

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
November 22, 2016**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, November 22, 2016, 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, and Wanamaker

Council Members Absent: Duke (Excused)

Total Members Present: Six (6)

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

November 8, 2016- Council Meeting & Workshop Minutes

Mrs. Schrimpf reported that she reviewed the above minutes and moved the minutes be approved. Mr. Lautar seconded the motion and there being five (5) yea votes, one (1) abstain vote (Mr. Scott) and no (0) nay votes for the November 8, 2016 Council Meeting & Workshop Minutes, the motion was declared carried by roll call vote.

Mayor Patterson welcomed Boy Scouts Troop 236 from Christ Church that were in the audience this evening.

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

Presentation- Veterans Plaza Video Clip

Mike Eckley with Kettering Parks Foundation made the presentation this evening. He is proud to be here today on behalf of the Kettering Parks Foundation. The Veterans Plaza and the Inventor Walk has been a long time dream of the Parks Foundation. A lot of effort was put into place by local businesses and citizens to raise the funds for this project. What placed this project over the top was a group of local contractors that stepped forward and provided services to bring this project to a reality. He mentioned it was very heartwarming to take part in the dedication. Hundreds of people showed up to honor our Veterans. A brief video clip was played from the dedication.

Mayor Patterson thanked Mr. Eckley and the Parks Foundation. This project reflected a labor of love. Mayor Patterson mentioned he stopped at the memorial a few times while it was under construction, and he had the pleasure to speak to a few Veterans. The Veterans mentioned even though this was a job, it was also a labor of love. To watch the Veterans walk through that plaza once it was completed was a great moment.

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

Merle Wilberding- 1013 Rubicon Rd- He is here this evening on behalf of the Kettering Medical Center in support of the two matters that are pending. He wanted to thank the City and the Parks Foundation for a beautiful Veterans memorial. He is a Veteran and served in the Army during the Vietnam War, and it is nice to see recognition and honor of our Veterans. This marks 40 years since he first appeared in front of City Council in connection with Kettering Medical Center. Public hearings were held at the last Council meeting concerning Kettering Medical Center, and he appreciates the opportunity to have made his presentation on both of the pending matters. He appreciates Council's consideration of their request.

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION

NO: 9864-16

BY: MR.SCOTT AND MR.KLEPACZ

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND
NEGOTIATED QUOTES TO CONTRACT FOR SNOW AND ICE REMOVAL SERVICES AT
CITY FACILITIES DURING THE 2016-2017 SEASON

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. Lautar, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Scott, Yea; Mayor Patterson, 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: 9865-16
BY: MR.KLEPACZ AND MRS.SHRIMPF

AUTHORIZING THE CITY MANAGER TO ENTER INTO A ONE-YEAR AGREEMENT WITH SCHLEGEL CREATIVE RESOURCES FOR DESIGN SERVICES FOR THE FRAZE PAVILION 2017 PERFORMANCE SEASON

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. Lautar, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Scott, Yea; Mayor Patterson, 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: 9866-16
BY: MRS.SHRIMPF AND MR.LAUTAR

AUTHORIZING THE CITY MANAGER TO ACCEPT A \$30,000 GRANT FROM THE ALCOHOL DRUG ADDICTION AND MENTAL HEALTH SERVICES BOARD FOR MONTGOMERY COUNTY (ADAMHS) AND AFFIRMING THE SUBMITTED APPLICATION

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. Lautar, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Scott, Yea; Mayor Patterson, 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: 9867-16
BY: MR.LAUTAR AND MR.WANAMAKER

AUTHORIZING THE CITY MANAGER TO ENTER INTO A FUNDING AGREEMENT FOR THE PRESCHOOL PROMISE PILOT PROGRAM

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

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

Mayor Patterson asked if the City was not precluded to continue on with this?

Mr. Schwieterman informed Mayor Patterson that is correct.

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Lautar, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Scott, Yea; Mayor Patterson, 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: 9868-16
BY: MR.WANAMAKER AND MR.SCOTT

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR THE REMOVAL OF ASH TREES FROM CITY OWNED PROPERTIES

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.

Mr. Klepacz asked is there an emerald ash borer end in sight?

Mr. Schwieterman informed Mr. Klepacz that this is a multi-year program and will continue to be a multi-year program since there were 3,000 trees identified on City property.

Mr. Lautar asked is the \$65,000 inclusive of new trees going in or is this just for removal of damage trees?

Mr. Schwieterman informed Mr. Lautar that this is just a contract for removal of the ash trees. The City will utilize other programs for replanting.

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Lautar, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Scott, Yea; Mayor Patterson, 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: 9869-16
BY: MR.SCOTT AND MR.KLEPACZ

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. Scott 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. Wanamaker, Yea; Mr. Scott, Yea; Mayor Patterson, 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

AN ORDINANCE
BY: MR.KLEPACZ

TO AMEND SECTIONS 192.051 AND 192.091 OF THE CODIFIED ORDINANCES OF THE CITY OF KETTERING TO EXTEND THE DEADLINE FOR PAYMENTS OF QUARTERLY INCOME TAX WITHHOLDINGS AND TO MODIFY THE RULES FOR WHEN INCOME TAX WITHHOLDING PAYMENTS ARE CONSIDERED TO HAVE BEEN MADE

AN ORDINANCE
BY: MRS.SCHRIMPF

TO REZONE THE KETTERING MEDICAL CENTER CAMPUS AND MORaine FARM TO INSTITUTIONAL DISTRICT (PLANNING COMMISSION ZONING CASE 16-017)

AN ORDINANCE
BY: MR.LAUTAR

VACATING A PORTION OF SOUTHERN BOULEVARD

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT/COMMUNITY UPDATE

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

- E. Stoop Road Bridge Update- Bridge is located east of Woodman Drive between Robertann Drive and Pobst Drive. Funding for emergency replacement of the bridge has been approved, and construction will begin in mid- 2017.
- Crews are working in Districts 4 & 5 today and are quickly progressing thru the districts. The last day for leaf pickup is December 5.
- Yard Debris Center will be closing for the season on Saturday, December 3 at 3 p.m.
- City offices will be closed on Thursday, November 24 and Friday, November 25. Trash collection on Thursday will be delayed until Friday. Friday collection will be delayed until Saturday.
- Mayor's Christmas Tree Lighting will be Friday, December 2 at 6:00 p.m. at Lincoln Park Civic Commons.
- A Rosewood Holiday Celebration will be Saturday, December 3, 2016 from 11:00 a.m.- 3:00 p.m. at Rosewood Art Centre.
- December's Council meetings will be held on December 6 and December 13.
- The budget workshop will be held on Tuesday, December 6 at 5:30 p.m.

Audience Participation (5 Minute Limit per Speaker)

Brent Gindelberger- 635 Mossoak Dr- He is aware that most of the stop lights in town are changing to LED. Since LED light does not emit a lot of heat, he is concerned about the snow not being able to melt on the stop lights, resulting in bad accidents around the city.

Mr. Schwieterman, City Manager informed Mr. Gindelberger that his particular question has been posed previously, and the Transportation and Engineering staff are taking an active role in ensuring the LED traffic signal lights are cleared of snow. The City will be taking on that responsibility to take action to clear the snow.

Mr. Gindelberger also wanted to clarify that the City sponsored Charter Amendment did not pass. He would like to know the rationale of putting the controversial amendment in a single vote instead of separating them. He recalled in 1991 the School Board placed a renewal and an additional on a single vote and it went down. Mr. Gindelberger and his wife went out that following summer to help the School Board set a renewal and an additional.

Mayor Patterson asked if the amendments were set that way from the Charter Review Committee or did Council decide to bundle it that way?

Mr. Schwieterman, City Manager informed Mayor Patterson that the Charter Review Committee presented several items that would be on the ballot, and City Council passed a Resolution that bundled those items together.

Mr. Gindelberger recommended in the future to break the amendments into single issues and not bundle them all together. He would also like to know if there will be any action taken to place other issues back on the ballot because he would like to vote for them.

Mayor Patterson mentioned we would have to see what other ballot initiatives will allow the City to do. Term limits will not be able to be placed back on the ballot, but other amendment issues can be placed back before residents in an election cycle.

Mr. Hamer, Law Director informed Mayor Patterson you would have to wait until another general election and it could not include term limits or Council pay.

Mayor Patterson mentioned that another committee may place things on next year that may need to be changed, but Council will take a look at those matters as they come. He told Mr. Gindelberger to not look for many changes since they were thorough the first time.

COUNCIL COMMITTEE REPORTS

Mr. Duke reported:

- Absent.

Mr. Klepacz reported:

- He mentioned he attended the Veterans Plaza dedication and it was a beautiful event.
- On November 17 he attended the ribbon cutting for Xerion at Research Park.
- On November 17 he went to Sun & Jun Barber Shop to present a certificate to welcome them to the Kettering community.
- On November 19 Bob Karl held the 30th Mid- East Cross Country event at Indian Riffle Park.
- He encouraged residents to shop local this Black Friday.

Mrs. Schrimpf reported:

- On November 10 she attended the Dayton Business Journal "Business of the Year Award", and she mentioned Prime Controls and McGohan Brabender were recognized.
- She mentioned Board of Community Relations held a landlord panel, and their newest members Frank Ecklar and TyAnn Stewart did a wonderful job.
- She congratulated Mike Eckley on all of his hard work with Veterans Plaza.
- She congratulated Alter boys and girls soccer teams on their State Championships.
- She wished the Alter football team good luck with their upcoming game.
- She wished everyone a Happy Thanksgiving.

Mr. Lautar reported:

- He mentioned he attended Veterans Plaza dedication and he mentioned the Inventor Walk has a lot of history in it.
- On November 17 he attended the ribbon cutting for Xerion.
- On November 14 he attended the Police Swearing- In Ceremony.

Mr. Scott reported:

- He wished everyone a Happy Thanksgiving.

Mr. Wanamaker reported:

- He mentioned he agreed with what everyone said about Veterans Plaza.
- He congratulated the boys and girls soccer teams from Alter High School for winning the State Championships.
- He wished the Alter football team good luck with their upcoming game.

Mayor Patterson reported:

- On November 9 he attended the ribbon cutting for Carlyle House.
- The evening of November 9 he attended the Optimist Youth Appreciation dinner.
- He mentioned he could not say enough about Veterans Plaza. He encouraged residents to take time to walk through the memorial, and he mentioned Veterans across the country would be proud.
- On November 11 he attended a Veterans Day program at JFK.
- On November 14 he attended Police Swearing-In Ceremony. He is very proud of the Police Department.
- On November 17 & 18 he had the chance to talk to 3rd grade classes from JFK about his role of being Mayor.
- He congratulated Alter boys and girls soccer teams on their State Championship titles.
- He wished residents a Happy Thanksgiving.

They're being no further business to come before this meeting of the Kettering City Council; Mayor Patterson adjourned the City Council Meeting at 8:20 p.m.

ATTEST:

DONALD E. PATTERSON, MAYOR

LaShaunah D. Kaczynski
Clerk of Council