

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
December 11, 2018**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, December 11, 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, 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.

Mayor Patterson welcomed a group of students from Oakwood High School to the meeting this evening.

APPROVAL OF MINUTES

July 31, 2018- Special Meeting Minutes

December 4, 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 (she did abstain from the December 4, 2018 Council Meeting and Workshop Minutes) Mr. Duke seconded the motion of the above minutes and there being six (6) yeas, one (1) abstain vote (Mrs. Fisher, December 4, 2018 Council Meeting and Workshop Minutes) and no (0) nay votes for the July 31, 2018 Special Meeting Minutes and the December 4, 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- Board of Zoning Appeals- Bob Parks (Term ending 12/31/19)

Mr. Lautar made a motion to appoint Bob Parks to the Board of Zoning Appeals. Mr. Klepacz seconded the motion followed by an unanimous like sign vote.

Presentation- Christmas Day at Polen Farm

Bill Bradley made the presentation this evening. He thanked Mayor Patterson and City Council for allowing him to be here this evening. He would like to invite everyone in the community to Polen Farm on Christmas Day. There will be plenty of food and activities for the entire family. MaryLou Randolph has done a great job coordinating the events. There have been a few changes this year. All of the food has been moved to the barn this year, and all of Santa's activities will be in the house. Marynel will be in charge of the food in the barn and Cathy will be in charge of the Santa activities. Mr. Bradley will be cleaning up after the reindeer. In the Santa Land Workshop there will be a train, book store, carol singing, pictures with Santa, story time, and a selfie station. They have had a lot of good sponsors and many sponsors have been helping out for many years. Kohler Catering will be providing all of the hot food, Kettering Medical Center will be providing cookies, Mayor Patterson will be providing Ester-Price chocolates, and Mary Anne Dodaro will be providing the bread. The Dodaro family has moved into the third generation. Jenny (Mary Anne and Pete daughter) has had a daughter named Bethany. He would like to once again thank all of the sponsors and he appreciates all they do to help out with this event. He also would like to thank city staff for all of their help; especially MaryLou Randolph. Come have a Merry Christmas at the Polen Farm open house from 1:00 p.m. - 4:00p.m.

Mayor Patterson thanked the Bradley family for their continued giving of time to put on this event every year. This is a great project that allows people who might not have a place to go on Christmas a place where they can celebrate classic Christmas traditions. This has grown over the years, and has now expanded into the barn.

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

ORDINANCES IN SECOND READING

AN ORDINANCE
NO: 4318-18
BY: MR.LAUTAR AND MR.KLEPACZ

TO PROVIDE FOR THE TABLE OF ORGANIZATION, POSITION CLASSIFICATION PLAN,
COMPENSATION PLAN AND PAY SCHEDULES AND RULES AND REGULATIONS
PERTAINING TO CONDITIONS OF WORK AND SUPPLEMENTAL BENEFITS FOR THE
EMPLOYEES OF THE CITY OF KETTERING, OHIO, AND TO REPEAL ORDINANCE NO.
4315-18

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: 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 ordinance duly adopted.

Mayor Patterson mentioned that Mr. Scott has an excused absence this evening.

RESOLUTIONS

A RESOLUTION
NO: 10224-18
BY: MR.KLEPACZ AND MRS.FISHER

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE
KETTERING BASKETBALL OFFICIALS 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: 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: 10225-18
BY: MRS.FISHER AND MR.DUKE

DIRECTING THE FINANCE DIRECTOR TO COMMIT AN ADDITIONAL \$500,000.00 OF THE
GENERAL FUND BALANCE TO BE EXPENDED FOR ECONOMIC DEVELOPMENT
PURPOSES EFFECTIVE JANUARY 1, 2019

Mrs. Fisher 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. 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: 10226-18
BY: MR.DUKE AND MR.WANAMAKER

AUTHORIZING THE CITY MANAGER TO CONTRACT FOR LEADERSHIP TRAINING
SERVICES WITH THE UNIVERSITY OF DAYTON

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: 10227-18
BY: MR.WANAMAKER AND MR.LAUTAR

AUTHORIZING THE CITY MANAGER TO CONTRACT FOR COMMISSIONING SERVICES
FOR THE POLICE DEPARTMENT RENOVATION PROJECT

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.

A RESOLUTION
NO: 10228-18
BY: MR.LAUTAR AND MR.KLEPACZ

AUTHORIZING THE CITY MANAGER TO CONTRACT FOR INSTALLATION OF NEW
ELECTRIC SERVICE AT BUILDING 46 IN THE KETTERING BUSINESS PARK

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. 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: 10229-18
BY: MR.KLEPACZ AND MRS.FISHER

AUTHORIZING THE CITY MANAGER TO ACCEPT A DONATION FOR THE PURCHASE OF
A DUAL PURPOSE POLICE CANINE

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

Chief Protsman, Police Chief gave a brief description of the resolution.

Mayor Patterson asked which dog is being retired?

Chief Protsman informed Council that Fuse (Black Lab) is being retired.

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: 10230-18
BY: MRS.FISHER AND MR.DUKE

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND
NEGOTIATED QUOTES TO CONTRACT FOR DEMOLITION OF BUILDING 2 IN THE
KETTERING BUSINESS PARK

Mrs. Fisher 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. 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: 10231-18
BY: MR.DUKE AND MR.WANAMAKER

AUTHORIZING THE CITY MANAGER TO ACCEPT DONATIONS FOR THE CHRISTMAS
DAY FUND

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: 10232-18
BY: MR.WANAMAKER AND MR.LAUTAR

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. 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.

A RESOLUTION
NO: 10233-18
BY: MR.LAUTAR AND MR.KLEPACZ

TO MAKE APPROPRIATIONS FOR CURRENT EXPENDITURES OF THE CITY OF
KETTERING, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31,
2019.

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

Mr. Schwieterman, City Manager gave a PowerPoint presentation 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.

- The Yard Debris Center will be closing for the season on December 22 at 3:00 p.m.
- Crews are currently working in District 5 for leaf pickup.
- There will be no Waste Management trash pickup on Tuesday, December 25 or Monday, January 1.
- Christmas Day at Polen Farm will be Tuesday, December 25 from 1:00 p.m. -4:00 p.m.
- Fire Station 37 will be having a ribbon cutting on Friday, December 14 at 1300 W. Dorothy Lane from 10:00 a.m. - 12:00 p.m.
- In observance of the Christmas and New Year's Holidays, the City of Kettering Government Offices will be closed:
 - Monday, December 24
 - Tuesday, December 25
 - Tuesday, January 1
- 2019 dog licenses are now on sale. Forms are available at area pet supply stores, some veterinarian offices, SICSA and the county animal resource center.
- Thank you to Kelly O'Connell and the entire Finance Department for the budget presentation and all of their work on the budget.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Audience Participation (5 Minute Limit per Speaker)

Ellen Miller- 3014 Kingston Ave- The City of Kettering does not have a nuisance abatement policy. She would like to see that happen because it is needed. The nuisance abatement policy deals primarily with violations of drugs, drug usage, prostitution, and gambling within the city. The only means of combating this issue is housing violations. If there is a drug house across the street, the only thing the city can do is cite the location for housing violations. This issue has to be addressed. The City of Dayton has a nuisance abatement program and it works very well. It gives the city more power to do something about illegal activity. The house across the street from her has had illegal activity going on for the past year in a half. There is other illegal activity going on, and the police have tried to contain this type of behavior. Having a nuisance abatement ordinance will give a better chance to cleanup this type of behavior. This would also be a better tool for the city to use. She has spoken with the lady who created this program in Dayton, and she is willing to work with any municipality to help them create this type of policy. Ms. Miller asked City Council if they had any questions.

Mayor Patterson mentioned Council does not typically answer questions. He would like for Ms. Miller to meet with Mr. Schwieterman and Chief Protsman after the meeting regarding this matter. City Council needs more information about this to see how this type of program would help drug trafficking. Mayor Patterson mentioned that Mr. Schwieterman and Chief Protsman will look into this matter and report back to City Council.

Ms. Miller mentioned that this type of approach has worked for Dayton. This approach does not mean that the police will arrest people. She used to live in Dayton and the house across the street from her was a problem. They city has nuisance abated the house because there was prostitution. No one was able to live in that property for a year. Within that year, the person who was living in that house stopped making the house payment because they did not want to pay on a house they could not live in. The bank took over the property and someone brought it and fixed it up. After that, she had some nice neighbors. It could happen that way instead of it going on and on like it is now. Police and law enforcement need a better tool to deal with these types of situations. She has put up security cameras, and people are always walking up and down her street. The police have arrested numerous people for using drugs. Ms. Miller mentioned she moved to Kettering to retire; she did not sign up for this. She lives alone and she wants to feel safe within her house. Currently, she does not feel safe in her house because of all of the activity going on her street. There is constant traffic due to illegal activity. It shouldn't be that way because she should be able to retire in peace.

Mayor Patterson mentioned again that he will ask Mr. Schwieterman and Chief Protsman to speak with Ms. Miller after the meeting so they can gather information and report back to City Council so they can make a decision.

Ms. Miller mentioned this is just the way she feels. Would you want your mom or wife living across the street from a drug house?

Mayor Patterson mentioned City Council does not have enough information to make any type of decision this evening regarding this matter.

Ms. Miller mentioned she can provide the contact information of the person who set this program up in Dayton because she is willing to help Kettering.

Sam Sites- 3025 Kingston Ave- She lives right next door to the house that Ms. Miller was referring to. She has lived in her home for 25 years and it has always been a quiet and safe neighborhood. When the police had become aware of this problem, they have been very diligent at patrolling at night. She has been working with one particular officer because she has a ring doorbell that captures videos. In the last week, the police have made three drug related arrest. She appreciates all the work that the police department is doing regarding this matter. She is hoping that meeting with the Police Chief and City Manager something can be done.

COUNCIL COMMITTEE REPORTS

Mr. Lautar reported:

- On December 10 he attended the Kettering Schools holiday program.
- Happy holiday season.

Mr. Duke reported:

- Happy holidays.

Mr. Wanamaker reported:

- No report.

Mr. Scott reported:

- Absent.

Mr. Klepacz reported:

- On December 8 he went shopping at Town & Country and there were a lot of people.
- Merry Christmas and Happy New Year.

Mrs. Fisher reported:

- No report.

Mayor Patterson reported:

- On December 6 he had a meeting with the Ohio Mayors Alliance with the Governor Elect and Lieutenant Governor Elect.
- On December 10 he attended the holiday program at Fairmont.
- Merry Christmas and Happy New Year.

They're being no further business to come before this meeting of the Kettering City Council; Mayor Patterson adjourned the City Council Meeting at 8:15p.m.

ATTEST:

LaShaunah D. Kaczynski
Clerk of Council

DONALD E. PATTERSON, MAYOR