

KETTERING CITY COUNCIL  
REGULAR MEETING MINUTES  
August 26, 2008

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, August 26, 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, Earl Jones and John Golub. He thanked these volunteers for their assistance.

Mayor Patterson asked for a motion to amend this evening's agenda. Mr. Duke moved to add a Resolution No. 6 to the agenda. Mrs. Lehner seconded this motion and the motion was declared carried by a majority roll call vote.

Mayor Patterson then reported that retired Police Officer, Robert L Altick recently passed away. Officer Altick was a Kettering Police Officer for 25 years from 1969 until he retired in 1993. He served the City well and will be greatly missed. He expressed condolences to all of his family.

#### APPROVAL OF MINUTES

August 12, 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

##### APPOINTMENT – Partners for Healthy Youth Advisory Board – Evan Ablu (Term Ending 12/31/10)

Mr. Duke made a motion to appoint Evan Ablu to the Partners for Healthy Youth Advisory Board. Mrs. Lehner seconded this motion. The motion was approved by a unanimous roll call vote.

#### PUBLIC HEARINGS

To amend Section 1151 and other sections of the Codified Ordinances of the City of Kettering so as to establish care facilities as a conditional use in certain zoning districts within the City.

Mayor Patterson opened the Public Hearing.

Mr. Tom Robillard, Planning and Development Director gave the presentation. He reported that staff identified several areas of the Code that need to be updated related to group and family care homes. He showed a power point presentation showing the recommended amendments to the Codified Ordinances. He explained the recommended provisions are in keeping with sound planning, zoning and legal practices and are in the best interest of the public. It will also satisfy the public health, safety and welfare requirements underlying the Kettering Zoning Code.

Mr. Thompson asked who would license the care facilities to operate.

Mr. Robillard replied that there are different agencies in both County and State. Some would be regulated by non-profit organizations.

Mr. Spolrich stated this change is a good move for the City of Kettering.

Mayor Patterson then asked for public comments. None were heard.

There being no further discussion, Mayor Patterson closed the public hearing and advised that Council would render a decision at the September 9, 2008 Council Meeting.

ORDINANCES IN SECOND READING

AN ORDINANCE  
NO. 4106-08  
BY: MR. DUKE AND MRS. LEHNER

TO AMEND THE TRAFFIC CONTROL MAP AND THE TRAFFIC CONTROL FILE FOR 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 MONTPELIER DRIVE; AND  
STOP – ON WITHERSPOON DRIVE AT JAMES MADISON TRAIL SOUTH

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. 4107-08  
BY: MRS. LEHNER AND MR. SPOLRICH

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

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.

RESOLUTIONS

A RESOLUTION  
NO: 8492-08  
BY: MR. SPOLRICH AND MR. THOMPSON

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 2008-2009  
SCHOOL YEAR

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

Mr. Schwieterman explained this agreement will allow for the sharing of costs to maintain the Engineering Department-Safety Sections services for crossing guard functions and transportation safety at the elementary schools for the school year 2008-2009.

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: 8493-08

BY: MR. THOMPSON AND MR. KLEPACZ

TO AUTHORIZE AND APPROVE AN ENTERPRISE ZONE AGREEMENT  
WITH REYNOLDS & REYNOLDS COMPANY

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

Mr. Gorsuch explained this legislation will allow the City to enter into an agreement with the Reynolds & Reynolds Company. They have requested a 5-year, 25 percent tax abatement for real property located at 1 Reynolds Way. Reynolds is proposing to build a new 15,000 square foot Data Center facility. Reynolds will spend approximately \$20 million on the new facility and plan to hire a minimum of eight new full time equivalent employees. They will begin construction in December of 2008.

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

TO AMEND SECTION 1151 AND OTHER SECTIONS OF THE CODIFIED  
ORDINANCES OF THE CITY OF KETTERING SO AS TO ESTABLISH CARE  
FACILITIES AS A CONDITIONAL USE IN CERTAIN ZONING DISTRICTS  
WITHIN THE CITY.

Mr. Wanamaker read the above ordinance in first reading. The ordinance will appear on the September 9, 2008, Council meeting agenda for second reading.

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT

Mr. Schwieterman, City Manager reported:

Mr. Schwieterman introduced the new Public Service Director, Tom Glardon. He welcomed him to the City.

Mr. Glardon stated he is excited to work for the City of Kettering and appreciates the opportunity.

Mr. Schwieterman updated Council on community events.

- Welcome Hyleas Fountain, Silver Olympic Medalist.
- August 28, 2008 Kettering Kiwanis Police Officer of the Year Award - Sergeant Mike Gabrielson.
- Holiday at Home – August 31 and September 1, 2008
- AlterFest – August 30, 31 and September 1, 2008
- Frazee Pavilion – Rusty Griswolds – September 2, 2008
- Taste of Kettering – September 4, 2008 at the Lincoln Park Civic Commons
- Italian Fall Festival – September 5 –7, 2008
- Public Hearing/Pondview Park – Polen Farm on September 10, 2008 at 6:00 p.m.

Mr. Schwieterman urged citizens to attend these events and enjoy our community.

#### OTHER BUSINESS NOT ON WRITTEN AGENDA

##### Communications and Reports

##### Audience Participation (5 Minute Limit Per Speaker)

Joseph Koussa, 1537 Beaver Creek Lane - He asked God to keep an eye on all of the military men and women throughout the world fighting for our safety and freedom. He prays for their safe return. We have already lost over 4,000 soldiers. This war should not have even been started. God Bless America.

Earl Jones, 17 Storms Road – He recently visited Newport News, Virginia. While he was there he saw their new police headquarters. He showed Council pictures of the building stating it was one of the nicest police departments he has ever seen.

#### COUNCIL COMMITTEE REPORTS

Mr. Thompson – No Report.

Mr. Klepacz – He expressed sympathy to Oakwood's Mayor Judy Cook on the loss of her husband Orval. She is in his thoughts and prayers.

Mr. Wanamaker – Reported on September 12, 2008 AMBUCS will hold their Chili Cook-Off at Polen Farm. Twenty-Five area restaurants are participating. Tickets are \$15.00 in advance or \$20.00 at the door. All proceeds will benefit children in the Kettering area with disabilities. Last year they purchased 10 Amtrykes for Kettering Schools and gave scholarships for children at Camp Discovery. He congratulate past Mayor Marilou Smith and her husband Tom on their 60<sup>th</sup> wedding anniversary. He extended sympathy to the family of Bob Altick. He was an outstanding man and Police Officer.

Mr. Duke – He is proud to report they have a very strong Leadership Academy Class this year. Their retreat will be held on September 7 and 8, 2008.

Mrs. Lehner – Her sympathies go out to Mayor Judy Cook on the loss of her husband Orval. She congratulated Marilou and Tom Smith on their 60<sup>th</sup> wedding anniversary. She expressed the importance of children wearing bicycle helmets. Last week a Centerville girl was hit and survived because she was wearing a helmet. If your children don't have helmets, please get them one.

Mr. Spolrich - Stated the Contact with Kettering has a great cover story describing the upcoming bond levy issue. The fall leaf pick-up schedule is also in it. This is the issue you should keep. Kettering Health Network recently sent out a publication outlining programs they have that are free or of little cost. In his Council packet he received information about the Frazee. Over 85,000 people have participated in paid events at the Frazee so far this year. It is a great way to promote our City. Kettering Holiday at Home Coronation Ball is August 30, 2008 at 6:00 p.m. at the Mandalay Banquet Center. If citizens are interested in attending they can contact Carrie Kihn at 298-2537. The Ball is open to the public.

Mayor Patterson – Expressed condolences to the Altick and Cook families for the loss of their loved ones. His thoughts and prayers are with them. He congratulated Marilou and Tom Smith on their 60<sup>th</sup> wedding anniversary. Olympic Silver Medalist Hyleas Fountain was welcomed home today. Unfortunately, he was not able to meet her at the airport. No one was sure what time she was coming in today and when they got the call, it was only about a fifteen-minute notice and he couldn't make it there in time. She will be in the Holiday at Home Parade this weekend. He congratulated Hyleas for all of her accomplishments. A celebration is planned for Hyleas on Thursday at 3:00 p.m. at Home Depot on Wilmington Pike. On August 13, 2008 he participated in the ongoing discussion for the County Finance Committee and Long Range Planning. On August 18, 2008 he attended the Walk and Roll event at Southdale Park. On August 19, 2008 he attended the promotion ceremonies for six new Kettering Fire Captains. He congratulated them on their achievements. On August 20, 2008 he attended a ribbon cutting at L & M Storage on Woodman Drive. He wished them much success. On August 20, 2008 he attended two meetings about the GM facility. On August 20, 2008 he attended the Alter/Fairmont pep rally at the Frazee. It was great kick-off for the football game. On August 21, 2008 he represented Kettering at the Kettering Medical Center Strategic Planning Session. On August 21, 2008 he attended the KABC Annual Baseball/Softball Awards. On August 22, 2008 he attended the Montgomery County Economic Forum.

There being no further business to come before this meeting of the Kettering City Council, Mayor Patterson adjourned the meeting at 8:32 p.m.

ATTEST:

Connie S. Gaw  
Clerk of Council

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DONALD E. PATTERSON, MAYOR