

KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
August 25, 2009

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, August 25, 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, Klepacz, Schrimpf, Spolrich, Thompson and Wanamaker

Council Members Absent: Duke (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 Greger, Earl Jones and John Golub and thanked these volunteers for their assistance.

APPROVAL OF MINUTES

August 11, 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 six (6) 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 – State Representative Peggy Lehner – State Budget

State Representative Peggy Lehner updated Council about the State budget.

PRESENTATION – Board of Community Relations

Laura Arber, Board of Community Relations, invited Council to attend their 2nd Annual Community Event on September 12, 2009 from 11:00 a.m. – 1:00 p.m. at JFK Elementary School, 5030 Polen Drive.

APPOINTMENTS – Partners for Healthy Youth Advisory Board/Sarah Fathergill (Term Ending 12/31/11) and Carrie Hauser (Term Ending 12/31/11)

Mr. Spolrich made a motion to appoint Sarah Fathergill and Carrie Hauser to the Partners for Healthy Youth Advisory Board. Mrs. Schrimpf seconded this motion. The motion was approved by a unanimous vote.

PUBLIC HEARINGS

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION

NO: 8687-09

BY: MRS. SCHRIMPF AND MR. SPOLRICH

AUTHORIZING THE CITY MANAGER TO PURCHASE REAL PROPERTY INTERESTS IDENTIFIED AS PARCELS 60WD, 60T-1 AND 60T-3 IN CONNECTION WITH THE “MOT-DOROTHY LANE AND WILMINGTON PIKE INTERSECTION IMPROVEMENT PROJECT.”

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

Mr. Schwieterman explained this resolution will authorize the purchase of permanent and temporary right-of-way for the above parcels.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Schrimpf, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mr. Thompson, 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: 8688-09

BY: MR. SPOLRICH AND MR. THOMPSON

AUTHORIZING THE CITY MANAGER TO ACCEPT GRANT FUNDS FROM THE OHIO ARTS COUNCIL FOR GENERAL OPERATING SUPPORT OF ROSEWOOD ARTS CENTRE DURING THE PERIOD JULY 1, 2009 THROUGH JUNE 30, 2010

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

Mr. Schwieterman explained this resolution authorizes the City to approve a grant agreement in the amount of \$10,003.00.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson; Yea; Mr. Klepacz, Yea; Mr. Wanamaker, 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: 8689-09

BY: MR. THOMPSON AND MR. KLEPACZ

AUTHORIZING THE CITY MANAGER TO ACCEPT GRANT FUNDS FROM THE OHIO DEPARTMENT OF ALCOHOL AND DRUG ADDICTION SERVICES TO FUND THE KETTERING YOUTH COUNCIL AND TO CONTINUE EFFORTS OF THE CITY OF KETTERING HEALTHY YOUTH ADVISORY BOARD

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

Mr. Schwieterman explained this resolution authorizes the City to apply, accept and expend funds from a grant of \$28,929 offered by the Ohio Department of Alcohol and Drug Addiction Services. The purpose of this grant is to fund the Kettering Youth Council and to allow the 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. Schrimpf, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mr. Thompson, 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: 8690-09

BY: MR. KLEPACZ AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH DAY AIR CREDIT UNION TO CONTINUE THE HOME ENHANCEMENT LOAN PROGRAM ("HELP")

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

Mr. Schwieterman explained the HELP loan program provides an interest buy-down to eligible homeowners to finance major home improvements to their home.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, 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: 8691-09

BY: MR. WANAMAKER AND MRS. SCHRIMPF

AUTHORIZING THE CITY MANAGER TO SEEK PROPOSALS AND TO ENTER INTO ONE OR MORE CONTRACTS FOR A COMMUNICATION SYSTEM UPGRADE

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

Mr. Schwieterman explained this resolution will allow the City to seek proposals and contract for the communication system upgrade for both temporary and permanent upgrades to support the South Building renovation.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mrs. Schrimpf, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mr. Thompson, 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: 8692-09

BY: MRS. SCHRIMPF AND MR. SPOLRICH

AUTHORIZING THE CITY MANAGER TO SEEK PROPOSALS AND TO ENTER INTO ONE OR MORE CONTRACTS FOR MATERIALS AND SERVICES TO IMPROVE EXISTING CITY FACILITIES FOR USE AS TEMPORARY OFFICE SPACE DURING RENOVATION OF THE SOUTH BUILDING

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

Mr. Schwieterman explained this resolution will allow for contracts for the temporary space needs to support the South Building Renovation and will permit the Facilities Department to improve space in the Courts Building, in Building #2 at Kettering Business Park and at other existing City buildings in order to have temporary space for the City Administration while the South Building is under construction.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, 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: 8693-09

BY: MR. SPOLRICH AND MR. THOMPSON

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, 2009

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

Mr. Schwieterman explained this resolution authorizes the appropriation of monies related to the HELP Program and the acceptance of the Healthy Youth Grant and the ODADAS Grant monies.

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

- School is now open. Keep our children safe and slow down in school zones.
- Water Rave Park farewell Party – Sunday, August 30, 2009 from 6:30 – 8:30 p.m. Free and open to the public.
- “The Taste” event is Thursday, September 3, 2009 from 5:00 – 9:00 p.m. at Lincoln Park Civic Commons. Tickets are \$20.00 in advance or \$25.00 the day of the event.
- Volunteer Firefighter Recruitment Event – Saturday, September 5, 2009 from 11:00 – 1:00 at Town & Country Shopping Center
- Frazee update.
- Commended the Police Department for completing the CALEA Certification process.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Communications and Reports

Audience Participation (5 Minute Limit Per Speaker)

Mike Barnett, 4765 Wilmington Pike. – In the past he tried to put a bigger garage onto his house and the City would not allow it. Recently he has been working with a contractor to put living space on top of his garage. Now City Planners have told him that he can't do that. He feels that City Council is operating on bad faith with him. They revised the code so he could not have what he requested. He will get his garage. He gets what he wants. He will not ever vote for anyone on this City Council because they bargain in bad faith.

Ed Rosengarden, 2615 Delmonte Ave – He is here to represent AMVETS this evening. On September 11, 2009 they are having their First Responder meals all day long. He invited all the Police, Fire and EMS to stop by the post between 7:00 a.m. and 7:00 p.m. The AMVETS have moved and are now located on Patterson Road next to Dots Supermarket. Their Grand-Reopening celebration is scheduled for September 16, 2009 at 6:00 p.m.

Ashley Webb, 321 S. Bromfield Road – He is a candidate for City Council. The purpose of his visit this evening was to discuss the MVCC natural gas aggregation program. After Council approved Kettering's participation in the MVCC program he went to the PUCO website to make comparisons on pricing. He then called Ohio Natural Gas to find out what their bid was for the MVCC aggregation deal and found that they were never contacted for a bid. Ohio Natural Gas indicated they would like to have been included in the bidding. Mr. Webb then contacted the MVCC Director to find out how the agreement was put together and ask why Ohio Natural Gas was not contacted to bid the project. He found out that MVCC had contracted with AMPO, a taxable non-profit based in Columbus that had done the price negotiations. AMPO recommended IGS but did not provide any backup information regarding which companies they had contacted. PUCO stated there are no regulations of the bidding process for aggregation

deals and no requirement to seek multiple bids. Ohio Natural Gas is now offering a 5 cent discount off of Vectren's standard pricing and will send each new customer a \$25.00 Visa Gift Card after their first 30 day billing cycle.

COUNCIL COMMITTEE REPORTS

Mrs. Schrimpf – On August 18, 2009 she attended the ribbon cutting for Lake Business Products. She congratulated them and welcomed them to Kettering. She attended the Christ United Methodist Health Fair on August 22, 2009. She expressed good luck to all the Kettering school children that just started a new school year today.

Mr. Spolrich – He congratulated all the parents and children throughout the community that are library champions. We Care Arts were just awarded a \$3,000 grant from the Dana and Christopher Reeves Foundation. The money will be used to purchase art supplies. The recent Have a Heart fundraiser raised \$8,300 for kids to go to summer camp and events. He expressed the Holiday at Home committee would like to invite everyone to the Holiday at Home Ball on September 5, 2009 at the Mandalay Banquet Center. It is open to the public. On August 17, 2009 the Partners for Healthy Youth Advisory Board will be holding a planning retreat at Polen Farm.

Mr. Thompson – He thanked State Representative Peggy Lehner for coming to the meeting this evening to discuss the State's budget. School started today and he asked citizens to please watch out for the children while driving.

Mr. Wanamaker – He reminded citizens that the football game, Alter vs. Fairmont is this Friday night.

Mayor Patterson – The Holiday at Home Media Reception was a great event. It was nice to meet with the queen and her court and all the Holiday at Home volunteers. He attended a ribbon cutting at Woodlane Plaza for their re-grand opening and renovation. There is only one vacancy in this shopping center. He attended the Lake Business Products ribbon cutting and welcomed them to the Kettering community. He attended the 35th Anniversary celebration for Skateworld of Kettering. He had a nice conversation with both the past and present owners. On August 20, 2009 he attended the Kettering Fairmont Spirit Chain meeting. Proceeds earned this year will go to Habitat for Humanity, who is building their first home in Kettering and the Backpack to Go Program. On August 20 he attended the K.A.B.C. Annual Dinner. On August 24, 2009 he attended the ribbon cutting for the new RTA transit facility. This morning he attended the Kettering Medical Center Community Retreat. He congratulated Chief O'Dell regarding CALEA certification. He urged citizens to attend the upcoming Holiday at Home events over the Labor Day weekend. He congratulated Mrs. Schrimpf and Mr. Spolrich who's petitions were certified to run for City Council.

There being no further business to come before this meeting of the Kettering City Council, Mayor Patterson adjourned the meeting at 8:45 p.m.

ATTEST:

DONALD E. PATTERSON, MAYOR

Connie S. Gaw
Clerk of Council