



CITY OF KETTERING

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

KETTERING COUNCIL AGENDA

February 14, 2023

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

January 24, 2023- Council Meeting & Workshop Minutes

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

Partners for Healthy Youth

Carrie Hennessy, Dan Von Handorf (Terms ending 12/31/25)

Sustainability Committee

Derek Bas, Mark Bertolo, Leah Ceperley, Lee Isom (Terms ending 12/31/23)
Patrice Judge, Ron Klenk, Ellie McCall, Gwen Owen (Terms ending 12/31/24)
Buzz Portune, Arthur Santoianni, Shawn Seippel, Mike Zywiec (Terms ending 12/31/25)

Promotion Ceremony Kettering Police Department

PUBLIC HEARINGS

1. City of Kettering electric and gas aggregation operation and governance plans.

PUBLIC COMMENT ON LEGISLATION

(5 Minute Limit per Speaker)

ORDINANCES IN SECOND READING

RESOLUTIONS

2. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for printing of *Contact with Kettering*.
3. To declare the necessity and intention of acquiring property interests in Project Parcels 45-WD and 45-T of the East David Road Improvements Project (City Project No. 02-116R, ODOT Project MOT-E. David Rd. Improvements, PID No. 110254).
4. Authorizing the City Manager to enter into one or more agreements for a public art project in conjunction with the Rosewood Arts Center renovation.
5. Authorizing the City Manager to negotiate and enter into contracts for entertainment for the Frazee Pavilion 2023 performance season.
6. Authorizing payment of music licensing fees for concerts at Frazee Pavilion during 2023.

7. Authorizing the City Manager to enter into agreements for discounts, complimentary tickets and complimentary program participation to benefit the advertising and promotion of calendar year 2023 Parks, Recreation and Cultural Arts Programs and the 2023 Frazee Pavilion performance season.
8. Authorizing the City Manager to use competitive bargaining and negotiated quotes to contract for maintenance and repair of water slides at the Adventure Reef Water Park.
9. Authorizing the City Manager to contract with TimeClock Plus, LLC for the purchase of a digital timecard system for Parks, Recreation and Cultural Arts Department.
10. Authorizing participation in a project with the Miami Valley Regional Planning Commission for installation and maintenance of electric vehicle charging stations, City Project No. 01-401.
11. 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, 2023.

ORDINANCES IN FIRST READING

CERTIFICATIONS AND PETITIONS

Certification- Planning Commission is recommending approval of P.C. 22-024- Zoning Map Amendment. A public hearing regarding this request will be held on Tuesday, February 28, 2023 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
2023

February 14	3:00 p.m. 4:00 p.m. 6:00 p.m. 7:30 p.m.	Special Council Workshop Partners for Healthy Youth Council Workshop City Council Meeting
February 16	6:30 p.m.	Sustainability Committee
February 20	All Day	Government Center Closed
February 27	7:00 p.m. 7:30 p.m.	Board of Zoning Appeals Sister Cities
February 28	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 USE COMPETITIVE
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT
FOR PRINTING OF *CONTACT WITH KETTERING***

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 use of competitive bargaining and negotiated quotations than through sealed bids, the City Manager, on behalf of the City, is hereby authorized to use such bargaining and negotiation procedures to contract for the printing of *Contact with Kettering*. 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 _____ 2023.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER, III,
Law Director

Estimated Cost: \$45,669.85
Amount Budgeted: \$46,000.00
Acct. No.: 1700-72210

(Requested by: City Manager's Office)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**TO DECLARE THE NECESSITY AND INTENTION OF
ACQUIRING PROPERTY INTERESTS IN PROJECT
PARCELS 45-WD AND 45-T OF THE EAST DAVID ROAD
IMPROVEMENTS PROJECT (CITY PROJECT NO. 02-
116R, ODOT PROJECT MOT-E. DAVID RD.
IMPROVEMENTS, PID NO. 110254)**

WHEREAS, the City of Kettering desires to implement the East David Road Improvements Project (City Project No. 02-116R, ODOT Project MOT- E. David Rd. Improvements, PID No. 110254) (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 45-WD and a temporary easement in Project Parcel 45-T as both are 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 _____ 2023.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL:

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III
Law Director

Estimated Cost: \$505.00
Amount Available: \$505.00
Acct. No.: 5209-77750 (temporary right-of-way)
 5209-77760 (permanent right-of-way)

(Requested by Engineering Department)

EXHIBIT A

**East David Road Improvements Project (City Project Number 02-116R,
ODOT MOT-E. David Rd. Improvements, PID 110254)**

Parcel 45-WD (Permanent)

45-WD = 0.0048 acres ± fee simple

Parcel 45-T (Temporary)

45-T = 0.0031 acres ± temporary easement

Property Address/Location:

4456 Ackerman Boulevard, Kettering, OH 45429

Owner(s) and Other Parties claiming an Interest:

Mary J. Stump
Specialized Loan Servicing

Value of Interest To Be Acquired:

Parcel 45WD - \$468.00

Parcel 45T - \$37.00

Legal descriptions of Parcels 45-WD and 45-T follow this page.

PARCEL 45-T
E. DAVID RD. IMPROVEMENTS
TEMPORARY EASEMENT FOR THE PURPOSE OF
PERFORMING THE WORK NECESSARY FOR
GRADING AND SEEDING
FOR 18 MONTHS FROM DATE OF ENTRY BY
CITY OF KETTERING, OHIO

(Surveyor's description of the premises follows)

Situate in the City of Kettering, County of Montgomery, State of Ohio, Section 28, Town 2, Range 6 M.Rs., being part of Lot 253 of Miriam Acres Section Ten, as recorded in Plat Book 65, Page 53 of the Plat Records of Montgomery County, Ohio, and a 0.3965 acre parcel of land owned by Mary J. Stump, as recorded in IR DEED 10-035474 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 David Road, as shown on the E. David Road Improvements Centerline Location Plan as recorded in Plat Book 239, Page 19 (I.R. Plat 22- 041703) and being located within the following described points in the boundary thereof:

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

COMMENCING, for reference, at a ¾" iron pipe found at the point of tangency of a curve with a radius of 15.00 feet at the southwest corner of said Lot 253, being also located on the east right-of-way line of Ackerman Boulevard, being located at 54.80 feet left, Station 34+48.51;

thence with the Grantor's west property line, the west line of said Lot 253 and the east right-of-way line of Ackerman Boulevard *North 04°40'14" East* for a distance of *19.73 feet* to an iron pin set being located at 74.53 feet left, Station 34+48.24, said point being the TRUE POINT OF BEGINNING of the parcel herein described;

thence with a temporary easement the following 5 courses:

- 1.) *South 85°19'46" East* for a distance of *5.00 feet* to a point being located at 74.60 feet left, Station 34+53.24;
- 2.) *South 04°40'14" West* for a distance of *17.03 feet* to a point being located at 57.57 feet left, Station 34+53.47;
- 3.) *South 41°29'42" East* for a distance of *19.87 feet* to a point being located at 44.00 feet left, Station 34+67.99;

EXHIBIT A

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LPA RX 887 T

Ver. Date 01/05/22

PID 110254

- 4.) *South 84°33'28" East* for a distance of *15.25 feet* to a point being located at 44.00 feet left, Station 34+83.24;
- 5.) *South 05°26'32" West* for a distance of *4.00 feet* to a point being located at 40.00 feet left, Station 34+83.24;

thence on a curve to the right, with the Grantor's proposed southwest property line and the proposed right-of-way line of East David Road and Ackerman Boulevard, having a *radius of 35.00 feet*, an *arc distance of 54.51 feet*, a central angle of *89°13'42"*, a chord bearing *North 39°56'37" West* for a chord distance of 49.16 feet to the **TRUE POINT OF BEGINNING**, said curve being tangent at its point of beginning to a line bearing *North 05°26'32" East*.

The above described area is contained within Montgomery County Auditor's Parcel Numbers N64 02706 0002 and contains 0.0031 acres, more or less, and being subject to all legal highway and any easements or restrictions of record.

Prior instrument reference as of the date this survey was prepared: IR DEED 10-035474 in the Deed Records of Montgomery County, Ohio.

This description was prepared and reviewed on January 5, 2022 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 November 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 3402) as determined by the City of Kettering.


Lee M. Thieman, Ohio Registered Surveyor No. 8758

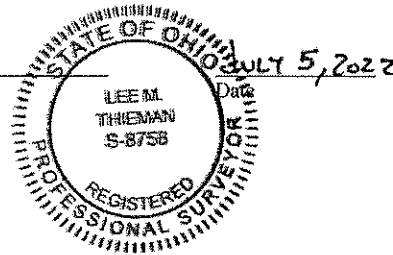


EXHIBIT A

LPA RX 851 WD
Ver. Date 01/05/22

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PID 110254

**PARCEL 45-WD
E. DAVID RD. IMPROVEMENTS
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 28, Town 2, Range 6 M.Rs., being part of Lot 253 of Miriam Acres Section Ten, as recorded in Plat Book 65, Page 53 of the Plat Records of Montgomery County, Ohio, and a 0.3965 acre parcel of land owned by Mary J. Stump, as recorded in IR DEED 10-035474 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 David Road, as shown on the E. David Road Improvements Centerline Location Plan as recorded in Plat Book 239, Page 19 (I.R. Plat 22- 041403) and being located within the following described points in the boundary thereof:

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

BEGINNING at a ¾" iron pipe found at the point of tangency of a curve with a radius of 15.00 feet at the southwest corner of said Lot 253, being also located on the east right-of-way line of Ackerman Boulevard, being located at 54.80 feet left, Station 34+48.51;

thence with the Grantor's west property line, the west line of said Lot 253 and the east right-of-way line of Ackerman Boulevard *North 04°40'14" East* for a distance of *19.73 feet* to an iron pin set at a point of cusp, being located at 74.53 feet left, Station 34+48.24;

thence on a curve to the left, being a new division line, said line being the Grantor's proposed southwest property line and the proposed right-of-way line of East David Road and Ackerman Boulevard, having a *radius of 35.00 feet*, an *arc distance of 54.51 feet*, a central angle of 89°13'42", a chord bearing *South 39°56'37" East* for a chord distance of 49.16 feet to an iron pin set at a point of cusp, being located at 40.00 feet left, Station 34+83.24;

EXHIBIT A

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LPA RX 851 WD

Rev. 06/09

Ver. Date 01/05/22

PID 110254

thence with the Grantor's south property line, the south line of said Lot 253 and the existing north right-of-way line of East David Road *North 84°33'28" West* for a distance of *19.73 feet* to a ¾" iron pipe found being located at 40.00 feet left, Station 34+63.51;

thence on a curve to the right, with the Grantor's existing southwest property line and the existing right-of-way line of East David Road and Ackerman Boulevard, having a *radius of 15.00 feet*, an *arc distance of 23.36 feet*, a central angle of *89°13'42"*, a chord bearing *North 39°56'37" West* for a chord distance of 21.07 feet to the **POINT OF BEGINNING**.

The above described area is contained within Montgomery County Auditor's Parcel Numbers N64 02706 0002 and contains 0.0048 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 Parcels N64 02706 0002 is 0.0000 acres.

Prior instrument reference as of the date this survey was prepared: IR DEED 10-035474 in the Deed Records of Montgomery County, Ohio.

This description was prepared and reviewed on January 5, 2022 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 November 2019.

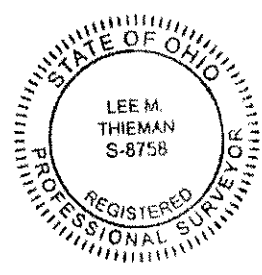
Monuments referred to as iron pins set are 30 inch long No. 5 iron pin with a yellow cap stamped "City of Kettering". Right-of-way monuments called for as set herein will be set upon the completion of the acquisition process.

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

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

July 5, 2022
Date

MONTGOMERY COUNTY ENGINEER
APPROVED FOR POINT OF BEGINNING,
ACREAGE AND CLOSURE ONLY
DATE 7/5/22 FILE NO. 2022-0032
BY Wayne BH



CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO ENTER INTO
ONE OR MORE AGREEMENTS FOR A PUBLIC ART
PROJECT IN CONJUNCTION WITH THE ROSEWOOD
ARTS CENTER RENOVATION**

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

Section 1. Pursuant to Subsection "P" of Section 152.02 of the Codified Ordinances of the City of Kettering, this Council hereby authorizes the City Manager, on behalf of the City, using a selection process deemed appropriate by the City Manager, to enter into one or more agreements for a public art project in conjunction with the Rosewood Arts Center Renovation. The City Manager is further authorized to enter into any extensions or amendment(s) to said agreement(s) as 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 _____ 2023.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI
Clerk of Council

THEODORE A. HAMER III
Law Director

Estimated Cost: \$55,000.00
Amount Budgeted: \$35,000.00
Acct. No.: 6144-77750

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

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND
ENTER INTO CONTRACTS FOR ENTERTAINMENT FOR THE
FRAZE PAVILION 2023 PERFORMANCE SEASON**

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

Section 1. The City Manager, on behalf of the City, is hereby authorized to negotiate and enter into contracts for entertainment and related contracts for the Frazee Pavilion 2023 performance season. 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 _____ 2023.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$2,800,000.00
Amount Budgeted: \$2,800,000.00
Acct. No. 2200-72550

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

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING PAYMENT OF MUSIC LICENSING FEES FOR
CONCERTS AT FRAZE PAVILION DURING 2023**

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

Section 1. This Council hereby authorizes expenditures of funds in payment of music licensing fees for 2023 concerts at Frazee Pavilion to each of the following organizations:

- | | | |
|----|--|-------------|
| a. | American Society of Composers, Authors
and Publishers (ASCAP) | \$40,000.00 |
| b. | Broadcast Music Incorporated (BMI) | \$40,000.00 |

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 _____ 2023.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$80,000.00
ASCAP: \$40,000.00
BMI: \$40,000.00
Amount Budgeted: \$80,000.00
Acct. No.: 2200-72210

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

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS FOR DISCOUNTS, COMPLIMENTARY TICKETS AND COMPLIMENTARY PROGRAM PARTICIPATION TO BENEFIT THE ADVERTISING AND PROMOTION OF CALENDAR YEAR 2023 PARKS, RECREATION AND CULTURAL ARTS PROGRAMS AND THE 2023 FRAZE PAVILION PERFORMANCE SEASON

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

Section 1. The City Manager, on behalf of the City, is hereby authorized to enter into written agreements and amendments or extensions thereto with persons, businesses, or other entities for performance discounts and/or free complimentary tickets that, in the opinion of the City Manager, benefit the promotion and advertising of the 2023 Frazee Pavilion performance season.

Section 2. The City Manager is further authorized to enter into written agreements and amendments or extensions thereto with persons, businesses, or other entities for program discounts and/or free program admittance or participation that, in the opinion of the City Manager, benefit the promotion and advertising of programs offered by the City of Kettering Parks, Recreation and Cultural Arts Department during calendar year 2023.

Section 3. 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 _____ 2023.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

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

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT
FOR MAINTENANCE AND REPAIR OF WATER SLIDES AT
THE ADVENTURE REEF WATER PARK**

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, on behalf of the City, is hereby authorized to use such bargaining and negotiation procedures and to enter into one or more contracts for maintenance and repair of water slides at the Adventure Reef Water Park. 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 _____ 2023.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$35,000.00
Amount Budgeted: \$35,000.00
Acct. No.: 6113-77750

(Requested by: Public Service Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO CONTRACT WITH
TIMECLOCK PLUS, LLC FOR THE PURCHASE OF A DIGITAL
TIMECARD SYSTEM FOR PARKS, RECREATION AND
CULTURAL ARTS DEPARTMENT**

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, on behalf of the City, is hereby authorized to contract with TimeClock Plus, LLC for the purchase of a digital timecard system and related appurtenances and services for Parks, Recreation and Cultural Arts Department. 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 _____ 2023.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI
Clerk of Council

THEODORE A. HAMER III
Law Director

Estimated Cost: \$58,000.00
Amount Budgeted: \$58,000.00
Acct. No. 2400-72220

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

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

AUTHORIZING PARTICIPATION IN A PROJECT WITH THE MIAMI VALLEY REGIONAL PLANNING COMMISSION FOR INSTALLATION AND MAINTENANCE OF ELECTRIC VEHICLE CHARGING STATIONS, CITY PROJECT NO. 01-401

WHEREAS, Miami Valley Regional Planning Commission (MVRPC) has Federal Carbon Reduction Program (CRP) funds for electric vehicle (EV) charging stations and plans to install EV charging stations at 26 locations within the Greater Dayton region (Project), including in Kettering (City Project No. 01-401); and

WHEREAS, CRP funds will pay for 100% of the cost of the Project with no local match required; and

WHEREAS, MVRPC and its vendor will be responsible for installation and maintenance of the EV chargers for a period of 5 years, at which point the City may assume ownership and maintenance of the charging stations, if so desired;

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

Section 1. The City Manager, on behalf of the City, is authorized to sign all necessary instruments and agreements in order for Kettering to participate in the Project. 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 _____ 2023.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI
Clerk of Council

THEODORE A. HAMER III
Law Director

(Requested by: Engineering Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**TO MAKE SUPPLEMENTAL APPROPRIATIONS FOR CURRENT
EXPENSES AND OTHER EXPENDITURES OF THE CITY OF
KETTERING, STATE OF OHIO, DURING THE FISCAL YEAR
ENDING DECEMBER 31, 2023**

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, 2023, the following supplemental sums are set aside and appropriated:

A. From the Capital Improvement Fund:

PARKS & RECREATION \$ 20,000.00

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 _____ 2023.

PEGGY LEHNER, Mayor

ATTEST:

CERTIFICATE OF APPROVAL

LASHAUNAH D. KACZYNSKI,
Clerk of Council

THEODORE A. HAMER III,
Law Director

Estimated Cost: \$20,000.00
Amount Budgeted: \$0.00
Acct. No. 6144-77750

(Requested by: Finance Department)



CITY OF KETTERING
PLANNING & DEVELOPMENT DEPARTMENT

CERTIFICATION

DATE: January 24, 2023
TO: Mayor and Council, City of Kettering
FROM: Planning Commission
SUBJECT: Request for Zoning Map Amendment (#PC-22-024)

Planning Commission hereby certifies that a public meeting for #PC-22-024 was held on January 23, 2023, concerning a request for a Zoning Map Amendment to rezone the property located at 2025-2061 E. Dorothy Lane from Economic Development Overlay District #14 to B-Business.

Planning Commission hereby submits its recommendation to Council that the requested map amendments to the Official Zoning Map be approved.

Vote of the Planning Commission

The motion recommending approval was passed by a vote of 4:0.

Reason for Request

This request is keeping with the City of Kettering's desire to phase out EDO Districts as these districts are no longer recognized by the City of Kettering Zoning Code. The City's goal with EDO Districts is to rezone them to one of the eleven recognized zoning districts. This will allow for the expedient, efficient, fair and uniform application of the Zoning Code for the subject property moving forward

Respectfully submitted,

KETTERING-PLANNING COMMISSION

By: David Roller, City Planner
Planning and Development Department