

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
October 23, 2018**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, October 23, 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, Duke 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

APPROVAL OF MINUTES

October 9, 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 six (6) yea votes, one (1) abstain vote (Mayor Patterson) and no (0) nay votes for the October 9, 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

Proclamation- Make a Difference Day

Mr. Klepacz read the above proclamation and same was accepted by Kari Basson, Chairperson of the Volunteer Advisory Council. Ms. Basson thanked Mayor Patterson and City Council for the proclamation. The City of Kettering has a long tradition in participating in Make a Difference Day, and Kettering has received national recognition for our efforts. This year's Make a Difference Day will take place on Saturday, October 27 from 9:00 a.m.- 12:00 p.m. Volunteers will be able to assist in indoor and outdoor projects. Volunteers will be creating holiday greeting cards that will be sent to active military members with the help of Blue Star Mothers. Volunteers will also be creating holiday placemats to be distributed to local nursing homes. Both of these indoor projects will take place at Central Christian Church and Christ Church. In conjunction with the Cities of Service initiative and Art Local, Jess McMillion the artist that was selected for the public art piece in the Haverstick neighborhood will be greeting neighbors and coordinating art projects at Central Christian Church. Volunteers will also be working in the Haverstick neighborhood doing yard clean-up and leaf raking. Residents in the neighborhood will be conducting garage sales this Thursday and Friday in conjunction with the Cities of Service initiative. Make a Difference Day would not be possible without the support of Mayor Patterson, City Council, City staff, Cities of Service team, Central Christian Church, Christ Church, area businesses, and the Volunteer Advisory Council. She would be remised if she did not thank the hundreds of volunteers who help every year. Together, we make a positive impact not only in our local community but throughout the world. Please stop by at any of these locations on Saturday, and if you have any questions please contact the Volunteer Office at 296-2433.

Proclamation- National Arts and Humanities Month

Mr. Duke read the above proclamation and same was accepted by Shayna McConville, Division Manager for Cultural Arts. Ms. McConville thanked Mayor Patterson and City Council for recognizing the arts and humanities in Kettering. She is proud to accept this proclamation on behalf of the team at the Rosewood Arts Centre, Kettering Arts Council, volunteers, and the entire Kettering community. Kettering is a community like no other. Cultural arts is a division that thrives because of the residents of Kettering. Also, the division is able to thrive thanks to the thoughtful individuals that recognize the importance of the arts from the Parks & Recreation staff, Engineering Department, dedicated volunteers, Kettering Arts Council, Art in Public Places Committee, Parks Board, and the Parks, Recreation, and Cultural Arts Advisory Committee. Without volunteers, we would not be able to host events such as Art on the Commons, Rosewood Holiday Arts Festival, and several other events. We are able to see how the arts impact people lives. Recently, Rosewood hosted a comic book event at the Trent Arena and you were able to see children excited to meet comic book legends while dressed up as their favorite comic book hero. Adults were also able to join the fun. Seeing that type of excitement and creating a space for creativity and interaction is important. One thing they hear over and over is that Kettering is a place like no other. Ms. McConville thanked City Council for all that they do for the community. She looks forward to seeing everyone at Make a Difference Day.

Presentation- State of the Arts

Sue Ellen Boesch, Kettering Arts Council made the presentation this evening. She is excited to present this evening the Arts Road Show. They created this to share the arts with the entire city. The

arts make Kettering a premier city to call home. They also add value to our neighborhoods, quality of life, and our families. The arts are defined as the express or application of human creative skill and imagination. She has taught art, and has had shows at Rosewood. Art has made a great impact on her life. Kettering is a vibrant destination of the arts. Kettering has a tremendous art community including, Frazee and Rosewood Arts Centre. Rosewood has been a destination of the arts since 1985 and the Frazee for entertainment since 1991. Today, over 450 programs are offered every year at Rosewood.

Pene Miller- In Kettering we believe in the value of the arts. A national organization Americans for the Arts remind us the arts are fundamental to our humanity. They are noble and inspire us to foster creativity, goodness, and beauty. The arts can take many forms. The arts improve the well-being in our community. A recent survey highlighted that 95% of residents believe Rosewood adds value to Kettering. Each year, over 7,000 children attend classes at Rosewood and over 10,000 adults attend classes or workshops at Rosewood. Kettering has a history of supporting the arts. The Kettering Civic Band began in 1959. This organization gives several performances each summer at Polen Farm and the Frazee. The Kettering Civic Band is a community asset we can all be proud of.

Thom Meyer- The memorial at the center of Lincoln Park and Ackerman Blvd is the memorial to 9/11. The remarkable thing about this memorial is the shadow of the sundial lines up perfectly with the silence of the solar noon on September 11 every year. Arts such as this have a social impact. Research show the arts lead to high civic engagement and social cohesion. Our community believes in the power of art, and the accessibility to art for all people. The Arts Council highlights the arts throughout the City through various programs. The Bike the Arts Ride focuses on safe cycling and the art in the community. This year, the ride focused on the art on Lincoln Park. In the past, they have done a tour of mid-century architecture. Participants are always amazed by what Kettering has to offer. The arts improve academic performance. Arts improve students test scores, and students involved in the arts have lower drop-out rates. Arts impact education, and Kettering City Schools offer art education in grades 1-12. Alter and Fairmont are both investing in art venues. The Dayton Regional STEM School integrates art in their curriculum and students at Kettering College visit We Care Arts and Rosewood to study expression and problem solving. Arts improve health and healing. Arts can improve health mentally, physically, and spiritually. Kettering Cancer Center offers a healing through art series. Anyone at any age can participate in arts programs. Kettering is also home to We Care Arts that offers arts to individuals with disabilities. The arts can help people feel accepted and less isolated, which is something we all want.

Meghan Dillion- The Kettering arts community pulls people from all over the Dayton region to participate in classes, theatre pieces, music, and more. If you have a hobby or if you are looking for a hobby, you are sure to find something within the arts to meet your needs. Youth of all ages improve their interactive skills through art from hands on learning activities. During the summer, Rosewood offers 40 camps for students. Rosewood alone draws over 100,000 people to their art and cultural events each year. This creates a demand of over 450 arts and humanities classes each year.

Christian Davell- Over 100 artists from around the country having showings at Rosewood each year. People travel from all over the region to see what is new in the Rosewood gallery, and also to admire the pieces of work which are in the gallery. The best part is that most Rosewood gallery showings are free. Kettering is lucky to have a strong artist community. Rosewood has been used as an artist canvas for many years allowing artists to create special community made projects. Through the City Sites public art program, residents are able to enjoy remarkable art in parks and throughout the city. Kettering has long invested in public art because public art is a symbol of a thriving community. The public art collection is part of the city's legacy. Public spaces are transformed by artwork. Residents are able to connect with the artwork by taking pictures in parks or simply admire the piece of work. Public artwork gives our city character, public pride, and beautifies our world.

Gene Elliott- The Kettering Arts Council is a citizen volunteer advisory committee that is comprised of local artists, educators, community leaders, and those who truly appreciate the arts. Their mission is to provide access to arts for all ages, encourage a passion for the arts, and to promote art education and appreciation. They work under the creative and efficient leadership of Shayna McConville. They serve with the Parks, Recreation, and Cultural Arts Department. Art changes lives, beautify our world, bring vibrancy to Kettering, and are accessible to all. She is proud to call Kettering her home. Kettering is a lead example when it comes to the arts. On behalf of the Arts Council, she thanked Council for letting them present the Art Road Show.

Mayor Patterson thanked the Arts Council for their presentation this evening. Council appreciates the value the arts bring to the Kettering community. When he speaks with businesses, they understand the importance of having arts within our community. He thanked the Arts Council for everything they do for the community.

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

ORDINANCES IN SECOND READING

A RESOLUTION
NO: 10203-18
BY: MR.LAUTAR AND MR.KLEPACZ

TO AMEND RESOLUTION NO. 10112-18

Mr. Lautar 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: Mr. Lautar, Yea; Mr. Klepacz, Yea; Mrs. Fisher, Yea; Mr. Scott, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 10204-18
BY: MR.KLEPACZ AND MRS.FISHER

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND
NEGOTIATED QUOTES TO CONTRACT FOR REPLACEMENT OF THE ROOF AT THE
VEHICLE MAINTENANCE CENTER

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: Mr. Lautar, Yea; Mr. Klepacz, Yea; Mrs. Fisher, Yea; Mr. Scott, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 10205-18
BY: MRS.FISHER AND MR.SCOTT

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE
KETTERING DEVELOPMENT CORPORATION FOR ASSISTANCE WITH THE MARKETING
AND SALE/LEASE OF REAL ESTATE

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: Mr. Lautar, Yea; Mr. Klepacz, Yea; Mrs. Fisher, Yea; Mr. Scott, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 10206-18
BY: MR.SCOTT AND MR.DUKE

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND
NEGOTIATED QUOTES TO CONTRACT FOR IRRIGATION CONTROLLERS AND
IRRIGATION SYSTEM REPAIRS IN VARIOUS PARKS

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: Mr. Lautar, Yea; Mr. Klepacz, Yea; Mrs. Fisher, Yea; Mr. Scott, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 10207-18
BY: MR.DUKE AND MR.WANAMAKER

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND
NEGOTIATED QUOTES TO CONTRACT FOR THE REPAIR AND INSTALLATION OF
FENCING SYSTEMS AND ACCESSIBILITY IMPROVEMENTS THROUGHOUT VARIOUS
PARKS

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. Scott, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 10208-18
BY: MR.WANAMAKER AND MR.LAUTAR

AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FROM THE COMMUNITY
FOUNDATION OF KETTERING

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. Scott, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 10209-18
BY: MR.LAUTAR AND MR.KLEPACZ

AUTHORIZING THE CITY MANAGER TO RENEW AN AGREEMENT WITH
BLADECUTTERS FOR THE REMOVAL OF SNOW AND ICE AT CITY FACILITIES

Mr. Lautar 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: Mr. Lautar, Yea; Mr. Klepacz, Yea; Mrs. Fisher, Yea; Mr. Scott, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 10210-18
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: Mr. Lautar, Yea; Mr. Klepacz, Yea; Mrs. Fisher, Yea; Mr. Scott, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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- Planning Commission recommends approval of P.C. 18-018- Request for Zoning District Map Amendment to reclassify land from EDO #18 to a B-Business Designation. A public hearing on this request will be held on Tuesday, November 13, 2018 at the Kettering City Council meeting.

MANAGER'S REPORT/COMMUNITY UPDATE

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

- Crews are currently working in district 10 and are progressing forward through the districts. Districts are picked up in numerical order, so please have your leaves raked and placed by the curbs.
- Make a Difference Day will be on Saturday, October 27 from 9:00 a.m. – 12:00 p.m.
- Medicare open enrollment begins October 15- December 7.
- 2018 Beggar's Night in Kettering will be Wednesday, October 31 from 6:00-8:00 p.m.
- Daylight savings time ends Sunday, November 4 at 2:00 p.m. Turn your clocks back by an hour.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Audience Participation (5 Minute Limit per Speaker)

Charles Shanesy -5398 Brainard Dr- He is here this evening not as an Oakcreek activist but as a father who supports the Kids First levy that is on the ballot in a few weeks. He has three children who are currently in Kettering schools. He is representing the committee for Citizens for Kettering City Schools and he would like to tell the citizens what the levy is about. The Kettering Board of Education approved the levy as 5.99 mills in July to go on the ballot on November 6. This is the first time in five years that the Board of Education has asked the community to approve an operating levy. The levy will cost the owner of a \$100,000 home an additional \$17.47 a month annually. If approved, the levy will generate 17.5 million dollars annually for all district operations. It will enhance safety and security measures, implement all day kindergarten across the district, and expand the district career tech offerings. If approved, the district will increase the number of school Resource Officers by adding a full-time SRO to each of the two middle schools and securing two full-time officers for the elementary schools. Currently, Kettering has a full-time SRO at Fairmont and two additional SRO who monitor the two middle schools, all eight of the elementary schools, and the nonpublic schools in Kettering. In addition, there will be back ground checks for volunteers and anyone who will be working with children. There will be a private company that will conduct background checks. If the levy is approved, there will be an expansion of security cameras throughout all of the buildings and also install door barricades in every classroom. A survey conducted in 2015 found that residents wanted all day kindergarten. Currently, all day kindergarten is offered at Greenmont and is going very well. If the levy passes, the program will expand district wide. Schools that are already in place and ready to take all day kindergarten will immediately go into operation for 2019/2020, and the buildings that will need extra construction will begin in 2020/2021. If the levy passes, Fairmont will expand their career offerings. This program will prepare students with the education and training they need to go into jobs that are in high demand.

David Leiffer- 2333 Ghent Avenue- He has lived in his home for 49 years. He is here this evening because of his concerns regarding the car haulers, campers, and trailers on Ghent Avenue. There are some residents on that street who park their cars on the grass, and Sandys is a car hauler, and there are now two or three additional trucks that are there all the time. Those trucks are not supposed to be in the plat. He has been voicing his concerns now for two years and nothing has been done to fix this ongoing problem. He would like to know why they are allowed to park their trucks in the plat when the Zoning Code says they are not allowed to park their cars in the plat. The City is not doing anything about this problem.

Mayor Patterson told Mr. Leiffer to meet with Mr. Schwieterman and Chief Protsman after the meeting.

Mr. Leiffer mentioned he does not know what else to do. The City is not doing what they are supposed to be doing. He will have to go to the newspaper. The City makes rules but do not follow their own rules. He can write 50 violations a week that he sees in Kettering. The inspectors will drive by, but they will not slow down to see anything. He has been speaking about this matter for three years and nothing has happened to fix this problem. The City keeps telling him it takes two years for certain violations to go through the court process.

Mr. Scott wanted clarification that Ron Hundt has met with Mr. Leiffer regarding his concerns on Ghent Avenue and has tried to resolve the concerns of Mr. Leiffer?

Mr. Schwieterman informed Council that sometime ago he and Mr. Leiffer met and went over his list of concerns and he and the Planning & Development Director drove that list. During that trip, they made notation of violations or no violations. They entered the violations into the system and they are aware that Mr. Leiffer is concerned about car haulers. They do issue citations, but they are still working in that neighborhood. We have had court cases and they do take a lot of time. We follow due process for all property maintenance violations. He would be happy to meet with Mr. Leiffer again to go over his concerns.

Mr. Klepacz noted that Mr. Leiffer is not only concerned about property maintenance issues, since trucks are parked on the street that now becomes a Police Department issue.

Mr. Schwieterman informed Council that is correct and he is talking about multiple codes (property maintenance and traffic).

Mr. Klepacz clarified that they have been checking into violations that fall under the traffic code as well.

COUNCIL COMMITTEE REPORTS

Mr. Lautar reported:

- No report.

Mr. Duke reported:

- Pub Night was fun.
- On October 11 he attended the Wright Brothers photo series at Deck the Walls.

Mr. Wanamaker reported:

- Thank you Mr. Klepacz for all of his hard work with Sister Cities.

Mr. Scott reported:

- No report.

Mr. Klepacz reported:

- On October 10 Sister Cities held their annual Pub Night.
- On October 14 he attended the Public Safety Fair at Kettering Medical Center.
- Shop Kettering.

Mrs. Fisher reported:

- She attended the brick breaking ceremony at the STEM School.
- She attended the Dayton Literary Peace Prize Author Series.

Mayor Patterson reported:

- He offered his condolences to Mayor Mark Kingseed's family.
- Congratulations to Fairmont on raising over \$100,000 for Spirit Chain.
- Thank you to Council for filling in while he was out of the office.

They're being no further business to come before this meeting of the Kettering City Council; Mayor Patterson adjourned the City Council Meeting at 8:23p.m.

ATTEST:

LaShaunah D. Kaczynski
Clerk of Council

DONALD E. PATTERSON, MAYOR