

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
August 22, 2017**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, August 22, 2017, at 7:30 p.m. in Council Chambers at the Kettering Government Center South Building, 3600 Shroyer Road. Mayor Patterson presided and the Clerk of Council, LaShaunah D. Kaczynski, recorded. This meeting was telecast live on the cable access channel.

Council Members Present: Patterson, Scott, Lautar, Schrimpf, Klepacz, Duke and Wanamaker

Council Members Absent: None

Total Members Present: Seven (7)

Mayor Patterson led the audience in the Pledge of Allegiance and gave the invocation. He introduced the cable TV operators Earl Jones and Liberty Lord. He thanked them for their assistance.

Mayor Patterson asked for a motion to amend the Agenda to add the Mayor's Ball Check Presentation under the Proclamations, Special Presentation, Awards, Special Resolutions, Appointments to Board and Commissions item. Mr. Klepacz moved to accept the amendment to the agenda. Mr. Scott seconded the motion and the motion was carried unanimously by a like sign vote.

APPROVAL OF MINUTES

August 8, 2017- Council Meeting & Workshop Minutes

Mr. Duke reported that he reviewed the above minutes and moved the minutes be approved. Mr. Wanamaker seconded the motion and there being six (6) yea votes, one (1) abstain vote (Mr. Lautar) and no (0) nay votes for the August 8, 2017 Council Meeting & Workshop Minutes, the motion was declared carried by roll call vote.

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

Check Presentation- 2017 Kettering Mayor's Ball

Mayor Patterson along with Jim Ghory and Marilynne Saliwanchik from Kettering Rotary presented, Jill Kingston, Executive Director and Co-Founder and Jane Snyder, Director of Development of Brigid's Path a check from the 2017 Kettering Mayor's Ball.

Mayor Patterson mentioned that this was the 11th year that we have had a ball at Reynolds & Reynolds. Mayor Patterson was approached years ago when he first became Mayor by Jim Ghory of Kettering Rotary to host a fundraiser for area charitable organizations. For the 11 years that we have held the Mayors Ball we have raised \$246,783. That money has impacted charitable organizations in our community. We have been very selective on the groups we have chosen and this year we have chosen Brigid's Path to be the recipient of the Mayors Ball that was held at the end of April at Reynolds & Reynolds. The amount raised was \$24,315.88; Kettering Rotary provided a grant for \$2,000 and an additional community matching funds program provided more funds bringing the grand total to \$31,315.88. The ribbon cutting for Brigid's Path is set for September 25, 2017.

Ms. Kingston mentioned that three years ago this was just a dream and then we found our home in Kettering. I want to say how thankful we are, the City of Kettering has been so helpful and guided us through every moment of this experience. Being chosen for the Mayor's Ball was a true blessing and we thank you for the continued support of Brigid's Path.

Certificate of Recognition- Alter Boys Volleyball Team- 2017 Division II State Champions

Mayor Patterson read the above certificate of recognition and same was accepted by Craig Erford, Head Coach and the Alter Boys volleyball team.

Mayor Patterson stated the girls basketball team comes in here all the time. We hope to see you back here next year. Also, we have something that you can take back to school and display proudly. We will be displaying on our burgundy entry signs the volleyball state champions because we are proud. Thank you so much and congratulations. I get asked all the time what do you like doing as Mayor – congratulating the youth in our community with everything else they have going on in their lives, school, study and jobs that they can do something to this level of excellence, we are happy to honor them and look forward to seeing them next year.

Presentation – Human Services Levy

Helen Jones-Kelley, Campaign member presented a PowerPoint presentation on the Human Services Levy.

Ms. Jones-Kelley thanked Mayor Patterson, Council and team for letting her come and have a few moments with you this evening. It's that time that we come to you again to talk about the services in this community and I'm talking the broader community here that are able to allow people to have a level of stability, sustenance and successful life journeys. Our human services levy has been in place for more than 30 years.

This levy is a renewal levy – not a tax increase. The Human Services Levy – major agencies Children's Services, Public Health, Development Disabilities, ADAMHS and Seniors Services.

Children's Services – protect children from abuse and neglect.

Development Disabilities – assist children with mental, physical and serious development disabilities.

Senior Services – help elderly citizens who really need it.

ADAMHS – diagnose, treat, and help people recover.

Help unemployed and under-employed people obtain the skills that match in-demand jobs.

Help adults with disabilities find housing and jobs and live on their own.

Public Health

9,730 Restaurant & Grocery Inspections

5,084 Workplace Air Quality Reviews

19,035 Immunizations

Human Services are efficient and accountable. It is a service that works for all of us.

Mayor Patterson mentioned coming from a household who has always supported any Human Services levy, the dollars go for many things that we ask and the County ask, and it doesn't have such an impact as the Human Services levy. Congratulations on all the hard work and it is a community effort, a community benefit that our residents get behind and I hope they will again this year, I encourage that they do that. It goes for those that are less fortunate. There will be no raise in taxes. Thank you to your entire board you are doing a great job.

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

ORDINANCES IN SECOND READING

AN ORDINANCE

NO: 4297-17

BY: MR. SCOTT AND MR.KLEPACZ

VACATING A PORTION OF RIGHT-OF-WAY ABUTTING 3717 WILMINGTON PIKE

Mr. Scott read the above ordinance and moved for approval. Mr. Klepacz seconded the motion.

Mr. Schwieterman, City Manager gave a brief description of the ordinance.

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Lautar, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mr. Scott, Yea; Mayor Patterson, Yea. There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the ordinance duly adopted.

RESOLUTIONS

A RESOLUTION

NO: 10014-17

BY: MR.KLEPACZ AND MRS.SCHRIMPF

AUTHORIZING THE CITY MANAGER TO EXECUTE A QUIT CLAIM DEED TRANSFERRING THE CITY-OWNED PROPERTY AT 1020 IMPERIAL BOULEVARD TO THE MONTGOMERY COUNTY LAND REUTILIZATION CORPORATION

Mr. Klepacz read the above resolution and moved for approval. Mrs. Schrimpf seconded the motion.

Mr. Robillard, Planning & Development Director gave a brief description of the resolution.

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Lautar, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mr. Scott, Yea; Mayor Patterson, Yea. There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION

NO: 10015-17

BY: MRS.SCHRIMPF AND MR.LAUTAR

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND
NEGOTIATED QUOTES TO CONTRACT FOR CONSTRUCTION OF AN ELEVATOR AT
POLEN FARM

Mrs. Schrimpf read the above resolution and moved for approval. Mr. Lautar seconded the motion.

Mr. Schwieterman, City Manager gave a brief description of the resolution.

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Lautar, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mr. Scott, Yea; Mayor Patterson, Yea. There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 10016-17
BY: MR.LAUTAR AND MR.DUKE

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH
PRESCHOOL PROMISE INC. FOR FUNDING OF THE PRESCHOOL PROMISE PROGRAM
FOR THE 2017-2018 ACADEMIC YEAR

Mr. Lautar read the above resolution and moved for approval. Mr. Duke seconded the motion.

Mrs. Schweikhart, Community Information Manager gave a brief description of the resolution.

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Lautar, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mr. Scott, Yea; Mayor Patterson, Yea. There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 10017-17
BY: MR.DUKE AND MR.WANAMAKER

AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE OR MORE AGREEMENTS
FOR THE EXPEDITED REMOVAL OF AN UNDERGROUND STORAGE TANK AT 3917
WILMINGTON PIKE

Mr. Duke read the above resolution and moved for approval. Mr. Wanamaker seconded the motion.

Mr. Bergstresser, Assistant City Manager gave a brief description of the resolution.

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Lautar, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mr. Scott, Yea; Mayor Patterson, Yea. There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 10018-17
BY: MR.WANAMAKER AND MR.SCOTT

AUTHORIZING THE CITY MANAGER TO ACCEPT A DONATION OF PERSONAL
PROTECTIVE EQUIPMENT FROM THE KETTERING POLICE FOUNDATION

Mr. Wanamaker read the above resolution and moved for approval. Mr. Scott seconded the motion.

Chief Protsman, Police Chief gave a brief description of the resolution.

Mr. Lautar asked what do we do to protect our dogs?

Chief Protsman stated that we have a separate company that donates masks for the dogs and we have changed the way we do some tactics.

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Lautar, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mr. Scott, Yea; Mayor Patterson, Yea. There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 10019-17
BY: MR.SCOTT AND MR.KLEPACZ

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR CLEARING AND REFORESTATION OF CITY-OWNED PROPERTY COMMONLY KNOWN AS PRUGH WOODS

Mr. Scott read the above resolution and moved for approval. Mr. Klepacz seconded the motion.

Mr. Bergstresser, Assistant City Manager gave a brief description of the resolution.

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Lautar, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mr. Scott, Yea; Mayor Patterson, Yea. There being seven (7) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

ORDINANCES IN FIRST READING

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT/COMMUNITY UPDATE

Mr. Schwieterman, City Manager updated Council on upcoming and community events.

- Shroyer Road – The Kettering portion of Shroyer Road is complete. The Oakwood section is more substantial with medians being introduced into that section of the roadway and construction is scheduled to be complete by the end of the year.
- Stroop Road- The replacement of the Stroop Road bridge east of Woodman Drive will require a complete closure between Robertann Drive and Pobst Drive. The construction is anticipated to start in September and be completed in 2017.
- Wilmington Pike- Construction to relocate a gas main and telecommunications line on the west side of Wilmington Pike and between Marshall Road and Stroop Road is planned to continue through mid-September.
- Congratulations to the Finance Department who has been awarded the Certificate of Achievement for Excellence in Financial Reporting for 2016 by the Government Finance Officers Association.
- Holiday @ Home Celebration
Parade – Monday, September 4 at 9:55 a.m. from Far Hills Ave. from Stroop Rd. to Rockhill Ave.
Other Events:
Sunday, September 3
Craft Show – 10 a.m. to 6 p.m.
Auto Show – 11 a.m. to 6 p.m.
Children's Activities – 11 a.m. to 6 p.m.
Monday, September 4
5k Race – 8 a.m. along parade route
Craft Show – 10 a.m. to 6 p.m.
Auto Show – 11 a.m. to 5 p.m.
Children's Activities – Noon to 5 p.m.
- Kettering City Offices will be closed on Monday, September 4 to observe Labor Day. The Kettering Recreation Center and Kettering Fitness & Wellness Center will be open from 8 a.m. to Noon. The Charles I. Lathrem Center and Rosewood Arts Centre will be closed.
- Waste Management trash pick-up will be delayed by one day.
- Coming to the Frazee:
Big & Rich- Friday, August 25 at 7:30 p.m.
GospelFest 2017- Sunday, August 27 at 3:00 p.m.
The Taste- Thursday, August 31 at 6:00 p.m.
- Shred Day- Saturday, September 9 from 9 a.m. to Noon at the Kettering Government Center

OTHER BUSINESS NOT ON WRITTEN AGENDA

Communications and Reports

Audience Participation (5 Minute Limit per Speaker)

Rex Smyer- 2257 Whitney Pl- He was here two weeks ago and he had thought about what Mr. Scott said and he would handle that later. He asked Mayor Patterson what it would take for him to show the video and 911 call?

Mayor Patterson told Mr. Smyer to meet with Mr. Schwieterman and Mr. Hamer after the meeting.

Mr. Smyer mentioned he pays his property taxes and he should be able to live in his home. I don't live in a real expensive home but this where I live.

Mayor Patterson mentioned in this community, wherever you live we treat people the exact same.

Mr. Smyer said the Police Department said they were tired of coming out to my house. I hope that is not the case. This is where I live and this is my home that I fixed up to live peacefully to spend time with my two boys. I will wait and see what the Law Director and City Manager set up for me.

Griffin Derr, 117 Wyngate Dr.- He would like to bring to Council's attention to the property located at 1315 Devon Ave. This property has a laundry list of violations that go back to 2013. It has already been brought to the attention of the Planning & Development Department. Mr. Derr showed a picture of the balconies that were deemed unsafe and mold is growing in the basement and a lot of this has not been solved with simple permit violations. What can Council do to make the landlord more accountable? City Inspector can take the LLC to court but then the LLC can go bankrupt and start under a new name. If there is anything else that we can do here without opening a new investigation or have someone personally sue the landlords who are in charge of this LLC what can be done.

Mayor Patterson told Mr. Derr to meet with Mr. Schwieterman and Mr. Hamer after the meeting.

Mayor Patterson mentioned with property maintenance we are bound to follow the law in what we can and cannot do. Property maintenance is probably the most problematic for us on Council going through the process of citing the people, and if they don't comply taking them to court which a lot of times that is extensions, etc. It isn't for lack of trying but there is a little thing called the constitution that gets in the way from us doing the things the way we would like to see done. The property owner has rights and we have to follow what needs to be done. We have a series of things that we have to do much to our frustration.

Mr. Schwieterman stated it would be best if he and Mr. Robillard met with Mr. Derr after the meeting.

COUNCIL COMMITTEE REPORTS

Mr. Lautar reported:

- Art in the Park was very enjoyable.
- BaconFest was great.
- Dor-wood Optimist gave \$25,000 to go towards Brigid's Path.

Mr. Duke reported:

- Art on the Commons – Shayna McConville and her staff do a great job.
- Holiday at Home – Missy Mae Walters, Rotary member is doing a fabulous job.

Mr. Wanamaker reported:

- He seconded everything that Mr. Duke said about Holiday @ Home.
- On Thursday, August 24 is the battle of Kettering between Alter Knights and Fairmont Firebirds. Good luck to both teams and hope they have great years!

Mr. Scott reported:

He seconded Mr. Wanamaker sentiments on the Firebirds.
He announced the Wright Patt Night at the Frazee event happening on September 14 with country music duo Dan + Shay.

Mr. Klepacz reported:

- Events at Lincoln Park the last two weeks drew in large crowds – Artists meet and greet was crowded; BaconFest always draw a big crowd. Eclipse watch party drew a great crowd to our area.
- He encouraged residents to shop local at the Holiday at Home festivities on September 3 and 4.

Mrs. Schrimpf reported:

- She is the Council liaison with the Board of Community Relations who are sponsoring a Fair Housing Fundamentals program presented by the Miami Valley Fair Housing Center on September 13 from 1 to 4 pm here at the Government Center.
- Kettering Rotary Club had a tour of the Kettering Backpack Program which provides food items for Kettering children who are on the free and reduced lunch program.
- Holiday at Home and AlterFest are both on Labor Day weekend so get out there enjoy all the things we have in Kettering.

Mayor Patterson reported:

- Congratulation to Regan on scoring two goals.
- There is something for everyone on Sunday and Monday at Holiday at Home.
- Holiday at Home pancake breakfast will be held at Fairmont on September 4 before the parade.
- BaconFest was packed. What a great asset Lincoln Park is to our community.

They're being no further business to come before this meeting of the Kettering City Council; Mayor Patterson adjourned the City Council Meeting at 8:25 p.m.

ATTEST:

DONALD E. PATTERSON, MAYOR

LaShaunah D. Kaczynski
Clerk of Council