

**KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
October 22, 2013**

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, October 22, 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. He thanked pages Mat Perkins and Lizzy Johnson from Van Buren Middle School.

APPROVAL OF MINUTES

October 8, 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 seven (7) yea votes, and no (0) nay votes for the October 8, 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: Make a Difference Day – October 26, 2013

Mrs. Schrimpf read the above Proclamation. Bonnie Pittle, Volunteers Services Manager accepted the Proclamation.

PROCLAMATION: Extra Mile Day – November 11, 2013

Mr. Duke read the above Proclamation. Mayor Patterson announced the Proclamation will be sent to the Extra Mile America Foundation to show Council support of this effort.

PROCLAMATION: Youth Month - October 2013

Mr. Klepacz read the above Proclamation. Andrea White, Ryan Stacy and Kennedy Harris with the Partners for Healthy Youth Advisory Board accepted the Proclamation.

PRESENTATION: Partners for Healthy Youth Advisory Board – Asset Champion Award

Andrea White, PFHY Chairperson, Ryan Stacy and Kennedy Harris gave a brief presentation about the Asset Champion Award. Mayor Patterson presented certificates to Steve Hopf and Miss Rachel Williams First Grade Class from Southdale Elementary. He congratulated them on their accomplishments.

APPOINTMENT: Volunteer Advisory Council

Mrs. Schrimpf made a motion to appoint Jey Ellis and Rebecca Owen to the Volunteer Advisory Council (Terms Ending 12/31/15). Mr. Klepacz seconded this motion. Motion was approved by unanimous vote.

PUBLIC HEARING

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION
NO: 9372-13
BY: MRS. SCHRIMPF AND MR. KLEPACZ

AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE OR MORE GRANT AGREEMENTS FOR DEMOLITION OF ALL STRUCTURES ON THE PROPERTIES LOCATED AT 3100 AND 3108 WILMINGTON PIKE

Mrs. Schrimpf read the above resolution and moved for approval. Mr. Klepacz 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: 9373-13
BY: MR. KLEPACZ AND MR. DUKE

AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FROM THE OHIO DEPARTMENT OF PUBLIC SAFETY

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

Mr. Schwieterman explained this grant will be used to reimburse the City for direct labor and other costs relative to the 2013 – 2014 Operating a Vehicle under the Influence (OVI) enforcement.

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: 9374-13
BY: MR. DUKE AND MR. WEBB

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE DAYTON VISUAL ARTS CENTER, INC. FOR THE PURCHASE AND INSTALLATION OF ARTWORK IN THE NORTH AND SOUTH BUILDINGS OF THE KETTERING GOVERNMENT CENTER

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

Mr. Schwieterman stated this resolution will allow the City to enter into a contract with the Dayton Visual Arts Center for the purchase and installation of artwork in the North and South Buildings of the Kettering Government Center. The estimated amount for this project is \$57,000.00. To date, some of the artwork has been installed. This was an expense that was discussed during the remodeling of both buildings and is the final piece of the renovations. Once installed there will be an Open House for the public to showcase the art.

Mr. Scott asked if a majority of the art is within public areas, was every office getting artwork and why is artwork being put throughout the buildings.

Mr. Schwieterman replied that the majority of the art would be in public areas. Most offices will receive a smaller piece of art but only in the areas that are enclosed offices, not cubicles. The reason for the artwork is to have a more coordinated art approach throughout the buildings.

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: 9375-13
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 is for the appropriation of funds from economic development for the demolition of buildings on Wilmington Pike, the acceptance of a grant from the OVI Task Force and the acceptance of a Justice Assistance Grant for bulletproof vest replacements.

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

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.
- Make a Difference Day – October 26, 2013 from 9:00 a.m. – 2:00 p.m. Indianola Neighborhood and Town & Country Shopping Center.
- Christmas Tree Donations for Civic Commons – Call 296-2486 to donate.
- 2013 Beggar's Night in Kettering – October 31 from 6-8 p.m.
- Daylight Savings Time Ends – "Fall Back" one hour on Saturday, November 2nd. EST begins Sunday morning, November 3rd.
- Tree Fest 2013 – November 2, 2013 from 10-12 a.m. in Southdale Woods.
- Arts & Crafts Show – Kettering Recreation Center – November 9, 2013 from 9 – 4 p.m.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Communications and Reports

Audience Participation (5 Minute Limit Per Speaker)

Earl Jones, 17 Storms Rd. – He was not happy with Congressman Turner's vote to keep the government closed. The country lost money, which could have been spent more wisely. He did no one a favor by voting no. Congressman Turner seems to have a lack of interest in the Kettering community. He never holds any town hall meetings so that Kettering voters can provide feedback.

Ron Alban, 3313 Lenox Drive – He expressed he is concerned about the practices of the Council and City Manager. Tonight Council approved a resolution for \$57,000.00 of Kettering citizens hard earned money for Artwork for the Government Center Building. This is poor stewardship of taxpayer dollars. Most citizens will never even see the artwork the money is being spent on. We have many artists here in Kettering that would be willing to display their art in the Government Center for free. He will be filing a public records request regarding this project. He feels a full text version of the resolutions should be put on the City's website before each meeting.

John Huheey, 958 Independence Drive – He stated he loves the City of Kettering and appreciates the job that Council does everyday. He is here this evening because he is concerned that the City is spending money on items we don't need. He can't even afford to buy artwork for his own home. He does realize the City needs a process so that staff just doesn't hang anything up. But feels that subsidizing \$57,000.00 of artwork is a little excessive and would like to see that spending is brought under control. He would also like to see full text versions of resolutions posted on the website.

Steven Hawkins, 30 Oak Tree Drive E. – He is concerned because Kettering citizens had to pay for the remodeling of the Government Center and now they have to pay for the artwork. The average median income in Kettering is \$49,000.00 and the City is spending \$57,000.00 on artwork. Kettering tax dollars can be better spent. Folks in this community are struggling and artwork should not be viewed as a priority. He looked at the City website and did not see the correct dollar amount for Mayor and Council salaries that included benefits and wondered why.

Mr. Schwieterman explained that the Mayor and Council salaries/benefits were printed in the first issue of the 2013 Contact with Kettering. The information was then put on our website which included salaries and benefits. We then launched a new City website this summer and the web design company was suppose to pick up the information from our old web pages, but somehow when it was launched only the first part of the salary information was picked up but not the second part with the benefits. This has been corrected as of yesterday, when it was brought to our attention. It was an oversight due to the switch over of information.

Lisa Crosley, 201 Winding Way – She is disappointed that Council chose to approve the artwork expenditure for \$57,000.00. Expenditures of this amount should only be made when it benefits the greatest number of citizens and this expenditure falls short. She expressed her concerns to Council by email. Mr. Webb was the only one that responded back to her. Even though this expenditure was in the budget during the renovations, the economic reality would have been to postpone these plans. She feels this expenditure does not meet the spirit of the law.

COUNCIL COMMITTEE REPORTS

Mrs. Schrimpf reported:

- The Board of Community Relations has been holding many public forums throughout the year. The next forum is the Tenant Landlord Panel Discussion on November 14, 2013 at 7:00 p.m. in Council Chambers.
- The MLK Committee is currently working on the celebration in January 2014.
- On October 9, 2013 she attended the Mayor's and Managers Event.

Mr. Klepacz reported:

- He was pleased to read the Proclamation for Youth Month this evening.
- Make sure you tell a youth within the next 24 hours that you appreciate them.
- Show support for Kettering schools – Great Schools, Great Community, Great Value.
- He reminded everyone to support all your local Kettering Businesses.

Mr. Duke reported:

- Saturday, October 19, 2013 he read a Proclamation and kicked off the 1st Annual Beat Hunger 5K Run and Walk at the Frazee. Proceeds from this event went to the House of Bread.
- Get out and Vote!
- Thanked citizens for coming this evening to express their concerns.

Mr. Webb reported:

- Artwork makes our lives better! We have many visitors at the Government Center that will see this artwork. Artwork provides a mini vacation for all of us. The approval of the artwork resolution was a line item in the budget and this is the secondary approval of this item. Our staff is amazing in terms of tracking the budget, of dollars coming in and being spent. We have awards to prove it. No wrongdoing is being done here. In regards to the agenda. Most people don't pay a lot of attention to the agenda because they trust those on Council. Anyone can call the Clerk of Council office and request to be on the email list for the full version of the agenda that includes the full text of each piece of legislation. He can't afford to buy art for his home either but this is one more

reason why we can go to the Government Center, visit our City Parks and take advantage of the arts, even though we can't afford them. He is very excited the City is supporting our local artist. He is glad that our biggest problem this evening is talking about \$57,000.00 of artwork. We could have much worse problems to deal with.

Mr. Scott reported:

- He expressed that his form of art is dog's playing poker or Tabasco bottles. That is what he would have on his wall. This was a vote he struggled with. Supporting the arts is one of the top aspects of our region. That is why we set aside budget dollars so that people can enjoy art in our community. Having arts in our community is one of the reasons people move to Kettering and it is high on their list of priorities. The artwork being purchased for the Government Center is from local artists. He recently went to an art gallery and was shocked to see how much art costs. By doing this art project it will add value to this community. The Government Center is a public building and many visitors will see this art. Council is very mindful of taxpayer dollars. He urged folks to participate in Make a Difference Day this Saturday.

Mr. Wanamaker reported:

- He reported the passing of a great Kettering citizen, Herb Stackler. Mr. Stackler was a WWII Veteran and received many honors. He was also an active member of the Kettering community and expressed condolences to his family on his passing.

Mayor Patterson reported:

- He first met Mr. Stackler at a ribbon cutting at McDonalds on Stroop Road. Mr. Stackler had many stories to tell and they were all very interesting. Herb lived life to the fullest and he will be missed.
- Condolences to the family of Chet Rousch who recently passed away.
- Arts – you either like it or you don't. This resolution may have the appearance that it was done at the last minute but it was not. This was a budgeted item. Council is asked to approve many items that are not used by a majority of citizens such as tennis courts, cardio equipment, park benches and hand rails for the handicap in public pools, etc. Is Council going to be so cold that they are not going to approve items for people if they are not a majority? That is not who Council is or is going to be. There was a mention this evening of increases to city budget. Many of these increases Council has no control over. Things go up, period. The budget meetings are always open to the public. He has gone through 15 budget cycles and during that whole time only one couple has attended every year. That is because residents have trust in their City Government to make decisions on spending their tax dollars. It is thought by the citizens here this evening that we do not watch tax dollars and want to put to ballot vote every item that would come before Council. That is not the democracy we have here. If we put everything to vote we may not have tennis courts, park benches or even equipment for our Police and Fire Departments. We as the elected body, do our very best to guard taxpayer dollars and will continue to do so. The dollars spent for artwork makes this community who we are and what we are. We welcome citizen input and take each item that comes before Council seriously for as long as they represent this community.
- He recently attended a fundraiser "Raise the Roof for SICSA" at Donato's Pizza on Far Hills. Kettering resident 8-year-old Ella Clark wanted to help SICSA get a new roof so she hosted this event.
- He attended the MCO Future Advisory Committee Meeting on September 17, 2013.

They're being no further business to come before this meeting of the Kettering City Council; Mayor Patterson adjourned the City Council Meeting at 9:04.

ATTEST:

DONALD E. PATTERSON, MAYOR

Connie S. Gaw
Clerk of Council