



## 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

February 12, 2019

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

January 22, 2019 - Council Meeting & Workshop Minutes

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

Appointment      Board of Community Relations- Cathi Spaugy (Term ending 12/31/21)  
Appointment      Board of Community Relations- Salama Sarfino (Term ending 12/31/21)

#### PUBLIC HEARINGS

#### PUBLIC COMMENT ON LEGISLATION

(5 Minute Limit per Speaker)

#### ORDINANCES IN SECOND READING

#### RESOLUTIONS

1. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for insurance and other related benefits and administrative services for the employees of the City of Kettering, Kettering Municipal Court, and the Office of the Clerk of the Kettering Municipal Court.
2. Authorizing the City Manager to enter into an agreement with the Miami Valley Blue Umpires Association.
3. Authorizing the City Manager to enter into an agreement to extend the warranty on in-car camera units for an additional 3 years.
4. Authorizing the City Manager to use competitive bargaining and negotiated quotes to purchase mobile data terminals for all Fire Department vehicles.
5. Authorizing the City Manager to enter into an intergovernmental cooperation agreement with the City of Dayton and Montgomery County, Ohio for the sharing of building code enforcement resources.
6. Authorizing the City Manager to accept and administer a \$5,000.00 grant from the Kettering Parks Foundation for the City's financial assistance program.
7. Authorizing the City Manager to purchase a police-packaged Ford Interceptor SUV.
8. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for replacement of an existing water heater, tank, and associated piping for the women's bathhouse within the water park.
9. Authorizing the City Manager to contract for renovation of the Parks Department Offices.
10. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for replacement of components of the existing water filtration system for both the main pool and the water park.
11. Authorizing the City Manager to apply for a Priority One Grant from the Ohio Department of Public Safety, Division of EMS.

12. 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, 2019.

### **ORDINANCES IN FIRST READING**

### **CERTIFICATIONS AND PETITIONS**

Certification-Planning Commission recommends approval of P.C. 19-001- Zoning Text Amendment. A public hearing on this request will be held on Tuesday, February 26, 2019 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** **2019**

February 11	7:00 p.m.	Board of Community Relations
February 12	4:00 p.m. 6:00 p.m. 7:30 p.m.	Partners for Healthy Youth Council Workshop City Council Meeting
February 18	All Day	Government Center Closed- Presidents' Day
February 20	8:00 a.m.	Volunteer Advisory Council
February 25	7:00 p.m. 7:30 p.m.	Board of Zoning Appeals Sister Cities
February 26	6:00 p.m. 7:30 p.m.	Council Workshop City Council Meeting

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE  
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT  
FOR INSURANCE AND OTHER RELATED BENEFITS AND  
ADMINISTRATIVE SERVICES FOR THE EMPLOYEES OF THE  
CITY OF KETTERING, KETTERING MUNICIPAL COURT, AND  
THE OFFICE OF THE CLERK OF THE KETTERING  
MUNICIPAL COURT**

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 to provide benefits for the employees of the City of Kettering, Kettering Municipal Court, and the Office of the Clerk of the Kettering Municipal Court including life, medical, drug, dental, and other ancillary and voluntary benefits including, but not limited to, vision and short and long term disability insurance, and administrative services including, but not limited to, plan administration, wellness program administration and services, actuarial services, Patient Protection & Affordable Care Act (PPACA) services, general consulting services, COBRA, HSA, HRA, and FSA administration, and stop loss insurance; such contracts may also include agreements with one or more brokers or consultants setting the level of commissions or fees for professional services in acquiring and administering these insurance programs. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

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 \_\_\_\_\_, 2019.

\_\_\_\_\_  
BILL LAUTAR, Vice 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 ENTER INTO AN  
AGREEMENT WITH THE MIAMI VALLEY BLUE UMPIRES  
ASSOCIATION**

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, the City Manager is hereby authorized to enter into an agreement with the Miami Valley Blue Umpires Association to provide umpires and site supervisors for the 2019 Adult League Softball Program. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

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 \_\_\_\_\_ 2019.

\_\_\_\_\_  
BILL LAUTAR, Vice Mayor

ATTEST:

CERTIFICATE OF APPROVAL

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

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

Estimated Cost: \$28,980.00  
Budgeted: \$29,000.00  
Acct. No.: 2410-72550

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

**CITY OF KETTERING, OHIO**

**A RESOLUTION**

**By:**

**No.**

**AUTHORIZING THE CITY MANAGER TO ENTER INTO AN  
AGREEMENT TO EXTEND THE WARRANTY ON IN-CAR  
CAMERA UNITS FOR AN ADDITIONAL 3 YEARS**

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 an agreement to extend the warranty on in-car camera units for an additional 3 years. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

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 \_\_\_\_\_ 2019.

\_\_\_\_\_  
BILL LAUTAR, Vice Mayor

ATTEST:

CERTIFICATE OF APPROVAL

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

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

Estimated Cost: \$44,145.00  
Amount Budgeted: \$45,500.00  
Acct. No. 0600-72350

(Requested by: Police Department)

**CITY OF KETTERING, OHIO**

**A RESOLUTION**

**By:**

**No.**

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE  
BARGAINING AND NEGOTIATED QUOTES TO PURCHASE  
MOBILE DATA TERMINALS FOR ALL FIRE DEPARTMENT  
VEHICLES**

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 to purchase mobile data terminals for all Fire Department vehicles. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

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 \_\_\_\_\_ 2019.

\_\_\_\_\_  
BILL LAUTAR, Vice Mayor

ATTEST:

CERTIFICATE OF APPROVAL

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

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

Estimated Cost: \$130,000.00  
Amount Budgeted: \$175,000.00  
Acct. No.: 0700-72220

(Requested by: Fire Department)

**CITY OF KETTERING, OHIO**

**A RESOLUTION**

**By:**

**No.**

**AUTHORIZING THE CITY MANAGER TO ENTER INTO AN  
INTERGOVERNMENTAL COOPERATION AGREEMENT WITH  
THE CITY OF DAYTON AND MONTGOMERY COUNTY, OHIO  
FOR THE SHARING OF BUILDING CODE ENFORCEMENT  
RESOURCES**

WHEREAS, the Cities of Kettering and Dayton, and Montgomery County, Ohio are each certified by the State of Ohio as a Primary Building Department to enforce the Ohio Building Code and the Residential Building Code of Ohio; and

WHEREAS, in an effort to make more effective and efficient use of personnel resources related to building code enforcement, the three jurisdictions have been participating in a shared services initiative called the "Building Code Enforcement Program" (the "Program"); and

WHEREAS, the mission of the Program is to allow each participating jurisdiction to share building code enforcement resources on a temporary or intermittent basis in order to improve responsiveness and to provide efficient and effective delivery of service to residents and businesses of each participating jurisdiction; and

WHEREAS, the benefits of the program include increasing the range and scope of regional cooperation, providing a means to improve effectiveness and efficiency of resources, and providing better customer service while respecting each jurisdiction's autonomy and authority; and

WHEREAS, due to its success, all parties wish to extend the program;

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

Section 1. The City Manager, on behalf of the City of Kettering, is hereby authorized to enter into an Intergovernmental Cooperation Agreement for sharing building code enforcement resources with the City of Dayton and Montgomery County, Ohio. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

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 \_\_\_\_\_ 2019.

\_\_\_\_\_  
BILL LAUTAR, Vice Mayor

ATTEST:

CERTIFICATE OF APPROVAL

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

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

(Requested by: Planning and Development Department)

**CITY OF KETTERING, OHIO**

**A RESOLUTION**

**By:**

**No.**

**AUTHORIZING THE CITY MANAGER TO ACCEPT AND  
ADMINISTER A \$5,000.00 GRANT FROM THE KETTERING  
PARKS FOUNDATION FOR THE CITY'S FINANCIAL  
ASSISTANCE PROGRAM**

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 a \$5,000.00 grant from the Kettering Parks Foundation to administer a financial assistance program for low-income Kettering residents to purchase passes or register for classes or camps at any of the Parks, Recreation and Cultural Arts facilities, all at reduced fees.

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 \_\_\_\_\_ 2019.

\_\_\_\_\_  
BILL LAUTAR, Vice 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 PURCHASE A  
POLICE-PACKAGED FORD INTERCEPTOR SUV**

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 an agreement to purchase a police-packaged Ford Interceptor SUV as a replacement for an SUV vandalized in 2018. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

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 \_\_\_\_\_ 2019.

\_\_\_\_\_  
BILL LAUTAR, Vice Mayor

ATTEST:

CERTIFICATE OF APPROVAL

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

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

Estimated Cost: \$39,000.00  
Amount Budgeted: \$0  
Acct. No. 0600-77740

(Requested by: Police Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE  
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT  
FOR REPLACEMENT OF AN EXISTING WATER HEATER,  
TANK, AND ASSOCIATED PIPING FOR THE WOMEN'S  
BATHHOUSE WITHIN THE 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 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 an existing water heater, tank, and associated piping for the Women's Bathhouse within the Water Park. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

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 \_\_\_\_\_ 2019.

\_\_\_\_\_  
BILL LAUTAR, Vice Mayor

ATTEST:

CERTIFICATE OF APPROVAL

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

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

Estimated Cost: \$35,000.00  
Amount Budgeted: \$35,000.00  
Acct. No.: 6113-77750

(Requested by: Public Service Department)

**CITY OF KETTERING, OHIO**

**A RESOLUTION**

**By:**

**No.**

**AUTHORIZING THE CITY MANAGER TO CONTRACT FOR  
RENOVATION OF THE PARKS DEPARTMENT OFFICES**

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 contract with Brumbaugh Construction for renovation of the Parks Department Offices. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

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 \_\_\_\_\_, 2019.

\_\_\_\_\_  
BILL LAUTAR, Vice Mayor

ATTEST:

CERTIFICATE OF APPROVAL

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

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

Estimated Cost:     \$49,000.00  
Amount Budgeted:   \$45,000.00  
Acct. No.             6600-77720

(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 REPLACEMENT OF COMPONENTS OF THE EXISTING  
WATER FILTRATION SYSTEM FOR BOTH THE MAIN POOL  
AND THE 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 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 components of the existing water filtration system for both the Main Pool and the Water Park. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

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 \_\_\_\_\_ 2019.

\_\_\_\_\_  
BILL LAUTAR, Vice Mayor

ATTEST:

CERTIFICATE OF APPROVAL

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

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

Estimated Cost: \$80,000.00  
Amount Budgeted: \$95,000.00  
Acct. No.: 6113-77750

(Requested by: Public Service Department)

**CITY OF KETTERING, OHIO**

**A RESOLUTION**

**By:**

**No.**

**AUTHORIZING THE CITY MANAGER TO APPLY FOR A  
PRIORITY ONE GRANT FROM THE OHIO  
DEPARTMENT OF PUBLIC SAFETY, DIVISION OF EMS**

WHEREAS, the Fire Department wishes to apply for a Priority One Grant from the Ohio Department of Public Safety, Division of EMS; and

WHEREAS, matching funds from the City are not required under this Grant; and

WHEREAS, if awarded, the grant funds will be used to purchase emergency medical equipment;

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 apply for the above-described grant from the Ohio Department of Public Safety, Division of EMS.

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 \_\_\_\_\_ 2019.

\_\_\_\_\_  
BILL LAUTAR, Vice Mayor

ATTEST:

CERTIFICATE OF APPROVAL

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

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

(Requested by: Fire 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, 2019

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, 2019, the following supplemental sums are set aside and appropriated:

A. From the General Fund:

POLICE DEPARTMENT

Operating Expenses	\$ 4,000.00
Capital Outlay	\$ 39,000.00

B. From the Parks & Recreation Fund:

PARKS & RECREATION DEPARTMENT

Operating Expenses	\$ 200.00
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C. From the Special Grants and Programs Fund:

Law Enforcement Funds	\$ 8,000.00
Other	\$ 5,000.00

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

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2019.

\_\_\_\_\_  
BILL LAUTAR, Vice Mayor

ATTEST:

CERTIFICATE OF APPROVAL

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

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

(Requested by: Finance Department)

**CERTIFICATION**

**DATE:** February 6, 2019

**TO:** Mayor and Council, City of Kettering

**FROM:** Planning Commission

**SUBJECT:** PC-19-001 - Zoning Text Amendment

Planning Commission hereby certifies that a public hearing was held on February 4, 2019 with a decision reached at that meeting concerning a request to amend selected portions of the City of Kettering Zoning Code to eliminate and/or modify the locational requirements for the sale of alcohol for off-premise consumption.

Planning Commission hereby submits its recommendation to Council that the requested zoning code text amendment be approved.

Vote of the Planning Commission

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

Reason for Request

The proposed Zoning Code text revisions would modify various sections of 1137.05.1 and change the locational requirements to align with state requirements to allow for the sale of alcohol for off-site consumption.

Respectfully submitted,  
KETTERING PLANNING COMMISSION



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