

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
September 26, 2017**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, September 26, 2017, at 7:30 p.m. in Council Chambers at the Kettering Government Center South Building, 3600 Shroyer Road. Mayor Patterson presided and the Acting Clerk of Council, Amy J. Hayslip, 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.

APPROVAL OF MINUTES

August 23 – 24, 2017 – Special City Council Minutes

Mr. Duke reported that he reviewed the above minutes and moved the minutes be approved. Mr. Wanamaker seconded the motion and there being seven (7) yea votes, and no (0) nay votes for the August 23 - 24, 2017 Special Council Meeting Minutes, the motion was declared carried by roll call vote.

September 12, 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 five (5) yea votes, two (2) abstain votes (Mr. Lautar and Mr. Scott) and no (0) nay votes for the September 12, 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

Proclamation – National Employ Older Workers Week

Mr. Klepacz read the above proclamation and same was accepted by Pat Higgins. Mrs. Higgins thanked City Council for the proclamation and mentioned that it would be displayed at The First Annual Job & Career Fair for Older Workers on October 6, 2017 from 9:30 am to Noon at the Kettering Moraine Library. There will be a variety of resources available for active retirees who are interested in getting back into the workforce as well as learning more about what opportunities there are in the Miami Valley.

Presentation- Neighborhood Pride Awards

Julie Gilmore, Co-Chairperson of the Neighborhood Pride Award Committee gave the presentation this evening. Ms. Gilmore wanted to acknowledge the other three committee Co-Chairpersons - Gail Carone, Rob Jahn and Mary Koch as well as the 25 volunteers who contribute to the success of this program.

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION
NO: 10027-17
BY: MR.SCOTT AND MR.KLEPACZ

AUTHORIZING THE CITY MANAGER TO ENTER INTO A FAÇADE AND SITE
IMPROVEMENT GRANT AGREEMENT FOR THE PROPERTY LOCATED AT 2537
WILMINGTON PIKE

Mr. Scott read the above resolution and moved for approval. Mr. Klepacz 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: 10028-17
BY: MR.KLEPACZ AND MRS.SCHRIMPF

ENDORISING ISSUE 3 TO PROVIDE LOCAL FUNDING FOR COMMUNITY HUMAN SERVICES IN THE CITY OF KETTERING AND MONTGOMERY COUNTY

Mr. Klepacz read the above resolution and moved for approval. Mrs. Schrimpf 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: 10029-17
BY: MRS.SCHRIMPF AND MR.LAUTAR

AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT GRANT FUNDS FROM THE OHIO DEPARTMENT OF REHABILITATION AND CORRECTION

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: 10030-17
BY: MR.LAUTAR AND MR. DUKE

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, 2017

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

ORDINANCES IN FIRST READING

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT/COMMUNITY UPDATE

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

Construction Updates:

- Stroop Road- The replacement of the Stroop Road Bridge east of Woodman Drive has required a complete closure between Robertann Drive and Pobst Drive. We appreciate everyone's adherence to the detour routes in place. The construction is anticipated to be completed in 2017.
- Shroyer Road- Construction is still ongoing in the Oakwood section of this project.
- Wilmington Pike- Construction to relocate a gas main is nearly complete. Construction of a sidewalk on the west side of Wilmington Pike is progressing between Marshall Road and Stroop Road.

- Miami Valley Research Park– On September 5, 2017 the City purchased 300 acres of undeveloped land in the Miami Valley Research Park. The property will be marketed for economic development purposes to bring new businesses to the City. The Park is home to companies such as Reynolds & Reynolds, Kodak, WilmerHale, Community Tissue Services, BWI and Vival. Mr. Schwieterman mentioned he wanted to thank staff for all of their hard work on this three-year process of purchasing this property: Law Department - Ted Hamer & Maggie Pasqualone, Gregg Gorsuch, Economic Development Manager and Steve Bergstresser, Assistant City Manager and all of City Council.
- Leaf Pickup- begins Monday, October 16 in District 1. Pickup is for leaves only and leaves are to be placed at the curb and not into the street. Brush can be taken to our Yard Debris Center on Woodman Center Drive.
- 2017 Beggar's Night– Tuesday, October 31 from 6:00 pm to 8:00 pm.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Communications and Reports

Audience Participation (5 Minute Limit per Speaker)

Rex Smyer- 2257 Whitney Pl- mentioned that he was here two weeks ago and that the City Manager, Law Director and Police Chief said that the video was not on the flash drive. Also, the Law Director said that he had dropped the charges on the other person and he did not and would not ever do that. He is tired of being cussed out. He mentioned to the Police Chief that he has called the police many times because he is tired of his driveway being blocked by cars and nothing was ever done. He mentioned that everyone has lied to him, and when we pledged allegiance to the flag it was said justice for all, he asked where is my justice?

Mayor Patterson mentioned that Mr. Smyer needed to address City Council.

Mr. Smyer mentioned that Mayor Patterson does not care about him and that he was here eight years ago to get an award for fixing up his house. He mentioned that Mayor Patterson does not care about anyone but himself.

Mayor Patterson stated that Mr. Smyer cannot come here and make unfounded accusations and that we have asked you to get an attorney to take care of this matter.

Mr. Smyer mentioned that this is who is running the City of Kettering here, and justice for all- he didn't have no justice. Mr. Smyer asked Mr. Duke if he made a motion telling him to leave and said that was not very friendly. He has rights too, he lives in Kettering and abides by the laws, and he doesn't hurt nobody. When he received the ticket for disorderly conduct and spent three hours trying to take the plea deal where was my justice? He didn't have any, he stated.

Mr. Patterson mentioned that he had an attorney.

Mr. Smyer mentioned that the attorney did not speak for him.

Mr. Patterson said that is not our fault.

Mr. Smyer mentioned that the Law Department and the Prosecutor were trying to prosecute someone for mowing their yard. He mentioned he was cussed out and went and called 911 to get some help. He did not get any help he received a ticket.

Mayor Patterson mentioned that his 5 minute time limit was up.

Pat Cavanaugh, 1557 Glenbeck Ave- mentioned that she is the Neighborhood Watch Coordinator in the Southern Hills area. She would like to make a case for enlarging the Neighborhood Watch program. It can be the eyes and ears of Police. She has corresponded with the contact from the Police Department. For the last several months information from the Police Department has been absent giving us nothing to report back to our citizens. In order to keep people engaged in Neighborhood Watch there has to be a give and take. She received a letter today from Lt. Mike Gabrielson detailing what the Police Department is going to do but she is unsure if it is going to fix everything that Neighborhood Watch needs. She said they used to have the ability to look up crimes by streets for date ranges but are no longer able to do that once Lexis Nexis took over the application; now they have to have a specific date and address or they cannot get any information at all. She wanted to make City Council aware of this and said that funding may be an issue, that there would be a charge from Lexis Nexis to give the Neighborhood Watch coordinators access. She is working with the Police Department, we definitely need to get more active; there were 25 coordinators and now there are only 10. She mentioned that there has been three B&E's that have occurred in her neighborhood in August. She mentioned that in active Neighborhood Watch areas crime can be lowered by up to 40%. She mentioned that in Area 30 crime had doubled from July to August. She mentioned an article in the paper from a couple weeks ago reported that a 17 year-old girl was being sex trafficked from the Budget Inn and that the girl had been drugged; that particular enterprise (Budget Inn) has been trouble from the get go. She mentioned that we can be the eyes and ears of the Police so that we can get that place shut down.

Mr. Schwieterman, City Manager mentioned that we are in the process of purchasing crime mapping software. It was delayed due to the death of the previous contractor. We are now working with a new contractor ESRI for a crime mapping solution that we believe will not only benefit the Police Department but will assist everyone as we move into the future. Funding is not necessarily an issue, we are just going through the process of accomplishing the task.

Chief Protsman, Police Chief mentioned funding came up because the company where we used to get the report was purchased by Lexis Nexis increasing the cost substantially. The crime mapping software that we are looking into with ESRI- it will come up on a computer screen, type in whatever dates you want to, you can hover over an area and see what crimes are in those areas. It is taking a little longer with Lexis Nexis to get this up and running than we expected. When we have ESRI in place anyone will be able to use it, it will be public.

Mr. Duke asked how many coordinators do we have?

Ms. Cavanaugh said that we have 25 listed but of those 10 are not active.

Mr. Duke asked if those are just in Southern Hills?

Ms. Cavanaugh stated that those are for the whole City of Kettering.

Mr. Duke mentioned that I know how hard you have worked and continue to work in the Southern Hills area and would like to thank you for all your efforts, that whole neighborhood area is a lot more active and vibrant because of the work you have done.

Mr. Lautar asked how do you become a Neighborhood Watch Coordinator?

Ms. Cavanaugh mentioned that she volunteered to do it and went through a background check with the Police Department and when that was cleared went door to door and printed off flyers and talked to people. She mentioned her identification badge that she wears identifying her as a Neighborhood Watch Coordinator. She said you apply through the Kettering Volunteer Program. A lot of volunteers are needed.

Mr. Lautar asked do we promote the vacancies on Neighborhood Watch asking for volunteers?

Chief Protsman, Police Chief mentioned that he does not think that we promote the program as much. When people come to talk to us about their neighborhoods it is mentioned. People only get involved when there is a problem in their neighborhood and Ms. Cavanaugh is a very good coordinator and she has been doing it for a very long time. When we work with a neighborhood where there is a problem and that problem goes away then usually the Neighborhood Watch program dissolves on its own.

Mrs. Schrimpf mentioned that the Neighborhood Watch model is not real valuable for some people; we used to use that old model in our neighborhood and now we have a Facebook group and there are other social media applications where neighbors can communicate directly with each other and when there is a problem contact is made. Just because a neighborhood doesn't have a Neighborhood Watch coordinator doesn't mean that neighbors are not communicating and not looking out for each other. She thinks that there are different ways of doing that.

Teresa Huntley, Dayton Metro Library: Kettering-Moraine Branch Manager mentioned that they are coming up on their one year anniversary since reopening after their renovation. The West Carrollton branch has closed for their renovations. She mentioned that their staff has grown from taking a few staff from the West Carrollton branch during their renovation. Patronage has also grown, she invites everyone to stop over. In December/January the Wilmington-Stroop branch will be doing some renovations. She mentioned that one of the adjustments they are making right now is to their driveway, renovations to make the driveway less steep will start on October 2. During construction the entrance to the library will be closed and so will one of their exit lanes. The Carlyle House will offer their entrance for library parking. The library will remain open during this construction. Construction is expected to take two weeks.

Sterling Abernathy, 4951 Walnut Walk mentioned that he is here tonight to talk about the use of taxpayer dollars by the city. Kettering residents are repeatedly faced with more taxes such as: assessments for repair/construction of streets, sidewalks and curbs, and county property tax increases due to property revaluations. The city is even considering brand new taxes such as storm water utility fees and street levies to pay for street and infrastructure needs. Every time we turn around, government wants more money. But what's being done with the money the City of Kettering already has? Apparently, Kettering has so much surplus taxpayer money, the city plans to spend \$350,000 to hire an artist from Arizona, Texas or the state of Washington to install an art project. The art will be along a half mile of Dixie Dr. and Patterson Blvd. near the Schantz Ave. Bridge. This is over one third of a million dollars for art, instead of being used for rebuilding streets and infrastructure. An art project estimated to cost \$350,000 is NOT a citizen service. This is NOT what our taxes are

for. (\$350,000 is the cost estimate on the resolution council passed in January.) The Schantz art project is frivolous and extravagant. Art should be in a public area where people can stroll by and enjoy it, not while driving by on a busy street. People appreciate good design, like the city's bus stop shelters and entrance signs. But a \$350,000 of their money is being spent so carelessly, they will question the decisions being made by this council. The council should seriously re-consider this proposed use of taxpayer dollars.

COUNCIL COMMITTEE REPORTS

Mr. Lautar reported:

- He mentioned he has nothing to report.

Mr. Duke reported:

- Congratulations to the Kiwanis Police Officer of the Year Devin Maloney. Devin is a K9 officer.

Mr. Wanamaker reported:

He mentioned that he enjoyed the Neighborhood Pride presentation and wanted to congratulate all of the Neighborhood Pride winners tonight. Julie Gilmore and her team do a wonderful job.

Mr. Scott reported:

- He mentioned he has nothing to report.

Mr. Klepacz reported:

- September 16 – 2nd Annual HoneyFest event. Geared toward educating our residents about our pollinators. He looks forward to the 3rd Annual HoneyFest event.
- September 17 – Retirement party for Terry Schalnat, We Care Arts founder and Executive Director. Mrs. Schalnat was honored for the work she has done for our community and the entire region. Darlene Langhout is the new Executive Director of We Care Arts.
- Shop Kettering – when shopping pick a Kettering business to support.
- Congratulations to Joe Wanamaker on his hole in one on September 18.

Mrs. Schrimpf reported:

- Congratulations to Mr. Wanamaker on his hole in one.
- Congratulations to our friends at the City of Dayton, on September 13 they announced that their program Welcome Dayton became the first city to be certified as a welcoming city by Welcome America. This is the kind of recognition that is paid attention to by corporate America and by the business community because they like to locate and retain jobs to communities that are diverse and inclusive. She hopes and expects that this will have spillover effect for our community as well, as new businesses locate here based on the wide variety of amenities that we have.
- September 25- Brigid's Path opening. Mayor Patterson did a wonderful job in welcoming them to our community. Brigid's Path is a Mayor's Ball recipient sponsored by Kettering Rotary.

Mayor Patterson reported:

- September 14– attended the Dorwood Optimist Golf Outing with Mr. Klepacz and Mr. Lautar.
- Congratulations to Police Officer of the Year Devin Maloney and his canine Jax.
- He also welcomed Dan + Shay to the Wright-Patt Appreciation Night at the Frazee. Congratulations to the Dayton Development Coalition for putting that event together.
- September 15– attended the Bloomberg Challenge along with a number of city staff. It was the first step in our efforts to try and gain some funds that Bloomberg has available for cities that come up with original initiatives and how to solve problems. Looking forward to completing the application process and to hopefully be one of the winners.
- September 17- Congratulations to Terry Schalnat – she has been the backbone of We Care Arts for as long as he can remember. We have done two Mayor's Balls for We Care Arts.
- September 20 – Met with Governor Kasich and eleven of his directors, along with the Mayors of Cincinnati, Columbus, Findlay and Parma on the opioid crisis. Governor attended two of the three hours of the meeting and was very engaging on things we can do and things we need to do better. He directed his entire staff to find a way that we, meaning state and local, can work together on and being able to access the states database in real time benefitting our police and fire and public safety officials. It was a good meeting and was appreciated by the five Mayors in attendance. We in Montgomery County seem to lead the way in the opioid crisis. We're looking forward to a good healthy working relationship with the Governor and we will be following up soon.
- September 25 – Brigid's Path Ribbon Cutting – almost a two-year process for them to open with the regulatory process that they had to do. For the Ribbon Cutting they had a ribbon circling the entire building and everyone had a pair of scissors so everyone was able to cut the ribbon. We look forward to them serving those babies and giving them a fighting chance. Congratulations and we wish them the best.

There being no further business to come before this meeting of the Kettering City Council; Mayor Patterson adjourned the City Council Meeting at 9:00 p.m.

ATTEST:

DONALD E. PATTERSON, MAYOR

Amy J. Hayslip
Acting Clerk of Council