



## CITY OF KETTERING

PEGGY LEHNER, MAYOR • TONY KLEPACZ, VICE MAYOR  
BRUCE E. DUKE • LISA DUVALL • JACQUE FISHER • JYL HALL • BOB SCOTT

### KETTERING COUNCIL AGENDA

**January 11, 2022**

**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**

#### **SWEARING IN OF ELECTED OFFICIALS**

Peggy Lehner- Mayor- Term ending 12/31/25 (to be sworn in by Don Patterson)  
Jacque Fisher- At Large- Term ending 12/31/25 (to be sworn in by Mayor Peggy Lehner)  
Jyl Hall- At Large- Term ending 12/31/25 (to be sworn in by Tony Hall)

#### **APPOINTMENT OF VICE MAYOR (TERM ENDING 12/31/23)**

#### **APPROVAL OF MINUTES**

December 14, 2021- Council Meeting & Workshop Minutes

#### **APPOINTMENTS- 2022 COUNCIL COMMITTEES**

Long Range Planning- Mr. Duke, Chair- Ms. Hall  
Intergovernmental/Interagency Relations- Mrs. Fisher, Chair- Mr. Klepacz  
Community Relations & Promotions- Ms. Hall, Chair- Mrs. Fisher  
Finance & Personnel- Mr. Klepacz, Chair- Ms. Duvall  
Public Health & Safety- Mr. Scott, Chair- Mr. Duke  
Public Service- Ms. Duvall, Chair- Mr. Scott

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

##### **Sister City Committee**

Al Fullenkamp, Robin Wittman, Bloom Beloved, Lynda Hohnhorst (Terms ending 12/31/24)

##### **Board of Zoning Appeals**

Pat Higgins (Term ending 12/31/26)

##### **Planning Commission**

Don Rethman (Term ending 12/31/26)

##### **Personnel Board of Appeals**

William Linesch (Term ending 12/31/22)

##### **Volunteer Advisory Council**

Jey Ellis, Chris Wright (Terms ending 12/31/24)

**Kettering Arts Council**

Michael Weber, Meghan Thomas, Pat Higgins, Christian Davell, Sandra Doninger, Tracy McElfresh (Terms ending 12/31/23)

**Board of Community Relations**

Cathi Spaughy, Tawana Jones (Terms ending 12/31/24)

**Civil Service Commission**

Jeffrey Mullins (Term ending 12/31/26)

**Parks, Recreation and Cultural Arts Advisory Board**

Shane Sullivan, Rob Leonard (Terms ending 12/31/26)

**Board of Tax Review**

William Forsthoefel, Cynthia Platt (Terms ending 12/31/23)

**Board of Plumbers' Registry**

Ben Shannon (Term ending 12/31/23)

**PUBLIC HEARINGS****PUBLIC COMMENT ON LEGISLATION**

(5 Minute Limit per Speaker)

**ORDINANCES IN SECOND READING****RESOLUTIONS**

1. Authorizing the City Manager to enter into a five-year Housing Revolving Loan Fund Administration Agreement with the State of Ohio, Development Services Agency.
2. Authorizing the City Manager to accept and administer a Community Housing Improvement Program Grant from the Ohio Development Services Agency.
3. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for printing of *City Publications*.
4. Authorizing the City Manager to advertise for bids and to contract for the 2022 Curb, Sidewalk and Drive Approach Repair Program (City Project No. 05-122).
5. Authorizing the City Manager to advertise for bids and/or use competitive bargaining and negotiated quotes and to contract for the 2022 Street Maintenance Program.
6. Authorizing the City Manager to advertise for bids and to contract for the Ansel Drive Bridge Rehabilitation Project- City Project No. 03-947 (ODOT Project MOT-Kettering Ansel Dr Bridge Rehab, PID 111598).
7. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for general engineering services.
8. Authorizing the City Manager to advertise for bids and to contract for the Hewitt Avenue Bikeway Connector Project- City Project No. 05-004H (ODOT Project MOT-Hewitt Avenue Bikeway, PID 105751).
9. Authorizing the City Manager to advertise for bids and to contract for Kettering Traffic Signal Replacements-Phase 3, City Project No. 02-005D (ODOT Project MOT-Kettering Signals-Phase 3, PID 105950).
10. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for right-of-way acquisition services.
11. Authorizing the City Manager to advertise for bids and to contract for the Smithville Road Resurfacing Project, Wilmington Pike to North Corporation Limit- City Project No. 02-134F.
12. Authorizing the City Manager to advertise for bids and to contract for the West Stroop Road and Southern Boulevard Traffic Signal Replacement Project- City Project No. 02-112J.
13. Authorizing the City Manager to enter into one or more agreements with Montgomery County and Starwin Industries, LLC for an ED/GE Program funding award and an economic development incentive grant.

14. Authorizing the City Manager to accept and administer a Natureworks Grant from the Ohio Department of Natural Resources.
15. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for the purchase of fire uniforms and station wear in 2022.
16. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for Phase I landscape installation at Lincoln Park Civic Commons.
17. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for landscape installation at Ridgeway Bridge.
18. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for the removal and replacement of trees on city owned properties.
19. To make supplemental appropriations for current expenses and other expenditures of the City of Kettering, State of Ohio, during the fiscal year ending December 31, 2022.

#### **ORDINANCES IN FIRST READING**

20. 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.

#### **CERTIFICATIONS AND PETITIONS**

#### **MANAGER'S REPORT/COMMUNITY UPDATE**

#### **OTHER BUSINESS NOT ON WRITTEN AGENDA**

Audience Participation (5 Minute Limit per Speaker)

#### **CITY COUNCIL REPORT/UPDATE**

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

### **KETTERING CITY CALENDAR** **2022**

January 11	4:00 p.m. 6:00 p.m. 7:30 p.m.	Partners for Healthy Youth Council Workshop City Council Meeting
January 17	All Day	Government Center Closed
January 24	7:00 p.m. 7:30 p.m.	Board of Zoning Appeals Sister Cities
January 25	6:00 p.m. 7:30 p.m.	Council Workshop City Council Meeting

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ENTER INTO A  
FIVE-YEAR HOUSING REVOLVING LOAN FUND  
ADMINISTRATION AGREEMENT WITH THE STATE OF OHIO,  
DEVELOPMENT SERVICES AGENCY**

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 five-year Housing Revolving Loan Fund Administration Agreement with the State of Ohio, Development Services Agency. The City Manager is further authorized to enter into any amendments thereto that the City Manager deems are appropriate and in the interest of the City.

Section 2. This Resolution shall take full force and effect immediately upon its adoption.

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. LAVENDER,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER, III,  
Law Director

Estimated Cost:      \$91,816.88  
Funds Available:      \$91,816.88  
Acct. No.:              Fund 291- Home CHiP Program

(Requested by: Planning and Development Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ACCEPT AND  
ADMINISTER A COMMUNITY HOUSING  
IMPROVEMENT PROGRAM GRANT FROM THE OHIO  
DEVELOPMENT SERVICES AGENCY**

WHEREAS, the City applied for a Community Housing Improvement grant from the Ohio Development Services Agency to assist with meeting the need for affordable housing in the City; and

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

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

Section 1. The City Manager is hereby authorized, on behalf of the City of Kettering, to take all necessary and proper action to accept and administer the above-described grant from the Ohio Development Services Agency. Furthermore, Council ratifies the grant application and affirms all matters and statements included therein. 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 \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER III,  
Law Director

Estimated Cost:     \$250,000  
Funds Available:    \$250,000  
Acct. No.:            Fund 291

(Requested by: Planning and Development Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE  
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT  
FOR PRINTING OF *CITY PUBLICATIONS***

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 to contract for the printing of *City Publications*. 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 \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER, III,  
Law Director

Estimated Cost: \$46,048.50  
Amount Budgeted: \$37,900  
Acct. No.: 1700-72210

(Requested by: City Manager's Office)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR  
BIDS AND TO CONTRACT FOR THE 2022 CURB, SIDEWALK  
AND DRIVE APPROACH REPAIR PROGRAM (CITY PROJECT  
NO. 05-122)**

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

Section 1. The City Manager is hereby authorized to advertise for bids and to enter into one or more contracts for the 2022 Curb, Sidewalk and Drive Approach Repair Program (City Project No. 05-122), in accordance with Chapter 152 of the Kettering Administrative Code, titled Purchases and Contracts. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

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

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

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

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER III,  
Law Director

Estimated Cost:       \$1,170,000  
Amount Budgeted:   \$1,170,000  
Acct. No.:           5212-77750 (\$750,000)  
                          5218-77750 (\$232,000)  
                          5218-77750 (\$28,000) OPWC Grant  
                          5228-77750 (\$160,000)

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ADVERTISE  
FOR BIDS AND/OR USE COMPETITIVE BARGAINING  
AND NEGOTIATED QUOTES AND TO CONTRACT FOR  
THE 2022 STREET MAINTENANCE PROGRAM**

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

Section 1. The City Manager is hereby authorized to advertise for bids and/or use competitive bargaining and negotiated quotes, as deemed by the City Manager to be most advantageous to the City, and enter into one or more contracts for the 2022 Street Maintenance Program, a summary of which is attached hereto as Exhibit "A." The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

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

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

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

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER III,  
Law Director

Estimated Cost:       \$2,551,000.00  
Amount Budgeted:     \$2,551,000.00  
Account No.:           See attached

(Requested by: Engineering Department)



**EXHIBIT A**

(2 total pages, including this page)

PROJECTS (SEPARATED BY PROPOSED CONTRACTS)	PROJECT NUMBERS	DOLLARS	ACCOUNT NO.
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Asphalt Resurfacing General	04-122	\$750,000	5218-77750
Thoroughfare Improvements	04-122		5228-77750
- Spaulding Road		\$275,000	
- Mad River Road		\$130,000	
State Gas Tax Program – Resurfacing	04-122	\$740,000	5218-77750
Beavertown Cemetery Asphalt Drive and Paths	04-122	\$115,000	8205-77750
Total Project Cost		\$2,010,000	

Concrete Repair Program	04-422	\$200,000	5220-77750
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ADA Curb Ramp Program – Misc. Locations	04-622	\$116,000	5210-77750
Dorothy Lane ADA Ramps	04-622	\$175,000	5203-77750
Total Project Cost		\$291,000	

Miscellaneous Roadway	04-000	\$25,000	5201-77750
Crack Sealing	04-222	\$25,000	5201-77750
Total Project Cost		\$50,000	

CITY OF KETTERING, OHIO  
A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ADVERTISE  
FOR BIDS AND TO CONTRACT FOR THE ANSEL DRIVE  
BRIDGE REHABILITATION PROJECT – CITY PROJECT  
NO. 03-947 (ODOT PROJECT MOT-KETTERING ANSEL DR  
BRIDGE REHAB, PID 111589)**

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

Section 1. The City Manager is hereby authorized to advertise for bids and to enter into one or more contracts for the Ansel Drive Bridge Rehabilitation Project-City Project No. 03-947 (ODOT Project MOT-Kettering Ansel Dr. Bridge Rehab, PID 111589) in accordance with Chapter 152 of the Kettering Administrative Code, entitled Purchases and Contracts. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

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

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

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

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER III,  
Law Director

Estimated Cost:       \$471,000  
Amount Budgeted:   \$471,000  
Account No.:         5206-77750

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE  
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT  
FOR GENERAL ENGINEERING SERVICES**

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 to enter into one or more contracts for general engineering services. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

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

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER, III  
Law Director

Estimated Cost:       \$75,000  
Amount Budgeted:   \$75,000  
Acct. No.:           800-72550 and Various CIP Projects

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO  
A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ADVERTISE  
FOR BIDS AND TO CONTRACT FOR THE HEWITT  
AVENUE BIKEWAY CONNECTOR PROJECT – CITY  
PROJECT NO. 05-004H (ODOT PROJECT MOT-HEWITT  
AVENUE BIKEWAY, PID 105751)**

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

Section 1. The City Manager is hereby authorized to advertise for bids and to enter into one or more contracts for the Hewitt Avenue Bikeway Connector- City Project No. 05-004H (ODOT Project MOT- Hewitt Avenue Bikeway, PID 105751) in accordance with Chapter 152 of the Kettering Administrative Code, entitled Purchases and Contracts. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

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

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

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

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER III,  
Law Director

Estimated Cost:       \$495,000  
Amount Budgeted:     \$495,000  
Account No.:           5235-77750

(Requested by: Engineering Department)

**CITY OF KETTERING, OHIO  
A RESOLUTION**

**By:**

**No.**

**AUTHORIZING THE CITY MANAGER TO ADVERTISE  
FOR BIDS AND TO CONTRACT FOR KETTERING  
TRAFFIC SIGNAL REPLACEMENTS – PHASE 3, CITY  
PROJECT NO. 02-005D (ODOT PROJECT MOT-  
KETTERING SIGNALS-PHASE 3, PID 105950)**

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

Section 1. The City Manager is hereby authorized to advertise for bids and to enter into one or more contracts for Kettering Traffic Signal Replacements- Phase 3, City Project No. 02-005D (ODOT Project MOT- Kettering Signals- Phase 3, PID 105950) in accordance with Chapter 152 of the Kettering Administrative Code, entitled Purchases and Contracts. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

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

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

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

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER III,  
Law Director

Estimated Cost:       \$1,845,000  
Amount Budgeted:     \$1,845,000  
Account No.:           5107-77750

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE  
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT  
FOR RIGHT-OF-WAY ACQUISITION SERVICES**

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 right-of-way acquisition services for the projects listed below:

1. East David Road Improvements Project, Far Hills to Ackerman (City Project 02-116R); and
2. West Stroop Sidewalk Phase 1 Project, Overland to Southmoor Circle NW (City Project 05-213E).

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 \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER, III,  
Law Director

Estimated Cost: \$85,000  
Amount Budgeted:  
    East David: \$60,000  
    West Stroop: \$25,000  
Acct. No.: 5209-77750 (East David)  
           5703-77750 (West Stroop)

(Requested by: Engineering Department)

**CITY OF KETTERING, OHIO  
A RESOLUTION**

By:

No.

**AUTHORIZING THE CITY MANAGER TO ADVERTISE  
FOR BIDS AND TO CONTRACT FOR THE SMITHVILLE  
ROAD RESURFACING PROJECT, WILMINGTON PIKE TO  
NORTH CORPORATION LIMIT – CITY PROJECT NO. 02-  
134F**

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

Section 1. The City Manager is hereby authorized to advertise for bids and to enter into one or more contracts for the Smithville Road Resurfacing Project, Wilmington Pike to North Corporation Limit (City Project No. 02-134F) in accordance with Chapter 152 of the Kettering Administrative Code, entitled Purchases and Contracts. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

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

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

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

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_, 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER III,  
Law Director

Estimated Cost:       \$575,000  
Amount Budgeted:   \$575,000  
Account No.:         5228-77750

(Requested by: Engineering Department)



**CITY OF KETTERING, OHIO  
A RESOLUTION**

**By:**

**No.**

**AUTHORIZING THE CITY MANAGER TO ADVERTISE  
FOR BIDS AND TO CONTRACT FOR THE WEST STROOP  
ROAD AND SOUTHERN BOULEVARD TRAFFIC SIGNAL  
REPLACEMENT PROJECT – CITY PROJECT NO. 02-112J**

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

Section 1. The City Manager is hereby authorized to advertise for bids and to enter into one or more contracts for the West Stroop Road and Southern Boulevard Traffic Signal Replacement- (City Project No. 02-112J) in accordance with Chapter 152 of the Kettering Administrative Code, entitled Purchases and Contracts. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

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

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

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

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER III,  
Law Director

Estimated Cost:       \$200,000  
Amount Budgeted:     \$200,000  
Account No.:           5100-77750

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE OR MORE AGREEMENTS WITH MONTGOMERY COUNTY AND STARWIN INDUSTRIES, LLC FOR AN ED/GE PROGRAM FUNDING AWARD AND AN ECONOMIC DEVELOPMENT INCENTIVE GRANT**

WHEREAS, Starwin Industries, LLC ("Starwin") wishes to complete roofing repairs, parking lot re-paving and a 30,000 square foot expansion to its facilities located at 3387 Woodman Drive (the "Project") but requires financial assistance to do so; and

WHEREAS, Starwin represents completion of the Project will help create 95 new FTE positions and retain its existing 42 FTE positions; and

WHEREAS, the City of Kettering made application to the Montgomery County ED/GE Program for a grant to be used by Starwin for the Project; and

WHEREAS, the City's ED/GE application has been approved by Montgomery County in the amount of \$150,000; and

WHEREAS, the required local match for this ED/GE grant will be provided through an economic development incentive grant estimated at \$335,000 over the grant period; and

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 take all necessary and proper action to accept the ED/GE grant and to enter into one or more related agreements with the Board of County Commissioners of Montgomery County, Ohio and any amendments thereto. The City Manager is further authorized to take all necessary and proper action to appropriate, use, and distribute the ED/GE grant and local match and to enter into one or more related agreements with Starwin and any amendments thereto.

Section 2. The City Manager is authorized to enter into an economic development incentive grant agreement with Starwin and to provide Starwin with an incentive estimated at \$335,000 over the grant incentive period. Additional terms that the City Manager deems are appropriate and in the interest of the City shall also be included. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 3. As provided in Section 4-8 of the City Charter, this resolution shall take effect immediately upon its adoption.

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER, III,  
Law Director

Estimated Cost: \$485,000  
Amount Budgeted: \$0  
Acct. No.: 0550-72550

(Requested by: City Manager's Office)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ACCEPT AND  
ADMINISTER A NATUREWORKS GRANT FROM THE  
OHIO DEPARTMENT OF NATURAL RESOURCES**

WHEREAS, the City applied for a Nature Works grant from the Ohio Department of Natural Resources to assist with the cost of a playground installation as part of the City's Gentile Park Project; and

WHEREAS, the City has been awarded the grant; and

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

Section 1. The City Manager is hereby authorized, on behalf of the City of Kettering, to take all necessary and proper action to accept and administer the above-described grant from the Ohio Department of Natural Resources. Furthermore, Council ratifies the grant application and affirms all matters and statements included therein. 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 \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER III,  
Law Director

Estimated Cost:     \$187,974  
Amount Budgeted:   \$0  
Acct. No.             CIP Fund

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

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE  
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT  
FOR THE PURCHASE OF FIRE UNIFORMS AND STATION  
WEAR IN 2022**

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 to contract for the purchase of fire uniforms and station wear in 2022. 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 \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER, III  
Law Director

Estimated Cost:     \$35,000  
Amount Budgeted:   \$35,000  
Acct. No.:            0700-72240

(Requested by: Fire Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE  
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT  
FOR PHASE 1 LANDSCAPE INSTALLATION AT LINCOLN PARK  
CIVIC COMMONS**

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 to contract for landscape installation at Lincoln Park Civic Commons, 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 \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER III,  
Law Director

Estimated Cost: \$95,000  
Amount Budgeted: \$95,000  
Acct. No.: 6100-77750  
(Requested by: Parks, Recreation & Cultural Arts Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE  
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT  
FOR LANDSCAPE INSTALLATION AT RIDGEWAY BRIDGE**

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 to contract for landscape installation at Ridgeway Bridge, 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 \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER III,  
Law Director

Estimated Cost: \$175,000  
Amount Budgeted: \$175,000  
Acct. No.: 5262-77750  
(Requested by: Parks, Recreation & Cultural Arts Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By: \_\_\_\_\_

No. \_\_\_\_\_

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE  
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR  
THE REMOVAL AND REPLACEMENT OF TREES ON CITY  
OWNED PROPERTIES**

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 to enter into one or more contracts for the removal and replacement of trees on City owned properties, purchasing trees, and for the Citizen Tree program. 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 \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER III,  
Law Director

Estimated Cost:       \$160,000  
Amount Budgeted:   \$160,000  
Acct. No.:           6501-77750 (\$10,000)  
                              6502-77750 (\$150,000)

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

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR CURRENT  
EXPENSES AND OTHER EXPENDITURES OF THE CITY OF  
KETTERING, STATE OF OHIO, DURING THE FISCAL YEAR  
ENDING DECEMBER 31, 2022

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

Section 1. To provide for the current expenses and other expenditures of the City of Kettering during the fiscal year ending December 31, 2022, the following supplemental sums are set aside and appropriated:

A. From the General Fund:

ECONOMIC DEVELOPMENT  
Operating Expenses \$ 485,000.00

TRANSFERS TO OTHER FUNDS  
Capital Improvement Fund \$ 311,794.00

B From the Capital Improvement Fund:

PARKS & RECREATION \$ 452,774.00

Section 2. The Director of Finance is authorized to adjust appropriations within any fund or department as long as the adjustments made do not exceed the total appropriation authorized within that fund or department.

Section 3. The Clerk of Council is authorized and directed to forward a copy of this Resolution to the Montgomery County Auditor.

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

Passed by Council this \_\_\_\_\_ day of \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER III,  
Law Director

Estimated Cost: \$937,774.00  
Amount Budgeted: \$0  
Acct. No. Various

(Requested by: Finance Department)



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. NO PARKING ANY TIME –West Side of Flesher Avenue from Pauline Avenue southward for a total distance of approximately 200 feet.

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 \_\_\_\_\_ 2022.

\_\_\_\_\_  
PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

\_\_\_\_\_  
LASHAUNAH D. KACZYNSKI,  
Clerk of Council

\_\_\_\_\_  
THEODORE A. HAMER III,  
Law Director

(Requested by: Engineering Department)