

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
May 9, 2017**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, May 9, 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)

The Kettering Police Department presented the Colors and 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.

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

Proclamation- National Police Week

Mr. Scott read the above proclamation and same was accepted by Chief Protsman, Police Chief. Chief Protsman mentioned this time of the year is certainly somber for police agencies. On behalf of the Kettering Police Department and departments around the country he wanted to thank Council for taking the time to acknowledge those police officers who have passed away in the line of duty.

Proclamation- Bike Month

Mr. Klepacz read the above proclamation and same was accepted by Andy Aidit, Bike Committee. He thanked Mayor and Council for the proclamation and he also mentioned that he placed a water bottle at their chair to show them what they will be using as a promotional item for the Block Party, Holiday at Home, and Art on the Commons. He mentioned he has been doing a lot of bike study and bike learning this past week at the Miami Valley Bike Summit. Dayton has been hosting the International Bike Symposium where people from all over the world are in Dayton learning what a great job Dayton does with bicycling, especially the 340 miles of paved connected trails in the Dayton area. Kettering is part of that and the Bike and Pedestrian Committee is working very hard to ensure Kettering gets better at biking in and around the City. He thanked Council once again for the proclamation.

Mayor Patterson thanked Mr. Aidit again and congratulated him on the recognition for bike paths around the state and the country. He mentioned this says a lot about the Kettering community that there are dedicated roadways and pathways for bicycling. Mayor Patterson explained that this is something that is important to Council and to people across the nation. He mentioned it feels great to be recognized for being the top one on that. Mayor Patterson congratulated Mr. Aidit and the Bike Committee for all of their hard work.

Certificate of Recognition- Alter Girls Basketball Team- Division II State Champions

Mayor Patterson read the certificate of recognition and same was accepted by Coach Hart, Alter Girls Basketball Head Coach and the Alter girls' basketball team. Mayor Patterson mentioned this is something that he never gets tired of doing. This is the third year in a row that the Alter Girls Basketball team has won a state championship. Mayor Patterson presented the team with the certificate and sign that will be placed throughout the city. He also thanked them for all that they have done and to have won this title three years in a row is just amazing. When you talk about sports at any level the hardest thing to do is repeat, but to repeat the repeat is even harder. Mayor Patterson hopes the team will be returning next year with a fourth title.

Coach Hart thanked Mayor Patterson for the opportunity and they are happy to be here this evening and to represent Kettering. To have done this three years in a row is amazing. When you watch the professionals and college level have a hard time repeating at any sport makes you appreciate what these young ladies have accomplished. Most importantly, to have done it three years in a row is difficult to put into words. The amount of pressure that goes into winning one, but to do it a second and third time is rather amazing. Coach Hart thanked Council once again for all of their support, and she also thanked Mr. Schwieterman for his support and working the game clock at their home games. She mentioned she hopes the team will be back again next year, and they have a special place at the school for the sign.

Mayor Patterson congratulated the team once again on their accomplishment, and to have repeated this three years in a row is just amazing. It takes a lot of dedication and commitment from the girls, school, and coaches. He congratulated the team on their accomplishment.

Appointment Kettering Arts Council- Sandra Prell (Term ending 12-31-18)

Mr. Scott made a motion to appoint Sandra Prell to the Kettering Arts Council. Mr. Klepacz seconded the motion followed by an unanimous like sign vote.

APPROVAL OF MINUTES

April 25, 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 seven (7) yea votes, and no (0) nay votes for the April 25, 2017 Council Meeting & Workshop Minutes, the motion was declared carried by roll call vote.

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

ORDINANCES IN SECOND READING

AN ORDINANCE
NO: 4293-17
BY: MRS.SCHRIMPF AND MR.LAUTAR

TO AMEND TABLE 41.6 OF THE CITY OF KETTERING ZONING CODE

Mrs. Schrimpf read the above ordinance and moved for approval. Mr. Lautar 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: 9971-17
BY: MR.LAUTAR AND MR.DUKE

AUTHORIZING THE CITY MANAGER TO ACCEPT FROM PICKREL, SCHAEFFER & EBELING CO., LPA ON BEHALF OF THE ESTATE OF A LOCAL CITIZEN A \$2,000.00 DONATION

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.

A RESOLUTION
NO: 9972-17
BY: MR.DUKE AND MR.WANAMAKER

AUTHORIZING THE CITY MANAGER TO ACCEPT RECYCLING INCENTIVE GRANT FUNDS FROM THE MONTGOMERY COUNTY SOLID WASTE DISTRICT

Mr. Duke read the above resolution and moved for approval. Mr. Wanamaker 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: 9973-17
BY: MR.WANAMAKER AND MR.SCOTT

TO AMEND RESOLUTION NO.9898-17 AUTHORIZING THE 2017 STREET MAINTENANCE PROGRAM

Mr. Wanamaker read the above resolution and moved for approval. Mr. Scott 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: 9974-17
BY: MR.SCOTT AND MR.KLEPACZ

AUTHORIZING THE CITY MANAGER TO SEEK PROPOSALS FOR THE CITY-OWNED STREET LIGHT LED CONVERSION PROJECT (CITY PROJECT NO. 07-501)

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: 9975-17
BY: MR.KLEPACZ AND MRS.SHRIMPF

TO AMEND RESOLUTION NO. 9923-17

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: 9976-17
BY: MRS.SHRIMPF AND MR.LAUTAR

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

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.

ORDINANCES IN FIRST READING

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT/COMMUNITY UPDATE

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

- The Police Memorial will be held on Wednesday, May 17 at 3:00 p.m. at the Government Center. The service will be held on the mezzanine between the north and south buildings of the Government Center.
- Art on the Playground will be held Saturday, May 13 from 11am-3pm at Habitat Environmental Center.
- Kettering Block Party will be Wednesday, May 31 from 6pm-8pm at Lincoln Park Civic Commons.
- Neighborhood block party forms are available at the Engineering Department's page or by calling 296-2436 for more information.
- Coming to the Fraise:
 - Maxwell- Tuesday, May 30 at 7:00 p.m.
 - Paul Shaffer & The World's Most Dangerous Band- Friday, June 23 at 7:30 p.m.

Castling Crowns- Saturday, August 19 at 7:30 p.m.

Tickets can be purchased at Frazee Pavilion Ticket Office, Frazee Fan Fare store located in Town & Country, www.fraze.com, www.etix.com, or by phone at 1-800-514-3849.

Mr. Schwieterman provided a PowerPoint presentation about answers to questions regarding the recent yellow mailer that was mailed to Kettering residents.

Mrs. Schrimpf thanked staff for compiling the information and Mr. Schwieterman did a great job presenting it. She mentioned she has been in this community for a long time, and she has worked for the Dayton Chamber of Commerce, Montgomery County Improvement District, and the Dayton Development Coalition so she is very in tuned with the business community in the Dayton region. Everywhere she goes she gets compliments about the fine staff in Kettering and how the City is run as a whole. That is the overriding message she receives and she would like residents to understand that and not be misled by the things they may see in their mailbox.

Mayor Patterson stated that this is an example where someone can provide partial information without providing total information, which can give a completely different view than what the facts are. Mr. Schwieterman provided answers to the points that were on the flyer, and any resident that would like to speak to Council they would be more than willing to sit down with them to help them understand the top fifteen break down. Mayor Patterson mentioned that the eleven out of the fifteen are firefighters who are working tremendous overtime because of the transition the City is going through on being a career base firefighter. One person he spoke to he explained if your house was on fire, the last thing you would want to hear from the City is that they do not have enough firefighters to cover your neighborhood. We do not have that luxury with police and fire. One thing residents expect with police and fire is that if there is an emergency they will respond. Our police and fire do not have the luxury if they are feeling sick to bring someone else in. As a small business owner, if one of his employees doesn't show up for a day, he can have someone else do their work or wait three days later when they return. We do not have that luxury with police and fire. He mentioned they realized that was a problem when the part pay wasn't working because of the healthcare act, and the volunteer numbers are not the numbers they use to be. There isn't anyone on Council that doesn't think volunteer supplement in the Fire Department wasn't a good idea. When you go from 120 volunteers down to 30 it is tuff to provide that type of response that our residents demand, expect, and deserve. We are not making any apologies for those salaries. We provide coverage to make this community safe. Any of Council or Mr. Schwieterman would be happy to sit down with residents about some of the information that was out there. With a little effort, that information could have been explained. Mayor Patterson quoted, "Now you know the rest of the story".

Mr. Duke explained that he has served on Council for 31 years, and residents have come to him understanding that information in that flyer was heavily slanted. We are in a time where news has changed, and the term fake news has been thrown around a lot. He mentioned that is what we have in that type of mailer that was sent out. The facts were contorted in a way that makes it questionable.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Communications and Reports

Audience Participation (5 Minute Limit per Speaker)

COUNCIL COMMITTEE REPORTS

Mr. Duke reported:

- He mentioned Mayor's Ball was a great event and he thanked Kettering Rotary for hosting.
- He mentioned Kettering Leadership Academy applications are now available online, or by calling the Volunteer Office.
- He stated he will be attending the Kettering Leadership Academy Graduation this upcoming Thursday.
- He welcomed a Kettering Leadership Academy student who was in the audience this evening.

Mr. Klepacz reported:

- On April 26 he attended the Volunteer Appreciation Breakfast at the Government Center.
- On April 29 he attended the Mayor's Ball at Reynolds & Reynolds.
- On May 4 he attended the National Day of Prayer Breakfast at Kettering Medical Center.
- On May 7 he attended the Walk for Women's Wellness.
- He encouraged residents to shop Kettering.
- He thanked Mr. Schwieterman for explaining some of the misleading information that was on the flyer.

Mrs. Schrimpf reported:

- She thanked everyone who was involved in making the Mayor's Ball a success this year, and she also thanked the Optimist members for attending.

Mr. Lautar reported:

- He thanked the residents who took the time to call or email Council about their concerns with the yellow mailer, he hopes they will take the time to look at the information Mr. Schwieterman presented this evening.

Mr. Scott reported:

- He mentioned he has been on Council for six years and every year they talk about the personnel budget. One thing that makes Kettering great is the employees that work for the City.

Mr. Wanamaker reported:

- He mentioned he had nothing new to add.

Mayor Patterson reported:

- He mentioned that there are seven diverse members on Kettering City Council and they look at all aspects including what other jurisdictions pay their City Manager when negotiating Mr. Schwieterman's salary.
- He mentioned the week of April 25 he attended the DDC Fly-In in Washington, D.C.
- On April 29 he attended Mayor's Ball and the recipient this year was Bridget's Path.
- On May 3 he did a video along with his dog Tucker for Parks & Recreation.
- On May 4 he attended the National Day of Prayer Breakfast at Kettering Medical Center.
- On May 4 he attended a memorial service for Cameron Thomas at the Frazee.
- On May 5 he attended Southdale Strong.
- On May 6 he attended a memorial service for Cameron Thomas at the Alter vs. Fairmont baseball game.
- On May 7 he attended the Kettering Medical Center Women's Walk for Wellness.
- He gave some remarks about Tom Nikolai and offered his condolences to his family.

They're being no further business to come before this meeting of the Kettering City Council; Mayor Patterson adjourned the City Council Meeting at 8:59 p.m.

ATTEST:

DONALD E. PATTERSON, MAYOR

LaShaunah D. Kaczynski
Clerk of Council