

KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
February 9, 2010

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, February 9, 2010, at 7:30 p.m. in the Recital Hall at Kettering Fairmont High School, 3601 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, Thompson, Wanamaker and Webb

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 21, 2010 – Special Meeting Minutes

January 26, 2010 – Regular and Workshop Minutes

Mrs. Schrimpf reported that she reviewed the above minutes and moved the minutes be approved. Mr. Duke 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/SPECIAL AWARDS: Community Development Department - Home Improvement Mission Team

Mayor Patterson stated due to inclement weather the Community Development Department presentation will not be heard this evening and will be rescheduled for the next Council meeting agenda.

Mr. Klepacz made a motion to remove the presentation from the agenda. Mrs. Schrimpf seconded this motion. Motion was approved by a unanimous vote.

PUBLIC HEARINGS

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION
NO: 8773-10
BY: MR. KLEPACZ AND MRS. SCHRIMPF

AUTHORIZING THE CITY MANAGER TO ENTER INTO A CONTRACT FOR
THE SERVICES OF THE MIAMI VALLEY REGIONAL CRIME LABORATORY
FOR 2010

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

Mr. Schwieterman explained this is the only lab available to provide this type of service in this area.

The following votes were recorded: Mr. Duke, Yea; Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Thompson, Yea; Mr. Webb, 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: 8774-10
BY: MRS. SCHRIMPF AND MR. DUKE

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO ENTER INTO ONE OR MORE CONTRACTS FOR THE PURCHASE OF BODY ARMOR AND RELATED ACCESSORIES FOR POLICE OFFICERS AND SWAT TEAM MEMBERS

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

Mr. Schwieterman explained this legislation authorizes the City to purchase concealable body armor with compatible accessories for male and female officers. Also, for the purchase of tactical and concealable body armor with compatible accessories for SWAT team members.

The following votes were recorded: Mr. Webb, Yea; Mr. Thompson, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mr. Duke, 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: 8775-10
BY: MR. DUKE AND MR. WEBB

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO ENTER INTO ONE OR MORE AGREEMENTS FOR THE REHABILITATION OF THE RESIDENTIAL PROPERTY LOCATED AT 2535 DUNHILL PLACE AS PART OF THE CITY'S NEIGHBORHOOD STABILIZATION PROGRAM

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

Mr. Schwieterman explained this resolution authorizes use of the City's NSP1 funds for the renovation and resale of the residential property located at 2535 Dunhill Place. The project will include rehabilitation of the residential structure. Landscaping and other site work will be included.

The following votes were recorded: Mr. Duke, Yea; Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Thompson, Yea; Mr. Webb, 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: 8776-10
BY: MR. WEBB AND MR. THOMPSON

APPROVING AN ADDITIONAL EXPENDITURE OF CITY (LOCAL) FUNDS IN THE AMOUNT OF \$418,975.00 FOR THE DOROTHY LANE & WILMINGTON PIKE INTERSECTION IMPROVEMENTS PROJECT, CITY PROJECT NO. 02-102i

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

Mr. Schwieterman explained Montgomery County Water Services Department wishes to relocate and upgrade the 12" diameter water main that runs along Wilmington Pike throughout the project limits. This work will be included in the City's contract for the project, and the cost for the new water main work will be paid to Kettering by Montgomery County.

The following votes were recorded: Mr. Webb, Yea; Mr. Thompson, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mr. Duke, 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: 8777-10

BY: MR. THOMPSON AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO ENTER INTO A COST PARTICIPATION AGREEMENT WITH THE BOARD OF COMMISSIONERS OF MONTGOMERY COUNTY, OHIO FOR WATER MAIN RELOCATION WORK IN CONNECTION WITH AND AS PART OF THE DOROTHY LANE & WILMINGTON PIKE INTERSECTION IMPROVEMENTS PROJECT, CITY PROJECT NO. 02-102i

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

The following votes were recorded: Mr. Duke, Yea; Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Thompson, Yea; Mr. Webb, 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: 8778-10

BY: MR. WANAMAKER AND MR. KLEPACZ

APPROVING AN AMENDMENT TO THE CITY'S AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR ADMINISTRATION OF THE WEST DOROTHY LANE AND SOUTH DIXIE HIGHWAY PHASE 3 RECONSTRUCTION PROJECT (CITY PROJECT NO. 02-104EC; ODOT PROJECT MOT SOUTH DIXIE DRIVE KETTERING PHASE 3, PID 81028)

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

Mr. Schwieterman explained this resolution will authorize the City to sign an amended agreement with ODOT for the South Dixie Phase 3 Reconstruction Project, which was constructed in 2009. The final construction cost will come in lower than the allowable Federal construction funds for this project, so ODOT has agreed to transfer the surplus Federal funds from the construction phase of the project to the right of way phase of the project.

The following votes were recorded: Mr. Webb, Yea; Mr. Thompson, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mr. Duke, 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: 8779-10

BY: MR. KLEPACZ AND MRS. SCHRIMPF

APPROVING AN AMENDMENT TO THE CITY'S AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION FOR ADMINISTRATION OF THE EAST DOROTHY LANE AND WILMINGTON PIKE INTERSECTION IMPROVEMENT PROJECT (CITY PROJECT NO. 02-102i; ODOT PROJECT MOT-DOROTHY/WILMINGTON, PID 81024)

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

Mr. Schwieterman explained this resolution will allow the City to sign an amended agreement with ODOT for the East Dorothy Lane & Wilmington Pike Intersection Improvements Project. The amount of American Recovery & Reinvestment Act funds provided by the Miami Valley Regional Planning Commission for this project has been finalized and this amendment to the project agreement with ODOT will finalize the allocation of these funds to this project.

The following votes were recorded: Mr. Duke, Yea; Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Thompson, Yea; Mr. Webb, 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: 8780-10
BY: MRS. SCHRIMPF AND MR. DUKE

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, 2010

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

Mr. Schwieterman explained this resolution will allow appropriations from the CIP Program pertaining to water main work to be performed on behalf of Montgomery County as part of the Dorothy Lane/Wilmington Pike Intersection project.

The following votes were recorded: Mr. Webb, Yea; Mr. Thompson, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mr. Duke, 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

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT

Mr. Schwieterman, City Manager reported:

Mr. Schwieterman updated Council on upcoming and community events.

- Due to inclement weather Waste Management only completed 50% of their pickup today (Tuesday). The remainder of Tuesday's customers will not be picked up until next Tuesday. They also will not pick up tomorrow (Wednesday); Wednesday trash will be picked up on Thursday, Thursday on Friday and Friday on Saturday.
- Volunteer Firefighter Service Awards Ceremony – Thursday, February 11, 2010 at 7:00 p.m. in the Fairmont Recital Hall.
- Ohio Department of Agriculture Public Meeting on Gypsy Moths – February 16, 2010 at the Kettering Library – Far Hills Branch from 6 – 8 pm.
- City offices will be closed on Presidents Day, February 15, 2010.
- Goodwill has partnered with Dell Computers to recycle computers and accessories.
- 2010 Census – Urged residents to complete the questionnaire that is mailed to them in March. It is important everyone participates.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Communications and Reports

Audience Participation (5 Minute Limit Per Speaker)

COUNCIL COMMITTEE REPORTS

Mr. Klepacz – On January 28, 2010 the MLK Committee met to wrap up the 2010 event and start planning for 2011. Christ United Methodist has agreed to host the event at their location again in 2011. On January 29, 2010 he attended an event hosted by Governor Strickland supporting the State's aerospace innovations. On February 4, 2010 MVRPC announced the area received stimulus dollars. On February 8, 2010 he attended the Partners for Healthy Youth Advisory Board meeting. Recommendations are now being accepted for the Annual Mayors Award for Youth Service.

Mrs. Schrimpf – She thanked Miami Valley Communications Council for the program they put on for newly elected officials. She attended this program on February 3, 2010 at Yankee Trace. It was most informative.

Mr. Duke – Kudos to Tom Glardon, Public Service Director and his Street Department staff. Streets are clean. Good job.

Mr. Webb – He also attended the Miami Valley Communications Council newly elected official training on February 3, 2010. It was a nice program and a great opportunity to network. He attended St. Charles and St. Albert schools in honor of Catholic School Week. He received a warm welcome and took a tour of their facilities. On February 8, 2010 the Boy Scouts of America celebrated 100 years of scouting in this Country. Many exciting events are being planned this year in honor of this milestone. He will be attending the Ohio Department of Agriculture informational meeting regarding gypsy moths because his home is in the targeted spray area.

Mr. Thompson – Great job on snow clean up. Kettering has many miles of streets compared to other communities.

Mr. Wanamaker – Kettering has over 1050 lane miles of streets to plow. In the Lathrem Newsletter it states when Kettering schools are closed, any Lathrem activity having a speaker or instructor is cancelled. They will remain open to card groups, billiard players and the nutrition lunch program.

Mayor Patterson – Street Department crews did a great job removing snow from the roads today. Crews will be getting into the neighborhoods as quickly as possible. This is the first Council meeting to be held in the Fairmont Recital Hall and will be Council's home for the next year. He thanked Kettering City Schools for graciously allowing Council to use their facilities.

There being no further business to come before this meeting of the Kettering City Council, Mayor Patterson adjourned the meeting at 8:05 p.m.

ATTEST:

DONALD E. PATTERSON, MAYOR

Connie S. Gaw
Clerk of Council