

KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
June 10, 2008

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, June 10, 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.

APPROVAL OF MINUTES

May 27, 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

PUBLIC HEARINGS

PUBLIC HEARING - Providing for the vacation of two segments of Snowhill cul-de-sac public right-of-way.

Mr. Tom Robillard Planning and Development Department reported this request is to vacate a portion of right-of-way at the new terminus of Snowhill Avenue. He showed a site plan of the area. Lot # 9 in the Charlotte Gardens Plat would be replatted to allow for a change in the approved cul-de-sac design of Snowhill Avenue. The use of a "T" turnaround would be coordinated with the driveway that would access a new home. This minor change to the original plat requires City Council approval to vacate a 0.011-acre segment and a 0.035-acre segment of the original 100' diameter cul-de-sac.

Mayor Patterson asked for questions from Council. None were heard.

ORDINANCES IN SECOND READING

AN ORDINANCE
NO: 4103-08
BY: MR. DUKE AND MRS. LEHNER

TO LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTION AND RECONSTRUCTION OF CONCRETE SIDEWALKS, CURBS, GUTTERS AND DRIVEWAY APPROACHES, TOGETHER WITH THE NECESSARY APPURTENANCES, FOR THE 2007 SIDEWALK REPAIR PROGRAM (PROJECT NUMBER 05-107)

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.

RESOLUTIONS

A RESOLUTION
NO: 8451-08
BY: MRS. LEHNER AND MR. SPOLRICH

DIRECTING THE CITY ENGINEER TO PREPARE AND FILE
RENEWED, RECALCULATED, AMENDED AND/OR CONSOLIDATED
ASSESSMENTS FOR STREET LIGHTING

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

Mr. Schwieterman reported the assessment rates are the same as they were in 2007. The list of assessments will be on file in the Office of the Clerk of Council and shall be advertised twice in the legal ad section of the Kettering Oakwood Times.

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: 8452-08
BY: MR. SPOLRICH AND MR. THOMPSON

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO
CONTRACT FOR THE INSTALLATION OF A NEW TRAFFIC SIGNAL AT
THE SOUTHERN BOULEVARD AND BLOSSOM HEATH ROAD AND THE
EXTENSION OF THE FIBER OPTIC INTERCONNECT CABLE (PROJECT
NUMBER 02-142H)

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

Mr. Schwieterman explained the intersection of Southern Boulevard and Blossom Heath Road is a main access for the Kettering Medical Center's Emergency Room and provides further access for the existing and proposed parking lots. The installation of this new traffic signal is based on a traffic study. The extension of the fiber optic cable is necessary to make the proposed traffic signal a part of the Kettering Area Responsive Traffic System.

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: 8453-08
BY: MR. THOMPSON AND MR. KLEPACZ

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND
CONTRACT FOR THE CIRCLEVIEW DRIVE BRIDGE REPLACEMENT
PROJECT (PROJECT NO. 02-272BA)

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

Mr. Schwieterman explained this project involves the replacement of the existing bridge structure with a new box culvert bridge on Circleview Drive. The bridge will be replaced using CDBG funds.

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: 8454-08

BY: MR. KLEPACZ AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO ACCEPT A GRANT FROM THE GREATER DAYTON REGIONAL TRANSIT AUTHORITY ("RTA") IN THE AMOUNT OF \$23,360.00

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

Mr. Schwieterman explained this resolution will allow the City to accept a grant to fabricate and install two bus stop shelters, 5 benches and 7 trashcans at various locations throughout Kettering.

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: 8455-08

BY: MR. WANAMAKER AND MR. DUKE

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO PURCHASE A SEWER JET FOR THE STREET DEPARTMENT OR, AS AN ALTERNATIVE, TO PURCHASE SAID SEWER JET THROUGH AN APPROVED COOPERATIVE PURCHASING PROGRAM

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

Mr. Schwieterman explained this resolution will allow for the purchase of a new sewer jet for the Street Department. This piece of equipment is used to clean and clear clogged storm lines. The current machine is beyond further repairs.

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: 8456-08

BY: MR. DUKE AND MRS. LEHNER

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES AND TO ENTER INTO ONE OR MORE CONTRACTS FOR MEDICAL, DENTAL, AND LIFE INSURANCE FOR THE EMPLOYEES OF THE CITY OF KETTERING, KETTERING MUNICIPAL COURT AND THE OFFICE OF THE CLERK OF THE KETTERING MUNICIPAL COURT

Mr. Duke read the above resolution 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 resolution duly adopted.

A RESOLUTION

NO: 8457-08

BY: MRS. LEHNER AND MR. SPOLRICH

AUTHORIZING THE CITY MANAGER TO FILE AN APPLICATION WITH THE MONTGOMERY COUNTY SOLID WASTE DISTRICT FOR GRANT FUNDS IN THE AMOUNT OF \$20,667.31

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

Mr. Schwieterman explained this resolution will allow for City to apply for and accept grant funds from Montgomery County Solid Waste District.

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: 8458-08

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, 2008

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

Mr. Schwieterman explained this resolution will allow for the appropriations of monies from the General Fund, Public Service – Streets Maintenance Fund, Frazee Pavilion Fund, RTA Grant, and the Montgomery County Incentive Grant.

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.

Mayor Patterson expressed that during the Public Hearing he neglected to ask for public comments. He 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 June 24, 2008 Council Meeting.

ORDINANCES IN FIRST READING

AN ORDINANCE

PROVIDING FOR THE VACATION OF TWO SEGMENTS OF SNOWHILL

Mr. Thompson read the above Ordinance in first reading. The Ordinance will appear on the June 24, 2008, Council meeting agenda for second reading.

CERTIFICATIONS AND PETITIONSMANAGER'S REPORT

Mr. Mark Schwieterman, City Manager reported:

Clean Sweep Program – is this Saturday, June 14, 2008 at the Public Service facilities on Acorn Drive from 1:00 – 4:00 p.m. He is very excited about this new program.

Skate Plaza – MTV will be on site over the next six weeks with their production crew to film at this site. The skate plaza will remain open during filming.

He then turned the meeting over to staff for presentations.

Tom Robillard, Planning & Development Director gave an update on Property Maintenance. Last year the Property Maintenance Task Force went through a process to identify property maintenance concerns in the Kettering community. Staff has seen a fairly large increase in citizen complaints and has done a great job getting the word out that property maintenance is important. He went over the inspection numbers from this year versus last year.

Council indicated they would like to see a more in-depth report at a future Council meeting. They thanked Mr. Robillard for his presentation.

MaryBeth Thaman, Parks, Recreation & Cultural Arts Director gave a presentation about putting the soon to be expired Parks Bond Levy back on the ballot in November. A survey was completed and citizens felt that improving physical health and fitness, providing healthy and positive alternatives for youth and making Kettering a more desirable place to live is important to their households. Most (74%) were willing to support a renewal of the bond levy with no additional taxes. If Council is in favor this issue could go on the November 4, 2008 ballot. An architectural firm will be hired to review existing facility needs.

Council thanked Ms. Thaman for her presentation.

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 has been attending City Council meetings for eight years. He was born and raised in Lebanon and came to the United States in 1966. In 1971 he became a citizen of this great country. He wakes up every morning proud to be an American citizen. He asks every morning what he can do for this Country today. God Bless America. Happy Fathers Day.

COUNCIL COMMITTEE REPORTS

Mr. Thompson – No report.

Mr. Klepacz – Thanked members of the Board of Community Relations for planning the community celebration event at Kennedy Elementary this past weekend. The weather was not favorable, but it was still well attended.

Mr. Wanamaker – Reported the leaf mulch program is going very well. Sidewalk repairs began this week in Southern Hills. The construction for the Whipp Road project should begin in approximately one month.

Mr. Duke – The Kettering Leadership Academy is accepting applications. If interested please contact the Volunteer or Council Office for an application. He reminded citizens that Spass Nacht is June 18, 2008 at the Lincoln Park Civic Commons. Festivities are from 5:00 – 9:00 p.m. He urged all to attend.

Mrs. Lehner – Attended a going away party for Nan Buherer at the Lathrem Senior Center. She was a great asset to the Kettering staff and will be greatly missed.

Mr. Spolrich – Is impressed with the sense of patriotism that Mr. Koussa has to wake up every morning and wonder what he can do for this country.

Mayor Patterson – Attended the Community Block Party at Lincoln Park Civic Commons and heard a fine performance by Fairmont Band. He visited a sixth grade classroom at Prass Elementary to talk to students about becoming leaders in our community. On June 1, 2008 he presented a proclamation to Father Tom Beishel at St. Albert's Church. Father Beishel was celebrating his retirement, 82nd birthday and 50 years as an ordained Priest. Later that afternoon Mayor Patterson attended Fairmont High School Baccalaureate at St. Charles. It was nice to see all the 2008 graduates. On June 2, 2008 he attended a ribbon-cutting event at Tenneco. He welcomed their 400 plus employees to the City of Kettering. On June 7, 2008 he attended the Community Event at Kennedy Elementary. It rained but everyone still had a great time. He congratulated the Board of Community Relations for a successful event.

At 8:50 p.m. Mayor Patterson asked for a motion to go into executive session pursuant to Section 121.22 of the Ohio Revised Code for the purposes of consideration of the appointment, promotion, employment, and/or compensation of a public employee or public official. A motion was made by Mr. Duke and seconded by Mr. Spolrich. The motion was unanimously approved.

At 9:20 p.m. Mr. Spolrich made a motion for City Council to come out of executive session and open into regular session. Mr. Klepacz seconded this motion. The motion was unanimously approved.

There being no further business to come before this meeting of the Kettering City Council, Mayor Patterson adjourned the meeting at 9:21 p.m.

ATTEST:

Connie S. Gaw
Clerk of Council

DONALD E. PATTERSON, MAYOR