

KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
July 8, 2008

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, July 8, 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, Spolrich and Wanamaker

Council Members Absent: Thompson (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. He thanked these volunteers for their assistance.

APPROVAL OF MINUTES

June 17, 2008 Special Meeting and Workshop Minutes

June 24, 2008 Regular and Workshop Meeting Minutes

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

Mayor Patterson asked for a motion to remove the Executive Session from the agenda. Mr. Spolrich made a motion to remove the Executive Session from the agenda. Mr. Duke seconded that motion. Motion was approved by a unanimous roll call vote.

PROCLAMATIONS, SPECIAL PRESENTATIONS, AWARDS, SPECIAL RESOLUTIONS, APPOINTMENTS TO BOARDS AND COMMISSIONS

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION
NO: 8471-08
BY: MR. DUKE AND MRS. LEHNER

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO CONTRACT FOR THE EAST DAVID ROAD – FAR HILLS AVENUE TO THE PROPERTY KNOWN AS “WING” – ROADWAY IMPROVEMENT PROJECT (CITY PROJECT NUMBER 02-116K)

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

Mr. Schwieterman explained this project involves the repair and resurfacing of East David Road from Far Hills Avenue to the WING Radio Station.

There being no discussion on the motion, the following votes were recorded Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Lehner, 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: 8762-08
BY: MRS. LEHNER AND MR. SPOLRICH

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE BOARD OF COMMISSIONERS OF MONTGOMERY COUNTY, OHIO FOR WATER MAIN WORK TO THE CIRCLE VIEW DRIVE BRIDGE REPLACEMENT PROJECT (CITY Project Number 02-272BA)

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

Mr. Schwieterman explained Montgomery County Sanitary Engineering will install a new 8" water main under the proposed new bridge on Circle View Drive as part of the Bridge Replacement Project.

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; 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: 8473-08
BY: MR. SPOLRICH AND MR. KLEPACZ

TO APPOINT AND ESTABLISH A SECTION 163 COMMITTEE

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

Mr. Schwieterman reported the Ohio Revised Code has established new procedures that municipalities must follow when real property is appropriated. Part of these new procedures permits the owner of the property to appeal and/or object to the City Council the decision to appropriate the property. This resolution will establish a Section 163 Committee to hear and decide all such appeals and objections to appropriation of property. The committee's decision will be final.

There being no discussion on the motion, the following votes were recorded: Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Lehner, 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: 8474-08
BY: MR. KLEPACZ AND MR. WANAMAKER

AUTHORIZING THE ACCEPTANCE OF A \$500 GRANT FROM THE OHIO DEPARTMENT OF NATURAL RESOURCES

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

Mr. Schwieterman reported this will allow the City to accept a \$500.00 grant from the Ohio Department of Natural Resources for the Fishing Derby program.

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; 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: 8475-08
BY: MR. WANAMAKER AND MR. DUKE

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR THE PURCHASE OF GPS MAPPING SOFTWARE AND ASSOCIATED EQUIPMENT FOR THE REMODELED PUBLIC SAFETY COMMUNICATIONS CENTER

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

Mr. Schwieterman explained this mapping software will work with the Power 9-1-1 system to show locations of police cruisers as well as citizens making phone calls to the 9-1-1 line. Funding will be provided through wireless 9-1-1 government assistance funds.

There being no discussion on the motion, the following votes were recorded: Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Duke, Yea; Mrs. Lehner, 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: 8476-08
BY: MR. DUKE AND MRS. LEHNER

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

Mr. Schwieterman explained this resolution allowed for appropriations from the general fund to the capital improvement fund for the Iron Horse Bikeway Project and from the capital improvement fund for street resurfacing.

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; 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:

Skateboard Competition – will be held this Sunday, July 13, 2008 from 10:00 a.m. to 2:00 p.m. at the Skate Park. MTV will also wrap up their taping at this event.

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

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

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

OTHER BUSINESS NOT ON WRITTEN AGENDACommunications and ReportsAudience 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. He attended the fireworks celebration at Delco Park. As he watched the fireworks he thought of all the military men and women fighting for our safety and freedom throughout the world and salutes all of them. He hopes they all will be celebrating the 4th with us next year. He is proud of them, God Bless America. He came to the meeting by bus this evening to save gasoline and is very concerned about gas prices. If something is not done our country will be in even worse shape 10 years from now. Americans need to start buying American made products and save our jobs. He hates NAFTA.

Matt Hammond, 5386 Mallet Club Drive – He attended the 4th of July firework celebration at Delco Park over the weekend. He is fostering a service-training dog and was denied access by the Police. He has done research and legally service-training dogs are permitted and he should not have been turned away. He is very concerned and would like to find out from Council if this is City policy.

Mayor Patterson asked Mr. Hammond to talk with Mr. Schwieterman in more detail after the meeting. The City wishes to respect people with disabilities and he feels Mr. Schwieterman may need to get more clarification from the Police Department. He thanked Mr. Hammond for bringing this to Council's attention.

Ed Rosengarten, 2615 Delmonte Avenue – He is the Commander of the AMVETS Post in Kettering. Last year they began the annual First Response Event for Police, Fire, and Emergency Workers. This year the event will be held at the American Legion Post on Kentshire Drive. He will be giving Council additional information regarding the date and times for this event.

Norman Ruppert, 351 E. Social Row Rd. – He is with Dayton Power & Light and came this evening to let citizens know about a new pricing program called Green Connect. By participating in this program customers can benefit in renewable energy. Additional information can be found on the DP&L website (click on the "Green Connect" icon) or by calling 331-3900 or 1-800-433-8500.

COUNCIL COMMITTEE REPORTS

Mr. Duke – Attended Dave Bunn's retirement party last week. Mr. Bunn was the City's Plumbing Inspector for many years. He wished him well. He commended City staff, Police and the many volunteers for a job well done at the Go 4th event. It was one of the largest crowds the City has ever had. It was a great event.

Mrs. Lehner – No Report.

Mr. Spolrich – No Report.

Mr. Klepacz – No Report.

Mr. Wanamaker – No Report.

Mayor Patterson – Commended the Frazee staff for doing such a great job this year. The Frazee Pavilion is a great asset to the Kettering community. He expressed kudos to all those that worked and attended the Go 4th event. It was another great year.

Mr. Schwieterman advised Council there might possibly be a Special Council Meeting on July 16, 2008 regarding approval of resolutions for the Bond Levy. The decision for a meeting has not been made at this time. He will let Council know if a meeting is necessary.

There being no further business to come before this meeting of the Kettering City Council, Mayor Patterson adjourned the meeting at 8:29 p.m.

ATTEST:

Connie S. Gaw
Clerk of Council

DONALD E. PATTERSON, MAYOR