

**KETTERING CITY COUNCIL  
REGULAR MEETING MINUTES  
August 13, 2013**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, August 13, 2013, at 7:30 p.m. in Council Chambers at the Kettering Government Center South Building, 3600 Shroyer Road. Mayor Donald E. Patterson presided and the Clerk of Council, Connie S. Gaw, recorded. This meeting was telecast live on the cable access channel.

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

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, Liberty Lord and Earl Jones and thanked them for their assistance.

APPROVAL OF MINUTES

July 23, 2013 – Council Meeting & Council Workshop Minutes

Mr. Klepacz reported that he reviewed the above minutes and moved the minutes be approved. Mr. Duke seconded the motion and there being six (6) yea votes, one (1) abstain votes (Mr. Webb) and no (0) nay votes for the July 23, 2013 minutes, the motion was declared carried by roll call vote.

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

PUBLIC HEARING

ORDINANCES IN SECOND READING

AN ORDINANCE  
NO; 4222-13  
BY: MRS. SCHRIMPF AND MR. KLEPACZ

TO AMEND SECTION 147.03 OF THE CODIFIED ORDINANCES OF THE CITY OF  
KETTERING INVOLVING EMERGENCY MEDICAL SERVICES REIMBURSEMENT  
PROGRAM

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

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

RESOLUTIONS

A RESOLUTION  
NO: 9348-13  
BY: MR. KLEPACZ AND MR. DUKE

AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FROM THE OHIO  
ARTS COUNCIL

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

The following votes were recorded: Mr. Duke, Yea; Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mr. Wanamaker, Yea; Mr. Scott; Yea; Mr. Webb, 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: 9349-13  
BY: MR. DUKE AND MR. WEBB

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE BOARD OF EDUCATION OF THE KETTERING CITY SCHOOL DISTRICT TO SHARE THE COST OF MAINTAINING THE SAFETY SECTION PROGRAM FOR ELEMENTARY STUDENTS AND ELEMENTARY SCHOOLS FOR THE 2013-2014 SCHOOL YEAR

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

The following votes were recorded: Mr. Webb, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Duke, 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: 9350-13  
BY: MR. WEBB AND MR. SCOTT

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR THE REMOVAL OF ASH TREES AT CIVIC COMMONS PARK, WENZLER PARK, PONDVIEW PARK AND KENNEDY PARK/POLEN FARM

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

The following votes were recorded: Mr. Duke, Yea; Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mr. Wanamaker, Yea; Mr. Scott; Yea; Mr. Webb, 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: 9351-13  
BY: MR. SCOTT AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO PURCHASE APPROXIMATELY 5,000 TONS OF ROAD SALT THROUGH AN APPROVED STATE OR LOCAL COOPERATIVE PURCHASING PROGRAM

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

The following votes were recorded: Mr. Webb, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Duke, 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: 9352-13  
BY: MR. WANAMAKER AND MRS. SCHRIMPF

AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION WITH THE MONTGOMERY COUNTY LAND REUTILIZATION CORPORATION MOVING OHIO FORWARD DEMOLITION GRANT FUNDS

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

The following votes were recorded: Mr. Duke, Yea; Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mr. Wanamaker, Yea; Mr. Scott; Yea; Mr. Webb, 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: 9353-13  
BY: MRS. SCHRIMPF 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, 2013

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

Mr. Schwieterman explained this appropriation is for operating expenses for the Law Department; transfer to other funds for the DESC Reuse Funds, Community Development Block Grant Fund, and Capital Improvement Fund.

The following votes were recorded: Mr. Webb, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Duke, 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 PROVIDE FOR THE TABLE OF ORGANIZATION, POSITION CLASSIFICATION PLAN, COMPENSATION PLAN AND PAY SCHEDULES AND RULES AND REGULATIONS PERTAINING TO CONDITIONS OF WORK AND SUPPLEMENTAL BENEFITS FOR THE EMPLOYEES OF THE CITY OF KETTERING, OHIO, AND TO REPEAL ORDINANCE NO. 4212-12

Mr. Klepacz read the above ordinance in first reading. The second and final reading will be held at the August 27, 2013 Council meeting.

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT

Mr. Schwieterman updated Council on upcoming and community events.

- Shredding Day, August 27, 2013 from 9-noon in the Government Center Parking Lot.
- Gentile Park Public Meetings – August 21, 2013 at Beavertown Elementary and September 25, 2013 at Orchard Park Elementary. Both meetings are from 6-7:30 p.m.
- Summertime Sousa & Sundaes Kettering Civic Band Concerts –August 15, 7:00 p.m. at Polen Farm
- Bacon Fest 2013 –August 28, 2013 at the Frazee Pavilion.
- The Taste of Kettering – August 29, 2013 from 5-9 p.m. at Lincoln Park Civic Commons.
- Holiday @ Home Parade Update

OTHER BUSINESS NOT ON WRITTEN AGENDA

Communications and Reports

Audience Participation (5 Minute Limit Per Speaker)

Ron Duncan, 460 Walnut Trail – He thanked Council for their professionalism and quick action on what he reported to them at the last Council meeting. City staff went the extra mile to solve his problem. He hopes the citizens of Kettering appreciate Council.

Steve Kunz, 1561 Old Lane – He has lived in Kettering for 52 years. He is very concerned about the Frazee Pavilion Management and how they treat their part-time help and citizens. Frazee staff is rude to people and patrons. He worked at the Frazee for a little while and after he saw what was going on there, he quit because it's just not right. He came to the meeting this evening to make Council and everyone watching aware of what is going on, because things need to change. It's not good over there.

Sandy Shephard, 1220 Larriwood Ave. – She has lived in the City of Kettering for 12 years and worked at the Frazee Pavilion for 9 seasons. This past year she was harassed and intimidated by Frazee management and forced to leave her post for no reason during the middle of a show. She has been bullied and intimidated about her job. The Frazee was a part time job for her because she works full time at the University of Dayton. She is an educated woman. She was subject to a very hostile work environment and forced to quit. She has always felt that working at the Frazee was an honor and it saddens her not to work there. She thought these people were behind her. She was not given the tools to do her job and when she asked for them, they were not given to her. She put in advance notice for a vacation and was told that they were not covering for her if she went. When she returned from vacation she worked three days and was escorted out. She filed a complaint with MaryBeth Thaman, Director of PCRA Department. It is appalling that Ms. Thaman does not even know the conditions that they work in. Many people have been forced to leave and given threats and ultimatums about losing their job.

Mayor Patterson thanked everyone for coming this evening to express their concerns. He welcomed a Boy Scout that was in the audience from Troop 193, Good Shepard Lutheran Church.

#### COUNCIL COMMITTEE REPORTS

Mrs. Schrimpf reported:

- July 24, 2013 she attended the Sister City Picnic for the Steyr Youth.
- August 6, 2013 she attended the First Suburb Dinner and concert at the Frazee Pavilion.
- August 8, 2013 she attended the Holiday @ Home Kickoff Reception.
- She is saddened to see the last issue of the Kettering –Oakwood Times after 57 years of publication.

Mr. Klepacz reported:

- On August 9, 2013 he attended a ribbon cutting at Cash Max on Wilmington Pike.
- Big season at the Frazee Pavilion this year.
- Reminded everyone to support their local Kettering businesses.

Mr. Duke reported:

- Attended the First Suburb dinner and concert at the Frazee on August 6, 2014.
- August 13, 2013 he attended the Dayton-Kettering Bikeway Ribbon Cutting.
- Condolences to the family of Austin Rife who passed away over the weekend due to a tragic accident.

Mr. Webb reported:

- No report this evening.

Mr. Scott reported:

- On August 13, 2013 he attended the ribbon cutting for the Bike Path.

Mr. Wanamaker reported:

- No report this evening.

Mayor Patterson reported:

- Attended the Sister City Picnic for Steyr Youth on July 24, 2013.
- Thanked Employee Council for the picnic on July 25, 2013.
- Attended the Korean War Memorial Ceremony at Riverscape on July 27, 2013.
- On July 31, 2013 attended a ribbon cutting at the Carlyle House.
- Attended the First Suburbs Dinner on August 6, 2013.
- On August 8, 2013 he met with a exchange student from Japan.
- August 12, 2013 he attended a Police Promotion Ceremony.
- On August 13, 2013 he attended the dedication ceremony for the Bike Path.

They're being no further business to come before this meeting of the Kettering City Council;  
Mayor Patterson adjourned the meeting at 7:33 p.m.

ATTEST:

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DONALD E. PATTERSON, MAYOR

Connie S. Gaw  
Clerk of Council