

CITY OF KETTERING
CITY COUNCIL
WORKSHOP MINUTES
August 13, 2019

The Council of the City of Kettering, Ohio met in a workshop session on Tuesday, August 13, 2019 in the Kettering Meeting Room, 3600 Shroyer Road, Kettering Government Center. The meeting came to order at 6:02 p.m.

Council Members Present included Mayor Patterson, Vice Mayor Lautar, Mr. Duke, Mr. Klepacz, Mr. Scott and Mrs. Fisher. Mr. Wanamaker had an excused absence.

Staff Members Present: City Manager Mark Schwieterman, Assistant City Manager Steve Bergstresser, Law Director Ted Hamer, Police Chief Chip Protsman, Planning & Development Director Tom Robillard, PRCA Director MaryBeth O'Dell, PRCA Division Manager of Cultural Arts Shayna McConville and Economic Development Manager Gregg Gorsuch.

Mr. Sterling Abernathy was also in attendance.

Agenda Review – Mr. Schwieterman reviewed the agenda for this evening's meeting with the Council members.

CIP Workshop Meeting – Mr. Schwieterman stated the CIP and Workshop Meeting scheduled for September 10th will begin at 5:30 p.m.

Mr. Leiffer – Mr. Schwieterman informed Council members Mr. Leiffer received a ticket for having a car for sale parked on the street. He may attend this evening's meeting to complain about the situation. The Police Department was recently in Mr. Leiffer's neighborhood looking for illegally parked vehicles.

Waste Management (WM) – Mr. Schwieterman stated the City sent WM a letter stating the City would like to implement a one year extension to the current contract as allowed in the contract terms. WM sent back a letter objecting to the City's request. WM also stated their preliminary estimates of the necessary rate increase, in their opinion, is so high that they are not going to submit a rate increase number. WM has requested the City go out to bid for a new contract, WM also indicated they intend to submit a bid. Mr. Schwieterman said Mr. Bergstresser is working with the Finance Department to establish a bid proposal calendar. Staff will keep the Council members updated as the process continues.

Proposed Massage Ordinance – Mr. Schwieterman stated Mr. Duke has provided staff with a number of questions regarding the proposed Massage Ordinance revision. Staff has responded to the questions in writing for Council review and we can now discuss the topic. Mr. Schwieterman said a lot of the questions centered on incidental massage services. He stated a personal fitness training center, gymnasium, or health club providing massage services clearly incidental to the business are specifically exempt from needing a massage establishment license. If such a facility does allow massage as an incidental service, the massage can only be performed by a license massage therapist who will be required to obtain a Massage Services License at a cost of \$25. Mr. Schwieterman noted a Massage Establishment is a fixed place of business where a person receives massage services. The fee for a Massage Establishment license is \$300 and then the annual renewal fee is \$150. Mayor Patterson asked if it would be worth looking at a multi-year license for establishments and massage therapist. Mr. Schwieterman said staff can look into that. Mr. Duke asked why we need check on license therapist; they already have a background check to get a State license. Mr. Hamer stated if a massage therapist has a State license they just need to present that license to the Planning & Development staff, if you are going to open a Massage Establishment you need a background check. Mr. Duke said we have several establishments that have been in our community for over 20 years, is it fair now to charge them \$300 and then \$150 every year to get a license?

Mr. Schwieterman said that is a decision City Council must make. Mr. Duke stated he would also like staff to look at multi-year licenses. Council agreed they want to try and keep out the bad operators, but also don't want to put too much of a burden on the legitimate operators in town. Mr. Schwieterman said staff will look at multi-year licensing and the fee structure and report back to Council.

Ridgeway Bridge – Ms. McConville displayed renderings of the proposed public art for the Ridgeway Bridge that have been prepared by the artist for the project. She noted the artist made a presentation to the Art in Public Places Committee in July, which also included members of the neighborhood stakeholders for the project. Mr. Scott asked if the artwork would be lit at night. Mr. Bergstresser stated it will have some soft lighting, but no beacon type of bright lights. Mr. Bergstresser also stated the revised construction cost estimate from the design consultant for the bridge replacement project is approximately \$2,800,000 including a 15% contingency. This amount is \$400,000 greater than the early estimate cost for a basic bridge replacement equal to the 15% contingency. This estimate will continue to be refined as we work through the final design phase. Mr. Bergstresser also noted the design consultant has requested a modification to their contract for the efforts involved to incorporate the proposed aesthetic enhancements to the bridge. He stated when we originally requested proposals from consultants for the design of the new bridge, the consultants were asked to provide a price to design a basic replacement bridge without any aesthetic enhancements, since we did not yet know the scope of the public art portion and had not yet selected an artist. Staff plans to bring forward legislation for this contract modification at the August 27th City Council meeting.

Partners for Healthy Youth (PFHY) – Mr. Lautar stated the current methods PFHY is using for prevention strategies are antiquated. So, the PFHY Board met with Andrea Huff the Montgomery County Prevention Manager. Ms. Huff provided the Board with a three hour seminar on the structure and components of creating a successful community prevention strategy using current “best practices” strategies. Mr. Lautar said the PFHY Board is looking for support from the Kettering Board of Education and the City Council. The Board would like support for the “Commitment to Prevention for a Healthy Community” initiative through PFHY coordinating multiple focus groups comprised of City and School staff to discuss their approach with prevention. Support in introducing a community wide effort to promote the health and safety of individuals in Kettering and focus on preventing or delaying the onset of behavioral health problems through a community prevention model. And finally to promote at City Council and Board of Education Meetings the community wide prevention education programs. Mr. Lautar mentioned this initiative is not intended to cost any tax dollars from the City or the School Board. The City, School and community members are already in place, it is a matter of creating an avenue for dialog and education. Mayo Patterson stated it is important to stay current and relevant on this topic, he thinks this is a great idea.

At 6:52 p.m. Mr. Klepacz made a motion to enter into executive session under Section 121.06 (k) of the Codified Ordinances for purposes of Conference with Attorney, Property Matters, Personnel Matters and Negotiations with Organizations or Individuals; the motion was seconded by Mr. Scott. The motion passed by a unanimous roll call vote.

At 7:15 p.m. Council exited the executive session and went back on the public record.

Tom Carroll – Mr. Schwieterman stated he recently had a lunch meeting with Mr. Tom Carroll, Village Manager of Silverton. He stated they discussed First Tier community issues. Mr. Schwieterman shared with him Kettering's land acquisition process, the Wilmington Pike Improvement Plan, Research Park and other topics.

Dayton Development Coalition (DDC) – Mr. Schwieterman said the DDC is creating a Public Sector Committee and he has been appointed to the Committee. It is a new Committee; the DDC wants to have a Public Sector Committee to make sure the public sector is heard from when the DDC Board is making decisions.

Railroad Tracks – Mr. Schwieterman said he checked with the City of Dayton City Manager regarding uneven, unused railroad tracks on city streets. The Dayton City Manager stated Dayton tries to work with the railroads to get the tracks repaired, but if they can get no action the City of Dayton takes action to correct the problem. Mr.

Schwieterman said staff will continue working with the proper agencies to get the tracks on Patterson Road repaired or removed.

The workshop meeting adjourned at 7:22 p.m.

ATTEST:

DONALD E. PATTERSON
MAYOR

LASHAUNAH D. KACZYNSKI
Clerk of Council