

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
January 14, 2014**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, January 14, 2014, 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, Klepacz, Schrimpf, Scott, Wanamaker and Lautar

Council Members Absent: Duke (excused)

Total Members Present: Six (6)

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.

SWEARING IN OF ELECTED OFFICIALS

Judge Tom Hanna swore in Mayor Patterson to uphold his Oath of Office. Mayor Patterson called each newly elected Councilmember down to the podium to swear them in to uphold their Oath of Office. Bill Lautar, Councilmember-at-Large, Amy Schrimpf, Councilmember-at-Large.

APPOINTMENT OF VICE MAYOR (TERM ENDING 12/31/15)

Mayor Patterson opened the nominations for Vice Mayor. Mrs. Schrimpf nominated Mr. Duke. Mr. Klepacz seconded the motion. There being no other nominations from the floor, the Mayor closed the nominations. Mr. Duke was elected to a two-year term as Vice Mayor by acclamation. On behalf of the members of Council, Mayor Patterson congratulated Mr. Duke and thanked the out-going Vice Mayor, Mrs. Schrimpf for serving during 2012 and 2013.

APPROVAL OF MINUTES

December 17, 2013 – Council Meeting & Council Workshop Minutes

Mr. Klepacz reported that he reviewed the above minutes and moved the minutes be approved. Mr. Scott seconded the motion and there being five (5) yea votes, (1) abstain votes (Mr. Lautar); and no (0) nay votes for the December 17, 2013 Council Meeting and Council Workshop minutes, the motion was declared carried by roll call vote.

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

APPOINTMENTS – 2014 COUNCIL COMMITTEES

Long Range Planning – Mr. Duke, Chair / Mrs. Schrimpf
Intergovernmental/Interagency Relations – Mr. Scott, Chair / Mr. Lautar
Community Relations & Promotion – Mrs. Schrimpf, Chair / Mr. Klepacz
Finance & Personnel – Mr. Klepacz, Chair / Mr. Duke
Public Health & Safety – Mr. Lautar, Chair / Mr. Wanamaker
Public Service – Mr. Wanamaker, Chair / Mr. Scott

Mayor Patterson read the above appointments for the 2014 Council Committees. Mr. Klepacz moved for approval. Mrs. Schrimpf seconded this motion and there being no discussion, the motion was declared carried by a unanimous vote.

RESOLUTIONS OF APPRECIATION – BOARD AND COMMISSION MEMBERS

Resolution No. 9399-14 Raymonde Rougier – Kettering Arts Council
Resolution No. 9400-14 Paul Fleitz – Sister City Committee
Resolution No. 9401-14 Carl Evers – Board of Zoning Appeals

Mayor Patterson thanked these dedicated volunteers for their service on behalf of the Kettering community.

APPOINTMENTS – BOARD AND COMMISSION MEMBERS

Kettering Arts Council

Mike Beerbower, Brian Laduca, Mary Ann Layman, Terry Schalnat (Terms ending 12/31/16)

Civil Service Commission

William Linesch (Term ending 12/31/19)

Board of Community Relations

Jeffrey Stokoe, Chris Dearth (Terms ending 12/31/16)

Board of Parks and Recreation

Jamie Jarosik (Term ending 12/31/18)

Partners for Healthy Youth Advisory Board

Andrea White, Kari Basson, Charlotte McGuire, Eric Thompson (Terms ending 12/31/16)

Board of Personnel Appeals

William Linesch, Jeffrey Mullins (Terms ending 12/31/14)

Planning Commission

Ray Wasky (Term ending 12/31/18)

Board of Plumbers' Registry

Ben Shannon (Term ending 12/31/15)

Property Maintenance Board

Dave Dutton, Ewald Schulte (Terms ending 12/31/15)

Sister City Committee

Mary Lou Meers (Term ending 12/31/16)

Board of Tax Appeals

William Forsthoefel, Larry Hodapp, John Keyes (Terms ending 12/31/14)

Volunteer Advisory Council

Kari Basson, Nancy Byrd, Stacy Schweikhart (Terms ending 12/31/16)

Mayor Patterson read the above appointments for Boards & Commissions. Mr. Klepacz moved for approval. Mrs. Schrimpf seconded this motion and there being no discussion, the motion was declared carried by a unanimous vote.

APPOINTMENTS – BOARDS AND COMMISSION MEMBERS

Volunteer Firefighter Dependent Board

Rob Scott, Amy Schrimpf (Terms ending 12/31/14)

Mayor Patterson read the above appointments for the Boards and Commission – Volunteer Firefighter Dependent Board. Mr. Klepacz moved for approval. Mr. Lautar seconded this motion. VOTE: Mrs. Schrimpf, Abstain; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; and Mr. Scott, Abstain; Mr. Lautar, Yea; and Mayor Patterson, Yea.

Mayor Patterson called those Board Members that were present down to the podium to swear them in to uphold their Oath of Office. He thanked these dedicated volunteers for their service on behalf of the community.

PUBLIC HEARINGS

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION

NO: 9402-14

BY: MR. KLEPACZ AND MRS. SCHRIMPF

AUTHORIZING THE CITY MANAGER TO ACCEPT A DONATION OF 100 SMOKE DETCTORS FROM KIDDE UNITED TECHNOLOGIES

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

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Scott; Yea; Mr. Lautar, Yea; Mayor Patterson, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted

A RESOLUTION
NO: 9403-14
BY: MRS. SCHRIMPF AND MR. LAUTAR

DIRECTING THE FINANCE DIRECTOR TO COMMIT AN ADDITIONAL \$500,000.00 OF THE GENERAL FUND BALANCE TO BE EXPENDED FOR ECONOMIC DEVELOPMENT PURPOSES EFFECTIVE JANUARY 1, 2014.

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

The following votes were recorded: Mr. Lautar, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mayor Patterson, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted

A RESOLUTION
NO: 9404-14
BY: MR. LAUTAR AND MR. SCOTT

DECLARING THE NECESSITY TO IMPROVE MARBROOK DRIVE, RAHNDALE PLACE, AND EAST RAHN ROAD BETWEEN FAR HILLS AVENUE AND ACKERMAN BOULEVARD BY REPAIRING DETERIORATING CURB, SIDEWALK, AND DRIVEWAY APPROACHES, MILLING AND REPAVING OF THE STREETS AND OTHERWISE IMPROVING THE SAME, TOGETHER WITH ALL NECESSARY APPURTENANCES (PROJECT NUMBER 02-130H)

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

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Scott; Yea; Mr. Lautar, Yea; Mayor Patterson, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted

A RESOLUTION
NO: 9405-14
BY: MR. SCOTT AND MR. WANAMAKER

DECLARING THE NECESSITY TO IMPROVE ACKERMAN BOULEVARD BETWEEN EAST DAVID ROAD AND EAST STROOP ROAD BY REPAIRING DETERIORATING CURB, SIDEWALK, AND DRIVEWAY APPROACHES, MILLING AND REPAVING OF THE STREETS AND OTHERWISE IMPROVING THE SAME, TOGETHER WITH ALL NECESSARY APPURTENANCES (PROJECT NUMBER 02-138F)

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

The following votes were recorded: Mr. Lautar, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mayor Patterson, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted

A RESOLUTION
NO: 9406-14
BY: MR. WANAMAKER AND MR. KLEPACZ

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE 2014 CONCRETE CHANNEL REPAIR PROJECT, CITY PROJECT NO. 03-714

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

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Scott; Yea; Mr. Lautar, Yea; Mayor Patterson, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted

A RESOLUTION
NO: 9407-14
BY: MR. KLEPACZ AND MRS. SCHRIMPF

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR THE 2014 RESEARCH PARK STREET LIGHT REPLACEMENT PROJECT (CITY PROJECT NO. 07-200DF) AND WAIVING SEALED BIDDING

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

The following votes were recorded: Mr. Lautar, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mayor Patterson, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted

A RESOLUTION
NO: 9408-14
BY: MRS. SCHRIMPF AND MR. LAUTAR

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND/OR USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES, AS DEEMED BY THE CITY MANAGER TO BE MOST ADVANTAGEOUS TO THE CITY, AND ENTER INTO CONTRACTS FOR THE 2014 STREET MAINTENANCE PROGRAMS

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

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Scott; Abstain; Mr. Lautar, Yea; Mayor Patterson, Yea. There being five (5) Yea votes, one (1) Abstain votes (Mr. Scott) and no (0) Nay votes, the motion was declared carried and the resolution duly adopted

A RESOLUTION
NO: 9409-14
BY: MR. LAUTAR AND MR. SCOTT

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO ENTER INTO ONE OR MORE CONTRACTS FOR THE KETTERING RECREATION COMPLEX – LATHREM SENIOR CENTER CONCRETE TURNAROUND REPLACEMENT PROJECT, CITY PROJECT NO. 06-100V

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

The following votes were recorded: Mr. Lautar, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mayor Patterson, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted

A RESOLUTION
NO: 9410-14
BY: MR. SCOTT AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO ENTER INTO ONE OR MORE CONTRACTS FOR THE FAR HILLS AVENUE & STROOP ROAD TRAFFIC SIGNAL MAST ARM CONVERSION PROJECT, CITY PROJECT NO. 02-100V

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

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Scott; Yea; Mr. Lautar, Yea; Mayor Patterson, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted

A RESOLUTION
NO: 9411-14
BY: MR. WANAMAKER AND MR. KLEPACZ

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO ENTER INTO ONE OR MORE CONTRACTS FOR THE EAST STROOP ROAD & SHROYER ROAD INTERSECTION TRANSPORTATION ENHANCEMENT PROJECT, CITY PROJECT NO. 02-100M (ODOT PROJECT MOT STROOP/SHROYER, PID 86327)

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

The following votes were recorded: Mr. Lautar, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mayor Patterson, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted

A RESOLUTION
NO: 9412-14
BY: MR. KLEPACZ AND MRS. SCHRIMPF

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO ENTER INTO ONE OR MORE CONTRACTS FOR THE WOODMAN DRIVE & EAST DOROTHY LANE INTERSECTION IMPROVEMENT PROJECT, CITY PROJECT NO. 02-106S (ODOT PROJECT MOT WOODMAN/DOROTHY, PID 86326)

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

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Scott, Yea; Mr. Lautar, Yea; Mayor Patterson, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted

A RESOLUTION
NO: 9413-14
BY: MRS. SCHRIMPF AND MR. LAUTAR

AUTHORIZING THE CITY MANAGER TO PURCHASE APPROXIMATELY 3,000 TONS OF ROAD SALT THROUGH AN APPROVED STATE OR LOCAL COOPERATIVE PURCHASING PROGRAM

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

The following votes were recorded: Mr. Lautar, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mayor Patterson, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted

A RESOLUTION
NO: 9414-14
BY: MR. LAUTAR AND MR. SCOTT

SUPPORTING A COMMUNITY CHALLENGE TO ENCOURAGE REGIONAL SUSTAINABILITY AND THE DAYTON REGIONAL GREEN INITIATIVE

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

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Scott, Yea; Mr. Lautar, Yea; Mayor Patterson, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted

A RESOLUTION
NO: 9415-14
BY: MR. SCOTT AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH EXECUTIME SOFTWARE LLC FOR THE PURCHASE OF TIME & ATTENDANCE AND SCHEDULING SOFTWARE

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

The following votes were recorded: Mr. Lautar, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mayor Patterson, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted

A RESOLUTION
NO: 9416-14
BY: MR. WANAMAKER AND MR. KLEPACZ

AUTHORIZING THE CITY MANAGER TO ENTER INTO A 60-MONTH AGREEMENT WITH AT&T FOR SONET RING NETWORK SERVICE

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

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Scott; Yea; Mr. Lautar, Yea; Mayor Patterson, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted

A RESOLUTION
NO: 9417-14
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, 2014

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

The following votes were recorded: Mr. Lautar, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mayor Patterson, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted

ORDINANCES IN FIRST READING

AN ORDINANCE

TO REZONE THE LAND LOCATED AT 1701-1801 EAST STROOP ROAD FROM ECONOMIC DEVELOPMENT OVERLAY DISTRICT #7 TO O-OFFICE DISTRICT (ZONING CASE 907-13)

Mrs. Schrimpf read the above ordinance in first reading. The second and final reading of this ordinance will be at the January 28, 2014, City Council Meeting.

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT

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

- Christmas Tree Disposal Update
- Citizen Police Academy – Begins February 19, 2014 / 10-Week Course.
- Dog Licenses On Sale – Deadline January 31, 2014.
- MLK Day – January 20, 2014. Kettering City Offices Closed/No delay in WM pickup.
- MLK Luncheon – January 20, 2014 at 11:30 a.m. at the National Composite Center.
- Flyin' to the Hoop Basketball Invitational – Trent Arena, January 17 – 20, 2014.
- 2013 Firefighters of the Year – Career Firefighter/Rob Fowler and Part-Paid Firefighter/Matt Youngerman.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Communications and Reports

Audience Participation (5 Minute Limit per Speaker)

Michael Brandt, 3931 Roselyn Ave. – He thanked the City for working with the properties on Stroop Road. The residents really appreciate it. They would like for the City to consider this site becoming a park or a bike hub since it is close to the bike trail. He appreciates the house and buildings being torn down and looks forward to what will happen on this property.

COUNCIL COMMITTEE REPORTS

Mr. Klepacz reported:

- Congratulations to Mayor Patterson, Councilmembers Schrimpf and Lautar.
- December 20, 2013 helped Firefighter's wrap gifts for the adopted families.
- December 25, 2013 – Attended the Polen Farm Christmas Gathering.
- January 3, 2014 – Attended the Grand re-opening of the Shell Station of Stroop and Far Hills.
- Flyin' Through the Hoops - 20,000 people will attend these events over the weekend.
- Remember to support your local businesses.

Mrs. Schrimpf reported:

- December 20, 2013 helped Firefighter's wrap gifts for adopted families.
- MLK Luncheon will be held at National Composite Center on January 20, 2014.
- Wished Mayor Patterson and Councilmember Wanamaker a Happy Birthday.

Mr. Lautar reported:

- He is honored to be on Council and looks forward to working with everyone.
- He has participated in the Police Academy in the past and urged citizens to consider attending.

Mr. Scott reported:

- He plans to attend the MLK Luncheon as well as walk in downtown Dayton. It is important to honor Dr. King.
- Taking boxing lessons at Title Boxing. Support your local businesses.
- Congratulations to Mayor Patterson, Mrs. Schrimpf and Mr. Lautar.

Mr. Wanamaker reported:

- Polen Farm Christmas Day Gathering was a great success this year.
- Congratulated Mayor Patterson and Mrs. Schrimpf on their re-election. He welcomed Mr. Lautar to Council.

Mayor Patterson reported:

- On December 17, 2013 he attended the Fairmont Holiday Concert.
- December 20, 2013 attended the gift-wrapping event at the Fire Station on Bobbie Pl.
- The December 25, 2013 Christmas Day Gathering at Polen Farm was a great event. He thanked the Bradley's.
- Attended the swearing in for the new Dayton Mayor Nan Whaley. Congratulations to her.
- Attended Mayor Seagraves annual Prayer Breakfast in Brookville.
- On January 10, 2014 he attended the Montessori School of Dayton's assembly where they received a grant for 100,000.00 from Stanley Security.
- Congratulations to Amy Schrimpf and Bill Lautar. He looks forward to working with them over the next 4 years.

They're being no further business to come before this meeting of the Kettering City Council; Mayor Patterson adjourned the City Council Meeting at 8:37.

ATTEST:

DONALD E. PATTERSON, MAYOR

Connie S. Gaw
Clerk of Council