

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
October 25, 2016**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, October 25, 2016, at 7:30 p.m. in Council Chambers at the Kettering Government Center South Building, 3600 Shroyer Road. Vice Mayor Scott presided and the Clerk of Council, LaShaunah D. Kaczynski, recorded. This meeting was telecast live on the cable access channel.

Council Members Present: Scott, Lautar, Schrimpf, Klepacz, Duke and Wanamaker
Council Members Absent: Patterson (Excused)
Total Members Present: Six (6)

Vice Mayor Scott led the audience in the Pledge of Allegiance and gave the invocation. He introduced the cable TV operators Earl Jones and Liberty Lord. The Page this evening was James Spicer from Van Buren Middle School. He thanked them for their assistance.

APPROVAL OF MINUTES

October 11, 2016- 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 and no (0) nay votes for the October 11, 2016 Council Meeting & Workshop Minutes, the motion was declared carried by roll call vote.

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

Appointment- Board of Community Relations- TyAnn Stewart (Term ending 12-31-16)

Mrs. Schrimpf made a motion to appoint TyAnn Stewart to the Board of Community Relations. Mr. Klepacz seconded the motion followed by an unanimous like sign vote.

Appointment- Board of Community Relations- Frank Ecklar (Term ending 12-31-17)

Mrs. Schrimpf made a motion to appoint Frank Ecklar to the Board of Community Relations. Mr. Klepacz seconded the motion followed by an unanimous like sign vote.

Presentation- Bike Committee Update

Kendall Draegar, Chairman of the Bike Committee and Andy Aidit, GIS Manager made the presentation this evening.

Presentation- CitySites Public Artwork Dedication

Shayna McConville, Cultural Arts Administrator made the presentation this evening.

Presentation- United Way- Silver Link Update

Catherine Myers, Community Outreach Councilor and J. Thomas Maultsby, President and CEO of United Way of Greater Dayton Area made the presentation this evening.

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION
NO: 9849-16
BY: MR.KLEPACZ AND MRS.SHRIMPF

AUTHORIZING THE SUBMISSION OF TWO CITY OF KETTERING PROJECTS FOR THE
MONTGOMERY COUNTY ED/GE PROGRAM

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

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Lautar, Yea; Mr. Klepacz, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Vice Mayor Scott, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 9850-16
BY: MRS.SCHRIMPF AND MR.LAUTAR

AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE OR MORE AGREEMENTS WITH COMFORT SYSTEMS USA (OHIO) DBA INNOVATIVE ENERGY SOLUTIONS FOR REPLACEMENT OF HVAC CONTROLS AT THE KETTERING REC CENTER

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

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Lautar, Yea; Mr. Klepacz, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Vice Mayor Scott, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 9851-16
BY: MR.LAUTAR AND MR.DUKE

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT TO REPLACE WATER LINES AT KETTERING RECREATION COMPLEX

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

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Lautar, Yea; Mr. Klepacz, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Vice Mayor Scott, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 9852-16
BY: MR.DUKE AND MR.WANAMAKER

AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FROM THE NATIONAL PARKINSON FOUNDATION OHIO

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

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Lautar, Yea; Mr. Klepacz, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Vice Mayor Scott, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 9853-16
BY: MR.WANAMAKER AND MR.KLEPACZ

AUTHORIZING THE CITY MANAGER TO APPLY FOR A GRANT FROM THE COMMUNITY FOUNDATION FOR KETTERING

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

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Lautar, Yea; Mr. Klepacz, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Vice Mayor Scott, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 9854-16
BY: MR.KLEPACZ AND MRS.SCHRIMPF

TO MAKE A SUPPLEMENTAL APPROPRIATION FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF KETTERING, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2016

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

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Lautar, Yea; Mr. Klepacz, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Vice Mayor Scott, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

ORDINANCES IN FIRST READING

CERTIFICATIONS AND PETITIONS

Certification- Planning Commission recommends approval of P.C. 16-017- Request for a Zoning Map Amendment to rezone the properties comprising the Kettering Medical Center Campus and Moraine Farm from R-E (b), Residential Estate B District to an IS, Institutional District (Subject properties are located near the northwest quadrant of the intersection of Stroop Rd. and Southern Blvd.) A public hearing on this matter will take place on Tuesday, November 8, 2016 at the Kettering City Council meeting.

Certification- Planning Commission recommends approval of P.C. 16-029- Request for Vacation of a portion of right-of-way for an overhead walkway between buildings (Subject properties are located at 3535 and 3700 Southern Blvd.). A public hearing on this matter will take place on Tuesday, November 8, 2016 at the Kettering City Council meeting.

MANAGER'S REPORT/COMMUNITY UPDATE

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

- Crews were working in District 9 today and are quickly progressing thru the districts. Last day for leaf pickup is December 5.
- Public Artwork Dedication will be Thursday, October 27 from 4:30-6:30p.m. at 3036 Bellflower Street, Kettering 45409.
- 2016 Beggar's Night will be Monday, October 31 from 6:00-8:00 p.m.
- Daylight Savings Time Ends- "Fall back" one hour on Saturday night, November 5.
- Holiday Arts and Craft Show will be Saturday, November 12 from 9 a.m. - 4p.m. at Charles I. Lathrem Senior Center.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Communications and Reports

Audience Participation (5 Minute Limit per Speaker)

Don Walls 2098 Springmill Rd.- He is here in support of Issue 36 that is on the ballot. The Charter Review Committee consisted of 13 people from various backgrounds. The Charter states that every 10 years, the Mayor must appoint a committee to take a look at the Charter to see if any changes need to be made. After spending numerous hours reviewing the Charter, the Charter Review Committee was able to come up with seven recommendations that needed to be changed:

1. Residency
2. Notice of Public Meetings
3. Definition of Elector
4. Updated the name to the Parks, Recreation, and Cultural Arts Advisory Board
5. Clarity on the language of the role of who can appeal decisions concerning Planning Commission and the Board of Zoning Appeals
6. Gender Neutrality
7. Term Limits

Committee members spent many hours discussing term limits, and they also looked at what policies other communities have concerning term limits. Every time the Charter Review Committee met, they asked themselves what would be best for Kettering residents. They proposed extending term limits so there would not be a period of time that Council would have all new members. He encourages residents to vote this election, and he also encourages people to vote Yes on Issue 36 and No on Issues 31-35.

Sterling Abernathy 4951 Walnut Walk- He mentioned if Issue 36 passes it would eliminate the term limit for the Mayor, and it would extend existing term limits for City Council members from 8 years to 12 years. In July, after the Charter Review Committee made recommendations to Council, the Chairperson spoke about term limits. He had mentioned that some members of the Committee wanted to throw out all term limits, and some wanted to respect and keep some term limits. What was missing from that statement were the members who wanted to keep all term limits. Four years prior, 17,089 voters in Kettering voted to put term limits into place. That was 62% of people who voted in that election on that issue. The Committee was picked by the Mayor, and was not a good representation of the people in Kettering. Their meetings were kept quiet, and they did not invite the public to come and comment on the recommendations they were proposing. He urged residents to vote No on Issue 36.

Jacque Fisher- 4600 James Madison Trail- She mentioned she served on the Charter Review Committee, and they had a lot of discussion about term limits. She is proud to have an Issue 36 sign in her front yard. She mentioned Issue 36 followed a democratic process. As a group, the Charter Review Committee came together despite some of them having opposing opinions, to make a recommendation to Council about proposed changes to the Charter. She urged residents to vote Yes on Issue 36.

COUNCIL COMMITTEE REPORTS

Mr. Duke reported:

- He thanked Mr. Schwieterman for having staff be prepared for Kettering Leadership Academy Government Day.
- He offered his condolences to Ray Keyton's family.
- He encouraged residents to vote for Issue 36, and to go to the City's website to get more information about the ballot issues.

Mr. Klepacz reported:

- He mentioned Vice Mayor Scott did a great job this evening!
- On October 13 he attended the ribbon cutting at State Farm.
- On October 13 he attended Kettering Leadership Academy Government Day.
- He thanked business for choosing Kettering.

Mrs. Schrimpf reported:

- She mentioned Vice Mayor Scott did a great job!
- On October 17 she attended the ribbon cutting at the library on Far Hills Avenue.
- She mentioned that on October 26 Montgomery County will be opening a Business Solution Center at 1435 Cincinnati Street.
- She thanked the Charter Review Committee for all of their hard work.

Mr. Lautar reported:

- He seconded Mrs. Schrimpf comment about the ribbon cutting at the library on Far Hills on October 17.
- On October 17 he attended the Employee Service Awards.
- He seconded Mrs. Schrimpf comment on the Charter Review Committee.

Mr. Scott reported:

- He mentioned he has been receiving a lot of phone calls about the Charter Amendments. When he ran for Council 5 years ago, he ran on a platform of implementing term limits and cutting Council pay. He is a supporter of term limits, but he feels that the process taken to get Issues 31-35 on the ballot were performed in an improper manner. Having an experienced Mayor lead this City is vital, and Mayor Patterson is doing a great job. He is a personal supporter of Issue 36 and he supports the people who served on the Charter Review Committee. He mentioned he will be voting Yes on Issue 36 and No on Issues 31-35.
- He encouraged residents to vote on November 8.
- On November 11, 2016 there will be a Veterans Day dedication.

Mr. Wanamaker reported:

- He mentioned he agreed with Mr. Duke and Mrs. Schrimpf on their comments.
- He mentioned the Fire Department did a wonderful job hosting the community open houses.

Mayor Patterson reported:

- Absent.

They're being no further business to come before this meeting of the Kettering City Council; Vice Mayor Scott adjourned the City Council Meeting at 8:42 p.m.

ATTEST:

ROBERT L. SCOTT, VICE MAYOR

LaShaunah D. Kaczynski
Clerk of Council