KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
November 22, 2011

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, November 22, 2011, at 7:30 p.m. in Council Chambers at the Kettering Government Center South Building, 3600 Shroyer Road. Mayor Donald E. Patterson, presided and the Clerk of Council, Connie S. Gaw, recorded. This meeting was telecast live on the cable access channel.

Council Members Present:	Patterson, Klepacz, Schrimpf, Thompson, Wanamaker and Webb
Council Members Absent:	Duke (excused)
Total Members Present:	Six (6)

Mayor Patterson led the audience in the Pledge of Allegiance and then gave the invocation. He introduced the cable TV operators, Jay Taylor and Earl Jones and thanked them for their assistance.

APPROVAL OF MINUTES
November 8, 2011 – Regular & Workshop Meeting Minutes

Mrs. Schrimpf reported that she reviewed the above minutes and moved the minutes be approved. Mr. Webb seconded the motion and there being six (6) yea votes, and no (0) nay votes for the November 8, 2011 - Regular & Workshop Meeting Minutes, the motion was declared carried by roll call vote.

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

PRESENTATION – Kettering Fairmont High School
Dan VonHandorf, Principal of Fairmont High School and Nancy Brown, Coordinator of Fairmont Career Tech Center gave a presentation about the STEM Programs available at Kettering Fairmont High School. They reported Fairmont High School was one of six high schools nationally to receive the Society of Manufacturing Engineers PRIME Award. Mayor Patterson thanked them for coming and keeping Council informed.

PUBLIC HEARING

Public Hearing - To amend the provisions of Economic Development Overlay District No. 12 known as the Centurion Offices Overlay District.

Mayor Patterson opened the public hearing and asked that all those who intended to speak to City Council about this matter, to please stand, raise their right hand and take an oath. Mayor Patterson administered the oath to those standing and then asked everyone to be seated.

Mr. Ron Hundt, City Planner gave the staff presentation this evening. He reported that this request is for the amendment of Economic Development Overlay District No. 12 to allow assisted living as a principally permitted use on the property at 3490 Far Hills Avenue. Planning Commission heard this case and recommended approval by City Council. Mr. Hundt showed an aerial photograph of this site. He asked for any questions from Council.

Mr. Webb noted this is a 2-story structure and asked if that had any effect on assisted living and was this typical.

Mr. Hundt replied that it is not untypical for assisted living to have 2-stories. There is an elevator in this building.

Mr. Greg Nelson, 1371 West Rahn Road, Applicant – He stated the building is to be a small tasteful assisted living project with fifty-three units on two floors. They will try to emulate some of the surrounding sites in this area. This is a great location between two already established assisted living care centers. It will not be at the top end of the market as far as cost.

Mr. Webb asked if there would be any common areas.

Mr. Nelson replied that at the very back of the building they plan to construct a 10,000 sq. ft. enclosed park that will be very user friendly with elevated gardens. The interior will have a large library and a bistro, as well as other common spaces.

Mayor Patterson thanked Mr. Nelson for having a complete application.

Mayor Patterson then asked for any public comments for or against this request. None were heard. The public hearing was closed.

Public Hearing - Providing for the vacation of a portion of Blossom Heath Road Public right-of-way.

Mayor Patterson opened the public hearing and asked that all those who intended to speak to City Council about this matter, to please stand, raise their right hand and take an oath. Mayor Patterson administered the oath to those standing and then asked everyone to be seated.

Mr. David Roller, City Planner gave the staff presentation this evening. He reported this request is for the vacation of the Blossom Heath Right-of-Way that extends from Stonebridge Road to Southern Boulevard. He showed an aerial photograph of this site. Two public hearings were conducted by Planning Commission with the recommendation to City Council this be approved. All issues were evaluated regarding traffic, emergency services, utilities, land use, and neighborhood impacts. No significant impacts were found. Staff agrees with the findings and also recommends approval of this request. He asked for any comments from Council.

No comments were heard from City Council.

Attorney Merle Wilberding, 1013 Rubicon Road – He stated he is speaking on behalf of Kettering Medical Center. Over the past number of years they have participated in public hearings and this issue of vacating Blossom Heath has come up time and time again. In the last year, neighbors have directly approached them requesting the vacation. He asked that City Council approve this request. He asked for comments from Council.

No comments were heard from City Council.

Mayor Patterson then asked for any public comments for or against this request.

Mr. John Neff, 880 Greenhouse Drive – He expressed he would like to lend his support of this request. Several of his neighbors were concerned about the developments in this area and he sees this as a positive move to keep the integrity of the neighborhood intact. He supports this request.

Mr. Charles Demirjian, 3732 Blossomheath Road – He expressed there are many that disagree and agree with the closing of Blossomheath. He does not want it closed but since it will be he wanted to bring forward some safety concerns. He feels that Stonebridge Drive is not wide enough where you make your turn onto Blossom Heath and the incline is fairly rapid that if there were snow or ice you could easily go off the road. He feels if it were made wider it would be safer to turn.

Mayor Patterson asked for any additional comments from the public. None were heard. The public hearing was closed.

ORDINANCES IN SECOND READING

AN ORDINANCE
NO: 4186-11
BY: MR. KLEPACZ 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 TURN ON RED 7:30 AM – 3:00 PM SCHOOL DAYS WESTBOUND ON PATTERSON ROAD AT THE REMBRANDT BLVD. AND NORTON AVENUE INTERSECTION.

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

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Thompson, Yea; Mr. Webb, Yea; Mayor Patterson, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the ordinance duly adopted.

RESOLUTIONS

A RESOLUTION
NO: 9054 -11
BY: MRS. SCHRIMPF AND MR. WEBB

AUTHORIZING THE CITY MANAGER TO ENTER INTO AMENDED ARTICLES OF AGREEMENT FOR STREET LIGHTING MAINTENANCE AND AUTHORIZING AN ADDITIONAL EXPENDITURE OF FUNDS

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

The following votes were recorded: Mr. Webb, Yea; Mr. Thompson, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mayor Patterson; Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 9055 -11
BY: MR. WEBB AND MR. THOMPSON

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, 2011

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

Mr. Schwieterman explained this resolution will allow for appropriations from various cost centers and transfer of funding for various departmental operating expenses.

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Thompson, Yea; Mr. Webb, Yea; Mayor Patterson, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

ORDINANCES IN FIRST READING

AN ORDINANCE

TO AMEND THE PROVISIONS OF ECONOMIC DEVELOPMENT OVERLAY DISTRICT NO. 12 KNOWN AS THE CENTURION OFFICES OVERLAY DISTRICT

Mr. Thompson read the above ordinance in first reading. A second and final reading will be on the December 6, 2011 Council agenda.

AN ORDINANCE

PROVIDING FOR THE VACATION OF A PORTION OF BLOSSOM HEATH ROAD PUBLIC RIGHT-OF-WAY

Mr. Wanamaker read the above ordinance in first reading. A second and final reading will be on the December 6, 2011 Council agenda.

AN EMERGENCY ORDINANCE
NO: 4187-11
BY: MR. KLEPACZ AND MRS. SCHRIMPF

TO APPROPRIATE PROJECT PARCEL "84T" FOR THE WILMINGTON PIKE RECONSTRUCTION PROJECT IN THE CITY OF KETTERING, OHIO (ANSEL TO SMITHVILLE): ODOT PID NO. 84089; CITY OF KETTERING PROJECT NO. 02-108N; AND TO DECLARE AN EMERGENCY.

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

The following votes were recorded: Mr. Webb, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mr. Duke, Yea; Mayor Patterson; Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the ordinance duly adopted.

AN EMERGENCY ORDINANCE
NO: 4188-11
BY: MRS. SCHRIMPF AND MR. WEBB

TO APPROPRIATE PROJECT PARCELS 86WD AND 86T FOR THE WILMINGTON PIKE RECONSTRUCTION PROJECT IN THE CITY OF KETTERING, OHIO (ANSEL TO SMITHVILLE): ODOT PID NO. 84089; CITY OF KETTERING PROJECT NO. 02-108N; AND TO DECLARE AN EMERGENCY.

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

The following votes were recorded: Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Thompson, Yea; Mr. Webb, Yea; Mayor Patterson, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the ordinance duly adopted.

AN EMERGENCY ORDINANCE
NO: 4189-11
BY: MR. WEBB AND MR. THOMPSON

TO APPROPRIATE PROJECT PARCEL "95T" FOR THE WILMINGTON PIKE RECONSTRUCTION PROJECT IN THE CITY OF KETTERING, OHIO (ANSEL TO SMITHVILLE): ODOT PID NO. 84089; CITY OF KETTERING PROJECT NO. 02-108N; AND TO DECLARE AN EMERGENCY.

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

The following votes were recorded: Mr. Webb, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mr. Duke, Yea; Mayor Patterson; Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the ordinance duly adopted.

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT

Mr. Schwieterman updated Council on upcoming and community events.

- Leaf Pickup Update.
- Yard Debris Center – will close for the season on Friday, December 16, 2011 and will be closed until March 2012.
- Mayors Christmas Tree Lighting – December 2, 2011 at 6:30 p.m. at Lincoln Park Civic Commons.
- City Offices Closed for Thanksgiving Holiday – November 23 & 24, 2011. Waste Management will be delayed by one day.
- December Council Meetings will be held on December 6 and December 20, 2011.
- Polen Farm Christmas Day Gathering – December 25, 2011 from 1:00 – 4:00 p.m. Event is free and all are welcome
- Planning Commission Vacancy – Applications accepted until November 30, 2011
- Holiday OVI Enforcement – Additional officers patrolling on November 23 and 24, 2011 and November 26 and 27, 2011.
- Congratulations to Police Department who was awarded a brand new cruiser from the Governors Highway Safety Office in recognition for outstanding efforts in OVI enforcement.
- No Texting While Driving Ordinance – Public Meeting and first reading of Ordinance on December 6, 2011. Second reading of Ordinance on December 20, 2011.

OTHER BUSINESS NOT ON WRITTEN AGENDA
Communications and Reports
Audience Participation (5 Minute Limit Per Speaker)

Richard Jones, 17 Storms Ave. – He received a letter from the Parks and Recreation Department about raising the prices at the Fitness Center and cutting out the monthly pay plan. Now they are going to make you pay a year in advance. He feels that is too much to pay in today's economy. Many are concerned about the elimination of the monthly pay plan. This may keep people from taking part in keeping themselves healthy. He hopes that local government officials will look at this and make it more affordable for it's residents.

Mr. Schwieterman stated he would be willing to set up and appointment so that Mr. Jones could speak with Ms. Thaman, the Parks and Recreation Director. Every year they look at the options and analysis showed that paying by the month was not the best way to do it. He can get a more detailed explanation if he were to talk with Ms. Thaman.

COUNCIL COMMITTEE REPORTS

Mr. Klepacz – On November 10, 2011 he attended the 35th Annual Noon Optimist Youth Appreciation Dinner. He read a proclamation at this event. About 160 people attended. On November 15, 2011 he attended the employee awards breakfast. Councilmember Keith Thompson received an award for his 55 years of public service. Congratulations to him, this is quite an accomplishment. He also congratulated Tom Weghorst and the entire employees awards task force for a job well done. He represented the City on November 19, 2011 at Indian Riffle Park and the Kettering Recreation Center at the 25th Annual Mid East Cross Country Championship. He read a Certificate of Congratulations for their 25th year. It was a wonderful event for this area and many attended. He asked residents to remember to support local Kettering businesses.

Mrs. Schrimpf – On November 11, 2011 she attended the Kettering Volunteer Appreciation Luncheon. Bonnie Pittl and Mary Lou Randolph did a great job wit the award program. On November 12, 2011 she attended the Lathrem Center Arts and Crafts Show. It was a major event and hard to find a parking space. They had many interesting items and she had a great time. The Board of Community Relations held their annual Landlord Rights panel last week. It was an informative meeting and a great program.

Mr. Webb – He stated that he works at Kettering Research Park and has been driving on Patterson Road for quite some time now. He has avoided the Wilmington and Dorothy Intersection but was amazed at the progress at this intersection when he went through it recently. The intersection looks great and he appreciated all of the hard work of all those involved. He recently received a call from a resident on Elzo Lane who was very happy with the leaf pickup service this year. Congratulations to staff for making at least one resident happy. He attended Carillon Park's Annual Ring in the Holidays event. It was pretty amazing and they had many new additions on display. He is impressed with the heritage we have in this area. He is very proud of the Dayton community.

Mr. Thompson – He thanked the citizens of Kettering who have elected him over the years. He is proud to have served one of the best City's in Ohio. The Council for many years has been able to function without political party influence and he hopes it will continue that way for the future. This is what makes Kettering great. This has been a great place to live, work and play. City staff is wonderful and he thanked them. He has two more meetings before he retires.

Mr. Wanamaker – He stated Councilmember Thompson is the best and he will be saving all his stories about him for the last meeting. He attended the Volunteer Appreciation Luncheon and the Employee Awards Breakfast. He had the pleasure of sitting at Councilmember Thompson's table with his family. On November 30, 2011 we will be losing another valuable Kettering employee. Karen Sejas, with the Human Resources Department will be retiring. He wished her the best of luck.

Mayor Patterson – He attended the Volunteer Appreciation Luncheon at the Presidential Banquet Center. It is a time when we bring all of our volunteers together to thank them for the things they do. It is unbelievable the amount of savings to the City that we get from our volunteers. They contribute over $800,000.00 in services. Bonnie Pittl and Mary Lou Randolph do a great gob coordinating these volunteers. Kettering is a great community with great volunteers. He thanked them for all they do and expressed that he appreciated them. At the Employee Awards Breakfast, Councilmember Keith Thompson was recognized for 55 years of public service. This is unbelievable. He continues to be amazed about the number of people that have been with the City for many years and the wonderful work they do for this community. We have been losing a lot of good people with a lot of experience. He offered testimony in Columbus regarding the No Texting While Driving ban, known as House Bill 99. We will have an upcoming public meeting and Ordinance regarding this issue, and it will be an education for everyone. He planted his second tree with the Girl Scouts at Southdale Elementary. Always a great event and he thanked them for inviting him to participate. There was a Turkey Trot Run afterwards and that was a lot of fun. On November 18, 2011 he read a proclamation and judged the trees at the Sugarplum Festival of Trees. It was not an easy job because all the trees were wonderful. It was very hard to pick the winner. Congratulations to the Twigs group for another successful year. It is there major fundraiser and it was very well attended. He congratulated this year's Kettering Employees Special Way Award winners, Amy Anderson, Gallery Coordinator at the Rosewood Arts Center; Mike Giles, Mechanic with the Vehicle Maintenance Center; John Moore, Fire Service Specialist, Kettering Fire Department and Dan Wathen, Firefighter/Paramedic III, Kettering Fire Department. He expressed it is indeed an honor to be recognized by your peers.

There being no further business to come before this meeting of the Kettering City Council, Mayor Patterson adjourned the meeting at 9:19 p.m.

ATTEST:

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DONALD E. PATTERSON, MAYOR

Connie S. Gaw
Clerk of Council