

KETTERING CITY COUNCIL  
REGULAR MEETING MINUTES  
March 28, 2006

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, March 28, 2006, 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, Lehner, Patterson, Thompson,  
Wanamaker and Wasky

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, Bill Greger and Earl Jones. He thanked these volunteers for their assistance.

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

PRESENTATION – Mayor’s State of the City Address

Mayor Patterson gave the 2005 State of the City Address. (See pages 11 - 15 of these minutes for text.)

PROCLAMATION: American Red Cross Month – March 2006

Mr. Wasky read the above proclamation and same was accepted by Tom Fodor, CEO, from the Dayton Chapter of the American Red Cross.

PRESENTATION: Board of Community Relations Annual Report

Debra Juniewicz, Chairperson of the Board of Community Relations gave their annual report of 2005. She stated that much was accomplished last year such as: review of the City’s Mission Statement regarding the BCR; MLK Breakfast; MLK student art and theme contest; visited four schools during Black History Month; Kettering hospitality event at Books and Company; and the annual Tenant Landlord Workshop. The board is making great strides on many housing issues and will continue to work with Miami Valley Fair Housing. They look forward to a great 2006.

APPOINTMENT: Andrea Roesner – Kettering Arts Council, Barbara Weigel –  
Kettering Arts Council, Jim Strang – Sister City Committee

Mr. Duke moved for approval to appoint Ms. Roesner and Ms. Weigel to the Kettering Arts Council and Mr. Strang to the Sister City Committee. Mr. Wasky seconded the motion. There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mr. Wasky, 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.

CERTIFICATION – PLANNING COMMISSION RECOMMENDS APPROVAL OF  
AMENDMENT – To amend Economic Development Overlay District No. 17 by amending the District’s Development Concept Plan to allow for development of an office building on Lot 10 of Section 3 of the Hills and Dales Redevelopment Record Plan. (Z.C. 864-06)

The Clerk of Council read the above certification and announced Council would hold a public hearing on this amendment later in tonight's meeting.

CERTIFICATION – PLANNING COMMISSION RECOMMENDS APPROVAL OF AMENDMENT – To amend Economic Development Overlay District No. 13, formerly known as the Dayton Christian Economic Development Overlay District to allow for the construction of an addition to the existing school building, and the demolition of an existing building. (Z.C. 863-06)

The Clerk of Council read the above certification and announced Council would hold a public hearing on this amendment at the April 11, 2006 Council meeting.

DECISIONS AND PUBLIC HEARINGS

PUBLIC HEARING - To amend Economic Development Overlay District No. 17 by amending the District's Development Concept Plan to allow for development of an office building on Lot 10 of Section 3 of the Hills and Dales Redevelopment Record Plan. (Z.C. 864-06)

Mayor Patterson opened the public hearing and called on Rob Anderson, City Planner of the Planning and Development Department.

Rob Anderson, City Planner - Planning & Development Department reported that this amendment would permit the construction of a 17,000 square foot, two-story building and associated parking lot, on the south side of Governor's Place Boulevard at the southeast corner of the intersection of S. Dixie Highway. As part of this approval, the City has negotiated an amendment to the existing parking and access easement for the Christopher Club. The new building will be developed by Synergy Development, who has constructed five of the seven new buildings within this overlay district. Mr. Anderson showed site plans and elevations of this proposed development and explained that they are only modifying the plan of this EDO this evening to allow for this development. He asked for any questions from Council.

COUNCIL COMMENTS AND QUESTIONS

There were none.

COMMENTS BY PROPONENTS

Mr. Jared Barnett, Synergy Development – Beavercreek, Ohio – stated that he is very excited for the opportunity to build one more development in Governor's Place. The City has worked out a good agreement with the Christopher Club.

COMMENTS BY OPPONENTS

There were none.

There being no further discussion, the Mayor closed the public hearing and advised Council would render a decision at the April 11, 2006 Council Meeting.

ORDINANCES IN SECOND READING

There were none.

RESOLUTIONS

A RESOLUTION

NO: 8051-06

BY: MR. WASKY AND MRS. LEHNER

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT MOWING FOR CITY (NON-PARK) OWNED PROPERTIES

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

Mr. Husemann explained that this would increase the 2006 mowing contract from \$25,000 to \$30,000 due to the addition of non-park parcels to be mowed this summer.

Mr. Wasky read the above ordinance in second reading and moved for approval. Mrs. Lehner seconded the motion and there being no discussion, the following votes were recorded: Mr. Thompson, Yea; Mr. Wanamaker Yea; Mr. Duke, Yea; Mr. Wasky, 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: 8052-06  
BY: MRS. LEHNER AND MR. SPOLRICH

AUTHORIZING THE CITY MANAGER TO UTILIZE CERTAIN PROCEDURES TO PURCHASE MATERIAL, RENT EQUIPMENT AND ENGAGE CONTRACTORS FOR THE CONSTRUCTION OF THE "CREEKSIDE BIKEWAY" PROJECT

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

Mr. Husemann explained that this would authorize the City to purchase materials, rent equipment, hire contractors and enable City parks and street crews to construct the bikeway through State Farm Park from Galewood St. to County Line Rd. as well as along Research Blvd. from Spaulding Rd. to County Line Rd.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Lehner, Yea; Mr. Wasky, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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: 8053-06  
BY: MR. SPOLRICH AND MR. THOMPSON

AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION WITH THE MONTGOMERY COUNTY SOLID WASTE POLICY COMMITTEE FOR GRANT FUNDS IN THE AMOUNT OF \$5,310.00

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

Mr. Husemann explained that this would request the assistance of the Solid Waste District to purchase (100) 4-5 ft. Norway spruce trees to be planted as a visual and equipment noise buffer for our neighbors. They will also aid in dust control and enhance odor control. The trees will cost \$5,900, with the City paying 10% of this amount.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mr. Wasky, 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. 8054-06

BY: MR. THOMPSON AND MR. SPOLRICH

AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION WITH THE MONTGOMERY COUNTY SOLID WASTE POLICY COMMITTEE FOR GRANT FUNDS IN THE AMOUNT OF \$5,756.00

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

Mr. Husemann reported that to increase recycling awareness, thereby increasing recycling participation, the City will request the Solid Waste District's assistance with the city-wide mailing of the Recycle Kettering brochure next October, during Recycle, Ohio Month.

Mr. Wasky stated that he knows that he is aware of the success with recycling with residential property owners and asked if there has been any contact with apartment owners yet.

Mr. Husemann replied that they have not contacted the apartment owners but have put out the word about recycling to apartment tenants through different publications.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Lehner, Yea; Mr. Wasky, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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. 8055-06

BY: MR. WANAMAKER AND MR. DUKE

TO APPROVE KETTERING JOINING TOGETHER FOR THE FORMATION OF A REGIONAL COUNCIL OF GOVERNMENTS WITH HARRISON TOWNSHIP AND THE CITIES OF CLAYTON, HUBER HEIGHTS, MORAINÉ, OAKWOOD, RIVERSIDE, TROTWOOD, VANDALIA AND WEST CARROLLTON; SAID REGIONAL COUNCIL OF GOVERNMENTS TO BE KNOWN AS THE FIRST SUBURBS CONSTORTIUM OF DAYTON, OHIO COUNCIL OF GOVERNMENTS.

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

Mr. Husemann reported that nine political jurisdictions have agreed to join together to form a regional council of governments for the purpose of jointly identifying and implementing policies and practices for the betterment of suburban communities similarly situated as Kettering. Councilmember Peggy Lehner is the current chairperson of this organization.

Mrs. Lehner stated that the First Suburbs Coalition will be very helpful and a strong voice in the community.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mr. Wasky, 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. 8056-06  
BY: MR. DUKE AND MR. WASKY

TO MAKE SUPPLEMENTAL APPROPRIATION FOR CURRENT EXPENSES AND OTHER EXPENDITURES OF THE CITY OF KETTERING, STATE OF OHIO, DURING THE FISCAL YEAR ENDING DECEMBER 31, 2006

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

Mr. Schwieterman explained that there are two types of appropriations, the first is carried over from 2005 and the second is purchases that the City has to encumber for the whole life of the purchase. This causes the City to have to appropriate all of the costs into the year the legislation was passed.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Lehner, Yea; Mr. Wasky, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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. 8057-06  
BY: MR. WASKY AND MRS. LEHNER

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR THE PURCHASE OF TREES FOR THE CITY'S PUBLIC STREET LANDSCAPING PROGRAM

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

Mr. Husemann explained that this is for the purchase of the City's public street trees. It is more effective to use bargaining for this purchase since the order will be affected by tree availability.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mr. Wasky, 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. 8058-06  
BY: MRS. LEHNER AND MR. SPOLRICH

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH INTERSTATE GAS SUPPLY/VECTREN ENERGY DELIVERY OF OHIO TO PRE-PURCHASE NATURAL GAS AT A FIXED RATE FOR THE KETTERING RECREATION CENTER

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

Mr. Husemann explained that the Kettering Recreation Center is the City's largest user of natural gas consuming approximately 67% of the combined gas usage for all city owned facilities. Buying gas in advance of a fixed rate will provide unit pricing stability and potentially save the city in excess of \$10,000 over the next eleven-month period.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Lehner, Yea; Mr. Wasky, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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. 8059-06  
BY: MR. SPOLRICH AND MR. THOMPSON

ACCEPTING THE RECOMMENDATIONS OF THE CITY OF KETTERING  
TAX INCENTIVE REVIEW COUNCIL RESULTING FROM ITS 2005  
ANNUAL ENTERPRISE ZONE PROGRAM AGREEMENT REVIEW

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

Mr. Schwieterman explained that six firms currently have tax abatements. The committee recommended continuing the abatement for five of these. MCSi is no longer in business.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mr. Wasky, 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. 8060-06  
BY: MR. THOMPSON AND MR. WANAMAKER

AUTHORIZING THE SUBMISSION OF CITY OF KETTERING  
PROJECTS FOR THE ED/GE PROGRAM

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

Mr. Schwieterman explained this would authorize the City Manager to submit an ED/GE project for the spring round of funding. This application is the second phase of the fall application for which the City received \$500,000 for infrastructure improvements at 950 Forrer Blvd. in the Kettering Business Park.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Lehner, Yea; Mr. Wasky, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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. 8061-06  
BY: MR. WANAMAKER AND MR. DUKE

AUTHORIZING THE CITY MANAGER TO ENTER INTO A COLLECTIVE BARGAINING AGREEMENT, AND ANY SUBSEQUENT AMENDMENTS TO THIS AGREEMENT, WITH THE KETTERING POLICE PATROL OFFICERS, FRATERNAL ORDER OF POLICE, LODGE NO. 92.

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

Mr. Husemann would authorize a collective bargaining agreement with the Kettering Police Officers and the Fraternal Order of Police. The contract calls for a three percent salary increase in each of the next three years. It also provides for changes in insurance, vacation schedules and holiday pay.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mr. Wasky, 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. 8062-06  
BY: MR. DUKE AND MR. WASKY

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF REAL PROPERTY IN CONNECTION WITH THE FEMA/OHIO MITIGATION GRANT PROGRAM

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

Mr. Husemann explained that another property owner in the floodway has agreed to sell to the City of Kettering. The property is located at 1101 Wiles Drive and would sell for \$79,000.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Lehner, Yea; Mr. Wasky, Yea; Mr. Duke, Yea; Mr. Wanamaker, 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. 8063-06  
BY: MR. WASKY AND MRS. LEHNER

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE PURCHASE OF A 125 GALLON CRACK/JOINT SEALING MACHINE

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

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

#### ORDINANCES IN FIRST READING

##### AN ORDINANCE

TO AMEND ECONOMIC DEVELOPMENT OVERLAY DISTRICT NO. 17 BY AMENDING THE DISTRICT'S DEVELOPMENT CONCEPT PLAN TO ALLOW FOR DEVELOPMENT OF AN OFFICE BUILDING ON LOT 10 OF SECTION 3 OF THE HILLS AND DALES REDEVELOPMENT RECORD PLAN

Mr. Wasky read the above ordinance in first reading. The ordinance will appear on the April 11, 2006 Council meeting agenda for second reading.

##### AN ORDINANCE

TO PROVIDE FOR THE TABLE OF ORGANIZATION, POSITION CLASSIFICATION PLAN, COMPENSATION PLAN AND PAY SCHEDULES AND RULES AND REGULATIONS PERTAINING TO CONDITIONS OF WORK AND SUPPLEMENTAL BENEFITS FOR THE EMPLOYEES OF THE CITY OF KETTERING, OHIO, AND TO REPEAL ORDINANCE NOS. 4011-05 AND 4029-05

Mr. Spolrich read the above ordinance in first reading. The ordinance will appear on the April 11, 2006 Council meeting agenda for second reading.

#### MANAGER'S REPORT

Mr. Steve Husemann, City Manager had nothing to report.

#### COUNCIL COMMITTEE REPORTS

Mr. Spolrich reported that he reviewed the minutes from the workshop Council meeting of January 24, 2006, special Council meeting of January 31, 2006, regular and workshop Council meeting of February 28, 2006, and special Council meeting of March 21, 2006 and moved that the minutes be approved. Mr. Thompson seconded the motion and there being six (6) Yea votes and one (1) abstain vote by Mr. Wanamaker, the motion was declared carried by a majority vote.

Mr. Wasky reported that on March 14, 2006 he attended an 800-mhz. meeting. The City is looking into setting up an 800-mhz.-radio system to handle emergencies, etc. He asked Mr. Husemann to send a copy of their findings to City Council. March is Youth Month in the City of Kettering and he has attended numerous events. There are details on the city website about youth activities going on throughout the month. One of the activities is the green "Gocha" card that adults can give to kids when they see them doing something outstanding. It's nice to be recognized when you are doing something right. Many of our Councilmembers have also been greeters at some of the schools.

Mrs. Lehner had nothing to report.

Mr. Spolrich stated that the new fitness center currently has 1700 members. It is an excellent facility that he visits regularly.

Mr. Thompson reported that he was a greeter at the middle school and handed out doughnuts and lollypops to the children. It was a lot of fun and he enjoyed it. Krispy Kream supplied all of the doughnuts free of charge and he thanked them for being a great corporate citizen.

Mr. Wanamaker reported that on April 17, 2006 crews will be performing the last round of leaf pickup throughout the City. The recycling and yard debris site is now in their summer hours. Mulch is also being delivered to the mulch site.

Mr. Duke reported that Ed Webb with the Dayton Aspergers Resource Network asked him to share with Council and the public that on April 17, 2006 they would be holding their First Annual Kids Fishing Day event at the Delco Park shelter by the pond at 11:00 a.m. All are invited but you must RSVP for this event. For more details contact the Mayor/Council office. Mr. Duke then stated that it is a sad note for Kettering because of the loss of one more of their founders of the community. Mr. Harold Amli, one of the original members of the Charter Commission passed away. He also served on the Planning Commission and Board of Zoning Appeals. Mr. Amli wrote a history book about Van Buren Township that can be found in our local library. He also wanted the family to know that Council is thinking of them at their time of loss and that at a future meeting will have a Resolution of Sympathy to present to the family.

Mayor Patterson congratulated Mark Schwieterman for his appointment as the new City Manager and looks forward to working with him. He also visited schools and greeted students. Mayor Patterson stated that he attended all but one of the Parks Master Plan meetings. Currently no decisions have been made at this time. The meetings were held to begin the process and look at different options and ideas. On Saturday, March 15, 2006 he attended the Fairmont Gala Opening of the Performing Arts Center. It was a delightful evening with a fabulous performance by the students. On March 26, 2006 he attended a Girl Scout Awards Ceremony at the Masonic Temple and presented to seven Kettering young women the prestigious "gold award." This is the highest honor to earn as a Girl Scout. He thanked Amy Berlean for all of her help with the State of the City Address.

#### OTHER BUSINESS NOT ON WRITTEN AGENDA

##### Communications and Reports

##### Council Comments

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

Dan Carolus, 3748 Braddock St. – He attended one of the Parks Master Plan meetings concerning Indian Riffle Park. He is not in favor of the City's ideas and asked that they leave the park alone. The new Skate Park is a nuisance because the kids use foul language and are skating all hours of the day and night. The park closes at dusk and he feels this should be policed. The citizens did not have an opportunity to vote on building a Skate Park or Trent Arena and he feels that they should have.

Mr. Husemann stated that the City did not build Trent Arena. Kettering City Schools built it. The City only built the Fitness Center that is attached to it.

Noelle Bartlam, 3724 Braddock St. – She stated that she is here regarding Indian Riffle Park. She feels that by developing on what green space that Kettering has left, Kettering loses. She walks her dog regularly in the park and is on the Board of Ohio River Runner Club, which hosts five events that run throughout Indian Riffle Park each year. Our community should encourage people to get outside and our parks are part of this. She is opposed to any new housing or road going thorough the park. The park is an extension of her property. She asked that the City please reconsider developing this park and keep our green spaces intact.

Mr. Husemann replied that the ideas presented at the meeting regarding new housing and an extension of Tiffany Drive to tie into Olson Drive, was not well received by the residents and has been removed from the plan. The meetings were held to toss out ideas and to find out what the citizens want. The Parks Master Plan can be reviewed on the Kettering City Web Site.

Jill Abrams, 2709 Harvey Ave. – She stated that there seems to be a lot of misinformation going throughout the neighborhood regarding the Acorn project and she feels that more information should be put on the website. She asked that the Council website be kept up to date. She read in the Dayton Daily News about Mark Schwieterman being chosen for City Manager, and she is glad that they chose someone from the City of Kettering.

Amy Berlean, Community Information Manager stated that the City has just redeveloped and switched to a new web site system. Due to the switch she has been having problems getting into the Council site and updating information. She has all of the past Council information to post, and will post it as soon as she can gain access to the site.

Dave Turpin, 861 Orchard Drive – He stated that he hopes that the Acorn Drive residents know that they are paying \$66.00 per sq. ft. for curbs, sidewalks, and sewers whether they get them or not. Residents need to complain about this. He does not understand why the City does not have a problem spending money for a bike path, but wants to charge residents for street improvements.

Mr. Husemann replied that it is a package price of \$66.00 per sq. ft.

Jill Abrams stated that she feels that residents still don't understand that this project is going forward but is in the review process by staff.

Mayor Patterson replied that she was correct that staff is still reviewing the project. Council has asked staff to stake off where the sidewalks will be placed so that they and residents can visualize the impact.

Joseph Koussa, 1537 Beaver Creek Lane - He asked God to keep an eye on all of the military men and women throughout the world fighting for our safety and freedom. He prays for their safe return. He urged everyone to buy American and keep Americans working. Our country needs us now more than ever. If you buy a foreign car, you are sending your money overseas. How do you expect people to work and make money in this country if you are buying foreign products. Please buy what America makes.

Gary Gose, AMVETS Kettering Post, 3108 Woodman Drive – Their open house and ribbon cutting is on April 8, 2006 at 6:00 p.m. The post welcomes Council and residents to stop by and celebrate with them.

#### EXECUTIVE SESSION

Mayor Patterson called for a motion to go into Executive Session. Mrs. Lehner moved to enter into Executive Session to discuss Personnel Matters. Mr. Wasky seconded the motion. The motion was carried by a unanimous roll call vote.

Council entered into Executive Session at 9:46 p.m.

Council came out of executive session and opened up into regular session at 11:13 p.m.

Mr. Duke moved to adjourn the meeting. Mr. Spolrich seconded this motion. Upon a unanimous roll call vote the motion passed.

There being no further business to come before this meeting of the Kettering City Council, Mayor Patterson adjourned the meeting at 11:15 p.m.

ATTEST:

Connie S. Gaw  
Clerk of Council

---

DONALD E. PATTERSON, MAYOR

## Mayor's State of the City Address

In November of 2005 a survey was conducted by Opinion Research Associates that asked residents of Kettering a variety of questions regarding overall satisfaction. This survey told us that 98% of you are satisfied with Kettering as a place to live. This is remarkable, not only because it shows your community pride but also because for the past few years the City has been operating under difficult financial constraints. Your satisfaction with Kettering as a place to live in 2005 proves that you made the very best out of the services and programs we were able to provide – and you did so without noticing our cutbacks.

These are difficult times for local government – our state and federal funding is dwindling; the price of doing business is skyrocketing with healthcare and natural gas prices continuing to increase; and for Kettering, aging infrastructure adds a challenge that some other, newer suburbs don't have to confront.

In 2005 the City's capital improvement program operated for the third consecutive year in maintenance mode. What many of you may not know is that the City of Kettering infrastructure is worth billions of dollars – keeping this infrastructure updated and operational is expensive. In good years, when the City's general fund was solidly in the black, the Capital Improvement Program operated with a 10-12 million dollar budget. Today, in order to run a comprehensive program that fully addresses the many needs of the City's roadways and facilities, we need \$12 million. In the last three years we've been operating with 4 and 5 million. Obviously that pattern will, in a few short years, create a dire situation that will only escalate as facilities deteriorate.

Fortunately, our Engineering department recognizes the value of submitting for state and federal roadway dollars. Many of the projects you see on our streets are cooperative efforts that require only 20% funding from the City – with grant money covering the other 80%. And even with these efficiencies, the City is still unable to do many of the projects we'd like to do – Capital Improvement is the heart and soul of this City – without the proper funding to keep our infrastructure up to date, we will find ourselves in trouble down the road.

Some of the projects that took place in 2005 were repair and reconstruction of the Ridgeway Road Bridge – a project we simply couldn't hold off for another year. This was a project that took place largely at night due to the need to keep Dorothy Road moving throughout the day.

Another significant project in 2005 was improvements to College Drive and Founders Drive – this project was funded by numerous sources and has paved the way for further development at the Miami Valley Research Park.

One of the things the survey said you love about this community is our proactivity when it comes to redeveloping vacant and blighted areas of the City. In late 2004 the City of Kettering purchased the Van Buren Shopping Center – a move many of you supported. And while we were fairly certain we would be able to sell the land in a short period of time – having the dollars available to purchase the property was the key in this equation. Because of this purchase, in the next couple of years you're going to see revitalization where once there was vacant strip center.

You told us that you like these projects that rejuvenate the city – the former Borden Dairy, DESC, Hills and Dales – they're all examples of what a City can do when all of the resources necessary are available – that includes support from our citizens, support from the business community, and yes – money.

Economic Development overall in Kettering is a day-to-day operation. In 2005 the City took steps to save the Defense Finance and Accounting Service, located at the Kettering Business Park. Despite our efforts on every level, the 2005 Base Realignment and Closure team chose to close the Kettering DFAS. At the same

time that we were fighting for the 400 employees of DFAS, we were in the early stages of trying to attract new jobs to the Business Park to expand the GE Consumer Finance operation. Our efforts on one account paid off. In 2005 GE Consumer Finance announced that they would relocate their Deerfield Township operation to the Business Park in 2006 to the tune of up to 800 jobs.

While awaiting the news regarding Delphi's future in our region, Kettering worked with the Cities of Dayton, Moraine and Vandalia to try to offset any future loss. A landmark tax sharing agreement was devised between the four Delphi communities in the region that would be affected by a mass Delphi layoff. The agreement insures that the current percentage of income tax revenue received by each City will not change in the event that a plant closes in one or more of the cities.

But commercial redevelopment isn't our only focus. As an inner ring, landlocked suburb, we are always looking for ways to provide new housing opportunities. In 2005 new residential construction took place on 24 new homes in Homeland Plat, 16 condominiums at Davids Retreat and 24 units at the senior apartment complex Mary Irene Gardens. In addition, final plats were approved on a new housing development to begin this year called Madison's Grant – which is expected to yield over 150 new homes.

Despite cuts in our Community Development Block Grant funding, we were still able to help many Kettering families update or modernize their homes. In 2005, through the Home Enhancement Loan Program, in conjunction with DayAir Credit Union, we were able to write down the interest rate on 14 home loans – these are for families who want to update their home with newer amenities, like new kitchens or bathrooms or room additions. Loans in this program totaled \$585,403.

The City used CDBG funds to purchase and demolish six homes in the Wiles Creek neighborhood that are in the floodplain or floodway. These homes were purchased with full cooperation from the homeowners. Several of these lots will be redeveloped while the properties located in the floodway will remain greenspace. Neighbors of this community are beginning to see the City's commitment to revitalizing this area as two new homes are currently for sale – built upon property purchased by the City.

The Business Loan program is another facet of the CDBG program. In 2005, the City made a \$75,000 loan to Miami Valley Animal Hospital to build their veterinary practice on east David Road. The company will create over four additional full time jobs at their new location. Another loan for \$105,000 was made to Craftsman Home Improvement, on South Dixie Boulevard, which will help the company to create 3 jobs.

All of these programs are evidence of the passion of our CDBG staff who are dedicated to doing more with less as the programs funding declines and as you can see – the program provides vital services to the community.

Another important aspect of City services, funded through Community Development Block Grant money, is our Senior Resource Coordinator. The services we provide to our senior residents are truly unique. We are committed to helping our senior population age gracefully and live fully. Our Senior Services Coordinator refers seniors to services and programs that help them with things like healthcare and financial services to assisted living options. In 2005, an 83 year old Kettering man learned to read, thanks to this referral process.

On the other end of the age spectrum, the City continued fostering programs for healthy development of our youth. And likewise, our youth gave back to this community in return. Our Kettering Youth Council completed Home Blitz 2005. Piggybacking off their 2004 program in which they completely renovated a Kettering family's home, the Youth Council expanded their horizons and took on

the needs of three Kettering residents, all of them seniors. Home Blitz 2005 included painting the exterior of a home, planting flowers for another and cleaning out the garage of a third. Twenty-five youth participated and they gathered \$500 worth of donated supplies and materials for their work.

These programs are not only an indication as to the high caliber of youth in Kettering, but it is also evidence of the City's goal to pair youth with residents from different generations.

These projects are good for this City because it helps fill needs, but it's also good for the overall development and growth of our youth who get to interact with people with different experiences.

Our Parks, Recreation and Cultural Arts Department certainly provided some highlights for 2005. This is another area of the city that received high marks from the November survey and I can see why. We offer an amazing array of programs, we have top notch fitness facilities and we offer more than 20 parks that are used by our families, our schools and athletic associations. If you can think of a program or service, we probably offer it. That's why our parks, recreation and cultural arts department has twice received the gold medal award.

Probably the most notable thing to happen within our Parks and Recreation department in 2005 was the opening of our first of its kind street skating Skate Plaza. Whether you are a skateboarder or not, you have to admit it's been kind of cool to see the notoriety of this park.

The Rob Dierdek/DC Shoes Skate Plaza opening brought national attention, and continues to draw users from all over the world. On any given day, you'll see the Skate Plaza filled with Skateboarding enthusiasts. So what makes ours a first of its kind? It's for street skaters – or skateboarders who use obstacles that occur naturally in a City, like rails or steps. Kettering native and professional skateboarder Rob Dierdek designed the Plaza and brought some of his Skateboarding peers with him to the opening. To this day we get calls from youth and city officials from all over the country who want to know how we did it.

The City opened a second fitness center, conveniently located for residents who live or work on the west side of Kettering. Kettering residents have been asking for a more convenient location for years – it became possible when school administration agreed to allow us to make use of a portion of the new Trent Arena. The Kettering Fitness and Wellness Center opened in the fall of 2005 and to date we have sold 1744 memberships.

The Frazee Pavilion set another ticket sales record in the summer of 2005 with 2.1 million dollars in sales. Artists like Willie Nelson, Gavin DeGraw and Huey Lewis and the News helped the Frazee turn a profit for the first time since its inception. The Frazee wasn't originally intended to be a money maker in Kettering, rather a unique service to residents. But what's happened, thanks to sound management and overwhelming popularity is that the Frazee has become a summer destination. And with the many popular musicians and performers that visit us each year, we've still managed to provide you with free concerts and festivals. I commend Frazee General Manager Karen Durham and I thank Kettering residents for supporting our vision for the Frazee some 17 years ago.

Rosewood Art Centre facilitated the new Art in Contemporary Times project, which was granted the highest funding level of all the project support grants given by the Montgomery County Arts and Cultural Arts District in 2005. The program was the first in the Dayton area to bring issues of the newest art being produced in the United States today to the forefront.

The Kettering Ice Arena hosted a national seminar for the Professional Skaters Association in 2005 and approximately 60 coaches attended the one day seminar. We were one of fifteen sites across the United States to host one of

these events. For those of you who use our Ice Arena, you will not be surprised to learn that the rink was awarded the Excellence on Ice award from the Professional Skaters association – deeming our site a progressive training site for skaters. We are still the only ice arena in Ohio to have received this award.

The Ohio Parks and Recreation Association gave our department a number of awards in 2005 including the Park Area Development Award for the Skate plaza; the Outstanding Program Award for our Partners for Healthy Youth Week events and the Honorable Mention award for special projects for our community building program – which helps one neighborhood per year to renew and revitalize.

We have a great Parks, Recreation and Cultural Arts department in this City!

In 2005 the City of Kettering was awarded the America in Bloom champion award for our population category. Two America in Bloom judges visited our City for three days in June, touring our parks, our neighborhoods and our facilities. America in Bloom promotes nationwide beautification programs and personal and community involvement through the use of flowers, plants, trees and other environmental lifestyle enhancements. But they also look at community involvement, environmental efforts and overall beauty of a City.

People from every aspect of City life stepped forward to participate on the America in Bloom committee – business owners, churches, residents, volunteers, the KMO chamber, our neighborhood pride committee and City staff all worked together to promote the beauty and overall quality of life of Kettering. And the judges took note – lots of notes actually. And although we competed with cities in California, Massachusetts and Illinois, we truly believed the judges would see all the special things Kettering has to offer those who live, work and play here. And they did.

As long as we're talking about community involvement, let's talk about the highlights of our ACTIVE Volunteer Program. At a time of financial concern in our City, it's truly invigorating to see so many Kettering residents who give of their time and talent for the overall betterment of their community.

2005 was the twenty-sixth year of the ACTIVE volunteer program. At the end of 2005 more than 1100 volunteers contributed 48,800 hours of service valued at \$773,239. Our volunteers do everything from filing to picking up parts for our City vehicles to calling bingo at the Lathrem Senior Center. Three volunteers received 5,000 hour awards in 2005 and remarkably, one of our longstanding volunteers received her 10,500 hour certificate and gift.

In 2005 our volunteer firefighters helped with a variety of community events including cooking for the Martin Luther King Jr. breakfast, serving supper for America in Bloom judges and they completed a smoke detector battery replacement program for senior citizens and handicapped residents.

A new event in 2005 at Polen Farm was organized by Kettering volunteers and highlighted the history of Polen Farm. The "heritage holiday" event raised funds to assist with decorating Polen Farm.

Mayor's awards were given in 2005 to Dr. Charles Goodwin for his significant contributions to the youth of Kettering through Boy Scouts and also to Ashley Timmons, a Fairmont high school student who volunteers at both school and community.

Hundreds of volunteers from the Dayton region participated in the 2005 US Senior Open Championship – one of the biggest sporting events to grace our City. NCR country club hosted the tournament, which featured some of the greatest names in golf like Greg Norman – who made his Senior Tour debut here, Tom Kite, Fuzzy Moeller and of course the great Arnold Palmer who played his farewell tournament right here in Kettering. The championship was an

incredible success and it was very gratifying to see so many community entities come together for one spectacular week. Our police, fire and engineering departments were actively involved in the event and we're proud of the way our City welcomed the more than 25,000 visitors during that week in July.

The Volunteer Department facilitated the 2004-2005 Leadership Academy, from which 16 students graduated. The Academy teaches leadership skills to those who live and work in Kettering and are looking for ways to plug themselves into areas of community involvement. Now in its third year, the academy is surpassing everyone's expectations with graduates now involved in boards and commissions and non profit boards. In November of 2005 the Leadership Academy received the Innovative Program Award at the Association of Volunteer programs national conference.

The things I've mentioned this evening are just a sampling of the many positive things that happened in Kettering in 2005 – despite our financial crunch – these projects are proof that your city leadership are committed to providing new, exciting opportunities for families.

So, Why have I been so focused on finances during this State of the City address? It's simple – we are a community at a crossroads. The communities that are able to leverage projects with money upfront, the communities that are able to provide the types of services and programs that we currently offer and the communities that can reinvest in aging infrastructure are the communities that survive and thrive in the world today. Our general fund balance has been declining rapidly despite our best efforts to cut back and operate responsibly. It's been 25 years since the City raised the income tax – and that's because the leaders of this community, past and present, have been good, faithful stewards of your money. But our best efforts aren't enough anymore. And in order for this community to continue to be the kind of community in which families of all shapes and sizes like to live work and play – we simply need more.

Given the times in which we live, stability is a key goal. For Kettering to provide a safe and stable environment demands new resources. After 25 years, it's time.

The City operates, largely, on income tax dollars – that's why an income tax levy is so important. Not only is it our largest revenue source but also it only taxes those who earn income. Our senior population will be largely unaffected by the increase due to the fact that social security, pensions and investment earnings are not taxed.

We have a great City – people can live here, work here and play here with a feeling of safety and security. We have the finest Police Department in Ohio and our Fire Department is top notch – we have good people working toward the future. We have successful businesses and a diverse housing stock. We have what many communities are lacking today – pride and a strong vision for the future.

On behalf of City Council I want to say thank you to each and every resident of this City who helped to make 2005 another great year in Kettering. With your help and support, we'll have a successful and prosperous 2006.