

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
July 10, 2018**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, July 10, 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, Klepacz, Fisher, Duke and Wanamaker

Council Members Absent: Scott (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 Liberty Lord. He thanked her for her assistance.

APPROVAL OF MINUTES

June 26, 2018 - Council Meeting & Workshop Minutes

Mr. Klepacz reported that he reviewed the above minutes and moved the minutes be approved. Mrs. Fisher seconded the motion and there being four (4) yea votes, two (2) abstain votes (Mr. Duke and Mr. Lautar) and no (0) nay votes for the June 26, 2018 Council Meeting & Workshop Minutes, the motion was declared carried by roll call vote.

Mayor Patterson mentioned Mr. Scott has an excused absence.

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

Proclamation- Parks & Recreation Month

Mr. Lautar read the above proclamation and same was accepted by Mary Beth Thaman, Parks, Recreation and Cultural Arts Director. Ms. Thaman mentioned that our spaces and places bring people together to engage, inspire, connect, get healthy, learn a new skill or perfect an old skill. She played a brief video about the faces that the Parks, Recreation, and Cultural Arts Department has the privilege to serve every day.

Mayor Patterson thanked Ms. Thaman and mentioned Go 4th! was a great celebration. He thanked City staff for their time and effort in making Go 4th! a success.

Presentation- Montgomery County Recorder

Brandon McClain, Montgomery County Recorder made the presentation this evening. Mr. McClain mentioned that an injustice anywhere is injustice everywhere. The truth and meaning behind those words is what bring him in front of Council this evening because this is something that has touched every citizen and municipality in Montgomery County. That problem is property fraud. He asked that people present raise their hand if they are a home owner or know of someone who is a home owner. He mentioned everyone in the Council Chambers raised their hand and that is because home ownership is something that we work toward, and something that we all look forward to if it is something that we do not already have. Unfortunately, homeownership is something that makes us vulnerable to property defraud. His first sixty days in office he implemented a fraud alert notification system that can indicate property fraud which is becoming more prevalent in Montgomery County. As an attorney, Mr. McClain encountered individuals within our communities who have been victims of property fraud, and have had their homes taken away from them. When he served as a magistrate he had individuals that entered his courtroom that had their property taken away. When he became Montgomery County Recorder, he made a priority to implement a system to combat property fraud and protect the homes of all residents within Montgomery County. The fraud notification system is a system that allows oversight without intrusion. This will allow a property owner to be proactive instead of reactive. There is no cost associated with property owners signing up for this service. This will send a notification to the property owner anytime an individual tries to record a deed, mortgage or a lien that may affect ownership interest. You will receive notification via email or correspondence anytime that issue may happen. If you use email you will receive notification instantly, but if you choose correspondence it will be about a day delay. You will receive notification of the attempt of a document being recorded that could potentially have an impact on your property. That is very important when you talk about what property fraud really means. If Mr. McClain has to have a reactive conversation with a Montgomery County resident, that is because there has been an event that could have extinguished their ownership rights or have a negative cloud over their ownership rights. That is a conversation he does not want to have with a property owner. He is someone who has had conversations with people within the community about things that have had a negative impact on their home and this is not a conversation that you want to have. Mr. McClain expressed that he is the

overseer of 254,555 parcel properties throughout Montgomery County. Of those 61% equate for homeownership and 84% of parcel properties are residential. The remaining 23% are investors. The people most affected by property fraud are investors and seniors. Oversight without intrusion allows property owners to get surveillance of their property 24 hours a day at no cost or charge. In the monthly newsletter that he instituted, there is a small section of someone who was just charged with 25 counts of property defraud here in Montgomery County. This is not a senior or new home owner issue but instead this is a property owner issue. We must be diligent and proactive instead of reactive to ensure all boundaries and citizens within our communities are protected. We do not need any more victims and when you look at property fraud by the numbers there has been over one dozen cases of property defraud since 2017 that had to be referred to criminal investigation. That is one citizen per month since 2017 that has had their homeownership rights extinguished or questioned. You can register for the fraud alert notification system online and registration takes less than a minute or you can call 225-4275. You can also stop by in person at 451 W. Third Street. Mr. McClain mentioned he would be happy to answer any questions.

Mr. Lautar asked that most of the documents of someone trying to illegally take someone property have to be notarized, and the notary is not doing his or her job by confirming they have the correct person in front of them. Will you go after the notaries?

Mr. McClain informed Council that there have been talks with the prosecutor about those types of pursuits. Fraud can happen in two ways with these types of documents. Sometimes the notaries do not follow proper protocol or procedures. There are cases where a notary can be shown a false identification and in other cases a notary is in on the illegal activity taken place. That is why he has implemented a proactive system instead of a reactive system to protect our homes.

Mr. McClain mentioned that he is a veteran and as a country we have not given our best to our veterans. He will be implementing a veteran's identification card program to ensure that we begin to serve our veterans as they have faithfully served us. The cost of this program will be free to eligible veterans because they have paid for this identification card through their service. The definition of an eligible veteran under Ohio Law is any veteran that has a discharge other than dishonorable. This will serve as a state identification card which will have the same note as a driver license or a state identification card. It will also replace the pocket DD214. This will also help veterans receive benefits that they are entitled to such as healthcare and VA loans. This will also show proof of their military service which will allow them to receive discounts at retail stores. His office will be releasing a comprehensive list that will show which businesses offer veteran discounts. To qualify, veterans must record their discharge papers and bring two forms of valid identification. Mr. McClain mentioned he would be happy to answer any questions.

Mr. Klepacz asked does this card compare to the cards that are distributed out at the Military Affairs Office?

Mr. McClain informed Council that the card that is handed out at the Military Affairs Office is not a state identification card. This card will have your picture on it and your proof of service will also be on the card. It will have the same note as a driver license or a state identification card.

Mayor Patterson thanked Mr. McClain for taking time to explain these two great programs.

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION
NO: 10165-18
BY: MR.LAUTAR AND MR.KLEPACZ

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT TO PURCHASE A RECORDS MANAGEMENT SYSTEM FOR THE FIRE DEPARTMENT

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

Mr. Robbins, Assistant Fire Chief gave a brief description of the resolution.

The following votes were recorded: Mr. Lautar, Yea; Mr. Klepacz, Yea; Mrs. Fisher, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 10166-18
BY: MR.KLEPACZ AND MRS.FISHER

AUTHORIZING THE CITY MANAGER TO ACCEPT GRANT FUNDS FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY, OHIO DIVISION OF EMS

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

Mr. Robbins, Assistant Fire Chief gave a brief description of the resolution.

The following votes were recorded: Mr. Lautar, Yea; Mr. Klepacz, Yea; Mrs. Fisher, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 10167-18
BY: MRS.FISHER AND MR.DUKE

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO SELECT AN ENGINEERING DESIGN SERVICES CONSULTANT FOR THE RIDGEWAY ROAD BRIDGE REPLACEMENT PROJECT, CITY PROJECT NO. 03-904C

Mrs. Fisher 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.

Mr. Duke wanted to thank Mr. Bergstresser and Mrs. Schweikhart for the great work they did with putting together the documents that went forward to the state that helped the City get this funding. Also, he thanked all of the neighbors that responded to the survey and making it known that this issue was important to them. This is a true win- win for everyone.

The following votes were recorded: Mr. Lautar, Yea; Mr. Klepacz, Yea; Mrs. Fisher, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 10168-18
BY: MR.DUKE AND MR.WANAMAKER

AUTHORIZING THE CITY MANAGER TO PURCHASE APPROXIMATELY 6,000 TONS OF ROAD SALT THROUGH AN APPROVED STATE OR LOCAL 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: Mr. Lautar, Yea; Mr. Klepacz, Yea; Mrs. Fisher, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 10169-18
BY: MR.WANAMAKER AND MR.LAUTAR

ACCEPTING THE FINDINGS AND RECOMMENDATIONS OF THE FACT FINDER IN SERB CASE NO. 2017-MED-11-1467 AND AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE FRATERNAL ORDER OF POLICE KETTERING LODGE NO. 92, CONSISTENT WITH THOSE FINDINGS AND RECOMMENDATIONS OR AS MODIFIED BY MUTUAL AGREEMENT OF THE PARTIES

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: Mr. Lautar, Yea; Mr. Klepacz, Yea; Mrs. Fisher, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT/COMMUNITY UPDATE

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

- There will be a "Kettering Day" at the Montgomery County Solid Waste District on Saturday, July 14 from 9:00 a.m. –noon.
- The Kickin' Chicken Wing Fest will be Saturday, July 14 at 3:00 p.m. at the Frazee Pavilion.
- Congratulations to the Finance Department on receiving the Distinguished Budget Presentation Award from the Government Finance Officers Association.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Audience Participation (5 Minute Limit per Speaker)

Patricia Higgins- 480 Winding Way- She is a resident of the Ridgeway Bridge neighborhood and she had worked very hard with all of the neighbors to make sure they were aware of the Ridgeway Bridge project, and she is here tonight on behalf of the neighborhood to thank City staff for their hard work on the survey and the grant application. She is also here this evening to thank Mayor Patterson and City Council for supporting this project. Since the word got out about this project, there has been fantastic coverage from Facebook and people stopping each other on the street. Neighbors are excited about the project, and they are happy to be Kettering residents.

COUNCIL COMMITTEE REPORTS

Mr. Lautar reported:

- He thanked City staff for making Go 4th! a success each year.
- On July 10 he attended a ribbon cutting for the Medicare Resource Center located in Town & Country.

Mr. Duke reported:

- Go 4th! was a great night.
- Kettering Leadership Academy class is at full capacity and interviews will begin within the next week.
- Kettering Leadership Academy received a national award on June 18 from the National Association of Volunteer Programs.

Mr. Wanamaker reported:

- Nothing to report.

Mr. Scott reported:

- Absent.

Mr. Klepacz reported:

- This is the 10th year of the sponsorship of the Trails of Oakcreek summer lunch program.
- Shop Kettering.

Mrs. Fisher reported:

- Thank you to Col. McDonald for working hard to accommodate residents at the Systems Go concert on June 27.
- She congratulated the Parks, Recreation and Cultural Arts Department on a wonderful firework display.

Mayor Patterson reported:

- On June 27 he introduced the Band of Flight at the Systems Go concert at the Frazee.
- Go 4th! was a wonderful celebration.
- On July 10 he attended the ribbon cutting for the Medicare Resource Center at Town & Country.

Mayor Patterson read a statement about current construction work that is taking place at Kettering Business Park.

They're being no further business to come before this meeting of the Kettering City Council; Mayor Patterson adjourned the City Council Meeting at 8:12 p.m.

ATTEST:

LaShaunah D. Kaczynski
Clerk of Council

DONALD E. PATTERSON, MAYOR