

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
March 24, 2015**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, March 24, 2015, at 7:30 p.m. in Council Chambers at the Kettering Government Center South Building, 3600 Shroyer Road. Mayor Donald E. Patterson presided and Clerk of Council, Connie S. Gaw recorded the meeting. This meeting was telecast live on cable access.

Council Members Present: Patterson, Duke, Klepacz, Lautar, Schrimpf, Scott, and Wanamaker

Council Members Absent:

Total Members Present: Seven (7)

Mayor Patterson led the audience in the Pledge of Allegiance and then gave the invocation. He introduced the cable TV operators, Josh Strehle, Earl Jones, Jacob McGimpsey and John McGimpsey. He thanked them for their assistance.

APPROVAL OF MINUTES

March 10, 2015 – Council Meeting & Council Workshop Minutes

Mrs. Schrimpf reported that she reviewed the above minutes and moved the minutes be approved. Mr. Lautar seconded the motion and there being five (5) yea votes, two (2) abstain votes (Mr. Duke and Mr. Klepacz) and no (0) nay votes for the March 10, 2015 Council Meeting and Workshop Minutes, the motion was declared carried by roll call vote.

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

Proclamation – Community Development Block Grant Week – April 6-10, 2015

Mr. Scott read the above Proclamation and same was accepted by Mr. Tom Robillard, Director of the Planning & Development Department.

Proclamation – Fair Housing Month – April 2015

Mr. Lautar read the above Proclamation and same was accepted by Mr. Tom Robillard, Director of Planning & Development Department.

Proclamation – Feed Ohio Days – September 2015

Mr. Wanamaker read the above Proclamation. Mayor Patterson announced this Proclamation signals the kick-off for their annual campaign and will be mailed to the Feed Ohio organization to show Council support.

Presentation – Montgomery County Office of Ex-Offender Reentry – Update.

County Commissioner Debbie Lieberman and Judge Walter Rice gave a brief presentation about the Ex-Offender Reentry program. LaDawn O'Brien updated Council of her progress and told her story of her success of going through this program.

Presentation – Residential Refuse and Recycling Program – Update

Mr. Bergstresser, Assistant City Manager gave a presentation about the upcoming changes to the residential refuse and recycling program.

Appointment – Board of Community Relations – Elom Dossa (Unexpired term ending 12/31/17)

Mrs. Schrimpf made a motion to appoint Elom Dossa to the Board of Community Relations. Mr. Lautar seconded this motion. Motion carried by unanimous vote.

PUBLIC HEARINGS

ORDINANCES IN SECOND READING

Mayor Patterson stated if there are any citizens with new information about any of the ordinances in second reading they may present it as this time. None was heard.

AN ORDINANCE

NO: 4241-15

BY: MR. DUKE AND MR. KLEPACZ

PROVIDING FOR THE VACATION OF PUBLIC RIGHT-OF-WAY ABUTTING ZION
CEMETERY AT THE CORNER OF LAMME AND WEST STROOP ROADS

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

The following votes were recorded: Mr. Duke, Yea; Mr. Klepacz, Yea; Mr. Lautar: Yea; Mr. Scott, Yea; Mrs. Schrimpf, 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

AN ORDINANCE
NO: 4242-15
BY: MR. KLEPACZ AND MRS. SCHRIMPF

PROVIDING FOR THE VACATION OF PUBLIC RIGHT-OF-WAY ABUTTING 3600 WILMINGTON PIKE

Mr. Klepacz read the above ordinance and moved for approval. Mrs. Schrimpf seconded the motion.

The following votes were recorded: Mr. Duke, Yea; Mr. Klepacz, Yea; Mr. Lautar: Yea; Mr. Scott, Yea; Mrs. Schrimpf, 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

AN ORDINANCE
NO: 4243-15
BY: MRS. SCHRIMPF AND MR. LAUTAR

TO REZONE 100 CUSHING AVENUE FROM R-2 ONE-FAMILY RESIDENCE DISTRICT TO B-GENERAL BUSINESS DISTRICT (PLANNING COMMISSION ZONING CASE 906-13)

Mrs. Schrimpf read the above ordinance and moved for approval. Mr. Lautar seconded the motion.

Mr. Duke and Mr. Klepacz both reported they opposed the rezoning of this property and would vote "No" on this Ordinance.

The following votes were recorded: Mr. Duke, Nay; Mr. Klepacz, Nay; Mr. Lautar: Yea; Mr. Scott, Yea; Mrs. Schrimpf, Yea; Mr. Wanamaker, Yea; Mayor Patterson, Yea. There being five (5) Yea votes, and two (2) Nay votes, the motion was declared carried and the ordinance duly adopted

RESOLUTIONS

A RESOLUTION
NO: 9604-15
BY: MR. LAUTAR AND MR. SCOTT

TO APPROVE THE SALE OF 2808 GAYLORD AVENUE AND TO APPROVE A LOAN FOR CONSTRUCTION OF FIVE NEW SINGLE-FAMILY HOMES

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

The following votes were recorded: Mr. Duke, Yea; Mr. Klepacz, Yea; Mr. Lautar: Yea; Mr. Scott, Yea; Mrs. Schrimpf, 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: 9605-15
BY: MR. SCOTT AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO ENTER INTO A LOAN AGREEMENT WITH GREATER DAYTON PREMIER MANAGEMENT

Mr. Scott read the above resolution and moved for approval. Mr. Wanamaker seconded the motion.

The following votes were recorded: Mr. Duke, Yea; Mr. Klepacz, Yea; Mr. Lautar: Yea; Mr. Scott, Yea; Mrs. Schrimpf, 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: 9606-15
BY: MR. WANAMAKER AND MR. DUKE

AUTHORIZING THE CITY MANAGER TO PURCHASE THE REAL PROPERTY COMMONLY KNOWN AS 3713 WILMINGTON PIKE

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

The following votes were recorded: Mr. Duke, Yea; Mr. Klepacz, Yea; Mr. Lautar: Yea; Mr. Scott, Yea; Mrs. Schrimpf, 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: 9607-15
BY: MR. DUKE AND MR. KLEPACZ

ACCEPTING AND APPROVING THE RECOMMENDATION OF THE CITY OF KETTERING
TAX INCENTIVE REVIEW COUNCIL

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

The following votes were recorded: Mr. Duke, Yea; Mr. Klepacz, Yea; Mr. Lautar: Yea; Mr. Scott, Yea; Mrs. Schrimpf, 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: 9608-15
BY: MR. KLEPACZ AND MRS. SCHRIMPF

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ECONOMIC DEVELOPMENT
INCENTIVE GRANT AGREEMENT WITH BWI NORTH AMERICA INC.

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

The following votes were recorded: Mr. Duke, Yea; Mr. Klepacz, Yea; Mr. Lautar: Yea; Mr. Scott, Yea; Mrs. Schrimpf, 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: 9609-15
BY: MR. LAUTAR AND MR. SCOTT

AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE OR MORE AGREEMENTS
WITH MONTGOMERY COUNTY AND DEVELOPMENT PROJECTS, INC. FOR ED/GE
PROGRAM FUNDING AWARDS

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

The following votes were recorded: Mr. Duke, Yea; Mr. Klepacz, Yea; Mr. Lautar: Yea; Mr. Scott, Yea; Mrs. Schrimpf, 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: 9610-15
BY: MR. SCOTT AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO APPLY FOR A GRANT FROM THE OHIO LAW
ENFORCEMENT K9 ASSOCIATION

Mr. Scott read the above resolution and moved for approval Mr. Wanamaker seconded the motion.

The following votes were recorded: Mr. Duke, Yea; Mr. Klepacz, Yea; Mr. Lautar: Yea; Mr. Scott, Yea; Mrs. Schrimpf, 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: 9611-15
BY: MR. WANAMAKER AND MR. DUKE

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE MIAMI
VALLEY BLUE UMPIRES ASSOCIATION

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

The following votes were recorded: Mr. Duke, Yea; Mr. Klepacz, Yea; Mr. Lautar: Yea; Mr. Scott, Yea; Mrs. Schrimpf, 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: 9612-15
BY: MR. DUKE AND MR. KLEPACZ

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH WASTE MANAGEMENT, INC. FOR RESIDENTIAL WASTE AND CITY WASTE REMOVAL SERVICES

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

The following votes were recorded: Mr. Duke, Yea; Mr. Klepacz, Yea; Mr. Lautar: Yea; Mr. Scott, Yea; Mrs. Schrimpf, 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: 9613-15
BY: MR. KLEPACZ AND MRS. SCHRIMPF

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, 2015

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

The following votes were recorded: Mr. Duke, Yea; Mr. Klepacz, Yea; Mr. Lautar: Yea; Mr. Scott, Yea; Mrs. Schrimpf, 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 ORDINANCE

TO LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTION AND RECONSTRUCTION OF CURBS, SIDEWALKS AND DRIVEWAY APPROACHES, TOGETHER WITH THE NECESSARY APPURTENANCES, FOR THE 2014 CURB, SIDEWALK & DRIVE APPROACH REPAIR PROGRAM (PROJECT NUMBER 05-114)

Mrs. Schrimpf read the above ordinance in first reading. The second and final reading will be at the next Council meeting on April 14, 2015.

AN ORDINANCE

TO LEVY SPECIAL ASSESSMENTS FOR THE REPAIR OF CURBS, SIDEWALK AND DRIVEWAY APPROACHES, TOGETHER WITH THE NECESSARY APPURTENANCES, FOR PROJECT NO. 02-138F (ACKERMAN BOULEVARD BETWEEN EAST DAVID ROAD AND EAST STROOP ROAD

Mr. Lautar read the above ordinance in first reading. The second and final reading will be at the next Council meeting on April 14, 2015.

AN ORDINANCE

TO LEVY SPECIAL ASSESSMENTS FOR REPAIR OF CURBS, SIDEWALKS AND DRIVEWAY APPROACHES, TOGETHER WITH THE NECESSARY APPURTENANCES, PROJECT NO. 02-130H (EAST RAHN ROAD [FAR HILLS TO ACKERMAN], MARBROOK DRIVE AND RAHNDALE PLACE).

Mr. Scott read the above ordinance in first reading. The second and final reading will be at the next Council meeting on April 14, 2015.

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT

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

- Spring Leaf Pick Up – Monday April 13, 2015.
- Yard Debris Center – Now open for the season.
- City Income Tax filing deadline is April 15, 2015.
- Safety Village registration will open on April 3, 2015. You can register online or call 296-2521.
- Life Guard Classes begin in April – Class times and dates can be found on the City Website.

- Mayor's Ball for Charity – April 25, 2015 at 7:00 p.m. Proceeds to go to the Kettering Backpack Program.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Communications and Reports

Audience Participation (5 Minute Limit per Speaker)

Paula Davidson, 5855 Bonnie Road – She came this evening because she is upset about the new Waste Management program. They gave no consideration for low volume service and this will double the price of the current service she is now using. It will cost her \$99.00 more per year. Everyone else is getting a savings and she will have to pay more. She hopes she will get a thank you note from the City in her mail.

COUNCIL COMMITTEE REPORTS

Mr. Duke reported:

- He attended the groundbreaking for Carlyle House on March 23, 2015.

Mr. Klepacz reported:

- He welcomed Police Chief Protsman to his first Council Meeting.
- On March 23, 2015 he attended the Sister City Committee annual dinner meeting.
- He reminded everyone to support their local Kettering businesses, especially Town & Country Shopping Center during their remodeling efforts.

Mrs. Schrimpf reported:

- On March 11, 2015 she attended the Fire Awards Ceremony.
- Also on March 11, 2015 she attended the Muse Machine at St. Charles School.
- Congratulations to the Alter Girls Basketball team for winning the State Championship.

Mr. Lautar reported:

- He attended the Sister City Committee Annual Dinner on March 23, 2015.
- He attended the Fire Awards Ceremony on March 11, 2015.
- He noticed that new bicycle signs are going up throughout the City.
- He encouraged residents to get signed up for the new electronic newsletter "The Starter."
- He encouraged parents to sign their children up for Safety Village. There will be a whole "new" village this year.

Mr. Scott reported:

- He reminded drivers if they see a pothole be sure to call the City to report it.

Mr. Wanamaker reported:

- He welcomed Chief Protsman to his first Council meeting.

Mayor Patterson reported:

- He swore in several new firefighters on March 11, 2015. He congratulated them and welcomed them to the City of Kettering.
- On March 15, 2015 he met with a 3rd grade class from Southdale Elementary.
- He attended the Carlyle House groundbreaking on March 23, 2015.
- He congratulated Chief Protsman and welcomed him to the meeting.
- Congratulations to the Alter Girls Basketball team for winning the State Championship.
- Congratulations to Chief Jim O'Dell who will be retiring at the end of the month. We wish him well.

They're being no further business to come before this meeting of the Kettering City Council; Mayor Patterson adjourned the City Council Meeting at 9:10 p.m.

ATTEST:

DONALD E. PATTERSON, MAYOR

Connie S. Gaw
Clerk of Council