



CITY OF KETTERING

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

KETTERING COUNCIL AGENDA

February 23, 2021

****REMOTE TELECONFERENCE MEETING****

****NOTE: DUE TO THE COVID-19 PANDEMIC, THE FEBRUARY 23, 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 FEBRUARY 23, 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 AT

https://www.youtube.com/channel/UClSOPAtN4vZoPrJRFPpVvQ?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

February 9, 2021- Council Meeting & Workshop Minutes

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

Presentation

Greater Dayton RTA Update

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

(5 Minute Limit per Speaker)

ORDINANCES IN SECOND READING

RESOLUTIONS

1. Authorizing the City Manager to enter into an agreement with Fire Apparatus Service and Repair.
2. Authorizing the City Manager to purchase bunker gear for the Fire Department.
3. Authorizing the City Manager to apply for a Priority One Grant from the Ohio Department of Public Safety, Division of EMS.
4. Authorizing the City Manager to accept grant funds from the FEMA Hazard Mitigation Grant Program through the Ohio Emergency Management Agency.
5. Directing the City Engineer to prepare and file renewed, recalculated, amended, and/or consolidated assessments for street lighting.
6. Authorizing the City Manager to enter into an Economic Development Incentive Grant Agreement with Kettering Founders LLC.
7. Authorizing the City Manager to enter into an Economic Development Incentive Grant Agreement with Laurence A. Lasky.
8. 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, 2021.

ORDINANCES IN FIRST READING

CERTIFICATIONS AND PETITIONS

Petition- A petition for a change of street name was received on February 18, 2021 from the property owners of 1160 Waving Willow Drive, Kettering, Ohio 45409. The petition is to rename a portion of Waving Willow Drive to Marquesa Way, Kettering, Ohio 45409. A public hearing regarding this request will be held at a future 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
2021

February 22	7:00 p.m.	Board of Community Relations
February 23	6:00 p.m. 7:30 p.m.	Council Workshop City Council Meeting
March 1	7:00 p.m.	Planning Commission
March 8	7:00 p.m.	Board of Zoning Appeals
March 9	4:00 p.m. 6:00 p.m. 7:30 p.m.	Partners for Healthy Youth Council Workshop City Council Meeting

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ENTER INTO AN
AGREEMENT WITH FIRE APPARATUS SERVICE AND REPAIR**

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 Fire Apparatus Service and Repair for maintenance and repair of emergency 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 _____ 2021.

DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI
Clerk of Council

THEODORE A. HAMER III
Law Director

Estimated Cost: \$180,000.00
Amount Budgeted: \$180,000.00
Acct. No. 0700-72353

(Requested by: Fire Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO PURCHASE
BUNKER GEAR FOR THE FIRE DEPARTMENT**

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, this Council hereby authorizes the City Manager to enter into one or more agreements with Phoenix Safety Outfitters for the purchase of bunker gear for the Fire Department. 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: \$34,645.00
Amount Budgeted: \$34,645.00
Acct. No.: 0700-72240

(Requested by: Fire 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 is eligible 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 _____ 2021.

DONALD E. PATTERSON, 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.

AUTHORIZING THE CITY MANAGER TO ACCEPT GRANT FUNDS FROM THE FEMA HAZARD MITIGATION GRANT PROGRAM THROUGH THE OHIO EMERGENCY MANAGEMENT AGENCY

WHEREAS, in Resolution No. 10408-20, this City Council approved and authorized the City Manager to apply for the FEMA Hazard Mitigation Grant through the Ohio Emergency Management Agency; and

WHEREAS, said grant funds will assist in the replacement of several outdated components of the Kettering Fire Department's siren alert system; and

WHEREAS, Federal funding will be provided in the amount of \$34,473.00, as well as \$5,745.50 by the State of Ohio, and \$5,745.50 by the City; and

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

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

Section 1. The City Manager is authorized to take all necessary and proper action to accept the above-described FEMA Hazard Mitigation Grant from the Ohio Emergency Management Agency. Further, this Council hereby affirms all matters and statements included in the grant application.

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 _____ 2021.

DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$45,964.00 net transfer
Amount Budgeted: \$0
Acct. No.: Special Grants & Programs - \$45,964.00
9101-79700 - \$5,745.50

(Requested by: Fire Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**DIRECTING THE CITY ENGINEER TO PREPARE AND FILE
RENEWED, RECALCULATED, AMENDED, AND/OR
CONSOLIDATED ASSESSMENTS FOR STREET LIGHTING**

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

Section 1. The City Engineer is hereby directed to prepare and file in the office of the Clerk of Council renewed, recalculated, amended, and/or consolidated assessments for street lighting.

Section 2. The Clerk of Council shall arrange for publication in a newspaper of general circulation within the municipality, for two (2) consecutive weeks, a notice that the renewed, recalculated, amended, and/or consolidated street lighting assessments are on file and available for public inspection pursuant to Chapter 947 of the Codified Ordinances of the City of Kettering.

Section 3. As provided by 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

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ENTER INTO AN
ECONOMIC DEVELOPMENT INCENTIVE GRANT AGREEMENT
WITH KETTERING FOUNDERS LLC**

WHEREAS, the City desires to promote the development and redevelopment of the City, creation of jobs, expansion of the tax base, improvement of the quality of life, removal of blighting influences and the avoidance of blight, maintenance of property values, prevention of piecemeal development, and the discouragement of strip commercial development; and

WHEREAS, in order to attract new tenants, Kettering Founders LLC ("Kettering Founders") desires to make improvements and renovations to property it owns located at 1900 Founders Drive in the Miami Valley Research Park; and

WHEREAS, the improvements will include a new commercial parking lot with asphalt pavement, full-depth curbs, landscaped islands, lighting, sidewalks, ADA compliant curb ramps, and a driveway and sidewalk connection to Spaulding Drive; and

WHEREAS, Kettering Founders desires an economic development incentive grant from the City of Kettering in order to construct said parking lot; and

WHEREAS, facilitating the Company's improvements and renovation of the property will promote the City's development and redevelopment, the retention and/or creation of employment opportunities within the City, and maintenance of property values;

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 to enter into an Economic Development Grant Agreement with Kettering Founders LLC and to provide Kettering Founders with an incentive in the form of a reimbursable grant not to exceed \$600,000.00. Additional terms that the City Manager deems are appropriate shall also be included. 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: \$600,000.00
Funds Available: \$600,000.00
Acct. No.:

(Requested by: City Manager's Office)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ENTER INTO AN
ECONOMIC DEVELOPMENT INCENTIVE GRANT AGREEMENT
WITH LAURENCE A. LASKY**

WHEREAS, the City desires to promote the development and redevelopment of the City, creation of jobs, expansion of the tax base, improvement of the quality of life, removal of blighting influences and the avoidance of blight, maintenance of property values, prevention of piecemeal development, and the discouragement of strip commercial development; and

WHEREAS, Laurence A. Lasky desires to purchase and renovate a vacant building located at 3461 Office Park Drive and relocate his law firm, Lasky & Scharrer, there; and

WHEREAS, the renovations will include the HVAC, electrical, and plumbing systems; and

WHEREAS, in order to purchase, renovate, and occupy said property, Mr. Lasky desires an economic development incentive grant from the City of Kettering; and

WHEREAS, facilitating Mr. Lasky's purchase and renovation of the property will promote the City's development and redevelopment, the retention and/or creation of employment opportunities within the City, and maintenance of property values;

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 to enter into an Economic Development Grant Agreement with Mr. Lasky and to provide an incentive in the form of a reimbursable grant of 25% of the moving and HVAC, electrical, and plumbing system renovation costs for 3461 Office Park Drive, not to exceed \$25,000. Additional terms that the City Manager deems are appropriate shall also be included. 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: \$25,000.00
Funds Available: \$25,000.00
Acct. No.:

(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, 2021

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, 2021, the following supplemental sums are set aside and appropriated:

A. From the General Fund:

ECONOMIC DEVELOPMENT	
Operating Expenditures	\$ 625,000.00
TRANSFERS TO OTHER FUNDS	\$ 5,745.86

B. From the Special Grants and Programs Fund:

Other	\$ 45,964.36
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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 _____ 2021.

DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$670,964.36, net transfer
Amount Budgeted: \$0
Acct. No. Various

(Requested by: Finance Department)