

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
May 27, 2014**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, May 27, 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 and Earl Jones. He thanked them for their assistance.

APPROVAL OF MINUTES

April 30, 2014 – Special Workshop Minutes

May 13, 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 seven (7) yea votes, and no (0) nay votes for the April 30, 2014 Council Special Workshop minutes and the May 13, 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 National Foster Care Month – May 2014

Mrs. Schrimpf read the above proclamation and Ashley Schiffer from CHOICES accepted it.

APPOINTMENT Sister City Committee – Joyce Conner, Sue Fullenkamp, Andrew Rathweg (Unexpired Terms ending 12/31/16)

Mayor Patterson asked for a motion to appoint the above to the Sister City Committee. Mr. Duke made a motion to appoint and Mr. Klepacz seconded this motion. Motion was approved by a unanimous roll call vote.

APPOINTMENT Volunteer Advisory Council – Maureen Patterson (Unexpired Term Ending 12/31/16)

Mayor Patterson asked for a motion to appoint the above to the Volunteer Advisory Council. Mr. Duke made a motion to appoint and Mrs. Schrimpf seconded this motion. Motion was approved by roll call vote with six yea votes from Council and one abstain vote from Mayor Patterson.

PUBLIC HEARINGS

ORDINANCES IN SECOND READING

AN ORDINANCE
BY: MR. DUKE AND MR. KLEPACZ

ADOPTING AND IMPLEMENTING THE PROCEDURES OF OHIO REVISED CODE
CHAPTER 5722 TO FACILITATE REUTILIZATION OF NONPRODUCTIVE LAND SITUATED
WITHIN THE CITY OF KETTERING, OHIO

Mr. Duke read the above ordinance 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 ordinance duly adopted

RESOLUTIONS

A RESOLUTION

NO: 9477-14

BY: MR. KLEPACZ AND MRS. SCHRIMPF

ADOPTING CONCLUSIONS OF FACT AND SUPPORT OF RESOLUTION NO. 9459-14 IN WHICH CIT COUNCIL REVERSED THE DECISION OF KETTERING BOARD OF ZONING APPEALS IN BZA CASE NO. 4108 CONCERNING THE PROEPRTY LOCATED AT 1335 EAST DOROTHY LANE

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. 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: 9478-14

BY: MRS. SCHRIMPF AND MR. LAUTAR

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ECONOMIC DEVELOPMENT INCENTIVE GRANT AGREEMENT WITH THE BERRY COMPANY

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: 9479-14

BY: MR. LAUTAR AND MR. SCOTT

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES AND TO ENTER INTO A MULTI-YEAR CONTRACT FOR THE RENTAL AND CLEANING OF UNIFORMS, MATS AND MOPS

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: 9480-14

BY: MR. SCOTT AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR GRADING OF THE LAWN AT FRAZE PAVILION

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

The following votes were recorded: Mrs. Schrimpf, Nay; Mr. Klepacz, Nay; 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: 9481-14

BY: MR. WANAMAKER AND MR. DUKE

AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS WITH THE OHIO DEPARTMENT OF TRANSPORTATION AND THE CITY OF OAKWOOD TO ALLOW THE CITY OF KETTERING TO SERVE AS RESPONSIBLE LEAD AGENCY FOR ADMINISTRATION OF THE SHROYER ROAD IMPROVEMENTS PROJECT – STROOP TO OAKWOOD/DAYTON CORP. LINE (CITY PROJECT NO. 02-124I; ODOT PROJECT MOT SHROYER ROAD, PID 97897)

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

ORDINANCES IN FIRST READING

Mayor Patterson announced he would now turn the meeting over to Vice Mayor Duke. The next two Expedited Ordinances on the agenda are a Conflict of Interest for him. He exited Council Chambers.

AN EXPEDITED ORDINANCE
NO: 4230-14
BY: MR. KLEPACZ AND MRS. SCHRIMPF

TO PROCEED WITH THE CHARLOTTE GARDENS SUBDIVISION DRIVEWAY MODIFICATIONS PROJECT (CITY PROJECT NO. 01-521)

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

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

AN EXPEDITED ORDINANCE
NO: 4231-14
BY: MRS. SCHRIMPF AND MR. LAUTAR

TO LEVY SPECIAL ASSESSMENTS FOR THE CHARLOTTE GARDENS SUBDIVISION DRIVEWAY MODIFICATIONS PROJECT (CITY PROJECT NO. 01-521)

Mr. Klepacz read the above expedited ordinance 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; and Vice Mayor Duke, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted

Mayor Patterson returned to Council Chambers.

AN ORDINANCE

TO AMEND ECONOMIC DEVELOPMENT OVERLAY DISTRICT NO. 15 TO ALLOW NEW DEVELOPMENT ON LOTS 3 AND 4 OF KETTERING BUSINESS PARK SECTION 5

Mr. Lautar read the above ordinance in first reading. The second and final reading will be at the next Council Meeting on January 10, 2014.

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT

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

- Partners for Healthy Youth Advisory Board are seeking board members.
- Safety Village Registration has now begun for the June sessions. Deadline is June 16.
- Kettering Fitness and Wellness Center is now reopened.
- Kettering City Block Party – May 28, 2014 from 6-8 pm at Lincoln Park Civic Commons.
- Block Party Update
- Touch a Truck – June 7, 2014 from 9 – 11 am at Kettering Middle School Parking Lot.
- Roadway Update – Woodman Drive/Vale to Rainbow/Ridgeway to Stonehaven/Stroop Road.
- East David Road near WHIO is scheduled for emergency road repairs.

OTHER BUSINESS NOT ON WRITTEN AGENDA
Communications and Reports
Audience Participation (5 Minute Limit per Speaker)

COUNCIL COMMITTEE REPORTS

Mr. Duke reported:

- He referenced an article in today's Dayton Daily News regarding the summer child feeding programs.
- He congratulated and welcomed the new Kettering Municipal Court Judge.

Mr. Klepacz reported:

- Recently judged debates at Dayton Regional STEM School on May 13, 2014.
- As part of the Dorwood Optimist he worked for two days at Fairmont H.S. at Field Day.
- He attended the Fairmont High School Baccalaureate.
- He attended graduation ceremonies at the Nutter Center.
- He will be attending three upcoming ribbon cuttings for new businesses.
- Remember to support your local Kettering businesses.
- He is excited that the Frazee season is beginning.

Mrs. Schrimpf reported:

- On May 16, 2014 she attended the 5/3 Bank Ribbon Cutting at Town & Country Shopping Center.
- On May 17, 2014 she attended the Art on the Playground event.

Mr. Lautar reported:

- On May 19, 2014 he attended the PFHY Advisory Board Meeting. They will have a booth at the City's upcoming block party.

Mr. Scott reported:

- No Report this Evening.

Mr. Wanamaker reported:

- He is looking forward to the City's Block Party on May 28, 2014.
- He is also looking forward to the Frazee season.

Mayor Patterson reported:

- He attended the 5/3 Ribbon Cutting event.
- On May 16, 2014 he attended a We Care Arts fundraising event.
- On May 17, 2014 he read a Proclamation at the Relay for Life at Delco Park.
- On May 17, 2014 he supported the Kettering Leadership Academy Project by purchasing Yogurt at Orange Leaf.
- On May 19, 2014 he attended the Kettering/Moraine/Oakwood Chamber Golf Outing.
- Congratulations to the Alter and Fairmont High Schools Class of 2014. He wishes them the best in their future endeavors.

They're being no further business to come before this meeting of the Kettering City Council; Mayor Patterson adjourned the City Council Meeting at 8:09 p.m.

ATTEST:

DONALD E. PATTERSON, MAYOR

Connie S. Gaw
Clerk of Council