



# 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

November 10, 2020

**\*\*REMOTE TELECONFERENCE MEETING\*\***

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**\*\*NOTE: DUE TO THE COVID-19 PANDEMIC, THE NOVEMBER 10, 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 TELEVISIONED 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.

THE NOVEMBER 10, 2020 WORKSHOP MEETING OF THE KETTERING CITY COUNCIL WILL BE CONDUCTED BY TELECONFERENCE WITH VIDEO. THE PUBLIC MAY OBSERVE AND HEAR THE MEETING VIA LIVE STREAM ON YOUTUBE.COM AT

[https://www.youtube.com/channel/UCI\\_SOPAtN4vZoPrJRFPpVvQ?view\\_as=subscriber](https://www.youtube.com/channel/UCI_SOPAtN4vZoPrJRFPpVvQ?view_as=subscriber)

THE WORKSHOP MAY INCLUDE AN EXECUTIVE SESSION THAT IS NOT OPEN TO THE PUBLIC AND WILL NOT BE STREAMED.

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

### PLEDGE OF ALLEGIANCE

### INVOCATION

### QUORUM ROLL CALL

### APPROVAL OF MINUTES

October 27, 2020- Council Meeting & Workshop Minutes

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

Proclamation            Small Business Saturday

**PUBLIC HEARINGS**

**PUBLIC COMMENT ON LEGISLATION**

(5 Minute Limit per Speaker)

**ORDINANCES IN SECOND READING**

**RESOLUTIONS**

1. Authorizing the City Manager to contract with the Montgomery County Public Defender Commission and the Montgomery County Public Defender Office to provide mandated legal counsel to indigent persons appearing in the Kettering Municipal Court.
2. Authorizing the City Manager to accept a grant from the Ohio Arts Council.
3. Authorizing the City Manager to contract for services with the Kettering Basketball Officials Association.

**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**

November 10	4:00 p.m. 6:00 p.m. 7:30 p.m.	Partners for Healthy Youth Council Workshop City Council Meeting
November 16	7:00 p.m. 7:00 p.m.	Planning Commission Board of Community Relations
November 23	7:00 p.m.	Board of Zoning Appeals
November 24	6:00 p.m. 7:30 p.m.	Council Workshop City Council Meeting
November 26	All Day	Government Center Closed
November 27	All Day	Government Center Closed

# Proclamation

**Whereas:** *The City of Kettering, Ohio celebrates our local small businesses and the contributions they make to our local economy and community; according to the United States Small Business Administration, there are 30.7 million small businesses in the United States, they represent 99.7% of all firms with paid employees in the United States, and are responsible for 64.9% of net new jobs created from 2000 to 2018; and*

**WHEREAS:** *Small businesses employ 47.3% of the employees in the private sector in the United States, 62% of U.S. small businesses reported that they need to see consumer spending return to pre-COVID levels by the end of 2020 in order to stay in business, 65% of U.S. small business owners said it would be most helpful to their business to have their "regulars" return and start making purchases again, and three-quarters of U.S. consumers are currently looking for ways to Shop Small ® and support their community; and*

**WHEREAS:** *96% of consumers who shopped on Small Business Saturday ® agree that shopping at small, independently-owned businesses supports their commitment to making purchases that have a positive social, economic, and environmental impact and 97% of consumers who shopped on Small Business Saturday agree that small businesses are essential to their community; and*

**WHEREAS:** *95% of consumers who shopped on Small Business Saturday reported the day makes them want to shop or eat at small, independently-owned businesses all year long, not just during the holiday season; and*

**WHEREAS:** *The City of Kettering, Ohio supports local businesses that create jobs, boost our local economy, and preserve our communities; and*

**WHEREAS:** *Advocacy groups, as well as public and private organizations, across the country have endorsed the Saturday after Thanksgiving as Small Business Saturday.*

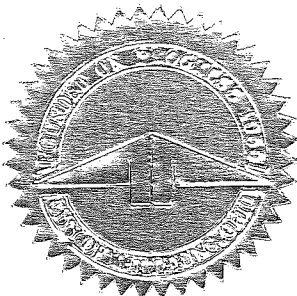
**NOW, THEREFORE, I, Donald E. Patterson, Mayor of the City of Kettering, Ohio, do hereby proclaim:**

**NOVEMBER 28, 2020**

**to be**

**SMALL BUSINESS SATURDAY**

*in the City of Kettering, and urge all citizens of our community and communities across the country, to support small businesses and merchants on Small Business Saturday and throughout the year.*



**IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Kettering, Ohio, to be affixed this 10<sup>th</sup> day of November in the Year of our Lord, Two Thousand Twenty.**

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

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO CONTRACT  
WITH THE MONTGOMERY COUNTY PUBLIC  
DEFENDER COMMISSION AND THE MONTGOMERY  
COUNTY PUBLIC DEFENDER OFFICE TO PROVIDE  
MANDATED LEGAL COUNSEL TO INDIGENT PERSONS  
APPEARING IN THE KETTERING MUNICIPAL COURT**

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

Section 1. The City Manager is authorized to enter into an agreement with the Montgomery County Public Defender Commission and the Montgomery County Public Defender Office to provide constitutionally mandated legal counsel to indigent persons charged with violations of City ordinances for which the penalty or any possible adjudication includes the potential loss of liberty. 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 \_\_\_\_\_ 2020.

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

ATTEST:

CERTIFICATE OF APPROVAL

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

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

Estimated Cost: \$50,000.00  
Included in 2021 Budget: \$50,000.00  
Acct. No.: 1780-72550

(Requested by: Law Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ACCEPT A  
GRANT FROM THE OHIO ARTS COUNCIL**

WHEREAS, the City has applied for a four-year sustainability grant from the Ohio Arts Council; and

WHEREAS, the City's grant application has been approved; and

WHEREAS, the amount of grant funds awarded may vary from year to year and will be used for general operating support of Rosewood Arts Centre programs;

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 Arts Council for grant years 2019/2020 and 2020/2021 and Council ratifies any such actions previously taken. Furthermore, Council ratifies the grant application and affirms all matters and statements included therein.

Section 2. This Resolution shall take full force and 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:     \$0  
Funds Available:  
Acct. No.:           2440/2441

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

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO CONTRACT FOR  
SERVICES WITH THE KETTERING BASKETBALL OFFICIALS  
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 Kettering Basketball Officials Association to provide officiating and score keeping for the 2021 Adult Basketball Leagues. 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 \_\_\_\_\_ 2020.

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

ATTEST:

CERTIFICATE OF APPROVAL

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

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

Estimated Cost: \$39,000.00  
Included in 2021 Budget: \$39,000.00  
Acct. No.: 2410-72550

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