



CITY OF KETTERING

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

KETTERING COUNCIL AGENDA

September 28, 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

August 24, 2021- Council Meeting & Workshop Minutes
September 2, 2021- Special Workshop Minutes

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

Video Presentation Neighborhood Pride Awards

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

(5 Minute Limit per Speaker)

ORDINANCES IN SECOND READING

1. To amend the Traffic Control Map and the Traffic Control File of the City of Kettering to show the installation of traffic signs on various city streets in the City of Kettering, Ohio.
2. To provide for the table of organization, position classification plan, compensation plan and pay schedules and rules and regulations pertaining to conditions of work and supplemental benefits for the employees of the City of Kettering, Ohio, and to repeal Ordinance No. 4353-20.

RESOLUTIONS

3. Accepting the rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying same to the Montgomery County and Greene County Auditors.
4. Authorizing the City Manager to accept donations from the Kettering FOPA and Kettering Police Foundation.
5. Authorizing the City Manager to contract with Motorola Solutions and P&R Communications for upgrades to the Kettering Dispatch Center.
6. Authorizing the City Manager to enter into and implement a collective bargaining agreement with the Fraternal Order of Police Kettering Lodge No. 92, which is consistent with a tentative agreement reached by the bargaining teams.
7. Authorizing the submission of applications for Federal Fast Act Funds and Coronavirus Response and Relief Supplemental Appropriations Act Funds through the Miami Valley Regional Planning Commission.
8. Authorizing the City Manager to use competitive bargaining and negotiated quotes and to contract for engineering design services for the West Avenue Bridge Rehabilitation Project, City Project No. 03-948.
9. To declare the necessity and intention of acquiring property interests in Project Parcel 21-WD of Kettering Traffic Signal Replacements- Phase 3 Project, City Project No. 02-005D (ODOT Project MOT-Kettering Signals, Phase 3, PID No. 105950).

10. Authorizing the City Manager to purchase the real property commonly known as 3404 Wilmington Pike.
11. Authorizing a donation to Kettering Backpack, Inc. for the Kettering Backpack Program.
12. Authorizing the City Manager to apply for a supplemental grant from the U.S. Small Business Administration.
13. To make appropriations for current expenditures of the City of Kettering, State of Ohio, during the fiscal year ending December 31, 2021.

ORDINANCES IN FIRST READING

14. To appropriate Project Parcels 13-WD of the Kettering Traffic Signal Replacements- Phase 3 Project, City Project No. 02-005D (ODOT Project MOT-Kettering Signals, Phase 3, PID No. 105950); and to declare an emergency.

CERTIFICATIONS AND PETITIONS

Certification- Planning Commission is recommending approval of P.C. 21-015- Zoning Text Amendment. A public hearing regarding this request will be held on Tuesday, October 12, 2021 at the Kettering City Council meeting.

Certification- Planning Commission is recommending approval of P.C. 21-016- Comprehensive Plan Amendments. A public hearing regarding this request will be held on Tuesday, October 12, 2021 at the Kettering City Council meeting.

MANAGER'S REPORT/COMMUNITY UPDATE

OTHER BUSINESS NOT ON WRITTEN AGENDA

Audience Participation (5 Minute Limit per Speaker)

CITY COUNCIL REPORT/UPDATE

The City of Kettering wishes to make certain that all citizens have the opportunity to actively participate in their local government. If you have a disability and require accommodations to participate in a Council meeting, please contact the Clerk of Council at 296-2416 so that reasonable modifications can be made.

KETTERING CITY CALENDAR

2021

September 27	7:30 p.m.	Sister Cities
September 28	6:00 p.m. 7:30 p.m.	Council Workshop City Council Meeting
October 4	7:00 p.m.	Planning Commission
October 7	4:00 p.m.	Parks, Recreation and Cultural Arts Advisory Board
October 11	7:00 p.m.	Board of Zoning Appeals
October 12	4:00 p.m. 6:00 p.m. 7:30 p.m.	Partners for Healthy Youth Council Workshop City Council Meeting

CITY OF KETTERING, OHIO

AN ORDINANCE

By:

No.

TO AMEND THE TRAFFIC CONTROL MAP AND THE TRAFFIC
CONTROL FILE OF THE CITY OF KETTERING TO SHOW THE
INSTALLATION OF TRAFFIC SIGNS ON VARIOUS CITY
STREETS IN THE CITY OF KETTERING, OHIO

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

Section 1. The Traffic Control Map and the Traffic Control file of the City of Kettering, Ohio are hereby amended to show:

- A. STOP – Eastbound Donation Circle at College Drive;
- B. ROW – College Drive.

Section 2. The City Engineer is hereby directed to have signs erected or taken down in accordance with this amendment.

Section 3. As permitted in Section 406.03 of the Codified Ordinances of the City of Kettering, Ohio, the temporary traffic control authorization has been used to quickly install these regulations.

Section 4. As provided in Section 4-8 of the City Charter, this Ordinance shall be effective two weeks after adoption.

Passed by Council this _____ day of _____, 2021.

DONALD E. PATTERSON, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

AN ORDINANCE

By:

No.

TO PROVIDE FOR THE TABLE OF ORGANIZATION, POSITION CLASSIFICATION PLAN, COMPENSATION PLAN AND PAY SCHEDULES AND RULES AND REGULATIONS PERTAINING TO CONDITIONS OF WORK AND SUPPLEMENTAL BENEFITS FOR THE EMPLOYEES OF THE CITY OF KETTERING, OHIO, AND TO REPEAL ORDINANCE NO 4353-20.

The Council of the City of Kettering, State of Ohio, acting under its Home Rule powers granted pursuant to Kettering's City Charter and the Ohio Constitution, Article XVIII, Section 3 and 7, hereby ordains as follows:

Article I. TABLE OF ORGANIZATION AND POSITION CLASSIFICATION PLAN.

This article establishes the Table of Organization and Position Classification Plan for the City of Kettering, Ohio. The provisions of this article apply to all positions for officials and for full-time, part-time and temporary employees of the City of Kettering.

<u>NAME OF OFFICE, DEPARTMENT OR DIVISION</u>		<u>PAY GRADE</u>
A. <u>OFFICE OF THE CITY MANAGER</u>		
<u>Regular Full-Time Positions</u>		
1	City Manager	Reference Section 208
2	Assistant City Manager (Reference Section 208)	724
1	Community Information Manager	707 thru 714
1	Compliance and Inclusion Manager	712
2	Secretary I, II or III	104, 106 or 108
<u>Regular Part-Time Positions</u>		
*	Administrative Aide	854 thru 862
*	Clerk	850 thru 856
<u>Part-Time Intermittent/Temporary Positions</u>		
*	Administrative Aide	810 thru 813
*	Clerk	810
B. <u>DEPARTMENT OF LAW</u>		
<u>Regular Full-Time Positions</u>		
1	Law Director	724
1	Assistant Law Director	713 thru 721
*1	Prosecuting Attorney II	714 thru 719
*1	Prosecuting Attorney I	705 thru 715
1	Secretary I or II	104 or 106
2	Clerk or Aide I or II or Secretary I	100, 102 or 104

*NOTE: Total to be employed controlled by budget dollar authorization.

Regular Part-Time Positions

*	Paralegal	856 thru 862
*	Clerk	850 thru 856

Part-Time Intermittent/Temporary Positions

*	Legal Intern	822 thru 833
*	Clerk	810

C. DEPARTMENT OF HUMAN RESOURCESRegular Full-Time Positions

1	Human Resource Director	722
2	Human Resource Manager	714 thru 718
3	Human Resource Technician	8
1	Secretary I or II	104 or 106

Regular Part-Time Positions

*	Clerk	850 thru 856
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Part-Time Intermittent/Temporary Positions

*	Human Resource Aide	810 thru 813
*	Clerk	810

D. DEPARTMENT OF FINANCERegular Full-Time Positions

1	Finance Director	722
1	Assistant Finance Director	720
1	Budget Manager	718
1	Tax Manager/Tax Administrator	715 thru 718
1	Purchasing Manager	715 thru 718
2	Financial Analyst	713 thru 715
1	Secretary I or II	104 or 106
8	Finance Technician II	8
4	Finance Technician I	3 thru 5
1	Clerk or Aide I or II	100 or 102

Regular Part-Time Positions

*	Finance Technician II	8
*	Finance Technician I	3 thru 5
*	Finance Aide	854 thru 859
*	Clerk	850 thru 856

Part-Time Intermittent/Temporary Positions

*	Tax Intern	822 thru 825
*	Finance Aide	810 thru 813
*	Clerk	810

*NOTE: Total to be employed controlled by budget dollar authorization.

E. DEPARTMENT OF ADMINISTRATIVE SYSTEMS

1. Administrative Support Division

Regular Full-Time Positions

1	Administrative Systems Director	722
1	GIS Manager	718
2	Administrative Designer	102 thru 104
1	Printer I or II	5 or 7

Regular Part-Time Positions

*	GIS Technician	5
*	Administrative Designer	102 thru 104
*	Word Processing Operator	851 thru 857
*	Clerk	850 thru 856

Part-Time Intermittent/Temporary Positions

*	Administrative Aide	810 thru 817
*	Clerk	810

2. Information Systems Division

Regular Full-Time Positions

1	Information System Manager	714 thru 718
2	Information System Technician (appointed prior to 1/06/98)	7 thru 11
	(appointed on or after 1/06/98)	7 thru 10
1	Desktop Support Technician	5

Regular Part-Time Positions

*	Administrative Aide	854 thru 859
*	Clerk	850 thru 856

Part-Time Intermittent/Temporary Positions

*	Administrative Aide	810 thru 817
*	Clerk	810

F. VOLUNTEER OFFICE

Regular Full-Time Positions

1	Volunteer Administrator	706 thru 712
1	Assistant Volunteer Administrator	706

Regular Part-Time Positions

*	Administrative Aide	854 thru 860
*	Clerk	850 thru 856

Part-Time Intermittent/Temporary Positions

*	Administrative Aide	810 thru 813
*	Clerk	810

*NOTE: Total to be employed controlled by budget dollar authorization.

G. DEPARTMENT OF PLANNING AND DEVELOPMENT

Regular Full-Time Positions

1	Planning and Development Director	722
2	Engineer or Architect	719
2	City Planner	714 thru 718
1	Neighborhood Services Manager / City Planner	714 thru 718
1	Senior Building Inspector	715
**4	Inspector	9 thru 13
**3	Property Maintenance Inspector	7 thru 9
1	CDBG Program Manager	718
1	CDBG Program Coordinator	710
1	CDBG Housing Specialist	9 thru 13
2	Secretary I or II	104 or 106
1	Clerk or Aide I or II	100 or 102

Regular Part-Time Positions

*	Planning and Development Aide	854 thru 859
*	Clerk	850 thru 856

Part-Time Intermittent/Temporary Positions

*	Planning and Development Aide	810 thru 817
*	Planning and Development Technician	810 thru 812
*	Clerk	810

H. ECONOMIC DEVELOPMENT

Regular Full-Time Positions

1	Economic Development Manager	714 thru 718
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Regular Part-Time Positions

*	Administrative Aide	854 thru 859
*	Clerk	850 thru 856

Part-Time Intermittent/Temporary Positions

*	Administrative Aide	810 thru 813
*	Clerk	810

*NOTE: Total to be employed controlled by budget dollar authorization.

**NOTE: Part-Time Inspectors may be employed at Full-Time Inspector rates, total to be employed controlled by budget dollar authorization.

I. DEPARTMENT OF PUBLIC SAFETY

1. Department of Police

Police Officer Positions

1	Chief of Police	722
2	Captain	720
6	Lieutenant	505
10	Sergeant	504
**67	Patrol Officer	304, 305 or 306

Regular Full-Time Civilian Positions

*	Police Cadet	5
2	Uniformed Deputy Bailiff	8
5	Jailer	6
1	Secretary I or II	104 or 106
1	Secretary I	104
5	Police Records Specialist	100 or 102
1	Community Service Specialist	3 thru 6
1	Crime Analyst	706

Regular Part-Time Positions

*	Accreditation Administrator	104
*	Court Security Officer	6
*	Clerk	850 thru 856
*	Aide	852 thru 855
*	Administrative Aide	854 thru 862

Part-Time Intermittent/Temporary Positions

*	Clerk	810
*	Aide	810 thru 811

2. Department of Fire

Regular Full-Time Firefighting Positions

1	Fire Chief	722
2	Assistant Chief	720
1	Fire Marshal	716
5	Battalion Chief	606
15	Captain (Appointed prior to 9/23/13)	605
	(Appointed on or after 9/23/13)	605-1
57	Firefighter I, II, III	401, 402 or 403
	(with Paramedic Certification)	404, 405 or 406

Regular Full-Time Non-Firefighting Positions

1	Fire Service Specialist	8
1	Secretary I or II	104 or 106
1	Clerk or Aide I or II	100 or 102

Regular Part-Time Positions

*	Fire Aide	850 thru 859
*	Clerk	850 thru 856

Part-Time/Intermittent/Temporary Positions

*	Fire Aide	810 thru 813
*	Fire House Janitor	912
*	Part-Time Firefighter	Reference Section 211

*NOTE: Total to be employed controlled by budget dollar authorization.

**NOTE: The City Manager is authorized to overfill up to two (2) Patrol Officer positions with Lieutenants or Captains at the corresponding pay grades.

3. Public Safety Dispatch
Regular Full-Time Positions
17 Public Safety Dispatcher 80 thru 82

Regular Part-Time Positions
* Public Safety Dispatcher 80 thru 82

4. Division of Civil Defense As established by Ordinance No. 151 6/24/54

J. DEPARTMENT OF ENGINEERING

Regular Full-Time Positions

1	City Engineer	722
1	Assistant City Engineer	720
3	Civil Engineer	719
1	Engineering Surveyor	714
1	Design Engineer	715
1	Senior Safety Supervisor	710
1	Engineering Technician IV	12
2	Traffic Signal Technician (Appointed prior to 6/16/14)	11
	(Appointed on or after 6/16/14)	10
3	Engineering Technician III-Construction Inspector	10
3	Engineering Technician – CAD Design/Surveyor/Traffic	7 thru 10
2	Secretary I or II	104 or 106

Regular Part-Time Positions

*2	Safety Supervisor	851 thru 856
*14	Crossing Guard (Appointed prior to 1/1/14)	851 thru 856
	Crossing Guard (Appointed on or after 1/1/14)	851 thru 855
*	Clerk	850 thru 856

Part-Time Intermittent/Temporary Positions

1	Traffic Engineer / Instructor	714 or 715
*	Engineering Aide II	813 thru 817
*	Engineering Aide I	810 thru 814
*	Clerk	810
*	Maintenance Aide	810

K. DEPARTMENT OF PUBLIC SERVICE

1. Department of Facilities

Regular Full-Time Positions

1	Public Service Director	722
1	Facility Maintenance Manager	716
1	Facility Maintenance Supervisor	714
4	Buildings Maintenance Mechanic	209 thru 211
8	Buildings Service I or II	
	Buildings Service I	202 thru 205
	Buildings Service II	206 thru 208
**12	Buildings Attendant	200 or 201
1	Secretary I or II	104 or 106

*NOTE: Total to be employed controlled by budget dollar authorization.

**NOTE: Pay Grade 201 is only available to Buildings Attendants hired prior to 2/26/90.

Regular Part-Time Positions

* Clerk	850 thru 856
* Maintenance Aide	850 thru 853

Part-Time Intermittent/Temporary Positions

* Clerk	810 thru 810
* Maintenance Aide	812 thru 815

2.

Department of Streets

Regular Full-Time Positions

1 Assistant Public Service Director	720
1 Street Maintenance Manager	716
3 Street Maintenance Supervisor	714
5 Street Service IV	208 thru 209
37 Street Service I, II or III	
Street Service I	200 thru 201
Street Service II	202 thru 205
Street Service III	206 thru 207
1 Secretary I or II	104 or 106

Regular Full-Time Positions (continued)

1 Traffic Control III	206 thru 208
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Regular Part-Time Positions

* Clerk	850 thru 856
* Maintenance Aide	850 thru 853

Part-Time Intermittent/Temporary Positions

* Clerk	810
* Maintenance Aide	812 thru 815

3.

Vehicle Maintenance Center

Regular Full-Time Positions

1 Fleet Manager	716
1 Equipment Maintenance Supervisor	714
5 Equipment Mechanic	206 thru 210
1 Parts Inventory Attendant	200 thru 205
1 Clerk or Aide I or II	100 or 102

Regular Part-Time Positions

* Clerk	850 thru 856
* Maintenance Aide	850 thru 853

Part-Time Intermittent/Temporary Positions

* Clerk	810
* Maintenance Aide	812 thru 815

*NOTE: Total to be employed controlled by budget dollar authorization.

L. DEPARTMENT OF PARKS, RECREATION AND CULTURAL ARTS

Regular Full-Time Positions

1	Parks, Recreation and Cultural Arts Director	722
4	PRCA Superintendent	718
1	PRCA Manager III	716
4	PRCA Manager II	714
2	PRCA Manager I	712
9	PRCA Supervisor	705 thru 709
8	Facility Coordinator	50 thru 54
1	Fitness Coordinator	50 thru 54
14	Parks Service I, II or III	
	Parks Service I	200 thru 201
	Parks Service II	202 thru 205
	Parks Service III	206 thru 208
1	Secretary I or II	104 or 106
2	Clerk or Aide I or II	100 or 102

Regular Part-Time Positions

*	PRCA Tech I	003
*	Program Specialist II	858 thru 862
*	Program Specialist I	850 thru 858
*	Clerk	850 thru 856

Part-Time Intermittent/Temporary Positions

*	Program Specialist IV	814 thru 817
*	Program Specialist III	812 thru 814
*	Program Specialist II	810 thru 812
*	Groundskeeper Specialist	810 thru 812
*	Program Specialist I	810 thru 811
*	Clerk	810
*	Groundskeeper	810
*	Recreation Leader	810

M. OFFICE OF CLERK OF COUNCIL

Regular Full-Time Positions

1	Clerk of Council	104 thru 106
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Regular Part-Time Positions

*	Administrative Aide	854 thru 862
*	Clerk	850 thru 856

Part-Time Intermittent/Temporary Positions

*	Administrative Aide	810 thru 813
*	Clerk	810

*NOTE: Total to be employed controlled by budget dollar authorization.

N.

OFFICE OF THE SENIOR SERVICES COORDINATOR

Regular Full-Time Positions

1 Senior Services Coordinator

706 thru 712

*NOTE: Total to be employed controlled by budget dollar authorization.

END OF ARTICLE

Article II. COMPENSATION PLAN AND PAY SCHEDULES.

This article establishes a Compensation Plan and Pay schedules for all full-time, part-time and temporary positions in the City Administration.

Section 200. PAY SCHEDULES FOR POSITIONS IN PAY GRADES 3 THROUGH 54.

The following pay tables prescribe the basic hourly and annual rates of pay for Pay Grades 3 through 54. Employees normally enter at Step A but may enter at Step B, C, D, E or F at the discretion of the City Manager. Step rate increases to B, C, D, E and F may be granted by the City Manager after each nine (9) months of service. Normal minimum time from entry to Step F is 45 months. In recognition of outstanding job performance, the City Manager may grant step rate increases in shorter periods of time. Hourly rates are controlling.

PAY SCHEDULES FOR POSITIONS IN PAY GRADES 3 THROUGH 13.

STEP RATES							
<u>PAY GRADE</u>	<u>BASIS</u>	<u>A / 1</u>	<u>B / 2</u>	<u>C / 3</u>	<u>D / 4</u>	<u>E / 5</u>	<u>F / 6</u>
3	Hour	\$21.12	\$22.23	\$23.23	\$24.54	\$25.75	\$27.54
	Year	43,930	46,238	48,318	51,043	53,560	57,283
4	Hour	\$22.23	\$23.23	\$24.54	\$25.75	\$27.12	\$29.06
	Year	46,238	48,318	51,043	53,560	56,410	60,445
5	Hour	\$23.23	\$24.54	\$25.75	\$27.12	\$28.34	\$30.11
	Year	48,318	51,043	53,560	56,410	58,947	62,629
6	Hour	\$24.54	\$25.75	\$27.12	\$28.34	\$29.66	\$31.58
	Year	51,043	53,560	56,410	58,947	61,693	65,686
7	Hour	\$25.75	\$27.12	\$28.34	\$29.66	\$31.15	\$33.25
	Year	53,560	56,410	58,947	61,693	64,792	69,160
8	Hour	\$27.12	\$28.34	\$29.66	\$31.15	\$32.84	\$34.72
	Year	56,410	58,947	61,693	64,792	68,307	72,218
9	Hour	\$28.34	\$29.66	\$31.15	\$32.84	\$34.33	\$36.48
	Year	58,947	61,693	64,792	68,307	71,406	75,878
10	Hour	\$29.66	\$31.15	\$32.84	\$34.33	\$36.17	\$38.30
	Year	61,693	64,792	68,307	71,406	75,234	79,664
11	Hour	\$31.15	\$32.84	\$34.33	\$36.17	\$37.94	\$40.17
	Year	64,792	68,307	71,406	75,234	78,915	83,554
12	Hour	\$32.84	\$34.33	\$36.17	\$37.94	\$39.82	\$42.14
	Year	68,307	71,406	75,234	78,915	82,826	87,651
13	Hour	\$34.33	\$36.17	\$37.94	\$39.82	\$41.80	\$44.10
	Year	71,406	75,234	78,915	82,826	86,944	91,728

***NOTE:** Rates in the above Pay Table are effective from and after 12/21/2020.

Employees in Pay Grades 3 through 13 assigned to a shift with working hours between 6:00 p.m. and 6:00 a.m. shall receive fifteen cents (15¢) per hour in addition to the basic straight time rates for those hours worked between 6:00 p.m. and 6:00 a.m.; except that non-sworn Public Safety Dispatchers and Jailers assigned to a shift in which one-half (½) or more of the working hours are between 3:00 p.m. and 7:00 a.m. for Dispatchers, and between 4:00 p.m. and 8:00 a.m. for Jailers, shall receive fifty cents (50¢) per hour in addition to the basic straight time rates for those hours worked between 3:00 p.m. and 7:00 a.m. and 4:00 p.m. and 8:00 a.m., respectively. A paid unworked holiday, paid sick leave and paid unworked vacation leave shall be credited as hours worked, for the computation of shift differential pay, for non-sworn Public Safety Dispatchers and Jailers.

PAY SCHEDULES FOR POSITIONS IN PAY GRADES 50 THROUGH 54.

STEP RATES						
<u>PAY</u> <u>GRADE</u>	<u>BASIS</u>	<u>A / 1</u>	<u>B / 2</u>	<u>C / 3</u>	<u>D / 4</u>	<u>E / 5</u>
50	Hour	\$17.55	\$17.91	\$18.20	\$18.53	\$18.94
	Year	36,504	37,253	37,856	38,542	39,395
51	Hour	\$18.53	\$18.94	\$19.28	\$19.56	\$19.91
	Year	38,542	39,395	40,102	40,685	41,413
52	Hour	\$19.56	\$19.91	\$20.26	\$20.53	\$20.95
	Year	40,685	41,413	42,141	42,702	43,576
53	Hour	\$20.95	\$21.20	\$21.67	\$21.94	\$22.28
	Year	43,576	44,096	45,074	45,635	46,342
54	Hour	\$21.94	\$22.28	\$22.64	\$22.98	\$23.28
	Year	45,635	46,342	47,091	47,798	48,422

NOTE: Rates in the above Pay Table are effective from and after 12/21/2020.

Section 200-a. PAY SCHEDULES FOR POSITIONS IN PAY GRADES 80 THROUGH 82.

Pay Grade 80 sets the basic rates of pay for a Public Safety Dispatcher. Step rate increases for satisfactory performance and employee development may be granted by the City Manager as follows:

Step rate increases to Pay Grade 80, Steps B, C, D, E or F may be granted after a minimum of nine (9) months of service at the preceding step.

Pay Grade 81 sets the basic rates of pay for a Public Safety Dispatcher who holds an Associate Degree and has satisfactorily completed two years as a Kettering Public Safety Dispatcher. Step rate increases for satisfactory performance and employee development may be granted by the City Manager as follows:

Step rate increases to Pay Grades 81, Step D may be granted after a minimum of six (6) months of service at the preceding step.

Step rate increases to Pay Grades 81, Steps E or F may be granted after a minimum of nine (9) months of service at the preceding step.

Pay Grade 82 sets the basic rates of pay for a Public Safety Dispatcher who holds a Baccalaureate Degree and has satisfactorily completed two years as a Kettering Public Safety

Dispatcher. Step rate increases for satisfactory performance and employee development may be granted by the City Manager as follows:

Step rate increases to Pay Grades 82, Step D may be granted after a minimum of six (6) months of service at the preceding step.

Step rate increases to Pay Grades 82, Steps E or F may be granted after a minimum of nine (9) months of service at the preceding step.

In all cases, hourly rates are controlling for pay rates within Pay Grades 80 through 82.

In recognition of outstanding job performance, the City Manager may grant step increases in shorter periods of time.

STEP RATES

<u>PAY GRADE</u>	<u>BASIS</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>
80	Hour Year	\$26.43 54,974	\$27.64 57,491	\$28.93 60,174	\$30.40 63,232	\$32.02 66,602	\$33.86 70,429
81	Hour Year				\$30.82 64,106	\$32.46 67,517	\$34.32 71,386
82	Hour Year				\$31.26 65,021	\$32.92 68,474	\$34.81 72,405

NOTE: Rates in the above Pay Table are effective from and after 05/25/20.

Section 201. PAY SCHEDULES FOR POSITIONS IN PAY GRADES 100 THROUGH 112.

The following pay tables prescribe the basic hourly and annual rates of pay for Pay Grades 100 through 112. Employees normally enter at Step A but may enter at Step B, C, D, E or F at the discretion of the City Manager. Step rate increases to B, C, D, E, and F may be granted by the City Manager after each nine (9) months of service. Normal minimum time from entry to Step F is 45 months. In recognition of outstanding job performance, the City Manager may grant step rate increases in shorter periods of time. Hourly rates are controlling.

STEP RATES

<u>PAY GRADE</u>	<u>BASIS</u>	<u>A / 1</u>	<u>B / 2</u>	<u>C / 3</u>	<u>D / 4</u>	<u>E / 5</u>	<u>F / 6</u>
100	Hour Year	\$18.88 39,270	\$19.95 41,496	\$20.83 43,326	\$21.84 45,427	\$23.01 47,861	\$24.54 51,043
101	Hour Year	\$19.95 41,496	\$20.83 43,326	\$21.84 45,427	\$23.01 47,861	\$24.09 50,107	\$25.75 53,560
102	Hour Year	\$20.83 43,326	\$21.84 45,427	\$23.01 47,861	\$24.09 50,107	\$25.38 52,790	\$27.14 56,451
103	Hour Year	\$21.84 45,427	\$23.01 47,861	\$24.09 50,107	\$25.38 52,790	\$26.62 55,370	\$28.34 58,947
104	Hour Year	\$23.01 47,861	\$24.09 50,107	\$25.38 52,790	\$26.62 55,370	\$27.90 58,032	\$29.55 61,464

105	Hour	\$24.09	\$25.38	\$26.62	\$27.90	\$29.35	\$31.05
	Year	50,107	52,790	55,370	58,032	61,048	64,584
106	Hour	\$25.38	\$26.62	\$27.90	\$29.35	\$30.78	\$32.63
	Year	52,790	55,370	58,032	61,048	64,022	67,870
107	Hour	\$26.62	\$27.90	\$29.35	\$30.78	\$32.33	\$34.17
	Year	55,370	58,032	61,048	64,022	67,246	71,074
108	Hour	\$27.90	\$29.35	\$30.78	\$32.33	\$33.89	\$35.76
	Year	58,032	61,048	64,022	67,246	70,491	74,381
109	Hour	\$29.35	\$30.78	\$32.33	\$33.89	\$35.59	\$37.65
	Year	61,048	64,022	67,246	70,491	74,027	78,312
110	Hour	\$30.78	\$32.33	\$33.89	\$35.59	\$37.40	\$39.57
	Year	64,022	67,246	70,491	74,027	77,792	82,306
111	Hour	\$32.33	\$33.89	\$35.59	\$37.40	\$39.30	\$41.26
	Year	67,246	70,491	74,027	77,792	81,744	85,821
112	Hour	\$33.89	\$35.59	\$37.40	\$39.30	\$41.26	\$43.27
	Year	70,491	74,027	77,792	81,744	85,821	90,002

NOTE: Rates in the above Pay Table are effective from and after 12/21/2020.

Employees in Pay Grades 100 through 112 assigned to a shift with working hours between 6:00 p.m. and 6:00 a.m. shall receive fifteen cents (15¢) per hour in addition to the basic straight time rates for those hours worked between 6:00 p.m. and 6:00 a.m.

Section 202. PAY SCHEDULES FOR POSITIONS IN PAY GRADES 200 THROUGH 211.

The following pay tables prescribe the basic hourly and annual rates of pay for Pay Grades 200 through 211. Employees normally enter at Step A but may enter at Step B, C, D, E, F or G at the discretion of the City Manager. Step rate increases may be granted by the City Manager after each twelve (12) months of service (nine months of service for employees hired prior to February 16, 1998). Normal minimum time from entry to Step F (top step) in Pay Grades 200 through 207 is 60 months (45 months for employees hired prior to February 16, 1998). Normal minimum time from entry to Step G in Pay Grades 208 through 211 is 72 months (54 months for employees hired prior to February 16, 1998). In recognition of outstanding job performance, the City Manager may grant step rate increases in shorter periods of time. **Step A only applies to employees hired after February 19, 1996.** Hourly rates are controlling.

STEP RATES

<u>PAY GRADE</u>	<u>BASIS</u>	<u>*A / 1</u>	<u>B / 2</u>	<u>C / 3</u>	<u>D / 4</u>	<u>E / 5</u>	<u>F / 6</u>
200	Hour Year	\$20.09 41,787	\$20.99 43,659	\$21.94 45,635	\$22.93 47,694	\$23.96 49,837	\$25.04 52,083
201	Hour Year	\$20.99 43,659	\$21.94 45,635	\$22.93 47,694	\$23.96 49,837	\$25.04 52,083	\$26.16 54,413
202	Hour Year	\$21.94 45,635	\$22.93 47,694	\$23.96 49,837	\$25.04 52,083	\$26.16 54,413	\$27.33 56,846
203	Hour Year	\$22.93 47,694	\$23.96 49,837	\$25.04 52,083	\$26.16 54,413	\$27.33 56,846	\$28.59 59,467
204	Hour Year	\$23.96 49,837	\$25.04 52,083	\$26.16 54,413	\$27.33 56,846	\$28.59 59,467	\$29.86 62,109
205	Hour Year	\$25.04 52,083	\$26.16 54,413	\$27.33 56,846	\$28.59 59,467	\$29.86 62,109	\$31.20 64,896
206	Hour Year	\$26.16 54,413	\$27.33 56,846	\$28.59 59,467	\$29.86 62,109	\$31.20 64,896	\$32.60 67,808
207	Hour Year	\$27.33 56,846	\$28.59 59,467	\$29.86 62,109	\$31.20 64,896	\$32.60 67,808	\$34.07 70,866
208	Hour Year	\$28.59 59,467	\$29.86 62,109	\$31.20 64,896	\$32.60 67,808	\$34.07 70,866	\$35.60 74,048
209	Hour Year	\$29.86 62,109	\$31.20 64,896	\$32.60 67,808	\$34.07 70,866	\$35.60 74,048	\$37.20 77,376
210	Hour Year	\$31.20 64,896	\$32.60 67,808	\$34.07 70,866	\$35.60 74,048	\$37.20 77,376	\$38.87 80,850
211	Hour Year	\$32.60 67,808	\$34.07 70,866	\$35.60 74,048	\$37.20 77,376	\$38.87 80,850	\$40.63 84,510

NOTE: Rates in the above Pay Table are effective from and after 03/01/21 .

Section 203. PAY SCHEDULES FOR POSITIONS IN PAY GRADES 304 THROUGH 306.

Pay Grade 304 sets the basic rates of pay for a Patrol Officer.

Pay Grade 305 sets the basic rates of pay for a Patrol Officer who holds an Associate Degree and has satisfactorily completed two years as a Kettering Patrol Officer.

Pay Grade 306 sets the basic rates of pay for a Patrol Officer who holds a Baccalaureate Degree and has satisfactorily completed two years as a Kettering Patrol Officer.

In all cases, hourly rates are controlling for pay rates within Pay Grades 304 through 306.

Step rate increases for satisfactory performance and employee development may be granted by the City Manager as follows:

Step rate increases to Pay Grade 304, Steps B and C may be granted after a minimum of six (6) months service at the preceding step.

Step rate increases to Pay Grades 304, 305 or 306, Steps D, E, F and G may be granted after a minimum of twelve (12) months service at the preceding step.

Accelerated advancement within Pay Grades 304, 305 or 306 may be granted by the City Manager in recognition of exceptional performance and employee development.

STEP RATES

<u>PAY GRADE</u>	<u>BASIS</u>	<u>A</u>	<u>B</u>	<u>C</u>	<u>D</u>	<u>E</u>	<u>F</u>	<u>G</u>
304	Hour Year	\$33.26 69,181	\$34.74 72,259	\$36.30 75,504	\$37.85 78,728	\$39.36 81,869	\$41.79 86,923	\$43.62 90,730
305	Hour Year				\$38.37 79,810	\$39.89 82,971	\$42.41 88,213	\$44.26 92,061
306	Hour Year				\$38.92 80,954	\$40.51 84,261	\$43.08 89,606	\$44.92 93,434

NOTE: Rates in the above Pay Table are effective from and after 02/17/20.

A Patrol Officer who resigned and subsequently is reinstated in the Kettering Police Department may receive full credit for service prior to date of resignation to meet minimum service requirements for advancement through Pay Grades 304, 305 or 306. A Patrol Officer may receive credit for prior service as a police officer with another municipality to meet minimum service requirements for advancement within Pay Grade 304, depending upon an evaluation of the prior service by the Chief of Police and Human Resource Director. Prior service with another municipality shall not be utilized to meet minimum service requirements for eligibility for promotion.

No person shall be eligible to receive an original appointment to the position of Patrol Officer before the age of 21. Nothing in this section shall prevent the recruitment of personnel for the Police Cadet program for the purpose of training persons to become Patrol Officers, provided that such cadets have reached the age of eighteen (18) at the time of said appointment.

Section 204. PAY SCHEDULES FOR POSITIONS IN PAY GRADES 401 THROUGH 406.

The following pay tables prescribe the basic hourly and annual rates of pay for Firefighters in Pay Grades 401 through 406. Firefighters may be assigned to either 40 or 56-hour workweek schedules at the discretion of the Fire Chief and shall be paid at the appropriate hourly rate for the regular hours worked on that schedule. The Fire Chief shall determine if overtime pay shall be based on the 40-hour workweek hourly rate or 56 hour workweek hourly rate.

Pay Grades 401 through 403 set the basic rates of pay for a Firefighter.

Pay Grades 404 through 406 set the basic rates of pay for a Firefighter who holds and maintains a certification from the State of Ohio as an EMT-Paramedic. This Paramedic Incentive is in lieu of previous provisions granting service credit to Firefighters with EMT-Paramedic certifications.

Step rate increases within Pay Grades for satisfactory performance and employee development may be granted by the City Manager as follows (hourly rates are controlling):

- to 401 B or 404 B after a minimum of six (6) months of service at the preceding step rate;
- to 402 B or 405 B after a minimum of twelve (12) months of service at the preceding step rate;
- to 403 B or 406 B after a minimum of twelve (12) months at step rate 403 A or 406 A;
- to 403 C or 406 C after a minimum of twelve (12) months at step rate 403 B or 406 B.

Advancement in Pay Grades from 401 to 403 or from 404 to 406 for qualifying performance and attainment of required skills may be granted by the City Manager as follows:

- to 402 A or 405 A after a minimum of six (6) months of service at step rate 401 B or 404 B;
- to 403 A or 406 A after a minimum of twelve (12) months of service at step rate 402 B or 405 B.

STEP RATES

<u>PAY GRADE</u>	<u>BASIS</u>	<u>A</u>	<u>B</u>	<u>C</u>
401	Hour (56 hr week sched)	\$23.59	\$24.59	
	Hour (40 hr week sched)	33.03	34.42	
	Year	68,702	71,594	
402	Hour (56 hr week sched)	\$25.71	\$26.76	
	Hour (40 hr week sched)	35.99	37.46	
	Year	74,859	77,917	
403	Hour (56 hr week sched)	\$27.89	\$29.34	\$30.98
	Hour (40 hr week sched)	39.04	41.07	43.37
	Year	81,203	85,426	90,210
<u>PAY GRADE</u>	<u>BASIS</u>	<u>A</u>	<u>B</u>	<u>C</u>
404	Hour (56 hr week sched)	\$24.30	\$25.32	
	Hour (40 hr week sched)	34.02	35.45	
	Year	70,762	73,736	
405	Hour (56 hr week sched)	\$26.48	\$27.56	
	Hour (40 hr week sched)	37.07	38.58	
	Year	77,106	80,246	
406	Hour (56 hr week sched)	\$28.72	\$30.21	\$31.91
	Hour (40 hr week sched)	40.21	42.30	44.67
	Year	83,637	87,984	92,914

NOTE: Rates in the above Pay Table are effective from and after 08/17/20.

The City Manager is authorized to waive the minimum service requirements for advancement, as indicated above, to the extent necessary to align Firefighters in the career progression plan in a manner consistent with the above description.

A Firefighter who resigned and subsequently was reinstated in the Kettering Fire Department may receive full credit for service prior to date of resignation to meet minimum service requirements for advancement from Pay Grade 401 up to Pay Grade 403 or from Pay Grade 404 up to Pay Grade 406.

A Firefighter may receive credit for prior service as a Regular Full-Time Firefighter with another municipality to meet minimum service requirements for advancement from Pay Grade 401 up to Pay Grade 403 or from Pay Grade 404 up to Pay Grade 406, depending upon an evaluation of the prior service by the Human Resource Director and the Fire Chief. Prior service with another municipality shall not be utilized to meet minimum service requirements for eligibility to compete in a competitive promotional examination or to obtain added credit for seniority on examinations for promotion to Captain (Pay Grade 605).

No person shall be eligible to receive an original appointment to the Fire Department before the age of 18. Nothing in this section shall prevent the recruitment of personnel for the Fire Cadet program for the purpose of training persons to become Firefighters, provided that such cadets have reached the age of 18 at the time of said appointment.

Section 205. PAY SCHEDULES FOR POSITIONS IN PAY GRADES 504 AND 505.

The following pay tables prescribe the basic hourly and annual rates of pay for police supervisory, command, and administrative management positions. Police Officers normally enter each Pay Grade at Step A.

Step rate increases within pay grades for satisfactory performance and employee development may be granted by the City Manager. Such increases are normally granted after six (6) months of service at each step, however, the City Manager may either accelerate or withhold such advancements based on the officer's performance and development.

Advancement to the rank of Sergeant at Pay Grade 504 may be granted by the City Manager to Patrol Officers as a promotion based on the results of Civil Service competitive examinations and procedures. A Patrol Officer must have three (3) years of service as a Kettering Patrol Officer at the time Civil Service testing is implemented in order to compete and be eligible for promotion to the rank of Sergeant.

Advancement to the rank of Lieutenant at Pay Grade 505 may be granted by the City Manager to Sergeants in Pay Grade 504 as a promotion based on the results of Civil Service competitive examinations and procedures. A Sergeant must have one (1) year of service as a Kettering Police Sergeant at the time Civil Service testing is implemented in order to compete and be eligible for promotion to the rank of Lieutenant.

The rank of Captain is that assigned to the positions of Assistant Chiefs of Police. Assistant Chiefs of Police (Police Captains) are included in the unclassified service and therefore the selection and rights of Assistant Chiefs of Police (Police Captains) are not subject to those rules or laws pertaining to Classified Civil Service employees. The appropriate fringe benefits for Assistant Chiefs of Police (Police Captains) are to be determined by the City Manager.

It shall be at the discretion of the City Manager to either fill or leave vacant positions at the rank of Sergeant, Lieutenant and Captain.

STEP RATES

<u>PAY GRADE</u>	<u>BASIS</u>	<u>A / 1</u>	<u>B / 2</u>
504	Hour Year	\$50.00 104,000	\$51.27 106,642
505	Hour Year	\$53.81 111,925	\$55.12 114,650

NOTE: Rates in the above Pay Table are effective from and after 12/21/20.

Section 206. PAY SCHEDULES FOR POSITIONS IN PAY GRADES 605.

The following pay tables prescribe the basic annual rates of pay for position of Fire Captain. The shown hourly rates are not controlling but are based on a 40-hour workweek schedule for comparison purposes only. Fire Captains may be assigned to either 40 or 56-hour workweek schedules at the discretion of the Fire Chief and shall be paid at the appropriate hourly rate for the regular hours worked on that schedule. Fire Captains enter each Pay Grade at Step A.

A step rate increase to 605 B or 605-1 B may be granted by the City Manager after a minimum of six (6) months of service at 605 A or 605-1 A..

Step rate increases to 605 C and D or 605-1 C and D may be granted by the City Manager after a minimum of twelve (12) months of service in each step.

Accelerated advancement or withholding of such advancements in Pay Grade 605 or 605-1 may be granted by the City Manager based upon the employee's performance and development.

Advancement to Fire Captain in Pay Grade 605 A or 605-1 A may be granted by the City Manager to Firefighters in Pay Grade 403 or 406, who have three (3) years of actual service as a Kettering Firefighter, as a promotion, based on the results of Civil Service competitive examination and procedures.

It shall be at the discretion of the City Manager to either fill or leave vacant positions at the rank of Fire Captain.

Fire Captains appointed to the Pay Grade 605 series prior to 9/23/13, are eligible to be paid at the following Step Rates for Pay Grade 605:

STEP RATES

PAY GRADE	BASIS	<u>A / 1</u>	<u>B / 2</u>	<u>C / 3</u>	<u>D / 4</u>
605	Hour (56-hr. week schedule)	\$35.31	\$36.19	\$37.02	\$37.98
	Hour (40-hr. week schedule)	\$49.43	\$50.66	\$51.83	\$53.17
	Year	102,814	105,373	107,806	110,594

NOTE: Rates in the above Pay Table are effective from and after 12/21/20.

Fire Captains appointed to the Pay Grade 605 series on or after 9/23/13, are eligible to be paid at the following Step Rates for Pay Grade 605-1:

STEP RATES

PAY GRADE	BASIS	<u>A / 1</u>	<u>B / 2</u>	<u>C / 3</u>	<u>D / 4</u>
605-1	Hour (56-hr. week schedule)	\$34.43	\$35.40	\$35.84	\$36.29
	Hour (40-hr. week schedule)	\$48.20	\$49.56	\$50.18	\$50.81
	Year	100,256	103,085	104,374	105,685

NOTE: Rates in the above Pay Table are effective from and after 12/21/20.

Section 206-a. PAY SCHEDULES FOR POSITIONS IN PAY GRADES 606.

The following pay tables prescribe the basic annual rates of pay for positions of Fire Battalion Chief. The shown hourly rates are not controlling but are based on a 40-hour workweek schedule for comparison purposes only. Fire Battalion Chiefs may be assigned to either 40 or 56-hour workweek schedules at the discretion of the Fire Chief and shall be paid at the appropriate hourly rate for the regular hours worked on that schedule. Fire Battalion Chiefs enter each Pay Grade at Step A.

A step rate increase to 606 B may be granted by the City Manager after a minimum of six (6) months of service at 606 A.

Step rate increases to 606 C and D may be granted by the City Manager after a minimum of twelve (12) months of service in each step.

Accelerated advancement or withholding of such advancements in Pay Grade 606 may be granted by the City Manager based upon the employee's performance and development.

Advancement to the rank of Fire Battalion Chief at Pay Grade 606 may be granted by the City Manager to Fire Captains in Pay Grade 605 or 605-1. A Fire Captain must have at least one (1) year of service as a Kettering Fire Captain at the time Civil Service testing is implemented in order to compete and be eligible for promotion to the rank of Battalion Chief.

It shall be at the discretion of the City Manager to either fill or leave vacant positions at the rank of Fire Captain or Fire Battalion Chief.

Fire Battalion Chiefs are eligible to be paid at the following Step Rates for Pay Grade 606:

STEP RATES

PAY GRADE	BASIS	A / 1	B / 2	C / 3	D / 4
606	Hour (56-hr. week schedule)	\$37.59	\$38.06	\$38.56	\$39.38
	Hour (40-hr. week schedule)	\$52.62	\$53.29	\$53.98	\$55.13
	Year	109,450	110,843	112,278	114,670

NOTE: Rates in the above Pay Table are effective from and after 12/21/2020.

Section 207. PAY SCHEDULES FOR POSITIONS IN PAY GRADES 705 THROUGH 724.

The following pay tables prescribe the maximum basic rates of pay for Pay Grades 705 through 724. The City Manager determines the rates of pay provided employees in these pay grades with the restriction that an employee may not receive more than that maximum rate assigned to the position. Hourly rates are controlling for computation.

PAY GRADES

PAY GRADE	BASIS	MAXIMUM PAY RATE	PAY GRADE	BASIS	MAXIMUM PAY RATE
705	Hour	\$30.11	714	Hour	\$46.28
	Year	62,629		Year	96,262
706	Hour	\$31.58	715	Hour	\$48.75
	Year	65,686		Year	101,400
707	Hour	\$32.86	716	Hour	\$51.08
	Year	68,349		Year	106,246
708	Hour	\$34.72	717	Hour	\$53.56
	Year	72,218		Year	111,405
709	Hour	\$36.48	718	Hour	\$56.20
	Year	75,878		Year	116,896
710	Hour	\$38.30	719	Hour	\$59.01
	Year	79,664		Year	122,741
711	Hour	\$40.17	720	Hour	\$61.90
	Year	83,554		Year	128,752
712	Hour	\$42.14	721	Hour	\$65.02
	Year	87,651		Year	135,242
713	Hour	\$44.10	722	Hour	\$68.25
	Year	91,728		Year	141,960
			724	Hour	\$75.20

NOTE: Rates in the above Pay Table are effective from and after 12/21/2020.

Section 208. PAY SCHEDULE FOR THE POSITION OF CITY MANAGER AND ASSISTANT CITY MANAGER

- A. The City Manager's "Employment Agreement," expiring December 31, 2022, provides for the City Manager's compensation and benefits as follows: (i.) commencing December 21, 2020, the City Manager shall be paid an annual base salary of \$191,609.60, as calculated from an "hourly base rate" of \$92.12 per hour; (ii) the City Manager's then annual base salary may be periodically increased or decreased each time and in the same manner as this Ordinance may uniformly provide for the increase or decrease in the maximum salary levels for all Department Director positions and the position of Assistant City Manager; (iii.) in addition to the City Manager's annual base salary, the City shall contribute an amount equal to ten percent (10.0%) of the Manager's then annual base salary to a qualified deferred compensation plan as selected by the City Manager; (iv.) the City Manager's annual base salary shall be payable in installments at the same time as other employees of the City are paid; (v.) except as otherwise provided for herein, all other provisions for fringe benefits for Regular Full-Time employees in Pay Grade 714 through Pay Grade 724 shall apply to the City Manager; (vi.) the annual base salary for the City Manager is based on a 2,080 work hour year, regardless of the actual amount of hours worked; and (vii.) the annual base salary and any other benefit which the City Manager will be eligible to receive may be authorized by a valid, written agreement between the City and the City Manager, and in the event of a conflict between this Ordinance and any then valid and duly authorized written agreement between the City and the City Manager as to the annual base salary and/or any other benefit or component thereof, that the Manager is eligible to receive, then the provisions of the written agreement shall prevail as to that particular annual base salary and/or other benefit or component thereof. In the event either this Ordinance or the then valid written agreement is silent regarding the annual base salary and/or any other benefit or component thereof, that the Manager is eligible to receive, however, the other respective document speaks to same, then the provisions of the document that speaks to the annual base salary and/or other benefit or component thereof, shall prevail as to that particular annual base salary and/or other benefit or component thereof.
- B. The City Manager may, once annually, convert up to a maximum of 12 days of his/her accrued vacation leave, in whole hour increments at a ratio of 6:5, to a maximum payment of up to 10-days equivalent in cash. The rules governing this vacation leave conversion program shall be filed with and approved by the Ohio Public Employees Retirement System. Eligibility to convert such leave requires that all of the following apply to the City Manager:
1. Has, at the time of filing a request with the Finance Director to convert leave, an accrued vacation leave balance equal to or greater than the amount of hours requested to be converted;
 2. The amount of vacation leave converted into a cash payment in one calendar year must not exceed the amount of vacation leave accrued in the prior calendar year; and
 3. Has a record of at least 25 years of accumulated public service. Evidence of such accumulated public service may include a record of accumulated

public service on file with the City of Kettering, as indicated by the employee's "Date of Hire" or "Leave Date" or a record of accumulated or purchased service credit on file with any of the Ohio Retirement Systems.

- C. In addition to the Assistant City Manager's salary, the City may, at the discretion of the City Manager, contribute an amount equal to 1.0% of his/her salary to a qualified deferred compensation plan as selected by the Assistant City Manager.

Section 209. PAY SCHEDULES FOR SPECIAL CATEGORIES OF PART-TIME/TEMPORARY/SEASONAL AND REGULAR PART-TIME POSITIONS.

The City Manager may determine pay levels for employees filling part-time/temporary and Regular Part-Time positions as appropriate within the pay ranges authorized by the following tables. Positions covered by these pay tables are excluded from the classified Civil Service. Employees in these pay tables are normally employed 40 hours per week or less.

A. PAY TABLES FOR PART-TIME/TEMPORARY/SEASONAL POSITIONS

PAY GRADE	BASIS	STEP RATE												
		A / 1	B / 2	C / 3	D / 4	E / 5	F / 6	G / 7	H / 8	I / 9	J / 10	K / 11	L/12	M/13
810	HOUR								\$8.80	\$8.85	\$8.95	\$9.05	\$9.15	\$9.25
811	HOUR					\$8.80	\$8.85	\$8.95	\$9.05	\$9.15	\$9.25	\$9.35	\$9.45	\$9.55
812	HOUR	\$8.80	\$8.85	\$8.95	\$9.05	\$9.15	\$9.25	\$9.35	\$9.45	\$9.55	\$9.65	\$9.75	\$9.85	\$9.95
813	HOUR	\$9.05	\$9.15	\$9.25	\$9.35	\$9.45	\$9.55	\$9.65	\$9.75	\$9.85	\$9.95	\$10.05	\$10.15	\$10.25
814	HOUR	\$9.35	\$9.45	\$9.55	\$9.65	\$9.75	\$9.85	\$9.95	\$10.05	\$10.15	\$10.25	\$10.35	\$10.45	\$10.55
815	HOUR	\$9.65	\$9.75	\$9.85	\$9.95	\$10.05	\$10.15	\$10.25	\$10.35	\$10.45	\$10.55	\$10.65	\$10.75	\$10.85
816	HOUR	\$9.95	\$10.05	\$10.15	\$10.25	\$10.35	\$10.45	\$10.55	\$10.65	\$10.75	\$10.85	\$10.95	\$11.05	\$11.15
817	HOUR	\$10.25	\$10.35	\$10.45	\$10.55	\$10.65	\$10.75	\$10.85	\$10.95	\$11.05	\$11.15	\$11.25	\$11.35	\$11.45
818	HOUR	\$10.55	\$10.65	\$10.75	\$10.85	\$10.95	\$11.05	\$11.15	\$11.25	\$11.35	\$11.45	\$11.55	\$11.65	\$11.75
819	HOUR	\$10.85	\$10.95	\$11.05	\$11.15	\$11.25	\$11.35	\$11.45	\$11.55	\$11.65	\$11.75	\$11.85	\$11.95	\$12.05
820	HOUR	\$11.15	\$11.25	\$11.35	\$11.45	\$11.55	\$11.65	\$11.75	\$11.85	\$11.95	\$12.05	\$12.15	\$12.25	\$12.35
821	HOUR	\$11.45	\$11.55	\$11.65	\$11.75	\$11.85	\$11.95	\$12.05	\$12.15	\$12.25	\$12.35	\$12.45	\$12.55	\$12.65
822	HOUR	\$11.75	\$11.85	\$11.95	\$12.05	\$12.15	\$12.25	\$12.35	\$12.45	\$12.55	\$12.65	\$12.75	\$12.85	\$12.95
823	HOUR	\$12.05	\$12.15	\$12.25	\$12.35	\$12.45	\$12.55	\$12.65	\$12.75	\$12.85	\$12.95	\$13.05	\$13.15	\$13.25
824	HOUR	\$12.35	\$12.45	\$12.55	\$12.65	\$12.75	\$12.85	\$12.95	\$13.05	\$13.15	\$13.25	\$13.35	\$13.45	\$13.55
825	HOUR	\$12.65	\$12.75	\$12.85	\$12.95	\$13.05	\$13.15	\$13.25	\$13.35	\$13.45	\$13.55	\$13.65	\$13.75	\$13.85
826	HOUR	\$12.95	\$13.05	\$13.15	\$13.25	\$13.35	\$13.45	\$13.55	\$13.65	\$13.75	\$13.85	\$13.95	\$14.05	\$14.15
827	HOUR	\$13.25	\$13.35	\$13.45	\$13.55	\$13.65	\$13.75	\$13.85	\$13.95	\$14.05	\$14.15	\$14.25	\$14.35	\$14.45
828	HOUR	\$13.55	\$13.65	\$13.75	\$13.85	\$13.95	\$14.05	\$14.15	\$14.25	\$14.35	\$14.45	\$14.55	\$14.65	\$14.75
829	HOUR	\$13.85	\$13.95	\$14.05	\$14.15	\$14.25	\$14.35	\$14.45	\$14.55	\$14.65	\$14.75	\$14.85	\$14.95	\$15.05
830	HOUR	\$14.15	\$14.25	\$14.35	\$14.45	\$14.55	\$14.65	\$14.75	\$14.85	\$14.95	\$15.05	\$15.15	\$15.25	\$15.35
831	HOUR	\$14.45	\$14.55	\$14.65	\$14.75	\$14.85	\$14.95	\$15.05	\$15.15	\$15.25	\$15.35	\$15.45	\$15.55	\$15.65
832	HOUR	\$14.75	\$14.85	\$14.95	\$15.05	\$15.15	\$15.25	\$15.35	\$15.45	\$15.55	\$15.65	\$15.75	\$15.85	\$15.95
833	HOUR	\$15.05	\$15.15	\$15.25	\$15.35	\$15.45	\$15.55	\$15.65	\$15.75	\$15.85	\$15.95	\$16.05	\$16.15	\$16.25

NOTE: Rates in the above Pay Table are effective from and after 12/21/2020.

B. PAY TABLES FOR REGULAR PART-TIME POSITIONS

<u>STEP RATES</u>						
<u>PAY GRADE</u>	<u>BASIS</u>	<u>A / 1</u>	<u>B / 2</u>	<u>C / 3</u>	<u>D / 4</u>	<u>E / 5</u>
850	HOUR	\$13.46	\$13.76	\$14.15	\$14.50	\$14.78
851	HOUR	\$14.50	\$14.78	\$15.13	\$15.50	\$15.91
852	HOUR	\$15.50	\$15.91	\$16.12	\$16.53	\$16.86
853	HOUR	\$16.53	\$16.86	\$17.18	\$17.55	\$17.91
854	HOUR	\$17.55	\$17.91	\$18.20	\$18.53	\$18.94
855	HOUR	\$18.53	\$18.94	\$19.28	\$19.56	\$19.91
856	HOUR	\$19.56	\$19.91	\$20.26	\$20.53	\$20.95
857	HOUR	\$20.95	\$21.20	\$21.67	\$21.94	\$22.28
858	HOUR	\$21.94	\$22.28	\$22.64	\$22.98	\$23.28
859	HOUR	\$22.98	\$23.28	\$23.66	\$23.96	\$24.36
860	HOUR	\$23.96	\$24.36	\$24.68	\$24.94	\$25.36
861	HOUR	\$24.94	\$25.36	\$25.72	\$26.09	\$26.35
862	HOUR	\$26.09	\$26.35	\$26.69	\$27.12	\$27.42

NOTE: Rates in the above Pay Table are effective from and after 12/21/2020.

Section 210. PAY SCHEDULES FOR POSITIONS IN PAY GRADE 912.

<u>PAY GRADE</u>	<u>BASIS</u>	<u>PAY RATE</u>
912	Week	\$17.50

Section 211. COMPENSATION AND SUPPLEMENTAL BENEFITS FOR PART-TIME FIREFIGHTERS.

The City Manager is authorized to provide compensation and supplemental benefits to Part-Time Firefighters. Part-Time Firefighters shall be compensated at specified pay rates, provided supplemental benefits and paid at such intervals, as deemed by the City Manager to be in the best interest of the City. All pay, pay rates and supplemental benefits referred to in this Section 211, plus the number of Part-Time Firefighter positions, shall all be controlled by budget dollar authorization. Part-Time Firefighters shall receive life insurance benefits as provided for in Section 301, of this Ordinance.

Section 212. INDEPENDENT CONTRACTORS AND SPECIAL EMPLOYEES.

- A. The City Manager is authorized to enter into agreements with non-employee Independent Contractors to provide those services that the City Manager determines to be in the best interests of this city. Such agreements shall be limited by budgetary authorization intended for such purposes, be outside the control of this Personnel Ordinance, and shall be consistent with the City Charter and any laws, ordinances, rules and regulations that are applicable in this city.
- B. The City Manager may also hire employees for specialized purposes as follows:
 - 1. The City Manager is authorized to enter into agreements to hire individuals as employees so as to obtain their personal services which the City Manager determines are in the best interests of this city. Such employees shall be known as "Special Employees," whose status shall be temporary and/or seasonal and whose term of employment shall be set by individual agreement. The compensation and benefits for such "Special Employees" shall be set and controlled by contractual agreements which shall be limited by budgetary authorization intended for such purposes. The City shall make deductions from the "Special Employee's" pay as required by law, such as federal, state and local tax withholdings and any contributions to FICA/Medicare or the applicable State of Ohio Retirement System, that may apply.
 - 2. In addition to the authority in Section 212 B1 above, the City Manager is also authorized to hire and establish pay rates for "Special Employees" whose status shall be temporary and/or seasonal and whose terms and conditions of employment are not controlled by individual agreement, including, but not limited to, pay per participant compensation arrangements and any applicable pay scales. The compensation and benefits for such "Special Employees" shall be set and controlled by the City Manager, which shall be limited by budgetary authorization intended for such purposes and shall not exceed an hourly rate of sixty dollars (\$60.00) per hour. The City shall make deductions from the "Special Employee's" pay as required by law, such as federal, state and local tax withholdings and any contributions to FICA/Medicare or the applicable State of Ohio Retirement System, that may apply.

Section 213. COMPENSATION FOR OVERTIME WORK.

- A. 1. All full-time, part-time and temporary employees in Pay Grades 3 through 54, 100 through 112, and 200 through 211, with the exception of Jailers are eligible for overtime compensation for all authorized hours in excess of eight (8) hours per day or forty (40) hours per week, provided that on the employee's sixth day she/he shall receive overtime pay for only that time worked in excess of forty (40) hours for her/his whole week. An exception to this provision is made when such an employee's work schedule consists of four ten-hour days. In this situation, employees in the above described pay grades are eligible for overtime compensation for all authorized hours in excess of ten (10) hours per day or forty (40) hours per week, provided that on the employee's fifth day she/he shall receive overtime pay for only that time worked in excess of forty (40) hours.

2. All employees in Pay Grades 810 through 862 are eligible for overtime compensation for all authorized hours in excess of forty (40) hours per week.
- B.
1. "Patrol Officers assigned to a watch" means those officers who are assigned to duties which are performed substantially, continuously around the clock every day of the week and ordinarily involve relieving another officer assigned to the same post at the beginning of duty and being relieved by another officer assigned to the same post at the conclusion of the day.
 2.
 - a) Subject to Call. Patrol Officers are subject to call during both paid and unpaid meal periods.
 - b) Those Not Assigned To A Watch. Patrol Officers not assigned to a watch (such as detectives, jailer, court officer, academy personnel, uniformed dispatcher, etc.) will be scheduled for an unpaid meal period or not, as determined by the City to be suitable for the duties of the assignment. The total scheduled hours of work in either case will for a normal work day be deemed to be 8 hours worked, and there shall be no more than 9 hours between scheduled starting and quitting times of an eight-hour work day.
- C.
1. Firefighters in Pay Grades 401 through 406 who are assigned to work schedules which average forty (40) hours per week shall receive overtime compensation only for that time worked in excess of an average forty (40) hour workweek as established by a rotating shift schedule.
 2. Firefighters in Pay Grades 401 through 406 assigned to rotating shifts which average fifty-six (56) hours per week shall receive overtime compensation only for the time worked in excess of an average fifty-six (56) hour workweek as established by a rotating shift schedule. Overtime pay shall be based on comparative forty (40) hour workweek rates.
- D. A paid unworked holiday, paid sick leave or paid unworked vacation shall be credited as time worked for the purpose of computing overtime for any work performed in the same workweek.
- E. Pay for overtime work shall be at the rate of one and one-half the regular rate with the following exceptions (police business meetings and training sessions scheduled by Supervisory or Command Police Officers for Police Patrol Officers in Pay Grades 304 through 306 shall not be considered an exception):
1. Employees in Pay Grades 3 through 54, 100 through 112, and 200 through 211 (with the exception of Jailers) shall receive double their regular rate for work on Sundays and all holidays except Labor Day, unless Sunday or a holiday is a regularly scheduled work day. If Sunday is a regularly scheduled workday, the seventh day of the workweek shall be treated as Sunday for overtime purposes.
 2. Police Cadets and Jailers; and Firefighters in Pay Grades 401 through 406 assigned to work schedules which average forty (40) hours per week shall receive double their regular rate of pay for work on a holiday in excess of a regular eight (8) hour shift.
 3. Police Officers in Pay Grades 304 through 306 and 504 through 505, and Jailers, shall receive double their regular rate for overtime hours worked on Easter Sunday. The City Manager may, at his or her sole discretion, extend similar double-

time provisions to Regular Part-Time employees in the Police Department who work on Easter Sunday in excess of their regularly scheduled hours.

4. Firefighters in Pay Grades 401 through 406 who are assigned to fifty-six (56) hour workweek schedules shall receive double the comparative forty (40) hour rate of pay for work on a holiday in excess of a regular twenty-four (24) hour shift.
- F. Any full-time employee eligible for overtime compensation who is called in for emergency duty shall receive a minimum of two (2) hours compensation at the overtime rate.
- G. When employees, other than Regular Full-Time City employees, are called in as volunteers for emergency duties, they may be employed at rates comparable to those paid to Regular Full-Time employees who regularly perform such tasks and paid from appropriate funds as determined by the City Manager.
- H. Employees in Pay Grades 200 through 211 called for emergencies, such as snow removal, shall be paid one and one-half times the regular rate for hours worked outside normal working hours even though time worked during that workweek does not exceed forty (40) hours. The City Manager may extend this same provision to other hourly paid employees when they are assisting in emergencies normally handled by employees in Pay Grades 200 through 211.
- I. The City Manager may authorize payment from City Funds for overtime work performed by employees who are not considered as Regular Full-Time employees.
- J. The City Manager may authorize a premium payment at one and one-half (1½) times an hourly paid employee's regular hourly rate of pay if it is necessary to substantially adjust such an employee's work schedule without adequate notice. It shall be at the discretion of the City Manager to determine what constitutes a substantial schedule change and adequate notice to the employee.
- K. Whenever it is necessary for an off-duty Fire Battalion Chief to appear in the Municipal Court, before the prosecutor for a pretrial conference, or in any other court on matters pertaining to City business, a minimum of two (2) hours overtime shall be credited per appearance day at time and one-half the appropriate hourly rate.
- L. At the employee's option, and with the consent of the employee's supervisor, the employee shall have the privilege of taking compensatory time off in lieu of overtime compensation; in which case the employee may have time off at one times, one and one-half times, or double time the overtime hours worked, if for the hours worked the employee would otherwise be paid one time, one and one-half times, or double time the regular rate.
- M. Employees in Pay Grades 715 through 724 are not eligible for overtime compensation. The City Manager is authorized to establish reasonable standards under which employees in Pay Grades 705 through 714, 504 and 505, and 605 through 606 may receive overtime compensation.
- N. The City Manager is authorized to make adjustments in the normal schedule of duty hours for employees in Pay Grades 705 through 724, 504 and 505, and 605 through 606 granting time off from normal schedule of duty hours when appropriate, in recognition that employees in bona fide executive, administrative, and professional capacities are often required to follow irregular work schedules which exceed the normal 40 hours per week and in recognition that employees in these capacities are exempt from the provisions for overtime compensation.

- O. Jailers, who are unable to take a 30-minute meal break during their shift, are eligible to receive 30 minutes of overtime compensation with supervisory approval.

Section 214. GENERAL PROVISIONS PERTAINING TO APPOINTMENT ADVANCEMENT AND CONDITIONS OF WORK.

- A. The regular workweek for a Regular Full-Time employee shall consist of five (5) eight hour days.
- B. The City Manager is authorized to fill Regular Full-Time positions with one or more part-time employees at hourly pay rates not to exceed the normal hourly rate for the full-time position. In cases where a part-time employee is assigned to a pay grade normally utilized for Regular Full-Time employees, it shall be at the City Manager's discretion to determine appropriate levels of fringe benefits.
- C. All employees shall be paid bi-weekly or on a schedule deemed appropriate by the City Manager. The Finance Director is authorized to either compensate hourly paid employees for the actual number of hours worked during a pay period or for the average number of hours they work per pay period plus any overtime compensation earned.
- D. The City Manager may fill a vacant position, as authorized by the Table of Organization and Position Classified Plan, with a person in a different classification and pay grade. The position being filled may not be paid at a higher basic rate than that identified from the Table of Organization. The position being filled may be in another department, division or office from that identified in the Table of Organization, but the total number of positions authorized for the City may not be exceeded.
- E. The number of personnel authorized by Article I of this Ordinance may be varied to provide a training period of four (4) weeks for a new employee. The City Manager may exceed the number of personnel authorized, by more than four (4) weeks, in circumstances where a special training program is required or for other extenuating circumstances. The City Manager may temporarily replace any Regular Full-Time employee on sick leave, vacation or leave of absence. Such replacement shall be compensated in accordance with this Ordinance at the discretion of the City Manager.
- F. The number in a pay grade designation authorized by the Table of Organization and Position Classification Plan in Article I may temporarily be exceeded so that an employee may be placed in a higher pay grade designation because of increased duties and responsibilities. In this respect, the City Manager is bound only by the total authorized positions for the entire Department. Nothing herein contained shall permit transgressions of the rules and regulations as established by the Civil Service Commission.
- G. An employee advanced to a higher position through a permanent promotion or reclassification may, or may not, receive an increase in pay at the sole discretion of the City Manager. The effective date for any such pay increase shall be determined at the sole discretion of the City Manager.
- H. It shall be at the discretion of the City Manager to either fill or leave vacant any positions authorized by this Ordinance.
- I. The City Manager is authorized to exceed the total number of personnel authorized by Article I for any position when he determines it appropriate to do so in order to comply with a directive of, or otherwise satisfy, a court, the Kettering Civil Service Commission, or other

review agency. The City Manager may, at his or her sole discretion, exceed the total number of personnel authorized by Article I, for a temporary or extended period of time, when he identifies circumstances he deems justifies such action.

- J. The City Manager is authorized to establish different rates of pay for positions delineated by this Ordinance. However, such rates of pay may not exceed the maximum rate specified for the position(s) by the designated pay grades.
- K. It is within the City Manager's authority to close any or all City facilities in the event of extreme weather or other emergency situations. It is also at the City Manager's discretion to determine if and how City employees who either work or don't work under such circumstances be compensated.
- L. The City Manager is authorized to set initial accrual rates for vacation leave and initial sick leave balances for employees, with consideration to prior employment and length of service. This authorization confirms the City Manager's authority to continue the practice of crediting service time for vacation leave accrual purposes and transferring unused sick leave balances from prior public service with the State of Ohio or its political subdivisions and other Ohio public agencies, to the extent he deems appropriate. Furthermore, the City Manager is authorized to adopt similar practices for employees having prior public service outside the State of Ohio, or who were previously employed in private sector or federal employment.
- M. In a Payroll Year consisting of more than twenty-six (26) biweekly Pay Periods, the annual salary rates set forth in this Ordinance, as well as the annual sick leave and vacation leave accrual rates, may be exceeded so as to insure that employees' biweekly earnings, and sick leave and vacation leave accrual rates, remain at the same level as in biweekly Pay Periods falling within a twenty-six (26) Pay Period Payroll Year. This provision also applies to the City Manager and members of City Council.
- N. The City Manager is authorized to compensate City employees for the home care of City-owned canines.
- O. For employees that receive City-paid deferred compensation as part of their total annual compensation, the hourly-pay-rate used to compute the conversion of paid-leave-to-cash shall also include the calculable hourly rate for such deferred compensation. Such paid-leave-to-cash conversions include: Terminal pay for accumulated vacation leave or sick leave that is subject to conversion at separation from employment; accumulated leave that is subject to conversion in conjunction with any City-administered leave conversion program; any conversions of paid-leave-to-cash that may be payable to a deceased employee's estate as a final payroll transaction; and any conversions of accumulated sick leave to cash that is payable as a death benefit to a beneficiary or an employee's estate.

Article III. SUPPLEMENTARY BENEFITS FOR REGULAR FULL-TIME EMPLOYEES.

Section 300. EMPLOYEE HEALTH INSURANCE.

- A. Coverage provided by the employee group health benefit plan(s) shall be as stated in the plan documents on file with the City's insurance carriers. The City shall pay its share of the cost of insurance coverage for all Regular Full-Time employees who request coverage and subscribe to an available plan designation. The City Manager is authorized to make available to and determine the rate of contribution to be paid by Regular Full-Time employees, elected officials and Regular Part-Time employees who the City Manager deems eligible for health insurance through the City's group plan(s). The City Manager,

may, at his or her discretion, provide an Employee Wellness Program to eligible employees.

- B. The City may, at the City Manager's discretion, continue to pay its share of the insurance costs for Regular Full-Time employees who are ill but have exhausted all accumulated Sick Leave and Vacation Leave and are being carried in a status of Leave Without Pay. The City Manager may, at his or her discretion, continue insurance coverage for employees seeking a disability retirement for a limited period of time beyond the employee's date of separation; or for the family of a deceased employee for a limited period of time beyond the employee's death. Extension of such coverage is subject to requirements of the group health benefit plan(s) as allowed by the law.
- C. The City Manager may, at his or her discretion, authorize that the City contribute to Health Savings Accounts or Health Reimbursement Accounts for medical care for City employees in addition to contributing to a medical insurance policy.
- D. The City Manager may authorize payment to an employee or insurance carrier in order to reduce the City's insurance liability for an employee and/or family members.
- E. The City Manager may insure or self-insure, in whole or in part, for insurance plans under this Section when, in his or her sole determination, doing so would be in the best interest of the City for economic or administrative reasons.
- F. The City Manager may, at his or her discretion, provide Optional Dental Insurance and/or Vision Insurance to employees and elected officials as deemed eligible.

Section 301. EMPLOYEE LIFE INSURANCE.

Effective on the date of hire and allowed by policy, the City will provide each Regular Full-Time employee in Pay Grades 3 through 54, 80 through 82, 100 through 112, 200 through 211, 304 through 306, 401 through 406, 504 and 505, 605 through 606, and 705 through 724, with a term life insurance policy in an amount not to exceed the employee's base annual salary at the time of death plus an equal amount for accidental death and dismemberment coverage.

Effective on the date of hire and allowed by policy, the City will provide each Part-Time Firefighter with a term life insurance policy in the amount of \$15,000 plus \$15,000 accidental death and dismemberment coverage.

Where there are changes in term life insurance coverages above, the amount of term life insurance coverage applicable to eligible employees shall be as provided for in previous Ordinances, until such time as new life insurance coverage is obtained and implemented by the City.

The City Manager may insure or self-insure, in whole or in part, for insurance plans under this Section when, in his sole determination, doing so would be in the best interest of the City for economic or administrative reasons.

Voluntary term life insurance coverage, as allowed by policy, may be made available for purchase by eligible employees on their own life, and the life of eligible dependents, including spouse and child(ren). Regular Full-Time employees, elected officials, Part-Time Firefighters and Regular Part-Time employees who the City Manager deems eligible may purchase voluntary life insurance through the City's group plan(s).

Section 302. AUTHORIZED ABSENCE.

A. VACATION LEAVE

- (1) Regular Full-Time employees (excluding Firefighters in Pay Grades 401 through 406, Fire Captains in Pay Grades 605 and 605-1, Fire Battalion Chiefs in Pay Grade 606, Patrol Officers in Pay Grades 304 through 306 and Police Sergeants and Lieutenants in Pay Grades 504 and 505) are entitled to Vacation Leave with pay at the following accrual rates in accordance with the length of service criteria as indicated below:

<u>Length of Service</u>	<u>Days per Year</u>	<u>Hours per Year</u>
Up to 5 years	10	80
Over 5 and up to 10 years	12	96
Over 10 and up to 15 years	16	128
Over 15 and up to 20 years	20	160
Over 20 and up to 25 years	23	184
Over 25 years	25	200

Vacation leave shall be accrued on a prorated basis as determined by the City Manager.

- (2) Fire Battalion Chiefs in Pay Grade 606, are entitled to Vacation Leave with pay at the following accrual rates in accordance with the length of service criteria as indicated below:

<u>Length of Service</u>	<u>Days per Year</u>	<u>Hours per Year</u>
Up to 5 years	10	80
Over 5 and up to 10 years	13	112
Over 10 and up to 15 years	18	144
Over 15 and up to 20 years	21	168
Over 20 years	25	200

Fire Battalion Chiefs assigned to work schedules which average fifty-six (56) hours per week accrue vacation leave at rates of 1.4 times the hourly rates shown above. When a Fire Battalion Chief is transferred to a fifty-six (56) hour workweek schedule, any balance of vacation leave is multiplied by 1.4. When a Fire Battalion Chief is transferred off a fifty-six (56) hour week schedule, any balance of vacation leave will be multiplied by five-sevenths (5/7).

Vacation leave shall be accrued on a prorated basis as determined by the City Manager.

- (3) Regular Part-Time employees accrue Vacation Leave at the same rate as Regular Full-Time employees subject to the vacation leave accrual table in Section 302.A.(1); however, such leave is prorated on actual hours worked. Regular Part-Time employees are identified in the Table of Organization (Article I.) as holding Regular Part-Time positions in contrast to Part-Time/Temporary Positions which are seasonal or intermittent.
- (4) Vacation Leave accrued and Vacation Leave taken shall be accounted for on a Vacation Year basis. The Vacation Year extends from the first day of the pay period closest to October 1st of one calendar year through the last day of the pay period closest to September 30th of the following calendar year, however, the City Manager is authorized to designate alternate Vacation Year periods for employees. The City Manager may also extend Vacation Year Periods for employees on a case-by-case basis. An employee may not use Vacation Leave for a period of

ninety (90) days after initial appointment or last break in service, unless special exception is made by the City Manager on an individual basis to waive or reduce this period.

- (5) An employee may carry accumulated Vacation Leave forward to the next Vacation Year. The total amount of accrued Vacation Leave may not exceed thirty (30) days at the beginning of any Vacation year, except that when an employee in Pay Grades 3 through 54, 80 through 82, 100 through 112, 200 through 211, 304 through 306, 401 through 406, 504 and 505, 605 through 606, and 705 through 724 has provided written notice of her/his commitment to retire on a specific date, in which case no limit shall be placed on the accumulation of his/her vacation leave from the date of receipt of such notice of her/his retirement date or for the period of one year preceding her/his retirement date, whichever is shorter. Vacation Leave actually taken during any Vacation Year may be charged to vacation leave accruing during such Vacation Year without regard to the thirty (30) day limitation. Accrued Vacation Leave in excess of thirty (30) days (three hundred thirty-six (336) hours for Firefighters, Fire Captains and Fire Battalion Chiefs working fifty-six (56) hour average workweeks) is dropped and lost at the end of the last day of each Vacation Year.
- (6) When an employee reaches an anniversary date entitling the employee to an increased rate of accumulation, he shall be credited with the increased rate at the start of the pay period closest to the anniversary date. Eligibility to use this additional accumulation begins as soon as accumulation begins.
- (7) To provide flexibility in vacation scheduling, employees with over one year's service shall be permitted, at the discretion of the City Manager, to obtain up to ten (10) days of Vacation Leave credit in advance of accrual. Advance credit, however, shall be covered by Vacation Leave accrual by the end of the Vacation Year, unless special exception is made by the City Manager on an individual basis to extend the allowable time period to cover advance credit by Vacation Leave accrual. The City Manager is authorized to make special exception, on an individual basis, to waive or reduce the one-year service requirement for authorizing an advance of Vacation Leave credit to an employee. The City Manager may authorize employees to contribute earned vacation hours to an account for utilization by other employees or employee groups to fulfill the obligations of collective bargaining agreements.
- (8) The primary purpose of Vacation Leave is to provide employees the opportunity for rest and recuperation. Therefore, it is expected that employees will normally schedule one vacation period per year rather than accumulate Vacation Leave from year to year. Although scheduling of employee Vacation Leave shall be the responsibility of department directors and chiefs and shall be consistent with an efficient work schedule, the requests and needs of employees shall be given due consideration.
- (9) Whenever an employee shall leave the City's employ, he shall be entitled to remuneration for the amount of unused Vacation Leave he has accumulated except for employees who leave the City's employment before completing six (6) months of service.

B. SICK LEAVE

- (1) Regular Full-Time employees accrue Sick Leave at the rate of 15 days, or 120 hours per year on a prorated basis as determined by the City Manager. Fire Battalion Chiefs assigned to fifty-six (56) hour workweek schedules accrue Sick Leave at 1.4 times the normal rate or 168 hours per year. When a Fire Battalion Chief is transferred to a fifty-six (56) hour workweek schedule any balance of Sick

Leave will be multiplied by 1.4. When a or Fire Battalion Chief is transferred off a fifty-six (56) hour workweek schedule, any balance of Sick Leave will be multiplied by five-sevenths (5/7). The total amount of accrued Sick Leave for Fire Battalion Chiefs in Pay Grade 606 on a fifty-six (56) hour workweek schedule may not exceed 2,912 hours. The total amount of accrued Sick Leave for employees on a 40 hour workweek schedule in Pay Grades 3 through 54, 100 through 112, 606, and 705 through 724 may not exceed 2,080 hours. Regular Part-Time employees accrue Sick Leave at the same rate as Regular Full-Time employees; however, the amount of leave accrued is prorated based upon actual hours worked. Employees who are ill and have exhausted all accrued Sick Leave may be granted, at the discretion of the City Manager, up to ten (10) days of Sick Leave credit in advance of accrual. Advance credit, however, shall be covered by Sick Leave accrual within one 12-month period, unless special exception is made by the City Manager on an individual basis to extend the allowable time period to cover advance credit by Sick Leave accrual or to waive the requirement for repayment of advanced Sick Leave.

- (2) Sick Leave is not to be used as vacation or time off. The City Manager or the City Manager's representative may at any time request a doctor's certificate as proof of illness before Sick Leave compensation is paid.
- (3) One-half of all accumulated Sick Leave shall be paid to a designated beneficiary upon the death of a current employee, except that no more than 260 days sick leave accumulation shall be counted in computing death benefits for the beneficiary of an employee eligible to accrue sick leave. Such payment will be in a lump sum based upon the employee's hourly rate of pay at the time of death (excluding any premium pay). If there is no valid written designation of beneficiary on file, or if the designation is for any reason ineffective, the payment shall be made to the employee's estate except that the City may authorize the payment of such amount to any one or more of the surviving spouse, adoptive parents, lineal descendants by adoption, or blood relatives of the employee, or a beneficiary to receive payments after the death of the employee under the State Retirement System, and any such payment shall be in complete discharge of liability with respect to the amount so paid.
- (4) At retirement an employee who has accumulated fifty (50) or more Sick Leave days may convert one-third of all accumulated Sick Leave days in excess of fifty (50), but not more than 260 days, to a lump sum payment. A Fire Battalion Chief's Sick Leave will be computed on a forty (40) hour workweek basis at retirement so as to apply these provisions. These provisions do not apply to service separations other than retirements.

C. INJURY LEAVE

1. Leave with pay may be granted by the City Manager for service connected occupational illness or injury. Compensation for lost time received by the employee from the Bureau of Workers' Compensation and/or the Industrial Commission shall be paid to the Finance Director for such times as the employee received full wages from the City.
2. The City Manager may authorize the Finance Director to advance payment to a Part-Time Firefighter, who was injured in the line of duty, in an amount approximating what the City projects Workers Compensation coverage should be.
3. Injury Leave provisions also apply to Regular Part-time employees.

D. FUNERAL LEAVE

Up to three (3) days Funeral Leave may be granted when a death occurs in the immediate family of an employee, except that up to five (5) days may be granted in the event of the death of an employee's spouse, child, stepchild, parent or parent-in-law. For the purposes of this ordinance, an immediate family is interpreted to include spouse, parent, child, brother, sister, mother-in-law, father-in-law, brother-in-law, sister-in-law, son-in-law, daughter-in-law, grandparent, grandparent-in-law, stepchild, grandchild, half-brother, half-sister, or other relative living in the same household. One (1) day's funeral leave may be granted when the death is of a more distant relative. The City Manager may establish different Funeral Leave schedules to accommodate special work schedules or circumstances. Funeral Leave provisions also apply to Regular Part-Time employees.

E. MILITARY LEAVE

1. Short Term Military Leave

a. All Regular Full-Time employees are entitled to leave to perform military duty in the uniformed services, either state or federal, for up to 22 eight-hour work days or 176 hours in any calendar year. An employee taking such military leave shall receive the difference between his/her military pay and his/her regular pay for the period of military duty upon presentation to the Finance Director of satisfactory evidence of military pay. The City shall continue to provide group medical insurance and group life insurance coverage during the employee's military leave. During such Short Term Military Leave, an employee shall be considered to be on a leave of absence without separating the employee from their public service position.

b. These Short Term Military Leave provisions also apply to Regular Part-Time employees on a prorated basis.

2. Extended Military Leave

a. All Regular Full-Time employees are entitled to leave to perform military duty in the uniformed services, either state or federal. Any absence beyond that provided for in Paragraph E. 1. a. of this Subsection, that is not otherwise covered by a City approved paid leave of absence, may result in a separation from the employee's public service position until he or she returns to employment with the City of Kettering. Such leave shall be known as "Extended Military Leave."

b. Regular Full-Time employees called to begin active service in the uniformed services pursuant to an Order by the President of the United States, an Act of Congress or by action of the Governor, shall receive the following Extended Military Leave benefits, subject to the following limitations:

i. Any questions regarding an employee's eligibility for Extended Military Leave benefits or the procedures to followed, shall be subject to the City Manager's authority.

ii. An eligible employee's Extended Military Leave benefits, paid leave and City-provided group medical insurance coverage, will continue throughout the duration of their active military duty, not to exceed a period of 24 months from the commencement of his/her Extended Military Leave. The extension of City-provided group medical insurance coverage may be subject to restrictions by the insurance carrier, insurance contract or other medical plan documents.

iii. Payment of paid "Military Leave" to an eligible employee on Extended Military Leave, shall be in an amount equal to the difference between the employee's regular wage as a City of Kettering public employee and the sum of the employee's gross military pay and allowances received for the period of military duty, contingent upon presentation to the Finance Director of satisfactory evidence of military pay. The Finance Director is authorized to make estimated advance Military Leave payments in the administration of this provision.

iv. Eligible employees may elect to receive continuation of City provided group health insurance coverage, including eligible dependent coverage; however, such coverages are subject to the same exclusions and limitations currently in effect by the carrier or as may be placed in effect by the carrier subsequent to the passage of this Ordinance. In a similar manner, the City Manager may, at his or her discretion, authorize eligible employees to receive the continuation of other insurance benefits. The premium cost for such coverage shall be paid by the City, to the same extent such premium costs are paid for by the City for other similarly classed employees.

c. Except for as provided in Section 302. Authorized Absence, Subsection E. Military Leave, no other Extended Military Leave benefits are provided.

3. Authority - The provisions of Section 302. Authorized Absence, Subsection E. Military Leave, are intended to entirely replace the provisions of O.R.C. Section 5923.05.

F. AUTHORIZED LEAVE-WITHOUT-PAY

- (1) BIRTHING PARENT AND BONDING LEAVE. A regular full-time or regular part-time employee who is pregnant may use a combination of different leaves, if necessary, during the course of a pregnancy and the birth of the child(ren). Sick Leave may be used under the conditions set forth in Policy No. 301: Sick Leave. Unless supported by satisfactory medical evidence, sick leave for childbirth will not be available beyond six (6) weeks after the birth of the child(ren). Earned Vacation Leave, Personal Leave and EDOs may be used at any time during the course of the pregnancy, and/or following the birth of the child(ren), in accordance with Policy No. 302: Vacation Leave, and Policy No. 303: Personal Leave and EDOs.
- (2) SPECIAL LEAVE. Leave-Without-Pay for personal reasons may be granted by the City Manager upon request for periods not in excess of ninety (90) calendar days. Employees absent due to illness may be granted such leave after Sick Leave has

expired. Such leave may be extended or renewed beyond a total of ninety (90) calendar days with the approval of the City Manager. Upon return from such leave, the employee will be reinstated to the employee's old position, if it is available, or to one of equal grade. The City may, at the employee's request, continue to pay its share of the premium for the employee's medical care and life insurance.

G. JURY DUTY

When an employee is called to serve as a juror in any court, the City Manager may authorize that the employee continue to receive her or his regular City pay during that period she or he serves as a juror. Jury Duty provisions also apply to Regular Part-Time employees.

H. ADMINISTRATIVE LEAVE

The City Manager has the authority to grant paid administrative leave when in his or her discretion no other type of leave is appropriate.

Section 303. HOLIDAYS.

- A. The following ten (10) days shall be holidays for which all Regular Full-Time and Regular Part-Time employees shall receive their regular compensation:

New Year's Day	Third Monday in January
Dr. Martin Luther King, Jr. Day	Third Monday in February
Presidents' Day	Last Monday in May
Memorial Day	
Independence Day	First Monday in September
Labor Day	Fourth Thursday in November
Thanksgiving Day	
Day After Thanksgiving	
Christmas Eve	
Christmas Day	

- B. For employees in Pay Grades 304 through 306, and Pay Grades 504 and 505, December 31st is designated as a holiday in lieu of the Day After Thanksgiving.
- C. The City Manager is authorized to make adjustments in the holidays designated in "A" and "B" above, particularly when any of the above designated days falls on a Saturday or Sunday, providing that there shall be a total of ten (10) paid holidays recognized for any one calendar year.
- D. Crossing Guards shall receive their regular compensation (i.e., holiday pay) for all City recognized holidays above, with the exception of Independence Day. In addition, Crossing Guards shall also receive their regular compensation for any School District Calamity Day or In-Service Day / Professional Trade Day that occurs while schools are in session. No holiday pay shall be due Crossing Guards for holidays and/or school breaks recognized by the School District that differ from City recognized holidays.
- E. Full-time employees eligible for overtime compensation, except those described in paragraph G, shall receive two (2) times their regular rate in addition to their regular compensation (holiday pay) for work performed on the day observed as the holiday, or for Firefighters, on the actual holiday, unless the holiday is a regular scheduled work day. An exception is that the City Manager may stipulate that one and one half times the regular rate be paid for such overtime on Labor Day.

- F. Fire Battalion Chiefs working a four (4) 10-hour day/work schedule will receive 10 hours holiday pay if the recognized holiday falls on the employee's normally scheduled work day; if the recognized holiday does not fall on a Fire Battalion Chief's normally scheduled work day, the Fire Battalion Chief will receive no holiday pay. The City Manager may make adjustments in a Fire Battalion Chief's holiday hours/pay to avoid potential inequities resulting due to a Fire Battalion Chief's schedule.
- G. Fire Department personnel assigned to rotating or other shifts which require an employee to regularly work a full work schedule during the week in which a holiday occurs will be paid an extra day's pay for each such holiday. Such Regular Full-Time employees who are regularly eligible for overtime pay shall receive double their regular rate for work on a holiday in excess of a regular eight (8) hour shift or twenty-four (24) hour shift for Firefighters assigned to a fifty-six (56) hour average workweek schedule. The City Manager may, at his or her sole discretion, extend similar double-time provisions to Regular Part-Time employees in the Police Department who work on a holiday in excess of their regularly scheduled hours.

H. PERSONAL LEAVE AND EARNED DAYS OFF

- (1) In addition to the ten (10) paid holidays indicated above in this Section, each Regular Full-Time employee may be granted three (3) days (24 hours) of paid Personal Leave annually. Regular Full-Time Police Department Uniformed Deputy Bailiffs and Jailers may be granted four (4) days (32 hours) of paid Personal Leave annually. Paid Personal Leave must be scheduled in advance and be approved by the department director.
- (2) Personal Leave will be accounted for on an annual basis, as determined by the City Manager, with no accumulation or carryover from one year to the next. An employee is entitled to his or her Personal Leave Credit for the year during which he or she received an initial appointment, provided employment commenced prior to October 1st, except that an employee may not receive credit for his or her third, fourth or fifth day of paid Personal Leave unless employment commenced prior to July 1st. An employee is not entitled to a Personal Leave day until a minimum of thirty (30) days have elapsed after initial appointment or last break in service, unless special exception is made by the City Manager on an individual basis to waive or reduce this period.
- (3) A Fire Battalion Chief assigned to a fifty-six (56) average hour workweek schedule shall not receive Personal Leave days but instead shall receive twelve (12) EDOs annually. EDOs must be scheduled in advance in compliance with Fire Department procedures and approved by the Fire Chief. The Fire Chief will determine the smallest increments in which EDOs are accounted for, with no accumulation or carryover from one year to the next.

Section 304. EDUCATIONAL ASSISTANCE.

- A. The City will pay 80% of the tuition costs, necessary fees and texts for courses related to a Regular Full-Time employee's current position or her/his preparation for career advancement. The maximum payment for all Regular Full-Time employees shall be \$1,000 per calendar year.

- B. Requests for educational assistance must be submitted by an employee to the City Manager through division and department directors and the Director of Human Resources.
- C. If the employee's service with the City is terminated for any reason within two (2) years of completion of the course, the City Manager may require that he or she return the City's outlay on a pro rata basis.
- D. The City Manager may authorize the advance of educational assistance for an employee from future years and formulate an equitable arrangement for pay back to the City should the employee terminate their service with the City.

Section 305. UNIFORM ALLOWANCE.

- A. Upon appointment, Regular Full-Time employees in the positions of Police Chief, Fire Chief, Police Captain, Assistant Fire Chief, Fire Battalion Chief, Police Lieutenant, Fire Captain, Police Sergeant, Patrol Officer and Firefighter shall be furnished minimum uniform requirements which remain City property until the individual has served one (1) year. All of the above employees issued uniforms shall receive an annual uniform allowance to be distributed in four (4) equal payments at the beginning of each quarter except that the uniform maintenance allowance is only paid to an eligible employee after the employee's completion of one (1) year of service. In the event that an employee leaves the City's employment prior to the end of the quarter, no refund on uniform allowance shall be required. The Police Chief and Police Captains, shall receive an annual uniform maintenance allowance of \$1,500. The Fire Chief, Assistant Fire Chiefs and Fire Battalion Chiefs shall receive an annual uniform maintenance allowance of \$700 (beginning in 2013), in conjunction with their participation in a Quartermaster Program.
- B. The City Manager is authorized to provide a uniform allowance or purchase (or reimburse employees for the purchase) or rent uniforms, including safety/work shoes, for those employees for whom he determines such an arrangement is appropriate. The extent and provision of such arrangement shall be at the discretion of the City Manager. All clothing furnished shall remain the property of the City.
- C. In lieu of, or in combination with, the annual uniform allowances specifically provided for in Section 305.A., the City Manager is authorized to purchase or rent uniforms, including safety/work shoes, as provided for in Section 305.B. When using this provision, the City Manager may reduce or eliminate such allowances and vary the amount and interval of any allowance to be paid to an employee.

Section 306. ANNUAL PHYSICAL EXAMINATION OF CITY MANAGER, DEPARTMENT AND DIVISION DIRECTORS.

The City Manager may authorize payment to an appropriate medical facility or physician, for the administration of an annual physical examination to employees and/or officials at the level of City Manager, Assistant City Manager, Department Director and Division Director.

Section 307. FLEXIBLE SPENDING ACCOUNTS, HEALTH SAVINGS ACCOUNTS AND HEALTH REIMBURSEMENT ACCOUNTS

- A. Regular Full-Time employees, and other employees, as deemed eligible by the City Manager, may participate in Flexible Spending Accounts (FSAs), Health Savings Accounts (HSAs), Health Reimbursement Accounts (HRAs) and other benefit arrangements qualifying under Section 125 and Section 223 of the Internal Revenue Code. Such accounts are provided for under a Plan Document (the "Plan") and allow

eligible employees to take advantage of tax-effective opportunities to pay for certain benefits with before-tax dollars.

- B. On behalf of the City of Kettering, the City Manager is authorized to sign Plan Documents (the "Plan") adopting, implementing, maintaining and revising Flexible Spending Accounts, Health Savings Accounts, Health Reimbursement Accounts, and other accounts; all such accounts qualifying under Section 125 and Section 223 of the Internal Revenue Code.
- C. On behalf of the City of Kettering, the City Manager is authorized to sign agreements, and amendments to same, with a third party administrator in order to provide for the administration of the Plan or portions thereof. The City Manager is authorized to set Plan Year effective dates for each Plan Account, and to set eligibility dates for various employee groups to begin Plan participation.
- D. The Plan's design may include the following Accounts (illustrative only), which are subject to the provisions of the Plan and applicable IRS regulations:
 - 1. Dependent Care – Flexible Spending Account — Employees may pay for qualifying dependent/child care expenses on a before-tax basis.
 - 2. Medical Reimbursement – Flexible Spending Account and Health Savings Accounts, and Health Reimbursement Accounts — Employees may pay for qualifying unreimbursed health care expenses incurred for themselves and eligible dependents on a before-tax basis.

Article IV. ADMINISTRATIVE AND PROCEDURAL MATTERS.

Section 400. The Finance Director may expend City funds as approved by the City Manager for supplies, food, beverages and staff support at meetings, work sessions or other gatherings of City employees, Council, Boards, Commissions, Committees, Volunteers and guests.

The City Manager is authorized, and at his or her sole discretion, may approve the purchase of alcoholic beverages for the functions stated in Sections 400 and 401, especially where he deems such purchase and consumption is consistent with the promotion of the general business of the City, the welfare of the municipality, and recognition determined to be in the best interests of the City.

Section 401. In recognition of years of service and in recognition of special contributions made by members of City Council, City Employees, Part-Time Firefighters, members of boards and commissions and other volunteers, the City Manager may authorize the expenditure of City funds, as appropriate, for service awards, recognition awards, items of monetary value and to assume/offset payroll withholdings that an award recipient might otherwise be obligated for, in a manner consistent with such recognition.

Section 402. CLAIMS FOR LOSS OF EMPLOYEE PROPERTY.

- A. The City will not accept responsibility for any loss of employee's personal property incurred either on or off of duty except when an employee has been suddenly and unexpectedly called out for emergency duty without an opportunity to divest themselves of personal property attached to the employee's body, such as apparel, fountain pens, watches, dentures or inexpensive jewelry. In no case will the City assume responsibility for expensive watches, jewelry, or other costly items which should be insured by the owners.

- B. No reimbursement will be made to employees for articles that are not normally worn or attached to the body or for articles that are deliberately taken to work by them for their own satisfaction. Nor will any reimbursement be made to employees by the City for losses sustained as a result of their misconduct. In those cases, where reimbursement is authorized, it will be limited to no more than the actual cost of repairs or to the original cost of the items.

Section 403. PERSONNEL BONDS.

The following personnel shall be separately bonded for amounts not less than indicated:

Finance Director	\$25,000
Clerk of Courts (set by judges)	6,000
All other employees as deemed necessary by the City Manager	

All employees not covered by separate bond shall be included in the "Public Employees Blanket Coverage Endorsement." All such bonds shall be faithful performance bonds.

Section 404. POLICE PROFESSIONAL LIABILITY INSURANCE.

The City will provide Police Professional Liability Compensatory Damage Insurance Coverage for each full-time Police Officer while acting within the scope of his or her employment.

Section 405. LEGAL SERVICES FOR KETTERING SCHOOL BOARD.

The Law Director, although it is determined and provided not to be required as part of his or her normal duties, may contract with the Kettering City Board of Education to provide it legal services.

Section 406.

The City will pay the Ohio Supreme Court registration fees for all full-time City Attorneys.

Section 407. CAR ALLOWANCE.

The City Manager, at his or her sole discretion, may authorize payment of a car allowance in the amount of not more than \$375 per month, in lieu of providing City vehicles, to certain staff.

Section 408. EFFECTIVE DATE OF COMPUTATIONS.

Any changes in Article I Table of Organization and Position Classification Plan or the benefits for full-time, part-time and temporary employees, shall be computed from and after the earliest date provided by law, unless otherwise provided.

The effective date of computations for pay schedules and compensation for Regular Full-Time employees shall be computed from and after December 21, 2020, unless otherwise provided.

Compensation for the Mayor and other Council Members is controlled by and subject to Section 3-5 of the City Charter and the Codified Ordinances, Chapter 125.

The effective date of computations for the pay schedule for non-sworn Public Safety Dispatchers in Pay Grades 80 through 82, Section 200a, shall be computed from and after May 25, 2020.

The effective date of computations for pay schedules in Section 202 shall be computed from and after March 1, 2021.

The effective date of computations for pay schedules in Section 203 shall be computed from and after February 17, 2020.

The effective date of computations for pay schedules in Section 204 shall be computed from and after August 17, 2020.

The effective date of computations for pay schedules in Section 205 shall be computed from and after December 21, 2020.

The effective date of computations for pay schedules in Section 206 (Pay Grades 605 and 605-1) shall be computed from and after December 21, 2020.

The effective date of computations for pay schedules in Section 206-a. shall be computed from and after December 21, 2020.

The effective date of computations for pay schedules for Part-Time and Temporary employees in Section 209, paragraph A, and Regular Part-Time employees in Section 209, paragraph B, shall be computed from and after December 21, 2020.

Section 409. ORDINANCES REPEALED.

Ordinance No. 4353-20 is hereby repealed in its entirety; except that employees shall be compensated as provided for in previous Ordinances until the effective dates of these new pay schedules.

Section 410. GRANTING OF PAY INCREASES AND OTHER SUPPLEMENTAL BENEFITS.

Nothing in the pay schedules or supplemental benefits authorized by this Ordinance shall be construed to require the City to grant increases in pay or benefits above the rates or levels as were authorized in previous Ordinances. Increases in pay or benefits are at the discretion of the City Manager. Similarly, at the sole discretion of the City Manager, any one or more employees (including employees who separated employment after the effective date of pay or benefit increases, however, before such increases are calculated, paid or realized) may or may not receive part or all of any general or across-the-board pay increases or increases in benefits authorized by the City Council, or may receive it at whatever date is determined by the City Manager.

Section 412. OFFICE OF CLERK OF COUNCIL

The Mayor shall have all authority necessary to manage and supervise, in conjunction with the City Manager, all employees in the Office of Clerk of Council, including the Clerk of Council; such authority shall be the same as the City Manager's authority to manage and supervise all other employees of the City and includes, by way of example and not limitation, authority to assign additional duties, approve leave time, payroll, and schedules, evaluate employee performance, and discipline employees. The Mayor shall report to City Council from time to time regarding the exercise of this authority.

Section 413. EFFECTIVE DATE OF ORDINANCE.

This ordinance shall take full force and effect from and after the earliest period provided by law.

Passed 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 Human Resource Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

ACCEPTING THE RATES AS DETERMINED BY THE BUDGET
COMMISSION AND AUTHORIZING THE NECESSARY TAX
LEVIES AND CERTIFYING SAME TO THE MONTGOMERY
COUNTY AND GREENE COUNTY AUDITORS

WHEREAS, action has been certified to this Council by the Budget Commission, together with an Auditor estimate of the rate of each tax necessary to be levied by this Council both within and without the ten mill tax limitation;

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

Section 1. That the rates, as determined by the Budget Commission in its certification, be, and the same are, hereby accepted.

Section 2. That the following taxes, both within and without the ten mill limitation, be and are hereby levied on the taxable property within this City effective January 1, 2021, collected in 2022:

<u>FUND</u>		<u>MILLS</u>
General Fund	3.50	(Voted - outside 10 mills)
General Fund	2.20	(Unvoted - inside 10 mills)
Police Pension	<u>.30</u>	(Unvoted - inside 10 mills)
	6.00	
Bond Retirement Fund	<u>.63</u>	(Voted -- outside 10 mills)
TOTAL	6.63	

Section 3. This Council directs the Clerk of Council to forward certified copies of this Resolution to the Montgomery County and the Greene County Auditors.

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

(Requested by Finance Director)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ACCEPT DONATIONS
FROM THE KETTERING FOPA AND KETTERING POLICE
FOUNDATION**

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

Section 1. The City Manager is hereby authorized to accept a donation of \$1,800 from the Kettering FOPA and \$1,800 from Kettering Police Foundation for the purchase of police mountain bikes for the Kettering Police Department's Bike Patrol Unit.

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: \$3600
Amount Budgeted: \$0
Acct. No.: 0600-72220

(Requested by: Police Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO CONTRACT WITH
MOTOROLA SOLUTIONS AND P & R COMMUNICATIONS FOR
UPGRADES TO THE KETTERING DISPATCH CENTER**

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 enter into one or more agreements with Motorola Solutions and P & R Communications for upgrades to the Kettering Dispatch Center, waiving sealed bidding. 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: \$80,000.00
Amount Budgeted: \$100,000.00
Acct. No. 2225 (E911 Fund)

(Requested by: Police Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ENTER INTO
AND IMPLEMENT A COLLECTIVE BARGAINING
AGREEMENT WITH THE FRATERNAL ORDER OF
POLICE KETTERING LODGE NO. 92, WHICH IS
CONSISTENT WITH A TENTATIVE AGREEMENT
REACHED BY THE BARGAINING TEAMS**

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 a collective bargaining agreement with the Fraternal Order of Police Kettering Lodge No. 92, which is consistent with a Tentative Agreement reached by the bargaining teams. 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: Human Resources Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE SUBMISSION OF APPLICATIONS FOR
FEDERAL FAST ACT FUNDS AND CORONAVIRUS RESPONSE
AND RELIEF SUPPLEMENTAL APPROPRIATIONS ACT FUNDS
THROUGH THE MIAMI VALLEY REGIONAL PLANNING
COMMISSION**

WHEREAS, the Miami Valley Regional Planning Commission (MVRPC) has solicited local government entities to submit new transportation projects for funding consideration in the Transportation Improvement Program; and

WHEREAS, the City has committed to a timely project development schedule; and

WHEREAS, the City will commit the necessary resources to support the estimated local cost portion of the projects and the following list of projects will be submitted to MVRPC, shown in order of the City's priority:

1. Wilmington Pike Resurfacing – Beaverton Drive to East Stroop Road (Project No. 02-108PA) - Estimated Local Share \$633,557.00;
2. Woodman Drive Resurfacing – Wilmington Pike to Stocker Drive (Project No. 02-106V) - Estimated Local Share \$237,200.00;
3. Marshall Road Improvements – East David Road to Wilmington Pike (Project No. 02-120i) - Estimated Local Share \$750,324.00;
4. Dorothy Lane Resurfacing– South Dixie Highway to Haig Avenue (Project No. 02-104G)- Estimated Local Share \$1,022,976.00; and

WHEREAS, the City requests the following exemptions from MVRPC's Complete Streets Policy for the proposed project funding applications:

1. Wilmington Pike Resurfacing – Beaverton Drive to East Stroop Road: Exception 4 - The project consists of maintenance, repair or resurfacing of an existing cross-section only;
2. Woodman Drive Resurfacing – Wilmington Pike to Stocker Drive: Exception 4 – The project consists of maintenance, repair or resurfacing of an existing cross-section only;
3. Marshall Road Improvements – East David Road to Wilmington Pike: The project includes the installation of a shared use path on the northern end of the project. For other section of the roadway, Exception 4 applies. The project consists of maintenance, repair or resurfacing of an existing cross-section only; and
4. Dorothy Lane Resurfacing– South Dixie Highway to Haig Avenue: Exception 8 – The volume of traffic, which exceeds 20,000 vehicles per day, makes it impractical for shared use by cyclists. All other users are accommodated with existing facilities. Additionally, the project consists primarily of maintenance, repair or resurfacing of an existing cross-section;

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

Section 1. This Resolution shall serve to authorize the transmittal and submittal of applications for the following transportation projects to MVRPC for funding consideration in the Transportation Improvement Program:

1. Wilmington Pike Resurfacing -- Beaverton Drive to East Stroop Road;
2. Woodman Drive Resurfacing -- Wilmington Pike to Stocker Drive;
3. Marshall Road Improvements -- East David Road to Wilmington Pike;
4. Dorothy Lane Resurfacing-- South Dixie Highway to Haig Avenue;

Section 2. The City Manager is hereby authorized to sign on behalf of the City the applications for funds as referred to in Section 1 of this Resolution.

Section 3. The City Manager is hereby directed and authorized to take or cause to be taken all other action necessary and proper to secure the funding sought by the applications referred to herein, and provide any additional information sought by reviewing agencies during the time the application is under review. The City Manager is further directed and authorized to cause compliance with all reporting requirements required by the Miami Valley Regional Planning Commission (MVRPC) as part of the funding process.

Section 4. Upon application approval, the City hereby states its commitment to the local contribution for the project as identified in these applications, including local contribution of costs exceeding the current estimates or subsequent revised estimates as accepted by the MVRPC.

Section 5. 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 USE COMPETITIVE
BARGAINING AND NEGOTIATED QUOTES AND TO
CONTRACT FOR ENGINEERING DESIGN SERVICES FOR THE
WEST AVENUE BRIDGE REHABILITATION PROJECT, CITY
PROJECT NO. 03-948**

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

Section 1. On the basis that the City can often obtain lower prices and more favorable purchasing conditions through competitive bargaining and negotiated quotations than through sealed bids, the City Manager is hereby authorized to use such bargaining and negotiation procedures and to enter into one or more contracts for engineering design services for the West Avenue Bridge Rehabilitation Project, City Project No. 03-948. 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: \$60,000.00
Amount Budgeted: 2021 CIP underspending funds available
Acct. No.: 5229-77750

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**TO DECLARE THE NECESSITY AND INTENTION OF
ACQUIRING PROPERTY INTERESTS IN PROJECT
PARCEL 21-WD OF KETTERING TRAFFIC SIGNAL
REPLACEMENTS - PHASE 3 PROJECT, CITY PROJECT
NO. 02-005D (ODOT PROJECT MOT-KETTERING
SIGNALS, PHASE 3, PID NO. 105950)**

WHEREAS, the City of Kettering desires to implement the Kettering Traffic Signal Replacements - Phase 3 Project, City Project No. 02-005D (ODOT Project MOT-Kettering Signals, Phase 3, PID No. 105950) (the "Project"); and

WHEREAS, the Project will benefit and preserve the public peace, health, safety, and welfare of this City by constructing and repairing public roads and related appurtenances and making new improvements as specified in the Project plans; and

WHEREAS, the acquisition of certain interests in real estate is necessary for completion of said Project;

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

Section 1. This Council deems it necessary to and, in accordance with law, declares its intention to appropriate a fee simple interest in Project Parcel 21-WD as described in Exhibit A, attached hereto and incorporated herein (the "Property"). Persons and entities that may claim an interest in the Property are identified in Exhibit A.

Section 2. The purpose of this appropriation is for the improvement of public roads as specified in the Project Plans. All elements of the Project are for the purpose of benefiting the public peace, health, safety, and welfare of this City.

Section 3. The Law Director or the Law Director's designee is authorized and directed to cause written notice of the adoption of this Resolution to be given to the owner(s), person(s) in possession of, or having an interest of record in, the Property or their authorized agent. The notice will be served by a person designated for that purpose and return made in the manner provided for the service and return of summons in civil actions. The Law Director or the Law Director's designee is further authorized, if necessary, to cause notice to be given by publication once a week for three consecutive weeks in a newspaper of general circulation in this City or as provided in R.C. §7.16.

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: \$611.00
Amount Budgeted: \$25,000.00 (for all project property acquisitions)
Acct. Nos.: 5107-77760 (permanent right-of-way)

(Requested by Engineering Department)

EXHIBIT A

KETTERING TRAFFIC SIGNAL REPLACEMENTS - PHASE 3 PROJECT,
CITY PROJECT NO. 02-005D (ODOT PROJECT MOT-KETTERING
SIGNALS, PHASE 3, PID NO. 105950)

Parcel 21-WD (Permanent)

21-WD = 0.0081 acres ± fee simple

Property Address/Location:

20 Rembrandt Boulevard, Kettering, OH 45420

Owner(s) and Other Parties claiming an Interest:

Greenmont Mutual Housing Corporation

Value of Interest To Be Acquired:

Parcel 21WD - \$611.00

Legal description of Parcel 21-WD follows this page.

EXHIBIT A

**PARCEL 21-WD
MOT – KETTERING SIGNALS PHASE 3
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF KETTERING, OHIO**

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

(Surveyor's description of the premises follows)

Situate in the City of Kettering, County of Montgomery, State of Ohio, Section 19, Town 2, Range 7, M.Rs., being part of a 115.911 acre parcel of land owned by Greenmont Housing Authority, as recorded in Deed Book 1215, Page 77 of the records of the Montgomery County Recorder's Office and being more particularly described as follows:

Being on the RIGHT side of the centerline of right-of-way of Patterson Road, as shown on the Patterson Road MOT – Kettering Signals Phase 3 Centerline Plat as recorded in Plat Book 236, Page 25 (I.R. Plat 20-) and being located within the following described points in the boundary thereof: **00074147**

All references herein to station and offset are to the centerline of right-of-way of Patterson Road.

COMMENCING, for reference, at a crossnotch found on the existing south right-of-way line of Patterson Road, the north line of Lot 1 of the Greenmont Dots Plat, as recorded Plat Book 221, Page 8 of the Plat Records of the Montgomery County Recorder's Office, being located at 30.00 feet right, Station 106+67.28;

thence across Rembrandt Boulevard, *South 82°21'38" East* for a distance of *108.93 feet* to a point in the east right-of-way line of Rembrandt Boulevard, the south right-of-way line of Patterson Road, the west line of a 86 square feet parcel of land conveyed to the City of Kettering by Deed M.F. 91 689 B04, and on the south line of a 0.05806 acre easement for public right-of-way and sidewalk purposes conveyed to the City of Kettering by Deed M.F. 87 313 D10, being located at 35.00 feet right, Station 107+76.10;

thence with the south right-of-way line of Patterson Road, the south line of said 0.05806 acre easement, and the north line of said 86 square feet parcel of land, *South 84°59'28" East* for a distance of *12.49 feet* to a point, being located at 35.00 feet right, Station 107+88.59 said point being the TRUE POINT OF BEGINNING, of the parcel herein described;

EXHIBIT A

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thence continuing with the south right-of-way line of Patterson Road, the south line of said 0.05806 acre easement, and the north line of a said 115.911 acre parcel of land, *South 84°59'28" East* for a distance of *16.97 feet* to an iron pin set on the south right-of-way line of Patterson Road, the south line of said 0.05806 acre easement, and the north line of said 115.911 acre parcel of land, being located at 35.00 feet right, Station 108+05.56;

thence with a new division line, *South 55°57'33" West* for a distance of *42.85 feet* to an iron pin set on the east right-of-way line of Rembrandt Boulevard, being located at 62.00 feet right, Station 107+72.28;

thence with said east right-of-way line of Rembrandt Boulevard, *North 5°00'32" East* for a distance of *14.93 feet* to a point on said east right-of-way line of Rembrandt Boulevard and the existing south line of said 86 square feet parcel of land, being located at 47.07 feet right, Station 107+72.28;

thence with the existing south line of said 86 square feet parcel of land, *North 58°30'49" East* for a distance of *20.29 feet* to the **TRUE POINT OF BEGINNING**, of the parcel herein described.

The above described area is contained within Montgomery County Auditor's Parcel Number N64 03503 0012 and contains 0.0081 acres, more or less, and being subject to all legal highway and any easements or restrictions of record. The P.R.O. in Take for Auditor's Parcel N64 03503 0012 is 0.0000 acres.

Prior instrument reference as of the date this survey was prepared: Deed Book 1215, Page 77 in the Deed Records of Montgomery County, Ohio.

This description was prepared and reviewed on May 21, 2020 by the City of Kettering Engineering Department.

This description is based on a survey made under the direction and supervision of Lee M. Thieman, Registered Surveyor Number 8758 in January, 2019.

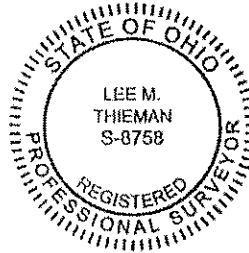
EXHIBIT A

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Monuments referred to as iron pins set are 30 inch long No. 5 iron pin with a yellow cap stamped "City of Kettering". Right-of-way monuments called for as set herein will be set upon the completion of the acquisition process.

All bearings shown are for project use only. They are based on 1983 North American Datum (2011 Adjustment) State Plane Coordinates (Ohio South Zone 3402) as determined by the City of Kettering.



Lee M. Thieman

Lee M. Thieman, Ohio Registered Surveyor No. 8758

12/07/2020
Date

PAUL W. GRUNER, P.E., P.S.
MONTGOMERY COUNTY ENGINEER
APPROVED FOR POINT OF BEGINNING,
ACREAGE AND CLOSURE ONLY
DATE 12/09/20 FILE NO. 2020-0130
BY Wayne B. W.

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO PURCHASE THE
REAL PROPERTY COMMONLY KNOWN AS 3404
WILMINGTON PIKE**

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

Section 1. The City Manager is hereby authorized to purchase the real property commonly known as 3404 Wilmington Pike, Kettering, Ohio for an amount, excluding typical closing and transaction costs, not to exceed \$35,000. Additional terms and conditions that the City Manager deems appropriate may also be included. The City Manager is authorized to sign any necessary agreements and instruments, including amendments thereto, for this transaction.

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: \$35,000
Funds Available: \$0
Acct. No.: 0550-72550

(Requested by: Planning and Development Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING A DONATION TO KETTERING BACKPACK,
INC. FOR THE KETTERING BACKPACK PROGRAM**

WHEREAS, the public health emergency caused by the Coronavirus Disease 2019 (COVID-19) negatively impacted households with children in Kettering; and

WHEREAS, through its Kettering Backpack Program, Kettering Backpack, Inc. provides food assistance to effected children; and

WHEREAS, COVID-19 caused additional demand on the Kettering Backpack Program; and

WHEREAS, feeding hungry children residing in Kettering serves the public interest;

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 make a \$30,000 donation to Kettering Backpack, Inc. to be used to procure food and related items for its Kettering Backpack Program.

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

Estimated Cost: \$30,000.00
Amount Budgeted: \$0
Acct. No.: 1820-72550

(Requested by: Planning and Development Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO APPLY FOR A
SUPPLEMENTAL GRANT FROM THE U.S. SMALL
BUSINESS ADMINISTRATION**

WHEREAS, the City of Kettering Frazee Pavilion is eligible to apply for a supplemental Shuttered Venues Grant ("Grant") from the U.S. Small Business Administration; and

WHEREAS, matching funds from the City are not required under this supplemental Grant; and

WHEREAS, if awarded, acceptance of the supplemental grant will result in an amended performance period of March 1, 2020 through June 30, 2022;

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 take all necessary and proper action to apply for the above-described supplemental Grant from the U.S. Small Business Administration.

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 & Cultural Arts Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**TO MAKE APPROPRIATIONS FOR CURRENT
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. That to provide for the current expenditures of the City of Kettering during the fiscal year ending December 31, 2021, the following sums be and are hereby set aside and appropriated as follows, to-wit:

A. From the General Fund:

<u>CODE</u>			
101-0050	MAYOR AND COUNCIL		
	Personal Service	\$	2,000
101-0100	MUNICIPAL COURT		
	Personal Service	\$	19,100
101-0150	CLERK OF COURTS		
	Personal Service	\$	13,200
101-0250	OFFICE OF THE CITY MANAGER		
	Personal Service	\$	15,800
101-0300	DEPARTMENT OF LAW		
	Personal Service	\$	19,900
101-0350	DEPARTMENT OF FINANCE		
	Personal Service	\$	46,800
101-0400	ADMINISTRATIVE SYSTEMS		
	Personal Service	\$	15,700
101-0450	HUMAN RESOURCES DEPARTMENT		
	Personal Service	\$	17,000
101-0500	PLANNING AND DEVELOPMENT DEPARTMENT		
	Personal Service	\$	46,400
101-0550	ECONOMIC DEVELOPMENT		
	Personal Service	\$	3,700
	Operating expenditures	\$	50,000
101-0600	POLICE DEPARTMENT		
	Personal Service	\$	132,600
	Operating expenditures	\$	3,600
101-0700	FIRE DEPARTMENT		
	Personal Service	\$	133,700
	Operating expenditures	\$	8,100
101-0800	ENGINEERING DEPARTMENT		
	Personal Service	\$	45,900

101-1700	COMMUNITY INFORMATION		
	Personal Service	\$	2,500
	OTHER COST CENTERS	\$	35,500
TRANSFERS TO OTHER FUNDS			
	Street Maintenance Fund	\$	18,600
	Police Pension Fund	\$	1,900
	Parks & Recreation Fund	\$	<u>77,800</u>
	GRAND TOTAL GENERAL FUND	\$	709,800
B. <u>From the Street Maintenance Fund:</u>			
202-2000	STREET DEPARTMENT		
	Personal Service	\$	18,600*
*Includes Transfer from General Fund			
C. <u>From the Police Pension Fund:</u>			
213-2150	POLICE DEPARTMENT		
	Personal Service	\$	1,900*
*Includes transfer from General Fund			
D. <u>From the Parks and Recreation Fund:</u>			
246-2400	PARKS & RECREATION DEPARTMENT		
	Personal Service	\$	77,800*
*Includes Transfer from General Fund			
E. <u>From the Frazee Pavillion Operations Fund:</u>			
247-2200	HUMAN SERVICES		
	Personal Service	\$	9,600
F. <u>From the Special Grants and Programs Fund:</u>			
	Court Computerization/Automation	\$	1,200

Section 2. The Director of Finance is hereby authorized to draw her warrants and make payments from any of the foregoing appropriations upon receiving proper certificates and vouchers approved by the officials, department heads, or their respective designees, authorized by law to approve the same, or, an Ordinance or Resolution of Council to make the expenditures, provided that no warrants shall be drawn or paid for salaries or wages except for persons employed by authority of and in accordance with law or Ordinance. The Director of Finance is hereby authorized to adjust appropriations within any Fund or department so long as the adjustments made do not exceed the total appropriation authorized within any Fund or department. The Finance Director is further authorized to establish additional funds as may from time to time be required by the State of Ohio or as directed by the City Manager.

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: \$720,600 (net transfers)
Amount Budgeted: \$0
Acct. No.: Various

(Requested by: Finance Department)

CITY OF KETTERING, OHIO
AN EMERGENCY ORDINANCE

By:

No.

**TO APPROPRIATE PROJECT PARCELS 13-WD
OF THE KETTERING TRAFFIC SIGNAL
REPLACEMENTS - PHASE 3 PROJECT, CITY PROJECT
NO. 02-005D (ODOT PROJECT MOT-KETTERING
SIGNALS, PHASE 3, PID NO. 105950); AND TO DECLARE
AN EMERGENCY**

WHEREAS, the acquisition of real property interests is necessary for the Kettering Traffic Signal Replacements - Phase 3 Project and is also necessary on an immediate basis for the preservation of the public peace, health, safety, and welfare.

NOW, THEREFORE, Be It Ordained by the Council of the City of Kettering, State of Ohio, at least five of the members concurring, that:

Section 1. Under the Constitution and the laws of the State of Ohio, the following described property and estate(s) or interest(s) therein (combined, the "Property") are hereby appropriated: a fee simple interest in the property described as Project Parcel 13-WD and more particularly described in attached Exhibit A. The purpose of this appropriation of property is the improvement of public streets and roadways, including traffic signal upgrades and other related appurtenances as described in the project plans (combined, the "Project"). All elements of the Project are for the purpose of benefiting the public peace, health, safety, and welfare of this City.

Section 2. This Council finds that the appropriation is required for the stated public purpose, that the City has been unable to agree with the owner(s) of the Property, and that the immediate possession of the Property is necessary for the Project.

Section 3. This Council determines that the total value of the appropriated Property, including the damages, if any, to the residue, is \$300.00.

Section 4. The Law Director of this City is hereby authorized to take or cause to be taken any action necessary for the City to immediately gain possession and ownership of the Property, including, but not limited to, filing or causing to be filed an appropriation action in a court of competent jurisdiction so that the amount of compensation to be paid for the Property may be determined.

Section 5. This Ordinance is hereby declared to be an emergency measure on the basis that: it is necessary for the immediate preservation of the public peace, health, safety, and welfare; any delay may cause Project funding from the Ohio Department of Transportation to be withdrawn, Project bidding to be delayed, and construction costs to increase; and it is necessary to cause the Project to be implemented as soon as possible for continued vehicular and pedestrian safety. Therefore, this Ordinance shall become and be effective immediately upon its passage.

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: \$300.00
Amount Budgeted: \$25,000.00 (for all project property acquisitions)
Acct. Nos.: 5107-77760 (permanent right-of-way)

(Requested by Engineering Department)

EXHIBIT A

PARCEL 13-WD
MOT – KETTERING SIGNALS PHASE 3
ALL RIGHT, TITLE AND INTEREST IN FEE SIMPLE
IN THE FOLLOWING DESCRIBED PROPERTY
WITHOUT LIMITATION OF EXISTING ACCESS RIGHTS
IN THE NAME AND FOR THE USE OF THE
CITY OF KETTERING, OHIO

Grantor/Owner, for himself and his heirs, executors, administrators, successors and assigns, reserves all existing rights of ingress and egress to and from any residual area (as used herein, the expression "Grantor/Owner" includes the plural, and words in the masculine include the feminine or neuter).

(Surveyor's description of the premises follows)

Situate in the City of Kettering, County of Montgomery, State of Ohio, Section 30, Town 2, Range 6, M.Rs., being part of Lot 444 of the Oak Park Plat as recorded in Plat Book "N", Page 65 & 66 of the Plat Records of Montgomery County, Ohio and a 0.1377 acre parcel of land owned by Kevin J. Thomas, as recorded in DEED M.F. 98 840D01 of the records of the Montgomery County Recorder's Office and being more particularly described as follows:

Being on the LEFT side of the centerline of right-of-way of East Dorothy Lane, as shown on the East Dorothy Lane MOT – Kettering Signals Phase 3 Centerline Plat as recorded in Plat Book 236, Page 24 (I.R. Plat 20-) and being located within the following described points in the boundary thereof: **00074146**

All references herein to station and offset are to the centerline of right-of-way of East Dorothy Lane.

COMMENCING, for reference, at a 1" iron pin found in a monument box on the north line of Section 29, the south line of Section 30, and being in the existing centerline of East Dorothy Lane, as recorded in Plat Book 70, Page 77 of the Plat Records of the Montgomery County Recorder's Office, being located at 0.00 feet left, Station 214+49.93;

thence with the north line of Section 29, the south line of Section 30, and said existing centerline of East Dorothy Lane *South 88°16'54" East* for a distance of *1074.11 feet* to a point, being located at 0.00 feet left, Station 225+24.04;

thence departing the north line of Section 29, the south line of Section 30, and the said existing centerline of East Dorothy Lane, *North 1°43'06" East* for a distance of *35.00 feet* to a point the north right-of-way line of East Dorothy Lane, the existing east right-of-way line of Colonial Avenue, the south line of said 0.1377 acre parcel, and the north line of a 0.1033 acre parcel of land conveyed to the City of Kettering by Deed Book 2232, Page 320, being located at 35.00 feet left, Station 225+24.04, said point being the **TRUE POINT OF BEGINNING**, of the parcel herein described;

EXHIBIT A

LPA RX 851 WD

Ver. Date 07/08/20

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thence with said existing east right-of-way line of Colonial Avenue and the west line of said 0.1377 acre parcel, *North 4°12'16" East* for a distance of *12.62 feet* to an iron pin set on said existing east right-of-way line of Colonial Avenue and the west line of said 0.1377 acre parcel, being located at 47.60 feet left, Station 225+24.59;

thence with a new division line, *South 45°38'27" East* for a distance of *18.61 feet* to an iron pin set on said north right-of-way line of East Dorothy Lane, the south line of said 0.1377 acre parcel, and the said north line of said 0.1033 acre parcel of land, being located at 35.00 feet left, Station 225+38.28;

thence with said north right-of-way line of East Dorothy Lane, the south line of said 0.1377 acre parcel, and the north line of said 0.1033 acre parcel of land, *North 88°16'54" West* for a distance of *14.24 feet* to the **TRUE POINT OF BEGINNING**, of the parcel herein described.

The above described area is contained within Montgomery County Auditor's Parcel Number N64 00807 0150 and contains 0.0021 acres, more or less, and being subject to all legal highway and any easements or restrictions of record. The P.R.O. in Take for Auditor's Parcel N64 00807 0150 is 0.0000 acres.

Prior instrument reference as of the date this survey was prepared; DEED M.F. 98 840D02 in the Deed Records of Montgomery County, Ohio.

This description was prepared and reviewed on May 21, 2020 by the City of Kettering Engineering Department.

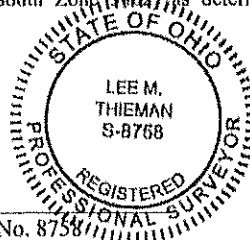
This description is based on a survey made under the direction and supervision of Lee M. Thieman, Registered Surveyor Number 8758 in January, 2019.

Monuments referred to as iron pins set are 30 inch long No. 5 iron pin with a yellow cap stamped "City of Kettering". Right-of-way monuments called for as set herein will be set upon the completion of the acquisition process.

All bearings shown are for project use only. They are based on 1983 North American Datum (2011 Adjustment) State Plane Coordinates (Ohio South Zone 1400), as determined by the City of Kettering.

PAUL W. GRUNER, P.E., P.S.
MONTGOMERY COUNTY ENGINEER
APPROVED FOR POINT OF BEGINNING,
ACREAGE AND CLOSURE ONLY
DATE 12/09/20 FILE NO. 2020-0130

BY Lee M. Thieman
Lee M. Thieman, Ohio Registered Surveyor No. 8758



12/07/2020
Date

CERTIFICATION

DATE: September 21, 2021
TO: Mayor and Council, City of Kettering
FROM: Planning Commission
SUBJECT: PC-21-015 - Zoning Text Amendment

Planning Commission hereby certifies that a public hearing was held on September 20, 2021 with a decision reached at that meeting concerning a request to amend selected portions of the City of Kettering Zoning Code.

Planning Commission hereby submits its recommendation to Council that the requested zoning code text amendments be approved.

Vote of the Planning Commission

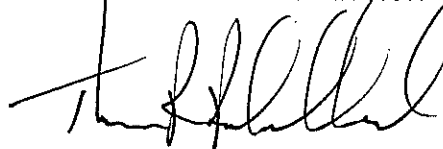
The motion recommending approval was passed by a vote of 5:0.

Reason for Request

The primary purpose of this request is to expand the type of uses conditionally permitted in a BP-Business Park Zoning District. This will add Residential Multi-Unit 13-Plus Units and Restaurants as conditionally permitted uses in the BP-Business Park district. It will also add special conditions for development of multi-unit residence and restaurants. Lastly, this code amendment is to correct errors to change the name of I-Industrial district to BP-Business Park district in several sections.

Respectfully submitted,

KETTERING PLANNING COMMISSION



By: Tom Robillard, Director
Planning and Development Department

CERTIFICATION

DATE: September 21, 2021

TO: Mayor and Council, City of Kettering

FROM: Planning Commission

SUBJECT: PC-21-016 – Comprehensive Plan Amendments

Planning Commission hereby certifies that a public hearing was held on September 20, 2021, requesting amendments to the Kettering Comprehensive Plan.

Planning Commission hereby submits its recommendation to Council that the requested Comprehensive Plan Amendments be approved.

Vote of the Planning Commission

The motion recommending approval was passed by a vote of 5:0.

Reason for Request

Amending the Professional Office and Research Land Use category in the Kettering Comprehensive Land Use Plan to include "Professional office and research facilities with mixed use support retail and high density residential" uses will allow a broader mix of uses in Business Park zoning districts and encourage future economic development in Kettering.

Respectfully submitted,

KETTERING PLANNING COMMISSION


By: Tom Robillard, Director
Planning and Development Department