



CITY OF KETTERING

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

KETTERING COUNCIL AGENDA

October 24, 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

October 10, 2023- Council Meeting & Workshop Minutes

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

Appointment Regional Transit Authority- Albert Fullenkamp (Term ending 10/31/25)
Proclamation National Arts and Humanities Month
Presentation State of the Arts

PUBLIC HEARINGS

1. P.C. 23-018- To rezone the property located at 1490 W. Dorothy Lane from ED-17 District to B-Business District.

PUBLIC COMMENT ON LEGISLATION

(5 Minute Limit per Speaker)

ORDINANCES IN SECOND READING

RESOLUTIONS

2. Authorize acceptance of a donation from American Legion Post 598 through the Kettering Police Foundation for the purchase of four automated external defibrillators.
3. Authorizing acceptance of a donation from the Dor-Wood Optimist Club through the Kettering Police Foundation for the RADKids program.
4. Authorizing the City Manager to apply for and accept an OVI Task Force Grant from the Ohio Department of Public Safety.
5. Authorizing the City Manager to contract with the Homeownership Center of Greater Dayton to provide counseling services as part of the City's housing and foreclosure prevention programs.
6. Authorizing the City Manager to contract with the Miami Valley Fair Housing Center for operation of the City's fair housing program.
7. Authorizing the City Manager to purchase courtroom audio/video recording equipment from Justice AV Solutions.
8. 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

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

October 23	7:30 p.m.	Sister Cities
October 24	6:00 p.m. 7:30 p.m.	Council Workshop City Council Meeting
November 1	6:00 p.m.	Joint School Board Meeting
November 6	7:00 p.m.	Planning Commission
November 13	7:00 p.m.	Board of Zoning Appeals
November 14	4:00 p.m. 6:00 p.m. 7:30 p.m.	Partners for Health Youth Council Workshop City Council Meeting

Proclamation

Whereas:

The nation's 126,000 nonprofit arts organizations, the National Endowment for the Arts, the National Endowment for the Humanities, the nation's 4,500 local arts agencies in communities across the country, and the arts and humanities councils of the 50 states and the six U.S. jurisdictions and districts have regularly issued official proclamations on an annual basis designating October as National Arts and Humanities Month; and

WHEREAS: Cities and states through their local and state arts agencies, which represent thousands of cultural organizations have celebrated the value and importance of culture in the lives of Americans and the health of thriving communities during National Arts and Humanities Month for 30 years; and

WHEREAS: The humanities help diverse communities across the United States explore their history and culture with the support and partnership of the National Endowment for the Humanities, the 50 states and six jurisdictions and districts humanities councils, local educational and cultural institutions; and

WHEREAS: The arts and humanities embody so much of the accumulated wisdom, intellect and imagination of humankind; and

WHEREAS: The arts and humanities play a unique role in the lives of our families, our communities, and our country; and

WHEREAS: The creative industries continues to remain among the most vital sectors of the American economy, providing new opportunities for developing cities, creating jobs and economic activity within their own industry and across sectors, and making communities attractive to business development; and

WHEREAS: This month will serve as an opportunity to reflect and highlight artists who work diligently to enrich the lives of all Americans.

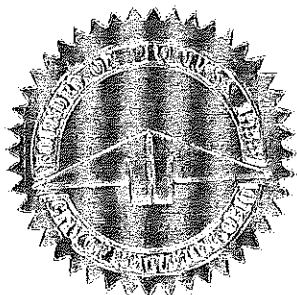
NOW, THEREFORE, I, Peggy Lehner, Mayor of the City of Kettering, Ohio, do hereby proclaim:

OCTOBER 2023

to be

NATIONAL ARTS AND HUMANITIES MONTH

in the City of Kettering, and call upon our community members to celebrate and promote the arts and culture in our nation and our own local community.



IN WITNESS WHEREOF, I have hereunto set my hand and caused the Seal of the City of Kettering, Ohio, to be affixed this 24th day of October in the Year of our Lord, Two Thousand Twenty Three.

PEGGY LEHNER
Mayor of the City of Kettering, Ohio

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZE ACCEPTANCE OF A DONATION FROM
AMERICAN LEGION POST 598 THROUGH THE
KETTERING POLICE FOUNDATION FOR THE PURCHASE
OF FOUR AUTOMATED EXTERNAL DEFIBRILLATORS**

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 hereby authorized to take all necessary and proper action to accept a \$6,000.00 donation from American Legion Post 598 through the Kettering Police Foundation. The donation will be used for the purchase of four automated external defibrillators for police cruisers.

Section 2. City Council hereby expresses its gratitude and appreciation to American Legion Post 598 and the Kettering Police Foundation for the generous donation and the positive impact it will have on the City and its residents.

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

Estimated Cost: \$6,000.00
Amount Budgeted: \$0
Acct. No.: 0600-72220

(Requested by: Police Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING ACCEPTANCE OF A DONATION FROM
THE DOR-WOOD OPTIMIST CLUB THROUGH THE
KETTERING POLICE FOUNDATION FOR THE RADKIDS
PROGRAM**

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

Section 1. The City Manager, on behalf of the City, is hereby authorized to take all necessary and proper action to accept a \$500.00 donation from the Dor-Wood Optimist Club through the Kettering Police Foundation. The donation will be used for the RADKids program.

Section 2. City Council hereby expresses its gratitude and appreciation to the Dor-Wood Optimist Club and Kettering Police Foundation for the generous donation and the positive impact it will have on the City and its residents.

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

Estimated Cost: \$500.00
Amount Budgeted: \$0
Acct. No.: 0600-72220

(Requested by: Police Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO APPLY FOR
AND ACCEPT AN OVI TASK FORCE GRANT FROM
THE OHIO DEPARTMENT OF PUBLIC SAFETY**

WHEREAS, the Police Department is eligible to apply for a grant in the amount of \$16,000.00 from the Ohio Department of Public Safety using the City of Dayton, Ohio as the Lead Agency; and

WHEREAS, if awarded, said grant funds will reimburse the City for overtime expenses related to 2023-2024 Operating a Vehicle Under the Influence (OVI) enforcement; and

WHEREAS, matching funds from the City are not required;

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 apply for and accept the above-described grant from the Ohio Department of Public Safety in the amount awarded by that agency. Furthermore, this Council hereby affirms all matters and statements included in the grant application.

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: \$16,000.00
Amount Budgeted: \$0
Acct. No.: Special Grants & Programs Fund

(Requested by: Police Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

AUTHORIZING THE CITY MANAGER TO CONTRACT WITH THE HOMEOWNERSHIP CENTER OF GREATER DAYTON TO PROVIDE COUNSELING SERVICES AS PART OF THE CITY'S HOUSING AND FORECLOSURE PREVENTION PROGRAMS

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 Chapter 152 of the Codified Ordinances of the City of Kettering, the City Manager is authorized, on behalf of the City, to contract with The Homeownership Center of Greater Dayton to provide counseling services as part of the City's housing and foreclosure prevention programs. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. 1. 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: \$26,400.00
Funds Available: \$26,400.00
Acct. No.: 3816-72550

(Requested by: Planning and Development Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO CONTRACT WITH
THE MIAMI VALLEY FAIR HOUSING CENTER FOR
OPERATION OF THE CITY'S FAIR HOUSING PROGRAM**

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 authorized, on behalf of the City, to enter into a one-year agreement with the Miami Valley Fair Housing Center for operation of the City's fair housing program. The City Manager is further authorized to sign any amendments or extensions thereto that the City Manager deems appropriate.

Section 2. 1. 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: \$27,000.00
Funds Available: \$27,000.00
Acct. No. 3830-72550

(Requested by: Planning and Development Department)

CITY OF KETTERING, OHIO

A RESOLUTION

By:

No.

**AUTHORIZING THE CITY MANAGER TO PURCHASE
COURTROOM AUDIO/VIDEO RECORDING EQUIPMENT
FROM JUSTICE AV SOLUTIONS**

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, the City Manager, on behalf of the City, is authorized to purchase courtroom audio/video recording equipment from Justice AV Solutions and enter into one or more agreements for said purchase. 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:	\$48,823.35
2023 Budget:	\$11,995.49
Included in 2024 Budget:	\$36,827.86
Acct. No.:	Special Grants & Programs Fund

(Requested by: Judge J. Long)

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 General Fund:
 - POLICE DEPARTMENT
 - Operating Expenses \$ 6,500.00
- B. From the Special Grants and Programs Fund:
 - Law Enforcement Funds \$ 16,000.00
- C. From the Capital Improvement Fund:
 - Streetscape Improvements \$ 12,000.00

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: \$34,500.00
Amount Budgeted: \$0.00
Acct. No. Various

(Requested by: Finance Department)