

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
July 8, 2014**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, July 8, 2014, at 7:30 p.m. in Council Chambers at the Kettering Government Center South Building, 3600 Shroyer Road. Mayor Don 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, 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, Liberty Lord, Josh Strahle and Earl Jones. He thanked them for their assistance.

APPROVAL OF MINUTES

June 24, 2014 – 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 votes (Mr. Lautar) and no (0) nay votes for the June 24, 2014 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 Parks & Recreation Month – July 2014

Mr. Duke read the above Proclamation and same was accepted by MaryBeth Thaman, Director of the City of Kettering PRCA Department.

PRESENTATION Parks & Recreation Department

MaryBeth Thaman showed a brief PowerPoint Presentation about the many City Parks and Recreation activities.

PUBLIC HEARINGS

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION

NO: 9497-14

BY: MR. DUKE AND MR. KLEPACZ

TO AUTHORIZE AN INCREASE IN THE ESTIMATED COST FOR THE CITY'S PURCHASE
OF NON-ALCHOLIC BEVERAGES TO BE SOLD AT THE FRAZE PAVILION

Mr. Duke 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. Duke, Yea; Mr. Wanamaker, Yea; Mr. Scott; Yea; Mr. Lautar, 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: 9498-14

BY: MR. KLEPACZ AND MRS. SCHRIMPF

AUTHORIZING THE CITY MANAGER TO APPLY TO THE OHIO PUBLIC WORKS
COMMISSION FOR FUNDING OF CERTAIN CAPITAL IMPROVEMENT PROJECTS AND
TO EXECUTE CONTRACTS AS REQUIRED TO RECEIVE FUNDING

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

A RESOLUTION
NO: 9499-14
BY: MRS. SCHRIMPF AND MR. LAUTAR

AUTHORIZING THE CITY MANAGER TO SUBMIT, ALONG WITH THE MONTGOMERY COUNTY ENVIRONMENTAL SERVICES DEPARTMENT, A JOINT FUNDING APPLICATION TO THE OHIO PUBLIC WORKS COMMISSION FOR FUNDING OF WATER MAIN REPLACEMENT PROJECTS

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. Duke, Yea; Mr. Wanamaker, Yea; Mr. Scott, Yea; Mr. Lautar, 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: 9500-14
BY: MR. LAUTAR AND MR. SCOTT

AUTHORIZING THE CITY MANAGER TO ENTER INTO A ONE-YEAR AGREEMENT WITH ALERT TRACKING SYSTEMS, INC. FOR MAINTENANCE AND SUPPORT OF THE FIRE DEPARTMENT'S RECORDS MANAGEMENT SOFTWARE

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. Duke, Yea; Mr. Klepacz, yea; Mrs. Schrimpf, Yea; and 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: 9501-14
BY: MR. SCOTT AND MR. WANAMAKER

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

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. Duke, Yea; Mr. Wanamaker, Yea; Mr. Scott, Yea; Mr. Lautar, 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

RESOLUTION
NO: 9502-14
BY: MR. WANAMAKER AND MR. DUKE

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

Mr. Schwieterman explained this resolution will allow for the appropriation of funds requested for the resurfacing of Adventure Reef Water Park and relate transfer from the General Fund.

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

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT

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

- Construction Updates.
- Kickin Chicken Wing Fest – July 12, 2014 at Lincoln Park Civic Commons.
- Upcoming Frazee Events

- Summertime, Sousa & Sundaes – Kettering Civic Band Concert at Polen Farm on July 17, 2014 from 7 – 8 p.m.
- Neighborhood Pride Nominations/Deadline is August 1, 2014
- Congratulated PRCA Department for their involvement in the success of this years Rock n Boom.
- Welcomed Steve Bergstresser as the new Assistant City Manager.
- Condolences to the family of Steve Husemann who passed away recently. He will be missed.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Communications and Reports

Audience Participation (5 Minute Limit per Speaker)

Rachel Butt, 60 Harmon Terrace – She is the manager of Butts Construction. They recently turned in a bid for construction of Fire Stations 32 & 36 and were just notified that their bid was disqualified. They had the low bid for the project but were disqualified because they wrote in 5% instead of the actual dollar amount. The dollar amount would have been the same as the 5% and technically would have had no impact on the contract. This was not a material breach as the City indicated. She asked that Council please waive this technicality.

Mr. Hamer expressed there was a pre-bid meeting and every contractor was told that they needed to include the actual dollar amount or their bid or it would be disqualified. Butts Construction had two people attend this pre-bid meeting. Other companies met all the requirements but Butts Construction did not because they did follow the bid requirements.

Mr. Scott stated that he has dealt with bonding companies in his career. He asked if the bonding company would have filled out that part of the form or the actual bidder.

Mr. Hamer replied that both have to sign that document. It would be up to the bidder to make sure the actual dollar amount was filled in to meet the bid requirements.

Mr. Clifton Harris, 272 W. Stroop Road – Mr. Harris expressed that he almost had a car accident this weekend on his way home from Indiana. He wanted Council to know that he is not a mentally disturbed person and does not have a police record. He came here this evening because he is concerned because things are always falling off trucks on Stroop Road in front of his home. He has asked many times that something be done about the speed on Stroop Road. He does not want to die on Stroop Road. Forty-three years of this is enough.

Mr. Rome Schwieterman, 3977 Hidden Valley Ct. – For the last couple of years he has been trying to get the brush cleaned up along Stroop Road. He has sent many letters to City staff about this issue. The street has been cleaned up and you can now walk on the sidewalks without having to step out on Stroop Road. He wanted to thank City staff for getting this done.

Mrs. Diane Schwieterman, 3977 Hidden Valley Ct. – They have had problems with brush and trees on the sidewalks on Stroop Road for many years. It is cleaned up now but that is only a temporary fix. It should be the property owners that clean up this area, not the City. She wondered why they weren't being held responsible. Speeding is also a problem on Stroop Road. They go at least 60 mph down Stroop all the time, even school buses.

Mayor Patterson asked if Chief O'Dell would like to comment about the speed.

Chief O'Dell stated that Stroop Road is one of their top priorities and officers are on it daily. The overall speed has been reduced and yes people still exceed the speed as they do on other roads in Kettering. The Kettering Police Department will continue to monitor Stroop Road and always welcomes calls from citizens.

Mr. Duke wanted to know why we couldn't charge residents for cleaning up brush like we do when we cut their grass.

Mr. Schwieterman stated the City has an established policy to go onto private property to cut grass. There are currently no policies in place for brush.

COUNCIL COMMITTEE REPORTS

Mr. Duke reported:

- Friday is the last day to turn in Kettering Leadership applications.
- Fantastic Rock n Boom event this year.
- Condolences to the family of State Representative Terry Blair. We mourn his passing.
- Very sad to hear of the loss of past City Manager Steve Husemann. Condolences to his family. He will be missed.

Mr. Klepacz reported:

- Two of the City's greatest guys recently retired. Tom Weghorst and Al Fullenkamp. He wished them the best.
- Looking forward to working with the new Assistant City Manager Steve Bergstresser.
- Many sold out performances at the Frazee, no wonder we need to buy more Pepsi products.
- Rock n Boom was a collaboration between the City and Kettering Health Network. Great attendance and fun event.
- Support local Kettering businesses

Mrs. Schrimpf reported:

- Congratulated Tom Weghorst and Al Fullenkamp on their retirements.
- Welcomed the new president of the Kettering Rotary Club and congratulated the outgoing president.
- Rock n Boom was a great event. She thanked the hardworking staff.
- Sympathies to the families of Steve Husemann and Terry Blair. They will be missed.

Mr. Lautar reported:

- He attended the memorial service for Steve Husemann and it was very touching. Condolences to his family.
- The Rock n Boom event was very impressive.
- Congratulations to Steve Bergstresser for his appointment as the new Assistant City Manager.

Mr. Scott reported:

- Condolences to families of Steve Husemann and Terry Blair.
- The 4th of July celebration was a great event. The fireworks show was spectacular.
- Don't forget to support your local Kettering businesses.

Mr. Wanamaker reported:

- Condolences to the Steve Husemann family. Steve was a great man and a great city manager.
- Congratulations to Steve Bergstresser. He was a great City engineer and will do an outstanding job as Assistant City Manager.

Mayor Patterson reported:

- Congratulations to Tom Weghorst and Al Fullenkamp on their retirements.
- Condolences to the family of Steve Husemann. All our lives are richer for having know him.
- Congratulations to Mr. Bergstresser. He looks forward to working with his as the new Assistant City Manager.
- On June 26, 2014 he welcomed the crowd at a Frazee event.
- The Rock n Boom was an outstanding event. Kettering Health Network helped make it grand and were great corporate partners.

They're being no further business to come before this meeting of the Kettering City Council; Mayor Patterson adjourned the City Council Meeting at 8:44 p.m.

ATTEST:

Connie S. Gaw
Clerk of Council

DONALD E. PATTERSON, MAYOR