

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
July 13, 2021**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, July 13, 2021, 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 and streamed live at mvcc.net.

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

Council Members Absent: None

Total Members Present: Five (5)

Mayor Patterson led the audience in the Pledge of Allegiance and gave the invocation.

APPROVAL OF MINUTES

June 22, 2021- Council Meeting & Workshop Minutes

Mr. Lautar reported that he reviewed the above minutes and moved the minutes be approved. Mrs. Fisher seconded the motion of the above minutes and there being five (5) yea votes and no (0) nay votes for the June 22, 2021 Council Meeting & Workshop Minutes, the motion was declared carried followed by a roll call vote.

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

Proclamation- Dayton Region Intern Appreciation Week

Mr. Klepacz read the above proclamation.

Proclamation- Joe Wanamaker Day

Mr. Lautar read the above proclamation and same was accepted by Mike Wanamaker, son of Joe Wanamaker. Mr. Wanamaker mentioned his father was unable to attend the council meeting this evening so he is here to accept the proclamation on his behalf. Ever since he could remember, his father has been very proud to be a servant of the City of Kettering, and he passed that passion on to him as he has followed a similar career path at Washington Township. His father has always enjoyed the staff and being part of City Council. The innovative amenities the City of Kettering has introduced over the years has truly made this city one of the finest cities in the nation. He recalls as a child attending numerous events with his father throughout the Kettering community. He would like to thank City Council for the recognition and his father was honored to have served on City Council, and his father would like to pass along that the future is bright for the City of Kettering and he really appreciates all of the staff and all the people he has worked with over the years.

Mayor Patterson mentioned it was a pleasure to have worked with Joe Wanamaker over the years. He has worked with Mr. Wanamaker for over 24 years and Mr. Duke has worked with Mr. Wanamaker for over 30 years. Mr. Wanamaker has always been a bright star and always had a positive attitude, but most of all he loved the Kettering community.

PUBLIC HEARINGS

P.C. 21-007- Request for a street vacation at the northeast corner of Wilmington Pike and Brownleigh Road.

Mayor Patterson opened the public hearing.

Steve Bergstresser, Assistant City Manager gave the staff presentation this evening. Mr. Bergstresser mentioned that he is the Assistant City Manager and the City Engineer for the City of Kettering. He has served as City Engineer since 2006 and the Assistant City Manager since 2014. This is a fairly simple matter before City Council this evening. City staff and the Planning Commission are recommending the vacation of a small strip of public right-of-way at the northeast corner of Brownleigh Road and Wilmington Pike. This right-of-way is at the opposite corner from the Speedway that is located at this intersection. The city has been in discussions with a potential buyer and part of a potential redevelopment project, a small strip of right-of-way must be vacated in order to align the existing right-of-way along with the proposed right-of-way. This is why this case is here this evening, to conduct a public hearing for the vacation of the right-of-way. Planning Commission heard this case and they are making their recommendations to City Council that the vacation be approved. City staff is also recommending the vacation be approved as well. He would be happy to answer any questions.

Mayor Patterson asked if there were any comments from the public either for or against this matter; none were heard.

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

PUBLIC COMMENT ON LEGISLATION

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION
NO: 10588-21
BY: MR.KLEPACZ AND MR.LAUTAR

TO ACCEPT THE RESIGNATION OF COUNCIL MEMBER JOSEPH D. WANAMAKER AND TO
DECLARE THE DISTRICT 2 COUNCIL SEAT VACANT

Mr. Klepacz 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. Klepacz, Yea; Mr. Lautar, Yea; Mrs. Fisher, Yea; Mr. Duke, Yea; Mayor Patterson, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 10589-21
BY: MR.LAUTAR AND MRS.FISHER

AUTHORIZING THE PURCHASE OF ROAD SALT THROUGH AN APPROVED STATE OR LOCAL
COOPERATIVE PURCHASING PROGRAM

Mr. Lautar 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. Klepacz, Yea; Mr. Lautar, Yea; Mrs. Fisher, Yea; Mr. Duke, Yea; Mayor Patterson, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 10590-21
BY: MRS.FISHER AND MR.DUKE

AUTHORIZING THE CITY MANAGER TO ENTER INTO A COST-SHARING AGREEMENT WITH
THE BOARD OF EDUCATION OF THE KETTERING CITY SCHOOL DISTRICT FOR THE SAFETY
SECTION PROGRAM FOR THE 2021-2022 SCHOOL YEAR

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.

The following votes were recorded: Mr. Klepacz, Yea; Mr. Lautar, Yea; Mrs. Fisher, Yea; Mr. Duke, Yea; Mayor Patterson, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 10591-21
BY: MR.DUKE AND MR.KLEPACZ

DEDICATING PARCEL 4-WD OF THE KETTERING TRAFFIC SIGNAL REPLACEMENTS-PHASE 3
PROJECT, CITY PROJECT NO. 02-005D (ODOT PROJECT MOT-KETTERING SIGNALS, PHASE
3, PID NO. 105950), AS PERMANENT RIGHT-OF-WAY

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

Mr. Bergstresser, Assistant City Manager gave a brief description of the resolution.

The following votes were recorded: Mr. Klepacz, Yea; Mr. Lautar, Yea; Mrs. Fisher, Yea; Mr. Duke, Yea; Mayor Patterson, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 10592-21
BY: MR.KLEPACZ AND MR.LAUTAR

AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION (ODOT) TO ALLOW THE CITY OF KETTERING TO SERVE AS RESPONSIBLE LEAD AGENCY FOR ADMINISTRATION OF THE KETTERING TRAFFIC SIGNAL REPLACEMENTS- PHASE 4 PROJECT (CITY PROJECT NO. 02-005E; ODOT PROJECT MOT-KETTERING SIGNALS PHASE 4, PID 115201)

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

Mr. Bergstresser, Assistant City Manager gave a brief description of the resolution.

The following votes were recorded: Mr. Klepacz, Yea; Mr. Lautar, Yea; Mrs. Fisher, Yea; Mr. Duke, Yea; Mayor Patterson, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 10593-21
BY: MR.LAUTAR AND MRS.FISHER

DECLARING AS "SURPLUS" AND APPROVING A CONTRACT TO SELL APPROXIMATELY 3.4 ACRES, MORE OR LESS, OF CITY-OWNED PROPERTY IN RESEARCH PARK

Mr. Lautar 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. Klepacz, Yea; Mr. Lautar, Yea; Mrs. Fisher, Yea; Mr. Duke, Yea; Mayor Patterson, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 10594-21
BY: MRS.FISHER AND MR.DUKE

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

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

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

The following votes were recorded: Mr. Klepacz, Yea; Mr. Lautar, Yea; Mrs. Fisher, Yea; Mr. Duke, Yea; Mayor Patterson, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 10595-21
BY: MR.DUKE AND MR.KLEPACZ

TO AMEND RESOLUTION NO.10573-21

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

Mr. Bergstresser, Assistant City Manager gave a brief description of the resolution.

The following votes were recorded: Mr. Klepacz, Yea; Mr. Lautar, Yea; Mrs. Fisher, Yea; Mr. Duke, Yea; Mayor Patterson, Yea. There being five (5) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 10596-21
BY: MR.KLEPACZ 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, 2021

Mr. Klepacz 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. Klepacz, Yea; Mr. Lautar, Yea; Mrs. Fisher, Yea; Mr. Duke, Yea; Mayor Patterson, Yea. There being five (5) 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.

- Coming to the Frazee:
 - Shinedown- Tuesday, August 10 at 8:00 p.m.
 - Happy Together Tour 2021- Wednesday, August 11 at 8:00 p.m.
 - Foreigner- Tuesday, August 17 at 8:00 p.m.

Tickets can be purchased at the Frazee Fanfare store located in Town & Country Shopping Center, www.fraze.com, www.etix.com or charge-by-phone at 1-800-514-3849.

- Rosewood Book Club will be taking place on Monday, July 19 at 3:00 p.m. at Rosewood Arts Center.
- Movie Under the Stars will take place on Saturday, July 31 at 8:00 p.m. at Delco Park.
- To learn more or to nominate a neighbor for the city's Neighborhood Pride Award contact the Volunteer Office at 937-296-2433.

Mr. Schwieterman gave a brief presentation regarding a City of Kettering property that will be presented at a future City Council meeting to declare as surplus property. The old fire station on Tait Road will be presented at a future meeting to declare as surplus. The fire station on Tait Road is located near a City of Kettering park. The carved out lot will include the fire station and the adjacent hillside. The city was approached by a potential buyer to purchase the fire station and hillside. At that time, the city went out for appraisals and was able to negotiate a final price with the buyer. He anticipates bringing this contract before City Council. He is not aware of the buyer's intended use at this time, and any change in zoning request or use would go through the rezoning process. The "buyer" he has been mentioning is Kettering Health and he would be happy to answer any questions.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Audience Participation (5 Minute Limit per Speaker)

COUNCIL COMMITTEE REPORTS

Mr. Lautar reported:

- Go 4th had a wonderful fireworks display.

Mr. Duke reported:

- He would recommend the chicken at Gionino's Pizzeria.
- Kettering Leadership Academy is currently full.
- Go 4th had a spectacular fireworks display.
- Thank you Mike Wanamaker for accepting the proclamation on his father's behalf. Joe will be missed on City Council.

Mr. Klepacz reported:

- On June 28 he attended the ribbon cutting ceremony for Gionino's Pizzeria.
- On June 28 he attended the promotion ceremony for the Fire Department.
- Go 4th had a wonderful fireworks display this year.

Mrs. Fisher reported:

- Go 4th had a wonderful fireworks display.
- She would recommend the chicken at Gionino's Pizzeria.
- Best of luck to Joe Wanamaker.

Mayor Patterson reported:

- He welcomed Rob Scott, Clerk of Courts to the City Council meeting.
- On June 28 he attended the promotion ceremony for the Fire Department.
- On June 30 he taped a congratulations video for Fred Manchur on being inducted in the Dayton Business Hall of Fame.
- On June 30 he attended the ribbon cutting ceremony for Kettering Nutrition.
- Go 4th had wonderful fireworks.
- Joe Wanamaker will be missed on City Council.

They're being no further business to come before this meeting of the Kettering City Council; Mayor Patterson adjourned the City Council Meeting at 8:03 p.m.

ATTEST:

LaShaunah D. Kaczynski
Clerk of Council

DONALD E. PATTERSON, MAYOR