

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

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, March 13, 2018, 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, Lautar, Fisher, Klepacz, Scott 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 operator Joe Mackenzie. The Pages this evening were Sarah Allen and Alex Rader from Van Buren Middle School. He thanked them for their assistance.

APPROVAL OF MINUTES

February 27, 2018 - Council Meeting & Workshop Minutes

Mr. Scott 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, one (1) abstain vote (Mayor Patterson) and no (0) nay votes for the February 27, 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

Appointment- Sister Cities- Don Timmer (Term ending 12-31-20)

Mr. Klepacz made a motion to appoint Don Timmer to Sister Cities. Mr. Scott seconded the motion followed by an unanimous like sign vote.

Appointment- Sister Cities- Alexis Ignatiou (Term ending 12-31-20)

Mr. Scott made a motion to appoint Alexis Ignatiou to Sister Cities. Mr. Lautar seconded the motion followed by an unanimous like sign vote.

Proclamation- Fair Housing Month

Mr. Lautar read the above proclamation and same was accepted by John Zimmerman, Vice President of Miami Valley Fair Housing Center. Mr. Zimmerman mentioned as Kettering's newest resident he would like to thank Council for this proclamation. He has been here for many years from working in this area, now he lives in this area. He would like to thank Mayor Patterson for the proclamation and he is glad to be a part of the City of Kettering. This year marks 50 years of fair housing, and he would like for all residents to know that all materials they would need to know about fair housing in Kettering is located at, every school in the Kettering community, Board of Education, all senior facilities, and various places across the community. If residents need fair housing information they can go to the Government Center or any of those other places mentioned. Residents can also visit mvfairhousing.com or call 223-6035 for more information. He thanked Council once again for the proclamation and he is very proud to be part of the City of Kettering effort to have good and affordable housing for all residents.

Mayor Patterson thanked Mr. Zimmerman as the City has been a longtime supporter of the Miami Valley Fair Housing Center, and the City will continue to do that. He thanked Mr. Zimmerman for his efforts and also thanked him for moving to Kettering.

Award Presentation- Board of Community Relations MLK Writing Contest Winners

Elom Dossa, Chairperson of the Board of Community Relations made the presentation this evening. On behalf of the board of Community Relations, she would like to thank all of the contestants this year. The essays were excellent, and there were about 60 entries this year. She is very glad to present the winners this year. She asked that Mayor Patterson and Mrs. Fisher to join her down at the podium. Mrs. Dossa read the winners names and Mayor Patterson presented the winners with a certificate. Mayor Patterson read part of the certificate so the parents of the winners could hear.

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

ORDINANCES IN SECOND READING

AN ORDINANCE
NO: 4304-18
BY: MR.LAUTAR AND MR.KLEPACZ

TO REZONE 3980 WILMINGTON PIKE AND 3920 PARLIAMENT PLACE (PLANNING COMMISSION CASE NO. PC-17-033)

Mr. Lautar read the above ordinance and moved for approval. Mr. Klepacz seconded the motion.

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

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

AN ORDINANCE
NO: 4305-18
BY: MR.KLEPACZ AND MRS.FISHER

TO LEVY SPECIAL ASSESSMENTS FOR THE REPLACEMENT AND CONSTRUCTION OF CURBS, SIDEWALKS, DRIVE APPROACHES, AND RELATED APPURTENANCES FOR THE OAK CREEK IMPROVEMENTS-PHASE II PROJECT (PROJECT NO. 02-289)

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

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

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

AN ORDINANCE
NO: 4306-18
BY: MRS.FISHER AND MR.SCOTT

TO LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTION AND REPAIR OF CURBS, SIDEWALKS, DRIVEWAY APPROACHES, AND RELATED APPURTENANCES, FOR THE 2017 CURB, SIDEWALK & DRIVE APPROACH REPAIR PROGRAM (PROJECT NUMBER 05-117)

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

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

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

Mayor Patterson mentioned Mr. Duke has an excused absence.

RESOLUTIONS

A RESOLUTION
NO: 10123-18
BY: MR.SCOTT AND MR.WANAMAKER

AUTHORIZING THE CITY MANAGER TO CONTRACT FOR PROPERTY MAINTENANCE OF VARIOUS CITY-OWNED LOTS

Mr. Scott 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. Scott, Yea; Mr. Wanamaker, Yea; Mr. Lautar, 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: 10124-18
BY: MR.WANAMAKER AND MR.LAUTAR

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR GROUNDS MAINTENANCE AT KETTERING BUSINESS PARK

Mr. Wanamaker 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. Fisher, Yea; Mr. Klepacz, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mr. Lautar, 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: 10125-18
BY: MR.LAUTAR AND MR.KLEPACZ

AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION TO ALLOW THE CITY OF KETTERING TO SERVE AS RESPONSIBLE LEAD AGENCY FOR ADMINISTRATION OF THE EAST DAVID ROAD, ACKERMAN TO WILMINGTON, RESURFACING PROJECT (CITY PROJECT NO. 02-116Q; ODOT PROJECT MOT- E. DAVID RD RESURFACING, PID 107907)

Mr. Lautar 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. Scott, Yea; Mr. Wanamaker, Yea; Mr. Lautar, 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: 10126-18
BY: MR.KLEPACZ AND MRS.FISHER

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, 2018

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. Scott, Yea; Mr. Wanamaker, Yea; Mr. Lautar, 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: MRS.FISHER

VACATING PART OF A UTILITY EASEMENT IN THE ROSEWOOD GARDENS PLAT

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT/COMMUNITY UPDATE

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

- Come join us for an informational meeting regarding the City of Kettering ADA Transition Plan on Monday, March 26 at 2:00 p.m. and 6:30 p.m. at Fire Headquarters Community Room (4745 Hempstead Station Drive).
- Coming to the Frazee
 - Alison Krauss- Friday, June 15 at 7:30 p.m.
 - Tony Bennett- Thursday, June 21 at 8:00 p.m.

- Dave Koz & Friends – Friday, July 20 at 7:30 p.m.
- Jim Gaffigan- Friday, July 27 at 7:30 p.m.

- Household Hazardous Waste Drop off will be held Saturday, July 14, 2018 from 9:00 a.m. to noon at Montgomery County Solid Waste District (1001 Encrete Lane)
- Shredding Day will be held on Saturday, September 8 from 9:00 a.m. to noon at the Government Center Parking Lot (3600 Shroyer Rd)
- The Board of Zoning Appeals is looking for a new board member. Deadline to apply is Monday, March 26 and you can contact the Planning & Development Department for more information.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Audience Participation (5 Minute Limit per Speaker)

Linda Sullivan- 115 Lincoln Park- She is here this evening because she is concerned about the parking and traffic at the end of Lincoln Park. Volunteers and employees from the library have begun parking their cars in front of residential housing. At various times, there are four cars parked outside of her house, or two cars will be parked across the street. Parking on both sides of the street are very close to her driveway. The Fire Department and rescue use Lincoln Park as a thru way several times a day. She assumes to avoid the traffic light at Shroyer, or they are going down to Lincoln Park Manor. Around 3 p.m. there is a lot of traffic from the high school and those cars are stacking up between five and six when turning onto Far Hills. There are events at the Trent that often have buses and semi-trucks for the band and they use Lincoln Park. Football games and Frazee events have a large number of cars parking on Lincoln Park. Today and tomorrow there is a no parking sign on the side of the street that she lives on going toward Far Hills for a certain event. She has seen a lot of close call situations, one time involving a semi-truck when she was out walking. The library has to provide parking for their employees and volunteers. She does not understand why a brand new building was built and not enough parking to accommodate it. There are mostly senior citizens down toward the end of the block and they all have lawn services which require pickup truck and trailers for their equipment having no place to park once a week all summer long. This problem goes on from March to November. It also makes it harder for her to pull out of her driveway. Something needs to be done about limiting the parking since it is a high volume street, and the City needs to address this problem.

Mayor Patterson asked Mr. Schwieterman to collect more information from Ms. Sullivan to address the problem with the parking on Lincoln Park. He is aware it has been done for other neighborhoods in the past. Mayor Patterson also mentioned the City will look into the concern about library employees parking on the street. Mayor Patterson informed Ms. Sullivan that while this is a two edge sword, if the City places no parking signs on the street then her friends and family will not be able to park either. He is aware how this parking could be a concern.

Mr. Schwieterman mentioned that he has enough information from Ms. Sullivan from what she just presented, and the City will look into this matter. He has not heard from the library directly that there is an issue regarding employee parking on the street. He will check into this and he will inform Ms. Sullivan with what he was able to find out.

Jean Calhoun- 120 Lincoln Park- She is here this evening because she is concerned about the parking on Lincoln Park, and she speaks for all of her neighbors since the people who live on Lincoln Park have been very tolerant of all the changes. In the past 20 years, there has been the Frazee, Trent Arena, fire station, and a new library. All of these changes have caused more traffic congestion on Lincoln Park. Several years ago, she came before City Council to ask for an evaluation for a traffic light for Far Hills and Lincoln Park. She is concerned about the students when they get out of school. Several buses had to backup due to parking on both sides of the street. When cars are turning onto Far Hills, it is very scary because cars are pulling out onto the road from inexperienced drivers from the high school. When the evaluation was completed, the determination was there was no need for a traffic light at that time. The traffic measurement was conducted during the summer months when there isn't as much traffic on Lincoln Park because Fairmont is on summer break, and also that was 20 years ago before all of the changes on Lincoln Park and the surrounding area. She would like another evaluation if possible for parking on the street, but also for a traffic light as well.

Mayor Patterson mentioned he will give this concern to the Engineering Department because he is aware that there are some traffic limitations due to State Route 48, which doesn't give the City much flexibility compared to it being a City street. He also asked Mr. Bergstresser, Assistant City Manager to get information from Ms. Calhoun so the City can look into what she is asking for.

Ms. Calhoun informed Council that there is a traffic light at Storms and Far Hills, but maybe make a traffic light at Lincoln Park where the children are trying to cross the street.

Dave Brandenburg- 3215 Valleywood Drive- He would like to applaud the Engineering Department. He called their office with a concern and he received two phone calls back the same day. They were able to take care of his concern and complaint regarding his home because he does not have a sidewalk, but the City is building a sidewalk on his property. He is concerned about the \$8,000 bill for

the sidewalk because he is retired. After assessments and fees, it was not in his budget to put a sidewalk in front of his house.

Mayor Patterson mentioned when he gets phone calls about this, most people are not going to live in their home for 20 years or longer. His suggestion is for Mr. Brandenburg to consider placing the assessment on his tax record. Then, he is only paying a few hundred dollars and the people who get to benefit from it 10 years from now can also pay for it. The \$8,000 is a small portion of what it will cost to do that type of work. Mayor Patterson recalled when he was on Council 20 years ago, the City was doing a project in the Hills & Dales Park neighborhood and they were doing curbs and sidewalks. He was receiving calls all day and night about the project. The people in that area are now appreciative of the value of their home increasing because of the curbs and sidewalks. He is aware if you receive a bill for \$8,000 you become concerned.

Mr. Brandenburg mentioned that he missed the letter where he could come to a Council meeting to talk about this.

Mayor Patterson mentioned that would have been over a year ago. The City hasn't done the work yet in front of Mr. Brandenburg's house.

Mr. Brandenburg mentioned that part of Valleywood is complete, and the City is just now getting to his section of Valleywood. Ever since he has lived in his home since 2004/2005, anytime he has had a problem the Engineering Department has been a great help.

COUNCIL COMMITTEE REPORTS

Mr. Lautar reported:

- He would like to second the comment made about Mrs. Fisher being named "Dayton Most Influential Women".
- He had the honor to drop the puck at the Reynolds and Reynolds charity hockey game.
- Last Friday he attended the We Care Arts spring auction.
- On March 2 he attended the School of Advertising Art ribbon cutting.
- On March 3 he attended the 60th anniversary of Green Oak Preschool.

Mr. Duke reported:

- Absent.

Mr. Wanamaker reported:

- Congratulations to Mrs. Fisher on being named one of "Dayton Most Influential Women".

Mr. Scott reported:

- Nothing to report.

Mr. Klepacz reported:

- He mentioned Mrs. Fisher is well deserving of being named one of "Dayton Most Influential Women" and he is glad she is on Council.
- On March 12 Dor-wood Optimist held their Tri-Star basketball event.
- Glad Mayor Patterson is back.
- Mr. Lautar did a great job filling in for Mayor Patterson.
- Support Kettering businesses.

Mrs. Fisher reported:

- She attended the BBB Women to Watch event at the Presidential Banquet Center.
- On Monday she attended the Hoopla Tip-Off reception.
- She congratulated the Martin Luther King Jr. essay winners this evening.
- The Board of Community Relations will be showing *Hidden Figures* at Rosewood Arts Centre.

Mayor Patterson reported:

- Congratulations to Mrs. Fisher on being named one of "Dayton Most Influential Women".
- Congratulations to all of the Martin Luther King Jr. essay winners.
- He thanked Mr. Lautar for filling in for him while he was gone.

They're being no further business to come before this meeting of the Kettering City Council; Mayor Patterson adjourned the City Council Meeting at 8:14 p.m.

ATTEST:

DONALD E. PATTERSON, MAYOR

LaShaunah D. Kaczynski
Clerk of Council