

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
November 12, 2019**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, November 12, 2019, 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, 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. He introduced the cable TV operator Mike Sopronyi. He thanked him for his assistance.

APPROVAL OF MINUTES

October 22, 2019- Council Meeting & Workshop Minutes

October 29, 2019- Special Meeting Minutes

Mr. Duke reported that he reviewed the above minutes and moved the minutes be approved. Mr. Wanamaker seconded the motion of the above minutes and there being seven (7) yea votes and no (0) nay votes for the October 22, 2019 Council Meeting & Workshop Minutes, and there being six (6) yea votes, one (1) abstain vote (Mr. Scott) and no (0) nay votes for the October 29, 2019 Special Meeting Minutes the motion was declared carried by roll call vote.

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

PUBLIC HEARINGS

P.C. 19-007- Composite Subdivision- Public Pedestrian Access Easement Vacation

Mayor Patterson opened the public hearing and asked that any person that intends to speak to city council about this matter should stand and take an oath. Those that planned to speak took the oath.

Ron Hundt, City Planner made the staff presentation this evening. Mr. Hundt mentioned this is a very small matter. There is a 10' wide public pedestrian access easement along 1930 and 2000 Composite Drive that was never developed to be a sidewalk, and it is not in a proper location for a public sidewalk. There is a public right-of-way on the west side of the site that if a sidewalk was necessary, that is where it would be installed. A sidewalk is not needed and not wanted at this time. The location of the current easement bisects the location where Amazon loads and unloads their trucks, so the easement is in an inappropriate location. Since there is an alternative location along Composite Drive, this particular public access easement is not needed and he is recommending its removal and vacation. Mr. Hundt expressed this is a housekeeping matter. The applicant is not here this evening because they reside in Cincinnati and this is a housekeeping matter.

Mayor Patterson asked if there were any other comments from the public either for or against concerning this public hearing, none were heard.

Mayor Patterson closed the public hearing and explained council will consider legislation regarding this matter at a future city council meeting.

PUBLIC COMMENT ON LEGISLATION

Mayor Patterson welcomed by Scout Troop 236 to the city council meeting this evening.

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION
NO: 10371-19
BY: MR.LAUTAR AND MR. KLEPACZ

AUTHORIZING AN ADDITIONAL EXPENDITURE OF FUNDS FOR STREET LIGHT
MAINTENANCE

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: 10372-19
BY: MR.KLEPACZ AND MRS.FISHER

TO AMEND RESOLUTION NO. 10319-19

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: 10373-19
BY: MRS.FISHER AND MR.SCOTT

AUTHORIZING THE CITY MANAGER TO ACCEPT DONATIONS FROM DAY AIR CREDIT
UNION AND CHRIST UNITED METHODIST CHURCH

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: 10374-19
BY: MR.SCOTT AND MR.DUKE

AUTHORIZING THE CITY MANAGER TO ACCEPT A SERVEOHIO GRANT

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: 10375-19
BY: MR.DUKE AND MR.WANAMAKER

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, 2019

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.

ORDINANCES IN FIRST READING

AN EMERGENCY ORDINANCE
NO: 4329-19
BY: MR.WANAMAKER AND MR.LAUTAR

TO APPROPRIATE PROJECT PARCEL 1-T OF THE WILMINGTON PIKE IMPROVEMENTS-
EAST STROOP ROAD TO CENTERVILLE CORPORATION LINE PROJECT IN THE CITY
OF KETTERING, OHIO (PROJECT NO. 02-108R); AND TO DECLARE AN EMERGENCY

Mr. Wanamaker read the above ordinance and moved for approval. Mr. Lautar 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. 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 ordinance duly adopted.

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT/COMMUNITY UPDATE

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

- Medicare Open Enrollment begins October 15 through December 7. Residents can schedule an individual appointment by calling the Kettering Connection at 296-3330.
- Crews worked in district 4 yesterday. Due to snow, leaf collection is on hold for today. We anticipate resuming leaf collection tomorrow weather permitting.
- City offices will be closed on Thursday, November 28 and Friday, November 29. Trash collection on Thursday will be delayed until Friday; Friday collection will be delayed until Saturday.
- Mayor's Christmas Tree Lighting will be held on Friday, December 6 at Lincoln Park Civic Commons at 6:00 p.m.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Audience Participation (5 Minute Limit per Speaker)

Margie Christie, Executive Director of Dayton Right to Life Foundation and Society- Ms. Christie mentioned she grew up in Kettering until she got married 30 years ago, and her sister still lives in her childhood home located at 2804 Vale Drive across from State Farm Park. She has lived in other neighboring communities, but she will always hold Kettering as her home. Ms. Christie expressed her purpose here this evening is purely educational. Many people have lived and worked in Kettering for decades, yet many people are unaware of what goes on at 1401 E. Stroop Road. This is the business address for the Women's Med Center which is the last remaining abortion facility in Dayton. According to the Ohio Abortion Reports, since 2000 when it was just Women's Med Center left in the city, there have been approximately 47,749 abortions in Montgomery County. In real numbers, that is ten sold out shows at the Fraze Pavilion. In the last five years, this facility has increased their statewide share of all abortions to 14%. The Women's Med Center has now surpassed Lucas County in Toledo and Summit County in Akron. The Kettering facility is only 1% behind taking over Cincinnati and Hamilton County in their shares. Of the 2,800 women that visit this facility every year (about 55 women a week) only approximately 40 % are actual residents of Montgomery County. Kettering has become the abortion destination of choice in this region of Ohio. Women across the state are familiar with the City of Kettering because of the abortion availability. This facility has been operating without a license since the 1990's when a hospital transfer agreement became a requirement for ambulatory surgical facilities. As of last week, the facility lost its' agreement and license to perform surgical abortions, which is about 76% of their business. Chemical abortions make up part of their business, and they will continue to be an abortion destination. City emergency personnel resources will continue to be used for a business that has no license and has no problem using the city's resources for the care of their patients. She wanted to make sure local leaders were aware of this.

COUNCIL COMMITTEE REPORTS

Mr. Lautar reported:

- On October 26 he participated in Make A Difference Day.
- On October 30 he participated in Southdale Elementary Farm to Table class.
- On November 6 he attended the Youth Appreciation Dinner.

Mr. Duke reported:

- Tom Robillard, Planning & Development Director gave a presentation on October 23 regarding Cities of Service to the First Suburbs Committee.
- On October 24 he attended Kettering Leadership Academy Alumni night.
- On Make A Difference Day he made Christmas cards at Christ Church.
- Thank you to our veterans.
- Thank you to the voters of District 4 for allowing him to continue to serve the community.

Mr. Wanamaker reported:

- Sister Cities Pub Night was a great event.
- He was amazed by all of the people who attended the Kettering Leadership Academy Alumni night on October 24.
- On October 31 he attended the Employee Council pizza luncheon.
- Mark Schwieterman was a great dancer at Dancing with the Kettering Stars.

Mr. Scott reported:

- Thank you Mrs. Fisher for participating in the Honor Flight 5k.
- Congratulations to district council members on their re-elections.
- Thank you to the Public Service Department for keeping the streets safe during recent winter weather.

Mr. Klepacz reported:

- Congratulations to Mr. Duke, Mr. Scott, and Mr. Wanamaker on their elections last week.
- Sister Cities Pub Night had a great turnout.
- Congratulations to Chief Protsman on another successful Dancing with the Kettering Stars event.
- On November 11 he attended the Veterans Day program at JFK Elementary School.
- Small Business Saturday is Saturday, November 30; support local Kettering businesses.

Mrs. Fisher reported:

- Dancing with the Kettering Stars was a great event.
- Thank you to all of the volunteers who braved the rain on Make A Difference Day.
- Thank you to the Dorwood Optimist for sponsoring Avenue of Flags.
- She participated in the Honor Flight 5k.
- Thank you to all veterans for their service.

Mayor Patterson reported:

- Thank you to everyone who sent well wishes to Maureen during her recovery from surgery.
- Thank you to Vice Mayor Bill Lautar, Chief Protsman, and Judge Dressel for judging the Dancing with the Kettering Stars competition.
- Thank you Vice Mayor Lautar for attending the Optimist Kids Appreciation dinner on his behalf on November 6.
- On October 24 he attended the Police Department's promotion ceremony for Capt. Gabrielson.
- On October 29 he attended the Joint School Board meeting.
- Congratulations to Steve Bergstresser on the birth of his new son.
- On November 11 he attended the Veterans Day program at JFK Elementary School.
- Thank you to the Public Service Department on keeping the streets safe during this first round of winter weather.
- Thank you to all veterans.
- Thank you to the community for their support in honoring Detective DelRio.

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:

LaShaunah D. Kaczynski
Clerk of Council

DONALD E. PATTERSON, MAYOR