



CITY OF KETTERING

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

KETTERING COUNCIL AGENDA

May 11, 2021

Kettering Government Center – South Building
3600 Shroyer Rd. Kettering, Ohio 45429

6:00 P.M. **WORKSHOP** Deeds Room
7:30 P.M. **REGULAR MEETING** Council Chambers

PLEDGE OF ALLEGIANCE

INVOCATION

APPROVAL OF MINUTES

April 27, 2021- Council Meeting & Workshop Minutes

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

PUBLIC HEARINGS

1. P.C. 21-002- Zoning Map Amendment.

PUBLIC COMMENT ON LEGISLATION

(5 Minute Limit per Speaker)

ORDINANCES IN SECOND READING

RESOLUTIONS

2. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for fireworks for the annual Go 4th event.
3. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for updates to the Kettering Fire Department's siren alert system.
4. Authorizing the City Manager to advertise for bids and to contract for the renovation of the Rosewood Arts Centre.
5. 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

6. To enact Chapter 125 of the Codified Ordinances regarding city council compensation.

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

May 11	4:00 p.m. 6:00 p.m. 7:30 p.m.	Partners for Healthy Youth Council Workshop City Council Meeting
May 17	7:00 p.m. 7:00 p.m.	Planning Commission Board of Community Relations
May 24	7:00 p.m.	Board of Zoning Appeals
May 25	6:00 p.m. 7:30 p.m.	Council Workshop City Council Meeting
May 31	All Day	Government Center Closed

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT
FOR FIREWORKS FOR THE ANNUAL GO 4TH EVENT**

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 fireworks for the annual Go 4th event. 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: \$45,000.00
Funds Available: \$45,000.00
Acct. No.: 2416-72550

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

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR UPDATES TO THE KETTERING FIRE DEPARTMENT'S SIREN ALERT SYSTEM

WHEREAS, in Resolution Nos. 10408-20 and 10533-21, this City Council approved and authorized the City Manager to apply for and accept a FEMA Hazard Mitigation Grant through the Ohio Emergency Management Agency (OEMA) for the Hazard Mitigation Grant Program (HMGP) CFDA 97.039 FEMA-DR-4447-OH (Project); and

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

WHEREAS, Federal funding will be provided in the amount of \$24,479, as well as \$4,080 by the State of Ohio, and \$4,080 by the City;

NOW, THEREFORE, 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 updates and/or replacement of outdated components of the Kettering Fire Department's siren alert system. 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: \$32,639.00
Amount Budgeted: \$45,964.36
Acct. No.: Special Grants & Programs Fund

(Requested by: Fire Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND
TO CONTRACT FOR THE RENOVATION OF THE ROSEWOOD ARTS
CENTRE**

WHEREAS, in Resolution No. 10425-20, this City Council approved and authorized the City Manager to accept and administer a grant from the State of Ohio or its subdivisions for renovation of the Rosewood Arts Centre; and

WHEREAS, the amount budgeted includes the \$450,000 grant from the State of Ohio;

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 advertise for bids and to enter into one or more contracts for the renovation of the Rosewood Arts Centre, 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 make awards to more than one bidder and to accept a part or parts of a bid, (b) to reject any or all bids so received, (c) to waive any irregularities, informalities, irregularities, or defects in a bid, (d) 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, (e) 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: \$1,685,000.00
Amount Budgeted: \$1,685,000.00
Acct. No.: 6120-77750

(Requested by: Public Service 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, 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:

101-0600	POLICE DEPARTMENT Personal Service	\$ 47,100.00
	TRANSFERS TO OTHER FUNDS Police Pension Fund	\$ 8,900.00

B. From the American Rescue Plan Act Fund:

206-8236	OTHER	\$ 200,000.00
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C. From the Police Pension Fund:

213-2150	POLICE DEPARTMENT Personal Service	\$ 8,900.00
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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: \$256,000.00 net transfer
Amount Budgeted: \$0
Acct. No. Various

(Requested by: Finance Department)

CITY OF KETTERING, OHIO

AN ORDINANCE

By:

No.

**TO ENACT CHAPTER 125 OF THE CODIFIED
ORDINANCES REGARDING CITY COUNCIL
COMPENSATION**

WHEREAS, Subsection 3-5(b)(1) of the City Charter provides that "Council may increase or decrease the compensation of its members or the Mayor by an ordinance adopted in any odd numbered year no later than June first, provided that no increase in compensation shall be effective during the term of office of the Mayor or Council members in which such vote is taken. This section does not prohibit the payment of increased costs of continuing to provide the identical benefits provided to Council members or the Mayor at the commencement of such member's term of office;" and

WHEREAS, Subsection 3-5(b)(2) of the City Charter provides that "[a]ny ordinance increasing the compensation of Council members or the Mayor shall be limited to the single issue of Council compensation. Such ordinance shall not be passed as an expedited or emergency ordinance;" and

WHEREAS, compensation for the Mayor and at-large Council members has not been adjusted since 2014 and compensation for district Council members has not been adjusted since 2016; and

WHEREAS, members of Council and the Mayor should receive just and reasonable compensation for the work, service, and duties they perform on behalf of the citizens of Kettering, and such compensation is required to attract and retain qualified candidates for elected positions;

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

Section 1. New Chapter 125 of Title One of the Codified Ordinances of Kettering is enacted to read as follows:

CHAPTER 125 COUNCIL COMPENSATION

125.01 Mayor.

Effective with the term beginning on January 1, 2022, the Mayor shall receive an annual salary of \$18,000. Prior thereto, the Mayor shall continue to receive the \$12,000 annual salary set by Charter Section 3-5. Compensation shall be paid on the same schedule used for City employees.

125.02 At-Large Council Members.

Effective with the term beginning on January 1, 2022, at-large Council members shall receive an annual salary of \$12,000. Prior thereto, at-large Council members shall continue to receive the \$8,000 annual salary set by Charter Section 3-5. Compensation shall be paid on the same schedule used for City employees.

125.03 District Council Members.

Effective with the term beginning on January 1, 2024, district Council members shall receive an annual salary of \$12,000. Prior thereto, district Council members shall continue to receive the \$8,000 annual salary set by Charter Section 3-5. Compensation shall be paid on the same schedule used for City employees.

125.04 Supplementary Benefits.

The Mayor and members of Council may purchase voluntary life insurance through the City's group plan at their own expense. The Mayor and members of Council will not receive any other supplementary benefits.

Section 2. Article I, Section N. (Members of Council) of Ordinance No. 4353-20 is repealed.

Section 3. If any section, subsection, sentence, clause, phrase, or portion of this ordinance or Chapter 125 is, for any reason, held invalid or unconstitutional by any court of competent jurisdiction, such portion shall be deemed a separate, distinct, and independent provision, and such holding shall not affect the validity of the remaining portions thereof.

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 _____ 2021.

DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

(Requested by: Council Office)