

KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
August 12, 2008

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, August 12, 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 thanked these volunteers for their assistance.

APPROVAL OF MINUTES

July 22, 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

RESOLUTION OF SYMPATHY

A RESOLUTION

NO: 8485-08

BY: MR. DUKE AND MRS. LEHNER

EXPRESSING THE SYMPATHY OF THE CITY COUNCIL AND CITIZENS OF
KETTERING TO THE FAMILY OF JAMES ALFRED LAUGHREY

Mr. Duke read the above resolution. Mr. Laughrey served for many years on the Kettering Sister City Committee. Mayor Patterson presented the Resolution to Terese Laughrey and expressed condolences for the loss of her husband Al.

Following the Resolution, returning students from this year's Sister City student trip to Steyr, Austria said a few words about their stay in Steyr.

APPOINTMENT – Sister City Committee – Tina Hamdan (Term Ending 12/31/09)

Mr. Duke made a motion to appoint Tina Hamdan to the Sister City Committee. Mrs. Lehner seconded this motion. The motion was approved by a unanimous roll call vote.

PRESENTATION – Neighborhood Pride Awards

Chuck Spaulding, Co-Chairperson of the Neighborhood Pride Committee congratulated the June and July Neighborhood Pride Award winners. He then showed a video presentation of all of the homes that had won an award.

JUNE/JULY NEIGHBORHOOD PRIDE AWARD WINNERS:

JUNE AWARD WINNERS

Marcella Crews, 1205 Kim Lane
Ralph & Dorothy Haynes, 2949 E. Cunnington Ln.
Beth Willis, 3045 Meadow Park Drive
Frank & Judith McGough, 2264 Brookpark Drive

Deborah Hayes, 1071 Eureka Drive
Marilyn & Richard Hull, 3750 Maryknoll Drive
Ronald & Patricia Winchek, 4408 Thornwood Pl.
Terry Hughes & Mandy Lucas, 933 Cottonwood Rd.
Theresa Mikell & Brad Wenrick, 4203 Brookdale Dr.
Richard & Jacqueline Thode, 3213 Wrenford St.
Ronald & Karen Long, 2357 Crauder Avenue
McDonald's, 1872 E. Stroop Road

JULY AWARD WINNERS

Eric & Judy Bollinger, 1709 Marilyn Avenue
Charles & Nancy Blake, 2861 Comanche Drive
Charles & Beth Wolfe, 4948 Arrowhead Drive
Timothy Parker & John Hamler, 2284 E. Whipp Rd.
John McKenzie, 2708 Oakley Avenue
Michael & Sue Frangipane, 1223 Sharon Ave.
Mark & Flora Griffith, 210 Henrich Drive
Joseph & Maryann Bausman, 760 Winding Way Rd.
Robert & Pamela Whitt, 349 Highland Terrace Ave.
Sherry Grabeman, 3928 Elmira Drive
David & Holly Banks, 1425 Glenbeck Avenue
United Dairy Farmers, 2200 E. Dorothy Lane

Following the video presentation, Mr. Spaulding called each of the award winners to the podium to present them with a certificate and each had their picture taken with the Mayor.

The Mayor congratulated Mr. Spaulding and the Neighborhood Pride Committee for another very successful season.

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION
NO: 8486-08
BY: MR. DUKE AND MRS. LEHNER

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

Mr. Bergstresser explained that due to the scope of changes resulting from the traffic study of the Wilmington/Dorothy corridor in 2007 and inflationary increases in construction costs; the estimated construction cost of the reconstruction project has increased. ODOT is requiring an amendment be made to the original project administration contact that reflects the increased funding commitment from MVRPC and the increase in the estimated construction costs.

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.

A RESOLUTION
NO: 8487-08
BY: MRS. LEHNER AND MR. SPOLRICH

AUTHORIZING THE CITY MANAGER TO ACCEPT AN ED/GE GRANT
FROM MONTGOMERY COUNTY, OHIO IN THE AMOUNT OF \$310,000.00

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

Mr. Gorsuch explained The Montgomery County Board of Commissioners approved a grant to assist NanoSperse with a construction project. This grant provides for the infrastructure upgrades at the National Composite Center necessary for NanoSperse to successfully utilize the facility for the production of nanocomposites for aerospace applications. The new facility when completed in 2009 will manufacture world-class advanced materials targeted for aerospace applications ranging from engine components to spacecraft.

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: 8488-08
BY: MR. SPOLRICH AND MR. THOMPSON

AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FROM THE
KETTERING DEVELOPMENT CORPORATION FOR IMPROVEMENTS TO
KETTERING BUSINESS PARK

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

Mr. Gorsuch explained this resolution will allow the City to accept funds from a grant offered by the Kettering Development Corporation, reimbursing the City for the recent demolition of Building 47 in Kettering Business Park and site preparation costs.

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.

A RESOLUTION
NO: 8489-08
BY: MR. THOMPSON AND MR. KLEPACZ

AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FROM THE
OHIO DEPARTMENT OF ALCOHOL AND DRUG ADDICTION SERVICES

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

Mr. Schwieterman explained the purpose of this grant is to fund the Kettering Youth Council and to allow the City of Kettering Healthy Youth Advisory Board to continue asset based prevention efforts.

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: 8490-08
BY: MR. KLEPACZ AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO PURCHASE SOFTWARE AND FIRMWARE UPGRADES REQUIRED FOR KETTERING'S PUBLIC SAFETY COMMUNICATION CENTER TO CONNECT REMOTELY WITH THE MONTGOMERY COUNTY COMMUNICATION CENTER'S EMBASSY SWITCH

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

Mr. Schwieterman explained this legislation approves funding for software and firmware upgrades that are required for Kettering's Public Safety Communication Center to connect remotely with the Montgomery County Communication Center's Embassy Switch. Kettering's upgrade needs to be done at the same time that Montgomery County's are done, which is expected to be October of 2008.

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.

A RESOLUTION
NO: 8491-08
BY: MR. WANAMAKER 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, 2008

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

Mr. Schwieterman explained this resolution will allow for the appropriation of monies for the acceptance of the Healthy Youth Grant and for additional personnel and operating expenditures related to the 2008 season from the Frazee Pavilion Operations Fund.

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.

ORDINANCES IN FIRST READING

AN ORDINANCE
NO: 4105-08
BY: MR. DUKE AND MRS. LEHNER

TO PROCEED WITH SUBMISSION TO THE ELECTORS THE QUESTIONS OF ISSUING BONDS FOR THE PURPOSE OF IMPROVING THE CITY'S RECREATION AND PARK FACILITIES BY CONSTRUCTION, EQUIPPING AND FURNISHING THE EXPANSION, ADDITION AND RENOVATION OF THE RECREATION CENTER AND BY IMPROVING VARIOUS CITY PARKS BY PROVIDING EQUIPMENT, RECREATIONAL FACILITIES AND SITE IMPROVEMENTS FOR RECREATIONAL PURPOSES; AND DECLARING AND EMERGENCY.

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

MaryBeth Thaman, Director of Parks, Recreation and Cultural Arts, gave a presentation on the 2008 Bond Levy Issue. She reviewed the survey findings and also updated Council of planned new amenities to area parks and recreations facilities if the bond

levy passes in November. She stressed to citizens there would be no increase in taxes because this is a replacement levy.

Mayor Patterson and Council thanked Ms. Thaman for her presentation and urged citizens to vote yes for this levy in November.

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.

AN ORDINANCE

TO AMEND THE TRAFFIC CONTROL MAP AND THE TRAFFIC CONTROL FILE FO THE CITY OF KETTERING, OHIO TO SHOW THE INSTALLATION OF TRAFFIC SIGNS ON VARIOUS STREET AND AVENUES IN THE CITY OF KETTERING, OHIO

STOP – ON WITHERSPOON DRIVE AT MONTPEILIER DRIVE; AND

STOP – ON WITHERSPOON DRIVE AT JAMES MADISON TRAIL SOUTH

Mrs. Lehner read the above Ordinance in first reading. The Ordinance will appear on the August 26, 2008, 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 NO. 4097-08

Mr. Spolrich read the above Ordinance in first reading. The Ordinance will appear on the August 26, 2008, Council meeting agenda for second reading.

Mr. Schwieterman explained this ordinance revises the current personnel ordinance in order to implement the previously negotiated 2008 general pay increase for employees covered by the IAFF Local #2150 Firefighters Agreement, such increase to be effective September 1, 2008. This general pay increase is the same as that which City Council approved for other employees for the City for 2008.

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT

Mr. Schwieterman, City Manager reported:

Mr. Schwieterman turned the meeting over to Mr. Robillard, Planning and Development Director.

Mr. Robillard presented the August Property Maintenance Update. He reviewed the types of property maintenance issues and number of inspections performed in July.

There was then a brief discussion and Council thanked Mr. Robillard for his informative report.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Communications and Reports

Audience Participation (5 Minute Limit Per Speaker)

Mark Pardue, 3725 Pobst Drive - He is having drainage issues on his property and has asked the City for help, but has had no response. He showed a picture of the drainage pipe that he has asked to be fixed since 2006. He would like for City officials to come and take a look.

Mr. Schwieterman replied that he is aware of the calls and correspondence from Mr. Pardue. He will meet with him to try and address his needs. They will set up a plan to come out and take a look at the problem. He appreciates Mr. Pardue coming this evening.

Mr. Wanamaker stated he is aware that Mr. Pardue called. He asked staff to look into this and had not called Mr. Pardue back because he had no news to give him yet.

COUNCIL COMMITTEE REPORTS

Mr. Duke – No Report.

Mrs. Lehner – Stated she is a member of the First Tier Suburbs Consortium group. They recently produced a video called “My Renewed Suburban Home.” She showed a brief segment of the television show. It has run 11 times already and will run several more times this month.

Mr. Thompson – No Report.

Mr. Klepacz – He visited both Camp Funtastic sites, which are located at Greenmont and JFK Elementary.

Mr. Wanamaker – No Report.

Mr. Spolrich - No Report.

Mayor Patterson – Attended the Holiday at Home Media Event. On August 6, 2008 he attended the GM Task Force meeting to address concerns of the closure of the GM facility in Moraine. He attended the Cops Night Out event in the parking lot of the Government Center. On August 4, 2008 attended the Lesson is Legends put on by the Partners for Healthy Youth Board. The guest speakers were current and former coaches from the University of Dayton. He recently had the opportunity to welcome the Cemeterians to the City of Kettering at David’s Cemetery where they hosted their State Convention.

There being no further business to come before this meeting of the Kettering City Council, Mayor Patterson adjourned the meeting at 9:28 p.m.

ATTEST:

DONALD E. PATTERSON, MAYOR

Connie S. Gaw
Clerk of Council