KETTERING CITY COUNCIL
REGULAR MEETING MINUTES
June 8, 2010

The Council of the City of Kettering, Ohio, met in regular session on Tuesday, June 8, 2010, at 7:30 p.m. in the Recital Hall at Kettering Fairmont High School, 3301 Shroyer Road. 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: Patterson, Duke, Klepacz, Schrimpf, Thompson, Wanamaker and Webb

Council Members Absent:

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, John Golub and Earl Jones and thanked these volunteers for their assistance.

Mayor Patterson welcomed Boy Scout Troop 236 and their adult leaders, Mary Hutcheson and Tim Conver from Christ United Methodist Church.

APPROVAL OF MINUTES
May 25, 2010 – Regular and Workshop Minutes

Mrs. Schrimpf reported that she reviewed the above minutes and moved the minutes be approved. Mr. Duke 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 – Elder Abuse Awareness Day – June 15, 2010
Mr. Thompson read the above Proclamation and same was accepted by Patrick Baily, Director of Senior Services for Montgomery County Job and Family Services.

PRESENTATION – Mayor's Charity Ball Check Presentation to SICSA
Mayor Patterson and Melissa Johnson, Chairperson, Mayor's Charity Ball, presented a check to SICSA in the amount of $18, 627.00 from the proceeds earned at the Charity Ball. Terry Carlisle, Executive Director of SICSA accepted the check.

PRESENTATION – Legislative Update – State Representative Terry Blair
Ohio State Representative Blair gave a presentation regarding state legislation and issues.

PUBLIC HEARINGS

ORDINANCES IN SECOND READING

RESOLUTIONS

A RESOLUTION
NO: 8840-10
BY: MR. KLEPACZ AND MRS. SCHRIMPF

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF 2808 WOODMAN DRIVE AND APPROVING THE PURCHASE OF SAID PROPERTY

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

Mr. Robillard explained as part of a regional consortium the City received funds to participate in the Neighborhood Stabilization Program 2 funds. These funds are to be used in two target areas to address the neighborhood issues caused by the vacancy and foreclosure crisis. This property is vacant and has been foreclosed upon. Once purchased, the property will be renovated and brought to City standards and then sold.

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: 8841-10
BY: MRS. SCHRIMPF AND MR. DUKE

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF 2833 PRENTICE DRIVE AND APPROVING THE PURCHASE OF SAID PROPERTY

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

Mr. Robillard explained as part of a regional consortium the City received funds to participate in the Neighborhood Stabilization Program 2 funds. These funds are to be used in two target areas to address the neighborhood issues caused by the vacancy and foreclosure crisis. This property is vacant and has been foreclosed upon. Once purchased, the property will be renovated and brought to City standards and then sold.

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: 8842-10
BY: MR. DUKE AND MR. WEBB

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE PURCHASE OF 2501 HAMPTON ROAD AND APPROVING THE PURCHASE OF SAID PROPERTY

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

Mr. Robillard explained as part of a regional consortium the City received funds to participate in the Neighborhood Stabilization Program 2 funds. These funds are to be used in two target areas to address the neighborhood issues caused by the vacancy and foreclosure crisis. This property is vacant and has been foreclosed upon. Once purchased, the house on the property will be demolished and a new home built in it's place, and then sold.

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: 8843-10
BY: MR. WEBB AND MR. THOMPSON

AUTHORIZING THE CITY MANAGER TO ACCEPT RECYCLING INCENTIVE GRANT FUNDS IN THE AMOUNT OF $9,082.00 FROM THE MONTGOMERY COUNTY SOLID WASTE DISTRICT

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

Mr. Schwieterman explained these funds will be used to purchase three solar powered recycling compacters for use at the Fraze pavilion and the Recreation Complex.

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: 8844-10
BY: MR. THOMPSON AND MR. WANAMAKER

AMENDING THE COMMUNITY DEVELOPMENT BLOCK GRANT ("CDBG") PROGRAM FOR FISCAL YEAR 2010 ("FY2010")

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

Mr. Robillard explained this amendment will change the program year 2010 budget to include funds for the Youth Summer Camp Scholarship program.

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: 8845-10
BY: MR. WANAMAKER AND MR. KLEPACZ

TO UPHOLD, IN PART, AND OVERTURN, IN PART, THE DECISION OF THE KETTERING BOARD OF ZONING APPEALS IN BZA CASE NO. 4012 REGARDING AMENDING THE CONDITIONAL USE FINAL DEVELOPMENT CONCEPT PLAN AND THE GRANTING OF A VARIANCE FOR WAIVING CERTAIN CURBING REQUIREMENTS FOR STATE FARM PARK

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

Mr. Schwieterman explained this resolution will uphold, in part, and overturn, in part, the decision of the Kettering Board of Zoning Appeals in BZA Case No. 4012.

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

A RESOLUTION
NO: 8846-10
BY: MR. KLEPACZ AND MRS. SCHRIMPF

AUTHORIZING THE CITY MANAGER TO ENTER INTO AN AGREEMENT FOR THE DESIGN, CONSTRUCTION AND INSTALLATION OF A 150 SQUARE FOOT STAINED GLASS WINDOW FOR THE NEWLY RENOVATED GOVERNMENT CENTER SOUTH BUILDING

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

Mr. Schwieterman explained this window will be placed in the renovated Kettering Government Center front lobby and chamber window.

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: 8847-10
BY: MRS. SCHRIMPF 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, 2010

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

Mr. Schwieterman explained this resolution will make supplemental appropriation for monies from the Special Grants and Program Fund for the Recycling Incentive Grant from the Montgomery County Solid Waste District.

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.

ORDINANCES IN FIRST READING

AN ORDINANCE

TO LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTION AND RECONSTRUCTION OF CONCRETE SIDEWALKS, CURBS, GUTTERS AND DRIVEWAY APPROACHES, TOGETHER WITH THE NECESSARY APPURTENANCES, FOR THE “GLENGARRY DRIVE IMPROVEMENTS PROJECT” (PROJECT NUMBER 02-258)

Mr. Duke read the above Ordinance in first reading. The second and final reading will occur at the next Council meeting on June 22, 2010.

AN ORDINANCE

TO LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTION AND RECONSTRUCTION OF CONCRETE SIDEWALKS, CURBS, GUTTERS AND DRIVEWAY APPROACHES, TOGETHER WITH THE NECESSARY APPURTANANCES, FOR THE ACORN DRIVE REBUILD – PEACH ORCHARD TO END OF PROJECT (PROJECT NUMBER 02-278B)

Mr. Webb read the above Ordinance in first reading. The second and final reading will occur at the next Council meeting on June 22, 2010.

AN ORDINANCE

TO LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTION AND RECONSTRUCTION OF CONCRETE SIDEWALKS, CURBS, GUTTERS AND DRIVEWAY APPROACHES, TOGETHER WITH THE NECESSARY APPURTENENACES, FOR THE “KETTERING BOULEVARD IMPROVEMENTS PROJECT” (PROJECT NUMBER 02-283)

Mr. Thompson read the above Ordinance in first reading. The second and final reading will occur at the next Council meeting on June 22, 2010.

AN ORDINANCE

TO LEVY SPECIAL ASSESSMENTS FOR THE CONSTRUCTOIN AND RECONSTRUCTION OF CONCRETE, SIDEWALKS, CURBS, GUTTERS AND DRIVEWAY APPROACHES, TOGETHER WITH THE NECESSARY APPURTENANCES FOR THE 2009 SIDEWALK REPAIR PROGRAM (PROJECT NUMBER 05-109)

Mr. Wanamaker read the above Ordinance in first reading. The second and final reading will occur at the next Council meeting on June 22, 2010.

AN ORDINANCE

EXPRESSING THE CITY'S INTENT TO NEGOTIATE JOINTLY WITH OTHER CITIES IN THE REGION ON ONE PRICE SCHEDULE UNDER WHICH ELECTRIC LIGHT SERVICES SHALL BE FURNISHED TO THE RESIDENTS OF THE CITY FOR THE PURPOSE OF STREET LIGHTING

Mr. Klepacz read the above Ordinance in first reading. The second and final reading will occur at the next Council meeting on June 22, 2010.

Mr. Schwieterman explained this resolution will allow the City to participate in the regional coalition to negotiate the upcoming street light contract. This approach will provide the resources and regional representation needed to negotiate a reasonable and competitive contract.

CERTIFICATIONS AND PETITIONS

MANAGER'S REPORT

Mr. Schwieterman updated Council on upcoming and community events.

- Spass Nacht – June 9, 2010 from 5:30 – 9:30 at Lincoln Park Civic Commons.
- Economic Development Summit – June 14, 2010 at National Composite Center.
- Upcoming Fraze Events.
- Go 4th! – Sunday, July 4, 2010 at Delco Park from 6:00 – 10:00 p.m. Fireworks begin at 9:45 p.m.

OTHER BUSINESS NOT ON WRITTEN AGENDA
Communications and Reports
Audience Participation (5 Minute Limit Per Speaker)

COUNCIL COMMITTEE REPORTS

Mr. Klepacz – He congratulated all the 2010 graduates from Kettering Fairmont and Alter High Schools. On May 30, 2010 he attended the Kettering Fairmont Baccalaureate services. Ryan Crouch played the bagpipes during the event. On May 27, 2010 he attended the Kettering Rotary Citizen of the Year event honoring Jackie Fisher who heads up the Kettering Backpack Program. It was a nice dinner and he congratulated Jackie Fisher for her service to the community.

Mrs. Schrimpf – She congratulated staff for a great Community Block Party on May 26, 2010. It was a well-attended event and very informative. She also congratulated Jackie Fisher for being name Kettering Citizen of the Year by the Kettering Kiwanis. She is looking forward to attending Spass Nacht on June 9, 2010.

Mr. Duke – He urged everyone to attend Spass Nacht at the Fraze Commons on June 9, 2010. Event hours are 5:30 – 9:30 p.m. Food and beverage prices have remained the same as last year. This is the annual fundraiser for the Sister City Committee and supports the young people exchanges to our sister cities. He recently attended the Montgomery County Juvenile Court Drug Court Graduation ceremonies. It is nice to see the youth graduate successfully from this program. This program is one of the three best in the country. He congratulated the Kettering Police Canine Unit. On May 15, 2010, Brix and Bandit received "top dog" honors.

Mr. Webb – He reported the Community Block Party was a nice event. He thanked the members of the Kettering Fairmont Band for performing. He congratulated Brady Kress from Dayton History who had a great event at Carillon Park over the Memorial Day weekend. The fireworks show was awesome. He recognized the Kettering School Board who has been faced with making some tough decisions over the last few weeks.

Mr. Thompson – He congratulated the Boy Scouts who sat through this long meeting and have managed to all stay awake. This is a great civic lesson for them to learn and he thanked them for attending.

Mr. Wanamaker – He stated he is very proud of the Boy Scouts and thanked them for coming. The future is in good hands. He congratulated Kettering Fairmont graduate Brandon O'Malley who finished second in the 800 Meter State Finals.

Mayor Patterson – He reported the Community Block Party was a good event and staff put in a lot of time and effort. He congratulated Kettering Fairmont Band for putting on a great concert. Congratulations to Jackie Fisher for being named Kettering Citizen of the Year and Kettering Kiwanis for putting on a nice event. Jackie Fisher is a great person and a long time volunteer for this community

There being no further business to come before this meeting of the Kettering City Council, Mayor Patterson adjourned the meeting at 8:37 p.m.

ATTEST:

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DONALD E. PATTERSON, MAYOR

Connie S. Gaw
Clerk of Council