

KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
November 18, 2008

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, November 18, 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, Thompson and Spolrich and Wanamaker

Council Members Absent:

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

October 28, 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 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 amend this evening's agenda. Mr. Thompson moved to add a Resolution No. 5 to the agenda and remove Ordinance No. 5 from the agenda. Mr. Spolrich seconded this motion and the motion was declared carried by a majority roll call vote.

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

PRESENTATION: Relay for Life 2008 Update

Jeff Zaret, 2008 – 2009 Chairperson thanked everyone for supporting and participating in the 2008 Relay for Life. It was a very successful year. Next years walk will be held on May 16 & 17 at Delco Park.

PUBLIC HEARINGS

ORDINANCES IN SECOND READING

AN ORDINANCE
NO: 4111-08
BY: MR. DUKE AND MR. SPOLRICH

TO AMEND THE TRAFFIC CONTROL MAP AND THE TRAFFIC CONTROL FILE OF THE CITY OF KETTERING, OHIO TO SHOW THE INSTALLATION OF TRAFFIC SIGNS ON VARIOUS STREETS AND AVENUES IN THE CITY OF KETTERING, OHIO

NO PARKING ANYTIME – ON THE NORTH SIDE OF SOUTH ARAGON AVENUE FROM 60 FEET EAST OF EDENHILL AVENUE (EAST EXTENDED CURB) EASTWARD FOR A DISTANCE OF 40 FEET.

NO PARKING ANYTIME – ON THE WEST SIDE OF RENWOOD DRIVE FROM 40 FEET NORTH OF ALTER HIGH SCHOOL'S SOUTHERN MOST DRIVEWAY TO 40 FEET SOUTH OF SAID DRIVEWAY.

Mr. Duke 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. Spolrich, Yea; Mr. Duke, Yea; Mr. Klepacz, Yea; Mr. Thompson, Yea; Mr. Wanamaker, Yea; Mayor Patterson, Yea. There being six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the ordinance duly adopted.

RESOLUTIONS

A RESOLUTION

NO: 8518 -08

BY: MR. SPOLRICH AND MR. THOMPSON

AUTHORIZING THE CITY MANAGER TO PURCHASE REAL PROPERTY INTERESTS IN CONNECTION WITH THE "SOUTH DIXIE DRIVE – PHASE 3 RECONSTRUCTION PROJECT" (PROJECT NO. 02-104EC, ODOT PID NO. 81028)

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

Mr. Schwieterman explained this will allow the City to purchase permanent and temporary right-of-way to complete the South Dixie Drive Phase II Reconstruction Project.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, Yea; Mr. Duke, Yea; Mr. Spolrich, Yea; Mr. Wanamaker, 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: 8519-08

BY: MR. THOMPSON AND MR. KLEPACZ

AUTHORIZING THE CITY MANAGER TO SUBMIT THE ONE-YEAR ACTION PLAN AND EXECUTE THE REQUIRED CERTIFICATIONS TO THE U.S. DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT TO ENABLE THE CITY TO RECEIVE COMMUNITY DEVELOPMENT BLOCK GRANT AND HOME FUNDS FOR PROGRAM YEAR 2009

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

Angela Williams, Community Development Block Grant Manager explained the 2009 anticipated grant is expected to be around \$519,000.00.

There being no discussion on the motion, the following votes were recorded: Mr. Spolrich, Yea; Mr. Duke, Yea; Mr. Klepacz, Yea; Mr. Thompson, Yea; Mr. Wanamaker; 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: 8520-08

BY: MR. KLEPACZ AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO ENTER INTO ONE OR MORE CONTRACTS FOR THE PURCHASE OF UNIFORMS AND CLOTHING FOR THE 2009 QUARTER-MASTER PROGRAM FOR THE KETTERING FIRE DEPARTMENT

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

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

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: 8521-08
BY: MR. WANAMAKER AND MR. DUKE

TO ACCEPT THE RESIGNATION OF PEGGY LEHNER AND TO DECLARE
A VACANT COUNCIL SEAT

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

Mr. Schwieterman explained Mrs. Lehner recently won an election to serve this community in the Ohio House representing the 37th House District. Because of this newly elected position, Mrs. Lehner submitted a letter of resignation effective Nov. 17, 2008.

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

Mr. Schwieterman updated Council on upcoming and community events.

- Thanked the Citizens of Kettering for supporting the November 4th Parks Bond Levy issue.
- The City of Kettering was recognized by Business Week as Ohio runner-up in their annual list of "Best Places to Raise Your Kids." Columbus was first, Kettering second and Cincinnati came in third.
- Council Vacancy. Applications are available on the City website or by contacting the Council Office at 296-2416. The deadline for receiving applications is November 28, 2008.
- Kettering City Council remaining 2008 meetings: November 25, December 9 and December 16, 2008.
- 2008 Kettering Giving Tree – Trees and donation boxes will be set up in City Buildings on Monday, November 24, 2008.
- Medicare Open Enrollment Sign Up Event: November 25, 2008 from 9:00 – 4:00 at Fairmont Presbyterian Church, 3705 Far Hills Avenue.
- Wind Storm Update
- Tom Robillard, Planning and Development Director gave the October 2008 Property Maintenance Update.
- Street Closures/Detours: East David Road, between Far Hills and Ackerman for reconstruction. Detour signs are posted.
- The Hundred Club of Dayton – Chief O'Dell reported Ptl. Sanders was awarded the Robert B. Jacob Award of Merit for putting himself at considerable personal risk in order to save a life of a citizen.
- Tom Glardon, Facilities Director gave a snow and ice control update and plan for the upcoming winter season.
- 71 employees that were presented service awards for 5, 10, 15, 20, 25 & 30 years of service to the City of Kettering. Congratulations to all.
- Congratulations to this year's Special Way Award winners: Greg Gill, Mindy Smith and Jerry Webb.

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

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 congratulated this nation. We have made history and broke racial barriers. We are truly the United States of America and that is the way it should be. God Bless America and Happy Thanksgiving to all.

Bob Lowry, Brownies Transmission, 1110 E. Dorothy Lane – He has been at the Kettering location since 1987. His property is only 60 feet wide. On numerous locations he has asked to acquire the adjoining 25-foot right of way so he can expand his business. Now that Wagner Wood is being torn down he hopes this might be possible. If he can't expand he may have to close this location.

Mayor Patterson asked Mr. Lowry to talk with Mr. Fullenkamp, Assistant City Manager to see if this right-of-way issue might be solved.

COUNCIL COMMITTEE REPORTS

Mr. Duke – Thanked citizens for passing the Parks and Recreation levy. He welcomed Mr. Wanamaker back to Council. He attended three ribbon cuttings: Cache Salon, CVC and Dolphin's Cove Tanning. He congratulated and welcomed them to the community.

Mr. Spolrich – Thanked citizens for supporting the Parks and Recreation levy. Congratulated Mrs. Lehner on her fine campaign and election to State office. He thanked the citizens for their patience during the clean up of windstorm debris.

Mr. Thompson – Wished Mrs. Lehner well in Columbus. She will do an outstanding job.

Mr. Klepacz – Welcomed Mr. Wanamaker's return to Council and wished Mrs. Lehner well in Columbus. Last week he attended the "Green Bus" roll out at the RTA Center. The buses are not only green in color but also environmentally green. No black smoke. On November 13, 2008 he attended the Kettering Noon Optimist Youth Appreciation Dinner and read a proclamation. Twenty-four young people were recognized. This year's annual Tenant Landlord Workshop will be held on November 20, 2008 at 7:00 p.m. in Council Chambers.

Mr. Wanamaker – Expressed he is glad to return to Council. He is happy for Mrs. Lehner and wished her well. He thanked Tom Glardon for his presentation on snow removal. It is a constant battle to educate the public about this.

Mayor Patterson – Thanked citizens for passage of the Parks Bond levy. The citizens of Kettering feel strongly about the place they Live, Work and Play. Everyone is going through tough economic times and he hopes citizens will stop by and pick up some tags from the Giving Tree. He congratulated Officer Sanders for receiving the Robert B. Jacob Award of Merit. Congratulations to Mrs. Lehner. She has a deep passion for this community and he knows she will do an outstanding job and he wishes her well.

At 8:51 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 compensation of public employees. A motion was made by Mr. Spolrich and seconded by Mr. Duke. The motion was unanimously approved by a roll call vote.

At 9:35 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.

Mr. Spolrich made a motion to conduct a work session of Council immediately following the conclusion of the Executive 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 9:37 p.m. to a workshop session.

ATTEST:

Connie S. Gaw
Clerk of Council

DONALD E. PATTERSON, MAYOR