

**KETTERING CITY COUNCIL  
REGULAR MEETING MINUTES  
March 27, 2018**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, March 27, 2018, at 7:30 p.m. in Council Chambers at the Kettering Government Center South Building, 3600 Shroyer Road. Mayor Patterson presided and the Acting Clerk of Council, Amy J. Hayslip, recorded. This meeting was telecast live on the cable access channel.

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

Council Members Absent: None

Total Members Present: Seven (7)

Mayor Patterson led the audience in the Pledge of Allegiance and gave the invocation. He introduced the cable TV operator Liberty Lord. He thanked her for her assistance.

APPROVAL OF MINUTES

March 13, 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 six (6) yea votes, one (1) abstain vote (Mr. Duke) and no (0) nay votes for the March 13, 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

Presentation – ADA Transition Plan Development

John McGovern, WT Group Accessibility Practice gave the presentation this evening and he mentioned that he is proud to have completed the next step in the efforts of the City of Kettering to comply with the Americans with Disabilities Act. The American Disabilities Act became effective January 26, 1992. The WT Group began their work at Kettering in late 2016 after the city had completed a review of our public right-of-way to determine its compliance with federal guidelines and development of various sidewalks and pedestrian infrastructure assets. WT Group's work complemented that and WT Group completed a review of the 47 existing sites and facilities and developed a phased retrofit schedule known as a transition plan. We also evaluated policies for Title II compliance and evaluated the ways in which Kettering staff support people who choose the most integrated setting for recreation. Recommendations of development of an inclusion process including naming a Manager of Inclusion and include the implementation of an eight-step inclusion process for all City services. In our work we found city staff to be forthcoming and interested in an equitable delivery of service for all city residents whether they had a disability or not. The city does have some unique facilities that may require more attention than others but we were also pleased to see that at many sites accessibility modifications are in place. Approximately 4,400 access deficits at 47 sites, and 44,000 access elements done right.

The city has the right attitude and the right awareness and moving forward embracing the obligation that we have to make city services and sites accessible to people with disabilities can only be good for Kettering and can be one of the other things you can point to as a mandate that you have embraced and made it an important issues for the residents. He said he would be happy to answer any questions.

Mayor Patterson thanked Mr. McGovern for his presentation this evening and for the hour and half more detailed presentation Council received during their workshop earlier this evening. We look forward to working internally with these recommendations and changing the shortcomings we may have.

Mr. McGovern stated that they are not shortcomings they are just things you haven't done yet.

Mr. Duke asked Mr. McGovern how the City of Kettering stands up to our ADA compliance compared to other cities?

Mr. McGovern stated that all cities and counties are different; the City of Kettering is a high performer and that the city would be graded as a B+; the Council and City staff understand the need for ADA compliance and accessibility.

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

ORDINANCES IN SECOND READING

AN ORDINANCE  
NO: 4307-18  
BY: MR.LAUTAR AND MR.KLEPACZ

VACATING PART OF A UTILITY EASEMENT IN THE ROSEWOOD GARDENS PLAT

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. Duke, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mr. Lautar, 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: 10127-18  
BY: MR.KLEPACZ AND MRS.FISHER

AUTHORIZING THE CITY MANAGER TO APPLY FOR MONTGOMERY COUNTY SOLID WASTE DISTRICT RECYCLING INCENTIVE GRANT FUNDS

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; Mr. Lautar, 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: 10128-18  
BY: MRS.FISHER AND MR.SCOTT

AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE OR MORE COST PARTICIPATION AGREEMENTS WITH THE CITY OF BEAVERCREEK FOR THE COUNTY LINE ROAD WIDENING PROJECT (CITY PROJECT NO. 02-136H, ODOT PROJECT MOT-COUNTY LINE ROAD, PID 103418)

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; Mr. Lautar, 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: 10129-18  
BY: MR.SCOTT AND MR.DUKE

AUTHORIZING THE CITY MANAGER TO PURCHASE COMPUTERS AS PART OF THE ANNUAL PC REPLACEMENT PROGRAM

Mr. Scott 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. Fisher, Yea; Mr. Klepacz, Yea; Mr. Duke, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mr. Lautar, 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: 10130-18  
BY: MR.DUKE AND MR.WANAMAKER

AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE OR MORE CONTRACTS WITH ROZZI'S FAMOUS FIREWORKS FOR THE PURCHASE AND DISPLAY OF FIREWORKS FOR THE 2018 GO 4<sup>TH</sup>! CELEBRATION AT DELCO PARK

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; Mr. Lautar, 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: 10131-18  
BY: MR.WANAMAKER AND MR.LAUTAR

AUTHORIZING THE CITY MANAGER TO PURCHASE THE REAL PROPERTY COMMONLY KNOWN AS 3701 WILMINGTON PIKE

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

Mr. Gorsuch, Economic Development 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; Mr. Lautar, 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: 10132-18  
BY: MR.LAUTAR AND MR.KLEPACZ

AUTHORIZING THE CITY MANAGER TO EXECUTE A QUIT CLAIM DEED TRANSFERRING THE CITY-OWNED PROPERTY AT 3729 WILMINGTON PIKE TO THE MONTGOMERY COUNTY LAND REUTILIZATION CORPORATION

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

Mr. Robillard, Planning & Development Director gave a brief description of the resolution.

Mayor Patterson asked Mr. Robillard if we had to wait five years to request the property back from the Land Bank.

Mr. Robillard stated that we can request the property anytime within the next five years and that we did not have to wait until the five years is up.

The following votes were recorded: Mrs. Fisher, Yea; Mr. Klepacz, Yea; Mr. Duke, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mr. Lautar, 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

Certification – 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 for this request will be held on April 10, 2018 at the Kettering City Council meeting.

Certification – P.C. 18-005 – Request for Zoning District Map Amendment to reclassify land from B-Business to R-2 Neighborhood Residence. A public hearing for this request will be held on April 10, 2018 at the Kettering City Council meeting.

MANAGER'S REPORT/COMMUNITY UPDATE

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

- City Income Tax Filing- forms can be picked up at the Kettering Tax Department lobby or found online at [www.ketteringoh.org](http://www.ketteringoh.org) Dealine for filing is April 17, 2018.
- Coming to the Frazee
  - Black Violin- Thursday, June 28 at 7:30 p.m.
  - Earth, Wind & Fire- Thursday, August 23 at 7:30 p.m.
  - Culture Club and Thompson Twins' Tom Bailey- Wednesday, September 5 at 8:00 pm
  - Ringo Starr & His All Starr Band- Tuesday, September 11 at 7:30 p.m.
- Spring Leaf Pickup- crews will make one pass through the entire city beginning April 16 to collect any leave remaining from fall.
- A new e-newsletter will be sent out to all Board and Commission members to update them on current city projects.

OTHER BUSINESS NOT ON WRITTEN AGENDA  
Audience Participation (5 Minute Limit per Speaker)

COUNCIL COMMITTEE REPORTS

Mr. Lautar reported:

- Nothing to report.

Mr. Duke reported:

- He thanked Kettering Rotary for hosting the Firefighter of the Year awards.
- He mentioned that Kettering Leadership Applications are available.
- He mentioned that Tom Robillard will be the speaker at the First Tier Suburbs meeting on March 28 to discuss the Community Development Block Grant Program.

Mr. Wanamaker reported:

- He attended the Sister Cities annual dinner; Firefighter of the Year awards dinner and the Annual Firefighter Awards program.

Mr. Scott reported:

- Saturday, March 31 Dayton Vineyard will host Easter Egg Hunts at Delco Park and other various parks throughout Kettering.

Mr. Klepacz reported:

- On March 15 attended the Sister Cities annual dinner with over 40 people in attendance.
- Firefighter Awards Program at Van Buren Middle School – life saving awards were given to 8 different crews in 2017.
- Support Kettering businesses.

Mrs. Fisher reported:

- The Board of Community Relations showing of *Hidden Figures* at Rosewood Arts Centre had a good turnout.

Mayor Patterson reported:

- Attended the Sister Cities Annual Dinner – Mr. Klepacz is our council liaison.
- On March 20 attended the Crayons to Classroom program at Sinclair. Thank you to Linda Hoffman for inviting Maureen and I. This program provides the basic necessities and supplies for children to attend school.
- Attended the Rotary Firefighter of the Year dinner and the Firefighter Awards program. These programs show the true quality of our public service personnel.
- Wished Mr. Gorsuch a Happy Birthday.
- He thanked Amy Hayslip for filling in for LaShaunah Kaczynski this evening.

They're being no further business to come before this meeting of the Kettering City Council; Mayor Patterson adjourned the City Council Meeting at 8:05 p.m.

ATTEST:

\_\_\_\_\_  
DONALD E. PATTERSON, MAYOR

Amy J. Hayslip  
Acting Clerk of Council