



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 28, 2020

****REMOTE TELECONFERENCE MEETING****

****NOTE: DUE TO THE COVID-19 PANDEMIC AND RESULTING STATE OF EMERGENCY, THE APRIL 28, 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

April 14, 2020- Council Meeting Minutes
April 20, 2020- Council Workshop Minutes

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

Proclamation Bike Month

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

(5 Minute Limit per Speaker)

ORDINANCES IN SECOND READING

1. 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).
2. 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.

RESOLUTIONS

3. Authorizing the City Manager to accept funds from the Coronavirus Aid, Relief, and Economic Security Act Provider Relief Fund.
4. 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

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 28 7:30 p.m. City Council Meeting

P Proclamation

Whereas:

The bicycle is an economical, healthy, convenient, and environmentally sound form of transportation and an excellent tool for recreation and enjoyment of Kettering's scenic beauty; and

WHEREAS: With the continued spread of COVID-19, the need to highlight alternative transportation that is activity-friendly, healthy, and safe has come into sharp focus; and

WHEREAS: Biking is a lifeline for so many people during this time- whether it's the primary way people commute to essential jobs, the way people relieve stress and decompress after being home for long periods of time, or the way children get much needed exercise when schools are closed; and

WHEREAS: Creating a bicycling-friendly community has been shown to improve citizens' health and well-being, traffic safety, and reduce pollution, congestion and wear and tear on roads; and

WHEREAS: Kettering's road and trail system attracts bicyclists each year, providing transportation, tourism, and scenic benefits; and

WHEREAS: Bike Miami Valley, Five Rivers Metroparks, The Dayton Cycle Club, The League of American Bicyclists, schools, parks and recreation departments, police departments, public health districts, hospitals, companies and civic groups work year round to promote bicycling and bike safety; and

WHEREAS: These groups also promote greater public awareness of bicycle operation and safety education in an effort to reduce collisions, injuries, and fatalities and improve health and safety for everyone on the road.

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

May 2020

to be

BIKE MONTH

in the City of Kettering, Ohio, and encourage all citizens to recognize the importance of bicycle safety and to be more aware of cyclists on our streets and roads.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Kettering, Ohio, to be affixed this 28th 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

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)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ACCEPT
FUNDS FROM THE CORONAVIRUS AID, RELIEF, AND
ECONOMIC SECURITY ACT PROVIDER RELIEF FUND**

WHEREAS, the Coronavirus Aid, Relief, and Economic Security ("CARES") Act Provider Relief Fund is used to support healthcare providers on the front lines of the nation's coronavirus response; and

WHEREAS, the City of Kettering has received \$39,545.57 from the CARES Act Provider Relief Fund to be used to fund healthcare-related expenses or to offset lost revenue attributable to the COVID-19 pandemic;

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 funds from the CARES Act Provider Relief Fund.

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: \$39,545.57
Amount Budgeted: \$0
Fund 238 (9238-2238)

(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, 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

\$39,545.57

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: \$39,545.57
Amount Budgeted: \$0
Acct. No. 2238 (Special Grants & Programs Fund)

(Requested by: Finance Department)