



CITY OF KETTERING

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

KETTERING COUNCIL AGENDA

April 14, 2020

****REMOTE TELECONFERENCE MEETING****

****NOTE: DUE TO THE COVID-19 PANDEMIC AND RESULTING STATE OF EMERGENCY, THE APRIL 14, 2020 MEETING OF THE KETTERING CITY COUNCIL WILL BE CONDUCTED BY TELECONFERENCE WITH VIDEO. ALTHOUGH NO ONE WILL BE IN OR BE ABLE TO ACCESS COUNCIL CHAMBERS DURING THE MEETING, THE PUBLIC MAY STILL OBSERVE AND HEAR THE MEETING THROUGH VARIOUS MEANS. THE MEETING WILL BE TELEVISED AS USUAL ON MVCC CABLE CHANNEL 6 AND STREAMED LIVE OVER THE INTERNET AT MVCC.NET. IT WILL ALSO BE RECORDED AND AVAILABLE FOR LATER VIEWING AT MVCC.NET.**

CITIZENS WISHING TO SPEAK TO CITY COUNCIL DURING THE MEETING SHOULD CONTACT THE CLERK OF COUNCIL'S OFFICE BY PHONE AT (937) 296-2416 DURING NORMAL BUSINESS HOURS OR SEND AN EMAIL TO KETTERINGMAYORCOUNCIL@KETTERINGOH.ORG FOR INSTRUCTIONS. (THIS EMAIL ADDRESS WILL BE MONITORED DURING THE MEETING.) AFTER COMPLETING THE INSTRUCTIONS, CITIZENS WAITING TO SPEAK WILL BE MUTED UNTIL THAT PORTION OF THE MEETING WHERE CITIZEN COMMENTS ARE HEARD AND IT IS THEIR TURN TO SPEAK. BEFORE SPEAKING, ALL CITIZENS MUST STATE THEIR NAME AND ADDRESS FOR THE RECORD. SPEAKERS MUST BE RESPECTFUL. THERE IS A FIVE MINUTE LIMIT PER SPEAKER.

6:00 P.M. **WORKSHOP (Canceled)**
7:30 P.M. **REGULAR MEETING** Teleconference

PLEDGE OF ALLEGIANCE

INVOCATION

QUORUM ROLL CALL

APPROVAL OF MINUTES

March 24, 2020- Council Meeting Minutes

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

Proclamation Fair Housing Month
Proclamation National Volunteer Week

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

(5 Minute Limit per Speaker)

ORDINANCES IN SECOND READING

RESOLUTIONS

1. Authorizing the City Manager to accept a Remote Technology Grant from the Ohio Supreme Court.
2. Declaring as "surplus" and authorizing the sale of city-owned property located at 35 Moraine Circle.
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, 2020.

ORDINANCES IN FIRST READING

4. To levy special assessments for the construction and repair of curbs, sidewalks, drive approaches, and related appurtenances for the Hilton Drive Improvements Project (City Project No. 02-240B).
5. To amend the traffic control map and the traffic control file of the City of Kettering to show the installation of traffic signs on various city streets in the City of Kettering, Ohio.

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 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 **2020**

Kettering Board and Commission meetings are canceled March 16- April 30, 2020

April 14	7:30 p.m.	City Council Meeting
April 28	7:30 p.m.	City Council Meeting

P Proclamation

Whereas:

April 11, 2020 marks the 52nd anniversary of the passage of the U.S. Fair Housing Law, Title VIII of the Civil Rights Act of 1968, as amended, which enunciates a national policy of Fair Housing without regard to race, color, religion, national origin, sex, familial status, or disability, and encourages equal housing opportunities and residential integration for all citizens; and

WHEREAS: The principle of fair housing is not only law, but a basic human necessity; and an inalienable right inscribed in the constitution of the State of Ohio as adopted in 1851; and

WHEREAS: The Miami Valley Fair Housing Center is engaged in passionately pursuing its mission to eliminate housing discrimination in the Miami Valley, the State of Ohio, and nationally; and

WHEREAS: The Miami Valley Fair Housing Center has been recognized regionally, statewide, and nationally with its creativity and effectiveness in pursuing its mission to eliminate housing discrimination and ensure equal housing opportunity for all people in our region, the State of Ohio, and nationally; and

WHEREAS: The Miami Valley Fair Housing Center and the Dayton REALTORS®, are committed to continuing to address housing discrimination in our community; and

WHEREAS: April is traditionally designated as Fair Housing Month by the U.S. Department of Housing and Urban Development, and locally we are commemorating Fair Housing Month with this year's theme of "2020- Using Technology to Affirmatively Further Fair Housing" in order to highlight the Fair Housing Law, Title VIII of the Civil Rights Act of 1968, as amended.

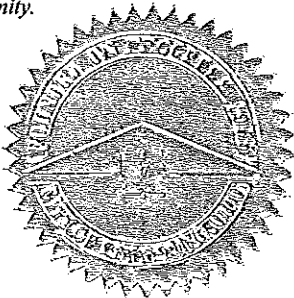
NOW, THEREFORE, I, Donald E. Patterson, Mayor of the City of Kettering, Ohio, on behalf of City Council and the community, do hereby proclaim

APRIL 2020

to be

FAIR HOUSING MONTH

in the City of Kettering, Ohio, and urge all citizens to understand and exercise their right to equal housing opportunity.



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 April, in the Year of our Lord, Two Thousand and Twenty.

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

P Proclamation

Whereas:

National Volunteer Week is time to shine a light on the people and causes that inspire us to serve. Volunteerism empowers individuals to find their purpose and passion, and work toward meaningful change; and

WHEREAS: National Volunteer Week was established in 1974 by the Points of Light Foundation; and

WHEREAS: National Volunteer Week celebrates the power of volunteers to tackle challenges and be a positive force that transforms the world; and

WHEREAS: Each year, we recognize the people and causes that inspire service, by thanking volunteers who lend their time, talent and voice to make a difference in our community during times of triumph and times of adversity; and

WHEREAS: Our nation was founded on a spirit of volunteerism, and the talents and energies of American volunteers are one of our nation's greatest assets and certainly one of Kettering's greatest resources; and

WHEREAS: The City of Kettering volunteer program has been blessed for 41 years with volunteers who are committed to making Kettering the place people are proud to call home; and

WHEREAS: During this week, all over our nation, volunteers will be recognized for their commitment to service demonstrating that every individual has the power to make a difference in creating healthy, strong and vibrant communities.

NOW, THEREFORE, I, Donald E. Patterson, Mayor of the City of Kettering, Ohio, on behalf of City Council and the community, do hereby proclaim

April 19- 25, 2020

to be

NATIONAL VOLUNTEER WEEK

in the City of Kettering, Ohio, and I urge my fellow citizens to volunteer in our community as we continue to come together to bring about positive change.



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 April, in the Year of our Lord, Two Thousand and Twenty.

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

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ACCEPT A
REMOTE TECHNOLOGY GRANT FROM THE OHIO
SUPREME COURT**

WHEREAS, in response to the COVID-19 pandemic, the Ohio Supreme Court made available a Remote Technology grant to enable Ohio courts to conduct hearings via teleconference and/or to allow increased remote access; and

WHEREAS, the Kettering Municipal Court has applied for a Remote Technology grant in the amount of \$9,003.09 from the Ohio Supreme Court; and

WHEREAS, said grant funds will be used for the purchase of equipment and software to enable the Kettering Municipal Court to increase its ability to provide remote access and to conduct hearings by teleconference. No matching funds are required; and

WHEREAS, the grant application has been approved;

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 accept the above-described grant from the Ohio Supreme Court in the amount awarded.

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 _____ 2020.

DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$9,003.09
Amount Budgeted: \$0
Acct. No.: Special Grants and Programs

(Requested by: Kettering Municipal Court)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**DECLARING AS "SURPLUS" AND AUTHORIZING THE SALE
OF CITY-OWNED PROPERTY LOCATED AT 35 MORaine
CIRCLE**

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

Section 1. Council hereby authorizes the sale of the City-owned property located at 35 Moraine Circle (2.73 acres, more or less, Auditor's Parcel Nos. N64 03305 0045 and N64 03305 0001) ("the Property") for the gross sale price of \$270,000.00. The City Manager is authorized to sign any and all necessary agreements and instruments, including any amendments or extensions thereto, for this transaction that the City Manager deems appropriate.

Section 2. The Property is hereby declared as surplus property and no longer required for municipal purposes effective as of the date of closing.

Section 3. As provided in Section 4-8 of the City Charter, this Resolution takes effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2020.

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.

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, 2020

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, 2020, the following supplemental sums are set aside and appropriated:

A. From the Special Grants and Programs Fund:

Other

\$9,003.09

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 _____ 2020.

DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$9,003.09
Amount Budgeted: \$0
Acct. No. Special Grants & Programs Fund

(Requested by: Finance Department)

CITY OF KETTERING, OHIO

AN ORDINANCE

By:

No.

**TO LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTION
AND REPAIR OF CURBS, SIDEWALKS, DRIVE APPROACHES,
AND RELATED APPURTENANCES FOR THE HILTON DRIVE
IMPROVEMENTS PROJECT (CITY PROJECT NO. 02-240B)**

WHEREAS, on January 8, 2019, this Council adopted Resolution No. 10249-19, a Resolution of Necessity, declaring the necessity to construct and repair curbs, sidewalks, driveway approaches, and related appurtenances, as part of the Hilton Drive Improvements Project (Project No. 02-240B); and

WHEREAS, notice of the passage of that Resolution of Necessity was given as required by law; and

WHEREAS, the City of Kettering subsequently constructed and/or repaired those curbs, sidewalks, driveway approaches, and related appurtenances which were not constructed or repaired by the owners of the abutting property; and

WHEREAS, the total cost of the construction has been reported to this Council; and a list of estimated assessments of that total cost has been prepared and placed on file in the office of the Clerk of this Council so as to be available for public inspection, and a copy of said list is attached hereto as Exhibit A and made a part of this Ordinance; and

WHEREAS, notice that the list of estimated assessments was available for inspection and examination was published as required by law in a newspaper of general circulation; and

WHEREAS, no objections to any assessment have been filed; and

WHEREAS, this Council has now reviewed the estimated assessments;

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

Section 1. The list of estimated assessments referred to in the above recital paragraphs is hereby approved.

Section 2. The amounts of assessment on the list are hereby and shall be levied upon the lots and lands which abut the improvements, as set forth on the list.

Section 3. No assessment approved or levied by this Ordinance exceeds the special benefits resulting from the improvement and does not exceed any statutory limitation.

Section 4. The Clerk of Council is authorized and directed to continue to keep on file in her office until all the assessments have been paid in full a list of the assessments and the description of the lots and lands so assessed.

Section 5. The total assessment against each lot and parcel of land shall be payable in cash to the Finance Director of the City of Kettering by August 14, 2020, or, at the option of the property owner, shall be payable in not more than ten (10) annual installments over a period not exceeding ten (10) years, with the exact number of annual installments subject to the amount of the assessment, in accordance with the schedule set forth below:

<u>ASSESSMENT AMOUNT</u>	<u>ANNUAL INSTALLMENTS</u>	<u>INTEREST RATE</u>
\$0-250	1	0.91%
\$251-500	2	0.99%
\$501-750	3	1.03%
\$751-1000	4	1.09%
\$1001-1250	5	1.11%
\$1251-1500	6	1.18%
\$1501-1750	7	1.25%
\$1751-2000	8	1.32%
\$2001-2250	9	1.39%
\$2251 & OVER	10	1.46%

Assessments paid in annual installments shall include all costs of the County Auditor and shall also include interest at the rates set forth in the above table.

All assessments and assessment installments that have not been paid at the expiration of the payment period allowed by this Ordinance shall, within fourteen (14) working days following such date of expiration, be certified by the Clerk of this Council to the County Auditor as provided by law. These assessments and installments are then to be placed on the tax duplicate and collected at the same time and in the same manner as real estate taxes are collected.

Section 6. The Clerk of Council is authorized and directed to cause notice of the passage of this Ordinance to be published once in a newspaper of general circulation in the City; the notice shall state that the assessments have been made and are on file in the office of the Clerk of Council for inspection and examination by interested persons.

Section 7. The Clerk of Council is authorized and directed to cause notice of the levy of the assessments to be filed with the County Auditor within twenty (20) days following the passage of this Ordinance.

Section 8. It is found and determined that all formal actions of this Council concerning and relating to the adoption of this Ordinance were adopted in an open meeting; and that all deliberations of this Council and of any of its committees that resulted in such formal action were in meetings open to the public, to the extent required by or under the Charter of this City.

Section 9. As provided in Section 4-8 of the City Charter, this Ordinance shall be effective two weeks after adoption.

Passed by Council this _____ day of _____ 2020.

DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

(Requested by Engineering Department)

EXHIBIT A

(2 pages including this page)

FINAL ASSESSMENT COSTS/QUANTITIES for Hilton Drive Improvement Project

Repair Address	Parcel Number	Curb Removal	Concrete Curb	Flatwork Removal	4" Sidewalk	6" Sidewalk	6in Drive Approach	Asphalt Drive Appr.	TOTAL EST. COST
1400 ABINGDON RD	N64 00905 0008	\$179.55	\$1,228.50	\$50.00	\$262.50	\$0.00	\$0.00	\$0.00	\$1,720.55
1401 ABINGDON RD	N64 00904 0011	\$0.00	\$780.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$780.00
1400 DODDINGTON RD	N64 00906 0007	\$122.55	\$838.50	\$60.00	\$315.00	\$0.00	\$0.00	\$0.00	\$1,336.05
1401 DODDINGTON RD	N64 00905 0011	\$128.25	\$877.50	\$42.00	\$220.50	\$0.00	\$0.00	\$0.00	\$1,268.25
2601 HILTON DR	N64 00903 0015	\$0.00	\$1,579.50	\$50.00	\$262.50	\$0.00	\$0.00	\$0.00	\$1,892.00
2605 HILTON DR	N64 00903 0034	\$0.00	\$1,384.50	\$25.00	\$131.25	\$0.00	\$0.00	\$0.00	\$1,540.75
2606 HILTON DR	N64 03301 0044	\$0.00	\$26,660.40	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$26,660.40
2609 HILTON DR	N64 00903 0017	\$0.00	\$2,184.00	\$295.00	\$850.50	\$459.00	\$738.00	\$0.00	\$4,526.50
2651 HILTON DR	N64 00904 0008	\$225.15	\$1,540.50	\$105.00	\$551.25	\$0.00	\$0.00	\$0.00	\$2,421.90
2657 HILTON DR	N64 00904 0009	\$171.00	\$1,170.00	\$152.00	\$131.25	\$414.00	\$729.00	\$0.00	\$2,767.25
2663 HILTON DR	N64 00904 0010	\$88.35	\$1,170.00	\$165.00	\$0.00	\$666.00	\$819.00	\$0.00	\$2,908.35
2707 HILTON DR	N64 00905 0009	\$176.70	\$1,209.00	\$108.00	\$126.00	\$0.00	\$756.00	\$0.00	\$2,375.70
2711 HILTON DR	N64 00905 0010	\$173.85	\$1,189.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,363.35
2757 HILTON DR	N64 00906 0008	\$156.75	\$1,072.50	\$182.00	\$346.50	\$324.00	\$720.00	\$0.00	\$2,801.75
2763 HILTON DR	N64 00906 0009	\$171.00	\$1,170.00	\$107.00	\$0.00	\$234.00	\$711.00	\$0.00	\$2,393.00
2769 HILTON DR	N64 00906 0010	\$173.85	\$1,189.50	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1,363.35
2775 HILTON DR	N64 00906 0011	\$173.85	\$1,189.50	\$174.00	\$152.25	\$450.00	\$855.00	\$0.00	\$2,994.60
2781 HILTON DR	N64 00906 0012	\$162.45	\$1,111.50	\$88.00	\$462.00	\$0.00	\$0.00	\$0.00	\$1,823.95
18		\$2,103.30	\$47,544.90	\$1,603.00	\$3,811.50	\$2,547.00	\$5,328.00	\$0.00	\$62,937.70
		738.00	2,438.20	1,603.00	726.00	283.00	592.00	0.00	

CITY OF KETTERING, OHIO

AN ORDINANCE

By:

No.

TO AMEND THE TRAFFIC CONTROL MAP AND THE TRAFFIC
CONTROL FILE OF THE CITY OF KETTERING TO SHOW THE
INSTALLATION OF TRAFFIC SIGNS ON VARIOUS CITY
STREETS IN THE CITY OF KETTERING, OHIO

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

Section 1. The Traffic Control Map and the Traffic Control file of the City of Kettering, Ohio are hereby amended to show:

A. NO PARKING ANY TIME:

South/East side of Ridgemoor Avenue from a location 125' north of
Beaverton Drive to a location 550' west of Valleywood Drive for a total
distance of 165'.

Section 2. The City Engineer is hereby directed to have signs erected or taken down in
accordance with this amendment.

Section 3. As permitted in Section 406.03 of the Codified Ordinances of the City of
Kettering, Ohio, the temporary traffic control authorization has been used to quickly
install these regulations.

Section 4. As provided in Section 4-8 of the City Charter, this Ordinance shall be
effective two weeks after adoption.

Passed by Council this _____ day of _____, 2020.

DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

(Requested by: Engineering Department)