

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
June 9, 2015**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, June 9, 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, LaShaunah D. Lavender recorded the meeting. This meeting was telecast live on cable access.

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

Council Members Absent: None

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 McGimsey, and John McGimsey. He thanked them for their assistance.

APPROVAL OF MINUTES

May 26, 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 six (6) yea votes, one (1) abstain vote (Mr. Duke) and no (0) nay votes for the May 26, 2015 Council Meeting & Council Workshop Minutes, the motion was declared carried by roll call vote.

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

Presentation- American Heart Association- Award

Kelli Dixon with the American Heart Association presented the Kettering Fire Department with the Lifeline Award. Chief Jones and Dan Wathen accepted the award.

PUBLIC HEARINGS

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION
NO: 9636-15
BY: MR.DUKE AND MR.KLEPACZ

AUTHORIZING THE CITY MANAGER TO PURCHASE A REPLACEMENT SCREEN-ALL MATERIAL SEPARATOR FROM PROCESS MACHINERY, INC.

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; Mrs. Schrimpf Yea; Mr. Lautar: Yea; Mr. Scott, 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: 9637-15
BY: MR.KLEPACZ AND MRS.SHRIMPF

AUTHORIZING THE CITY MANAGER TO PURCHASE RADIOS AND RELATED EQUIPMENT AND SERVICES THROUGH COMPETITIVE BARGAINING, NEGOTIATED QUOTES, OR AN APPROVED COOPERATIVE PURCHASING PROGRAM

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

The following votes were recorded: Mr. Duke Yea; Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Lautar: Yea; Mr. Scott, 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: 9638- 15
BY: MRS. SCHRIMPF AND MR.LAUTAR

AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE OR MORE AGREEMENTS TO PURCHASE A NEXGEN911 PHONE SYSTEM AND REVCORD RECORDING SYSTEM FOR THE COMMUNICATIONS CENTER

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

The following votes were recorded: Mr. Duke Yea; Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Lautar: Yea; Mr. Scott, 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: 9639-15
BY: MR.LAUTAR AND MR.SCOTT

AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE OR MORE AGREEMENTS FOR PURCHASE OF THE APSS ENFORCER PACKAGE FOR THE POLICE DEPARTMENT

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

The following votes were recorded: Mr. Duke Yea; Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Lautar: Yea; Mr. Scott, 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. 9640-15
BY: MR. SCOTT AND MR.WANAMAKER

AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE OR MORE AGREEMENTS FOR AUDIO VIDEO EQUIPMENT FOR KETTERING MUNICIAPL COURT

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

The following votes were recorded: Mr. Duke Yea; Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Lautar: Yea; Mr. Scott, 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. 9641-15
BY: MR.WANAMAKER AND MR.DUKE

AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FROM COMMUNITY FOUNDATION FOR KETTERING

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

The following votes were recorded: Mr. Duke Yea; Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Lautar: Yea; Mr. Scott, 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. 9642-15
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, 2015

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

The following votes were recorded: Mr. Duke Yea; Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Lautar: Yea; Mr. Scott, 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
NO. 4248-15
BY: MR.KLEPACZ AND MRS.SCHRIMPF

TO APPROVE AN ECONOMIC DEVELOPMENT PLAN AND TO STATE THAT THE CITY MAY HEREAFTER PROCEED WITH APPROVAL OF A TAX INCREMENT FINANCING INCENTIVE DISTRICT; AND DECLARING AN EMERGENCY

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

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

AN ORDINANCE

TO AMEND SECTIONS 618.01 AND 618.02 OF THE CODIFIED ORDINANCES OF THE CITY OF KETTERING

AN ORDINANCE

TO REZONE A PORTION OF 2648-2740 EAST DOROTHY LANE FROM R-1 SUBURBAN RESIDENCE DISTRICT TO R-2 ONE- FAMILY RESIDENCE DISTRICT (PLANNING COMMISSION ZONING CASE 914-15)

AN ORDINANCE

TO PROVIDE BY MUTUAL AGREEMENT FOR THE ADJUSTMENT OF THE BOUNDARIES BETWEEN THE CITIES OF KETTERING AND DAYTON, OHIO.

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT

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

- Waste Management will be finished delivering the new trash and recycling totes to residents this week. Monday June 29, 2015 starts curbside service.
- Preschool Promise is in Kettering. Scholarships are available for preschool for more information call (937) 229-9660x1330.
- Spass Nacht will be Wednesday, June 17, 2015 at 5:30 p.m. Free event in Civic Commons.
- June 12, 2015 there will be a Superhero Event at Delco Park.
- Dino Dig will be at Delco Park on June 13, 2015.
- Neighborhood block party forms available at Engineering Department's page or call 296-2436.
- Household Hazardous Waste Drop-Off will be July 18 from 9 am-noon at 1001 Encrete Lane.
- Shredding Day will be September 12 from 9a.m. -noon.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Communications and Reports

Audience Participation (5 Minute Limit per Speaker)

Ron Johnston- 3090 Southdale Dr.-Spoke in front of Council and was concerned about the residents living at 1259 Westcliff Court. He started by reading his own testimony of the trials and tribulations he faced during his life. He is concerned because the people living at 1259 Westcliff Court are considered independent. Mr. Johnston mentioned how residents can be considered independent when they are dependent on substance abuse. The placement of this facility so close to a school is not rational planning by the City of Kettering. Mr. Johnson mentioned that the City should be using exclusionary zoning and not inclusionary zoning. He moved here 40 years ago to escape the social problems of E. Dayton. Now his neighborhood is known for a murder. He holds Council responsible for the operation of MVHO in his neighborhood.

Margaret Johnston- 3090 Southdale Dr. - Spoke in front of Council about 1259 Westcliff Circle. On June 2, 2015, MVHO inclusionary living arrangement has failed within her neighborhood due to a murder. The designated security guard was not on duty, and the surveillance camera was not working. She has found empty whiskey bottles and litter from residents within that complex. She contributes the problem to City Planners who were misguided when they were given the term "more independent" to refer to residents living at 1259 Westcliff Circle. Mrs. Johnston told Council it is ludicrous to think this housing facility is in close proximity to a school. Neighbors are deeply disturbed about this murder.

Walter Bale- 2953 Westcott Drive- Spoke in front of Council and was concerned about the Prugh Property. He mentioned that this site is the last remaining forest site on the east side of Kettering. Development to this land will ruin the wildlife in this area, and it will increase pollution. Also, this development will be dangerous to children because there will be increased traffic. As a neighborhood, they will not stand by and be ignored. He asked Council to step back and make the right decision.

Susan Schmidt- 2737 E. Dorothy Lane- Spoke in front of Council about her concerns of the development of Prugh Woods. She asked Council what are the people of Kettering supposed to think, when someone is giving a gift, and the gift is not being used in the way it was intended. She also mentioned Council should be compassionate for the green of nature and not the green of money. She

does not want to lose the property that was supposed to be for park usage. She told Council she now knows why her mother did not want her to move back to Kettering.

Jessie Sullivan- 1632 Kantner Dr. Spoke in front of Council and was concerned about an ordinance in first reading this evening. Sections 618.01 and 618.02 define a vicious dog, attaching this definition to pit bulls specifically. She believes this is a direct result of laws being created out of fear of particular dogs, not giving an accurate definition. To properly identify a pit-bull is very difficult. She wishes to see that the language of this ordinance is not breed specific, and to classify a vicious dog by their behavior and not by their breed.

Thomas King- 614 Lament Drive- Came before Council to ask questions about the new Waste Management program starting July 1, 2015. Mr. King main concern was the size of the toters. He wanted to visually see how large the new trash and recycling toters were going to be compared to the recent toters residents have. He was referred to take a look at the toters that are located on the main floor of the Government Center at the conclusion of the meeting.

COUNCIL COMMITTEE REPORTS

Mr. Duke reported:

- He attended the Safety Village and mentioned that the display is very unique.
- On June 8, 2015, he attended the David McCullough lecture at Kettering Middle School.
- He mentioned that Kettering Leadership Applications are now available.

Mr. Klepacz reported:

- He thanked the City Manager for talking about trash. He has been receiving a lot of phone calls.
- June 10, 2015 is the last Sister Cities meeting before Spass Nacht.
- He attended the ribbon cutting at Culligan Water for a new dispensing machine that is similar to an ATM.
- He encouraged residents to continue to support Meijer's and Trader Joes.

Mrs. Schrimpf reported:

- She attended the Safety Village Open House.
- She mentioned she had a great time at the Kettering Block Party at the Frazee.
- She wanted to give a shout-out to Charlie.

Mr. Lautar reported:

- He attended the ribbon cutting to the new Sears Outlet.
- He welcomed the new All State Insurance Agency which is a new business to Kettering.
- On June 3, 2015, he attended the Block Party and mentioned there was a huge crowd.
- The Safety Village is moving to Orchard Park.

Mr. Scott reported:

- On June 3, 2015, he attended the Block Party. He told Kettering Staff they did a great job at this event.

Mr. Wanamaker reported:

- On June 3, 2015, he attended the Block Party and mentioned residents seemed to be having a good time.
- Fishing Derby at Delco Park, fishing rods will be provided to children who do not have one.

Mayor Patterson reported:

- He mentioned that the Block Party had a record crowd.
- He took a picture of the Safety Village and placed it on Facebook.

They're being no further business to come before this meeting of the Kettering City Council; Mayor Patterson adjourned the City Council Meeting at 8:53 p.m.

ATTEST:

DONALD E. PATTERSON, MAYOR

LASHAUNAH D. LAVENDER
Clerk of Council