community Relations
November 21	8:00 a.m.	Volunteer Advisory Council



Office of the Mayor

# Proclamation

**Whereas:**

*Make a Difference Day connects people with opportunities to serve, strengthens communities and promotes civic engagement; and*

**WHEREAS:** *Make a Difference Day is one of the largest single days of service nationwide uniting tens of thousands of volunteers with a common mission: to improve the lives of others through community-driven service projects; and*

**WHEREAS:** *Established over two decades ago, by Points of Lights, Ohio is proud to be a leader in the number of service projects completed; and the City of Kettering is proud to be a nationally recognized participant; and*

**WHEREAS:** *The City of Kettering, our Cities of Service Team, Blue Star Mothers, Central Christian Church, Christ Church and ArtLocal are working together to provide our citizens the opportunity to volunteer in this comprehensive project; and*

**WHEREAS:** *Volunteers from service and faith-based organizations, local schools and universities will assist the city by completing outdoor projects in the Haverstick neighborhood, creating holiday greeting cards for our active duty military, and making holiday placemats for area nursing homes.*

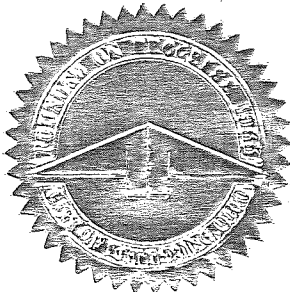
**NOW, THEREFORE,** I, Donald E. Patterson, Mayor of the City of Kettering, Ohio, do hereby proclaim:

**OCTOBER 27, 2018**

**to be**

**MAKE A DIFFERENCE DAY**

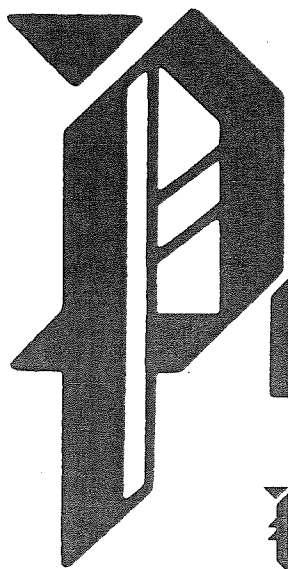
*in the City of Kettering, and urge all citizens to observe this day by joining efforts to make a positive impact and truly "Make a Difference" in our community.*



**IN WITNESS WHEREOF,** I have hereunto set my hand and caused the Seal of the City of Kettering, Ohio, to be affixed this 23<sup>rd</sup> day of October in the Year of our Lord, Two Thousand Eighteen.

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



Office of the Mayor

# Proclamation

**Whereas:**

*The month of October has been recognized as National Arts and Humanities Month by thousands of arts and cultural organizations, communities, and states across the country, as well as by the White House and Congress for over 30 years; and*

**WHEREAS:** *The arts and humanities embody much of the accumulated wisdom, intellect, and imagination of humankind; and*

**WHEREAS:** *The arts and humanities enhance and enrich the lives of every American; and*

**WHEREAS:** *The arts and humanities play a unique role in the lives of our families, our communities, and our country; and*

**WHEREAS:** *The nonprofit arts industry also strengthens our economy by generating \$135 billion in total economic activity annually, \$22.3 billion in government revenue, and by supporting the full-time equivalent to 4.1 million jobs; and*

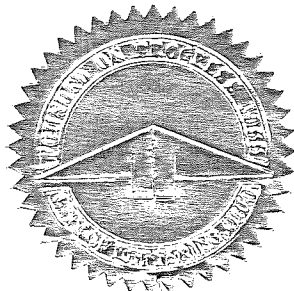
**NOW, THEREFORE,** I, Donald E. Patterson, Mayor of the City of Kettering, Ohio, do hereby proclaim:

**OCTOBER 2018**

to be

**NATIONAL ARTS AND HUMANITIES MONTH**

*in the City of Kettering, and call upon our citizens to celebrate and promote the arts and culture in our nation and to specifically encourage the greater participation by those said citizens in taking action for the arts and humanities in their towns and cities.*



**IN WITNESS WHEREOF,** I have hereunto set my hand and caused the Seal of the City of Kettering, Ohio, to be affixed this 23<sup>rd</sup> day of October 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.

TO AMEND RESOLUTION NO. 10112-18

WHEREAS, Resolution No. 10112-18 authorized the City Manager to enter into an agreement to participate in the construction of a regional fiber optic network which is intended to reduce communications costs and simplify collaborative projects between participants; and

WHEREAS, due to changes in the project scope and availability of outside funding sources, the original estimated cost of \$273,000.00 has been revised to \$389,870.00;

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

Section 1. Resolution No. 10112-18 is amended to show \$389,870.00 for the estimated cost.

Section 2. In all other respects, Resolution No. 10112-18 shall remain in full force and effect.

Section 3. 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: \$389,780.00  
Amount Budgeted: \$273,000.00  
Acct. No.: 6621-77750

(Requested by: Administrative Systems)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR REPLACEMENT OF THE ROOF AT THE VEHICLE MAINTENANCE CENTER**

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 replacement of the roof at the Vehicle Maintenance Center. 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: \$80,000.00  
Amount Budgeted: \$80,000.00  
Acct. No.: 9741-19200

(Requested by: Public Service Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By: \_\_\_\_\_

No. \_\_\_\_\_

**AUTHORIZING THE CITY MANAGER TO ENTER INTO AN  
AGREEMENT WITH THE KETTERING DEVELOPMENT  
CORPORATION FOR ASSISTANCE WITH THE MARKETING  
AND SALE/LEASE OF REAL ESTATE**

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 Kettering Development Corporation for assistance with the marketing and sale/lease of real estate in Miami Valley Research Park.

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

(Requested by: City Manager's Office)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE  
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT  
FOR IRRIGATION CONTROLLERS AND IRRIGATION SYSTEM  
REPAIRS 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 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 irrigation controllers and irrigation system repairs in various parks. 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: \$75,000.00  
Amount Budgeted: \$75,000.00  
Acct. No.: 6100-77750

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



CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE  
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT  
FOR THE REPAIR AND INSTALLATION OF FENCING  
SYSTEMS AND ACCESSIBILITY IMPROVEMENTS  
THROUGHOUT 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 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 the repair and installation of fencing systems and accessibility improvements throughout various parks within the City. 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: \$85,000.00  
Amount Budgeted: \$90,000.00  
Acct. No.: 6116-77750 (\$50,000)  
6118-77750 (\$40,000)

(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 COMMUNITY FOUNDATION OF KETTERING**

BE IT RESOLVED by the Council of the City of Kettering, Ohio that:

Section 1. The City Manager is hereby authorized, on behalf of the City, to accept a grant in the amount of \$7,500, or such other amount as may be awarded, from the Community Foundation of Kettering. Said grant funds will support "ArtLocal", a public art program to create a new public artwork in the Haverstick neighborhood of Kettering. Furthermore, this Council hereby affirms all matters and statements included in the grant application.

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 \_\_\_\_\_ 2018.

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

ATTEST:

CERTIFICATE OF APPROVAL

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

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

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

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO RENEW AN  
AGREEMENT WITH BLADECUTTERS FOR THE REMOVAL  
OF SNOW AND ICE AT CITY FACILITIES**

WHEREAS, the City of Kettering entered into an agreement with BladeCutters in 2016 for the removal of snow and ice at City facilities ("Agreement") with options to renew the Agreement;

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

Section 1. The City Manager, on behalf of the City, is authorized to renew the Agreement for an additional term. The City Manager is further authorized to enter into any amendments to said Agreement 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 \_\_\_\_\_ 2018.

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

ATTEST:

CERTIFICATE OF APPROVAL

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

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

Estimated Cost: \$151,000 (for season 2018-2019)  
Amount Budgeted: \$151,000.00  
Acct. Nos: 2000-72550 (\$125,000.00); 2740-72310 (\$26,000.00)

(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, 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:

TRANSFERS TO OTHER FUNDS	
Capital Improvement Fund	\$ 116,870.00

B. From the Capital Improvement Fund:

OTHER	\$ 116,870.00
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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)



CITY OF KETTERING  
Planning and Development Department

**CERTIFICATION**

**DATE:** October 16, 2018  
**TO:** Mayor and Council, City of Kettering  
**FROM:** Planning Commission  
**SUBJECT:** P.C. 18-018 - Request for Zoning District Map Amendment to reclassify land from EDO #18 to a B-Business Designation

Planning Commission hereby certifies that a public hearing was held at their meeting on October 15, 2018 with a decision reached at that meeting.

Planning Commission hereby submits its recommendation to Council that the requested Zoning District Map Amendment be approved.

Vote of the Planning Commission

The motion recommending approval was passed by a vote of 5:0.

Reason for Request

This case involves a request to rezone a portion of EDO #18 to a B-Business designation. This property is located at 1940 East Dorothy Lane. The property owner is asking for this amendment to allow the expansion of the existing grocery store (Aldi's) upon this site.

The Planning Commission made findings in their approval motion that all required standards for the proposed rezoning have been met.

Respectfully submitted,  
KETTERING PLANNING COMMISSION

By: David Roller  
City Planner  
Planning and Development Department