

KETTERING CITY COUNCIL  
REGULAR MEETING MINUTES  
APRIL 10, 2007

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, April 10, 2007, at 7:30 p.m. in the Council Chambers of the Kettering Government Center, 3600 Shroyer Road. The 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: Duke, Klepacz, Lehner, Spolrich, Thompson, 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 student pages, Crosby Simms and Charlie Jones from Van Buren Middle School. He then introduced the cable TV operators, Earl Jones, Bill Greger and John Golub. He thanked these volunteers for their assistance.

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

PROCLAMATION: Community Development Block Grant Week – April 9 – 15, 2007  
Mr. Spolrich read the above Proclamation and same was accepted by Angela Tucker, Community Development Block Grant Manager for the City of Kettering.

PROCLAMATION: National Volunteer Week – April 15 – 22, 2007  
Mr. Thompson read the above Proclamation and same was accepted by Bonnie Pittl, Volunteer Resource Manager for the City of Kettering.

PROCLAMATION: Arbor Day – April 21, 2007  
Mr. Klepacz read the above Proclamation and same was accepted by Mike Fleener, Parks Supervisor for the City of Kettering.

PROCLAMATION: Internet Safety Week – April 22 – 28, 2007  
Mr. Wanamaker read the above Proclamation and Mayor Patterson stated that this Proclamation will be mailed to the Miami Valley Communications Council.

PRESENTATION: Sister City Committee – Introduction of Kettering, England Visitors  
Helen Smith, Chair of the Sister City, England Committee, introduced Kettering, England visitors, Colin, Ann and Alistar Bullerwell to Mayor Patterson and Kettering City Council.

APPOINTMENT: Kettering Arts Council – Candace Clark  
Mr. Duke made a motion to appoint Candace Clark to the Kettering Arts Council. Mr. Spolrich seconded this motion and there being seven (7) Yea votes and no (0) nay votes, the motion was declared carried by a majority vote.

PUBLIC HEARINGS

ORDINANCES IN SECOND READING

AN ORDINANCE  
NO: 4072-07  
BY: MR. WANAMAKER AND MRS. LEHNER

TO AMEND THE PROVISIONS FOR LAND USE REGULATIONS AND DEVELOPMENT GUIDELINES FOR ECONOMIC DEVELOPMENT OVERLAY DISTRICT NO. 19 (FORRER POINTE) (ZONING CASE NO. 723-05)

Mr. Wanamaker read the above ordinance and moved for approval. Mrs. Lehner seconded the motion.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mr. Wanamaker, Yea; Mrs. Lehner, Yea; Mr. Duke, Yea; Mr. Klepacz, Yea; Mr. Thompson, 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.

AN ORDINANCE  
NO: 4073-07  
BY: MRS. LEHNER AND MR. SPOLRICH

TO LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTION AND RECONSTRUCTION OF SIDEWALKS, CURBS, GUTTERS AND DRIVEWAY APPROACHES, TOGETHER WITH THE NECESSARY APPURTENANCES, FOR THE 2006 SIDEWALK REPAIR PROGRAM (PROJECT NUMBER 05-106)

Mrs. Lehner read the above ordinance and moved for approval. Mr. Spolrich seconded the motion.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mrs. Lehner, Yea; Mr. Spolrich, 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.

AN ORDINANCE  
NO: 4074-07  
BY: MR. SPOLRICH AND MR. THOMPSON

TO AMEND THE TRAFFIC CONTROL MAP AND THE TRAFFIC CONTROL FILE OF THE CITY OF KETTERING, OHIO TO SHOW THE INSTALLATION OF TRAFFIC SIGNS ON VARIOUS STREETS AND AVENUES IN THE CITY OF KETTERING, OHIO

- NO PARKING ANYTIME – ON THE NORTH SIDE OF ANDREW ROAD FROM THE EAST CURB EXTENSION OF BIGGER ROAD EASTWARD FOR A DISTANCE OF 60 FEET
- NO PARKING ANYTIME – ON THE SOUTH SIDE OF ANDREW ROAD FROM THE EAST CURB EXTENSION OF BIGGER ROAD EASTWARD FOR A DISTANCE OF 210 FEET
- NO PARKING ANYTIME – ON THE WEST SIDE OF IVES LANE STARTING AT A POINT THAT IS 250 FEET SOUTH OF THE INTERSECTION WITH FRIEDA LANE, MEASURING ALONG CENTER LINE, AND CONTINUING FOR A DISTANCE OF 40 FEET TO THE SOUTH

Mr. Spolrich read the above ordinance and moved for approval. Mr. Thompson seconded the motion.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mr. Wanamaker, Yea; Mrs. Lehner, Yea; Mr. Duke, Yea; Mr. Klepacz, Yea; Mr. Thompson, 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: 8251-07

BY: MR. THOMPSON AND MR. KLEPACZ

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND ENTER INTO A CONTRACT FOR THE DEMOLITION OF BUILDING 47 AT KETTERING BUSINESS PARK

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

Mr. Schwieterman explained this will allow the site to become more marketable for redevelopment into future professional office use.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mrs. Lehner, Yea; Mr. Spolrich, 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: 8252-07

BY: MR. KLEPACZ AND MR. DUKE

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF REAL PROPERTY COMMONLY KNOWN AS 1132 IMPERIAL BOULEVARD IN CONNECTION WITH THE FEMA/OHIO MITIGATION GRANT PROGRAM

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

Mr. Schwieterman explained that this marks the nineteenth home purchased through the FEMA/Ohio Mitigation Grant Program.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mr. Wanamaker, Yea; Mrs. Lehner, Yea; Mr. Duke, Yea; Mr. Klepacz, Yea; Mr. Thompson, 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: 8253-07

BY: MR. DUKE AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO PURCHASE VEHICLES, OR, AS AN ALTERNATIVE, TO PURCHASE SAID VEHICLES THROUGH AN APPROVED COOPERATIVE PURCHASING PROGRAM

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

Mr. Schwieterman explained this will authorize the purchase of three unmarked police sedans. These cars are to replace unmarked police vehicles scheduled to be taken out of service.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mrs. Lehner, Yea; Mr. Spolrich, 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: 8254-07

BY: MR. WANAMAKER AND MRS. LEHNER

#### AUTHORIZING THE CITY MANAGER TO ACCEPT FUNDS FROM THE KETTERING PARKS FOUNDATION TO COMPENSATE A GRANT WRITER

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

Mr. Schwieterman explained this resolution authorizes the acceptance of \$5,000 from the Kettering Parks Foundations with the funds being used to assist towards the payment of a grant writer. The grant writer will apply for grants to help fund the land lab and other PRCA related projects.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mr. Wanamaker, Yea; Mrs. Lehner, Yea; Mr. Duke, Yea; Mr. Klepacz, Yea; Mr. Thompson, 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

PETITION: Requesting streetlights throughout the Villas at Kettering Pointe Subdivision (Phoenix Place and New Horizon Place).

Mrs. Gaw read the above petition and stated this request will be remanded to staff for review and consideration.

#### MANAGER'S REPORT

Mr. Mark Schwieterman, City Manager reported at the last meeting he incorrectly stated that twigs and branches would be picked up during "Spring Cleanup." Only leaves will be picked up during the week of April 23, 2007. He urged residents to put leaves to the curb on Sunday, April 22, 2007 because crews will be moving very quickly throughout the districts. If citizens have questions they should contact the Public Service Department at 296-2472.

Since the weather has turned warmer the City has been receiving calls from citizens regarding fire pots and chimnia's. Yes, they are allowed but there are some fire code regulations that should be followed. They can be no closer than 15 feet to any structure. Fires must be closely attended with a fire extinguisher or water hose close at hand. Seasoned dry wood should be used, not paper. He strongly encouraged citizens to be considerate of their neighbors. Any questions, call the Fire Department at 296-2489.

#### OTHER BUSINESS NOT ON WRITTEN AGENDA

##### Communications and Reports

##### Audience Participation (5 Minute Limit Per Speaker)

Laurie Shear, 3144 Lenora Drive – She expressed she is here as spokesperson this evening for Citizens Against Regional Dispatch (CARD). They want to keep

Kettering's dispatch center local and not regional. They plan to see this issue is put on the ballot in the November election. They submitted a resolution of intent to the Finance Director and the City Manager on April 9, 2007 advising them of their intentions. City Council has continued to ignore petitions, signatures, police, fire, and citizens concerns. It is April and the regional dispatch is still a concept and there is no plan. The only decision made this far is appointing the administration. Is this the kind of service that can be expected in the future? The dispatchers still do not know what will become of their jobs. On Tuesday, April 10, 2007, CARD members will be collecting signatures to place this on the November 7, 2007 ballot. She urged citizens to join CARD and check the website for more details at [ketteringcard.com](http://ketteringcard.com). Keep Kettering Dispatch Centers in Kettering and don't gamble with safety.

#### COUNCIL COMMITTEE REPORTS

Mr. Spolrich reported that he reviewed the minutes of the regular and workshop meeting of March 27, 2007, and moved the minutes be approved. Mr. Thompson seconded the motion and there being six (6) yea votes, one (1) abstain votes, and no (0) nay votes, the motion was declared carried by a majority vote.

Mr. Thompson – stated that it is coming into tornado season. It is recommended that citizens keep a three-day supply of emergency rations in your home, especially water. Food items should be those that do not need to be cooked.

Mr. Klepacz – expressed that he was glad that Mr. Schwieterman addressed citizen concerns about chimnia's and fire pots. He also had received a letter from a citizen who was concerned about them.

Mr. Duke – reported that on April 5, 2007 at 10:00 a.m. he attended a ribbon cutting at the Kettering Moraine Museum. It is nice to have the museum back open again. He commended Dayton History for all of their hard work to get the museum to the point that the public can enjoy it. The museum is open Thursday through Saturday from 10:00 a.m. to 4:00 p.m. He is also glad that Golden Nugget is now open and he can once again enjoy their breakfasts.

Mr. Wanamaker – reported that street crews are now patching the county cuts from water main breaks and will soon have them all patched. Leaf mulch is now available for pick-up.

Mrs. Lehner – expressed that she hopes everyone is enjoying eating at locally owned establishments.

Mr. Spolrich – assured citizens that Council has not brushed aside any concerns about the dispatch center and has not entered into any agreement with anyone. It is only a letter of intent to study the situation. The City is very cognizant with the importance of employees and will make sure no one loses their job. More information will come in future meetings.

Mayor Patterson – reported that he had not been to the Kettering Moraine Museum for several years. He thanked Dayton History for taking on this project. It is a jewel to our community and he thanked them for revitalizing it. On March 31, 2007 he attended the Kiwanis annual pancake breakfast. This Thursday, April 12, 2007 he will be attending the dedication of the new RTA bus stops that was a cooperative effort between RTA and Kettering Arts Council.

There being no further business to come before this meeting of the Kettering City Council, Mayor Patterson adjourned the meeting at 8:28 p.m.

ATTEST:

Connie S. Gaw  
Clerk of Council

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DONALD E. PATTERSON, MAYOR