

KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
September 27, 2005

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, September 27, 2005, at 7:30 p.m. in the Council Chambers of the Kettering Government Center, 3600 Shroyer Road. The Mayor, Marilou W. Smith, presided and the Clerk of Council, Connie S. Gaw, recorded. This meeting was telecast live on the cable access channel.

Council Members Present: Duke, Lehner, Patterson, Thompson,
Wanamaker, and Wasky

Total Members Present: Seven (7)

Mayor Smith led the audience in the Pledge of Allegiance and then gave the invocation. She introduced the Pages from Archbishop Alter High School, Daniel Hoge, Kathryn O'Donnell and Melissa Weber. She also introduced the cable TV operators, Bill Greger and Earl Jones. She thanked these volunteers for their assistance.

Mayor Smith welcomed Boy Scout Troop 191 from Emmanuel Lutheran Church and a group of Alter High School Students that were visiting as part of a government class requirement.

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

PROCLAMATION: Firefighter Appreciation Week – October 2-9, 2005

Mr. Wasky read the above proclamation and same was accepted by Fire Chief Robert Zickler.

PRESENTATION: American Red Cross

Tom Fodor, CEO of the local chapter of the American Red Cross gave a presentation on "Preparedness." He stated that there are five (5) action steps that the American Red Cross endorses in the event of a disaster. The steps are: Make a plan; Build a kit; Get trained; Volunteer; and Give blood. Mr. Fodor presented Mayor Smith with an emergency kit. Mayor Smith stated that she would display the emergency kit in the Government Center lobby for all to see.

EXPRESSION OF APPRECIATION: Michael E. Fleener – Army National Guard

Mr. Wanamaker read the above Expression of Appreciation and Mayor Smith presented it to Mike Fleener. She thanked him for his service to our country and welcomed him home.

Mr. Fleener stated that it is an honor to receive this recognition and to represent the United States. He thanked everyone for their cards and prayers while he was serving overseas in Afghanistan. He asked everyone to remember all soldiers that have sacrificed in the line of duty.

RESOLUTION OF APPRECIATION: Charles Scriven – RTA Board

Mayor Smith announced that Mr. Scriven was unable to attend the meeting this evening. She stated that this Resolution would be continued to a future meeting when Mr. Scriven was available to attend.

Mrs. Lehner made a motion to add a Resolution and to remove the Executive Session from the agenda this evening. Mr. Wasky seconded the motion and there being no discussion, the motion was declared carried by a unanimous vote.

DECISIONS AND PUBLIC HEARINGS

DECISION: To amend Economic Development Overlay District No. 5 by enlarging its boundaries and amending its provisions for land use regulations and development guidelines (Zoning Case No. 855-05).

Mr. Robert Miller, 1936 Woodman Center Drive, Kettering, Ohio (property owner and applicant) – Mr. Miller complemented the City for all of its services. He has owned the Woodman Stop and Lock on Woodman Center Drive for many years and 83 companies have leased his facilities. The future storage units will be larger than the existing ones and many have already been reserved. The land that they are expanding on has been vacant for 18 years. He asked for Council's approval this evening.

There being no discussion, the Mayor asked for a motion.

AN ORDINANCE
NO. 4026-05
BY: MRS. LEHNER AND MR. WASKY

TO AMEND ECONOMIC DEVELOPMENT OVERLAY DISTRICT NO. 5
BY ENLARGING ITS BOUNDARIES AND AMENDING ITS PROVISIONS
FOR LAND USE REGULATIONS AND DEVELOPMENT GUIDELINES
(ZONING CASE NO. 855-05)

Mrs. Lehner read the above ordinance in second reading and moved for approval. Mr. Wasky seconded the motion and there being no discussion, the following votes were recorded: Mr. Patterson, Abstain; Mr. Wasky, Yea; Mrs. Lehner, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mr. Thompson, Yea; Mayor Smith, Yea. There being six (6) Yea votes, (1) Abstain votes, and no (0) Nay votes, the motion was declared carried and the ordinance duly adopted.

RESOLUTIONS

A RESOLUTION
NO: 7956-05
BY: MR. WASKY AND MR. PATTERSON

TO SUPPORT STATE ISSUE 1 AND ENDORSING A PROPOSED
AMENDMENT TO THE OHIO CONSTITUTION TO AUTHORIZE THE
ISSUANCE OF GENERAL OBLIGATIONS OF THE STATE TO FINANCE
LOCAL GOVERNMENT PUBLIC INFRASTRUCTURE CAPITAL
IMPROVEMENTS, RESEARCH AND DEVELOPMENT, AND THE
DEVELOPMENT OF CERTAIN SITES AND FACIITIES IN OHIO, AND TO
EXPAND STATE AND LOCAL GOVERNMENT AUTHORITY
REGARDING ECONOMIC DEVELOPMENT

Mr. Wasky read the above resolution and moved for approval. Mr. Patterson seconded the motion.

Mayor Smith stated that two citizens wished to speak on this topic.

Mr. Robert Miller, 1936 Woodman Center Drive, Kettering, Ohio – Mr. Miller stated that he is opposed to this resolution because it does not make sense to spend billions of dollars on something that can be done at no cost. He has no confidence in the Governor or his leadership. The Governor's unemployment and worker's compensation programs are corrupt. This is the kind of leadership that should not be continued.

Mr. J. Earl Jones, 17 Storms Road, Kettering, Ohio – Mr. Jones stated that he was not aware this issue was on the agenda. This resolution mentions the creation of jobs. He wondered if these jobs will be created in our state and then shipped out of state or overseas. Jobs and retirements are already being threatened for people right in this area, and many area businesses are in jeopardy (Delphi, GM Assembly Plant, etc.). Before we start voting for bond issues we need to find out where these jobs are going to be. Until he gets some answers he will not vote for Issue 1 and would advise others not to vote for it.

Mr. Schwieterman explained that Issue 1 would authorize the State of Ohio to issue bonds to finance local government infrastructure, research and development and industrial site development. This would replace and expand the program previously known as Issue II, which was very useful to the City of Kettering in the resurfacing and reconstruction of numerous streets within the City.

Mr. Patterson stated that this issue is for infrastructure improvements and not for jobs going overseas. From a city's standpoint we need to look for alternatives for extra monies.

Mr. Thompson expressed that this issue helps to make up for some of the money taken from us on the state level.

Mr. Duke stated that the State Legislature has rolled several programs into this one resolution. It will be on the ballot and citizens will have the opportunity to vote as they see fit. He feels that Council should endorse this issue.

Mr. Wasky stated that there has been quite a bit of press about this issue. The bulk of the money is going to government and infrastructure.

There being no further discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Wanamaker Yea; Mr. Duke, Yea; Mrs. Lehner, Nay; Mr. Wasky, Yea; Mr. Patterson, Yea. There being six (6) Yea votes and one (1) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO. 7957-05

BY: MR. PATTERSON AND MR. THOMPSON

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO CONTRACT FOR THE FAR HILLS AVENUE AND WINDINGWAY SIGNAL REPLACEMENT PROJECT (PROJECT NO. 02-100P)

Mr. Patterson read the above resolution and moved for approval. Mr. Thompson seconded the motion. There being no further discussion, the following votes were recorded: Mr. Patterson, Yea; Mr. Wasky, Yea; Mrs. Lehner, Yea; Mr.

Duke, Yea; Mr. Wanamaker, Yea; Mr. Thompson, 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. 7958-05
BY: MR. THOMPSON AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER OR HIS DESIGNEE TO ENTER INTO A MEMORANDUM OF UNDERSTANDING WITH THE MIAMI VALLEY REGIONAL PLANNING COMMISSION (“MVRPC”) FOR THE PURPOSE OF INVESTIGATING METHODS TO INCREASE AND IMPROVE TRANSPORTATION FOR SENIOR CITIZENS (“COAST PROJECT”)

Mr. Thompson read the above resolution and moved for approval. Mr. Wasky seconded the motion. There being no further discussion, the following votes were recorded: Mr. Thompson, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Lehner, Yea, Mr. Wasky, Yea, Mr. Patterson, Yea; Mayor Smith, 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. 7959-05
BY: MR. WANAMAKER AND MR. DUKE

ENDORING GREATER DAYTON COMPACT PRINCIPALS

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

Mr. Mark Schwieterman explained that MVRPC has developed a set of Regional Principles to serve as a framework to guide, but not prescribe, regional and local planning and decision-making. Having a broad set of principles that key players in the region have agreed upon will offer a common frame of reference to evaluate individual plans, strategies and options. This resolution would endorse that set of principals.

Mr. Patterson stated that this is a first step effort to get all municipalities to be on the same page and a starting point to work together as a region.

Mr. Duke expressed in 1995 they tried to do this but were too specific. That is why “Challenge 95” did not work. He commended the MVRPC for all of their hard work.

Mr. Wasky stated he feels that this is a good attempt to develop a broad set of principals. He also served on “Challenge 95.”

There being no discussion on the motion, the following votes were recorded: Mr. Patterson, Yea; Mr. Wasky, Yea; Mrs. Lehner, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mr. Thompson, 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. 7960-05
BY: MR. DUKE AND MRS. LEHNER

ACCEPTING THE RATES AS DETERMINED BY THE BUDGET COMMISSION AND AUTHORIZING THE NECESSARY TAX LEVIES AND CERTIFYING SAME TO THE COUNTY AUDITOR.

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

Mr. Mark Schwieterman reported that the city is not having a tax increase, but simply establishing existing rates.

There being no further discussion, the following votes were recorded: Mr. Thompson, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Lehner, Yea, Mr. Wasky, Yea, Mr. Patterson, Yea; Mayor Smith, Yea. There being seven (7) Yea votes and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

CERTIFICATIONS & PETITIONS

The Clerk of Council had no Certifications or Petitions to announce at this time.

MANAGER'S REPORT

Mr. Mark Schwieterman, the Assistant City Manager reported:

NATURAL GAS PRICES – are on the rise. It is predicted to be a 70% increase in natural gas prices this year. There are now choices to be made, which make it more difficult for residents to choose. He suggested that citizens go to the Public Utilities Commission Website at www.puco.ohio.gov and review the information, and also contact the vendors (Vectren, Shell and Vectren Source) directly before making a decision.

There was then a brief discussion between City Council and the Mayor, with the consensus being that it would be wise to not only check the web site but to also contact the vendors directly to see what plans they have to offer.

COUNCIL COMMITTEE REPORTS

Mr. Patterson reported that he reviewed the minutes from the regular and workshop Council meetings of September 13, 2005. He moved that the minutes be approved. Mr. Thompson seconded the motion and there being no discussion, the motion was declared carried by a unanimous vote.

Mrs. Lehner reported that she reviewed the minutes from the Special Meeting on September 19, 2005. She moved that the minutes be approved. Mr. Thompson seconded the motion and there being no further discussion, the motion was declared carried by a vote of 4:3, with Mr. Patterson, Mr. Duke and Mr. Wasky abstaining.

Mr. Thompson reminded everyone to change the batteries in their smoke detectors. He also urged citizens to get a carbon monoxide detector if they don't already have one.

Mr. Wanamaker reported that he visited the leaf farm on Spaulding Road. It is a wonderful program and on October 17th the leaf pick-up program will begin for the season.

Mr. Duke reported that the City of Kettering Fire Stations is having open houses on Sunday, October 2, 2005 from 1:00 p.m. – 3:00 p.m. A firefighter challenge will be held from 4:00 p.m. – 6:00 p.m. It is a good time for families and he urged all to come out to support our firefighters. This Tuesday is the Annual Employee Service Awards Breakfast. The Mayor will be honored for 15 years of service and Council member Joe Wanamaker will receive recognition for 45 years of service to this community.

Mrs. Lehner reported that she had the opportunity to visit one of the shelters for victims of hurricane Katrina on her visit to San Antonio, Texas last week. It is a busy time for them and they expressed a need for furniture, linens, pots and pans, and dishes. She asked that citizens call the United Way, Line 211 to donate. There is a public summit on the “Coast” effort at Sinclair Community College on October 12, 2005. It is free but you do need to register. Experts on senior transportation issues will be speaking at this event. The reception begins at 5:30 p.m. with the speakers beginning at 6:30 p.m. You can register by going to the MVRPC website or by calling them directly. She asked that citizens with disabilities who are using the fixed route systems to please give her a call at 296-2416.

Mr. Wasky had no report.

Mr. Patterson reported that on October 1, 2005 the Ohio National Guard would have a deployment ceremony at the Vineyard Church at 11:00 a.m. He asked that citizens stop and show their support. There were two neighborhood meetings held last week to addresses future development at DESC. Both were well attended and staff did a wonderful job with the presentations. On October 5, 2005 the Kettering Rotary will be honoring the firefighter of the year.

Mayor Smith thanked the Streets and Parks department for all of their hard work on the American in Bloom contest. The Martin Luther King Breakfast is on January 16, 2006. She stated that she is mentioning this early because those citizens that have children in school may be asked to enter a contest on art, poetry, etc.

BUSINESS NOT ON WRITTEN AGENDA Communications and Reports

Council Comments

Audience Participation (5 Minute Limit Per Speaker)

Gary Gose, AMVET's of Kettering, 3108 Woodman Drive stated that at the last Council meeting he asked the community for supplies to take to the hurricane victims in Jackson, MS. The community rallied and they were able to take down a 53-foot trailer full of supplies. He thanked all of the volunteers that helped out and everyone that donated. He reported that they are now collecting toys to be handed out to the children in the gulf coast. He asked that when citizens buy a holiday toy for their children or grandchildren to please also buy a toy (unwrapped) for a child in the gulf coast. The AMVET's grand opening is scheduled for the first week of November. A definite date has not yet been set.

There being no further business to come before this regular meeting of the Kettering City Council, Mayor Smith adjourned the meeting at 9:05 p.m.

ATTEST:

MARILOU W. SMITH, MAYOR

Connie S. Gaw
Clerk of Council