

KETTERING CITY COUNCIL  
REGULAR MEETING MINUTES  
April 22, 2008

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, April 22, 2008, 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, Lehner, Thompson and Wanamaker  
Spolrich

Council Members Absent: None

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 John Golub. He welcomed pages, Kathryn Reilly and Casey Davidson from Kettering Fairmont High School. He thanked these volunteers for their assistance.

APPROVAL OF MINUTES

April 8, 2008 Regular and Workshop Meetings

Mr. Spolrich reported that he reviewed the above minutes and moved the minutes be approved. Mr. Thompson 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

CERTIFICATE OF CONGRATULATIONS – ALTER GIRLS BASKETBALL TEAM

Mayor Patterson read the above Certificate of Congratulations and same was accepted by Athletic Director and Head Coach, Chris Hart.

PROCLAMATION: OLDER AMERICANS MONTH – MAY 2008

Mrs. Lehner read the above Proclamation and same was accepted by Vickie Carraher, Senior Services Manager for the City of Kettering.

PROCLAMATION – MIAMI VALLEY COUNSELING ASSOCIATION DAY – APRIL 22, 2008

Mr. Duke read the above Proclamation and same was accepted by Christine Ferrons, President of the Miami Valley Counseling Association.

PROCLAMATION – POLICE MEMORIAL WEEK – MAY 11 – 17, 2008

Mr. Thompson read the above Proclamation and same was accepted by Police Chief O'Dell.

PROCLAMATION – NATIONAL VOLUNTEER APPRECIATION WEEK – APRIL 22 – MAY 3, 2008

Mr. Spolrich read the above Proclamation and same was accepted by Kari Basson, Chairperson for the Kettering Volunteer Advisory Council.

MAYOR'S AWARD: YOUTH VOLUNTEER SERVICE AWARD – CAROLINE SMITH

Mayor Patterson read the above award and presented it to Caroline Smith. He thanked her for her volunteer service to the community.

APPOINTMENT: BOARD OF COMMUNITY RELATIONS – JACK OMER (TERM ENDING 12/31/10)

APPOINTMENT: BOARD OF PLUMBERS' REGISTRY – KIM MEDLIN (TERM ENDING 12/31/08)

Mr. Duke made a motion to appoint Jack Omer to the Board of Community Relations and Kim Medlin to the Board of Plumbers' Registry. Mrs. Lehner seconded this motion and there being seven (7) Yea votes and no (0) nay votes, the motion was declared carried by a majority vote.

PUBLIC HEARINGS

ORDINANCES IN SECOND READING

AN ORDINANCE  
NO: 4094-08  
BY: MR. DUKE AND MRS. LEHNER

TO LEVY SPECIAL ASSESSMENTS FOR THE "ACORN AREA  
RESIDENTIAL RECONSTRUCTION" PROJECT (PROJECT NUMBER  
02-278)

Mr. Duke read the above ordinance and moved for approval. Mrs. Lehner seconded the motion.

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

AN ORDINANCE  
NO: 4095-08  
BY: MRS. LEHNER AND MR. SPOLRICH

TO LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTION AND  
RECONSTRUCTION OF CONCRETE SIDEWALKS, CURBS, GUTTERS  
AND DRIVEWAY APPROACHES, TOGETHER WITH THE NECESSARY  
APPURTENANCES, FOR THE 2007 SIDEWALK REPAIR PROGRAM  
(PROJECT NUMBER 05-107)

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

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

AN ORDINANCE  
NO: 4096-08  
BY: MR. SPOLRICH AND MR. THOMPSON

TO AMEND THE TRAFFIC CONTROL MAP AND 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 6:00 A.M. TO 6:00 P.M. WEEKDAYS – on the south side of  
Cloverfield Avenue from 275 feet east of the eastern extended curb of  
Marshall road eastwardly for a distance of 80 feet.

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

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

AN ORDINANCE  
NO: 4097-08  
BY: MR. THOMPSON AND MR. KLEPACZ

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. 4089-07.

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

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

AN ORDINANCE  
NO: 4098-08  
BY: MR. KLEPACZ AND MR. WANAMAKER

TO AMEND THE PROVISIONS FOR ECONOMIC DEVELOPMENT OVERLAY DISTRICT NO. 8 (THE ARBOR COMMERCIAL CENTER).

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

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

AN ORDINANCE  
NO: 4099-08  
BY: MR. WANAMAKER AND MR. DUKE

TO REZONE THE APPROXIMATE 1.5 ACRE PROPERTY LOCATED AT 2625 EAST STROOP ROAD, COMMONLY KNOWN AS TANNENBERG KENNELS FROM "R-1, SUBURBAN RESIDENTIAL" ZONING CLASSIFICATION TO "RESIDENTIAL DEVELOPMENT OVERLAY DISTRICT NO. 1" (ZONING CASE 880-08).

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

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

RESOLUTIONS

A RESOLUTION  
NO: 8428-08  
BY: MR. DUKE AND MRS. LEHNER

AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE OR MORE CONTRACTS WITH ROZZI'S FAMOUS FIREWORKS, INC. AND THE ROZZI COMPANY, INC. FOR A FIREWORKS DISPLAY AT THE 2008 GO 4<sup>TH</sup>! CELEBRATION AT DELCO PARK

Mr. Duke 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. Spolrich, Yea; Mrs. Lehner, Yea; Mr. Duke, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, 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: 8429-08  
BY: MRS. LEHNER AND MR. SPOLRICH

AUTHORIZING THE CITY MANAGER TO ACCEPT FUNDS FROM THE VIRGINIA KETTERING FOUNDATION FOR OPERATION OF THE CAMP FUNTASTIC PROGRAM

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

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Duke, 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 PROCEED WITH THE HAIG AVENUE RECONSTRUCTION PROJECT (PROJECT NUMBER 02-272E)

Mr. Spolrich read the above Ordinance in first reading. The Ordinance will appear on the May 13, 2008, Council meeting agenda for second reading.

AN ORDINANCE

TO PROCEED WITH THE EUREKA DRIVE RECONSTRUCTION PROJECT (PROJECT NUMBER 02-272AB)

Mr. Thompson read the above Ordinance in first reading. The Ordinance will appear on the May 13, 2008, Council meeting agenda for second reading.

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT

Mr. Mark Schwieterman, City Manager reported:

Board of Zoning Appeals – The meeting scheduled for Monday, April 28, 2008 has been cancelled due to a public notice mix-up. A number of letters were sent out to area residents advising them of the cancellation. The next meeting will be held on May 12, 2008.

Spring Clean Up – Crews will be moving quickly through the City during the week of May 5, 2008 to pick up left over leaves from the winter months. Other yard debris can be taken to the yard debris center on Woodman Center Drive.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Communications and Reports

Audience Participation (5 Minute Limit Per Speaker)

COUNCIL COMMITTEE REPORTS

Mr. Thompson – No Report.

Mr. Klepacz – The Board of Community Relations has been working on a community event to be held on June 7, 2008 at 10:00 a.m. This first time event is in the Oak Creek community. He presented a Proclamation on behalf of the Mayor for the dedication of a Peace Pole. This pole was constructed by an Eagle Scout several years ago and was installed today at St. Charles School.

Mr. Wanamaker – He reminded citizens that leaf mulch is ready to be picked up at the leaf mulch site on East Stroop Road behind Tannenburg Kennels. It is free to Kettering residents.

Mr. Duke – On May 17, 2008 he attended a Town Hall meeting in Washington Township regarding youth alcohol use in our communities. Eight communities and several hundred citizens attended.

Mrs. Lehner – No Report.

Mr. Spolrich – On April 15, 2008 he attended the National Guard, Operation Ohio, Town Hall meeting in Council Chambers, which talked about how to support families of those in combat. He was happy to represent the City at this event. The Kettering Police Department is successful because of the quality of staff and it's service. They are prepared for every situation. Mr. Spolrich had a great time at the Mayor's Charity Ball and looks forward to next year's event.

Mayor Patterson – Stated he had a great time at the Mayors' Charity Ball. The art created by Council and City Staff was auctioned off and brought in approximately \$1,200.00. A check with the proceeds earned from this event will be presented to We Care Arts at the next Council meeting. He thanked all those that participated. He thanked Reynolds and Reynolds for allowing them to host this event at their facility. The National Guard Town Hall meeting was very important because it supported those families left here at home. He attended the MVRPC Annual Dinner and Meeting at Wright Patterson Air Force Base. On April 19, 2008 he attended an Arbor Day Tree Planting at Pondview Park and read a Proclamation. Also on April 19<sup>th</sup> he attended an event at the YMCA and read a Proclamation promoting healthy youth. In regards to Police Memorial Week, leadership comes from the top and the City of Kettering is very fortunate to have Police Chief O'Dell.

There being no further business to come before this meeting of the Kettering City Council, Mayor Patterson adjourned the meeting at 8:26 p.m.

ATTEST:

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DONALD E. PATTERSON, MAYOR

Connie S. Gaw  
Clerk of Council