

KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
June 24, 2008

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, June 24, 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

April 25 & 26, 2008 – Council Retreat Minutes
June 10, 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

PROCLAMATION – Parks and Recreation Month – July 2008

Mr. Spolrich read the above Proclamation. Mayor Patterson stated this Proclamation would be sent to the Parks and Recreation Department for display in the Kettering Recreation Center throughout the month of July.

ORDINANCES IN SECOND READING

AN ORDINANCE
NO: 4104-08
BY: MR. DUKE AND MRS. LEHNER

PROVIDING FOR THE VACATION OF TWO SEGMENTS OF
SHOWHILL CUL-DE-SAC PUBLIC RIGHT –OF-WAY

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: 8461-08
BY: MRS. LEHNER AND MR. SPOLRICH

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE
BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR THE

RESEARCH PARK STREETLIGHT REPLACEMENT PROJECT, CITY
PROJECT NUMBER 07-200DA

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

Mr. Fullencamp explained the streetlights are in need of repair in Research Park. This project will replace the poles that are an impending safety hazard this year, and a phased replacement of all the streetlights in Research Park will be budgeted over the next 5 years.

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: 8462-08

BY: MR. SPOLRICH AND MR. THOMPSON

AUTHORIZING THE CITY MANAGER TO ENTER INTO ONE OR MORE
AGREEMENTS TO PROVIDE A COMMUNITY OUTREACH
COORDINATOR TO THE OAK CREEK AREA

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

Mr. Fullenkamp explained this legislation will allow the City to enter into agreements associated with the Oak Creek Area for a Community Outreach Coordinator.

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: 8463-08

BY: MR. THOMPSON AND MR. KLEPACZ

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND
CONTRACT FOR THE FAR HILLS AVENUE SIDEWALK – MARCHESTER TO
SOUTHMOOR CIRCLE – PROJECT, CITY PROJECT NUMBER 05-201C

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

Mr. Fullenkamp explained this project will involve the construction of a concrete sidewalk along the west side of Far Hills Avenue from Marchester Drive to Southmoor Circle southwest, in order to enhance the pedestrian accessibility along this section of Far Hills Avenue.

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: 8464-08

BY: MR. KLEPACZ AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO ADVERTISE FOR BIDS AND TO
CONTRACT FOR THE COMMONS WAY PAVER REPLACEMENT PROJECT,
CITY PROJECT NUMBER 06-120i

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

Mr. Fullenkamp reported this project will involve the replacement of the existing concrete pavers on Commons Way, between eastbound and westbound Lincoln Park Blvd. The existing pavers have reached the end of their useful life, and will be replaced with more durable clay pavers.

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: 8465-08
BY: MR. WANAMAKER AND MR. DUKE

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE OHIO DEPARTMENT OF TRANSPORTATION ("ODOT") TO ALLOW THE CITY TO SERVE AS RESPONSIBLE LEAD AGENCY FOR ADMINISTRATION OF THE DELAINE AVENUE – ROCKHILL TO CUSHING – SAFE ROUTES TO SCHOOL INFRASTRUCTURE PROJECT (PROJECT NUMBER 02-231B; ODOT PROJECT D07 SRTS MOT DELAINE AVENUE, PID 84118)

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

Mr. Fullenkamp explained this project will involve the construction of curbs and sidewalks, handicap ramps, storm sewer, and asphalt resurfacing of this section of Delaine Avenue to enhance the safety of pedestrians walking to and from Fairmont High School. Construction is scheduled for 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: 8466-08
BY: MR. DUKE AND MRS. LEHNER

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES AND TO CONTRACT FOR THE PURCHASE OF COMPUTER SOFTWARE AND HARDWARE FOR THE TAX DIVISION

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

Mr. Fullenkamp reported the current has been in place since 1995 and the software provider is not producing software updates or modifications for this version. The new software will be a Windows based package that will provide for process improvements. Software and procedural changes necessitate replacement of the server and some other hardware.

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: 8467-08
BY: MRS. LEHNER AND MR. SPOLRICH

AUTHORIZING THE CITY MANAGER TO ACCEPT FUNDS FROM THE
KETTERING PARKS FOUNDATION FOR OPERATION OF THE CAMP
FUNTASTIC PROGRAM

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

Mr. Fullenkamp reported the Kettering Parks Foundation received a donation for the Camp Funtastic Program for the operation of this camp.

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: 8469-08
BY: MR. THOMPSON AND MR. KLEPACZ

AUTHORIZING THE ACCEPTANCE OF A 2007-2008 \$2,800.00 FIRE
DEPARTMENT REPORTING GRANT FROM THE OHIO STATE FIRE
MARSHAL'S OFFICE

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

Mr. Fullenkamp reported this grant will be used to purchase two computers for the Fire Department.

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: 8470-08
BY: MR. KLEPACZ AND MR. WANAMAKER

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

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

Mr. Fullenkamp reported this resolution will allow for the appropriations of monies from the General Fund, the Special Grants and Programs Fund and from the Capital Improvement Fund.

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.

ORDINANCES IN FIRST READING

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT

Mr. Fullenkamp, Assistant City Manager reported:

Go 4th Celebration – is soon approaching and it promises to be another great year. Festivities begin at Delco Park on July 4, 2008 at 6:30 p.m. with fireworks at 9:45 p.m.

OTHER BUSINESS NOT ON WRITTEN AGENDACommunications and ReportsAudience Participation (5 Minute Limit Per Speaker)

Ray Mitchell, 259 Cardigan St. – He expressed his concern about the GM Moraine Plant closing. For years he has been talking about the revitalization of unused and abandoned properties. We need to look for alternative uses for the facility. One of the best possible solutions is to ask GM to help fund any reuses for this site. We should also ask for money from the State and Federal Government. Everyone can get together to help pay for this.

Mayor Patterson reported Governor Strickland has appointed a task force to look at the GM Plant, and to look for alternatives for this site. Workers will need to be retrained. He will be involved in this special task force. They have not given up on this facility and will continue to support the GM workers.

COUNCIL COMMITTEE REPORTS

Mr. Spolrich – Recognized the City's Park and Recreation staff. Each night the Frazee looks great and they do a great job taking care of the parks.

Mrs. Lehner – Received a letter from a local pediatrician about a child he is treating with severe brain trauma and urged that the City's bicycle helmet law be enforced. She reminded citizens it is a law that children wear a helmet while riding their bicycles. The law is not enforced but should be.

Mr. Duke – Attended two ribbon cuttings last week. He welcomed Barb's Bistro on E. Dorothy Lane and Jimmy's Italian Kitchen on the corner of Woodman Drive and Dorothy Lane. He urged citizens to check them out. This year's Spass Nacht was a great success. Kudos to the Kettering Sister City Committee for all their hard work to make this festival happen. Eight students left for a week visit to Steyr, Austria. This is also a great program sponsored by the Sister City Committee.

Mr. Wanamaker – No Report.

Mr. Klepacz – Reported there is a seat on the Board of Community Relations. He urged citizens to call the Council office for an application if they are interested in applying. He welcomed both new restaurants to the Kettering area. We need to support them. He attended the groundbreaking for the Performance Wing at WPAFB. This will bring folks to the area from all over the country. It will be exciting to watch this facility grow and see what type of economic impact it will have on this region.

Mr. Thompson – Reminded everyone firecrackers are dangerous and against the law. Leave fireworks to the professionals.

Mayor Patterson – Congratulated Barbs Bistro and Jimmy's Italian Kitchen for their grand opening. He congratulated the Sister City Committee for a job well done on the Spass Nacht event. It was well attended, nice weather, and a great community event.

At 8:16 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, employment or compensation of a public employee. A motion was made by Mr. Spolrich and seconded by Mr. Duke. The motion was unanimously approved by a roll call vote.

At 9:23 p.m. Mr. Duke made a motion for City Council to come out of executive session and open into regular session. Mr. Thompson 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 9:24 p.m.

ATTEST:

Connie S. Gaw
Clerk of Council

DONALD E. PATTERSON, MAYOR