



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

January 12, 2021

****REMOTE TELECONFERENCE MEETING****

****NOTE: DUE TO THE COVID-19 PANDEMIC, THE JANUARY 12, 2021 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 JANUARY 12, 2021 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](https://www.youtube.com/channel/UCI_SOPAtN4vZoPrJRFPpVvQ?view_as=subscriber) AT 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.

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

PLEDGE OF ALLEGIANCE

INVOCATION

QUORUM ROLL CALL

APPROVAL OF MINUTES

December 15, 2020- Council Meeting & Workshop Minutes

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

Sister City Committee

Jackie Lawless, Susan Barber, Janet Bolton, Claudia Welles (Terms ending 12/31/23)

Board of Zoning Appeals

Carole Endres (Term ending 12/31/25)

Planning Commission

Carol Fischer (Term ending 12/31/25)

Personnel Board of Appeals

William Linesch (Term ending 12/31/21)

Volunteer Advisory Council

Sabrina Larson, Joan Fisher- Hatton (Terms ending 12/31/23)

Kettering Arts Council

Gloria Push, John Schmitz (Terms ending 12/31/23)

Meghan Dillon, Laura Arber, Susan Bennett, Elom Dossa, Gine Elliott, Thom Meyer, Pene Miller (Terms ending 12/31/22)

Board of Community Relations

Frank Ecklar, Elom Dossa, Gwen Owen, William Tschirhart (Terms ending 12/31/23)

Board of Plumbers' Registry

Michael Waker (Term ending 12/31/22)

PUBLIC HEARINGS

1. P.C. 20-017- 2231-2391 Woodman Dr. and 2070 Forrer Blvd- Rezoning from ED-19 to BP Business Park.
2. P.C. 20-019- Rezoning of property located between 2222 & 2298 S. Smithville Road.

PUBLIC COMMENT ON LEGISLATION

(5 Minute Limit per Speaker)

ORDINANCES IN SECOND READING

RESOLUTIONS

3. Authorizing payment of 2021 membership dues to Miami Valley Regional Planning Commission.
4. Authorizing the City Manager to advertise for bids and to contract for the 2021 Curb, Sidewalk and Drive Approach Repair Program (Project No. 05-121).
5. Authorizing the City Manager to advertise for bids and/or use competitive bargaining and negotiated quotes and to contract for the 2021 Street Maintenance Program.
6. Authorizing the City Manager to advertise for bids and to contract for the College Drive Cul-De-Sac Construction Project, City Project No. 02-254K.
7. Authorizing the City Manager to advertise for bids and to contract for the County Line Road Widening Project, City Project No. 02-136H (ODOT Project MOT-County Line Road, PID 103418).
8. Authorizing the City Manager to use competitive bargaining and negotiated quotes and to contract for engineering design services for the Danube Court Bridge Rehabilitation Project, City Project No. 03-924A (ODOT Project MOT-Danube Ct Rehab, PID 114100).
9. Authorizing the City Manager to advertise for bids and to contract for the Marshall Road Resurfacing Project, City Project No. 02-120H.
10. Authorizing the City Manager to enter into a three year contract with AT&T for centrex phone service.

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
2021

January 12	4:00 p.m. 6:00 p.m. 7:30 p.m.	Partners for Healthy Youth Council Workshop City Council Meeting
January 18	All Day	Government Center Closed
January 25	7:00 p.m.	Board of Zoning Appeals
January 26	6:00 p.m. 7:30 p.m.	Council Workshop City Council Meeting

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING PAYMENT OF 2021 MEMBERSHIP DUES
TO MIAMI VALLEY REGIONAL PLANNING
COMMISSION**

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

Section 1. The City Manager is hereby authorized to pay to Miami Valley Regional Planning Commission the City's 2021 annual membership dues in the amount of \$25,620.16.

Section 2. As provided in Section 4-8 of the City Charter, this Resolution shall take effect immediately upon its adoption.

Passed by Council this _____ day of _____ 2021.

DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$25,620.16
Amount Budgeted: \$25,620.16 (included in FY 2021 Budget)
Acct. No.: 0500-72210

(Requested by: City Manager's Office)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO CONTRACT FOR THE 2021 CURB, SIDEWALK AND DRIVE APPROACH REPAIR PROGRAM (PROJECT NO. 05-121)

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

Section 1. The City Manager is hereby authorized to advertise for bids and to enter into one or more contracts for the 2021 Curb, Sidewalk and Drive Approach Repair Program (Project No. 05-121), in accordance with Chapter 152 of the Kettering Administrative Code, titled Purchases and Contracts. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. Bids for such project shall be in accordance with the specifications on file in the Department of Finance, Office of the Purchasing Manager. Bidding may be conducted electronically. The bids shall be opened at the time and place named in the advertisement for bids, unless extended by the City; or unless, within seventy-two hours prior to the published time for the opening of bids, excluding Saturdays, Sundays, and legal holidays, any modification of the plans or specifications for the project for which bids are solicited is issued and mailed or otherwise furnished to persons who have obtained plans or specifications for the project in which event the time for opening of bids shall be extended one week, with no further advertising of bids required.

Section 3. The City of Kettering shall and does reserve the right (a) to reject any or all bids so received, (b) to waive any irregularities in a bid, (c) to hold any bid up to sixty (60) days unless the time for awarding the contract is extended by mutual consent of the City and the bidder whose bid the City subsequently accepts or, (d) to accept that bid which, in the judgment of the City Manager, is in the best interest of the City.

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 _____ 2021.

DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$1,210,000.00
Amount Budgeted: \$1,210,000.00
Acct. No.: 5212-77750 (\$750,000)
5218-77750 (\$460,000)

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND/OR USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES AND TO CONTRACT FOR THE 2021 STREET MAINTENANCE 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 advertise for bids and/or use competitive bargaining and negotiated quotes, as deemed by the City Manager to be most advantageous to the City, and enter into one or more contracts for the 2021 Street Maintenance Program, a summary of which is attached hereto as Exhibit "A." The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. Bids or competitive bargaining and negotiated quotes for such program shall be in accordance with the specifications on file in the Department of Finance, office of the Purchasing Manager. Bidding may be conducted electronically. Bids shall be opened at the time and place named in the advertisement for bids, unless extended by the City; or unless, within seventy-two hours prior to the published time for the opening of bids, excluding Saturdays, Sundays, and legal holidays, any modification of the plans or specifications for the project for which bids are solicited is issued and mailed or otherwise furnished to persons who have obtained plans or specifications for the project in which event the time for opening of bids shall be extended one week, with no further advertising of bids required. Agreements made as a result of competitive bargaining or negotiated quotes shall be as prescribed in the procedures in the purchasing regulations issued by the City Manager.

Section 3. The City of Kettering shall and does reserve the right (a) to reject any or all bids so received, (b) to waive any irregularities in a bid, (c) to hold any bid up to sixty (60) days unless the time for awarding the contract is extended by mutual consent of the City and the bidder whose bid the City subsequently accepts or, (d) to accept that bid which in the judgment of the City Manager is in the best interest of the City.

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 _____ 2021.

DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$2,115,000.00
Amount Budgeted: \$2,115,000.00
Account No.: See attached

(Requested by: Engineering Department)

EXHIBIT A

(2 total pages, including this page)

PROJECTS (SEPARATED BY PROPOSED CONTRACTS)	PROJECT NUMBERS	DOLLARS	ACCOUNT NO.
Asphalt Resurfacing General	04-121	\$775,000	5218-77750
Thoroughfare Improvements - Hilton Ave	04-121	\$180,000	5228-77750
State Gas Tax Program - Resurfacing	04-121	\$400,000	5218-77750
Total Project Cost		\$1,355,000	
Concrete Repair Program Misc. Locations	04-421	\$70,000	5220-77750
James Hill, Hillerman, Foxdale street repairs	04-421	\$130,000	5220-77750
State Gas Tax Program - Windemere Street Repair	04-421	\$140,000	5218-77750
Total Project Cost		\$340,000	
ADA Curb Ramp Program - Misc Locations	04-621	\$45,000	5210-77750
Dorothy Lane ADA Ramps	04-621	\$350,000	5203-77750
Total Project Cost		\$395,000	
Miscellaneous Roadway	04-000	\$25,000	5201-77750

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO CONTRACT FOR THE COLLEGE DRIVE CUL-DE-SAC CONSTRUCTION PROJECT, CITY PROJECT NO. 02-254K

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

Section 1. The City Manager is hereby authorized to advertise for bids and to enter into one or more contracts for the College Drive Cul-de-Sac construction project, City Project No. 02-254K, in accordance with Chapter 152 of the Kettering Administrative Code, titled Purchases and Contracts. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. Bids for such project shall be in accordance with the specifications on file in the Department of Finance, office of the Purchasing Manager. Bidding may be conducted electronically. The bids shall be opened at the time and place named in the advertisement for bids, unless extended by the City; or unless, within seventy-two hours prior to the published time for the opening of bids, excluding Saturdays, Sundays, and legal holidays, any modification of the plans or specifications for the project for which bids are solicited is issued and mailed or otherwise furnished to persons who have obtained plans or specifications for the project in which event the time for opening of bids shall be extended one week, with no further advertising of bids required.

Section 3. The City of Kettering shall and does reserve the right (a) to reject any or all bids so received, (b) to waive any irregularities in a bid, (c) to hold any bid up to sixty (60) days unless the time for awarding the contract is extended by mutual consent of the City and the bidder whose bid the City subsequently accepts or, (d) to accept that bid which in the judgment of the City Manager is in the best interest of the City.

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

Passed by Council this _____ day of _____ 2021.

DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$400,000.00
Amount Budgeted: \$400,000.00
Acct. No.: 5227-77750

(Requested by: Engineering Department)

**CITY OF KETTERING, OHIO
A RESOLUTION**

By:

No.

**AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR
BIDS AND TO CONTRACT FOR THE COUNTY LINE ROAD
WIDENING PROJECT, CITY PROJECT NO. 02-136H (ODOT
PROJECT MOT-COUNTY LINE ROAD, PID 103418)**

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

Section 1. The City Manager is hereby authorized to advertise for bids and to enter into one or more contracts for the County Line Road Widening project, from Dorothy Lane to Vale Drive, City Project No. 02-136H (ODOT Project MOT-County Line Road, PID 103418), in accordance with Chapter 152 of the Kettering Administrative Code, titled Purchases and Contracts. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. Bids for such project shall be in accordance with the specifications on file in the Department of Finance, office of the Purchasing Manager. Bidding may be conducted electronically. The bids shall be opened at the time and place named in the advertisement for bids, unless extended by the City; or unless, within seventy-two hours prior to the published time for the opening of bids, excluding Saturdays, Sundays, and legal holidays, any modification of the plans or specifications for the project for which bids are solicited is issued and mailed or otherwise furnished to persons who have obtained plans or specifications for the project in which event the time for opening of bids shall be extended one week, with no further advertising of bids required.

Section 3. The City of Kettering shall and does reserve the right (a) to reject any or all bids so received, (b) to waive any irregularities in a bid, (c) to hold any bid up to sixty (60) days unless the time for awarding the contract is extended by mutual consent of the City and the bidder whose bid the City subsequently accepts or, (d) to accept that bid which in the judgment of the City Manager is in the best interest of the City.

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 _____ 2021.

DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$3,941,000.00
Amount Budgeted: \$3,941,000.00
Acct. No.: 5231-77750

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES AND TO CONTRACT FOR ENGINEERING DESIGN SERVICES FOR THE DANUBE COURT BRIDGE REHABILITATION PROJECT, CITY PROJECT NO. 03-924A (ODOT PROJECT MOT-DANUBE CT REHAB, PID 114100)

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 engineering design services for the Danube Court Bridge Rehabilitation Project, City Project No. 03-924A (ODOT Project MOT-Danube Ct Rehab, PID 114100). 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 _____ 2021.

DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$100,000.00
Amount Budgeted: \$100,000.00
Acct. No.: 5250-77750

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO CONTRACT FOR THE MARSHALL ROAD RESURFACING PROJECT, CITY PROJECT NO. 02-120H

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

Section 1. The City Manager is hereby authorized to advertise for bids and to enter into one or more contracts for the Marshall Road Resurfacing project, from East David Road to the south corporation limit, City Project No. 02-120H, in accordance with Chapter 152 of the Kettering Administrative Code, titled Purchases and Contracts. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. Bids for such project shall be in accordance with the specifications on file in the Department of Finance, office of the Purchasing Manager. Bidding may be conducted electronically. The bids shall be opened at the time and place named in the advertisement for bids, unless extended by the City; or unless, within seventy-two hours prior to the published time for the opening of bids, excluding Saturdays, Sundays, and legal holidays, any modification of the plans or specifications for the project for which bids are solicited is issued and mailed or otherwise furnished to persons who have obtained plans or specifications for the project in which event the time for opening of bids shall be extended one week, with no further advertising of bids required.

Section 3. The City of Kettering shall and does reserve the right (a) to reject any or all bids so received, (b) to waive any irregularities in a bid, (c) to hold any bid up to sixty (60) days unless the time for awarding the contract is extended by mutual consent of the City and the bidder whose bid the City subsequently accepts or, (d) to accept that bid which in the judgment of the City Manager is in the best interest of the City.

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

Passed by Council this _____ day of _____ 2021.

DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$574,000.00
Amount Budgeted: \$574,000.00
Acct. No.: 5228-77750

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ENTER INTO A
THREE YEAR CONTRACT WITH AT&T FOR CENTREX
PHONE SERVICE**

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 AT&T for Centrex phone service. 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 _____ 2021.

DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI
Clerk of Council

THEODORE A. HAMER III
Law Director

Estimated Cost:	\$86,500.00
Amount Budgeted:	\$86,500.00
Acct. No.	0400-72620 - \$67,000
	0610-72620 - \$14,400
	2660-72620 - \$ 2,550
	2662-72620 - \$ <u>2,550</u>
Total	\$86,500

(Requested by: Administrative Systems)