

KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
October 14, 2008

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, October 14, 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 Spolrich

Council Members Absent: Wanamaker (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 welcomed pages Madison Feltner and Spencer Boden from Van Buren Middle School. He thanked these volunteers for their assistance.

Mayor Patterson announced that he had sad news, Gene Seman passed away on Saturday. Gene was a member of the Kettering Kiwanis Club and an active volunteer for the City of Kettering serving on the Neighborhood Pride Committee. Gene will be greatly missed and he expressed condolences to the family.

APPROVAL OF MINUTES

September 23, 2008 Regular and Workshop Meetings
September 30, 2008 Special Meeting Minutes

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.

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

PROCLAMATION – National Breast Cancer Awareness Month – October 2008

Mrs. Lehner read the above Proclamation. Mayor Patterson announced this Proclamation will be displayed in the Government Center Lobby during the month of October to show awareness of this cause.

PROCLAMATION – Spiritual Care Services Week – October 20 – 28, 2008

Mr. Duke read the above Proclamation and same was accepted by Chaplin Richard LaVenture, Kettering Medical Center Spiritual Care Department.

PRESENTATION – Neighborhood Pride Awards – August/September Winners

Chuck Spaulding, Co-Chairperson of the Neighborhood Pride Committee congratulated the August and September Neighborhood Pride Award winners. He then showed a video presentation of all the homes that had won an award.

AUGUST AWARD WINNERS

Marjorie Reynolds, 2159 Adventure Dr.
Eleanor Wean, 2536 Dunhill Place
William & Lisa Thom, 2538 Bending Willow Dr.
Kyle & Cara Kremer, 4901 Concordia Circle
Michael & Diana Rosenberger, 2297 Broadmoor Dr.
James & Vickey Wolfe, 208 Carrlands Dr.
Bob & Joan Collins, 5001 James Hill Rd.
Joseph & Patricia Nicosia, 148 Greendale Dr.
Thomas & Kathleen Heck, 4231 Brookdale Dr.
Marjorie Kuntz, 3496 Westbury Rd.
Routsong Funeral Home, 2100 E. Stroop Rd.

SEPTEMBER AWARD WINNERS

Barton Thompson, 2121 Hazel Ave.
Beverly Daugherty, 2461 Aragon Ave.
Barbara McIntosh, 1908 Doris Drive
Charles Culp, 1833 E. David Rd.
Robert & Jeannette King, 2817 Aerial Avenue
Frederick & Tracey Pestian, 3425 Oakmont
Robert & Bernadette Mitsch, 5025 James Hill Rd.
E.J. & Kim Graeter, 3448 Lenox Drive
Robert & Eva Miller, 4109 Lotz Rd.
Evelyn Barnett, 3360 Beaumonde Lane
Dale & Nancy Hines, 1314 Red Bud Trail
Ad Ventures, 537 E. Stroop Rd.

Following the video presentation, Mr. Spaulding called each of the award winners to the podium to present them with a certificate and each had their picture taken with the Mayor.

The Mayor congratulated Mr. Spaulding and the Neighborhood Pride Committee for another very successful season.

PUBLIC HEARINGS

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION
NO: 8511 -08
BY: MR. DUKE AND MRS. LEHNER

AUTHORIZING A COMMITMENT OF CDBG FUNDS TO COUNTY CORP TO ASSIST IN FUNDING THE REMODELING OF THE OLD DAYTON REHABILITATION CENTER INTO A NEW HOMELESS SHELTER FOR MEN

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

Mr. Schwieterman explained the City of Kettering along with other communities is funding County Corp to undertake the remodeling of the old Dayton Rehabilitation Center on Gettysburg Road to be a new homeless shelter for men. The Men's Gateway Shelter will be a major step towards meeting the countywide goals of the Homeless Solutions Plan.

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 six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION
NO: 8512-08
BY: MRS. LEHNER AND MR. SPOLRICH

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES FOR THE PURCHASE OF A COLOR COPIER FOR THE PRINT SHOP

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

Mr. Schwieterman explained a review committee was selected to visit several copier vendors that responded to an RFP to replace the current color copier. They participated in several demos testing print quality, ease of use and cost of operation.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, 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: 8513-08

BY: MR. SPOLRICH AND MR. THOMPSON

AUTHORIZING THE CITY MANAGER TO RENT A TUB GRINDER TO FACILITATE GRINDING OF YARD DEBRIS

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

Mr. Schwieterman explained this will authorize the City to rent a tub grinder to facilitate grinding the excessive amounts of yard debris collected due to the windstorm.

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 six (6) Yea votes, and no (0) Nay votes, the motion was declared carried and the resolution duly adopted.

A RESOLUTION

NO: 8514-08

BY: MR. THOMPSON AND MR. KLEPACZ

AUTHORIZING THE CITY MANAGER TO USE COMPETITIVE BARGAINING AND NEGOTIATED QUOTES TO CONTRACT FOR LANDSCAPE AND IRRIGATION INSTALLATIONS AT THE GOVERNMENT CENTER NORTH BUILDING, WAIVING SEALED BIDDING.

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

Mr. Schwieterman explained the North Building was recently renovated into new office space for several City administration departments.

There being no discussion on the motion, the following votes were recorded: Mr. Thompson, Yea; Mr. Klepacz, 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: 8515-08

BY: MR. KLEPACZ AND MR. DUKE

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

Mr. Schwieterman explained this legislation will allow for appropriations from the General Fund, the Street Maintenance Fund and the Frazee Pavilion Operations Fund.

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 six (6) 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 CHAPTER 191 OF THE CODIFIED ORDINANCES OF THE CITY OF KETTERING PERTAINING TO TAXATION OF INCOME

Mr. Duke read the above ordinance in first reading. The ordinance will appear on the October 28, 2008, Council meeting agenda for second reading.

Marcy Bare, Tax Department Director explained these changes would not affect our tax rate. They are housekeeping changes in procedures and changes that reflect updates to the Ohio Revised Code.

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT

Mr. Schwieterman, City Manager reported:

Mr. Schwieterman updated Council on upcoming and community events.

- Beggars Night – Thursday, October 30, 2008 from 6:00 – 8:00 p.m.
- Child Safety Seat Inspection – Poelking Lanes on Kingsridge Drive from 10:00 – 2:00 on October 21, 2008.
- Medicare Open Enrollment Information Program - October 21, 2008 from 1:00 – 3:00 p.m. This is an information session only; the actual Open Enrollment will begin on November 15, 2008.
- Make a Difference Day – Saturday, October 25, 2008 from 9:00 – 2:00 at Town & Country Shopping Center. Volunteers are needed to rake leaves for seniors. There will also be a clothing and food drive. For more information contact the Volunteer Office at 296-2433.
- Congratulations to Irina Titova-Spang, Engineering Department who recently passed a certification test for Professional Traffic Operations Engineer.
- Update on the City of Kettering Public Service Department – Salt Situation – Windstorm Debris and Leaf Pickup. (Leaf Pickup begins on October 20, 2008)
- Chief O'Dell gave an update on the 911 calls received on Sunday, September 14, 2008 during the windstorm. Communities can take pride in the cooperative efforts in this region.
- Fire Department will be having auto-extracting training through October 24, 2008 at the Kettering Business Park. Citizens should not be alarmed it is only training.

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)

Earl Jones, 17 Storms Rd. – He is concerned because there are no wood chips at the mulch site behind Tannenburg Kennels. It is not fair the City is giving chips away to businesses and not to its residents. He would like to have some chips for his yard before the weather turns cold. He is also concerned that businesses are required to file taxes electronically to avoid a \$50.00 fee. He feels this is not fair. Cash is still legal tender. Maybe they don't have a computer.

Mr. Schwieterman stated he will see if some arrangements can be made to get some mulch over to that site.

Ms. Bare explained businesses could call the Tax Department with concerns about filing electronically. There are steps they can take to file an exemption to filing electronically. They are willing to work with area businesses.

Adam Burt, 2713 Aerial Avenue – He expressed there has been a dramatic increase in crime in his neighborhood. It has doubled in the last year alone. How can they keep their neighborhood safe and keep their property values from declining. They do have a Neighborhood Watch Program but the crime still happens. There is not enough police presence in their neighborhood.

Chief O'Dell replied he is aware of some of the issues in their neighborhood. He asked if he could meet with Mr. Burt after the meeting to discuss his concerns. The Police Department also would like to solve this problem.

Leanne Hardenbrook, 2709 Aerial Avenue – Stated she has the same concerns about crime in her neighborhood. Many neighbors have also expressed concerns. They want to be proactive and work with the Police Department to make their neighborhood safe.

COUNCIL COMMITTEE REPORTS

Mr. Duke – Reported he attended and celebrated many events last week for Firefighter Appreciation Week. Also, a sad note for the community, Dale Kress, a longstanding public servant recently passed away. Dale had a 30-year career on our Planning Commission. He was a great citizen in our community and will be greatly missed. Condolences go out to his wife Virginia and his family.

Mrs. Lehner – No report.

Mr. Spolrich – Urged citizens to support the clothing drive at Make a Difference Day. The "Clothing Room" supports local school children in need. He suggested citizens review the special edition of "Contact With Kettering" which gives all the background material about the Parks Bond Levy issue. He appreciates the progress and efforts made by the Levy Committee. Citizens should also review the Lathrem News Letter and take advantage of the many senior services. He attended many of the firefighter appreciation activities that were held throughout last week.

Mr. Thompson – No report.

Mr. Klepacz – On October 6, 2008 he represented the City of Kettering at Wright Patterson Air Force Base and attended a special ceremony honoring an Air Force Captain awarded the Purple Heart. It was the first Purple Heart to be awarded at the Base this year. He appreciates all the men and women protecting us and keeping our country safe. Today, he and the Oak Creek Advisory group met with Miami Valley Solutions.

Mayor Patterson – He congratulated Chief O'Dell who recently gave his farewell message in the CALEA Update. Chief O'Dell served for 11 years on this Commission, 6 of them as Chair and President. His term expires this year. He thanked him for his guidance over these past years and a job well done. He attended the Open House at Wenzler Day Care to celebrate their "Star Rating." He attended a Baguette Cutting at Panera Bread on September 26, 2008. On September 27, 2008 he participated in a fashion show at We Care Arts. On September 28, 2008 he read a Proclamation at Grace Baptist Church to celebrate their 25th Anniversary. On September 30, 2008, the City of Kettering hosted the Montgomery County Commissioner Meeting at the Government Center. On October 5, 2008 he judged the Firefighter Chili Cook-off. On October 7, 2008 he attended the James Free Jewelers Ribbon Cutting. On October 8, 2008 he attended the Kettering Rotary Luncheon honoring the Firefighter of the Year, Stan Wilson. On October 9, 2008 he attended the Presidents Club Luncheon honoring their person of the year, Franz Hoge. On October 10, 2008 he presented the Kettering Band Classic Winners Trophies. It was a pleasure to swear in the new lieutenants and new firefighters this past Sunday. He appreciates them giving their time to serve our City. He attended a ribbon cutting on October 12, 2008 for David's Cemetery Mausoleum. Today he attended a ribbon cutting at Abbot Signs and also Baskin Robbins.

There being no further business to come before this meeting of the Kettering City Council, Mayor Patterson adjourned the meeting at 9:25 p.m.

ATTEST:

Connie S. Gaw
Clerk of Council

DONALD E. PATTERSON, MAYOR