



# CITY OF KETTERING

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

## KETTERING COUNCIL AGENDA

November 8, 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

### APPROVAL OF MINUTES

October 25, 2022- Council Meeting & Workshop Minutes

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

Proclamation      Sugarplum Festival of Trees Days

### PUBLIC HEARINGS

### PUBLIC COMMENT ON LEGISLATION

(5 Minute Limit per Speaker)

### ORDINANCES IN SECOND READING

### RESOLUTIONS

1. Authorizing the City Manager to contract with the Montgomery County Public Defender Commission and the Montgomery County Public Defender Office to provide mandated legal counsel to indigent persons appearing in the Kettering Municipal Court.

2. 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

### 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**

November 7	7:00 p.m.	Planning Commission
November 8	4:00 p.m. 6:00 p.m. 7:30 p.m.	Partners for Healthy Youth Council Workshop City Council Meeting
November 14	7:00 p.m.	Board of Zoning Appeals
November 17	6:30 p.m.	Sustainability Committee
November 21	7:00 p.m. 7:00 p.m.	Planning Commission Board of Community Relations
November 22	6:00 p.m. 7:30 p.m.	Council Workshop City Council Meeting

# Proclamation

## Whereas:

*The Sugarplum Festival of Trees holiday event is one of the Terrific Women in Giving (TWIGs) premier events designed to raise money to provide support for pediatric behavioral and mental health services at Dayton Children's Hospital; and*

*WHEREAS: TWIGs was founded in 1965 as an auxiliary of Dayton Children's Hospital and currently has nearly 225 members who actively participate in fundraising efforts; and*

*WHEREAS: Proceeds from the Sugarplum Festival of Trees are designated solely to benefit the TWIGs pledge of \$1 million for pediatric behavioral and mental health services at Dayton Children's Hospital; and*

*WHEREAS: This fun, festive event kicks off with a VIP reception on Thursday, November 10, which is the official opening of bids for the holiday trees and décor and will end with a finale on Sunday, November 13 with the awarding of decorated trees to the highest bidders; and*

*WHEREAS: Throughout the weekend, several activities are planned such as "Swigs with TWIGs", silent auction items, a visit with Santa, boutiques and a showcase of decorated trees.*

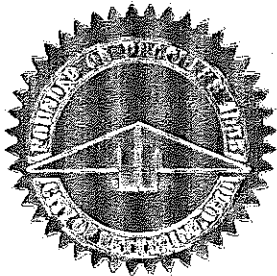
*NOW, THEREFORE, I, Peggy Lehner, Mayor of the City of Kettering, Ohio, do hereby proclaim:*

*November 10-13, 2022*

*to be*

*Sugarplum Festival of Trees Days*

*in the City of Kettering, and on behalf of City Council, City Administration and the Kettering community do hereby express our sincerest gratitude to TWIGs for improving the quality of life of the children in the Miami Valley Region.*



*IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Kettering, Ohio, to be affixed this 8<sup>th</sup> day of November in the Year of our Lord, Two Thousand Twenty Two.*

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*Peggy Lehner  
Mayor of the City of Kettering, Ohio*

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO CONTRACT  
WITH THE MONTGOMERY COUNTY PUBLIC  
DEFENDER COMMISSION AND THE MONTGOMERY  
COUNTY PUBLIC DEFENDER OFFICE TO PROVIDE  
MANDATED LEGAL COUNSEL TO INDIGENT PERSONS  
APPEARING IN THE KETTERING MUNICIPAL COURT**

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

Section 1. The City Manager is authorized to enter into an agreement with the Montgomery County Public Defender Commission and the Montgomery County Public Defender Office to provide constitutionally mandated legal counsel to indigent persons charged with violations of City ordinances for which the penalty or any possible adjudication includes the potential loss of liberty. 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: \$50,000.00  
Included in 2023 Budget: \$50,000.00  
Acct. No.: 1780-72550

(Requested by: Law 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:

TRANSFERS TO OTHER FUNDS	
Capital Improvement Fund	\$ 242,300.00

B. From the Debt Service Fund:

DEBT SERVICE	
Operating Expenses	\$ 17,000.00

C. From the Capital Improvement Fund:

STREET SURFACING	\$ 242,300.00
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Section 2. The Director of Finance is authorized to adjust appropriations within any fund or department as long as the adjustments made do not exceed the total appropriation authorized within that fund or department.

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

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

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

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

ATTEST:

CERTIFICATE OF APPROVAL

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

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

Estimated Cost: \$259,300.00 net transfers  
Amount Budgeted: \$0  
Acct. No. 4007-72550 \$17,000.00  
5212-77750 \$149,200.00  
5218-77750 \$93,100.00

(Requested by: Finance Department)