



CITY OF KETTERING

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

KETTERING COUNCIL AGENDA

August 10, 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

July 13, 2021- Workshop Minutes Amendment
July 27, 2021- Council Meeting & Workshop Minutes

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

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

(5 Minute Limit per Speaker)

ORDINANCES IN SECOND READING

1. Vacating a portion of Wilmington Pike right-of-way abutting Lot 1 of the Brownleigh Corner Record Plan.

RESOLUTIONS

2. Authorizing the City Manager to enter into a 60 month contract with Agile Networks for connectivity and network services.
3. Authorizing the City Manager to enter into an agreement with the Board of County Commissioners of Montgomery County, Ohio to provide application processing services for Montgomery County through the U.S. Treasury's Emergency Rental Assistance Program Funding.
4. Authorizing the City Manager to submit the 2021-2025 City of Kettering Consolidated Plan and the 2021 Annual Action Plan to the U.S. Department of Housing and Urban Development and execute the required certifications to enable the city to receive Community Development Block Grant and Home Funds for program year 2021.
5. Declaring as "surplus" and approving an agreement to sell city-owned property located at 4121 Shroyer Road.
6. Declaring as "surplus" and approving an agreement to sell city-owned property located on Tait Road.
7. Authorizing the City Manager to accept a grant from the Ohio Arts Council.
8. Authorizing the City Manager to accept a Special Projects Grant from the Montgomery County Arts and Culture District.
9. Authorizing the City Manager to accept an ArtsNext Grant from the Ohio Arts Council.

10. Accepting the material terms of the One Ohio Subdivision Settlement pursuant to the One Ohio Memorandum of Understanding and consistent with the terms of the July 21, 2021 National Opioid Settlement Agreement and authorizing the City Manager to execute the participation agreement for the One Ohio Subdivision Settlement with McKesson Corporation, Cardinal Health, Inc., and AmerisourceBergen Corporation.

11. Authorizing the City Manager to apply for funding from the Ohio Public Works Commission for the Flesher Avenue Bridge Replacement Project and the West Avenue Bridge Rehabilitation Project.

12. Authorizing the City Manager to enter into cost participation agreements with the Board of Commissioners of Montgomery County, Ohio for roadway and/or storm sewer construction in association with replacement of county water mains.

13. 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

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**

August 10	4:00 p.m. 6:00 p.m. 7:30 p.m.	Partners for Healthy Youth Council Workshop City Council Meeting
August 16	7:00 p.m. 7:00 p.m.	Planning Commission Board of Community Relations
August 23	7:00 p.m. 7:30 p.m.	Board of Zoning Appeals Sister Cities
August 24	6:00 p.m. 7:30 p.m.	Council Workshop City Council Meeting

CITY OF KETTERING, OHIO

AN ORDINANCE

By:

No.

VACATING A PORTION OF WILMINGTON PIKE RIGHT-OF-WAY ABUTTING LOT 1 OF THE BROWNLEIGH CORNER RECORD PLAN

WHEREAS, on June 7, 2021, the Planning Commission, in Case No. PC-21-007, considered and recommended approval of an application to vacate a certain portion of Wilmington Pike public right-of-way abutting Lot 1 of the Brownleigh Corner Record Plan; and

WHEREAS, on July 13, 2021, this Council held a public hearing on the application and Planning Commission's recommendation and during the public hearing no party came forward in opposition; and

WHEREAS, this Council is satisfied that there is good cause for vacating said public right-of-way, that vacation of the right-of-way will not be detrimental to the public interest, and that such vacation should be made;

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

Section 1. Approval is hereby granted for the vacation of 0.0112 acres, more or less, of public right-of-way, more particularly described and depicted in attached Exhibit 1, which abuts Lot 1 of the Brownleigh Corner Record Plan as recorded in Plat Book 180, Page 31, of the Plat Records of Montgomery County, Ohio.

Section 2. The vacated right-of-way shall revert to Lot 1 of the Brownleigh Corner Record Plan as recorded in Plat Book 180, Page 31, of the Plat Records of Montgomery County, Ohio (Parcel No. N64 01904 0095) as shown in Exhibit 1.

Section 3. The Clerk of Council is directed and authorized to prepare a certified copy of this Ordinance, and the Planning and Development Director of this City is hereby directed and authorized to accept the certified copy of this Ordinance from the Clerk of Council and, upon satisfaction of all Planning Commission conditions, if any, to further cause that same certified ordinance and any other necessary documents to be properly delivered to the Montgomery County Recorder for appropriate recordation. The City Manager is authorized to sign any instruments necessary to effectuate the vacation.

Section 4. This Ordinance shall take full effect from and after the earliest period provided by law.

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: Planning and Development Department)

RIGHT OF WAY VACATION EXHIBIT
 PART OF WILMINGTON PIKE
 RECORDED IN PLAT BOOK 180, PAGE 31
 SECTION 23, TOWN 2, RANGE 6 M.R.s.
 CITY OF KETTERING
 MONTGOMERY COUNTY, OHIO
 MAY 2021

EXHIBIT
1

EQUITY TRUST COMPANY
 CUSTODIAN FBO 200265512 IRA
 I.R. DEED 21-020206

WILMINGTON PIKE

N04°28'59"W (Recorded ϕ , P.B. 77, PG. 44-45)

EX. R/W
 N89°26'19"E
 7.52'

42.50' From
 Monumented ϕ
 (Proposed R/W)

PROF. R/W
 EX. R/W
 N04°28'59"W 61.04'
 0.0112 ACRES
 S04°28'59"E 69.44'

CITY OF KETTERING
 D.B. 2528 PG. 146
 LOT 1

50' From
 Monumented ϕ
 (Dedicated Per
 P.B. 180, PG. 31)

BROWNLEIGH CORNER
P.B. 180 PG. 31

PROF. R/W
 EX. R/W
 N44°33'41"W
 11.65'

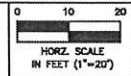
Area to be dedicated
 with future record plan

EX. R/W

BROWNLEIGH RD.

PREPARED BY:
 CITY OF KETTERING
 1602 29th St
 Kettering, OH 45429
 p 937.296.2426 f 937.296.2142
 www.ketteringohio.org

WILMINGTON PIKE/BROWNLEIGH ROAD
 RIGHT OF WAY VACATION EXHIBIT





**RIGHT OF WAY VACATION OF
A PORTION OF WILMINGTON PIKE
May 2021**

Situate in Section 23, Town 2, Range 6 M.R.s., in the City of Kettering, Montgomery County, Ohio, being a vacation of a portion of Wilmington Pike as dedicated on Brownleigh Corner and recorded on Plat Book 180, Page 31, of the Plat Records of Montgomery County, Ohio, said vacated area being more particularly described as follows:

Beginning at the northwest corner of Lot 1 of said subdivision;

thence South $04^{\circ}28'59''$ East 69.44 feet along the existing east right of way line of Wilmington Pike, to a point, said point being a point of curvature of the existing right of way line;

thence North $44^{\circ}33'41''$ West 11.65 feet along a new right of way line of Wilmington Pike, to a point;

thence North $04^{\circ}28'59''$ West 61.04 feet along a new right of way line of Wilmington Pike, to a point;

thence North $89^{\circ}26'19''$ East 7.52 feet along the existing north right of way line of Wilmington Pike, also being the existing south line of a tract owned by Equity Trust Company Custodian FBO 200265512 IRA, as described in I.R. DEED 21-020206, to the **Point of Beginning**, containing 0.0112 acres, more or less, subject to all legal conditions, easements and rights of way. Surveyed and prepared by Lee M. Thieman, Professional Surveyor Number 8758 in May 2021.

Said vacation of right of way is intended to result in the new east right of way of Wilmington Pike to be 42.50 feet east of and parallel to the existing centerline of Wilmington Pike as recorded in Plat Book "77", Pages 44-46.

Bearings are based on the centerline of Wilmington Pike, being North $04^{\circ}28'59''$ West, per the state plane coordinate system, NAD 83(2011), Ohio South Zone.

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ENTER INTO A 60
MONTH CONTRACT WITH AGILE NETWORKS FOR
CONNECTIVITY AND NETWORK SERVICES**

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 Agile Networks for connectivity and network services. 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: \$39,060.00
Amount Budgeted: 100%
Acct. No. 0610-72620

(Requested by: Administrative Systems Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE BOARD OF COUNTY COMMISSIONERS OF MONTGOMERY COUNTY, OHIO TO PROVIDE APPLICATION PROCESSING SERVICES FOR MONTGOMERY COUNTY THROUGH THE U.S. TREASURY'S EMERGENCY RENTAL ASSISTANCE PROGRAM FUNDING

WHEREAS, the City of Kettering is a local unit of government, that has experience in working with low to moderate income individuals through federal programs by providing housing counseling and rehabilitation, fair housing services, and programs for seniors; and

WHEREAS, Kettering has the capacity and experience to provide application processing services for Montgomery County through the U.S. Treasury's Emergency Rental Assistance Program funding; and

WHEREAS, the purpose of this funding will be to assist persons who have been impacted by COVID-19 and who meet all program requirements, with the main goal to keep those persons housed; and

WHEREAS, Kettering staff will process applications for residents who reside within the Kettering Municipal Court's jurisdiction, which includes Kettering, the City of Centerville, the City of Moraine and Washington Township.

NOW THEREFORE, 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 one or more agreements with the Board of County Commissioners of Montgomery County, Ohio and to take all other action necessary for the City of Kettering to provide application processing services for Montgomery County through the U.S. Treasury's Emergency Rental Assistance Program funding. 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 place 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: \$500,000
Funds Available: \$500,000
Acct. No.: Special Grants & Programs

(Requested by: Planning and Development Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

AUTHORIZING THE CITY MANAGER TO SUBMIT THE 2021-2025 CITY OF KETTERING CONSOLIDATED PLAN AND THE 2021 ANNUAL ACTION PLAN TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT AND EXECUTE THE REQUIRED CERTIFICATIONS TO ENABLE THE CITY TO RECEIVE COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME FUNDS FOR PROGRAM YEAR 2021

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

Section 1. As required by the U.S. Department of Housing and Urban Development (“HUD”) and to enable the City to receive Community Development Block Grant Funds and HOME Program Funds for Program Year 2021, this Council hereby approves the City of Kettering combined 2021-2025 Consolidated Plan and 2021 Program Year Action Plan (“Plan”), and the City Manager is hereby authorized to submit the Plan to HUD and to execute and submit the associated and required certifications to HUD. A copy of the Plan is attached hereto as Exhibit A and incorporated herein.

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 Planning and Development Department)



Executive Summary

ES-05 Executive Summary - 24 CFR 91.200(c), 91.220(b)

1. Introduction

Purpose of the Consolidated Plan

The City of Kettering receives funding annually from the United States Department of Housing and Urban Development (HUD) under the Community Development Block Grant (CDBG) program. One of the requirements for receiving such allocations is the development of a five-year Consolidated Plan for Housing and Community Development to provide policy direction for the next five years of funding decisions. In general, the Consolidated Plan is guided by three overarching goals that are applied according to the community's needs:

1. To provide **Decent Housing** by preserving existing affordable housing stock, increasing the availability of affordable housing, reducing discriminatory barriers to housing, increasing the supply of supportive housing for those with special needs, and transitioning homeless persons and families into housing.
2. To provide a **Suitable Living Environment** through safer, more livable neighborhoods, greater integration of low- and moderate-income (LMI) residents throughout the cities, increasing housing opportunities, and encouraging reinvestment in struggling neighborhoods.
3. To expand **Economic Opportunities** through more jobs that pay self-sufficient wages, homeownership opportunities, development activities that promote long-term community viability, and the empowerment of LMI persons and households to achieve self-sufficiency.

This Consolidated Plan corresponds to the next five program years, which begin January 1, 2021 and end December 31, 2025. The federal funding resource detailed in the 2021-2025 Consolidated Plan is the **Community Development Block Grant (CDBG)**: The primary objective of this program is to develop urban communities by providing decent housing, a suitable living environment, and economic opportunities, principally for LMI persons. Funds can be used for a variety of activities, including housing rehabilitation, homeownership assistance, lead-based paint (LBP) detection and removal, construction or rehabilitation of public facilities and infrastructure, removal of architectural barriers for

persons with disabilities, public services, rehabilitation of commercial or industrial buildings, and loans and grants to businesses.

2. Summary of the objectives and outcomes identified in the Plan Needs Assessment

Overview

In addition to the overarching goals of providing decent housing, a suitable living environment, and expanding economic opportunities, the development of the Consolidated Plan is guided with the requirement of meeting one of the three National Objectives which are the foundation of the HUD programs:

- Benefitting low and moderate income persons;
- Addressing slum or blight; or
- Meeting a particular urgent community development need.

The Kettering Consolidated Plan describes the priority community development needs eligible for assistance under the CDBG, HOME, and ESG programs, including an assessment of housing, homelessness, public facilities, infrastructure improvements, public services, accessibility, historic preservation, economic development, and planning needs. The Consolidated Plan includes both long-term and short-term community development objectives that have been developed to address the goals of the CDBG, ESG, and HOME Programs, while meeting the National Objectives, all to be realized through the execution of the Consolidated Plan.

3. Evaluation of past performance

Kettering's past performance in the administration and implementation of the CDBG program has fulfilled the requirements of the federal legislation that created these programs. Through years of effective planning, partnership, and monitoring, the programs have facilitated affordability for decent housing, availability and accessibility of a suitable living environment, sustainability of a suitable living environment, and accessibility to economic opportunities. At the end of each program year, the City of Kettering prepares the Consolidated Annual Performance and Evaluation Report (CAPER). The CAPER identifies funds expended and activities undertaken throughout the program year to meet the goals established.

4. Summary of citizen participation process and consultation process

The City of Kettering has engaged residents and professionals around community development projects for the PY21 Annual Action Plan and the 2021-2025 Consolidated Plan. Steps taken involve the emailing of community surveys to residents as well as local stakeholders and agencies. Additionally, the Board of

Demo

Community Relations has engaged with the community regarding community development needs such as fair housing, transportation, housing development and availability for low to moderate incomes, neighborhood development and more.

Consulted entities include Kettering Senior Services, County Corp Development, Banks and Credit Unions, Montgomery County, Dayton Metro Library, Code Credit Union, Inc., Franklin Foundation, Inc., Miami Valley Fair Housing Center, Community Action Partnership, Greater Dayton Premier Management/ DMHA, HomeOwnership Center, JP Morgan Chase, Public Health - Dayton & Montgomery County, Oberer (Developer), Miami Valley Housing Opportunities, Miami Valley Regional Planning Commission, NHS, Habitat for Humanity of Greater Dayton, Brigid's Path , Kettering Backpack Inc., South Community, Kettering Schools, Greater Dayton Premier Management, Miami Valley Fair Housing, Board of Community Relations, past program recipients.

The City held two public planning meetings at the Kettering Government Center for the purpose of soliciting citizen comments and informing the public of our plans and budgets. One final meeting was held to review the final plan. The city has published announcements in the Dayton Daily News about the time and location of these meetings 15 days prior to the meetings. An additional step the city has taken is to post public notices at public libraries in the city once they reopened as well as the government center with the hope that more citizens would be interested in making comments. Additionally, the survey which specifically asks about CDBG and CHIP programs is listed on the City's website and was highlighted in the city's quarterly print newsletter and monthly e-newsletter, in order that any resident can comment on how to use these funds to make the community better. Further, the City utilized an interactive system via publicinput.com to host the survey, solicit comments, held two hybrid online meetings and one in-person meeting.

Given that much of this work happened during a pandemic the City achieved a decent interaction with the community and stakeholders. The first meeting had several online participants, the second meeting had participants online and in person, the third meeting had participants in-person. Considering the pandemic, we are pleased with this participation and plan to continue to grow this engagement. The City of Kettering accepted comments on the Consolidated Plan until August 9 , 2021

The City of Kettering continues to make efforts to improve the consultation process during the development of the Annual Action Plan and Consolidated Plan. Surveys covering important community needs were sent to several local and state agencies that focus on a variety of different community needs (housing, accessibility, housing counseling, senior services, economic development, etc...). This year, 76 community development surveys were returned where we also had 31 commenters leave 75 comments.

Further we did a pandemic survey where we received an additional 30 surveys and we reached out to providers with in depth questionnaires and received another 20 responses. The information from residents and stakeholders is used as a form of review for existing programs in terms of prioritizing funding and for identifying emerging needs in the community.

5. Summary of public comments

Please see attached in the appendices. The comments received were often about things that did not relate to things for which community development funds can perpetuate change. However, when they did, they were noted, considered and evaluated when making plans.

Citizen Participation Outreach

6. Summary of comments or views not accepted and the reasons for not accepting them

All comments were accepted.

7. Summary

City of Kettering identified the following Priority Needs:

- Revitalization of Neighborhoods
- Quality of Affordable Housing
- Expansion of Economic Opportunities
- Provision and Coordination of Public Services

The goals established by the City of Kettering to meet the Priority Needs include:

- Demolition of Abandoned Structures
- Infrastructure Improvements
- Expand, Maintain and Improve Affordable Housing
- Economic Development Incentives
- Public Services

The Process

PR-05 Lead & Responsible Agencies 24 CFR 91.200(b)

1. Describe agency/entity responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source

The following are the agencies/entities responsible for preparing the Consolidated Plan and those responsible for administration of each grant program and funding source.

Agency Role	Name	Department/Agency
Lead Agency	KETTERING	
CDBG Administrator	KETTERING	Planning and Development
HOPWA Administrator		
HOME Administrator		
HOPWA-C Administrator		

Table 1 – Responsible Agencies

Narrative

The Community Development Division of the City of Kettering's Planning and Development Department is the entity responsible for CDBG activities located within its geographical boundaries.

Consolidated Plan Public Contact Information

Angela Brown, Community Development Manager

3600 Shroyer Road

Kettering, OH 45429

(937) 296-2441

Angela.Brown@ketteringoh.org

PR-10 Consultation – 91.100, 91.110, 91.200(b), 91.300(b), 91.215(I) and 91.315(I)

1. Introduction

The City of Kettering's Community Development staff take community engagement seriously. We participate in a Board of Community Relations to stay connected to residents "on the ground", conduct surveys and participate in meetings and listening sessions. Kettering's Board of Community Relations continues to work with Community Development staff to address community equity throughout all aspects of the community. Staff also has connected with Kettering Schools. A staff person is on the Partners for Healthy Youth committee. Transportation availability and equity continues to be a big issue with the Partners for Healthy Youth committee. They are looking at new technology to solve those needs. Kettering is also increasing its bike-ability each year. Staff also connects with Schools on equity issues – meeting with the Principal of the High School and engaging teachers to have students participate in the Dr. Martin Luther King Jr. Annual Essay Contest. Staff members are representatives on regional boards and committees, such as the Montgomery County Affordable Housing Options Committee, which is composed of representatives from the public housing authority, the community action agency, County Corp, city and county governments, financial institutions, realty companies, housing and service providers, and building/development companies. This committee meets on a regular basis to assist in implementing the Montgomery County Homeless Solutions 10-year plan, review and recommend projects for Housing Trust funding and share information on housing issues.

In addition, the Community Development Manager serves on the Greater Dayton Homeownership Advisory Board. This board advises the homeownership center on programming. Staff members also meet regularly with the Access Center to discuss solutions for the lack of accessible housing. The Community Development Manager is also a board member of Miami Valley Fair Housing Center, who often ends up taking on cases of housing discrimination in Kettering, as well as our other Fair Housing needs. There are also ongoing consultations with the Neighborhood Housing Services, Hamilton and Habitat for Humanity. The Community Development Manager also works closely with the Planning Department Director at Greater Dayton Premier Management to identify needs, look for appropriate projects and continue to develop housing to serve low and moderate income residents of Kettering. With respect to economic development activities, the

city has joined with regional partners, Dayton and Montgomery County for a micro-enterprise loan program. Kettering's Economic Development department continues to look for ways that new jobs can benefit our residents and directs 1-3 small business loans to community development staff when the impact of the assistance will be direct for our low to moderate income residents.

Provide a concise summary of the jurisdiction's activities to enhance coordination between public and assisted housing providers and private and governmental health, mental health and service agencies (91.215(I)).

Community Development staff will collaborate with the organizations listed as consulting agencies in order to provide increased access to safe, decent affordable housing. We have supported rental housing development projects through partners like Franklin Foundation, Miami Valley Housing Opportunities and Greater Dayton Premier Management (the Housing Authority) in our community, and will continue to monitor those projects. Our Program Coordinator makes referrals to low-income housing options when requested by residents. Currently, the city collaborates with the Miami Valley Community Action Partnership (CAP) on an emergency home repair program, typically providing them \$25,000 in CDBG funds. Additionally, we refer our housing rehab clients to CAP for weatherization, energy programs, utility assistance and rental assistance. We refer all housing discrimination calls to the Miami Valley Fair Housing Center that deal with any sort of potential housing discrimination as well as tenant/landlord concerns. The HomeOwnership Center of Greater Dayton works with homebuyers to prepare them to become homeowners in Kettering by providing housing counseling pre-purchase; as well - they assist our residents who are struggling with mortgage payments to get a forbearance, mortgage assistance and provide counseling about how to prevent these processes in the future. The city seeks to collaborate with all appropriate agencies and does outreach at least annually for feedback on current needs in our area. During the pandemic, we have provided PPE kits to all of the Kettering School nurses so that ill kids needing an extra mask could have access to one. Additionally, we worked with South Community, a social work and mental health agency to pass out PPE kits to their neediest clients and their families. South Community recently embedded a social worker with the City's police department in order to prevent what should be social work or mental health situations from becoming police interventions. Or sometimes, the police will do a welfare check and she follows up with the resident the next day based on their referrals. Additionally, the City of Kettering's Community Development funds support and partner with an in-house Senior Services Coordinator. She has an outreach office at a local mall where seniors like to walk and she additionally

provides outreach and support services to our older residents and disabled residents. During the pandemic she hand delivered PPE kits to each of the senior housing buildings multiple times and has continued to provide support and resources to our neediest elders by assisting the ones who are not digitally connected in getting food deliveries in order to reduce their exposure. The Senior Services Coordinator also collaborates with the Area Agency on Aging to assist our residents in getting assessed for services and signed up for key services like Medicare and Medicaid, utility assistance, transportation, in-home health and more.

Describe coordination with the Continuum of Care and efforts to address the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans, and unaccompanied youth) and persons at risk of homelessness

The City participates in the Homeless Solutions Board which controls the ESG funds for the region. However, Kettering does not receive funds independently because its homeless population has not been well documented or sizeable to justify to an allocation of ESG funds independent of other communities.

Describe consultation with the Continuum(s) of Care that serves the jurisdiction's area in determining how to allocate ESG funds, develop performance standards and evaluate outcomes, and develop funding, policies and procedures for the administration of HMIS

We will continue to participate in joint analysis of impediments, joint studies on homelessness, joint VAWA emergency transfer plans and any other standard outcome, funding, policy or procedure to the benefit of our residents.

2. Describe Agencies, groups, organizations and others who participated in the process and describe the jurisdictions consultations with housing, social service agencies and other entities

Table 2 – Agencies, groups, organizations who participated

1	Agency/Group/Organization	Access Center for Independent Living
	Agency/Group/Organization Type	Services-Persons with Disabilities Services-Health Regional organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Access Center completed the survey. The anticipated outcome is a more accessible community.
2	Agency/Group/Organization	Area Agency on Aging
	Agency/Group/Organization Type	Housing Services - Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The Area Agency on Aging completed the survey. The Kettering Senior Services Coordinator does coordination of services with the Area Agency on Aging and as such meets with them regularly. The anticipated outcome is a seamless provision of services to Kettering residents aged 60 and up
3	Agency/Group/Organization	COUNTY CORP
	Agency/Group/Organization Type	Housing Services - Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Economic Development Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	County Corp completed the survey. Responsible Entity staff meets with County Corp regularly. Coordination of services for Business Loan products and housing services is the anticipated outcome of consultations.

4	Agency/Group/Organization	DAYTON HABITAT FOR HUMANITY - CHDO
	Agency/Group/Organization Type	Housing Services - Housing Regional organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Market Analysis Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Habitat for Humanity completed the Survey. Staff meets with Habitat for Humanity on a regular basis as well to plan and follow up on projects. Anticipated outcome is additional housing units becoming available to families who couldn't afford to be homeowner's on their own
5	Agency/Group/Organization	Greater Dayton Premier Management
	Agency/Group/Organization Type	Housing PHA Services - Housing Regional organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Public Housing Needs Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Greater Dayton Premier Management Planning Director completed the survey. Additionally, GDPM meets with City of Kettering staff regularly as well.
6	Agency/Group/Organization	HOMEOWNERSHIP CENTER OF GREATER DAYTON
	Agency/Group/Organization Type	Housing Services - Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Non-Homeless Special Needs Market Analysis

	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The Homeownership Center participated in the survey. City of Kettering staff works closely with Homeownership Center staff. One staff member serves on their advisory committee, another assists with their training classes, and a third works closely with them to meet the needs of residents. The anticipated outcome is greater coordination of services.
7	Agency/Group/Organization	MONTGOMERY COUNTY
	Agency/Group/Organization Type	Housing Services - Housing Services-Children Services-Persons with Disabilities Services-Health Services-Employment Other government - County Grantee Department
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Families with children Homelessness Needs - Unaccompanied youth Economic Development Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Montgomery County is another Responsible Entity. They participated in the survey as requested. Additionally, a staff member lives in Kettering and serves on the Board of Community Relations. Further, meetings are held both formally and informally to coordinate services and funding regularly.
8	Agency/Group/Organization	MIAMI VALLEY FAIR HOUSING CENTER
	Agency/Group/Organization Type	Housing Services - Housing Services-Children Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Victims of Domestic Violence Service-Fair Housing Regional organization
	What section of the Plan was addressed by Consultation?	Housing Need Assessment

	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Fair Housing participated in the survey as requested. Additionally, a Responsible Entity staff person serves on the Fair Housing Advisory Committee so that emergent needs can be identified and met as soon as logistically possible as well as coordinating analysis of impediments and designing a just and fair community.
9	Agency/Group/Organization	Miami Valley Housing Opportunities
	Agency/Group/Organization Type	Housing Services - Housing Service-Fair Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homelessness Strategy Homeless Needs - Chronically homeless Homelessness Needs - Veterans Anti-poverty Strategy
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	MVHO participated in the survey for Community Development efforts in Kettering, OH as requested. Additionally, MVHO meets with staff regularly.
10	Agency/Group/Organization	Public Health of Dayton and Montgomery County
	Agency/Group/Organization Type	Services-Children Services-Persons with Disabilities Services-Persons with HIV/AIDS Services-Health Publicly Funded Institution/System of Care Regional organization
	What section of the Plan was addressed by Consultation?	Lead-based Paint Strategy Homelessness Needs - Unaccompanied youth Non-Homeless Special Needs
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Public Health participated in the survey as requested. Responsible Entity staff regularly meets with the lead abatement testing representative.
11	Agency/Group/Organization	Brigid's Path
	Agency/Group/Organization Type	Services-Children

	What section of the Plan was addressed by Consultation?	Homeless Needs - Families with children
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Responded to questions concerning services provided and how COVID impacted operations. Allows for more informed referrals to Brigid's Path.
12	Agency/Group/Organization	Kettering Backpack Program
	Agency/Group/Organization Type	Services-Children
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Kettering Backpack Program answered the survey. This will help to better inform referrals to the Backpack Program and help to understand the needs of the community more accurately.
13	Agency/Group/Organization	South Community
	Agency/Group/Organization Type	Services-Health
	What section of the Plan was addressed by Consultation?	Housing Need Assessment
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Responded to questions concerning services provided and how COVID impacted operations. Allows for more informed referrals to South Community.
14	Agency/Group/Organization	Artemis Center
	Agency/Group/Organization Type	Services-Victims of Domestic Violence
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Responded to questions concerning services provided and how COVID impacted operations. Allows for more informed referrals to Artemis Center.

15	Agency/Group/Organization	JP Morgan Chase
	Agency/Group/Organization Type	Business Leaders Private Sector Banking / Financing
	What section of the Plan was addressed by Consultation?	Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	JP Morgan Chase answered the survey. This will help to better inform referrals to JP Morgan Chase and help to understand the needs of the community more accurately.
16	Agency/Group/Organization	Code Credit Union
	Agency/Group/Organization Type	Business Leaders Private Sector Banking / Financing
	What section of the Plan was addressed by Consultation?	Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	CODE Credit Union answered the survey. This will help to better inform referrals to CODE Credit Union and help to understand the needs of the community more accurately.
17	Agency/Group/Organization	Board of Community Relations
	Agency/Group/Organization Type	Civic Leaders
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	The Board of Community Relations answered the survey. This will help to understand the needs of the community more accurately.
18	Agency/Group/Organization	Oberer Land Development
	Agency/Group/Organization Type	Housing
	What section of the Plan was addressed by Consultation?	Economic Development Market Analysis

	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Oberer Land Development answered the survey. This will help to understand the needs of the community more accurately and the needs of developers.
19	Agency/Group/Organization	St. Vincent De Paul Social Services, Inc.
	Agency/Group/Organization Type	Services-homeless
	What section of the Plan was addressed by Consultation?	Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Responded to questions concerning services provided and how COVID impacted operations. Allows for more informed referrals to St. Vincent de Paul
20	Agency/Group/Organization	Homefull
	Agency/Group/Organization Type	Housing Services-homeless
	What section of the Plan was addressed by Consultation?	Housing Need Assessment Homeless Needs - Chronically homeless Homeless Needs - Families with children Homelessness Needs - Veterans Homelessness Needs - Unaccompanied youth
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Responded to questions concerning services provided and how COVID impacted operations. Allows for more informed referrals to Homefull.
21	Agency/Group/Organization	MVCAP
	Agency/Group/Organization Type	Housing Services - Housing
	What section of the Plan was addressed by Consultation?	Housing Need Assessment

	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Responded to questions concerning services provided and how COVID impacted operations. Allows for more informed referrals to Miami Valley Community Action Partnership (MVCAP).
22	Agency/Group/Organization	Wright Patt Credit Union, Inc
	Agency/Group/Organization Type	Business Leaders Private Sector Banking / Financing
	What section of the Plan was addressed by Consultation?	Market Analysis
	How was the Agency/Group/Organization consulted and what are the anticipated outcomes of the consultation or areas for improved coordination?	Responded to questions concerning services provided and how COVID impacted operations. Allows for more informed referrals and coordination with Wright-Patt Credit Union.

Identify any Agency Types not consulted and provide rationale for not consulting

Other local/regional/state/federal planning efforts considered when preparing the Plan

Name of Plan	Lead Organization	How do the goals of your Strategic Plan overlap with the goals of each plan?
Continuum of Care		

Table 3 – Other local / regional / federal planning efforts

Describe cooperation and coordination with other public entities, including the State and any adjacent units of general local government, in the implementation of the Consolidated Plan (91.215(l))

The City participates in the Homeless Solutions Board which controls the ESG funds for the region. However, Kettering does not receive funds independently because its homeless population has not been well documented or justifiable for funding.

Narrative (optional):

PR-15 Citizen Participation – 91.105, 91.115, 91.200(c) and 91.300(c)

1. Summary of citizen participation process/Efforts made to broaden citizen participation

Summarize citizen participation process and how it impacted goal-setting

The City of Kettering engaged residents and professionals around community development projects for the PY21 Annual Action Plan and the 2021-2025 Consolidated Plan. Steps taken involve the emailing of community surveys to residents as well as local stakeholders and agencies. Additionally, the Board of Community Relations has engaged with the community regarding community development needs such as fair housing, transportation, housing development and availability for low to moderate incomes, neighborhood development and more.

Consulted entities include Kettering Senior Services, County Corp Development, Banks and Credit Unions, Montgomery County, Dayton Metro Library, Code Credit Union, Inc., Franklin Foundation, Inc., Miami Valley Fair Housing Center, Community Action Partnership, Greater Dayton Premier Management/ DMHA, HomeOwnership Center, JP Morgan Chase, Public Health - Dayton & Montgomery County, Oberer (Developer), Miami Valley Housing Opportunities, Miami Valley Regional Planning Commission, NHS, Habitat for Humanity of Greater Dayton, Brigid's Path, Kettering Backpack Inc., South Community, Kettering Schools, Greater Dayton Premier Management, Miami Valley Fair Housing, Board of Community Relations, past program recipients.

The City held three public planning meetings at the Kettering Government Center for the purpose of soliciting citizen comments and informing the public of our plans and budgets. One final meeting was held to review the final plan. The city published announcements in the Dayton Daily News about the time and location of these meetings. An additional step the city has taken posting public notices at public libraries in the city once they reopened as well as the government center with the hope that more citizens would be interested in making comments. Additionally, the survey which asks about CDBG and CHIP programs is listed on the City's website and was highlighted in the city's quarterly print newsletter and monthly e-newsletter, in order that any resident can comment on how to use these funds to make the community better. Further, the City utilized an interactive system via publicinput.com to host the survey, solicit comments, hold two hybrid online and in-person meetings which could then still be viewed online.

Demo

Given that much of this work happened during a pandemic the City achieved a decent interaction with the community and stakeholders. The first meeting had several online participants, the second meeting was watched online several times, the third meeting had participants online and in-person. Considering our declining citizen or stakeholder participation in the past, we are pleased with this improvement and plan to continue to grow this engagement.

Kettering continues to make efforts to improve the consultation process during the development of the Annual Action Plan and Consolidated Plan. Surveys covering important community needs were sent to several local and state agencies that focus on a variety of different community needs (housing, accessibility, housing counseling, senior services, economic development, etc...). This year, 76 community development surveys were returned where we also had 31 commenters leave 75 comments. Further we did a pandemic survey where we received an additional 30 surveys and we reached out to providers with in depth questionnaires and received another 20 responses. The information from residents and stakeholders is used as a form of review for existing programs in terms of prioritizing funding and for identifying emerging needs in the community.

The Consolidated Plan Public Engagement process was a community driven process that involved the public in providing input, as well as facilitating community discussions and compiling input from fellow community members. A summary of recorded comments from the public engagement meetings is included as an appendix to this Consolidated Plan.

Citizen Participation Outreach

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (if applicable)
1	Online Survey	Residents & Stakeholders	Good	See appendices	all accepted	
2	Internet Outreach	Stakeholders & Partner Agencies	Fair	See appendices	All accepted	

Demo

Sort Order	Mode of Outreach	Target of Outreach	Summary of response/attendance	Summary of comments received	Summary of comments not accepted and reasons	URL (If applicable)
3	Internet Outreach	Partner Agencies	good	see appendices	all accepted	
4	Online Survey	Non-targeted/broad community Residents & Stakeholders	fair	see appendices	all accepted	
5	Public Meeting	Non-targeted/broad community Residents and stakeholders	viewed online	see appendices	all accepted	
6	Online Survey	Non-targeted/broad community Residents & Stakeholders	fair	see appendices	all accepted	
7	Public Meeting	Non-targeted/broad community Residents & Stakeholders	good	see appendices	all accepted	

Table 4 – Citizen Participation Outreach

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Needs Assessment

NA-05 Overview

Needs Assessment Overview

The information below is based primarily on 2000 and 2010 Decennial Census Counts and the most recent (2009-2013) American Community Survey data available along with HUD-provided 2009-2015 CHAS data. The information covers a variety of demographic and housing-related topics for the City of Kettering and the Consortium as a whole.

Much of the data is provided by HUD's Comprehensive Housing Affordability Strategy (CHAS) data system, which currently includes data from the latest (2009-2015) CHAS database. It should be noted that where applicable, sources from the American Community Survey (ACS) have been updated to include the most recent data. ACS data has been included where applicable due to being more current than CHAS data.

Between 1990 and 2010, Kettering's population fell from 60,569 to 56,163. Recent Census estimates show that Kettering's population is continuing to slowly decline, with the 2019 ACS Estimates showing the population at 55,390. The number of households in Kettering fell between 1990 and 2010, but at a much slower pace, falling from 26,098 in 1990 to 25,427 in 2010, and now an estimated 24,960 households, based on 2015-2019 ACS data.

Based on 2015-2019 ACS data, out of Kettering's 24,960 households, the average household size is 2.20 persons. Family households represent 57% of total households with a count of 14,228. Of family households, 6,000 have their own children under 18 years living at home. Married couples living together constitute 10,822 households; 4,168 of these households have their own children living with them. Female householders with no spouse/partner present comprise 7,618 households, with 1,164 of these households having their own children living at home and. Non-family households total 10,732.

NA-10 Housing Needs Assessment - 24 CFR 91.205 (a,b,c)

Summary of Housing Needs

As required by HUD, this plan will provide a summary and analysis of the Kettering's estimated housing needs projected for the next five years.

Based on the Demographics of Kettering we are relatively flat in our population with a slight decrease in population over all, but a slight increase in the number of households. The income levels in Kettering are higher than in the State of Ohio and in Montgomery County.

Cost Burdensome Housing:

In Kettering, the share of cost burdensome owner-occupied housing in 2019 is 19.1% according to ACS 5-Year Estimates (DP04). The share of cost burdensome non-mortgaged owner occupied housing increased is 10.4%, and the share of cost burdensome rental occupied housing is 41.4%. In Kettering, 10.8% of households are considered severely cost burdened, including 16.4% of rental-occupied households and 7.5% of owner-occupied households, based on 2013-2017 CHAS data.

Housing Quality:

In the City of Kettering, 49.2% of the homes were built prior to 1960. While the age of housing is not a contributing factor in HUD's definition of "substandard housing", it does provide the foundation for cost burdensome housing. Substandard housing conditions is not a major issue in Kettering, but these issues are present. In Kettering 41 housing units were found to lack complete plumbing facilities and 146 lack complete kitchen facilities according to 2019 ACS 5-Year Estimates (DP04).

Overcrowding:

Overcrowding is not a common issue in Kettering. Based on 2019 ACS data (S2501), 96 rental-occupied units and 98 owner-occupied units were found to have general overcrowding (1.01-1.5 occupants per room). 33 rental-occupied and 10 owner-occupied housing units were found to be severely overcrowded (1.5+ occupants per room).

Demographics	Base Year: 2009	Most Recent Year: 2015	% Change
Population	56,163	55,945	-0%
Households	24,394	25,090	3%
Median Income	\$49,350.00	\$50,608.00	3%

Table 5 - Housing Needs Assessment Demographics

Data Source: 2005-2009 ACS (Base Year), 2011-2015 ACS (Most Recent Year)

Number of Households Table

	0-30% HAMFI	>30-50% HAMFI	>50-80% HAMFI	>80-100% HAMFI	>100% HAMFI
Total Households	2,590	2,710	4,380	2,865	12,550
Small Family Households	685	515	1,240	1,000	6,180
Large Family Households	130	170	255	165	575
Household contains at least one person 62-74 years of age	380	545	900	570	2,605
Household contains at least one person age 75 or older	355	600	865	410	1,275
Households with one or more children 6 years old or younger	469	270	609	360	509

Table 6 - Total Households Table

Data Source: 2011-2015 CHAS

Housing Needs Summary Tables

1. Housing Problems (Households with one of the listed needs)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Substandard Housing - Lacking complete plumbing or kitchen facilities	30	10	15	0	55	0	0	4	0	4
Severely Overcrowded - With >1.51 people per room (and complete kitchen and plumbing)	0	30	0	0	30	0	0	0	4	4
Overcrowded - With 1.01-1.5 people per room (and none of the above problems)	20	35	30	10	95	4	20	0	0	24
Housing cost burden greater than 50% of income (and none of the above problems)	1,135	450	25	0	1,610	610	270	200	40	1,120
Housing cost burden greater than 30% of income (and none of the above problems)	145	810	765	145	1,865	110	330	760	300	1,500

Demo

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
Zero/negative Income (and none of the above problems)	235	0	0	0	235	135	0	0	0	135

Table 7 – Housing Problems Table

Data 2011-2015 CHAS
Source:

2. Housing Problems 2 (Households with one or more Severe Housing Problems: Lacks kitchen or complete plumbing, severe overcrowding, severe cost burden)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Having 1 or more of four housing problems	1,185	525	65	10	1,785	610	290	210	50	1,160
Having none of four housing problems	275	1,225	2,115	1,285	4,900	150	670	1,990	1,520	4,330
Household has negative income, but none of the other housing problems	235	0	0	0	235	135	0	0	0	135

Table 8 – Housing Problems 2

Data 2011-2015 CHAS
Source:

3. Cost Burden > 30%

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
NUMBER OF HOUSEHOLDS								
Small Related	400	295	295	990	135	120	330	585
Large Related	45	65	10	120	34	45	85	164
Elderly	195	365	210	770	415	320	330	1,065

Demo

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
Other	660	595	285	1,540	135	120	215	470
Total need by income	1,300	1,320	800	3,420	719	605	960	2,284

Table 9 – Cost Burden > 30%

Data 2011-2015 CHAS
Source:

4. Cost Burden > 50%

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
NUMBER OF HOUSEHOLDS								
Small Related	350	85	0	435	105	60	40	205
Large Related	45	30	0	75	30	10	20	60
Elderly	175	130	25	330	350	140	85	575
Other	585	215	0	800	125	60	55	240
Total need by income	1,155	460	25	1,640	610	270	200	1,080

Table 10 – Cost Burden > 50%

Data 2011-2015 CHAS
Source:

5. Crowding (More than one person per room)

	Renter					Owner				
	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	>80-100% AMI	Total
NUMBER OF HOUSEHOLDS										
Single family households	20	50	10	10	90	4	10	0	4	18
Multiple, unrelated family households	0	10	10	0	20	0	4	0	0	4
Other, non-family households	0	0	4	0	4	0	0	0	0	0
Total need by income	20	60	24	10	114	4	14	0	4	22

Table 11 – Crowding Information – 1/2

Data 2011-2015 CHAS
Source:

	Renter				Owner			
	0-30% AMI	>30-50% AMI	>50-80% AMI	Total	0-30% AMI	>30-50% AMI	>50-80% AMI	Total
Households with Children Present	0	0	0	0	0	0	0	0

Table 12 – Crowding Information – 2/2

Data Source
Comments:

Describe the number and type of single person households in need of housing assistance.

There are approximately 9,075 single person households (36.4% of total households) within the City of Kettering, per the 2019 U.S. Census American Community Survey (S2501). Very little data is available pertaining purely to single-person households in need of housing assistance; however, one major trend that is becoming increasingly critical is the aging of the population and the increase in the number of single-person households with elderly householders, about 40% of single person households are 65 years and over (S2501). Householders that are 75 and over are of more concern as the challenges that will arise out of this demographic shift are numerous, including the need for more affordable and accessible senior housing, the need for additional funds to finance accessibility improvements, potential issues with code enforcement as elderly homeowners become less able to maintain their properties, and an increase in the number of vacant and blighted housing units due to the passing away of current residents who may own their homes outright.

Estimate the number and type of families in need of housing assistance who are disabled or victims of domestic violence, dating violence, sexual assault and stalking.

According to the Disability Characteristics Table (S1810) provided by the U.S. Census, 13.6% of the City of Kettering noninstitutionalized population has a disability, totaling 7,494 people. In addition, Kettering has experienced an increase in the number of households receiving Supplemental Security Income (SSI) benefits: the 2010 ACS (B19056) recognized 3.03% of households receiving SSI within the Kettering area, and the 2019 ACS statistics recognized 4.29% of households, representing a 41.58% increase.

What are the most common housing problems?

The most common housing problems are the cost burden of housing due to the aging housing stock and low income of households, and the large inventory of vacant and abandoned structures.

Based on the most recent ACS data, the most common housing problem is housing cost burden. Slightly over 24% of all Kettering households are paying over 30% of their income, with 10.9% paying over 50% of their income for housing.

The City of Kettering housing boom took place in the 1950s, with a plurality of homes being built in that decade (31.8%). Of the 26,610 housing units within the City of Kettering, 22,885 units (86%) were built prior to 1980. As is the case in most cities, the age of the housing stock is a detriment to the affordability of housing.

Based on the 2013-2017 CHAS data, 1,505 renter households and 1,200 of owner-occupied households have a cost burden of greater than 50% in Kettering.

Another common housing problem impacting neighborhoods is the enormous inventory of vacant and abandoned structures. According to the U.S. Census, there are 1,650 vacant housing units in the City of Kettering. Many of these structures have been abandoned by owners and absentee landlords. A major contributor to the issue of abandoned homes are banks, who have foreclosed upon homeowners, then intentionally left the home in legal obscurity so they are not responsible for the maintenance while the home and surrounding neighborhood falls further into decline.

Are any populations/household types more affected than others by these problems?

Renters are more likely to be cost burdened than owners with 38% being cost burdened while 17% of homeowners are cost burdened.

Housing problems correlate closely with the household income of the tenants. Lower-income households tend to have a higher likelihood of experiencing one or more housing problems when compared to higher-income households due to the lack of housing choices available to lower-income individuals and families. This is especially true for cost burdensome housing: of renter-occupied units occupied by households earning less than 30% HAMFI, 78.07% of units in Kettering pay more than 50% of their incomes toward housing costs.

In regards to disproportionate needs as they relate to racial and ethnic minorities, while there are few instances of disproportionate needs within each individual income bracket (i.e., white and African American households earning between 0%-30% of AMI), a discrepancy does exist with regards to the earnings of white households when compared to minority households in Kettering. Due to the strong correlation between income and housing problems, this suggests that minority groups are more likely to experience housing problems.

Describe the characteristics and needs of Low-income individuals and families with children (especially extremely low-income) who are currently housed but are at imminent risk of either residing in shelters or becoming unsheltered 91.205(c)/91.305(c)). Also discuss the needs of formerly homeless families and individuals who are receiving rapid re-housing assistance and are nearing the termination of that assistance

The homeless population of Montgomery County is also a reflection of the diversity, complex characteristics, demographics, and needs of homeless persons across the country. Despite other contributing factors, at its core, homelessness is a poverty issue. People in poverty who have serious mental illness or substance abuse disorders are at a higher risk for becoming homeless than those people who have those disabilities who are not poor. Individuals and families in poverty often face difficult decisions between paying for housing, food, childcare, transportation, and other living expenses. These households are often just a crisis away from becoming homeless. Rent and utility arrearages, high medical bills, bad credit, inadequate income, and family conflicts can result in formal or informal eviction and homelessness.

If a jurisdiction provides estimates of the at-risk population(s), it should also include a description of the operational definition of the at-risk group and the methodology used to generate the estimates:

n/a

Specify particular housing characteristics that have been linked with instability and an increased risk of homelessness

The age and condition of the existing housing stock presents challenges. Regular maintenance and upkeep of obsolete housing is costly. The need for an unexpected major repair, such as roof or furnace replacement or repairing a broken water main, could be the tipping point to homelessness.

Another factor contributing to housing instability is low income levels. Large percentages of households, particularly renter households, pay in excess of 30% of their income toward housing costs. If any issues arise that increase necessary expenditures, such as medical emergencies, or any reduction in income occurs, such as job losses or reduced weekly hours, the odds of falling behind on housing payments increases considerably and can lead to foreclosure or eviction.

Discussion

NA-15 Disproportionately Greater Need: Housing Problems – 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

A disproportionately greater need exists when the members of a racial or ethnic group at an income level experience housing problems at a greater rate than the income level as a whole. The following tables highlight the housing needs by race and income level.

Per Chapter 24 of the Code of Federal Regulations (CFR), Section 91.205(b)(2), a disproportionately greater need exists when the members of a racial or ethnic group at an income level experience housing problems at a greater rate – 10% higher – than the income level as a whole. As an example, consider if 40% of all LMI households are considered to be cost burdened with regards to housing, while 50% of all LMI African American households are considered to be cost burdened with regards to housing. In this example case, LMI African American families have a disproportionately greater need.

Several factors can influence housing problems, but as the data presented in the previous section illustrates, the large indicator of a household experiencing housing problems is household income: the lower the household’s income, the more likely that household is to struggle with housing problems, with housing cost burdens being, by far, the most common housing problem in the Kettering. As such, examining household incomes of common ethnic and racial groups is an essential step in pinpointing any disproportionately greater needs.

Per 2019 ACS numbers for the City of Kettering, 38.95% of African American households earn between \$0 and \$24,999, compared to 18.1% of white households, while 29% of African American households earn over \$75,000, compared to 39.7% of white households. Regarding Hispanic households, 19% earn between \$0 and \$24,999 while 37.9% earn over \$75,000.

Despite the large margins of error for certain categories, African American households in Kettering tend to be more likely to earn less than white households, putting these individuals and families at a greater risk of struggling with housing problems.

0%-30% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	2,050	170	370

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
White	1,735	115	295
Black / African American	165	40	30
Asian	60	0	24
American Indian, Alaska Native	0	0	4
Pacific Islander	0	0	0
Hispanic	40	0	0

Table 13 - Disproportionally Greater Need 0 - 30% AMI

Data Source: 2011-2015 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than one person per room,
4. Cost Burden greater than 30%

30%-50% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	1,955	755	0
White	1,730	735	0
Black / African American	40	10	0
Asian	60	0	0
American Indian, Alaska Native	0	0	0
Pacific Islander	0	0	0
Hispanic	90	10	0

Table 14 - Disproportionally Greater Need 30 - 50% AMI

Data Source: 2011-2015 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than one person per room,
4. Cost Burden greater than 30%

50%-80% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	1,800	2,575	0
White	1,675	2,330	0
Black / African American	70	119	0
Asian	25	55	0
American Indian, Alaska Native	10	0	0
Pacific Islander	0	0	0
Hispanic	15	40	0

Table 15 - Disproportionally Greater Need 50 - 80% AMI

Data Source: 2011-2015 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than one person per room,
4. Cost Burden greater than 30%

80%-100% of Area Median Income

Housing Problems	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	505	2,360	0
White	485	2,195	0
Black / African American	10	49	0
Asian	0	25	0
American Indian, Alaska Native	0	30	0
Pacific Islander	0	0	0
Hispanic	10	19	0

Table 16 - Disproportionally Greater Need 80 - 100% AMI

Data Source: 2011-2015 CHAS

*The four housing problems are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than one person per room,
4. Cost Burden greater than 30%

Discussion

Demo

Kettering has a very small population of racial and ethnic minorities, with 91.1% of the population being white, non-Hispanic.

For the very low income households, there were no disproportionately greater needs, as 92% of the jurisdiction as a whole had one or more housing issues.

For low income households Asian and Hispanic households had a disproportionately greater need. While 72% of Kettering households in this income group suffer at least one housing problem 100% of low income Asian households and 90% of low income Hispanic households

For moderate income households, American Indian/Alaska Natives have a disproportionately greater need. While 41% of all Kettering households in this income group have at least one housing problem, 100% of American Indian/Alaskan Natives have one such or more housing problems.

For households between 80-100% of the area median income, 53% of Hispanic households had a housing problem compared with 18% of the Kettering as a whole.

NA-20 Disproportionately Greater Need: Severe Housing Problems – 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction

Severe housing problems include overcrowded with more than 1.5 persons per room, not including bathrooms, porches, foyers, halls or half-rooms or households with cost burdens of more than 50% of their income.

A disproportionately greater need exists when the members of a racial or ethnic group at an income level experience housing problems at a greater rate (10 percentage points or more) than the income level as a whole. For example, assume that 60% of all low-income households within a jurisdiction have a housing problem and 70% of low-income Hispanic households have a housing problem. In this case, low-income Hispanic households have a disproportionately greater need. Per the regulations at 91.205(b)(2), 91.305(b)(2), and 91.405, a grantee must provide an assessment for each disproportionately greater need identified. Although the purpose of these tables is to analyze the relative level of need for each race and ethnic category, the data also provides information for the city as a whole that can be useful in describing overall need.

0%-30% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	1,795	425	370
White	1,480	370	295
Black / African American	165	40	30
Asian	60	0	24
American Indian, Alaska Native	0	0	4
Pacific Islander	0	0	0
Hispanic	40	0	0

Table 17 – Severe Housing Problems 0 - 30% AMI

Data Source: 2011-2015 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than 1.5 persons per room,
4. Cost Burden over 50%

30%-50% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	815	1,895	0
White	710	1,755	0
Black / African American	10	40	0
Asian	25	35	0
American Indian, Alaska Native	0	0	0
Pacific Islander	0	0	0
Hispanic	65	35	0

Table 18 – Severe Housing Problems 30 - 50% AMI

Data Source: 2011-2015 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than 1.5 persons per room,
4. Cost Burden over 50%

50%-80% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	275	4,105	0
White	250	3,750	0
Black / African American	14	170	0
Asian	4	70	0
American Indian, Alaska Native	0	10	0
Pacific Islander	0	0	0
Hispanic	0	55	0

Table 19 – Severe Housing Problems 50 - 80% AMI

Data Source: 2011-2015 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities,
2. Lacks complete plumbing facilities,
3. More than 1.5 persons per room,
4. Cost Burden over 50%

80%-100% of Area Median Income

Severe Housing Problems*	Has one or more of four housing problems	Has none of the four housing problems	Household has no/negative income, but none of the other housing problems
Jurisdiction as a whole	60	2,805	0
White	50	2,635	0
Black / African American	10	49	0
Asian	0	25	0
American Indian, Alaska Native	0	30	0
Pacific Islander	0	0	0
Hispanic	0	24	0

Table 20 – Severe Housing Problems 80 - 100% AMI

Data Source: 2011-2015 CHAS

*The four severe housing problems are:

1. Lacks complete kitchen facilities, 2. Lacks complete plumbing facilities, 3. More than 1.5 persons per room, 4. Cost Burden over 50%

Discussion

A category of persons having a disproportionately greater need exists when the percentage of persons in a category of need who are members of a particular racial or ethnic group is at least 10% higher than the percentage of persons in a category as a whole.

0-30% of AMI, of the homes having 1 or more of the 4 housing problems:

- Jurisdiction as a whole: 61%
- White: 59.4%
- Black: 82.9%
- Asian: 67.4%
- Hispanic: 38.1%

The Black population in Kettering has a disproportionately greater need than other racial or ethnic group of persons in the 0-30% of AMI category as a whole.

Demo

30-50% of AMI, of the homes having 1 or more of the 4 housing problems:

- Jurisdiction as a whole: 27.7%
- White: 28.5%
- Black: 5.0%
- Asian: 28.1%
- Hispanic: 61.9%

The Hispanic population in Kettering has a disproportionately greater need than other racial or ethnic group of persons in the 0-30% of AMI category as a whole.

50-80% of AMI, of the homes having 1 or more of the 4 housing problems:

- Jurisdiction as a whole: 9.3%
- White: 10.0%
- Black: 7.0%
- Asian: 4.5%
- Hispanic: 0%

There was no disproportionately greater need by any racial or ethnic group of persons in the 50 - 80% of AMI category.

80-100% of AMI, of the homes having 1 or more of the 4 housing problems:

- Jurisdiction as a whole: 2.0%
- White: 2.0%
- Black: 5.0%
- Asian: 0%
- Hispanic: 0%

There was no disproportionately greater need by any racial or ethnic group of persons in the 50 - 80% of AMI category.

NA-25 Disproportionately Greater Need: Housing Cost Burdens – 91.205 (b)(2)

Assess the need of any racial or ethnic group that has disproportionately greater need in comparison to the needs of that category of need as a whole.

Introduction:

A disproportionately greater need exists when the percentage of persons in a category of need who are members of a particular racial or ethnic group is at least 10 percentage points higher than the percentage of persons in the category as a whole. Housing Cost burdens are said to exist when households are paying more than 30% of their income on housing costs. Severe housing cost burden exists where households are paying more than 50% of their income towards housing costs.

Housing Cost Burden

Housing Cost Burden	<=30%	30-50%	>50%	No / negative income (not computed)
Jurisdiction as a whole	17,975	3,895	2,830	390
White	16,825	3,600	2,415	305
Black / African American	435	110	165	30
Asian	240	95	75	35
American Indian, Alaska Native	55	10	0	4
Pacific Islander	0	0	0	0
Hispanic	220	45	120	0

Table 21 – Greater Need: Housing Cost Burdens AMI

Data Source: 2011-2015 CHAS

Discussion:

Based on the data analysis, Hispanic, Asian and African-American residents in Kettering have a disproportionately greater housing cost burden than the city as a whole.

In Kettering, 27% of households experience some level of housing cost burden, with 11% experiencing severe cost burden.

NA-30 Disproportionately Greater Need: Discussion – 91.205(b)(2)

Are there any Income categories in which a racial or ethnic group has disproportionately greater need than the needs of that income category as a whole?

Housing problems are wide-spread in Kettering among LMI households, regardless of race. The few instances on the preceding pages where a disproportionate need is apparent only occur with racial groups with very low populations, suggesting that small sample sizes are being utilized which entail large margins of error; therefore, no accurate conclusions can be drawn from the data. That being said, block group 218.01 has 20% concentration of African American's which is higher than the 4% 2010 Census data, the 8.8% 2019 ACS data or the 10% "Concentration" definition. So, the data may be inaccurate, there is a possibility of a concentration of African American's in Kettering. Please see the attached map.

If they have needs not identified above, what are those needs?

n/a

Are any of those racial or ethnic groups located in specific areas or neighborhoods in your community?

The raw number of Hispanic households in Kettering is very small. There are attached maps for all identified minority groups with any number count identified. Again, the accuracy, given the small counts, may be debatable, and especially if using 2010 Census data but we have tried to point out or use more recent data where possible.

Demo

NA-35 Public Housing – 91.205(b)

Introduction

This section will discuss the needs of public housing residents within the city of Kettering. There are 2,523 public housing units in Kettering, with an additional 3575 vouchers being used.

Totals in Use

	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers			Special Purpose Voucher		
				Total	Project - based	Tenant - based	Veterans Affairs Supportive Housing	Family Unification Program	Disabled *

Table 22 - Public Housing by Program Type

*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition

Data Source: PIC (PIH Information Center)

Characteristics of Residents

	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers			Special Purpose Voucher		
				Total	Project - based	Tenant - based	Veterans Affairs Supportive Housing	Family Unification Program	
									Average Annual Income

Consolidated Plan

KETTERING

40

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	Program Type							
	Certificate	Mod-Rehab	Public Housing	Vouchers			Special Purpose Voucher	
				Total	Project - based	Tenant - based	Veterans Affairs Supportive Housing	Family Unification Program
Average length of stay	2	3	5	4	5	4	0	0
Average Household size	1	2	1	2	4	2	1	0
# Homeless at admission	0	0	1	0	0	0	0	0
# of Elderly Program Participants (>62)	10	0	538	550	0	544	2	0
# of Disabled Families	36	2	658	1,111	6	1,087	9	0
# of Families requesting accessibility features	186	36	2,523	3,575	34	3,463	46	0
# of HIV/AIDS program participants	0	0	0	0	0	0	0	0
# of DV victims	0	0	0	0	0	0	0	0

Table 23 – Characteristics of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Race of Residents

Race	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers			Special Purpose Voucher		
				Total	Project - based	Tenant - based	Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
White	94	2	545	711	1	687	17	0	0
Black/African American	92	34	1,957	2,838	33	2,750	29	0	0

Consolidated Plan

KETTERING

41

Demo

Race	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers			Special Purpose Voucher		
				Total	Project - based	Tenant - based	Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
Asian	0	0	6	8	0	8	0	0	0
American Indian/Alaska Native	0	0	12	9	0	9	0	0	0
Pacific Islander	0	0	3	9	0	9	0	0	0
Other	0	0	0	0	0	0	0	0	0

*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition

Table 24 – Race of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Ethnicity of Residents

Ethnicity	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers			Special Purpose Voucher		
				Total	Project - based	Tenant - based	Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
Hispanic	1	1	81	85	0	81	4	0	0
Not Hispanic	185	35	2,442	3,490	34	3,382	42	0	0

*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition

Table 25 – Ethnicity of Public Housing Residents by Program Type

Data Source: PIC (PIH Information Center)

Section 504 Needs Assessment: Describe the needs of public housing tenants and applicants on the waiting list for accessible units:

Section 504 of the Rehabilitation Act of 1973 and 24 CFR Part 8 requires that 5% of all public housing units be accessible to persons with mobility impairments. Another 2% of public housing units must be accessible to persons with sensory impairments. The Authority entered into a Voluntary Compliance Agreement (VCA) for Section 504 compliance with HUD in August of 2010. Following the VCA Agreement, the Authority conducted a Section 504 needs assessment and transition plan in 2011. The number of accessible units required has fluctuated with the total number of units in GDPM's public housing inventory. During the previous Consolidated Plan reporting period (2011-2015), 31 units met Uniform Federal Accessibility Standards (UFAS), and eight units were sight and sound accessible. The current VCA compliance requirements include 134 UFAS units and 54 sensory units. GDPM has completed 110 of the 134 UFAS mobility units, 14 are underway with 10 units remaining to be converted. Of the sight and sound units, 39 of the 54 units have been completed and eight units are underway, leaving 7 units remaining to be converted. Accommodations in private Section 8 units are provided on a voluntary basis by landlords participating in the program. It is unknown how many private rental units have been modified to meet the needs of tenants with disabilities. There are 417 families on the public housing wait list in need of accessible units which represents 16% of the total families waiting for housing. There are 1,111 current public housing residents classified as disabled/handicapped. Of the total accessible units available within public housing, 81.33% are occupied with disabled/handicapped tenants.

Most immediate needs of residents of Public Housing and Housing Choice voucher holders

The need for local affordable housing remains substantial, as is apparent in review of the waiting list for public housing. 1,216 families are waiting for public housing. The previous Consolidated Plan, developed in 2015, reported 2,629 households waiting for public housing. GDPM reported that the average wait time was six to twelve months. The wait time will vary based upon the desired site selected. The need was strongest for smaller units, as 1,201 applicants (91.7%) requested one- or two-bedroom facilities. Characteristics of households on the GDPM public housing waiting list include 94.9% that are extremely low-income; 3.7% that are very low-income, and 1.4% that are low-income. In regards to race and ethnicity, records indicate show that 67.3% are African American, 26.5% are White, and 3.2% are Hispanic. Families with children make up 20.8% of the wait list, and families with disabilities make up 14%. In addition to public housing facilities, GDPM manages Section 8 Housing Choice Vouchers. As of July 2021, there were 5,896 households on the

waiting list for Section 8 vouchers. The estimated wait time for a voucher is three years. Approximately 300-400 units turn over annually. GDPM reported during the development of the previous Consolidated Plan that the most important unmet need of the Section 8 Housing Choice Voucher program is the insufficient supply of units that meet the Authority's housing quality standards. Similar to the waiting list for public housing, the waiting list for vouchers disproportionately includes African American families, who represent only about one-fifth of all households in Montgomery County, but constitute the vast majority (80.1%) of families in need of Section 8 assistance

How do these needs compare to the housing needs of the population at large

As of July 2015, 2,601 households were residing in GDPM public housing units: 42.71% were disabled and 20.84% classified as elderly. African American households were disproportionately represented, comprising 78.66% of all public housing residents and only 20.3% of the overall population in Montgomery County. As of July 2015, 42.71% of the Authority's clientele consisted of households with a physically disabled member and an additional 20.84% were classified as elderly. The housing needs are consistent with the lowest income population having the greatest need of housing as well as the elderly and disabled population needing Americans with Disabilities Act (ADA) compliant housing.

Discussion

Discussion established throughout NA-35.

NA-40 Homeless Needs Assessment – 91.205(c)

Introduction:

In 2006, the Homeless Solutions 10-Year Plan to End Chronic Homelessness and Reduce Overall Homelessness was adopted by the Cities of Dayton, Kettering and Montgomery County. The Plan’s development and implementation was led by Dayton’s City Manager and the Montgomery County Administrator. The plan provides the policy framework for the community’s Continuum of Care (CoC) to address homelessness in our community.

The homeless definition used is “literally homeless”. According to this definition, an individual or family is considered literally homeless who lacks a fixed, regular and adequate nighttime residence meaning:

- Has a primary residence that is a public or private place not meant for human habitation;
- Is living in a publically or privately operated shelter designated to provide temporary living arrangements (including congregate shelters, transitional housing, and hotels and motels paid for by charitable organizations or by federal, state, and local government programs); or
- Is exiting an institution where s(he) has resided for 90 days or less and who resided in an emergency shelter or place not meant for human habitation before entering that institution.

Homeless Needs Assessment

Population	Estimate the # of persons experiencing homelessness on a given night		Estimate the # experiencing homelessness each year	Estimate the # becoming homeless each year	Estimate the # exiting homelessness each year	Estimate the # of days persons experience homelessness
	Sheltered	Unsheltered				
Persons in Households with Adult(s) and Child(ren)	0	138	1,302	0	0	0
Persons in Households with Only Children	0	1	158	0	0	0
Persons in Households with Only Adults	49	550	3,182	0	0	0

Consolidated Plan

KETTERING

45

Demo

Population	Estimate the # of persons experiencing homelessness on a given night		Estimate the # experiencing homelessness each year	Estimate the # becoming homeless each year	Estimate the # exiting homelessness each year	Estimate the # of days persons experience homelessness
	Sheltered	Unsheltered				
Chronically Homeless Individuals	2	16	0	0	0	0
Chronically Homeless Families	0	0	0	0	0	0
Veterans	4	29	230	0	0	0
Unaccompanied Child	1	40	408	0	0	0
Persons with HIV	0	4	0	0	0	0

Table 26 - Homeless Needs Assessment

Data Source Comments: Montgomery County Housing and Homeless Solutions

Indicate if the homeless population is: Has No Rural Homeless

If data is not available for the categories "number of persons becoming and exiting homelessness each year," and "number of days that persons experience homelessness," describe these categories for each homeless population type (including chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth):

Nature and Extent of Homelessness: (Optional)

Race:	Sheltered:	Unsheltered (optional)
White	335	37
Black or African American	429	11
Asian	2	0
American Indian or Alaska Native	6	0
Pacific Islander	4	0
Ethnicity:	Sheltered:	Unsheltered (optional)
Hispanic	135	10
Not Hispanic	705	39

Data Source

Comments:

Montgomery County Housing and Homeless Solutions

Estimate the number and type of families in need of housing assistance for families with children and the families of veterans.

Each year the CoC conducts a point-in-time count of persons residing in shelter and transitional housing facilities, and living unsheltered in Montgomery County. The point-in-time count is a statistically reliable tally of who is homeless on a given night, and where they are residing. According to the 2020 Point in Time Count conducted on January 28th, 2020, a total of 536 households (642 people) were counted. 8% of households were unsheltered. There were 40 families with children, 92% of households were sheltered, and 1 unaccompanied minor.

Ending homelessness for veterans is a local and national priority. Substantial federal resources have been made available through the U.S. Department of Veteran Affairs to help veterans with different levels of need. Some veterans are not eligible for these resources and need assistance with CoC resources. Most veterans enter homelessness through the shelter system. The CoC of Montgomery County has been effective in ending Veteran homelessness with only 33 in the 2020 PIT Count compared to 2 in 2015.

Describe the Nature and Extent of Homelessness by Racial and Ethnic Group.

Montgomery County Housing and Homeless Solutions provided the following numbers on homelessness by racial and ethnic group

Black: 52.1%

White: 40.7%

Asian, American Indian or Alaska Native, Pacific Islander: 1.4%

Hispanic: 15.2%

Describe the Nature and Extent of Unsheltered and Sheltered Homelessness.

During 2020, there were 3,444 households (4,105 people) who experienced homelessness and were served in one of the community's gateway shelters in Montgomery County. There were 288 families; 125 unaccompanied minors between the ages 11-17; and 2,956 single adults served in the gateway shelters. Many of the households served were new to homelessness, with 2,228 persons having their first time being homeless in 2020.

Among the homeless single adult population, men comprise 56% and women 30%. African Americans are disproportionately represented in the homeless population, comprising 45% of households in 2020.

Discussion:

High levels of unemployment, drug and alcohol addiction, and mental health issues are the main contributing factors of homelessness. Clustering these populations into one area where there are already high levels of crime is not helpful to the populations or the community. Those with criminal backgrounds find it difficult to gain employment. The need to spread the at-risk populations throughout various communities offers the opportunity to develop successful life skills to bring them out of poverty and into permanent housing.

NA-45 Non-Homeless Special Needs Assessment - 91.205 (b,d)

Introduction:

Persons with special needs include the elderly and frail elderly, persons with severe mental illness, persons with developmental and physical disabilities, persons suffering from drug and alcohol addiction, public housing residents, and persons living with HIV/AIDS. The vast majority of persons with such special needs also have very low incomes. It is very difficult to determine a precise number of individuals with special needs in the city of Kettering.

Describe the characteristics of special needs populations in your community:

The non-homeless special needs populations that are most characteristic of Kettering include the elderly and disabled populations.

Elderly households are considered those households ages 62 and older. The majority of elderly residents are LMI, living on a fixed income, and unable to maintain their current housing or afford to pay rent. A major trend that is becoming increasingly critical is the aging of the population and the increase in the number of single-person households with elderly householders, particularly those householders ages 75 and older.

Kettering's noninstitutionalized population has a 15.77% physical disability rate, numbering 7,040 people according to ACS 2018 estimates (S1811). To further cite the growing disabled population, Kettering residents who are disabled have experienced an increase in the number of households receiving Supplemental Security Income (SSI) benefits. The 2000 Census recognized that there are 2.12% of households receiving SSI within the Dayton-Kettering Consortium. The 2019 ACS statistics (B19056) show an increase to 4.3%, a 102.8% increase.

Disabilities go beyond the physical to include mental and developmental disabilities. While these numbers are harder to track, they are evident throughout the community. It is estimated that mental disorders affect one-quarter of all Americans. Mental disability shows no bias for age, gender, income, ethnicity, religion or geography; however, LMI individuals lack the financial means for much needed services and medical attention required and therefore, debilitating mental illness has a higher impact on this population.

What are the housing and supportive service needs of these populations and how are these needs determined?

Elderly households are often unable to maintain existing homes or afford rent payments. The numbers of elderly requiring medical and other services to remain in their homes, rather than in medical facilities, continues to increase. These elderly will need long-term services and support, and they face challenges to afford such care and assistance.

There is a need for more affordable and accessible senior housing. Housing types include independent living that is accessible, independent living with in-home care, assisted living facilities, and nursing facilities. Elderly homeowners will require additional funds to finance accessibility improvements. Potential issues will arise with code enforcement as elderly homeowners become less able to maintain their properties, and the number of vacant and blighted housing units in the community will increase due to the passing away of current residents who may own their homes outright. Many seniors are also below the poverty level, adding more challenges to finding affordable care and housing. Needed services include healthcare and medication management, meals and nutritional counseling, caregiver support, abuse prevention and advocacy, money management, personal services, housekeeping and homemaker assistance, and transportation.

As discussed within the elderly population, there is a need for accessible ADA-compliant housing for the physically disabled. Homeowners need additional funds to finance accessibility improvements and new affordable accessible units need to be developed in both the rental and homeowner markets.

There is a desperate need for consistent and thorough case management of those with mental and developmental disabilities. In too many cases, individuals become chronically homeless because of ineffective case management where they are not seen on a consistent basis and are not provided the services they desperately need. Alcohol and drug addiction is often connected to mental illness. The heroin epidemic experienced throughout the country is prevalent in the Kettering area as well. It was noted in the Health, Human Services and Homelessness Focus Group that finding services for treatment of drug and alcohol addiction is difficult.

Supportive housing addresses the housing needs of those in homelessness combined with a disability. The Homeless Solutions Community 10 Year Plan recognizes the need for supportive housing so much that a goal to produce 750 units of additional supportive housing is becoming a reality.

Discuss the size and characteristics of the population with HIV/AIDS and their families within the Eligible Metropolitan Statistical Area:

Not Applicable. The City of Kettering does not receive HOPWA entitlement funds.

Discussion:

There are a number of agencies in the Kettering area that exist to serve the special needs populations, including but not limited to ADAMHS, Dayton VA Medical Center, Eastway Behavioral Health, Samaritan

Behavior Health, Kettering Behavioral Health, Goodwill Easter Seals, Homefull, Places, and Eastway Corp. According to the Montgomery County Family Resource Guide, there are 15 agencies that provide addiction treatment services, 18 agencies that provide mental health services, 19 medical health centers, and nine local hospitals. This extensive list of providers and facilities suggest a substantial amount of services are available for the special needs populations within the Dayton area.

Case management is a collaborative process of assessment, planning, facilitating, care coordination, evaluation, and advocacy for options and services to meet an individual's or family's comprehensive needs. Housing-focused case management concentrates on the areas that directly impact a particular household's stability in housing. Montgomery County, along with the City of and Kettering, has a successful comprehensive CoC with an established collaborative system in place with regards to housing. There needs to be the same comprehensive continuum in regards to service providers and in conjunction with supportive housing to ensure the special needs populations are receiving the services they need to develop the life skills required for continuous housing. Case management is a colossal endeavor; because an individual or family's success depends upon it, there must be greater coordination and accountability.

NA-50 Non-Housing Community Development Needs – 91.215 (f)

Describe the jurisdiction's need for Public Facilities:

The City of Kettering is rich with thriving public facilities including Frazee Pavilion, Rosewood Arts Center, and Kettering Recreation Complex and Ice Arena. While some of these venues charge admission fees, these facilities benefit the entire community. The City of Kettering has been successful in keeping the underserved in mind when planning such venues, offering scholarships and some income based fees. Based on resident feedback, these public facilities are highly regarded.

The other public facility needs are infrastructure. The city has a Capital Improvement Fund and plan that (Get the # of years they want to pave each road) & look at status of bridge replacements.

How were these needs determined?

Throughout the consolidated planning process, needs have been assessed through focus group meetings, stakeholder meetings, public hearings, and community surveys. General needs have been assessed through the use of Census, ACS, and CHAS data.

Describe the jurisdiction's need for Public Improvements:

In 2013, the City of Kettering received \$40 million through the now-repealed Ohio estate tax. The funds were placed into the City's capital improvement fund and drawn annually to address capital projects needed throughout Kettering. These funds are projected to last 15-20 years, making a significant impact on the financing of infrastructure projects. Even with the windfall of funding, the City is running out of roads that require repaving improvements only. Over the next 20 years, large sections of underground utility systems, including the storm sewer network, will need to be replaced.

How were these needs determined?

Throughout the consolidated planning process, needs have been assessed through focus group meetings, stakeholder meetings, public hearings, and community surveys. General needs have been assessed through the use of Census, ACS, and CHAS data.

Describe the jurisdiction's need for Public Services:

Services for the senior population will continue to be a need in the city of Kettering. There is an urgent need for organizations and services that connect local senior citizens with existing services such as transportation, health and wellness, rental assistance, and public housing. The senior population – particularly in Kettering – has grown rapidly over the last 20 years and will continue will continually rise as the Baby Boomer generation reaches retirement.

Kettering’s existing senior services attract retirees to the community. The city’s existing four 24-unit Franklin Foundation senior housing developments and 102-unit Terraces complex provide affordable housing units to senior citizens, and more senior living complexes will likely be developed in the future.

How were these needs determined?

These needs were determined by looking at recent demographic and economic data, showing the population of Kettering continues to age rapidly.

Throughout the consolidated planning process, needs have been assessed through focus group meetings, stakeholder meetings, public hearings, and community surveys. General needs have been assessed through the use of Census, ACS, and CHAS data.

Housing Market Analysis

MA-05 Overview

Housing Market Analysis Overview:

The Market Analysis provides an overview of demographic, economic, and housing trends that influence the administration of Kettering's programs over the Consolidated Plan period. In conjunction with the Needs Assessment, the Market Analysis provides the basis for the Strategic Plan proposed projects and programs.

The Housing Market Analysis provides data and narrative information regarding the characteristics of the local housing market, including supply, demand, condition, and cost of housing; the housing stock available to serve persons with disabilities and other special needs; the condition and needs of public and assisted housing; a brief inventory of facilities, housing, and services that meet the needs of homeless persons; regulatory barriers to affordable housing; and the effects on the housing market of the overall economy.

The City of Kettering has consulted with several agencies to gain more insight into our housing market, The Greater Dayton Realtors Association has provided an analysis of the Kettering Housing Market which the City has reviewed. They have described the shortage of housing stock and that homes are selling in hours, often with-out being seen. The Median Home Value is now \$172,340.00 and housing values have increased 7%. The rental market is equally tight. Rental homes are requiring a fully approved application before showing a unit. In some cases, rental units are having deposits put on them before tenants have ever seen them. Between 2020 and 2021 rental housing unit prices increased 10-25% in high transiency months.

MA-10 Number of Housing Units – 91.210(a)&(b)(2)

Introduction

As required, this portion of the Consolidated Plan will describe the significant characteristics of the City of Kettering's housing market. This section details the supply of housing currently in the market including all rental properties by number of units and unit size by tenure (renter v. owner). In June 2021, Kettering home prices were up 29.3% compared to last year, selling for a median price of \$203K. On average, homes in Kettering sell after 6 days on the market compared to 29 days last year. There were 109 homes sold in June this year, up from 102 last year. Many homes get multiple offers, some with waived contingencies. The average homes sell for about **2%** above list price and go pending in around **6 days**. Hot homes can sell for about **8%** above the list price and go pending in around **3 days**. The average rent in Kettering is \$885 currently with the Year over year listing as 6%. The average apartment size in Kettering, OH is 851 sq. ft. 10,732 or 42% of the households in Kettering, OH is renter-occupied while 14,228 or 57% are owner-occupied.

All residential properties by number of units

Property Type	Number	%
1-unit detached structure	18,450	68%
1-unit, attached structure	1,055	4%
2-4 units	3,440	13%
5-19 units	2,780	10%
20 or more units	1,305	5%
Mobile Home, boat, RV, van, etc	55	0%
Total	27,085	100%

Table 27 – Residential Properties by Unit Number

Data Source: 2011-2015 ACS

Unit Size by Tenure

	Owners		Renters	
	Number	%	Number	%
No bedroom	20	0%	590	6%
1 bedroom	125	1%	2,475	26%
2 bedrooms	2,150	14%	4,065	43%
3 or more bedrooms	13,235	85%	2,435	25%
Total	15,530	100%	9,565	100%

Table 28 – Unit Size by Tenure

Data Source: 2011-2015 ACS

Describe the number and targeting (income level/type of family served) of units assisted with federal, state, and local programs.

There are approximately 600 units in Kettering, almost half are low-income housing tax credit and the other half are Section 8 or Section 202 housing. There are four 202 senior buildings, each with 23 units. Greater Dayton Premier Management, the local housing authority has 32 one-bedroom section 8 units in Kettering. There is one senior project-based section 8 building with 100 units. There are two family project-based section 8 buildings with a combined number of 215 units.

Provide an assessment of units expected to be lost from the affordable housing inventory for any reason, such as expiration of Section 8 contracts.

Two years ago, a low-income housing tax credit (LIHTC) building contract expired. Over the next ten years, 4 more are expiring. These buildings are virtually the only places where someone can take a Section 8 voucher in Kettering as most landlords here refuse them. However, this past round of tax credits, 4 additional developers contracts for LIHTC units. It will not be a one-for-one match as most of these are a mix of senior and family whereas the former were all family and there is one less building, but it is a start towards replacing some of what is lost.

Does the availability of housing units meet the needs of the population?

The market for-sale units and the for-rent units market is very tight. For sale, units are selling on average in 6 days. Many of the rental units need modernized but because the market is so tight landlords have little incentive to do the work. The analysis shows 3,428 units needed for renters below 80% of AMI. Total rental units in the community make up 37.6% percent of all unit types in Kettering and 62.4 are owner-occupied type housing.

Describe the need for specific types of housing:

All types of affordable housing are needed in Kettering as we are short at least 3,428 units of affordable housing for incomes up to 80% of Area Median Income. The number of renters with incomes below 80% of Area Median Income who are cost-burdened is 3,420. The number of owner-occupied units where the owner is cost-burdened and the incomes are below 80% of Area Median Income is 2,284. When considering all incomes and housing types more than 30% of Kettering residents are housing cost-burdened. The most pressing need is clearly for those who are cost-burdened at the lowest incomes, either rental or owner-occupied. However, while Kettering cannot tell a homeowner to leave their home because it is no longer affordable, there is a clear lack of rental units and a deep need for affordable units for those with very low incomes. Section 8 or Project-based Section 8 is the most preferable type of housing. Additional specialty units for seniors and supportive housing for people and families dealing

with addiction are needed. Many young people or young families want to buy their first home in Kettering and cannot find an affordable home as well.

Discussion

MA-15 Housing Market Analysis: Cost of Housing - 91.210(a)

Introduction

This section details the significant characteristics of Kettering's housing market. Specifically discussed are the cost of housing and housing affordability. Greater Dayton Realtors has reported the current Median Home Value to be \$172,340 and the percent change to be 7% increase.

Cost of Housing

	Base Year: 2009	Most Recent Year: 2015	% Change
Median Home Value	134,100	125,000	(7%)
Median Contract Rent	547	595	9%

Table 29 – Cost of Housing

Data Source: 2005-2009 ACS (Base Year), 2011-2015 ACS (Most Recent Year)

Rent Paid	Number	%
Less than \$500	3,285	34.4%
\$500-999	5,670	59.3%
\$1,000-1,499	445	4.7%
\$1,500-1,999	45	0.5%
\$2,000 or more	125	1.3%
Total	9,570	100.1%

Table 30 - Rent Paid

Data Source: 2011-2015 ACS

Housing Affordability

% Units affordable to Households earning	Renter	Owner
30% HAMFI	385	No Data
50% HAMFI	2,020	1,270
80% HAMFI	5,555	3,945
100% HAMFI	No Data	5,608
Total	7,960	10,823

Table 31 – Housing Affordability

Data Source: 2011-2015 CHAS

Needed Units

30% HAMFI 1,300 units needed

50% HAMFI 1,328 units needed

80% HAMFI 800 units needed

Monthly Rent

Monthly Rent (\$)	Efficiency (no bedroom)	1 Bedroom	2 Bedroom	3 Bedroom	4 Bedroom
Fair Market Rent	523	596	777	1,045	1,143
High HOME Rent	523	596	777	1,045	1,143
Low HOME Rent	523	596	777	946	1,056

Table 32 – Monthly Rent

Data Source Comments: US Dept of HUD FMR and HOME rents issued July 1, 2020

Is there sufficient housing for households at all income levels?

There is insufficient housing for residents at 30% HAMFI, 50% and 80% HAMFI. Residents at 30% at HAFI at the most significant burden and lack of housing and are therefore at the most risk in Kettering. 1,328 units are needed for 30% HAMFI and 1,300 units are needed for 50% HAMFI. 800 units are needed for 80% HAMFI.

How is affordability of housing likely to change considering changes to home values and/or rents?

Housing affordability is growing more challenging in Kettering. Homes for sale had a 7% value increase over last year. Rents prices are changing month to month depending on demand for units but recent reports indicate tenants making deposits on units not vacated and never visited.

How do HOME rents / Fair Market Rent compare to Area Median Rent? How might this impact your strategy to produce or preserve affordable housing?

According to these HOME rents and Area Median Rents, the rents are equal. Therefore, Kettering should consider producing housing to then rent it out. However, in reality, the Fair Market Rents are not equal to what is being charged in Kettering, OH today. Nor, what it costs to cover the cost of producing units.

Discussion

MA-20 Housing Market Analysis: Condition of Housing – 91.210(a)

Introduction

Poor housing conditions stem from several issues, including aging housing, low incomes, landlords not maintaining their properties, owners who can afford improvements choosing not to make them, and abandonment, among others.

Despite the age of housing in Kettering, the age of housing does not necessarily guarantee neighborhood deterioration. Issues arise when the costs to maintain and rehabilitate the housing exceed the ability of the existing owners to finance the improvements. Landlords who fail to maintain their properties also contribute to neighborhood deterioration.

Definitions

“Substandard condition” is defined as a housing unit without operable indoor plumbing, without a usable indoor flush toilet or bathtub, without electricity, or without adequate or safe electrical service, without an adequate or safe heat source, and should, but does not have, a kitchen.

“Substandard but suitable for rehabilitation” is defined as a dwelling unit that is both financially and structurally feasible for rehabilitation. Such units may be lacking complete plumbing or kitchen facilities and/or may have exterior elements in need of repair. In order to be suitable for rehabilitation, the value of the housing unit will meet or exceed the cost of the repairs or upgrades that would be required in order to bring it to standard condition.

Condition of Units

Condition of Units	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
With one selected Condition	3,130	20%	3,685	39%
With two selected Conditions	25	0%	90	1%
With three selected Conditions	0	0%	10	0%
With four selected Conditions	0	0%	0	0%
No selected Conditions	12,370	80%	5,785	60%
Total	15,525	100%	9,570	100%

Table 33 - Condition of Units

Data Source: 2011-2015 ACS

Year Unit Built

Year Unit Built	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
2000 or later	335	2%	280	3%

Year Unit Built	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
1980-1999	1,065	7%	1,275	13%
1950-1979	11,465	74%	6,485	68%
Before 1950	2,660	17%	1,520	16%
Total	15,525	100%	9,560	100%

Table 34 – Year Unit Built

Data Source: 2011-2015 CHAS

Risk of Lead-Based Paint Hazard

Risk of Lead-Based Paint Hazard	Owner-Occupied		Renter-Occupied	
	Number	%	Number	%
Total Number of Units Built Before 1980	14,125	91%	8,005	84%
Housing Units build before 1980 with children present	314	2%	169	2%

Table 35 – Risk of Lead-Based Paint

Data Source: 2011-2015 ACS (Total Units) 2011-2015 CHAS (Units with Children present)

Vacant Units

	Suitable for Rehabilitation	Not Suitable for Rehabilitation	Total
Vacant Units	0	0	0
Abandoned Vacant Units	0	0	0
REO Properties	0	0	0
Abandoned REO Properties	0	0	0

Table 36 - Vacant Units

Alternate Data Source Name:
2009-2013 ACS

Data Source Comments: According to the 2019 American Community Survey 5-year estimates data, there were 1650 vacant housing units in Kettering. Of these vacancies, 651 (39.5%) were vacant for reasons other than being for sale or for rent, sold or rented but not occupied, for migrant workers, or for seasonal use. No ACS or other data is available on Real Estate Owned (REO) properties, the condition of vacancies, whether they are abandoned and whether they might be suitable for rehabilitation.

Need for Owner and Rental Rehabilitation

The age and condition of the existing housing stock indicates a necessity for owner and rental rehabilitation. According to the U.S. Census, American Community Survey 2015-2019 estimates (CP04), the City of Kettering's housing boom took place in the 1950s, with nearly a third of homes being built in that decade (31.8%). Of the 26,610 housing units within the City of Kettering, 22,885 units (86%) were built prior to 1980. The age of the housing stock is a detriment to the affordability of housing.

Based upon these figures, Kettering faces an increasing need for owner- and rental-rehabilitation. Significant investment is needed to address code violations, make emergency repairs to vital housing systems, and increase accessibility.

Estimated Number of Housing Units Occupied by Low or Moderate Income Families with LBP Hazards

A vast majority of the housing units in the city of Kettering were built prior to 1980, with approximately 86% of all housing units having been constructed before 1980, according to 2015-2019 ACS estimates. Based purely on the high percentage of all housing units built prior to 1980, it is likely that a similar percentage of LMI households in both cities reside in housing units at-risk for LBP hazards.

Discussion

MA-25 Public and Assisted Housing – 91.210(b)

Introduction

GDPM is the single largest public provider of housing for LMI households in the Kettering Area. As part of an ongoing effort to transition its existing public housing stock to adequately meet the needs of local eligible families, GDPM continues to clear the inventory of outdated and deficient stock, expand its portfolio of affordable housing, and modernize and renovate public housing units where appropriate.

Currently, there are 32 units of public housing in the City of Kettering. GDPM manages 2,672 total units of public housing; 80% are located in Dayton and 1% in Kettering. All of GDPM’s public housing units within Kettering are one-bedroom units.

Over the last ten years, GDPM’s public housing inventory has decreased by 22%. In 2005, GDPM managed 3,517 public housing units. GDPM has since demolished 774 units that were outdated, required substantial rehabilitation, and were located in sites with vacancy rates exceeding 30%. The housing need for families with extremely low incomes continues to be an extensive need. Of the 2,629 families currently on the waiting list for public housing, 77.7% represent families with extremely low income (less than 30% of area median income [AMI]).

Totals Number of Units

	Program Type								
	Certificate	Mod-Rehab	Public Housing	Vouchers					
				Total	Project-based	Tenant-based	Special Purpose Voucher		
							Veterans Affairs Supportive Housing	Family Unification Program	Disabled *
# of units vouchers available	182	33	2,809	3,794	91	3,703	342	1,101	754
# of accessible units									

*includes Non-Elderly Disabled, Mainstream One-Year, Mainstream Five-year, and Nursing Home Transition

Table 37 – Total Number of Units by Program Type

Data Source: PIC (PIH Information Center)

Describe the supply of public housing developments:

Describe the number and physical condition of public housing units in the jurisdiction, including those that are participating in an approved Public Housing Agency Plan:

There are two developments with several 4 unit buildings adjacent two each other in a northern neighborhood of Kettering. Both developments have undergone inspections periodically when required by contracts and have always met the standards as required.

Public Housing Condition

Public Housing Development	Average Inspection Score

Table 38 - Public Housing Condition

Describe the restoration and revitalization needs of public housing units in the jurisdiction:

GDPM is utilizing available funding to renovate older units. When a renovated unit is done they will give first choice to a displaced resident from the renovations therefore, even though additional units should have come online in the recent past, they have been transferred to displace tenants. However, after all of the RAD funds have been used and the units updated, there will be additional units online in Kettering and better units overall.

Describe the public housing agency's strategy for improving the living environment of low- and moderate-income families residing in public housing:

Residents are encouraged to form tenant councils, they are encouraged to participate in job training and healthy living programs and given information on how to control utility costs.

Discussion:

MA-30 Homeless Facilities and Services – 91.210(c)

Introduction

The five year Consolidated Plan must include a brief inventory of facilities, housing and services that meet the needs of homeless persons within the jurisdiction, particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth. The inventory of services includes both services targeted to homeless persons and mainstream services, such as health, mental health, and employment services. Definitions are as follows:

Emergency Shelter: Any facility, the primary purpose of which is to provide a temporary shelter for the homeless in general or for specific populations of the homeless, and which does not required occupants to sign leases or occupancy agreements.

Transitional Housing: A place where a person chooses to live of their own accord, pays for on their own, utilizes utilities and would be considered safe and decent if not affordable.

Facilities and Housing Targeted to Homeless Households

	Emergency Shelter Beds		Transitional Housing Beds	Permanent Supportive Housing Beds	
	Year Round Beds (Current & New)	Voucher / Seasonal / Overflow Beds	Current & New	Current & New	Under Development
Households with Adult(s) and Child(ren)	150	40	22	492	0
Households with Only Adults	317	120	94	960	0
Chronically Homeless Households	0	0	0	483	0
Veterans	12	0	30	219	0
Unaccompanied Youth	24	0	44	0	0

Table 39 - Facilities and Housing Targeted to Homeless Households

Data Source Comments: Provided by Montgomery County

Describe mainstream services, such as health, mental health, and employment services to the extent those services are used to complement services targeted to homeless persons

There are a number of agencies in the Kettering area that exist to serve the special needs populations, including, but not limited to, ADAMHS, Dayton VA Medical Center, Eastway Behavioral Health, Samaritan Behavior Health, Kettering Behavioral Health, Goodwill Easter Seals, Homefull, Places, and Eastway Corp. According to the Montgomery County Family Resource Guide, there are 15 agencies that provide addiction treatment services, 18 agencies that provide mental health services, 19 medical health centers and 9 local hospitals. The extensive list of providers and facilities suggests a substantial amount of services are available for the special needs populations within the Kettering area. Both Sinclair Community College and the University of Dayton Research Institute are involved in workforce training initiatives. In addition, Goodwill Easter Seals has a variety of workforce training programs.

List and describe services and facilities that meet the needs of homeless persons, particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth. If the services and facilities are listed on screen SP-40 Institutional Delivery Structure or screen MA-35 Special Needs Facilities and Services, describe how these facilities and services specifically address the needs of these populations.

Daybreak is a facility that works with young persons who have left their families and can be emancipated or can't be reunited. St. Vincent DePaul is the family homeless Shelter and the Gateway Shelter. The Men's Shelter is on Gettysburg and is operated by St. Vincent DePaul as well. Homefull provides case management solutions for both the family and the men's shelter. We do not have a separate veteran's shelter. There is a domestic violence shelter run by the YWCA and some transitional housing they provide as well. Miami Valley Homeless Opportunities and several religious groups provide some daytime places for the homeless to congregate and have meals and Daybreak is a facility that works with young persons who have left their families and can be emancipated or can't be reunited. St. Vincent DePaul is the family homeless Shelter and the Gateway Shelter. The Men's Shelter is on Gettysburg and is operated by St. Vincent DePaul as well. Homefull provides case management solutions for both the family and the men's shelter. We do not have a separate veteran's shelter. There is a domestic violence shelter run by the YWCA and some transitional housing they provide as well. Miami Valley Homeless Opportunities and several religious groups provide some daytime places for the homeless to congregate and have meals and activities.

MA-35 Special Needs Facilities and Services – 91.210(d)

Introduction

As discussed previously, the Kettering area is home to many agencies that serve the special needs populations. From addiction treatment services to mental health services to medical services, an extensive web of service providers work to support the special needs populations in the area.

Including the elderly, frail elderly, persons with disabilities (mental, physical, developmental), persons with alcohol or other drug addictions, persons with HIV/AIDS and their families, public housing residents and any other categories the jurisdiction may specify, and describe their supportive housing needs

Case management is a collaborative process of assessment, planning, facilitating, care coordination, evaluation, and advocacy for options and services to meet an individual's or family's comprehensive needs. Housing-focused case management concentrates on the areas that directly impact a particular household's stability in housing. Montgomery County, along with the City of Kettering, has a successful comprehensive CoC with an established collaborative system in place with regards to housing. There needs to be the same comprehensive continuum in regards to service providers and in conjunction with supportive housing to ensure the special needs populations are receiving the services they need to develop the life skills required for continuous housing. Case management is a colossal endeavor: because an individual or family's success depends upon it, there has to be greater coordination and accountability.

Describe programs for ensuring that persons returning from mental and physical health institutions receive appropriate supportive housing

Supportive housing providers regularly collaborate with ADAMHS to ensure that those with mental and physical disabilities receive adequate housing and case management services upon return from institutionalization. Other agencies provide additional supportive services to this clientele: Samaritan Homeless Clinic provides respite services, and the VA Medical Center provides supportive housing services to veterans and non-veterans upon return from an institution.

Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with 91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. 91.315(e)

Kettering will continue to serve the non-homeless special-needs populations through a strong regional network of public, private, and non-profit housing and service providers.

Kettering programs supported by federal funding are targeted to assist low- and moderate-income individuals, many of whom fall into special needs categories. Special needs populations are targeted in each city's planned activities, such as housing rehabilitations that allow elderly or disabled homeowners to remain in their homes.

For entitlement/consortia grantees: Specify the activities that the jurisdiction plans to undertake during the next year to address the housing and supportive services needs identified in accordance with 91.215(e) with respect to persons who are not homeless but have other special needs. Link to one-year goals. (91.220(2))

The narrative responding to the previous prompt answers this prompt as well.

MA-40 Barriers to Affordable Housing – 91.210(e)

Negative Effects of Public Policies on Affordable Housing and Residential Investment

MA-45 Non-Housing Community Development Assets – 91.215 (f)

Introduction

The economy of the Dayton region has struggled to gain traction following a major reduction of manufacturing jobs, particularly within the transportation equipment manufacturing (automotive) sector, due to the loss of several General Motors/Delphi plants in the region. In 1998, approximately 22,000 individuals were employed in the transportation manufacturing sector in the Dayton MSA. At the height of the Great Recession in 2009, this number had declined to 5,300 before rising slightly to 6,100 in 2014 (based upon statistics from the U.S. Bureau of Labor Statistics [BLS], Federal Reserve Bank of St. Louis). In addition, general manufacturing job numbers decreased from 77,200 in 1998 to 36,400 in 2009, with the number increasing slightly to 39,000 by 2014.

An article published by the Dayton Business Journal in 1997 estimated that GM's local payroll was \$930 million. The loss of manufacturing jobs has contributed to a major decrease in the purchasing power of the local population, which has hampered the growth of more consumer-driven sectors of the economy.

For a number of years, overall non-farm employment numbers have been weak as well. According to data provided by the BLS and illustrated by the St. Louis Federal Reserve, between the years 2000 and 2010, total non-farm employment numbers in the Dayton MSA dropped from 424,300 to 360,400 before rising to 372,000 in 2014. Employment growth has continued in 2015, rising from 373,500 jobs in January to 378,100 jobs in June.

Unemployment

Currently, Kettering's unemployment rate is 5.1%, which is lower than the county or nation and similar to the State of Ohio average according to the Greater Dayton Realtors Association.

Incomes

Kettering's Median Income is \$53,774 and Average Household Income is \$72,412. Median Income has stayed relatively stable while costs have increased.

Economic Development Market Analysis

Business Activity

Business by Sector	Number of Workers	Number of Jobs	Share of Workers %	Share of Jobs %	Jobs less workers %
Agriculture, Mining, Oil & Gas Extraction	32	0	0	0	0
Arts, Entertainment, Accommodations	3,026	2,275	13	10	-3
Construction	869	717	4	3	-1
Education and Health Care Services	5,642	8,389	25	36	11
Finance, Insurance, and Real Estate	1,496	2,836	7	12	5
Information	742	939	3	4	1
Manufacturing	2,447	1,942	11	8	-3
Other Services	849	778	4	3	-1
Professional, Scientific, Management Services	2,476	2,038	11	9	-2
Public Administration	0	0	0	0	0
Retail Trade	3,314	2,581	15	11	-4
Transportation and Warehousing	688	308	3	1	-2
Wholesale Trade	1,123	691	5	3	-2
Total	22,704	23,494	--	--	--

Table 40 - Business Activity

Data Source: 2011-2015 ACS (Workers), 2015 Longitudinal Employer-Household Dynamics (Jobs)

Labor Force

Total Population in the Civilian Labor Force	29,709
Civilian Employed Population 16 years and over	27,700
Unemployment Rate	6.78
Unemployment Rate for Ages 16-24	19.12
Unemployment Rate for Ages 25-65	5.12

Table 41 - Labor Force

Data Source: 2011-2015 ACS

Occupations by Sector	Number of People
Management, business and financial	6,925
Farming, fisheries and forestry occupations	1,430
Service	2,909
Sales and office	7,085
Construction, extraction, maintenance and repair	1,615
Production, transportation and material moving	1,505

Table 42 – Occupations by Sector

Data Source: 2011-2015 ACS

Travel Time

Travel Time	Number	Percentage
< 30 Minutes	20,955	80%
30-59 Minutes	4,325	16%
60 or More Minutes	1,000	4%
Total	26,280	100%

Table 43 - Travel Time

Data Source: 2011-2015 ACS

Education:

Educational Attainment by Employment Status (Population 16 and Older)

Educational Attainment	In Labor Force		Not in Labor Force
	Civilian Employed	Unemployed	
Less than high school graduate	825	85	535
High school graduate (includes equivalency)	4,755	335	1,770
Some college or Associate's degree	8,970	725	1,860

Educational Attainment	In Labor Force		Not in Labor Force
	Civilian Employed	Unemployed	
Bachelor's degree or higher	8,185	380	1,185

Table 44 - Educational Attainment by Employment Status

Data Source: 2011-2015 ACS

Educational Attainment by Age

	Age				
	18–24 yrs	25–34 yrs	35–44 yrs	45–65 yrs	65+ yrs
Less than 9th grade	20	85	53	115	335
9th to 12th grade, no diploma	440	410	310	470	605
High school graduate, GED, or alternative	1,109	1,420	1,365	4,085	3,430
Some college, no degree	1,738	2,195	1,585	4,075	2,135
Associate's degree	210	1,045	935	1,780	630
Bachelor's degree	675	1,995	1,180	2,740	1,570
Graduate or professional degree	34	1,015	975	1,925	1,285

Table 45 - Educational Attainment by Age

Data Source: 2011-2015 ACS

Educational Attainment – Median Earnings in the Past 12 Months

Educational Attainment	Median Earnings in the Past 12 Months
Less than high school graduate	16,649
High school graduate (includes equivalency)	81,642
Some college or Associate's degree	92,907
Bachelor's degree	116,311
Graduate or professional degree	160,442

Table 46 – Median Earnings in the Past 12 Months

Data Source: 2011-2015 ACS

Based on the Business Activity table above, what are the major employment sectors within your jurisdiction?

Education and Healthcare Services appear to be the predominant areas of activity for major employment sectors, followed by retail.

Describe the workforce and infrastructure needs of the business community:

Businesses need trained, reliable, dependable employees who show up ready to work. Many sectors cannot find employees with the qualifications they need specifically. Our regions workers are not trained specifically enough or the industries need to create more apprenticeship programs that can be funded or assisted.

Describe any major changes that may have an economic impact, such as planned local or regional public or private sector investments or initiatives that have affected or may affect job and business growth opportunities during the planning period. Describe any needs for workforce development, business support or infrastructure these changes may create.

Major changes have happened from the pandemic, leaving many people unemployed, major employers vacating their offices with all employees working from home, and more. There is need for workers to get retrained to get hired in the highly skilled jobs that are vacant and hard to fill in our area.

Job training programs are needed to prepare Kettering's workforce for jobs in the region's existing tooling and machining industry. Marketing the value of trade schools to high school students is an increasing need, as more students are choosing not to attend college. Local employers face difficulties finding experienced and skilled applicants, and many applicants have trouble passing a drug test.

How do the skills and education of the current workforce correspond to employment opportunities in the jurisdiction?

The City of Kettering, as a rustbelt city, has many formerly employed in manufacturing individuals. The opening of the Fuyao Plant was a potential for employment by trained workforce. Many former production workers who found themselves unemployed after the loss of so many manufacturing jobs in the area were likely suited for that opportunity. Similarly, the new Amazon site in Kettering was able to offer jobs to many people who were underutilized or unemployed.

Describe any current workforce training initiatives, including those supported by Workforce Investment Boards, community colleges and other organizations. Describe how these efforts will support the jurisdiction's Consolidated Plan.

OhioMeansJobs / Montgomery County is a public / private partnership established to bring employers, educators, and social service agencies together to address local workforce development issues. Sinclair Community College and the University of Dayton Research Institute are also involved in workforce training initiatives, as well as Goodwill Easter Seals and CareSource, which provide a variety of workforce training programs. Workforce training and development is imperative to bringing low-income persons out of poverty. The Consolidated Plan recognizes these existing vital workforce initiatives have the need for each to become more visibly available and accessible to the population so the greatest impact can be achieved for positive change to occur.

Does your jurisdiction participate in a Comprehensive Economic Development Strategy (CEDS)?

Yes

If so, what economic development initiatives are you undertaking that may be coordinated with the Consolidated Plan? If not, describe other local/regional plans or initiatives that impact economic growth.

Kettering does participate in a CEDS.

The City of Kettering is working with our MPO, the Miami Valley Regional Planning Commission, and our regional economic development partner, the Dayton Development Coalition to update the Comprehensive Economic Development Strategy (CEDS). The CEDS which was initially submitted in 2012 and an updated plan is expected to be submitted to the US Economic Development Administration in winter of 2021.

The City is working with our regional partners to develop a high-level analysis and strategy to diversify and build resiliency for our Regional economy. It is anticipated that this plan will provide a long-range vision for development and redevelopment opportunities, housing, transportation, workforce and urban design. The Dayton Development Coalition leads a regional comprehensive economic development strategy, which incorporates assets and opportunities in Kettering.

The previous CEDS had wide agreement among regional partners that our strategies address a comprehensive list of desired outcomes, including:

- Expanding the awareness of our aerospace and defense initiatives to attract high technology innovators and capture emerging industry clusters;
- Supporting commercialization and job creation efforts in leading industries;
- Maximizing the effectiveness of business recruitment efforts in the Region with an emphasis on technology growth sectors;
- Protecting and retaining the competitive strengths of the Region's manufacturing sector;
- Supporting efforts to ensure that our core urban areas are exciting and attractive showcases for the vitality of the Region; and
- Supporting the development of new markets, customers, technology, and labor skills.

It's expected the new strategy will continue these efforts and build on new efforts to diversify and build resiliency for our Regional economy.

Discussion

MA-50 Needs and Market Analysis Discussion

Are there areas where households with multiple housing problems are concentrated? (include a definition of "concentration")

For the purposes of the Consolidated Plan, "concentration" is defined as census tracts where the percentage of households with multiple housing problems is at least 10 percentage points higher than the percentage for the city as a whole. Although households with multiple housing problems are not geographically concentrated, these households are concentrated to one income category.

Housing is classified as having multiple housing when one or more of the following characteristics apply: lacking complete plumbing facilities; lacking complete kitchen facilities; or housing costs greater than 30% of income and overcrowding is present, meaning more than one person per room. Units lacking complete plumbing facilities and kitchen facilities throughout the City of Kettering is less than 1%. Overcrowding between 1.01 and 1.5 persons is only 1%. The only substantial housing problem in Kettering is cost burdensome housing, where 76% of households at or below 80% AMI have housing costs which exceed 30% of their income.

Are there any areas in the jurisdiction where racial or ethnic minorities or low-income families are concentrated? (include a definition of "concentration")

For the purposes of the Consolidated Plan, "concentration" is defined as census tracts where the percentage of a specific racial or ethnic group or low-income families is at least 10 percentage points higher than the percentage for the city as a whole. There is one concentration of African Americans in block group 218.01 where there 20% of the residents who live in that block group are African American. Please refer to the attached map. The City of Kettering follows an exception criteria, meaning HUD defines an LMI census block group in the City of Kettering as one in which 40.9% or more of the population have incomes at or below 80% of the median family income. There are fourteen block groups which are considered LMI with no strategic concentration in one particular area of any of the other minority groups.

What are the characteristics of the market in these areas/neighborhoods?

The characteristics within the City of Kettering are not as forthright as in the larger entitlement communities. However, you may notice repairs on single family homes not done as quickly or trash in the road outside rental properties without a neighbor who complains as quickly in the low-mod concentrated neighborhoods.

Are there any community assets in these areas/neighborhoods?

Yes, you will find churches, parks, schools. The City of Kettering has two recreation centers as well.

Kettering, as a smaller entitlement City with less saturation of housing and economic problems as compared to the central city, has stable neighborhoods throughout the city. That stability can lend stability to less stable neighborhoods nearby.

Are there other strategic opportunities in any of these areas?

There are always opportunities for renewal. The City of Kettering will continue to operate its Rehab program and the Property Maintenance Division independent of Community Development will work with landlords to maintain their properties. Beyond that there are several civic pride programs that the City operates.

There are opportunities to offer programs to landlords to match their investment in fixing up their property if they can prove LMI tenant(s). There are opportunities to offer business district exterior fix up programs. There are opportunities to encourage landlords to update their entire apartment buildings with low interest loans if they agree to keep rents affordable for a period of time. In short, there are multiple programs we can consider that may be considered as the affordability gap grows and the cost burden grows. If we aren't then seeing re-investment in these neighborhoods, we will be the intervenor and try to generate some positive change in the Low Mod Neighborhoods in our future in Annual Action Plans.

MA-60 Broadband Needs of Housing occupied by Low- and Moderate-Income Households - 91.210(a)(4), 91.310(a)(2)

Describe the need for broadband wiring and connections for households, including low- and moderate-income households and neighborhoods.

When investigating the needs for Broadband, we expected to see strong needs for this in Kettering. However, according to the data and mapping sources we found, the City of Kettering did not see a strong need.

Describe the need for increased competition by having more than one broadband Internet service provider serve the jurisdiction.

Additional competition drives down prices making broadband more affordable for all residents – even the ones who already have it. The government should allow more piggybacking competition so that our residents have more choices and prices come down even further.

MA-65 Hazard Mitigation - 91.210(a)(5), 91.310(a)(3)

Describe the jurisdiction's increased natural hazard risks associated with climate change.

Describe the vulnerability to these risks of housing occupied by low- and moderate-income households based on an analysis of data, findings, and methods.

The City will continue to have strong land use policies as the successful foundation of our comprehensive planning efforts that create opportunities to guide future growth and development away from areas with known hazards. They also ensure design standards for new or improved construction that take potential hazards such as the flood plain into account. The City of Kettering land use policies build community resilience by setting forth recommendations that influence development in a way that does not increase risks to life and property. Further, the City has a National Flood Insurance Policy, has cleared out most properties from the floodway in the City, and has developed policies for building in the floodplain that keep people and properties safe. Both our Rehab and our Homebuyer programs have strong policies that take into account floodplain safety.

The City will continue to evaluate and implement where feasible the following solutions:

Economic Development: The City will integrate hazard mitigation with economic development policies by promoting commercial or industrial expansion in areas that are not vulnerable to damage or disruption from hazards.

Transportation: The City will continue to evaluate and mitigate risk of climate change and hazards on our transportation systems. Our street engineers can develop policies and run scenarios, the City can develop best practice policies and as always we avoid the areas of our community already known for flooding or icing.

Public Facilities and Infrastructure: The City will continue to look for ways to build the cities resilience similar to the ways it did with the new fire houses which can now be used for multiple purposes in order to build the communities resilience.

Natural Resource Protection: We will look for ways to mitigate hazards that also protects our natural environment such as preserving wetlands.

Strategic Plan

SP-05 Overview

Strategic Plan Overview

The Strategic Plan outlines the City of Kettering's 2021-2025 community development, housing, and economic development priorities, anticipated financial resources, partners, programs and activities to address the needs as determined by the Needs Assessment, Market Analysis and input received from community engagement and stakeholders.

The City of Kettering identifies the following Priority Needs:

- Quality of Affordable Housing
- Provision and Coordination of Public Services
- Revitalization of Neighborhoods
- Expansion of Economic Opportunities

The goals established to meet the Priority Needs include:

- Expand, Maintain and Improve Affordable Housing
- Infrastructure Improvements
- Demolition of Abandoned Structures
- Economic Development Incentives
- Public Services

SP-10 Geographic Priorities – 91.215 (a)(1)

Geographic Area

Table 47 - Geographic Priority Areas

1	Area Name:	Community Wide
	Area Type:	Assistance offered by this program can occur anywhere within the boundary of the City of Kettering
	Other Target Area Description:	Assistance offered by this program can occur anywhere within the boundary of the City of Kettering
	HUD Approval Date:	
	% of Low/ Mod:	
	Revital Type:	
	Other Revital Description:	
	Identify the neighborhood boundaries for this target area.	
	Include specific housing and commercial characteristics of this target area.	
	How did your consultation and citizen participation process help you to identify this neighborhood as a target area?	
	Identify the needs in this target area.	
	What are the opportunities for improvement in this target area?	
	Are there barriers to improvement in this target area?	

General Allocation Priorities

Describe the basis for allocating investments geographically within the jurisdiction (or within the EMSA for HOPWA)

The housing, special needs, and community development priorities established as part of the Consolidated Plan were developed through a comprehensive public outreach process, which included a community needs survey. It was determined through outreach and survey results that programs be offered on a community wide basis.

SP-25 Priority Needs - 91.215(a)(2)

Priority Needs

Table 48 – Priority Needs Summary

1	Priority Need Name	Revitalization of Neighborhoods
	Priority Level	High
	Population	Extremely Low Low Moderate Middle Large Families Families with Children Elderly Public Housing Residents
	Geographic Areas Affected	Assistance offered by this program can occur anywhere within the boundary of the City of Kettering
	Associated Goals	Public Services Acquisition and Demolition for Redevelopment Infrastructure Improvements
	Description	Kettering will administer activities to improve the physical condition, health, and safety of residential neighborhoods
	Basis for Relative Priority	Citizen input, focus groups, and stakeholder meetings all
	2	Priority Need Name
Priority Level		High
Population		Extremely Low Low Moderate Large Families Families with Children Elderly Elderly Frail Elderly

	Geographic Areas Affected	Assistance offered by this program can occur anywhere within the boundary of the City of Kettering
	Associated Goals	Expand, Maintain and Improve Affordable Housing
	Description	and Kettering will administer activities to maintain, improve, and expand owner- and renter-occupied housing. The activities may include – but are not limited to – rehabilitation programs; home modifications for disabled and elderly homeowners to allow them to remain in their homes; emergency repair programs; new construction and down payment assistance .
	Basis for Relative Priority	The most common housing problems are the cost burden of housing due to the aging housing stock, and cost of repairs and renovations. There is a lack of ADA-accessible housing for seniors and disabled persons.
3	Priority Need Name	Expansion of Economic Opportunities
	Priority Level	High
	Population	Extremely Low Low Moderate Middle Large Families Families with Children Public Housing Residents
	Geographic Areas Affected	Assistance offered by this program can occur anywhere within the boundary of the City of Kettering
	Associated Goals	Economic Development Incentives
	Description	and Kettering will administer activities which may include – but are not limited to – creation of job-ready sites; rehabilitation and facade improvement programs for small business owners; coordination with existing agencies to promote and increase job training opportunities; and physical improvements of business districts
	Basis for Relative Priority	As a primarily built-up city, Kettering face an aging inventory of buildings, which negatively impacts businesses. Many owners are unable to invest in the building to make it move-in ready or to make it ADA-compliant. Additionally, Workforce training and development is imperative in bringing low-income persons out of poverty. The Consolidated Plan recognizes existing vital workforce initiatives with the need for each to become more visible and accessible to the population

4	Priority Need Name	Provision and Coordination of Public Services
	Priority Level	High
	Population	Extremely Low Low Moderate Middle Large Families Families with Children Elderly Public Housing Residents Chronic Homelessness Individuals Families with Children Mentally Ill Chronic Substance Abuse veterans Persons with HIV/AIDS Victims of Domestic Violence Unaccompanied Youth Elderly Frail Elderly Persons with Mental Disabilities Persons with Physical Disabilities Persons with Developmental Disabilities Persons with Alcohol or Other Addictions Persons with HIV/AIDS and their Families Victims of Domestic Violence Non-housing Community Development
	Geographic Areas Affected	Assistance offered by this program can occur anywhere within the boundary of the City of Kettering
	Associated Goals	Public Services
	Description	Kettering will work with internal and external partners to provide quality public services including but not limited to fair housing, senior services, housing and foreclosure counseling .

	Basis for Relative Priority	The provision and coordination of public services is a high priority need based on public input from surveys and project utilization.
5	Priority Need Name	Planning and Administration
	Priority Level	High
	Population	Extremely Low Low Moderate Middle
	Geographic Areas Affected	Assistance offered by this program can occur anywhere within the boundary of the City of Kettering
	Associated Goals	Planning and Program Administration
	Description	Planning and Administration of grant funds
	Basis for Relative Priority	This is a priority to enable staff to administer grant funds.

Narrative (Optional)

SP-30 Influence of Market Conditions – 91.215 (b)

Influence of Market Conditions

Affordable Housing Type	Market Characteristics that will influence the use of funds available for housing type
Tenant Based Rental Assistance (TBRA)	HOME funds are not available for funding for TBRA.
TBRA for Non-Homeless Special Needs	HOME funds are not available for funding for TBRA.
New Unit Production	New unit production will be supported with CDBG funds through acquisition, demolition of blighted, abandoned structures. The housing market is so strong that there is a great need for new affordable housing units.
Rehabilitation	Because the housing market is so strong, there is a great need to preserve affordable housing units. The vast majority of CDBG funds will be used for housing rehabilitation.
Acquisition, including preservation	New unit production will be supported with CDBG funds through acquisition, demolition of blighted, abandoned structures. The housing market is so strong that there is a great need for new affordable housing units.

Table 49 – Influence of Market Conditions

SP-35 Anticipated Resources - 91.215(a)(4), 91.220(c)(1,2)

Introduction

The primary resources available to implement the Annual Action Plan come from the Community Development Block Grant (CDBG). CDBG is the largest and most flexible source, providing eligibility for a variety of activities. During the program year 2021, Kettering will receive \$576,194 in CDBG funding. In addition there will be \$495,563.86 in reprogrammed funds available, and we are anticipating \$21,000 in program income to be received during the program year

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	576,194	21,000	495,564	1,092,758	2,284,000	CDBG entitlement funds

Table 50 - Anticipated Resources

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Federal:

- The City of Kettering will continue to spend NSP2 income program dollars. Approximately \$60,000 is available in NSP2 program income for expenditure, which will be used to create affordable housing.

State:

- Kettering also has approximately \$50,000 in program income from a State of Ohio CHIP grant. These funds will continue to be used for housing rehab. The City has applied for \$250,000 in State funds for new construction and downpayment and closing cost assistance programs.

Local:

- The city will continue to work with local non-profit and faith based partners to assist in our housing rehab program and homebuyer programs.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

Currently, there are several publicly owned parcels of land that will receive funds from the CDBG program. The city has compiled a listing of the developable city-owned properties throughout the city with the goal of prioritizing which lots should be targeted for development during 2021. During 2020, construction of a new house was started on one of these properties in the Wiles Creek Neighborhood.

Discussion

SP-40 Institutional Delivery Structure – 91.215(k)

Explain the institutional structure through which the jurisdiction will carry out its consolidated plan including private industry, non-profit organizations, and public institutions.

Responsible Entity	Responsible Entity Type	Role	Geographic Area Served
Miami Valley Regional Planning Commission	Government	Planning	Region
Dayton/Kettering/Montgomery County Continuum of Care	Continuum of care	Homelessness Non-homeless special needs	Region
Homeless Policy Solution Board	Government	Homelessness	Region
Greater Dayton Premier Management	PHA	Public Housing	Region
COUNTY CORP	Redevelopment authority	Ownership Planning Public Housing Rental	Region
St. Vincent DePaul	Community/Faith-based organization	Homelessness Non-homeless special needs	Region
Homefull	Non-profit organizations	Homelessness Non-homeless special needs	Region
Miami Valley Housing Opportunities	Non-profit organizations	Homelessness Non-homeless special needs	Region

Table 51 - Institutional Delivery Structure

Assess of Strengths and Gaps in the Institutional Delivery System

The Department of Planning and Community Development of the City of Kettering is responsible for managing the vast network of public agencies, private service providers, and local non-profit organizations through which it will carry out the Consolidated Plan. This department has the lead responsibility for coordinating the development of the Consolidated Plan and the development and timely implementation of each annual action plan. In administering its programs, the City works cooperatively within a landscape of local, state, and regional agencies.

GDPM will continue its role as primary provider of low-income public housing and administrator of Section 8 programs. The Homeless Solutions Board will be the lead agency with which the City will partner to provide policy guidance and oversight for addressing the needs of the homeless.

Availability of services targeted to homeless persons and persons with HIV and mainstream services

Homelessness Prevention Services	Available in the Community	Targeted to Homeless	Targeted to People with HIV
Homelessness Prevention Services			
Counseling/Advocacy	X		
Legal Assistance	X		
Mortgage Assistance	X		
Rental Assistance	X		
Utilities Assistance	X		
Street Outreach Services			
Law Enforcement	X	X	
Mobile Clinics	X		
Other Street Outreach Services	X	X	
Supportive Services			
Alcohol & Drug Abuse	X		
Child Care	X		
Education	X		
Employment and Employment Training	X		
Healthcare	X		
HIV/AIDS	X		
Life Skills	X		
Mental Health Counseling	X	X	
Transportation	X		
Other			

Table 52 - Homeless Prevention Services Summary

Describe how the service delivery system including, but not limited to, the services listed above meet the needs of homeless persons (particularly chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth)

Increased coordination among homeless providers and with mainstream community resources is one of the four key principles of the Homeless Solutions Plan. Over many years, the homeless providers have gone from a network of fairly independent providers, who partnered on specific projects and interacted with each other through the Emergency Housing Coalition, to a coordinated system. The system is better educated about the role each type of program plays in ending homelessness, and is organized to be the most effective system possible. The Dayton-Montgomery County homeless system has clear resources, targeted clients, and measurable outcomes. These changes have been made as a result of

the Front Door Assessment process and the combined funding review process undertaken since the plan was adopted.

Most of the major systems that interact with households who are at risk of or actually homeless are represented on the Homeless Solutions Policy Board or on the Policy Board's committees, with ongoing coordination between these entities. Liaisons to the homeless system have been designated by Children's Services and community mental health centers to increase coordination for households in crisis and plan a household's transition from homelessness to housing. Many of these systems are also represented on the Emergency Housing Coalition and are well known to homeless providers. However, most of these services are accessed in Dayton, not Kettering.

Describe the strengths and gaps of the service delivery system for special needs population and persons experiencing homelessness, including, but not limited to, the services listed above

There are a number of agencies in the Kettering area that exist to serve the special needs populations, including but not limited to ADAMHS, Dayton VA Medical Center, Eastway Behavioral Health, Samaritan Behavior Health, Kettering Behavioral Health, Goodwill Easter Seals, Homefull, Places, and Eastway Corp. According to the Montgomery County Family Resource Guide, there are 15 agencies that provide addiction treatment services, 18 agencies that provide mental health services, 19 medical health centers, and 9 local hospitals. The extensive list of providers and facilities suggest a substantial amount of services are available for the special needs populations within the Kettering Area Area.

Case management is a collaborative process of assessment, planning, facilitating, care coordination, evaluation, and advocacy for options and services to meet an individual's or family's comprehensive needs. Housing-focused case management concentrates on the areas that directly impact a particular household's stability in housing. Montgomery County, along with the City of Kettering, has a successful comprehensive Continuum of Care (CoC) with an established collaborative system in place with regards to housing. There needs to be the same comprehensive continuum in regards to service providers and in conjunction with supportive housing to ensure the special needs populations are receiving the services they need to develop the life skills required for continuous housing. However, the agency Brigid's Path that works with addicted babies and their families, is still trying to develop housing for the families who need supportive housing for a longer period and don't want to move back to old situations where addiction originally began.

Provide a summary of the strategy for overcoming gaps in the institutional structure and service delivery system for carrying out a strategy to address priority needs

Recently South Community embedded a Social worker with the Police Department in order to implement a people first solution to community policing that allows non police solutions for mental health related solutions not requiring a police presence.

Having smaller outreach satellite sites for many services in Kettering may be an option for some services.

SP-45 Goals Summary – 91.215(a)(4)

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Expand, Maintain and Improve Affordable Housing	2021	2025	Affordable Housing	Community Wide	Quality of Affordable Housing	CDBG: \$1,284,987	Homeowner Housing Rehabilitated: 50 Household Housing Unit
2	Economic Development Incentives	2021	2025	Non-Housing Community Development	Community Wide	Expansion of Economic Opportunities	CDBG: \$259,705	Jobs created/retained: 8 Jobs
3	Public Services	2021	2025	Affordable Housing Non-Housing Community Development	Community Wide	Revitalization of Neighborhoods Provision and Coordination of Public Services	CDBG: \$279,291	Public service activities other than Low/Moderate Income Housing Benefit: 15000 Persons Assisted
4	Acquisition and Demolition for Redevelopment	2021	2025	Affordable Housing Non-Housing Community Development	Community Wide	Revitalization of Neighborhoods	CDBG: \$124,760	Buildings Demolished: 10 Buildings
5	Infrastructure Improvements	2021	2025	Non-Housing Community Development	Community Wide	Revitalization of Neighborhoods	CDBG: \$38,176	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 4000 Persons Assisted
6	Planning and Program Administration	2021	2025	Planning and administration		Planning and Administration	CDBG: \$576,238	Other: 1 Other

Table 53 – Goals Summary

Goal Descriptions

1	Goal Name	Expand, Maintain and Improve Affordable Housing
	Goal Description	Expand, maintain and improve affordable housing options.
2	Goal Name	Economic Development Incentives
	Goal Description	Expansion of economic opportunities by provideing low interested loans to for-profit businesses to create and/or retain jobs.
3	Goal Name	Public Services
	Goal Description	Provision and coordination of public services
4	Goal Name	Acquisition and Demolition for Redevelopment
	Goal Description	Acquisition, demolition and disposition of blighted property so that redevelopment can occur.
5	Goal Name	Infrastructure Improvements
	Goal Description	Infrastructure improvements
6	Goal Name	Planning and Program Administration
	Goal Description	Planning and program administration

Estimate the number of extremely low-income, low-income, and moderate-income families to whom the jurisdiction will provide affordable housing as defined by HOME 91.315(b)(2)

While the city is not a HOME participating jurisdiction, we have applied for state HOME funds (CHIP), and if awarded intend to assist at least 25 extremely low, low and moderate income families with housing through down payment and closing costs assistance as well as new construction with Habitat for Humanity.

SP-50 Public Housing Accessibility and Involvement – 91.215(c)

Need to Increase the Number of Accessible Units (if Required by a Section 504 Voluntary Compliance Agreement)

GDPM is not under a Section 504 Voluntary Compliance Agreement

Activities to Increase Resident Involvements

Is the public housing agency designated as troubled under 24 CFR part 902?

No

Plan to remove the ‘troubled’ designation

n/a

SP-55 Barriers to affordable housing – 91.215(h)

Barriers to Affordable Housing

Strategy to Remove or Ameliorate the Barriers to Affordable Housing

The Analysis of Impediments is currently being updated, with the draft being developed concurrently with the development of the Consolidated Plan.

The City will continue to encourage good-quality affordable housing, ensure that current homeowner investments are protected, and provide support to ensure future homeowners will realize appreciation on their investments. The City will serve the population of renters by continuing to support committed investors, encouraging the diversification of the rental housing product and modernization of existing units. As the population of Kettering becomes more diverse, emphasis will be placed on encouraging racial and economic integration, as well as a commitment to following all Fair Housing laws.

SP-60 Homelessness Strategy – 91.215(d)

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

Projects for Assistance in Transition from Homelessness (PATH), Cooperative Agreement to Benefit Homeless Individuals (CABHI), and Daybreak Street Programs provide outreach services to sheltered and unsheltered homeless persons.

PATH outreach helps adults and families who are homeless or at risk of homelessness – such as couch-hopping, staying in emergency shelter, or living on the street. PATH goes where homeless individuals stay, visiting and talking with them at places like shelters and free meal sites, under bridges, or at bus stations. PATH encourages participants to seek services and provides referrals to local healthcare agencies, human services, and social services organizations. For those who also have mental health care needs, PATH provides food, clothing, and hygiene products; referrals for counseling and medical care; help obtaining government identification and applying for benefits; and access to shelter and housing. The ultimate goal is to guide PATH participants from homelessness to permanent housing and independence.

The CABHI Program provides direct client supportive services to assure that unsheltered, chronically homeless individuals, homeless veterans, and chronically homeless veterans that struggle with behavioral health, substance abuse, or co-occurring disorders gain access to permanent supportive housing, case management, benefits, and appropriate behavioral health and substance abuse supports. Once in housing, CABHI services continue up to 12 months to ensure stable housing can be maintained.

Daybreak's Street Outreach Program makes contact with more than 1,500 youth each year who are couch-hopping or living on the street and looking for help. Daybreak provides these youth with basic necessities while helping them find a safe place to live.

Implementation of the Front Door Assessment, the local coordinated assessment process, is overseen by the Front Door Committee, a committee of the Homeless Solutions Policy Board. The Front Door Assessment was adopted to identify the issues that have led to a person or family's homelessness, determine the most appropriate program in the homeless system to help the household exit homelessness and into stabilized housing, and make a referral to that program. The Front Door Assessment is a standardized assessment focused on housing history and barriers to returning to housing. The Front Door is guided by four principles:

1. Rapidly exiting people from homelessness to stable housing.
2. Serve clients as efficiently and effectively as possible.
3. Ensure that the hardest to serve are served.
4. Be transparent and accountable through the homeless system.

Addressing the emergency and transitional housing needs of homeless persons

When a household is unable to be diverted from entering the homeless system, the goal is that the Front Door Intake is done within 3 days of entering the shelter. The intake focuses on the situation that preceded their homelessness, whether they can return to that situation, and if they have the resources to be rapidly rehoused. If the household is still in shelter 7-14 days after entry, then the Comprehensive Assessment is completed. This section of the Front Door Assessment gathers long term history for housing, employment, legal, physical/behavioral health, family/dependent children, and independent living skills. The information is filtered through a Referral Decision Worksheet to determine the level of services a person will need to successfully exit homelessness.

Once the appropriate program has been determined, the household is either referred directly to the program if they have been determined to be suitable candidates for rapid rehousing, programmatic shelter or supportive services; or placed on a central waiting list for transitional housing, permanent supportive housing, or Safe Haven. Several priority criteria are used to determine placement on the permanent supportive housing and Safe Haven waiting lists, including homeless for more than 200 days, youth, unsheltered, elderly, and at-risk of death while homeless.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again.

The Dayton-Montgomery County homeless system is operated with a “Housing First” philosophy and a commitment to exit households to housing as rapidly as possible. The Front Door Assessment supports this approach while also ensuring that households receive appropriate services to end their homelessness. Rapid rehousing programs are primarily targeted to households with income or recent history of income, but can also be used as a bridge housing program for households who are assessed as needing permanent supportive housing, but for whom there are no units currently available. Households who enter the rapid rehousing program receive financial assistance and additional services, including locating housing, paying the security deposit and first month’s rent, turning on utilities, moving in and obtaining furniture, identifying community resources for support and material assistance, enrolling children in school, addressing issues that have led to housing instability, or obtaining cash and other benefits such as Medicaid and Supplemental Nutrition Assistance Program (SNAP). Financial assistance for rapid rehousing is initially available to all households that reside in shelter. If they still need assistance after three months, an income certification is conducted to ensure that the household’s income is below 30% of AMI. Some individuals will only need one-time assistance based on their recent or current income status. Other individuals will need short term assistance (1-3 months) or

medium term assistance (4-18 months). Assistance is based on their current inability to meet their housing costs due to job/income loss or some other mitigating factor. It is generally expected that households will receive no more than 6 months of assistance, although this can be waived if appropriate for the household's situation.

All participants are expected to contribute towards their household costs as soon as possible after the housing crisis has been resolved. In most cases, clients are not expected to contribute towards the first month's housing payment; then, a declining level of assistance is provided to help the clients gradually adjust to assuming full responsibility for their housing costs. Client contributions are set as a percentage of the rent payment, and, in most cases, will increase by 25% a month. Assistance is not expected to exceed more than \$3,000 per household with most households receiving substantially less. Shelter re-entry is monitored for all programs in the homeless system including rapid rehousing.

Currently there is no maximum length of stay at shelter. Because the priority is on the household's safety, they are not required to exit without permanent housing identified. Clients are required to accept the first appropriate housing referral made for them. Once a client has exited shelter to housing or a program that will lead to housing, they are not allowed to re-enter shelter for a year. The Homeless Solutions Plan has an overall system goal of reducing length of time homeless to 14 days, and HEARTH has a goal of families being homeless for less than 30 days. With new HMIS reports tracking length of stay, the homeless system will be monitoring the length of stay in shelter and working to develop effective programs to reduce the length of stay as necessary. In addition, the CoC has adopted the OH-505 System Targets 2015, which are performance standards which meet or exceed HUD's performance measures in serving the homeless population.

Help low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families who are likely to become homeless after being discharged from a publicly funded institution or system of care, or who are receiving assistance from public and private agencies that address housing, health, social services, employment, education or youth needs

Diversion involves a combination of financial assistance and negotiations to try to help households remain in their current housing or immediately enter into an alternate housing plan that does not include a shelter stay. Financial assistance can pay arrears to prevent the loss of housing or be used to secure new housing as appropriate to the household's situation. Households also receive case management services to stabilize them in their new or existing housing and to connect them to community resources. Households who have been previously homeless are the main priority for prevention and diversion services at the main gateway shelters. Families who request entry to shelter who are assessed as having no other resources are also priority households for prevention assistance because of the detrimental effect of homelessness on children. Financial assistance is only provided to households who meet income and other eligibility criteria. Other households seeking assistance are referred to other community resources, which are very limited.

Dayton and Montgomery County have made a significant commitment to reduce the number of people entering shelter, reduce the length of time people remain in shelter, and reduce the rate of recidivism amongst the homeless population. Starting in the fall of 2011, all families requesting shelter at St. Vincent were required to meet with Homefull case managers before they entered shelter. Using the Front Door Intake section of the Front Door Assessment, the case manager works with the family to see if they have any alternative to entering shelter.

In the summer of 2013, St. Vincent and Volunteers of America were awarded Supportive Services for Veteran Families (SSVF) grants that has brought additional prevention, diversion and rapid rehousing resources to the community for veteran households. Using eligibility criteria developed by St. Vincent, the Front Door assessors will refer veteran households to the SSVF program. These new resources will expand the reach of community prevention and rapid rehousing funding by diverting veterans to another program.

SP-65 Lead based paint Hazards – 91.215(i)

Actions to address LBP hazards and increase access to housing without LBP hazards

To address the lead-based paint issues throughout the community, the City of Kettering will continue to contract with the Combined Health District of Montgomery County for lead assessment and clearance services. Actions to evaluate and reduce lead-based paint are incorporation into the housing rehabilitation process as follows:

- **Advice and Information:** as the client application is reviewed the age of the housing is noted. If the home is older than 1978, the client is advised of potential lead based paid hazards and provided with verbal information and pamphlets.
- **Inspection and Assessment:** Once approved for assistance, the home will be inspected for housing code violations and improvements needed to meet the city's residential rehabilitation standards. The licensed Montgomery County Lead Inspector will perform a lead assessment inspection.
- **Identification and Abatement:** If lead based paint is identified, owners will be instructed on safe ways to clean and maintain their homes. Abatement requirements, if any, will be explained. If the homeowner chooses to participate in the rehabilitation program, all lead hazards will be removed or controlled by the city's lead hazard programs.

How are the actions listed above related to the extent of lead poisoning and hazards?

Lead-based paint and lead-contaminated dust in older buildings are the most common sources of lead poisoning in children, according to the Mayo Clinic. The current threshold by which lead can cause harm in children is 5 ug/dL (micrograms lead per deciliter of whole blood), per the Centers for Disease Control and Prevention. A microgram is about the size of a grain of sugar. Current research is showing that lead at lower amounts than this can cause loss of IQ points and other neurological damage. Lead poisoning can affect all body systems in a child who has lead poisoning, including interfering with the child's brain development which can cause learning problems, behavior problems, and delays in development. Lead can damage the kidneys and other major organs of the body. Abating existing lead based paint in homes will limit children's exposure to this potential hazard. In addition, continued assessment, blood testing and education is necessary to determine the extent to which the population is affected.

How are the actions listed above integrated into housing policies and procedures?

The City of Kettering has implemented HUD's Lead Safe Housing Rule, incorporating these rules into all repair and rehabilitation programs. Contractors are trained in lead-safe renovation practices and staff continues to be trained for certification in various lead-based paint intervention skills.

SP-70 Anti-Poverty Strategy – 91.215(j)

Jurisdiction Goals, Programs and Policies for reducing the number of Poverty-Level Families

Kettering is committed to eliminating poverty through making housing more affordable, preserving the condition and availability of existing housing stock and helping citizens build assets of all kinds: human, social, financial, physical, and natural. To this end, the Cities and their community partners have incorporated an integrated system of services and programs to meet the various needs of individuals as they progress toward financial self-sufficiency.

In addition to supporting the initiatives of local organizations that serve low-income residents by providing emergency shelter, transitional housing, and social services, Kettering administers programs that aim to mitigate poverty and the problems associated with it. Kettering can directly impact some of poverty's primary causal factors – poor-quality housing, expensive housing, lack of education, unemployment, low income, and ill health – by utilizing its resources, including housing stock, social services provided by subrecipients, employment opportunities, public health guidance, and the educational system. The multiple aspects of the programs run by the City of Kettering our subrecipients, when working in concert, have the ability to reduce the number of households with incomes below the poverty level.

How are the Jurisdiction poverty reducing goals, programs, and policies coordinated with this affordable housing plan

A lack of quality affordable housing places housing cost burdens on low to moderate-income persons, limiting their ability to pay for other goods and services, such as quality education or needed prescriptions. The housing efforts of Kettering are aimed at improving and maintaining a high standard of housing quality while also creating or maintaining affordability. Housing rehabilitation helps lower-income owners make much-needed repairs, which enables them to remain in their affordable homes, while rental rehabilitation allows landlords to maintain decent housing and pass savings along to renters.

Over the five-year period of the Consolidated Plan, Kettering will also work closely with agencies that provide expanded housing options to current and potential residents. These agencies include CHDOs and development corporations, both of which can assist many lower-income renters, including those with special needs.

Neighborhood revitalization efforts will continue in target areas to enhance the viability of neighborhoods through the important street, sidewalk, and urban amenity projects.

SP-80 Monitoring – 91.230

Describe the standards and procedures that the jurisdiction will use to monitor activities carried out in furtherance of the plan and will use to ensure long-term compliance with requirements of the programs involved, including minority business outreach and the comprehensive planning requirements

The City of Kettering utilizes a method of monitoring and evaluation to ensure that programs are being carried out in accordance with the approved Consolidated Plan. This process enables the City to evaluate program accomplishments in light of the established strategies. The monitoring process will allow the City to review projects to assess strengths, weaknesses, the ability to perform, and accomplishments.

Evaluation is focused on the impact that a given project has on meeting the goals and purposes of the HUD programs as outlined in their respective legislation. It is also focused on the results achieved by the project and whether or not the objectives set forth in the program proposal and work agreement between the City and the recipient are met.

Monitoring will emphasize the timely and effective conduct of activities delegated to the subrecipient. The City has the responsibility to monitor each project to make sure that applicable rules and regulations are being followed. The City is also responsible for ensuring that the work being done produces something of value to the community's low-and moderate-income residents and/or aids in the prevention or elimination of slum and blighting influences.

Kettering's monitoring process enables the City to evaluate program accomplishments and their relationship to the approved strategies and outcomes adopted within the Consolidated Plan. Further, the process allows the City to review programs and project providers in order to assess their strengths, weaknesses, performance, and accomplishments. Information gained will serve as a basis in assessing, directing, or refocusing programs to meet the stated goals.

In Kettering, CDBG program activities are monitored annually to determine each program's performance in addressing a specific need. After this review, programs are adjusted or redesigned as deemed appropriate to address the needs of residents. Kettering's Planning and Development Department administers most of the projects defined in its CDBG Annual Action Plan. Actions to ensure compliance includes both desk monitoring monthly and at least one on-site visit with all subrecipients. The timeliness of expenditures is also monitored on a monthly basis, with adjustments made as needed.

Expected Resources

AP-15 Expected Resources – 91.220(c)(1,2)

Introduction

The primary resources available to implement the Annual Action Plan come from the Community Development Block Grant (CDBG). CDBG is the largest and most flexible source, providing eligibility for a variety of activities. During the program year 2021, Kettering will receive \$576,194 in CDBG funding. In addition there will be \$495,563.86 in reprogrammed funds available, and we are anticipating \$21,000 in program income to be received during the program year

Anticipated Resources

Program	Source of Funds	Uses of Funds	Expected Amount Available Year 1				Expected Amount Available Remainder of ConPlan \$	Narrative Description
			Annual Allocation: \$	Program Income: \$	Prior Year Resources: \$	Total: \$		
CDBG	public - federal	Acquisition Admin and Planning Economic Development Housing Public Improvements Public Services	576,194	21,000	495,564	1,092,758	2,284,000	CDBG entitlement funds

Table 54 - Expected Resources – Priority Table

Explain how federal funds will leverage those additional resources (private, state and local funds), including a description of how matching requirements will be satisfied

Federal:

- The City of Kettering will continue to spend NSP2 income program dollars. Approximately \$60,000 is available in NSP2 program income for expenditure, which will be used to create affordable housing.

State:

- Kettering also has approximately \$50,000 in program income from a State of Ohio CHIP grant. These funds will continue to be used for housing rehab. The City has applied for \$250,000 in State funds for new construction and downpayment and closing cost assistance programs.

Local:

- The city will continue to work with local non-profit and faith based partners to assist in our housing rehab program and homebuyer programs.

If appropriate, describe publically owned land or property located within the jurisdiction that may be used to address the needs identified in the plan

Currently, there are several publicly owned parcels of land that will receive funds from the CDBG program. The city has compiled a listing of the developable city-owned properties throughout the city with the goal of prioritizing which lots should be targeted for development during 2021. During 2020, construction of a new house was started on one of these properties in the Wiles Creek Neighborhood.

Discussion

Annual Goals and Objectives

AP-20 Annual Goals and Objectives

Goals Summary Information

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
1	Expand, Maintain and Improve Affordable Housing	2021	2025	Affordable Housing	Community Wide	Quality of Affordable Housing	CDBG: \$702,387	Homeowner Housing Rehabilitated: 30 Household Housing Unit
2	Public Services	2021	2025	Affordable Housing Non-Housing Community Development	Community Wide	Provision and Coordination of Public Services	CDBG: \$93,291	Public service activities other than Low/Moderate Income Housing Benefit: 500 Persons Assisted Public service activities for Low/Moderate Income Housing Benefit: 40 Households Assisted
3	Economic Development Incentives	2021	2025	Non-Housing Community Development	Community Wide	Expansion of Economic Opportunities	CDBG: \$59,705	Jobs created/retained: 5 Jobs
4	Planning and Program Administration	2021	2025	Planning and administration	Community Wide	Planning and Administration	CDBG: \$119,438	Other: 1 Other

Sort Order	Goal Name	Start Year	End Year	Category	Geographic Area	Needs Addressed	Funding	Goal Outcome Indicator
5	Acquisition and Demolition for Redevelopment	2021	2025	Affordable Housing Non-Housing Community Development	Community Wide	Revitalization of Neighborhoods	CDBG: \$89,760	Buildings Demolished: 3 Buildings
6	Infrastructure Improvements	2021	2025	Non-Housing Community Development	Community Wide	Revitalization of Neighborhoods	CDBG: \$28,176	Public Facility or Infrastructure Activities other than Low/Moderate Income Housing Benefit: 800 Persons Assisted

Table 55 – Goals Summary

Goal Descriptions

1	Goal Name	Expand, Maintain and Improve Affordable Housing
	Goal Description	Improve quality of affordable housing
2	Goal Name	Public Services
	Goal Description	
3	Goal Name	Economic Development Incentives
	Goal Description	
4	Goal Name	Planning and Program Administration
	Goal Description	Planning and Administration of funds
5	Goal Name	Acquisition and Demolition for Redevelopment
	Goal Description	Acquisition and demolition for redevelopment

6	Goal Name	Infrastructure Improvements
	Goal Description	Infrastructure improvements.

Projects

AP-35 Projects – 91.220(d)

Introduction

The City of Kettering carefully selected projects that would maximize impact as total available resources remain very limited. The City of Kettering continues to focus much of the available resources on housing rehabilitation assistance for LMI residents. Other programs include Fair Housing services, pre and post-purchase housing counseling, disposition (managing and selling of city-owned lots), acquisition for demolition of blighted structures, funding of a senior services coordinator, and business loans.

Projects

#	Project Name
1	Program Administration
2	Owner Occupied Housing Rehabilitation
3	Fair Housing Services
4	Senior Services Coordinator
5	Pre and Post purchase counseling
6	Acquisition
7	demolition
8	Relocation
9	Disposition of Property
10	Business Loans
11	Maplecrest sewer replacement project
12	Cheerheart

Table 56 – Project Information

Describe the reasons for allocation priorities and any obstacles to addressing underserved needs

A significant portion of funds are being allocated toward improving housing conditions throughout the community for LMI households and individuals. This will help broaden the availability of affordable housing, which is a key priority for the city. The main obstacle to meeting the goal of increasing access to affordable housing is the ongoing turbulence of the housing market, although the Dayton region is seeing housing stabilize.

AP-38 Project Summary
Project Summary Information

1	Project Name	Program Administration
	Target Area	Community Wide
	Goals Supported	Planning and Program Administration
	Needs Addressed	Planning and Administration
	Funding	CDBG: \$119,438
	Description	Planning and Administration
	Target Date	12/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
2	Project Name	Owner Occupied Housing Rehabilitation
	Target Area	Community Wide
	Goals Supported	Expand, Maintain and Improve Affordable Housing
	Needs Addressed	Quality of Affordable Housing
	Funding	CDBG: \$702,387
	Description	Grants and low interest loans for owner occupied housing rehab.
	Target Date	12/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	Approximately 30 households will benefit from the proposed activities.
	Location Description	
	Planned Activities	Planned activities include: Housing Rehab loan program , Emergency Home Repair Grant, Handicapped Accessibility Grant and Lead Abatement grant programs.
3	Project Name	Fair Housing Services
	Target Area	Community Wide
	Goals Supported	Public Services
	Needs Addressed	Provision and Coordination of Public Services
	Funding	CDBG: \$34,000

	Description	Conducting fair housing education services as well as receiving and investigating fair housing complaints.
	Target Date	12/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	at least 100 persons will benefit from this activity
	Location Description	
	Planned Activities	Fair housing outreach and education to targeted populations
4	Project Name	Senior Services Coordinator
	Target Area	Community Wide
	Goals Supported	Public Services
	Needs Addressed	Provision and Coordination of Public Services
	Funding	CDBG: \$30,291
	Description	The office of the Senior Services Coordinator will be located in two areas within the City of Kettering, benefiting the senior community throughout the City of Kettering.
	Target Date	12/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	
5	Project Name	Pre and Post purchase counseling
	Target Area	Community Wide
	Goals Supported	Public Services
	Needs Addressed	Provision and Coordination of Public Services
	Funding	CDBG: \$29,000
	Description	Counseling for pre-purchase (first time home buyer) and post purchase (foreclosure) counseling.
	Target Date	12/31/2021

	Estimate the number and type of families that will benefit from the proposed activities	AT least 50 households will benefit from this activity
	Location Description	
	Planned Activities	Provide pre-purchase counseling to first time homebuyers and foreclosure counseling to low and moderate income Kettering households.
6	Project Name	Acquisition
	Target Area	Community Wide
	Goals Supported	Acquisition and Demolition for Redevelopment
	Needs Addressed	Revitalization of Neighborhoods
	Funding	CDBG: \$60,000
	Description	Acquisition of blighted structures for Demolition
	Target Date	12/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	
	Planned Activities	Acquisition of blighted structures for Demolition. This includes working with the land bank to acquire vacant, abandoned and tax delinquent properties.
7	Project Name	demolition
	Target Area	Community Wide
	Goals Supported	Acquisition and Demolition for Redevelopment
	Needs Addressed	Revitalization of Neighborhoods
	Funding	CDBG: \$27,702
	Description	Demolition and clearance of blighted properties
	Target Date	12/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	

	Location Description	
	Planned Activities	
8	Project Name	Relocation
	Target Area	Community Wide
	Goals Supported	Expand, Maintain and Improve Affordable Housing
	Needs Addressed	Revitalization of Neighborhoods Quality of Affordable Housing
	Funding	CDBG: \$1,059
	Description	funding for relocation of housing rehabilitation clients who require lead paint abatement services to the degree that it would be unsafe to remain in the home.
	Target Date	12/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	Approximately two households will benefit from voluntary relocation funds.
	Location Description	
	Planned Activities	Assisting low and moderate income homeowners with voluntary relocation during lead based paint remediation.
	9	Project Name
Target Area		Community Wide
Goals Supported		Acquisition and Demolition for Redevelopment
Needs Addressed		Revitalization of Neighborhoods
Funding		CDBG: \$1,000
Description		Dispose of CDBG owned property for the purpose of redevelopment. This includes marketing and maintaining the properties.
Target Date		12/31/2021
Estimate the number and type of families that will benefit from the proposed activities		Two households will benefit from the disposition of these properties, as two new homes will be constructed.
Location Description		
Planned Activities		

10	Project Name	Business Loans
	Target Area	Community Wide
	Goals Supported	Economic Development Incentives
	Needs Addressed	Expansion of Economic Opportunities
	Funding	CDBG: \$59,705
	Description	Low interest loans to for profit businesses that maintain or create jobs for Low and Moderate income households.
	Target Date	12/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	One businesses will be assisted providing at least 2-full time equivalent jobs.
	Location Description	
	Planned Activities	Provide at least one low interest loan (.75%of Prime on day of commitment) to for-profit businesses.
11	Project Name	Maplecrest sewer replacement project
	Target Area	Community Wide
	Goals Supported	Infrastructure Improvements
	Needs Addressed	Revitalization of Neighborhoods
	Funding	CDBG: \$18,176
	Description	Homes in this neighborhood do not have their own pipes going directly into the county's sewer system, but instead are inter-connected, often causing sewage back up and other health hazards. This project will uncouple the lines and tie them directly in to the county's system. Because there are only 10 homes on this street the assessment is projected by the county to be quite expensive. CDBG funds will be used for to pay the assessment fees for all low-to-moderate income owner-occupants.
	Target Date	12/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	Homes on Maplecrest Drive, in Kettering.

	Planned Activities	Pay the assessment fees on behalf of low and moderate income owner-occupants in the Maplecrest Neighborhood.
12	Project Name	Cheerheart
	Target Area	Community Wide
	Goals Supported	Infrastructure Improvements
	Needs Addressed	Revitalization of Neighborhoods
	Funding	CDBG: \$10,000
	Description	Brownfield clean up
	Target Date	12/31/2021
	Estimate the number and type of families that will benefit from the proposed activities	
	Location Description	The Cheerheart site
	Planned Activities	continue with brownfield remediation

AP-50 Geographic Distribution – 91.220(f)

Description of the geographic areas of the entitlement (including areas of low-income and minority concentration) where assistance will be directed

The City of Kettering has several census tracts and block groups considered Low and Moderate-Income. Additionally, there are two areas that have a minority population that is at least 10 percentage points higher than the city's rate overall. African-Americans make up 3.3 % of the city's population. Census Tract 218, Oak Creek and Block Group 1 of Census Tract 211 are considered concentrated. The attached map shows these areas.

Assistance will be available community-wide, with all programs being focused on individuals who are considered to be low-to-moderate income, but special attention will be paid to the Wiles Creek and Oak Creek target areas for projects such as new housing construction and the acquisition and subsequent demolition or rehabilitation of blighted structures. With regards to Kettering's other programs (housing rehab, fair housing, housing counseling, senior service assistance, relocation, etc...), assistance will be available to LMI residents throughout the whole city.

Geographic Distribution

Target Area	Percentage of Funds
Community Wide	100

Table 57 - Geographic Distribution

Rationale for the priorities for allocating investments geographically

Investments are focused on housing for low-to-moderate income individuals and families, regardless of where their residence is located.

Discussion

Currently the city is planning on allocating funds on a city-wide basis.

Affordable Housing

AP-55 Affordable Housing – 91.220(g)

Introduction

One Year Goals for the Number of Households to be Supported	
Homeless	0
Non-Homeless	42
Special-Needs	0
Total	42

Table 58 - One Year Goals for Affordable Housing by Support Requirement

One Year Goals for the Number of Households Supported Through	
Rental Assistance	0
The Production of New Units	2
Rehab of Existing Units	40
Acquisition of Existing Units	2
Total	44

Table 59 - One Year Goals for Affordable Housing by Support Type

Discussion

AP-60 Public Housing – 91.220(h)

Introduction

Greater Dayton Premier Management (GDPM) works with the City of Kettering to ensure that GDPM housing activities are aligned with the housing needs of the community.

Actions planned during the next year to address the needs to public housing

In order to address some of the identified housing needs, GDPM will continue the aggressive pursuit of funding from HUD and other sources to develop replacement units throughout Montgomery County equal to those lost from the inventory. GDPM strives to provide safe and suitable housing for the number of extremely low income families in the City of Kettering.

To ensure that residents continue to have adequate housing options, GDPM will apply for Housing Choice Replacement Vouchers to supplement its inventory, broaden the housing opportunities of its residents, and create a more manageable inventory of units under the Asset Management system. GDPM is working with private developers to build capacity in an effort to expand the affordable housing stock in Montgomery County.

Actions to encourage public housing residents to become more involved in management and participate in homeownership

GDPM provides high quality and effective linkages to their resident population through Resident Opportunities for Self-Sufficiency (ROSS) grants, through which GDPM currently has over 15 formal partnerships with local organizations to provide social services for residents. The agency assists in improving the living environment of its LMI residents by providing significant client linkages to community resources including health care, disability services, and educational entities. GDPM continues to pursue homeownership opportunities through the agency's homeownership department. GDPM is developing a Resident Volunteer Patrol Program (RVPP) at resident sites; senior staff is currently working with the jurisdiction-wide resident council to gauge resident interest. GDPM developed Quick Reference Safety Cards and Notices designed for all asset-management residents. GDPM is implementing a specific Emergency Evacuation Plan for residents of high-rise communities who may require assistance, which serves to supplement the current Integrated Contingency Plan (ICP) for these types of housing structures. Under the plan, monthly fire drills will be conducted to educate and train residents and employees on evacuation safety.

If the PHA is designated as troubled, describe the manner in which financial assistance will be provided or other assistance

GDPM is not a troubled agency.

Discussion

AP-65 Homeless and Other Special Needs Activities – 91.220(i)

Introduction

The City of Kettering does not receive direct funding to assist with Homelessness prevention; however we do actively participate in the Countywide Affordable Housing group. While ending homelessness is always a goal, as a very small grantee of CDBG only funding, it is difficult to plan projects that would assist a small sub-population. The city will continue to fund our foreclosure counseling project that will help prevent homelessness.

Describe the jurisdictions one-year goals and actions for reducing and ending homelessness including

Reaching out to homeless persons (especially unsheltered persons) and assessing their individual needs

While ending homelessness is always a goal, as a very small grantee of CDBG only funding, it is difficult to plan projects that would assist a small sub-population. The city will continue to fund our foreclosure counseling project that will help prevent homelessness.

Addressing the emergency shelter and transitional housing needs of homeless persons

While ending homelessness is always a goal, as a very small grantee of CDBG only funding, it is difficult to plan projects that would assist a small sub-population. The city will continue to fund our foreclosure counseling project that will help prevent homelessness.

Helping homeless persons (especially chronically homeless individuals and families, families with children, veterans and their families, and unaccompanied youth) make the transition to permanent housing and independent living, including shortening the period of time that individuals and families experience homelessness, facilitating access for homeless individuals and families to affordable housing units, and preventing individuals and families who were recently homeless from becoming homeless again

While ending homelessness is always a goal, as a very small grantee of CDBG only funding, it is difficult to plan projects that would assist a small sub-population. The city will continue to fund our foreclosure counseling project that will help prevent homelessness.

Helping low-income individuals and families avoid becoming homeless, especially extremely low-income individuals and families and those who are: being discharged from publicly funded institutions and systems of care (such as health care facilities, mental health facilities, foster care and other youth facilities, and corrections programs and institutions); or, receiving assistance from public or private agencies that address housing, health, social services,

employment, education, or youth needs

While ending homelessness is always a goal, as a very small grantee of CDBG only funding, it is difficult to plan projects that would assist a small sub-population. The city will continue to fund our foreclosure counseling project that will help prevent homelessness.

Discussion

AP-75 Barriers to affordable housing – 91.220(j)

Introduction:

Affirmatively furthering fair housing remains a key goal of the City of Kettering. A vast majority of CDBG funds are allocated toward programs that work to rehabilitate existing homes, construct new homes, combat housing discrimination and other housing issues, stem the tide of foreclosures, and assisting first-time homebuyers.

The City of Kettering operates loan and grant programs that focus on improving the quality and amount of affordable housing throughout the community. These programs are focused on low-to-moderate income individuals and families who need assistance rehabilitating their homes or purchasing their first home (First-time-homebuyer assistance).

In addition to the loans and grants the city offers, CDBG funds are allocated to both the Miami Valley Fair Housing Center and the HomeOwnership Center of Greater Dayton. Both of these organizations offer services for LMI individuals and families targeted at maintaining affordable housing.

Actions it planned to remove or ameliorate the negative effects of public policies that serve as barriers to affordable housing such as land use controls, tax policies affecting land, zoning ordinances, building codes, fees and charges, growth limitations, and policies affecting the return on residential investment

During PY 2021 and beyond the City of Kettering will strive to remove barriers to safe, decent affordable housing by continuing, through our fair housing provider—Miami Valley Fair Housing Center, to test both rental and for-sale housing for discrimination, investigate complaints and disseminate information on fair housing.

The city will continue to constantly evaluate whether our policies serve as barriers to affordable housing. Currently, the city has a great diversity of housing stock including decent housing available for \$60,000 to over \$1 million. If such barriers are identified, the city will work with developers and other stakeholders to address such barriers.

Kettering continues its regional partnership with the City of Dayton and Montgomery County to address issues found in the 2015 AI and continues to follow the Fair Housing Action Plan identified based on the AI results. Additionally, during PY 21 the regional partners will conduct an updated Analysis of Impediments to Fair Housing. The RFP has been issued and will be awarded by the end of summer.

Discussion:

AP-85 Other Actions – 91.220(k)

Introduction:

Introduction

In addition to the city's numerous housing-oriented programs, the CDBG program also finances several other important community services. These include:

- **Public improvements/infrastructure**, with a focus on street improvements
- **Public services**, with the priority areas being services to seniors, services to youth, and lead hazard screenings
- **Economic Development**, with the priority area being assistance to for-profit businesses that provide jobs and services to LMI individuals

Actions planned to address obstacles to meeting underserved needs

The City of Kettering will continue to focus heavily on pre- and post-purchase housing counseling. This will attempt to stem and prevent foreclosures in our community. Additionally, we will work with non-profit partners to link residents in need of services.

Actions planned to foster and maintain affordable housing

A majority of Kettering's CDBG-funded programs involve rehabilitation assistance to homes for LMI individuals and families. These projects will continue to be the priority area for the CDBG program. In addition to these important programs, the city will continue to utilize Federal funds for the purpose of acquiring existing homes either for the purpose of ground-up rehabilitations or for the purpose of demolition to make way for new construction. These programs have already added several new affordable homes to the community and more rehabilitations/new construction projects are in the pipeline.

The city will also work with the landbank to acquire and demolish vacant and abandoned homes that can be used for new construction of additional affordable housing units.

Actions planned to reduce lead-based paint hazards

To address the lead-based paint issues throughout the community, the city will continue to contract with the Combined Health District of Montgomery County for lead assessment and clearance services. Actions to evaluate and reduce lead-based paint are incorporation into the housing rehabilitation process as follows:

- 1.) **Advice and Information:** as the client application is reviewed the age of the housing is noted. If the home is older than 1978, the client is advised of potential lead based paint hazards and provided with

verbal information and pamphlets.

2.) **Inspection and Assessment:** Once approved for assistance, the home will be inspected for housing code violations and improvements needed to meet the city's residential rehabilitation standards. The licensed Montgomery County Lead Inspector will perform a lead assessment inspection.

3.) **Identification and Abatement:** If lead based paint is identified, owners will be instructed on safe ways to clean and maintain their homes. Abatement requirements, if any, will be explained. If the homeowner chooses to participate in the rehabilitation program, all lead hazards will be removed or controlled by the city's lead hazard programs.

Actions planned to reduce the number of poverty-level families

Over the next year, the City of Kettering will attempt to reduce the number of poverty-level families by continuing to work with the Montgomery County Job Center. The Job Center is challenged with the responsibility of developing programs that will change the current welfare system, effectively utilizing existing employment and training resources within the community and reducing the number of families dependent upon public assistance as a result of being employed.

Kettering must continue to coordinate and promote social services available to city residents. Further refinement of communication and coordination with the community as a whole and with appropriate social service agencies will be emphasized to help address a variety of pertinent community needs and personal needs to families and individuals. The city continues to educate residents about the available services. This includes referring our housing rehabilitation clients to social service agencies. Through the Montgomery County Job Center, the city funds one social service worker for the Kettering City School District. The role of the social worker is to link families with needed social services. Additionally, all elderly residents in the city have access to the CDBG-funded Senior Resources Coordinator to determine any needs or issues that could be addressed by a social service agency.

Actions planned to develop institutional structure

To maximize our relatively small allocation of Federal funds, it is critical that the City of Kettering continue to invest its CDBG and HOME dollars in projects that generate substantial improvements in target area neighborhoods. Higher visibility projects will help to foster private investment, which is essential to the success of sustaining the redevelopment strategy.

To improve efficiency, the city will direct funding through a more focused delivery mechanism. This mechanism includes enhanced partnerships and targeted focused areas of expenditures. These partnerships include working with very strong non-profit organizations such as the Miami Valley Fair Housing Center, the HomeOwnership Center of Greater Dayton and County Corp Development.

Actions planned to enhance coordination between public and private housing and social

service agencies

It is the City of Kettering's anticipation that during the next year, coordination between public and private housing, health and social service agencies will continue with participation in various activities within the Miami Valley.

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Staff members are representatives on regional boards and committees, such as the Montgomery County Affordable Housing Options Committee, which is comprised of representatives from the public housing authority, the community action agency, County Corp, city and county governments, financial institutions, realty companies, housing and service providers, and building/development companies. This committee meets on a regular basis to assist in implementing the Montgomery County Homeless Solutions 10-year plan, review and recommend projects for Housing Trust funding and share information on housing issues. In addition, the Community Development Manager serves on the Greater Dayton Homeownership Advisory Board. This board advises the homeownership center on programming. Staff members also meet regularly with the Accessibility Project to discuss solutions for the lack of accessible housing.

Kettering also has representation on the Miami Valley Fair Housing Center board. The city staff is regularly in contact with other agencies and organizations at the local, state and Federal levels that deal with low-income housing relating issues

Discussion:

Program Specific Requirements

AP-90 Program Specific Requirements – 91.220(I)(1,2,4)

Introduction:

Community Development Block Grant Program (CDBG) Reference 24 CFR 91.220(I)(1)

Projects planned with all CDBG funds expected to be available during the year are identified in the Projects Table. The following identifies program income that is available for use that is included in projects to be carried out.

1. The total amount of program income that will have been received before the start of the next program year and that has not yet been reprogrammed	0
2. The amount of proceeds from section 108 loan guarantees that will be used during the year to address the priority needs and specific objectives identified in the grantee's strategic plan.	0
3. The amount of surplus funds from urban renewal settlements	0
4. The amount of any grant funds returned to the line of credit for which the planned use has not been included in a prior statement or plan	0
5. The amount of income from float-funded activities	0
Total Program Income:	0

Other CDBG Requirements

1. The amount of urgent need activities	0
2. The estimated percentage of CDBG funds that will be used for activities that benefit persons of low and moderate income. Overall Benefit - A consecutive period of one, two or three years may be used to determine that a minimum overall benefit of 70% of CDBG funds is used to benefit persons of low and moderate income. Specify the years covered that include this Annual Action Plan.	90.00%

Attachments

Citizen Participation Comments

**2021 – 2025 Con Plan Survey, CHIP and Consolidated Plan and Annual
Action Plan Comments:**

Infrastructure - quality of roads
Senior services
unclear/unsafe intersections for bicycles. If I wait at an intersection while on a multiuse path, and the signal goes white for me to cross, I intend to ride my bike across the intersection. However, if a car hits me while I'm in the intersection, the accident becomes my fault since I should be walking my bicycle? This is an actual event that occurred in front of Reynolds & Reynolds, and although the cyclists involved were not charged, neither was the driver. This is ridiculous. Kettering needs clear signage and/or laws making it the car operator's responsibility to not hit people using a crosswalk.
Environmental Impact Awareness. No city-wide composting. Food Deserts. EV Charging Stations. Bike Awareness. Marijuana
Accessibility
Services that Kettering provides: leaf pickup and free mulch
Community Pride increases through well maintained housing in neighborhoods
NA
Recreational
Coronavirus has impacted our community greatly and its going to take time, energy and money to repair and replace what we've lost.
The draconian measures taken by gov't in response to covid are dangerous, absurd and unnecessary. Kettering city leaders should stand up for Kettering residents, businesses and students by refusing to enforce the unnecessary shutdowns, curfews, mask mandates, etc.
This neighborhood seems to be deteriorating fast.

I believe that residents in these neighborhoods could still use some fire safety assistance, probably some need some stabilization/community services help.
Residents in these border neighborhoods often feel left out of other Kettering programs, street repairs, even that they aren't getting the same level of interest from inspectors. They refer to themselves as the ghetto of Kettering. I think this unnecessary and helping them find some neighborhood pride and feel the support from the City would be helpful.
This neighborhood is lower income but has an amazing sense of community. It could use some improvements.
Houses are in disrepair, garbage strewn through properties, excessive vehicles parked everywhere. This unfortunately is one of the least desirable areas in the city. The areas east of Acorn and north of Dorothy Lane have the least desirable housing stock and majority of the maintenance issues.
Garbage dump smell. Lack of property upkeep. Skyrocketing housing costs
Overdevelopment with lack of charm
too many empty buildings around Marshall and Stroop and down Wilmington Pike need to be torn down
Really trying to get to Kettering square and fox hunt ALOT of less than stellar residents
Housing along major streets are looking tired, do not give a good image of the community
Very poor infrastructure, maintenance, schools
It's not actually this area, the fact that you disallow Maplecrest, Red Oak, Greendale, Armen, and Plainfield Streets from being selected is a testament to the level of neglect this part of town has seen compared to the rest of Kettering.
This is already deteriorated. So close to Oakwood and a viable business park and thoroughfare (Wilmington), yet a very crappy place to call home. Build the park already!
It has been years since Teneco has rolled back and decades since the railroad track has been out of commission. Pony up the dough, call your senator, do whatever you have to. Make better use of this land, put in a biketrail, something. This is an eyesore and a waste of space.

(Impermeable ground surface, no less!)
Two Private Country Clubs. Moraine (not Kettering), and NCR (not Kettering). Taking up huge amounts of private space that could be better used to serve more people. But the same can be said for City of Dayton Golf and Dayton Country Club. The epitome of elites use of huge swaths of land for personal use. I'd love to know the percent of Kettering residents that belong to any of these clubs. Or better, what average income of Kettering residents is because I'd bet average income wouldn't cover the yearly dues to places like these.
Way cool
Good to go!
Can we get treats?
Yeah me too then. right Do you have 100% control? right
I spoke with Tom Puckett the other day and he said there would be additional forms to Get anything more done on the house. Could you let me know what else will need to be done So we can get restarted. Thank you Linda Hager
The best place ever to live . I have lived here for 74 years and my fathers family lived here also. It has everything I want
I would love to see "blessing boxes" or little libraries throughout the neighborhoods
Housing is one of the biggest barriers for Moms who are at Brigid's Path and are doing well in their recovery. If they don't secure housing, they won't be able to discharge home with their baby. The best thing for the Mom is her baby and the best thing for the baby is their Mom. We need to provide more housing options in Kettering to better support or Moms who are doing well in recovery and their babies.
Depends on format, surveys are palatable

As a person looking for a new house in Kettering, I have seen many homes in poor condition, no reinvestment in the home for years. Also have seen many homes that have been improved by "flippers" and wonder if they obtained permits to complete the work.
Kettering Hospital, the business chamber, small business owners, neighborhood leaders - anyway we can identify them. Perhaps people who have been through the Kettering Leadership Program?
Board of Community Relations
Young adults who are buying property in Kettering. How do we keep them in Kettering?
Brigid's Path to help moms who need housing.
Landlords
The rehabilitation and development and planning department is an excellent opportunity for all
Brigid's Path
Homeowners and business owners.
Go out into the neighborhoods and talk to the residents regarding what they are seeing and experiencing in their neighborhood
Physically/mentally disabled. POC. Maybe impact the areas and school districts that need it.
Tax reduction
Roads
Senior Citizen programs
Medieval and emergency response and support
Medical and emergency response support
No negative remarks. happy here
the amount of empty buildings that are in disrepair that need to be torn down.

Appendix - Alternate/Local Data Sources

1	Data Source Name 2009-2013 ACS
	List the name of the organization or individual who originated the data set. United States Census Bureau
	Provide a brief summary of the data set. 2009 thru 2013 ACS Data provided by the US Census Bureau.
	What was the purpose for developing this data set? To have the most current data for demographic information.
	Provide the year (and optionally month, or month and day) for when the data was collected. This data was collected during the years 2009-2013.
	Briefly describe the methodology for the data collection. Through the US Census Bureau.
	Describe the total population from which the sample was taken. Data included is from the State of Ohio as a whole, Montgomery County, Dayton and Kettering.
	Describe the demographics of the respondents or characteristics of the unit of measure, and the number of respondents or units surveyed. Citizens and residents within the Cities of Dayton and Kettering.
	Data Source Name 2000 Census
List the name of the organization or individual who originated the data set. United States Census Bureau	
Provide a brief summary of the data set. Decennial census data provided by the US Census Bureau.	
What was the purpose for developing this data set? Constitutional requirement.	
Provide the year (and optionally month, or month and day) for when the data was collected. Data was collected during the year 2000.	
Briefly describe the methodology for the data collection. Household surveys.	

	<p>Describe the total population from which the sample was taken. Data included is from the State of Ohio, Montgomery County, Dayton and Kettering.</p> <p>Describe the demographics of the respondents or characteristics of the unit of measure, and the number of respondents or units surveyed. Citizens and residents within the Cities of Dayton and Kettering.</p>
3	<p>Data Source Name 2010 Census</p>
	<p>List the name of the organization or individual who originated the data set. United States Census Bureau</p>
	<p>Provide a brief summary of the data set. Decennial Census data provided by the US Census Bureau.</p>
	<p>What was the purpose for developing this data set? Constitutional requirement.</p>
	<p>Provide the year (and optionally month, or month and day) for when the data was collected. Data was collected during the year 2010.</p>
	<p>Briefly describe the methodology for the data collection. Household surveys.</p>
	<p>Describe the total population from which the sample was taken. Data included is from the State of Ohio, Montgomery County, Dayton and Kettering.</p>
	<p>Describe the demographics of the respondents or characteristics of the unit of measure, and the number of respondents or units surveyed. Citizens and residents within the Cities of Dayton and Kettering.</p>
	4
<p>List the name of the organization or individual who originated the data set. Greater Dayton Premier Management</p>	
<p>Provide a brief summary of the data set. Data for most recent public housing information.</p>	
<p>What was the purpose for developing this data set? Public Housing current data.</p>	
<p>How comprehensive is the coverage of this administrative data? Is data collection concentrated in one geographic area or among a certain population? Data collected is over a geographical area, public housing population.</p>	

What time period (provide the year, and optionally month, or month and day) is covered by this data set? 2015
What is the status of the data set (complete, in progress, or planned)? Complete.

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

DECLARING AS "SURPLUS" AND APPROVING AN AGREEMENT TO SELL CITY-OWNED PROPERTY LOCATED AT 4121 SHROYER ROAD

WHEREAS, the City seeks to preserve jobs, increase employment opportunities and to encourage establishment of new jobs within the corporate boundaries of the City, in order to improve the economic welfare of the City and its citizens, in furtherance of the public purposes enunciated in Article VIII, Section 13 of the Ohio Constitution; and

WHEREAS, the City has received an offer to purchase City-owned property at 4121 Shroyer Road (Auditor's Parcel No. N64 03409 0167) ("Property"), as more particularly described in the Real Estate Purchase Agreement ("Agreement") attached hereto as Exhibit 1 and incorporated herein, for redevelopment which will in turn preserve and/or create positive employment and economic activity in the City;

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

Section 1. Council hereby ratifies and approves the Agreement. The City Manager is hereby authorized to enter into that Agreement on behalf of the City of Kettering and to dispose of the real estate therein described, and to take any and all additional action necessary and proper to do so. The City Manager is further authorized to sign any amendments or extensions thereto and any other related agreements and instruments that the City Manager deems appropriate.

Section 2. The Property is hereby declared as surplus property and no longer required for municipal purposes effective as of the date of closing.

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

(Requested by: City Manager's Office)



REAL ESTATE PURCHASE AGREEMENT

This Real Estate Purchase Agreement (“Agreement”) is made and entered into between the City of Kettering, Ohio, (“City”), a municipal corporation organized pursuant to the laws of the State of Ohio and whose address is 3600 Shroyer Road, Kettering, Ohio 45429 and **CG Kettering T & C, LLC**, successor by conversion to Dayton Town & Country, Ltd. (the “Buyer” or “Company”), an Ohio limited liability company whose mailing address is 250 Civic Center Drive, Suite 500, Columbus, OH 43215. The City and Buyer may hereinafter be referred to individually as a “Party”, or collectively as the “Parties”. The effective date of this Agreement (“Effective Date”) shall be the date the Agreement is signed on behalf of the City.

RECITALS

WHEREAS, in order to improve the economic welfare of the City and its citizens, in furtherance of the public purposes enunciated in Article VIII, Section 13 of the Ohio Constitution, the City seeks to encourage redevelopment, increase employment opportunities, and to encourage establishment of new jobs within the corporate boundaries of the City; and

WHEREAS, the City owns certain real property located at 4121 Shroyer Road, Kettering, Ohio (Auditor’s Parcel No. N64 03409 0167) (“City Property” or “Sale Property”) which was once used as a fire station but for which it no longer has a use. The City Property is more particularly described in the attached Exhibit A; and

WHEREAS, Buyer owns the Town & Country Shopping Center located on Stroop Road between Shroyer Road and Far Hills Avenue, Kettering, Ohio 45429 (“Buyer Property”), which abuts the City Property ; and

WHEREAS, the City Property was formerly part of the Buyer Property purchased by the City from Buyer; and

WHEREAS, BUYER desires to purchase the City Property and reincorporate it into the Buyer Property for redevelopment and to facilitate making improvements to the Buyer Property; and

WHEREAS, undertaking redevelopment and improvements to the Buyer Property will spur economic growth and development and benefit the surrounding area and the City and its citizens;

STATEMENT OF AGREEMENT

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and Buyer covenant, agree and obligate themselves to the foregoing Recitals and as follows:

1. Conveyance of Property.

1.1 Subject to the terms and conditions of this Agreement, the City hereby agrees:

1.1.1 to convey to Buyer, and Buyer hereby agrees to accept from the City, all

of the City's right, title, and interest in the City Property; and

1.1.2 to remove the radio antenna from the exterior of the fire station prior to Closing.

1.2 Subject to the terms and conditions of this Agreement, Buyer hereby agrees:

1.2.1 to accept fee title to the City Property;

1.2.2 to take all action necessary to consolidate the Buyer Property and the City Property into one lot;

1.2.3 to demolish the fire station building and the adjacent building immediately to the west of the fire station building as shown on attached Exhibit B. Demolition of both buildings must be completed on or before the first anniversary of the Closing Date.

2. Purchase Price.

2.1 The purchase price ("Purchase Price") for the City Property shall be as follows:

2.1.1 \$21,250; and

2.1.2 \$3,500 for removal of the antenna.

3. Due Diligence. Buyer's obligations under this Agreement shall be wholly conditioned upon and subject to the satisfaction in the sole and absolute discretion of Buyer or the waiver in writing by Buyer of each of the following contingencies (collectively, "Contingencies") on or before the date which is sixty (60) days after the Effective Date (such period being defined as the "Contingency Period"):

3.1 Buyer shall, at Buyer's sole cost, procure within ten (10) days after the Effective Date a commitment (the "Commitment") from Stewart Title Company ("Title Company") to issue an ALTA Owner's Policy of Title Insurance (2006) in an amount equal to the fair market value of the Property ("Title Policy") which shall include all title exception documents and appurtenant easements affecting the City Property. The Commitment shall show in City marketable title in fee simple free and clear of all liens and encumbrances except (a) real property taxes and assessments not yet due and payable; (b) zoning ordinances and laws, restrictions, and ordinances affecting the City Property; (c) legal highways, (d) covenants, restrictions, conditions and easements of record; and (e); existing encroachments and impediments reasonably satisfactory to Buyer (the "Permitted Encumbrances").

3.2 Buyer determining, to Buyer's sole satisfaction, that the Property is free and clear of all hazardous substances including all hazardous or toxic substances, wastes or materials, any pollutants or contaminants (including, without limitation, asbestos

and materials which include hazardous constituents) or any other similar substances or materials which are included under or regulated by any environmental law

From and after the Effective Date until the Closing Date or earlier termination of this Agreement, City shall permit Buyer and its authorized representatives to have access to inspect the City Property to perform environmental investigations at such times during normal business hours as Buyer or its representatives may request. Such inspections may include physically intrusive, invasive, or destructive testing or boring (including asbestos testing). City agrees and acknowledges that Buyer shall have the right to conduct a Phase I, and if necessary, a Phase II environmental site assessment and to submit samples from such inspections to testing laboratories and other similar facilities. All inspection fees, appraisal fees, engineering fees, and all other costs and expenses of any kind incurred by Buyer relating to the inspection of the City Property shall be solely Buyer's expense. Seller shall have the right to have a Seller representative present during any such inspection. Purchaser shall provide Seller with notice not less than forty-eight (48) hours in advance of any inspection of the Property. Buyer agrees to indemnify and hold the City harmless from all loss, liability, claim and expense (including reasonable attorneys' fees) arising out of the acts or omissions of Buyer, its agents or designees on the City Property in the performance of such inspections, tests and studies, including, but not limited to, mechanics' liens, damage to persons or property, and third party claims.

In the event that Buyer terminates this Agreement under this Section 3, the Buyer shall provide the City with copies of all title commitments, tests, inspections and/or reports arising out of Buyer's due diligence and inspections; provided, however, Buyer makes no representations concerning such information and provides no warranty either from itself or any other party with respect to such information.

4. **Representations and Warranties.** The City represents and warrants to Buyer that the following statements are true as of the Effective Date and will be true at the Closing:

4.1 Subject to obtaining approval by the Kettering, Ohio City Council, the City possesses full right, power and authority to execute, deliver and perform this Agreement, and no legal or administrative proceeding is in effect which would prohibit the City's execution of this Agreement.

4.2 At the Closing, the City shall have good, marketable and indefeasible fee simple absolute title to the City Property, free, clear and unencumbered, except for the Permitted Encumbrances.

Buyer represents, warrants, and covenants to the City that the following statements are true as of the Effective Date and will be true at the Closing:

4.3 Buyer possesses full right, power and authority to execute, deliver and perform this Agreement and no legal or administrative proceeding is in effect which would prohibit Buyer's execution of this Agreement.

5. **Condition of the Property; Assumption of Risk.**

- 5.1 Company acknowledges and agrees that, without any limitation, the City has not made, does not make, and specifically disclaims any representations regarding the following with respect to the Sale Property: (i) value of the Sale Property, (ii) compliance with Americans with Disabilities Act or with any environmental protection, pollution or land use laws, rules, regulations, orders or requirements, as defined by the Environmental Laws applicable to the Sale Property, or (iii) the disposal or existence, in or on the Sale Property or any adjacent or nearby property, of any Hazardous Substances.
- 5.2 EXCEPT AS EXPRESSLY PROVIDED IN THIS AGREEMENT, CITY MAKES NO REPRESENTATIONS OR WARRANTIES REGARDING THE SALE PROPERTY, EXPRESS OR IMPLIED. WITHOUT LIMITING THE FOREGOING, EXCEPT AS EXPRESSLY PROVIDED IN THIS AGREEMENT, COMPANY ACKNOWLEDGES THAT EACH PROPERTY IS BEING CONVEYED "AS IS," "WHERE IS" AND "WITH ALL FAULTS," WITHOUT REPRESENTATION, RECOURSE OR WARRANTY, AND THAT ALL WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE ARE DISCLAIMED. FURTHERMORE, COMPANY ACKNOWLEDGES THAT, EXCEPT AS EXPRESSLY PROVIDED IN THIS AGREEMENT OR IN ANY OF THE RELATED AGREEMENTS, THE CITY HAS MADE NO REPRESENTATION OR WARRANTY CONCERNING (AND COMPANY IS NOT RELYING ON ANY REPRESENTATIONS OR WARRANTIES OF ANY KIND WHATSOEVER, EXPRESS OR IMPLIED, MADE BY THE OTHER PARTY, ITS AGENTS OR BROKERS AS TO ANY MATTER CONCERNING) THE SALE PROPERTY OR ANY OF THE DOCUMENTS, INCLUDING, WITHOUT LIMITATION, ANY REPRESENTATION OR WARRANTY REGARDING: (1) ANY USE TO WHICH THE PROPERTY MAY BE PUT, (2) ANY FUTURE REVENUES, COSTS, EXPENDITURES, CASH FLOW, RESULTS OF OPERATIONS, FINANCIAL CONDITION OR PROSPECTS THAT MAY RESULT FROM THE OWNERSHIP, USE OR SALE OF THE SALE PROPERTY OR THE ASSUMPTION OF THE ASSUMED LIABILITIES, (3) ANY OTHER INFORMATION OR DOCUMENTS MADE AVAILABLE TO THE PARTY ACQUIRING THE PROPERTY OR THEIR AFFILIATES OR RELATED PERSONS, (4) THE QUALITY, NATURE AND ADEQUACY OF THE PHYSICAL CONDITION OF THE SALE PROPERTY, INCLUDING, BUT NOT LIMITED TO, THE STRUCTURAL AND SEISMIC ASPECTS OF THE SALE PROPERTY, THE FOUNDATION, ROOF, APPURTENANCES, ACCESS, LANDSCAPING, PARKING FACILITIES OF THE SALE PROPERTY, THE ELECTRICAL, MECHANICAL, HVAC, PLUMBING, SEWAGE, UTILITY SYSTEMS, FACILITIES AND APPLIANCES OF THE SALE PROPERTY, THE SQUARE FOOTAGE WITHIN THE IMPROVEMENTS AND WITHIN EACH SPACE THEREIN, AND, OTHERWISE, THE CONDITION OF THE SALE PROPERTY, (5) THE QUALITY, NATURE, ADEQUACY, AND PHYSICAL CONDITION OF THE

SOILS, GEOLOGY AND ANY GROUNDWATER ON OR IN THE VICINITY OF THE SALE PROPERTY, (6) THE EXISTENCE, QUALITY, NATURE, ADEQUACY AND PHYSICAL CONDITION OF UTILITIES SERVING THE SALE PROPERTY, (7) THE POTENTIAL OPERATION OR TENANTABILITY OF THE SALE PROPERTY AND THE SALE PROPERTY'S USES, HABITABILITY, MERCHANTABILITY, OR THE FITNESS, SUITABILITY, VALUE OR ADEQUACY OF THE SALE PROPERTY FOR ANY PARTICULAR PURPOSE, (8) THE ZONING OR OTHER LEGAL STATUS OF THE SALE PROPERTY OR ANY OTHER PUBLIC OR PRIVATE RESTRICTIONS AFFECTING THE SALE PROPERTY, (9) COMPLIANCE OF THE SALE PROPERTY OR ITS OPERATION WITH ANY APPLICABLE CODES, LAWS, REGULATIONS, STATUTES, ORDINANCES, COVENANTS, CONDITIONS AND/OR RESTRICTIONS OF ANY GOVERNMENTAL OR QUASI-GOVERNMENTAL ENTITY OR OF ANY OTHER PERSON OR ENTITY, (10) THE PRESENCE OF HAZARDOUS MATERIALS IN, ON, UNDER OR ABOUT THE SALE PROPERTY OR THE ADJOINING OR NEIGHBORING PROPERTIES, AND (11) THE QUALITY OF ANY LABOR AND MATERIALS USED TO CONSTRUCT ANY IMPROVEMENTS. UPON CLOSING, COMPANY SHALL ASSUME THE RISK OF ADVERSE MATTERS WITH RESPECT TO THE SALE PROPERTY, INCLUDING, BUT NOT LIMITED TO ADVERSE FINANCIAL, PHYSICAL AND ENVIRONMENTAL CONDITIONS WHICH MAY NOT HAVE BEEN REVEALED BY SUCH PARTY'S INSPECTIONS AND INVESTIGATIONS. THE TERMS OF THIS PARAGRAPH SHALL SPECIFICALLY SURVIVE THE CLOSING.

- 5.3 To the fullest extent permitted by law, Company does hereby unconditionally waive and release City, and its elected officials, officers, employees, and volunteers from any present or future claims and liabilities of any nature arising from or relating to the presence or alleged presence of Hazardous Substances in, on, at, from, under or about the Sale Property or any adjacent property, including, without limitation, any claims under or on account of any environmental law, regardless of whether such Hazardous Substances are located in, on, at, from, under or about the Sale Property or any adjacent property prior to or after the date hereof, unless such claims or liabilities arise from the negligent or fraudulent activity of City, or activity of City in violation of any environmental law. In addition, Company does hereby covenant and agree to defend, indemnify, and hold harmless City and elected officials, officers, employees, and volunteers from and against any claims, demands, penalties, fines, liabilities, settlements, damages, costs or expenses of whatever kind or nature, known or unknown, existing and future, including any action or proceeding brought or threatened, or ordered by governmental authorities, relating to any Hazardous Substances which may be placed or located on the Sale Property after the date of closing, unless such claims or liabilities arise from City's acts or omissions. The terms and provisions of this paragraph shall survive the closing hereunder.

5.4 As used in this Agreement, the term “Hazardous Substances” means all chemicals, substances and/or materials listed under or otherwise governed or regulated by any Environmental Laws including, but not limited to, hazardous or toxic substances, wastes or products, petroleum products or any constituents thereof. As used in this Agreement, the term “Environmental Laws” means any local, state or federal law, regulation, ordinance, order or policy pertaining to regulation of the environment or health and safety, or contamination or cleanup of the environment.

6. Closing.

6.1 The time and place for conveyance of title to each Property and the closing of the transactions will be on or before 5:00 p.m. (prevailing Eastern Time) as soon as practicable, on such date to be mutually agreed upon by the Parties, at such place as may be designated by mutual agreement of the Parties.

6.2 At the Closing, the City will cause to be delivered to the Company, in connection with the sale, transfer and conveyance of the Sale Property, as applicable, (i) if requested, a Foreign Investment in Real Property Tax Act (“FIRPTA”) certification in conformance with the requirements of FIRPTA (“FIRPTA Certification”); (ii) such documents or other evidence needed to satisfy the Company’s title insurer; (iii) title affidavit, mechanics’ lien affidavit and/or parties in possession affidavit in form required by the Company’s title insurer; (iv) information necessary for reporting the sale of the Property to any tax authorities; (v) limited warranty deed; (vi) keys in the City’s possession to any door or lock on the fire station; and (vii) such other agreements and documents as the Company or its title insurer reasonably may request in order to effectuate the consummation of the transaction contemplated in this Agreement consistent with the terms hereof.

6.3 Sections 1.2.2 – 1.2.3 shall survive closing and be binding on the parties and their heirs and assigns. The representations and warranties of the City set forth in Sections 4.1 and 4.2 shall survive closing for a period of six (6) months.

7. Closing Prorations; Expenses.

7.1 There will be no proration of taxes and assessments. Buyer will pay the next tax bill due for the City Property.

7.2 Buyer will pay any recording fees, conveyance fees, and transfer fees relating to the transfer of the City Property.

7.3 Buyer will pay any title insurance fees and closing costs.

7.4 Each Party will be responsible for its own legal fees.

8. Limitation of Liability. The Parties agree that in no event shall any Party be liable under this Agreement to another Party for punitive, special, consequential, or indirect damages of any type and regardless of whether such damages are claimed under contract, tort (including negligence and strict liability) or any other theory of law.

9. **Condition to Closing.** Notwithstanding anything to the contrary in this Agreement, it is expressly understood, acknowledged, and agreed by the Parties that any obligation of the City to close on or otherwise perform the transactions described herein is contingent and conditioned upon approval of this Agreement from the Kettering, Ohio City Council. If the Kettering, Ohio City Council fails to approve this Agreement within 60 days after the Effective Date, then this Agreement will be null and void, and the Parties will be relieved from any further obligation hereunder. In addition, notwithstanding anything to the contrary in this Agreement, it is expressly understood, acknowledged, and agreed by the Parties that any obligation of the Buyer to close on or otherwise perform the transactions described herein is contingent and conditioned upon satisfaction in Buyer's sole discretion of the title and environmental due diligence items within 60 days after the Effective Date, and if Buyer delivers written notice to the City prior to the end of such period that it desires to terminate this Agreement, then this Agreement will be null and void, and the Parties will be relieved from any further obligation hereunder.
10. **Time of Essence.** Time is of the essence in performance of this Agreement.
11. **Brokers.** Each Party represents to the other Party that no real estate broker, consultant, finder or like agent has any interest in this transaction with respect to the sale, conveyance and transfer of either the City Property or the Buyer Property.
12. **Entire Agreement; Assignability.** The Parties hereto acknowledge and agree that this Agreement constitutes their entire agreement and supersedes all prior negotiations regarding the subject matter hereof. This Agreement may not be modified except by an instrument in writing executed by all Parties hereto. This Agreement will be binding upon the successors and assigns of the Parties hereto. This Agreement may not be assigned by either party without the written consent of the other party.
13. **Governing Authority.** This Agreement shall be governed by, construed and enforced in accordance with the laws of the State of Ohio. The state and federal courts located in Montgomery County, Ohio shall be the proper forums for any legal controversy between the Parties arising in connection with this Agreement, which courts shall be the exclusive forums for all such suits, actions or proceedings.
14. **OFAC.** The Parties each represent and warrant to the other that they are not persons or entities with whom U.S. persons or entities are restricted from doing business under regulations of the Office of Foreign Asset Control ("OFAC") of the Department of the Treasury (including those named on OFAC's Specially Designated Nationals and Blocked Persons List) or under any statute, executive order (including without limitation, Executive Order 13224 signed on September 24, 2001 and entitled "Blocking Property and Prohibiting Transactions with Person Who Commit, Threaten to Commit, or Support Terrorism"), or other governmental action.
15. **Miscellaneous.**

- 15.1 The captions in this Agreement are inserted only for the purpose of convenient reference and in no way define, limit or prescribe the scope or intent of this Agreement or any part hereof.
- 15.2 This Agreement may be executed by the Parties in counterparts, each of which shall be deemed an original, but all of such counterparts taken together will constitute one and the same Agreement. Copies of duly executed counterparts shall have the same legal effect as an original. Facsimile signatures or signatures transmitted by email or other electronic means shall be sufficient to bind the Parties.
- 15.3 If any provision of this Agreement, or any covenant, obligation or agreement contained herein is determined by a court to be invalid or unenforceable, that determination shall not affect any other provision, covenant, obligation or agreement, each of which shall be construed and enforced as if the invalid or unenforceable portion were not contained herein. That invalidity or unenforceability shall not affect any valid and enforceable application thereof, and each such provision, covenant, obligation or agreement shall be deemed to be effective, operative, made, entered into or taken in the manner and to the full extent permitted by law.
- 15.4 No provisions of this Agreement shall be construed by any court or other judicial authority against any Party hereto by reason of such Party's being deemed to have drafted or structured such provisions.
- 15.5 All covenants, obligations and agreements of the Parties contained in this Agreement shall be effective to the extent authorized and permitted by applicable law. No such covenant, obligation or agreement shall be deemed to be a covenant, obligation, or agreement of any present or future member, officer, agent or employee of the any Party other than in his or her official capacity, and neither the members of the legislative body of the City nor any official executing this Agreement shall be liable personally under this Agreement or be subject to any personal liability or accountability by reason of the execution thereof or by reason of the covenants, obligations, or agreements of any Party contained in this Agreement.
- 15.6 The Parties acknowledge and agree that the facts and circumstances as described in the Recitals hereto are an integral part of this Agreement and as such are incorporated herein by reference. Further, the Parties acknowledge and agree that the Exhibits hereto are an integral part of this Agreement and as such are incorporated herein by reference.
- 15.7 Except as otherwise provided in this Agreement, no waiver of any of the provisions of this Agreement shall be deemed, nor shall the same constitute a waiver of any other provision, whether or not similar, nor shall any such waiver constitute a continuing waiver. No waiver shall be binding, unless executed, in writing, by the Party making the waiver.

15.8 Nothing in this Agreement, express or implied, is intended to or shall confer upon any other person any right, benefit or remedy of any nature whatsoever under or by reason of this Agreement.

16. To the fullest extent permitted by applicable law, it is mutually agreed between each of the parties to this agreement that the respective parties hereto do hereby waive trial by jury in any action, proceeding or claim or counterclaim brought by any of the parties hereto against the others on any matters whatsoever arising out of or in any way related to this agreement or the transactions contemplated hereunder. Each party acknowledges that it has read and understands this waiver and has been advised by counsel as necessary or appropriate. This waiver is made knowingly and voluntarily by the parties hereto.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed by their duly authorized representatives.

CITY OF KETTERING

CG KETTERING T & C, LLC,
successor by conversion to Dayton Town & Country,
Ltd., an Ohio limited liability company

BY: _____ date
Mark W. Schwieterman,
City Manager

By: _____ date
Don M. Casto III
Authorized Member of the
Management Committee

By: _____ date
Kenneth B. Gold
Authorized Member of the
Management Committee

EXHIBIT A

City Property Legal Description

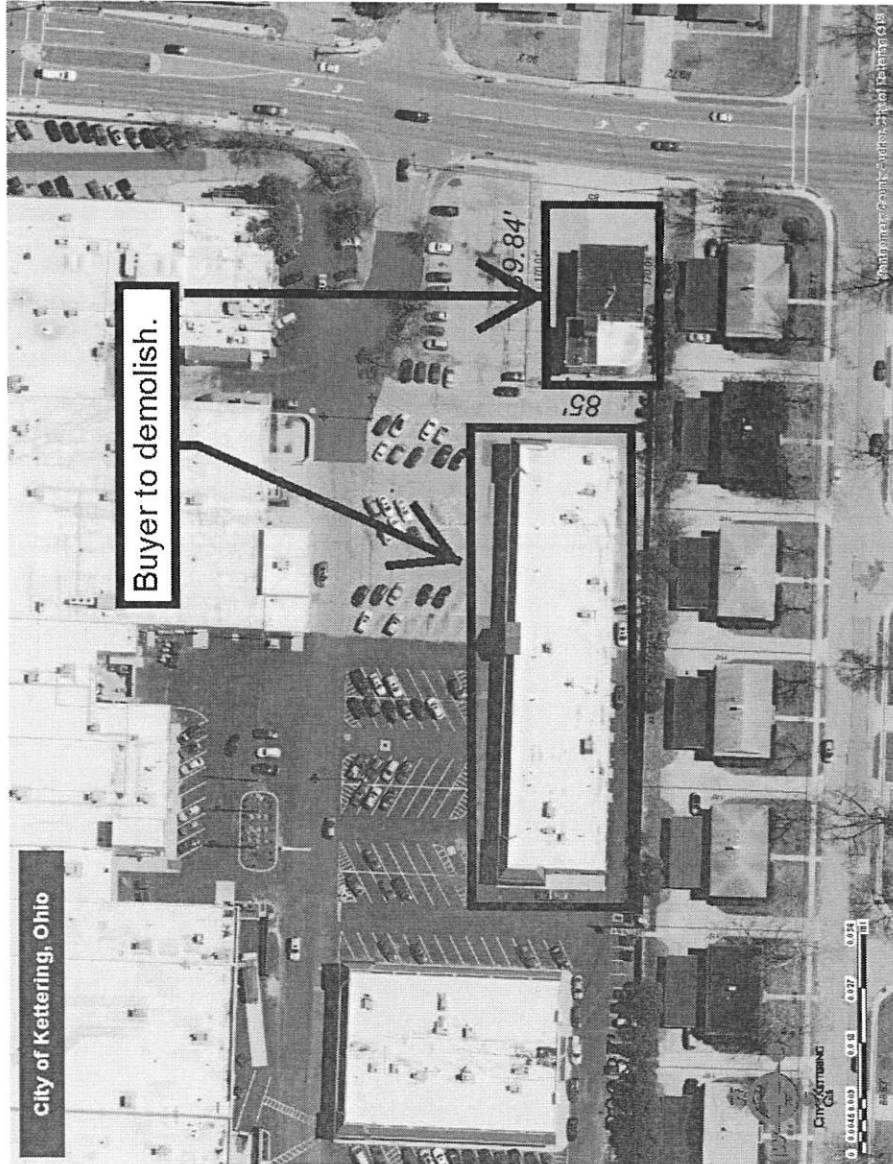
Situate in the City of Kettering, in the County of Montgomery and the State of Ohio and being in the northeast quarter of Section 34, Town 2, Range 6, MRs and more particularly bounded and described as follows:

Beginning in the east line of Section 34 and at the northeast corner of land conveyed to Edna B. Huber by deed recorded in Book 1271 page 134 of the Deed Records of Montgomery County, Ohio, said point being in Shroyer Road and further being the southeast corner of a 20.95 acre tract more or less as described in Book 1401 page 113 of the Deed Records of Montgomery County, Ohio; thence from said beginning point and with the north line of said Huber land South $89^{\circ}50'30''$ West for 35.01 feet to an iron pin in the north line of said Huber land and the west line of Shroyer Road as platted on Huber Plat No. 16, Section One as recorded in Plat Book "AA" page 40 of the Plat Records of Montgomery County, Ohio; thence continuing with the north line of said Huber land South $89^{\circ}50'30''$ West for 135 feet to a point on concrete wall in the north line of said Huber land; thence North $1^{\circ}18'$ East for 85.00 feet to an iron pin; thence North $89^{\circ}50'130''$ East for 170.01 feet to the east line of said Section 34 in Shroyer Road as now located; thence South $1^{\circ}18'$ West for 85.00 feet with the east line of said Section 34 to the place of beginning containing .33 acres more or less but subject to legal highways.

Prior Deed Reference: Book 1929, Page 421.

Auditor's Parcel No. N64 03409 0167

Buildings to be demolished



CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**DECLARING AS "SURPLUS" AND APPROVING AN
AGREEMENT TO SELL CITY-OWNED PROPERTY
LOCATED ON TAIT ROAD**

WHEREAS, the City seeks to preserve jobs, increase employment opportunities and to encourage establishment of new jobs within the corporate boundaries of the City, in order to improve the economic welfare of the City and its citizens, in furtherance of the public purposes enunciated in Article VIII, Section 13 of the Ohio Constitution; and

WHEREAS, the City has received an offer to purchase the City-owned property on Tait Road (Auditor's Parcel No. N64 03304 0274) ("Property"), as more particularly described in the Economic Development and Real Estate Purchase Agreement ("Agreement") attached hereto without exhibits as Exhibit 1 and incorporated herein, for redevelopment which will in turn preserve and/or create positive employment and economic activity in the City;

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

Section 1. Council hereby ratifies and approves the Agreement. The City Manager is hereby authorized to enter into Agreement on behalf of the City of Kettering and to dispose of the real estate therein described, and to take any and all additional action necessary and proper to do so. The City Manager is further authorized to sign any amendments or extensions thereto and any other related agreements and instruments that the City Manager deems appropriate.

Section 2. The Property is hereby declared as surplus property and no longer required for municipal purposes effective as of the date of closing.

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

(Requested by: City Manager's Office)

**ECONOMIC DEVELOPMENT AND
REAL ESTATE PURCHASE AGREEMENT**



THIS ECONOMIC DEVELOPMENT AND REAL ESTATE PURCHASE AGREEMENT (this "Agreement") is made and entered into between **Kettering Adventist Healthcare dba Kettering Health** ("Company"), a non-profit corporation organized under the laws of the State of Ohio, whose address is 1 Prestige Place, Miamisburg, OH 45342, and the **CITY OF KETTERING, OHIO**, an Ohio municipal corporation duly organized and validly existing under the Constitution and the laws of the State of Ohio and its Charter (the "City"), whose mailing address is 3600 Shroyer Road, Kettering, Ohio 45429 and is effective as of the date the last Party signs below (the "Effective Date"). The Company and the City may hereinafter be referred to individually as a "Party", or collectively as the "Parties".

RECITALS

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, the City owns Lot 2 of the Tait Park Record Plan as recorded in Plat Book 237, Page 4 ("Sale Property"). The Tait Property includes a tennis court, an unused Fire Station addressed as 3780 Tait Road, and undeveloped land; and

WHEREAS, Company desires to purchase the Sale Property for development in support of the adjacent Kettering Medical Center and Kettering College of Medical Arts which will result in increased economic and educational activity and employment opportunities in the City; and

WHEREAS, to promote economic development, and redevelopment, to promote the retention and/or potential creation of employment and educational opportunities within the City, the City has agreed to sell, transfer and convey to the Company the Sale Property on the terms and conditions set forth herein.

STATEMENT OF AGREEMENT

NOW THEREFORE, for good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the City and the Company covenant, agree and obligate themselves to the foregoing Recitals and as follows:

1. **Sale and Conveyance of Property.** The City hereby agrees to sell, transfer and convey to the Company, and the Company hereby agrees to purchase and receive from the City, upon the terms and conditions of this Agreement, the Sale Property.
2. **Purchase Price.**
 - 2.1 The purchase price ("Purchase Price") for the Sale Property shall be as follows:
 - 2.1.1 \$285,000; and
 - 2.1.2 Lease back of the tennis court to the City for \$1.00 per year in accordance with the terms and conditions of the Lease Agreement set forth in the attached Exhibit A.
3. **Due Diligence.**
 - 3.1 The "Due Diligence Date" will be that date which is 90 days following the Effective Date.

- 3.2 Within fifteen business days of a request from Company, the City agrees to provide the Company with true, correct and complete copies of the following documents and records in the possession of the City or its agents relating to the Sale Property: (i) all surveys, title commitments and policies, (ii) soil tests, (iii) Building plans and specifications, (iv) reports regarding Hazardous Substances (as defined below), (v) reports or studies regarding the physical, mechanical or structural condition of the Fire Station.
- 3.3 Company will have until 5:00 p.m. (prevailing Eastern Time) on the Due Diligence Date by which to: (i) obtain and review a soil analysis of the Sale Property; (ii) obtain and review reports, perform analyses, and otherwise inspect the Sale Property related to the existence of Hazardous Substances and wetlands and compliance with Environmental Laws (as defined below); (iii) confirm that the Sale Property is in a physical, mechanical and structural condition acceptable to Company; (iv) inspect the Sale Property for building code violations; (v) review all agreements and other information related to the Sale Property; (vi) confirm that utilities are available to the Sale Property in the quantities necessary or desirable for the Company's proposed use of the Sale Property; and (vii) perform such other inspections, tests or studies as the Company deems appropriate. The inspections, tests, studies and approvals described in this Section performed by Company will be at Company's sole expense. Company and its agents and designees will be entitled to access the Sale Property at reasonable times to undertake such inspections, tests and studies. After completion of such inspections, tests and studies, Company or its agents or designees will promptly and diligently restore the Sale Property to as good a condition as existed immediately prior to any such inspections, tests and studies to the extent reasonably practicable. The Company agrees to indemnify and hold the City harmless from all loss, liability, claim and expense (including reasonable attorneys' fees) arising out of the acts or omissions of the Company, its agents or designees on the Sale Property in the performance of such inspections, tests and studies, including, but not limited to, mechanics' liens, damage to persons or property, and third party claims.
- 3.4 The Company will also have until 5:00 p.m. (prevailing Eastern Time) on the Due Diligence Date by which to obtain and review a survey of the Sale Property and a title insurance commitment reporting the state of title to the Sale Property. If the Company determines from the title commitment and/or the survey that title to the Sale Property is not marketable and free from encumbrances except for the Permitted Encumbrances (as defined below), then Company may notify the City in writing on or before the Due Diligence Date specifying such title and survey matters to which Company objects. If the Company fails to notify the City on or before the Due Diligence Date of any such objection to title, then Company will be deemed to have waived any such objection. If the Company gives timely notice of a title objection, then, within ten (10) days after receipt of notice of the objection, the City will either (i) promptly notify the Company that it does not intend to remedy such title objection or (ii) attempt to cure such objection to the Company's reasonable satisfaction by the date of Closing. If the City elects not to cure the title objection or is unable to cure or remove such title objection made under this provision to the Company's reasonable satisfaction by the date of Closing, then the Company may elect to (i) terminate this Agreement, and the Parties will be relieved from any further obligation hereunder, or (ii) proceed to close pursuant to the terms of this Agreement and accept title to the Sale Property subject to such objection.
- 3.5 Any survey and title commitment will be obtained by the Company at its sole expense.
- 3.6 As used in this Agreement, the term "Hazardous Substances" means all chemicals, substances and/or materials listed under or otherwise governed or regulated by any Environmental Laws including, but not limited to, hazardous or toxic substances, wastes or products, petroleum products or any constituents thereof. As used in this Agreement, the term "Environmental Laws" means any local, state or federal law, regulation, ordinance, order or policy pertaining to regulation of the environment or health and safety, or contamination or cleanup of the environment.

4. **Termination Notice.** If at any time prior to 5:00 p.m. (prevailing Eastern Time) on the Due Diligence Date, the Company is not satisfied, in its sole discretion, with the results of the matters described in Section 3 above with respect to the Sale Property, then Company may deliver notice to the City stating that it has decided not to consummate the transactions hereunder (the "Termination Notice") and the Parties will have no further obligations pursuant to this Agreement except those that are expressly stated to survive. If Company fails to deliver the Termination Notice to the City by the prescribed time on the Due Diligence Date, then it will be deemed to have elected to proceed to purchase the Sale Property pursuant to this Agreement.

5. **Representations and Warranties.** The City represents and warrants to the Company that the following statements are true as of the Effective Date and will be true at the Closing:

- 5.1 Subject to obtaining approval by the Kettering, Ohio City Council as set forth in Section 11, below, the City possesses full right, power and authority to execute, deliver and perform this Agreement, and no legal or administrative proceeding is in effect which would prohibit the City's execution of this Agreement.
- 5.2 At the Closing, the City shall have good, marketable and indefeasible fee simple absolute title to the Sale Property, free, clear and unencumbered, with the exception of any Permitted Encumbrances (as defined in Section 8).
- 5.3 There are no adverse or other parties in possession of the Sale Property, and no party has been granted any license, lease, right of first refusal or other right relating to the use, possession or ownership of the Sale Property.
- 5.4 There are no improvements in, to or about the Sale Property for which any labor and/or materials provided with respect thereto remain unpaid and that might form the basis of a mechanic's lien against the Sale Property.

The Company represents, warrants, and covenants to the City that the following statements are true as of the Effective Date and will be true at the Closing:

- 5.5 The Company possesses full right, power and authority to execute, deliver and perform this Agreement, and no legal or administrative proceeding is in effect which would prohibit the Company's execution of this Agreement.

6. **Condition of the Property; Assumption of Risk.**

- 6.1 Company acknowledges and agrees that, without any limitation, the City has not made, does not make, and specifically disclaims any representations regarding the following with respect to the Sale Property: (i) value of the Sale Property, (ii) compliance with Americans with Disabilities Act or with any environmental protection, pollution or land use laws, rules, regulations, orders or requirements, as defined by the Environmental Laws applicable to the Sale Property, or (iii) the disposal or existence, in or on the Sale Property or any adjacent or nearby property, of any Hazardous Substances.
- 6.2 EXCEPT AS EXPRESSLY PROVIDED IN THIS AGREEMENT, CITY MAKES NO REPRESENTATIONS OR WARRANTIES REGARDING THE SALE PROPERTY, EXPRESS OR IMPLIED. WITHOUT LIMITING THE FOREGOING, EXCEPT AS EXPRESSLY PROVIDED IN THIS AGREEMENT, COMPANY ACKNOWLEDGES THAT EACH PROPERTY IS BEING CONVEYED "AS IS," "WHERE IS" AND "WITH ALL FAULTS," WITHOUT REPRESENTATION, RECOURSE OR WARRANTY, AND THAT ALL WARRANTIES OF MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE ARE DISCLAIMED. FURTHERMORE, COMPANY ACKNOWLEDGES THAT, EXCEPT AS EXPRESSLY PROVIDED IN THIS AGREEMENT OR IN ANY OF THE RELATED AGREEMENTS, THE CITY HAS MADE NO REPRESENTATION OR WARRANTY CONCERNING (AND COMPANY IS NOT RELYING ON ANY REPRESENTATIONS OR WARRANTIES OF ANY KIND WHATSOEVER, EXPRESS OR IMPLIED, MADE BY THE

OTHER PARTY, ITS AGENTS OR BROKERS AS TO ANY MATTER CONCERNING) THE SALE PROPERTY OR ANY OF THE DOCUMENTS, INCLUDING, WITHOUT LIMITATION, ANY REPRESENTATION OR WARRANTY REGARDING: (1) ANY USE TO WHICH THE PROPERTY MAY BE PUT, (2) ANY FUTURE REVENUES, COSTS, EXPENDITURES, CASH FLOW, RESULTS OF OPERATIONS, FINANCIAL CONDITION OR PROSPECTS THAT MAY RESULT FROM THE OWNERSHIP, USE OR SALE OF THE SALE PROPERTY OR THE ASSUMPTION OF THE ASSUMED LIABILITIES, (3) ANY OTHER INFORMATION OR DOCUMENTS MADE AVAILABLE TO THE PARTY ACQUIRING THE PROPERTY OR THEIR AFFILIATES OR RELATED PERSONS, (4) THE QUALITY, NATURE AND ADEQUACY OF THE PHYSICAL CONDITION OF THE SALE PROPERTY, INCLUDING, BUT NOT LIMITED TO, THE STRUCTURAL AND SEISMIC ASPECTS OF THE SALE PROPERTY, THE FOUNDATION, ROOF, APPURTENANCES, ACCESS, LANDSCAPING, PARKING FACILITIES OF THE SALE PROPERTY, THE ELECTRICAL, MECHANICAL, HVAC, PLUMBING, SEWAGE, UTILITY SYSTEMS, FACILITIES AND APPLIANCES OF THE SALE PROPERTY, THE SQUARE FOOTAGE WITHIN THE IMPROVEMENTS AND WITHIN EACH SPACE THEREIN, AND, OTHERWISE, THE CONDITION OF THE SALE PROPERTY, (5) THE QUALITY, NATURE, ADEQUACY, AND PHYSICAL CONDITION OF THE SOILS, GEOLOGY AND ANY GROUNDWATER ON OR IN THE VICINITY OF THE SALE PROPERTY, (6) THE EXISTENCE, QUALITY, NATURE, ADEQUACY AND PHYSICAL CONDITION OF UTILITIES SERVING THE SALE PROPERTY, (7) THE POTENTIAL OPERATION OR TENANTABILITY OF THE SALE PROPERTY AND THE SALE PROPERTY'S USES, HABITABILITY, MERCHANTABILITY, OR THE FITNESS, SUITABILITY, VALUE OR ADEQUACY OF THE SALE PROPERTY FOR ANY PARTICULAR PURPOSE, (8) THE ZONING OR OTHER LEGAL STATUS OF THE SALE PROPERTY OR ANY OTHER PUBLIC OR PRIVATE RESTRICTIONS AFFECTING THE SALE PROPERTY, (9) COMPLIANCE OF THE SALE PROPERTY OR ITS OPERATION WITH ANY APPLICABLE CODES, LAWS, REGULATIONS, STATUTES, ORDINANCES, COVENANTS, CONDITIONS AND/OR RESTRICTIONS OF ANY GOVERNMENTAL OR QUASI-GOVERNMENTAL ENTITY OR OF ANY OTHER PERSON OR ENTITY, (10) THE PRESENCE OF HAZARDOUS MATERIALS IN, ON, UNDER OR ABOUT THE SALE PROPERTY OR THE ADJOINING OR NEIGHBORING PROPERTIES, AND (11) THE QUALITY OF ANY LABOR AND MATERIALS USED TO CONSTRUCT ANY IMPROVEMENTS. UPON CLOSING, COMPANY SHALL ASSUME THE RISK OF ADVERSE MATTERS WITH RESPECT TO THE SALE PROPERTY, INCLUDING, BUT NOT LIMITED TO ADVERSE FINANCIAL, PHYSICAL AND ENVIRONMENTAL CONDITIONS WHICH MAY NOT HAVE BEEN REVEALED BY SUCH PARTY'S INSPECTIONS AND INVESTIGATIONS. THE TERMS OF THIS PARAGRAPH SHALL SPECIFICALLY SURVIVE THE CLOSING.

- 6.3 To the fullest extent permitted by law, Company does hereby unconditionally waive and release City, and its elected officials, officers, employees, and volunteers from any present or future claims and liabilities of any nature arising from or relating to the presence or alleged presence of Hazardous Substances in, on, at, from, under or about the Sale Property or any adjacent property, including, without limitation, any claims under or on account of any environmental law, regardless of whether such Hazardous Substances are located in, on, at, from, under or about the Sale Property or any adjacent property prior to or after the date hereof, unless such claims or liabilities arise from the negligent or fraudulent activity of City, or any activity of City in violation of any environmental law. The terms and provisions of this paragraph shall survive the closing hereunder.

7. Closing.

- 7.1 The time and place for conveyance of title to the Sale Property, payment of the Purchase Price and the closing of the transaction (the "Closing") will be on or before 5:00 p.m. (prevailing Eastern Time) on such date to be mutually agreed upon by the Parties no later than sixty (60) calendar days following the Due Diligence Date (as such date may be shortened or extended under this

Agreement), at such place as may be designated by mutual agreement of the Parties. At the Closing, Company will pay the Purchase Price by wire transfer of immediately available federal funds to such account as Seller may designate, subject to all prorations and adjustments as further as provided herein.

- 7.2 At the Closing, the City will cause to be delivered to the Company, in connection with the sale, transfer and conveyance of the Sale Property, as applicable, (i) a Foreign Investment in Real Property Tax Act ("FIRPTA") certification in conformance with the requirements of FIRPTA ("FIRPTA Certification"); (ii) such documents or other evidence needed to satisfy the Company's title insurer; (iii) title affidavit, mechanics' lien affidavit and/or parties in possession affidavit in form required by the Company's title insurer; (iv) information necessary for reporting the sale of the Property to any tax authorities; (v) limited warranty deed; (vi) keys in the City's possession to any door or lock on the Fire Station; and (vii) such other agreements and documents as the Company or its title insurer reasonably may request in order to effectuate the consummation of the transaction contemplated in this Agreement consistent with the terms hereof.

8. Conveyance of Title to Sale Property. The City will convey good and marketable fee simple title to all of its interest in the Sale Property to the Company at the Closing by deed of limited warranty, free, clear and unencumbered except for the "Permitted Encumbrances" listed below:

- 8.1 easements, restrictions, covenants and conditions of record;
- 8.2 non-delinquent real estate taxes and assessments;
- 8.3 legal highways;
- 8.4 existing encroachments and impediments
- 8.5 coal, oil, gas, and other mineral rights and interests previously transferred or reserved of record; and
- 8.6 zoning, environmental, building, and other governmental regulations.

9. Closing Prorations; Expenses.

- 9.1 All non-delinquent real estate taxes, assessments, or other benefit charges levied on an annual or periodic basis ("Taxes and Assessments") shall be prorated between the respective Parties at Closing in accordance with the Montgomery County Short Form Method. Any delinquent Taxes and Assessments and any penalties or interest thereon outstanding as of the Closing will be satisfied by the City. All prorations in accordance with the provisions of this Section 9 shall be final. All provisions of this Section 9 shall survive the Closing.
- 9.2 If the Sale Property, or any part of the Sale Property, is currently valued for real estate tax purposes at current agricultural use valuation, then Company shall be responsible for payment of the amount of the maximum potential agricultural use tax recapture.
- 9.3 The City shall pay the costs of preparing the deed, preparing and recording all documents necessary to release any existing mortgages and unpermitted encumbrances of record, the auditor's conveyance fee. Company shall pay all other closing costs including, but not limited to costs associated with any title examination, title commitment and title policy.
- 9.4 Each Party will be responsible for its own legal fees.
- 9.5 The City and the Company will transfer all utilities to the fire station to the account of the Company as of the Closing, and the City will pay any utility charges which accrue through the Closing.
- 9.6 Each Party represents to the other Party that no real estate broker, consultant, finder or like agent has any interest in this transaction with respect to the sale, conveyance and transfer of the Sale Property.

10. Casualty.

10.1 The City agrees that the Sale Property it is transferring hereunder will be in the same condition at Closing as at the Effective Date of this Agreement, reasonable wear and tear excepted and subject to the provisions of this Section, and each the City will provide written notice to the Company of any material damage to or destruction of the Sale Property. Risk of loss from fire or other casualty will be borne by the City with respect to the Sale Property, provided that if the Sale Property is materially damaged or destroyed by fire or other casualty and not repaired and restored by the to a condition as good as that existing prior to such casualty, then Company may (i) proceed with this Agreement and receive the Sale Property in its then existing condition, in which event, upon Closing, the Company will be entitled to the net insurance proceeds paid or payable to the City, or (ii) terminate this Agreement, and all Parties hereto will be released from all liability hereunder. If Company elects to terminate the Agreement pursuant to this Section, Company will so notify the City in writing within ten (10) days after written notice of the casualty. Failure to give timely notice of election to terminate will constitute an election by the Company to proceed with this Agreement and to accept the Sale Property as described in (i) above.

10.2 Notwithstanding the foregoing, any damage or destruction which does not unreasonably interfere with Company's intended use of the Sale Property will not give rise to the option to terminate this Agreement and the Company agrees to proceed under this Agreement without adjustment except that the Company will be entitled to receive the proceeds of the insurance award covering the Sale Property.

11. **Condition to Closing.** Notwithstanding anything to the contrary in this Agreement, it is expressly understood, acknowledged, and agreed by the Parties that any obligation of the City to close on or otherwise perform the transactions described herein is contingent and conditioned upon approval of this Agreement from the Kettering, Ohio City Council. If the Kettering, Ohio City Council fails to approve this Agreement within 45 days after the Effective Date, then this Agreement will be null and void, the Parties will be relieved from any further obligation hereunder.

12. **Limitation of Liability.** The Parties agree that in no event shall any Party be liable under this Agreement to another Party for punitive, special, consequential, or indirect damages of any type and regardless of whether such damages are claimed under contract, tort (including negligence and strict liability) or any other theory of law.

13. **Time of Essence.** Time is of the essence in this Agreement.

14. **Day of Performance.** Wherever herein there is a day or time period established for performance and such day or the expiration of such time period is a Saturday, Sunday or legal holiday, then such time for performance shall be automatically extended to the next business day.

15. **Notices.**

15.1 All notices, elections or other communications authorized, required or permitted under this Agreement will be made in writing and will be deemed given upon the business day received by the Party to whom such notice is sent if receipt occurs by 5:00 p.m. (prevailing Eastern Time) or, if received later, by the next such business day. Notice may be given by (i) personal delivery, (ii) overnight courier service, postage prepaid or (iii) U.S. certified mail, return receipt requested, postage prepaid.

15.2 Notice to the City will be delivered to:

City of Kettering
3600 Shroyer Road
Kettering, Ohio 45429
Attention: Economic Development Manager

with a copy to:

Law Director
City of Kettering
Law Department
3600 Shroyer Road
Kettering, Ohio 45429

Notice to the Company will be delivered to:
KETTERING HEALTH
3965 Southern Blvd.
Kettering, OH, 45429
Attention: Richard Haas

with a copy to:

Kettering Health Legal Services
1 Prestige Place, Suite 580
Miamisburg, OH 45342
Attention: General Counsel

- 15.3 All such communications, if personally delivered, will be conclusively deemed to have been received by a Party hereto and to be effective when so delivered; if given by certified mail, on the third business day after such communication is deposited in the mail; or if sent by overnight courier service, on the day after deposit thereof with such service.

16. **Entire Agreement; Assignability.** The Parties hereto acknowledge and agree that this Agreement constitutes their entire agreement and supersedes all prior negotiations regarding the subject matter hereof. This Agreement may not be modified except by an instrument in writing executed by all Parties hereto. This Agreement will be binding upon the successors and assigns of the Parties hereto; *provided, however*, that the Company will not assign its rights and obligations under this Agreement without the prior written consent of the City.

17. **Governing Authority.** This Agreement shall be governed by, construed and enforced in accordance with the laws of the State of Ohio. The state and federal courts located in Montgomery County, Ohio shall be the proper forums for any legal controversy between the Parties arising in connection with this Agreement, which courts shall be the exclusive forums for all such suits, actions or proceedings.

18. **OFAC.** The Parties each represent and warrant to the other that they are not persons or entities with whom U.S. persons or entities are restricted from doing business under regulations of the Office of Foreign Asset Control (“OFAC”) of the Department of the Treasury (including those named on OFAC’s Specially Designated Nationals and Blocked Persons List) or under any statute, executive order (including without limitation, Executive Order 13224 signed on September 24, 2001 and entitled “Blocking Property and Prohibiting Transactions with Person Who Commit, Threaten to Commit, or Support Terrorism”), or other governmental action.

19. **Not an Offer.** This Agreement will not become effective until counterparts have been fully executed and delivered by all Parties named herein.

20. **Miscellaneous.**

20.1 The captions in this Agreement are inserted only for the purpose of convenient reference and in no way define, limit or prescribe the scope or intent of this Agreement or any part hereof.

20.2 This Agreement may be executed by the Parties hereto in counterparts, each of which shall be deemed an original, but all of such counterparts taken together will constitute one and the same Agreement. Copies of duly executed counterparts shall have the same legal effect as an original. Facsimile signatures or signatures transmitted by email or other electronic means shall be sufficient to bind the Parties.

- 20.3 If any provision of this Agreement, or any covenant, obligation or agreement contained herein is determined by a court to be invalid or unenforceable, that determination shall not affect any other provision, covenant, obligation or agreement, each of which shall be construed and enforced as if the invalid or unenforceable portion were not contained herein. That invalidity or unenforceability shall not affect any valid and enforceable application thereof, and each such provision, covenant, obligation or agreement shall be deemed to be effective, operative, made, entered into or taken in the manner and to the full extent permitted by law.
- 20.4 All warranties, representations, covenants, obligations and agreements contained in this Agreement will survive the Closing and the conveyance of the respective Property and all performances hereunder.
- 20.5 No provisions of this Agreement shall be construed by any court or other judicial authority against any Party hereto by reason of such Party's being deemed to have drafted or structured such provisions.
- 20.6 All covenants, obligations and agreements of the Parties contained in this Agreement shall be effective to the extent authorized and permitted by applicable law. No such covenant, obligation or agreement shall be deemed to be a covenant, obligation, or agreement of any present or future member, officer, agent or employee of the any Party other than in his or her official capacity, and neither the members of the legislative body of the City nor any official executing this Agreement shall be liable personally under this Agreement or be subject to any personal liability or accountability by reason of the execution thereof or by reason of the covenants, obligations, or agreements of any Party contained in this Agreement.
- 20.7 The Parties acknowledge and agree that the facts and circumstances as described in the Recitals hereto are an integral part of this Agreement and as such are incorporated herein by reference. Further, the Parties acknowledge and agree that the Exhibits hereto are an integral part of this Agreement and as such are incorporated herein by reference.
- 20.8 Except as otherwise provided in this Agreement, no waiver of any of the provisions of this Agreement shall be deemed, nor shall the same constitute a waiver of any other provision, whether or not similar, nor shall any such waiver constitute a continuing waiver. No waiver shall be binding, unless executed, in writing, by the Party making the waiver.
- 20.9 Nothing in this Agreement, express or implied, is intended to or shall confer upon any other person any right, benefit or remedy of any nature whatsoever under or by reason of this Agreement.

21. Waiver of Jury Trial. TO THE FULLEST EXTENT PERMITTED BY APPLICABLE LAW, IT IS MUTUALLY AGREED BETWEEN EACH OF THE PARTIES TO THIS AGREEMENT THAT THE RESPECTIVE PARTIES HERETO DO HEREBY WAIVE TRIAL BY JURY IN ANY ACTION, PROCEEDING OR CLAIM OR COUNTERCLAIM BROUGHT BY ANY OF THE PARTIES HERETO AGAINST THE OTHERS ON ANY MATTERS WHATSOEVER ARISING OUT OF OR IN ANY WAY RELATED TO THIS AGREEMENT OR THE TRANSACTIONS CONTEMPLATED HEREUNDER. EACH PARTY ACKNOWLEDGES THAT IT HAS READ AND UNDERSTANDS THIS WAIVER AND HAS BEEN ADVISED BY COUNSEL AS NECESSARY OR APPROPRIATE. THIS WAIVER IS MADE KNOWINGLY AND VOLUNTARILY BY THE PARTIES HERETO.

IN WITNESS WHEREOF, the Parties have caused this Agreement to be executed effective as of the date first set forth above.

COMPANY:

KETTERING ADVENTIST HEALTHCARE DBA
KETTERING HEALTH

By: _____

Printed: _____

Title: _____

CITY:

CITY OF KETTERING, OHIO

By: _____
Mark W. Schwieterman, City Manager

Date: _____, 2021

Approved as to form:

By: _____
Theodore A. Hamer, III, Law Director

Date: _____, 2021

Funds Certified By:

By: _____
Nancy Gregory, Finance Director

Date: _____, 2021

EXHIBIT A
TENNIS COURT LEASE AGREEMENT

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

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

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

WHEREAS, the City's grant application was 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 and expend the above-described grant from the Ohio Arts Council for fiscal year 2022. 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 _____ 2021.

DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$33,231
To be include
In 2022 budget: \$33,231
Acct. No.: 2441

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

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ACCEPT
A SPECIAL PROJECTS GRANT FROM THE
MONTGOMERY COUNTY ARTS AND CULTURE
DISTRICT**

WHEREAS, the City applied for a Special Projects Grant from The Montgomery County Arts and Culture District to support the Kettering Art Initiative at Rosewood Arts Centre for a pilot program to transform public space through collaborative artist and community interventions; and

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

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 and expend the above-described grant. Furthermore, Council ratifies the grant application and affirms all matters and statements included therein.

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: Parks, Recreation and Cultural Arts Department)

Estimated Cost: \$15,000
Funds Available: \$0
Acct. No. Special Grants & Programs

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

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

WHEREAS, the City applied for an ArtsNEXT grant from the Ohio Arts Council to support the Kettering Art Initiative at Rosewood Arts Centre for a pilot program to transform public space through collaborative artist and community interventions; and

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

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 and expend the above-described grant. Furthermore, Council ratifies the grant application and affirms all matters and statements included therein.

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: Parks, Recreation and Cultural Arts Department)

Estimated Cost: \$28,588
Funds Available: \$0
Acct. No. Special Grants & Programs

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**ACCEPTING THE MATERIAL TERMS OF THE ONE OHIO
SUBDIVISION SETTLEMENT PURSUANT TO THE ONE OHIO
MEMORANDUM OF UNDERSTANDING AND CONSISTENT WITH
THE TERMS OF THE JULY 21, 2021 NATIONAL OPIOID
SETTLEMENT AGREEMENT AND AUTHORIZING THE CITY
MANAGER TO EXECUTE THE PARTICIPATION AGREEMENT FOR
THE ONE OHIO SUBDIVISION SETTLEMENT WITH MCKESSON
CORPORATION, CARDINAL HEALTH, INC., AND
AMERISOURCEBERGEN CORPORATION**

WHEREAS, the City of Kettering, Ohio is a municipal entity formed and organized pursuant to the Constitution and laws of the State of Ohio; and

WHEREAS, the people of the State of Ohio and its communities have been harmed by misfeasance, nonfeasance and malfeasance committed by certain entities within the Opioid Pharmaceutical Supply Chain; and

WHEREAS, the State of Ohio, through its Attorney General, and certain Local Governments, through their elected representatives and legal counsel, separately are engaged in litigation seeking to hold the Opioid Pharmaceutical Supply Chain Participants accountable for the damage caused throughout the State of Ohio by their misfeasance, nonfeasance, and malfeasance; and

WHEREAS, the State of Ohio, through its Governor and Attorney General, and its Local Governments, share a common desire to abate and alleviate the impacts of that misfeasance, nonfeasance and malfeasance throughout the State of Ohio; and

WHEREAS, the State and its Local Governments, subject to completing formal documents effectuating the parties' agreements, have drafted and Kettering has adopted, and hereby reaffirms its adoption of, the *One Ohio* Memorandum of Understanding ("MOU") relating to the allocation and use of the proceeds of any potential settlements described; and

WHEREAS, the MOU was drafted to maintain all individual claims while allowing the State and Local Governments to cooperate in exploring all possible means of resolution; and

WHEREAS, this Council understands that an additional purpose of the MOU is to create an effective means of distributing any potential settlement funds obtained under the MOU between the State of Ohio and Local Governments in a manner and means that would promote an effective and meaningful use of the funds in abating the opioid epidemic throughout Ohio, as well as to permit collaboration and explore potentially earlier resolution of the opioid litigation against Opioid Pharmaceutical Supply Chain Participants; and

WHEREAS, nothing in the MOU binds any party to a specific outcome, but rather, any resolution under the MOU requires acceptance by the State of Ohio and the Local Governments; and

WHEREAS a settlement proposal is being presented to the State of Ohio and Local Governments by distributors AmerisourceBergen, Cardinal, and McKesson (collectively the "Settling Distributors") to resolve governmental entity claims in the State of Ohio using the structure of the MOU and consistent with the material terms of the July 21, 2021 proposed National Opioid Distributor Settlement Agreement available at <https://nationalopioidsettlement.com/>; and

WHEREAS, this Council wishes to agree to the material terms of the proposed National Opioid Distributor Settlement Agreement with the Settling Distributors ("Proposed Settlement") which is summarized in the attached Exhibit 1 and Exhibit 2 which are incorporated herein;

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

Section 1. The City Manager is authorized to accept the Proposed Settlement on behalf of the City, pursuant to the terms of the MOU. The City Manager further is authorized to execute the participation agreement and any other agreements, documents, forms, and instruments as needed to effectuate the Proposed Settlement. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. It is found and determined that all formal actions of the Council relating to the adoption of this resolution were adopted in an open meeting of this Council, and that all deliberations of this Council and any of its committees that resulted in such formal action, were in meetings open to the public, in compliance with all legal requirements.

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

(Requested by: Law Department)

EXHIBIT 1

OneOhio Summary of Proposed Settlement with AmerisourceBergen, Cardinal Health and McKesson

A settlement proposal is being presented to you for your consideration concerning the opioid litigation with AmerisourceBergen, Cardinal Health and McKesson (the Distributors). The settlement is being offered by the Distributors for resolution of governmental entity claims in the State of Ohio. The proposal utilizes the structure of the OneOhio agreement between the State of Ohio and its subdivisions, subject to one modification discussed below

Under the proposal, the Distributors will pay up to an estimated \$804,865,429 to the State of Ohio and its subdivisions over 18 years. Under the OneOhio agreement, these funds will be distributed according to the following allocation: 15% directly to the State of Ohio; 30% directly to subdivisions; and 55% to the OneOhio Foundation (to be utilized for the benefit of the subdivisions across the State of Ohio). Most of the money will be restricted in use and specifically earmarked for abatement of the Opioid Epidemic. Developed in consultation with the nation's leading public health experts, the list of pre-approved uses includes a wide range of intervention, treatment, education, and recovery services so that the state and its subdivisions can decide what will serve their communities.

Participation levels (the percentage of Ohio cities and counties who agree to the deal) will affect how much money the State of Ohio and its subdivisions will receive. About 45% of abatement funds are in the form of "incentive payments" which provide incentives for higher levels of participation. With the goal of getting funds to the community as fast as possible, if 95% participation is reached, abatement funds will begin flowing to the State of Ohio and its subdivisions as early as this year. Portions of the annual payment to each state may be subject to "suspension" (i.e., placed in escrow) in the event primary subdivisions bring or expand litigation against the distributors past specified suspension deadlines.

Because 45% of the funds are paid in the form of incentive payments, in order for the State of Ohio and its subdivisions to maximize recovery under the proposed settlement, it is critical that participation meets or exceeds 95%. The following is a summary of the base payment and incentive structure:

- Once a state agrees to participate, it is eligible to receive 55% of the funds as a "base payment."
- The remaining 45% can be obtained through a combination of "incentive payments."
- "Incentive A" is up to 40% of the remaining funds. Incentive A is paid if the State of Ohio enacts legislation to release all pending claims and prohibit subdivisions who have not brought claims from bringing them in the future. To allow time for the State to enact legislation, Incentive A will be paid in the first two payments, regardless of whether the legislation has been passed. Any overpayment in year one and two will offset future

payment. If Incentive A is not achieved, the State of Ohio can obtain the same amount of funds through Incentives B and C. Incentives B and C are alternatives to Incentive A.

- “Incentive B” is up to 25% off the remaining funds. Incentive B is paid on a sliding scale depending on the population of Litigating Subdivisions that are Participating Subdivisions compared to total population of all Litigating Subdivisions in the State. Must have at least 85% to get any share of Incentive B.
- “Incentive C” is up to 15% of the remaining funds. Incentive C is paid on a sliding scale depending on the population of Litigating Subdivisions and of Non Litigating Subdivisions that have a population over 30,000 that are Participating Subdivisions compared to the total population of all Litigating Subdivisions and of all Non Litigating Subdivisions with a population over 30,000 in the state. Must have at least 60% to get any share of Incentive C.
- “Incentive D” is 5% of the remaining funds. Incentive D is paid at the end of 5 years if the State of Ohio has had no later Litigating Subdivisions bring suit and proceed past preliminary motions in the prior 5 years.

To reach an agreement with the Distributors, our short-term goal is to have 95% of Litigating Subdivisions participate. If the 95% threshold is achieved, the floor for Ohio recovery is 70% of the estimated \$804,865,429.

Regardless of the participation level, Distributors will make the first two years’ payments at 95% of the estimated \$804,865,429, with adjustments occurring in year 3 and beyond.

During the two period, our goal is to either achieve Incentive A or Incentives B & C, for a continued 95% payout.

The settlement is only open to governmental entities. Claims brought on behalf of private individuals and businesses (including third-party payers like health and welfare funds and insurers) are not included (and are not released), although individuals, businesses and payers will benefit from the Opioid Remediation funding and injunctive relief provided in the settlements.

In an effort to reduce attorney fees for the subdivisions and potentially increase recovery to the Foundation, attorneys for the subdivisions have agreed to amend OneOhio such that any attorney fees paid by the Distributors for contingency contracts and funding of the Local Government Fee Fund (“LGFF”) from OneOhio will be used to satisfy contingency contracts. Previously OneOhio called for 60% of the LGFF to be utilized for common benefit assessment in the national litigation. By utilizing 100% the LGFF for the contingency fees, there becomes a greater likelihood that the LGFF will have a surplus, which, would revert to the Foundation for the benefit of all subdivisions. Any attorney or law firm receiving fees through this settlement would have their contingency fees capped at no more than a 25% and be required to waive enforcement against their client of any amounts owed in excess of fees recovered through the LGFF.

In addition to money to be used for abatement of the effects of the Opioid epidemic, the settlement provides robust injunctive relief that will require the Distributors make significant changes in the way they conduct their business. Among other changes, the Distributors must follow substantially increased and improved measures to identify suspicious orders and pharmacy customers, under the oversight of an independent third-party monitor. The Distributors each must begin using a clearinghouse that accounts not only for their own opioid shipments, but the shipments of the other distributors. This enables, for the first time, a truer picture of overall opioids distribution and requires drug distributors to alter their shipments based on the shipments by others. This clearinghouse will use the Distributors' collective data to establish pharmacy-specific opioid shipment limits that each Distributor must follow.

Finally, we ask that you review "Allocations to Ohio Municipalities" (Exhibit 5) to understand the amount of money your subdivision would receive as their direct 30% share through this proposal. Attorneys fees have already been deducted in Exhibit 5. You will note that there are two numbers listed as direct payment allocations. The lower number is the amount your subdivision is estimated to recover if we reach the short-term threshold of 95% of Litigating Subdivisions participating. This will result in a 70% payout. The higher number represents the amount your subdivision is estimated to recover if we meet Incentive A or the 100% participation level. You will also note two numbers under the heading "Foundation Regional Total" at both 70% and 100% allocation payouts. These numbers represent the total allocation to your region.

The following is an example of Region 2 at 100% allocation:

City of Cincinnati – Direct Allocation	\$3,872,795.76
Hamilton County – Direct Allocation	\$11,796,568.08
Other subdivisions in Hamilton County – Direct Allocation	\$3,219,273.16
Cincinnati / Hamilton Region 2 – Foundation Allocation	\$36,396,145.01
Total to Cincinnati / Hamilton Region 2:	\$55,284,782.01

Base/Bonus Structure

Base Payment – 55%

Option 1:

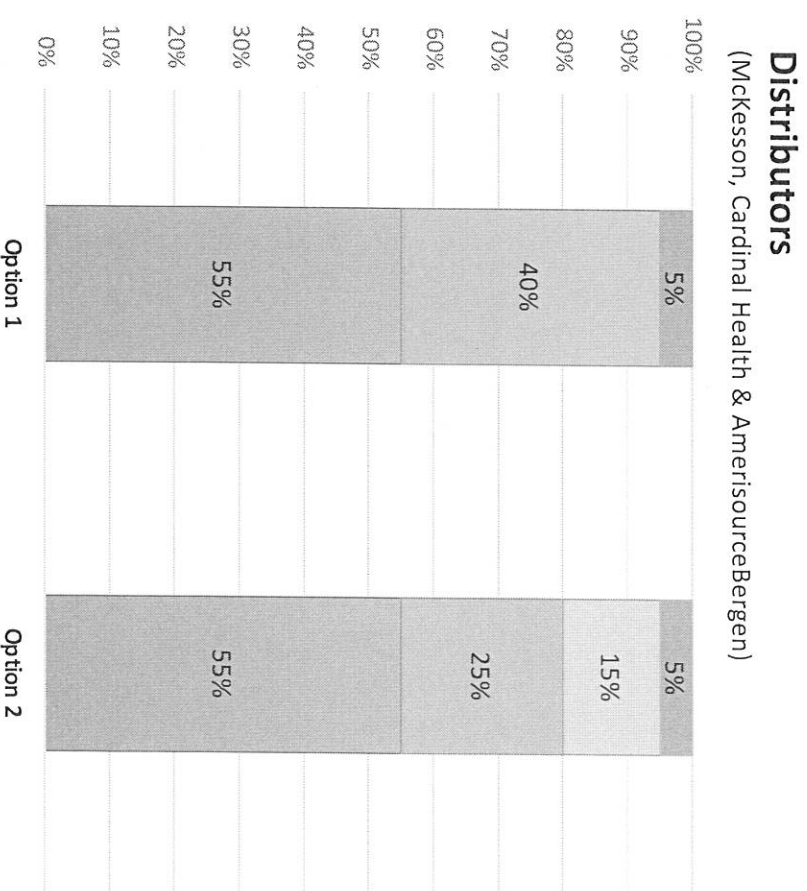
- Bonus A – Legislative bar to subdivision litigation – 40%

Option 2:

- Bonus B – Sign-on of currently litigating subdivisions – up to 25%
- Bonus C – Sliding scale based on sign-on by 60% or more litigating and non-litigating subdivisions with population above 30,000 – up to 15%

Either Option:

- Bonus D – Paid if no future subdivision litigation for 5 years after settlement agreement – 5%



CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

AUTHORIZING THE CITY MANAGER TO APPLY FOR FUNDING FROM THE OHIO PUBLIC WORKS COMMISSION FOR THE FLESHER AVENUE BRIDGE REPLACEMENT PROJECT AND THE WEST AVENUE BRIDGE REHABILITATION PROJECT

WHEREAS, the Ohio Public Works Commission's ("OPWC") State Capital Improvement Program and Local Transportation Improvement Program both provide financial assistance to political subdivisions for capital improvements to public infrastructure; and

WHEREAS, the City of Kettering is currently planning to make capital improvements with the following project(s):

1. Flesher Avenue Bridge Replacement (Project No. 03-934C);
2. West Avenue Bridge Rehabilitation (Project No. 03-948); and

WHEREAS, the infrastructure improvements described above are considered to be a priority need for the community and are qualified projects under the OPWC 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 to make application on behalf of the City of Kettering to the OPWC for funds for the capital improvement(s) described in the recital paragraphs above.

Section 2. The City Manager is further authorized to take all necessary and proper action to accept the funds awarded and execute any related contracts or instruments. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

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

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

AUTHORIZING THE CITY MANAGER TO ENTER INTO COST PARTICIPATION AGREEMENTS WITH THE BOARD OF COMMISSIONERS OF MONTGOMERY COUNTY, OHIO FOR ROADWAY AND/OR STORM SEWER CONSTRUCTION IN ASSOCIATION WITH REPLACEMENT OF COUNTY WATER MAINS

WHEREAS, the City of Kettering is currently planning to make capital improvements with the following project(s):

1. Dellwood Estates - roadway and/or storm sewer replacement/construction;
2. Dell Ridge - roadway and/or storm sewer replacement/construction; and

WHEREAS, Montgomery County wishes to replace and upgrade existing water mains in association with roadway and/or storm sewer construction for the project(s); and

WHEREAS, the work required by the parties can be included in one grant application to the Ohio Public Works Commission for project funding if there is a cost sharing agreement in place;

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 one or more cost participation agreements with the Board of Commissioners of Montgomery County, Ohio for the project(s) listed in the recital paragraphs above. 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 shall take full force and 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.

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:

TRANSFERS TO OTHER FUNDS

Special Grants and Programs \$ 19,294.00

B. From the Special Grants and Programs Fund:

Other \$ 543,588.00

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: \$543,588, net transfers
Amount Budgeted: \$0
Acct. No. General Fund, Special Grants & Programs Fund

(Requested by: Finance Department)