

CITY OF KETTERING
CITY COUNCIL
WORKSHOP MINUTES
May 28, 2024

The Council of the City of Kettering, Ohio, met in a workshop session on Tuesday, May 28, 2024, in the Deeds Conference Room, Kettering Government Center, 3600 Shroyer Road. The meeting came to order at 6:00 p.m.

Council members present included Mayor Lehner, Vice Mayor Fisher, Ms. Duvall, Mr. Scott, Mr. Suddith and Mr. Sullivan. Mrs. Hall had an excused absence.

Staff members present included City Manager Matt Greeson, Law Director Ted Hamer, Human Resources Director Jenny Smith, Chief of Police Chip Protsman, Finance Director Nancy Gregory, Planning and Development Director Tom Robillard, Assistant Law Director Maggie Pasqualone, City Planner Ryan Homs, Economic Development Manager Amy Schrimpf and Community Information Manager Mary Azbill.

Mr. Greeson stated that a presentation would be given regarding Ohio Issue 2 – Legalization of Recreational Marijuana as the moratorium is nearing its end. He recommended that Council extend the moratorium.

Recreational Marijuana Presentation – Ms. Pasqualone explained that municipalities have discretion to allow adult use of cannabis. Ohio has not yet finalized its regulations, and recommended that the city moratorium be continued until state regulations are in place. During her overview, she stated that adults must be 21 to purchase, grow (6 plants per person/12 per residence), possess and consume marijuana. During 2023, 57% of Ohio voters approved the legalization of adult recreational use. Revenue will support social programs, communities with dispensaries, educational and addiction treatment programs and administrative costs.

Mr. Sullivan asked if there are locations that sell cannabis in Kettering. Ms. Pasqualone stated there are none.

Ms. Pasqualone then explained various considerations of the state law including: no limitations on how cannabis is consumed by local government; medical marijuana cardholders will continue to be able to purchase their medication through licensed dispensaries; sale and purchase of marijuana without a license is prohibited; purchasing marijuana in another state and bringing the product to Ohio remains illegal. Four bills are being considered to modify current provisions.

Kettering's moratorium on recreational marijuana expires in August 2024. The City of Kettering has four options to consider: entirely prohibit or limit the number of adult use cannabis operators within their jurisdictions; allow or prohibit adult use cannabis operators; approve and regulate cannabis operators; extend the current moratorium to allow for additional research.

Mr. Homs presented zoning information explaining a 500-foot buffer requirement between residences and businesses.

Regarding the 500-foot buffer, Mr. Scott asked if a marijuana store would have to close if a daycare opened within the buffer. Mr. Hamer explained the store would be grandfathered and unaffected.

Mr. Suddith asked if cannabis could be delivered. Ms. Pasqualone confirmed.

Ms. Duvall stated her concern that the moratorium extension would continue to be extended, bringing additional burden to those residents (such as cancer patients) who would benefit. She also suggested Council members visit a dispensary to see what they are like.

Mr. Suddith asked if Kettering could allow selling without cultivating. Mr. Homs confirmed.

Mr. Scott asked about the amount of revenue this could mean for Kettering. Mr. Homs stated it would essentially be sales tax, which is not a revenue source for the city.

Mr. Sullivan asked if the vape shop that opened by Blue Berry Café could be licensed for dispensary. Mr. Homs confirmed as explained that is the last location available for a vape shop in the city.

Mr. Sullivan is concerned this does not align with a family community.

Mr. Greeson recommended an ordinance with a one-year moratorium continue updating as more information is available.

Ms. Duvall would prefer a shorter moratorium but was willing to support the consensus from other members of City Council.

Mr. Greeson briefly reviewed agenda items for tonight's meeting.

Vice Mayor Fisher asked about the increase from \$300 to \$500 for lighting assessment procedures. Mr. Hamer explained that the increase is for modernization of the process and will not impact residents.

Mr. Greeson stated that a supplemental appropriation of \$287,400 is requested for the Police Department's personnel expenditures related to wage terms as approved in the May 16, 2024 contract with the Kettering Fraternal Order of Police Lodge No. 92. The original 2024 budget includes funding for a 0.00% across the board pay increase for the above employees. The contracted increase is 3.50% effective February 12, 2024. The cost impact of the increase is \$241,800 in the Police Department cost center and \$45,600 in the Police Pension Fund. A transfer from the General Fund to the Police Pension Fund is also requested for \$45,600.

At 7:03 p.m., Mr. Suddith made a motion to enter Executive Session under Section 121.06 (k) of the Codified Ordinances for the purposes of Personnel Matters; Property Matters; and Economic Development, seconded by Mr. Scott. The motion passed unanimously upon roll call.

At 7:26 p.m., the Council exited Executive Session and went back on public record.

Mayor reminded Council Members about the City block party on May 29.

The City Council Workshop Meeting adjourned at 7:27 p.m.

ATTEST:

PEGGY LEHNER
MAYOR

JENIFER BAKER
Acting Clerk of Council