

KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
February 24, 2009

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, February 24, 2009, at 7:30 p.m. in the Council Chambers of the Kettering Government Center, 3600 Shroyer Road. The Mayor, Donald E. Patterson, presided and the Clerk of Council, Connie S. Gaw, recorded. This meeting was telecast live on the cable access channel.

Council Members Present: Duke, Klepacz, Schrimpf, Spolrich, and Wanamaker

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 Gregor and John Golub. He welcomed page, Jason Thompson from St. Charles School and thanked these volunteers for their assistance.

APPROVAL OF MINUTES

February 10, 2009 - Regular and Workshop Meetings

Mr. Spolrich reported that he reviewed the above minutes and moved the minutes be approved. Mr. Klepacz seconded the motion and there being six (6) yea votes, and no (0) nay votes, the motion was declared carried by a majority roll call vote.

Mayor Patterson asked for a motion to amend this evening's agenda. Mr. Duke moved to add a Resolution No. 8 (Authorizing the City Manager to submit applications to the Miami Valley Regional Planning Commission for funds from the American Recovery and Reinvestment Act of 2009) to the agenda. Mr. Spolrich seconded this motion and the motion was declared carried by a majority roll call vote.

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

FIRE CITIZENSHIP AWARD/MAYOR'S CERTIFICATE OF COMMENDATION:

HALLIE UZZLE

Fire Chief Bob Miles and Mayor Patterson presented Hallie Uzzle with the Fire Citizenship Award and the Mayor's Certificate of Commendation. Hallie saved her grandmothers life by calling 9-1-1 and alerting the authorities of her grandmother's illness. Hallie is seven years old.

PROCLAMATION: KIDS! @ YOUR LIBRARY WEEK – MARCH 1 – 7, 2009

Mr. Duke read the above Proclamation and same was accepted by Diane Miller and Teresa Huntley from the Kettering/Moraine and Wilmington/Stroop Branch Libraries.

PROCLAMATION: MENTAL RETARDATION AND DEVELOPMENTAL DISABILITIES AWARENESS MONTH – MARCH 2009

Mrs. Schrimpf read the above Proclamation. Mayor Patterson expressed this Proclamation will be mailed to the Dayton Chapter (MRDD) to show City support of this cause.

PROCLAMATION: AMERICAN RED CROSS MONTH – MARCH 2009

Mr. Spolrich read the above Proclamation and same was accepted by Tom Fodor, CEO of the Dayton Area Chapter of the American Red Cross.

PUBLIC HEARINGS

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION
NO: 8592-09
BY: MR. DUKE AND MRS. SCHRIMPF

AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE OR MORE AGREEMENTS TO PURCHASE REAL PROPERTY INTERESTS LOCATED AT THE CORNER OF STROOP ROAD AND HEMPSTEAD STATION DRIVE, KETTERING, OHIO FROM CASSANO'S, INC. FOR PERMANENT AND TEMPORARY RIGHT OF WAY PURPOSES IN CONNECTION WITH THE MOT-KETTERING BIKE PATH PROJECT (CITY PROJECT NO. 05-004B, ODOT PID 81026)

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

Mr. Bergstresser, Engineering Director reported this resolution will allow for the purchase of permanent and temporary right-of-way from Parcel 5 and Parcel 6 (Cassano's Inc.) of the MOT-Kettering Bikepath Project along Hempstead Station Drive.

There being no discussion on the motion, the following votes were recorded: Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Schrimpf, 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: 8593-09
BY: MRS. SCHRIMPF AND MR. SPOLRICH

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION ("ODOT") TO ALLOW THE CITY TO SERVE AS RESPONSIBLE LEAD AGENCY FOR ADMINISTRATION OF THE MOT SRTS (SAFE ROUTES TO SCHOOL) KETTERING NON-INFRASTRUCTURE PROJECT (CITY PROJECT NO. 01-056, ODOT PID 85676)

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

Mr. Schwieterman explained this resolution provides funding for education and enforcement for school zone safety.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Schrimpf, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; 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: 8594-09
BY: MR. SPOLRICH AND MR. KLEPACZ

A RESOLUTION DECLARING THE NECESSITY TO IMPROVE ACORN DRIVE, FAIRHAVEN COURT AND KETTERING BOULEVARD BY CONSTRUCTING AND RECONSTRUCTING CURBS, SIDEWALKS AND DRIVE APPROACHES AND OTHERWISE IMPROVING THE SAME, TOGETHER WITH ALL NECESSARY APPURTENANCES (PROJECT NUMBERS 02-278B AND 02-283)

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

Mr. Schwieterman explained locations to receive repair are Acorn Drive - Peach Orchard to Wiltshire; Acorn Drive - Wiltshire to North End; Fairhaven Court - Acorn Dr. to Terminus; Kettering Boulevard - Hoyle Place to Stroop Rd. Work on the street will be

bid under separate Engineering Projects, but all are to be assessed for the curb, sidewalk, and drive approach repairs.

There being no discussion on the motion, the following votes were recorded: Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Schrimpf, 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: 8595-09
BY: MR. KLEPACZ AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION WITH THE FEMA ASSISTANCE TO FIREFIGHTER GRANT PROGRAM FOR A GRANT TO PURCHASE 800 MHZ RADIOS

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

Mr. Schwieterman explained our communication equipment is aging and will soon need to be replaced or repaired. The upgrade of our radio system will allow the City to not only stay connected to our workers but will allow response to residents more efficiently. Also, in the event of a disaster it will allow the City to work closely with Police and Fire personnel.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Schrimpf, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; 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: 8596-09
BY: MR. WANAMAKER AND MR. DUKE

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO ENTER INTO AN AGREEMENT FOR LAWN AND LANDSCAPING SERVICES AT KETTERING BUSINESS PARK

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. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Schrimpf, 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: 8597-09
BY: MR. DUKE AND MRS. SCHRIMPF

AUTHORIZING THE CITY MANAGER TO ENTER INTO CONTRACTS FOR THE PURPOSE OF IMPROVING SELECTED CITY RECREATION AND PARK FACILITIES THROUGH ADVERTISING FOR BIDS AND/OR COMPETITIVE BARGAINING AND NEGOTIATED QUOTES AS DEEMED BY THE CITY MANAGER MOST ADVANTAGEOUS TO THE CITY

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

Mr. Schwieterman explained this will allow the City to enter into contracts for improving Indian Riffle Park, the Kettering Recreation Complex, Southdale Nature Center, Ernst Park, State Farm Park and various neighborhood parks.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Schrimpf, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; 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: 8598-09

BY: MRS. SCHRIMPF AND MR. SPOLRICH

APPROVING A NEIGHBORHOOD STABILIZATION PROGRAM GRANT APPLICATION

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

Mr. Schwieterman explained this resolution authorizes the City to sign the grant application for funds to be used for the purpose of stabilizing neighborhoods affected by the foreclosure crisis.

There being no discussion on the motion, the following votes were recorded: Mr. Klepacz, Nay; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Schrimpf, 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: 8599-09

BY: MR. DUKE AND MRS. SCHRIMPF

AUTHORIZING THE CITY MANAGER TO SUBMIT APPLICATIONS TO THE MIAMI VALLEY REGIONAL PLANNING COMMISSION FOR FUNDS FROM THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009

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

Mr. Schwieterman reported this resolution will allow the City to submit the necessary applications for American Recovery and Reinvestment Act of 2009 funds. Any funds awarded as result of the application will be applied to currently unfunded Kettering transportation system improvement projects.

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

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT

Mr. Schwieterman, City Manager reported:

- Mayor's Charity Ball will be held this year on April 25, 2009 at Reynolds & Reynolds. This year's ball will benefit the Kettering Education Foundation.
- Yard Debris Center will reopen on Monday, March 2, 2009. Call 296-2472 for additional information.
- Daylight Savings Time – Remember to turn your clocks forward on Saturday night, March 7, 2009.
- To report a pothole – Visit City Website or call the Street Department at 296-2472.
- City Income Tax Filing Forms are available on the City Website or in the Government Center Lobby.
- Working on new contract for trash collection services. A more in-depth report will be presented at the next Council meeting
- Property Maintenance Update – 2008 Year End Report.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Communications and Reports

Audience Participation (5 Minute Limit Per Speaker)

Mr. Ron Duncan, 460 Walden Trail – He is concerned because Walden Trail is not on any maps or GPS. People have trouble finding their street. He is worried if there were to be an emergency it could delay the action of Police or Fire personnel. He hopes this can be resolved.

Mr. Schwieterman stated he would like to meet with Mr. Duncan after the meeting. Walden Trail is a public street and should be recognized as such. He thanked him for bringing this to the City's attention.

COUNCIL COMMITTEE REPORTS

Mr. Duke – Announced on February 12, 2009 he attended Patrol Officer, Jeff Caldwell's retirement party. Officer Caldwell will be missed. On February 13, 2009 he attended a ribbon cutting ceremony for Figaro's Pizza on W. Dorothy Lane. He welcomed them to the Kettering Community. Also on February 13, 2009 he awarded a certificate to Kettering resident, Collette Huneke who celebrated her 105th Birthday.

Mrs. Schrimpf – Encouraged residents to attend Rosewood Gallery – Works on Paper event March 2 – 27, 2009. The opening reception is on Sunday, March 1, 2009 from 2 to 4 p.m. It is free and open to the public. On March 2, 2009 is Dr. Seuss Day at the Kettering/Moraine and Wilmington/Stroop Branch Libraries.

Mr. Spolrich – Recently attended the Volunteer Firefighter Service Awards banquet. A shout out to all those firefighters that received awards. Green Oak Preschool is celebrating its 50th anniversary. The Alter community will be holding a fish fry on Friday, March 27, 2009. On February 28, 2009 the Kettering Show Choir will hold their 22nd Invitational. Performances will be at 6:30 and 8:30 p.m. He urged citizens to attend.

Mr. Klepacz – On February 17, 2009 he attended the swearing in ceremony for new Police Officer, Carla Sacher. On February 19, 2009 he was a judge for the Science Fair at Oakview Elementary.

Mr. Wanamaker – No Report.

Mayor Patterson – He thanked Vice Mayor Duke and Council for covering for him while he was on vacation. He welcomed the Alter High School Government Class to the meeting. He attended the Volunteer Firefighter Service Awards on February 17, 2009. He congratulated the new firefighter graduates and all those that received service awards. He especially wanted to recognize Steve Hopkins and Dale Booher for 25 years of service and Chip Lytle for 45 years of service.

There being no further business to come before this meeting of the Kettering City Council, Mayor Patterson adjourned the meeting at 8:49 p.m.

ATTEST:

Connie S. Gaw
Clerk of Council

DONALD E. PATTERSON, MAYOR