

KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
January 27, 2009

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, January 27, 2009, 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, Schrimpf, 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 cable TV operators, Earl Jones and John Golub. He thanked these volunteers for their assistance.

APPROVAL OF MINUTES

January 13, 2009 - Regular and Workshop Meetings

Mr. Spolrich reported that he reviewed the above minutes and moved the minutes be approved. Mr. Thompson seconded the motion and there being seven (7) yea votes, and no (0) nay votes, the motion was declared carried by a majority roll call vote.

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

PRESENTATION: Mayor's State Of The City Address

Mayor Patterson gave the 2009 State of the City Address. (See pages 11 - 16 of these minutes for text.)

PRESENTATION: State Auditor's Office – "Making Your Tax Dollars Count"

Mr. Dave Landon, representing the State Auditor's Office gave the presentation this evening. He presented the award "Making Your Tax Dollars Count" to City of Kettering Finance Director, Nancy Gregory. Mr. Landon reported only a select group receive this award of excellence.

PUBLIC HEARINGS

ORDINANCES IN SECOND READING

AN ORDINANCE
NO: 4113-09
BY: MR. DUKE AND MRS. SCHRIMPF

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 SCHOOL DAYS - ON THE EAST SIDE OF SAN RAE DRIVE FROM A POINT 200 FEET NORTH OF EAST DOROTHY LANE EXTENDED NORTH CURB TO EAST DRIVE

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

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Schrimpf, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 8561-09

BY: MRS. SCHRIMPF AND MR. SPOLRICH

AUTHORIZING AND APPROVING A CONTRIBUTION TO THE KETTERING CHILDREN'S CHOIR 2009 INTERNATIONAL TOUR

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

Mr. Schwieterman explained this resolution is in support of the International Tour in June of 2009 in which the Kettering children's Choir will take 28 singers from the Kettering Children's Choir to Beijing, Xi'an, Shanghai and Hong Kong, China.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Schrimpf, 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: 8562-09

BY: MR. SPOLRICH AND MR. THOMPSON

AUTHORIZING THE PAYMENT OF CITY OF KETTERING 2009 MEMBERSHIP DUES TO MIAMI VALLEY REGIONAL PLANNING COMMISSION

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

Mr. Schwieterman explained this is a yearly fee and requires legislation. The 2009 fee is the same as last year.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Schrimpf, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 8563-09

BY: MR. THOMPSON AND MR. KLEPACZ

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT WITH KETTERING/MORAINES/OAKWOOD CHAMBER OF COMMERCE TO SELL ADVERTISING FOR THE 2009 FRAZE PROGRAM BOOK

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

Mr. Schwieterman explained the Kettering/Moraine/Oakwood Chamber sells ads annually for the Frazee Program Book.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Schrimpf, 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: 8564-09
BY: MR. KLEPACZ AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO ENTER INTO AGREEMENTS FOR DISCOUNTS, COMPLIMENTARY TICKETS AND COMPLEMENTARY PROGRAM PARTICIPATION TO BENEFIT THE ADVERTISING AND PROMOTION OF CALENDAR YEAR 2009 PARKS, RECREATION AND CULTURAL ARTS PROGRAMS AND THE 2009 FRAZE PAVILION PERFORMANCE SEASON

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

Mr. Schwieterman explained this resolution benefits the promotion and advertising of programs offered by the PRCA Department during the Year 2009.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Schrimpf, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 8565-09
BY: MR. WANAMAKER AND MR. DUKE

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE KETTERING OFFICIALS ASSOCIATION TO PROVIDE REFEREES AND SCOREKEEPERS FOR THE 2009 ADULT SPORTS LEAGUE PROGRAM

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

Mr. Schwieterman explained this resolution will authorize the City to enter into this annual agreement.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Schrimpf, 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: 8566-09
BY: MR. DUKE AND MRS. SCHRIMPF

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE KETTERING CITY SCHOOL DISTRICT TO PROVIDE AFTER SCHOOL ENRICHMENT CLUBS AND YOUTH LIAISON COUNSELING SERVICES IN 2009

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

Mr. Schwieterman explained the City applied for and received approval for grant funding from Montgomery County, Ohio Department of Job & Family Services to assist in the development and operation of the Kettering City School After School Enrichment Program and to provide certain services to eligible youth and their families.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Schrimpf, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 8567-09

BY: MRS. SCHRIMPF AND MR. SPOLRICH

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR THE REMOVAL OF ASH TREES ON PUBLICLY OWNED PROPERTY THROUGHOUT THE CITY

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

Mr. Schwieterman explained this resolution will allow for the removal of ash trees on publicly owned property that are in poor condition and/or poor locations.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, Nay; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Schrimpf, 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: 8568-09

BY: MR. SPOLRICH AND MR. THOMPSON

AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION ("OPWC") STATE CAPITAL IMPROVEMENT PROGRAM AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED TO PARTICIPATE IN THE PROGRAMS

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

Mr. Schwieterman reported this will allow the City to enter into an agreement to participate in programs for the East Dorothy Lane and Wilmington Pike Intersection Reconstruction Project, Project No. 02-102i and to receive funding. Construction is scheduled to begin in late 2009. This resolution will also allow the City to enter into an agreement to receive funding for the East Dorothy Lane Bridge Replacement Project.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Schrimpf, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 8569-09

BY: MR. THOMPSON AND MR. KLEPACZ

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO CONTRACT FOR THE 2009 RESIDENTIAL RECONSTRUCTION TREE REPLACEMENT PROGRAM, CITY PROJECT NUMBER 02-050A

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

Mr. Schwieterman reported this program will replace trees removed off of private property for portions of street reconstruction in 2009. The streets include: Cardington, Crescent, Abingdon, Doddington, Old Lane, Greenhouse, Eureka Hampton, and Wilmington Pike.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Schrimpf, 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: 8570-09

BY: MR. KLEPACZ AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO ACCEPT A \$5,000 GRANT FROM THE KETTERING PARKS FOUNDATION TO ASSIST TOWARDS PAYMENT OF A GRANT WRITER

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

Mr. Schwieterman explained the City renewed the contract with the existing grant writer to 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; Mrs. Schrimpf, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 8571-09

BY: MR. WANAMAKER AND MR. DUKE

AUTHORIZING THE CITY MANAGER TO CONTRACT FOR ANNUAL MAINTENANCE, CUSTOMER SUPPORT AND SOFTWARE UPDATES FOR THE FINANCE/HUMAN RESOURCE DEPARTMENTS COMPUTER SYSTEM

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

Mr. Schwieterman reported this is the annual maintenance, customer support and software update agreement for the payroll, finance, purchasing, and human resource computer system.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Schrimpf, Abstain; 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: 8572-09

BY: MR. DUKE AND MRS. SCHRIMPF

AUTHORIZING THE CITY MANAGER TO USE A SEALED BID PROCESS OR COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO PURCHASE EQUIPMENT, OR AS AN ALTERNATIVE, TO PURCHASE SAID EQUIPMENT THROUGH AN APPROVED COOPERATIVE PURCHASING PROGRAM

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

Mr. Schwieterman explained this resolution will allow for the purchase of the following Capital Equipment items: Police Department – 4 unmarked sedans and 5 marked cruisers; Fire Department – House Alert System and Fire Engine Replacement; Street Department – 2 4X4 Trucks, Vac All and Leaf Loaders; Parks Maintenance Department – Riding Mower and Wide Cut Riding Mower; Vehicle Maintenance Department – 3 Staff Vehicles.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Schrimpf, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 8573-09

BY: MRS. SCHRIMPF AND MR. SPOLRICH

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR PARKS, RECREATION AND CULTURAL ARTS ACTIVITIES BROCHURES FOR CALENDAR YEAR 2009

Mrs. Schrimpf read the above resolution 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. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Schrimpf, 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: 8574-09

BY: MR. SPOLRICH AND MR. THOMPSON

AUTHORIZING THE CITY MANAGER TO PURCHASE YARD WASTE BAGS TO RESELL TO THE PUBLIC

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

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Schrimpf, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 8575-09

BY: MR. THOMPSON AND MR. KLEPACZ

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR THE PURCHASE OF PRINTING SERVICES FOR THE 2009 FRAZE PAVILION PROGRAM BOOK AND SEASON BROCHURE

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

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Schrimpf, 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: 8576-09

BY: MR. KLEPACZ AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO PURCHASE TELEVISION, RADIO AND NEWSPAPER, BILLBOARD AND INTERNET ADVERTISING FOR THE 2009 FRAZE PAVILION PERFORMANCE SEASON FROM VARIOUS SOURCES

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

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Schrimpf, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 8577-09
BY: MR. WANAMAKER AND MR. DUKE

AUTHORIZING THE CITY MANAGER TO NEGOTIATE AND ENTER INTO ENTERTAINMENT CONTRACTS FOR THE 2009 FRAZE PAVILION SEASON

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

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Schrimpf, 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: 8578-09
BY: MR. DUKE AND MRS. SCHRIMPF

AUTHORIZING THE CITY MANAGER TO CONTRACT FOR THE PURCHASE OF BEER AND WINE FOR SPECIAL EVENTS AND FOR FRAZE PAVILION CONCESSIONS DURING THE 2009 PERFORMANCE SEASON

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

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Schrimpf, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 8579-09
BY: MRS. SCHRIMPF AND MR. SPOLRICH

TO AUTHORIZE THE CITY MANAGER TO CONTRACT FOR THE RENTAL OF MUSICAL AND PERFORMANCE RELATED EQUIPMENT ON A "SHOW BY SHOW AND AS NEEDED" BASIS FOR THE 2009 FRAZE PAVILION SEASON

Mrs. Schrimpf read the above resolution 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, Nay; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Schrimpf, 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: 8580-09
BY: MR. SPOLRICH AND MR. THOMPSON

AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE INCENTIVE PROGRAM PORTION OF THE EMPLOYEE WELLNESS PROGRAM

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

Mr. Schwieterman explained as part of the Employee Wellness Program, an incentive program was established to reward employees with a bonus if they accrued a certain number of participant points in the course of the 2008 program year. One hundred five (105) employees received this goal and are eligible for the incentive program reward.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Schrimpf, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 8581-09

BY: MR. THOMPSON AND MR. KLEPACZ

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO ENTER INTO ONE OR MORE AGREEMENTS FOR CONSTRUCTION OF A WASH RACK AT THE VEHICLE MAINTENANCE CENTER

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

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Schrimpf, 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: 8582-09

BY: MR. KLEPACZ AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR THE MAINTENANCE AND REPAIR OF ROOFS ON VARIOUS CITY BUILDINGS

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

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Schrimpf, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 8583-09

BY: MR. WANAMAKER AND MR. DUKE

AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS FOR THE RENOVATION OF THE KETTERING GOVERNMENT CENTER, SOUTH BUILDING, THROUGH ADVERTISING FOR BIDS AND/OR COMPETITIVE BARGAINING AND NEGOTIATED QUOTES AS DEEMED BY THE CITY MANAGER MOST ADVANTAGEOUS TO THE CITY

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

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Schrimpf, Abstain; 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: 8584-09
BY: MR. DUKE 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, 2009

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

Mr. Schwieterman explained this is the appropriation for the contribution to the Kettering Children's Choir to support their 2009 International Tour to China.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Schrimpf, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 8585-09
BY: MRS. SCHRIMPF AND MR. SPOLRICH

DIRECTING THE CLERK OF COUNCIL TO CORRECT A SCRIVENER'S
ERROR IN RESOLUTION NO. 8559-09

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

Mr. Schwieterman explained this resolution will allow for a correction to Resolution No. 8559-09. In the first recital paragraph of the adopted resolution it referred to a "detached" garage, when in fact the proposed garage was not a "detached" garage. This resolution will direct the Clerk of Council to remove the word "detached" from Resolution No. 8559-09. This does not change the Council's decision to sustain the BZA's decision in this matter.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, Nay; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Schrimpf, Abstain; Mr. Spolrich, Yea; Mayor Patterson, Yea. There being six (6) Yea votes, one (1) Abstain vote, 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, City Manager reported:

The City of Kettering along with the Kettering School District will receive an award for building a home in the Wiles Creek Neighborhood. This was a worthwhile project and he is excited to go to Sinclair later this week to accept this award.

There have been sixteen snow events so far this year. Which is seven more than last year. He appreciates the Public Service Department for making Kettering's roads safe.

Thanked staff for making 2008 a successful year. Kettering is a great place to work.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Communications and Reports

Audience Participation (5 Minute Limit Per Speaker)

COUNCIL COMMITTEE REPORTS

Mr. Duke – Congratulated Nancy Gregory for receiving the “Making Your Tax Dollars Count” award. He expressed kudos to Mayor Patterson for a nice State of the City Address.

Mrs. Schrimpf – Also expressed to the Mayor that he presented a nice State of the City Address. On January 19, 2009 she attended a meeting of Girl Scout Troop 381. The girls were excited to have the opportunity to learn more about City Government and the Inauguration. She had a great time.

Mr. Spolrich – Congratulated the Finance Department on a job well done. Mayor Patterson gave an excellent State of the City Address. On January 17, 2009 he attended the Flyin’ to the Hoops program at Trent Arena. This event brought a positive spotlight to the City. On January 20, 2009 he attended the Miami Valley Military Affairs annual get acquainted reception at Hope Hotel on WPAFB. On January 20, 2009 he was honored to see the change of power without conflict during the Inauguration ceremonies. Congratulations to Daniel Griggs from St. Albert School for winning the Kettering District Spelling Bee. He will soon be going to the Regional Spelling Bee at Sinclair Community College. He urged citizens to patron Big Sky Bread, an outstanding Kettering Business.

Thompson – Watched the Inauguration, but did not see the Mayor. He expressed it is a pleasure to serve with this Council. Council always has the City’s best interest at heart and he is honored to be a part of it.

Mr. Klepacz – Over 300 people attended the Martin Luther King Breakfast at Christ Church on January 19, 2009. He thanked Council for serving the food and all of the City Staff for volunteering and attending the breakfast.

Mr. Wanamaker – Expressed that Mr. Klepacz did a great job at the Martin Luther King Breakfast. The Mayor gave an excellent State of the City Address.

Mayor Patterson – Was honored to attend the Presidential Inauguration on January 20, 2009. It was an electrifying experience to participate in this moment of history. He thanked Congressman Mike Turner for his Inaugural Tickets.

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

ATTEST:

DONALD E. PATTERSON, MAYOR

Connie S. Gaw
Clerk of Council

2009 State of the City Address

Good Evening and welcome to the 2009 State of the City highlighting the year 2008.

Many times when I am out in the community speaking to groups I mention that Kettering is a great place to live, work and play. I believe that statement wholeheartedly, that's why I say it so often. And in 2008 Business Week Magazine named Kettering the second best City in Ohio to raise a family – a sentiment I agree with, only I believe, as many of you do, that we should have been named the BEST place to raise a family. Throughout the course of this evening we will highlight for you many of the reasons why Kettering IS such a great place to live work and play and raise a family.

On a certain 14th day of September last year we all came to realize that circumstances beyond our control can strike at any time. When the windstorm blew through Kettering in September, the City was perhaps NOT the *easiest* City in which to live, work or play. But we pulled together and worked through it. Each and every department within the City had a job to do in response to the storm.

Our Public Safety officials on duty that September evening did an amazing job of ensuring that the community was safe from the elements. Police officers were cordoning off areas where trees were down in the street. Many officers reported in on their day off to assist Dispatch efforts as well as to assist residents in need of help.

The Fire Department operated in tandem with the Kettering Police Department to assist residents in need. They spent time driving neighborhoods looking for potential fire hazards and injuries. By Wednesday, Fire personnel were focusing efforts on helping homebound or medically fragile residents with no electricity. They helped one resident with an electric therapeutic bed by hooking a generator to it in order to maneuver the bed appropriately.

One of the major issues we faced immediately was that of downed traffic lights and signals. The majority of the City's signals were without power. The Public Works department acted quickly to install generators at some of the major intersections in order to keep traffic moving efficiently and safely. Temporary stop signs were placed at signals where generators were not available. Throughout the week Public Works inspectors were utilized to disseminate information to the public.

Public Service was at the core of cleanup efforts beginning September 14 in the midst of the storm. All roads, except for those with downed wires, were open within 24 hours. All roads were cleared within 48 hours, again aside from those with downed wires, and school zones were cleared within 4 days.

We immediately made the decision to pick up storm related yard debris from every home, and many businesses in Kettering. Storm debris was cleared from around the City in six weeks and two days. Public Service hauled 6,451 truckloads of debris totaling 14,000 tons of material. That does not count the 284 tons of debris that residents hauled to debris sites on their own.

We ground all of that debris into wood chips, of which 12,800 tons were hauled to EPA certified mulching companies. The remainder is at the City's composting facility. The total cost of storm recovery in the Public Service Department alone is 1.1 million dollars.

Parks Maintenance staff suspended their day-to-day operations in order to clear parks of debris and assist the street department in the debris pickup effort. The City's neighborhood parks were hit hard by the storm, requiring weeks of cleanup. The Recreation Center electricity was down, which created problems with the ice rink, eventually requiring the removal of the water and ice as it gradually melted.

Property Maintenance inspectors became front line communication during the week following the storm. The City's property maintenance efforts were temporarily suspended as the City began to dig out from the debris. That gave property maintenance inspectors the opportunity to carry news and updates into the community with flyers and bulletins.

Our Senior Services Coordinator mobilized efforts quickly with the help of our Volunteer department to assist seniors with specific needs. Through their efforts, 112 individual home visits were made; 129 people were given information and service referrals; 72 yards were cleaned up and 63 senior citizens were provided a hot meal. Thanks to everyone who donated food and supplies that week. And a special thanks to former Councilwoman Lehner and Councilman Klepacz' wife, Joan, for making meals for the rest of us to deliver.

I am very proud of City staff who reported to the City building Monday morning ready to work. The Government Center was a rarity in that it never lost power and that was truly a Godsend. Having power here gave us the ability to gather and plan and quite frankly it gave many of our staff members somewhere to get ready in the morning; charge batteries and other items so that they could continue to report to work as scheduled. Our staff didn't miss a beat in putting their own personal discomforts aside in order to serve this community.

Christ United Methodist Church responded graciously to our request for a space to host the medically fragile on oxygen. While we were all inconvenienced throughout the week without power, there were some who faced dire consequences if power was not made available to them. Christ United opened up their activity room for residents on oxygen to charge their tanks. This was such a blessing to this community and even Kettering Medical Center was relieved to know that there was an open facility for this purpose since so many oxygen reliant patients were coming to them for help.

So many of you stepped outside your own comfort zones to help others. We were witness to many acts of kindness throughout the week as neighbors offered generators to neighbors; neighbors helped one another to clean up their debris and many of you donated food. I truly believe in times of crisis and struggle that the true measure of a man is found. In this case, the true measure of a community was uncovered and I am as proud as ever to say that Kettering is my home.

But 2008 was about a lot more than the Wind Storm. Our neighboring community, Moraine, experienced the final assembly at their GM facility – a factor that affects many Kettering families, our schools and supplying businesses. It has made our task of maintaining and attracting business even that more critical. 2008 did bring some positive economic development news to our community.

Reynolds and Reynolds moved 400 Technical Assistance Center employees to their headquarters at the Miami Valley Research Park. In addition, Reynolds is in the process of constructing a 15,000 square foot Data Center, which amounts to a 20 million dollar investment. We continue to be encouraged by Reynolds and Reynolds commitment to this community and to their Kettering facility.

Victoria's Secret Direct announced plans to hire 435 employees for their Kettering call center on Bigger Road. 248 of those employees are permanent full time hires.

Consolidated Vehicle Converters held a ribbon cutting on November 17 of 2008. CVC has made a significant investment in this community and currently has 80 employees.

Construction has begun on the Schuster Heart Hospital on the Kettering Medical Center campus. The Heart Hospital will be a state of the art facility containing ninety private rooms.

Our good friends at James Free Jewelers decided to expand in 2008. We were pleased when they decided to stay in Kettering and in fact stay in almost the exact location. They demolished their building, as well as the building adjacent to them to make room for a new, state of the art showroom and facility - While also expanding their parking area.

Community Tissue Services announced at the end of 2008 their intentions to construct a 80,000 square foot office and tissue processing facility at the Miami Valley Research Park. They are making a 30 million dollar investment into our community with this project and they will bring 175 employees to Kettering to start.

The former Groby's site is now under development. Charlotte's Garden had its first new business ribbon cutting in 2008 as First Financial Bank celebrated their opening. Also slated for that site are Dewey's Pizza and Chipotle Mexican Grill.

There continued to be a significant amount of residential construction in 2008. Twenty-nine single-family homes were completed in the Madison's Grant development off of Swigert Road. Phase 3 of that development is underway now. In addition, five new single-family patio homes were built at the Villas of Kettering Pointe, the former Van Buren Shopping Center. And the third Franklin Foundation senior housing development was built in 2008, providing even more attractive, affordable housing to seniors.

In 2007 I promised you that we would spearhead changes in the City's property maintenance program. 2008 was the first full year of our new property maintenance efforts. With the help of a Property Maintenance Task Force we were able to dramatically increase our property maintenance efforts. In 2008 the program fielded more than 3800 complaints, a 6% increase over 2007.

The following recommendations by the Property Maintenance Task Force were implemented:

- Code revisions
- Regular inspections of apartment complexes
- Realignment of Inspector Areas and
- The Clean Sweep Neighborhood Improvement Program, which gives a specific neighborhood the opportunity for systematic clean up with the support and guidance of the City's property maintenance staff.

Also at the recommendation of the Task Force, inspectors now wear uniforms and drive marked cars, which increases their visibility in the community. In 2008 the property maintenance program was able to successfully remove two highly visible blighted properties.

In 2008 the City created new programs geared toward meeting the housing needs of Kettering residents. This is a volatile time in the housing market, with many families facing financial hardships. It is our desire to provide as many support programs as we can to help homeowners who may be struggling.

One such effort provides residents with the opportunity for one on one counseling at the Kettering Government Center with a housing specialist for homeowners facing the threat of foreclosure. Make no mistake about it, if your family is in danger of losing your home, we want to help.

Our Community Development division also worked with four Kettering residents in 2008 through our new Handicapped Accessibility Project by helping to fund ramps and bathroom accessibility tools.

Seventeen rehab projects were complete in 2008, which included projects like siding replacement, garage door replacement, new windows and new doors.

The City's Home Enhancement Loan Program, in conjunction with Day Air Credit Union, administered buy downs that enabled homeowners to make updates to their kitchens and bathrooms and expand living space.

In addition, we were able to help first time homebuyers with down payment and closing cost assistance.

A partnership with the Kettering Board of Education and their Career Technology Program continued in 2008. Students in the program are building a single-family home in the Wiles Creek neighborhood. The home is being built on land that was donated by the City of Kettering. In 2009 the completed home will be sold to an eligible buyer. The City anticipates continuing this program in an effort to increase new infill housing opportunities in the City. Our partnership with the schools has resulted in receiving the "2008-2009 Tech Prep Distinguished Partner Award". We will be receiving the award later this week at Sinclair Community College.

The City's Capital Improvement Program funded 4 million dollars worth of construction projects in 2008. Among those projects were a curb, gutter, drive approach and sidewalk repair program in the Southern Hills neighborhood; reconstruction of Haig Avenue behind the newly redeveloped Kettering Crossing; reconstruction of Eureka Drive, which is now 95% complete; and replacement of the Circleview Drive Bridge. In 2009 we expect to spend approximately \$12 million dollars in roadway projects, which will include the replacement of the Dorothy Lane Bridge, just east of Woodman Drive and Phase 3 of the Dorothy/Dixie Reconstruction project, which will rebuild the roadway of South Dixie from the Dorothy intersection to just north of Cardington.

And speaking of Capital Improvements, we as Council faced a difficult decision in 2008. Twenty years ago Kettering residents approved a Parks and Recreation bond levy that enabled us to make significant strides in our services and programs. That Bond Levy was set to expire at the end of 2008, leaving us without that very critical funding. We were faced with a growing number of updates and improvements that were crucial to facilities and parks and the City's general operating budget could not address the mounting capital improvements needed. We decided to place a new Bond Levy on the November ballot with no increase in tax dollars. You responded with an overwhelming amount of support and we were once again humbled by your commitment to your community.

As a result of the levy approval, we are going to see impressive improvements to our parks and recreation facilities over the next five years. Here is a sample of what you will see:

- Increased fitness and wellness space
- Improvements to the water park that will include taller and faster slides; more shade area and more deep water for older children
- Additional program and class space at both the Rec Center and the Lathrem Center
- Upgrades to the main pool spa area
- Improved entrances to facilities
- New playgrounds at many neighborhood parks
- New walking paths throughout the community
- New playground and improvements to the nature Center at Southdale

These are just a few of the many improvements you will begin to see throughout our extensive parks and recreation system. We hope to see the first of the changes occurring in 2009.

To reinforce your decision to support the 2008 Bond Levy, let me detail for you some of the outstanding things that took place within your parks, recreation and cultural arts department in 2008.

Kettering was awarded the Silver Healthy Community Award through the Ohio Department of Health for our collaborative efforts in community health improvements with both Kettering Medical Center and the Kettering City Schools Food Service Program.

Kettering's Senior Transportation Program received the Superior Award from the Ohio Parks and Recreation Association. This program enables many seniors to live independently and utilizes volunteer drivers to help keep costs down.

For the 24th consecutive year we received the "Tree City" designation by the Arbor Day Foundation – something that I am particularly proud of given that we are an inner ring suburb, completely built out. It demonstrates our commitment to green space and beautification throughout the City.

In partnership with the Kettering Parks Foundation, approximately \$12,000 was distributed to 64 families for participation in programs and almost \$6 thousand dollars was given in camp scholarships. This year we look to offer even more financial assistance programs to our residents given these difficult economic times.

For the 24th year Rosewood was recognized by the Ohio Arts Council for outstanding arts programming with a general operating grant for over \$20,000.

And a second site was added to Camp Funtastic, which doubled enrollment numbers and provided free summer camp to 50 Kettering students who otherwise would not have the opportunity to attend camp.

Without a doubt our Parks, Recreation and Cultural Arts department contributes to the very high quality of life that we enjoy here in Kettering.

Another department in the city that works hard to make a daily difference in our operations is the Volunteer Department. 2008 was the 29th year of the ACTIVE volunteer program and throughout the year more than 1000 volunteers logged over 45,000 hours worth of service. What you might not realize about our volunteer program is the work these volunteers do on a day-to-day basis makes a significant difference in our bottom line. Their 2008 service is equal to an \$800,000 dollar contribution to the City.

More than 50 Kettering residents participated in the 2008 Make a Difference Day. Volunteers worked to complete three major rehab projects, which included painting, door and window replacements and tree trimming. In addition, leaves were raked, smoke detector batteries were changed and clothing and food was collected.

Twelve students graduated from the fifth Kettering Leadership Academy. The sixth class of the Academy began in September of 2008 and 12 class members are currently in the process of learning the variety of ways in which they can plug themselves into the community in a leadership capacity.

One of the facets of community that Leadership Academy participants tend to rave about the most is the Kettering Police Department. We continue to hire new patrol officers when necessary and I am always impressed with the caliber of men and women we recruit. I credit our Police Chief, police administration and human resources department for seeking out the very best and brightest. In 2008 we hired four new patrol officers and they have now been successfully trained and are working at full capacity for the department.

An additional canine unit was added to the force in 2008. Brix is a patrol canine who supplements our very successful narcotics canine, Bandit.

The City's jail was re-accredited in 2008 through the American Correctional Association. The rigorous process for accreditation, and the fact that the City's jail has been accredited every year for more than twenty years is further evidence of the Kettering Police Department's commitment to excellence.

The Fire Department welcomed a new Fire Marshal in July of 2008. Bill Ford came to us after he retired from his Fire Chief position with Huber Heights. Bill has been a welcome addition to our department. In addition to the Fire Marshal position, we also hired seven new firefighter/paramedics in 2008.

Public Service has been busy already with snow and ice events. At the end of 2008 crews used just over 1000 tons of salt, which includes the salt used to make the brine mixture that helps to keep the snow from adhering to the pavement. We are in good shape with our salt supply for the remainder of this year and will continue to ensure safe transit around and through the City.

In April of 2008, the City of Kettering and Kettering Rotary hosted the 2nd Annual Mayor's Ball for Charity. Through generous sponsorship's from the community and attendees we were able to raise almost \$11,000 for We Care Arts.

The 2009 Mayor's Ball for Charity will be held on April 25th at the Reynolds and Reynolds headquarters in Kettering. The charity for 2009 is the Kettering Education Foundation. The Kettering Education Foundation gives citizens, businesses and organizations the chance to be involved the public education system by sponsoring and supporting various programs and projects.

Tonight, I'd like to issue a heartfelt thank you to our friend former Councilwoman Peggy Lehner for her 11 years of service to this community. Peggy continues to have a passion for the people of Kettering and I have no doubt that she will continue to consider our best interest while serving the 37th district in Columbus. A few of us had the honor and pleasure of attending her swearing in at the state house several weeks ago and I can honestly say that our loss is the state's gain. Good luck to Peggy in her new political endeavor.

We are pleased to have Amy Schrimpf fulfilling Peggy's term. We received applications from many highly qualified Kettering residents who were interested in serving this community in this capacity. Amy came to us highly recommended. We also knew of her dedication to the City through her service on the Property Maintenance Task Force and her participation in the Strategic Planning process. We knew that we couldn't go wrong with so many qualified applicants and we had the great fortune of being able to choose Peggy's replacement from an impressive slate. We know that Amy will bring a fresh perspective to council and as a professional woman, mother and wife we also know that she represents a dynamic portion of Kettering's population. We are very happy to have Amy on board.

Finally, I would like to thank my fellow Councilmember's as well as City staff for your outstanding commitment to this City on a day-to-day basis. And to my wife Maureen - Thank YOU again for your support, understanding and encouragement in allowing me to do this job I so love.

With that I want to wish you all a very happy 2009. We as Council will continue to serve this community humbly and responsibly. We look forward to celebrating triumphs with you in the coming year and promise to work together cooperatively during these challenging times. At the end of another year I am proud to say that I have the honor, to serve the people of Kettering - the greatest City in which to Live, Work and Play. Thank you and God bless.