

KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
August 11, 2009

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, August 11, 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: Mayor Patterson, Duke, Klepacz, Schrimpf, Spolrich, Thompson and Wanamaker

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 and thanked these volunteers for their assistance.

APPROVAL OF MINUTES

July 28, 2009 - 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

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 2009

Christy Ruffner, 1949 Courtland Ave.
Danny & Kelly Hollon, 2397 Ghent Ave.
Paul & Margaret Monnig, 3809 Robertann Dr.
Gregory & Linda Oldiges, 2308 Andrew Rd.
Mildred Stamper, 1200 Eldorado Ave.
James & Eula McDermott, 972 Shelton Dr.
Chae I Kelley, 1109 Carlo Dr.
James & Connie Pickrel, 3026 Ridgeway Rd.
Michael & Kathleen Howe, 4249 Barth Lane
John & Cynthia Stachler, 3100 Bellflower St.
Melanie Griesheimer, 1272 Central Park Ave.
Weber Jewelry, 3109 Far Hills Ave.

JULY 2009

Robin & Susan Snyder, 1200 Alta Vista Dr.
James & Hazel Fraley, 2817 Whitehorse Ave.
Julie Moon, 2358 Burning Tree Dr.
Jane Gulino, 2161 Broadbent Way
Nancy McKee, 2608 Oak park Ave.
Norman Osterday, 349 Rockhill Ave.
Lawrence & Theresa Arway, 4628 Sunray Rd.
John & Donna Speers, 912 Laurelwood Rd.
Robert & Hazel Baker, 1967 Tait Circle Rd.
Tonya Baker, 1804 Hillwood Dr.
Jane Lawson, 1424 Old Lane Ave.
Pinetree Apartments, 1266 Lytle 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.

PUBLIC HEARINGS

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION
NO: 8681-09
BY: MR. DUKE AND MRS. SCHRIMPF

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE KETTERING BOARD OF EDUCATION TO SHARE THE COST OF MAINTAINING THE SAFETY PROGRAM FOR ELEMENTARY STUDENTS/PEDESTRIANS FOR THE 2009-2010 SCHOOL YEAR

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

Mr. Schwieterman explained the City and the School Board share the cost of services for the Safety Supervisors in performing crossing guard duties and monitoring safe routes to elementary public schools.

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; 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: 8682-09
BY: MRS. SCHRIMPF AND MR. SPOLRICH

AUTHORIZING THE CITY MANAGER TO PREPARE AND SUBMIT AN APPLICATION TO PARTICIPATE IN THE OHIO PUBLIC WORKS COMMISSION ("OPWC") STATE CAPITAL IMPROVEMENT AND/OR LOCAL TRANSPORTATION IMPROVEMENT PROGRAM AND TO EXECUTE CONTRACTS AS REQUIRED TO PARTICIPATE IN THE PROGRAMS

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

Mr. Bergstresser explained the projects the City will be applying for include; Wilmington Pike Resurfacing – East Stroop Rd. to South Corporation Line; Dorothy Lane Repair Phase 1 – Bobbie Place to County Line Rd.; South Dixie Highway Surfacing (Phase 4) – Cardington to North Corporation Line and Woodman Drive & Research Blvd. Intersection Improvements.

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. Schrimpf, 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: 8683-09
BY: MR. SPOLRICH AND MR. THOMPSON

AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE OR MORE AGREEMENTS TO PURCHASE REAL PROPERTY INTERESTS LOCATED AT 2848 HAIG AVENUE FROM MINNIE WEST FOR PERMANENT AND TEMPORARY RIGHT OF WAY PURPOSES IN CONNECTION WITH THE EAST DOROTHY LANE AND WILMINGTON PIKE INTERSECTION IMPROVEMENTS, (CITY PROJECT NO. 02-102I, ODOT PID 81024)

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

Mr. Schwieterman explained the construction of this project is scheduled to begin in spring of 2010.

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; 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: 8684-09

BY: MR. THOMPSON AND MR. KLEPACZ

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO ENTER INTO ONE OR MORE CONTRACTS FOR THE MOT-DOROTHY LANE BRIDGE REPLACEMENT PROJECT (CITY PROJECT NO. 03-925B; ODOT PID NO. 61556)

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

Mr. Bergstresser explained the bridge to be replaced is located on East Dorothy Lane, east of Woodman Drive between Galewood Street and Sudbury Drive. Construction of this project is scheduled to begin later this year and continue through 2010.

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. Schrimpf, 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: 8685-09

BY: MR. KLEPACZ AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE CITY OF DAYTON FOR INCOME TAX SHARING

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

Mr. Schwieterman explained this resolution would allow Kettering to share 10% of the City's net income tax receipts from employees of the Community Blood Center's tissue operations located at the Miami Valley Research Park for a period not to exceed 5 years.

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; 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 EMERGENCY ORDINANCE
NO: 4133-09
BY: MR. DUKE AND MRS. SCHRIMPF

TO APPROPRIATE PROJECT PARCEL(S) "2CH" AND "2T" FOR THE DOROTHY LANE BRIDGE REPLACEMENT AND STREET IMPROVEMENT PROJECT AND TO DECLARE AN EMERGENCY.

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

Mr. Bergstresser explained a resolution declaring the necessity and intention of acquiring these parcels was approved at the July 14, 2009 meeting. This emergency ordinance to appropriate the parcels is necessary to ensure ODOT funding is not withdrawn and there is no increase to construction costs.

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; 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.

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT

Mr. Schwieterman, City Manager reported:

- IGS Energy Natural Gas Letter has been mailed to residents. Deadline to "Opt Out" is August 28, 2009.
- Taste of Kettering – September 3, 2009 from 5 – 9 p.m. at Lincoln Park Civic Commons.
- Volunteer Fire Fighter Recruitment & Community Event – September 5, 2009 from 11 a.m. – 1 p.m. at Town & Country Shopping Center.
- Applications are still being accepted for Neighborhood Pride. Deadline is August 15, 2009. For more information call 296-2433.
- Upcoming Frazee Schedule
- Neighborhood Public Park Meeting for State Farm Park – August 24, 2009 from 6 – 7:30 p.m. at the Kettering Recreation Center.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Communications and Reports

Audience Participation (5 Minute Limit Per Speaker)

Terry Atcheson, Skateworld of Kettering, E. David Rd. – On August 19, 2009, Skateworld of Kettering will be celebrating 35 years of roller-skating in the City of Kettering. She invited City Council and the community to join them on August 19th at 7:00 p.m. to celebrate their anniversary. She thanked the City of Kettering for being supportive of their business for the last 35 years.

Mayor Patterson expressed he will be at their celebration and planned on reading a proclamation in their honor that evening.

COUNCIL COMMITTEE REPORTS

Mr. Spolrich – Congratulated the Neighborhood Pride Winners. On August 5, 2009 he attended a social media and effective communications event in Centerville. He thanked Brian Long the current president of Holiday at home for the parking pass and for all his hard work this year. The Alterfest committee is in the process of putting their program together. He looks forward to this upcoming event. He congratulated Jessica Wench for being selected as a representative for the National Search Institute. He expressed condolences to the family of Tony Huesman. Mr. Huesman was the longest surviving heart transplant recipient.

Mr. Thompson – No Report.

Mr. Klepacz – On July 29, 2009 he attended the luncheon and tour at SICSA, in celebration of their 35th Anniversary. On July 30, 2009 he attended the Kroger Fresh Fare Grand Opening on E. Stroop Rd. On August 6, 2009 he attended a Neighborhood Watch Meeting. On August 9, 2009 he attended Art in the Commons. It was a well-attended event. On August 10, 2009 he attended the public meeting about Ernst Park. It was interesting to see the progress being made from input from citizens and staff. He is excited to see what the end result will be. He attended a ribbon cutting on August 11, 2009 for Special Occasion Party Supply on East Stroop Road.

Mr. Wanamaker – He expressed his condolences to the Huesman family. Tony was raised in Kettering and was an asset to this community. He loved to visit schools and educate the children about the importance of a healthy heart. He also encouraged organ donation. It was an honor to have known him

Mr. Duke – He expressed Tony Huesman was a great guy and will be greatly missed by his family and the community. The Kettering Leadership Academy Class is now full for next year.

Mrs. Schimpf – She stated her friends were going to ask Waste Management for an extra recyclable container. However, before they could call for one, their trash collector noticed they could use an extra container and left one for them. Kudos to Waste Management for being proactive. She urged citizens to view the City's website to find out what is going on with their neighborhood parks. There is a bike summit on Friday, August 14, 2009 at the University of Dayton. Additional information on this bike summit can be found on the Five Rivers Metro Parks website.

Mayor Patterson – At the Kroger Fresh Fare Grand Opening they had the Fairmont Band playing music. It was quite an event with a lot of people in attendance. On July 30, 2009 he was interviewed by MTV at the Skateboard Park. On August 9, 2009 he attended Art in the Park. It was a great event and well attended. Tony Huesman was always at school events talking to students about the importance of a healthy heart. Tony will be greatly missed. He expressed get-well wishes to Dave Eubank, the City's Law Director who recently had emergency surgery. He wished him a speedy recovery.

There being no further business to come before this meeting of the Kettering City Council, Mayor Patterson adjourned the meeting at 8:48 p.m.

ATTEST:

Connie S. Gaw
Clerk of Council

DONALD E. PATTERSON, MAYOR