

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
July 27, 2021**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, July 27, 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

May 25, 2021- Workshop Minutes Amendment

July 13, 2021- Council Meeting & Workshop Minutes

Mr. Duke reported that he reviewed the above minutes and moved the minutes be approved. Mr. Lautar seconded the motion of the above minutes and there being five (5) yea votes and no (0) nay votes for the May 25, 2021 Workshop Minutes Amendment and the July 13, 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

PUBLIC HEARINGS

PUBLIC COMMENT ON LEGISLATION

Sterling Abernathy- Mr. Abernathy mentioned he has comments this evening regarding agenda items two and eight resolutions to increase budget spending in 2021 for the Rosewood Arts Centre Renovation Project. The amount of this year's increase is \$708,000 which is a 42% increase. The resolution includes a reason for the increase which stated it was necessary to include in the first phase work that was scheduled to be done in future phases. Renovation to the main restroom and the fire alarm system resulted in a cost increase for the first phase. Work that has been planned for future years has moved forward to this year. City records indicate that the total cost for the work being moved to this year totals \$340,000. That is a lot less compared to the \$708,000 increase associated with this resolution. The reasons stated in the resolution are misleading at best and deceptive at worst. The resolution should be corrected before City Council takes action on this legislation or better yet reduce the scope of the project to save money instead of automatically approving cost increases. This project is budgeted for over four years, starting with the design cost in 2020 plus three more years of construction. In January 2020, City Council was told that the total project cost was \$5 million. Of that cost, \$4.3 million was to be used for design and construction and \$700,000 was to be used for furniture, fixtures and equipment. Two weeks ago at the City Council workshop meeting, he learned that the total cost of this project for all years is now \$6.4 million. The increase from \$5 million to \$6.4 million is due to additional construction cost of \$873,000 and an increase of furniture, fixtures and equipment costs of \$500,000. Even after reductions including a grant from the state and private donations, Kettering tax payers will still be on the hook for \$4.7 million for the Rosewood project. This is a large amount considering half the people who use Rosewood do not live, work or pay taxes in Kettering. The \$4.7 million is an overall cost increase of \$873,000 for Kettering tax payers which is a 23% increase in 18 months since City Council first approved design spending. These increases come before construction has even started. He knows from history of city projects that the cost of this project is likely to increase even more once completed. In summary, City Council should include the real reason for the 2021 spending increase in the resolution that is presented this evening. Second, City Council should stop increasing millions of dollars Kettering tax payers are paying to renovate an arts facility that half the people who use it do not live, work or pay taxes in Kettering. Mr. Abernathy presented a handout to City Council of a summary of cost increases for the Rosewood project.

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION
NO: 10597-21
BY: MR.KLEPACZ AND MR.LAUTAR

AUTHORIZING THE CITY MANAGER TO APPLY FOR AND ACCEPT, ON BEHALF OF THE KETTERING MUNICIPAL COURT, JUSTICE REINVESTMENT INCENTIVE GRANT FUNDS FROM THE OHIO DEPARTMENT OF REHABILITATION AND CORRECTION

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: 10598-21
BY: MR.LAUTAR AND MRS.FISHER

TO AMEND RESOLUTION NO. 10570-21

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: 10599-21
BY: MRS.FISHER AND MR.DUKE

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ECONOMIC DEVELOPMENT INCENTIVE GRANT AGREEMENT WITH RESONETICS, LLC

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

Mrs. Schrimpf, Economic Development 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: 10600-21
BY: MR.DUKE AND MR.KLEPACZ

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR REPAIR OF WATER SLIDES AT THE ADVENTURE REEF WATER PARK

Mr. Duke 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. 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: 10601-21
BY: MR.KLEPACZ AND MR.LAUTAR

AUTHORIZING THE CITY MANAGER TO ACCEPT SHUTTERED VENUES GRANT FUNDS FROM THE U.S. SMALL BUSINESS ADMINISTRATION

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: 10602-21
BY: MR.LAUTAR AND MRS.FISHER

AUTHORIZING THE CITY MANAGER TO SUBMIT AN APPLICATION TO THE OHIO DEPARTMENT OF TRANSPORTATION'S MUNICIPAL BRIDGE PROGRAM FOR FUNDING OF THE WEST AVENUE BRIDGE PROJECT (CITY PROJECT 03-948)

Mr. Lautar read the above resolution and moved for approval. Mrs. Fisher 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: 10603-21
BY: MRS.FISHER AND MR.DUKE

TO DECLARE THE NECESSITY AND INTENTION OF ACQUIRING PROPERTY INTERESTS IN PROJECT PARCEL 13-WD OF KETTERING TRAFFIC SIGNAL REPLACEMENTS - PHASE 3 PROJECT, CITY PROJECT NO. 02-005D (ODOT PROJECT MOT-KETTERING SIGNALS, PHASE 3, PID NO. 105950)

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: 10604-21
BY: MR.DUKE AND MR.KLEPACZ

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. Duke 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. 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.

AN ORDINANCE
BY: MR.KLEPACZ

VACATING A PORTION OF WILMINGTON PIKE RIGHT-OF-WAY ABUTTING LOT 1 OF THE
BROWNLEIGH CORNER RECORD PLAN

Mr. Klepacz read the above ordinance.

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

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT/COMMUNITY UPDATE

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

- Kettering Police Department provides checks of homes when residents are temporarily out of town. Visit the city's website to sign-up for this service.
- Coming to the Frazee:
 - Get the Led Out- Wednesday, August 18 at 7:30 p.m.
 - Uncle Kracker- Friday, August 20 at 8:00 p.m.
 - Gladys Knight- Sunday, August 22 at 7:30 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.

- Movie under the Stars will take place on Saturday, July 31 at 8:00 p.m. at Delco Park.
- National Night Out will take place on Tuesday, August 3 from 6-8 p.m. in the Kettering Government Center parking lot.
- Residents can contact United Way Help Link at 211 to get help with rental assistance.
- Optimist Kids Day in the Park will take place on Saturday, August 7 from 9:00 a.m. – 1:00 p.m. at Delco Park.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Audience Participation (5 Minute Limit per Speaker)

COUNCIL COMMITTEE REPORTS

Mr. Lautar reported:

- Nothing to report.

Mr. Duke reported:

- City Council has spent several years in the planning stage for the Rosewood Renovation project and having to move parts of the project around saves tax payers' money.

Mr. Klepacz reported:

- Sister Cities will be hosting Spass Nacht at Lincoln Park Civic Commons on Thursday, August 26.
- Congratulations to Mrs. Fisher on her recent retirement from the United State Air Force Base.
- Shop Kettering.

Mrs. Fisher reported:

- Nothing to report.

Mayor Patterson reported:

- On July 19 he participated in the Girl Scouts Twilight Camp.
- On July 23 he attended the STYX concert at the Frazee.
- The Kettering Finance Department received the Distinguished Budget Presentation Award from the Government Finance Officers Association.

They're being no further business to come before this meeting of the Kettering City Council; Mayor Patterson adjourned the City Council Meeting at 7:57 p.m.

ATTEST:

DONALD E. PATTERSON, MAYOR

LaShaunah D. Kaczynski
Clerk of Council