

**KETTERING CITY COUNCIL  
REGULAR MEETING MINUTES  
February 13, 2018**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, February 13, 2018, at 7:30 p.m. in Council Chambers at the Kettering Government Center South Building, 3600 Shroyer Road. Vice Mayor Lautar presided and the Clerk of Council, LaShaunah D. Kaczynski, recorded. This meeting was telecast live on the cable access channel.

Council Members Present: Lautar, Fisher, Klepacz, Duke, Scott and Wanamaker

Council Members Absent: Patterson (Excused)

Total Members Present: Six (6)

Vice Mayor Lautar led the audience in the Pledge of Allegiance and gave the invocation. He introduced the cable TV operators Joe McKenzie and Richard Diaz. He thanked them for their assistance. Vice Mayor Lautar mentioned Mayor Patterson has an excused absence.

APPROVAL OF MINUTES

January 23, 2018 - Council Meeting & Workshop Minutes

Mr. Scott reported that he reviewed the above minutes and moved the minutes be approved. Mr. Duke seconded the motion and there being five (5) yea votes, one (1) abstain vote (Mr. Lautar) and no (0) nay votes for the January 23, 2018 Council Meeting & Workshop Minutes, the motion was declared carried by roll call vote.

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

PUBLIC HEARINGS

P.C. 17-033- Request for Zoning District Map Amendment to reclassify land associated with the transfer of property between the Dayton Metro Library at 3980 Wilmington Pike and the Wynds Apartments at 3970 Parliament Place.

Vice Mayor Lautar opened the public hearing and asked that any person that intends to speak to City Council about this matter should stand and take an oath. Those that planned to speak took the oath.

Ron Hundt, Zoning Administrator gave the staff presentation this evening. Mr. Hundt mentioned that he has been the City's Zoning Administrator for 15 years, and this year marks 40 years of experience as a City Planner. 38 of those years have been with the City of Kettering. This is a house keeping matter this evening and he will be brief because of that. In December of 2017, Planning Commission approved a replat to allow the Wynds Apartments and the library to work out an arrangement where land from the library would be transferred to the Wynds, allowing access to Wilmington Pike with a much desired sign. The library would gain two parcels allowing them to have a bigger piece of land to build a new structure. The library is temporary closed for demolition to build a new library at this location. We are changing the zoning of the redefined properties, such that the Wynds Apartments which is currently zoned R-4 would gain property from O-Office that needs to be rezoned to R-4 to make it compatible with their current zoning. The library parcel is gaining land to the east and north has to be rezoned from R-4 to O-Office because the change in the lot lines rezoning is needed. All standards for rezoning of these properties have been met. Planning Commission recommends approval.

Vice Mayor Lautar asked if there were any other comments from the public either for or against concerning this public hearing, none were heard.

Vice Mayor Lautar closed the public hearing and explained Council will consider legislation regarding this matter at a future Council meeting.

PUBLIC COMMENT ON LEGISLATION

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION  
NO: 10105-18  
BY: MR.KLEPACZ AND MRS.FISHER

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR INSURANCE AND OTHER RELATED BENEFITS AND ADMINISTRATIVE SERVICES FOR THE EMPLOYEES OF THE CITY OF KETTERING, KETTERING MUNICIPAL COURT, AND THE OFFICE OF THE CLERK OF THE KETTERING MUNICIPAL COURT

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

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

The following votes were recorded: Mrs. Fisher, Yea; Mr. Klepacz, Yea; Mr. Duke, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Vice Mayor Lautar, 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: 10106-18  
BY: MRS.FISHER AND MR.SCOTT

AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION MUNICIPAL BRIDGE PROGRAM FOR FUNDING OF THE RIDGEWAY ROAD BRIDGE REPLACEMENT PROJECT (CITY PROJECT NO. 03-904C)

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

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

The following votes were recorded: Mrs. Fisher, Yea; Mr. Klepacz, Yea; Mr. Duke, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Vice Mayor Lautar, 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: 10107-18  
BY: MR.SCOTT AND MR.DUKE

TO RENEW THE AGREEMENT FOR STREET LIGHT MAINTENANCE

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

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

The following votes were recorded: Mrs. Fisher, Yea; Mr. Klepacz, Yea; Mr. Duke, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Vice Mayor Lautar, 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: 10108-18  
BY: MR.DUKE AND MR.WANAMAKER

AUTHORIZING THE CITY MANAGER TO PURCHASE EQUIPMENT THROUGH SEALED BIDS, NEGOTIATED QUOTES, OR A COOPERATIVE PURCHASING PROGRAM

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. Fisher, Yea; Mr. Klepacz, Yea; Mr. Duke, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Vice Mayor Lautar, 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: 10109-18  
BY: MR.WANAMAKER AND MR.KLEPACZ

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO CONTRACT FOR THE VALLEYWOOD DRIVE IMPROVEMENTS-PHASE 2 (CEMETERY LANE TO EAST DOROTHY LANE), CITY PROJECT NO. 02-232B

Mr. Wanamaker 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. Fisher, Yea; Mr. Klepacz, Yea; Mr. Duke, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Vice Mayor Lautar, 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: 10110-18  
BY: MR.KLEPACZ AND MRS.FISHER

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE MIAMI VALLEY BLUE UMPIRES ASSOCIATION

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

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

The following votes were recorded: Mrs. Fisher, Yea; Mr. Klepacz, Yea; Mr. Duke, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Vice Mayor Lautar, 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: 10111-18  
BY: MRS.FISHER AND MR.SCOTT

AUTHORIZING THE CITY MANAGER TO APPLY FOR A DAYTON POWER AND LIGHT "RIGHT TREE IN THE RIGHT PLACE" GRANT

Mrs. Fisher 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. Fisher, Yea; Mr. Klepacz, Yea; Mr. Duke, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Vice Mayor Lautar, 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.SCOTT

TO ENACT SECTION 152.07 OF THE CODIFIED ORDINANCES OF THE CITY OF KETTERING REGARDING LOCAL PURCHASING PREFERENCE

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

CERTIFICATIONS AND PETITIONS

Certification- Planning Commission recommends approval of P.C. 17-035- Request for Zoning District Map Amendment to reclassify land from ED-3 and I-Industrial to O-Office. A public hearing on this request will be held on Tuesday, February 27, 2018 at the Kettering City Council meeting.

Certification- Planning Commission recommends vacation of P.C. 18-001- Request for vacation of unused utility easement at 3216 Delaney Street. A public hearing on this request will be held on Tuesday, February 27, 2018 at the Kettering City Council meeting.

MANAGER'S REPORT/COMMUNITY UPDATE

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

- Kettering City offices will be closed on Monday, February 19 to observe the Presidents' Day holiday. There will be no delay in Waste Management trash service. Trash will be picked up on your regularly scheduled day.
- The Yard Debris Center will reopen on Monday, March 5.  
Hours of operation will be:  
Saturdays: 9am-3pm  
Mon-Fri: 3pm-8pm
- Coming to the Fraise
  - Boy Band Review- Wednesday, June 13 at 7:30 p.m.
  - Tony Bennett- Thursday, June 21 at 8:00 p.m.
  - Neal McCoy – Sunday, June 24 at 7:30 p.m.

Vice Mayor Lautar welcomed Boy Scouts Troops 425 and 452 from Centerville and Miamisburg, and also Troop 524 from Kettering LDS Church.

#### OTHER BUSINESS NOT ON WRITTEN AGENDA

Audience Participation (5 Minute Limit per Speaker)

**Norm Ruppert- 351 E. Social Row Rd.** - Mr. Ruppert mentioned he is the ambassador from DP&L to the City of Kettering, and he has been acting in this position since around 2002 or 2003. There have been a lot of changes at DP&L and after 41 years of working he will be retiring. He just wanted to say how much he has enjoyed working with everyone, and he has gotten to know several Council members. He has received interesting phone calls from Mr. Klepacz, Mrs. Schrimpf, Mr. Duke, and Mayor Patterson. He has also received interesting phone calls from Mr. Schwieterman, Mr. Bergstresser, and Mr. Gorsuch. It is with mixed emotions that he wanted to say he has enjoyed his time working with the City of Kettering. For the citizens of Kettering and the residents, he wanted to say he did not have to do this, but instead this is something he wanted to do. He graduated from Fairmont East and both of his kids graduated from Fairmont in 1998 and 1999, and Mr. Fisher was their government teacher. No city is perfect, but having known these folks for such a long time he has done this because he knows they care. Council always tries to do the right thing as best as they can. He has seen the integrity and has always appreciated it. They do their diligence well. He wanted to note that a lot of cities do not get along with the school systems and how well the City gets along with the school system is commendable. He did get to say good bye to Mr. Anderson because there are many nights where they are the only ones in the audience, and they have gotten to know each other. He thanked Council and mentioned he knows they will be in good hands.

Vice Mayor Lautar thanked Mr. Ruppert and mentioned that Council appreciates his efforts and there are many reasons why you have done your job well not the least that he is a Fairmont East graduate.

Mr. Schwieterman mentioned it has been an absolute pleasure for City administration to have worked with Mr. Ruppert. Never has there been a situation that he was not willing to work tirelessly for our residents. It is very comforting to know we had a go to guy we could call and would take care of everything that needs to be taken care of with that single phone call. Not all phone calls have been pleasant for him. When power goes out in a large portion of town that is a lot of work for him, but he has always greeted us with excitement and taken care of all the issues, whether it would be power outages or DP&L tree trimming. There have been many positive and great things, and it has been his pleasure to have worked with him. He hopes they can still continue to go to lunch. He thanked Mr. Ruppert for all he has done for this community, staff, and City Council.

Mr. Ruppert thanked Mr. Schwieterman and mentioned he is happy to see that the City applied for the tree grant.

Mr. Duke mentioned he would like to thank Mr. Ruppert for his unbelievable attention to the issues in the Kettering community. He has been to his home a number of times and when there was a constituent issue that needed a personal touch he was there. He speaks for all of the residents in his district that there have been a number of problems from street lights, wiring, and storm damage but the problems always seemed to get solved. He did a quick calculation and Mr. Ruppert has voluntarily sat through 375 meetings of this Council which is admirable. Mr. Ruppert will be missed.

Mr. Klepacz mentioned since the topic of interesting calls was brought up, he would like to bring up a phone call he received. He mentioned he calls Mr. Ruppert when the power goes out and there are residents that want to know, and he also would like to know why his power is out. He had to call Mr. Ruppert one time and Mr. Ruppert called him back to inform him that there was a dead squirrel in Ireland Park that had gotten into something close to the power plant on David Road. He was able to find out the cause as to why he did not have power. He thanked Mr. Ruppert for always responding when Council needed help, and he is sure he will see him around. He appreciates Mr. Ruppert's support of Kettering.

#### COUNCIL COMMITTEE REPORTS

Mr. Lautar reported:

- Nothing to report.

Mr. Duke reported:

- There are a few Kettering Leadership Academy students in the audience fulfilling their requirement for graduation.

Mr. Wanamaker reported:

- Nothing to report.

Mr. Scott reported:

- Thanked Mr. Ruppert for everything he has done for the City.
- He mentioned Vice Mayor Lautar did a great job with the meeting this evening.

Mr. Klepacz reported:

- There are a few Kettering Leadership Academy students in the audience this evening.
- There is a good group of boy scouts in the audience this evening.
- On January 26 he attended a ribbon cutting for Wholistic Wellness.
- The Yard Debris Center will be opening soon.
- Spass Nacht will be held in June.
- There are three openings on the Sister Cities board.
- Shop Kettering.

Mrs. Fisher reported:

- Awesome job to the snow removal team.

Mayor Patterson reported:

- Absent

They're being no further business to come before this meeting of the Kettering City Council; Vice Mayor Lautar adjourned the City Council Meeting at 8:02 p.m.

ATTEST:

\_\_\_\_\_  
BILL LAUTAR, VICE MAYOR

LaShaunah D. Kaczynski  
Clerk of Council