

Mr. Schwieterman explained this ordinance will authorize the implementation of a 2010 General Pay Increase of 3.0% previously negotiated with the FOP-OLC representing the Regular Full-Time Public Safety Dispatchers and with the IAFF representing the Regular Full-Time Firefighters. Also, the non-unionized Regular Part-Time Public Safety Dispatchers. These pay increases are the last of the proposed for 2010 for Regular Full-Time and Regular Part-Time employees and are similar to those granted to other employees earlier this year.

Mr. Webb expressed concern about these pay increases.

The following votes were recorded: Mr. Duke, Yea; Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Thompson, Yea; Mr. Webb, Nay; Mayor Patterson, Yea. There being six (6) Yea votes, and one (1) Nay votes (Mr. Webb), the motion was declared carried and the ordinance duly adopted.

AN ORDINANCE
NO: 4152-10
MR. DUKE AND MR. WEBB

TO PROVIDE FOR THE VACATION OF SURFACE WATER AND DRAINAGE EASEMENTS LOCATED IN CERTAIN LOTS OF SECTION THREE OF THE MADISON'S GRANT PLAT

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

Mr. Schwieterman explained this ordinance provides for the vacation of drainage easements on any lot line that will be eliminated via the replatting of a portion of Section Three of Madison's Grant. The Planning Commission required the vacation of these easements as a condition of the replat.

The following votes were recorded: Mr. Webb, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mrs. Schrimpf, Not Voting; Mr. Duke, 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.

RESOLUTIONS

A RESOLUTION
NO: 8835-10
BY: MR. WEBB AND MR. THOMPSON

IN HONOR OF BERNIE HARRIS, TO NAME THE SOFTBALL FIELDS AT DELCO PARK AS THE "BERNIE HARRIS SOFTBALL COMPLEX"

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

Mr. Schwieterman explained this legislation will authorize the sports fields at Delco Park to be named the Bernie Harris Softball Field Complex.

The following votes were recorded: Mr. Duke, Yea; Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Thompson, Yea; Mr. Wanamaker, Yea; Mr. Webb, 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: 8836-10
BY: MR. THOMPSON AND MR. WANAMAKER

AUTHORIZING THE CITY MANAGER TO CONTRACT FOR THE PURCHASE OF BEER AND WINE FOR SPECIAL EVENTS AND FOR FRAZE PAVILION CONCESSIONS DURING THE 2010 PERFORMANCE SEASON

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

The following votes were recorded: Mr. Webb, Yea; Mr. Thompson, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mr. Duke, 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: 8837-10
BY: MR. WANAMAKER AND MR. KLEPACZ

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT WITH THE MIAMI VALLEY FAIR HOUSING CENTER FOR SERVICES DURING THE PERIOD JANUARY 1, 2010 THROUGH DECEMBER 31, 2010

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

Mr. Robillard explained as result of using Community Development Block Grant, HOME and Neighborhood Stabilization Program funds the City of Kettering is required to affirmatively further fair housing. The City contracts annually with the Miami Valley Fair Housing Center to operate the fair housing program, which helps, fulfill this requirement.

The following votes were recorded: Mr. Duke, Yea; Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Thompson, Yea; Mr. Webb, 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: 8838-10
BY: MR. KLEPACZ AND MRS. SCHRIMPF

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

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

Mr. Schwieterman explained City Code requires a resolution to be passed enabling renewal and recalculation of Street Light assessments. Assessment rates are the same as they were in 2009.

Mr. Webb asked what is a typical assessment and how is it determined.

Mr. Fullenkamp explained it is based on if the property is residential or business. What type of street they are on and how many light poles. The average cost for a residential property is \$50.00 - \$60.00 a year.

The following votes were recorded: Mr. Webb, Yea; Mr. Thompson, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mr. Duke, 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: 8839-10
BY: MRS. SCHRIMPF AND MR. DUKE

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN ECONOMIC DEVELOPMENT INCENTIVE GRANT AGREEMENT WITH WILMER CUTLER PICKERING HALE AND DORR LLP (WILMERHALE LLP)

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

Mr. Gorsuch explained this agreement will provide a financial incentive grant to WilmerHale and in turn WilmerHale plans to occupy space at 3139 Research Boulevard and employ approximately 150 – 200 employees.

The following votes were recorded: Mr. Duke, Yea; Mrs. Schrimpf, Yea; Mr. Klepacz, Yea; Mr. Wanamaker, Yea; Mr. Thompson, Yea; Mr. Webb, 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

AN ORDINANCE
NO: 4153-10
BY: MR. DUKE AND MR. WEBB

TO AMEND CHAPTER 149 OF THE CODIFIED ORDINANCES OF THE CITY OF KETTERING SO AS TO AMEND THE CITY'S CIVIL SERVICE RULES, AND TO DECLARE AN EMERGENCY

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

Mr. Schwieterman explained this ordinance will adopt City of Kettering Civil Service roles as proposed by the Kettering Civil Service Commission. The change is essential for the efficient operation of the Public Safety Dispatch. It would allow appointment to full-time Public Safety Dispatcher position vacancies to include consideration of any person who has successfully performed the same position in the City of Kettering, previously or currently, part-time or interim or other basis and is interested in being considered for an existing full-time vacancy, so they may be considered along with the appropriate number of candidates certified on the eligible list.

Mr. Webb expressed concern on how the eligibility list would be determined and that everyone on that list would be considered fairly and not get preferential treatment over another.

Mr. Eubank, Law Director assured Mr. Webb that everyone on that list would be considered fairly.

The following votes were recorded: Mr. Webb, Yea; Mr. Thompson, Yea; Mr. Wanamaker, Yea; Mr. Klepacz, Yea; Mrs. Schrimpf, Yea; Mr. Duke, 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.

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT

Mr. Gorsuch, Economic Development Manager invited all Kettering businesses to attend the Economic Development Summit on June 14, 2010 from 9:00 – 11:00 a.m. at the National Composite Center. State Representative's Peggy Lehner and Terry Blair are hosting this event. You may RSVP for this event by calling the City Manager's office at 296-2412.

Mr. Schwieterman, City Manager reported:

Mr. Schwieterman updated Council on upcoming and community events.

- Kettering Block Party – May 26, 2010 from 6:00 – 8:00 p.m. at Lincoln Park Civic Commons.
- Kettering offices will be closed on May 31, 2010 in honor of Memorial Day.

- No trash pickup on Memorial Day. All trash pick-up will be delayed one day.
- Frazee Pavilion season is underway. Looking forward to an exciting summer.
- Spass Nacht – June 9, 2010 from 5:30 – 9:30 at Lincoln Park Civic Commons.
- Dorothy Lane/Wilmington Pike construction has begun.
- Congratulated Mr. Gorsuch for economic development within the Kettering community. Update on Economic Development Projects.

OTHER BUSINESS NOT ON WRITTEN AGENDA

Communications and Reports

Audience Participation (5 Minute Limit Per Speaker)

COUNCIL COMMITTEE REPORTS

Mr. Klepacz – He reported on May 25, 2010 he attended Legislative Leaders Day in Columbus. The highlight of the discussion was when they discussed the outreach that Reynolds & Reynolds does with the Ohio National Guard. It was an interesting program and he received great information. On May 21, 2010 he attended a senior social at Birchwood Place. He congratulated the Kettering Leadership Academy class that graduated on May 13, 2010. He complimented the new Frazee Spotlight publication that replaced the programs.

Mrs. Schrimpf – She reported on May 12, 2010 she attended the MVRPC Annual Spring Dinner. On May 24, 2010 she attended the Kettering Chamber Golf Outing and Dinner. It was a nice event, congratulations to the Chamber. On May 15, 2010 she attended the Relay for Life along with her family. She wished Helen Smith and Sue Schramm, Happy Birthday.

Mr. Duke – He stated that the Kettering Leadership Academy graduation ceremony was a nice event. He thanked Charlie Scherholz for speaking to the graduates. Congratulations to the appointments to the PFHY Board. Tracey Nissen is a past graduate of the Kettering Leadership Academy He expressed a Happy Birthday to Helen Smith who recently celebrated her 80th birthday. On May 17, 2010 he attended a senior social at One Lincoln Park and had a nice visit with the folks that live there. On a sad note, Martha Ritter passed away last week. Martha always rode her bicycle all around Lincoln Park with her two little dogs on back in a cage. Condolences go out to her family.

Mr. Webb – He thanked MaryLou Randolph and Bonnie Pittl for their hard work on the Kettering Leadership Academy ceremonies. He also thanked Mr. Duke for his dedication to the academy. He encouraged folks to get an application and apply because it is a great program. On May 21, 2010 he joined Jerry Wright from the City's Street Maintenance Department at career day at Van Buren Junior High. They both had a chance to talk with the kids about Kettering.

Mr. Thompson – Reminded citizens to drive carefully in the construction zones and be aware of the workers.

Mr. Wanamaker – No Report.

Mayor Patterson – He congratulated Dan Foley who received an award at the MVRPC Annual Dinner on May 12, 2010. It was a nice event. He expressed congratulations to the graduates of the Kettering Leadership Academy. He wished Helen Smith a happy 80th birthday. He thanked her for her volunteer service to the Kettering community. On May 15, 2010 he attended and welcomed participants at the Relay for Life event. He thanked Kettering Honor Guard for participating in the Relay event. It was nice to see them leading the procession for the survivors walk. On May 17, 2010 he attended the senior social at One Lincoln Park. On May 18, 2010 he attended the Chet Roush Hall of Fame Ceremonies. He was part of the judging process and he congratulated all of those inducted this year. On May 24, 2010 he attended the Kettering Chamber Golf Outing. It was a nice event and he congratulated Ann-Lisa and her staff. On May 24 and May 25, 2010 he presented a PowerPoint Presentation to WilmerHale. It was nice to brag about Kettering to people that will soon be coming to this community. He thanked Amy Berlean and Gregg Gorsuch for putting together the PowerPoint presentation and Bruce Pierson for hosting the event at Research Park. He

congratulated Bernie Harris for his 43-year career and his passion to the Kettering community. It was an honor to name the softball fields after him.

There being no further business to come before this meeting of the Kettering City Council, Mayor Patterson adjourned the meeting at 8:43 p.m.

ATTEST:

Connie S. Gaw
Clerk of Council

DONALD E. PATTERSON, MAYOR