

CITY OF KETTERING
CITY COUNCIL
WORKSHOP MINUTES
July 14, 2020

The Council of the City of Kettering, Ohio met in a workshop session on Tuesday, July 14, 2020, in the Deeds Conference 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 Klepacz, Mr. Duke, Mr. Lautar, Mr. Scott, Mr. Wanamaker and Mrs. Fisher.

Staff Members Present: City Manager Mark Schwieterman, Law Director Ted Hamer, Chief of Police Protsman, Economic Development Manager Gregg Gorsuch and Community Information Manager Mary Azbill.

Mr. Sterling Abernathy was also in attendance.

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

Mr. Schwieterman stated Montgomery County is a COVID-19 Red Alert, Level 3, and meeting attendees will wear masks unless speaking.

Mrs. Fisher stated she would rather go back to video conferencing meetings.

Mr. Schwieterman advised that meetings could continue in person, via video conference or a hybrid depending on comfort level of participants. If Montgomery County escalates to Purple Alert, meetings will be via video conference.

Mayor Patterson asked what other cities are doing.

Mr. Schwieterman explained other cities have gone back to regular, in-person meetings and accommodate requests to participate from home.

Mr. Schwieterman announced that there would be a proclamation for National Park and Recreation month. Mary Beth O’Dell is unable to attend the meeting.

Mr. Duke spoke with Tom Robillard earlier in the week regarding the ordinance for flagpoles. A flagpole has to be on property even if it falls. There is no provision on right of way.

Mr. Schwieterman confirmed the statement.

Mr. Schwieterman spoke about Etix who paid sponsorship for the contract with the City. Etix sold tickets and charged a percentage. When ticket buyers received a refund, Etix was not obligated to refund the percentage. The City reimbursed customers, and Etix reimbursed Kettering. Etix sent the City a credit for \$58,000, and Kettering sent them a check for \$55,000. The City has a long-term contract with Etix.

The City is still \$1.9M below the budgeted revenue forecast. The City is doing better than anticipated. Next data point will be the end of July which will provide a better indication of what the model will be (i.e., 1%, 2%, etc.).

Mayor Patterson stated that other cities are 15% to 20% down thus far.

Mr. Schwieterman stated Kettering is 8% down thus far.

Mr. Schwieterman stated that COVID-19 has driven down electric prices. GovTech approved moving forward with the contract at a fixed rate that will save the city \$108,000 over the next four years, and member cities will save over a million dollars combined.

Mayor Patterson asked if there is a natural savings with facilities closed.

Mr. Schwieterman confirmed and added that all facilities are open to the public.

Chief Protsman stated that law enforcement is sad and disappointed with the recent events involving George Floyd. No one in law enforcement wants to see this happen. It was ridiculous and it is hoped it will be handled properly. But, from that came the opportunity to create a binder that outlines Kettering Police Department's policies and procedures regarding use of force, de-escalation, etc. It also gives the Chief a chance to brag on the men and women who work in Kettering. People have a misunderstanding of what KPD does. Now, there is an opportunity to explain it. The majority of the emails received had do with 8 Can't Wait and how Kettering measures up. Of those eight, KPD covers six. Banning shooting into vehicles is a policy that states that officers will not shoot into a vehicle unless it is life or death and required to use deadly force. KPD uses a use of force continuum. The goal is to allow officers to think about options that save lives while staying safe. Stressful situations do not allow officers to remember policies, but they can remember their training. While KPD continues to look at that model, they are hesitant to put in things that need to be memorized. Some of the use of force policies were changed after the Floyd incident. If there is a law or best practice, KPD reviews the policy. The Commission on Accreditation for Law Enforcement Agencies, Inc., (CALEA) helps with that. Neck restraints, duty to intervene, deadly force policy and reasonable force were proposed by CALEA. KPD already has these covered in the policies. Staff inspections are also in place as required by CALEA. An Internal Affairs Sergeant and Accreditation Manager review each policy to ensure relevance and send to commanders for review and changes. CALEA is on a four-year cycle. Once a year, they come and review a fourth of KPD policies. A team then comes to review how policies are implemented.

Mr. Lautar asked if KPD interacts with the City Manager when reviewing policies and does he have a sense of where things are headed.

Chief Protsman stated that KPD keeps that in-house unless it is significant.

Chief Protsman meets with the Internal Affairs Sergeant each week. They review complaints from the previous week and the status of those made earlier. Response to resistance, officer injuries, accidents, pursuits, lawsuits and any other pertinent information are reviewed, as well. A monthly report captures this information and a comparison to the previous year is demonstrated.

Mayor Patterson asked if the type of people hired has an impact.

Chief Protsman stated that an early warning system helps spot issues. Training, hiring and mental health are also important. KPD has had four officer-involved shootings. In some instances officers deal with it without incident until years down the road. Officers involved are sent to a psychologist starting the next day, as well as their spouses.

Mr. Duke asked why complaints are going down.

Chief Protsman explained that training and accountability are major components. In-car cameras help, too. Taking care of the little things along the way takes care of the big things.

Mr. Duke asked if trends in behavior should be demonstrated.

Mr. Lautar asked why de-escalation training is not required since 85% of calls for service use that training.

Chief Protsman stated that KPD is moving in that direction. The de-escalation was put in place in 2017. Two trainers were to train officers.

Mr. Klepacz asked about consistency in counting complaints through the years.

Chief Protsman explained that for example more than two complaints come in, but many times, the complainant acquiesces and it does not rise to a complaint.

KPD watches trends and tries to prepare, including de-escalation. Training center at DESC would have a simulator to train officers to act appropriately and speak correctly.

Three years ago, KPD applied for a grant to hire a mental health professional to accompany officers on mental calls and overdoses. KPD is working with ADAMHS to make this happen.

Community relations is the other important component. There is no city this size that has such a quality relationship with the residents. This has been going on since KPD began. Community-oriented policing was used at KPD before it was a trend. KPD receives negative emails; but, more often, they are given food, cards and positive emails.

Mayor Patterson stated that the City needs to do a better job getting things out to the public. We have been doing these things for years.

Mrs. Fisher asked how many hate mails have been received.

Chief Protsman stated that the senders have no idea about KPD specifically.

Mrs. Fisher asked if there is a movement to remove SROs from schools.

Chief Protsman had not heard of anything and confirmed that the superintendent is a supporter.

Mr. Duke noted that 144 contacts in January were made by SROs and it needs to be publicized.

Chief Protsman stated that the biggest impacts are the officers on the street interacting with citizens. That gets the broader brush. Dr. Yvette Williams is teaming up with officers and dispatchers to bring discussions to Kettering.

At 7:09 p.m. Vice Mayor Klepacz made a motion to enter into executive session under Section 121.06 (k) of the Codified Ordinances for purposes of Property Matters and Conference with Attorney; the motion was seconded by Mr. Duke. The motion passed by a unanimous roll call vote.

At 7:25 p.m. Council exited the executive session and went back on the public record.

The workshop meeting adjourned at 7:25 p.m.

ATTEST:

DONALD E. PATTERSON
MAYOR

LASHAUNAH D. KACZYNSKI
Clerk of Council