

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
November 12, 2013**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, November 12, 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, Klepacz, Schrimpf, Scott, Wanamaker and Webb

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. He thanked pages Jacob Sheidler and Theo Hart from St. Charles School.

Mayor Patterson asked for a motion to amend the agenda this evening to add two resolutions, Items # 9 & 10, the first requesting a replacement boiler at the Kettering Recreation Complex. The second, a supplemental appropriation for the replacement boiler. Mrs. Schrimpf made a motion to add the two resolutions to the agenda. Mr. Klepacz seconded this motion.

APPROVAL OF MINUTES

October 22, 2013 – Council Meeting & Council Workshop Minutes

Mr. Klepacz reported that he reviewed the above minutes and moved the minutes be approved. Mr. Wanamaker seconded the motion and there being six (6) yea votes, and no (0) nay votes for the October 22, 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

PROCLAMATION: Sugarplum Festival of Trees Days – November 22 – 24, 2013
Mrs. Schrimpf read the above Proclamation. Lisa Burba, TWIG's Co-Chair accepted this Proclamation.

PUBLIC HEARING

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION
NO: 9376-13
BY: MRS. SCHRIMPF AND MR. KLEPACZ

AUTHORIZING THE CITY MANAGER TO ACCEPT DONATION OF A 2003 FORD
ECONOLINE E450 FROM THE KETTERING PARKS FOUNDATION

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

The following votes were recorded: Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mr. Wanamaker, Yea; Mr. Scott; Yea; Mr. Webb, 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: 9377-13
BY: MR. KLEPACZ AND MR. WEBB

AUTHORIZING THE CITY MANAGER TO ACCEPT A \$5,000 GRANT FROM THE DAYTON FOUNDATION

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

Mr. Schwieterman explained this grant will be used to fund handicapped accessible seating and if needed a companion seat for a Frazee concert during the 2014 season.

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

(Please note: The next two Resolutions were read out of agenda order.)

A RESOLUTION
NO: 9379-13
BY: MR. WEBB AND MR. SCOTT

AUTHORIZING THE CITY MANAGER TO SUBMIT THE ONE-YEAR ACTION PLAN AND EXECUTE THE REQUIRED CERTIFICATIONS TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO ENABLE THE CITY TO RECEIVE COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME FUNDS FOR PROGRAM YEAR 2014

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

The following votes were recorded: Mr. Webb, Yea; Mr. Scott, Yea; Mr. Wanamaker, Yea; Mrs. Schrimpf, Yea; Mr. Klepacz, 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: 9378-13
BY: MR. SCOTT AND MR. WANAMAKER

AUTHORIZING THE SUBMISSION OF A CITY OF KETTERING PROJECT FOR THE MONTGOMERY COUNTY ED/GE PROGRAM

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

Mr. Gorsuch explained the ED/GE Funds will be requested for the National Composite Center at the Kettering Business Park and will assist with building improvements and infrastructure upgrades.

The following votes were recorded: Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mr. Wanamaker, Yea; Mr. Scott, Yea; Mr. Webb, 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: 9380-13
BY: MR. WANAMAKER AND MR. WEBB

TO DECLARE THE NECESSITY AND INTENTION OF ACQUIRING CERTAIN PROPERTY INTERESTS IN THE PROJECT PARCELS 10WD AN 10-T OF THE EAST DOROTHY LANE AND WOODMAN DRIVE IMPROVEMENTS PROJECT IN THE CITY OF KETTERING, OHIO; ODOT PID NO. 86326; CITY OF KETTERING PROJECT NO. 02-106S

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

The following votes were recorded: Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mr. Wanamaker, Yea; Mr. Scott; Yea; Mr. Webb, 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: 9381-13
BY: MRS. SCHRIMPF AND MR. KLEPACZ

AUTHORIZING THE CITY MANAGER TO ACCEPT CASH DONATIONS FOR THE PURCHASE OF A DUAL PURPOSE CANINE

Mrs. Schrimpf read the above resolution 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; Mayor Patterson, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

RESOLUTION
NO: 9382-13
BY: MR. KLEPACZ AND MR. WEBB

AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE OR MORE AGREEMENTS FOR SEAT REPLACEMENT AT FRAZE PAVILION

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

The following votes were recorded: Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mr. Wanamaker, Yea; Mr. Scott; Yea; Mr. Webb, 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: 9383-13
BY: MR. WEBB AND MR. SCOTT

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

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

Mr. Schwieterman explained this resolution will allow for appropriations for the purchase of two replacement voice routers for the Administrative Support Department; monies for the replacement of existing seat pans and folding chairs at the Frazee Pavilion from the Frazee Contributions Fund; and the acceptance of a grant from the Dayton Foundation for the upgrade of tickets for disabled patrons at select performances

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

RESOLUTION
NO: 9384-13
BY: MR. SCOTT AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE OR MORE AGREEMENTS FOR REPLACEMENT OF THE BOILER AT THE KETTERING RECREATION COMPLEX

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

The following votes were recorded: Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mr. Wanamaker, Yea; Mr. Scott; Yea; Mr. Webb, 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: 9385-13
BY: MR. WANAMAKER 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, 2013

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

Mr. Schwieterman explained this resolution will allow for the appropriations of monies from the capital improvement fund for a new boiler at the Kettering Recreation Center.

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

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT

Mr. Schwieterman updated Council on upcoming and community events.

- Parks, Recreation & Cultural Arts – Seeking volunteers to serve on a Program Advisory Committee in 2014.
- Leaf Pickup Update.
- Time Warner Digital Conversion Update – Will affect Government Channels.
- Make a Difference Day Accomplishments Update.
- City received a 100% rating on the Safety Performance Evaluation Checklist Audit by MVRMA.
- Fall Luminary at Pondview Park – November 14, 2013 from 7 – 8:30 p.m.
- Kettering Children's Theater presents Jolly Rogers and the Pirate Queen – November 8 – 17, 2013.
- Thanksgiving Holiday – Government Center Closed November 28 & 29th. Trash delayed by one day.
- December Council Meetings – December 10 and December 17, 2013.
- Mayor's Christmas Tree Lighting – December 6, 2013 at Lincoln Park Civic Commons. Festivities begin at 6:00 p.m.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Communications and Reports

Audience Participation (5 Minute Limit per Speaker)

Kamren McNeil, 654 Hickory Hills Dr. – She is here this evening along with fellow classmates from Wright State University. She wanted to propose an ordinance for the City of Kettering to adopt that would prevent leaving animals in a car unattended. If a punishment were attached to this, citizens might think twice about leaving their animal in a locked car. Fourteen states have now put in place laws prohibiting animals being left in locked cars. Research shows that even cracking a window or parking in the shade doesn't help the car stay cool. On a 73-degree day the temperature can rise to 90 degrees in just 10 minutes, 105 degrees in 30 minutes and 113 degrees in an hour. Citizens need to realize that when temperatures rise you are endangering your pet. She urged Council to consider adopting an ordinance prohibiting this and thanked Council for listening to her concerns.

COUNCIL COMMITTEE REPORTS

Mrs. Schrimpf reported:

- She attended the Kettering Rotary Run for Your Life event.
- She congratulated Mayor Patterson on his re-election and welcomed Bill Lautar as a new City Councilmember. She looks forward to working with him.
- On November 9, 2013 she attended the Holiday Show at the Lathrem Center.
- The City of Kettering will not be hosting the annual MLK event in 2014. The Board of Community Relations is exploring new opportunities for 2015.

Mr. Klepacz reported:

- On October 24, 2013 he attended the Kiwanis Kettering Police Officer of the Year Award Dinner.
- Attended the re-grand opening of Griffins Cards & Gifts and DeClark's Hallmark.
- Former Mayor of Centerville, Shirley Hines recently passed away. Condolences to her family.
- On November 2, 2013 he read a Certificate of Recognition for the Bowling Green State University Swim Team.
- Three ribbon cuttings are coming up within the next month. Business is booming in Kettering.

Mr. Webb reported:

- He congratulated Mayor Patterson, Amy Schrimpf and Bill Lautar on their winning the election on November 5, 2013.
- He thanked all of the Kettering businesses that went out of their way to support their local veterans.

Mr. Scott reported:

- He congratulated those who were elected on November 5, 2013.
- He thanked all those that participated in Make a Difference Day.

Mr. Wanamaker reported:

- He stuffed trauma dolls for Make a Difference Day.
- It seems the leaves all came down at once. Leaf pick-up is going on now.

Mayor Patterson reported:

- He attended a reception for the new Kettering College President.
- He attended the Kettering Kiwanis Police Officer of the Year Awards Dinner.
- Judged the costume contest and started the race at the Kettering Rotary Run for Your Life event.
- He served pancakes at the Mayor Pancake Breakfast on Make a Difference Day. Over 100 or more people came to help clean up the neighborhood.
- Hosted the Kettering Daily Show along with guest Greg McAfee, from McAfee Heating and Air.
- Attended the Griffin Cards and Gifts Grand Re-Opening.
- Attended the We Care Arts Holiday Kick-Off.
- On November 4, 2013 – read for the Easter Seals “Leaders for Reader.”
- November 5, 2013 hosted the Kettering Daily Show along with Don Heine from Ritter's Frozen Custard.
- On November 6, 2013 he welcomed those that attended the Lathrem Center/Crossroads Hospice Veterans Ceremony.
- He attended the Far Hills Fire Station Neighborhood Meeting.
- On November 8, 2013 he attended the annual Volunteer Recognition Luncheon.
- November 11, 2013 he judged the Dayton Daily News Cookie Contest.

They're being no further business to come before this meeting of the Kettering City Council; Mayor Patterson adjourned the City Council Meeting at 8:22.

ATTEST:

DONALD E. PATTERSON, MAYOR

Connie S. Gaw
Clerk of Council