

KETTERING CITY COUNCIL  
REGULAR MEETING MINUTES  
May 23, 2006

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, May 23, 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, Wanamaker and Wasky

Council Members Absent: Thompson (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, Bill Greger and Earl Jones. He thanked these volunteers for their assistance.

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

PROCLAMATION: Walk for Strays Day – June 3, 2006

Mr. Wasky read the above proclamation and same was accepted by Andie Lloyd, Development Coordinator with SICSA.

RESOLUTIONS OF SYMPATHY:

A RESOLUTION

NO: 8077-06

BY: MRS. LEHNER AND MR. SPOLRICH

EXPRESSING THE SYMPATHY OF THE KETTERING CITY  
COUNCIL TO THE FAMILY OF NORMA H. KEISTER

Mrs. Lehner read the above resolution and moved for approval. Mr. Spolrich seconded the motion and the motion was declared carried by acclamation. The Mayor presented the Resolution of Sympathy to Dan Keister, Norma's son. Norma Keister will long be remembered for serving on City Council from 1975 until 1987 and also for her strong commitment to this community.

A RESOLUTION

NO: 8078-06

BY: MR. DUKE AND MR. WASKY

EXPRESSING THE SYMPATHY OF THE KETTERING CITY  
COUNCIL TO THE FAMILY OF HAROLD AMLI

Mr. Duke read the above resolution and moved for approval. Mr. Wasky seconded the motion and the motion was declared carried by acclamation. The Mayor presented the Resolution of Sympathy to Virginia AmlI and Marcia Linklater, Harold's wife and daughter. Harold Amil will long be remembered as

one of the founders of our City by serving on the Charter Committee for incorporating Van Buren Township as the City of Kettering and also for his strong commitment to this community.

Mayor Patterson stated that a special presentation was added to the agenda this evening.

PRESENTATION: Municipalities of Montania and Gorna Oryahovitsa, Bulgaria  
Daniella Nakova - Bulgarian Intern, gave a presentation of statistics and facts for two municipalities in Bulgaria. She invited all Americans to visit her country.

PUBLIC HEARINGS

None

ORDINANCES IN SECOND READING

AN ORDINANCE  
NO: 4042-06  
BY: MR. WASKY AND MRS. LEHNER

CHANGING THE NAME OF A PORTION OF RAHN ROAD TO "WALDEN WAY"

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. Wanamaker Yea; Mr. Duke, Yea; Mr. Wasky, Yea; Mrs. Lehner, Yea; Mr. Spolrich, 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: 8079-06  
BY: MRS. LEHNER AND MR. SPOLRICH

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO ENTER INTO A CONTRACT FOR THE SECOND PHASE OF THE 2006 ASPHALT REPAIR PROGRAM (PROJECT NUMBER 04-106A)

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

Mr. Husemann explained that this would expand the City's 2006 resurfacing program.

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; 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: 8080-06  
BY: MR. SPOLRICH AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO CONTRACT FOR AN EXPANDED 2006 CONCRETE REPAIR PROGRAM (PROJECT NUMBER 04-406)

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

Mr. Husemann explained that the original program was bid out earlier this year, but all bids were rejected due to an irregularity in the bidding. The City will now advertise for a much larger program to be done this year.

There being no discussion on the motion, the following votes were recorded: Mr. Wanamaker, Yea; Mr. Duke, Yea; Mr. Wasky, Yea; Mrs. Lehner, Yea, Mr. Spolrich, 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: 8081-06  
BY: MR. WANAMAKER AND MR. DUKE

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT WITH A PROFESSIONAL TRANSPORTATION CONSULTANT FOR THE "SCHOOL ZONE AND MAJOR PEDESTRIAN CROSSING REVIEW PROJECT" (PROJECT NO. 05-010)

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

Mr. Husemann explained that the Public Services Department has selected Opus-Hamilton to perform this study. They will have a representative here on May 25, 2006 to start observing the situation.

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; 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: 8082-06  
BY: MR. DUKE AND MR. WASKY

AUTHORIZING THE CITY MANAGER TO SEEK REQUESTS FOR PROPOSALS, SELECT AND CONTRACT FOR ENVIRONMENTAL REVIEW, PHASE ONE ASSESSMENT AND REPORTING, AND PRELIMINARY ENGINEERING DESIGN SERVICES FOR THE "DOROTHY LANE AND WILMINGTON PIKE INTERSECTION IMPROVEMENTS" PROJECT (PROJECT NUMBER 02-102I AND ODOT PID NUMBER 81024) PER ODOT REQUIREMENTS

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

Mr. Husemann reported that this would allow for background work to start the process for the future improvements to the Wilmington – Dorothy Lane intersection. This program will be funded with 80% State/Federal funds.

There being no discussion on the motion, the following votes were recorded: Mr. Wanamaker, Yea; Mr. Duke, Yea; Mr. Wasky, Yea; Mrs. Lehner, Yea, Mr. Spolrich, 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: 8083-06  
BY: MR. WASKY AND MRS. LEHNER

AUTHORIZING THE CITY MANAGER TO SEEK REQUESTS FOR PROPOSALS, SELECT AND CONTRACT FOR PROFESSIONAL DESIGN SERVICE AND AUTHORIZING THE EXPENDITURE OF FUNDS FOR THE "WOODMAN DRIVE & RESEARCH BOULEVARD INTERSECTION IMPROVEMENTS" PROJECT (PROJECT NUMBER 02-1060 AND ODOT PID NUMBER 80095) PER ODOT REQUIREMENTS

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

Mr. Husemann reported that this would allow for the background work to start the process for the future improvements to the Woodman-Research Boulevard intersection. This program will be funded with 70% State/Federal Funds.

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; 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: 8084-06  
BY: MRS. LEHNER AND MR. SPOLRICH

APPOINTING THE CITY MANAGER TO SERVE AS THE CITY OF KETTERING REPRESENTATIVE TO THE DELPHI TAX SHARING OVERSIGHT COMMITTEE

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

Mr. Schwieterman reported that the intergovernmental agreement regarding Delphi requires that a Kettering representative be named to the Oversight Committee. This resolution would so designate the City Manager. Participants in the program are Montgomery County and the cities of Dayton, Kettering, Moraine and Vandalia.

There being no discussion on the motion, the following votes were recorded: Mr. Wanamaker, Yea; Mr. Duke, Yea; Mr. Wasky, Yea; Mrs. Lehner, Yea, Mr. Spolrich, 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: 8085-06  
BY: MR. SPOLRICH AND MR. WANAMAKER

TO MAKE A 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. Spolrich read the above resolution and moved for approval. Mr. Wanamaker seconded the motion.

Mr. Husemann explained that this supplemental appropriation represents only a few actual changes: the cost of contract changes with the FOP; additional consulting fees relevant to the Patterson/Research intersection; additional money

for the Fire Arms Training System; and additional funding for the resurfacing program and design for future intersection projects.

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; 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: 8086-06  
BY: MR. WANAMAKER AND MR. DUKE

DIRECTING THE CITY ENGINEER TO PREPARE AND FILE  
RENEWED, RECALCULATED, AMENDED AND/OR CONSOLIDATED  
ASSESSMENTS FOR STREET LIGHTING

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. Wanamaker, Yea; Mr. Duke, Yea; Mr. Wasky, Yea; Mrs. Lehner, Yea, Mr. Spolrich, 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: 8087-06  
BY: MR. DUKE AND MR. WASKY

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE  
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR THE  
PURCHASE OF COMPUTERS FOR THE CITY'S POLICE  
DEPARTMENT

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

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; 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: 8088-06  
BY: MR. WASKY AND MRS. LEHNER

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN  
AGREEMENT WITH MOTOROLA FOR THE PURCHASE OF 800 MHZ  
RADIO EQUIPMENT FOR THE POLICE AND FIRE DEPARTMENTS

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

Mr. Husemann reported that this is the first of multiple resolutions regarding the upgrading of the police radio system. This resolution also addresses some Fire Department needs.

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

Spolrich, 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 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 NO. 4038-06.

Mrs. Lehner read the above ordinance in first reading. The ordinance will appear on the June 13, 2006 Council meeting agenda for second reading.

##### AN ORDINANCE

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 8 A.M. TO 4 P.M. – ON THE WEST SIDE OF ACKERMAN BLVD. FROM 325 FEET SOUTH OF EAST DAVID ROAD, SOUTHERN EXTENDED CURB, SOUTHWARDLY FOR A DISTANCE OF 112 FEET.

Mr. Spolrich read the above ordinance in first reading. The ordinance will appear on the June 13, 2006 Council meeting agenda for second reading.

#### CERTIFICATIONS AND PETITIONS

None

#### MANAGER'S REPORT

Mr. Steve Husemann, City Manager reported:

New Podium – has been installed in the Council Chambers of the Kettering Government Center. Gary Rockner with the City's Facilities Department did an excellent job of building this unit. It now has the City of Kettering logo across the front of the podium so that television viewers will know what city they are observing.

Kettering Mini Grand Prix – will be held this weekend at Lincoln Park. It is a nice event and he urged everyone to attend.

The City of Kettering – is a wonderful city to work for and he has been blessed with serving this community for 16 years. He feels he is leaving this City in better shape than he found it. He thanked City Council and stated that he feels confident in turning the reins over to Mr. Schwieterman.

#### OTHER BUSINESS NOT ON WRITTEN AGENDA

Communications and Reports

Audience Participation (5 Minute Limit Per Speaker)

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 read a little poem about a man who

purchased and used items on a daily basis that were made in foreign countries. This man could not find a job in his own country. Mr. Koussa urged everyone to buy American and keep Americans working. This month was Police Memorial Month and he thanks all of the police officers for putting their life on the line for our safety. He said good-bye to Mr. Husemann. He is a good man, a good friend and a good City Manager. He will be missed very much and he wished him good luck for the future.

Jill Abrams, 2709 Harvey Ave. – She feels that the City should use full time firefighters, not volunteers. Volunteers are not free, you still have to train and buy equipment for them. The City is currently looking for 20 new volunteers. The volunteers do not have as much training and the background test is not as extensive as those of the full time firefighters. She thinks that the City should hire an independent consultant to review the status of our fire department. The voters passed the increase under the pretense of safety and stability.

Earl Jones, 17 Storms Rd. – He is concerned about the street lighting resolution and was wondering if he will need to pay more money. Many streetlights are out along Far Hills Avenue. If people are paying for these assessments, the lights should at least work.

Mr. Husemann indicated that if anyone knows of a streetlight being out to please call and let the City know about it.

Bruce Abrams, 2709 Harvey Ave. – He did attend one of the tax meetings to find out what the money would be used for. This evening Council approved over a million dollars worth of projects. He wondered why they are not using the money to hire safety personnel. This is the pretense that the City ran the campaign on; safety and stability.

Mr. Husemann replied that they are currently talking with both the Fire and Police Departments to determine their needs.

Bob Sweeny, 454 Walden Trail – He thanked Council for approving the street name change this evening.

Gary Gose, AMVETS, 3108 Woodman Drive – Memorial Day is this weekend. Please take time to talk with a veteran and let them know that you appreciate what they have done for our country. Monday the V.A. is having a parade for the veterans. On July 10, 2006, the AMVETS Kettering Post will be serving veterans dinner at the V.A. Center. He welcomed all citizens to drop off their worn or torn flags at the Post and they will properly retire them.

#### COUNCIL COMMITTEE REPORTS

Mr. Spolrich reported that he reviewed the minutes from the regular and workshop meetings of May 9, 2006, and the workshop meeting of April 11, 2006 and moved that the minutes be approved. Mr. Wanamaker seconded the motion and there being six (6) Yea votes and no (0) nay votes, the motion was declared carried by a majority vote.

Mr. Wasky – urged Mrs. Abrams to address her concerns with Chief Zickler regarding issues with the firefighters. The KMO Chamber is offering seniors an opportunity to take computer classes to learn more about the web. For more information they can call the Chamber at 296-2480. Monday is Memorial Day and he asked that citizens not treat it as just another day, but think about the significance of the day. He wished Mr. Husemann well on his upcoming retirement.

Mrs. Lehner – reported that as Chairman of the Public Safety Committee, she takes Mrs. Abrams comments seriously. She assured her that any problems could be fixed. Kettering has a top notch Fire Department. She too will miss Mr.

Husemann a great deal. It will be difficult to work without him, even though he has a great replacement.

Mr. Spolrich – thanked Mr. Husemann for his 16 years of dedicated service to the City of Kettering. He appreciated his openness, honesty and professionalism.

Mr. Wanamaker – commended the efforts of the Transportation Engineering Department on putting together the Asphalt Repair Program. He expressed that it has been a privilege to work with Mr. Husemann over the years, both as a City employee and on City Council. He has been a great administrator for the City of Kettering.

Mr. Duke - reported that he attended the Peace Bridge event last Sunday and it was a beautiful day and it was great to see folks coming together. The Volunteer Celebration Concert was held last week. He complimented the music programs at Fairmont High School. He was impressed with the talents of both the young and old. Last week was the graduation of the third Leadership Academy Class. Their class project was to make a video promoting the City of Kettering. This video will be shown in the future on public access television. Applications for the next Leadership Academy are now available at the Volunteer or City Council Office. The deadline for next year's class is June 16, 2006. He congratulated Mr. Husemann on his 16 years of service. His wisdom has made our City the best City around. He is a very humble leader and will be greatly missed.

Mayor Patterson – reported that on May 27, 2006, a mini grand prix would be held at Lincoln Park. Festivities begin at 8:00 a.m. and will go on throughout the day. The Volunteer Celebration Concert was a great event and he commended Bonnie Pittl and her staff for a wonderful job coordinating this event. He thanked the volunteers for their countless hours of service to this City. On May 16, 2006, the Police Department held a memorial service on the plaza at the Government Center. It was a very somber and heartfelt service. It made you appreciate what our officers do for us on a daily basis. On May 16, 2006 he attended the Chet Roush Educational Hall of Fame induction. On May 17, 2006 a Mayor's Walk was held at Delco Park. This was the kickoff for the Healthy Ohio Fitness Walk. On May 20 and 21, the Relay for Life was held at Delco Park. Walkers signed up to walk every hour for nearly 24 hours. He thanked Estelle Gibson and Ron Hundt for all of their hard work coordinating this team event. The walk raised record dollars this year. The City Council has been looking at fire issues for a number of months. They are in the process of evaluating the program. The City is aware of the problem and takes it very seriously. Bernie Wannemacher, our City photographer is doing very well and is now back home from the hospital. He hopes to see him at a Council Meeting very soon. One thing that he has learned in eight years on City Council is that Mr. Husemann has integrity. The City has a tremendous void to fill. He has been extremely proud to have the opportunity to work with Mr. Husemann. Steve Husemann's retirement party is scheduled for Tuesday, May 30, 2006 at the Frazee Pavilion Stage.

There being no further business to come before this meeting of the Kettering City Council, Mayor Patterson adjourned the meeting at 9:12 p.m.

ATTEST:

Connie S. Gaw  
Clerk of Council

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DONALD E. PATTERSON, MAYOR